



**CITY OF YPSILANTI
CITY COUNCIL MEETING
FEBRUARY 15, 2022 @ 7:00 PM
YPSILANTI FREIGHTHOUSE
100 MARKET PL, Ypsilanti, MI 48197
[VIRTUAL ACCESS](#)
Revised 2-15-22**

Page

I. CALL TO ORDER

II. ROLL CALL

III. AGENDA APPROVAL

IV. PUBLIC COMMENT (3 MINUTES)

V. PRESENTATIONS

4 - 39

- A. Roads Presentation - Ron Akers, Department of Public Services Director & Rachel Jackson, OHM Engineering
[Engineer Presentation](#)
[City Presentation](#)
- B. Ypsilanti Community School Request for City Sponsorship for upcoming events in May and August. - Taryn Willis

VI. ORDINANCES FIRST READING

40 - 58

- A. Ordinance 1385, an ordinance to amend Chapter 122, an ordinance entitled "Text Amendment: Zoning Ordinance Modifications"
 - 1. Resolution No. 2022-032, determination
 - 2. Public Hearing
 - 3. Resolution No. 2022-033, closing the public hearing[Supporting Documents - Pdf](#)

59 - 86

- B. Ordinance 1386, an ordinance to amend Chapter Chapter 7 MARIJUANA, of the City Code of Ordinances.
 - 1. Resolution No. 2022-034, determination
 - 2. Public Hearing
 - 3. Resolution No. 2022-035, closing the public hearing[Supporting Documents - Pdf](#)

VII. CONSENT AGENDA

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- A. Resolution No. 2022-036, approving the Consent Agenda.
[2022-036 - Pdf](#)

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- B. Resolution No. 2022-037, approving the minutes of February 1, 2022.
[2022-037 - Pdf](#)

- 98** C. Resolution No. 2022-038, approving appointments to boards and commissions.
[2022-038 - Pdf](#)
- 99 - 104** D. Resolution No. 2022-039, approving a budget amendment regarding the
Downtown Development Authority.
[2022-039 - Pdf](#)

VIII. RESOLUTIONS/MOTIONS/DISCUSSIONS

- 105 - 109** A. Resolution No. 2022-040, authorizing the submission of a TAP Grant
application for the Huron River Drive reconstruction.
[2022-040 - Pdf](#)
- 110 - 111** B. Resolution No. 2022-041, approving a budget adjustment to facilitate a May
Special Election.
[2022-041 - Pdf](#)
- 112 - 115** C. Resolution No. 2022-042, approving the City Council Citywide Event Request
Form.
[2022-042 - Pdf](#)
- 116 - 126** D. Resolution No. 2022-043, approving the City Council Goals for Fiscal Year 22-
23.
[2022-043 - Pdf](#)
- 127 - 138** E. Resolution No. 2022-044, amending the Intergovernmental Agreement with
the Downtown Development Authority.
[2022-044 - Pdf](#)
- F. Discussion of policing in the DDA districts. (20 minute)

IX. APPOINTMENT OF CBO AD HOC COMMITTEE

- 139 - 143** A. Appointment of the Community Benefits Ordinance Ad Hoc Committee for the
945 Clark Rd Development.
[CBO Applications and Vote](#)

X. BOARD AND COMMISSION - NOMINATIONS

- 144 - 145** A. **Arts Commission - (Exp. 2/1/2025)**
Lynn Settles - Non-resident
7388 Natalie Drive
Ypsilanti, MI 48197
[Application](#)
- 146 - 149** B. **Downtown Development Authority - (exp. 7/1/25) ADDED**
Malissa Gillett
25 N Washington St.

Ypsilanti, MI 48197

Joseph Richie - (exp. 7/1/2025) ADDED

1065 Maplewood - Non-Resident

Ypsilanti, MI 48197

[Gillett Application](#)

[Richie Application](#)

XI. COUNCIL PROPOSED BUSINESS

- A. All comments to be provided prior to the meeting.

XII. COMMUNICATIONS FROM THE MAYOR

- A. All comments to be provided prior to the meeting.

XIII. ADJOURNMENT

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- A. Resolution No. 2022-045, adjourning the City Council Meeting.
[2022-045 - 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.



City of Ypsilanti

Road Infrastructure Work Study

February 15, 2022



Desired Outcomes

- ▶ As part of this work session, we would like to:
 - ▶ Identify the high-priority road infrastructure assets
 - ▶ Review upcoming road, bridge, and pedestrian facilities projects
 - ▶ Funding at a Federal level and State level
 - ▶ Present potential County Millage road projects for 2022
 - ▶ Create a sustainable plan to fund high priority infrastructure assets



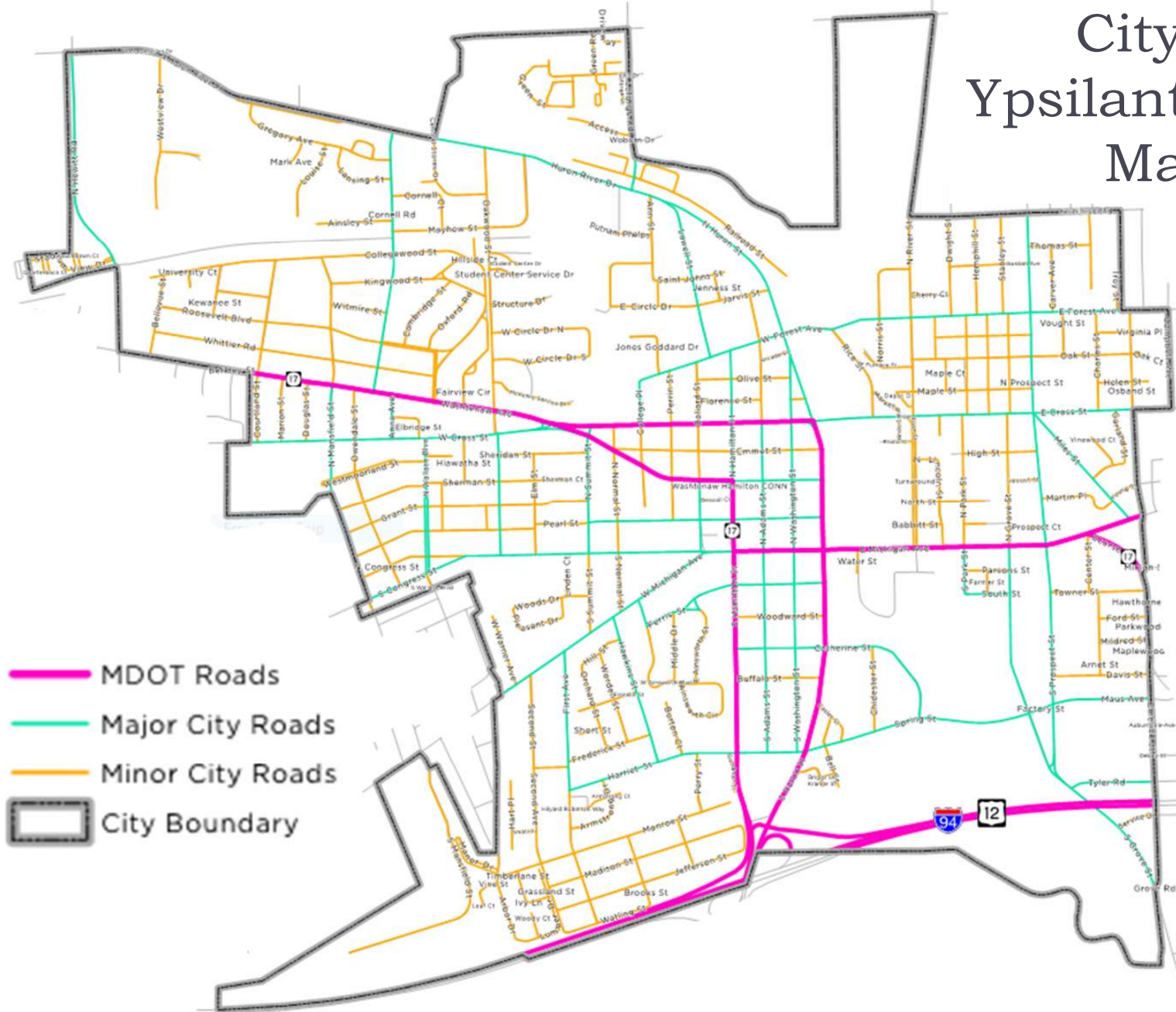
Road Infrastructure Summary: The City of Ypsilanti Owns and Maintains

- ▶ 52.6 miles of road, split into two groups: City Major (41%) and City Local (59%).
 - ▶ Most of City Major streets are eligible for Federal Aid funding.
 - ▶ City Local are *ineligible* for Federal Aid funding.
- ▶ 5 vehicular bridges: Cross, Forest, Prospect, Spring, and Leforge.
- ▶ Non-motorized facilities including trails, sidewalks, 2 pedestrian bridges, and ADA ramps.
- ▶ Storm sewer infrastructure including pipe and structures within road ROW.

*YCUA maintains water and sanitary infrastructure



City of Ypsilanti Road Map



Road Condition Assessment – Pavement Surface Evaluation & Rating (PASER)

- ▶ PASER Evaluations are required by MDOT.
- ▶ Road conditions are assessed utilizing a statewide standard PASER ratings – Windshield survey – Condition 1-10.
- ▶ Federal Aid eligible street have been rated every two years by SEMCOG since 2003. Most recently in 2021.
- ▶ All City Local streets are rated by DPS and OHM every 2 years. Most recently in 2021.
- ▶ RoadSoft modeling software uses the condition rating and length/width information to model the effect of varying financial investment levels moving forward.



Road Network Ratings & Candidate Groups

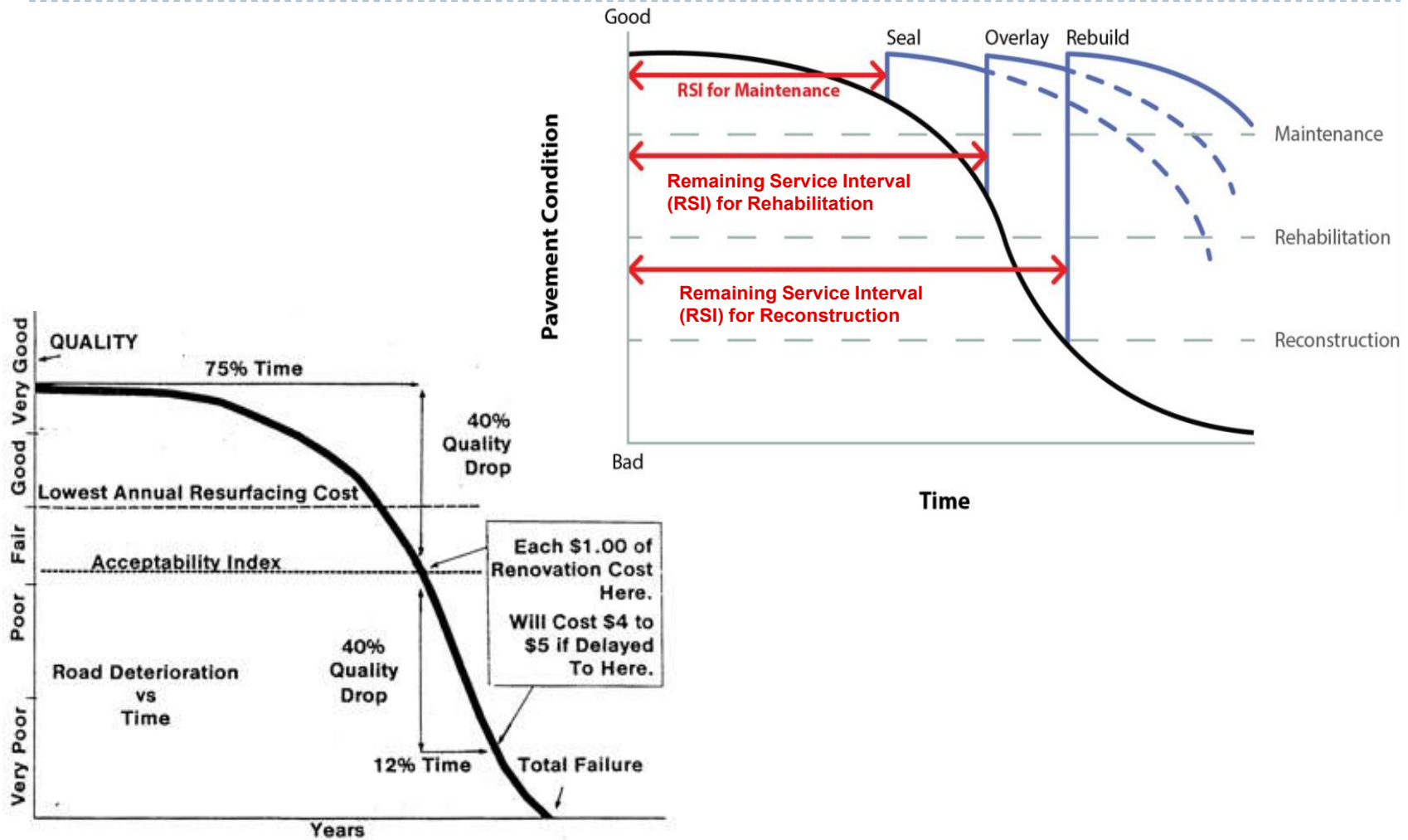
<u>2021 PASER Rating</u>	<u>Major Road (Centerline Miles)</u>	<u>Major Road Percentage</u>	<u>Local Roads (Centerline Miles)</u>	<u>Local Road Percentage</u>	<u>Total (Centerline Miles)</u>	<u>2021 Total Percentage</u>	<u>2018/2019 Total Percentage</u>
Good (PASER 10-8)	2.867	13.31%	0.387	1.26%	3.254	6.24%	6.58%
Fair (PASER 7-5)	5.677	26.36%	12.147	39.66%	17.824	34.17%	32.28%
Poor (PASER 4-3)	5.625	26.12%	16.764	54.73%	22.389	42.92%	45.53%
Failed (PASER 2-1)	7.368	34.21%	1.331	4.35%	8.699	16.68%	15.60%

Roads with PASER Ratings

- ▶ 10 – 8 need little to no maintenance
- ▶ 7 – 6/5 are candidates for Preventative Maintenance
- ▶ 5/4 – 3 are candidates for Rehabilitation
- ▶ 2 – 1 are candidates for Reconstruction

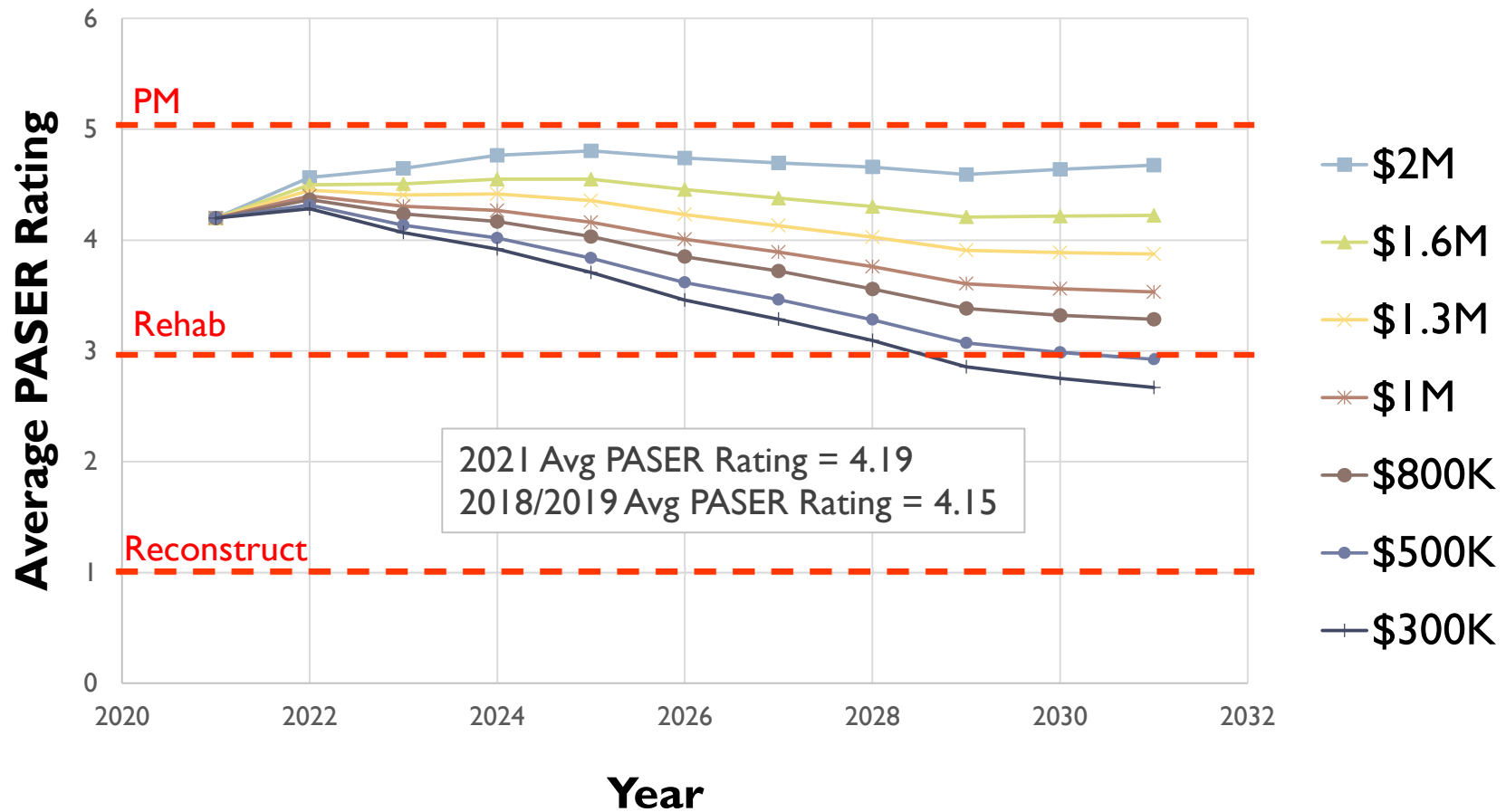


Pavement Deterioration Curves



2022 Investment Analysis

Projected Network Condition - Average PASER Rating



Road Funding Sources

- ▶ City receives the following irrespective of specific projects
 - ▶ ACT 51 (approx. \$1.4 mil per year)
 - ▶ ACT 51 can be used on Major and Local roads and are used for snow plowing, salting, catch basin repair, equipment, etc.
 - ▶ Surface Transportation Program – Urban (STP-U) from Washtenaw Area Transportation Study (WATS) providing \$360K-380K per year
 - ▶ County Millage about \$125K per year for 2021-2024
 - ▶ Community Development Block Grant (historically used for ramps)
 - ▶ Metro Act (historically used for ramps)



The Infrastructure Investment and Jobs Act

- ▶ Federal \$1.2 trillion Infrastructure Bill passed November 2021 will invest in the country's infrastructure priorities over the next 5-years: roads and bridges, rail, transit, ports, airports, the electric grid, water systems, and broadband.
- ▶ States will receive the funding (varies per state, Michigan is estimated at \$10.78 billion)
- ▶ Federal Grant opportunities

Infrastructure Investment and Jobs Act



Largest categories of funding



\$110 billion

Roads and
bridges



\$73 billion

Electric grid
infrastructure



\$66 billion

Rail



\$65 billion

Broadband
projects



\$55 billion

Water
infrastructure

Planned Upcoming Road Improvement Projects

- ▶ 2022 County Millage project – Not Chosen
- ▶ 2022/2023 Forest St Bridge Rehabilitation – Est \$1.4 million total cost
- ▶ 2022/2023/2024 MDOT US-12/M-17 Road Rehabilitation and Pedestrian Facilities upgrades
- ▶ 2023 Huron River Dr. Reconstruction – Est. \$4 million total cost
- ▶ 2023/2024 S Adams St: Michigan to Catherine – Est \$300K total cost
- ▶ 2024 Leforge and Factory Bridge Preventative Maintenance – Est. \$740K total cost

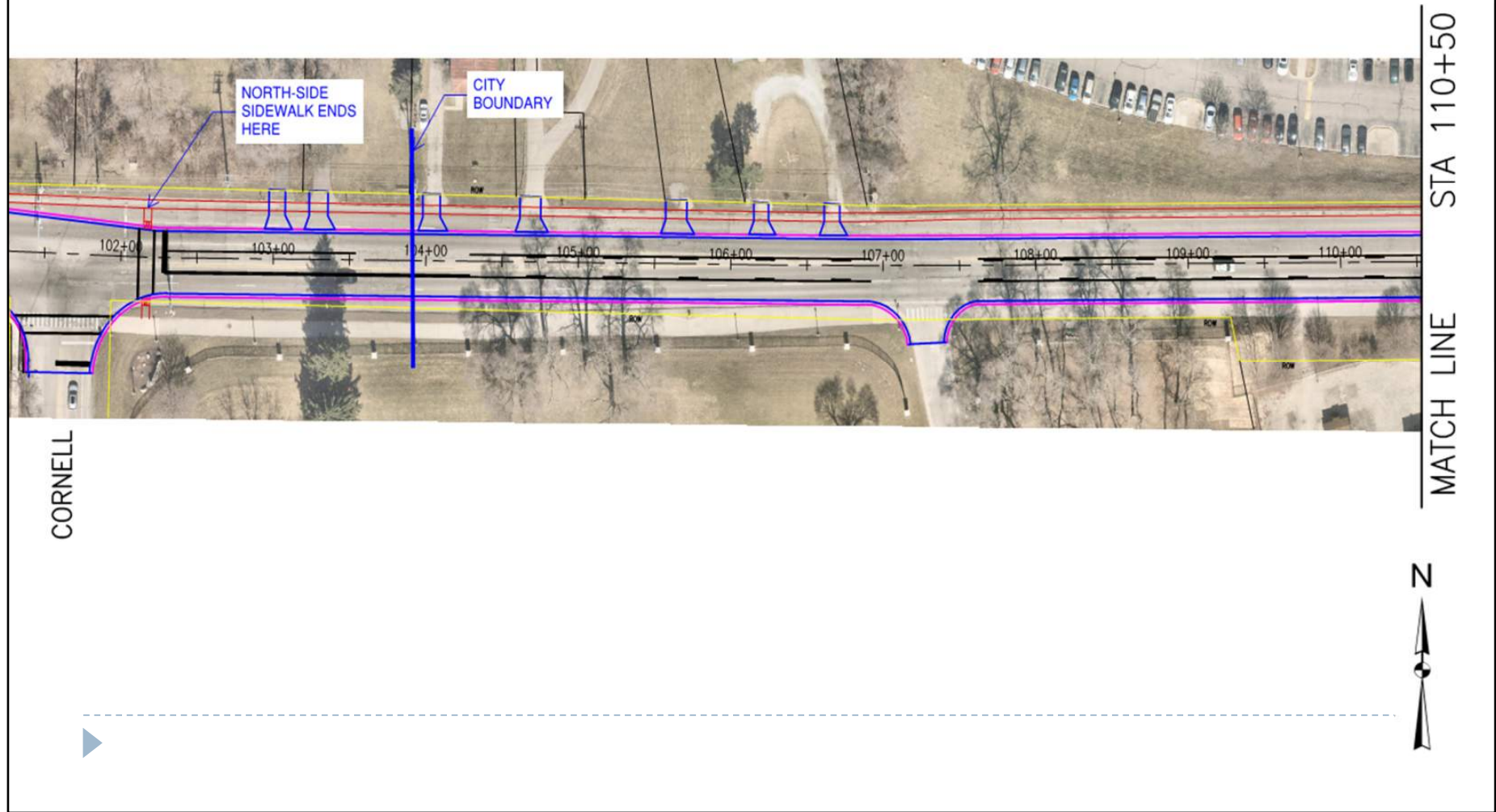


2023 Huron River Drive Reconstruction

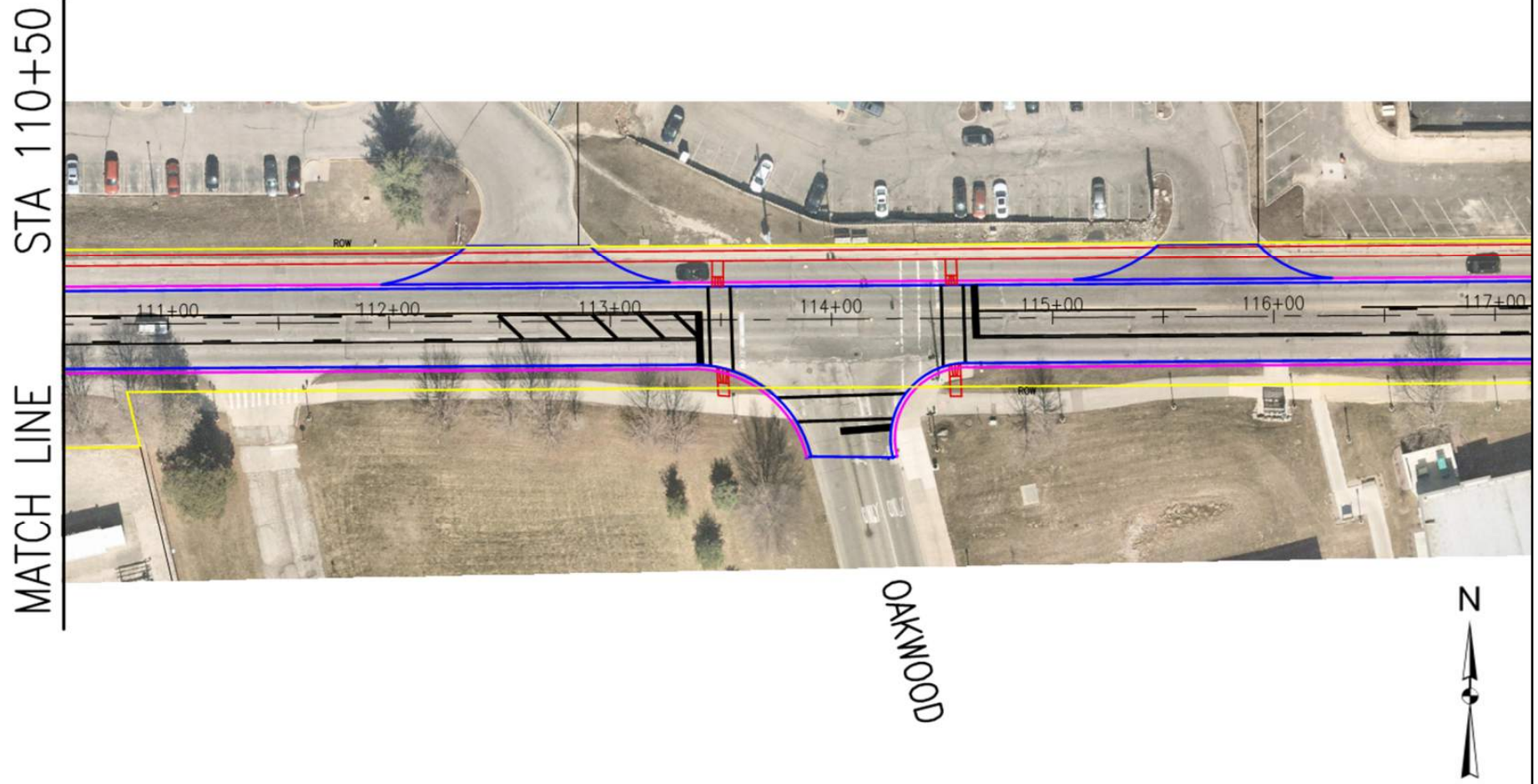
- ▶ Total Estimated Project Cost is \$4 million, with Federal Funds at \$2,087,801 and Highway Improvement Program Urban Funds \$120,000
- ▶ Project limits are Cornell to Leforge
- ▶ Road Diet Study performed back in 2021 confirmed a reduction from 4-lanes to 3-lanes was justified to improve safety.
- ▶ Project also includes constructing a sidewalk on the north side of the road and improvements to sidewalk on the southside. The City is pursuing a TAP Grant from MDOT to assist with funding of the pedestrian upgrades.



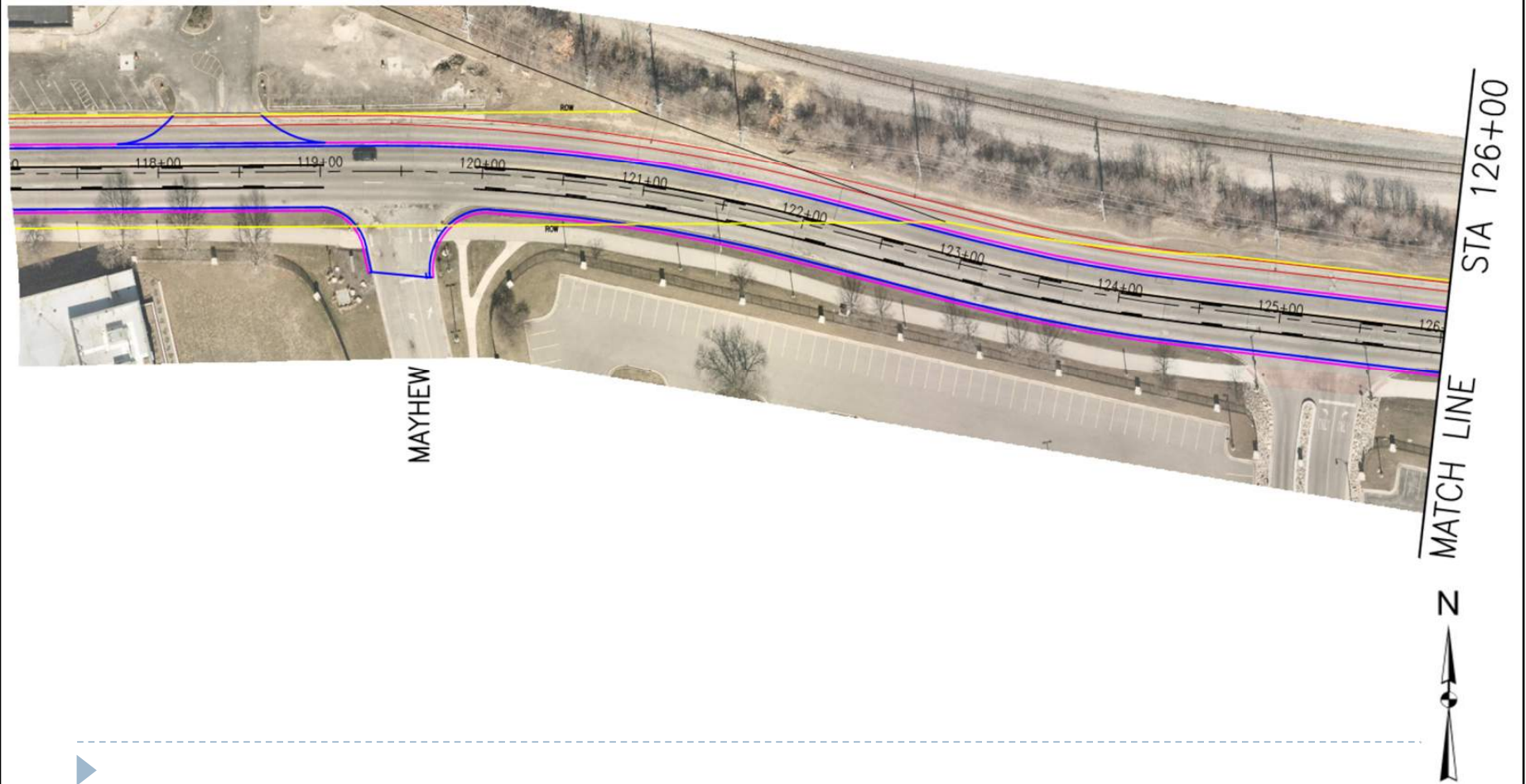
2023 Huron River Drive Reconstruction Conceptual Design



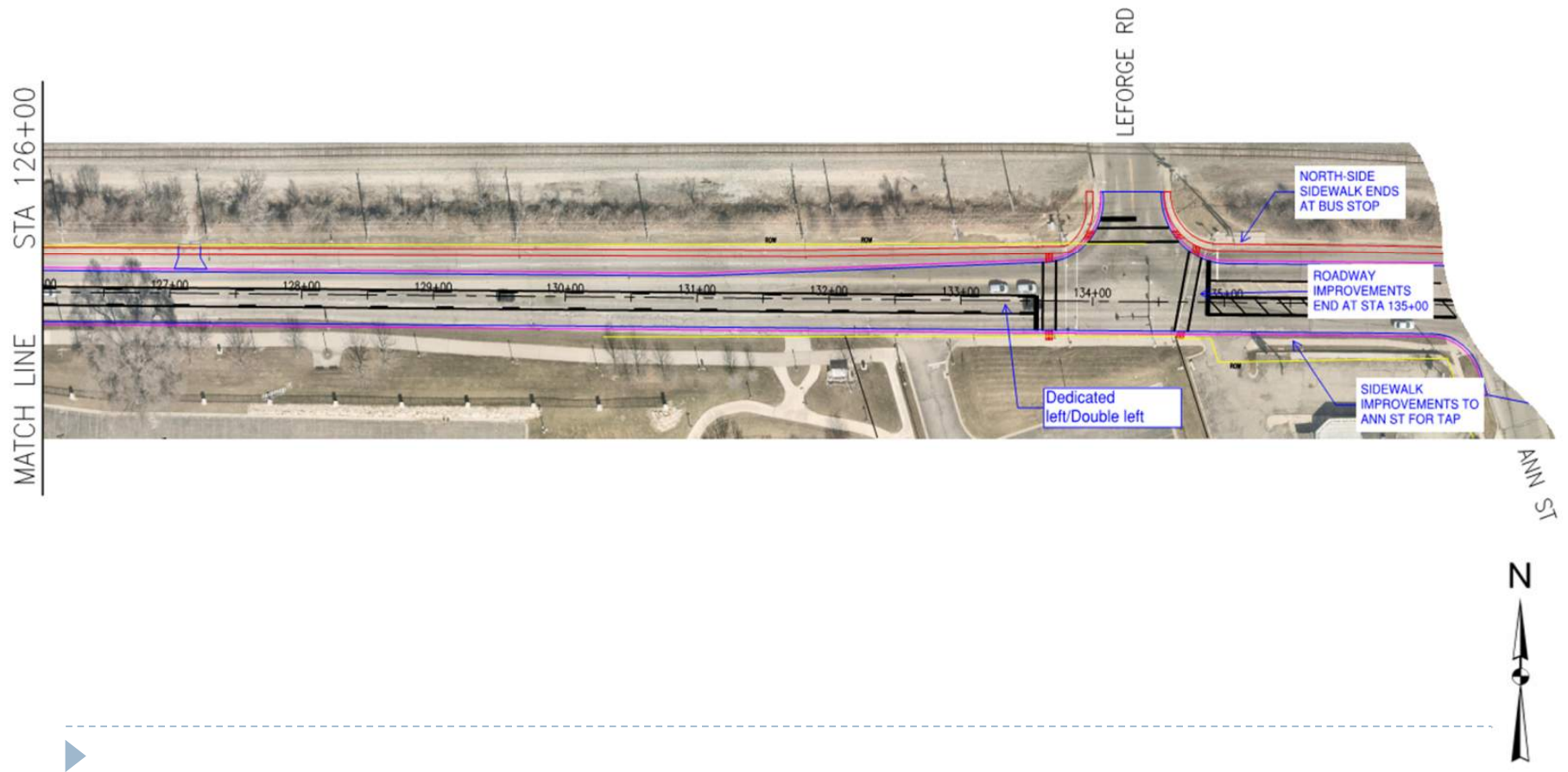
2023 Huron River Drive Reconstruction Conceptual Design



2023 Huron River Drive Reconstruction Conceptual Design



2023 Huron River Drive Reconstruction Conceptual Design



2022 City Local - Washtenaw County Millage

- ▶ N Washington St (Cross to Emmet) was chosen by Council for 2022 but is no longer feasible for a rehabilitation and requires full replacement.
- ▶ DPS requests Council's input

PASER Rating	Road Name	From	To	LENGTH (MILES)	Road Treatment*	Total Probable Project Cost
4/3	Emmet St	Adams	N Huron	0.14	2" Mill & Overlay	\$ 179,520.00
3	N Washington St	Michigan	Pearl	0.08	2" Mill & Overlay	\$ 141,120.00
3	Pearl St	Huron	Washington	0.07	2" Mill & Overlay	\$ 116,800.00
3	Emmet St	Ballard	Hamilton	0.07	2" Mill & Overlay	\$ 105,600.00
4	Perrin	W Forest	Cross	0.13	2" Mill & Overlay	\$ 167,200.00
3	Perrin	Cross	Washtenaw	0.12	2" Mill & Overlay	\$ 236,800.00

*Pavement cores will be required on each road to determine final mill and overlay depth



Road Bridges

- ▶ Forest Ave Bridge – Poor condition, inspect annually
- ▶ Cross St Bridge – Poor condition, inspect annually
- ▶ Prospect St Bridge – Poor condition, inspect annually
- ▶ Leforge Rd Bridge – Fair condition, inspect bi-annually
- ▶ Factory (Spring) St Bridge – Fair condition, inspect bi-annually



Forest Avenue Bridge

- ▶ City received State Bridge funding for 2023 rehabilitation construction
- ▶ Current needed fix is substructure patching and deck concrete overlay and approach work. \$1.4M total cost, approximate city cost is \$370K. (90% federal funding)



Cross Street Bridge

- ▶ Current needed fix is full replacement
Est. \$7M total cost
- ▶ Fix within 2-8 years
- ▶ Load restrictions will continue to tighten.
- ▶ Can realistically only expect \$2-3M (applied to construction costs) from MDOT
- ▶ Preliminary design has begun, 2-3 year process (environmental)
- ▶ Need to show funding plan to apply MDOT money



Prospect Road Bridge

- ▶ Current needed fix is superstructure replacement \$3M total cost
- ▶ Fix within 5-12 years
- ▶ Load restrictions will continue to tighten and will need interim PM to seal out moisture
- ▶ Railroad coordination



Leforge Road Bridge

- ▶ City was awarded State Bridge funding for \$350K in 2024. This was Bundled with Factory for economy. Project est. total cost is \$740K, with approximate city cost \$180K. (95% federal funding)
- ▶ Preventative investment soon will extend service life and help delay more expensive rehabilitation



Factory (Spring) Street Bridge

- ▶ City was awarded State Bridge funding for \$240K in 2024 for preventative maintenance work. This was Bundled with Leforge for economy. Project est. total cost is \$740K, with approximate city cost \$180K. (95% federal funding)
- ▶ Preventative investment will extend service life and help delay more expensive rehabilitation.



Non-Motorized Facilities

- ▶ City staff works closely with non-motorized committee to determine non-motorized needs and plan projects.
- ▶ The City spends minimum \$100K/year on upgrading sidewalk ramps to meet ADA standards. As of 2019, approximately 50% of sidewalk ramps are ADA compliant.
- ▶ Pedestrian bridges
 - ▶ Tridge at Frog Island Park/Riverside Park
 - ▶ Riverside Park Bridge
 - ▶ Waterworks Park Bridge



Planned Upcoming Non-Motorized Projects

- ▶ Yearly sidewalk ramp upgrades
- ▶ 2022 Parkridge Park Accessibility Improvements from the Parkridge Community Center
- ▶ 2022 I-94/Huron St Interchange Non-Motorized Crossing
 - ▶ Multi-stakeholder project to align with MDOT's pavement rehab project in 2022.



Storm Sewer Infrastructure

- ▶ Storm sewer infrastructure is located within the city-owned ROW and city-owned properties.
- ▶ Storm sewer infrastructure replacement/rehabilitation is considered during the design phase of road projects.
- ▶ In May 2018, the City was awarded a Stormwater, Asset Management, and Wastewater (SAW) Grant for \$418K with a 10% match that concluded in 2021. The SAW Grant funded efforts to map storm sewer assets and purchase asset management software.
- ▶ There is currently no specific funding source available for storm sewer infrastructure and is typically addressed during a road project.
- ▶ Storm sewer infrastructure may be eligible for funding under The Infrastructure Investment and Jobs Act.



Discussion

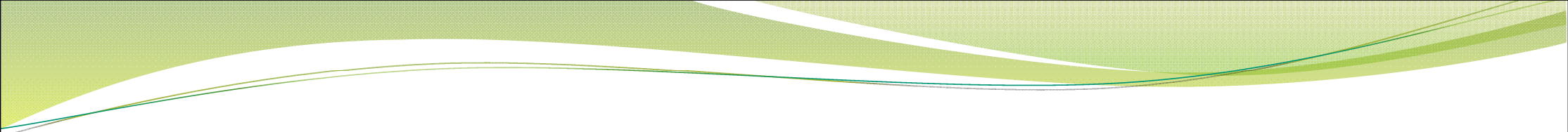




Department of Public Services

Roads Update:

February 2022



Agenda

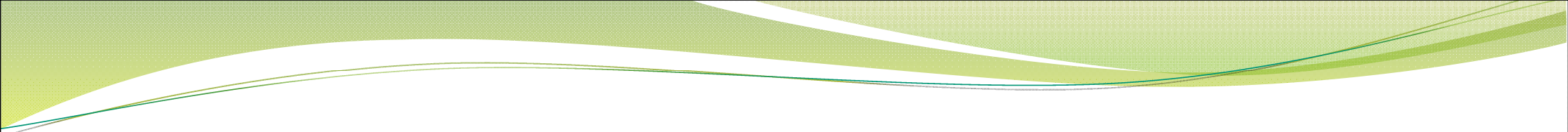
- Upcoming Projects
- Major/Local Roads Financial Status
- Bridge Status and Future Direction
- Options for 2022 County Millage Funding

Upcoming Projects

<u>Title</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>2027-28</u>
Oakwood (Sherman to Congress)/Spring St Rail Spur Removal	\$332,200						
2020 County Millage Project	\$14,000	\$161,000					
N. Huron River Drive Reconstruction (Cornell to LeForge)	\$87,500	\$1,081,143	\$993,643				
Huron & Hamilton Road Diet	\$25,000	\$150,000					
I-94/Huron Street Pedestrian Bridge	\$30,000	\$175,000					
W. Cross Parking Lane Rehabilitation	\$0						
S. Adams (Michigan Ave to Catherine)			\$259,610	\$220,610			
Huron (LeForge to Forest)							
Harriet (1st Ave to Hawkins)			\$119,600	\$211,250	\$211,250		
Harriet (Hawkins to Huron)			\$104,000	\$182,000	\$182,000		
Cornell (Kingwood to Huron River Drive)					\$176,800	\$309,400	\$309,400
Cornell (Washtenaw to Kingwood)						\$148,720	\$260,260
Forest Avenue Bridge Rehab	\$233,125	\$203,125					
Cross Street Bridge - Replacement Study	\$60,000						
LeForge & Factory Street Bridge PM Work - Design Engineering			\$185,445	\$103,025			
Road Total	\$781,825	\$1,770,268	\$1,662,298	\$716,885	\$570,050	\$458,120	\$569,660

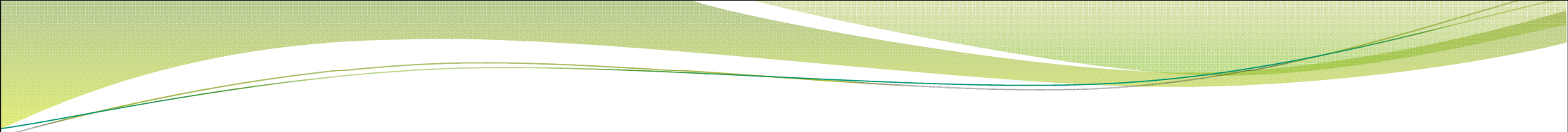
Major Road Fund Financial Status

<u>Title</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>2027-28</u>
Road Project Total	\$781,825	\$1,770,268	\$1,662,298	\$716,885	\$570,050	\$458,120	\$569,660
Storm CIP Total		\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000
Road Maintenance		\$0	\$0	\$0	\$0	\$50,000	\$50,000
Funds Available for Capital	\$700,000	\$700,000	\$700,000	\$700,000	\$700,000	\$700,000	\$700,000
Road Millage Funding	\$140,000	\$140,000	\$140,000	\$140,000	\$0	\$0	\$0
Fund Balance Transfer	\$58,175	(\$1,030,268)	(\$922,298)	\$23,115	\$29,950	\$91,880	(\$19,660)
End of Year Fund Balance	\$3,410,127	\$2,379,859	\$1,457,561	\$1,480,676	\$1,510,626	\$1,602,506	\$1,582,846



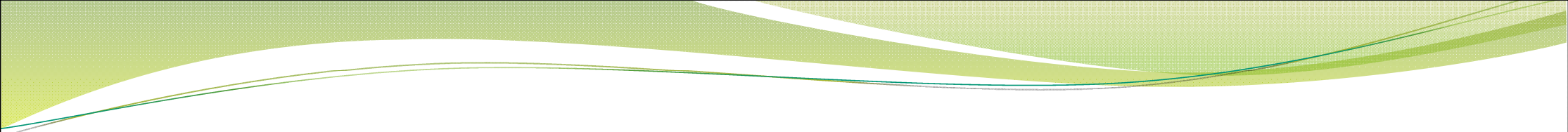
Local Road Fund Financial Status

- Fund Balance is approximately \$1.6 Million
- Annual Expenditures are approximately 575,000
- Future Plans for a Local Road Preservation Program
- Budget is projected at approximately \$150,000 per year, but number may increase based on scope.



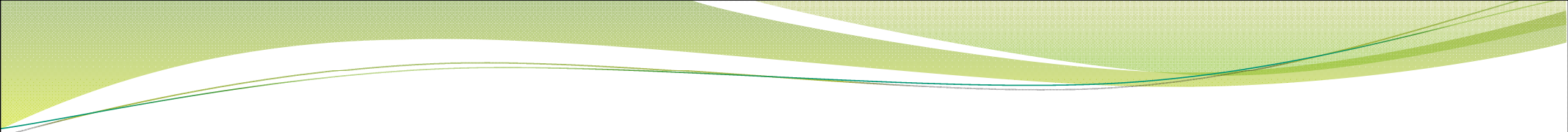
Bridge Status/Future Direction

- Funded Projects through Local Bridge Program:
 - Forest Street Bridge (2022)
 - LeForge & Factory Street Bridges (2024)
 - Cross Street Bridge Replacement Study (2021-22)
- Current Priority
 - Cross Street Bridge
 - Next Steps: Complete Study & Wait for Direction on Federal Funding



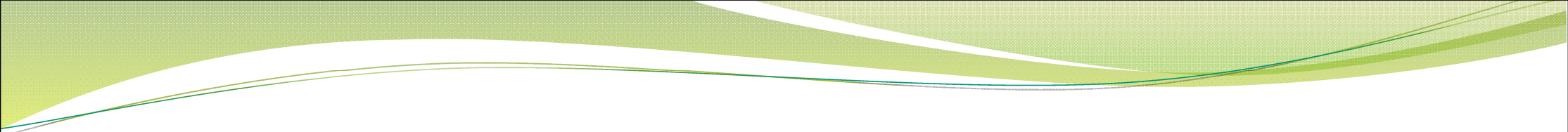
2022 County Road Millage Funding

- Unable to Initiate Project due to Road Deterioration
- Options:
 - A: Find Replacement Road Project (See OHM List)
 - B: Use Funding for Huron River Drive
 - C: Use Funding for Feasibility Study to Look at Turning W. Cross into a 2 way street.



Key Takeaways/Next Steps

- Staff needs guidance regarding 2022 County Millage Funding.
- The local residential street system requires investment soon to avoid more significant costs in the future.
- It is likely Federal road money will require matching funds and will likely only be for Federal Aide eligible roads.
- Infrastructure funding continues to be a challenge.



Discussion



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: Andy Aamodt
DATE: February 15, 2022
SUBJECT: Zoning Text Amendment: Zoning Periodic Update 2022

DESCRIPTION:

Zoning Text Amendment: Zoning Periodic Update 2022

SUMMARY:

Staff is proposing zoning ordinance text amendments for different sections. The goal of these zoning text amendments is to make the zoning ordinance more readable, more consistent, and more in alignment with recent Master Plan updates. Planning staff and Planning Commission review the zoning ordinance regularly to conduct these modifications (a.k.a. "bug fixes"). The five amendments proposed pertain to:

- Family definition (§122-203): specifically changing the unrelated occupant maximum from 3 to 5 in subsection (3).
- Fence opacity in HC, NC, and GC zoning districts (122-452(b)): restricting fences to be no greater than 50% opaque in front yards.
- Parking garages (§122-518): shrinking setback for all parking garages to 10', and eliminating the 100' distance requirement for distance from R1, CN-Mid, or CN-SF zoning districts. Also making parking garages a special land use in Park zoning districts (122-416).
- Marijuana retailer/provisioning center buffer distance (§122-538): specifically changing the buffer distance from one retailer to the other, to a 1,000 feet buffer from existing retailers/provisioning centers in General Corridor, and a 625 feet buffer from existing retailers/provisioning centers in Neighborhood Corridor and Center zoning districts.
- Maneuvering lane width (§122-685(e)): changing the width requirements to make one-way and two-way widths more consistent.

Please see the attached Planning Commission staff review for further discussion/analysis. Also attached are two maps: one showing the current layout of marijuana retailers with potential

new locations, and the other map showing the potential marijuana retailer locations map if this amendment passes.

RECOMMENDATION

Planning Commission recommended City Council adopt the ordinance text amendments at their January 2022 regular meeting. The motion passed unanimously.

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2022-032
February 15, 2022

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 [Zoning Periodic Update 2022](#).

OFFERED BY: _____

SECONDED BY: _____

YES: NO: ABSENT: VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this 15 day of February 2022

#Resolution No. 2022-032

City of Ypsilanti
Notice of Adopted Ordinance
Ordinance No. 1385

An Ordinance Entitled “Zoning Periodic Update 2022”

THE CITY OF YPSILANTI ORDAINS:

Family definition – Section 122-203

Family means:

- (1) One individual;
- (2) A group of two or more persons related by blood, marriage or adoption, together with foster children; together with:
 - (i) No more than two domestic workers employed by the household; OR
 - (ii) No more than ~~two~~ **three** additional unrelated persons occupying the unit as boarders, roomers, or guests; All of whom are domiciled together as a common, domestic, household in a single dwelling unit;
- (3) A group of persons, none of whom are related to each other by blood, marriage, or adoption, who reside together in a single dwelling unit, provided that the total number of occupants in such group shall not exceed ~~three~~ **five**, ~~except in the MD district and in any permitted residential uses in any corridor district the total number of occupants in this group shall not exceed four~~, unless otherwise provided for in this chapter; ~~or~~ **Room areas shall comply with the following standards:**
 - (i) Living room area shall contain not less than 120 square feet.**
 - (ii) Dining room area shall contain not less than 80 square feet.**
 - (iii) Sleeping room area shall contain not less than 70 square feet for one person, plus at least 50 square feet for every additional person in that sleeping room.**
- (4) A collective number of individuals living together in one dwelling unit, whose relationship is of a continuing, nontransient, domestic character, and who are cooking and living as a single, nonprofit housekeeping unit. This definition shall not include any society, club, fraternity, sorority, association, lodge, coterie, organization, or group of students or other individuals whose domestic relationship is of a transitory or seasonal nature or for an anticipated limited duration of a school term or terms or other similar determinable period.

Fence opacity in HC, NC, and GC zoning districts – Section 122-452(b)

(b) Fences		
Front Yard and Street Side Yard	No more than 6’ height and 50% opacity	• Opacity is measured by the observation of any two (2) square yard area of fence between one (1) foot above the ground level and the top of the fence. The observation is from a direction perpendicular to the place of the fence. • Subject to §122-635 • Subject to §122-675
Side and Rear Yards	10’ height max	

Parking garages – Sections 122-416 and 122-518

Sec. 122-416. Permissible Uses.

INFRASTRUCTURE			
Parking Garage	S		Section 122-518

Sec. 122-518. Automobile parking garages.

Automobile parking garages are permitted subject to the conditions hereinafter imposed:

- ~~(a) Such use must not be located within 100 feet of an R1, CN Mid or CN SF district.~~
- (b) ~~All parking garages in the Walkable Urban Districts shall be constructed under the IT building type.~~ **All parking structures shall be limited to 50' maximum height, and there shall be a minimum 10' front, street side, side, and rear setback distance.**
- (c) The architectural style and facade of the structure must be in keeping with the character of surrounding residential and business uses.
- (d) All areas not used for parking or vehicular maneuvering must be landscaped and maintained in good condition.
- (e) No access from a major thoroughfare is permitted. The vehicle entrances to structured parking should be from side streets and/or access roads.
- (f) Direct pedestrian access from parking garages to any adjacent street must be provided.
- ~~(g) The exterior facades of all parking garages fronting on any street must be designed to achieve an architectural unity with the block.~~
- (h) The parking garage must have sheltered bicycle and motorcycle parking areas within 25 feet of the vehicular entrance.

Marijuana retailer/provisioning center buffer distance – Section 122-538

Sec. 122-538. Marihuana retailers and/or provisioning centers.

- (a) **Generally.** Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the State of Michigan laws and rules. Also, since Federal law is not affected by the Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law.
- (b) The following standards for marihuana retailers and/or medical marihuana provisioning centers apply:
 - (1) The facility shall operate at all times in compliance with the General Rules of the Michigan Department of Community Health, the MMMA, the MMFLA, the MTA, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein;
 - (2) A marihuana retailer and a provisioning center may be co-located in the same facility so long as it complies with Chapter 7 of the City Code of Ordinances, the MMFLA, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein;
 - (3) The marihuana retailer and/or provisioning center shall not be located within one thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the marihuana retailer and/or provisioning center is located to the outermost boundaries of the lot or parcel on which the school is located;
 - ~~(4) The marihuana retailer and/or provisioning center shall not be located within five hundred (500) feet of a lawfully existing marihuana retailer and/or provisioning center as measured from the outermost boundaries of the lot or parcel on which the proposed marihuana retailer and/or provisioning center is located to the~~

outermost boundaries of the lot or parcel on which the lawfully existing marihuana retailer and/or provisioning center is located; **The marihuana retailer and/or provisioning center shall not be located within one-thousand (1,000) feet of a lawfully existing marihuana retailer and/or provisioning center in the General Corridor (GC) zoning district, nor within six-hundred-twenty-five (625) feet of a lawfully existing marihuana retailer and/or provisioning center in the Neighborhood Corridor (NC) and Center (C) zoning districts. Distances are measured from the outermost boundaries of the lot or parcel on which the proposed marihuana retailer and/or provisioning center is located to the outermost boundaries of the lot or parcel on which the lawfully existing marihuana retailer and/or provisioning center is located.**

- (5) Use of marihuana is prohibited on the premises;
- (6) All activity related to the marihuana retailer and/or provisioning center shall be done indoors;
- (7) The premises shall be open for inspection upon request by the Building Official, the Fire Department, and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.
- (8) Drive-through and walk-up or similar facilities shall be prohibited;
- (9) All marihuana shall be contained within the main building in an enclosed, locked facility in accordance with the General Rules of the Michigan Department of Community Health, the MMMA, the MMFLA, the MTA, the MRTMA, as well as any and all administrative rules or regulations contained or adopted under the authority therein;
- (10) All marihuana retailers and/or provisioning centers must be registered with and licensed by the State Department of Licensing and Regulatory Affairs, as well as be permitted under Chapter 7 of the City Code of Ordinances;
- (11) Growing, cultivation, or processing of marihuana in a marihuana retailer and/or provisioning center is prohibited;
- (12) If a special land use, the existing marihuana retailer and/or provisioning center facility and site shall not be altered or expanded without approval from the Planning Commission, subject to Sec. 122-328.

Maneuvering lane width – Section 122-685(e)

(e) Minimum Standards. The minimum standards for parking spaces and aisles are indicated in the table below.

Standard Vehicle Parking Dimensions					
Parking Patterns (Degrees)	Space Width (Feet)	Space Length (Feet)	Maneuvering Lane Width (Feet)	Total Width of One Tier of Spaces Plus Maneuvering Lane (Feet)	Total Width of Two Tiers of Spaces Plus Maneuvering Lane (Feet)
0 (parallel)	9	22	12 10 if one-way 10 12 if two-way	21 19 one-way 19 21 two-way	30 28 one-way 28 30 two-way
30 to 53	9	18	13	36	53
54 to 74	9	18	16	38	59
75 to 90	9	18	22	40	62
Compact Vehicle Parking Dimensions					
Parking Patterns (Degrees)	Space Width (Feet)	Space Length (Feet)	Maneuvering Lane Width (Feet)	Total Width of One Tier of Spaces Plus Maneuvering Lane (Feet)	Total Width of Two Tiers of Spaces Plus Maneuvering Lane (Feet)
0 (parallel)	8	18	12	20 one-way	28 one-way

				32 two-way	40 two-way
30 to 53	8	17	13	36	53
54 to 74	8	17' 5"	16	38	59
75 to 90	8	16	22	42	62
Motorcycle Vehicle Parking Dimensions					
All motorcycle parking spaces shall be a minimum of five feet by eight feet.					

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

Andrew Hellenga, City Clerk

Attest

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

Andrew Hellenga, City Clerk

CERTIFICATE OF ADOPTING

I hereby certify that the foregoing is a true copy of the Ordinance passed at the regular meeting
of the City Council held on the _____ day of _____, _____.

Andrew Hellenga, City Clerk

Notice Published:

First Reading:

Second Reading:

Published:

Effective Date:



Resolution No. 2022-033
February 15, 2022

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the public hearing to consider an ordinance titled "Zoning Periodic Update 2022" be officially closed.

OFFERED BY: _____

SECONDED BY: _____

YES: NO: ABSENT: VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this 15 day of February 2022

#Resolution No. 2022-033

ACTION MINUTES
Planning Commission
Wednesday, January 19, 2022 – 7:00 P.M.

City Hall- Council Chambers
1 S Huron St, Ypsilanti, MI 48197

I. Call to Order

II. Roll Call

Matt Dunwoodie, Chair	A
Michael Simmons, Vice-Chair	P
Marc Arthur	P
Eric Bettis	P
Mike Davis Jr.	A
Jessica Donnelly	P
Phil Hollifield	P
Carl Schier	P

Motion to excuse absences for Commissioners Dunwoodie and Davis Jr.

Offered By: Commissioner Donnelly; Seconded By: Commissioner Bettis
Approved: Yes – 6; No – 0; Absent – 2 (Davis Jr, Dunwoodie)

III. Approval of Minutes

- December 2021 Meeting

Offered By: Commissioner Bettis; Seconded By: Commissioner Donnelly
Approved: Yes – 6; No – 0; Absent – 2 (Davis Jr, Dunwoodie)

IV. Audience Participation

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

Motion to open the audience participation

Offered By: Commissioner Donnelly; Seconded By: Commissioner Bettis
Approved: Yes – 6; No – 0; Absent – 2 (Davis Jr, Dunwoodie)

None.

Motion to close the audience participation

Offered By: Commissioner Donnelly; Seconded By: Commissioner Bettis
Approved: Yes – 6; No – 0; Absent – 2 (Davis Jr, Dunwoodie)

V. Committee Reports

- Non-motorized Advisory Committee -no report.

VI. Presentations and Public Hearing Items

- Zoning Ordinance Text Amendments: Bug-fixes
 - o *Public Hearing*

Motion to open the public hearing.

Offered By: Commissioner Bettis; Seconded By: Commissioner Hollifield

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

None.

Motion to close the public hearing.

Offered By: Commissioner Donnelly; Seconded By: Commissioner Bettis

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

Motion that the Planning Commission **approve** the proposed text amendments to Chapter 122 sections 122-203, 122-416, 122-452, 122-518, 122-538, and 122-685, with the following condition:

- (1) To change the total width of Two Tiers of Spaces Plus Maneuvering Lane to 28 feet one-way, and 30 feet two-way in Section 122-685(e).

And with the following findings:

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

Offered By: Commissioner Donnelly; Seconded By: Commissioner Hollifield

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

VII. Old Business

VIII. New Business

- 2021 Annual Report

Motion to approve as presented and recommend for City Council review.

Offered By: Commissioner Donnelly; Seconded By: Commissioner Hollifield

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

IX. Future Business Discussion / Updates

X. Adjournment

Motion to adjourn at 7:55pm

Offered By: Commissioner Donnelly; Seconded By: Commissioner Hollifield

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



City of Ypsilanti

Community & Economic Development Department

January 19, 2022

**Staff Review
Zoning Ordinance Text Amendments**

GENERAL INFORMATION

Applicant: City of Ypsilanti

Action Requested: Recommendation to City Council to approve zoning text amendments to Sections 122-203, 122-416, 122-452, 122-518, 122-538, and 122-685.

SUMMARY

Staff is proposing zoning ordinance text amendments for the following sections:

- Family definition (§122-203): specifically changing the unrelated occupant maximum from 3 to 5 in subsection (3).
- Fence opacity in HC, NC, and GC zoning districts (122-452(b)): restricting fences to be no greater than 50% opaque in front yards.
- Parking garages (§122-518): shrinking setback for all parking garages to 10', and eliminating the 100' distance requirement for distance from R1, CN-Mid, or CN-SF zoning districts. Also making parking garages a special land use in Park zoning districts (122-416).
- Marijuana retailer/provisioning center buffer distance (§122-538): specifically changing the buffer distance from one retailer to the other, to a 1,000 feet buffer from existing retailers/provisioning centers in General Corridor, and a 625 feet buffer from existing retailers/provisioning centers in Neighborhood Corridor and Center zoning districts.
- Maneuvering lane width (§122-685(e)): changing the width requirements to make one-way and two-way widths more consistent.

The goal of these "bug fix" zoning text amendments is to make the zoning ordinance more readable and more consistent.

BACKGROUND

The purpose for the family definition revision is to match more closely with the Master Plan update recommendation of “revise family/occupancy caps.”

The purpose for the marijuana retailer distance revision is because staff is recommending Chapter 7 of the Code of Ordinances be updated to remove the marijuana retailer “caps” and instead use the zoning ordinance buffers to limit the proliferation of facilities. The 625’ value was decided as being the largest appropriate value without creating nonconformities.

PROPOSED AMENDMENTS

Revised text in bold and purple.

Family definition – Section 122-203

Family means:

- (1) One individual;
- (2) A group of two or more persons related by blood, marriage or adoption, together with foster children; together with:
 - (i) No more than two domestic workers employed by the household; OR
 - (ii) No more than ~~two~~ **three** additional unrelated persons occupying the unit as boarders, roomers, or guests; All of whom are domiciled together as a common, domestic, household in a single dwelling unit;
- (3) A group of persons, none of whom are related to each other by blood, marriage, or adoption, who reside together in a single dwelling unit, provided that the total number of occupants in such group shall not exceed ~~three~~ **five**, ~~except in the MD district and in any permitted residential uses in any corridor district the total number of occupants in this group shall not exceed four~~, unless otherwise provided for in this chapter; ~~or~~ **Room areas shall comply with the following standards:**
 - (i) **Living room area shall contain not less than 120 square feet.**
 - (ii) **Dining room area shall contain not less than 80 square feet.**
 - (iii) **Sleeping room area shall contain not less than 70 square feet for one person, plus at least 50 square feet for every additional person in that sleeping room.**
- (4) A collective number of individuals living together in one dwelling unit, whose relationship is of a continuing, nontransient, domestic character, and who are cooking and living as a single, nonprofit housekeeping unit. This definition shall not include any society, club, fraternity, sorority, association, lodge, coterie, organization, or group of students or other individuals whose domestic relationship is of a transitory or seasonal nature or for an anticipated limited duration of a school term or terms or other similar determinable period.

Fence opacity in HC, NC, and GC zoning districts – Section 122-452(b)

(b) Fences		
Front Yard and Street Side Yard	No more than 6’ height and 50% opacity	- Opacity is measured by the observation of any two (2) square yard area of fence between one (1) foot above the ground level and the top of the fence. The observation is from a direction perpendicular to the place of the fence. - Subject to §122-635 - Subject to §122-675
Side and Rear Yards	10’ height max	

Parking garages – Sections 122-416 and 122-518

Sec. 122-416. Permissible Uses.

INFRASTRUCTURE			
Parking Garage	S		Section 122-518

Sec. 122-518. Automobile parking garages.

Automobile parking garages are permitted subject to the conditions hereinafter imposed:

- ~~(a) Such use must not be located within 100 feet of an R1, CN Mid or CN SF district.~~
- ~~(b) All parking garages in the Walkable Urban Districts shall be constructed under the IT building type.~~ **All parking structures shall be limited to 50' maximum height, and there shall be a minimum 10' front, street side, side, and rear setback distance.**
- (c) The architectural style and facade of the structure must be in keeping with the character of surrounding residential and business uses.
- (d) All areas not used for parking or vehicular maneuvering must be landscaped and maintained in good condition.
- (e) No access from a major thoroughfare is permitted. The vehicle entrances to structured parking should be from side streets and/or access roads.
- (f) Direct pedestrian access from parking garages to any adjacent street must be provided.
- ~~(g) The exterior facades of all parking garages fronting on any street must be designed to achieve an architectural unity with the block.~~
- (h) The parking garage must have sheltered bicycle and motorcycle parking areas within 25 feet of the vehicular entrance.

Marijuana retailer/provisioning center buffer distance – Section 122-538

Sec. 122-538. Marihuana retailers and/or provisioning centers.

- (a) **Generally.** Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the State of Michigan laws and rules. Also, since Federal law is not affected by the Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law.
- (b) The following standards for marihuana retailers and/or medical marihuana provisioning centers apply:
 - (1) The facility shall operate at all times in compliance with the General Rules of the Michigan Department of Community Health, the MMMA, the MMFLA, the MTA, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein;
 - (2) A marihuana retailer and a provisioning center may be co-located in the same facility so long as it complies with Chapter 7 of the City Code of Ordinances, the MMFLA, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein;
 - (3) The marihuana retailer and/or provisioning center shall not be located within one thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the marihuana retailer and/or provisioning center is located to the outermost boundaries of the lot or parcel on which the school is located;
 - ~~(4) The marihuana retailer and/or provisioning center shall not be located within five hundred (500) feet of a lawfully existing marihuana retailer and/or provisioning center as measured from the outermost boundaries of the lot or parcel on which the proposed marihuana retailer and/or provisioning center is located to the outermost boundaries of the lot or parcel on which the lawfully existing marihuana retailer and/or provisioning center is located.~~ **The marihuana retailer and/or provisioning center shall not be located within one-thousand (1,000) feet of a lawfully existing marihuana retailer and/or provisioning center in the General Corridor (GC) zoning district, nor within six-hundred-twenty-five (625) feet of a lawfully existing marihuana retailer and/or provisioning center in the Neighborhood Corridor (NC) and Center (C) zoning districts. Distances are measured from the**

outermost boundaries of the lot or parcel on which the proposed marihuana retailer and/or provisioning center is located to the outermost boundaries of the lot or parcel on which the lawfully existing marihuana retailer and/or provisioning center is located.

- (5) Use of marihuana is prohibited on the premises;
- (6) All activity related to the marihuana retailer and/or provisioning center shall be done indoors;
- (7) The premises shall be open for inspection upon request by the Building Official, the Fire Department, and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.
- (8) Drive-through and walk-up or similar facilities shall be prohibited;
- (9) All marihuana shall be contained within the main building in an enclosed, locked facility in accordance with the General Rules of the Michigan Department of Community Health, the MMMA, the MMFLA, the MTA, the MRTMA, as well as any and all administrative rules or regulations contained or adopted under the authority therein;
- (10) All marihuana retailers and/or provisioning centers must be registered with and licensed by the State Department of Licensing and Regulatory Affairs, as well as be permitted under Chapter 7 of the City Code of Ordinances;
- (11) Growing, cultivation, or processing of marihuana in a marihuana retailer and/or provisioning center is prohibited;
- (12) If a special land use, the existing marihuana retailer and/or provisioning center facility and site shall not be altered or expanded without approval from the Planning Commission, subject to Sec. 122-328.

Maneuvering lane width – Section 122-685(e)

(e) Minimum Standards. The minimum standards for parking spaces and aisles are indicated in the table below.

Standard Vehicle Parking Dimensions					
Parking Patterns (Degrees)	Space Width (Feet)	Space Length (Feet)	Maneuvering Lane Width (Feet)	Total Width of One Tier of Spaces Plus Maneuvering Lane (Feet)	Total Width of Two Tiers of Spaces Plus Maneuvering Lane (Feet)
0 (parallel)	9	22	±10 if one-way ±12 if two-way	±19 one-way ±21 two-way	30 one-way 28 two-way
30 to 53	9	18	13	36	53
54 to 74	9	18	16	38	59
75 to 90	9	18	22	40	62
Compact Vehicle Parking Dimensions					
Parking Patterns (Degrees)	Space Width (Feet)	Space Length (Feet)	Maneuvering Lane Width (Feet)	Total Width of One Tier of Spaces Plus Maneuvering Lane (Feet)	Total Width of Two Tiers of Spaces Plus Maneuvering Lane (Feet)
0 (parallel)	8	18	12	20 one-way 32 two-way	28 one-way 40 two-way
30 to 53	8	17	13	36	53
54 to 74	8	17' 5"	16	38	59
75 to 90	8	16	22	42	62
Motorcycle Parking Dimensions					
All motorcycle parking spaces shall be a minimum of five feet by eight feet.					

STANDARDS FOR AMENDMENTS

§122-362(a)

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

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

Staff believes these modifications to the zoning ordinance appropriately follow these standards.

STAFF RECOMMENDATION

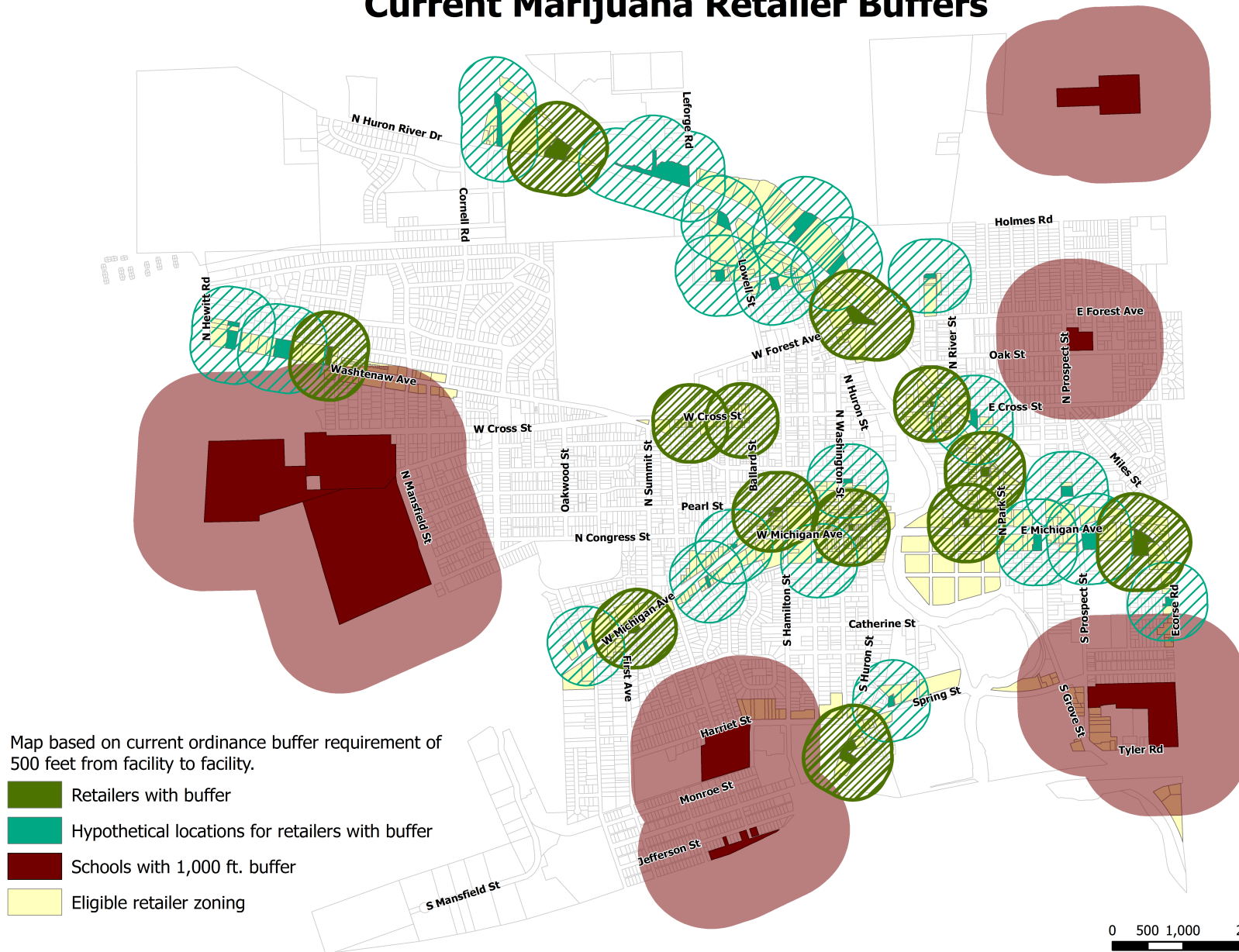
Staff recommends the Planning Commission recommend **approval** of the proposed text amendments to Chapter 122 sections 122-203, 122-416, 122-452, 122-518, 122-538, and 122-685, with the following findings:

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

Andy Aamodt
City Planner, City of Ypsilanti

c.c. File

Current Marijuana Retailer Buffers

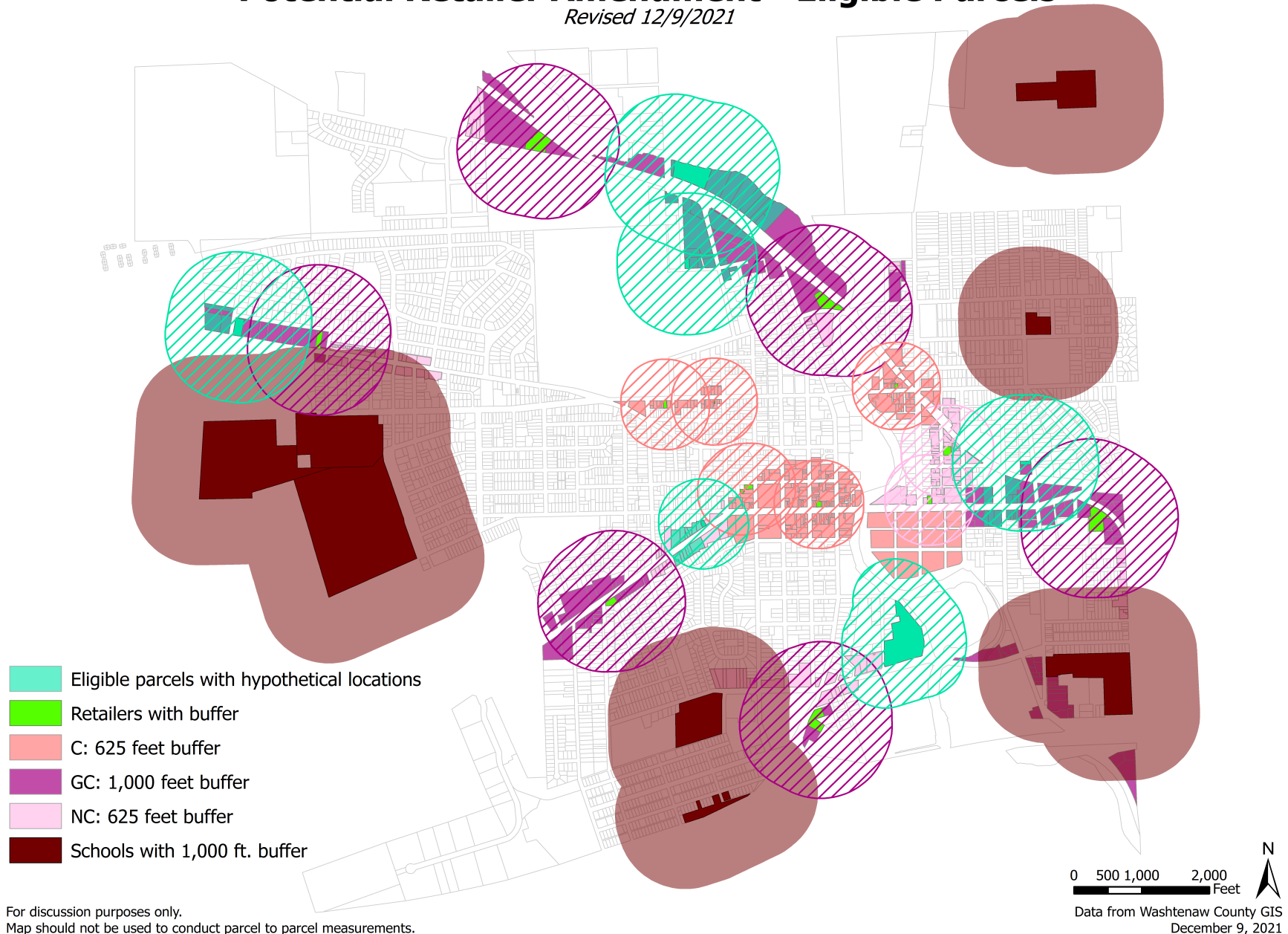


For discussion purposes only.
Map should not be used to conduct parcel to parcel measurements.

Data from Washtenaw County GIS and Ypsilanti Planning and Development
December 8, 2021

Potential Retailer Amendment - Eligible Parcels

Revised 12/9/2021





REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: Andrew Hellenga
DATE: February 15, 2022
SUBJECT: Amendments to Chapter 7 - Marijuana

DESCRIPTION:

Amendments to Chapter 7 - Marijuana

SUMMARY:

Through adoption of Chapter 8 City Council opted into Adult-Use Marijuana. In December of 2020 Chapter 7 – Medical Marijuana and Chapter 8 – Adult-Use Marijuana were merged into a single chapter titled Chapter 7 – Marijuana.

The purpose of the proposed ordinance amendment is to amend how facilities are limited, provide clearer language and direction for staff, current facility operators, and future potential facility operators.

RECOMMENDED ACTION: Approval

ATTACHMENTS: Resolution, Proposed Ordinance 1386, Redlined Ordinance 1371

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2022-034
February 15, 2022

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

The certain ordinance entitled: "An Ordinance to amend Chapter 7 – MARIJUANA" be adopted on first reading.

OFFERED BY: _____

SECONDED BY: _____

YES: NO: ABSENT: VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this
15 day of February 2022

#Resolution No. 2022-034



**CITY OF YPSILANTI
NOTICE OF ADOPTED ORDINANCE
Ordinance No. 1386**

1. **THE CITY OF YPSILANTI HEREBY ORDAINS** That the Ypsilanti City Code is Chapter 7 -MARIJUANA, is hereby amended Which Chapter reads as follows:

Chapter 7 - Marihuana

Sec. 7-1. - Purpose.

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

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

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

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

Sec. 7-2. - Definitions.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 7-4.1. - Permit requirements

(a) No person shall own or operate a marihuana establishment in the City without first applying for and receiving a permit from the city clerk's office, and a state license issued by the State of Michigan.

(b) Licenses are transferrable upon state approval and payment of the transfer fee.

Transfers may only be granted upon the following:

1. All building improvements, as described in the application, will be completed, and approved at the originally applied location.
2. The facility has been awarded a state license at the originally stated location.

(c) Permit shall be valid from January 1 to December 31

(d) A Permit shall be issued or renewed upon payment of the required fee, submission of a completed application in compliance with the provisions of this article, and compliance with all provisions and requirements of this article. Application to renew a permit shall be filed not later than November 15th, if November 15th falls on a weekend applications are due not later than the following Monday. Such renewal shall be annual and shall be accompanied by the annual fee.

(e) Every applicant shall pay a fee at the time of the application for an initial or renewal permit, or transfer of permit, which fee shall be set by council resolution. Said fee is non-refundable if the application is reviewed.

(f) The permit requirements set forth in this chapter shall be in addition to, and not in lieu of, any other licensing and permitting requirements imposed by any other federal, state or local law.

(g) The issuance of any permit pursuant to this chapter does not create an exception, defense or immunity to any person in regard to any potential civil or criminal liability under federal law.

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

The amounts of the following facility types will be regulated by zoning as stipulated in Chapter 122 in the Ypsilanti City Code:

- Medical Marijuana Provisioning Centers
- Adult-Use Recreational Retail.
- Marihuana microbusiness

- Marihuana safety compliance facility
- Marihuana secure transporter
- Marihuana processor Class A marihuana grower authorizing cultivation of not more than 100 marihuana plants Class B marihuana grower authorizing cultivation of not more than 500 marihuana plants Class C marihuana grower authorizing cultivation of not more than 2,000 marihuana plants Excess Marihuana Grower Designated Consumption Establishment

Sec. 7-4.2. - Application.

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

- (a) The name, age, and address of applicant and operator
 - i. Name, age and address of the applicant and all partners of the applicant, including proof that the applicant and/or proposed employees are at least 21 years of age.
 - ii. Name, age and address of the operator of the facility in cases where this differs from the applicant.
 - iii. In the case of corporations, partnerships, non-profit organizations, or other business types, the applicant shall be the highest level official or employee of the entity such as, Board President, Chief Executive Officer, Executive Director, or comparable position.
 - iv. If the applicant is a corporation, a copy of the articles of incorporation and Current Corporation records disclosing the identity and residential addresses of all directors, officers, and shareholders. Include the address of the corporation itself, if different from the address of the Marijuana establishment and the name and address of the resident agent for the corporation.
 - v. If the applicant is a partnership, the names and residence address of each of the partners and the partnership itself, if different from the address of the Marijuana dispensary or Marijuana growing/manufacturing facility, and the name and address of the resident agent.

- vi. Photo identification of the applicant and operator and/or driver's license
- (b) State or Federally issued photo identification. Expired identification will not be accepted, and if provided the application will be considered incomplete and denied.
- (c) Provide proof of ownership, copy of lease or letter of intent to lease. If a lease or letter of intent is provided and not current the application will be considered incomplete and denied.
- (d) If premises are leased, attached written permission from owner of the premises for the use specified in this application. If the letter is not current the application will be considered incomplete and denied.
- (e) Proof of insurance for fire damage in the amount of the value of the premises and liability insurance with minimum limits of \$1,000,000
- (f) Proof that all employees are over the age of 21
- (g) Describe storage facilities of all Marihuana on site, including lotions, baked goods, usable, and all other forms.
- (h) Describe storage facilities of all Marihuana on site, including lotions, baked goods, usable, and all other forms (if applicable)
- (i) Provide proof of compliance with statewide monitoring system (if in operation)
- (j) An area map, drawn to scale, indicating within a radius of one thousand feet (1,000) from the boundaries of the proposed dispensary or growing/manufacturing facility site, the proximity of the site to any school, existing dispensary, or existing growing facility zoning permit or similar clearance from the zoning administrator verifying the proposed use of the location at which the license will be utilized is in compliance with the zoning ordinance.
- (k) A copy of state license or prequalification letter.
- (l) Retailer/Microbusinesses/Designated Consumption Establishments only: Provide a description of the products and services to be provided by the establishment, including retail sales of food and/or beverages, if any, and any related accommodations or facilities

- (m) Growing/Processing/Safety Compliance Facility applications only: Provide a description of the growing and processing procedures, including volatile chemicals stored or used on the premises.
- (n) Provide copy of facility social equity plan as required by the State of Michigan.
- (o) Volunteerism plan – provide a plan of community projects to be completed through the permit year. Plans could either be in the form of financial contribution or time given to specific community projects. All contributions must be undertaken in the City of Ypsilanti. Documentation of completion will be required upon renewal. If documentation is not provided the application will be considered incomplete and denied.

ANY INCOMPLETE APPLICATION WILL BE DENIED OUTRIGHT AND THE ASSOCIATED APPLICATION FEE WILL NOT BE REFUNDED.

Sec. 7-4.3. - Approval of application.

The City Manager or designee shall issue a permit for a marihuana establishment if inspections for safety, zoning compliance, state approval, and all other information available to the City verify that the applicant has submitted a full and complete application, paid the appropriate fee, and has made improvements to the business location consistent with the application and is prepared to operate the business with in compliance with this Code and any other applicable law, rule or regulation. The City Manager or designee will deny any application that does not meet the requirements of this chapter or any other applicable law, rule or regulation or that contains any false or incomplete information.

Upon approval of the application a permit that is contingent on Zoning and Building Department approval, will be provided. The applicant will receive no more than sixty days to complete all work as listed in the application and be awarded all necessary permits/approvals for existing structures. Or the applicant will be provided no more than 6 months to complete all work as listed in the application and be awarded all necessary permits/approvals for new construction. Once the sixty days, or six months, has expired the applicant will either be awarded a full permit, or have their permit revoked.

If multiple complete permit applications are submitted within the same zoning buffer, the first facility to receive site plan and special use permit (if applicable) approval will be

granted the permit. The Planning Department will time stamp complete site plan and special use permit applications when submitted to their office

Sec. 7-4.4. - Violations and penalties.

Any person who is found to be in violation of this article shall be responsible for a civil infraction and shall be subject to a fine of not more than \$500. Any violations committed by permit holders will also result in an immediate revocation of issued permit.

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

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

- (1) A failure to meet the conditions or maintain compliance with the standards established by this chapter in reference to applications for a new permit or the renewal of an existing permit;
- (2) One or more violations of any city ordinance on the premises;
- (3) Maintenance of a nuisance on the premises;
- (4) A demonstrated history of excessive calls for public safety (police, fire, and EMS) originating from the premises, being three or more calls in any 30-day period; or
- (5) Nonpayment of real and/or personal property taxes, fines, fees, or liens owed to the city.
- (6) Failure to be provided a state license.
- (7) Failure to be provide a Special Use Permit if one is required at that applied to location.
- (8) Failure to be provided site plan approval.
- (9) If the facility ceases operations for 120 days.

If Applicants fail to apply for renewal by November 1st of each year their application will not be accepted, and they will not receive a permit. Said applicant may apply using the New Applicant Portal as described in Section 7.4-3 of this Ordinance.

The city will not provide notice of renewal.

Sec. 7-4.6.- Appeal process.

If an applicant or permitted marihuana facility chooses to appeal the denial of a permit or revocation of a permit, they can enter in a written appeal to the clerk's office. The appeal should include the following: the appellant's signature, the requirement or decision from which the appeal is made and shall state the specific grounds on which the appeal is based. The applicable fee shall be submitted with the notice of the appeal; such fee shall be nonrefundable. Appeals shall be filed within 30 days of the decision in question. City council shall consider the appeal within 30 days of receipt of the appeal. An appeal shall be considered an adjudication and outside the function of normal permit administration and enforcement.

Sec. 7-5. Social Equity.

- 1) The City Council and city staff will work to create a permit process to allow state social equity qualifiers to participate in businesses within the city limits. Permit numbers for these applicants are listed in Sec. 7.4.1.
- 2) \$1,000 from each permit fee will be used to promote social equity to negatively impacted communities by promoting advocacy around criminal justice issues related to marihuana prohibition, supporting youth who have been negatively impacted by the war on drugs as it relates to the prohibition of marihuana, and community education and outreach on adult-use marihuana in general.
- 3) Good-faith effort in employment: any person or entity receiving more than \$10,000 in contract value or benefit from the city must use good-faith efforts in hiring employees who have been negatively impacted by marihuana prohibition. Adult-use recreational marihuana businesses should use good-faith efforts in hiring 25% employees who are low income or live in the area codes 48197 or 48198.
- 4) The City of Ypsilanti will not drug-test workers who are not in safety-sensitive jobs, without reasonable documented cause; random drug-testing is prohibited.
- 5) Lowest law enforcement: This ordinance instructs and authorizes local law enforcement to de-prioritize marihuana investigations (except as conducted in conjunction with licensing authorities) and arrests. The possession or smell of marihuana will no longer constitute probable cause for investigation or arrest.

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

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

Sec. 7-6. Severability.

If any clause, sentence, section, paragraph, or part of this ordinance, or the application thereof to any person, firm, corporation, legal entity, or circumstances, shall be for any reason adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remainder of this Ordinance and the application of such provision to other persons, firms, corporations, legal entities, or circumstances by such judgment shall be confined in its operation to the clause, sentence, section, paragraph, or part of this Ordinance thereof directly involved in the case or controversy in which such judgment shall have been rendered and to the person, firm, corporation, legal entity, or circumstances then and there involved. It is hereby declared to be the legislative intent of this body that the Ordinance would have been adopted had such invalid or unconstitutional provisions not been included in this Ordinance.

Sec. 7-7 Repeal

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

Sec. 7-8. Savings Clause

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

Sec. 7-9. Copies to be available.

Copies to be available. Copies of the Ordinance are available at the office of the city clerk for inspection by, and distribution to the public during normal office hours. A complete copy of the ordinance is also available for inspection on the City's website, www.cityofypsilanti.com.

Sec 7-10. Publication and Effective Date

The City Clerk shall cause this Ordinance, or a summary of this Ordinance, to be published by printing the same in the publication of record. This Ordinance shall become effective after publication at the expiration of 30 days after adoption.

MADE, PASSED, AND ADOPTED BY THE YPSILANTI CITY COUNCIL THIS 1st DAY OF March, 2022.

Andrew Hellenga, City Clerk

Attest

I do hereby confirm that the above Ordinance No. _____ was published in the Washtenaw Legal News on the ____ day of _____, 2022.

Andrew Hellenga, City Clerk

CERTIFICATE OF ADOPTING

I hereby certify that the foregoing is a true copy of the Ordinance passed at the regular meeting
of the City Council held on the 1st day of March, 2022.

Andrew Hellenga, City Clerk

Notice Published:

First Reading:

Second Reading:

Published:

Effective Date:



Resolution No. 2022-035
February 15, 2022

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the public hearing for an ordinance entitled "An Ordinance to amend Chapter 7 – MARIJUANA" be officially closed.

OFFERED BY: _____

SECONDED BY: _____

YES: NO: ABSENT: VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this 15 day of February 2022

#Resolution No. 2022-035



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

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

Chapter 7 - Marihuana

Sec. 7-1. - Purpose.

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

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

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

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

Sec. 7-2. - Definitions.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 7-4.1. - Permit requirements

(a) No person shall own or operate a marihuana establishment in the City without first applying for and receiving a permit from the city clerk's office, and a state license issued by the State of Michigan.

(b) Licenses are transferrable upon state approval and payment of the transfer fee.

Transfers may only be granted upon the following:

1. All building improvements, as described in the application, will be completed, and approved at the originally applied location.

2. The facility has been awarded a state license at the originally stated location.

(c) Permit shall be valid ~~for a period of one year,~~ from January 1 to December 31

(d) A Permit shall be issued or renewed upon payment of the required fee, ~~and~~ submission of a completed application in compliance with the provisions of this article, and compliance with all provisions and requirements of this article. Application to renew a permit shall be filed ~~at least 30 days prior to the date of expiration~~ not later than November 15th, if November 15th falls on a weekend applications are due not later than the following Monday. Such renewal shall be annual and shall be accompanied by the annual fee.

(e) Every applicant shall pay a fee at the time of the application for an initial or renewal permit, or transfer of permit, which fee shall be set by council resolution. Said fee is non-refundable if the application is reviewed.

(f) The permit requirements set forth in this chapter shall be in addition to, and not in lieu of, any other licensing and permitting requirements imposed by any other federal, state or local law.

(g) The issuance of any permit pursuant to this chapter does not create an exception, defense or immunity to any person in regard to any potential civil or criminal liability under federal law.

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

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

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The amounts of the following facility types will be regulated by zoning as stipulated in Chapter 122 in the Ypsilanti City Code

- Medical Marijuana Provisioning Centers
- Adult-Use Recreational Retail~~6. The maximum number of permits shall decrease to 3 social equity permits, as permits are not renewed.~~
- Marihuana microbusiness
- Marihuana safety compliance facility
- Marihuana secure transporter~~Marihuana safety compliance facility: no maximum~~
- Marihuana secure transporter~~: no maximum~~
- Marihuana processor~~: no maximum~~
- Marihuana microbusiness~~: no maximum~~
- Class A marihuana grower authorizing cultivation of not more than 100 marihuana plants~~: no maximum~~
- Class B marihuana grower authorizing cultivation of not more than 500 marihuana plants~~: no maximum~~
- Class C marihuana grower authorizing cultivation of not more than 2,000 marihuana plants~~: no maximum~~
- Excess Marihuana Grower~~: 1~~
- Designated Consumption Establishment~~: no maximum~~

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Sec. 7-4.2. - Application.

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

- (a) The name, age, and address of applicant and operator
 - i. Name, age and address of the applicant and all partners of the applicant, including proof that the applicant and/or proposed employees are at least 21 years of age.
 - ii. Name, age and address of the operator of the facility in cases where this differs from the applicant.

- iii. In the case of corporations, partnerships, non-profit organizations, or other business types, the applicant shall be the highest level official or employee of the entity such as, Board President, Chief Executive Officer, Executive Director, or comparable position.
 - iv. If the applicant is a corporation, a copy of the articles of incorporation and Current Corporation records disclosing the identity and residential addresses of all directors, officers, and shareholders. Include the address of the corporation itself, if different from the address of the Marijuana establishment and the name and address of the resident agent for the corporation.
 - v. If the applicant is a partnership, the names and residence address of each of the partners and the partnership itself, if different from the address of the Marijuana dispensary or Marijuana growing/manufacturing facility, and the name and address of the resident agent.
 - vi. Photo identification of the applicant and operator and/or driver's license
- (b) State or Federally issued photo identification. Expired identification will not be accepted, and if provided the application will be considered incomplete and denied.
 - (c) Provide proof of ownership, copy of lease or letter of intent to lease. If a lease or letter of intent is provided and not current the application will be considered incomplete and denied.
 - (d) If premises are leased, attached written permission from owner of the premises for the use specified in this application. If the letter is not current the application will be considered incomplete and denied.
 - (e) Proof of insurance for fire damage in the amount of the value of the premises and liability insurance with minimum limits of \$1,000,000
 - (f) Proof that all employees are over the age of 21
 - (g) Describe storage facilities of all Marihuana on site, including lotions, baked goods, usable, and all other forms.
 - (h) Describe storage facilities of all Marihuana on site, including lotions, baked goods, usable, and all other forms (if applicable)

- (i) Provide proof of compliance with statewide monitoring system (if in operation)
- (j) An area map, drawn to scale, indicating within a radius of one thousand feet (1,000) from the boundaries of the proposed dispensary or growing/manufacturing facility site, the proximity of the site to any school, existing dispensary, or existing growing facility zoning permit or similar clearance from the zoning administrator verifying the proposed use of the location at which the license will be utilized is in compliance with the zoning ordinance.
- (k) A copy of state license or prequalification letter.
- (l) Retailer/Microbusinesses/Designated Consumption Establishments only: Provide a description of the products and services to be provided by the establishment, including retail sales of food and/or beverages, if any, and any related accommodations or facilities
- (m) Growing/Processing/Safety Compliance Facility applications only: Provide a description of the growing and processing procedures, including volatile chemicals stored or used on the premises.
- (n) Provide copy of facility social equity plan as required by the State of Michigan.
- (n)(o) Volunteerism plan – provide a plan of community projects to be completed through the permit year. Plans could either be in the form of financial contribution or time given to specific community projects. All contributions must be undertaken in the City of Ypsilanti. Documentation of completion will be required upon renewal. If documentation is not provided the application will be considered incomplete and denied.
- (o) Provide a document explaining every section in the scoring rubric and how you meet or do not meet the sections in the scoring rubric except the volunteerism plan.

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

(p) DRIVE- ANY INCOMPLETE APPLICATION WILL BE DENIED OUTRIGHT AND THE ASSOCIATED APPLICATION FEE WILL NOT BE REFUNDED.

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Sec. 7-4.3. - Approval of application.

The City Manager or designee shall issue a permit for a marihuana establishment if inspections for safety, zoning compliance, state approval, and all other information available to the City verify that the applicant has submitted a full and complete application, paid the appropriate fee, and has made improvements to the business location consistent with the application and is prepared to operate the business with in compliance with this Code and any other applicable law, rule or regulation. The City Manager or designee will deny any application that does not meet the requirements of this chapter or any other applicable law, rule or regulation or that contains any false or incomplete information.

Upon approval of the application a permit that is contingent on Zoning and Building Department approval, will be provided. The applicant will receive no more than sixty days to complete all work as listed in the application and be awarded all necessary permits/approvals for existing structures. Or the applicant will be provided no more than 6 months to complete all work as listed in the application and be awarded all necessary permits/approvals for new construction. Once the sixty days, or six months, has expired the applicant will either be awarded a full permit, or have their permit revoked.

Further, the issuance of permits is not on a first come first serve basis nor lottery. Permits will be issued on a point system to be determined by council with the aid of staff. ~~submit a new application of site plan~~, and entered into the queue the site plan queue. If multiple complete permit application are submitted within the same zoning buffer, the first facility to receive site plan and special use permit (if applicable) approval will be granted the permit. The Planning Department will time stamp complete site plan and special use permit applications when submitted to their office.

Sec. 7-4.4. - Violations and penalties.

Any person who is found to be in violation of this article shall be responsible for a civil infraction and shall be subject to a fine of not more than \$500. Any violations committed by permit holders will also result in an immediate revocation of issued permit.

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

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

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

~~-(6) Failure to be provided a state license.~~

~~-(7) Failure to be provide a Special Use Permit if one is required at that applied to location.~~

~~-(8) Failure to be provided site plan approval.~~

~~-(9) If the facility ceases operations for 120 days.~~

~~If Applicants fail to apply for renewal by November 15th of each year their application will not be accepted, and they will not receive a permit. Said applicant may apply using the New Applicant Portal as described in Section 7.4-3 of this Ordinance. **The city will not provide notice of renewal.**~~

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Sec. 7-4.6.- Appeal process.

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

Sec. 7-5. Social Equity.

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- 1) The City Council and city staff will work to create a permit process to allow state social equity qualifiers to participate in businesses within the city limits. Permit numbers for these applicants are listed in Sec. 78.4.1.
- 2) \$1,000 from each permit fee will be used to promote social equity to negatively impacted communities by promoting advocacy around criminal justice issues related to marihuana prohibition, supporting youth who have been negatively impacted by the war on drugs as it relates to the prohibition of marihuana, and community education and outreach on adult-use marihuana in general.
- 3) Good-faith effort in employment: any person or entity receiving more than \$10,000 in contract value or benefit from the city must use good-faith efforts in hiring employees who have been negatively impacted by marihuana prohibition. Adult-use recreational marihuana businesses should use good-faith efforts in hiring 25% employees who are low income or live in the area codes 48197 or 48198.
- 4) The City of Ypsilanti will not drug-test workers who are not in safety-sensitive jobs, without reasonable documented cause; random drug-testing is prohibited.
- 5) Lowest law enforcement: This ordinance instructs and authorizes local law enforcement to de-prioritize marihuana investigations (except as conducted in conjunction with licensing authorities) and arrests. The possession or smell of marihuana will no longer constitute probable cause for investigation or arrest.

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

- 6) For the purpose of law enforcement in the City of Ypsilanti, the following shall not constitute reasonable articulable suspicion of a crime in the absence of other factors:
 - a) The odor of burnt or unburnt marihuana
 - b) The possession of or suspicion of possession of marihuana that does not exceed the legal limit in Michigan
 - c) The possession of multiple containers of marihuana without evidence of excess of the legal limit in Michigan.

- 7) The City of Ypsilanti shall make all reasonable efforts to create spaces for on-site consumption as allowed under state law.
- 8) The City of Ypsilanti may add requirements that applicants enter Community Benefits Agreements, which may or may not apply to social equity applicants as well.

Sec. 7-6. Severability.

If any clause, sentence, section, paragraph, or part of this ordinance, or the application thereof to any person, firm, corporation, legal entity, or circumstances, shall be for any reason adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remainder of this Ordinance and the application of such provision to other persons, firms, corporations, legal entities, or circumstances by such judgment shall be confined in its operation to the clause, sentence, section, paragraph, or part of this Ordinance thereof directly involved in the case or controversy in which such judgment shall have been rendered and to the person, firm, corporation, legal entity, or circumstances then and there involved. It is hereby declared to be the legislative intent of this body that the Ordinance would have been adopted had such invalid or unconstitutional provisions not been included in this Ordinance.

Sec. 7-7 Repeal

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

Sec. 7-8. Savings Clause

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

Sec. 7-9. Copies to be available.

Copies to be available. Copies of the Ordinance are available at the office of the city clerk for inspection by, and distribution to the public during normal office hours. A

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

Sec 7-10. Publication and Effective Date

The City Clerk shall cause this Ordinance, or a summary of this Ordinance, to be published by printing the same in the publication of record. This Ordinance shall become effective after publication at the expiration of 30 days after adoption.

MADE, PASSED, AND ADOPTED BY THE YPSILANTI CITY COUNCIL THIS 1st DAY OF December, 2020.

Andrew Hellenga, City Clerk

Attest

I do hereby confirm that the above Ordinance No. 1371 was published in the Washtenaw Legal News on the 10th day of December, 2020.

Andrew Hellenga, City Clerk

CERTIFICATE OF ADOPTING

I hereby certify that the foregoing is a true copy of the Ordinance passed at the regular meeting of the City Council held on the 1st day of December, 2020.

Andrew Hellenga, City Clerk

Notice Published: November 10, 2020

First Reading: November 17, 2020

Second Reading: December 1, 2020

Published: December 10, 2020
Effective Date: December 31, 2020



Resolution No. 2022-036
February 15, 2022

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the following items be approved:

1. **Resolution No. 2022-037, approving the minutes of February 1, 2022.**
2. **Resolution No. 2022-038, approving appointments to boards and commissions.**
3. **Resolution No. 2022-039, approving a budget amendment regarding the Downtown Development Authority.**

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
15 day of February 2022

#Resolution No. 2022-036



Resolution No. 2022-037
February 15, 2022

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of February 1, 2022 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
15 day of February 2022

#Resolution No. 2022-037



MINUTES REGULAR COUNCIL Meeting

6:00 PM - Tuesday, February 1, 2022
Ypsilanti Freighthouse

The REGULAR COUNCIL of the City of Ypsilanti was called to order on Tuesday, February 1, 2022, at 6:00 PM, in the Ypsilanti Freighthouse, with the following members present:

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

ABSENT: Council Member Anthony Morgan

I CALL TO ORDER

The meeting was called to order at 6:09 pm

II ROLL CALL

Council Member Annie Somerville moved, seconded by Mayor Pro-Tem Nicole Brown, to excuse Council Member Anthony Morgan. On a voice vote, the motion carried.

III AGENDA APPROVAL

The agenda was approved as submitted

IV PUBLIC COMMENT (3 MINUTES)

2 members from the public spoke

V PRESENTATIONS

a) Proclamation in honor of Black History Month - Mayor Richardson (added)

VI GOAL SESSIONS - FACILITATOR DR. MILNER

a) Resolution No. 2022-022, approving the 2022 Goal Sessions Interim Report.

Council Member Brian Jones-Chance moved, seconded by Mayor Pro-Tem Nicole Brown, to approve Resolution No. 2022-022

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Section 5.02 of the City Charter provides City Council, by resolution, shall instruct the City Manager on priorities of the city that the budget for next Fiscal Year must address; and

WHEREAS, the Goal Session dates were delayed as a result of the increase of COVID cases in the city, county, state, and country; and

WHEREAS, as a result of COVID the final report and instructions to the City Manager cannot be fully completed.

NOW THEREFORE BE IT RESOLVED, That the City Council of the City of Ypsilanti approves a Council goals report as instructions for the City Manager for this Fiscal Year.

BE IT FURTHER RESOLVED, That the City Council directs the City Manager to evaluate the report and provide City Council a resolution with recommendations for the Final report for the February 15, 2022 City Council Meeting.

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

VII CONSENT AGENDA

- a) Resolutions No. 2022-023, approving the Consent Agenda.

Mayor Pro-Tem Nicole Brown moved, seconded by Council Member Steven Wilcoxon, to approve Resolution No. 2022-023

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the following items be approved:

1. **Resolution No. 2022-024, approving the minutes of January 25, 2022.**
2. **Resolution No. 2022-025, approving appointments to boards and commissions.**

Resolution No. 2022-026, approving stated policy and federal guidelines for the Tax Board of Review in granting or denying an exemption.

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

ABSENT: Anthony Morgan

- b) Resolution no. 2022-024, approving the minutes of January 25, 2022.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of January 25, 2022 be approved.

- c) Resolution No. 2022-025, 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>Andy Fanta</u> <u>1221 Westmoorland Blvd</u> <u>Ypsilanti, MI 48197</u> <u>Reappointment</u>	<u>Tax Board of Review</u>	<u>12/31/2023</u>

<u>Craig Hupy</u> <u>1124 N Congress St.</u> <u>Ypsilanti, MI 48197</u> <u>Reappointment</u>	<u>Tax Board of Review</u>	<u>12/31/2023</u>
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- d) Resolution No. 2022-026, approving stated policy and federal guidelines for the Tax Board of Review in granting or denying an exemption.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the adoption of guidelines for poverty exemptions is required of the City Council; and

WHEREAS, the principal residence of persons, who the Assessor and Board of Review determines by reason of poverty to be unable to contribute to the public charge, is eligible for exemption in part from taxation under Public Act 390 of 1994 (MCL 211.7u); and

WHEREAS, pursuant to PA 390 of 1994, the City of Ypsilanti, Washtenaw County adopts the following guidelines for the Board of Review to implement.

The Board of Review shall use the following guidelines to determine if a property owner qualifies for a poverty exemption from property taxes:

- 1. Exemptions will be granted to owners of homesteads only. Property must be granted at least a 50% homestead exemption from the State of Michigan.**

2. Per, MCL 211.7u(3), the application for consideration must be received by the Assessor's Office at least one day prior to the last session of the Board of Review. The application can be made by mail, if received one day prior to the last session of the Board of Review.
3. All applicants must file a claim with the Board of Review on a form prescribed by the State Tax Commission. The application must be filled out in its entirety and all requested documentation must be attached. If an area does not apply to the applicant, "N/A" must be used. If the application is not complete or requested documentation is not included, the Board of Review will deny the exemption. All pages included with this application must be returned when the application is submitted for review.
4. Per MCL 211.7u(7), a person who files a claim for Poverty exemption IS NOT prohibited from also appealing the assessment on the property to the Board of Review in the same year.
5. The poverty threshold for eligibility for a poverty exemption is a figure which is equal to the Federal income standards established annually by the United States Office of Management and Budget for the previous calendar year. To be eligible for a poverty exemption from property taxes, the income of the property owner (household) must be less than the poverty threshold for the number of persons within the household.
6. All income and assets for persons in the household are reported in accordance with a form prescribed by the State Tax Commission.
 - a. Per MCL 211.7u(2)(b), federal and state income tax returns for all persons residing in the principal residence must be included with the application including any property tax credit returns. The tax returns may be from the current or preceding tax year. If any person in the household is not required to file federal or state tax returns, the included affidavit, form 4988, must be completed by each person that does not file taxes.

- a. The most recent statement for all bank accounts, investments, IRAs, CDs, 401Ks, money market, annuities, etc. The statement submitted must be complete with no missing pages and submitted for all persons residing in the home.
 - i. Proof of income/assets from the Social Security Administration, Veterans Administration, Medicare, Medicaid, Bridge Card, and any College/University scholarships for all persons residing in the home.
 - i. The most recent mortgage statement of the primary residence under review, including any reverse mortgages.
 - a. If primary residence being sought for exemption was purchased within the past two years of this application, homeowner's closing statements must be submitted with application.
7. Maximum total allowed assets, including amounts in banking/investment accounts may not exceed the amount of the federal poverty guideline for the number of persons in the household. Maximum total allowed liquid assets, specifically amounts in banking/investment accounts may not exceed the amount of projected 2022 taxes PLUS 50% for the entire household. The Asset Level does not include the primary residence for which exemption is being sought. It does include, but is not limited to:
- a. A second home, additional land not associated with the primary residence, or other buildings other than the primary residence being sought for exemption.
 - b. Vehicles and other recreational vehicles such as motor homes, campers, ATVs, boats, and motorcycles.
 - c. Jewelry, antiques, artwork, equipment, and other personal property of value.
 - d. Bank accounts, stocks, bonds, and investments. This also includes the money received from the sale of stocks, bonds, investments, cars, and houses unless a person is in the specific business of selling such property.
 - e. Withdrawals of bank accounts and borrowed money.
 - f. Gifts, loans, lump-sum inheritances, and one-time insurance payments.
 - g. Food or housing received in lieu of wages and the value of food and fuel produced and consumed on farms.
 - h. Federal non-cash benefits programs such as Medicare, Medicaid, food stamps, and school lunches.

- i. The total interest income in all accounts (checking, savings, CDs, IRAs, 401Ks, money market, annuities, etc.)
- j. The applicant shall not have ownership interest in any real estate other than the primary residence being considered for exemption.

8. Applicants that meet the income and asset qualifications will have the taxable value reduced by 50% for the current year.

The following are the 2022 federal poverty income guidelines with are updated annually by the United States Department of Health and Human Services. The annual income includes income for all person.

<u>Family of 1.....</u>	<u>\$12,880</u>
<u>Family of 2.....</u>	<u>\$ 17,420</u>
<u>Family of 3.....</u>	<u>\$ 21,960</u>
<u>Family of 4.....</u>	<u>\$ 26,500</u>
<u>Family of 5.....</u>	<u>\$ 31,040</u>
<u>Family of 6.....</u>	<u>\$ 35,580</u>
<u>Family of 7.....</u>	<u>\$ 40,120</u>
<u>Family of 8.....</u>	<u>\$ 44,660</u>
<u>For each add 'I person</u>	<u>...\$ 4,540</u>

9. Poverty exemptions shall be granted for one year only. The property owner must apply every year in order to receive an exemption

The City of Ypsilanti Poverty Exemption Guidelines and Application will be updated annually with the current year Poverty Income Guidelines as established by the United States Department of Health and Human Services without further resolutions. If alternative guidelines are adopted by this governing body a new resolution will be required.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Review shall follow the above stated policy and federal guidelines in granting or denying an exemption.

VIII RESOLUTIONS/MOTIONS/DISCUSSIONS

- a) Resolution No. 2022-027, approving the transfer of the options agreement for the proposed 220 N. Park Development.

Council Member Annie Somerville moved, seconded by Council Member Jennifer Symanns, to approve Resolution No. 2022-027

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 and approve an options agreement in October 2021;

WHEREAS, the Ypsilanti City Council retained control of entity transfers;

Now therefore be it resolved that the Ypsilanti City Council approves the transfer of the Options Agreement from Renovare Development LLC to Renovare Ypsilanti Homes LLC and authorizes the City Manager to sign the agreement.

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

- b) Resolution No. 2022-028, approving an extension to the due diligence period for the affordable housing development 212 N. Washington.

Council Member Steven Wilcoxon moved, seconded by Mayor Pro-Tem Nicole Brown, to approve Resolution No. 2022-028

RESOLVEDBYTHECOUNCILOFTHECITYOFYPSILANTI:

Whereas, 206-210 N Washington Street was foreclosed on by the Washtenaw County Treasurer for nonpayment of property taxes; and

Whereas, The City of Ypsilanti purchased the property using its Right of First Refusal from the Country Treasurer in 2019; and

WHEREAS, the city accepted a proposal from Avalon Housing in September 2020 to create affordable housing in the city of Ypsilanti; and

WHEREAS, Avalon Housing needs to extend the purchase agreement for six months to allow for the application of HOME and MSHDA Funds;

NOWTHEREFORE BE IT RESOLVED THAT the Ypsilanti City Council approves extending the agreement of purchase and sale with Avalon

Housing for 206-210 N. Washington for 6 months pending legal Counsel's final review.

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

- c) Resolution No. 2022-029, approving a process for City Council Members to request citywide events.

Council Member Jennifer Symanns moved, seconded by Council Member Steven Wilcoxon, to approve Resolution No. 2022-029

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City seeks to establish a process for City Council Members to organize citywide events in the interest of transparency and equal opportunity; and

WHEREAS, City Council Members will have the opportunity to utilize City resources for city events through application provided by the City Manager's Office and approval by City Council; and

WHEREAS, any application for citywide event must be received not later than three weeks prior to the event to ensure time for Council approval; and

WHEREAS, the application must provide a description of the event, resources requested, date and time of the event, Council Members involved in the event, and analysis of how the event will benefit the community at large.

Now therefore be it resolved that the City Council of the City of Ypsilanti approves the stated process to regulate Council requested citywide events, and direct the City Manager to create and make available to Council Members an application for requests.

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

- d) Resolution No. 2022-030, approving a request to hold a Black History Month Panel.

Council Member Brian Jones-Chance moved, seconded by Mayor Pro-Tem Nicole Brown, to approve Resolution No. 2022-030

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Mayor Richardson has requested to hold a Black History Month celebration; and

WHEREAS, the event will be focused on African American first responders that have served the City of Ypsilanti; and

WHEREAS, the event will be held on the Zoom Platform via the City of Ypsilanti's Zoom account; and

WHEREAS, the event will be held on February 25, 2022, from 10:00 am until 11:30 am.

NOW THEREFORE BE IT RESOLVED; That the City Council of the City of Ypsilanti authorize a panel to be held on the city's Zoom account for Black History and select Mayor Lois Allen-Richardson to represent City Council on the panel.

BE IT FURTHER RESOLVED; That City Council Direct the City Manager to advertise the event using the city's social media presence.

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

IX BOARD AND COMMISSION - NOMINATIONS

- a) Ypsilanti Community Utility Authority (added)
Jon Ichesco
1218 Pearl Street
Ypsilanti, MI 48197
Reappointment

X COUNCIL PROPOSED BUSINESS

- a) All comments to be submitted prior to the meeting.

XI COMMUNICATIONS FROM THE MAYOR

- a) All comments to be submitted prior to the meeting.

XII ADJOURNMENT

- a) Resolution No. 2022-031, adjourning the City Council Meeting.

The meeting adjourned at 7:04 pm

- 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. 2022-038
February 15, 2022

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>
Jon Ichesco 1218 Pearl St. Ypsilanti, MI 48197 Reappointment	YCUA	2/15/2026

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
15 day of February 2022

#Resolution No. 2022-038



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: Frances McMullan
DATE: February 15, 2022
SUBJECT: Budget Adjustment to accommodate bonus given by DDA

DESCRIPTION:

Budget Adjustment to accommodate bonus given by DDA

SUMMARY:

The Downtown Development Authority voted during its January 20, 2022, meeting to provide its two employees bonuses as a result of their performance reviews. The bonuses amount to \$16,000, with \$10,000 allocated to the DDA Director and \$6,000 to the DDA Coordinator.

As the City of Ypsilanti Finance Department provides accounting services for the DDA these funds must be accounted for in the budget.

Enclosed is a DDA Resolution approving bonus to certain City of employees for services provided to the DDA and budget adjustment request to allocate for these payments.

RECOMMENDED ACTION: Approval of the budget adjustment

ATTACHMENTS: DDA Resolution and Budget Adjustment

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2022-039
February 15, 2022

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The Ypsilanti Downtown Development voted on January 20, 2022 to provide the employees assigned to provide the DDA services bonuses; and

WHEREAS, these funds must be reflected in the budget for accounting practices.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Ypsilanti approve the budget adjustment for the DDA employee bonuses.

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
15 day of February 2022

#Resolution No. 2022-039

CITY OF YPSILANTI, MICHIGAN

BUDGET ADJUSTMENT WORKSHEET

FISCAL YEAR: 21-22

FUND: VARIOUS

DEPT:

REQUESTED BY: FRANCES MCMULLAN

DATE:

AMENDMENT#:

ACCT#	ACCT NAME	ADOPTED	AMENDED	REVENUE CHANGE	EXPENDITURE CHANGE	NEW AMENDED REVENUE BUDGET	NEW AMENDED EXPENDITURE BUDGET	REASON
275-7-7271-818-02	ADMIN CONTRACT				3,880	0	3,880	
248-7-7231-818-02	ADMIN CONTRACT				3,360	0	3,360	
413-7-7231-818-02	ADMIN CONTRACT				8,760	0	8,760	
101-4-7210-676-05	COST REIMBURSEMENT PLANNING			16,000		16,000	0	
101-7-7210-706-01	STIPEND				13,955.52	0	13,956	
101-7-7210-714-02	WC				279	0	279	
101-7-7210-714-05	FICA				1,068	0	1,068	
101-7-7210-714-31	MERS 401A				698	0	698	
						0	0	
						0	0	
						0	0	
						0	0	
						0	0	
						0	0	
						0	0	
						0	0	
						0	0	

NET CHANGE IN BUDGET:				16,000	32,000	16,000	32,000	
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Approved by City Manager:

Date: _____

Approved by City Council (if required):

Date: _____

#N/A



MINUTES
DDA BOARD MEETING
8:30 AM - Thursday, January 20, 2022
Back Office Studio - 13 N. Washington St. / Virtual Hybrid

1. CALL TO ORDER (8:35am)

2. ROLL CALL

PATTON DOYLE (C)	P
YLONDIA PORTIS	P
KAYIA HINTON	A
ANDY FRENCH	P
DIETER OTTO	P
JEN EASTRIDGE	P
PAUL AJLOUNY	P
LOIS ALLEN RICHARDSON	P (9:21am)
ALEX MERZ	A
BRANDON DENT	A
BRYAN FOLEY	P

3. AGENDA APPROVAL

Andy French motioned to approve the agenda. Dieter Otto supported the motion. Motion passed - unanimous.

4. APPROVAL OF MINUTES

Jen Eastridge motioned to approve the December 16, 2021 minutes and Andy French supported the motion. Motion passed - unanimous.

5. PUBLIC COMMENT (3 MINUTES EACH)

Malissa Gillett owner of BG Salon greeted the board virtually.

6. STAFF REPORT/FINANCIAL REPORT

Building sales data has been pulled and will be presented at the next Op and Fin meeting.

Dolores restaurant is closing. They announced that their last day will be January 28th.

7. STANDING COMMITTEE REPORT

7.1. Operations and Finance Committee

The committee had a 3 hour long meeting and Andy French thanked everyone who was at that meeting because they were able to accomplish a lot.

Everything they discussed is on the agenda aside from the movie series quotes, which the committee found was not ready to be brought to the board.

7.2. Ad-Hoc Committee for Equitable Investment

Meeting was informative, and the committee is having great discussions.

7.3. Grants Committee Meeting - On today's agenda.

8. NEW BUSINESS

8.1. DDA Staff Performance Review

The board asked the staff if they would prefer a closed session.

Staff stated that if a closed session was needed for a more honest conversation, they would like a closed session, otherwise they are okay with a public review. The DDA board was confident that the review would be the same whether in closed or in open session.

Andy French was working on staff compensation and bonuses for his own restaurants, and started thinking about DDA staff. When he realized that this was a conversation that has never been had, he decided to advocate and get this on the agenda as soon as possible.

Patton Doyle shared review score charts and comments shared to him by the other board members. Both employees had positive reviews and feedback.

Andy French stated that DDA has had a bad history as a dysfunctional organization a decade ago, and there is no sign of that now. Staff has done a great job of being stewards of DDA finances. He shared to the board that the DDA does not have control of compensation, the City does, but the DDA has an opportunity as a board to make a grant for employees as a bonus. His initial thought was a \$10,000 bonus for the Director, and \$5,000 for the Coordinator. He stressed that the DDA board has a responsibility for the staff, and it's important to retain their talents. MLive reported just yesterday the Ann Arbor DDA Director starts at \$142,000 a year.

There is a current study by the City where it has been found that many positions make less than other cities of the same size. The Ypsilanti DDA director makes \$71,000 and the Coordinator makes \$39,000. Ylondia Portis recommended that moving forward, there needs to be some sort of regular metric or rubric with expectations from staff.

Christopher Jacobs explained that the DDA pays \$58,000 total towards staff compensation to the City of Ypsilanti. That amount was set in the administrative agreement with the City, and why the DDA can not give performance based raises.

Paul Ajlouny asked what is the City doing? Do they give performance based raises?

Patton Doyle suggested that the board takes a closer look at the IGA. We are getting an incredible deal on staff, but they are not getting the correct compensation. On the other hand, we are paying far more for services we are not receiving from the City. This should be adjusted accordingly.

Staff has never received a performance based raise or bonus from either the City or the DDA. There have been cost of living adjustments.

Jen Eastridge exclaimed that this is unacceptable. We shouldn't take advantage of Elize and Chris's love for Ypsilanti. We need to aggressively look at making sure that we take care of, and retain our staff. Pay increases are necessary and well-earned. A single bonus is a carrot and not enough.

Mayor Lois Allen Richardson arrived at 9:21am.

Patton Doyle would advocate for salary wages right now, but unfortunately that is not in our toolbox right now. He suggested that a bonus reflects a percentage of 5% based on income.

Andy French motioned to approve a \$10,000 bonus for Christopher Jacobs, and a \$5,000 bonus for Elize Jekabson, to be split from all three districts. Paul Ajlouny suggested a friendly amendment. Based on this metric, Elize's bonus comes out to \$6,000.

Andy French accepted the friendly amendment. Dieter Otto supported the motion.

Paul Ajlouny pointed out that when he was in corporate and got bonuses, his bonuses were taxed at about 40%. Can we factor in taxes or run it through payroll?

Ylondia Portis stated that we need to have parameters and rigor and make sure no one can poke holes in our process.

Jen Eastridge agreed that the board needs to be able to defend their decision. There needs to be a formal write up of comparable salaries and the fact there haven't been any staff increases in at least three years.

Patton Doyle appreciates their points, and explained that none of this was raised by Elize, Chris or Joe, but by a board member. He believes that this year can serve as a template and a starting point, but feels comfortable making a decision today based on board member employee reviews submitted, and the current health of the DDA.

Paul Ajlouny suggested creating a committee that could create these formal parameters.

Dieter Otto stated that supplemented pay through bonuses is not a good idea when pay increases need to be addressed. He asked about other two staff members who contribute to the DDAs value?

Andy French gave thought to Joe Meyers and the position that was recently vacated by Scott Slagor. Joe encouraged focusing on Christopher and Elize who do the majority of the DDA work in an earlier conversation.

Patton Doyle pointed out that the DDA does need to keep in mind the stipend the incoming Preservation Planner might receive from the DDA if written into their position.

Patton Doyle called the question. Roll Call vote.

Motion passed - unanimous.

Mayor Lois Richardson asked why not raise the amount for staff in the administrative agreement?

Andy French responded that he would love to have this conversation with the Mayor and others on how to adjust the administrative agreement as well as the IGA. We are underpaying on employee wages, but overpaying on services we are not receiving.

8.2. Hamburger Marys Facade and Building Rehab Grant Application

Dieter Otto commented on behalf of the Grants Committee that they believed the project is a great investment.

Owner Doug Hanchett described the Hamburger Marys concept coming to the Tower Inn space.

Andy French is overall supportive of the project, but stated that there is a slippery slope when the DDA grants start paying for business expenses. It will set standards for all incoming grants.

The intent of the grant is to improve the structural integrity of a space. These need to be long term improvements.



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: Bonnie Wessler
DATE: February 15, 2022
SUBJECT: Huron River Drive Reconstruction, road diet, and pedestrian infrastructure – TAP grant application

DESCRIPTION:

Huron River Drive Reconstruction, road diet, and pedestrian infrastructure – TAP grant application

SUMMARY:

The City has an opportunity to apply for Transportation Alternatives Program (TAP) funding to help fund the construction of safety improvements planned as part of the upcoming reconstruction of Huron River Drive. This grant could provide funding to help ensure that the road supports safe travel for both drivers and non-drivers by funding the creation of a center turn lane from existing right of way, construction of sidewalk along the north side of the road, and intersection improvements at Cornell, Oakwood, and LeForge.

Reconstruction of Huron River Drive from Cornell to LeForge is currently programmed in the Transportation Improvement Program (TIP) funding plan for the year 2023. In alignment with the Master Plan, Non-motorized Transportation Plan, Parks & Recreation Master plan, Complete Streets ordinance, and ongoing Council adopted goals to improve traffic safety, staff have been working with OHM to take advantage of this opportunity to improve the corridor for vehicle, bicycle, and pedestrian traffic.

A traffic study completed by OHM in late 2021 confirmed that a road diet through this segment would improve driver safety by providing a center turn lane between Cornell and the beginning of the left-turn lane for LeForge, and allow for the addition of a sidewalk along the north side of the road, including the area of the highly-traveled "goat path" adjacent to the railway west of LeForge. Our engineers have developed high-level concept designs and associated costs for these improvements, and current estimates place the construction cost for this project at approximately \$3.5 million.

Unfortunately, when the reconstruction was initially scoped in 2018, the construction cost was estimated to be approximately three million dollars; the City requested funding based on that amount, and was awarded slightly more than two million dollars of federal STP-U funding. The City was able to obtain an additional \$120,000 in federal HIPU funding in 2020, but has continued to seek additional funding. Both of these funding sources require an approximate 20% match, for which the City has budgeted.

We have identified an additional funding source, the Transportation Alternatives Program, that could fund the construction of the northern sidewalk and intersection/crossing improvements. Staff recommends an application for up to \$400,000, with the City providing a match of no less than \$192,199 from the Major Roads (202) fund balance.

RECOMMENDED ACTION: Approval

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2022-040
February 15, 2022

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City strongly supports safe nonmotorized transportation and safe access to recreation opportunities for people of all abilities and incomes; and

WHEREAS, the need for a welcoming, safe, and walkable Huron River Drive adjacent to Eastern Michigan University is a goal in the City's Master Plan, Nonmotorized Plan, and Parks and Recreation Master Plan; and

WHEREAS, this project shall hereinafter be referred to as the Huron River Drive Reconstruction and Road Diet; and

WHEREAS, the City commits to owning/operating the constructed facility and funding/implementing a maintenance plan/program in perpetuity or causing operations and maintenance to occur; and

WHEREAS, the City commits to funding the design and construction engineering of the project, and understands that any permit costs, cost overruns, and costs of non-participating items associated with the project will be funded by the City; and

NOW THEREFORE BE IT RESOLVED, THAT the City Council hereby authorizes the submission of a Transportation Alternatives Program grant application to **SEMCOG/MDOT** for an amount not to exceed \$400,000, with a match provided by the City of no less than 30%, and THAT the City Council hereby authorizes the City Manager to act as the City's agent during project development, and to sign a project agreement upon receipt of a grant funding award.

OFFERED BY: _____

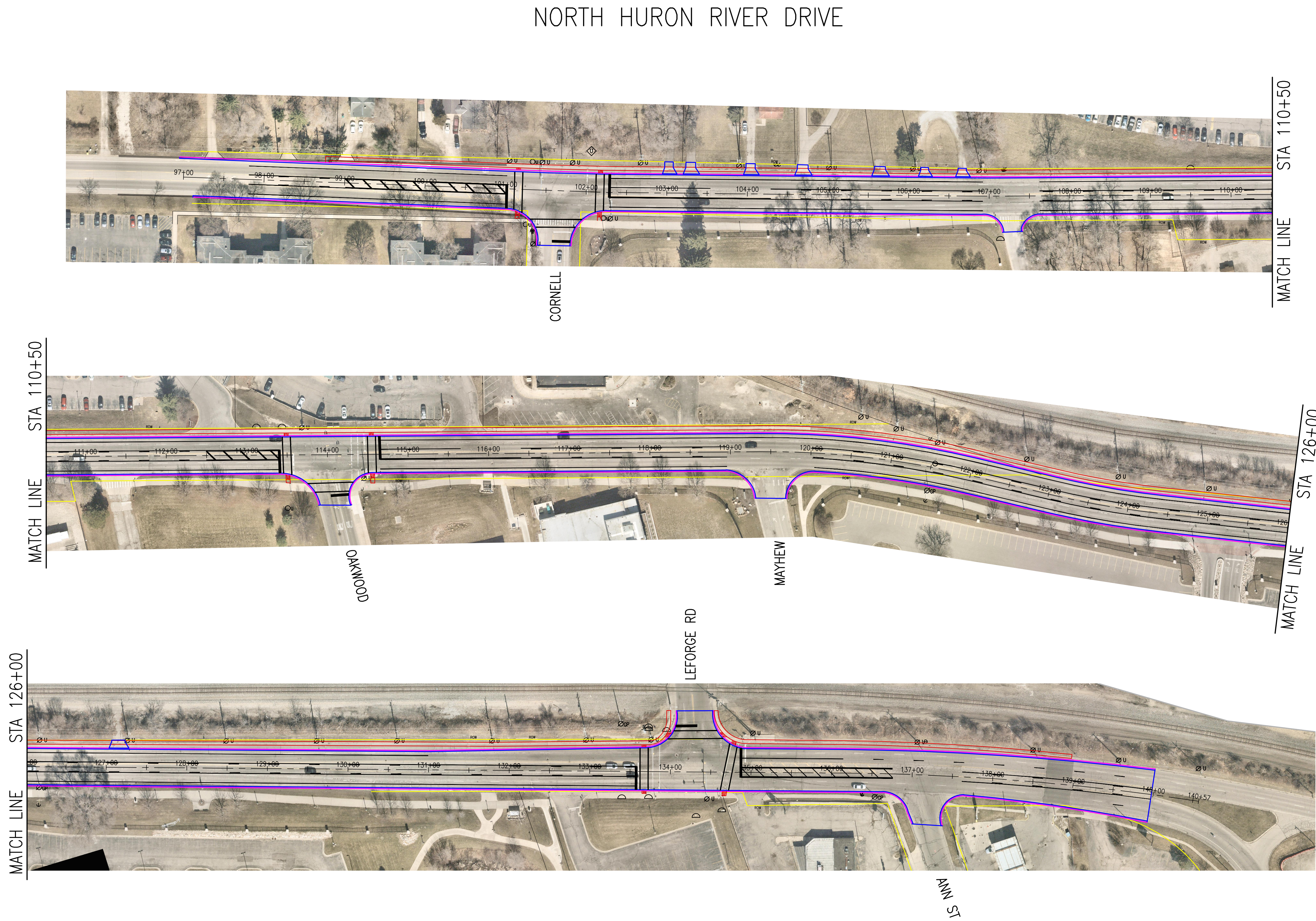
SECONDED BY: _____

YES: NO: ABSENT: VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this 15 day of February 2022

#Resolution No. 2022-040

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ARCHITECTS ENGINEERS PLANNERS

34000 Plymouth Road
Livonia, MI 48150
P (734) 522-6711 | F (734) 522-6427
OHM-ADVISORS.COM

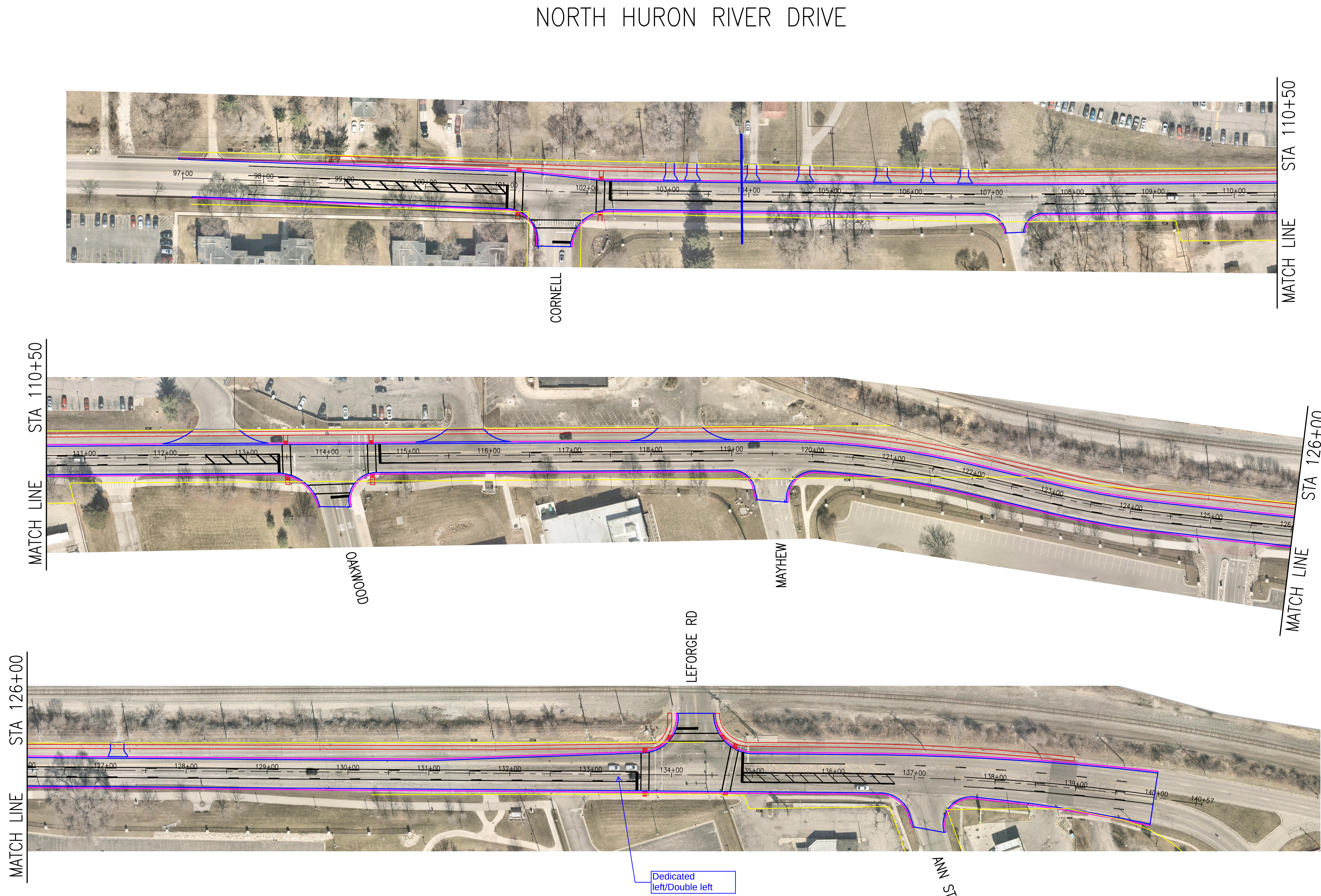
REVISIONS

DATE	PROJ NUMBER	ENG	PROJ LEAD	CADED	COUNTY	CITY/TOWNSHIP	SCALE	H	V	DATE	WEST DATUM
MM/DD/YYYY	000-00000	001	001	001	WASHTENAW	YPSILANTI	1"=40'	1"	1"	1"	1"
CITY OF YPSILANTI HURON RIVER DRIVE ROAD RECONSTRUCTION OVR CONST PLAN - DRAFT 1 P.08 TO P.08											

SHEET	OVR-1
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DRAWING PATH: P:\0000_01\00004200020\Huron River Drive Design\Drawings\Civil\Plans_Constr\0000000000\CON GM Draft 2.dwg Dec-21, 2021, 8:45am





ARCHITECTS ENGINEERS PLANNERS

34000 Plymouth Road
Livonia, MI 48150
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OHM-ADVISORS.COM

REVISIONS

DATE	PROJ NUMBER	BSG	PROJ LEAD	CADED	COUNTY	CITY/TOWNSHIP	SCALE	H	V	H/D	WEST DATUM
MM/DD/YYYY	000-000000	00	00	00	00	YPSILANTI	1"=40'	1"	1"	1"	1"
CITY OF YPSILANTI HURON RIVER DRIVE ROAD RECONSTRUCTION OVR CONST PLAN - DRAFT 2											
P.O.B TO P.O.E.											

SHEET	OVR-2
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REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: Andrew Hellenga
DATE: February 15, 2022
SUBJECT: May 3rd Special Election

DESCRIPTION:
May 3rd Special Election

SUMMARY:

A Special Election to be held on May 3, 2022.

There is no funding currently budgeted for this election, and funds will need to be allocated to expenditure accounts in 101-7-2621. The city will be reimbursed by for all funds expended resulting from this election.

RECOMMENDED ACTION: Approval

ATTACHMENTS: Resolution

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2022-041
February 15, 2022

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, a Special Election has been called and will occur on May 3, 2022; and

WHEREAS, this election was not previously planned for and there is not funding currently budgeted to administer this election; and

WHEREAS, all funds used to administer this election will be reimbursed to the City.

NOW THEREFORE BE IT RESOLVED THAT the City Council of the City of Ypsilanti allocated \$25,000 to account #101-7-2621 to be used to administer a May 3, 2022, Special Election.

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 15 day of February 2022

#Resolution No. 2022-041



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: Frances McMullan
DATE: February 15, 2022
SUBJECT: Council Event Request Form

DESCRIPTION:

Council Event Request Form

SUMMARY:

During the February 1, 2022, City Council Meeting a resolution was adopted creating a process for Council to request a citywide event.

The process includes a form that provides needed information about the requested event. That form would be provided to Council the next available meeting following the request. Council will then determine through resolution if they wish the event to occur.

The form would only be made available to sitting Council Members and in both a hardcopy and digital formats.

RECOMMENDED ACTION: Approval

ATTACHMENTS: Resolution & Form

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2022-042
February 15, 2022

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, City Council approved a process for requesting a citywide event; and

WHEREAS, the process requires a form be submitted to the City Manager's Office that provides needed information for review of Council; and

WHEREAS, upon submission of the form a resolution approving the event would be provided to Council on the next available agenda; and

NOW THEREFORE BE IT RESOLVED THAT the City Council of the City of Ypsilanti approve the attached form for City Council use for request of citywide events.

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 15 day of February 2022

#Resolution No. 2022-042

Council Event Request Form

City Council Request of Citywide Event

*** Required**

1. Email *

2. What is the Title of the Event? *

3. What is the Date of the Event? *

Example: January 7, 2019

4. What time will the event be held? *

Example: 8:30 AM

5. Please Describe the Event *

6. What Council Members are involved in the Event? *

Check all that apply.

- ☐ Mayor Richardson
- ☐ Mayor Pro-Tem Brown
- ☐ Mr. Jones-Chance
- ☐ Council Member Symanns
- ☐ Council Member Wilcoxen
- ☐ Council Member Somerville
- ☐ Council Member Morgan

7. What resources are needed for your event? *

8. Please describe how this event will benefit the City at Large *

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Google Forms



Resolution No. 2022-043
February 15, 2022

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, in January and February of 2022, the city council engaged in goal setting and budget prioritization exercises with the valuable assistance from facilitator Dr. Morgan Milner and city administration; and

WHEREAS, Dr. Milner prepared a report titled *Ypsilanti City Council Goal-Setting Report* which outlines the results of the city council's goal setting sessions; and

WHEREAS, the City Manager has reviewed the presented report, and with City Council direction, developed three umbrella goals that incorporate priorities set during goal session process. The goals are as follows:

1. **Infrastructure**
 - a. **Commons**
 - i. **Develop Water Street**
 1. Summarize progress on Water Street and approve Letters of intent with a developer.
 - ii. **Redevelop long-term vacant sites in the city**
 1. i.e., Water Street, 220 N Park, and Angstrom
 - iii. **Open/Reinstate Park Bathrooms**
 - iv. **Improve roads, implement a road pavement preservation program**
 1. Complete road improvement projects and road maintenance as funding allows.
 - b. **Buildings**
 - i. **Improve Facilities – Maintenance schedules & Upgrades (DPS, Police, Fire)**
 1. Create regular maintenance schedules for each facility and create replacement schedules for critical facility equipment.
2. **Community**
 - a. **Safety**
 - i. **Develop a Crisis/Mental health Intervention and Response Team**
 1. Explore partnership with County Crisis Team, EMU, and Ypsilanti Fire Department to keep our community safe

#Resolution No. 2022-043

- with trained crisis professionals that can de-escalate situations without the presence of armed officers.
 - ii. **Continue community policing philosophy**
 - 1. **Provide the Police Department support in these efforts.**
 - b. **Connections**
 - i. **Continue investment in cultural and community offerings and partnerships.**
 - 1. **To enhance access for citizens to the arts and new experiences/community building with new and innovative partnerships.**
 - ii. **Increase participation within the community for public meetings.**
3. **Staff –**
 - a. **Development**
 - i. **Implement compensation study**
 - 1. **Adequately compensate employees through the creation of a non-union wage scale.**
 - ii. **Implement recruitment and retention strategies (Police, DDPS, Fire, Administrative)**
 - iii. **Provide Human Resources recruiting and selection training.**
 - 1. **Equip Directors with proper interviewing techniques.**
 - iv. **Create an incentive-based programs to retain talent.**
 - v. **Re-establish Parks and Rec Department.**
 - b. **Impact**
 - i. **Select a new payroll and HRIS system.**
 - ii. **Establish and implement incentive program to increase employee morale.**
 - iii. **Increase salaries to promote employee retention.**

WHEREAS, pursuant to Section 5.02 of the Ypsilanti city charter, the city council desires to adopt goals, objectives, and budget priorities for 2022-2023 to provide the necessary direction to the City Manager for allocation of resources for FY 2022-2023 proposed budgets.

NOW THEREFORE BE IT RESOLVED BY THE CITY OF YPSILANTI that the Ypsilanti city council does hereby adopt the Ypsilanti City Council 2022-2023 Goal-Setting Report as the city council's goals, objectives, and budget priorities for FY 2022-2023.

BE IT FURTHER RESOLVED THAT the Ypsilanti city council does hereby direct the City Manager to consider these adopted goals, objectives, and budget priorities during the preparation of the FY 2022-2023 and FY 2023-2024 proposed budgets in accordance with Section 5.02 of the Ypsilanti city charter.

OFFERED BY: _____

#Resolution No. 2022-043

SECONDED BY: _____

YES:

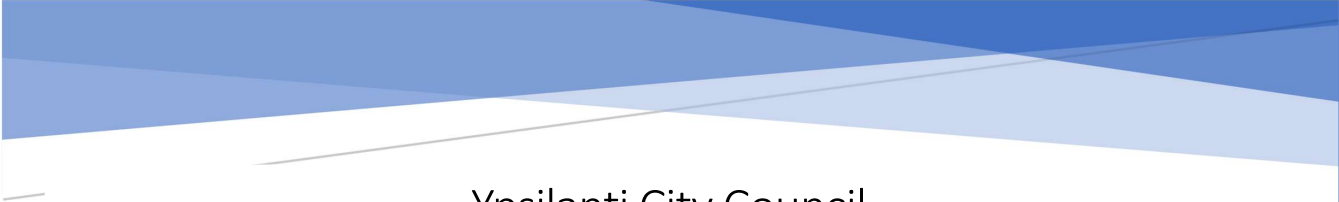
NO:

ABSENT:

VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this
15 day of February 2022

#Resolution No. 2022-043



Ypsilanti City Council 2022 Goal-Setting Report

Overview:

City Council and Administrative Staff held two goal-setting meetings in January 2022 to establish priorities for FY2022. After generating goals from each council member and administrative area, council and staff voted on their priority preferences.

Priority Areas

Goals were organized across 3 focus areas

- Community
- Infrastructure
- Council and Staff

The following is a summary of priorities and goals as surfaced by the City of Ypsilanti Council, with input from administration and staff.

Prepared by:

Morgan Milner, PhD
Organization & Talent Development
drmmilner@gmail.com

How to read this report...

- Vote Totals show goals receiving High Support, Moderate Support and Low Support
- Goals are sorted by Overall Support received
- RED highlights indicate a significant difference between Council support and Staff support

Recommendations for interpretation

2022

Some goals represent continuation of ongoing initiatives (i.e. Develop Water Street) as well as introduction of new initiatives (i.e. Develop an unarmed Crisis Intervention Team). The City Manager must use discretion regarding resources allocated for ongoing objectives and resources towards establishment of new initiatives. This consensus report shows the initiatives that are most supported when making resource decisions.

Responsible Department

Goals identified as top priorities by Council may originate from council members or one of several departments. The City Manager will use discretion to assign goal responsibility to the respective department. Please reference the spreadsheet included in this report (2022 Goals Analysis Report) to determine goal specifics, such as originating department and related tasks. As the City Manager develops final goals and budgets, it will be important to balance goal priority and effort between departments.

Council/Staff Divergence

In general, council and staff reached consensus for many of the goals. Goals in which council and staff differed significantly are highlighted in red. Significance is determined by a goal receiving > 50% support from one group, but limited support from the other. These goals represent a divergence in priorities (and perspectives) between City Council and City Staff. I recommend that Council review these goals and seek to understand the differences between Council and Staff's perspectives. These goals represent potential opportunities where agreement may be sought as well as opportunities for Council to support Staff priorities.

Next Action Steps

Once goals have been prioritized, the City Manager will undergo the established practice of goal formalization as part of the annual budget process.

If you have any questions regarding this report, interpretations of this data or clarifications of the process used to prioritize goals, please contact Morgan Milner for response.

Morgan Milner, PhD
drmmilner@gmail.com
734-773-7944

Consensus Report

	Area	Focus	Council Support	Staff Support	TOTAL SUPPORT	Objective/Goal	Notes
High Support	Infrastructure	Commons	4	9	13	Develop Water Street	Summarize progress on Water street development. Letters of intent to the developer.
	Community	Safety	5	6	11	Develop a Crisis/Mental Health Intervention/Response Team	Explore partnership with County Crisis Team, EMU, and Ypsi Fire Dept to keep our community safe with trained crisis professionals that can deescalate situations without the presence of armed officers
	Infrastructure	Commons	2	9	11	Redevelop long-term vacant sites in the city	Redevelop Water Street, 220 N. Park and Angstrom.
	Staff	Development	3	7	10	Implement compensation study	To adequately compensate employees. Create a wage scale for non-union employees.
	Staff	Development	5	4	9	Provide HR Recruiting and Selection Training	Equip Managers with the proper interviewing skills.
	Staff	Impact	3	6	9	Select a new payroll & HRIS system	increase efficiency and reduce cost
						Continue investment in cultural & community offerings & partnerships	To enhance access for citizens to the arts and new experiences/community building with new and innovative partnerships (ex. UMS & Freighthouse, support of holiday events, summer programs/festivals, etc.). Celebrations such as Black History Month and Juneteenth day
	Community	Connection	3	5	8		
	Infrastructure	Buildings	3	5	8	Improve Facilities - Maintenance schedules & Upgrades	Create regular maintenance schedules for each facility; create replacement schedules for critical facility equipment
	Staff	Development	1	7	8	Create incentive-based programs to retain the best	of Ypsilanti Talent, Ingenuity and work ethic.
	Staff	Development	4	4	8	Re-establish Parks and Rec Department	
						Increase participation within the community for public meetings.	With the hybrid model. Develop a list of community members interested in upcoming events, meetings, or city updates. Increase newflash subscribers by 10 percent within the forthcoming year. The growth will help improve those who receive updates of our current engagements.
	Community	Connection	3	4	7		
						Implement Entrepreneurship Courses at Parkridge Community Center	To help young people develop skills and knowledge. Build curriculum with partners like Spark East, MI Works, and WCC, schedule courses, and promote the program in order to ensure robust participation
	Community	Connection	1	6	7		
	Community	Safety	3	4	7	Implement a community policing philosophy	Support the Police Department in these efforts.
	Infrastructure	Commons	4	3	7	Open/ Reinstate Park bathrooms	
	Infrastructure	Commons	2	5	7	Improve Roads - Road Pavement Preservation Program	Complete road improvement projects and road maintenance as funding allows
	Staff	Development	2	5	7	Police Department achieve full Staffing with recruiting and retention	
Moderate Support						Achieve a 50% reduction in violent crime	Make comprehensive data available to council and report progress at each meeting
	Community	Safety	3	3	6		
	Infrastructure	Commons	3	3	6	Continue improvements with traffic calming and pedestrian safety	in residential areas and business districts
	Infrastructure	Commons	3	3	6	Remove Peninsular Dam: engineering study	Partially fund the second phase engineering study to determine sediment mediation plan, restoration plan, and structural analysis of infrastructure
						Re-training and cross training of Employees	Employees to be able to cover other employees in case of absences or leave. Establish efficient training procedures and creating instructional cheat sheets for different processes
	Staff	Development	2	4	6		
	Community	Connection	1	4	5	Increase county support for equitable resources to Ypsilanti	commensurate with its needs identified on the Opportunity Index.
	Community	Safety	2	3	5	Maintain focus on eliminating gun violence	through innovative programs, partnerships and community investment.
	Infrastructure	Buildings	2	3	5	Improve Facility - Department of Public Safety	Get multiple quotes for remodeling of break room and locker room area
						Develop a Stormwater Management Plan	Evaluate and implement improvements to city sewer/water lines and other related infrastructure to meet the demands of climate change and increasingly harsh weather events. Preserve and expand the City's capacity to deal with heavy rainfall to mitigate negative effects on people and property
	Infrastructure	Commons	4	1	5		
	Staff	Impact	3	2	5	Develop a DEI Plan	

Consensus Report

Area	Focus	Council Support	Staff Support	TOTAL SUPPORT	Objective/Goal	Notes
Staff	Impact	0	5	5	On-line access for Paystubs and Employee Forms	Find a software which have online/phone access for employee pay stubs as determined by their enabling ordinance. Work with staff liaisons to create an environment conducive to the bodies success
Community	Connection	2	2	4	Ensure proper functioning of Advisory Bodies	
Infrastructure	Buildings	2	2	4	Engage in Maintenance - Fire Department Building	
Infrastructure	Commons	3	1	4	Reverse growth in parking deficits	Reduce reliance on motorized vehicles and parking infrastructure; Work with non-motorized committee to identify areas on possible immediate action
Infrastructure	Commons	0	4	4	Improve Recycling/Yard Waste/Trash	Implement Cart Program and evaluate a biweekly collection schedule and Continue to find ways to promote and expand recycling options within the community.
Infrastructure	Commons	1	3	4	Complete the sale of Riverside Arts Center and pay off remaining Downtown bond with proceeds	Resolve any remaining grant restriction, property line questions, and sale details with City and DDA attorney
Staff	Development	0	4	4	Establish a Career Path Progression Plan	Create a roadmap detailing how a specific employee will advance through your company.
Staff	Development	2	2	4	Fire Department Hiring and Retention	
Community	Connection	1	2	3	Revive CoPAC & neighborhood associations	to Improve Communications between citizens
Community	Safety	0	3	3	Explore the return of Neighborhood Watch Groups	
Infrastructure	Commons	0	3	3	Improve Roads - Complete Planned Projects	Complete planned projects, keep projects planning for future years on schedule.
					Successful administration of both the Primary and General Election (May Special Election if Called)	Recruit Ample Election Inspectors, monitor potential changes to election law, have all polling locations assessed for ADA Compliance, hire parttime staff to ensure that absentee ballots are sent by the statutorily date and for processing ballots as they return. (budget amount roughly - \$60,000 to -\$90,000 depending if there is a May Special Election)
Staff	Impact	2	1	3	Review all current records per the Michigan State Records Retention	For proper records management. Work with city departments to ensure all records are maintained per the schedule, and destroy all records that have elapsed the time of retention
Staff	Impact	1	2	3	Police Department Complete the in-car camera system upgrade	
Staff	Impact	0	3	3	Improve Record Keeping Accessibility of Documents	Scan important documents and attach to BS&A Software
Staff	Impact	1	2	3	Leverage grant opportunities for building façade and rehabilitation	Activate remaining vacant or underutilized storefronts across the district and encourage private investment by leveraging public resources from the State of Michigan and DDA TIF revenues
Infrastructure	Buildings	0	2	2	Eliminate supply-side barriers within city control	Identify all such barriers towards 100% affordability (anyone can afford to live in Ypsi). Seek methods and creative ways to provide density and affordable housing within the city of Ypsilanti.
Infrastructure	Commons	2	0	2	Identify additional parking opportunities in Depot Town	and invest in developing those sites Complete the parking feasibility study and decide on where to commit bonding capacity for the greatest benefit
Infrastructure	Commons	0	2	2	Fire Department Professional Development	
Staff	Development	0	2	2	Highlight systems/ programs that foster fiscal responsibility	
Staff	Impact	0	2	2	Convert paper documents to electronic copies	Less use of paper and better access to documents. Scan documents and use Content manager
Staff	Impact	1	1	2	Identify ways to share community updates on Boards & Commissions and engagement opportunities	Allowing a summary of details and current topics covered. Increase engagement, filling all vacancies in organizations.
Community	Connection	0	1	1	Improve Facilities - Energy efficiency	Review existing plans; look at hiring an energy consultant to evaluate City facilities for efficiency upgrades and solar installation; create improvement schedule.
Infrastructure	Buildings	0	1	1		

Key: Red outline indicates goal support differs significantly between groups

Vote Tally - Council

Area	Focus	Council Support						Council Support Total	<u>Objective/Goal</u>
		1	1	1	1	1	1		
Community	Safety	1	1	1	1	1	1	5	Develop a Crisis/Mental Health Intervention/Response Team
Staff	Development	1	1	1	1	1	1	5	Provide HR Recruiting and Selection Training
Infrastructure	Commons		1	1		1	1	4	Open/ Reinststate Park bathrooms
Infrastructure	Commons	1		1	1		1	4	Develop a Stormwater Management Plan
Infrastructure	Commons	1	1			1	1	4	Develop Water Street
Staff	Development		1	1	1	1		4	Re-establish Parks and Rec Department
Community	Connection		1		1		1	3	Continue investment in cultural & community offerings & partnerships
Community	Connection	1	1	1				3	Increase participation within the community for public meetings.
Community	Safety	1	1			1		3	Achieve a 50% reduction in violent crime
Community	Safety		1		1		1	3	Implement a community policing philosophy
Infrastructure	Buildings	1		1	1			3	Improve Facilities - Maintenance schedules & Upgrades
Infrastructure	Commons	1		1		1		3	Reverse growth in parking deficits
Infrastructure	Commons		1	1	1			3	Continue improvements with traffic calming and pedestrian safety
Infrastructure	Commons	1		1		1		3	Remove Peninsular Dam: engineering study
Staff	Development			1	1	1		3	Implement compensation study
Staff	Impact	1	1				1	3	Develop a DEI Plan
Staff	Impact		1		1	1		3	Select a new payroll & HRIS system
Community	Connection			1			1	2	Ensure proper functioning of Advisory Bodies
Community	Safety		1			1		2	Maintain focus on eliminating gun violence
Infrastructure	Buildings	1					1	2	Improve Facility - Department of Public Safety
Infrastructure	Buildings			1			1	2	Engage in Maintenance - Fire Department Building
Infrastructure	Commons			1		1		2	Eliminate supply-side barriers within city control
Infrastructure	Commons		1				1	2	Improve Roads - Road Pavement Preservation Program
Infrastructure	Commons	1					1	2	Redevelop long-term vacant sites in the city
Staff	Development				1		1	2	Re-training and cross training of Employees
Staff	Development				1	1		2	Fire Department Hiring and Retention
Staff	Development				1	1		2	Police Department achieve full Staffing with recruiting and retention
Staff	Impact		1			1		2	Successful administration of both the Primary and General Election (May Special Election if Called)

Vote Tally - Council

Area	Focus	Council Support						Council Support Total	<u>Objective/Goal</u>
Community	Connection						1	1	Revive CoPAC & neighborhood associations
Community	Connection						1	1	Increase county support for equitable resources to Ypsilanti
Community	Connection					1		1	Implement Entrepreneurship Courses at Parkridge Community Center
Infrastructure	Commons				1			1	Complete the sale of Riverside Arts Center and pay off remaining Downtown bond with proceeds
Staff	Development	1						1	Create incentive-based programs to retain the best
Staff	Impact	1						1	Review all current records per the Michigan State Records Retention
Staff	Impact	1						1	Convert paper documents to electronic copies
Staff	Impact				1			1	Improve Record Keeping Accessibility of Documents
Community	Connection							0	Identify ways to share community updates on Boards & Commissions and engagement opportunities
Community	Safety							0	Explore the return of Neighborhood Watch Groups
Infrastructure	Buildings							0	Improve Facilities - Energy efficiency
Infrastructure	Buildings							0	Leverage grant opportunities for building façade and rehabilitation
Infrastructure	Commons							0	Improve Recycling/Yard Waste/Trash
Infrastructure	Commons							0	Improve Roads - Complete Planned Projects
Infrastructure	Commons							0	Identify additional parking opportunities in Depot Town
Staff	Development							0	Fire Department Professional Development
Staff	Development							0	Establish a Career Path Progression Plan
Staff	Impact							0	Highlight systems/ programs that foster fiscal responsibility
Staff	Impact							0	Police Department Complete the in-car camera system upgrade
Staff	Impact							0	On-line access for Paystubs and Employee Forms
		15	15	14	15	15	15		

Vote Tally - Staff

Area	Focus	Staff Support										Staff Support Total	<u>Objective/Goal</u>
Infrastructure	Commons		1	1	1		1	1	1	1	1	9	Develop Water Street
Infrastructure	Commons	1	1		1	1	1	1	1	1		9	Redevelop long-term vacant sites in the city
Staff	Development	1	1		1	1				1	1	7	Create incentive-based programs to retain the best
Staff	Development	1	1			1	1	1	1		1	7	Implement compensation study
Community	Connection			1	1		1	1			1	6	Implement Entrepreneurship Courses at Parkridge Community Center
Community	Safety	1				1		1	1		1	6	Develop a Crisis/Mental Health Intervention/Response Team
Staff	Impact	1			1		1	1			1	6	Select a new payroll & HRIS system
Community	Connection	1		1		1		1			1	5	Continue investment in cultural & community offerings & partnerships
Infrastructure	Buildings		1		1	1				1		5	Improve Facilities - Maintenance schedules & Upgrades
Infrastructure	Commons		1	1			1		1		1	5	Improve Roads - Road Pavement Preservation Program
Staff	Development	1		1					1	1		5	Police Department achieve full Staffing with recruiting and retention
Staff	Impact	1	1			1		1	1			5	On-line access for Paystubs and Employee Forms
Community	Connection		1	1					1		1	4	Increase county support for equitable resources to Ypsilanti
Community	Connection		1							1	1	4	Increase participation within the community for public meetings.
Community	Safety			1			1		1	1		4	Implement a community policing philosophy
Infrastructure	Commons				1		1	1	1			4	Improve Recycling/Yard Waste/Trash
Staff	Development	1	1		1	1						4	Re-training and cross training of Employees
Staff	Development	1				1			1			4	Establish a Career Path Progression Plan
Staff	Development	1			1	1				1		4	Provide HR Recruiting and Selection Training
Staff	Development					1		1	1		1	4	Re-establish Parks and Rec Department
Community	Safety		1	1							1	3	Achieve a 50% reduction in violent crime
Community	Safety			1						1	1	3	Maintain focus on eliminating gun violence
Community	Safety		1	1						1		3	Explore the return of Neighborhood Watch Groups
Infrastructure	Buildings	1					1		1			3	Improve Facility - Department of Public Safety
Infrastructure	Commons					1					1	3	Open/ Reinstate Park bathrooms
Infrastructure	Commons				1		1			1		3	Continue improvements with traffic calming and pedestrian safety
Infrastructure	Commons						1				1	3	Remove Peninsular Dam: engineering study
Infrastructure	Commons		1	1			1					3	Improve Roads - Complete Planned Projects
Infrastructure	Commons			1			1				1	3	Complete the sale of Riverside Arts Center and pay off remaining Downtown bond with proceeds

Vote Tally - Staff

Area	Focus	Staff Support										Staff Support Total	<u>Objective/Goal</u>	
		1		1						1				
Staff	Impact	1		1						1		3	Police Department Complete the in-car camera system upgrade	
Community	Connection			1						1		2	Revive CoPAC & neighborhood associations	
Community	Connection				1					1		2	Ensure proper functioning of Advisory Bodies	
Infrastructure	Buildings	1							1			2	Engage in Maintenance - Fire Department Building	
Infrastructure	Buildings			1							1	2	Leverage grant opportunities for building façade and rehabilitation	
Infrastructure	Commons										1	1	2	Identify additional parking opportunities in Depot Town
Staff	Development	1							1			2	Fire Department Professional Development	
Staff	Development				1				1			2	Fire Department Hiring and Retention	
Staff	Impact					1		1				2	Develop a DEI Plan	
Staff	Impact		1			1						2	Highlight systems/ programs that foster fiscal responsibility	
Staff	Impact		1		1							2	Review all current records per the Michigan State Records Retention	
Staff	Impact				1	1						2	Improve Record Keeping Accessibility of Documents	
Community	Connection										1	1	Identify ways to share community updates on Boards & Commissions and engagement opportunities	
Infrastructure	Buildings						1					1	Improve Facilities - Energy efficiency	
Infrastructure	Commons							1				1	Reverse growth in parking deficits	
Infrastructure	Commons							1				1	Develop a Stormwater Management Plan	
Staff	Impact				1							1	Successful administration of both the Primary and General Election (May Special Election if Called)	
Staff	Impact							1				1	Convert paper documents to electronic copies	
Infrastructure	Commons											0	Eliminate supply-side barriers within city control	
		15	15	15	15	15	15	15	15	15	15	15		



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: Frances McMullan
DATE: February 15, 2022
SUBJECT: City and DDA 2016 Intergovernmental Agreement Amendment

DESCRIPTION:

City and DDA 2016 Intergovernmental Agreement Amendment

SUMMARY:

The first IGA agreement between the City and DDA was adopted in 2016 and established several City services to be provided on behalf of the DDA including: 1 full time police officer, snow removal at the Riverside Arts Center parking lot, twice weekly street trash can pick-up services, and annual holiday lighting installation in exchange for 35% of the DDA TIF Revenues.

The DDA and City are interested in amending the agreement and the parties are desirous of working together for the general greater benefit of the City and its downtown districts. This agreement is to modify the 2016 IGA to remove the full-time DDA Police Officer and snow removal at the Riverside Arts Center parking lot. The DDA has entered into a lease and options agreement with the Riverside Arts Center to provide snow removal services at that location. Additionally, the City has struggled to meet the obligations of providing a full time DDA officer during the hours needed, and the search has not improved due to the COVID-19 pandemic. YPD is short 5 officers currently and overtime continues to accumulate due to lack of officers and COVID-19 related absences. The labor market for officers continues to be extremely competitive and this is challenging for the City to become fully staffed.

Therefore, it is my recommendation that we amend the 2016 IGA to allow the DDA to contract elsewhere to ensure safety Downtown, and reduce the TIF Revenue from 35% to 20%.

RECOMMENDED ACTION: Approval

ATTACHMENTS: 2016 IGA Amendment

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2022-044
February 15, 2022

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The DDA and City are interested in amending the agreement and the parties are desirous of working together for the general greater benefit of the City and its downtown districts.; and

WHEREAS, The City has been providing trash pick-up services and holiday lighting installation to the DDA for many years in the DDA districts. The parties desire to continue this service arrangement and memorialize the service and payment for the next 20 years.; and

WHEREAS, This agreement is to modify the 2016 IGA between the City and DDA to more accurately reflect the services provided and cost of providing those services.; and

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council approve the 2016 City and DDA Intergovernmental Agreement as amended.

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 15 day of February 2022

#Resolution No. 2022-044

Draft Date: February 15, 2022

**FIRST ADDENDUM TO
INTERGOVERNMENTAL AGREEMENT FOR SERVICES BETWEEN THE
CITY OF YPSILANTI AND THE YPSILANTI DOWNTOWN DEVELOPMENT
AUTHORITY, WHICH WAS SIGNED BY MAYOR AMANDA EDMONDS ON
NOVEMBER 17, 2015, BY CITY CLERK FRANCES MCMULLAN ON
NOVEMBER 17, 2015, AND BY DDA EXECUTIVE DIRECTOR TIM COLBECK
ON DECEMBER 16, 2015**

THIS FIRST ADDENDUM to the Intergovernmental Agreement for Services between the City of Ypsilanti and the Ypsilanti Downtown Development Authority, which was signed by Mayor Amanda Edmonds on November 17, 2015, by City Clerk Frances McMullan on November 17, 2015, and by DDA Executive Director Tim Colbeck on December 16, 2015 is entered into effective March 1, 2022, by and between the City of Ypsilanti (the “City”), a Michigan Home Rule City, whose address is 1 South Huron Street, Ypsilanti, Michigan 48197 and the Ypsilanti Downtown Development Authority (the “DDA”), a public body corporate, whose address is 1 South Huron Street, Ypsilanti, Michigan 48197. The City and DDA are sometimes hereafter each referred to as a “party” and collectively as the “parties.”

WITNESSETH:

WHEREAS, the parties entered into an Intergovernmental Agreement for Services, which was signed by Mayor Amanda Edmonds on November 17, 2015, by City Clerk Frances McMullan on November 17, 2015, and by DDA Executive Director Tim Colbeck on December 16, 2015 (hereafter the “Agreement”);

WHEREAS, the Agreement references a Contract executed by the parties for Downtown Pedestrian Trash Receptable Services, which was effective on July 1, 2010, and was subsequently extended and such extension was effective July 1, 2015 (hereinafter referred to as the “Downtown Pedestrian Trash Receptable Services Contract”);

WHEREAS, Section 9 of the Agreement provides that “Any changes, additions, or deletions shall not be effective or actionable unless they are approved by the governing body of both parties and in writing and signed by both parties.”

WHEREAS, the parties have agreed to enter into this Addendum for the purpose of modifying Sections 1, 2, 4, 5, and 9 of the Agreement.

NOW THEREFORE, it is hereby agreed by the parties as follows:

- 1. Amendment to Section 1, including subsections a-e of the Agreement.** Section 1, including subsections a-e of the Agreement is hereby deleted in its entirety and replaced with the following:

- ~~1. Term. The effective date of this Agreement shall be February 16, 2022 (the "Effective Date") and this Agreement shall expire on its terms on February 16, 2027.~~

2. Amendment to Section 2, including subsections a-c of the Agreement.

Section 2, including subsections a-c of the Agreement is hereby deleted in its entirety and replaced with the following new Section 2:

2. Solid Waste Collection. The City shall provide bi-weekly pedestrian trash receptacle service of sixty-four (64) trash cans in the DDA areas.

- a. The parties entered into a Contract for Downtown Pedestrian Trash Receptacle Services effective July 1, 2010 (attached hereto as **Exhibit 1** and incorporated herein).
- b. The parties then entered into an Extension of this Contract for Downtown Pedestrian Trash Receptacle Services effective July 1, 2015 (attached hereto as **Exhibit 2** and incorporated herein).
- c. The terms and conditions of these agreements shall be incorporated herein by reference and remain in full force and effect except as modified herein: Particularly the contract price, payment, and term are modified by this Agreement.
- d. The parties covenant and agree that upon the expiration of this Agreement, which is five (5) years from the Effective Date, that the Downtown Pedestrian Trash Receptacle Services Contract (see **Exhibit 1**) and the Extension of the Downtown Pedestrian Trash Receptacle Contract (see **Exhibit 2**) shall be null, void, and of no further effect and shall not provide the basis for a claim, prospective or retrospective by either party against the other.

3. Amendment to Section 4, including subsection a of the Agreement.

Section 1, including subsection a of the Agreement is hereby deleted in their entirety.

4. Amendment to Section 5, including subsections a and b of the Agreement. Section 5, including subsections a and b of the Agreement is hereby deleted in its entirety and replaced with the following:

5. DDA shall compensate and pay the City for the services described herein in the amount of twenty percent (20%) of the

gross funds received by the DDA from TIF plan capture in each of the Downtown, Depot Town and Cross Street TIFs.

- a. This agreement does not apply to the Water Street TIF.
- b. The amounts shall be adjusted in the event of the addition or deletion of any TIF district.

For example: This example is assuming that the Downtown District, Depot Town District, and the Cross Street District generate a total of \$100,000 in gross funds to the DDA. If the Downtown District generates 50% (\$50,000), the Depot Town District generates 20% (\$20,000), and the Cross Street District generates 30% (\$30,000) of the gross revenue to the DDA and any of those TIF Districts expires on their terms or is terminated by the City Council, then the DDA would owe the City the following:

- *If Downtown District expires or is terminated, the amount paid by the DDA to the City per year (\$20,000) would be reduced by \$10,000 ($\$20,000 * .50 = \$10,000$). The DDA would therefore owe the City \$10,000 per year after the Downtown District expires or is terminated.*
 - *If Depot Town District expires or is terminated, the amount paid by the DDA to the City per year (\$20,000) would be reduced by \$4,000 ($\$20,000 * .20 = \$4,000$). The DDA would therefore owe the City \$16,000 per year after the Depot Town District expires or is terminated.*
 - *If the Cross Street District expires or is terminated, the amount paid by the DDA to the City per year (\$20,000) would be reduced by \$6,000 ($\$20,000 * .30 = \$6,000$). The DDA would therefore owe the City \$14,000 per year after the Cross Street District expires or is terminated.*
- c. If the amount of gross funds received by the DDA from TIF plan capture increases or decreases by more than ten percent (10%) in any fiscal year, the City and the DDA shall meet to ensure that the twenty percent (20%) fee charged by the City in this Section 5 of the Agreement is equal to the cost of providing the services contained in this Agreement.

5. Amendment to Section 9 of the Agreement. Section 9 of the Agreement is hereby deleted in its entirety and replaced with the following:

9. The term of this Agreement shall terminate on December 16, 2040. Any changes, additions, or deletions shall not be effective or actionable unless they are approved by the governing body of both parties and in writing and signed by both parties.

6. Headings. The headings of the sections set forth in this Addendum are inserted for the convenience of reference only and shall be disregarded when construing or interpreting any of the provisions of this Addendum.

7. Complete Agreement. This Addendum, the Agreement and any additional or supplementary documents incorporated by specific reference contain all of the terms and conditions agreed upon by the parties and no other agreements, oral or otherwise, regarding the subject matter of this Addendum or any part thereof shall have any validity or bind either of the parties.

8. Severability. If any provision of this Addendum is held to be unenforceable for any reason, the unenforceability thereof shall not affect the remainder of this Addendum which shall remain in full force and effect and enforceable in accordance with its terms.

9. Waiver. No waiver of any of the obligations contained herein shall be effective for any purpose unless the same shall be in writing signed by the Mayor and the Clerk of the City and the Chairperson and Executive Director of the DDA.

10. Construction. This Addendum has been prepared and negotiations have occurred in connection with said preparation pursuant to the joint efforts of the parties. This Addendum therefore shall not be construed against either party.

11. Amendment. This Addendum may not be amended or modified except for by written agreement signed by both parties.

12. Certification of Authority to Sign Addendum. The persons signing on behalf of each of the parties certify by their signatures that they are authorized to sign the Addendum on behalf of such party and that this Addendum has been authorized by such party.

13. Remainder of Agreement. Except as modified by this Addendum, the terms of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Addendum to be executed and delivered by their respective duly authorized representatives as of the day and year first above written.

CITY OF YPSILANTI

By: _____
Lois Richardson, Mayor

CITY OF YPSILANTI DDA

By: _____
Patton Doyle, Chair

CITY OF YPSILANTI

By: _____
Andrew Hellenga, City Clerk

CITY OF YPSILANTI DDA

By: _____
Chris Jacobs, DDA Director

Intergovernmental Agreement for Services

The City of Ypsilanti (City), a Michigan Home Rule City of 1 South Huron Street, Ypsilanti MI 48197 and the Ypsilanti Downtown Development Authority (DDA) of 1 South Huron Street, Ypsilanti, MI 48197 for the mutual promises and benefit of each enter into this Intergovernmental Agreement:

General Recitals

The DDA is a combination of several DDAs established by the City by ordinance. The DDA established several Tax Increment Financing (TIF) Districts and City approved the several TIF Plans. The Depot Town Plan will be expiring at the end of 2015. The DDA has developed and approved a new TIF Plan (Plan), presented it to the City and has requested that the City approve the Plan. The City is interested in approving the Plan. The parties are desirous of working together for the general greater benefit of the City and its downtown districts.

The City has been providing police services and trash pick up services to the DDA for several years in the DDA districts. The parties desire to continue this service arrangement and memorialize the service and payment for the 25 year duration of the Plan.

The City and DDA are both vitally interested in securing train service for the City. To secure train service, the City will have to invest in capital train-related improvements in the Depot Town area. The City and DDA will have to raise funds to invest in the capital improvements. In order to be able have funds available in the future, the parties will need to prioritize their expenditures. The parties both understand that it is important for the parties to agree on the prioritizing and expenditure of funds, especially funds raised from DDA tax increment financing. This agreement is to document the agreement of the parties.

The parties agree:

1. City will continue to provide one sworn police officer to patrol the DDA area on a schedule that is agreeable to both parties.
 - a. The City and the City Police Department (YPD) shall have complete control over the said police officer and officer functions, including scheduling, personnel assigned, police methods, equipment used, and training.
 - b. No member, officer, or employee of the DDA shall have any authority over such police officer and shall in no case give direction or comments to said police officer.

- c. All legal responsibility for the police officer and actions of the police officer shall be maintained by City and the City shall obtain and maintain liability insurance concerning the patrol activities of the police officer and YPD.
 - d. The parties understand that all of the actual scheduling shall be at the discretion of YPD, and the officer may be assigned or called upon to different duties or patrol upon exigent circumstances.
 - e. Any prior agreements between the parties concerning the dedication of officers to the DDA area are hereby expressly revoked.
- 2. City will continue to provide bi-weekly pedestrian trash receptacle service of 64 trash cans in the DDA areas.
 - a. The parties entered into a Contract for Downtown Pedestrian Trash Receptacle Services effective July 1, 2010.
 - b. The parties then entered into an Extension of this Contract for Downtown Pedestrian Trash Receptacle Services effective July 1, 2015.
 - c. The terms and conditions of these agreements shall be incorporated herein by reference and remain in full force and effect except as modified herein: Particularly the contract price, payment, and term are modified by this Intergovernmental Agreement.
- 3. City will provide annual Holiday Lighting and Décor installation and removal throughout the DDA.
 - a. All materials will be provided by the DDA. The DDA will be responsible for the costs associated with replacing broken or worn out decorations.
 - b. City will store all materials during the remainder of the year at the DPS yard.
- 4. City will provide snow removal and salt for the Riverside Arts Center Parking Lot, located at 76 N. Huron.
 - a. Snow removal will be provided based on the regular schedule of priorities for the City and will be done in conjunction with other Downtown municipal parking lots.
- 5. DDA will compensate and pay City for the services described herein in the amount of 35% of the gross funds received by the DDA from TIF plan capture in each of the Downtown, Depot Town and Cross Street TIF.
 - a. This agreement does not apply to the Water Street TIF.
 - b. The amounts shall be adjusted in the event of the addition or deletion of any TIF district.

6. Payments under this Intergovernmental Agreement shall be made by the City deducting said amount from the budget appropriation for the DDA each year.
7. The parties will continue to coordinate on DDA bond opportunities and the Depot Town TIFA shall not expend more than \$25,000 within one fiscal year on any one project without the mutual consent of City Council and the DDA Board.
8. The DDA agrees to prioritize bond opportunities to help provide funds for the future train or rail stations and additional parking in Depot Town for not more than 35% of the total Depot Town TIF capture.
9. The term of this Intergovernmental Agreement shall be for 25 years, commencing on the date executed by both parties. Any changes, additions, or deletions shall not be effective or actionable unless they are approved by the governing body of both parties and in writing and signed by both parties.
10. Each provision of this Intergovernmental Agreement shall be separately enforceable and in the event that a court of competent jurisdiction determines or adjudges that any portion of this contract is invalid or illegal, such decision shall not affect the rest of this contract, which shall remain in full force and effect.
11. This Intergovernmental Agreement is to be performed in the City of Ypsilanti, Washtenaw County, Michigan and all legal venue shall exclusively lie therein.
12. This Intergovernmental Agreement shall be governed by and construed in accordance with the laws of the State of Michigan.

13. This Intergovernmental Agreement shall inure to the assigns and successors of the parties.

IN WITNESS WHEREOF, the undersigned have set their hands:

For the CITY OF YPSILANTI

[Redacted Signature]

Amanda Edmonds, Mayor

Date: 11/17/15

[Redacted Signature]

Frances, McMullan, Clerk

Date: 11-17-2015

For the YPSILANTI DOWNTOWN DEVELOPMENT AUTHORITY

[Redacted Signature]

Tim Colbeck, Executive Director

Date: 12-16-15

Community Participation Meeting CBO Resume

Per the Community Benefits Ordinance, the city shall select three people that attended the Community Participation Meeting and are recommended.

Qualifications

Must be a resident in the city

Name	Kara Landstrom
Email Address	[REDACTED]
Address	[REDACTED]
City	Ypsilanti
State	Mi
Zip Code	48197
Phone Number	5173030950
Number of Years in the Community	5
Ward You Live In	2
Education	MA in Arts Administration
Occupation	Former small business owner and current Full time mom
Employer	2 kids
Are you registered to vote in the City of Ypsilanti?	Yes
<i>Field not completed.</i>	
Work/volunteer experience related to the board or commission:	I have volunteered my time and made donations throughout most of my life for numerous causes, but this type of commission would be a first for me. I have chosen to raise my

family here, so I care deeply about how this city develops and grows in the future, which is why I would like to participate.

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

Yes

I hereby certify that all of the information above is true.

Yes

Electronic Signature Agreement

I agree.

Electronic Signature

Kara L Landstrom

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

Community Participation Meeting CBO Resume

Per the Community Benefits Ordinance, the city shall select three people that attended the Community Participation Meeting and are recommended.

Qualifications

Must be a resident in the city

Name	Alyssa Newsome
Email Address	[REDACTED]
Address	[REDACTED]
City	Ypsilanti
State	MI
Zip Code	48197
Phone Number	[REDACTED]
Number of Years in the Community	8
Ward You Live In	2
Education	Bachelor of Science, current EMU Master of Public Administration student
Occupation	Student
Employer	n/a
Are you registered to vote in the City of Ypsilanti?	Field not completed.
	X

Work/volunteer experience
related to the board or
commission:

*Eight years as a resident of Ypsilanti
*Involvement in local organizing efforts
*Volunteer experience as a undergraduate student
*2+ years of experience working in the nonprofit sector,
including two Ypsilanti-based non-profits
*Current Master of Public Administration student

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

Yes

I hereby certify that all of
the information above is
true.

Yes

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

Poll Report

Report Generated: 2/8/2022 14:09

Topic Meeting ID
CBO Meeting for 845 and 814 7615 9663

Poll Details

#	User Name	1.Ad hoc committee
1Y	Alice E	Kara Landstrom;Alyssa Newsome;Desirae Simmons;Tegwyn John;Lisa Voelker;Alice Elliott
1Y	Brian Geiringer	Desirae Simmons;Lisa Voelker;Alice Elliott
1Y	Lisa Voelker	Kara Landstrom;Desirae Simmons;Jon Lusk
1Y	Amber Fellows	Desirae Simmons;Tegwyn John;Lisa Voelker;Alice Elliott
1Y	Interfaith Council for Peace & Justice	Desirae Simmons;Tegwyn John;Lisa Voelker;Alice Elliott
1Y	David Reynolds	Alyssa Newsome;Desirae Simmons;Jon Lusk
1U	Frazier	Desirae Simmons;Tegwyn John;Alice Elliott
1Y	Jesse Miller -- he-him	Desirae Simmons;Tegwyn John;Lisa Voelker
1Y	Anne Brown	Kara Landstrom;Desirae Simmons;Jon Lusk
1Y	Amanda Smith's iPhone	Desirae Simmons;Tegwyn John;Lisa Voelker
1Y	loiserich@hotmail.com	Desirae Simmons;Jon Lusk;Alice Elliott
1Y	Beth Currans (she/her)	Desirae Simmons;Tegwyn John;Lisa Voelker
1N	Katy Greenwald (she/her)	Desirae Simmons;Jon Lusk;Tegwyn John
1U	Susan S	Kara Landstrom;Alyssa Newsome;Desirae Simmons
1Y	gail wolkoff	Desirae Simmons;Lisa Voelker
1Y	Marie Howard's iPad	Desirae Simmons;Jon Lusk;Tegwyn John
1Y	Jon Lusk	Desirae Simmons;Jon Lusk;Tegwyn John
1U	Celeste	Desirae Simmons;Jon Lusk;Lisa Voelker
1Y	Tegwyn John	Tegwyn John;Alice Elliott;Desirae Simmons

Vote Results:

Desirae Simmons	19
Alyssa Newsome	3
Kara Landstrom	4
Tegwyn John	11
Lisa Voelker	9
Alice Elliott	7
Jon Lusk	8

Board and Commission Application for Reappointment

First Name	Lynne
Last Name	Settles
Address	
City	Ypsilanti
State	MI
Zip Code	48197
Phone Number	
Email Address	
Board or Commission of Reappointment	Arts Commission
Number of Terms Served	1
Did you hold a Position of Leadership?	No
During your time, how did you assist your Board or Commission to achieve its purpose as stated in the enabling legislation?	Helping with strategic planning for the future
How will you continue to assist your Board or Commission to achieve its purpose if reappointed?	Yes
Number of absences	1
If you had over 3 absences in a calendar year please explain? (this information will not be made available to the public)	0
Electronic Signature Agreement	I agree.

Electronic Signature

Lynne Settles

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Citizen Advisory Boards and Commissions Participation Resume

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

Qualifications

Must be a resident/business owner in the city for at least two years. Or Council must determine your expertise is essential and not available in an applicant that meets the qualifications above. Must be eligible to vote in the state if not applying for youth membership.

Name	Malissa Gillett
Email Address	
Address	
City	Ypsilanti
State	MI
Zip Code	48197
Phone Number	
Number of Years in the Community	Lived here for 12 years and owned my shop in Downtown for the last 7
Ward You Live In	Field not completed.
Education	High School Diploma 2000, Howell College of Cosmetology 2002, Some College at Eastern Michigan University 2001-2003, School of Life everyday
Occupation	Business Owner, Hairdresser
Employer	Self Employed
Are you applying for youth membership?	No

Are you registered to vote in the City of Ypsilanti?	No
I would like to be considered and could devote sufficient time to serve on the following board or commission:	Ypsilanti Downtown Development Authority
Party Affiliation	<i>Field not completed.</i>
	<i>Field not completed.</i>
Why are you interested in serving on these boards/commissions?	I am interested on serving on the YDDA board because I love Ypsilanti. My time in Ypsi has not been consecutive, I originally moved to town to attend school at EMU. Once I got here I fell in love with the sense of community, the inclusion and the diversity of the city. My upbringing was in a more rural setting and while it is beautiful, I never felt at home there. The second time I moved into Ypsilanti I knew that I was where I was supposed to be. The decision to move out of town was difficult and not really one of choice but of necessity for my children (it's a long story). However, the selection of Downtown Ypsilanti for my business was fully intentional and, despite my current commute, is fully worth it for the sense of belonging that I have when I'm here. I feel that my passion for the community and my desire to continue to uplift the city of Ypsilanti aligns with the values and goals of the YDDA. Thank you for the consideration and I look forward continuing to serve my community to the best of my ability.
Work/volunteer experience related to the board or commission:	Volunteer Coordinator Ypsilanti Heritage Festival 2012-2014 Organized a Small Business Saturday promotion for Downtown 2015 Board Member First Fridays Ypsilanti 2015-2017 Owner of Betty Green Salon 2015-Current
I understand that appointment to a City of Ypsilanti board or commission requires	Yes

**regular attendance at
board meetings.**

**I hereby certify that all of
the information above is
true.**

Yes

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**CITY OF YPSILANTI
BOARDS AND COMMISSIONS
CITIZEN PARTICIPATION RESUME**

You must be a resident to be eligible to serve on a
City of Ypsilanti Board or Commission.

NAME: Joseph Richie

ADDRESS: [REDACTED], Ypsilanti, MI 48198
(Depot town property: 40, 42, 44 E. CROSS St.)

Number of years in the community: 25 Ward you live in: Ward 3

HOME PHONE: N/A Call: A.M. ☒ P.M. (please circle)

CELL PHONE: [REDACTED] WORK PHONE: N/A

EMAIL ADDRESS: [REDACTED]

EDUCATION: BA Economics | Michigan State University
Minor: Environment & Health

CURRENT OCCUPATION: Building Maintenance Manager

CURRENT EMPLOYER: B² Building

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

a) YDDA b) _____

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

I am currently a managing partner of Newell Block LLC in Depot town. My family also has a strong history of being involved in Depot town & its organizations, I want to carry on my family's tradition & passion as well as make a positive impact on my community.

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

WORK/VOLUNTEER EXPERIENCE: Renovation of Depot Town CDC

Caboose (volunteer), Assisted in Highland Chapel Renovation (volunteer)
waitstaff/ Bartender for Sidetrack Bar & Grill (work)

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

SIGNATURE: [Signature] DATE: 2-10-2022

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



Resolution No. 2022-045
February 15, 2022

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
15 day of February 2022

#Resolution No. 2022-045