



**CITY OF YPSILANTI
CITY COUNCIL REGULAR MEETING
April 19, 2022 @ 7:00 PM
Council Chambers - City Hall
One South Huron, Ypsilanti, MI 48197**

[Virtual Access](#)

Revised on 4/18/2022

Page

I. CALL TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE

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

IV. AGENDA APPROVAL

V. PUBLIC COMMENT (3 MINUTES)

VI. PRESENTATIONS

- A. City of Ypsilanti Lobbyist Update - Kirk Profit, CGSI
- B. DTE Tree Planting Project - Ericka Vonyea Hayes, Releaf Michigan

VII. RESOLUTIONS/MOTIONS/DISCUSSIONS

- 4 - 22** A. Resolution No. 2022-084, approving the Minutes of April 5 and 12, 2022.
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- 23** B. Resolution No. 2022-085, approving appointments to boards and commissions.
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- 24 - 38** C. Resolution No. 2022-086, approving Ordinance 1388, an ordinance to amend Chapter 122, an ordinance entitled "Planned Unit Development: Multiple-Family Dwelling Use at 845 & 945 W. Clark" **(Second Reading)**
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- 39 - 45** D. Resolution No. 2022-087, approving the termination of old development agreements for 845 and 945 West Clark Rd.
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- 46 - 47** E. Resolution No. 2022-088, granting the honorary name change of South Washington between Michigan Ave and Ferris Street to Black Lives Matter Blvd.

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- 48 - 50** F. Resolution No. 2022-089, amending the Fees for shared mobility devices.
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- 51 - 65** G. Resolution No. 2022-090, approving Contract #22-5056 with the Michigan Department of Transportation for improvements to Washtenaw, Huron, and Michigan Ave.
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- 66 - 68** H. Resolution No. 2022-091, approving waiving the additional \$3,426 in fees for the 2022 Juneteenth Celebration.
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- 69 - 76** I. Discussion regarding the City Manager and City Clerk Evaluations. (added)
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VIII. BOARD AND COMMISSION - NOMINATIONS

- 77 - 78** A. **Sustainability Commission**
Beth Gibbons - Reappointment (exp. 5/1/2025)
183 N Mansfield (Non-resident)
Ypsilanti, MI 48197
[Application](#)
- 79 - 81** B. **Bicentennial Committee**
Tyler Weston
302 N Grove St
Ypsilanti, MI 48198
[Application](#)
- 82 - 87** C. **Planning Commission**
Mike Davis Jr. - Reappointment (Exp. 5/1/2025)
905 Grant St
Ypsilanti, MI 48197

Matt Dunwoodie - Reappointment (Exp. 5/1/2025)
201 Oakwood St.
Ypsilanti, MI 48197

Phil Hollifield - Reappointment (Exp. 5/1/2025)
125 Hawkins
Ypsilanti, MI 48197
[Applications](#)

IX. BOARD AND COMMISSION - COMMUNICATIONS

- 88 - 91** A. Police Advisory Commission 2021 Annual Report
[Report](#)

X. BOARD AND COMMISSION - LIAISON REPORTS

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

XI. LIAISON REPORTS

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

XII. COUNCIL PROPOSED BUSINESS

XIII. COMMUNICATIONS FROM THE MAYOR

XIV. COMMUNICATIONS FROM THE CITY MANAGER

XV. COMMUNICATIONS

- A. Budget First Reading - May 10, 2022 beginning at 6:00 pm

XVI. PUBLIC COMMENT (3 MINUTES)

XVII. REMARKS FROM THE MAYOR

XVIII. ADJOURNMENT

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- A. Resolution No. 2022-092, adjourning the City Council Meeting.
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- 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. 2022-084
April 19, 2022

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of April 5 and 12, 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
19 day of April 2022

#Resolution No. 2022-084



MINUTES REGULAR COUNCIL Meeting

7:00 PM - Tuesday, April 5, 2022
Council Chambers

The REGULAR COUNCIL of the City of Ypsilanti was called to order on Tuesday, April 5, 2022, at 7:00 PM, in the Council Chambers, with the following members present:

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

ABSENT: Council Member Anthony Morgan (Virtually)

I. CALL TO ORDER

The meeting was called to order at 6:47 PM

II. ROLL CALL

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

III. PLEDGE OF ALLEGIANCE

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

IV. AGENDA APPROVAL

Mayor Pro-Tem Nicole Brown moved, seconded by Council Member Steve Wilcoxon to approve the agenda as submitted. On a voice vote, the motion carried.

V. CLOSED SESSION

- A. Closed Session to discuss pending litigation - *MCL 15.268(e), City of Ypsilanti v Delta Tau Delta*

Council Member Steven Wilcoxon moved, seconded by Council Member Jennifer Symanns, to adjourn to a closed session at 6:49 PM

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

ABSENT: Anthony Morgan

Council Member Steve Wilcoxon moved, seconded by Mayor Pro-Tem Brown to reconvene into an open session at 7:18 PM. On a voice vote, the motion carried.

VI. PUBLIC COMMENT (3 MINUTES)

5 members from the public spoke

VII. PRESENTATIONS

- A. The Ride 2045, Vision of Transit, Presentation - Matt Carpenter, Chief Executive Officer

VIII. ORDINANCES FIRST READING

- A. Ordinance 1388, an ordinance to amend Chapter 122, an ordinance entitled "Planned Unit Development: Multiple-Family Dwelling Use at 845 & 945 W. Clark"
1. Resolution No. 2022-065, determination
 2. Public Hearing **3 members from the public spoke**
 3. Resolution No. 2022-066, closing the public hearing

Council Member Brian Jones-Chance moved, seconded by Mayor Pro-Tem Nicole Brown, to approve Resolution No. 2022-066. On a voice vote, the motion carried

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the public hearing to consider an ordinance titled "Lincoln Avenue Capital Management Planned Unit Development" be officially closed.

Council Member Annie Somerville moved, seconded by Council Member Brian Jones-Chance, to amend 1388 to strike item 8 of exhibit B and require a sidewalk along Green Rd.

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

Council Member Brian Jones-Chance moved, seconded by Council Member Annie Somerville, to approve Resolution 2022-065 As Amended

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 a Master Plan that reflects the policy goals of the City, including the guiding value that "anyone, no matter what age or income, can find a place to call home in Ypsilanti;" and

WHEREAS, the applicant, Lincoln Avenue Capital Management, intends to provide public benefits in this development; and

WHEREAS, the Planning Commission recommends the City Council approve the Planned Unit Development; and

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council adopt the ordinance entitled "Lincoln Avenue Capital Management Planned Unit Development" and approve the associated Planned Unit Development Agreement and to strike item 8 of exhibit B and require a sidewalk along Green Rd on First Reading.

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

IX. RESOLUTIONS/MOTIONS/DISCUSSIONS

- A.** Resolution No. 2022-067, approving the minutes of March 15, 2022 City Council Meeting.

Council Member Brian Jones-Chance moved, seconded by Council Member Steven Wilcoxon, to approve Resolution No. 2022-067

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of March 15, 2022 be approved.

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

- B.** Resolution No. 2022-068, approving sponsorship for a 2022 Juneteeth Celebration.

Council Member Brian Jones-Chance moved, seconded by Council Member Annie Somerville, to call the question

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

Council Member Brian Jones-Chance moved, seconded by Mayor Pro-Tem Nicole Brown, to approve Resolution No. 2022-068 (\$5,000)

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

Whereas, this year the 2nd Annual Juneteenth Celebration will take place Friday, June 17th through Sunday, June 19th at the Ypsilanti Freighthouse and the S. Adams parking lot; and

Whereas, the 2nd Annual Juneteenth Celebration's event organizer is requesting that the City be a co-sponsor of the 2022 series of events; and

WHEREAS, City Council agrees that becoming a co-sponsor of the 2022 Juneteenth Celebration would be in the general interest of the public and advance the City's public image;

Now therefore be it resolved that the Ypsilanti City Council approves the request to be a sponsor of the 2022 Juneteenth Celebration in the amount of \$5,000.

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

Council Member Steve Wilcoxon moved, seconded by Mayor Pro-Tem Nicole Brown to extend the meeting to 11:00 PM. On a voice vote, the motion carried.

- C. Resolution No. 2022-069, approving AN ORDINANCE TO AMEND CHAPTER 1 "GENERAL PROVISIONS" OF THE YPSILANTI CITY CODE, BY AMENDING SECTION 1-14 "ENFORCEMENT AUTHORITY FOR THE CODE" TO INCLUDE PLANNING AND DEVELOPMENT DEPARTMENT PERSONNEL; AND TO AMEND CHAPTER 17 INSPECTION AND CONTROL OF CERTAIN BUILDINGS TO ALLOW FOR THREE YEAR CERTIFICATES IN CERTAIN CIRCUMSTANCES AND CALCULATE HOW CERTIFICATES ARE ISSUED; AND TO AMEND CHAPTER 71 "ADMINISTRATIVE HEARINGS BUREAU", SECTION 71-2 "DEFINITIONS", TO ADD A DEFINITION FOR AUTHORIZED LOCAL OFFICIAL FOR THE PURPOSE OF ALLOWING PLANNING AND DEVELOPMENT DEPARTMENT PERSONNEL TO ISSUE BLIGHT VIOLATIONS **(Second Reading)**

Council Member Annie Somerville moved, seconded by Council Member Brian Jones-Chance, to call the question.

RESULT:	CARRIED.
MOVER:	Council Member Annie Somerville

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

Council Member Brian Jones-Chance moved, seconded by Mayor Pro-Tem Nicole Brown, to approve Resolution No. 2022-069

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 1 "GENERAL PROVISIONS" OF THE YPSILANTI CITY CODE, BY AMENDING SECTION 1-14 "ENFORCEMENT AUTHORITY FOR THE CODE" TO INCLUDE PLANNING AND DEVELOPMENT DEPARTMENT PERSONNEL; AND TO AMEND CHAPTER 17 INSPECTION AND CONTROL OF CERTAIN BUILDINGS TO ALLOW FOR THREE YEAR CERTIFICATES IN CERTAIN CIRCUMSTANCES AND CALCULATE HOW CERTIFICATES ARE ISSUED; AND TO AMEND CHAPTER 71 "ADMINISTRATIVE HEARINGS BUREAU", SECTION 71-2 "DEFINITIONS", TO ADD A DEFINITION FOR AUTHORIZED LOCAL OFFICIAL FOR THE PURPOSE OF ALLOWING PLANNING AND DEVELOPMENT DEPARTMENT PERSONNEL TO ISSUE BLIGHT VIOLATIONS." Be approved on Second and Final Reading.

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

- D. Renew Resolution No. 2022-048A, approving appointments of Non-Residents to Boards and Commissions. (ADDED)

Council Member Annie Somerville moved, seconded by Council Member Brian Jones-Chance, to call the question

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

Council Member Steven Wilcoxon moved, seconded by Council Member Annie Somerville, to approve Resolution No. 2022-048A

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:
THAT, the following non-residents be appointed to the City of Ypsilanti Boards and Commissions as indicated below:

NAME	BOARD	EXPIRATION
Joseph Richie	YDDA	7/1/2025

1065 Maplewood
Ypsilanti, MI 48197
New Appointment

Malissa Gillett **YDDA** **7/1/2025**
25 N Washington St.
Ypsilanti, MI 48197
New Appointment

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

- E. Resolution No. 2022-070, approving appointments to Boards and Commissions.

Council Member Steven Wilcoxon moved, seconded by Council Member Annie Somerville, to approve Resolution No. 2022-070

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>
Lakesha Williams 803 Armstrong Dr. Ypsilanti, MI 48197	Housing Commission	11/5/2024

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

- F. Resolution No. 2022-071, approving appointments of Non-Residents to Boards and Commissions.

Council Member Steven Wilcoxon moved, seconded by Council Member Brian Jones-Chance, to approve Resolution No. 2022-071

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:
THAT, the following non-residents be appointed to the City of Ypsilanti
Boards and Commissions as indicated below:

<u>NAME</u>	<u>BOARD</u>	<u>EXPIRATION</u>
Paul Ajlouny – Reappointment 571 Woodlawn Ave. Ypsilanti, MI 481198	YDDA	7/1/2025

Kayia Hinton – Reappointment YDDA

7/1/2025

6138 Vineyard Ave.

Ann Arbor, MI 48108

Andy French – Reappointment YDDA

7/1/2025

6138 Vineyard Ave.

Ann Arbor, MI 48108

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

- G. Resolution No. 2022-072, approving Contract # 22-5107 with the Michigan Department of Transportation for sidewalk construction in connection with the Highway M-17 construction.

Council Member Annie Somerville moved, seconded by Council Member Brian Jones-Chance, to approve Resolution No. 2022-072

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, Funds have been programmed by the Michigan Department of Transportation (MDOT) for sidewalk construction at Washtenaw Avenue at Anna Avenue at no cost to the City of Ypsilanti; and,

Whereas, it is necessary to enter into a contract with MDOT for the implementation of this project;

Now therefore be it resolved that that the City of Ypsilanti City Council approves the Michigan Department of Transportation Contract No. 22-5107; and

THAT the Mayor Lis Allen-Richardson and City Clerk Andrew Hellenga are authorized to sign this contract, subject to approval by the City Attorney, and any change orders may be approved by the City Manager to facilitate completion of this work.

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

- H. Resolution No. 2022-073, approving Contract# 22-5056 between the Michigan Department of Transportation and the City of Ypsilanti regarding the construction improvements on Washtenaw Avenue, Hamilton Street, Huron Street, and Michigan Avenue within the City.

Council Member Annie Somerville moved, seconded by Mayor Pro-Tem Nicole Brown, to approve Resolution No. 2022-073

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, Funds have been programmed by the Michigan Department of Transportation (MDOT) for improvements to Washtenaw Ave, Hamilton Street, Huron Street, and Michigan Avenue including a road diet and a non-motorized cross of I-94 at Huron Street; and,

Whereas, it is necessary to enter into a contract with MDOT for the implementation of these projects;

Now therefore be it resolved that that the City of Ypsilanti City Council approves the Michigan Department of Transportation Contract No. 22-5056; and

THAT Mayor Lois Alen-Richardson and City Clerk Andrew Hellenga are authorized to sign this contract, subject to approval by the City Attorney, and any change orders may be approved by the City Manager to facilitate completion of this work.

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

- I. Resolution No. 2022-074, approving an agreement between DTE Energy and the City of Ypsilanti for the installation of street lights around the proposed Huron/I-94 Pedestrian pathway.

Mayor Pro-Tem Nicole Brown moved, seconded by Council Member Jennifer Symanns, to approve Resolution No. 2022-074

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 safe crossing of I-94 at Huron Street for pedestrians and bicyclists as part of the City's nonmotorized network is incorporated in the City's Master Plan, Nonmotorized Plan, and 5-year approved Parks and Recreation Master Plan; and

WHEREAS, the area proposed for the new infrastructure currently lacks adequate streetlighting for pedestrians and bicyclists; and

WHEREAS, it is necessary to enter into a contract with DTE for the implementation of the project;

Now therefore be it resolved that the City of Ypsilanti City Council approves the attached contract with DTE for Option Two, metal poles on the east side

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

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

- J. Resolution No. 2022-075, approving a proposal from OHM for professional engineering services for the final roadway design on Huron River Drive from Cornell to LeForge.

Mayor Pro-Tem Nicole Brown moved, seconded by Council Member Annie Somerville, to approve Resolution No. 2022-075

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, the reconstruction of Huron River Drive (Cornell to Leforge) is programmed for construction year 2023 in the current 3-year TIP; and

Whereas, the design engineering services will be expended from account number 202-7-9077-975-00; and

WHEREAS, OHM has submitted a proposal for engineering services for the final design of this project which includes: Transportation Alternatives Program Grant coordination; right of way documentation and coordination; SHPO application assistance; and detailed engineering design at an estimated cost of \$217,025; and

NOW, THEREFORE, BE IT RESOLVED THAT the City Council approves the proposal submitted by OHM for design engineering services to comply with regulations and directives mandated for the reconstruction of Huron River Drive (Cornell to Leforge); and

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

RESULT:	CARRIED.
MOVER:	Mayor Pro-Tem Nicole Brown
SECONDER:	Council Member Annie Somerville

AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Brian Jones-Chance, and Annie Somerville
ABSENT:	Anthony Morgan

- K. Resolution No. 2022-076, approving an intergovernmental agreement between the City of Ypsilanti and the Charter Township of Ypsilanti for I-94 Pedestrian Overpass Maintenance.

Council Member Jennifer Symanns moved, seconded by Council Member Brian Jones-Chance, to approve Resolution No. 2022-076

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, the City of Ypsilanti and the Charter Township of Ypsilanti share a jurisdictional boundary in the Huron Street I-94 intersection and both have responsibilities to provide maintenance on the non-motorized pathway; and,

Whereas, the City and Township have discussed the most effective ways of handling snow removal and grass cutting in this area; and,

Whereas, an intergovernmental agreement has been drafted between the municipalities to identify the responsibilities of the parties within this area;

Now therefore be it resolved that that the City of Ypsilanti City Council approves the Intergovernmental Agreement for the I-94 Pedestrian Overpass Maintenance; and

THAT the Mayor and City Clerk are authorized to sign this contract, subject to approval by the City Attorney.

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

- L. Resolution No. 2022-077, approving an agreement between the City of Ypsilanti and the Michigan Economic Development Corporation to accept a Michigan Enhancement Grant for improvements to the Parkridge Park softball field.

Council Member Jennifer Symanns moved, seconded by Mayor Pro-Tem Nicole Brown, to approve Resolution No. 2022-077

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, the City of Ypsilanti was awarded a \$50,000 grant from the State to make improvements to the softball field at Parkridge Park; and,

Whereas, it is necessary for the City to enter into an agreement with the Michigan Economic Development Corporation (MEDC) to accept that grant; and,

Now therefore be it resolved that that the City of Ypsilanti City Council approves the grant agreement with the MEDC; and

THAT the Mayor and City Clerk are authorized to sign this contract, subject to approval by the City Attorney.

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

- M. Resolution No. 2022-078, approving a recycling and organics infrastructure grant agreement between the City of Ypsilanti and the Michigan Department of Environment, Great Lakes, and Energy for the purchase of recycling carts.

Council Member Jennifer Symanns moved, seconded by Council Member Brian Jones-Chance, to approve Resolution No. 2022-078

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, the City of Ypsilanti has been awarded a Recycling and Organics Infrastructure Grant for the purchase of recycling carts for eligible properties in the city; and,

Whereas, the Michigan Department of Environment, Great Lakes, and Energy has provided an agreement for the City to accept the grant; and,

Whereas, the grant will allow the city to purchase recycling carts, furthering the city's goal to increase the volume of recycling within the community;

Now therefore be it resolved that that the City of Ypsilanti authorizes the Mayor and the City Clerk to sign the Recycling and Organics Infrastructure grant agreement, subject to a review by the City Attorney.

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

- N. Resolution No. 2022-079, approving the administrative services contract with the Downtown Development Authority.

Council Member Brian Jones-Chance moved, seconded by Council Member Annie Somerville, to amend the DDA contract to a 3.5% increase the cost of live adjustment

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

Council Member Steven Wilcoxon moved, seconded by Council Member Jennifer Symanns, to approve Resolution No. 2022-079 As Amended
RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The Community and Economic Development Department seeks to provide Executive Director and administrative services to the Ypsilanti DDA; and

WHEREAS, the Ypsilanti DDA seeks to enter into an Administrative Services Contract for the services of the Community and Economic Development Department; and

WHEREAS, The City of Ypsilanti approves of the use of City staff for a 24 month contract for services to the Ypsilanti DDA with compensation; and

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council directs the Mayor and City Clerk to enter an Administrative Services Contract for 24 months for the Community and Economic Development Department to be employed by the Ypsilanti DDA as the Executive Director and administrative services.

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

- O. Resolution No. 2022-080, approving a partnership with the Washtenaw County Prosecutors Office and Great Lakes Expungement Network on Sunday, May 1, 2022 and waive fingerprinting fees associated with that event.

Council Member Annie Somerville moved, seconded by Council Member Brian Jones-Chance, to approve Resolution No. 2022-080

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti City Council adopted a social equity policy in 2019 to promote equity to negatively impacted communities

by advocacy around criminal justice issues related to marihuana prohibition; and

WHEREAS, the City of Ypsilanti has already joined a partnership with the Washtenaw County Prosecutor's expungement unit; and

WHEREAS, the Great Lakes Expungement Network wishes to join this partnership; and

WHEREAS, someone with marihuana conviction may apply for expungement; and

WHEREAS, The Washtenaw County Prosecutors Office has been assisting individuals seeking to expunge their records; and

WHEREAS, the City of Ypsilanti would like to aid this program by waiving fees associated with fingerprinting, for this event only and only from April 15, 2022 to May 7, 2022, and promoting the event through social media and public notice.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Ypsilanti direct the City Manager to direct the Ypsilanti Police Department and the communications director to participate

BE IT FURTHER RESOLVED, that the City of Ypsilanti will partner with the Washtenaw County Prosecutors office and the Great Lakes Expungement Network on Sunday, May 1st 2022 for an expungement.

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

- P. Resolution No. 2022-081, approving a contract with Accurate Comfort Systems INC. to complete the removal of the Fire Department HVAC unit.

Mayor Pro-Tem Nicole Brown moved, seconded by Council Member Brian Jones-Chance, to approve Resolution No. 2022-081

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, The City of Ypsilanti Fire Department HVAC unit has been approved for replacement,

WHEREAS, The Fire Department is asking for authorization to award this contract to Accurate Comfort Systems INC.

WHEREAS, This project should not exceed \$ 35,000 dollars with any change orders to be approved by the city manager.

Now therefore be it resolved that the Ypsilanti City Council approves Accurate Comfort Systems INC. to complete the removal and replacement of the Fire Department's HVAC unit.

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

Q. Resolution No. 2022-083, settlement (Added)

Council Member Steven Wilcoxon moved, seconded by Council Member Brian Jones-Chance, to approve Resolution No. 2022-083

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

Whereas the City of Ypsilanti joined the Washtenaw County Prosecuting Attorney in a suit against the Delta Tau Delta Theta XI Chapter fraternity to abate a nuisance, and

Whereas the defendant fraternity has agreed to the relief requested and stipulates that a judgment be entered as shown on the attached City Attorney memo,

NOW THEREFORE, the stipulation for judgment is approved and the City Manager is authorized to sign for and on behalf of the City of Ypsilanti.

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

X. BOARD AND COMMISSION - NOMINATIONS

A. Bicentennial Committee Appointments

Council Member Brian Jones-Chance moved, seconded by Council Member Annie Somerville, to approve and accept the applications

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

B. **Historic District Commission (added)**
James Huffman

1109 Westmoorland St.
Ypsilanti, MI 48197

Delrhea Byrge
101 Washtenaw Rd Ste A
Ypsilanti, MI 48197

XI. BOARD AND COMMISSION - COMMUNICATIONS

XII. BOARD AND COMMISSION - LIAISON REPORTS

1. Police Advisory Commission. **YPAC Meeting Update 3/24. Submission of Annual Report, and Commission felt it would be beneficial in submitting a full and complete annual report from the chair before new appointments occur.**
2. Human Relations Commission. **None**
3. Arts Commission. **None**
4. Parks and Recreation Commission. **Senior Center annual review has been approved. Trying to construct a Huron River Day.**
5. Sustainability Commission.
6. Historic District Commission. **None**
7. Planning Commission. Temporary use for Patient Station (Curbside system). **Commission did not renew temporary use.**
8. Zoning Board of Appeals **None**

XIII. LIAISON REPORTS

1. SEMCOG Update **Mayor Richardson was elected to representative board**
2. Washtenaw Area Transportation Study **Rep Peterson put together a group of stakeholders with hopes that MDOT will get funding.**
3. Urban County **None**
4. Ypsilanti Downtown Development Authority **None**
5. Friends of Rutherford Pool **Moving forward with staff hiring**

XIV. COUNCIL PROPOSED BUSINESS

Symanns

- None

Brown

- None

Somerville

- Prospect Park cleanup on April 23rd from 11AM - 3PM.
- Memorial Bench Pete Murdock
- Cleanup Day in May for Fog Island and Riverside Park

Wilcoxon

- **Reiterating the offer to take people along the Dam, upstream and downstream to see what the Dam looks like now and what it could look like afterwards.**
- **Encourage Council to attend MML Conference**

Jones-Chance

- **None**

XV. COMMUNICATIONS FROM THE MAYOR

- **The community asked for plaque for Colonel Charles Kettles. Put it onto Huron St. heading into town**

XVI. COMMUNICATIONS FROM THE CITY MANAGER

- **None**

XVII. COMMUNICATIONS

- A. April 12, 2022 Work session to discuss Parks and Recreation

XVIII. PUBLIC COMMENT (3 MINUTES)

1 member from the public spoke.

XIX. REMARKS FROM THE MAYOR

XX. ADJOURNMENT

- A. Resolution No. 2022-082, adjourning the City Council Meeting.

The meeting adjourned at 10:58 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.



ACTION MINUTES WORK SESSION Meeting

7:00 PM - Tuesday, April 12, 2022
Council Chambers

The WORK SESSION of the City of Ypsilanti was called to order on Tuesday, April 12, 2022, at 7:00 PM, in the Council Chambers, with the following members present:

PRESENT: Council Member Jennifer Symanns, Mayor Pro-Tem Nicole Brown
Council Member Brian Jones-Chance, and Council Member Annie
Somerville, Mayor Lois Richardson (7:31 PM), Council Member Steve
Wilcoxon, Council Member Anthony Morgan (Left 9:13 PM)

ABSENT:

1 CALL TO ORDER

The meeting was called to order at 7:06 PM

2 ROLL CALL

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

3 PLEDGE OF ALLEGIANCE

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

4 AGENDA APPROVAL

Council Member Annie Somerville moved, seconded by Council Member Anthony Morgan to approve the agenda as submitted. On a voice vote, the motion carried.

5 PUBLIC COMMENT (3 MINUTES)

None

6 WORK SESSION

- a) Discussion regarding Parks and Recreation in the City
- Parks and Recreation Update
 - Parks Bathroom Update
 - Parks Department Discussion

7 PUBLIC COMMENT (3 MINUTES)

8 ADJOURNMENT

Mayor Lois Allen-Richardson Adjourned the meeting at 9:46 PM



Resolution No. 2022-085
April 19, 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>
James Huffman 1109 Westmoorland St. Ypsilanti, MI 48197	HDC	12/31/2024
Delrhea Byrge 101 Washtenaw Rd Ste A Ypsilanti, MI 48197	HDC	12/31/2025

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 19 day of April 2022

#Resolution No. 2022-085



Resolution No. 2022-086
April 19, 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 a Master Plan that reflects the policy goals of the City, including the guiding value that "anyone, no matter what age or income, can find a place to call home in Ypsilanti;" and

WHEREAS, the applicant, Lincoln Avenue Capital Management, intends to provide public benefits in this development; and

WHEREAS, the Planning Commission recommends the City Council approve the Planned Unit Development; and

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council adopt the ordinance entitled "Lincoln Avenue Capital Management Planned Unit Development" as amended on second and Final Reading.

OFFERED BY: _____

SECONDED BY: _____

YES: NO: ABSENT: VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this 19 day of April 2022

#Resolution No. 2022-086

City of Ypsilanti
Notice of Adopted Ordinance
Ordinance No. 1388

An Ordinance Entitled "Lincoln Avenue Capital Management Planned Unit Development"

THE CITY OF YPSILANTI ORDAINS:

That the properties with the addresses 845 and 945 W Clark Road, tax identification codes 11-11-05-100-002 and 11-11-05-100-004, and legal descriptions attached in the Planned Unit Development agreement;

BE REZONED TO PLANNED UNIT DEVELOPMENT

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:

**LINCOLN AVENUE CAPITAL MANAGEMENT, LLC
PLANNED UNIT DEVELOPMENT AGREEMENT**

This Planned Unit Development (“PUD”) Agreement (the “Agreement”) is by and between **LINCOLN AVENUE CAPITAL MANAGEMENT, LLC**, a California limited liability company (“Developer”), whose address is 401 Wilshire Boulevard, Suite 1070, Santa Monica, California 90401, and **THE CITY OF YPSILANTI**, a Michigan home rule city (“City”), whose address is One South Huron Street, Ypsilanti, Michigan 48197.

RECITALS

1. The Developer has entered into a purchase agreement for the acquisition of certain real property located in the City of Ypsilanti, Washtenaw County, Michigan, and as more fully described in Exhibit A (the “Property”), which is attached hereto and incorporated herein by reference. Developer, or Developer’s assigns, desires to purchase, develop, own, and operate the property as two separate affordable multi-family housing developments. Both developments will be income and rent restricted to low-income tenants as provided Section 42 of the Internal Revenue Code of 1986, as amended; provided further, however, that occupancy at one of the developments will be restricted to low-income elderly households and that occupancy at the second development will be restricted to low-income families for a combined total of 308 affordable housing units.
2. Developer voluntarily proposed rezoning and development of the Property as a PUD. Accordingly, Developer has applied for approval of an amendment to the Ypsilanti Zoning Ordinance granting a rezoning of the Property to PUD, with the zoning on the Property to be known as the [Lincoln Avenue Capital Management Planned Unit Development] (“LACMPUD”). Developer is the developer and proprietor of the LACMPUD.
3. As part of the application and approval process, Developer has offered and agreed to make the improvements and to proceed with the undertakings as described in the PUD Documents (as defined in Section A below), which Developer and City agree are necessary and roughly proportional to the burden imposed in order to (1) ensure that the public services and facilities affected by the LACMPUD will be capable of accommodating increased service and facility loads caused by the LACMPUD, (2) protect the natural environment and conserve natural resources, (3) ensure compatibility with adjacent uses of

land, (4) promote use of the Property in a socially and economically desirable manner, and (5) achieve other legitimate objectives authorized under the Michigan Zoning Enabling Act, MCL 125.3101 et seq.

4. For the purpose of confirming the rights and obligations in connection with the improvements, development, and other obligations to be undertaken on the Property once it has been rezoned, the parties have entered into this Agreement to be effective on the effective date of the City's Zoning Ordinance amendment granting rezoning of the Property to the LACMPUD ("Granting Ordinance").

Now, therefore, as an integral part of the rezoning of the Property and approval of the development on the Property, and for other good and valuable consideration, the receipt and sufficiency of which are acknowledged, it is agreed as follows;

A. Development as PUD. The Property shall be developed and improved only in accordance with the following (referred to collectively as the PUD Documents):

1. Article VII, Division 1 of the Ypsilanti Zoning Ordinance, as amended.
2. The approved PUD plans for the LACMPUD, as attached to the Permit Conditions as defined Paragraph C below, and as approved by the Ypsilanti City Council (PUD Plans).
3. The Permit Conditions.
4. The approval of the PUD including the findings, departures, and conditions as stated in the February 16, 2022, Action Minutes of the Ypsilanti Planning Commission. These conditions are found in Exhibit B attached.
5. This Agreement.
6. Deed restrictions covering all property within the PUD, to be approved and recorded in the manner set forth in this Agreement.
7. The Conservation Easement for the LACMPUD, to be approved and recorded in the manner set forth in this Agreement.
8. All applicable City ordinances and all design standards for the City of Ypsilanti, except those which have been approved as part of the PUD Plan approval.
9. Any and all conditions of the approval of the Ypsilanti City Council and Planning Commission pertaining to the LACMPUD as reflected in the official minutes of such meetings.

10. Recordation with the Washtenaw County Register of Deeds office of an affidavit by the owner of the Property on the effective date of the rezoning, approved by the City Attorney, containing the legal description of the Property, specifying the date of approval of the LACMPUD, and declaring that all future development of the Property has been authorized, restricted, and required to be carried out only in accordance with the Granting Ordinance and the PUD Documents referenced in that Ordinance.

11. The Granting Ordinance.

12. Any and all other easements and restrictions of record acceptable to the Developer and any lender or investor in the multi-family housing developments contemplated by this Agreement.

Furthermore, all development, use, and improvement of the Property shall be subject to and in accordance with all applicable City ordinances and shall also be subject to and in accordance with all other approvals and permits required under applicable City ordinances, the PUD Documents, and state laws for the respective components of the LACMPUD. To the extent that there are conflicts or discrepancies between respective provisions of the PUD Documents, or between provisions of the PUD Documents and City ordinances, interpretation shall be based on the more strict regulation of the Property and interpretation shall be subject to the reasonable discretion of the Ypsilanti City Council.

B. Effect of PUD Approval. The Granting Ordinance amends the zoning of the Property and constitutes the land use authorization for the Property, and all use and improvement of the Property shall be in conformity with such Ordinance and this Agreement.

C. Land Use. Within the LACMPUD, all buildings and site amenities shall be laid out, situated, and designed as described on the approved PUD Plan. The permitted density and land use mix shall be described in detail in the permit conditions in the Granting Ordinance (“Permit Conditions”).

D. Water and Sanitary Sewer Systems. Developer shall, at its sole expense, construct and install improvements and/or connections tying into the municipal water and sewage systems. All of the foregoing improvements shall be designed and constructed in accordance with the approved PUD Plan and all applicable standards, codes, regulations, ordinances, and laws. Such water and sanitary sewer service facilities (including any on-site and off-site facilities), extensions (including a downstream relief sewer), and easements to reach the area to be served shall be provided by and at the sole expense of Developer, and shall be completed, approved, and may be dedicated to Ypsilanti Community Utilities Authority (as required by Ypsilanti Community Utilities Authority in its discretion) to the extent necessary to fully service all proposed and existing facilities, extensions, and easements, prior to issuance of any building permits

for any building in the LACMPUD, other than building permits issued prior to the date of this Agreement.

- E. Signage.** This Agreement shall not govern signage. Article VI, Division 5, Signs, of the Zoning Code of Ordinance, as amended, shall govern signage. For the purposes of this section, the Property shall be considered as zoned MD – Multiple Dwelling Residential District. In the case that a future zoning code has changed substantially and no longer contains such a zone, the City Planner shall make a determination as to which zoning district currently in effect is substantially similar in permitted form and use to the Multiple Dwelling Residential District as it existed on the effective date of the City’s Zoning Ordinance amendment granting rezoning of the Property to the LACMPUD.

F. Drives and Parking Lots.

1. All drives and parking lots within and for the Property shall be designed, situated, and constructed in accordance with all requirements and applicable ordinances of City, the PUD Documents, and the approved PUD Plan.
2. Developer, and any assigns and transferees of Developer, shall be responsible for maintenance and repairs, and all costs associated with, of the drives, entranceways, and parking lots during the period of construction and, except for any drives that [may be dedicated] to City or to the Road Commission for Washtenaw County at the time of recording of the respective deed restrictions, Developer shall incorporate provisions in any deed restrictions or condominium document providing for perpetual maintenance obligations by the owners of the Property in the manner more particularly set forth in the Permit Conditions. The Developer shall be responsible for, and all costs associated with, the engineering, construction of, repairs, and maintenance for the Green Road extension, including stormwater sewers and drains, within the city-owned Parcel 3 (see legal description attached in Exhibit A).
3. Prior to completion of the paving of the roads, drives, and parking lots, Developer shall apply dust palliative to and otherwise maintain such areas as necessary to keep them in good repair and minimize problems for adjacent property owners on the motoring public at large. Developer shall also keep all existing public streets and roads free of debris and repair any damage caused by construction activities on the Property and use of such roads for construction purposes. If Developer fails to maintain and repair the roads, drives, parking lots, and/or streets as required by this Section F, in addition to any enforcement authorization or remedy provided in the deed restrictions or any other agreement, City may issue stop work orders and/or withhold issuance of further approvals, permits, and occupancy certificates for the Development until such failure is cured to the reasonable satisfaction of City.

4. For purposes of the maintenance obligations set forth in this Section F, the terms *maintenance*, *maintain*, and *maintained* shall mean and include regular inspections; grading and other earth-moving; removing dirt, debris, and any obstacles; repairing potholes and cracks; adding new materials; providing for drainage; constructing any needed structures (e.g., without limitation, to provide lateral support, curbing, drainage, etc.); graveling; sealing; resurfacing; and such other action as necessary or expedient to provide structural integrity and substantially continuous, unobstructed, and safe vehicular passage, and providing unobstructed drainage as necessary and required.
- G. Storm Water Drainage.** Developer, at its sole expense, shall construct and maintain an on-site storm water drainage system, in accordance with the PUD Plans, PUD Documents, and all applicable ordinances, laws, codes, standards, and regulations.
- H. Walkways.** The internal and external walkways shall be maintained and repaired in a safe, unobstructed, and passable condition by Developer and Developer's successor owners of the Property, at their sole expense, pursuant to terms and provisions to be included in the deed restrictions in the manner more particularly set forth in Section I of this Agreement. Developer shall repair any damage to, and clear all debris that accumulated on, the internal and external walkways described in this Section as a result of any construction activities on or for the Property. If Developer fails to maintain and repair the internal and external walkways as required by this Section, in addition to any enforcement authorization or remedy provided in the deed restrictions or any other agreement, City may issue stop work orders and/or withhold issuance of further approvals, permits, and occupancy certificates for the Property until such failure is cured to the reasonable satisfaction of City.
- I. Deed Restrictions.** Developer shall submit to City copies of proposed deed restrictions applicable to the Property. The deed restrictions shall be listed on a document entitled "Declaration of Covenants, Conditions, Easements, and Restrictions," which shall be applicable to all components of the development of the Property. Unless required by an instrumentality of the State of Michigan or the Federal Government, deed restrictions shall be subject to review by the City Attorney and approval by City prior to recording. As part of such deed restrictions, there shall be provisions obligating Developer and all future successor owners of the applicable portion of the Property to maintain and preserve all roads, drives, entranceways, parking lots, walkways, screening walls, landscaping, lighting, signage, greenbelts, open areas, pedestrian walkways and open area amenities (including the proposed Open Space), setbacks, storm drainage, detention and retention facilities and easements, and any other private common elements and improvements for or within the Property in good working order and appearance at all times and in accordance with the PUD Documents. Additionally,

the deed restrictions shall identify and make reference to the PUD Documents and the regulations of the land provided in the Documents.

J. Conservation Easement. A conservation easement shall be granted to City for certain property proposed as open space, as shown on the approved PUD Plans, which shall be subject to the review and approval of the City Attorney and recorded prior to the issuance of any building permits.

K. City Enforcement. In the event there is a failure to timely perform any obligation or undertaking required under or in accordance with the PUD Documents, City may serve written notice on Developer setting forth such deficiencies and a demand that the deficiencies be cured within a stated reasonable time period, and the date, time, and place for a hearing before the City Council, or such other Council, body, or official delegated by the City Council, to allow Developer an opportunity to be heard as to why City should not proceed with the correction of the deficiency or obligation that has not been undertaken or properly fulfilled. At any such hearing, the time for curing and the hearing itself may be extended and/or continued to a date certain. The foregoing notice and hearing requirements shall not be necessary in the event City determines in its discretion that an emergency situation exists requiring immediate action. If, following the hearing described above, the City Council, or the other Council, body, or official designated to conduct the hearing, determines that the obligation has not been fulfilled or failure corrected within the time specified in the notice, or if an emergency circumstance exists as determined by City in its discretion, City shall then have the power and authority, but not the obligation, to take any or all of the following actions, in addition to any actions authorized under City ordinances and/or state laws:

1. Enter the Property, or cause its agents or contractors to enter the Property, and perform such obligation or take such corrective measures as reasonably found by City to be appropriate: The cost and expense of making and financing such actions by City, including notices by City and legal fees incurred by City, plus an administrative fee in an amount equivalent to 25 percent of the total of all such costs and expenses incurred, shall be paid by Developer within 30 days of a billing to Developer. The payment obligation under this Section shall be secured by a lien against the Property, which lien shall be deemed effective as of the date of the initial written notice of deficiency provided to Developer pursuant to this Section or, in emergency circumstances, the date at which City incurred its first cost or expense in taking corrective action. Such security shall be realized by placing a billing that has been unpaid by Developer for more than 30 days on the delinquent real property taxes. In the discretion of City, such costs and expenses may be collected by suit initiated against Developer and, in such event, Developer shall pay all court costs and attorney fees incurred by City in connection with such suit if City prevails in collecting funds.

2. Initiate legal action for the enforcement of any of the provisions, requirements, or obligations set forth in the PUD Documents. Except in emergency circumstances, Developer shall be provided notice of the deficiencies from City and shall be afforded an opportunity to timely correct. A correction by Developer's lender or investor shall be deemed a correction by Developer. In the event City obtains any relief as a result of such litigation, Developer shall pay all court costs and attorney fees incurred by City in connection with such suit.
3. Issue a stop work order as to any or all aspects of the Development, deny the issuance of any requested building permit or certificate of occupancy within any part or all of the Development, regardless of whether Developer is the named applicant for such permit or certificate of occupancy, and suspend further inspections of any or all aspects of the Development.

L. Enforcement; Severability. Any failure or delay by City to enforce any provision contained in this Agreement shall in no event be deemed, construed, or relied on as a waiver or estoppel of the right to eventually do so in the future. This Agreement is intended to establish zoning ordinance regulations applicable to the Property and shall be enforceable as a contract with contract remedies. Each provision and obligation contained in this Agreement shall be considered to be an independent and separate covenant and agreement and, in the event one or more of the provisions and/or obligations shall for any reason be held to be invalid or unenforceable by a court of competent jurisdiction, all remaining provisions and/or obligations shall nevertheless remain in full force and effect.

M. Agreement Jointly Drafted. Developer has negotiated with City the terms of the PUD Documents and such documentation represents the product of the joint efforts and mutual agreements of Developer and City. Developer fully accepts and agrees to the final terms, conditions, requirements, and obligations of the PUD Documents, and the final terms, conditions, requirements, and obligations of the PUD Documents, and Developer shall not be permitted in the future to claim that the effect of the PUD Documents results in an unreasonable limitation on uses of all or a portion of the Property or claim that enforcement of the PUD Documents causes an inverse condemnation, other condemnation, or taking of all or any portion of the property. Furthermore, it is agreed that the improvements and undertakings described in the PUD Documents are necessary and roughly proportional to the burden imposed, and are necessary in order to (1) ensure that public services and facilities necessary for and affected by the Development will be capable of accommodating the development on the Property and the increased service and facility loads caused by the Development; (2) protect the natural environment and conserve natural resources; (3) ensure compatibility with adjacent uses of land; (4) promote use of the Property in a socially, environmentally, and economically desirable manner; and (5) achieve other legitimate objectives authorized under the Michigan Zoning Enabling Act, MCL 125.3101 et seq.

It is further agreed and acknowledged that all such improvements, both on-site and off-site, are clearly and substantially related to the burdens to be created by the development of the Property and all such improvements without exception are clearly and substantially related to City's legitimate interests in protecting the public health, safety, and general welfare.

N. Ambiguities and Inconsistencies. Where there is a question with regard to applicable regulations for a particular aspect of the Property or with regard to clarification, interpretation, or definition of terms or regulations, and there are no apparent express provisions of the PUD Documents that apply, City, in the reasonable exercise of its discretion, shall determine the regulations of City's Zoning Ordinance, as that Ordinance may have been amended, or other City ordinances that are applicable, provided such determination is no inconsistent with the nature and intent of the PUD Documents. In the event of a conflict or inconsistency between two or more provisions of the PUD Documents, or between the PUD Documents and applicable City ordinances, the more restrictive provision, as determined in the reasonable discretion of City, shall apply.

O. Running with the Land; Governing Law. This Agreement shall run with the land constituting the Property and shall be binding on and inure to the benefit of City and its successors, Developer, all future owners, developers, and builders of any part of the Property, all undersigned parties, and all of their respective heirs, successors, assigns, and transferees. An affidavit providing notice of the rezoning of the Property, the PUD Documents, this Agreement, and the general obligations relating the PUD shall be executed by the property owners and may be recorded by any of the undersigned parties following the execution of this Agreement. This Agreement shall be interpreted and construed in accordance with Michigan law and shall be subject to enforcement only in Michigan courts. The parties undersigned and agree that this Agreement is consistent with the intent and provisions of the Michigan and U.S. Constitutions and all applicable law.

P. Control of PUD Property. City is fully authorized and empowered to rezone the Property in accordance with and pursuant to the PUD Documents and all other documents, agreements, plans, dedications, ordinances, and recordings applicable to the Lincoln Avenue Capital Management Planned Unit Development as submitted to and approved by the Ypsilanti City Council.

This Agreement was executed by the respective parties on the date specified with the notarization of their signatures and shall be considered to be dated and take effect on the effective date of the Granting Ordinance.

[Signature page follows]

LINCOLN AVENUE CAPITAL MANAGEMENT, LLC,
a California limited liability company

By:
Its:

STATE OF _____)
)ss
COUNTY OF _____)

The foregoing was acknowledged before be this _____ day of _____,
20__ by _____ who being duly sworn, did say that she/he is the
_____ of LINCOLN AVENUE CAPITAL
MANAGEMENT, LLC, and did not represent that she/he was duly authorized to execute this
document on behalf of said California limited liability company.

_____, Notary Public

My commission expires: _____

[Intentionally blank. Signature continued on next page.]

Lois Allen Richardson
Mayor

STATE OF MICHIGAN)
)ss
COUNTY OF _____)

_____, Notary Public

_____, County, Michigan

My commission expires: _____

Andrew Hellenga
Clerk

STATE OF MICHIGAN)
)ss
COUNTY OF _____)

_____, Notary Public

_____, County, Michigan

My commission expires: _____

EXHIBIT A
(legal description of the Property)

PARCEL 1 (B):

A parcel of Land situated in part of the Northeast 1/4 of Section 5, Town 3 South, Range 7 East, Ypsilanti Township, Washtenaw County, Michigan, more particularly described as follows:
Commencing at the Northeast corner of Section 5, Town 3 South, Range 7 East, Thence due West, (along the North line of Section 5, being also known as the approximate centerline of Clark Road), 1056.00 feet to the POINT OF BEGINNING; thence south 0 degrees 49 minutes 00 seconds West, 391.71 feet to a point; thence due West 198.98 feet to a point; thence South 44 degrees 30 minutes 00 seconds West, 130.00 feet to a point; thence North 45 degrees 30 minutes 00 seconds West, 133.00 feet to a point; thence South 44 degrees 30 minutes 00 seconds West, 282.00 feet to a point; thence North 48 degrees 36 minutes 30 seconds West, (along the North bank of the Huron River), 274.11 feet to a point; thence due North (to the North line of Section 5), 411.09 feet to a point; thence due East (along the North line of Section 5), 793.00 feet to the POINT OF BEGINNING.

EXCEPTION THEREFROM THE FOLLOWING:

Part of the Northeast 1/4 of Section 5, Town 3 South, Range 7 East, City of Ypsilanti, Washtenaw County Michigan, described as: Commencing at the Northeast corner of said Section 5; thence West along the North line of the Northeast 1/4 of said Section 5, also being the centerline of Clark Road, a distance of 1056.00 feet; thence South 00 degrees 49 minutes 00 seconds West 391.71 feet; thence West 198.98 feet; thence South 44 degrees 30 minutes 00 seconds West 60.83 feet to the POINT OF BEGINNING of the premises here in after described and proceeding thence South 44 degrees 30 minutes 00 seconds West 69.17 feet; thence North 45 degrees 30 minutes 00 seconds 98.00 feet; thence North 43 degrees 18 minutes 31 seconds East 50.28 feet; thence South 77 degrees 17 minutes 35 seconds East 32.40 feet; thence South 46 degrees 58 minutes 19 seconds East 71.53 feet to the POINT OF BEGINNING.

PARCEL 2 (A):

Lot 2 of Newton Acres Subdivision No. 2 as recorded in Liber 19 of Plats, page 31, Washtenaw County Records.

EXCEPTING THE FOLLOWING:

Commencing at the Northeast corner of Section 5, Town 3 South, Range 7 East, City of Ypsilanti, Washtenaw County, Michigan; thence North 89 degrees 58 minutes 50 seconds West along the North line of said Section and the centerline of Clark Road 1056.00 feet to the Northwest corner of proposed Newton Acres No. 2; thence South 00 degrees 40 minutes 00 seconds West along the West line of proposed Newton Acres No. 2 43.00 feet to the POINT OF BEGINNING; thence continuing South 00 degrees 49 minutes 00 seconds West along said West line 527.40 feet to a point on the North line of proposed Green Road; thence South 89 degrees 58 minutes 50 seconds East along said North line 33.00 feet; thence North 00 degrees 49 minutes 00 seconds East 527.40 feet to a point 43.00 feet Southerly of the centerline of Clark Road; thence North 89 degrees 58 minutes 50 seconds West parallel with said centerline 33.00 feet to the POINT OF BEGINNING, said parcel being part of the Northeast 1/4 of Section 5, Town 3 South, Range 7 East, City of Ypsilanti, Washtenaw County, Michigan.

PARCEL 3:

Commencing at the Northeast corner of Section 5, Town 3 South, Range 7 East, City of Ypsilanti, Washtenaw County, Michigan; thence North 89 degrees 58 minutes 50 seconds West along the North line of said Section and the centerline of Clark Road 1056.00 feet to the Northwest corner of proposed Newton Acres No. 2; thence South 00 degrees 40 minutes 00 seconds West along the West line of proposed Newton Acres No. 2 43.00 feet to the POINT OF BEGINNING; thence continuing South 00 degrees 49 minutes 00 seconds West along said West line 527.40 feet to a point on the North line of proposed Green Road; thence South 89 degrees 58 minutes 50 seconds East along said North line 33.00 feet; thence North 00 degrees 49 minutes 00 seconds East 527.40 feet to a point 43.00 feet Southerly of the centerline of Clark Road; thence North 89 degrees 58 minutes 50 seconds West parallel with said centerline 33.00 feet to the POINT OF BEGINNING, said parcel being part of the Northeast 1/4 of Section 5, Town 3 South, Range 7 East, City of Ypsilanti, Washtenaw County, Michigan.

EXHIBIT B
(Planning Commission Findings, Departures, and Conditions)

Findings:

1. The application, site plan, and multiple family dwelling land use substantially complies with §122-311, 122-702, and 122-706.

Departures:

1. Departure 1: from the maximum lot area to room ratio requirement (§122-427(b)(2)).
2. Departure 2: from the minimum required parking spaces requirement (§122-691).

Conditions:

1. The applicant obtain land control for the Green Road extension.
2. Site plans shall undergo detailed engineering review.
3. The 50' public easement along river shall be recorded at Register of Deeds.
4. Applicant shall submit revised lighting plan for administrative approval.
5. Tree protection plan shall be provided to identify trees to remain for administrative review.
6. Tree and shrub list shall be further narrowed to identify exact trees and shrubs used for administrative review.
7. Foundation landscaping area shall be confirmed at least 4' in horizontal depth measured perpendicularly from the edge of the building.
8. ~~Applicant shall provide a fee in lieu in place of a sidewalk along the full stretch of Green Road requirement in §122-672.~~ **Applicant shall provide a sidewalk along Green Road. (City Council amended 4/5/2022)**



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: John Barr
DATE: April 19, 2022
Release and termination of old development agreements 845 and 945
SUBJECT: West Clark Road.

DESCRIPTION:

Release and termination of old development agreements 845 and 945 West Clark Road.

SUMMARY:

Lincoln Capital Acquisition, LLC is working to develop vacant land at 845 and 945 West Clark Road, Ypsilanti MI. The title to the land is clouded by two old development agreements, running to the City of Ypsilanti, concerning required improvements for developments that never materialized, from 1966 and 1969.

The agreements are shown in the title commitment and the developer is requesting release to clear the title to allow financing for the project.

I have discussed the matter with Stewart Title company and the attorneys for the developer and have no objection to removing the cloud on title.

Attached are two termination agreements for the City to termination the cloud on the title.

RECOMMENDED ACTION: Pass resolution approving the termination agreements and authorizing the Mayor and City Clerk to sign for and on behalf of the City.

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2022-087
April 19, 2022

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Lincoln Capital Acquisition, LLC is working with the City to develop two vacant parcels of land in the City, to wit: 845 and 945 West Clark Road, and

WHEREAS, there are two old development agreements on record from proposed development projects that never materialized, that are a cloud on the record legal title that can have a negative effect on financing, and

WHEREAS, It is in the public interest to develop this vacant land in the City, and termination of the old development agreements will encourage development and not have any adverse consequences for the City,

NOW THEREFORE, termination of the said agreements is approved and the Mayor and Clerk are authorized to sign the attached Termination Agreements for and on behalf of the City of Ypsilanti.

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 19 day of April 2022

#Resolution No. 2022-087

TERMINATION AGREEMENT

This agreement terminates the Agreement recorded in Liber 1207, Page 546 of Washtenaw County Records.

The City of Ypsilanti, a Michigan Home Rule City, of 1 South Huron, Ypsilanti, MI 48197, does hereby terminate the agreement dated September 15, 1966, recorded in Liber 1207, Page 546 of Washtenaw County Records, on July 17, 1997 (the agreement).

The City of Ypsilanti agrees to end and terminate the agreement forthwith.

The City of Ypsilanti release the other from any further obligation under the agreement.
So Agreed.

Dated: _____ 2022

City of Ypsilanti

BY: _____

Lois Richardson, Mayor

By: _____

Andrew Hellenga

State of Michigan

County of Washtenaw

Signed and acknowledged before me by Lois Richardson, Mayor of the City of Ypsilanti
this ____ day of _____, 2022.

Notary Public, Washtenaw County

Michigan, acting in Washtenaw County Michigan

State of Michigan

County of Washtenaw

Signed and acknowledged before me by Andrew Hellenga, Clerk of the City of Ypsilanti
this ____ day of _____, 2022.

Notary Public, Washtenaw County
Michigan, acting in Washtenaw County Michigan

Drafted and approved by

John M. Barr, Ypsilanti City Attorney

23492275v2

TERMINATION AGREEMENT

This agreement terminates the Agreement recorded in Liber 1299, Page 217 of Washtenaw County Records.

The City of Ypsilanti, a Michigan Home Rule City, of 1 South Huron, Ypsilanti, MI 48197, for mutual promises, agree to and do hereby terminate the agreement dated June 12, 1969 recorded in Liber 1299, Page 217 of Washtenaw County Records, on August 20, 1969 (the agreement).

The City of Ypsilanti agrees to end and terminate the agreement forthwith.

The City of Ypsilanti releases all parties from any further obligation under the agreement.

So Agreed.

Dated: _____ 2022

City of Ypsilanti

BY: _____

Lois Richardson, Mayor

By: _____

Andrew Hellenga

State of Michigan

County of Washtenaw

Signed and acknowledged before me by Lois Richardson, Mayor of the City of Ypsilanti this ____ day of _____, 2022.

Notary Public, Washtenaw County

Michigan, acting in Washtenaw County Michigan

State of Michigan

County of Washtenaw

Signed and acknowledged before me by Andrew Hellenga, Clerk of the City of Ypsilanti
this ____ day of _____, 2022.

Notary Public, Washtenaw County

Michigan, acting in Washtenaw County Michigan

Drafted and approved by

John M. Barr, Ypsilanti City Attorney

23492276v1



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: John Barr
DATE: April 19, 2022
SUBJECT: Honorary Street Name

DESCRIPTION:
Honorary Street Name

SUMMARY:

Councilmember Sommerville and Mayor Pro-Tem Brown requested that part of South Washington Street between Michigan and Ferris be named "Black Lives Matter Boulevard." I researched the City ordinance and found the ordinance requires:

"The existing name of any such highway, street alley, bridge or park shall not be changed without an ordinance adopted by the affirmative vote of seven of the authorized members of city council after a public hearing."

The ordinance also requires a petition and good cause shown.

In my opinion, if the official name not changed. an honorary, non-binding, non-official nickname could be adopted by resolution.

Councilmember Sommerville and Mayor Pro-Tem Brown have requested the Council consider the matter and pass a resolution to adopt the honorary name of South Washington Street from Michigan to Ferris as "Black Lives Matter Boulevard.

A proposed resolution is attached.

RECOMMENDED ACTION: Consideration of proposed resolution

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2022-088
April 19, 2022

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, City Council authorized a Black Lives Matter street mural on South Washington Street, between Michigan Avenue and Ferris Street, and

Whereas, the mural was designed and installed and now exists, and

Whereas, City Council desires to reinforce the mural with an honorary name for South Washington Street as Black Lives Matter Boulevard, and

Whereas, City Council finds the honorary name right and proper,

NOW THEREFORE, South Washington Street between Michigan Avenue and Ferris Street is hereby granted the honorary name of Black Lives Matter Boulevard.

AND, FURTHER, suitable "Black Lives Matter Blvd" street signs shall be obtained by DPS and installed in addition to the existing street signs.

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 19 day of April 2022

#Resolution No. 2022-088



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: Christopher Jacobs
DATE: April 19, 2022
SUBJECT: Fee Schedule Amendment for Shared Mobility Devices

DESCRIPTION:

Fee Schedule Amendment for Shared Mobility Devices

SUMMARY:

The current fees for shared mobility devices are nominal and do not cover the staff time to review the applications, monitor the operators, respond to inquiries, and answer questions about the ordinance. The cost for a franchise permit is a \$200 application fee and \$1 per device per week. In 2021, the city net just over \$500 from such fees, while spending between 50-70 staff hours combined over the same period. This year, staff time does not expect to spend as much time now that the process is ironed out and clear expectations have been set regarding the proper parking of shared mobility devices in the right of way and outside of pedestrian sidewalk access. Still, the fees we have established are too low and will not cover even half of the time commitment made in 2021. **The department recommends increasing the fee from \$1 per device per week to \$1 per device per day.** This represents a significant increase but one that is ultimately necessary to commit staff time towards these administrative duties. Should a franchise permit operator fail to comply with the terms of their franchise permit agreement clause #19 allows for the City to seize devices parked in violation and recover a fee per device. With three repeated violations, the City Manager may revoke the franchise permit. The proposed impound fee has not been set and staff proposes that be set at \$500.

RECOMMENDED ACTION: Approval

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2022-089
April 19, 2022

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, in 2019 the City of Ypsilanti adopted ordinance #1332 regulating shared mobility devices and set the fee at \$1 per device per week; and

WHEREAS, in 2021 the City processed its first franchise permit applications and discovered the administrative duties associated with regulating shared mobility devices and operators is more time consuming than expected; and

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council approves amending the fees for shared mobility devices from \$1 per device per week, to \$1 per device per day. Additionally, City Council hereby sets the impound fee per device at \$500.

OFFERED BY: _____

SECONDED BY: _____

YES: NO: ABSENT: VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this 19 day of April 2022

#Resolution No. 2022-089



REQUEST FOR LEGISLATION

TO: Mayor and City Council

FROM: Bonnie Wessler, Ron Akers

DATE: April 19, 2022

To consider approval of an updated contract between the Michigan Department of Transportation and the City of Ypsilanti regarding the construction improvements on Washtenaw Avenue, Hamilton Street, Huron Street, and Michigan Avenue within the City, and to rescind approval of a previous contract withdrawn by MDOT for the same

SUBJECT: project

DESCRIPTION:

To consider approval of an updated contract between the Michigan Department of Transportation and the City of Ypsilanti regarding the construction improvements on Washtenaw Avenue, Hamilton Street, Huron Street, and Michigan Avenue within the City, and to rescind approval of a previous contract withdrawn by MDOT for the same project

SUMMARY:

At Council's April 5, 2022 meeting, a contract between MDOT and the City for improvements related to the road diet project, Grove bridge safety fencing, and Huron/I-94 pedestrian bridge project was presented and approved. The dollar amounts in that contract represented best construction estimates at the time. Bids for this project were opened and were significantly over MDOT's estimates, and as such, MDOT is asking for an additional \$50,000 commitment from the City to help offset the approximately \$2.2m total overage via an additional TAP match commitment. This contract will need to be authorized by the City before MDOT can award the bid for the projects.

The items that the city is responsible for paying for on the road diet is listed in Part A of the contract and includes, paving of parking lanes, eliminating a left turn lane on Hamilton in certain areas, and black powder coating work on signal posts and mast arms at Huron/Cross and Hamilton/Washtenaw. The city will be responsible for 100% of this work and the cost estimate is \$48,835.40. This funding has been included in the proposed FY 22-23 budget.

The city's share of the costs related to the non-motorized path construction is estimated at ~\$370,000 in the contract. This number does not include several grants the city has received related to this project. To date the City has received approximately \$400,000 in non-federal funding through the Michigan DNR Natural Resources Trust Fund grant (\$300,000) and the Washtenaw County Parks commitment (\$100,000).

The city's cost had previously been capped at \$472,723, and would now be capped at \$522,723. and based on this we are projecting the City's actual costs related to the construction of the project not to exceed \$123,000. The majority of that funding has already been included in the proposed FY 22-23 budget, and the additional funding will be included as well.

Regarding the maintenance provisions in the contract the city will continue to be responsible for the parking lanes and Michigan Avenue, will be responsible for the black powder coating on the traffic signal poles, and will be responsible for maintenance of the sidewalks and the non-motorized pathway. The city has a separate agreement with Ypsilanti Township regarding the maintenance of the Huron/I-94 area regarding snow removal and grass cutting. MDOT likewise has a separate agreement regarding the improvements within their jurisdiction.

As of the time of this writing, the City has not received a revised contract. We expect it to be substantially similar to the previous contract, with revised figures. Upon receipt it will be submitted to the City Attorney for review and approval as to form.

RECOMMENDED ACTION:

Staff recommends City Council authorize the Mayor and the City Clerk to execute the contract between the City of Ypsilanti and the Michigan Department of Transportation for the construction improvements on Washtenaw Avenue, Hamilton Street, Huron Street, and Michigan Avenue within the City.

ATTACHMENTS: MDOT Contract #22-5056; updated contract will be provided upon receipt

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2022-090
April 19, 2022

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Funds have been programmed by the Michigan Department of Transportation (MDOT) for improvements to Washtenaw Ave, Hamilton Street, Huron Street, and Michigan Avenue including a road diet and a non-motorized cross of I-94 at Huron Street; and,

WHEREAS, it is necessary to enter into a contract with MDOT for the implementation of these projects;

WHEREAS, this Council had previously approved a contract for these improvements at its April 5th, 2022 meeting;

WHEREAS, MDOT has informed the City that said contract must be withdrawn due to bids significantly higher than anticipated costs;

NOW THEREFORE BE IT RESOLVED THAT that the City of Ypsilanti City Council rescinds its April 5, 2022 approval of the Michigan Department of Transportation Contract No. 22-5056 and

NOW THEREFORE BE IT RESOLVED THAT that the City of Ypsilanti City Council approves the revised and updated Michigan Department of Transportation Contract No. 22-5056; and

THAT Mayor Lois Allen-Richardson and City Clerk Andrew Hellenga are authorized to sign this contract, subject to approval by the City Attorney, and any change orders may be approved by the City Manager to facilitate completion of this work.

OFFERED BY: _____

SECONDED BY: _____

YES:

NO:

ABSENT:

VOTE:

#Resolution No. 2022-090

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

#Resolution No. 2022-090

SPECIAL TRUNKLINE
NON-ACT-51
ADDED WORK

DA	
Control Section	ST 81081; TA 81083
Job Number	113542CON; 113542PE 209612CON
Fed Project #	22A0374; 1481045; 22A0377
Contract	22-5056

THIS CONTRACT is made by and between the MICHIGAN DEPARTMENT OF TRANSPORTATION, hereinafter referred to as the "DEPARTMENT"; and the CITY OF YPSILANTI, a Michigan municipal corporation, hereinafter referred to as the "CITY"; for the purpose of fixing the rights and obligations of the parties in agreeing to construction improvements in conjunction with the DEPARTMENT'S construction on Highway M-17 (Washtenaw Avenue/Hamilton Street/Huron Street) and Highway US-12BR (Michigan Avenue), within the corporate limits of the CITY.

WITNESSETH:

WHEREAS, the DEPARTMENT is planning pavement rehabilitation work along Highway M-17 (Washtenaw Avenue/Hamilton Street/Huron Street) and Highway US-12BR (Michigan Avenue); and

WHEREAS, the CITY has requested that the DEPARTMENT perform additional work for and on behalf of the CITY in connection with the Highway M-17 (Washtenaw Avenue/Hamilton Street/Huron Street) and Highway US-12BR (Michigan Avenue) construction, which additional work is hereinafter referred to as the "PROJECT" and is located and described as follows:

PART A – Job Number 113542CON & 113542PE (100% CITY PARTICIPATION)

Hot mix asphalt paving of parking area along Highway US-12BR (Michigan Avenue), eliminating the existing left turn lane and along southbound Highway M-17 (Hamilton Street) from Ferris Street to just south of Highway M-17 (Michigan Avenue), black powder coating work on signal posts and mast arms at the intersection of Highway M-17 (Huron Street) and Highway M-17 (Cross Street) and black powder coating work on signal post at the intersection of Highway M-17 (Hamilton Street) and Highway M-17 (Washtenaw Avenue); together with necessary related work, located within the corporate limits of the CITY; and

PART B – Job Number 209612CON (FEDERAL, STATE, CITY and YPSILANTI TOWNSHIP PARTICIPATION)

Non-motorized path construction work along the southbound side of Highway US-12BR from Highway I-94 to Harriet Street, including curb and gutter, decorative concrete surface, signing, pavement marking, lane separator,

10/08/2019 ADWK.FOR 3/14/22

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delineator, and maintaining traffic work; together with necessary related work, located within the corporate limits of the CITY; and

WHEREAS, the DEPARTMENT presently estimates the PROJECT COST as hereinafter defined in Section 1 to be:

PART A	\$ 53,400
PART B	<u>\$3,436,400</u>
TOTAL	\$3,489,800

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

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

1. The parties shall undertake and complete the construction of the PROJECT in accordance with this Contract.

The term "PROJECT COST" for the PART A portion of the PROJECT, as herein used, is hereby defined as the cost of the construction of the PROJECT including the costs of preliminary engineering (PE), plans and specifications; physical construction necessary for the completion of the PROJECT as determined by the DEPARTMENT; and construction engineering (CE), and any and all other expenses in connection with any of the above.

The term "PROJECT COST" for the PART B portion of the PROJECT, as herein used, is hereby defined as the cost of the construction of the PROJECT including the costs of physical construction necessary for the completion of the PROJECT as determined by the DEPARTMENT; and construction engineering (CE), and any and all other expenses in connection with any of the above.

2. The cost of alteration, reconstruction and relocation, including plans thereof, of certain publicly owned facilities and utilities which may be required for the construction of the PROJECT, shall be included in the PROJECT COST; provided, however, that any part of such cost determined by the DEPARTMENT, prior to the commencement of the work, to constitute a betterment to such facility or utility, shall be borne wholly by the owner thereof.

3. The CITY will approve the design intent of the PROJECT and shall accept full responsibility for the constructed PROJECT functioning as a part of the CITY'S facilities. The CITY is solely responsible for any input which it provides as it relates to the design of the PROJECT functioning as part of the CITY'S facilities.

4. The DEPARTMENT will administer all phases of the PROJECT and will cause to be performed all the PROJECT work.

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

5. The PART A portion of the PROJECT COST shall be charged to the CITY 100 percent. The PART B portion of the PROJECT COST shall be met in part by contributions from agencies of the Federal Government. Federal Highway Improvement Program and Transportation Alternatives Program Funds shall be applied to the eligible items of the PART B portion of the PROJECT COST up to the lesser of: (1) \$2,690,000, or (2) an amount such that 81.85 percent, the normal Federal participation ratio for such funds, is not exceeded at the time of the award of the construction contract. The CITY'S participation shall be up to an amount not to exceed \$522,727. Ypsilanti Township's participation shall be up to an amount not to exceed \$127,727. After the deduction of the Federal Funds, the balance of the PART B portion of the PROJECT COST shall be charged to and paid by the DEPARTMENT, the CITY and Ypsilanti Township in the following proportions and in the manner and at the times hereinafter set forth:

DEPARTMENT	12.91%
CITY	70.03%
Ypsilanti Township	17.06%*

The PROJECT COST and the respective shares of the parties, after Federal-aid, is estimated to be as follows:

	<u>TOTAL ESTIMATED COST</u>	<u>FED AID</u>	<u>BALANCE AFTER FED AID</u>	<u>DEPT'S SHARE</u>	<u>TWP'S SHARE*</u>	<u>CITY'S SHARE</u>
PART A						
Constr. &						
CE	\$ 48,800	\$0	\$ 48,800	\$ 0	\$ 0	\$ 48,800
PE	\$ 4,600	\$0	\$ 4,600	\$ 0	\$ 0	\$ 4,600
PART B						
Constr. &						
CE	<u>\$3,436,400</u>	<u>\$2,690,000</u>	<u>\$746,400</u>	<u>\$96,400</u>	<u>\$127,300</u>	<u>\$522,700</u>
TOTAL	<u>\$3,489,800</u>	<u>\$2,690,000</u>	<u>\$799,800</u>	<u>\$96,400</u>	<u>\$127,300</u>	<u>\$576,100</u>

*Ypsilanti Township participation for the PART B portion of the PROJECT COST will be addressed in the DEPARTMENT Contract 22-5057

The PE for the PART A portion of the costs will be apportioned in the same ratio as the actual construction award and the CE costs will be apportioned in the same ratio as the actual direct construction costs.

6. The DEPARTMENT shall maintain and keep accurate records and accounts relative to the cost of the PROJECT. The DEPARTMENT may submit progress billings to the CITY on a monthly basis for the CITY'S share of the cost of work performed to date, less all payments previously made by the CITY not including payments made for a working capital deposit. No monthly billings of a lesser amount than \$1,000 shall be made unless it is a final or end of fiscal year billing. All billings will be labeled either "Progress Bill Number _____", or "Final Billing". Payment is due within 30 days of receipt of invoice. Upon completion of the PROJECT, payment of all items of PROJECT COST and receipt of all Federal Aid, the DEPARTMENT shall make a final billing and accounting to the CITY.

The CITY will deposit with the DEPARTMENT the following amount which will be used by the DEPARTMENT as working capital and applied toward the end of the project for the contracted work and cost incurred by the DEPARTMENT in connection with the PROJECT:

PART A DEPOSIT	\$15,900
PART B DEPOSIT	\$ <u>0</u>
TOTAL DEPOSIT	\$15,900

The total deposit will be billed to the CITY by the DEPARTMENT and shall be paid by the CITY within 30 days after receipt of invoice.

7. Pursuant to the authority granted by law, the CITY hereby irrevocably pledges a sufficient amount of funds received by it from the Michigan Transportation Fund to meet its obligations as specified herein. If the CITY shall fail to make any of its required payments when due, as specified herein, the DEPARTMENT shall immediately notify the CITY of the fact of such default and the amount thereof, and, if such default is not cured by payment within ten (10) days, the DEPARTMENT is then authorized and directed to withhold from the first of such monies thereafter allocated by law to the CITY from the Michigan Transportation Fund sufficient monies to remove the default, and to credit the CITY with payment thereof, and to notify the CITY in writing of such fact.

8. Upon completion of the parking portion of the PART A portion of the PROJECT, the facilities being constructed as the PROJECT shall be operated and maintained by the CITY at no cost to the DEPARTMENT.

Upon completion of the signal portion of the PART A portion of the PROJECT, the facilities being constructed as the PROJECT shall be operated and maintained by the CITY and the DEPARTMENT in accordance with standard practice.

Upon completion of the PART B portion of the PROJECT, the CITY shall accept the facilities constructed as built to specifications within the construction contract documents. It is understood that the CITY shall own the facilities and shall be operate and maintain the facilities in accordance with applicable law at no cost to the DEPARTMENT.

Upon completion of the bike lane constructed under Job Number 113542CON, the CITY shall accept the lane separator system and delineators associated with the bike lane as built to specifications within the construction contract documents. It is understood that the CITY shall operate and maintain the facilities in accordance with standard practice at no cost to the DEPARTMENT. The CITY shall be responsible for any costs related to future removal or modification of the bike lane.

9. If at any time in the future, the pavement for parking or bike lane is required for trunkline purposes, the DEPARTMENT shall take over and use such extra width pavement without replacement of the facility or reimbursement to the CITY. The CITY will be notified at least six months in advance of any changes to parking or bike lanes required for trunkline purposes.

10. Any and all approvals of, reviews of, and recommendations regarding contracts, agreements, permits, plans, specifications, or documents, of any nature, or any inspections of work by the DEPARTMENT pursuant to the terms of this Contract are done to assist the CITY. Such approvals, reviews, inspections and recommendations by the DEPARTMENT shall not relieve the CITY of its ultimate control and shall not be construed as a warranty of their propriety or that the DEPARTMENT is assuming any liability, control or jurisdiction.

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

11. In connection with the performance of PROJECT work under this Contract the parties hereto (hereinafter in Appendix "A" referred to as the "contractor") agree to comply with the State of Michigan provisions for "Prohibition of Discrimination in State Contracts", as set forth in Appendix A, attached hereto and made a part hereof. The parties further covenant that they will comply with the Civil Rights Acts of 1964, being P.L. 88-352, 78 Stat. 241, as amended, being Title 42 U.S.C. Sections 1971, 1975a-1975d, and 2000a-2000h-6 and the Regulations of the United States Department of Transportation (49 C.F.R. Part 21) issued pursuant to said Act, including Appendix "B", attached hereto and made a part hereof, and will require similar covenants on the part of any contractor or subcontractor employed in the performance of this Contract. The parties will carry out the applicable requirements of the DEPARTMENT'S Disadvantaged Business Enterprise (DBE) program and 49 CFR, Part 26, including, but not limited to, those requirements set forth in Appendix C.

12. This Contract shall become binding on the parties hereto and of full force and effect upon the signing thereof by the duly authorized officials for the CITY and for the DEPARTMENT; upon the adoption of a resolution approving said Contract and authorizing the signatures thereto of the respective officials of the CITY, a certified copy of which resolution shall be attached to this Contract.

IN WITNESS WHEREOF, the parties hereto have caused this contract to be executed as written below.

CITY OF YPSILANTI

MICHIGAN DEPARTMENT
OF TRANSPORTATION

By _____
Title:

By _____
Department Director MDOT

By _____
Title:



APPENDIX A
PROHIBITION OF DISCRIMINATION IN STATE CONTRACTS

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

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

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

Revised June 2011

APPENDIX B
TITLE VI ASSURANCE

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

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

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

Revised June 2011

APPENDIX C

TO BE INCLUDED IN ALL FINANCIAL ASSISTANCE AGREEMENTS WITH LOCAL AGENCIES

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

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

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

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

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



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: Annie Somerville, Nicole Brown
DATE: April 19, 2022
SUBJECT: Increasing the Juneteenth Event Sponsorship

DESCRIPTION:

Increasing the Juneteenth Event Sponsorship

SUMMARY:

City Council provided sponsorship to the Juneteenth Celebration during the April 5, 2022 City Council Meeting in the amount of \$5,000.

The organizers have communicated with Mayor Pro-Tem Brown and Council Member Somerville that they would like the fees completely waived, which would amount to an additional \$3,462.

RECOMMENDED ACTION: Approval

ATTACHMENTS: Proposed Resolution

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2022-091
April 19, 2022

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, during the April 5, 2022 City Council approved a resolution to sponsor a Juneteenth Celebration in the amount of \$5,000.

WHEREAS, since that time the organizers have requested that the additional fees in the amount of \$3,462 be waived.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council approves the request for additional sponsorship in the amount of \$3,462 of the 2022 Juneteenth Celebration.

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 19 day of April 2022

#Resolution No. 2022-091

	Event: Juneteenth Celebration Weekend	
	Date: June 17-19, 2022	
	Locations: Freighthouse, Freighthouse Plaza and S. Huron Parking Lot	
	Class 3 Event and Street Closure	
	Street Closures at Ferris from S. Huron to S. Washington and S. Washington from Ferris to Michigan Ave.	
Application Fee	\$	35.00
Freighthouse Rental (No charge - community event)	\$	-
Parking Lot Rental Fee (Freighthouse Plaza 6/17/2022)	\$	1,000.00
Parking Lot Rental Fee (S. Huron Lot behind Puffer Reds) (6/18-6/19/22)	\$	1,000.00
Street Closure S. Washington and Ferris (6/18-6/19/22)	\$	800.00
Security Deposit	\$	1,000.00
Utilities (Electricity) (x 3 days)	\$	300.00
Sign Permit (charging just once for entire 3 days)	\$	35.00
Noise Permit (charging just once for entire 3 days)	\$	100.00
Non-refundable fees	\$	3,270.00
Total Upfront Fees (permit & security deposit)	\$	4,270.00
Police		
Police Officers x 4 (2 for each street closure) (6/18-6/19/22)(7 a.m. to 5 p.m. each day = 10 hours each day at \$59/hour each)	\$	4,720.00
Total Police Labor (Estimate Only)	\$	4,720.00
DPS		
Straight Time		
Overtime		
Total DPS Labor (Estimate Only)		
EVENT SUBTOTAL		
Administrative Fee (10% Non-Profit) (Estimate Only)	\$	472.00
EVENT GRAND TOTAL	\$	8,462.00
Class 3 Insurance Requirements		
Liability insurance in the amount of \$1,000,000 per occurrence naming the City of Ypsilanti as additionally insured will be required for this event.		



ANNUAL CITY MANAGER PERFORMANCE EVALUATION 2019 DRAFT

Evaluation Instructions

This evaluation is an annual critical look at the performance of the City Manager. This is also an introspective look at the relationship between the City Council and the City Manager; a communication and an opportunity on the part of the City Council to align expectations. It is an opportunity to re-establish the goals and objectives for the City of Ypsilanti. **It should be a positive exchange and learning process for both parties.**

Responsibilities

To provide an accurate evaluation, it is recommended that City Council members keep personal notations on a regular basis so as to be able to refresh individual memories at the time the annual evaluation process begins. These personal notations should not be shared with other members of the City Council. In order to meet the objectives of a fair and unbiased evaluation it is important to have evaluations from all members.

Forms and Process

The following evaluation will consist of several categories for which the City Manager is responsible or has regular involvement. A five-point assessment scale is provided in order to provide a numerical value to each question and/or category. A score of 1 would be unsatisfactory while a score of 5 would be exceptional. If you feel that you do not have enough information in which to rate a particular category, you may leave it blank and it will not be included as part of the tabulations.

Evaluations will be signed and should be completed independently. Comments in the comment area should be used to support numerical point assessments. All evaluations will be submitted to the Mayor for tabulation. After tabulation, a meeting will be set for an oral evaluation based on written evaluations. This meeting may be a closed session at the request of the City Manager. It is hoped that a positive free flowing oral discussion will provide the City Manager with the direction of the City Council for the future.

To aid in the discussion of the evaluation, the City Manager will use the same form for a self-evaluation. The City Manager's self-evaluation will be completed and given to the Mayor prior to the evaluation forms being sent to the City Council. Each member of the City Council will receive the City Manager's self-evaluation and Job Description, along with a blank evaluation form to be completed and returned to the Mayor for tabulation.

The Mayor will provide a Tabulation Summary Page to the City Manager and each member of the City Council. This page will include individual council members (but not identified by name) scoring, as well as a combined score of the board. Also, on this page will be the City Manager's self-evaluation score. Additionally, there will be a summary of notations, listed by question categories, or City Council comments. After the oral evaluation, the Tabulation Summary, subject to changes by the Council at the evaluation, will be kept as a permanent record. The evaluations themselves will be destroyed.

There are no perfect evaluations but this should be a thoughtful, sensitive, positive, and effective attempt to move forward the needs of the City of Ypsilanti.

CITY OF YPSILANTI CITY MANAGER EVALUATION

RATING:

5 = Outstanding Performance

4 = Good Performance

3 = Satisfactory Performance

2 = Needs strengthening

1 = Unsatisfactory

Fiscal Management	RATING
	54321
1. Plans and prepares the annual budget with the input of the Mayor and the City Council with documentation and full explanation of the annual budget.	
2. Administers the adopted budget within the framework of the approved revenues and expenditures. Prepares and presents to the City Council appropriate budgetary transfers, as necessary.	
3. Plans and provides for a system of reports, as requested, for the City Council to evaluate expenses and revenues.	
4. Analyzes financial condition of the city and proposes to City Council short-term and long-range plans with the necessary information especially as it relates to bonding or borrowing of funds.	
5. Plans for, organizes, and supervises the most economical utilizations of staffing, materials, and equipment for City services.	
6. Plans and provides for future economic growth in relationship to projected revenues and expenditures.	
COMMENTS/SUGGESTIONS: 	
Intergovernmental Relationships	RATING
	54321
1. Maintains awareness of developments and plans in other jurisdictions, which may impact the City.	
2. Effectively communicates with other governmental entities or outside parties, which the City may be involved with or become involved while maintaining a professional image of self and the City.	
3. Attends and relays appropriate information from current intergovernmental agreement meetings to the City Council.	
4. Willingness to participate with other governmental entities in potential resource or equipment sharing as appropriate.	

COMMENTS/SUGGESTIONS:**Relationship with the Public****RATING**

54321

1. Establishes and maintains an image of the City of Ypsilanti to the community that represents service, enthusiasm, and professionalism.

2. Establishes and maintains a liaison with private organizations, service groups or individuals involved in areas of concern that relate to the service or activities of the City.

3. Participates in city-sponsored community activities and affairs in an effort to build strong, positive community relationships.

COMMENTS/SUGGESTIONS:**Management of Employees****RATING**

54321

1. Develops and executes consistent, fair, and fiscally sound personnel procedures and practices.

2. Plans, organizes, and maintains appropriate training and development of staff to maximize performance.

3. Maintains contact and professional interaction with employees at all levels of the organization.

4. Periodically reviews and reorganizes staffing levels, staff duties, and/or staff responsibilities to take full advantage of the staff's competencies.

5. Supervises overall operations of the city and insists on competent and efficient performance from staff.

COMMENTS/SUGGESTIONS:**Relationship with City Council****RATING**

54321

1. Maintains effective communication, both verbal and written, with the City Council and provides information needed for City Council in a timely manner.

2. Maintains a system of regular and timely reporting to the City Council of current City plans and activities.

3. Provides for clear presentations to the City Council in the most concise, clear and comprehensive manner possible.	
4. Provides the City Council with all perspectives of an issue and provides a recommendation and reason to support that recommendation.	
5. Maintains availability to City Council and communicates as a liaison between the City Council and city staff.	

COMMENTS/SUGGESTIONS:

Leadership & Professionalism

RATING

54321

1. Administers the city in accordance with Michigan statutes and the ordinances, rules, regulations, and policies adopted by the City Council.	
2. Seeks and supports professional improvement through pertinent seminars and conferences, etc. in order to maintain current knowledge of developments in city management and municipal government.	
3. Demonstrates a willingness to adapt and work cooperatively with others.	
4. Demonstrates the ability to reach timely decisions and initiate action.	

COMMENTS/SUGGESTIONS:

OTHER COMMENTS THAT MAY BE RELEVANT TO THIS EVALUATION:

_____ Signature

_____ Date



ANNUAL CITY CLERK PERFORMANCE EVALUATION 2019 DRAFT

Evaluation Instructions

This evaluation is an annual critical look at the performance of the City Clerk. This is also an introspective look at the relationship between the City Council and the City Clerk; a communication and an opportunity on the part of the City Council to align expectations. It is an opportunity to re-establish the goals and objectives for the City of Ypsilanti. **It should be a positive exchange and learning process for both parties.**

Responsibilities

To provide an accurate evaluation, it is recommended that City Council members keep personal notations on a regular basis so as to be able to refresh individual memories at the time the annual evaluation process begins. These personal notations should not be shared with other members of the City Council. In order to meet the objectives of a fair and unbiased evaluation it is important to have evaluations from all members.

Forms and Process

The following evaluation will consist of several categories for which the City Clerk is responsible or has regular involvement. A five-point assessment scale is provided in order to provide a numerical value to each question and/or category. A score of 1 would be unsatisfactory while a score of 5 would be exceptional. If you feel that you do not have enough information in which to rate a particular category, you may leave it blank and it will not be included as part of the tabulations.

Evaluations will be signed and should be completed independently. Comments in the comment area should be used to support numerical point assessments. All evaluations will be submitted to the Mayor for tabulation. After tabulation, a meeting will be set for an oral evaluation based on written evaluations. This meeting may be a closed session at the request of the City Clerk. It is hoped that a positive free flowing oral discussion will provide the City Clerk with the direction of the City Council for the future.

To aid in the discussion of the evaluation, the City Clerk will use the same form for a self-evaluation. The City Clerk's self-evaluation will be completed and given to the Mayor prior to the evaluation forms being sent to the City Council. Each member of the City Council will receive the City Clerk's self-evaluation and Job Description, along with a blank evaluation form to be completed and returned to the Mayor for tabulation.

The Mayor will provide a Tabulation Summary Page to the City Clerk and each member of the City Council. This page will include individual council members (but not identified by name) scoring, as well as a combined score of the board. Also, on this page will be the City Clerk's self-evaluation score. Additionally, there will be a summary of notations, listed by question categories, or City Council comments. After the oral evaluation, the Tabulation Summary, subject to changes by the Council at the evaluation, will be kept as a permanent record. The evaluations themselves will be destroyed.

There are no perfect evaluations but this should be a thoughtful, sensitive, positive, and effective attempt to move forward the needs of the City of Ypsilanti.

CITY OF YPSILANTI CITY CLERK EVALUATION

RATING:

- 5 = Outstanding Performance
- 4 = Good Performance
- 3 = Satisfactory Performance
- 2 = Needs strengthening
- 1 = Unsatisfactory

CLERK OFFICE DUTIES/RECORDS MANAGEMENT	RATING
1. Attends all regular and special meetings of City Council and successfully provides accurate official minutes of the proceedings.	54321
2. Packets for City Council meetings are timely, complete and contain all necessary materials for meetings.	
3. Ensures for proper staffing/administration of the City's various boards and commissions meetings for minute taking and record keeping as required.	
4. Publishes all City notices and ordinances as required by law.	
5. Properly maintains custody of City documents and records and effectively manages for retrieval, access, and use, as appropriate.	
6. Maintains and handles information and records in a way to convey the message that the affairs of the City of Ypsilanti are open to public scrutiny.	
COMMENTS/SUGGESTIONS: 	
ELECTIONS MANAGEMENT	RATING
1. Effectively oversees administration of all procedures related to elections held in the City of Ypsilanti as required by State law and City Charter.	54321
2. Exhibits knowledge of principles and practices of pertinent election law and executes accordingly.	
COMMENTS/SUGGESTIONS: 	

	RATING
--	---------------

RELATIONSHIP WITH THE PUBLIC				5	4	3	2	1
1. Establishes and maintains an image of the City of Ypsilanti to the community that represents service, integrity, and professionalism by handling affairs of the office in a fair and impartial manner.								
2. Properly delivers service to customers by providing accurate information and maximizing access to municipal government in an efficient, timely, and courteous manner.								
3. Consistently delivers a high level of customer service to the public that is pleasant and positive with a willingness to go above and beyond.								
COMMENTS/SUGGESTIONS:								
MANAGEMENT OF STAFF				RATING				
				5	4	3	2	1
1. Manages staff effectively and ensures a high level of integrity and honesty in performance of work duties.								
2. Plans, organizes, and maintains appropriate training and development of staff to maximize performance and ensure compliance with appropriate laws, ordinances, policies, and procedures, etc.								
3. Periodically reviews and reorganizes staffing levels, staff duties, and/or staff responsibilities to take full advantage of the staff's competencies.								
4. Maintains professional interaction with employees at all levels of the organization.								
COMMENTS/SUGGESTIONS:								
RELATIONSHIP WITH CITY COUNCIL				RATING				
				5	4	3	2	1
1. Maintains effective communication, both verbal and written, with the City Council and provides information needed for City Council in a timely manner.								
2. Supports and executes the actions of the City Council using the City Charter and applicable laws and procedures as a guide.								
3. Maintains availability to City Council and communicates as a liaison between the City Council and the Clerk's Office.								
COMMENTS/SUGGESTIONS:								

LEADERSHIP & PROFESSIONALISM				RATING				
				5	4	3	2	1
1. Seeks and supports professional improvement through pertinent training, seminars, and conferences, etc. in order to maintain current knowledge of developments affecting the practice of local government and elections management.								
2. Explores and utilizes best practices in management and technology to ensure efficient and effective operations in execution of duties.								
3. Demonstrates a willingness to adapt and work cooperatively with others.								
4. Consistently makes service to the City a priority over personal interests.								
COMMENTS/SUGGESTIONS:								

OTHER COMMENTS THAT MAY BE RELEVANT TO THIS EVALUATION:

_____ Signature

_____ Date

Board and Commission Application for Reappointment

First Name	Beth
Last Name	Gibbons
Address	
City	Ypsilanti
State	mi
Zip Code	48197
Phone Number	
Email Address	
Board or Commission of Reappointment	Sustainability 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?	Support of the Sustainability Plan; Serving on the Penn Dam Engagement Committee; Coordinate with the SEMIS Coalition to share the work of the Commission with students in YCS; Working with individual sustainability commissioners to build relationships across the commission and bring more collaboration to the whole commission.
How will you continue to assist your Board or Commission to achieve its purpose if reappointed?	Yes.
Number of absences	IDK
If you had over 3 absences in a calendar year please explain? (this information will not be made available to the public)	I don't believe that I have had more than 3 in a calendar year.

Electronic Signature
Agreement

I agree.

Electronic Signature

Elizabeth Gibbons

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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	Tyler Weston
Email Address	
Address	
City	Ypsilanti
State	MI
Zip Code	48198
Phone Number	
Number of Years in the Community	20
Ward You Live In	3rd
Education	Bachelors Degree in Business Administration
Occupation	Steward
Employer	N/A
Are you applying for youth membership?	No
Are you registered to vote in the City of Ypsilanti?	Yes

I would like to be considered and could devote sufficient time to serve on the following board or commission:

Bicentennial Committee

Party Affiliation

Field not completed.

Field not completed.

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

I have a deep interest in Ypsilanti's history and future. I have helped in reinvigorate downtown and depot town business districts thru helping real estate developers and entrepreneurs as well as help attract Millions of historic and eco comic incentive dollars to both districts. I have ran for city council twice in 8 years and YCS school board once. I have sponsored and worked as a docent at our historic home tours and contributed 1,000s of pictures from 100s of homes and businesses to the historic societies archives. I was named one of the 2018 volunteers of the year by Mparks because of my advocacy and activity at our community over several years. I own 302 n grove st the original homestead of John Gilbert Sr. Ypsilanti's first President when Ypsilanti was a village in 1835. My efforts and partnership at Thompson Block led to the historic preservation of an asset that was blighted for 60+ years. I have worked with the city in numerous roles over the years to promote home ownership, entrepreneurs, entertainment, and ecology. I have read "the story of Ypsilanti" a book written in 1923 about the first 100 year history of Ypsilanti several times and consider it one of my prized possessions. I have read, listened, observed and participated actively in all facets of our community that are known to me and have a great grasp on our history, our people, our assets and our culture.

Work/volunteer experience related to the board or commission:

2018 Ozone House Volunteer of the year
2011 Ypsilanti Jaycees Chairperson of the year
Top 1% of Realtors in the nation 2016-2019
YCS buildings committee chair 2016-2018
Committee member to create Ypsilanti International Elementary School 2016
Ypsi Pride Day committee 2010-2019

I understand that appointment to a City of

Yes

Ypsilanti board or
commission requires
regular attendance at board
meetings.

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

Yes

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Board and Commission Application for Reappointment

First Name	mike
Last Name	davis jr
Address	
City	ypsilanti
State	mi
Zip Code	48197
Phone Number	
Email Address	
Board or Commission of Reappointment	planning 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?	Since joining the commission I have been involved in numerous zoning decisions, like special use permits. However, during my term several significant changes to the zoning code have taken place, prime among them is the development of recreational marijuana zoning ordinance. I was part of the commissioners that thought critically about what our new ordinance would allow and how that would both impact our current residents and zoning code as well as future development and achievement of our master plan. Further, I was deeply involved during my term in drafting the city's new non-motorized master plan and a new master plan.
How will you continue to assist your Board or Commission to achieve its purpose if reappointed?	I believe in my next term I will continue to serve the community by using my perspective as an urban planner to balance both the city's zoning code and master plan in order to see equitable and high-quality developments to realization that serve the needs of the community.
Number of absences	2

If you had over 3 absences in a calendar year please explain? (this information will not be made available to the public)

All absences excused by the commission

Electronic Signature Agreement

I agree.

Electronic Signature

mike davis jr

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Board and Commission Application for Reappointment

First Name	Matt
Last Name	Dunwoodie
Address	
City	Ypsilanti
State	MI
Zip Code	48197
Phone Number	
Email Address	
Board or Commission of Reappointment	Planning Commission
Number of Terms Served	3
Did you hold a Position of Leadership?	Yes
During your time, how did you assist your Board or Commission to achieve its purpose as stated in the enabling legislation?	I have reviewed and led discussion on planning commission business with a focus on the goals of the Shape Ypsilanti master plan and a thorough understanding of the zoning ordinance. I was elected chair of the commission in 2018 and have served in that role for nearly four years. I have worked to promote fairness, opportunity, and transparency in all of the proceedings of the commission.
How will you continue to assist your Board or Commission to achieve its purpose if reappointed?	I will continue to work with planning staff and my fellow commissioners to judiciously apply the rules of the zoning ordinance and advance the goals of the master plan.
Number of absences	<1 / year
If you had over 3 absences in a calendar year please explain? (this information will not be made available to the public)	N/A

Electronic Signature
Agreement

I agree.

Electronic Signature

Matthew R Dunwoodie

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

Board and Commission Application for Reappointment

First Name	Phil
Last Name	hollifield
Address	
City	Ypsilanti
State	MI
Zip Code	48197
Phone Number	
Email Address	
Board or Commission of Reappointment	PLANNING COMMISSION REAPPOINTMENT
Number of Terms Served	4 or Over
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?	BEEN AN ACTIVE COMMISSIONER SINCE JUNE OF 2011, FOLLOWING THE CODE OF ORDINANCES, TO MAKE THE CITY OF YPSILANTI A GREAT PLACE TO LIVE. WORKED ON MANY MASTER PLANS FOR THE CITY.
How will you continue to assist your Board or Commission to achieve its purpose if reappointed?	CONTINUE TO FOLLOW THE CODE OF ORDINANCES, TO MAKE THE CITY OF YPSILANTI A GREAT PLACE TO LIVE. WORK ON FUTURE MASTER PLANS FOR THE CITY. TO SERVE THE BEST INTEREST OF THE CITY
Number of absences	0
If you had over 3 absences in a calendar year please explain? (this information will not be made available to the public)	N/A

Electronic Signature
Agreement

I agree.

Electronic Signature

G. PHIL HOLLIFIELD

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



City of Ypsilanti

Police Advisory
Commission

INTRODUCTION

The Ypsilanti Police Advisory Commission was created by ordinance 1295 in November 2017 (Chapter 2, Article 4, Division 6). The following is the purpose from Sec. 2-181

- (1) To strengthen the relationship between the community of the City of Ypsilanti and the Ypsilanti police department.
- (2) To serve as a liaison to enhance community and police relations and serve as an advocate for programs, ideas, and methods to improve the relations between the police and the community.
- (3) To review police complaint investigatory findings, and report to council on the commission's analysis of these findings.
- (4) To collect, review, and audit summary data and compile aggregate statistics relating to individual or community police complaints and other issues of importance.
- (5) To educate the public about complaint process, and ensure and recommend ways to make the process accessible to all.
- (6) To make recommendations to the city manager with regard to organizational matters and procedures.
- (7) To participate in annual review of the Ypsilanti police department's citizen police academy.
- (8) To consult and advise the city manager on the Ypsilanti police department's strategic plan.

Per Chapter 78-49(6) the Commission must provide an annual report to City Council.

OPERATIONS

The Commission held regular meetings during the 2021 virtually via Zoom. YPAC want to bring all voices and ideas to the 2021 zoom table. Given the virtual meetings, commissioner worked to stay engaged with one another and current concerns, for example, when personal technology permitted, each commissioner agreed to have their screen on and to stay on mute when not talking.

1 S. Huron Street.
Ypsilanti, MI 48197

Tel (734) 483-1100
Fax (734) 487-8742

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MEMBERSHIP

In 2021, the YPAC Commission's membership was as follows:

Commissioner	Term end date
Andy Fanta	February 1, 2022
Gail Wolkoff, Chair	February 1, 2023
Renee Echols	February 1, 2023
Kathleen McCormick	February 1, 2024
Herman Humes, Jr.	February 1, 2024
2 Vacancies	
2 Youth Vacancies	

Overview of the membership changes:

- New chair and vice chair were elected in February: Chair – Heather Freeling and Vice Chair – Gail Wolkoff.
- Heather Freeling resigned in April because she moved outside the City of Ypsilanti.
- Gail Wolkoff was elected Chair in May 2021
- A Vice Chair has not been elected. Commissioners wanted to wait until there was a full commission before nominating someone.
- Precious Turman applied, was nominated, and was approved by council but failed to attend meetings for three months. Several Commissioners and the City Clerk reached out to her to learn more with no response. YPAC recommended and City Council approved her removal in September.
- Colleen Kennedy resigned from the commission in September for personal reasons
- YPAC needs a commissioner from both Ward 1 and 3.

PRESENTATIONS

At each YPAC meeting, Chief DeGiusti or Lieutenant Yuchasz presents monthly statistics for the Ypsilanti Police Department. These reports include:

- Activity report: Statistics for the current period reflected by the past three months, personnel updates which include hiring and the status of new officers as they progress to be a full-time officer.
- Department activity which includes meetings Chief DeGuisti and COPCRU attended.
- Citizen complaints which include a brief scenario, action taken, and status as either founded or unfounded.
- Use of force which includes a brief scenario.
- Crime stats.
- Courts and Law Enforcement Management Information System, CLEMIS. The crime stats compare the same month last year and year to date information. Arrest stats include comparisons to the same time last year and year to date for both adults and children.
- Relevant articles Chief DeGuisti shares with the commissions.

After the presentation there is a question and answer period concerning the monthly statistics and questions received from the community.

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OTHER PRESENTATIONS

- Barbera Niess-May from SafeHouse gave a sexual assault and a domestic violence update for Ypsilanti.
- Eli Savit introduced himself as the new Prosecuting Attorney in Washtenaw County.
- Ashley Shukait from Unified Health presented on risk assessment, harm reduction, and the drug paraphernalia ordinance.
- Dr. Kevin Karpiak presented on analyzing police traffic stop data for evidence bias.

ACCOMPLISHMENTS

Resolution No. 2021-001

September 23, 2021

That the commission urges city council by formal resolution to:

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

Resolution No. 2021-002

September 23, 2021

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

Resolution No. 2021-003

September 23, 2021

That the chair meet with the city manager or her designee to design a new user-friendly website for YPAC.

Resolution No. 2021-005

October 28, 2021

WHEREAS; The Police Advisory Commission wishes to provide for greater transparency on the Police Department; and

WHEREAS; including photos and bios of officers on the website, would add to the public trust of the department.

NOW THEREFORE BE IT RESOLVED, that the Police Advisory request the City Manager to direct the Police Department to include photos and bios of Ypsilanti Police Officers on the City website.

This resolution failed adoption by the Police Advisory Commission

Resolution No. 2021-006

November 18, 2021

WHEREAS, The State of Michigan has recently expanded expungements, however, the process and procedures remain the same; and

WHEREAS, each offense a person has been convicted must be expunged from the court in which the conviction was made; and

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WHEREAS; an expungement should be a streamlined process and a petitioner should be able to bring all expungements together as one action in the Circuit Court of the county of residence of the petitioner.

NOW THEREFORE BE IT RESOLVED THAT Ypsilanti Police Advisory Commission recommend City Council pass a resolution to urge that the process for expungement be more streamlined for petitioners.

BE IT FURTHER RESOLVED; that this resolution be forwarded to the Washtenaw County Bar Association and any other organizations designated by Council.

LOOKING FORWARD

YPAC looks forward to future progress on the following projects and goals:

- Continue to have joint biannual meetings with City Council.
- Communication in the City of Ypsilanti newsletter and other modes of sharing information about YPAC.
- Learn about analyzing Police Traffic Stop Data for Evidence Bias in Ypsilanti.
- Increase the attendance and participation at YPAC monthly meetings.
- Find commissioners from Wards 1 and 3.
- Build a stronger relationship between residents of Ypsilanti and the Police Department.

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Resolution No. 2022-092
April 19, 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
19 day of April 2022

#Resolution No. 2022-092