



CITY OF YPSILANTI
REGULAR COUNCIL MEETING
Tuesday, December 6, 2022 @ 6:00 PM
Council Chambers
One South Huron, Ypsilanti, MI 48197
[VIRTUAL MEETING](#)

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. WORK SESSION

4 - 10

- A. Police Chief Search Process Work Session - City Manager Frances McMullan and Joyce Parker, MML Facilitator
[Work Session Packet](#)

VI. PUBLIC COMMENT (3 MINUTES)

VII. RESOLUTIONS/MOTIONS/DISCUSSIONS

11 - 25

- A. Resolution No. 2022-272, approving the minutes of November 14th and 15th, 2022 City Council Meeting.
[2022-272 - Pdf](#)

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- B. Resolution No. 2022-273, approving appointment to boards and commissions.
[2022-273 - Pdf](#)

27 - 33

- C. Resolution No. 2022-274, approving the process to fill the vacancy that will occur in Ward 3.
[2022-274 - Pdf](#)

34 - 41

- D. Resolution No. 2022-275, approving a Memorandum of Understanding with the Washtenaw County Shelter Association for an overnight warming shelter, revenue sharing agreement with the Downtown Development Authority, and subsequent budget amendment.
[2022-275 - Pdf](#)

- 42 - 50** E. Resolution No. 2022-276, approving a budget amendment to support the New Year's Eve Bicentennial Ball Drop on South Washington St.
[2022-276 - Pdf](#)
- 51 - 56** F. Resolution No. 2022-277, approving engineering proposals from OHM for the Leforge and Factory Street Bridges.
[2022-277 - Pdf](#)
- 57 - 62** G. Resolution No. 2022-278, approving the construction engineering proposal of OHM for Forest Street.
[2022-278 - Pdf](#)
- 63 - 65** H. Resolution No. 2022-279, authorizing the creation and submission of the SPARK Grant Application.
[2022-279 - Pdf](#)

VIII. BOARD AND COMMISSION - NOMINATIONS

- A. **Bicentennial Committee**
Sean Driscoll - New Member
1315 Pearl Street
Ypsilanti, MI 48197
[Application](#)

IX. 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

X. LIAISON REPORTS

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

XI. COUNCIL PROPOSED BUSINESS

XII. COMMUNICATIONS FROM THE MAYOR

XIII. COMMUNICATIONS FROM THE CITY MANAGER

- 66 - 71** A. Update on Resolution No. 2022-253 regarding the City's procurement policy
 [Memo](#)
- 72 - 74** B. I am happy to report that the city once again completed our Annual Comprehensive
 Financial Review and received a Certificate of Achievement for Excellence in Financial
 Reporting for the Fiscal Year ending June 30, 2021.
 [Certificate](#)
 [Announcement of Award](#)
 [Press Release](#)

XIV. PUBLIC COMMENT (3 MINUTES)

XV. REMARKS FROM THE MAYOR

XVI. ADJOURNMENT

- 75** A. Resolution No. 2022-280, adjourning the City Council Meeting.
 [2022-280 - Pdf](#)
- B. Please click [here](#) to access the City Council Contact Form. This form can be
 used to submit any comments/concerns you might have about this agenda.

Police Chief
Work Session Agenda

1. Introductions
2. Process Review
3. Candidate Profile
 - Worksheet
 - Job description
 - Position Salary & Benefit Summary
4. Advertising Strategy & Language
 - Where, When ...
5. Resume Summary, Prioritization and Shortlist
6. Interview and Selection Process
 - Interviewing Guidelines
 - Interview Questions/Situational Exercises
 - Interview Evaluation Forms
 - Other Activities
7. Reference Check & Background Investigation

Proposed Recruitment Schedule
City of Ypsilanti
Police Chief Recruitment Schedule
(Based on a December 1 Start Date)

Task	Time Required	Completion Date
1. Develop Profile	2 Weeks	Dec. 14 th
2. Advertisement	5 Weeks	Jan. 20 th
3. Resumes/Finalists	2 Weeks	Feb. 3 rd
4. Refer. Check/Inter.	3 Weeks	Feb. 24 th
5. Appointment	2 Weeks	Mar. 10 th
6. Start Work	4 Weeks	April 10 th

Comments Regarding Dates and Tasks Completed:

1. **Develop Profile:** The MML Executive Recruiter will work with the City of Ypsilanti to develop a profile for the position, to include qualifications, experience and professional characteristics required for the position. The profile will be featured on the MML website as part of the advertising process. It will also be used as a tool to determine which candidates most closely match the experience, skills, and abilities the city desires in the new police chief.
2. **Advertisement:** We recommend ads be placed with MML, ICMA, and organizations that provide support in professional positions. Marketing and recruitment will include direct email, social media and email alerts to appropriate individuals, and organizations advising them of the opening. Telephone contact will also be made with qualified candidates in and outside the State of Michigan. All applications and resumes will be sent to MML for the purpose of confidentiality. Resumes will be mailed to the MML, 1675 Green Rd, P O Box 1487, Ann Arbor, MI 48106-1487.
3. **Review Resumes/Select Finalists:** In order to identify candidates who mostly meet the criteria, resumes will be reviewed and evaluated based on the criteria established in the candidate profile. Some candidates will be eliminated from further consideration. At the

end of the review, the executive recruiter will prepare a written report regarding each candidate and recommend a list of candidates for further consideration. Subsequent to discussion with the city, the field will be narrowed to a group of four to six candidates who will be afforded the opportunity for a formal interview. The city should decide early in the process regarding reimbursing for interview expenses. After the finalists are selected, reference checks will be conducted. A background check will be provided as part of the services provided by MML for the finalist extended a conditional offer. The executive recruiter, as part of the review process, may request transcripts from finalists to verify degrees. Potential interview questions will also be reviewed at this meeting.

4. **Interviews:** Approximately 5 days before the interviews, the executive recruiter will report the outcome of the reference checks. The city will finalize the list of candidates to be invited for personal interviews. It is recommended to interview no more than five to six candidates. Prior to the interviews, the executive recruiter will provide resumes and a report related to reference checks for each candidate that will be interviewed.
5. **Appointment:** The city will finalize the appointment. The executive recruiter is available to assist the city in its contract negotiations with the candidate selected. 1-2 weeks is anticipated for this process. In the event negotiations are not successful with the candidate, the city can proceed with the next candidate.
6. **Start Work:** This assumes the appointment of a candidate who is currently employed and wishes to give their current employer two to four weeks' notice. If the candidate is not employed, the candidate may be able to start work earlier.

Joyce A. Parker
PO Box 3086
Ann Arbor, Michigan 48106
Cell: 734-730-9526

The Position

The City of Ypsilanti is conducting a search for an experienced and committed professional to lead the Ypsilanti Police Department. We are passionate about expanding our search to identify strong candidates who can serve with innovation and expertise. The Police Chief will lead employees, engage community members, and partner with leaders to create a safer, stronger city. The Police Chief provides executive-level leadership and is responsible for planning, directing, and managing all functions of the department. This will include but is not limited to personnel, equipment, safety and training, coordinating emergency response, records management new program development, and strategic planning and budgeting. Competitive candidates will be strong leaders who demonstrate transparency, leadership, experience with accreditation, and a demonstrated ability to cultivate effective, inclusive working relationships with staff, residents, elected officials, and other stakeholders.

All candidates must hold a bachelor's degree; however, a master's degree is preferred. Candidates should have at least 10 years of progressively responsible law enforcement experience with at least five years in a command/leadership position including extensive experience in police administration and management. This position also requires certification as a Police Officer through the Michigan Commission of Law Enforcement Standards and Graduation from a nationally recognized police executive training program and/or other advanced law enforcement executive training (i.e. FBI National Academy, School of Staff and Command, etc.). Reasonable accommodations will be made to enable individuals with disabilities to perform the essential functions of the position.

Qualities of a Successful Candidate

- Provide leadership that inspires, motivates, and empowers staff to achieve their fullest potential.
- Innovative and collaborative solutions to proactively address community needs and opportunities.
- Commitment to enhancing the quality of life for all residents.
- Extensive knowledge of the principles and practices of law enforcement management, administration, and supervision.
- Executive-level skills in interpersonal and written communications, strategic planning, financial planning, development and management, critical thinking, and employee engagement.
- Commitment to solving problems creatively and being adaptable.
- Willingness to understand the history and traditions of the community.

Key Opportunities

- Provide professional law enforcement services that build compassion and trust in our community.
- Promote, develop and facilitate community partnerships and relationships with a wide variety of public and private stakeholders.
- Ensure operational excellence in staffing, equipment, and technological advancements.
- Staffing, recruitment, and retention of a multi-generational and diverse workforce.
- Define and promote a culture of diversity, equity, inclusion department, training, and policies and procedures.
- Prioritize training that builds skills for officer safety and de-escalation techniques in order to

facilitate safer encounters.

- Foster partnerships and coordinate investigations with state, and local law enforcement agencies.

Compensation and Benefits

The minimum salary will be \$#####, depending on qualifications.

- ✓ Summary of Benefits
- ✓ Health insurance
- ✓ Vacation
- ✓ Pension
- ✓ Any other thing

The Department

The Ypsilanti Police Department is responsible for protecting and safeguarding the lives and property of the City of Ypsilanti residents through the enforcement of criminal laws and safety education. The Department works collaboratively with city, university, county, and state departments to maximize resources and security. We are especially proud of the relationships we have built with our community, allowing us a unique opportunity to engage with our citizens on safety and crime-related issues. The Department is accredited by the Michigan Law Enforcement Accreditation Program.

With an annual budget of \$5,490,000, our department is allocated 37 positions over four divisions. We are organized into four major divisions: Patrol, Detective, Parking, and Records.

City Government

The City of Ypsilanti was incorporated in 1823 and is home to Eastern Michigan University. We operate as a Council/Manager form of government, in which the Mayor serves a four-year term and Council members serve staggered, four-year terms. The Mayor and Council appoint the City Manager and City Clerk. The City employs more than 120 staff with a total Fiscal Year 2022/2023 budget of \$17 million. Ypsilanti is a full-service city providing public works, police, fire, community and economic development, finance, legal, clerk/treasury, and human resources.

The Community

Ypsilanti, Michigan is a growing municipality with a diverse base of residential and business communities. We are a part of the Ann Arbor Metropolitan area, Ypsilanti is located in the eastern portion of Washtenaw County, approximately 10 minutes east of

Ann Arbor and 30 minutes from Detroit and is located on I-94. Ypsilanti spans approximately 4 square miles with a population of over 20,000.

We offer a strong, diverse community with one of the state's largest historic districts and a vibrant arts community, strong business districts, and a public research university. Our city's guiding values are pride, diversity, and heritage. These values are central to what we are as a community and are central to everything we do as a service provider, employer, and community partner.

FM – 11/30/22



MINUTES POLICE ADVISORY COMMISSION Meeting

7:00 PM - Thursday, October 27, 2022
Council Chambers

The POLICE ADVISORY COMMISSION of the City of Ypsilanti was called to order on Thursday, October 27, 2022, at 7:00 PM, in the Council Chambers, with the following members present:

I CALL TO ORDER

The meeting was called to order at 7:00 pm

II ROLL CALL

COMMISSIONERS:

PRESENT: Gail Wolkoff, Herman Humes, Kathleen McCormick, Eric Mohamed, Anthony Morgan

III AGENDA APPROVAL

Commissioner Morgan moved, seconded by Commissioner McCormick to approve the agenda. On a voice vote the motion carried, and the agenda was approved.

IV PUBLIC COMMENT (3 MINUTES)

None

V RESOLUTIONS/MOTIONS/DISCUSSIONS

- a) Welcoming Commissioner Morgan to YPAC
- b) Approving the Minutes of the September 22, 2022 Police Advisory Commission Meeting.

Commissioner McCormick moved, seconded by Commissioner Humes to approve the minutes. On a voice vote the motion carried, and the minutes was approved.

- c) Monthly Statistical Analysis - interim Chief Yuchasz
- d) Update on the Police Chief Hiring Process
- e) Discussion on characteristics the Commission wishes to include in the Job Posting for the Chief of Police.

Commissioner Humes moved, seconded by Commissioner McCormick to approve the the below list of characteristics. On a voice vote the motion carried, and the list was approved.

1. Transparency

2. Commination to the community
3. True open door policy
4. Upper management experience
5. A desire for a diverse police force
6. Invested into breaking barriers, distrust, and biases
7. A person for all
8. Looking for the top people in the field and the statistics to prove it
9. Experience in a community the similar size of Ypsilanti
10. Having a connection to at least the region.
11. Experience with community policing and values the community knowing local officers
12. A person who is willing to attend community events, a personal individual
13. Believes in family and shows it through compassion
14. A true problem solver open to all ideas and suggestions
15. A person who knows the set the tone of the department
16. Takes responsibility that officers are being heard and represented
17. A leader that creates a positive work environment
18. Willing to learn and understand the history and traditions of the community.
19. Adaptive when trying to achieve goals

- f) Discussion on how the Commission would like to be involved in the selection of the Police Chief.
- g) Discussion on public engagement throughout the hiring of the Police Chief.
 - Who are the key stakeholders?
 - How incorporate key stakeholders into the process?
- h) Discussion regarding the Police Advisory Commission Merging with the Human Relations Commission

Commissioner McCormick moved, seconded by Commissioner Morgan to maintain the autonomy from the Human Relations Commission in function and structure. On a voice vote the motion carried.

VI COMMISSION UPDATES

VII PUBLIC COMMENT (3 MINUTES)

VIII NEXT MEETING DATE

- a) November 17, 2022

IX ADJOURNMENT

The meeting adjourned at 8:51 pm



Resolution No. 2022-272
December 6, 2022

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of November 14 and November 15, 2022 City Council Meeting 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 6 day of December 2022

#Resolution No. 2022-272



MINUTES REGULAR COUNCIL Meeting

6:30 PM - Monday, November 14, 2022
Council Chambers

The REGULAR COUNCIL of the City of Ypsilanti was called to order on Monday, November 14, 2022, at 6:30 PM, in the Council Chambers, with the following members present:

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

ABSENT: Council Member Jennifer Symanns

I CALL TO ORDER

The meeting was called to order at 6:32 PM.

II ROLL CALL

Council Member Wilcoxon made a motion to approve the absence of Council Member J. Symanns, seconded by Mr. Jones-Chance. On a voice vote, the motion carried.

III INVOCATION

IV PLEDGE OF ALLEGIANCE

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

V AGENDA APPROVAL

Mr. Jones-Chance moved to approve the meeting agenda, seconded by Council Member Somerville. On a voice vote, the motion carried.

VI CLOSED SESSION - 6:30PM TO 7:00PM

a) Closed Session to consider a periodic personnel evaluation - MCL 15.268 (a)

Council Member Steven Wilcoxon moved, seconded by Council Member Brian Jones-Chance, To go into closed session

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

VII PRESENTATIONS - ADDED

- a) Proclamation in honor of Veterans Day - Mayor Richardson (added)

VIII INAUGURATION CEREMONY - OATH OF OFFICE

- Mayor - Nicole Brown
- Ward 1 - Roland Tooson
- Ward 1 - Michelle King
- Ward 2 - Jennifer Symanns
- Ward 3 - Desirae Simmons

IX SEATING OF NEW COUNCIL

X PUBLIC COMMENT (3 MINUTES)

Five members of the public made comments.

XI RESOLUTIONS/MOTIONS/DISCUSSIONS

- a) Resolution No. 2022-256, adopting "ROBERT'S RULES OF ORDER 10th EDITION".
Council Member Somerville moved, seconded by Council Member Wilcoxon, to approve Resolution No. 2022-256
Approved: Yes - 6; No - 0; Absent - Council Member J. Symanns

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

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

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

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

- b) Resolution No. 2022-257, setting the day, time and frequency of Council meetings.
Council Member Wilcoxon moved, seconded by Council Member D. Simmons, to approve Resolution No. 2022-257
Approved: Yes - 6; No - 0; Absent - Council Member J. Symanns

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

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

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

- c) Resolution No. 2022-258, approving the procedure for transaction of Council business
Council Member Tooson moved, seconded by Council Member Somerville, to approve Resolution No. 2022-258
Approved: Yes - 6; No - 0; Absent - Council Member J. Symanns

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

- d) Resolution No. 2022-259, naming an official newspaper of record.
Council Member Tooson moved, seconded by Council Member Wilcoxon, to approve Resolution No. 2022-259
Approved: Yes - 6; No - 0; Absent - Council Member J. Symanns

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

- e) Resolution No. 2020-260, adopting policy for appointments to Boards and Commissions.
Council Member King moved, seconded by Council Member Somerville, to approve Resolution No. 2022-260
Approved: Yes - 6; No - 0; Absent - Council Member J. Symanns

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

NOTICE

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

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

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

PROCEDURE

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

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

VACANCY IN OFFICE

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

TERM OF OFFICE

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

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

QUALIFICATIONS

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

Sec. 2-111. Applicability of section.

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

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

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

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

- f) Resolution No. 2022-261, setting meeting dates for 2023.
Council Member D. Simmons moved, seconded by Council Member Wilcoxon, to approve Resolution No. 2022-261 as amended
Approved: Yes - 6; No - 0; Absent - Council Member J. Symanns

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

The Ypsilanti City Council will hold Regular Meetings at 7:00 p.m. in the City Council Chambers, located at One South Huron Street, Ypsilanti, Michigan 48197, for the year 2023 on the following dates:

January 10	July 11
January 24	July 25
February 7	August 1
February 21	
March 7	September 5
March 21	September 19
April 4	October 3
April 18	October 17
May 2	November 7
May 16	November 21
June 6	December 5
June 20	December 19

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

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

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

- g) Resolution No. 2020-262, appointing Council Liaisons to City Boards and Commissions.
Council Member Somerville moved, seconded by Council Member Wilcoxon, to approve Resolution No. 2022-262
Approved: Yes - 6; No - 0; Absent - Council Member J. Symanns

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That City Council elects Council Liaisons to the advisory commissions.

Process of selecting liaisons:

Until the next organizational meeting the Council Liaisons will be as follows:

Art Commission	Council Member Somerville
Human Relations Commission	Council Member King
Police Advisory Commission	Council Member Tooson
Parks and Recreation Commission	Council Member Somerville
Sustainability Commission	Council Member D. Simmons
<i>Planning Commission</i>	Council Member Wilcoxen
<i>Historic District Commission</i>	Council Member J. Symanns
<i>Zoning Board of Appeals</i>	Council Member J. Symanns

- h) Resolution No. 2022-263, adopting the Council Protocol for City staff.
Council Member Wilcoxen moved, seconded by Council Member Somerville, to approve Resolution No. 2022-263
Approved: Yes - 6; No - 0; Absent - Council Member J. Symanns

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

COUNCIL PROTOCOL FOR CITY STAFF

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

Conduct Toward Staff

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

Channels of Communication

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

any meetings with Council Members. When in doubt about what staff contact is appropriate, Council Members should ask the City Manager for direction.

Equal Access to Information

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

Public Criticism of Employees

Council should never express concerns about the performance of a City employee in public, to the employee directly, or to the employee's manager. Comments about staff performance should only be made to the City Manager through private correspondence or conversation.

Involvement in Administrative Functions

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

Attendance at Staff Meetings

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

Requests for staff support.

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

Response to Citizen Complaints

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

- i) Resolution No. 2022-264, approving rules for Audience Participation.
Council Member Tooson moved, seconded by Council Member Wilcoxon, to approve Resolution No. 2022-264
Approved: Yes - 6; No - 0; Absent - Council Member J. Symanns

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

With regard to audience participation, citizens are urged, but not required, to present requests or complaints in writing to the Administration before meetings, along with indications of desire to address Council. General audience participation normally shall be held to one hour maximum, with three (3) minutes granted to individuals.

A. Acceptable Conduct

appearance or character not related to job performance will not be tolerated.

Infractions will result in the loss of remaining time, by order of the Chair, after one warning.

i. Members of the audience are expected to respect the views of others and not interrupt or harass speakers. Persons not following this rule may be expelled from the building by order of the Chair after one warning.

B. Audience Participation. Audience participation shall be set at the beginning of the agenda, before Presentations.

C. Public Hearings

a. Speakers' remarks are limited to the subject of the public hearing.

b. Speakers are allowed a maximum of three (3) minutes.

a. Speakers shall not share, loan or borrow time.

b. Comments from speakers must be civil and respectful. Comments on physical

c. In order to designate priority in speaking, citizens shall sign up in person prior to the start of Audience Participation.

d. Each speaker may speak a maximum of three (3) minutes.

e. A maximum of sixty (60) minutes will be allowed for Audience Participation.

f. Following signed in speakers, others who wish to speak will be recognized by a show of hands.

XII NOMINATION AND ELECTION OF MAYOR PRO-TEM

- a) **Council Member King nominated Council Member D. Simmons, Council Member Simmons seconded, to serve as Mayor Pro-Tem**

Council Member Somerville nominated Council Member Wilcoxon, seconded by Roland Tooson, to serve as Mayor Pro-Tem

The Vote Was as Follows:

D. Simmons - Simmons

J. Symanns - Absent

M. King - Simmons

S. Wilcoxon - Wilcoxon

N. Brown - Wilcoxon

A. Somerville - Wilcoxon

R. Tooson - Wilcoxon

XIII COMMUNICATIONS

- a) **2023 Holiday Closures**

XIV PUBLIC COMMENT (3 MINUTES)

Two members of the public made comments.

XV REMARKS FROM THE MAYOR

XVI ADJOURNMENT

The meeting was adjourned at 8:05 PM.

- a) Resolution No. 2022-265, adjourning the City Council Meeting.

Council Member D. Simmons moved, seconded by Council Member Somerville, to approve Resolution No. 2022-265

Approved: Yes - 6; No - 0; Absent - Council Member J. Symanns

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



MINUTES REGULAR COUNCIL Meeting

7:00 PM - Tuesday, November 15, 2022
Council Chambers

The REGULAR COUNCIL of the City of Ypsilanti was called to order on Tuesday, November 15, 2022, at 7:00 PM, in the Council Chambers, with the following members present:

PRESENT: Council Member Jennifer Symanns, Council Member Steven Wilcoxon, Mayor Pro-Tem Nicole Brown, Council Member Desirea Simmons, Council Member Roland Tooson, Council Member Michelle King, and Council Member Annie Somerville

ABSENT: None

I CALL TO ORDER

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

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

Council Member Symanns moved to approve the agenda, seconded by Council Member Somerville. The motion carried on a voice vote.

V PUBLIC COMMENT (3 MINUTES)

Four members of the public made comments.

VI CONSENT AGENDA

- a) Resolution No. 2022-266, approving the consent agenda.

Council Member Annie Somerville moved, seconded by Council Member Desirea Simmons, RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the following items be approved:

- 1. Resolution No. 2022-267, approving the minutes of the November 1, 2022 City Council Meeting.**
- 2. Resolution No. 2022-268, approving special assessments for the 2022 Winter Tax Bill.**

3. Resolution No. 2022-269, approving a delegate and alternate for the Washtenaw Regional Resource Management Authority (WRRMA).

RESULT:	CARRIED.
MOVER:	Council Member Annie Somerville
SECONDER:	Council Member Desirea Simmons
AYES:	Desirea Simmons, Annie Somerville, Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Roland Tooson, and Michelle King

- b) Resolution No. 2022-267, approving the minutes of the November 1, 2022 City Council Meeting.

Council Member Annie Somerville moved, seconded by Council Member Desirea Simmons, RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of November 1, 2022 City Council Meeting be approved.

RESULT:	CARRIED.
MOVER:	Council Member Annie Somerville
SECONDER:	Council Member Desirea Simmons
AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Desirea Simmons, Roland Tooson, Michelle King, and Annie Somerville

- c) Resolution No. 2022-268, approving special assessments for the 2022 Winter Tax Bill.

Council Member Annie Somerville moved, seconded by Council Member Desirea Simmons, RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That, the City Treasurer be authorized to levy and assess on the December 2022 tax roll the attached listing of unpaid bills totaling \$66,053.37.

RESULT:	CARRIED.
MOVER:	Council Member Annie Somerville
SECONDER:	Council Member Desirea Simmons
AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Desirea Simmons, Roland Tooson, Michelle King, and Annie Somerville

- d) Resolution No. 2022-269, approving a delegate and alternate for the Washtenaw Regional Resource Management Authority (WRRMA).

Council Member Annie Somerville moved, seconded by Council Member Desirea Simmons, WHEREAS, the City of Ypsilanti is a member of the Washtenaw Regional Resource Management Authority; and

WHEREAS, the City Council has the authority to appoint a delegate as detailed in the WRRMA Articles of Incorporation; and

WHEREAS, the City Council has determined that the citizens of the community will be served well by the appointments of DPS Director Bonnie Wessler to the role of WRRMA Delegate and General Foreman Gary Burchwell to the role of WRRMA Alternate.

NOW THEREFORE BE ITRESOLVED that **DPS Director Bonnie Wessler** is hereby appointed as **WRRMA Delegate**, and **General Foreman Gary Burchwell** is hereby appointed as **WRRMA Alternate**; and

BE IT FURTHER RESOLVED, that the appointees shall serve in the role during the next fiscal year or until his/her successor is appointed by this Council.

RESULT:	CARRIED.
MOVER:	Council Member Annie Somerville
SECONDER:	Council Member Desirea Simmons
AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Desirea Simmons, Roland Tooson, Michelle King, and Annie Somerville

VII RESOLUTIONS/MOTIONS/DISCUSSIONS

- a Resolution No. 2022-270, approving the sidewalk café permits for 2023.
)

Council Member Roland Tooson moved, seconded by Council Member Annie Somerville, **RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

WHEREAS,TheCityofYpsilantiseeks to implement policies that protect the public health and provide for economic prosperity despite the challenging climate for business due to the **COVID-19** pandemic; and

WHEREAS, outdoor dining is recognized as a valuable economic development opportunity that consumers have strongly preferred locally over the last several years; and

WHEREAS, the sidewalk café permits issued in 2022 and regulated by ordinance in the City of Ypsilanti will expire in November unless otherwise extended by resolution; and

NOWTHEREFOREBEITRESOLVEDTHATtheYpsilantiCityCouncilapprovesextending the 2022 sidewalk café permits to allow restaurants to continue outdoor dining options for patrons until May 2023 once the new application window for 2023 is set to begin.

RESULT:	CARRIED.
MOVER:	Council Member Roland Tooson
SECONDER:	Council Member Annie Somerville
AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Desirea Simmons, Roland Tooson, Michelle King, and Annie Somerville

VIII BOARD AND COMMISSION - LIAISON REPORTS

1. **Police Advisory Commission** - Meeting was cancelled.
2. **Human Relations Commission** - None.
3. **Arts Commission** - None.
4. **Parks and Recreation Commission** - None.
5. **Sustainability Commission** - Commissioner Keith Michalowski resigned. A presentation was given by the Washtenaw County Conservation District.

6. **Historic District Commission** - None.
7. **Planning Commission** - None.
8. **Zoning Board of Appeals** - None.

IX LIAISON REPORTS

1. **SEMCOG Update** - None.
2. **Washtenaw Area Transportation Study** - Next meeting is November 16, 2022.
3. **Urban County** - Update on projects for the Community Development Block Grant.
4. **Ypsilanti Downtown Development Authority** - Making headway on strategic priorities.
5. **Friends of Rutherford Pool** - Small grant approval.
6. **Bicentennial Committee** - Update on working with the Convention and Visitors Bureau and Ypsi Real.

X COUNCIL PROPOSED BUSINESS

- a) **Tooson**
None
- b) **Symanns**
 1. Welcomed the new members of City Council.
- c) **Somerville**
 1. Welcomed the new members of City Council.
 2. Nominated Shawn White to the Zoning Board of Appeals. The Nomination was seconded by Council Member Wilcoxen.
 3. Nominated Brian Jones-Chance to the Planning Commission. The nomination was seconded by Council Member Symanns.
- d) **Wilcoxen**
 1. Provided an update regarding the Pen Dam removal. He stated that there are several grant opportunities available, and the Huron River Watershed Council has already received one grant. The proposed timeline for dewatering and deconstruction is sometime in 2024.
- e) **Simmons**
 1. Stated interest in learning more about the issue regarding solar paneling as brought up during audience participation.
 2. Stated that with the change in the state legislature it is time to begin examining rent control preemption.
- f) **King**
None

XI COMMUNICATIONS FROM THE MAYOR

1. Welcomed the new Council and stated excitement for the opportunities ahead.

XII COMMUNICATIONS FROM THE CITY MANAGER

1. Welcomed the new Council members.

2. Stated the Finance Director is working to prepare new data on funding available for the dam removal project.
3. Stated a person must manage the parking system as being proposed by the Downtown Development Authority for the Frog island lot.
4. Stated the Police Department is actively recruiting and two individuals are being sent to the academy, and an officer was recently hired.
5. Stated that Joyce Parker has been decided to facilitate the Police Chief search.

XIII COMMUNICATIONS

- a) Fire and Police Pension Board Pension Grant Program

XIV PUBLIC COMMENT (3 MINUTES)

Four members of the public made comments.

XV REMARKS FROM THE MAYOR

XVI ADJOURNMENT

The meeting was adjourned at 7:45 PM.

- a) Resolution No. 2022-271, adjourning the City Council Meeting.
Council member Symanns moved to adjourn the meeting, seconded by Council Member Somerville. The motion carried on a voice vote.
- 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. 2022-273
December 6, 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>
Shawn White 118 Bell St Ypsilanti, MI 48197	ZBA	5/1/2025
Brian Jones-Chance 504 Maus Ypsilanti, MI 48198	Planning	5/1/2024

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 6 day of December 2022

#Resolution No. 2022-273



Resolution No. 2022-274
December 6, 2022

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, there is a vacancy for Council Member in Ward 3; and

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

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council approve the application and application process for the Ward 3 Vacancy.

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
6 day of December 2022

#Resolution No. 2022-274

OVERVIEW OF PROCESS

Ypsilanti City Council Ward 3 Appointment

1. Propose and agree to timeline and process (During 12/06/2022 Regular Meeting)
2. City Clerk will send out press release and publicly post timeline, process, and application materials. Send directly to any persons already having expressed interest in the position. Materials to be posted by 5pm on Wednesday, December 7th. Include or reference in these materials:
 - a. Vacancy has occurred for Ward 3 seat
 - b. City Council member duties, expectations, and compensation.
 - c. Basic requirements of candidates (age, residency)
 - d. Candidate Application form
 - e. Overview of Process and Summary of Timeline
3. Application packets to be turned in by 4 pm on Thursday, December 15, 2022, to City Clerk, either in person or in hard copy at City Hall or electronically to City Clerk. Clerk will confirm receipt of application in writing via email.
4. City Clerk will verify identity and eligibility of each candidate. (*Affidavit of Identity*)
5. Clerk will compile all applicant materials and distribute to Council members by 5pm on Thursday, December 15, 2022. Council application materials will also be made available for public viewing on the city's website and at the City Clerk's office. Council Members will review materials and make selections for interview.
6. Council will inform the Clerk's Office their preferred top three applicants to interview. The City Clerk will communicate to all applicants whether they have been selected for an interview.
7. Council members can submit up to 2 questions to be asked of all candidates by 5 pm Monday, December 19, 2022. The Clerk will compile these and make a list of a total 12 questions for all candidates to be prepared to address during their interview.

SUMMARY OF TIMELINE

Ypsilanti City Council Ward 3 Appointment

Tuesday, December 6, during Council	Council decides on process & timeline
Wednesday, December 7, 5 pm	Council candidate application packet/information released
Thursday, December 15, 4 pm	Deadline for Council candidate application materials
Thursday, December 15, 5 pm	Compiled candidate application materials distributed to Council and posted for public
Monday, December 19, 5 pm	Deadline for Council members to submit interview questions to Clerk
Wednesday, December 21, 6 pm	Council will hold Special Meeting to interview and possibly vote on choice among top candidates.
Tuesday, January 10, 7 pm	Council will deliberate and vote on choice among top candidates. New Council member sworn in.

8. Candidates selected for interviews will come before Council at 6 pm on Wednesday, December 21st. Each candidate will have 1 minute to introduce themselves, and then one minute each to address the questions they've been provided in advance. Council may deliberate and if appoint.
9. Council will vote at its Regular Meeting of Tuesday, January 10th. Deliberation will conclude when voting is complete. Council member appointee is confirmed when there are 4 of the 6 votes voting for a candidate in the affirmative.



APPLICATION FOR APPOINTMENT TO THE YPSILANTI CITY COUNCIL WARD #3

Thank you for your interest in serving the community as a Ward 3 Council Member of the Ypsilanti City Council.

The timeline for filling the Council vacancy is as follows:

- Thursday, December 15, 2022:** Applications due to City Clerk by 4:00 p.m.
Wednesday, December 21, 2022: Candidate interviews
Tuesday, January 10, 2023: Council vote and swearing in of new Councilmember

To be considered, your application must be completed and received by the City Clerk (***in person***) at Ypsilanti City Hall (1 S. Huron St.) **no later than 4:00 p.m. on Thursday, December 15, 2022.** Applications received after 4:00 p.m. will not be accepted. Additional written information after this date will not be accepted, unless requested by the City Council.

Please submit the following items:

- Application form
- A **1 page** cover letter indicating your interest and general qualifications for the position.
- A resume of **no more than 2 pages.**
- Answers to the Supplemental Questions of **no more than 3 pages total.**

For further information, please contact
Andrew Hellenga at 734-483-1100
ahellenga@cityofypsilanti.com

The application and any correspondence
should be addressed to:

**Andrew Hellenga, City Clerk
City of Ypsilanti**

1 S. Huron St

Ypsilanti, MI 48197

Councilmember Eligibility, Requirements, & Public Disclosure

To be eligible to be appointed to the Ypsilanti City Council Ward #3 position, you:

- Must have continuously resided within the City of Ypsilanti Ward 3 for a minimum of 30 days prior to your appointment to the Council, and
- Must be a registered voter in the City of Ypsilanti Ward 3.

If you hold, participate in or are involved in any contract(s) with the City of Ypsilanti, please explain your involvement in your cover letter.

If you hold any other elected public office, please state what office and where in your cover letter.

Please note that:

- Once a Councilmember application is filed with the City, it is a public record available to the public.
- Applications received from all candidates who meet the minimum requirements, along with the answers to the supplemental questions, will be posted on the City of Ypsilanti website as part of the Council's meeting packet the week of the initial interview.
- If appointed, you will be required by state law to file financial disclosure statements with the Washtenaw County Clerk's Office (www.ewashtenaw.org).



City Council Duties

- Attendance is required at regular City Council meetings, which are held on the first and third Tuesday evenings of each month, from 7:00 pm to 10:00 pm and occasionally later. From time to time, the City Council or Mayor may call special City Council meetings to handle city business.
- Ypsilanti City Councilmembers are bound by state and federal law and the Ypsilanti City Charter. Ypsilanti City Councilmembers must follow Ethical Principles that are set out in the Ypsilanti City Charter and the provisions of the state law and city ethics ordinance.
- Ypsilanti City Councilmembers are bound by the Michigan Open Meetings Act and the Freedom of Information Act. These acts provide for full disclosure of the actions of council members. Councilmembers are required to report all financial dealings with the city annually.



APPLICATION FOR APPOINTMENT TO YPSILANTI CITY COUNCIL WARD #3 POSITION

Applicant Information

(Please type or print)

Applicant Name _____

Residence Address _____

Home Phone _____ Work Phone _____

E-Mail _____

Cover Letter & Resume

Please attach a one page cover letter and a resume of no more than two pages to this application.

Supplemental Questions

Please respond to the following questions regarding your interest in the position of Councilmember for the City of Ypsilanti on separate pages using no more than 3 pages total:

1. Why are you interested in serving as an Ypsilanti City Councilmember?
2. What strength would you bring to the Council?
3. What are the three highest priorities and/or issues you believe the City needs to address? How would you propose to address these issues?
4. Explain your current and past community involvement and/or service on city, nonprofit, or public boards, committees, task forces, or commissions and how this has contributed to the Ypsilanti community. Address its relevance to the position of Ypsilanti City Councilmember.
5. What do you wish to accomplish during this appointed term as an Ypsilanti City Councilmember?
6. What is your vision for our City and community?
7. Is there anything else that you may wish to add that would help us get to know you a little better?

Please return (*in person*) this form, your cover letter, resume, and answers to the supplemental questions to the City Clerk, at Ypsilanti City Hall (1 S. Huron St.) **no later than 4:00 p.m. on Thursday, December 15, 2022.**

Applications received after 4:00 p.m. will not be accepted.

The application and any correspondence should be addressed to:

**Andrew Hellenga, City Clerk
City of Ypsilanti
One South Huron Street
Ypsilanti, MI 48197**

Contact: City Clerk Andrew Hellenga
City of Ypsilanti Clerk Office
1 S. Huron Street
Ypsilanti, MI 48197
Phone: (734) 483-1100
Fax: (734) 487-8742
ahellenga@cityofypsilanti.com



Press Release

City Council Accepting Applications for Ward 3 Council Member Vacancy

Ypsilanti MI, December 7, 2022. The Ypsilanti City Council is accepting applications to fill the Council Member – Ward 3 vacancy. Applications are available on the city's website at www.cityofypsilanti.com and at the City Clerk's office, 1 S. Huron Street, Ypsilanti, MI.

To be eligible to be appointed to this position, you must have resided within the City of Ypsilanti Ward 3 for a minimum of 30 days prior to your appointment to Council; and you must have been a registered voter in Ward 3 on or before December 11, 2022.

All applications must be completed on the application form and received by the City Clerk **in person** at Ypsilanti City Hall **no later than 4:00 p.m. on Thursday, December 15, 2022.** Candidate interviews will take place Wednesday, December 21, 2022, with Council selecting a candidate during the January 10th meeting.



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: Christopher Jacobs
DATE: December 6, 2022
SUBJECT: Overnight Warming Shelter at St Luke's Episcopal Church

DESCRIPTION:

Overnight Warming Shelter at St Luke's Episcopal Church

SUMMARY:

In September 2022, former Councilmember Brian Jones-Chance began exploring the possibility of an overnight warming shelter at St Luke's Episcopal Church located at 120 N Huron St. St Luke's is among the oldest churches in the City of Ypsilanti tracing its roots back to the 1830s and was a natural fit for supporting this initiative because of their strong legacy of social justice in the community. In keeping with that spirit and tradition, St Luke's has offered to make their lower-level great hall and restrooms available for an overnight warming shelter to host up to 20 individuals Monday-Thursday from 7pm-8am.

If approved by City Council this will be the first winterlong overnight warming shelter in the modern history of Ypsilanti. The daytime and overnight warming shelters in Ypsilanti will be integrated with Delonis in Ann Arbor to provide a robust level of support including meals, transportation, and case management. This will ensure that 24 hours a day, four days a week, there is a place for those experiencing homelessness in Ypsilanti. It is another step in the remarkable transformation of community and mental health services taking shape in the City over just the last two years but there remains a tremendous amount of work to be done to cover the 3 day gap in local services Friday-Sunday. We will continue to explore local options to cover this 3-day gap and identify a long-term solution better designed and intended to provide a full range of services including shower and laundry facilities. In summary, the daytime warming center at the Freighthouse will be open 8am-7pm and the overnight shelter will be open 7pm-8am Monday to Thursday.

Staff from the Police Department, Fire Department, and Planning Department have met numerous times over the last several months to work through and think about every detail to successfully operate an overnight warming shelter at this location, from building security to fire safety protocols, and contingency planning. We collectively feel confident this service can be

provided safely at the location with the support of the Shelter Association of Washtenaw County. SAWC has been hard at work over the last several months to staff up the operational capacity to provide these services. We expect the Overnight Warming Shelter can be operational at St Luke's on or after Monday December 12th.

The Downtown Development Authority has committed \$25,000 to the City of Ypsilanti over the next two years to provide support for the initiative and that can be executed with the revenue sharing agreement provided with this RFL. The primary operation of the Ypsilanti Freighthouse as a private event space continues to generate significant revenues and year over year growth. Based on paid contracts to date and those until the end of the FY 2023 we are confident in amending the budget to adjust projected Freighthouse revenue from \$115,000 to \$150,000. This is a conservative estimate considering the additional \$18,000 in revenue approved by the UMS tenancy agreement and stronger than expected demand. Between the \$25,000 agreement with the DDA and \$35,000 in new revenue this initiative is paid for without additional burden on the City budget.

RECOMMENDED ACTION: Staff is seeking Council to approve the Memorandum of Understanding with the Shelter Association of Washtenaw County and St Luke's Episcopal Church to support the overnight warming shelter at 102 N Huron St. Staff also recommends approving the budget amendment to pay for the cost of providing this service totaling \$55,000 and approving the revenue sharing agreement with the Ypsilanti Downtown Development Authority to help share in this cost.

ATTACHMENTS:

Freighthouse MOU

Budget Amendment

Revenue Sharing Agreement with YDDA

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2022-275
December 6, 2022

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti recognizes the importance of an overnight warming shelter during the cold harsh winter months in Michigan and seeks to assist our most vulnerable; and

WHEREAS, the City operates the Ypsilanti Freighthouse and generates revenue to help support the ongoing maintenance and community purpose of the space; and

WHEREAS, the investment in a warming center at the Freighthouse is part of a broader strategy to prioritize community health collaboration with community partners like the Shelter Association and Ypsilanti Downtown Development Authority; and

WHEREAS, St Luke's Episcopal Church has offered to host an overnight warming shelter at 120 N Huron St and the Shelter Association will provide operational support as detailed in the following memorandum of understanding

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council approve the budget amendment as provided, the revenue sharing agreement with the Ypsilanti Downtown Development Authority and the Memorandum of Understanding with the Shelter Association of Washtenaw County and St Luke's Episcopal Church to jointly operate an overnight warming shelter at 120 N Huron beginning in December 2022 and ending by April 2023 and authorize the Mayor and City Clerk to sign on behalf of the city.

OFFERED BY: _____

SECONDED BY: _____

YES:

NO:

ABSENT:

VOTE:

#Resolution No. 2022-275

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

#Resolution No. 2022-275

**MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF YPSILANTI AND
SHELTER ASSOCIATION OF WASHTENAW COUNTY AND THE PARISH OF ST. LUKE'S
EPISCOPAL CHURCH IN THE CITY OF YPSILANTI, STATE OF MICHIGAN FOR THE
OPERATION OF AN OVERNIGHT WARMING CENTER**

This Memorandum of Understanding ("MOU") is entered into on this 7th day of December, 2022 by the **City of Ypsilanti**, a Michigan Home Rule City located at 1 South Huron Street, Ypsilanti, MI 48197 (hereinafter "City") and **Shelter Association of Washtenaw County**, a non-profit located at 312 W Huron St, Ann Arbor, MI 48103 (hereinafter "SAWC"), and **The Parish of St. Luke's Episcopal Church in the City of Ypsilanti** located at 120 North Huron Street, Ypsilanti, MI 48197 (hereinafter St. Luke's).

Purpose

WHEREAS, the City seeks to provide a nighttime warming center location for those in need as well as ancillary support services; and

WHEREAS, SAWC specializes in providing temporary shelter and connections to services in a safe and caring environment and works with the community to allocate the necessary resources to meet the needs of people who are experiencing homelessness; and

WHEREAS, the City is interested in cooperating with SAWC and St. Luke's to provide staffing to support the nighttime warming center at St. Luke's Monday - Thursday from 7 pm to 8 am; and

WHEREAS, SAWC has provided a quote of \$55,000 to provide these services and St. Luke's will make use of part of its building (the premises) and the City of Ypsilanti has approved a budget amendment to support these costs;

NOW, THEREFORE, in consideration of the foregoing and in consideration of the agreements of the Parties hereto, the City and SAWC and St. Luke's mutually agree as follows:

Agreement

This MOU constitutes the entire agreement between the parties with respect to the subject matter expressed in this MOU. This MOU will not be modified or amended without the consent of each party hereto, which consent must be evidence by an instrument in writing executed by each party or by their respective successors or permitted assigns.

As the service provider for the nighttime warming center at St. Luke's, SAWC agrees to:

1. Provide 2 full time staff Monday – Thursday from 7 pm to 8 am starting on or after December 12, 2022 and continuing through March 31, 2023.
2. Provide case management services in kind.
3. Provide for supplies used in normal business resulting from the operation of the nighttime warming center.
4. Clean and sanitize the premises after each use.
5. SAWC will indemnify, defend, and hold City and St. Luke's harmless from any and all liability arising out of or in any way related to SAWC performance of services.
6. Provide liability insurance for the operation of the warming center during these dates and times and name the City of Ypsilanti and St. Luke's additionally insured.
7. Provide transportation in the form of bus tokens to and from the Delonis Overnight Shelter.
8. Provide suitable bedding for the persons served and install and take down as needed.
9. Provide daily dinner up to 20 persons at the Ypsilanti Freighthouse.
10. Provide variety of programming brokered by shelter staff.

11. Follow and enforce the rules of St. Luke's Building Policies and Regulations as listed in Exhibit A.
12. SAWC is responsible for all withholdings for all employees, payment of state or federal unemployment compensation contributions, worker's compensation, and all benefits paid to SAWC employees.

As the housing provider for the nighttime warming center, St. Luke's agrees to:

1. License the use to City and SAWC and make the portions of the church home-the premises consisting of the Great Hall, lesser hall, and adjacent bathrooms required for the contract as agreed by the parties (the premises), available for the nighttime warming center between the hours of 7 pm to 8 am.
2. Provide all necessary furniture and fixtures (except bedding) heat, light and sanitary facilities as presently existing at St. Luke's.
3. Make the premises available to the Shelter Association of Washtenaw County and provide its staff keys and training on the operation and building policies and regulation that govern activity at the premises.

As the entity responsible for providing payment for the services described herein, the City agrees to:

1. Pay \$55,000 to SAWC for the services described above prorated monthly.
2. The Parties will seek to work in good faith to ameliorate any disputes, issues, or challenges unforeseen with regard to the operation of the nighttime warming center and use the services of the Ann Arbor Dispute Resolution Center to mediate any such disputes, issues or challenges not solved by first negotiation of the parties.

This agreement is valid from December 12, 2022 to April 1, 2023. Any parties may withdraw from this MOU upon 15 days written notice to the other parties or should the premises become uninhabitable. Any amount due upon the withdrawal will be prorated. An electronic signature obtained via DocuSign or an electronic copy of a physical signature may be accepted in lieu of original signatures.

This MOU has been duly authorized, executed and delivered by the parties hereto and constitutes a legal, valid, and binding obligation of such parties, enforceable in accordance with its terms. Each individual's signatory hereto represents and warrants that the signatory is duly authorized to execute the MOU on behalf of the signatory's principal. This MOU may only be amended by a written amended signed by the parties and their legal representatives.

Shelter Association of Washtenaw County

City of Ypsilanti

By: _____

By: _____

Daniel Kelly, Executive Director

Nicole Brown, Mayor

Date: _____

Date: _____

The Parish of St. Luke's Episcopal Church in the City of Ypsilanti

By: _____

Andrew Hellenga, Clerk of the City of Ypsilanti

By: _____

Date: _____

Allison Echlin, Senior Warden

Date: _____

Revenue Sharing Agreement between the City of Ypsilanti and the Ypsilanti Downtown Development Authority

This Agreement is between the Ypsilanti Downtown Development Authority (YDDA), of 1 South Huron St., Ypsilanti, MI 48197 and the City of Ypsilanti, of 1 S Huron St., Ypsilanti MI 48197 on November 17th, 2022

Introduction

The DDA seeks to contribute the community and economic development interests of Downtown Ypsilanti by financially supporting initiatives aimed at community health and safety. One of these initiatives is the proposed overnight warming center to be located at St Luke's Episcopal Church located at 120 N Huron St Ypsilanti, MI 48197. The Downtown Development Authority Board of Ypsilanti is thereby seeking to share \$25,000 annually from its 1.8282 operating revenue mills for the next 2 years.

1. This agreement shall be made null and void if the proposed overnight warming center is in operations for less than 10 nights per month in January 2023, February 2023, or March 2023 unless written authorization is provided by the DDA Board to excuse those dates a warming center could not be in operation.
2. City of Ypsilanti will contract with the Shelter Association of Washtenaw County to operate the overnight warming shelter at 120 N Huron for up to 20 guests between Monday-Thursday 8pm-7am.
3. To the fullest extent of the law City of Ypsilanti will defend, indemnify, and hold harmless the DDA from all losses, costs, expenses, claims, proceedings, actions and demands in respect of any alleged liability arising from this Agreement or its agreement with the Shelter Association of Washtenaw County or St Luke's Episcopal for operations at the overnight warming center.
4. This Agreement will be effective upon the DDA's receipt of a copy of it signed by the Mayor and City Clerk.

Ypsilanti DDA

By: _____
Christopher Jacobs
Executive Director
Date:

City of Ypsilanti

By: _____
Andrew Hellenga
City Clerk
Date:

By: _____
Nicole Brown
Mayor of Ypsilanti
Date:

CITY OF YPSILANTI, MICHIGAN

BUDGET ADJUSTMENT WORKSHEET

FISCAL YEAR: 2022/2023

FUND: 101 - General Fund

DEPT: Planning

REQUESTED BY: Christopher Jacobs

DATE: 12/6/2022

AMENDMENT#:

ACCT#	ACCT NAME	ADOPTED	AMENDED	REVENUE CHANGE	EXPENDITURE CHANGE	NEW AMENDED REVENUE BUDGET	NEW AMENDED EXPENDITURE BUDGET	REASON
101-4-7551-667-00	Freighthouse Rentals	115,000	150,000	35,000		150,000		Increased Freighthouse Rentals
101-4-0000-XX-XX	DDA Revenue Sharing Agreement	0	31,000	31,000		31,000		DDA support for overnight shelter
101-7-7551-818-00	Contractual Services	70,000	136,000		66,000		66,000	Cost for Overnight and Daytime Warming Shelter
						0	0	
						0	0	
						0	0	
						0	0	
						0	0	
						0	0	
						0	0	
						0	0	
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						0	0	
						0	0	
						0	0	
NET CHANGE IN BUDGET:				66,000	66,000	181,000	66,000	

Approved by City Manager: _____ Date: _____

Approved by City Council (if required): _____ Date: _____

#N/A



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: Christopher Jacobs
DATE: December 6, 2022
Bicentennial Budget Amendment for Downtown New Year's Eve Ball
SUBJECT: Drop

DESCRIPTION:

Bicentennial Budget Amendment for Downtown New Year's Eve Ball Drop

SUMMARY:

Ypsilanti celebrates its Bicentennial in 2023, and we have an excellent opportunity to bring in the new year with festivities that help support community engagement and Downtown businesses. The commission has decided to honor the new year with an NYE ball drop on Black Lives Matter Blvd. (S. Washington Street) The event will include a ball drop at 7 PM for all ages, followed by the main event at midnight.

If City Council approves, this will be a fantastic event to acknowledge our 200 years as a city. The commission believes Black Lives Matter Blvd (S. Washington St) is central and ideal for New Year's Eve. In the district, businesses open late this evening and are within walking distance of the location. As we approach midnight, people will congregate and join the celebration and we will plan to safely close S Washington Street at 6pm that day. The Bicentennial Commission has been working closely with the DDA, local businesses, and the Ypsilanti Historical Society over the past year to plan events for 2023 and this will be a great way to kick off the festivities. The Bicentennial Commission has fundraised for this event and is asking for a budget amendment to support it.



RECOMMENDED ACTION: Staff is seeking Council to approve the budget amendment recommended by the Bicentennial Commission and approve \$15,000 for the upcoming New Year's Eve Event.

ATTACHMENTS:

TLS Productions Quote

Bicentennial Commission Resolution

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2022-276
December 6, 2022

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS; The Bicentennial Committee has planned the 2023 New Year's Eve event to take place downtown and has chosen TLS Productions to implement the ball drop at midnight; and

WHEREAS; The Bicentennial Committee requests that funds from the Bicentennial account be released upon final invoice for services to not exceed \$15,000 by the City Manager and Finance Director,

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council approve the budget amendment as provided to support the New Year's Eve Bicentennial Ball Drop on South Washington Street.

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 6 day of December 2022

#Resolution No. 2022-276

TLS Productions Inc. - AnnArbor
 78 Jackson Plaza
 Ann Arbor, MI 48103
 Ph: (810) 220-8577



JOB CONTRACT

Invoice to:		Delivery Address:	Job # 242131
Ypsilanti DDA 1 S. Huron St., Ypsilanti, Michigan 48197 Contact: Christopher Jacobs Phone: Cell: Email: cjacobs@cityofypsilanti.com		Downtown Ypsilanti 15 S. Washington St., Ypsilanti,Michigan 48197 Contact: Christopher Jacobs Room: Contact: Christopher Jacobs Phone: Cell:	Order Status: Quote Only Order Date: 11/8/2022 Sales Person: Robert Glowacki Email: bobby.glowacki@tlsproductionsinc.com PO # Terms: 33% Deposit, Net 30
Prep 12/30/2022, -		Freight In 12/31/2022, -	Rehearsal 12/31/2022, -
Freight out 1/1/2023, -		Return 1/1/2023, -	Job Modified: Nov 14 2022 4:52PM
JOB DESCRIPTION: Ypsilanti Bicentennial NYE Ball Drop-Downtown			

SCOPE OF JOB:

- Scope of work to include rigging of a client or local artists "NYE Ball" from TLSP supported rigging. Item should not weigh in excess of 150#. Provider of item should be onsite for install and dismantle, or bring to TLSP Warehouse prior to event as well as pick up from same location. Details to be further discussed upon confirmation.
 - If none is provided TLS can help find a solution that may result in additional costs.
- TLSP is currently only providing the support as well as lighting for the ball drop.
- It will be necessary to have the city turn off or bag any overhead parking lot lights that will effect the concept of the show.
- Install will be the day of show in order to reduce labor needs
- Audio can be provided for a cost of \$500 plus appropriate taxes.
- Final site survey will be required after 12/19 but before 12/23. Any major changes will result in additional costs.
- Deposit of 33% will be required 2 weeks out, and the remaining balance will be due upon final invoice.
- Tax Exempt is available with proper proof.

Other Notes:

- TLSP will require the street parking along Washington directly in front of the building, as well as 2 spots along Ferris be bagged for our use starting morning of 12/31.
- Client is responsible for all necessary permits and permissions.
- Please note that there is a 3% credit card processing fee for payment.

TLS Productions Inc. - AnnArbor

78 Jackson Plaza
Ann Arbor, MI 48103
Ph: (810) 220-8577

**JOB CONTRACT**

Delivery Address:		Job # 242131
Ypsilanti DDA 1 S. Huron St., Ypsilanti, Michigan 48197	Downtown Ypsilanti 15 S. Washington St., Ypsilanti, Michigan 48197 Contact: Christopher Jacobs	Order Status: Quote Only Order Date: 11/8/2022 Sales Person: Robert Glowaski Email: bobby.glowacki@tlsproductionsinc.com
Contact: Christopher Jacobs Phone: Fax: Email: cjacobs@cityofypsilanti.com	Room: Contact: Christopher Jacobs Phone: Email: cjacobs@cityofypsilanti.com	PO # Terms: 33% Deposit, Net 30

Prep 12/30/2022, -	Freight In 12/31/2022, -	Rehearsal 12/31/2022, -
Freight out 1/1/2023, -	Return 1/1/2023, -	Job Modified: Nov 14 2022 4:52PM

JOB DESCRIPTION: Ypsilanti Bicentennial NYE Ball Drop-Downtown**Ball Drop**

Quantity	Description	Duration	Price	Extended	Taxable
1	Rigging Support Package <i>All necessary items to affix motor/ball to structure.</i>	1 Weeks	\$500.00	\$500.00	T
1	RIG MOTOR 1/2 TON 1PH 16FPM (110v motor)	1 Weeks	\$200.00	\$200.00	T
4	Chauvet Color Strike M Blinder and Strobe IP65	1 Weeks	\$175.00	\$700.00	T
6	IP65 Hybrid Moving Head	1 Weeks	\$275.00	\$1,650.00	T
10	Chauvet Color Dash LED Par	1 Weeks	\$40.00	\$400.00	T
24	CABLE PER FIXTURE (W/ DMX)	1 Weeks	\$10.00	\$240.00	T
8	25 LBS Shot Bag	1 Weeks	\$0.00	\$0.00	T
1	Lumen Radio DMX Transmitter DTX-1	1 Weeks	\$20.00	\$20.00	T
1	Lumen Radio DMX Receiver DRX-1	1 Weeks	\$20.00	\$20.00	T
2	SFX BASE CLASSIC FOGGER	1 Weeks	\$40.00	\$80.00	T
1	CTL MA onPC Control Wing	1 Weeks	\$200.00	\$200.00	T
1	CTL DMXLAN NODE 8 sACN	1 Weeks	\$35.00	\$35.00	T
4	SFX GEYSER P6 PACKAGE <i>FLUID TANK MUST BE EMPTY FOR TRANSPORT</i>	1 Weeks	\$40.00	\$160.00	T
18	LGT FREEDOM PAR QUAD-4 <i>EACH FREEDOM PAR QUAD-4 COMES WITH AN EDISON TO IEC CHARGING CABLE</i>	1 Weeks	\$15.00	\$270.00	T
2	TRS 14" X 24" X 10' SECTION	1 Weeks	\$45.00	\$90.00	T

Support

Quantity	Description	Duration	Price	Extended	Taxable
1	Generator <i>Power for lighting and video.</i>	1 Weeks	\$400.00	\$400.00	T
1	10' x 10' Walled Tent <i>Control Room</i>	1 Weeks	\$50.00	\$50.00	T
2	Heater	1 Weeks	\$50.00	\$100.00	T
1	SCISSOR PER DAY	1 Sale	\$450.00	\$450.00	T

Project Management

Quantity	Description	Duration	Price	Extended	Taxable
1	PROJECT MGT FEE	1 Sale	\$1,500.00	\$1,500.00	T

Labor

Quantity	Start Date	Talent	Task	Duration	RT	OT	DT	Unit Price	Subtotal
Dec 29 2022									
1	Dec 29 2022	Onsite Project Manager	Prep Day	1 Day(s)	1	0	0	\$700.00	\$700.00
Dec 30 2022									
1	Dec 30 2022	Onsite Project Manager	Programing	1 Day(s)	1	0	0	\$700.00	\$700.00
Dec 31 2022									
1	Dec 31 2022	Onsite Project Manager	Show	1 Day(s)	1	0	0	\$700.00	\$700.00
2	Dec 31 2022	Local Hand	Install	6 Hour(s)	6	0	0	\$65.00	\$780.00
1	Dec 31 2022	Local Hand	Show/Dismantle	8 Hour(s)	8	0	0	\$65.00	\$520.00
Jan 1 2023									
1	Jan 1 2023	Local Hand	Dismantle/Freight Out	4 Hour(s)	4	0	0	\$65.00	\$260.00

Delivery/Misc

Quantity	Description	Price
1	Trucking	\$600.00
1	Fuel/Propane	\$150.00
1	Expendables/Fog	\$100.00

Rental Total:	\$5,115.00
Sales Total:	\$1,950.00
Labor:	\$3,660.00
Delivery:	\$0.00
Misc:	\$850.00
Tax:	\$423.90
Job Total:	\$11,998.90



Resolution No. 2022-007
, 2022

RESOLVED BY THE BICENTENNIAL COMMITTEE OF THE CITY OF YPSILANTI:

Whereas; The Bicentennial Committee has planned the 2023 New Year's Eve event to take place downtown and has chosen TLS Productions to implement the ball drop at midnight; and

Whereas; The Bicentennial Committee requests that funds from the Bicentennial account be released upon final invoice for services to not exceed \$15,000 by the City Manager and Finance Director.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

BUDGET ADJUSTMENT WORKSHEET

2022/2023

101 - General Fund

Planning

Christopher Jacobs

12/6/2022

NET CHANGE IN BUDGET:	25,000	15,000	25,000	20,000
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Date: _____

Date: _____

S:\Clerk's Office\CITY COUNCIL MEETINGS\CITY COUNCIL MEETINGS\2022 City Council Meeting\12-6-2022\Bicentennial NY Eve\Bicentennial Budget Amendment.xlsx\Sheet1



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: Bonnie Wessler
DATE: December 6, 2022
SUBJECT: Factory Street & LeForge Street Bridges Preventative Maintenance – Design Engineering Services

DESCRIPTION:

Factory Street & LeForge Street Bridges Preventative Maintenance – Design Engineering Services

SUMMARY:

The City of Ypsilanti was awarded an MDOT Local Bridge Grant to complete preventative maintenance projects on the Factory and LeForge Street bridges for State fiscal year 2024. The City's contract engineer, OHM has submitted a proposal to provide design engineering services for an amount not to exceed \$88,500. The scope of work in the proposal includes: detailed inspection of the bridge, topographic survey, preparation of the bridge repair plans for grade inspection and bidding, maintenance of traffic plans for the closure and detour, permitting, and utility coordination (more fully described in the attached). Please note that the schedule as laid out in the attached will be updated at the meeting and prior to final acceptance of the proposal.

The estimated cost of the maintenance work to be performed on Factory is \$366,600 and on LeForge is \$268,000. The grant requires the City to provide 5% of that cost. It is anticipated that we will budget for and provide these repairs in the 2023-2024 and 2024-2025 fiscal years.

RECOMMENDED ACTION: Approval

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2022-277
December 6, 2022

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti have been allocated funds by the Michigan Department of Transportation to perform rehabilitation work on the Factory and Leforge Street Bridges; and,

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

WHEREAS, design engineering is necessary prior to bidding;

NOW THEREFORE BE IT RESOLVED THAT that the City of Ypsilanti approves the proposal from OHM for design engineering services for an amount of \$88,500

AND FURTHER THAT any change orders may be approved by the City Manager, to facilitate the completion of this work.

OFFERED BY: _____

SECONDED BY: _____

YES: NO: ABSENT: VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this 6 day of December 2022

#Resolution No. 2022-277



May 6, 2022

Mr. Ron Akers, AICP
Director of Public Services
City of Ypsilanti
One South Huron Street
Ypsilanti, MI 48197

RE: Preventive Maintenance for Factory Street and Leforge Street bridges over the Huron River

Dear Mr. Akers:

OHM Advisors assisted the City of Ypsilanti with a successful application for funding preventive maintenance work for the Factory Street and Leforge Street bridges over the Huron River through the Michigan Department of Transportation Local Agency Bridge Program (MDOT LAP). The proposed work on the Factory Street bridge includes removal and replacement of the existing HMA surface and waterproofing membrane, top of beams and sidewalk patching and approach work. Proposed work on the Leforge Street bridge includes deck patching and placing an epoxy overlay on the deck surface, sidewalk patching, abutment patching and approach work. Funding is for MDOT's 2024 fiscal year (Oct 1-Sept 30). OHM Advisors is pleased to provide the following proposal for bridge design services.

WORK PLAN

The following services are included for the design of the bridges' preventive maintenance:

- ▶ Topographic survey of select areas of the bridges for plan development. A full topographic survey of each bridge is not anticipated due to the nature of the work.
- ▶ Review bridge condition through a field visit to evaluate repairs and limits.
- ▶ Coordination with existing utilities for protection or relocation.
- ▶ Preparation of bridge plans, special provisions, specifications, programming application, SHPO and NEPA required forms for MDOT LAP bidding.
- ▶ Attend Preliminary Plan Review (GI) meeting with City and MDOT.
- ▶ Calculate quantities and opinion of probable cost.
- ▶ Perform load rating for the Factory Street bridge considering the new overlay. This is a load rating requirement per MDOT/FHWA because the existing overlay was changed.
- ▶ Post-construction inspection and updating inspection reports on MDOT's MiBridge database site.

Environmental Clearance and Programming

- ▶ Use of MDOT funding requires environmental clearance meeting FHWA/NEPA requirements.
- ▶ Work associated with NEPA requirements and guidelines includes clearance for threatened and endangered species and the SHPO clearance.

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LIVONIA, MICHIGAN 48150

T 734.522.6711
F 734.522.6427

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- Bat habitat assessment survey
- Preparation of Local Agency Environmental Clearance, form 5323.
- Complete the MDOT Programming Application and submit to MDOT LAP for acceptance.

Utility Coordination

- ▼ OHM recognizes the importance to identify utility impacts and coordinate utility relocation. For these preventive maintenance projects, we do not anticipate any impacts to existing utilities. However, OHM will:
 - Notify each utility company of the work planned for the project.
 - Verify location of facilities using record information provided by utility companies.
 - Identify impacts to utility facilities and coordinate the relocation of utility facilities.
 - Prepare utility coordination clause.
 - Attend up to one virtual meeting with utilities.

Work Zone Safety and Mobility and Maintenance of Traffic

- ▼ OHM will follow the “MDOT Work Zone Safety and Mobility Guide for Local Agencies”. In accordance with this guide, OHM will fill out MDOT Form #0369 “Local Agency Work Zone Safety & Mobility Determination Worksheet” and submit it as a part of the GI package.
- ▼ Traffic on both Factory Street and Leforge Street will be fully closed to traffic with a detour in place for the construction of the bridge deck overlays and repairs. A WCRC permit MDOT permit will be required for signing of these detours.
- ▼ Pedestrian traffic will be detoured on Factory and maintained on Leforge.
- ▼ OHM will coordinate with MDOT Office of Rail due to close proximity of the railroad to work on Leforge Street. OHM will fill out and submit MDOT form 1425 “Notification of Proposed Project Involving a Public Railroad Crossing”. It is not anticipated that more will be needed other than the completion of form 1425 as this project should not be impacting any rail traffic or causing any traffic backups onto the railroad.

Plan assumptions

- ▼ Plan set will consist of:
 - Title Sheet
 - Existing General Plan of Structure (For Removals)
 - Deck, Sidewalk, and Joint Repair Details
 - Substructure Repair Details
 - Approach Detail Plans (typical section, removal, and construction sheets)
 - Detour and Signing Sheet

Deliverables

The deliverables are to consist of:

- Program Application for Local Agency Bridge Projects form
- Construction Plans
- Engineer’s Estimate
- Special Provisions, Notice to Bidders, Coordination Clauses (Utilities and Projects in the area) as required for the project
- MDOT ROW Permit for Factory Street detour signing.



- Washtenaw County permit for Leforge Street detour.
- MDOT permit for Factory Street detour.
- Preliminary Load Rating on Factory Street (final with completion of construction project)
- Apply to County for SESC permit.

Exclusions

- ▶ Right-of-Way consent to grade or acquisition (none expected to be needed).
- ▶ EGLE permit (not expected to be needed).
- ▶ Mussel Survey.
- ▶ Hydraulic analysis.
- ▶ Scour analysis.
- ▶ Asbestos testing (not expected to be needed because date of last PM work indicates asbestos products were not used).
- ▶ SHPO clearance (work falls into SHPO exceptions categories and should not be required).
- ▶ Modifications to plans for any dealing with Norfolk Southern Railroad (not anticipated they will have involvement based on the proposed work).
- ▶ Construction Phase Engineering Services.

SCHEDULE

This work will proceed to support an October 2023 letting for spring/summer 2024 construction, assuming notice to proceed with design by July 1, 2022. Milestones for MDOT Local Agency Program review process (dates tentative as the LAP calendar does not extend out this far).

- | | |
|--|--------------|
| ▶ Submit NEPA documentation to MDOT | January 2023 |
| ▶ Submit Preliminary Plans to MDOT | April 2023 |
| ▶ Attend GI Meeting (to be scheduled by MDOT) | May 2023 |
| ▶ Submit Final Plans for approval to advertise | July 2023 |

COMPENSATION

OHM Advisors will invoice the City of Ypsilanti for the above stated services on an hourly not-to-exceed basis in accordance with the terms and conditions in the continuing services agreement between OHM and the City. Invoices will be sent monthly as work is performed. The total fee is estimated to be **\$88,500.00**. Additional services can be provided on a time and material basis, as requested.

As we submit this proposal, the world is still in the midst of the Covid-19 health crises and we believe there is an increased risk for potential schedule impacts. The Scope of Services includes a schedule that is based on operating in a normal environment. The OHM Advisors team, like the City, is adjusting our workflow logistics and our design teams are working remotely in a very effective manner. However, be aware that schedule impacts from elements such as field services delays, permitting agencies, utility companies, and key staff illness that neither OHM Advisors or the City have control over are more likely in the current environment. We will communicate proactively, clearly identify project issues as they arise and work with City staff to develop a plan to deal with the issues.



AUTHORIZATION AND ACCEPTANCE

If this proposal is acceptable to you, your signature on this letter with a copy returned to me will serve as our authorization to proceed.

Thank you for giving us the opportunity to be of service. We look forward to working with you on this project. If you have any questions or comments, please contact me at kim.orear@ohm-advisors.com or 734-466-4454.

Sincerely,
OHM Advisors

**Accepted for City of Ypsilanti
PM for Factory Street and Leforge Street bridges**

Kimberly O'Rear, PE
Senior Project Manager

(Signature)

Cc: Frances McMullan, City Manager
Bonnie Wessler, AICP, Project Manager
Rachel Jackson, PE, OHM Advisors
Kent Early, PE, OHM Advisors

(Printed Name)

(Title)

(Date)



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: Bonnie Wessler
DATE: December 6, 2022
SUBJECT: Forest Street Bridge Rehabilitation – Construction Engineering Services

DESCRIPTION:

Forest Street Bridge Rehabilitation – Construction Engineering Services

SUMMARY:

The City of Ypsilanti was awarded an MDOT Local Bridge Grant to complete a rehabilitation project on the Forest Street bridge. This project was awarded for 2023. The City's contract engineer, OHM, has submitted a proposal to provide project management and construction engineering services not to exceed \$268,210. The scope of work in the proposal includes: survey staking, contract administration, construction observation, construction engineering services, and geotechnical and materials services provided by subcontractor G2 Consulting.

The bid construction costs of the bridge are \$1,842,500 and the grant requires the City to provide 10% of that cost. This is an increase from the anticipated construction cost and the budget adjustment(s) will be forthcoming in a separate document.

RECOMMENDED ACTION: Approval

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2022-278
December 6, 2022

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti have been allocated funds by the Michigan Department of Transportation to perform rehabilitation work on the Forest Street Bridge; and,

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

WHEREAS, construction engineering is necessary to begin the project in the 2023 construction season;

NOW THEREFORE BE IT RESOLVED THAT that the City of Ypsilanti approves the proposal from OHM for construction engineering services for an amount of \$268,210

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

OFFERED BY: _____

SECONDED BY: _____

YES: NO: ABSENT: VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this 6 day of December 2022

#Resolution No. 2022-278

ARCHITECTS. ENGINEERS. PLANNERS.



November 10, 2022

CITY OF YPSILANTI
14 W. Forest Ave.
Ypsilanti, MI 48197

Attention: Bonnie Wessler, AICP
Director of Public Services

Subject: **Proposal for Construction Phase Engineering Services
Rehabilitation of Forest Avenue Bridge over the Huron River
MDOT JN 212304**

Dear Ms. Wessler:

OHM Advisors (OHM) is pleased to submit this proposal for construction phase engineering services for the rehabilitation project of the Forest Avenue Bridge over the Huron River in the City of Ypsilanti. This project was designed by OHM, and we have prepared our project understanding and scope of services based on previous experience executing bridge rehabilitation construction services and Michigan Department of Transportation (MDOT) Local Agency Projects (LAP).

PROJECT UNDERSTANDING

The two-span Forest Avenue bridge was selected by the Michigan Department of Transportation (MDOT) Local Bridge program to receive funding for rehabilitation in 2023. OHM prepared design documents to be bid through the MDOT bidding process and E.T. MacKenzie Company was the low bidder with a bid of \$1,842,500. The Forest Avenue bridge rehabilitation work will consist of deck patching, shallow concrete overlay, pier cap replacement, bearing replacement at the pier, approach reconstruction, guardrail replacement, slope paving repairs, and sidewalk widening.

The City has requested construction phase engineering services for the rehabilitation project of the Forest Avenue Bridge over the Huron River complete with staking, material testing, contract administration, and construction engineering.

SCOPE OF SERVICES

OHM Advisors has completed the necessary design work and contract documents associated with this project. The components of this work plan are as follows:

Survey Staking Services includes providing benchmarks along the project limits and staking for pavement restoration where required.

OHM Advisors
34000 PLYMOUTH ROAD
LIVONIA, MICHIGAN 48150

T 734.522.6711
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Contract Administration Services shall consist of the utilization of Field Manager software to track pay estimates and project pay quantities, materials used and testing results. Information tracked will be used in the resolution of claims and/or contract document interpretation along with reviews of project schedules to monitor compliance with deadlines. These services shall also include project closeout, consisting of final pay estimate preparation, obtaining closeout documents required from the contractor and a balancing change order reflecting all increases, decreases, credits and/or extras to the contract. The specific tasks included in construction administration include:

- ▶ Arrange and conduct a preconstruction meeting and bi-weekly progress meetings. OHM will prepare and distribute minutes for these meetings. Based on the Progress Clause in the contract, OHM anticipates there will be about eight (8) progress meetings.
- ▶ Notify the City immediately of any unanticipated field conditions and potential changes, extras, or adjustments to the contract before processing a Work Order and/or Recommendation.
- ▶ Resolve problems, issues, discrepancies, or other items brought to our attention by the Contractor or the City. Provide written documentation of the resolution of such issues. Keep the City informed of all such issues.
- ▶ Attendance at one (1) public engagement meeting, if requested.
- ▶ Assist in coordinating work with MDOT and keeping MDOT involved in communications.

Observation Services shall consist of full-time observation of the work progress by the Contractor(s) on days when critical items of work are performed. Daily field reports (IDR's) will be prepared documenting pay item quantities and the general work progress for the day. OHM will answer residents' questions and attempt to resolve complaints daily, during construction. OHM will also interact with the Contractor's supervisory personnel to notify them when work is unacceptable and in need of correction, or removal and replacement of specific work elements if the situation warrants. The specific tasks include:

- ▶ Perform observations for the Project consistent in accordance with the Specifications, Plans, Proposal, the Michigan MDOT Construction Manual, the Materials Sampling Guide, and all other applicable references, guidelines, and/or procedures manuals.
- ▶ Based on the Project Clause in the contract, OHM has estimated about 12-weeks of full-time inspection during bridge/road closure, and 5-weeks of part-time inspection for work the contractor will perform before the closure of the bridge/road to traffic and following the opening of the bridge/road to traffic.
- ▶ Keep daily diaries, sketches, logs, and records as may be needed to record the Contractor's progress. Notify the Project Engineer of any anticipated Contractor's requests for extensions of time.
- ▶ Provide observation of all Contractor field construction work, provide quality control, and confirm substantial conformance with the Specifications, Plans, and Proposal. Arrange for non-compliant work to be made whole by the Contractor or to find the non-compliance work acceptable to the City.
- ▶ Complete a final inspection of all work, or such portions thereof eligible for acceptance, after notification by the Contractor that the work is completed or after OHM'S records show the work is completed. The final inspection shall include notifying the Contractor in writing of defects to be remedied if work is not acceptable.



- ▼ Confirm the work has been performed in accordance with the plans and specifications, or such modifications, and recommend acceptance of the Project.

Construction Engineering Services shall consist of the supervision of the construction inspection staff to provide appropriate project staffing and project documentation. The specific tasks include:

- ▼ Shop drawing review.
- ▼ Resolution of construction issues/problems which may arise, review and recommendations to the City regarding claims from the contractor(s) including preparation of change orders, if required.
- ▼ OHM shall coordinate the efforts of materials testing by G2 Consulting Group and review materials testing reports to check for compliance with contract documents and make appropriate recommendations (when needed) to the City.
- ▼ OHM will develop and coordinate with the City, draft letters to the area businesses and residents at the start of construction and, when needed, send out letters when there are changes in construction sequences or schedule.
- ▼ Measure, compute quantities, and provide appropriate documentation of materials incorporated in work items. Maintain an item history using Field Manager.
- ▼ Track failed material tests and notify the Contractor.
- ▼ Field measure applicable items of work. Prepare final summaries for applicable items of work.

Geotechnical and Materials Testing is included and will be performed by G2 Consulting. Material testing will include testing of materials in accordance with MDOT requirements.

PROJECT SCHEDULE

We will begin work outlined in this proposal immediately upon authorization by the City. Per the Progress Clause in the contract, this project will take place during summer 2023, with close-out of contract to extend into the fall of 2023.

FEE SCHEDULE

OHM Advisors proposes to provide the above outlined professional services on an hourly – not to exceed basis, in accordance with the continuing services agreement between the City and OHM. Invoices will be sent monthly as work is performed:

<u>Description</u>	<u>Fee</u>
Geotechnical and Materials Testing per MDOT (G2)	\$ 29,110.00
<u>Construction Phase Services.....</u>	<u>\$ 239,100.00</u>
TOTAL	\$ 268,210.00



ASSUMPTIONS/CLARIFICATIONS

The above fee is based on the following assumptions:

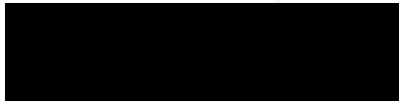
- ▮ Additional attendance at public meetings other than noted above are not included.
- ▮ Easement preparation and permit fees are not included.

AUTHORIZATION

If you find this proposal acceptable, please provide us authorization to proceed by signing the proposal below and returning it to us. We appreciate the opportunity to provide you with this proposal. Please feel free to contact us if you have any questions or need any additional information at (734) 522-6711.

Sincerely,

OHM Advisors



Kent Early, PE
Chief Operating Officer

cc: Frances McMullan, City Manager
Kim O'Rear, PE, OHM Advisors
Thomas Bachmayer, PE, OHM Advisors
Rachel Jackson, PE, OHM Advisors

Accepted for City of Ypsilanti

(Signature)

(Printed Name)

(Title)

(Date)



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: Bonnie Wessler
DATE: December 6, 2022
SUBJECT: Prospect Park Spark Grant Application

DESCRIPTION:

Prospect Park Spark Grant Application

SUMMARY:

The City has been working assiduously since 2018/19 to address deferred maintenance in the parks as well as upgrading them to a modern level of service. Recent updates have included the playgrounds in Parkridge Park, Candy Cane Park, and Riverside Park; as well as less-glamorous but much needed deferred capital maintenance such as park bench and signage replacement or safety improvements such as trail lighting. The City has been addressing some of these issues on a systemwide basis, such as the playground surfacing and grills; others on a park-by-park basis, such as many of the recent Parkridge improvements; and still others to take advantage of opportunities, such as the lighting along the recently restored Frog Island trail.

In Prospect Park there is a confluence of opportunity. This playground is the next-up on our list of playgrounds to replace, as it is difficult and expensive to source replacement parts for routine maintenance; the City recently received a bequest from the estate of Grace Sweeney towards a new playground; and the State recently released a new grant using pandemic funding intended to help address changing use patterns of recreational resources as a result of the pandemic. Prospect has a limited internal trail network with no paved connections to the parking area, pavilion, or sidewalk to the south, and no sidewalk paralleling Oak, from Vought to Charles, to the north. The bequest can be used as match funding for the State grant on the playground, and the State grant could also be used to pave and/or repave trails and sidewalks into and throughout the park.

As with all recent upgrades to parks and park equipment, the dual priorities will be accessibility and ease of long-term maintenance. Using the recent Candy Cane and Parkridge playgrounds as a benchmark for the playground portion, we estimate that an accessible play structure with similar surfacing would be approximately \$350,000. Using recent sidewalk/trail project

numbers, we anticipate the sidewalk and trail work to be approximately \$300,000. Staff recommends seeking \$600,000 from the Michigan DNR Spark Grant and

RECOMMENDED ACTION: Approval

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2022-279
December 6, 2022

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

WHEREAS, the playground at Prospect Park is heavily used by both the neighboring public Ypsilanti International Elementary School and members of the neighborhood; and

WHEREAS, the City is the recipient of a bequest from the estate of Grace Sweeney for the installation of an accessible playground in Prospect Park; and

WHEREAS, the adopted Parks and Recreation Master Plan calls out the need for both accessible pathways into the parks as well as accessible playgrounds; and

NOW THEREFORE BE IT RESOLVED, THAT the City Council hereby authorizes the submission of an application to the Michigan Department of Natural Resources Spark Grant Program in the amount of \$600,000 for the Prospect Park Project, matched by the bequest from the estate of Grace Sweeney.

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 6 day of December 2022

#Resolution No. 2022-279



Memorandum

To: Mayor and City Council

From: Frances McMullan, City Manager

Date: December 1, 2022

Subject: Denial of implementation of Resolution No. 2022-253

On November 1, 2022, Council passed Resolution No. 2022-253 directing the City Manager to consider and report on the feasibility of adding "Self-Professed Values" as a criterion in the City's procurement policies. As city manager, I recommend denial of implementation based on the criteria of staff time, cost of implementation, and a legal opinion. Below are the points that I've based my decision:

Staff:

- Approximately 300-400 work hours upfront to research our existing contracts and ongoing multiple hours researching companies and individuals the city would be entering contracts with.
- This would burden existing staff greatly. It would be very difficult to include this in current staff time, seeing that we would need to go back through all of the city's existing contracts.
- Number of open contracts from 2020 to present:
 - 2020 – 39
 - 2021 – 75
 - 2022 - 49

Cost of Implementation:

- Additional FTE at \$18.81 (Office Clerk) entry-level clerical that would spend at least half their time on a slow contract year.
- Oversight, research, and interpretation from City Attorney's office which would not be included in our retainer agreement.

Legal:

- City Attorney John Barr provided a legal opinion stating that this could violate one's first amendment.
- Based on the legal opinion this would open the city up to greater risk that could affect our insurance rates.

Attachments:

- Resolution No. 2022-253
- City Attorney opinion



Resolution No. 2022-253
November 1, 2022

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, in 1995, the Ypsilanti City Council established the Ypsilanti Human Relations Commission, now known as the HRC to protect the human and civil rights of the people of Ypsilanti;

WHEREAS, the mission of the HRC is tied to Ypsilanti's Non-Discrimination Ordinance which states that no individual be denied equal protection of the laws; nor shall any individual be denied the enjoyment of his or her civil or political rights;

WHEREAS, in April of 2021, the Ypsilanti City Council passed a resolution establishing Juneteenth as a recognized and commemorated annual holiday in part to continue celebrating the end of institutional slavery in America but also highlight the centuries long and incomplete struggle to redeem the American creed of equality for all; and

WHEREAS, the resolution further acknowledged the central and shameful role of slavery and government-structured racism in our history, and the moral imperative that we do all we can, resolved and united, to counter slavery's enduring legacy of race-based discrimination and institutional racism;

WHEREAS, the voter suppression bills, passed by the Michigan state legislature in 2021 and subsequently vetoed by Governor Whitmer, have now evolved into a signature drive called Secure MI Vote that could soon empower the legislature to pass the same measures without the ability of the Governor to veto;

WHEREAS, the so-called Secure MI Vote initiative, submitted more than 500,000 signatures on Friday, July 29, 2022 to empower the state legislature to pass voter suppression over the Governor's veto;

WHEREAS, the City Council shares Governor Whitmer's concern that the effect of these initiatives and bills, if implemented, would be to improperly depress the vote in various communities, i.e., communities of color, in particular Black voters, older voters, college students, and working class people;

WHEREAS, many Michigan-based corporations have made strong public statements in support of Black Lives Matter, signed the Declaration of War on Racism, and signed a joint statement opposing voter suppression bills previously vetoed by the Governor (collectively, "Self-Professed Values");

WHEREAS, it is acknowledged that companies, including entities that are recipients of contracts with the City of Ypsilanti, make campaign contributions for their own business reasons, and

WHEREAS, the City Council believes that campaign contributions effected by corporations who have articulated Self-Professed Values to elected officials and candidates who support the voter suppression bills of 2021 and the so-called Secure MI Vote are actions that are inconsistent with those corporations' Self-Professed Values;

NOW THEREFORE BE IT RESOLVED, that the City of Ypsilanti calls upon corporations that express Self-Professed Values and engage in political advocacy in Michigan to take concrete steps to align their advocacy with those Self-Professed Values, specifically, by means that include communication to lawmakers and candidates that emphasizes the importance of such person's support for the Self-Professed Values, and that corporations that express Self-Professed Values maintain or withhold support on the basis of such person's furtherance of same; and

BE IT FURTHER RESOLVED, the City Administrator is directed to consider and report to City Council on the feasibility of including in the City's procurement policies an evaluation of whether a potential vendor's political activities are in furtherance of, or in opposition to, such vendor's Self-Professed Values.

OFFERED BY: Council Member Symanns

SUPPORTED BY: Council Member Wilcoxon

YES: 7 NO: 0 ABSENT: 0 VOTE: Carried

I do hereby certify that the above resolution is a true and correct copy of Resolution 2022-253 as passed by the Ypsilanti City Council, at their meeting held on November 1, 2022.

Andrew Hellenga, City Clerk



**Barr,
Anhut &
Associates, P.C.**
ATTORNEYS AT LAW

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John M. Barr
Karl A. Barr

Jesse O'Jack ~ Of Counsel
Jennifer A. Merritt ~ Legal Assistant

MEMORANDUM

To: Frances McMullan, Ypsilanti City Manager
From: John M. Barr, Ypsilanti City Attorney
Date: November 2, 2022
Re: "Self-Professed Values"

You asked for my opinion concerning Council Resolution 2022-253. Your question "...is it legal for us to ask vendors or bidders about their political activities. Can you please provide me an opinion for my consideration?"

Council Resolution 2022-253 direction to you is as follows:

"BE IT FURTHER RESOLVED, the City Administrator is directed to consider and report to City Council on the feasibility of including in the City's procurement policies an evaluation of whether a potential vendor's political activities are in furtherance of, or in opposition to, such vendor's Self-Professed Values."

In simple language, City Council is asking you to advise Council of the ability of city staff to make a part of the city procedure in hiring work or services to determine if the vendor's actions align with the vendor's expressed political beliefs or values.

The City has a number of code provisions that prohibit discrimination. The code prohibits acting or not acting in a way that is forbidden as being illegal discrimination against someone.

The City (and no other U.S. government I can find) has never had any ordinance or prohibition on what a person thinks or values. Ordinance and laws allow or prohibit how one acts.



**Barr,
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Associates, P.C.**
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John M. Barr
Karl A. Barr

Jesse O'Jack ~ Of Counsel
Jennifer A. Merritt ~ Legal Assistant

The resolution 2022-253 is aimed at comparing political values (what a person thinks or says about something or holds true or dear) with the person's political acts.

The resolution can also be interpreted to ask staff to find out and compare what a vendor says (Self-Professed Values) as opposed to what a vendor does (political activities).

Nothing in Resolution 2022-253 requires the items investigated to be illegal.

A "Self-Professed Value" is a form of speech. Speech is protected by the U.S. and Michigan Constitutions.

The U.S. Constitution First Amendment provides: "*Congress shall make no law... abridging the freedom of speech...*"

The Michigan Constitution states in Sec. 5: *Every person may freely speak, write, express and publish his views on all subjects, being responsible for the abuse of such right; and no law shall be enacted to restrain or abridge the liberty of speech or of the press.*

The Michigan Attorney General in Opinion 5378 (1978) opined that neither the state nor its municipal corporations may require a citizen organization to provide information about its political goals and activities before granting a license.

Section 57 of the Michigan Campaign Finance Act (MCFA) stipulates a public body or person acting for a public body must not use or authorize the use of public funds or resources to make a contribution or expenditure to further the nomination or election of a candidate or the qualification, passage or defeat of a ballot question.

Based on all of the above it is my opinion that it would be illegal for the City of Ypsilanti to make investigations and procurement decisions based on political



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John M. Barr
Karl A. Barr

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Jennifer A. Merritt~ Legal Assistant

beliefs of vendors that do not constitute illegal discriminatory or other illegal acts.



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Executive Director/CEO



Government Finance Officers Association
203 North LaSalle Street, Suite 2700
Chicago, Illinois 60601-1210
312.977.9700 fax: 312.977.4806

11/11/2022

Lois Richardson
Mayor
City of Ypsilanti, Michigan

Dear Mayor Richardson:

We are pleased to notify you that your annual comprehensive financial report for the fiscal year ended June 30, 2021 qualifies for GFOA's Certificate of Achievement for Excellence in Financial Reporting. The Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

When a Certificate of Achievement is awarded to a government, an Award of Financial Reporting Achievement (AFRA) is also presented to the individual(s) or department designated by the government as primarily responsible for its having earned the Certificate. This award has been sent to the submitter as designated on the application.

We hope that you will arrange for a formal presentation of the Certificate and Award of Financial Reporting Achievement, and give appropriate publicity to this notable achievement. A sample news release is included to assist with this effort.

We hope that your example will encourage other government officials in their efforts to achieve and maintain an appropriate standard of excellence in financial reporting.

Sincerely,

A handwritten signature in cursive script that reads "Michele Mark Levine".

Michele Mark Levine
Director, Technical Services



GOVERNMENT FINANCE OFFICERS ASSOCIATION
NEWS RELEASE

FOR IMMEDIATE RELEASE

11/11/2022

For more information contact:
Michele Mark Levine, Director/TSC
Phone: (312) 977-9700
Fax: (312) 977-4806
Email: mlevine@gfoa.org

(Chicago, Illinois)—Government Finance Officers Association of the United States and Canada (GFOA) has awarded the Certificate of Achievement for Excellence in Financial Reporting to **City of Ypsilanti** for its annual comprehensive financial report for the fiscal year ended June 30, 2021. The report has been judged by an impartial panel to meet the high standards of the program, which includes demonstrating a constructive "spirit of full disclosure" to clearly communicate its financial story and motivate potential users and user groups to read the report.

The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

Government Finance Officers Association (GFOA) advances excellence in government finance by providing best practices, professional development, resources, and practical research for more than 21,000 members and the communities they serve.

203 NORTH LASALLE STREET, SUITE 2700, CHICAGO, ILLINOIS 60601-1210



Resolution No. 2022-280
December 6, 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
6 day of December 2022

#Resolution No. 2022-280