



**CITY OF YPSILANTI
REGULAR COUNCIL MEETING
Tuesday, March 7, 2023 @ 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. PUBLIC COMMENT (3 MINUTES)

VI. WORK SESSIONS 6 PM - 7 PM

- A. Police Chief Search Update - Frances McMullan, City Manager & Joyce Parker, MML

VII. ORDINANCES FIRST READING

4 - 16

- A. Ordinance 1408, an Ordinance Entitled "Amending Chapter 7 of the Ypsilanti City Code".
1. Resolution No. 2023-041, determination
 2. Public Hearing
 3. Resolution No. 2023-042, closing the public hearing
- [Supporting Documents - Pdf](#)

VIII. CONSENT AGENDA

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- A. Resolution No. 2023-043, approving the Consent Agenda.
[2023-043 - Pdf](#)

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- B. Resolution No. 2023-044, approving the minutes of February 7th and 28th, 2023.
[2023-044 - Pdf](#)

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- C. Resolution No. 2023-045, approving an Ordinance Entitled "Zoning Text Amendment: Supportive Housing" **(Second Reading)**
[2023-045 - Pdf](#)

IX. RESOLUTIONS/MOTIONS/DISCUSSIONS

- 40 - 54** A. Resolution No. 2023-046, approving the updated Community and Artist Survey, and the Request for Qualifications for the Community and Artists Survey outreach Consultant.
[2023-046 - Pdf](#)
- 55 - 62** B. Resolution No. 2023-047, approving the budget amendment to fund the Youth Poet Laureate Program.
[2023-047 - Pdf](#)
- 63 - 73** C. Resolution No. 2023-048, approving Michigan Department of Transportation Contract 22-5550, for the asphalt for Michigan Ave.
[2023-048 - Pdf](#)
- 74 - 82** D. Resolution No. 2023-049, approving a policy to govern the Youth Mini-Grants provided by the city.
[2023-049 - Pdf](#)

X. BOARD AND COMMISSION - LIAISON REPORTS

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

XI. LIAISON REPORTS

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

XII. COUNCIL PROPOSED BUSINESS

XIII. COMMUNICATIONS FROM THE MAYOR

XIV. COMMUNICATIONS FROM THE CITY MANAGER

XV. COMMUNICATIONS

- A. March 21, 2023 Council Meeting - 6-7 work session – Water Street Development Presentation, Derric L. Scott J29:7 Planning and Development Corporation

XVI. PUBLIC COMMENT (3 MINUTES)

XVII. REMARKS FROM THE MAYOR

XVIII. ADJOURNMENT

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- A. Resolution No. 2023-050, adjourning the City Council Meeting.
[2023-050 - 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.



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: Christopher Jacobs
DATE: March 7, 2023
SUBJECT: Chapter 7 Marijuana Ordinance No. 1408

DESCRIPTION:

Chapter 7 Marijuana Ordinance No. 1408

SUMMARY:

Following the decision by City Council to place a moratorium on new retail marijuana permits in October, staff has been working on long term solutions that meet the goals expressed by Planning Commission and City Council to limit new retail marijuana establishments. The current method of using buffers under the zoning ordinance has been thoroughly exhausted and there are few options available to amend the buffers in such a way that does not create legal nonconformities for existing facilities. The most elegant solution that protects current permit holder rights and limits new retail facilities would be to implement a roll back cap to a number that City Council finds suitable for our community. Planning Commission made the following recommendation to City Council at their meeting on February 15:

Medical Marijuana Provisioning Centers: 3 permits

Adult-Use Recreational Retail: 13 permits, that will decrease to 7 if a permit holder fails to renew, or the permit is revoked

Marijuana microbusiness: 1 permit

At the time a permit categorized as retail becomes available, City Council, with assistance from staff, will approve a tool to evaluate an application. The City Manager will then appoint a review committee which will be assisted by the City Attorney to award an available permit. Planning Commission did not choose to recommend other proposed changes including the elimination of a volunteerism plan, social equity qualifiers, and local employment requirements as part of the social equity permits that are no longer available.

The moratorium ends on April 23rd and any changes to Chapter 7 require 2 readings. That means we must have the first reading on March 7th and the second reading on March 21,

followed by thirty days required before it can take effect ahead of the deadline without calling a special meeting or extending the moratorium. Failure to meet this deadline could allow applications for new retail marijuana facilities and microbusinesses.

RECOMMENDED ACTION: Approval

ATTACHMENTS: Resolution, Proposed Ordinance 1408, PC Staff Review and Recommendation

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2023-041
March 7, 2023

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

OFFERED BY: _____

SECONDED BY: _____

YES: NO: ABSENT: VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this 7 day of March 2023

#Resolution No. 2023-041



**CITY OF YPSILANTI
NOTICE OF ADOPTED ORDINANCE
Ordinance No. 1408**

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

Sec. 7-4.1. - Permit requirements

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

(b) Licenses are transferrable upon state approval and payment of the transfer fee. Transfers may only be granted upon the following:

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

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

(d) A Permit shall be issued or renewed upon payment of the required fee, submission of a completed application in compliance with the provisions of this article, and compliance with all provisions and requirements of this article. Application to renew a permit shall be filed not later than November 15th, if November 15th falls on a weekend, applications are due not later than the following Monday. For each day following the deadline \$100 late fee will be added to the application cost. Such renewal shall be annual and shall be accompanied by the annual fee.

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

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

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

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

The amounts of the following facility types will be regulated by zoning as stipulated in Chapter 122 in the Ypsilanti City Code, except for any retail-based facility; Adult-Use Retail, Medical Provisioning Center, and Microbusinesses:

- Medical Marijuana Provisioning Centers: 3 permits

- Adult-Use Recreational Retail: 13 permits, that will decrease to 7 if a permit holder fails to renew, or the permit is revoked
- Marihuana microbusiness: 1 Permit
- Marihuana safety compliance facility
- Marihuana secure transporter
- Marihuana processor Class A marihuana grower authorizing cultivation of not more than 100 marihuana plants Class B marihuana grower authorizing cultivation of not more than 500 marihuana plants Class C marihuana grower authorizing cultivation of not more than 2,000 marihuana plants Excess Marihuana Grower Designated Consumption Establishment

At the time a permit categorized as retail becomes available, City Council, with assistance from staff, will approve a tool to evaluate an application. The City Manager will then appoint a review committee which will be assisted by the City Attorney to award an available permit.

Sec. 7-4.2. - Application.

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

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

- (b) State or Federally issued photo identification. Expired identification will not be accepted, and if provided the application will be considered incomplete and denied.
- (c) Provide proof of ownership, copy of lease or letter of intent to lease. If a lease or letter of intent is provided and not current the application will be considered incomplete and denied.
- (d) If premises are leased, attached written permission from owner of the premises for the use specified in this application. If the letter is not current the application will be considered incomplete and denied.
- (e) Proof of insurance for fire damage in the amount of the value of the premises and liability insurance with minimum limits of \$1,000,000
- (f) Proof that all employees are over the age of 21
- (g) Describe storage facilities of all Marihuana on site, including lotions, baked goods, usable, and all other forms.
- (h) Describe storage facilities of all Marihuana on site, including lotions, baked goods, usable, and all other forms (if applicable)
- (i) Provide proof of compliance with statewide monitoring system (if in operation)
- (j) An area map, drawn to scale, indicating within a radius of one thousand feet (1,000) from the boundaries of the proposed dispensary or growing/manufacturing facility site, the proximity of the site to any school, existing dispensary, or existing growing facility zoning permit or similar clearance from the zoning administrator verifying the proposed use of the location at which the license will be utilized is in compliance with the zoning ordinance.
- (k) A copy of state license or prequalification letter.
- (l) Retailer/Microbusinesses/Designated Consumption Establishments only: Provide a description of the products and services to be provided by the establishment, including retail sales of food and/or beverages, if any, and any related accommodations or facilities
- (m) Growing/Processing/Safety Compliance Facility applications only: Provide a description of the growing and processing procedures, including volatile chemicals stored or used on the premises.
- (n) Provide copy of facility social equity plan as required by the State of Michigan.
- ~~(o) Volunteerism plan — provide a plan of community projects to be completed through the permit year. Plans could either be in the form of financial contribution or time given to specific community projects. All contributions must be undertaken in the City of Ypsilanti. Documentation of completion will be required upon renewal. If documentation is not provided the application will be considered incomplete and denied.~~

If there are any errors or omissions to the application the city will notify the applicant and provide five days to satisfy the requirement.

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

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

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

If Applicants fail to apply for renewal by November 15th of each year a daily late fee \$100 will be assessed~~their application will not be accepted, and they will not receive a permit.~~ Said applicant may apply using the New Applicant Portal as described in Section 7.4-3 of this Ordinance. **The city will not provide notice of renewal.**

Sec. 7-4.6.- Appeal process.

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

Sec. 7-5. Social Equity.

- ~~1) The City Council and city staff will work to create a permit process to allow state social equity qualifiers to participate in businesses within the city limits. Permit numbers for these applicants are listed in Sec. 7.4.1.~~
- 2) \$1,000 from each permit fee will be used to promote social equity to negatively impacted communities by promoting advocacy around criminal justice issues related to marihuana prohibition, supporting youth who have been negatively impacted by the war on drugs as it

relates to the prohibition of marihuana, and community education and outreach on adult-use marihuana in general.

~~3) Good faith effort in employment: any person or entity receiving more than \$10,000 in contract value or benefit from the city must use good faith efforts in hiring employees who have been negatively impacted by marihuana prohibition. Adult use recreational marihuana businesses should use good faith efforts in hiring 25% employees who are low income or live in the area codes 48197 or 48198.~~

4) The City of Ypsilanti will not drug-test workers who are not in safety-sensitive jobs, without reasonable documented cause; random drug-testing is prohibited.

~~5) Lowest law enforcement: This ordinance instructs and authorizes local law enforcement to de-prioritize marihuana investigations (except as conducted in conjunction with licensing authorities) and arrests. The possession or smell of marihuana will no longer constitute probable cause for investigation or arrest.~~

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

6) For the purpose of law enforcement in the City of Ypsilanti, the following shall not constitute reasonable articulable suspicion of a crime in the absence of other factors:

- a) The odor of burnt or unburnt marihuana
- b) The possession of or suspicion of possession of marihuana that does not exceed the legal limit in Michigan
- c) The possession of multiple containers of marihuana without evidence of excess of the legal limit in Michigan.

~~7) The City of Ypsilanti shall make all reasonable efforts to create spaces for on-site consumption as allowed under state law.~~

~~8) The City of Ypsilanti may add requirements that applicants enter Community Benefits Agreements, which may or may not apply to social equity applicants a well.~~

Sec. 7-6. Severability.

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

to be the legislative intent of this body that the Ordinance would have been adopted had such invalid or unconstitutional provisions not been included in this Ordinance.

Sec. 7-7 Repeal

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

Sec. 7-8. Savings Clause

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

Sec. 7-9. Copies to be available.

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

Sec 7-10. Publication and Effective Date

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

MADE, PASSED, AND ADOPTED BY THE YPSILANTI CITY COUNCIL THIS 31 DAY OF March, 2023.

Andrew Hellenga, City Clerk

Attest

I do hereby confirm that the above Ordinance No. 1408 was published in the Washtenaw Legal News on the 31st day of March, 2023.

Andrew Hellenga, City Clerk

CERTIFICATE OF ADOPTING

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

Andrew Hellenga, City Clerk

Notice Published:

First Reading:

Second Reading:

Published:

Effective Date:



Resolution No. 2023-042
March 7, 2023

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

OFFERED BY: _____

SECONDED BY: _____

YES: NO: ABSENT: VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this 7 day of March 2023

#Resolution No. 2023-042



February 15, 2023

Staff Review
Chapter 7 Marijuana Ordinance No. 1408

GENERAL INFORMATION

Applicant: City of Ypsilanti

Action Requested: Recommendation to City Council to approve text amendments to Chapter 7 – Marijuana Ordinance No. 1408

BACKGROUND

Staff is proposing text amendments pertaining to medical and recreational marijuana. The issues that are being addressed include but are not limited to: regulating any retail-based facility; Adult-Use Retail, Medical Provisioning Center, and Microbusinesses:

Medical Marijuana Provisioning Centers: 3 permits

Adult-Use Recreational Retail: 13 permits, that will decrease to 7 if a permit holder fails to renew, or the permit is revoked

Marijuana microbusiness: 1 permit

At the time a permit categorized as retail becomes available, City Council, with assistance from staff, will approve a tool to evaluate an application. The City Manager will then appoint a review committee which will be assisted by the City Attorney to award an available permit. Other proposed changes include the elimination of a volunteerism plan, social equity qualifiers, and local employment requirements as part of the social equity permits that are no longer available.

MASTER PLAN

The City of Ypsilanti Guiding Values state, “We can only achieve our vision by building a community amongst ourselves and with our neighbors”

The adult use regulations proposed are intended to shape the economic diversity and character of our commercial districts according to the shared perception and vision articulated by members of the public, Planning Commission, and City Council who have all voiced concern about the number of retail marijuana establishments permitted for a community of our size.

OTHER COMMUNITIES

Michigan law allows a limit on number of permitted facilities by type (1). Several communities regulate retail marijuana facilities by cap including Adrian (five facilities) (2), Ferndale (six facilities) (3), and Jackson (three facilities) (4). The City of Ypsilanti ranks one the highest per capita among those who have allowed marijuana retail facilities statewide.

(1) MICHIGAN REGULATION AND TAXATION OF MARIHUANA ACT (EXCERPT)
Initiated Law 1 of 2018

[http://www.legislature.mi.gov/\(S\(snry54m3jrogkv4deoyl0dws\)\)/mileg.aspx?page=GetObject&objectname=mcl-333-27956](http://www.legislature.mi.gov/(S(snry54m3jrogkv4deoyl0dws))/mileg.aspx?page=GetObject&objectname=mcl-333-27956)

(2) <https://www.mml.org/pdf/resources/ordinances/med%20marihuana%20opt-in%20ordinance%20-%20adrian.pdf>

(3) <https://www.codepublishing.com/WA/Ferndale/html/Ferndale18/Ferndale1867.html#:~:text=No%20more%20than%20two%20marijuana,extending%20past%2012%3A00%20a.m.>

(4) <https://www.cityofjackson.org/DocumentCenter/View/7076/Adult-Use-Marijuana-Facilities-Ordinance>

DISCUSSION

The goal of these text amendments is to regulate the number of retail facilities by cap as opposed to amending the existing buffers in such a way that prevents new retail establishments. This policy is intended to ultimately reduce the number of permitted retail facilities through attrition based on the recognition by Planning Commission and City Council that the local market is saturated with these businesses. Allowing the cap to be “rolled back” by attrition this way is preferable because it recognizes the rights of current permit holders and allows the market to self-regulate as opposed to choosing an arbitrary number of retail facilities. Continuing to amend zoning buffers by retail facilities will create unintended nonconformities that harm existing permit holders; therefore a cap is the best tool available to regulate the number of retail facilities permitted in the City.

In summary, the proposed amendment is consistent with the guiding values of the Master Plan, will protect the health, safety, and general welfare of the public, and will address a community need in economic conditions or development practices.

STAFF RECOMMENDATION

Staff recommends the Planning Commission recommend **approval** of the text amendment to City Council with the following findings:

1. The proposed amendment is consistent with the guiding values of the Master Plan.
2. The proposed amendment will enhance the functionality and character of the future development in the City.
3. The proposed amendment will protect the health, safety, and general welfare of the public.

PROPOSED CHANGED TEXT

Removals are noted in strikethrough (~~strikethrough~~); additions are noted by underline (underline).



Resolution No. 2023-043
March 7, 2023

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the following items be approved:

1. **Resolution No. 2023-044, approving the minutes of the February 21 & 28, 2023 City Council Meeting.**
2. **Resolution No 2023-045, approving an Ordinance Entitled "Zoning Text Amendment: Supportive Housing" (Second Reading)**

OFFERED BY: _____

SECONDED BY: _____

YES: NO: ABSENT: VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this
7 day of March 2023

#Resolution No. 2023-043



Resolution No. 2023-044
March 7, 2023

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of February 21 and February 28, 2023 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
7 day of March 2023

#Resolution No. 2023-044



MINUTES REGULAR COUNCIL Meeting

7:00 PM - Tuesday, February 21, 2023
Council Chambers

The REGULAR COUNCIL of the City of Ypsilanti was called to order on Tuesday, February 21, 2023, at 7:00 PM, in the Council Chambers, with the following members present:

PRESENT: Council Member Jennifer Symanns, Mayor Pro-Tem Steven Wilcoxon, Mayor Nicole Brown, Council Member Desirae Simmons, Council Member Evan Sweet, Council Member Roland Tooson, and Council Member Michelle King

ABSENT: None

I CALL TO ORDER

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

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

The agenda was approved as amended.

Change: Council Member D. Simmons requested Resolution No. 2023-026 (approving a contract with Washtenaw County for Dispatch Services) be moved from the Consent Agenda to the end of the Resolutions/Motions/Discussions.

V PUBLIC COMMENT (3 MINUTES)

Ten members of the public spoke.

VI PRESENTATIONS

- a) Proclamation - Honoring Black History Month - Mayor Brown

VII ORDINANCES FIRST READING

- a) Ordinance 1406, an Ordinance Entitled "Zoning Text Amendment: Supportive Housing".
1. Resolution No. 2023-020, determination
 2. Public Hearing - **Four members of the public made comments.**
 3. Resolution No. 2023-021, closing the public hearing

Council Member Roland Tooson moved, seconded by Mayor Pro-Tem Steven Wilcoxon, to approve Resolution No. 2023-021.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI

That the public hearing to consider Removal of Supportive Housing as a Classification or Category in the Zoning Ordinance be officially closed.

RESULT:	CARRIED.
MOVER:	Council Member Roland Tooson
SECONDER:	Mayor Pro-Tem Steven Wilcoxon
AYES:	Steven Wilcoxon, Roland Tooson, Jennifer Symanns, Nicole Brown, Desirae Simmons, Evan Sweet, and Michelle King

Council Member Roland Tooson moved, seconded by Council Member Jennifer Symanns, to approve Resolution No. 2023-020.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas the City of Ypsilanti recognizes the importance of establishing equity in zoning; and

WHEREAS the City of Ypsilanti recognizes that the policy for treating *supportive housing* the same as other residential dwellings adheres to the Fair Housing Amendments Act laws that apply to zoning and planning; and

WHEREAS the City of Ypsilanti recognizes that eliminating the potential for adverse impacts or harm to a community as a result of discriminatory language and / or the perpetuation of segregation fully improves the broader community's economic conditions; and

Now therefore be it resolved that the Ypsilanti City Council approve the Zoning Text Amendment provision in the zoning ordinance to remove Supportive Housing Conditions and Permissible Uses; and to remove Supportive Housing Definition.

This zoning text amendment applies to Article V Division 1, Section 122-557; and to Article II, Section 122-203.

RESULT:	CARRIED.
MOVER:	Council Member Roland Tooson
SECONDER:	Council Member Jennifer Symanns
AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Desirae Simmons, Evan Sweet, Roland Tooson, and Michelle King

b) Ordinance 1407, an Ordinance Entitled "Zoning Text Amendment: Rooming Houses".

1. Resolution No. 2023-022, determination
2. Public Hearing - **Ten members of the public made comments.**
3. Resolution No. 2023-023, closing the public hearing

Council Member Evan Sweet moved, seconded by Council Member Jennifer Symanns, to approve Resolution No. 2023-023.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the public hearing to consider Roominghouses in the Historic District as a permissible special use will be officially closed.

RESULT:	CARRIED.
MOVER:	Council Member Evan Sweet
SECONDER:	Council Member Jennifer Symanns
AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Desirae Simmons, Evan Sweet, Roland Tooson, and Michelle King

Council Member Evan Sweet moved, seconded by Council Member Roland Tooson, to approve Resolution No. 2023-022.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas the City of Ypsilanti recognizes that Roominghouses shall be added as a permissible special use in the Historic Corridor zoning district; and

WHEREAS the City of Ypsilanti recognizes that adding roominghouses as a use in the Historic Corridor, it may be considered consistent with the description and purpose of the proposed district; and

WHEREAS the City of Ypsilanti recognizes that the amendments are consistent with the following guiding values of the Master Plan. Those needs will change as residents age and move. The need for safe, quality, affordable homes for all should be factored into decisions.

Now therefore be it resolved that the Ypsilanti City Council approve the Zoning Text Amendment provisions in the zoning ordinance to.

This zoning text amendment applies to Article V Subdivision III Corridors Sec. 122-451; and to ARTICLE V, DIV 1 SPECIFIC STANDARDS FOR CERTAIN USES, Sec. 122-530 (f). – Group residences and roominghouses.

RESULT:	DEFEATED.
MOVER:	Council Member Evan Sweet
SECONDER:	Council Member Roland Tooson
AYES:	
NAYS:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Desirae Simmons, Evan Sweet, Roland Tooson, and Michelle King

VIII CONSENT AGENDA

- a) Resolution No. 2023-024, approving the Consent Agenda.

Council Member Jennifer Symanns moved, seconded by Mayor Pro-Tem Steven Wilcoxon, to approve Resolution No. 2023-024.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the following items be approved:

- 1. Resolution No. 2023-025, approving the minutes of the February 7, 2023 City Council Meeting.**
- 2. ~~Resolution No 2023-026, approving a contract with Washtenaw County for Dispatch services.~~**

3. Resolution No. 2023-027, amending the Community Benefits Agreement for the 220 N Park development.

RESULT:	CARRIED.
MOVER:	Council Member Jennifer Symanns
SECONDER:	Mayor Pro-Tem Steven Wilcoxen
AYES:	Jennifer Symanns, Steven Wilcoxen, Nicole Brown, Desirae Simmons, Evan Sweet, Roland Tooson, and Michelle King

- b) Resolution No. 2023-025, approving the minutes of February 7, 2023.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of February 7, 2023 City Council Meeting be approved.

- c) ~~Resolution No. 2023-026, approving a contract with Washtenaw County for Dispatch services.~~
- d) Resolution No. 2023-027, amending the Community Benefits Agreement for the 220 N Park development.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, The City of Ypsilanti passed a community benefits ordinance in 2018 to allow the community to negotiate benefits when an incentive is requested; and

Whereas, an incentive was requested in January 2022 by Renovare Ypsilanti Homes LLC; and

Whereas, the CBO Committee met five times over the past two months to negotiate community benefits with the developer; and

Whereas, a public hearing was held on June 7, 2022, on the Community Benefits Agreement; and

Whereas, an error in the unit count was found in the Community Benefits Agreement

Now therefore be it resolved that the City Council of the City of Ypsilanti approve the revised Community Benefits Agreement for 220 N. Park St and direct the Mayor and City Clerk to sign the agreements.

IX RESOLUTIONS/MOTIONS/DISCUSSIONS

- a) Discussion regarding complaint filed against Mayor Pro-Tem Wilcoxen.

Council Member Desirae Simmons moved, seconded by Council Member Jennifer Symanns, that both parties have agreed to not hold a hearing, and will be referred to an alternative conflict resolution method.

RESULT:	CARRIED.
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MOVER:	Council Member Desirae Simmons
SECONDER:	Council Member Jennifer Symanns
AYES:	Jennifer Symanns, Nicole Brown, Desirae Simmons, Evan Sweet, Roland Tooson, and Michelle King
RECUSED:	Steven Wilcoxon

- b) Resolution No. 2023-028, approving the stated policy and federal guidelines for the Tax Board of Review in granting or denying exemptions.

Mayor Pro-Tem Steven Wilcoxon moved, seconded by Council Member Evan Sweet, to table Resolution No. 2023-028 until February 28th.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

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

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

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

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

Per, MCL 211.7u(3), the application for consideration must be received by the Assessor's Office at least one day prior to the last session of the Board of Review. The application can be made by mail, if received one day prior to the last session of the Board of Review.

All applicants must file a claim with the Board of Review on a form prescribed by the State Tax Commission. The application must be filled out in its entirety and all requested documentation must be attached. If an area does not apply to the applicant, "N/A" must be used. If the application is not complete or requested documentation is not included, the Board of Review will deny the exemption. All pages included with this application must be returned when the application is submitted for review.

Per MCL 211.7u(7), a person who files a claim for Poverty exemption IS NOT prohibited from also appealing the assessment on the property to the Board of Review in the same year.

The poverty threshold for eligibility for a poverty exemption is a figure which is equal to the U.S. Department of HUD State of Michigan for the previous calendar year. To be eligible for a poverty exemption from property taxes, the income of the property owner (household) must be less than the poverty threshold for the number of persons within the household.

All income and assets for persons in the household are reported in accordance with a form prescribed by the State Tax Commission.

- a. Per MCL 211.7u(2)(b), federal and state income tax returns for all persons residing in the principal residence must be included with the application including any

property tax credit returns. The tax returns may be from the current or preceding tax year.

A completed signed copy of each of the following should be submitted:

- The most recent Michigan Homestead Property Tax Credit (MI 1040 CR).
 - The most recent Federal Income Tax Return (1040), if you are required to file federal income tax.
 - The most recent Federal Income Tax Return (1040) for all other occupants of your home.
- b. If any person in the household is not required to file federal or state tax returns, the included affidavit, form 4988, must be completed by each person that does not file taxes.
- c. The most recent statement for all bank accounts, investments, IRAs, CDs, 401Ks, money market, annuities, etc. The statement submitted must be complete with no missing pages and submitted for all persons residing in the home.
- d. Proof of income/assets from the Social Security Administration, Veterans Administration, Medicare, Medicaid, Bridge Card, and any College/University scholarships for all persons residing in the home.
- e. The most recent mortgage statement of the primary residence under review, including any reverse mortgages.
- f. If primary residence being sought for exemption was purchased within the past two years of this application, homeowner's closing statements must be submitted with application.
- g. Complete and submit a Poverty Exemption Asset Test form and meet the maximum asset eligibility test as follows: Assets other than the taxpayers' primary residence, standard mode of transportation and usual household goods valued at more than \$25,000 will be considered and added to the household income to determine eligibility.
- h. A second home, additional land not associated with the primary residence, or other buildings other than the primary residence being sought for exemption.
- i. Vehicles and other recreational vehicles such as motor homes, campers, ATVs, boats, and motorcycles.
- j. Jewelry, antiques, artwork, equipment, and other personal property of value.
- k. Bank accounts, stocks, bonds, and investments. This also includes the money received from the sale of stocks, bonds, investments, cars, and houses unless a person is in the specific business of selling such property.
- l. Withdrawals of bank accounts and borrowed money.
- m. Gifts, loans, lump-sum inheritances, and one-time insurance payments.
- n. Food or housing received in lieu of wages and the value of food and fuel produced and consumed on farms.
- o. Federal non-cash benefits programs such as Medicare, Medicaid, food stamps, and school lunches.

- p. The total interest income in all accounts (checking, savings, CDs, IRAs, 401Ks, money market, annuities, etc.)
- q. The applicant shall not have ownership interest in any real estate other than the primary residence being considered for exemption.
- r. Applicants that meet the income and asset qualifications will have the taxable value reduced by 25%, 50% or 100% for the current year.
- s. Poverty exemptions shall be granted for one year only. The property owner must apply every year to receive an exemption.

Number In House Hold	Home Income Limits
1	\$ 20,000
2	\$ 20,000
3	\$ 23,030
4	\$ 27,750
5	\$ 32,470
6	\$ 37,190
7	\$ 41,910
8	\$ 46,630
For each additional person	\$ 4,720

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

NOW, THEREFORE, BE IT RESOLVED that the Board of Review shall follow the above stated policy and federal guidelines in granting or denying an exemption and that City Council approve this resolution replacing Resolution 2023-013.

RESULT:	CARRIED.
MOVER:	Mayor Pro-Tem Steven Wilcoxon
SECONDER:	Council Member Evan Sweet
AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Desirae Simmons, Evan Sweet, Roland Tooson, and Michelle King

- c) Resolution No. 2023-029, urging the Michigan Legislature to repeal Public Acts 348 and 349 of 2012, the 'Right to Work Acts'.

Council Member Desirae Simmons moved, seconded by Council Member Jennifer Symanns, to approve Resolution No. 2023-029

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, unions increase wages, benefits, safety, and protections for all workers, but especially women, people of color, immigrants, and the LGBTQ community in areas where our non-discrimination laws continue to fall short; and

WHEREAS, in 1961, Reverend Dr. Martin Luther King, Jr. stated that the purpose of "false slogans such as 'Right to Work'" is to "destroy labor unions and the freedom of collective bargaining by which unions have improved wages and working conditions of everyone;" and

WHEREAS, in 2012, the Michigan Legislature enacted anti-worker, anti-union "Right to Work" without holding a single public hearing and with the aim of impairing the ability of unions to fairly represent all members of a collective bargaining unit; and

WHEREAS, dozens of other anti-worker laws passed during the Engler and Snyder administrations have made it even harder for working people to make a living and be safe at work; and

WHEREAS, the Snyder administration's systematic erosion of collective bargaining rights for teachers, first responders, and public-sector employees has made it even more challenging for governments to attract and retain new talent and for workers to provide for their families; and

WHEREAS, there has been no evidence in the past decade that the enactment of these laws has improved wages or working conditions for Michigan workers; and

WHEREAS, the COVID-19 pandemic, in particular, has made paramount the failings of workplace safety standards and inadequate protections for workers on the job, and the importance placed on public health and workplace safety; and

NOW, THEREFORE, BE IT RESOLVED, that this body affirms its support for workers and their right to organize and, in expressing those values, urges the legislature to Restore Worker Freedom; and

BE IT FURTHER RESOLVED, that the City of Ypsilanti joins with millions of Michigan workers and urges the Michigan Legislature to immediately repeal PA 348 of 2012 and PA 349 of 2012;

BE IT FINALLY RESOLVED, that the City Council, or the City of Ypsilanti, directs the City Clerk to forward copies of this resolution to The Michigan state legislative delegation and Governor Whitmer

RESULT:	CARRIED.
MOVER:	Council Member Desirae Simmons
SECONDER:	Council Member Jennifer Symanns
AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Desirae Simmons, Evan Sweet, Roland Tooson, and Michelle King

- d) Resolution No. 2023-030, approving the award to Wolverine Sealcoating for the preventative maintenance contract.

Council Member Michelle King moved, seconded by Council Member Evan Sweet, to approve Resolution No. 2023-030

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, funding has been programmed in the local streets fund for pavement preventative maintenance in the City of Ypsilanti; and,

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

Whereas, Wolverine Sealcoating is the lowest qualified bidder and is being recommended by the City's engineering consultant for this project.

Now therefore be it resolved that that the City of Ypsilanti awards the 2023 Pavement Preventative Maintenance contract to Wolverine Sealcoating for the bid amount of \$70,200.

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

RESULT:	CARRIED.
MOVER:	Council Member Michelle King
SECONDER:	Council Member Evan Sweet
AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Desirae Simmons, Evan Sweet, Roland Tooson, and Michelle King

- e) Resolution No. 2023-031, directing city staff on how to respond to the request of Avalon for a PILOT.

Council Member Evan Sweet moved, seconded by Council Member Roland Tooson, to approve Resolution No. 2023-031

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Avalon Housing has submitted a 4% PILOT Request for the next 50 years to redevelop 206/210 N Washington St for affordable housing; and

WHEREAS, the City of Ypsilanti Community Benefits Ordinance No. 1325 would regulate that request if not already expired; and

WHEREAS, Avalon has proposed 8 units of affordable housing at 30% AMI or less and 14 units at 60% or less for a total of 22 units; and

WHEREAS, City Council can choose to ask Avalon to follow the expired Community Benefits Ordinance or hear the incentive request on its own without convening a committee to negotiate with the developers; and

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council agrees to hear this PILOT Request without convening a community benefits committee intended to negotiate with the developer

Or

~~NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council approves requesting the developer to follow the Community Benefits Ordinance No. 1325 and convening a community benefits committee to negotiate with the developer.~~

RESULT:	CARRIED.
MOVER:	Council Member Evan Sweet
SECONDER:	Council Member Roland Tooson
AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Desirae Simmons, Evan Sweet, Roland Tooson, and Michelle King

Council Member Desirae Simmons moved, seconded by Council Member Michelle King, that Council will require Avalon Housing to go through the Community Benefits Agreement Process for the 206-210 N Washington upon the Community Benefits Ordinance renewal and passage.

RESULT:	CARRIED.
MOVER:	Council Member Desirae Simmons
SECONDER:	Council Member Michelle King
AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Desirae Simmons, Evan Sweet, Roland Tooson, and Michelle King

- f) Resolution No. 2023-032, revising the Planned Unit Development Agreement for the 220 N Park Development.

Mayor Pro-Tem Steven Wilcoxon moved, seconded by Council Member Roland Tooson, to approve Resolution No. 2023-032

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the city approved the PUD agreement for 220 N. Park St in June 2022, and

Whereas, corrections to the agreement were requested by the developer, county, and financiers,

Now therefore be it resolved that the City Council of the City of Ypsilanti amended PUD agreement for 220 N. Park.

RESULT:	CARRIED.
MOVER:	Mayor Pro-Tem Steven Wilcoxon
SECONDER:	Council Member Roland Tooson
AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Desirae Simmons, Evan Sweet, Roland Tooson, and Michelle King

- g) Resolution No. 2023-033, approving the warranty deed for the 220 N Park Development.

Mayor Pro-Tem Steven Wilcoxon moved, seconded by Council Member Jennifer Symanns, to approve Resolution No. 2023-033

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

The certain deed to Renovare Ypsilanti Homes, LLC of 13 N Washington Street, Ypsilanti, MI 48197, pursuant to land contract for the property at 220 N Park, and the warranty deed for Renovare Ypsilanti Homes, LLC, copies attached, are approved and the Mayor and City Clerk are authorized to sign the deed for and on behalf of the City.

RESULT:	CARRIED.
MOVER:	Mayor Pro-Tem Steven Wilcoxon
SECONDER:	Council Member Jennifer Symanns

AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Desirae Simmons, Evan Sweet, Roland Tooson, and Michelle King
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- h) Resolution No. 2023-034, approving the deed and mortgage with release clause for closing on 220 N Park Development.

Council Member Jennifer Symanns moved, seconded by Council Member Evan Sweet, to approve Resolution No. 2023-034

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

The certain deed to Renovare Ypsilanti Homes, LLC of 13 N Washington Street, Ypsilanti, MI 48197, pursuant to land contract for the property at 220 N Park, and the mortgage with release clause back from Renovare Ypsilanti Homes, LLC, copies attached, are approved and the Mayor and City Clerk are authorized to sign the deed for and on behalf of the City.

RESULT:	CARRIED.
MOVER:	Council Member Jennifer Symanns
SECONDER:	Council Member Evan Sweet
AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Desirae Simmons, Evan Sweet, Roland Tooson, and Michelle King

- i) Resolution No. 2023-035, approving the partial release of the mortgage for the 220 N Park development.

Council Member Desirae Simmons moved, seconded by Mayor Pro-Tem Steven Wilcoxon, to approve Resolution No. 2023-035

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, The City of Ypsilanti approved the development of 220 N. Park St.; and

Whereas, a community benefits agreement has been approved for the development;

WHEREAS, upon closing the mortgage at 220 N. Park St., partial mortgages signed by the City Manager will be held in escrow;

Whereas, upon the completion of the properties, the city will verify the affordability and PRE requirements for each property;

Whereas, an authorized signature will need to be on each mortgage release from escrow.

Now therefore, be it resolved that the City Council of the City of Ypsilanti approves the City Manager to sign the release of the mortgages upon the sale of the units at 220 N. Park St.

RESULT:	CARRIED.
MOVER:	Council Member Desirae Simmons
SECONDER:	Mayor Pro-Tem Steven Wilcoxon
AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Desirae Simmons, Evan Sweet, Roland Tooson, and Michelle King

- j) Resolution No. 2023-036, approving the Master Deed for the 220 N park Development.

Council Member Roland Tooson moved, seconded by Council Member Jennifer Symanns, to approve Resolution No. 2023-036

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the city approved the PUD agreement for 220 N. Park St in June 2022, and

Whereas, the master deed is to be approved by the city,

Now therefore be it resolved that the City Council of the City of Ypsilanti approve the master deeds for Dorsey Estates 1 and 2 to form with minor edits to be approved by the city attorney.

RESULT:	CARRIED.
MOVER:	Council Member Roland Tooson
SECONDER:	Council Member Jennifer Symanns
AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Desirae Simmons, Evan Sweet, Roland Tooson, and Michelle King

Council Member Jennifer Symanns moved, seconded by Council Member Evan Sweet, that the City Manager is authorized to sign off on any minor changes subject to the approval of the City Attorney.

RESULT:	CARRIED.
MOVER:	Council Member Jennifer Symanns
SECONDER:	Council Member Evan Sweet
AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Desirae Simmons, Evan Sweet, Roland Tooson, and Michelle King

- k) Resolution No. 2023-037, approving the Construction Monitoring and Disbursement Agreement for the 220 N Park development.

Council Member Michelle King moved, seconded by Council Member Desirae Simmons, to approve Resolution No. 2023-037

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The City of Ypsilanti has an interest in developing the 220 N. Park St Development, and

Whereas, the city has been working over the past year with Renovare Ypsilanti Homes LLC, Magnet Lending Corporation, Michigan Community Capital, The City of Ypsilanti, Washtenaw County, Washtenaw County brownfield Redevelopment Authority, and Ann Arbor Community Foundation to come to an agreement on this partnership, and

WHEREAS, the city will be part of this agreement based on the mortgage the city is applying to the property as part of the CBA and will have no financial impact on the city finances.

Now therefore be it resolved that the City Council of the City of Ypsilanti approve the Construction Monitoring and Disbursement Agreement with Renovare Ypsilanti Homes LLC, Magnet Lending Corporation, Michigan Community Capital, The City of Ypsilanti, Washtenaw County, Washtenaw County brownfield Redevelopment Authority, and Ann Arbor Community Foundation with small changes to be approved by the City Manager and City Attorney.

RESULT:	CARRIED.
MOVER:	Council Member Michelle King
SECONDER:	Council Member Desirae Simmons
AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Desirae Simmons, Evan Sweet, Roland Tooson, and Michelle King

- I) Resolution No. 2023-038, recognizing the month of February as Black History Month. (added)

Council Member Michelle King moved, seconded by Council Member Desirae Simmons, to approve Resolution No. 2023-038

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

Whereas, Black History Month is an annual celebration of achievements by African Americans and a time for recognizing their central role in U.S. History; and

Whereas, the story of Black History Month begins in 1915, half a century after the Thirteenth Amendment abolishing slavery in the United States was enacted, and

Whereas, in September of 1915, the Harvard-trained historian Carter G. Woodson and the prominent Jesse E. Moorland founded the Association for the Study of Negro Life and History (ASNLH), and organization dedicated to researching and promoting achievement by Black Americans, and people of African descent; and

Whereas, the ASNLH became the Association for the Study of African American Life (ASLAH) and sponsored a national Negro History week in 1926, choosing the second week of February to coincide with the birthdays of Abraham Lincoln and Fredrick Douglas, and

Whereas, President Gerald Ford officially recognized Black History Month in 1976 calling upon the public to "seize the opportunity to honor the too-often neglected accomplishments of Black History; and

Whereas, Black History is a time to honor the contributions and legacy of African Americans across U.S. History and society, from activists and civil rights pioneers to leaders in industry, politics, science, and culture.

NOW THEREFORE, it is hereby RESOLVED BY THE YPSILANTI CITY COUNCIL, that the month of February will be recognized as Black History Month, and further City Council directs the City Clerk to purchase the Black History Month Flag to hang upon resolution of City Council during Februarys into the future.

RESULT:	CARRIED.
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MOVER:	Council Member Michelle King
SECONDER:	Council Member Desirae Simmons
AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Desirae Simmons, Evan Sweet, Roland Tooson, and Michelle King

- m) Resolution No. 2023-026, approving a contract with Washtenaw County for Dispatch services. (moved)

Council Member Jennifer Symanns moved, seconded by Council Member Roland Tooson, to approve Resolution No. 2023-026

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

the Dispatch Contract with Washtenaw County be extended to June 30, 2024 on the same terms and conditions.

The Mayor and City Clerk are authorized to sign the extension agreement, subject to the approval of the City Attorney.

RESULT:	CARRIED.
MOVER:	Council Member Jennifer Symanns
SECONDER:	Council Member Roland Tooson
AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Desirae Simmons, Evan Sweet, Roland Tooson, and Michelle King

X BOARD AND COMMISSION - NOMINATIONS

- a) **Police Advisory Commission (Exp. 2/1/2026)**

Gail Wolkoff - Re-appointment
1728 Whittier Rd
Ypsilanti, MI 48197

Council Member Jennifer Symanns moved, seconded by Council Member Roland Tooson, to suspend Council Rules and immediately appoint Gail Wolkoff to the Police Advisory Commission.

RESULT:	CARRIED.
MOVER:	Council Member Jennifer Symanns
SECONDER:	Council Member Roland Tooson
AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Desirae Simmons, Evan Sweet, Roland Tooson, and Michelle King

Council Member Desirae Simmons moved, seconded by Council Member Roland Tooson, to amend Council Rules and remove the requirement for Board and Commission members to be nominated and then approved at the next regular council meeting.

RESULT:	CARRIED.
MOVER:	Council Member Desirae Simmons
SECONDER:	Council Member Roland Tooson
AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Desirae Simmons, Evan Sweet, Roland Tooson, and Michelle King

XI BOARD AND COMMISSION - LIAISON REPORTS

1. Police Advisory Commission. - Council Member Tooson stated the Commission meets this Thursday.
2. Human Relations Commission. - None
3. Arts Commission. - Council Member Sweet stated the commission is currently working on their goals.
4. Parks and Recreation Commission.
5. Sustainability Commission. - None
6. Historic District Commission. - None
7. Planning Commission. - Mayor Pro-Tem Wilcoxon stated the commission was provided staff's recommendation for marijuana facilities.
8. Zoning Board of Appeals - None

XII LIAISON REPORTS

1. SEMCOG Update - None
2. Washtenaw Area Transportation Study - None
3. Urban County - None
4. Ypsilanti Downtown Development Authority - None
5. Friends of Rutherford Pool - None
6. Bicentennial Committee - Council Member Sweet stated they are working on logistics for supplies for summer events.

XIII COUNCIL PROPOSED BUSINESS

- a) **King**
 1. Wished everyone a happy Black History Month.
- b) **Simmons**
 1. Asked what the due date will be for the questions to be asked by the Panel for the Police Chief interviews.
- c) **Wilcoxon**
 1. None
- d) **Sweet**
 1. Stated that the Parks and Recreation Commission is winning an award for the Bill Anhut Memorial Field.
- e) **Symanns**
 1. None
- f) **Tooson**
 1. Thanked the citizens of the City of Ypsilanti for making it a great place.

XIV COMMUNICATIONS FROM THE MAYOR

1. She asked who owns the signage at the Huron exit for I-94, and said it could be improved.
2. Informed staff regarding issues with the bike lanes on Huron and Hamilton.
3. Stated she recently went to Washington DC, and heard a lot of good things about the City of Ypsilanti.

XV COMMUNICATIONS FROM THE CITY MANAGER

XVI COMMUNICATIONS

- a) City Council Special Meeting - February 28, 2023 @ 6:00 pm
- b) Water Street Development Work Session - March 7, 2023 City Council Meeting starting at 6:00 pm (added)

XVII PUBLIC COMMENT (3 MINUTES)

Three members of the public spoke.

XVIII REMARKS FROM THE MAYOR

XIX ADJOURNMENT

- a) Resolution No. 2023-039, adjourning the City Council Meeting.

The Council Meeting Adjourned at 11:30 PM

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



MINUTES SPECIAL Meeting

6:00 PM - Tuesday, February 28, 2023
Council Chambers

The SPECIAL of the City of Ypsilanti was called to order on Tuesday, February 28, 2023, at 6:01 PM, in the Council Chambers, with the following members present:

PRESENT: Mayor Pro-Tem Steven Wilcoxon, Mayor Nicole Brown, Council Member Desirae Simmons, Council Member Evan Sweet, Council Member Michelle King, and Council Member Roland Tooson

ABSENT: Council Member Jennifer Symanns

I CALL TO ORDER

The meeting was called to order at 6:01 pm

II ROLL CALL

Mayor Pro-Tem Wilcoxon Moved, seconded by Council Member Tooson to excuse the absence of Council Member Symanns.

On a voice vote, the motion carried and the absence was excused.

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

The agenda was approved as submitted

V PUBLIC COMMENT (3 MINUTES)

Three members of the public spoke

VI APPEAL HEARINGS

- a) Memo regarding the Appeal Process
b) The Wurst License, LLC - 705 W. Cross - January 30, 2023 11:30 am

Council Member Evan Sweet moved, seconded by Council Member Roland Tooson, to allow the appeal for the Worst License, LLC located at 705 W. Cross and direct staff to issue the permit, and to refund the appeal fee of \$1,100

RESULT:	CARRIED.
MOVER:	Council Member Evan Sweet
SECONDER:	Council Member Roland Tooson

AYES:	Steven Wilcoxon, Nicole Brown, Desirae Simmons, Evan Sweet, Michelle King, and Roland Tooson
ABSENT:	Jennifer Symanns

- c) The District Park, LLC (d.b.a Skymint) - 401 E. Michigan Ave - January 30, 2023 11:25 am

Mayor Pro-Tem Steven Wilcoxon moved, seconded by Council Member Roland Tooson, to allow the appeal for District Park, LLC located at 401 E. Michigan, and direct staff to issue the permit, and to refund the appeal fee of \$1,100.

RESULT:	CARRIED.
MOVER:	Mayor Pro-Tem Steven Wilcoxon
SECONDER:	Council Member Roland Tooson
AYES:	Steven Wilcoxon, Nicole Brown, Desirae Simmons, Evan Sweet, Michelle King, and Roland Tooson
ABSENT:	Jennifer Symanns

- d) Guy 3 Ventures, LLC (d.b.a. Quality Roots OF Ypsilanti) - 2 and 4 W. Forest Ave - February 3, 2023, 12:50 pm

Council Member Desirae Simmons moved, seconded by Council Member Roland Tooson, to allow the appeal for Guy 2 Ventures located at 2 and 4 W. Forest Ave, and direct staff to issue the permit, and to refund the appeal fee of \$1,100.

RESULT:	CARRIED.
MOVER:	Council Member Desirae Simmons
SECONDER:	Council Member Roland Tooson
AYES:	Steven Wilcoxon, Nicole Brown, Desirae Simmons, Evan Sweet, Michelle King, and Roland Tooson
ABSENT:	Jennifer Symanns

- e) Tama Ventures, LLC - 915 W. Michigan Ave - February 3, 2023 2:00 pm

Council Member Roland Tooson moved, seconded by Mayor Pro-Tem Steven Wilcoxon, to allow the appeal for TAMA Ventures, LLC located at 915 W. Michigan Ave, and direct staff to issue the permit, and to refund the appeal fee of \$1,100 upon repayment of outstanding Administrative Hearings Bureau fines.

RESULT:	CARRIED.
MOVER:	Council Member Roland Tooson
SECONDER:	Mayor Pro-Tem Steven Wilcoxon
AYES:	Steven Wilcoxon, Nicole Brown, Desirae Simmons, Evan Sweet, Michelle King, and Roland Tooson
ABSENT:	Jennifer Symanns

- f) Cross Street Services - 513 W. Cross - February 3, 2023 - 3:42 pm

Council Member Evan Sweet moved, seconded by Council Member Desirae Simmons, to allow the appeal for Cross Street Services located at 513 W. Cross, and direct staff to issue the permit, and to refund the appeal fee of \$1,100

RESULT:	CARRIED.
MOVER:	Council Member Evan Sweet

SECONDER:	Council Member Desirae Simmons
AYES:	Steven Wilcoxon, Nicole Brown, Desirae Simmons, Evan Sweet, Michelle King, and Roland Tooson
ABSENT:	Jennifer Symanns

VII RESOLUTIONS/MOTIONS/DISCUSSIONS

- a) Resolution No. 2023-028, approving the stated policy and federal guidelines for the Tax Board of Review in granting or denying exemptions. **Tabled 2/21/2023**

Mayor Pro-Tem Steven Wilcoxon moved, seconded by Council Member Roland Tooson, to approve Resolution No. 2023-028

RESULT:	CARRIED.
MOVER:	Mayor Pro-Tem Steven Wilcoxon
SECONDER:	Council Member Roland Tooson
AYES:	Steven Wilcoxon, Nicole Brown, Desirae Simmons, Evan Sweet, Michelle King, and Roland Tooson
ABSENT:	Jennifer Symanns

- b) Resolution No. 2023-040, approving the contract for the POAM Collective Bargaining Unit.

Council Member Evan Sweet moved, seconded by Council Member Roland Tooson, to approve Resolution No. 2023-040

RESULT:	CARRIED.
MOVER:	Council Member Evan Sweet
SECONDER:	Council Member Roland Tooson
AYES:	Steven Wilcoxon, Nicole Brown, Desirae Simmons, Evan Sweet, Michelle King, and Roland Tooson
ABSENT:	Jennifer Symanns

VIII ADJOURNMENT

The meeting adjourned at 7:54 pm



Resolution No. 2023-045
March 7, 2023

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS the City of Ypsilanti recognizes the importance of establishing equity in zoning; and

WHEREAS the City of Ypsilanti recognizes that the policy for treating *supportive housing* the same as other residential dwellings adheres to the Fair Housing Amendments Act laws that apply to zoning and planning; and

WHEREAS the City of Ypsilanti recognizes that eliminating the potential for adverse impacts or harm to a community as a result of discriminatory language and / or the perpetuation of segregation fully improves the broader community's economic conditions; and

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council approve the Zoning Text Amendment provision in the zoning ordinance to remove Supportive Housing Conditions and Permissible Uses; and to remove Supportive Housing Definition on Second and Final Reading.

OFFERED BY: _____

SECONDED BY: _____

YES:

NO:

ABSENT:

VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this 7 day of March 2023

#Resolution No. 2023-045

City of Ypsilanti
Notice of Adopted Ordinance
Ordinance No. 1406

An Ordinance Entitled Removal of Supportive Housing as a Classification or Category in the Zoning Ordinance

THE CITY OF YPSILANTI ORDAINS that the Zoning Text Amendment provision in the zoning ordinance to remove Supportive Housing Conditions and Permissible Uses; and to remove Supportive Housing Definition.

This zoning text amendment applies to Article V Division 1, Section 122-557; and to Article II, Section 122-203.

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

Andrew Hellenga, City Clerk

Attest

I do hereby confirm that the above Ordinance No. 1406 was published in the Washtenaw Legal News on the ____ day of _____, ____.

Andrew Hellenga, City Clerk

CERTIFICATE OF ADOPTING

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

Andrew Hellenga, City Clerk

Notice Published:

First Reading:

Second Reading:

Published:

Effective Date:



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: Elize Jakobson
DATE: March 7, 2023
SUBJECT: Arts Commission Artist Survey

DESCRIPTION:

Arts Commission Artist Survey

SUMMARY:

City Council approved survey questions, an RFP, and action plan for a Community Arts Survey in October of 2021. The grant of \$4,000 from the Tremaine Foundation for the implementation of this survey was received by the City of Ypsilanti on November 22, 2022, over a year later.

The City of Ypsilanti Arts Commission agreed that questions pertaining to the Covid-19 pandemic approved by council in 2021 are no longer important to the survey. Covid-19 questions were removed, and question #22 was changed to "What would you like to see from the Ypsilanti Art Commission that would help the Ypsilanti community?".

One change to the approved Action Plan for Community Arts Survey recommended by the Arts Commission is to include translation services for the survey in the budget.

The Arts Commission recommends that the RFQ be distributed to Arts Management programs at EMU and WCC and to the general Ypsilanti Community. Selection and subscription to an online survey service, and translation services should be completed before the Survey Outreach Consultant is selected.

RECOMMENDED ACTION: The Arts Commission recommended that the *updated Action Plan for Community Arts Survey, Survey, and Request for Qualifications for a Community Artist Survey Outreach Consultant*, be reviewed and adopted by the City Manager or City Council and implemented with the timeline outlined in the provided action plan. To approve a budget amendment of \$4,000 to roll over the funds received by the City.

ATTACHMENTS:

Resolution
Action Plan for Community Arts Survey - Upd. 01-2023
RFQ YAC Survey

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2023-046
March 7, 2023

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti desires to cultivate a community culture and environment that embraces and nurtures artistic and creative assets; and

WHEREAS, the City of Ypsilanti desires to promote and further diversity, equity and inclusion of all of Ypsilanti in the arts; and

WHEREAS, the Arts Commission desires to collect information from the community about the arts to inform the Commission in its role with the City, share this information with local, state and national arts organizations and provide insight on the current state of the arts in Ypsilanti, and

WHEREAS, the City of Ypsilanti City Council approved the Community and Artists Survey Ypsilanti Art Commission Action Plan, and the Request for Qualifications for the Community and Artists Survey Outreach Consultant in October of 2021; and

WHEREAS, the grant of \$4,000 from the Tremaine Foundation for the implementation of this survey was received by the City of Ypsilanti on November 22, 2022; and

WHEREAS, the Arts Commission identified questions on the approved survey that are no longer relevant or valuable due to the time elapsed between approval and receiving of the funds; and

WHEREAS, the \$4,000 received by the City of Ypsilanti for this survey needs to be rolled over into the appropriate budget, and

WHEREAS, the Arts Commission has reviewed updated the Community and Artists Survey questions, included translation services Artists Survey Ypsilanti Art Commission Action Plan; and

WHEREAS, the Arts Commission wishes to recommend implementation of the Community and Artists Survey Ypsilanti Art Commission Action Plan, and the Request for Qualifications for the Community and Artists Survey Outreach Consultant as amended.

NOW THEREFORE BE IT RESOLVED, by the City of Ypsilanti approve the updated Community and Artists Survey, Ypsilanti Art Commission Action Plan, and the Request for Qualifications

#Resolution No. 2023-046

for the Community and Artists Survey Outreach Consultant and approve the budget amendment as provided to implement this survey.

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 7 day of March 2023

#Resolution No. 2023-046

Community and Artists Survey
Ypsilanti Art Commission
Action Plan
January 3, 2023

The City of Ypsilanti, through the Ypsilanti Art Commission, will organize and solicit a survey of the Ypsilanti community in 2021. The Community and Artists Survey will be open to city residents and local artists. The intent is to collect information from the community about the arts to inform the Commission in its role with the City, share this information with local, state and national arts organizations and provide some insight on the arts in Ypsilanti at this particular time. The Commission expects to open the survey this summer. An award from the Tremaine Foundation has been offered for the implementation of the survey which will go toward outreach and analysis of the results.

The survey will:

- Be open to all city residents
- Encourage responses from local artists & have a second set of questions for them
- Provide a baseline of information about the local arts
- Ask questions related to diversity, equity, inclusion and justice and the local arts

Survey Themes

Below are the main themes that will form the basis of the questionnaire. Draft survey questions are included in the first appendix.

Themes for Community/Residents:

- How they engage with art and entertainment
- Under what circumstances will the community feel safe enough to participate in events (return to normal)
- Ask about diversity, equity, inclusion and social justice in the local arts
- If they feel included in what is already offered
- Count employment and volunteer work in the arts

Themes for Artists/People who work with or Support Artists:

- What will help an artist to thrive moving forward
- How they engage with the community (and how has this changed during the pandemic)
- If they have studio space
- How many has applied to grants

Artist Thrive and Funding

The [Artist Thrive](#) resource is used as a component of some of the Community and Artists Survey. The Emily Hall Tremaine Foundation supports the Artist Thrive project. The Foundation agreed to provide funding for the implementation of the Community and Artists Survey. The

funding was offered as a gift to pilot the foundation's increasing network of local arts organizations using the Artist Thrive tool.

Outreach

It will be necessary to staff the survey's outreach to increase the survey participation. That effort would include: social media & online content, targeted networking, help with any printed materials and present at events that can be safely staffed. The Commission would oversee the content of the outreach. An outreach or arts consultant would be necessary to complete this effort. The budget for the outreach performance is outlined below with additional details.

Diversity, equity, inclusion and social justice will be a main theme of the survey. The city's diverse population will be a primary focus of audience participation and will be a prime measure of the survey's success. A main focus of the outreach will be targeting networks to request participation in the survey in an effort to increase the number of respondents that reflect the city's diversity. Outreach to artists, at arts related events and with art organizations, will also be a part of the consultant staff's responsibilities.

Results

Upon the close of the survey, it will be necessary to examine and report on the content of the survey responses. The outreach personnel, or a second consultant, will be needed to complete this work. That effort would include: submit social media content about the results, compile a report, provide written analysis and suggest next steps to follow-up upon. The Commission would oversee the data that results and its dissemination & would provide feedback on the content of the final report. The budget for the outreach performance is outlined below.

Budget

The total budget for the Community and Artists Survey is: \$4,000. The City has acquired the funds from the Tremaine Foundation and is to provide the means of payment for the expenses listed in the budget below. *No other* City funds are requested.

The City will receive the check and allocate the funds to a dedicated line item that only the Arts Commission Chair and the City Manager are authorized to draw from. The Chair shall submit invoices to be paid net 30 days by the City finance department. A budget amendment to City Council will be necessary to deposit the check or spend down the funds.

The costs associated are outlined here:

<u>Community and Artists Survey budget</u>	<u>\$4,000</u>
Subscription to online survey service:	\$350
Translation service	\$250
Printing:	\$200

- for outreach/advertising, option for printed survey for those without a computer

Outreach: \$2450

- Consultant/temp hours, to perform:
 - Social media content & updates
 - Targeted outreach to community networks
 - First Friday location
 - “Busking” locations
 - street closure events
- 8 weeks, at \$15 per hour, 20 hours per week = \$2400
- Supplies = \$50

Analysis of the Results: \$750

- Consultant/temp hours, to perform:
 - Social media updates
 - Compile a report and provide to the Commission and City Council
 - Provide written notes and takeaway information
 - Suggest next steps
- 3 weeks, at \$15 per hour, 15 hours per week = \$675
- Supplies = \$75

Follow-up

A second phase survey would be planned for late 2022. This second survey would be targeted to local arts organizations. The follow-up survey would refer to the results of the initial Community and Artists Survey and track any direct action or progress that it had made possible.

Appendix One
Survey Questions
DRAFT

Community questions:

1. Are you a resident of:
 - City of Ypsilanti
 - Superior Township
 - Ypsilanti Township
 - Pittsfield Township
 - City of Ann Arbor
 - Ann Arbor Township
 - Wayne County
 - None of the above
2. How long have you been a resident there?
 - Less than two years
 - 2-5 years
 - 5-10 years
 - Over 10 years
 - Over 25 years
3. Please select the statement that best applies to you regarding your average participation in arts programming in the city of Ypsilanti in the past (art, music, theater, festivals or special events).
 - I have frequently participated in arts programming (about monthly or more)
 - I have occasionally participated in arts programming (several times a year)
 - I have participated in any arts programming few times or not at all
4. I had participated in the following, over the past 3 years:
 - Watched live theatre
 - Attended a dance performance
 - Attended a cultural event/performance
 - Attended a reading/poetry event
 - Attended an art gallery or visual art show
 - Went to see live music
 - Shopped at an art sale
 - None

During this time of social justice, how do the local art, cultural events and activities you have participated in relate to issues of diversity, equality, inclusion and justice? In your opinion, how true are these statements on a scale between one (none) and four (a lot):

5. I feel included and represented in the arts programs and events that are offered.
- 1 - not included
 - 2 - somewhat included
 - 3 - often included
 - 4 - always included
6. There was capacity in the arts community to learn and talk about matters of race, equity and diversity.
- 1 - no capacity
 - 2 - fair capacity
 - 3 - good capacity
 - 4 - outstanding capacity
7. There is a level of intention to build culturally relevant and culturally competent programs and offerings.
- 1 - no level
 - 2 - some level
 - 3 - a good level
 - 4 - a high level

** The above questions on equity and social justice are based on the statements in the [Artist Thrive](#) survey/rubric.*

8. Which of the following do you believe the City and the Ypsilanti Arts Commission should make as their priority to support the local arts community? Select as many as you'd like:
- Support to working artists
 - Help build capacity within existing arts organizations
 - Leverage state and national organizations to increase local support
 - Use creative works to enhance the community
 - Increase participation in the arts
 - Equity in access to the arts
 - All of the above
 - Other _____
9. What are the barriers that keep you from participating more in the arts?
- Price of attendance
 - Childcare
 - Transportation
 - I don't have time
 - No social support; no one to attend with
 - Nothing has interested me
 - Other _____
10. What art and arts programs would you like to see more of in the Ypsilanti community?

- Other _____

11. Are you employed or do you volunteer in the arts sector?

- I am employed in the arts sector
- I volunteer within the arts sector
- No

12. Had you been employed in the arts right before the pandemic, but are not any longer as a result of the pandemic?

- Yes, No

Artist questions:

13. Are you an artist?

- Yes, No

14. What form of art is your practice based?

- Performing Art
- Dance
- Musician
- Visual Arts
- Actor
- Writer
- Sculpture
- Film
- Graphic Art
- Decorative/Craft
- Other: _____

15. Do you currently have a designated studio space to create your work?

- Yes, I do have a designated studio space
- Yes, I have a designated studio space in my home
- No, I do not have a designated studio space
- I would like to have a designated space
- My work does not require a designated studio space

16. If you rent a studio space, what is your monthly rental fee?

- \$0-\$250
- \$250-\$500
- \$500-\$1,000
- Over \$1,000

17. Are you financially dependent on your art?

- It is less than 10% of my annual salary

- 10-50%
- Over 50%
- All of my salary

18. Do you expect your financial dependency on your art will increase in the next year?

- Yes, No

19. Have you ever applied for a grant to fund your artistic pursuits?

- Yes, No
- If no: Would you ever be interested in applying?

20. How have you engaged in your art with the local community? Select any that apply:

- Taught lessons or instructed art classes
- Sold art at shows and/or markets
- Performances at local venues
- I don't normally—the majority of my work isn't presented/sold locally
- Volunteer as a local artist at community organizations
- Other _____

21. What will help you thrive as an artist? Select three:

- direct employment/commissions (i.e. Put Creative Workers to Work)
- funding for arts organizations
- small grant (i.e. Creative Washtenaw Aid, Artist Relief grant)
- Change policies/laws to promote public and private sector support for art
- Improve economic/social policies that disadvantage independently working artists
- Support more arts based education to increase opportunities as an artist educator
- Other: _____

22. What would you like to see from the Ypsilanti Art Commission that would help the Ypsilanti community?

- _____

Demographic questions:

What is your age bracket?

0-18, 19-29, 30-44, 45-64, 65+

What is your annual income?

Under \$15,000, 15K to 25K, 25K to 40K, 40K to 60K, 60K to 90K, 90K to 150K, over \$150K

What is your ethnicity?

- White, non-Hispanic
- Black or African American, non-Hispanic
- Hawaiian/Pacific Islander
- Hispanic/Latino
- Native American or Native Alaskan
- Asian
- Other races, including multiracial
- Prefer not to respond

What is your gender identity?

- Male
- Female
- Transgender female
- Transgender male
- Gender non-conforming, Non binary
- I prefer not to answer

Request for Qualifications

Community and Artists Survey Outreach Consultant
Ypsilanti Art Commission

Opportunity

The City of Ypsilanti, through the Ypsilanti Art Commission, will organize and solicit a survey of the Ypsilanti community in 2022. The Community and Artists Survey will be open to city residents and local artists. The intent is to collect information from the community about the arts to inform the Commission in its role with the City, share this information with local, state and national arts organizations and provide some insight on the arts in Ypsilanti at this particular time.

A temporary outreach consultant is requested to assist with the implementation through outreach to increase participation and to organize the results.

Responsibilities

The outreach consultant will staff and perform the outreach to increase the survey participation in the city. That effort would include:

- Promoting it on social media & online content;
- Targeted networking;
- Help distribute any printed materials;
- Present/conduct the survey at events

The City Manager would oversee the execution of the outreach. The Art Commission will advise on the content.

Diversity, equity, inclusion and social justice will be a main theme of the survey. The city's diverse population will be a primary focus of audience participation and will be a prime measure of the survey's success. A main focus of the outreach will be targeting networks to request participation in the survey in an effort to increase the number of respondents that reflect the city's diversity.

Outreach to artists, at arts related events and with art organizations, will also be a part of the outreach consultant's responsibilities.

Upon the close of the survey, it will be necessary to examine and report on the content of the survey responses. The outreach consultant will be needed to complete this work. That effort would include:

- submit social media content about the results,

- compile a report,
- provide written analysis and suggest next steps to follow-up upon.

The Commission would oversee the data that results and its dissemination & would provide feedback on the content of the final report.

Performance Period

The survey start date is to be determined. The expected start will be in early spring--to align with the first First Friday event in Ypsilanti.

The period of performance will be approximately eleven weeks. The outreach consultant is expected to work 0.5 FTE, on average, for the first eight weeks. The start date will be 2-3 weeks before the opening of the survey and the survey will be open for 5-6 weeks. At the end of the survey an additional 3 weeks, approximately, will be committed to reporting the content of the survey and compiling the results. The FTE upon the close of the survey is expected to be 0.375, on average.

Budget

The work performed by the outreach consultant will be compensated by lump sum payments. The consultant shall submit invoices to be paid by the City finance department. Compensation for hours worked is limited to \$3,075 during the period of performance.

Up to \$75 can be reimbursed for supplies necessary for the project.

Budget and expected performance of work hours outline:

Survey Outreach:	\$2475
• Consultant hours, to perform: ◦ Social media content & updates ◦ Targeted outreach to community networks ◦ First Fridays Events, and other artist events in the City within the period ◦ Survey distribution and coordination at Parkridge Community Center, the Senior Center, and any location identified by the Arts Commission • 8 weeks, at \$15 per hour, average of 20 hours per week = \$2400 • Supplies = \$75 (reimbursable)	

Analysis of the Survey Results:

\$675

- Consultant hours, to perform:
 - Social media updates
 - Compile a report and provide to the Commission and City Council
 - Provide written notes and takeaway information
 - Suggest next steps
- 3 weeks, at \$15 per hour, average of 15 hours per week = \$675

Selection Process and Criteria

The City of Ypsilanti will review and evaluate all complete proposals in response to this RFQ to identify and engage with qualified consultants. An initial response to this RFQ must include the following information:

- **Letter of Interest:** Provide a letter (up to 2 pages) describing interest in the Ypsilanti survey project.
- **Experience / Portfolio:** Provide a short description of past projects of a similar nature (up to 3 pages, including any graphics/images). Include a description of the projects, project period, the project's organization/place-of-performance and references.
- **Resume**

City of Ypsilanti staff may seek additional information upon receipt of a proposal.

The RFQ and responses should not be considered a legally binding agreement. Upon selection of a consultant, the city of Ypsilanti will enter into an agreement.

Proposal Format

All submissions should be submitted via email in PDF format to ejekabson@cityofypsilanti.com, as well as a hard copy or CD / USB drive sent to City of Ypsilanti, ATTN: Elize Jekabson, 1 S. Huron, Ypsilanti, MI 48197.

Schedule for Review and Selection

The schedule for receipt and evaluation of proposals is anticipated to be as follows:

- RFQ posted, questions period: February 7, 2023 - February 16, 2023
- FAQ posted to city website: February 21, 2023 (if any questions received)
- Deadline for proposals: March 16, 2023
- Evaluation period: March 20 – March 24, 2023
- Finalist notified: March 28, 2023

Contact / Questions

Questions may be directed to: Elize Jekabson, Email: ejekabson@cityofypsilanti.com



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: Elize Jekabson
DATE: March 7, 2023
SUBJECT: RFL POET LAUREATE

DESCRIPTION:
RFL POET LAUREATE

SUMMARY:

In 2022, the Arts Commission invited Molly Raynor and Ciatta Tucker to share their experiences of programming a Youth Poet Laureate program through the Neutral Zone, and the Ann Arbor Arts Commission before the 2020 pandemic. Ciatta is an Ypsilanti resident and a former participant/intern of the Ann Arbor Youth Poet Laureate program at the Neutral Zone. They explained that the youth poetry scene has had a stronghold in the region for many years, even decades. Since programming was only available in Ann Arbor, many Ypsilanti students traveled to participate and have regularly earned high rewards within the program. It is widely known in spoken word circles that the Ypsilanti community produces high level youth poets. Fast forward to January 12, 2023, Ciatta Tucker returned to the Arts Commission with a program proposal for Ypsilanti that was very well received.

The program timeline spans from May 2023 to May 2025. 2023 will be focused on meeting with National Youth Poet Laureate network leaders, creating a marketing plan that promotes the program, creating and distributing an application, holding application workshops, and securing community partners. The budget for the project totals \$6,500 for staffing and programming. Applications will be reviewed in January of 2024, and the first ever City of Ypsilanti Youth Poet Laureate will be selected by the end of February. Between March and May of 2024, the program coordinator will work with the Poet Laureate to prepare them for their role. During this time, there will be a commencement ceremony where the Poet Laureate and other finalists are honored. The Poet Laureate will also be honored by the Mayor and City Council during a public meeting. In communities that run this program, the Poet Laureate is officially honored at a municipality's public meeting and is called to perform at certain municipal functions for the duration of their title.

The Poet Laureate's term is projected to be from May 2024 - May 2025. During this time, the Program Coordinator will support the Poet Laureates social justice project and performance opportunities in the city. Ideally, the Program Coordinator will be simultaneously preparing for the May 2025-2026 Poet Laureate program because of the knock-out success of the inaugural program. The Program Coordinator will guide the Poet Laureate through the process of entering and competing in the national competition in September of 2024.

The Arts Commission felt that a Youth Poet Laureate program in Ypsilanti would satisfy its key objectives including *to cultivate a community culture and environment that embraces and nurtures artistic and creative assets*. By adopting and funding this program, the City of Ypsilanti would show that it is ready to help open doors and opportunities to its young poets, rappers, and activists. Ypsilanti would benefit from having a Youth Poet Laureate represent the city not only on a local level, but at a regional and national level as well.

The Arts Commission recommended that the attached Poet Laureate Proposal be reviewed and adopted by the City Manager or City Council.

RECOMMENDED ACTION: Staff is seeking Council to support Ypsilanti's Arts and Youth by approving the budget amendment expenditure of \$6,500 to implement the City of Ypsilanti's first Youth Poet Laureate Program.

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2023-047
March 7, 2023

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The City of Ypsilanti desires to cultivate a community culture and environment that embraces and nurtures artistic and creative assets; and

WHEREAS, The City of Ypsilanti desires to promote and further diversity, equity and inclusion of all of Ypsilanti in the arts; and

WHEREAS, Youth voice and community engagement are vital for empowering young people to effect positive change in their community and beyond; and

WHEREAS, the City of Ypsilanti Arts Commission, whose purpose is to act as an advisory body to the mayor, city council and city manager for all things art in the City, identified that the Youth Poet Laureate Program satisfies the Commission's key objectives; and

WHEREAS, they have recognized Ciatta Tucker's work, passion, and expertise in Washtenaw County's Spoken Word Community and in Youth Poet Laureate programming; and recommend Ciatta Tucker to implement the inaugural Youth Poet Laureate program as outlined in the proposal between May 2023 and 2025; and

WHEREAS, on January 12, 2023, they enthusiastically recommended that the City Council approve the Youth Poet Laureate program as presented; and

WHEREAS; The City of Ypsilanti Youth Poet Laureate Program requires a minimum budget of \$6,500 for staffing and programming.

NOW THEREFORE BE IT RESOLVED THAT: the Ypsilanti City Council approve the budget amendment as provided for the City of Ypsilanti Youth Poet Laureate Program

OFFERED BY: _____

SECONDED BY: _____

#Resolution No. 2023-047

YES:

NO:

ABSENT:

VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this
7 day of March 2023

#Resolution No. 2023-047

Ypsilanti Youth Poet Laureate Proposal

Overview

The Ypsi Youth Poet Laureate Program aims to identify youth writers and leaders who are committed to civic and community engagement, poetry and performance, social justice, radical inclusion and education across the region. The Ypsi Youth Poet Laureate is a joint program of Ypsilanti Arts Commission and Urban Word NYC. The Ypsilanti Arts Commission will accept submissions from young poets, rappers, leaders and activists from across Ypsilanti who are interested in representing the city as the inaugural Ypsi Youth Poet Laureate. A group of esteemed judges will select one teen to be honored with the title of Ypsi Youth Poet Laureate.

Timeline & Tasks

*Usually this program aligns with the school year (Sept-May) but it could technically launch at any time as long as the term is for a year. Ideally the winner is announced in the spring so they can be entered into the National Youth Poet Laureate competition in the fall.

2023

- May-August:
 - Meet with National Youth Poet Laureate network leaders
 - Create marketing plan
 - Secure community partners (e.g. libraries, bookstores, schools, etc)
 - Prepare promotional materials (flyers, press release, etc)
 - Secure judges
 - Determine criteria and create application (google form or some other accessible platform)
- September-November:
 - Application goes live with deadline plant mid December
 - Promote Poet Laureate program through social media, flyering, emails to community partners and schools, school visits, media coverage, etc
 - Provide an application workshop where interested teens can come learn more and get support in applying
- December:
 - Make sure deadline for applications is no later than the end of the school semester so teens get everything submitted before winter break

2024

- January-February
 - Judges read through applications, have meetings to discuss and vote on 1 Laureate and 4 additional finalists (these numbers are flexible)
 - Announce winner and finalists by end of February
- March-May
 - Make promo materials for commencement ceremony (flyer, press release, social media posts)
 - Plan and host commencement ceremony (public event with poetry reading where Laureate and finalists are honored) in April or May
 - Laureate is honored by Mayor at Ypsi City Council Meeting (we did this in Ann Arbor but not necessary)
 - Program coordinator meets with Poet Laureate to review role and map out their social justice project
 - Laureate receives first \$500 payment (cash prize for winning)

May 2024-May 2025: term of Poet Laureate (this is flexible, could technically start any month)

- Program Coordinator meets with Poet Laureate monthly to provide support with project, plan out various readings and performance opportunities
- Program Coordinator creates social media content to promote Laureate
- Laureate receives \$500 when they launch their social justice project
- Program Coordinator begins planning for 2024-2025 competition
- September 2024- Laureate enters national competition

Budget for 2023-2024

Programming

- \$500 entrance fee for National Youth Poet Laureate program through [Urban Word](#)
- \$500 to the winner as prize
- \$500 for the Poet Laureate to use for a local social justice project they'll implement during their year long term
- \$200 for food and promotion materials for commencement ceremony
- Total: \$1,700

Staffing

- Program Coordinator (\$20/hour x 5 hours/week = 20 hours/month = \$400/month x 12 months = \$4,800/year)
- Judges (volunteers) = \$0
- Total for year 1: \$4,800

YEARLY TOTAL [May 2023-2024]: \$6,500

Additional Info and Resources

We recommend joining the National Youth Poet Laureate Program which provides more structure and resources, and makes our local Youth Poet Laureate eligible for the regional and national competitions. National Youth Poet Laureates receive huge opportunities and platforms (e.g. Amanda Goreman reading at Inauguration). Two years in a row the Ann Arbor/Ypsi Youth Poet Laureate won the regional competition, representing the entire Midwest, so Ypsi has already gotten on the map! To enter this national network, fill out the form at [Urban Word](#)'s website.

BUDGET ADJUSTMENT WORKSHEET

AMENDMENT#:

NET CHANGE IN BUDGET:	4,000	10,000	4,000	10,000
-----------------------	-------	--------	-------	--------

Date: _____

Date: _____

#N/A



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: Bonnie Wessler
DATE: March 7, 2023
SUBJECT: RFL MDOT CONTRACT

DESCRIPTION:
RFL MDOT CONTRACT

SUMMARY:

MDOT is currently planning to perform a mill & overlay on Michigan Avenue from Huron to Hamilton, as part of the larger work effort in town this year and last. They have been able to extend the project limits east to include the Michigan Ave Bridge. Due to the presence of parking on that bridge – to-wit, an area not used as a travel lane – they are asking that we participate in the cost of the mill & overlay for the area that is currently used by parking. They are asking \$8,200 in participation. This money can be drawn from the Major Streets fund (202). This project was bid competitively by MDOT and aligns with our purchasing policy.

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2023-048
March 7, 2023

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, funding has been programmed in the major streets fund pavement capital maintenance in the City of Ypsilanti; and,

WHEREAS, MDOT has solicited sealed bids and awarded the work for the project; and,

WHEREAS, MDOT standard practice is to request local participation on projects where work is performed outside of travel lanes and has requested \$8,200 from the City;

NOW THEREFORE BE IT RESOLVED THAT the City Manager is authorized to sign this contract, subject to review by the City Attorney.

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 7 day of March 2023

#Resolution No. 2023-048

SPECIAL TRUNKLINE
NON-ACT-51
ADDED WORK

DA	
Control Section	ST 81132
Job Number	211427CON
Fed Project #	23A0283
Contract	22-5550

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

WITNESSETH:

WHEREAS, the DEPARTMENT is planning hot mix asphalt overlay work on Structure B01 of 81032 which carries Highway US-12BR (Michigan Avenue) over the Huron River; and

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

Hot mix asphalt overlay work of parking lanes on Structure B01 of 81032 which carries Highway US-12BR (Michigan Avenue) over the Huron River; together with necessary related work, located within the corporate limits of the CITY; and

WHEREAS, the DEPARTMENT presently estimates the PROJECT COST as hereinafter defined in Section 1 to be: \$8,200; and

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

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

1. The parties shall undertake and complete the construction of the PROJECT in accordance with this Contract. The term "PROJECT COST", as herein used, is hereby defined as the cost of the construction of the PROJECT including the costs of physical construction necessary for the completion of the PROJECT as determined by the DEPARTMENT, construction engineering (CE), and any and all other expenses in connection with any of the above.

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

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

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

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

5. The PROJECT COST shall be charged to the CITY 100 percent and paid in the manner and at the times hereinafter set forth. Such cost is estimated to be as follows:

PROJECT COST - \$8,200

The CE costs will be apportioned in the same ratio as the actual direct construction costs.

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

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

DEPOSIT - \$3,300

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

7. Pursuant to the authority granted by law, the CITY hereby irrevocably pledges a sufficient amount of funds received by it from the Michigan Transportation Fund to meet its

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

8. Upon completion of the PROJECT, the CITY shall accept the facilities constructed as built to specifications within the construction contract documents. It is understood that the CITY shall own the facilities and shall operate and maintain the facilities in accordance with all applicable Federal and State laws and regulations, including, but not limited to, Title II of the Americans with Disabilities Act (ADA), 42 USC 12131 et seq., and its associated regulations and standards, and DEPARTMENT Road and Bridge Standard Plans and the Standard Specifications for Construction at no cost to the DEPARTMENT.

9. If, at any time in the future, the pavement for the parking lanes is required for trunkline purposes, the DEPARTMENT shall take over and use such extra width pavement without replacement of the facility or reimbursement to the VILLAGE.

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

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

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

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

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

CITY OF YPSILANTI

MICHIGAN DEPARTMENT
OF TRANSPORTATION

By _____
Title:

By _____
Department Director MDOT

By _____
Title:



APPENDIX A
PROHIBITION OF DISCRIMINATION IN STATE CONTRACTS

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

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

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

Revised June 2011

APPENDIX B
TITLE VI ASSURANCE

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

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

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

Revised June 2011

APPENDIX C

TO BE INCLUDED IN ALL FINANCIAL ASSISTANCE AGREEMENTS WITH LOCAL AGENCIES

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

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

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

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

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



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: Frances McMullan
DATE: March 7, 2023
SUBJECT: RFL YOUTH MINI-GRANT

DESCRIPTION:
RFL YOUTH MINI-GRANT

SUMMARY:

City Council through the budgetary process has allocated \$25,000 each year for the purpose of providing grants to community non-profits that work with area youth.

The current process is a three member selection committee reviews each submitted application and forwards its recommendation onto the City Manager to be placed on the next available Council agenda.

City staff is recommending to Council to approve a policy that will govern this process to provided clarity to both city staff and applicants.

The attached policy would provide a window for applications to be submitted, a requirement of reporting on how the funds were expended, and criteria for selection.

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2023-049
March 7, 2023

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti wishes to provide financial assistance through mini-grants for local non-profits that work with youth; and

WHEREAS, for several Fiscal Years City Council has budgeted \$25,000, that would be allocated in \$5,000 increments to applicable organizations; and

WHEREAS, a written policy would both benefit the applicants and city officials in the allocation of these funds.

NOW THEREFORE BE IT RESOLVED THAT the City Council of the City of Ypsilanti approves the attached policy with immediate effect.

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 7 day of March 2023

#Resolution No. 2023-049



Youth Mini-Grant Funding Policy

Purpose

This policy is established in effort to provide fair and equitable grant funding to charitable and nonprofit organizations in the city of Ypsilanti and to provide procedures to apply for and receive funding of non-profit/charitable groups, events, services, and programs that benefit residents in the City of Ypsilanti.

Organizational Grant Policy

Each organization receiving a grant will provide a benefit to the youth of the City of Ypsilanti.

Grants to cover operational needs are funded directly from the general fund (101).

It is important to limit the use of the general fund as it is the primary source of revenue for all City operations, including public safety. An amount not to exceed \$25,000 in total will be considered available to provide support for grant requests and other similar budget allocations for organizational support.

The following guidelines will ensure that a uniform process is followed in the appropriation of city General Funds for requests that are annually submitted to the city.

Definitions

"Financial assistance" shall mean any municipal grant encompassing all forms of direct cash payments for eligible activities.

"Non-profit organization" shall mean any non-profit/charitable organization recognized as a tax-exempt IRS approved 501.C.3/4 and/or recognized as a legally tax-exempt organization under Michigan law.

Conditions for Non-Profit Support Consideration & Approval

The City Council Grant Evaluation Committee will review applications for municipal nonprofit support after considering the following eligibility criteria. The application window will be open from July 1st and close on September 30th. The following are the conditions for filing non-profit eligibility:

- a. A not-for-profit organization that meets the definition of "non-profit" as defined in this policy.
- b. Provides a recreation, cultural or community service to a significant proportion of city residents that the city does not otherwise provide.
- c. Has demonstrated revenue-generating capability for program or the organization can demonstrate that it has exhausted all other potential avenues of funding for the service or event.
- d. Organizations demonstrate collaboration and cooperation with other local organizations in the sharing of resources.
- e. Organizations that receive any funding are required to acknowledge the support of the municipality using the municipal, website and tag line on any promotion material for the event, service, activity, etc. The plan for the use of the municipal logo, website and tag line will be submitted as part of the event application.
- f. Activities must be limited to youth (age 14-24)

City Council Approval - Application Conditions

The following are those conditions which qualify for a Youth Mini-Grant and will require the submission of the formal application.

- a. Start-up funds for a new program or service.
 - Start-up funds may be provided, on a ONE-TIME basis only, to assist in the initial costs for providing the community with a new community program or service.
- b. Grant sponsorship funds for established community programs and services.
- c. Direct cash funding support for organizations that provide a service or engage in a community betterment activity in partnership with the city.

City Council Waiver Required - Not Eligible for Financial Assistance

The following will not be eligible for financial assistance:

I. Types of Organizations / Individuals

- a. Social assistance services that are provided by other government agencies.
- b. For-profit organizations
- c. Organizations with political affiliations
- d. Organizations serving as funding sources for others, e.g. service clubs.
- e. Faith organizations where services/activities include the promotion and/or required adherence to a faith.
- f. Organizations receiving greater than 50% funding from senior levels of government.
- g. Political candidates.
- h. Large programs that may require years to complete.
- i. Operating costs associated with keeping the organization running.
- j. If an organization has received funding the previous year.

II. Types of Requests

- k. Travel expenses for members of an organization.
- l. Individuals
- m. Programs with legislated mandates of other governments.
- n. Costs for major capital equipment/renovations and financing of deficits.
- o. Any funding requests from organizations that do not submit the required reporting information for a previous year's grant in accordance with Conditions of this policy.
- p. Incorporation costs or Director's Liability insurance costs.
- q. Under any one of the following conditions: The event involves fund raising supports with no general public purpose; will not be accessible to the general public; benefits the organization only as a fund-raiser; or provides a benefit limited to the participants, clients or membership of the organization.

Funding Limits

General Fund: Any organization or event in any one fiscal year will be capped at a cash request of \$5,000. Council has the authority to increase the maximum funding limits of this section on a case-by-case basis.

Budget Cycle

The city will open the application process for the budget cycle on July 1st of each year and all applications must be received no later than September 30th.

Application Process and Conditions – Applications are to be submitted on the city's website cityofypsilanti.com

Prior to considering any request for funding the City of Ypsilanti shall require the following from the organization:

- A completed Non-Profit Funding Application form detailing the requested funding support from the city.
- Evidence that the organization is recognized as a nonprofit charitable or civic organization.
- Financial statements which shall include any income and expense statement and a balance sheet (if one is available) from the previous event or fiscal year.
- Information pertaining to the evaluation criteria.
- The applicant will provide one copy of the application form and any supporting documents to the city. An electronic copy is acceptable.
 - The city reserves the right to request supplementary information in support of the application.
 - Applications shall be received by the city no later than September 30th of each calendar year
 - If the above information is not submitted by the deadline, applications will be returned and not considered by Council
 - Filing an application does not necessarily guarantee the awarding of any funding to the applicant
 - Previous year's funding allocations will not be considered, and each application will be reviewed on its own merit
- The city reserves the right to deny or approve any/all requests. **There is no method for appealing a denial.**

Application Review Criteria

City Council Review Committee will review all non-profit applications and recommend approval and award amounts to the City Council. Applications will be scored by the commission on the following criteria:

Program Description 10% - Write a detailed summary of what your organization does and about your requested use for proposed funds.

Uniqueness of service 25% - This will ensure that services aren't continually duplicated across various applying non-profits. The fewer applying non-profits that provide your service, the higher your score. Also, included in this section is prior awards of this grant to the organization.

Contribution to Citizens 25% - How effective and active your organization is in the citizens' lives and welfare. The more involved and responsible your nonprofit, the higher the score.

Number of Participants 20% - How many citizens participate in and benefit from your services and how many total participants and Citizens from Ypsilanti will specifically benefit from the funds you've requested from the City.

Audited Financials 20% - If your financials reveal money mismanagement, then your score will be lower.

Award Announcements, Disbursement Agreement, and Reporting:

All organizations that submit a qualified Mini Grant application will receive an email notification on the final action.

Recipients of a Mini Grant will be required to provide a final report to the City Council about how the Mini Grant funds were used. Recipients who do not submit a final report may be responsible for returning the grant funds to the City and will be ineligible for applying for Mini Grant funds in the future.

- The report should include the following:
 - Grant Summary including project activities.
 - Financial Statements, what was the grant used on and supporting documentation.
 - Results and Impact

In the event the program, service, or event for which a Mini Grant has been provided does not occur, the recipient must return the funds to the city.

Nondiscrimination Policy:

The City of Ypsilanti does not discriminate against any of the protected classes as defined in Chapter 58 of the City Code. Applicants for a Mini Grant must hold similar standards in their provisions.

Youth Mini Grant Agreement



Date of Agreement:

Grantee:

Grant ID#:

Purpose of Grant:

Total Amount of Grant:

Award Date:

Project Period:

Payment Schedule:

This grant is awarded by the City of Ypsilanti (the City) subject to the following terms and conditions:

- A. This grant must be used for the purpose identified above, as described in the Grantee's proposal and related correspondence, and may not be expended for any other purposes without the City's prior written approval.
- B. Grantee represents and warrants that it has been recognized as an organization described in section 501(c)(3) of the Internal Revenue Code.
- C. The City may request that Grantee return any unexpended grant funds remaining at the end of the Project Period. Should funds remain at such time, Grantee will contact the City to discuss options including extending the Project Period, returning grant funds, and/or other options.
- D. This grant may be used for Grantee's exempt activities as permitted under Section 501(c)(3) of the Internal Revenue Code

Grantee will provide to the City of Ypsilanti a report as set forth in the Youth Mini-Grant Policy on;

<u>Date</u>	<u>Type</u>	<u>Notes</u>
-------------	-------------	--------------

- E. Grantee will provide promptly such additional information, reports, and documents as the City may request and will allow the City and its representatives to have reasonable access during regular business hours to files, records, accounts, or personnel that are associated with this grant, for the purpose of making such financial reviews, verifications, or program evaluations as may be deemed necessary by the City.
- F. Grantee will allow the City to review and approve any text of any proposed publicity concerning this grant prior to its release. If this grant is to be used for a film, video, book, or other such product, the City reserves the right to request a screening or preview of the product, during the final production stages, before deciding whether or not to be credited as a funder of the product. If Grantee is a scientific or research institution that is legally required to disclose supporters, the City asks that this support be recognized as a grant and list us as “The City of Ypsilanti”. Grantee agrees to permit the City to include and/or disseminate information about the grant and/or Grantee in its publications and communications, both print and electronic.
- G. The City reserves the right to discontinue, withhold, or modify any payments or the payment schedule made under this grant award, or to require a total or partial refund of any grant funds if, in the City’s sole discretion, such action is necessary because: (i) Grantee ceases to be exempt from federal income taxation as an organization described in Section 501(c)(3) of the Internal Revenue Code; (ii) Grantee’s status as not a private foundation under Section 509(a) or as not a Type III supporting organization as described above is changed; (iii) in the City’s sole judgment, Grantee becomes unable to carry out the purposes of the Grant, ceases to be an appropriate means of accomplishing the purposes of the Grant or fails to comply with any of the conditions hereof; (iv) if Grantee breaches this Agreement; (v) if Grantee’s conduct jeopardizes Grantee’s legal or tax status; (vi) because Grantee has not fully complied, or is not able to fully comply, with the terms and conditions, or representations and warranties, of this grant agreement; (vii) to protect the purpose and objectives of the grant or any other charitable activities of the City; or (viii) to comply with any law or regulation applicable to the Grantee, to the city, or this grant. Any use by Grantee of the grant funds for any purposes other than those specified in this Agreement will terminate the City’s obligation.

H. If the Grant is terminated prior to the scheduled completion date, upon the City's request, Grantee shall provide the City of Ypsilanti a full accounting of the receipt and disbursement of funds and expenditures incurred under the grant as of the effective date of termination.

I. Grantee shall promptly notify the City in writing if: (i) there is any change in circumstances that might affect Grantee's ability to carry out the Grant; (ii) Grantee undergoes a merger, division, or other corporate reorganization; (iii) Grantee becomes subject to a proceeding under the Bankruptcy Code or other law relating to insolvency or makes an assignment for the benefit of creditors; (iv) Grantee becomes subject to an investigation or proceeding brought by the Internal Revenue Service, Attorney General, any other regulatory agency, or any governmental unit; or (v) Grantee receives notice of any litigation or other legal action relating to the grant or are served with a subpoena or other legal process seeking to compel production of or obtain access to any data related to the grant. Upon the occurrence of any of the events described in this Section, the city reserves the right, at its option, to unilaterally amend the terms of the grant, including the right to terminate the grant.

J. Grantee shall not disburse grant funds to any recipient acting as a fiscal sponsor or agent and shall not otherwise assign this grant agreement without the prior written consent of the City.

Grantee accepts responsibility for complying with this agreement's terms and conditions and will exercise full control over the grant and the expenditure of grant funds. This grant will be payable according to the above referenced payment schedule, after the City receives a copy of this agreement signed by an authorized officer of Grantee. Grantee may wish to have this agreement reviewed by legal counsel.

On behalf of Grantee, I understand and agree to the foregoing terms and conditions of the City of Ypsilanti's grant, and hereby certify my authority to execute this agreement on Grantee's behalf.

Signature: _____

Printed Name: _____

Title: _____

Date: _____



Resolution No. 2023-050
March 7, 2023

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 7 day of March 2023

#Resolution No. 2023-050