



**CITY OF YPSILANTI
REGULAR COUNCIL MEETING
Tuesday, May 14, 2024 @ 6:00 PM
Council Chambers
One South Huron, Ypsilanti, MI 48197
[Launch Meeting - Zoom](#)**

I. CALL TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE

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

IV. AGENDA APPROVAL

V. PUBLIC COMMENT (3 MINUTES)

VI. PRESENTATIONS

- A. Presentation recognizing Ruth Mella as the winner of the Ypsilanti Youth Poet Laureate Contest.
- B. Resolution 2024-077, designating the week of May 19–25, 2024 as National Public Works Week.
- C. Proclamation dedicating May 2024 as Mental Health Awareness Month in the City of Ypsilanti.

VII. ORDINANCES FIRST READING

- A. Ordinance No. 1426 - An Ordinance entitled "2024-2025 Tax Levy Ordinance".
Resolution No. 2024-078, determination.
Public Hearing
Resolution NO. 2024-079, close the public hearing.
- B. Ordinance No. 1427 - An Ordinance entitled "An Ordinance to Amend Budget Appropriations by Department and Major Organizational Unit for the Fiscal Years 2023-2024".
Resolution No. 2024-080, determination.
Public Hearing
Resolution NO. 2024-081, close the public hearing.
- C. Ordinance No. 1428 - An Ordinance entitled, "An Ordinance to Adopt Budget Appropriations by Department and Major

Organizational Unit for the Fiscal Years 24-25 and 25-26".
Resolution No. 2024-083, determination.
Public Hearing
Resolution No. 2024-084, close the public hearing.

1. BUDGET PRESENTATION

- D. Ordinance No. 1429 - An Ordinance entitled "Zoning text amendment to Sections 122-203, 122-560, 122-561, and 122-562 to update the regulations for the storage of recreational vehicles to allow greater flexibility while maintaining compatibility with surrounding uses".
Resolution No. 2024-085, determination.
Public Hearing
Resolution No. 2024-086, close the public hearing.
- E. Ordinance No. 1430 - An Ordinance entitled "Zoning text amendment to allow electronic message board (EMB) signs, with reasonable standards to ensure compatibility with neighboring uses and reduce the potential for off-site glare".
Resolution No. 2024-087, determination.
Public Hearing
Resolution No. 2024-088, close the public hearing.

VIII. RESOLUTIONS/MOTIONS/DISCUSSIONS

- A. Resolution No. 2024-089, approving the minutes of the April 16, 2024 Regular Council Meeting and April 19, 2024 Special Council Meeting.
- B. Resolution No. 2024-090, approving Ordinance No. 1425, entitled "an Ordinance to amend Chapter 7 of the City Code Marijuana". **(Second Reading)**
- C. Resolution No. 2024-091, approving a contract with OHM for design engineering services to comply with regulations and directives mandated for the reconstruction of Harriet (First to Hawkins).
- D. Resolution No. 2024-092, authorizing the City Manager to approve the payment of \$229,000 to B & B Pools and Spas for the resurfacing of the Rutherford pool and authorizing the Finance Department to make the payment as fiduciary for the Friends of the Rutherford Pool.
- E. Resolution No. 2024-093, authorizing the expenditure of excess proceeds from the City of Ypsilanti's 2022 Water Supply System Bonds.
- F. Resolution No. 2024-094, authorizing to remove Devika Choudhuri and Kirk Crowner from the Human Relations Commission.
- G. Resolution No. 2024-095, approving appointments to boards and commissions.
- H. Resolution No. 2024-096 approving appointments of non-resident to boards and commissions.
- I. Discussion regarding fees for Cruise Nights.

- J. Discussion regarding RFP for unarmed response.

IX. BOARD AND COMMISSION - LIAISON REPORTS

- A. Police Advisory Commission
- B. Human Relations Commission
- C. Parks and Arts Commission
- D. Sustainability Commission
- E. Historic District Commission
- F. Planning Commission
- G. Zoning Board of Appeals

X. LIAISON REPORTS

- A. SEMCOG Update
- B. Washtenaw Area Transportation Study
- C. Urban County
- D. Ypsilanti Downtown Development Authority
- E. Friends of Rutherford Pool

XI. COUNCIL PROPOSED BUSINESS

XII. COMMUNICATIONS FROM THE MAYOR

XIII. COMMUNICATIONS FROM THE CITY MANAGER

XIV. COMMUNICATIONS

XV. PUBLIC COMMENT (3 MINUTES)

XVI. REMARKS FROM THE MAYOR

XVII. ADJOURNMENT

- A. Resolution No. 2024-097, adjourning the City Council Meeting.



TO: Andrew Hellenga, City Manager

FROM: Thomas Koch, Communications Manager

DATE: April 22nd, 2024

RE: **Ypsilanti Youth Poet Laureate Contest**

The City of Ypsilanti is proud to announce Ruth Mella as the winner of the Ypsilanti Youth Poet Laureate Contest. This program is a partnership between the Ypsilanti Arts Commission, Ypsilanti District Library, and Urban Word NYC. As the Ypsilanti Poet Laureate, Mella will meet regional residents to promote poetry, spoken word, and literary arts. The Ypsilanti Youth Poet Laureate Program aims to identify young writers and leaders committed to civic and community engagement, poetry and performance, social justice, radical inclusion, and education throughout the area.

Along with the title of Ypsilanti Youth Poet Laureate, Mella will receive \$500 cash and \$500 for a social justice poetry project.

"Ruth Mella, originally from the Bronx, New York. At the age of 3, my family and I relocated to Ypsilanti, where we've been proud members of the community ever since. We're of Dominican descent, fortunate to call this place home together. It's a true honor for me to be recognized as the Poet Laureate, providing me with a platform to express my intelligence and creativity through my writing."



From: Councilmember Evan Sweet & Councilmember Roland Tooson

Subject: National Public Works Week 2024

SUMMARY & BACKGROUND:

Since 1960, the American Public Works Association (APWA) has sponsored National Public Works Week. This week focuses on the importance of public works in our daily lives: planning, building, managing, and operating at the heart of local communities to improve everyday quality of life.

Public works employees, within the City of Ypsilanti Department of Public Services and Ypsilanti Community Utilities Authority contribute to advancing and enhancing our quality of life. Public works professionals provide essential services that lead to healthier, happier, more vibrant communities.

Public works professionals advance the quality of life by providing an infrastructure of services in transportation, water, wastewater, and stormwater treatment, public buildings and spaces, parks and grounds, emergency management and first response, solid waste, and right-of-way management. They are what make our communities dynamic places to live and work.

RECOMMENDED ACTION: Approval

ATTACHMENTS: Resolution

CITY MANAGER APPROVAL: _____ **COUNCIL AGENDA DATE:** _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, public works professionals focus on infrastructure, facilities, and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life, and well-being of the people of City of Ypsilanti and,

WHEREAS, these infrastructure, facilities, and services could not be provided without the dedicated efforts of public works professionals, including the City of Ypsilanti Department of Public Services, and Ypsilanti Community Utilities Authority staff, who are engineers, managers, and employees at all levels, who are responsible for rebuilding, improving, and protecting our transportation, water supply, water treatment and solid waste systems, public buildings, parks, recreation facilities, and other structures and facilities essential for our citizens; and,

WHEREAS, it is in the public interest for the citizens, civic leaders, and children in the City of Ypsilanti to gain knowledge of and maintain an ongoing interest and understanding of the importance of public works and public works programs in their respective communities; and,

WHEREAS, the year 2024 marks the 64th annual National Public Works Week sponsored by the American Public Works Association/Canadian Public Works Association; and

BE IT FURTHER RESOLVED THAT, the City of Ypsilanti, does hereby designate the week May 19–25, 2024, as National Public Works Week. City Council urges all citizens to join with representatives of the American Public Works Association and government agencies in activities, events, and ceremonies designed to pay tribute to our public works professionals, engineers, managers, and employees and to recognize the substantial contributions they make to protecting our health, safety, and advancing quality of life for all.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, public works professionals focus on infrastructure, facilities, and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life, and well-being of the people of City of Ypsilanti and,

WHEREAS, these infrastructure, facilities, and services could not be provided without the dedicated efforts of public works professionals, including the City of Ypsilanti Department of Public Services, and Ypsilanti Community Utilities Authority staff, who are engineers, managers, and employees at all levels, who are responsible for rebuilding, improving, and protecting our transportation, water supply, water treatment and solid waste systems, public buildings, parks, recreation facilities, and other structures and facilities essential for our citizens; and,

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OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

PROCLAMATION

Mental Health Month

WHEREAS, mental illness is thought to be caused by various genetic and environmental factors; and

WHEREAS, mental health includes our emotional, psychological, and social well-being; it affects how we think, feel, and act; it also affects how we handle stress, relate to others, and make choices; and

WHEREAS, mental health is foundational to our wellness, allows us to care for ourselves and others, and make valuable contributions to Michigan's communities; and

WHEREAS, according to Mayo Clinic, mental illness is common. About 1 in 5 adults has mental illness in any given year. Mental illness can begin at any age, but most cases begin earlier in life; and

WHEREAS, mental illness can be long lasting or temporary; and

WHEREAS, mental illness is known to be a leading cause of disability. If left untreated, it can potentially cause severe emotional, behavior and physical health problems; and

WHEREAS, in the United States, one out of twenty adults live with serious mental health conditions such as schizophrenia, bipolar disorder, and major depression, but only 47.2% of adults with mental illness receive any form of treatment from in 2021; and

WHEREAS, approximately, one in six youths in the US have at least one mental health condition. Fewer than half have been able to access care; and

WHEREAS, the various challenges include isolation, loss of income, fear, and bereavement; and

WHEREAS, there's no sure way to prevent mental illness. However, taking the necessary steps to control stress, pay attention to warning signs, get routine medical care, get help when need it, take good care of yourself may help keep your symptoms under control; and

WHEREAS, good mental health is critical to the well-being of our families, communities, schools, and businesses; and

WHEREAS, greater public awareness about mental illnesses can change negative attitudes and behaviors toward people with mental illnesses

NOW, THEREFORE, I, NICOLE BROWN, MAYOR of the City of Ypsilanti hereby proclaim May 2024 as Mental Health Awareness Month in the City of Ypsilanti.

Given under my hand and seal of the
City of Ypsilanti May 14, 2024.
Nicole Brown, Mayor



Resolution No. 2024-077
May 14, 2024

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the proposed ordinance entitled "2024-2025 Tax Levy Ordinance", be approved on First Reading

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



Ordinance No. 1426

The City of Ypsilanti Ordains that:

A general operating millage rate of 17.0304 mills (0.0170304 cents per \$1) of the Taxable Value, according to the assessment roll of the last preceding year is approved and authorized; and

The City Clerk is authorized to certify to the City Treasurer and City Assessor the total amount to be levied and restricted for the City of Ypsilanti and DDA:

Millage Description	Millage Rates
City	
General Operating	17.0435
P&F Pension and OPEB	8.1234
Public Transit	.8768
Sanitation	2.4918
Water St. General Obligation Bond 2016A	1.6648
City Total	30.2003
Downtown	1.6797
East Depot Town	1.6797
West Cross	1.6797

Made, passed and adopted by the Ypsilanti City Council this 14th day of May, 2024

Nicole Brown, Mayor

Andrew Hellenga, City Clerk



Ordinance No. 1426

2022-2023 TAX LEVY ORDINANCE

ATTEST

I do hereby confirm that the above Ordinance NO. 1426 was published on the City of Ypsilanti website on May 19, 2024 and published in Washtenaw Legal News on the _____ 2024 edition.

Tracey Boudreau, 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 _____ June, 2024

Tracey Boudreau, City Clerk

Public Hearing Notice

Published on the City of Ypsilanti website on May ____, 2024 and published in Washtenaw Legal News on the ____ of May, 2024 edition.



Resolution No. 2024-079
May 14, 2024

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the public hearing for the proposed ordinance entitled "2024-2025 Tax Levy Ordinance",
be Officially Closed.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



Resolution No.:2024-080

Date: May 14, 2024

AMEND BUDGET APPROPRIATION BY DEPARTMENT & MAJOR ORGANIZATIONAL UNIT FOR FY 2023-2024
RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled, “An Ordinance to Amend Budget Appropriations by Department and Major Organizational Unit for the Fiscal Years 2023-2024”, be approved on First Reading

FUND #	FUND NAME	REVENUE	EXPENDITURE
101	General Fund	20,348,845	(19,484,009)
102	Housing	50,000	(25,000)
202	Major Street	2,331,543	(4,213,525)
203	Local Street	687,253	(782,012)
205	Public Safety	430,000	(430,000)
226	Garbage and Rubbish Collection	1,450,328	(1,407,596)
248	DTDA W Cross	142,357	(138,052)
265	Police Special Revenue	2,533	(11,265)
275	Depot Town Development	127,970	(230,958)
304	2016 GOLT Bonds	900,895	(901,317)
342	2012 UTGO Refunding Bonds	0	0
413	Down Town Authority	479,763	(394,707)
414	Capital Improvement	1,976,354	(2,686,778)
415	Economic Development Authority	53,922	(75,305)
469	2003D W&S \$3.5M DWRF	338,250	(338,250)
471	2003C W&S \$5.5M DWRF	51,250	(51,250)
473	2004 A Series DDA Cons \$995K	0	0
474	2004B W&S Sew \$6.3M DWRF	395,241	(395,241)
479	2007 W&W Rev DWRF \$375K	22,614	(22,614)
480	2008 W&S Disp. Rev \$435K	30,285	(30,285)
481	2009 W&S Bonds 7249-01	12,089	(12,089)
482	2012 W&S Factory Pump	182,500	(204,625)
483	2013 Rev Refunding Bond	335,750	(669,875)
485	Water Main DWRF 7320-01	25,616	(25,616)
486	2016 W&S Rev Refunding Bonds	1,275,700	(1,275,700)
495	Sidewalk Improvement	122,570	(147,912)
514	Parking Fund	360,032	(417,325)
588	Public Transit	332,548	(332,803)
641	Motorpool	1,418,413	(1,382,730)
677	Worker's Compensation Fund	151,552	(262,120)
732	Fire and Police Pension	10,946,185	(4,636,782)
736	Retiree Benefits	1,243,397	(1,335,444)
Grand Total		46,225,755	(42,321,185)

Further, that in accordance with Section 19(2) of Public Act 621 of 1978, also known as the Uniform Budgeting and Accounting Act, parameters are hereby given to allow transfers between appropriation accounts and within fund totals and within those activities within the control of each department.

OFFERED BY: _____

SUPPORTED BY: _____

YES: _____ NO: _____ ABSENT: _____ VOTE: _____



AN ORDINANCE TO AMEND BUDGET APPROPRIATION BY DEPARTMENT & MAJOR THE CITY OF YPSILANTI ORDAINS

1. Pursuant to the City Charter Section 5.06 (a), budget appropriation by department and major organizational unit are hereby approved as recommended by the Administration, as approved by City Council, and as shown below by fund and summary of amendments for the General Fund and other funds.

FUND #	FUND NAME	REVENUE	EXPENDITURE
101	General Fund	20,348,845	(19,484,009)
102	Housing	50,000	(25,000)
202	Major Street	2,331,543	(4,213,525)
203	Local Street	687,253	(782,012)
205	Public Safety	430,000	(430,000)
226	Garbage and Rubbish Collection	1,450,328	(1,407,596)
248	DTDA W Cross	142,357	(138,052)
265	Police Special Revenue	2,533	(11,265)
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471	2003C W&S \$785K DWRF	51,250	(51,250)
473	2004 A Series DDA Cons \$995K	0	0
474	2004B W&S Sew \$6.3M DWRF	395,241	(395,241)
479	2007 W&W Rev DWRF \$375K	22,614	(22,614)
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736	Retiree Benefits	1,243,397	(1,335,444)
Grand Total		46,225,755	(42,321,185)

Further, that in accordance with Section 19(2) of Public Act 621 of 1978, also known as the Uniform Budgeting and Accounting Act, parameters are hereby given to allow transfers between

appropriation accounts and within fund totals and within those activities within the control of each department.

2. 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 business hours.

3. Publication and effective date: The City Clerk shall cause this Ordinance, or a summary of the Ordinance, to be published by printing the same in the Washtenaw Legal News. 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 4th day of June, 2024.

Nicole Brown, Mayor

Tracey Boudreau, City Clerk



Resolution No.:2024-081
Date: May 14, 2024

That the public hearing for an ordinance entitled, “An Ordinance to Amend Budget Appropriations by Department and Major Organizational Unit for the Fiscal Years 2023-2024”, be officially closed.

OFFERED BY: _____

SUPPORTED BY: _____

YES: _____ NO: _____ ABSENT: _____ VOTE: _____



Resolution No.: 2024-082

Date: May 14, 2024

ADOPT ORIGINAL BUDGET BY DEPARTMENT & MAJOR ORGANIZATIONAL UNIT FOR FY 24-25 & FY 25-26

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled, “An Ordinance to Adopt Budget Appropriations by Department and Major Organizational Unit for the Fiscal Years 24-25 and 25-26”, be approved First Reading.

FUND #	FUND NAME	REQUESTED BUDGET 2024/2025		REQUESTED BUDGET 2025/2026	
		REVENUE	EXPENDITURE	REVENUE	EXPENDITURE
101	General Fund	22,298,074	(25,959,883)	19,821,905	(23,102,271)
102	Housing	0	0	0	0
202	Major Street	1,755,344	(2,612,846)	2,053,258	(2,464,115)
203	Local Street	660,551	(857,352)	663,913	(893,506)
205	Public Safety	430,000	(430,000)	430,000	(430,000)
226	Garbage and Rubbish Collection	1,768,098	(1,767,100)	1,903,734	(1,903,734)
248	DTDA W Cross	131,899	(237,983)	141,092	(138,392)
265	Police Special Revenue	1,900	0	1,425	0
275	Depot Town Development	125,447	(304,340)	125,493	(126,964)
304	2016 GOLT Bonds	911,583	(911,583)	910,709	(910,709)
342	2012 UTGO Refunding Bonds	0	0	0	0
413	Down Town Authority	394,823	(547,147)	406,878	(355,313)
414	Capital Improvement	3,920,000	(3,920,000)	1,680,000	(1,680,000)
415	Economic Development Authority	48,971	(52,758)	49,748	(52,758)
469	2003D W&S \$3.5M DWRF	0	0	0	0
471	2003C WS&SW \$785K DWRF	0	0	0	0
473	2004 A Series DDA Cons \$995K	0	0	0	0
474	2004B WS& Sew \$6.3M DWRF	389,091	(389,091)	0	0
479	2007 W&W Rev DWRF \$375K	21,247	(21,247)	25,769	(25,769)
480	2008 W&S Disp. Rev \$435K	27,794	(27,794)	27,169	(27,169)
481	2009 W&S Bonds 7249-01	11,101	(11,101)	10,851	(10,851)
482	2012 W&S Factory Pump	183,938	(183,938)	185,250	(185,250)
483	2013 Rev Refunding Bond	196,350	(196,350)	199,350	(199,350)
485	Water Main DWRF 7320-01	25,116	(25,116)	24,616	(24,616)
486	2016 W&S Rev Refunding Bonds	1,275,700	(1,275,700)	1,269,500	(1,269,500)
495	Sidewalk Improvement	121,677	(80,229)	70,258	(31,449)
514	Parking Fund	250,000	(170,519)	250,000	(175,561)
588	Public Transit	367,710	(367,710)	378,741	(378,741)
641	Motorpool	1,431,879	(1,409,457)	1,529,681	(1,480,223)
677	Worker's Compensation Fund	162,166	(250,222)	183,443	(262,732)
732	Fire and Police Pension	5,394,302	(4,021,608)	5,471,175	(4,102,331)
736	Retiree Benefits	774,938	(1,868,673)	827,533	(1,962,104)
Grand Total		43,079,699	(47,899,747)	38,641,491	(42,193,408)

Further, that in accordance with Section 19(2) of Public Act 621 of 1978, also known as the Uniform Budgeting and Accounting Act, parameters are hereby given to allow transfers between appropriation accounts and within fund totals and within those activities within the control of each department.

OFFERED BY: _____

SUPPORTED BY: _____

YES: _____ NO: _____ ABSENT: _____ VOTE: _____



AN ORDINANCE TO ADOPT BUDGET APPROPRIATION BY DEPARTMENT & MAJOR ORGANIZATIONAL UNIT FOR FY 24-25 & 25-26

THE CITY OF YPSILANTI ORDAINS

1. Pursuant to the City Charter Section 5.06 (a), budget appropriation by department and major organizational unit are hereby approved as recommended by the Administration, as approved by City Council, and as shown below by fund and summary of amendments for the General Fund and other funds.

FUND #	FUND NAME	REQUESTED BUDGET 2024/2025		REQUESTED BUDGET 2025/2026	
		REVENUE	EXPENDITURE	REVENUE	EXPENDITURE
101	General Fund	22,298,074	(25,959,883)	19,821,905	(23,102,271)
102	Housing	0	0	0	0
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469	2003D W&S \$3.5M DWRF	0	0	0	0
471	2003C WS&SW \$785K DWRF	0	0	0	0
473	2004 A Series DDA Cons \$995K	0	0	0	0
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736	Retiree Benefits	774,938	(1,868,673)	827,533	(1,962,104)
Grand Total		43,079,699	(47,899,747)	38,641,491	(42,193,408)

Further, that in accordance with Section 19(2) of Public Act 621 of 1978, also known as the Uniform Budgeting and Accounting Act, parameters are hereby given to allow transfers between appropriation accounts and within fund totals and within those activities within the control of each department.

2. 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 business hours.

3. Publication and effective date: The City Clerk shall cause this Ordinance, or a summary of the Ordinance, to be published by printing the same in the Washtenaw Legal News. 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 4th day of June, 2024.

Nicole Brown, Mayor

Tracey Boudreau, City Clerk



Resolution No.: 2024-083

Date: May 14, 2024

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the public hearing for an ordinance entitled, "An Ordinance to Adopt Budget Appropriations by Department and Major Organizational Unit for the Fiscal Years 24-25 and 25-26", be officially closed.

OFFERED BY: _____

SUPPORTED BY: _____

YES: _____ NO: _____ ABSENT: _____ VOTE: _____

AMENDED BUDGET 23-24; ORIGINAL BUDGET 24-25 AND ORIGINAL BUDGET 25-26

Management Proposed Budget

Agenda

- **Overview**
 - **Why we budget**
 - **Timeline**
 - **Goals (near term/Council Adopted)**
 - **Goals (long term/adopted plans)**
- **Last year budget (22/23)**
 - Projections
 - Reality
 - Rationale
- **This year budget amendments (23/24)**
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- **Coming up (24/25 & 25/26)**
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 - Sources
 - Projected Expenditures
 - Refer to goals & prioritization matrix
 - Bonds/legally required payments
 - Personnel
 - Operations
 - Capital
 - Partnerships
 - Risks – personnel, bridge, dam
- **Longer-term**
 - Debt, millages, facilities/infrastructure
- **Discussion**

Overview: Purpose

- Align resources with legal obligations and strategic goals
- Process to develop budget reflects community's commitment to transparency
- Creates a better "feedback loop" around priorities, projects, and spending

Overview: Legal Responsibilities - State

State Act

- The Uniform Budgeting and Accounting Act 2 of 1968 and PA 621 of 1978 establish the procedures for creating and managing annual balanced budgets by local units of governments in the state of Michigan.
- The legislative body of each local unit must pass a budget for the general fund and each special revenue fund. The budget must:
 - State the total mills to be levied and the purpose for each millage levied (truth in budgeting act)
 - Include amounts appropriated for expenditures and to meet liabilities for the ensuing fiscal year in each fund
 - Include estimated revenues by source in each fund for the ensuing fiscal year

Overview: Legal Responsibilities - Charter

City Charter

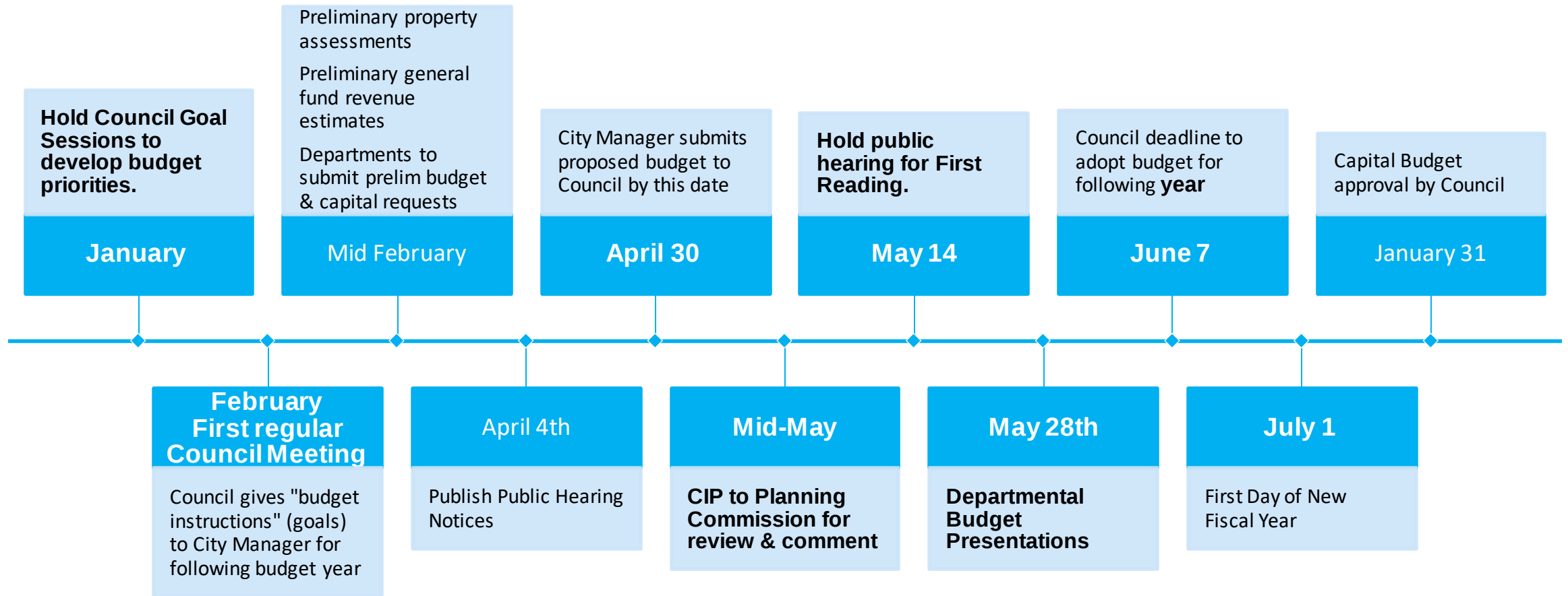
5.04 - Budget

- The budget shall provide a complete financial plan for all City funds and activities for the ensuing fiscal year and, in conformity with a uniform system of accounts required by law, shall be in such form as the City Manager deems desirable or the City Council may require. The budget shall begin with a clear summary of its contents; shall show in detail all estimated income, indicating the proposed property tax levy, and all proposed expenditures, including debt service, for the ensuing fiscal year; and shall be so arranged as to show comparative figures for actual and estimated income and expenditures of the current fiscal year and actual income and expenditures of the preceding fiscal year. It shall indicate in a separate section:
 - (a) The proposed goals and objectives and expenditures for current operations during the ensuing fiscal year, detailed for each fund by organization unit, program, purpose and activity, and the method of financing such expenditures;
 - (b) Proposed capital expenditures during the ensuing fiscal year, detailed for each fund by organizational unit when practicable, and the proposed method of financing each such capital expenditure;
 - (c) The anticipated income and expense and profit and loss for the ensuing year for each utility or other enterprise operated by the City; and
 - (d) Statements of the bonded and other indebtedness of the City, showing the redemption and interest requirements, the debt authorized and unissued, and the condition of any sinking fund.
- For any fund, the total of proposed expenditures shall not exceed the total of estimated income plus carried forward fund balance, exclusive of reserves.

5.05 - City Council action on budget

- (b) *Amendment Before Adoption.* After the public hearing, the City Council may adopt the budget with or without amendment. In amending the budget, it may add or increase programs or amounts and may delete or decrease any programs or amounts, except expenditures required by law or for debt service. **No amendment to the budget shall increase the authorized expenditures to an amount greater than total estimated income.**

Overview: Timeline



2024/2025 Goals, Res 2024-018

- Strategic Goal 1: Capital Improvements and revitalization of City owned facilities and spaces.
 - Strategic Goal 2: Staff retention and creating greater efficiencies.
 - Strategic Goal 3: Community Engagement
 - Strategic Goal 4: Community Development
 - Strategic Goal 5: Infrastructure and investment
 - Strategic Goal 6: Financial Planning
-
- WHEREAS, pursuant to Section 5.02 of the Ypsilanti city charter, the city council desires to adopt goals, objectives, and budget priorities for 2024-2025 to provide the necessary direction to the City Manager for allocation of resources for FY 2024-2025 proposed budgets.
 - NOW THEREFORE BE IT RESOLVED BY THE CITY OF YPSILANTI that the Ypsilanti city council does hereby adopt the Ypsilanti City Council 2024-2025 Goal-Setting Report as the city council's goals, objectives, and budget priorities for FY 2024-2025.

Master Plan Goals (2021)

- Safety comes first
- Diversity is our strength
- Ypsilanti is sustainable
- Communication is key
- Anyone, no matter what age or income, can find a place to call home in Ypsilanti
- Anyone can easily walk, bike, drive or take transit from anywhere in Ypsilanti and to anywhere else in Ypsilanti and beyond
- Ypsilanti is a great place to do business, especially the green and creative kind
- Everyone in the region knows Ypsilanti has great things to do in great places that are in great shape!
- Ypsilanti is an asset of Eastern Michigan University, and Eastern Michigan University is an asset of Ypsilanti
- We can only achieve our vision by building a community amongst ourselves and with our neighbors

Overview: Parts of the Budget

Fund Balance (savings account)

- **Non-spendable funds** are not in a spendable form or must be maintained intact.
- **Restricted funds** can only be used for the specific purposes as stipulated by law or contract (liabilities).
- **Committed funds** are those constrained by limitations that the government imposes on itself.
- **Assigned funds** are intended to be used by the government for a specific purpose.
- **Unassigned funds** are technically available for any purpose

Revenue (income)

- Property tax
- State Shared Revenue
- Gas & Weight Tax
- Misc other (ongoing)– investment income, fees, fines
- Misc other (one-time)- grants

Expenditures

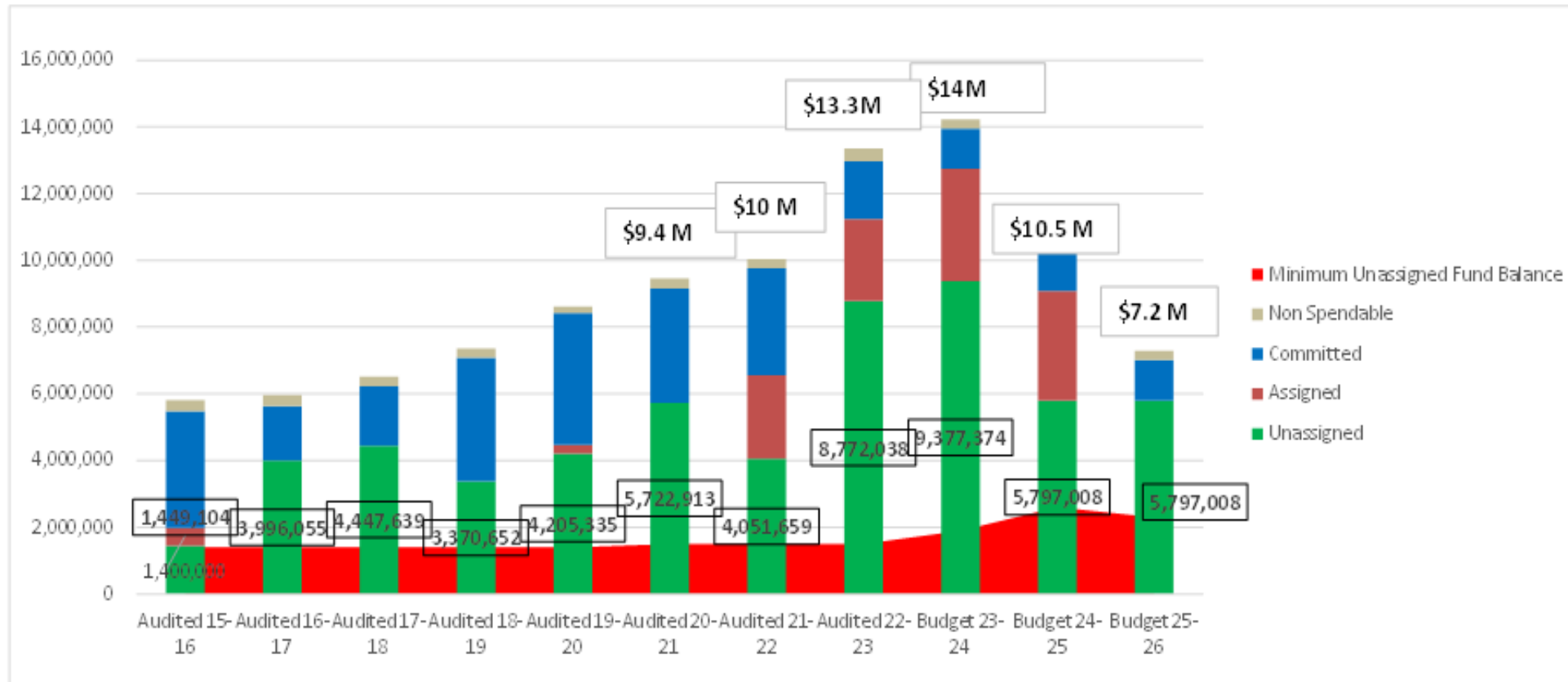
- Recurring – personnel (past and present), operations
- One-time- capital investments, legal settlements

Debt

Overview: Conceptions & Misconceptions

- Property tax revenue does not increase meaningfully without new tax revenue from new development.
- Property tax revenue can fall sharply; once fallen, it is almost impossible to fully recover under the current statewide taxation schema. Tax Increment Finance (TIF) districts divert a portion of property tax revenue to address concerns specific to those properties or districts.
- Grant revenue sources generally only offset new projects/initiatives and/or capital costs; they do not offset operational costs
- Fees (permits, licenses, inspections, etc) can never "turn a profit," they are capped to cover direct costs + overhead.

General Fund (101) Fund Balance Breakdown



Agenda

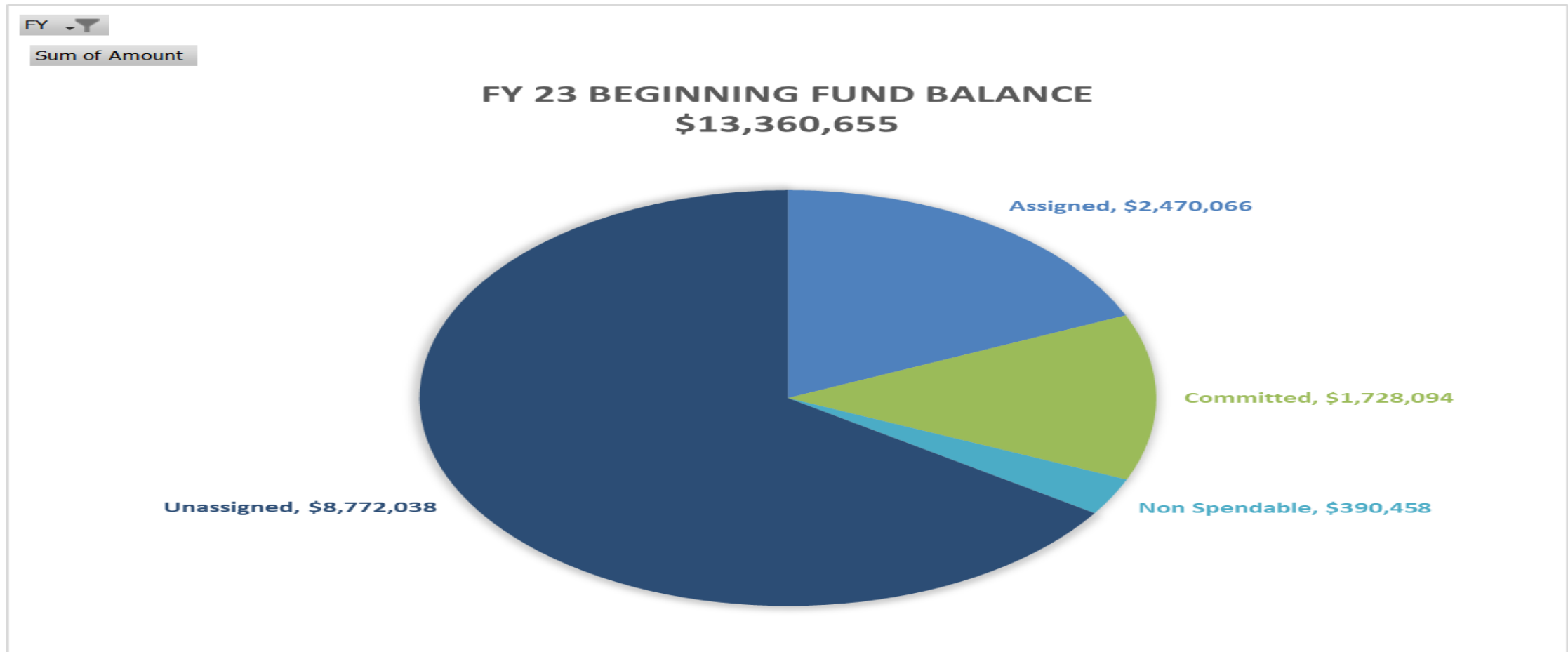
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 - Partnerships
 - YHC, DDA, Parkridge, Sr Center, Pool, youth funds
 - Longer-term
 - Debt, millages/how taxes work, facilities/infrastructure
 - Discussion

Prior Year General Fund (101)

Amended Budget vs Actual (2022-2023)

ACCOUNT NUMBER	BUDGET	ACTUAL	VARIANCE	%
REVENUE				
TAXES	9.81M	9.84M	0.02M	100.25%
INTERGOVERNMENTAL	5.62M	6.12M	0.49M	108.75%
CHARGES FOR SERVICES	1.37M	1.33M	(0.04M)	97.07%
DONATIONS	0.01M	0.01M	0.00M	116.62%
FINES & FORFEITS	0.06M	0.04M	(0.02M)	64.52%
GRANTS	0.08M	0.25M	0.17M	324.79%
INVESTMENT EARNINGS	0.29M	0.33M	0.05M	116.39%
LICENSES AND PERMITS	1.12M	1.38M	0.26M	123.68%
OTHER REVENUE	0.42M	0.49M	0.06M	115.27%
RENTALS	0.13M	0.16M	0.03M	124.23%
TRANSFERS IN	0.22M	0.22M	0.00M	100.00%
REVENUE Total	19.13M	20.17M	1.04M	105.43%
EXPENDTURE				
SALARIES	(6.36M)	(5.84M)	0.51M	91.92%
BENEFITS	(5.75M)	(5.61M)	0.14M	97.62%
OPERATING EXPENSES	(4.00M)	(3.71M)	0.29M	92.78%
TRANSFERS	(1.67M)	(1.67M)	0.00M	100.00%
EXPENDTURE Total	(17.78M)	(16.84M)	0.94M	94.71%
Grand Total	1.36M	3.33M	1.98M	245.98%

2023 General Fund Balance Beginning



Prior Year (22/23) Contributing Factors

- Was the first year of the two-year budget cycle
- Some turnover at Department Head level (DPS, Community/Economic Development, Police)
- ARPA funds have been lifesavers, but they are not sustainable revenue.

Prior Year Other Funds

Amended Budget vs Actual 22-23

FUND	FUND NAME	BUDGET	ACTUAL	VARIANCE	%
202	Major Street				
	REVENUE	2.33M	2.00M	0.34M	85.58%
	EXPENDTURE	1.82M	0.38M	1.44M	20.81%
	Major Street Total	4.15M	2.37M	1.77M	57.22%
203	Local Street				
	REVENUE	0.64M	0.63M	0.02M	97.54%
	EXPENDTURE	0.76M	0.56M	0.20M	73.36%
	Local Street Total	1.40M	1.18M	0.22M	84.46%
226	Garbage and Rubbish Collection				
	REVENUE	1.67M	1.57M	0.11M	93.45%
	EXPENDTURE	1.67M	1.48M	0.19M	88.90%
	Garbage and Rubbish Collection Total	3.34M	3.05M	0.30M	91.18%
414	Capital Improvement				
	REVENUE	1.16M	0.92M	0.24M	79.65%
	EXPENDTURE	1.27M	0.18M	1.09M	14.25%
	Capital Improvement Total	2.43M	1.11M	1.33M	45.41%
641	Motorpool				
	REVENUE	1.30M	1.16M	0.14M	89.40%
	EXPENDTURE	0.69M	1.14M	(0.45M)	165.70%
	Motorpool Total	1.98M	2.30M	(0.31M)	115.83%
732	Fire and Police Pension				
	REVENUE	5.03M	5.38M	(0.35M)	106.96%
	EXPENDTURE	4.63M	4.20M	0.43M	90.65%
	Fire and Police Pension Total	9.67M	9.58M	0.08M	99.14%
736	Retiree Benefits				
	REVENUE	1.25M	1.90M	(0.65M)	152.13%
	EXPENDTURE	1.33M	1.20M	0.13M	90.38%
	Retiree Benefits Total	2.58M	3.10M	(0.52M)	120.23%
Grand Total		25.55M	22.69M	2.86M	88.79%

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 - Discussion

This year budget amendment

FY 23-24 General Fund

ACCOUNT NAME	AMENDED BUDGET	CURRENT	VARIANCE	%
REVENUE				
TAXES	10.37M	10.33M	0.04M	100.41%
INTERGOVERNMENTAL	4.46M	3.47M	1.00M	128.75%
CHARGES FOR SERVICES	1.32M	0.88M	0.44M	150.72%
FINES & FORFEITS	0.06M	0.06M	0.00M	100.00%
INVESTMENT EARNINGS	0.64M	0.26M	0.38M	247.87%
LICENSES AND PERMITS	1.04M	0.79M	0.25M	131.77%
OTHER REVENUE	0.49M	0.28M	0.21M	176.99%
RENTALS	0.13M	0.13M	0.00M	100.00%
GRANTS	1.62M	0.00M	1.62M	50966.14%
TRANSFERS IN	0.22M	0.22M	0.00M	100.00%
DONATIONS	0.00M	0.00M	0.00M	0.00%
REVENUE Total	20.35M	16.41M	3.94M	124.04%
EXPENDITURE				
SALARIES	(5.38M)	(6.72M)	1.34M	80.11%
BENEFITS	(5.96M)	(5.69M)	(0.27M)	104.77%
OPERATING EXPENSES	(6.06M)	(4.27M)	(1.78M)	141.75%
TRANSFERS	(2.09M)	(2.20M)	0.11M	94.96%
EXPENDITURE Total	(19.48M)	(18.88M)	(0.61M)	103.22%
Grand Total	0.86M	(2.47M)	3.33M	-35.01%

Current Year Budget Amendment

5.07. - Amendments after adoption.

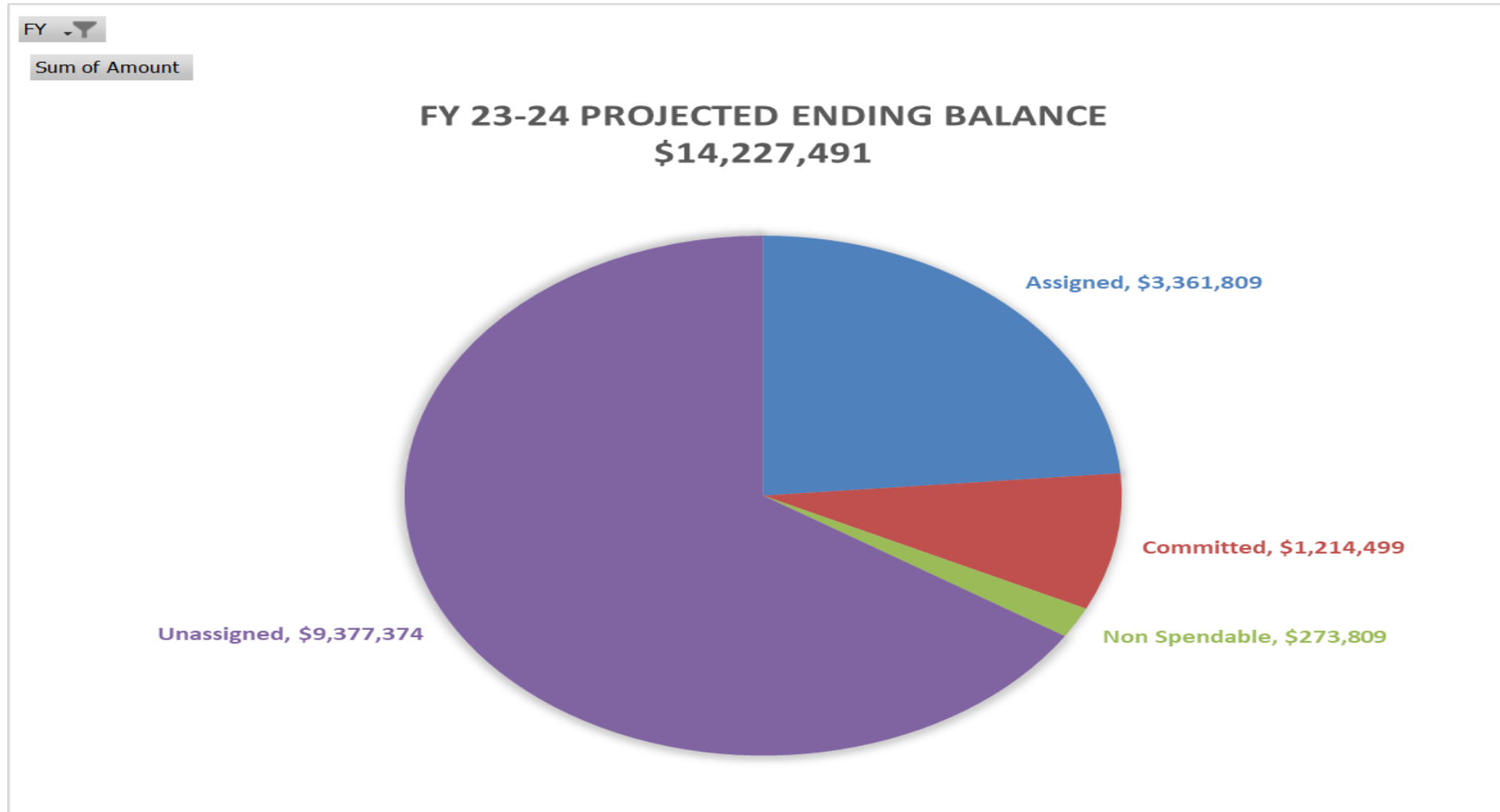
(a) *Supplemental Appropriations.* If during the fiscal year the City Manager certifies that there are, available for appropriation, revenues in excess of those estimated in the budget, the City Council by ordinance may make supplemental appropriations for the year up to the amount of such excess.

(b) *Reduction of Appropriations.* If at any time during the fiscal year it appears probable to the City Manager that the revenues or fund balances available will be insufficient to finance the expenditures for which appropriations have been authorized, the Manager shall report to the City Council without delay, indicating the estimated amount of the deficit, any remedial action taken by the Manager and recommendations as to any other steps to be taken. The Council shall then take further action allowed by the Uniform Budgeting and Accounting Act to correct the problem.

(c) *Transfer of Appropriations.* At any time during the fiscal year the City Council may by resolution transfer part or all of the unencumbered appropriation balance from one department or major organizational unit to the appropriation for other departments or major organizational units. The Manager may transfer part or all of any unencumbered appropriation balances among programs within a department or organizational unit and shall report such transfers to the Council in writing in a timely manner.

(d) *Limitation; Effective Date.* No appropriations for debt service may be reduced or transferred, and no appropriation may be reduced below any amount required by law to be appropriated or by more than the amount of the unencumbered balance. The supplemental and emergency appropriations and reduction or transfer of appropriations authorized by this Section may be made effective immediately upon adoption.

Estimated Fund Balance by FY 23-24



This Year Other Funds Amendment FY 23-24

FUND	FUND NAME	AMENDED BUDGET	CURRENT BUDGET	VARIANCE	%
202	Major Street				
	REVENUE	2.33M	1.90M	0.43M	122.39%
	EXPENDITURE	(4.21M)	(2.31M)	(1.90M)	182.08%
	Major Street Total	(1.88M)	(0.41M)	(1.47M)	460.05%
203	Local Street				
	REVENUE	0.69M	0.65M	0.03M	105.11%
	EXPENDITURE	(0.78M)	(0.77M)	(0.01M)	101.85%
	Local Street Total	(0.09M)	(0.11M)	0.02M	83.15%
226	Garbage and Rubbish Collection				
	REVENUE	1.45M	1.38M	0.07M	105.01%
	EXPENDITURE	(1.41M)	(1.38M)	(0.03M)	102.22%
	Garbage and Rubbish Collection Total	0.04M	0.00M	0.04M	1039.96%
414	Capital Improvement				
	REVENUE	1.98M	1.19M	0.79M	166.00%
	EXPENDITURE	(2.69M)	(1.90M)	(0.79M)	141.33%
	Capital Improvement Total	(0.71M)	(0.71M)	0.00M	100.00%
641	Motorpool				
	REVENUE	1.42M	1.30M	0.12M	109.38%
	EXPENDITURE	(1.38M)	(1.30M)	(0.09M)	106.71%
	Motorpool Total	0.04M	0.00M	0.03M	3454.31%
732	Fire and Police Pension				
	REVENUE	10.95M	5.04M	5.91M	217.35%
	EXPENDITURE	(4.64M)	(4.63M)	(0.00M)	100.09%
	Fire and Police Pension Total	6.31M	0.40M	5.91M	1564.06%
736	Retiree Benefits				
	REVENUE	1.24M	1.24M	0.01M	100.42%
	EXPENDITURE	(1.34M)	(1.33M)	(0.00M)	100.32%
	Retiree Benefits Total	(0.09M)	(0.09M)	0.00M	98.93%
	Grand Total	3.61M	(0.92M)	4.53M	-393.11%

Estimated Fund Balance by FY 23-24

FUN	FUND NAME	2023	AMENDED BUDGET		2024	% CHANGE
101	General Fund	13.36M	20.35M	(19.48M)	14.23M	106%
202	Major Street	4.35M	2.33M	(4.21M)	2.47M	57%
203	Local Street	1.77M	0.69M	(0.78M)	1.68M	95%
226	Garbage and Rubbish Collection	0.08M	1.45M	(1.41M)	0.13M	152%
414	Capital Improvement	1.22M	1.98M	(2.69M)	0.51M	42%
641	Motorpool	1.82M	1.42M	(1.38M)	1.86M	102%
732	Fire and Police Pension	25.51M	10.95M	(4.64M)	31.82M	125%
736	Retiree Benefits	9.85M	1.24M	(1.34M)	9.75M	99%

Current Year Contributing Factors

- Significant turnover at higher levels (City Manager, Clerk, HR, Community & Economic Development)
 - Each Department Head position requires at least 6 months to onboard; at least one year to competency; affects overall staff capacity
 - Several new to management/leadership roles

Received a pension grant from the State \$5M

- One of the conditions, any changes in benefit to the pension plan needs to be "prefunded" to avoid additional increase to the total pension liability of the plan

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Budget Assumptions for FY 2024-25 & 2025-26

Category	Original Budget 24-25	Original Budget 25-26
Revenues		
Property Taxes	5 % Increase (OPI 2023 is 7.9%)	5 % Increase
State Revenue Sharing	Based on State Assumptions	Based on State Assumptions
PA 289-Fire Protection	50% of Potential Funding (Received 100% in the last	50% of Potential Funding (Received 100% in the last
Investment Income	\$720,000	\$530,000
Transfer from Public Safety Fund	\$220,000	\$220,000
Act 51-Street Funding	Based on State Assumptions	Based on State Assumptions
Expenditures		
Salaries	3% Cost of Living Adjustment plus Union Step Increases	3% Cost of Living Adjustment plus Union Step Increases
Health Care, Vision and Dental	6 % Increase	6 % Increase
Computer Hardware and Software	5 % Increase +\$250,000	5 % Increase
Pension Contribution	Actuarial Report	Actuarial Report
OPEB Contribution	Actuarial Report	Actuarial Report

Important Budget Reminders

- 1.FY 2025-2026 Public Safety Fund(205) amounting to \$430,000 ends
- 2.FY 2026-2027 Increase Worker's Comp from 2% to 3.5% to cover \$260,000 of insurance
3. FY 2027-2028 Fire Truck Tower 1 needs to be replaced. Estimated Cost \$2M
4. FY 2030-2031 Fire Truck Engine 1 needs to be replaced

Balanced Budget

	Scenario 1	Scenario 2	Scenario 3
Revenue	Equal 	Higher 	Lower 
Expenditure	Equal 	Lower 	Higher 
Use of Fund Balance	No	No	Yes
Result		Surplus	Shortfall

Uniform Budgeting and Accounting Act 2 of 1968

"Prohibit Deficit Spending by a Local Unit of Government"

Management Proposed Budget (General Fund)

ACCOUNT NAME 	AMENDED BUDGET #22023/2024	REQUESTED BUDGET 2024/2025	REQUESTED BUDGET 2025/2026
 REVENUE			
 TAXES	10.37M	10.92M	11.24M
 INTERGOVERNMENTAL	4.46M	4.19M	4.30M
 CHARGES FOR SERVICES	1.32M	0.86M	0.85M
 FINES & FORFEITS	0.06M	0.04M	0.04M
 INVESTMENT EARNINGS	0.64M	0.48M	0.36M
 LICENSES AND PERMITS	1.04M	0.65M	0.65M
 OTHER REVENUE	0.49M	0.33M	0.33M
 RENTALS	0.13M	0.13M	0.13M
 GRANTS	1.62M	4.48M	1.70M
 TRANSFERS IN	0.22M	0.22M	0.22M
 DONATIONS	0.00M	0.00M	0.00M
REVENUE Total	20.35M	22.30M	19.82M
 EXPENDITURE			
 SALARIES	(5.38M)	(7.34M)	(7.77M)
 BENEFITS	(5.96M)	(6.20M)	(6.44M)
 OPERATING EXPENSES	(6.06M)	(9.27M)	(6.31M)
 TRANSFERS	(2.09M)	(3.15M)	(2.59M)
EXPENDITURE Total	(19.48M)	(25.96M)	(23.10M)
Grand Total	0.86M	(3.66M)	(3.28M)

Management Proposed (Other Funds)

CCOUNT N.	FUND NAME 2	REQUESTED BUDGET 2024/2025	REQUESTED BUDGET 2025/2026
202	Major Street		
	⊕ REVENUE	1.76M	2.05M
	⊕ EXPENDITURE	(2.61M)	(2.46M)
	Major Street Total	(0.86M)	(0.41M)
203	Local Street		
	⊕ REVENUE	0.66M	0.66M
	⊕ EXPENDITURE	(0.86M)	(0.89M)
	Local Street Total	(0.20M)	(0.23M)
226	Garbage and Rubbish Collection		
	⊕ REVENUE	1.77M	1.90M
	⊕ EXPENDITURE	(1.77M)	(1.90M)
	Garbage and Rubbish Collection Total	0.00M	0.00M
414	Capital Improvement		
	⊕ REVENUE	3.92M	1.68M
	⊕ EXPENDITURE	(3.92M)	(1.68M)
	Capital Improvement Total	0.00M	0.00M
641	Motorpool		
	⊕ REVENUE	1.43M	1.53M
	⊕ EXPENDITURE	(1.41M)	(1.48M)
	Motorpool Total	0.02M	0.05M
732	Fire and Police Pension		
	⊕ REVENUE	5.39M	5.47M
	⊕ EXPENDITURE	(4.02M)	(4.10M)
	Fire and Police Pension Total	1.37M	1.37M
736	Retiree Benefits		
	⊕ REVENUE	0.86M	0.92M
	⊕ EXPENDITURE	(1.87M)	(1.96M)
	Retiree Benefits Total	(1.01M)	(1.05M)
Grand Total		(0.67M)	(0.27M)

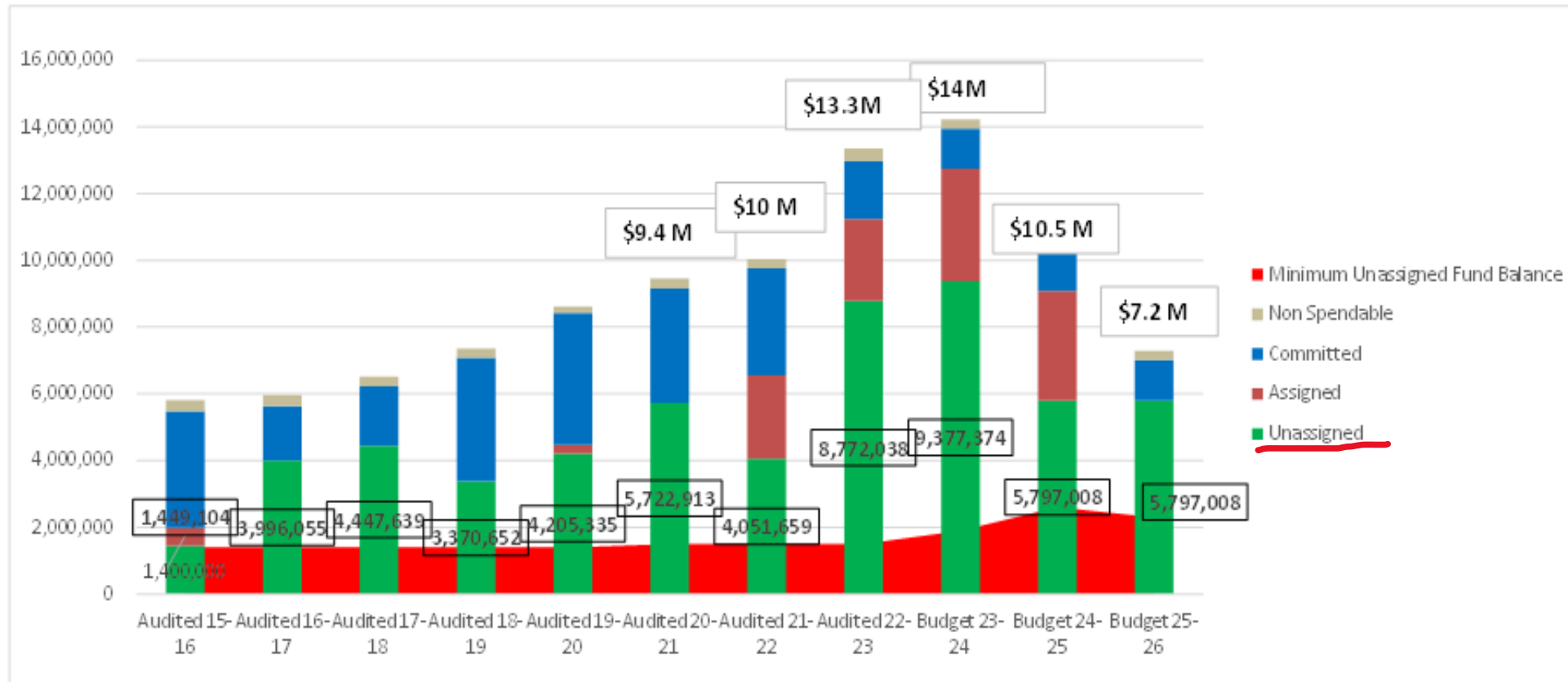
Transfers

ACCOUNT NAME 	AMENDED BUDGET 2023-2024	REQUESTED BUDGET 2024-2025	REQUESTED BUDGET 2025-2026
 EXPENDITURE			
 TRANSFERS			
 101-7-9670-999-04 TRANSFER OUT(226) GARBAGE FUND	(360,778)	(693,582)	(798,992)
 101-7-9670-999-09 TRANSFER OUT(304)2016 GOLT	(190,255)	(191,137)	(186,727)
 101-7-9670-999-13 TRANSFER OUT(414)CAPITAL IMP	(1,119,774)	(2,183,165)	(1,512,374)
 101-7-9670-999-27 TRANSFER OUT(736)RETIREE-H/C	(352,327)	(83,502)	(89,347)
 101-7-9670-999-28 TRANSFER TO DDA	0	0	0
 101-7-9670-999-29 TRANSFER OUT TO PARKING (514)	(15,032)	0	0
 101-7-9670-999-30 TRANSFER OUT TO HOUSING(102)	(50,000)	0	0
TRANSFERS Total	(2,088,166)	(3,151,386)	(2,587,440)

Estimated Fund Balances FY 2026

FUND	FUND NAME	2023	AMENDED BUDGET		ORIGINAL 24-25		ORIGINAL 25-26		2026	% CHANGE
101	General Fund	13.36M	20.35M	(19.48M)	22.30M	(25.96M)	19.82M	(23.10M)	7.29M	54.53%
202	Major Street	4.35M	2.33M	(4.21M)	1.76M	(2.61M)	2.05M	(2.46M)	1.20M	27.59%
203	Local Street	1.77M	0.69M	(0.78M)	0.66M	(0.86M)	0.66M	(0.89M)	1.25M	70.62%
226	Garbage and Rubbish C	0.08M	1.45M	(1.41M)	1.77M	(1.77M)	1.90M	(1.90M)	0.13M	153.05%
414	Capital Improvement	1.22M	1.98M	(2.69M)	3.92M	(3.92M)	1.68M	(1.68M)	0.51M	41.65%
641	Motorpool	1.82M	1.42M	(1.38M)	1.43M	(1.41M)	1.53M	(1.48M)	1.93M	105.90%
732	Fire and Police Pension	25.51M	10.95M	(4.64M)	5.39M	(4.02M)	5.47M	(4.10M)	34.56M	135.47%
736	Retiree Benefits	9.85M	1.24M	(1.34M)	0.77M	(1.87M)	0.83M	(1.96M)	7.53M	76.44%
		62.16M	46.23M	(42.32M)	43.08M	(47.90M)	38.64M	(42.19M)	57.69M	

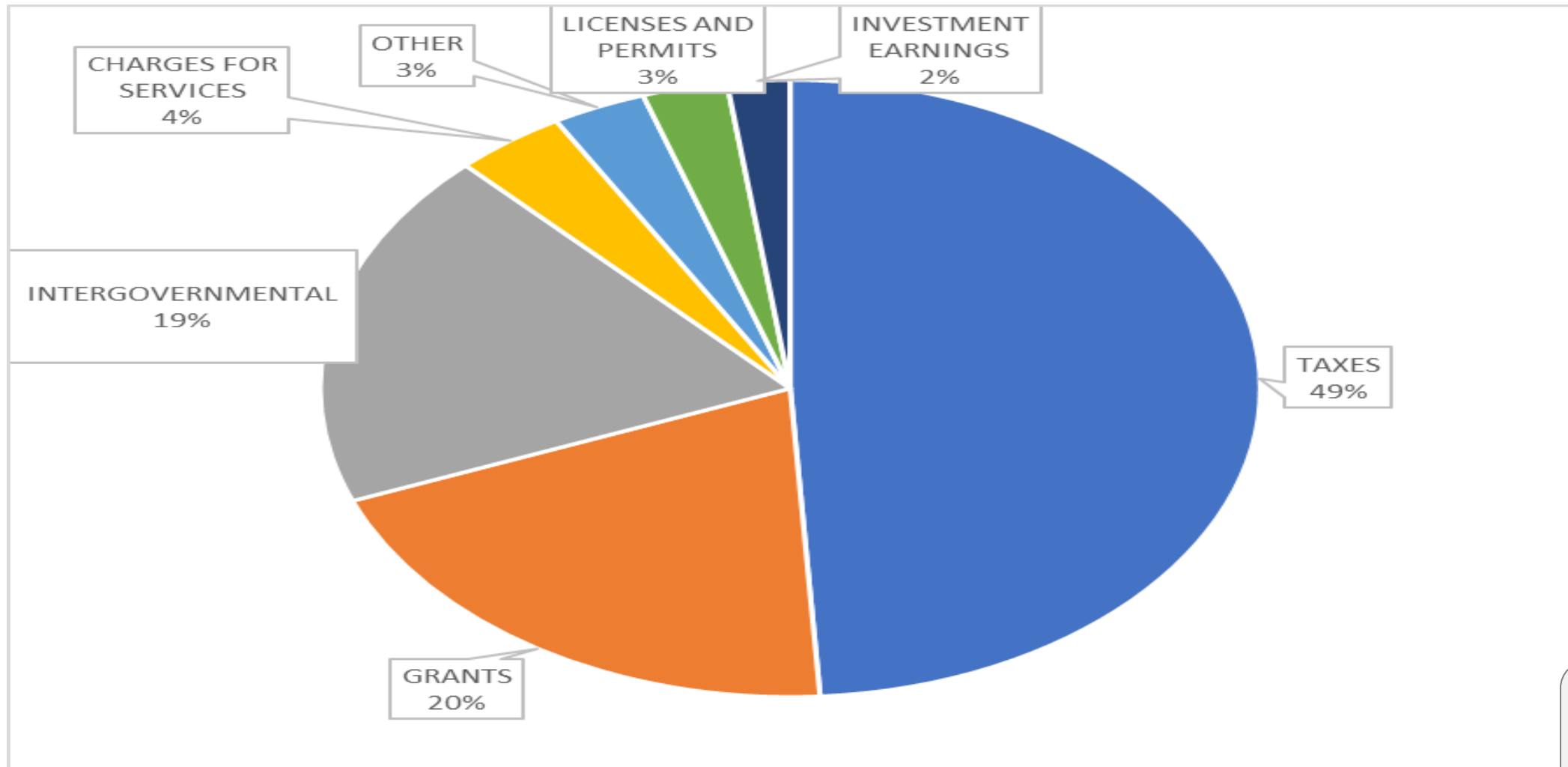
General Fund Balance Breakdown



Fund Balances

- **Non-spendable funds** are not in a spendable form or must be maintained intact. Examples of these are inventories, prepaid expenses, and loans to various agencies.
- **Restricted funds** can only be used for the specific purposes as stipulated by (1) external creditors, grantors, or laws of other governments (2) constitutionally, or through enabling legislation.
- **Committed funds** are those constrained by limitations that the government imposes on itself at the highest level of decision-making authority. Commitments may be changed or lifted only by the same formal action that imposed the original constraint.
- **Assigned funds** are intended to be used by the government for a specific purpose. This intention can be expressed by the governing body, an official, or a body to which the governing body delegates the authority.
- **Unassigned funds** are technically available for any purpose.

General Fund Revenue 2024-2025



2024 Taxable Value and Millage Rates

- 2024 Taxable Value \$434M, 2023 Taxable Value \$407M; (6.5% ↑)
- 2024 Inflation Rate Multiplier 5.1%, Capped at 5%
- Millage Reduction Fraction 0.9863

Millage Description	Maximum	2023 Millage	2024 Millage (Projected)	Change
General Operating	20.0000	17.2803	17.0435	(.2368)
Police & Fire Pension & OPEB	By Need	8.0476	8.1234	.0758
Sanitation	3.0000	2.5265	2.4918	(.0347)
Public Transit	.9789	.8890	.8768	(.0122)
Water St. LTGO Rfdg Bonds 2016A	Debt	1.7312	1.6648	(.0664)
TOTAL		30.4746	30.2003	(.2743)

Other General Fund Revenue

- State Shared Revenue
 - Sales Tax Revenue \$3.5 M
 - Recreational Marijuana \$500K but we received \$700K for FY 2023-2024
- Charges for Services
 - Fire Protection Service to EMU and other state facilities \$400K
- Grant
 - Water Street Clean-up \$4.4M and \$1.7M
- Licenses and Permits \$650K
- Investment Earnings \$400K

2024/2025 Goals, Res 2024-018

- Strategic Goal 1: Capital Improvements and revitalization of City owned facilities and spaces.
- Strategic Goal 2: Staff retention and creating greater efficiencies.
- Strategic Goal 3: Community Engagement
- Strategic Goal 4: Community Development
- Strategic Goal 5: Infrastructure and investment
- Strategic Goal 6: Financial Planning
- WHEREAS, pursuant to Section 5.02 of the Ypsilanti city charter, the city council desires to adopt goals, objectives, and budget priorities for 2024-2025 to provide the necessary direction to the City Manager for allocation of resources for FY 2024-2025 proposed budgets.
- NOW THEREFORE BE IT RESOLVED BY THE CITY OF YPSILANTI that the Ypsilanti city council does hereby adopt the Ypsilanti City Council 2024-2025 Goal-Setting Report as the city council's goals, objectives, and budget priorities for FY 2024-2025.

Debt Service Funds

- Water Street General Obligation Bonds (Payable thru 2031)

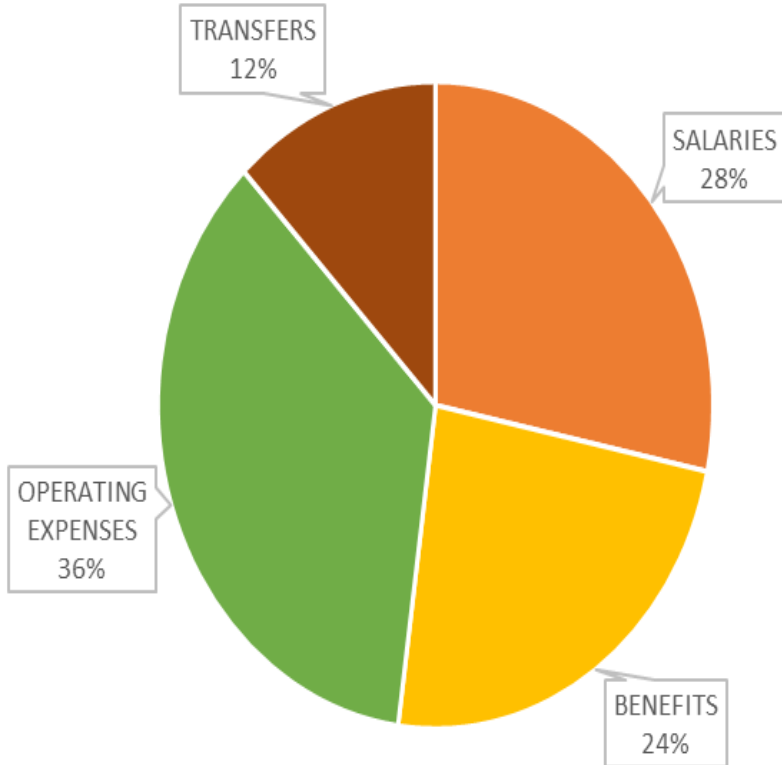
Series	Total Outstanding	24-25 Principal Due	Funding Source
2016 A Refunding	\$4,475,000	\$560,000	Tax Millage
2016 B Refunding	\$1,135,000	\$150,000	General Fund
Total	\$5,610,000	\$710,000	

- Water and Sewer Bonds (YCUA, pass-through)

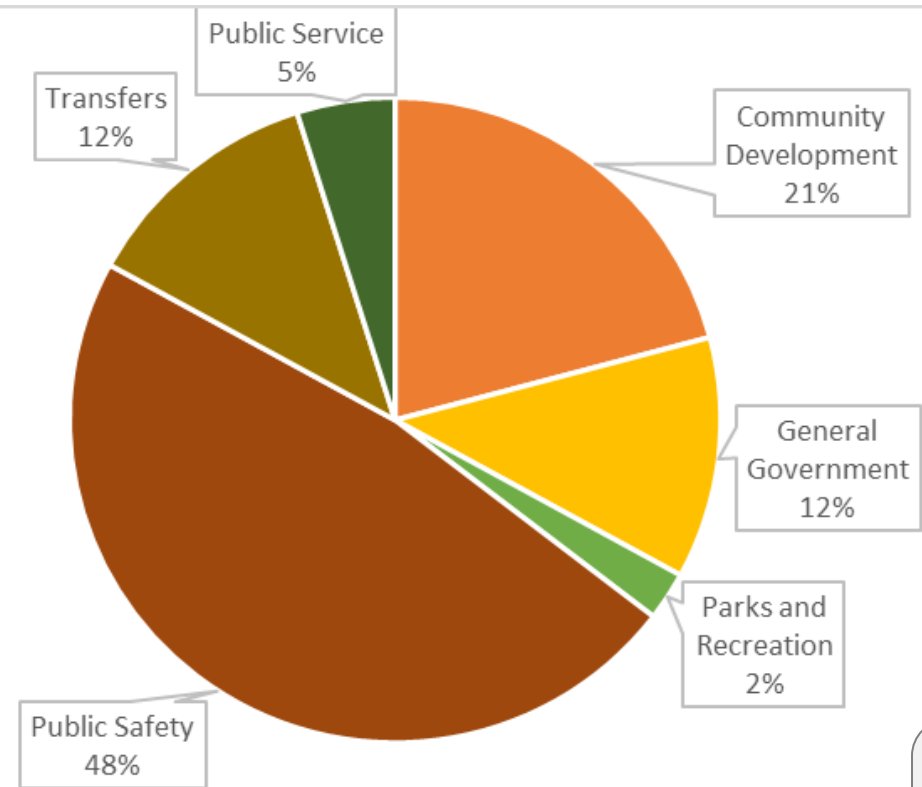
Series	Total Outstanding	22-23 Principal Due	Funding Source
Various	\$7,172,120	\$1,910,000	Water and Sewer Charges

General Fund Expenditures

By Category



By Activity



Employee Count 2024-2025

DEPT #	DEPT	TYPE	Sum of ALLOCATION
1010	COUNCIL		7
1720	CITY MANAGER		1
1910	FINANCE		4.5
	TREASURY		1
2150	CLERK		3
2700	HR		2
3050	POLICE ADM		5
3070	POLICE		38
3370	FIRE ADM		3
	FIRE		21
3710	BUILDING		4
3720	BUILDING		3
7210	PLANNING		7
3110	PARKING		2
3730	AHB		2
4410	DPS		28.5
7520	PCC		2
7551	FREIGHTHOUSE		2
7291	DDA		1
Grand Total			137

Proposed New Positions for 2024-2025

1. PT Project Manager-DPS
2. Administrative Assistant-Planning
 1. 50% City and 50% DDA

Vacant Position as of 3/31/2024

1. 9 Police Officers
2. 3 DPS Employees
3. 1 Firefighter

Prioritization (Capital Improvement Plan)

Mandatory

- The projects in this category address legal, regulatory, or contractual requirements. This category could include such projects as the installation of sidewalk ADA ramps per the City's court settlement, or the purchase of staff personal protective equipment called for by contract or MIOSHA standards.

Risk Avoidance

- This includes, but is not limited to, projects that address a safety issue for Ypsilanti's residents, workers, and visitors. This may include replacing a roof on a public facility, remediation for environmental issues in City facilities, bridge repair or replacement, or dam removal. This category also includes projects that mitigate a significant legal risk or otherwise avoid significant costs, such as catastrophic damage, or legal settlements.

Cost Avoidance

- In this category (new in 2024) are projects that may cost a significant amount of money now, but either have a direct return on investment (such as investment in energy efficiency),

Strategic

- These projects address long-term community needs and goals. They may be part of multiyear strategies for economic, social, or environmental sustainability, and have likely been identified in Shape Ypsilanti, the Parks and Recreation master plan, the Climate Action Plan, Reimagine Washtenaw, or another adopted plan or policy, or they may be new opportunities that strongly align with or further one of the goals of these documents.

Added Value

- These are projects that are generally considered "nice to have." They are projects that would improve the City in some manner, but not have a significant safety impact, improve regulatory compliance, further the long-term strategic goals of the City in a meaningful way, or have a quantifiable return on investment. However, these are projects that would bring value to the City's residents.

Capital Improvement (414)

Project	Justification	23/24	24/25	25/26
Parks - Peninsular Dam Removal	Mandatory		\$4,500,000	
Facilities - DPS Garage Roof	Mandatory	\$500,000		
Facilities - City Hall Elevator Modernization CARRYOVER	Mandatory	\$450,000		
Facilities - Police Department Retaining Wall Stabilization CARRYOVER	Mandatory	\$50,000		
Election equipment	Mandatory	\$50,000		
Facilities - YPD - Building Security	Mandatory	\$12,500		
Facilities - YFD - Bay Doors	Mandatory	\$12,000		
Facilities - YPD - In Car Camera System	Mandatory	\$10,000	\$10,000	\$10,000
Parks - Frog Island Accessibility Improvements	Risk avoidance	\$200,000	\$160,000	
Facilities - YFD - Parking Lot Concrete and Drains	Risk avoidance	\$125,000		
Parks - Capital Projects	Risk avoidance		\$125,000	\$125,000
Facilities - DPS Facility Study	Risk avoidance	\$30,000		
Facilities - YFD - Building Capital Maintenance	Risk avoidance	\$20,000		
Facilities - YPD - Multipurpose Room (Kitchen, Breakroom, Briefing Room)	Risk avoidance	\$20,000		
Freighthouse - Bathroom Fixture and Partition Replacement	Risk avoidance	\$20,000		
Facilities - YPD - Women's locker room	Risk avoidance	\$17,500		
Freighthouse - Deck and Security	Risk avoidance	\$10,000		
Facilities - DPS Aggregate Material Stall	Risk avoidance	\$30,000		
Computer replacement	Risk avoidance	\$25,000	\$25,000	\$25,000
Facilities - Senior Center - Ventilation & Fire Suppression CARRYOVER	Strategic	\$40,000		
Freighthouse - Canopy Replacements	Strategic	\$20,000		
Freighthouse - Built in Bar Replacement	Strategic	\$10,000		
Freighthouse - Sound and Movie Equipment	Strategic		\$40,000	
Freighthouse - Indoor Floor Repairs	Strategic		\$30,000	
Freighthouse - Central Air Conditioning	Strategic		\$30,000	
Facilities - Parkridge - Kitchen	Strategic			
Freighthouse - Kitchen Renovations	Strategic			

Capital Improvement (202, 203, 495, 514, 641)

Fund	Project	Justification	23/24	24/25	25/26
202	Roads - Huron River Drive (Cornell to LeForge) CE	Mandatory	\$200,000		
202	Roads - Huron River Drive (Cornell to LeForge)	Mandatory	\$587,500		
202	Roads - Huron River Drive (Cornell to LeForge)	Mandatory	\$1,006,143		
202	Roads - LeForge & Factory Bridges	Mandatory		\$115,000	
202	Roads - Harriet (Hawkins to Hamilton)	Risk avoidance	\$105,060	\$295,095	\$295,095
202	Roads - Harriet (First to Hawkins)	Risk avoidance	\$129,265	\$278,889	\$278,889
202	Roads - Cornell (B2B to HRD)	Risk avoidance			\$152,646
202	Roads - Cornell (Washtenaw to B2B)	Risk avoidance			\$196,730
202	Roads - Cross Street Bridge	Risk avoidance		\$500,000	\$500,000
203	Roads - S Adams (Michigan to Catherine)	Risk avoidance	\$199,700	\$169,700	
203	Roads - Local Road Pavement Preservation/Storm Water Improvements Program	Risk avoidance		\$150,000	\$150,000
495	Sidewalks - Sidewalk replacement	Risk avoidance	\$12,000	\$12,000	\$12,000
514	Parking - ongoing lot repairs CARRYOVER 50%	Risk avoidance	\$100,000	\$50,000	\$50,000
514	Parking - EV Charging Stations	Strategic	\$50,000		
641	Vehicles - Fire Marshal vehicle	Risk avoidance	\$35,000		
641	Vehicles - Stake Truck (#131)	Risk avoidance	\$60,000		
641	Vehicles - Stake Truck (#452)	Risk avoidance	\$60,000		
641	Vehicles - Brush Chipper (#642) CARRYOVER	Risk avoidance	\$66,000		
641	Vehicles - Bobcat Loader w Bucket (#128)	Risk avoidance	\$75,000		
641	Vehicles - PD Vehicles	Risk avoidance	\$90,000	\$90,000	\$90,000
641	Vehicles - Salt Truck/Plow Truck (#109)	Risk avoidance	\$196,350		
641	Vehicles - Street Sweeper (#142)	Risk avoidance	\$300,000		
641	Vehicles - Recycling/Yard Waste Rear Load (#612)	Risk avoidance	\$360,000		
641	Vehicles - Garden Tractor (#443)	Risk avoidance		\$15,000	
641	Vehicles - DPS Director (#102)	Risk avoidance		\$40,000	
641	Vehicles - Salt Truck/Plow Truck (#104)	Risk avoidance		\$60,000	
641	Vehicles - Recycling/Yard Waste Rear Load (#607)	Risk avoidance		\$378,000	
641	Vehicles - Garden Tractor (#446)	Risk avoidance			
641	Vehicles - DPS Supervisor (#101)	Risk avoidance			

City Supported Programs

- Senior Center
 - Administered by the Friends of Ypsilanti Senior Center(501c3 Non Profit Org)
 - \$6,000 per year to help for utilities
 - maintenance of the building
- Parkridge
 - Partnered with WCC
 - 2 PT Employees, pay for utilities and contractual service
 - Maintenance of the building
- Rutherford Pool
 - Recruitment, hiring and payroll service
- YHC
 - Healthcare benefits enrollment
- DDA
 - Financial Service
 - Administrative Support Service
 - Downtown trashcan removal
- EDC
 - Tax capture collection and payment

Agenda

- Overview
 - Why we budget
 - Timeline
 - Goals (near term/Council Adopted)
 - Goals (long term/adopted plans)
- Last year budget (22/23)
 - Projections
 - Reality
 - Rationale
- This year budget amendments (23/24)
 - Projections
 - Reality
 - Amendments & Rationale
- Coming up (24/25 & 25/26)
 - Fund balances
 - By fund, including committed/assigned/etc
 - Discussion of 10%
 - Projected Revenue
 - Sources
 - Projected Expenditures
 - Refer to goals & prioritization matrix
 - Bonds/legally required payments
 - Personnel
 - Operations
 - Partnerships
 - YHC, DDA, Parkridge, Sr Center, Pool, youth funds
 - **Longer-term**
 - Debt, millages, facilities/infrastructure
 - Discussion

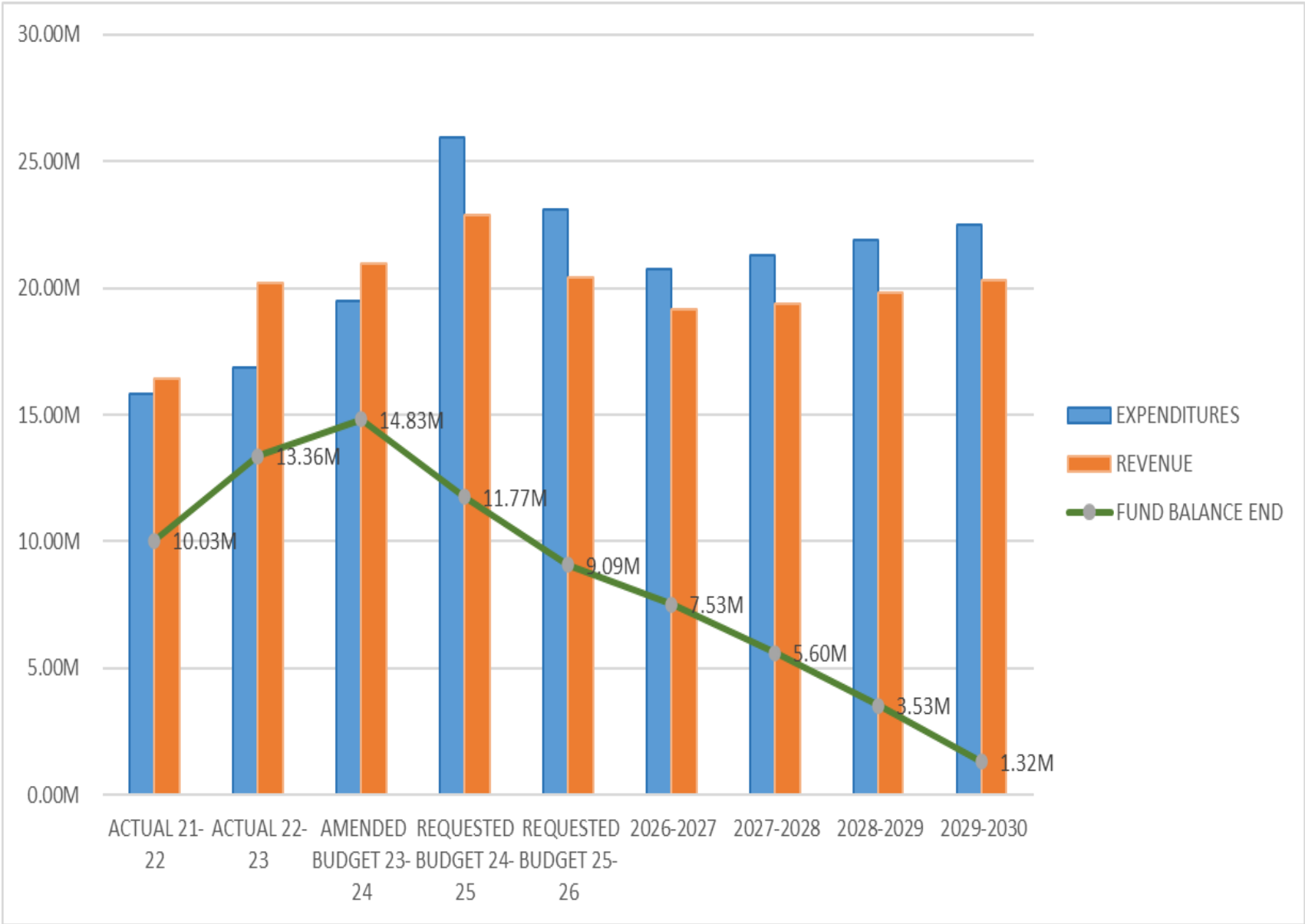
General Fund Scenario 1-

- 1. Full Staffing
- 2. \$700,000 Transfer to Garbage and Rubbish Fund
- 3. \$300,000 Transfer to Capital Improvement Fund/Year
- 3. \$100,000/Year Retiree HC Benefit



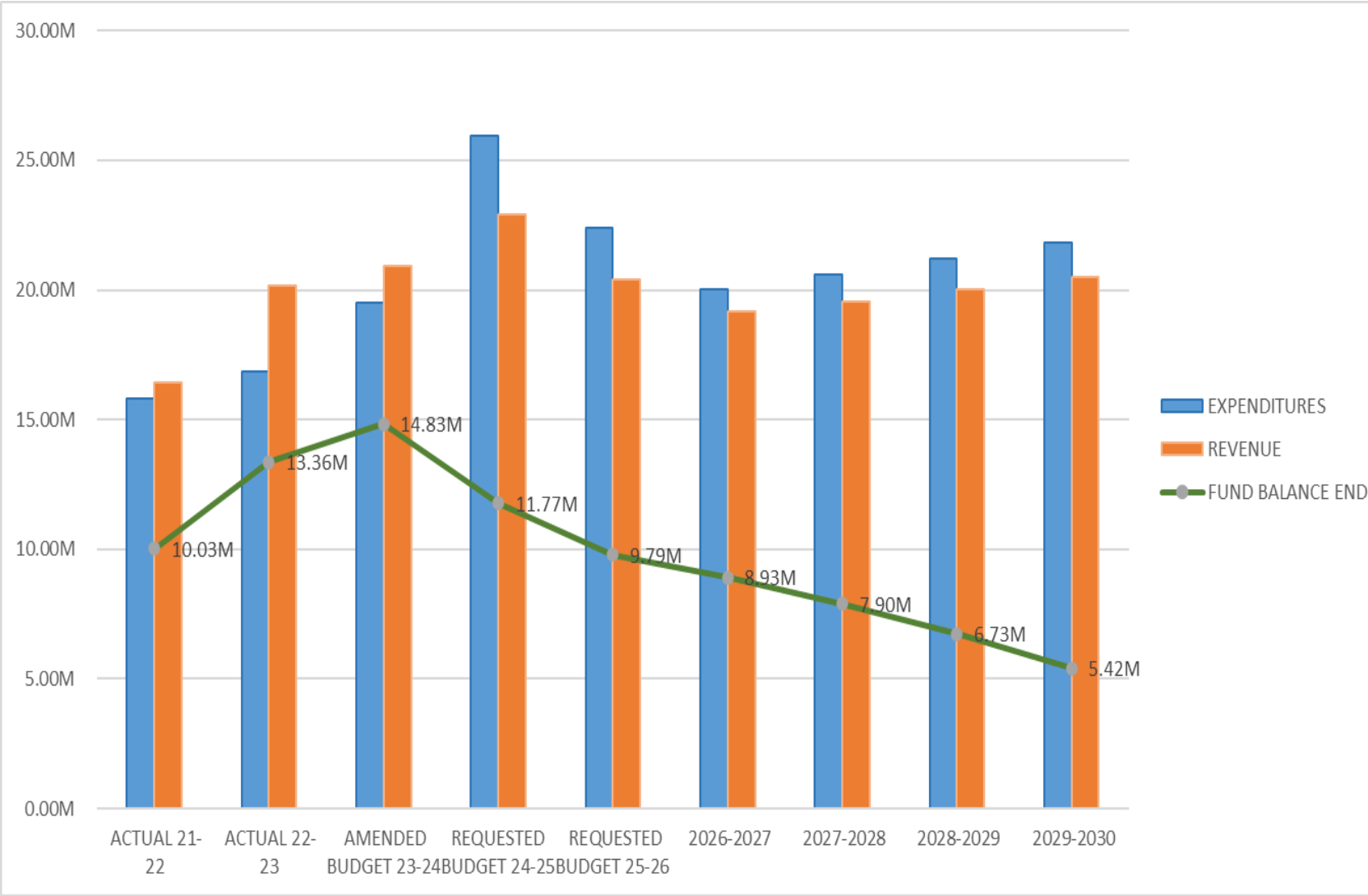
General Fund Scenario 2

- 1. Full Staffing
- 2. \$700,000 Transfer to Garbage and Rubbish Fund
- 3. \$300,000 Transfer to Capital Improvement Fund
- 3. \$100,000 Retiree HC Benefit
- 4. Full Funding of PA 289 \$400,000
- 5. Marijuana Funding is stable \$200,000



General Fund Scenario 3

- Scenario 3
- 1. Full Staffing
 - 2. \$700,000 Transfer to Garbage and Rubbish Fund
 - 3. \$300,000 Transfer to Capital Improvement Fund
 - 3. \$100,000 Retiree HC Benefit
 - 4. Full Funding of PA 289 \$400,000
 - 5. Marijuana Funding is stable \$200,000
 - 6. Renewal of Mental Health Millage \$200,000
 - 7. GF Does not have to subsidize Garbage Fund(-\$700,000)



General Fund Scenario 4

- 1. Full Staffing
- 2. \$700,000 Transfer to Garbage and Rubbish Fund
- 3. \$300,000 Transfer to Capital Improvement Fund
- 3. \$100,000 Retireee HC Benefit
- 4. Full Funding of PA 289 \$400,000
- 5. Marijuana Funding is stable \$200,000
- 6. Renewal of Mental Health Millage \$200,000
- 7. Headlee Roll Back on General Operating 3 mills



Overview: Timeline Discussion

First year of two-year

- **October:** Council initial goal-setting discussion; staff/departmental goals
- **November/December:** capital plan draft update & finance committee discussion
- **December:** commission & partner annual reports/presentations, incl goals as applicable
- **January:** two-year budget strategy discussions using prelim income data as available
- **February:** adopt "budget instructions"; present draft capital plan to PC (courtesy review)
- **April/May:** detailed budget discussions & presentations and adoption

Second year of two-year

- **November/December:** capital plan draft update & finance committee discussion
- **December:** commission & partner annual reports/presentations, incl goals as applicable
- **January:** discussion of previously adopted two-year goals and progress towards them, including departments - goalsetting
- **February:** adopt "budget instructions"; present draft capital plan to PC (courtesy review)
- **April/May:** detailed budget discussions & presentations and adoption

QUESTIONS, COUNCIL RECOMMENDATIONS AND AMENDMENTS





REQUEST FOR LEGISLATION
May 14, 2024

For: Mayor and City Council

From: Joshua Burns, City Planner

Subject: Ordinance No. 1429 - An Ordinance entitled "Zoning text amendment to Sections 122-203, 122-560, 122-561, and 122-562 to update the regulations for the storage of recreational vehicles to allow greater flexibility while maintaining compatibility with surrounding uses".

Resolution No. 2024-085, determination.

Public Hearing

Resolution No. 2024-086, close the public hearing.

SUMMARY & BACKGROUND:

The City of Ypsilanti is committed to improving our zoning systems. It is the purpose of this zoning text amendment to update provisions for RVs in a consistent manner while ensuring that the neighboring uses and properties are adequately protected. This proposed amendment was taken up by City staff with the assistance of Planning Commission in forming the key policy considerations.

In January and March of 2024, the Planning Commission and City Staff reviewed the Zoning Ordinance language relevant to recreational vehicle storage on residential property. This discussion was introduced following comments sent to the City regarding concerns with recreational vehicle storage requirements and enforcement.

Currently, the ordinance prohibits recreational vehicles from being located in an R1, CN-SF, CN-MID, CN, MD, or HHS district unless parked within an enclosed building, or within a rear or side yard other than a required setback area. Some residents have expressed concern with this requirement and voiced their desire to store the recreational vehicles on their driveway, which is often located in a front yard or side yard. On small lots, driveways are often located in a *required* front or side yard. Following discussion, the Planning Commission recommended City Council consider draft amendment language seeks to address these concerns.

In addition to easing restrictions on the location of recreational vehicles on residential lots, the Planning Commission further reviewed the regulations to improve clarity and effectiveness for application and enforcement. The proposed new language is also more permissive towards RV height (changed from 10' to 12' maximum) to allow a broader range of recreational vehicles.

Further, the Planning Commission reviewed the definitions of recreational vehicles to enhance clarity for code enforcement following recent feedback that it can be difficult to distinguish between commercial and recreational vehicles based on current definitions. Additional language was added to allow for appropriate and consistent enforcement.

RECOMMENDED ACTION

The Planning Commission recommended City Council approve the proposed text amendment to Sections 122-203, 122-560, 122-561, and 122-562 with the following findings:

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

ATTACHMENTS –

Resolution, Ordinance, Planning Commission Minutes, Planning Commission Staff Report

RECOMMENDED ACTION:

ATTACHMENTS:

1. Resolution No 2024-085
2. Ordinance
3. Resolution No 2024-086
4. Staff Report
5. 20 March 2024 - Draft Minutes

CITY MANAGER APPROVAL:

COUNCIL AGENDA DATE: May 14, 2024

CITY MANAGER COMMENTS:

FISCAL SERVICES DIRECTOR APPROVAL:



Resolution No. 2024-085

Date - May 14, 2024

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS the City of Ypsilanti recognizes that the City has an interest in protecting compatibility between neighboring residential uses and maintaining neighborhood image; and

WHEREAS the City of Ypsilanti recognizes that requirements for recreational vehicles on residential properties are overly burdensome and restrictive; and

WHEREAS the City of Ypsilanti recognizes that greater zoning flexibility for recreational vehicles on residential properties will enhance private enjoyment and expand options for such property owners; and

WHEREAS the City of Ypsilanti recognizes that current requirements for recreational vehicles on residential properties lack clarity and improved language would eliminate confusion; and

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council approve the Zoning Text Amendment provision in the zoning ordinance to improve clarity and flexibility for recreational vehicles on residential properties.

This zoning text amendment applies to Article II Section 122-203 and Article V Sections 122-560, 122-561, 122-562.

OFFERED BY _____

SUPPORTED BY _____

YES: _____

NO: _____

ABSENT: _____

VOTE: _____

City of Ypsilanti
Notice of Adopted Ordinance
Ordinance No. 1429

An Ordinance Entitled *Improving Regulations for Recreational Vehicles on Residential Lots*

THE CITY OF YPSILANTI ORDAINS that the Zoning Text Amendment provision in the zoning ordinance to improve clarity and flexibility for recreational vehicles on residential properties.

This zoning text amendment applies to Article II Section 122-203 and Article V Sections 122-560, 122-561, 122-562.

Section 122-203 Definitions
Vehicle, Recreational means a boat, snowmobile, off-road vehicle, camper travel trailer, motor home, pick-up camper, trailer which is designed for private recreational or recreational travel use <u>and/or has a recreational license plate</u> . Any trailer which is principally used for transporting any of the above shall also be considered a recreational vehicle.
Residentially Zoned means <u>any zoning district, outside of a Center or Corridor District, where single family dwellings or two-family dwellings are a permitted use.</u>
Sec. 122-560 General Prohibition.
Except as otherwise provided in this chapter, no vehicles may be parked or stored on any <u>lot that is zoned or used for residential</u> residentially-zoned lot except for operable passenger automobiles, pickup trucks, vans, or motorcycles which are personally owned by the persons residing on the premises, or their guests.
Sec. 122-561. Commercial Vehicles in Residential Areas.
The parking or storage of a commercial vehicle over a two ton capacity is prohibited on any residential lot. However, this section does not apply to commercial vehicles temporarily parked less than eight hours in a residential area in conjunction with maintenance or service to a residential property.
Sec. 122-562 Recreational Vehicles.
A. The parking or storage of recreational vehicles, whether or not the recreational vehicle is mounted upon or hitched to another vehicle, including vacant mobile homes, antique or racing automobiles, or any other vehicles of a similar nature and related equipment, is prohibited <u>may be permitted</u> any lot in an R1, CN-SF, CN-Mid, CN, MD or HHS zoning district unless parked within a completely enclosed building or within a rear or side yard other than within a required yard setback area. <u>Recreational vehicles may be located</u> within a completely enclosed building or within a <u>front, rear or side yard</u> other than within a required yard setback area. <u>However, recreational vehicles taller than 8 feet in height must be parked no less than 10 feet away from the front lot line.</u> Such vehicles stored in a side yard must be screened from view from the street and the adjacent property by an acceptable fence or landscaped screen, in accordance with §122-634 of this chapter. Notwithstanding the above, no recreational vehicle may be parked or stored on any indoor or outdoor parking space which is required to meet the minimum parking space requirement in an CN, MD or HHS district. B. No more than two recreational vehicles per dwelling unit may be stored outdoors at one time. The size of recreational vehicles kept or stored outdoors may not exceed eight feet in width, ten <u>twelve</u> feet in height, or 32 feet in length. C. Trailer coaches, motor homes, and other vehicles or equipment designed or adaptable for sleeping purposes must remain unoccupied and must not be connected to sanitary sewer facilities, or to electricity, water, or gas. D. <u>Recreational vehicles, including trailers for recreational vehicles, may not be permanently affixed to the ground. Such vehicles must be situated upon a chassis or other wheeled conveyance.</u>

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

_____ Tracey Boudreau, City Clerk

Attest

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

_____ Tracey Boudreau, 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 _____, ____.

_____ Tracey Boudreau, City Clerk

Notice Published:

First Reading:

Second Reading:

Published:

Effective Date:



Resolution No. 2024-086

Date - May 14, 2024

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT THE PUBLIC HEARING FOR the Zoning Text Amendment provision in the zoning ordinance to improve clarity and flexibility for recreational vehicles on residential properties be officially closed.

OFFERED BY

SUPPORTED BY

YES:

NO:

ABSENT:

VOTE:



March 14, 2024

**Text Amendment Staff Review
Recreational Vehicles (RVs)**

GENERAL INFORMATION

Action Requested

Proposed zoning text amendment to Sections 122-203, 122-560, 122-561, and 122-562 to update the regulations for the storage of recreational vehicles to allow greater flexibility while maintaining compatibility with surrounding uses.

SUMMARY

The City of Ypsilanti is committed to improving our zoning systems. It is the purpose of this zoning text amendment to update provisions for RVs signs in a consistent manner while ensuring that the neighboring uses and properties are adequately protected. This proposed amendment was taken up by City staff with the assistance of Planning Commission in forming the key policy considerations.

BACKGROUND

City staff has fielded numerous comments in the recent months about recreational vehicle storage on residential property. For the purpose of discussion, recreational vehicles are defined in the zoning ordinance as "a boat, snowmobile, off-road vehicle, camper travel trailer, motor home, pick-up camper, trailer which is designed for private recreational or recreational travel use. Any trailer which is principally used for transporting any of the above shall also be considered a recreational vehicle."

Currently, the ordinance prohibits recreational vehicles from being located in an R1, CN-SF, CN-MID, CN, MD, or HHS district unless parked within an enclosed building, or within a rear or side yard other than a required setback area. Some residents have expressed concern with this requirement and voiced their desire to store the recreational vehicles on their driveway, which is often located in a front yard or side yard. On small lots, driveways are often located in a *required* front or side yard. The draft amendment language seeks to address these concerns.

The second part of this discussion is regarding the topic of commercial and recreational vehicles. Trailers are referenced in the definitions of both commercial vehicle and recreational vehicle. Code enforcement has mentioned the fact that sometimes the two definitions overlap and the line can be blurred when trying to distinguish what is a commercial vehicle versus a recreational vehicle. In addition, recent trends have popularized the conversion of school buses into recreational uses. Additional language was considered to allow for appropriate and consistent enforcement of these vehicles.



See the staff report memos from the January 2024 and December 2023 Planning Commission meetings for more information regarding these discussion points.

DISCUSSION

In January, the Planning Commission met to discuss the topic of recreational vehicle storage and reviewed the existing regulations. The Planning Commission suggested changes that would allow greater flexibility for these vehicles and improved regulation for enforcement. A public hearing was scheduled for the March meeting.

	Current Requirement	Changes Made	Reason
General Prohibition Applicability	Except as otherwise provided, no vehicles may be parked on any residentially zoned lot except for operable personal vehicles	- Definition added for 'residentially zoned' - Changed to 'lot that is zoned or used for residential'	Provide clarity to better understand intention when "residentially zoned" is used in the Ordinance
Ownership =	Vehicle must belong to individuals residing on the premises or their guests	Eliminated ownership requirement	Difficult for enforcement
Location	Within a completely enclosed building or in a non-required side or rear yard (outside of setback area)	- Allowed within an enclosed building - Allowed in front, rear, or side yard, whether required or non-required - Vehicles taller than 8ft in height must park no less than 10' away from the lot line	Overly restrictive: Ypsilanti has many small lots that cannot accommodate a recreational vehicle in non-required side/rear setbacks. Driveways are often located in the required side yard

Screening	When located in a side yard, must be screened from view from the street/adjacent property with a fence or landscaping	• No screening required	Screening is ineffective for most RVs (fences are not as tall as RVs), and may make RV storage overly burdensome
Number	Two recreational vehicles per dwelling unit (unless stored inside building)	• No changes	A reasonable limit on the number ensures excessive storage, particularly in light of proposed changes to the ownership requirements.
Size	Maximum size: eight feet in width, ten feet in height, 32 feet in length	• Changed the maximum height to twelve feet from ten	Many RVs are taller than 10 feet
Other Requirements		• Added a regulation that recreational vehicles may not be permanently affixed to the ground and must be upon a chassis or other wheeled conveyance	Helps to curb the use of RVs for storage. Prevents RV from becoming "clutter".
Distinguish between commercial and recreational vehicles	Specify that a vehicle with a recreational license plate is a recreational vehicle	• Updated definitions to clarify that a recreational vehicle plate qualifies a vehicle as a recreational vehicle	Clarification needed for enforcement

PROPOSED TEXT AMENDMENT

Proposed Ordinance

See the proposed text. ~~Red~~ text with strikethrough is being deleted; green text underlined is proposed to be added. Sections shall be renumbered accordingly.

Section 122-203 Definitions
Vehicle, Recreational means a boat, snowmobile, off-road vehicle, camper travel trailer, motor home, pick-up camper, trailer which is designed for private recreational or recreational travel use <u>and/or has a recreational license plate</u> . Any trailer which is principally used for transporting any of the above shall also be considered a recreational vehicle.
Residentially Zoned means <u>any zoning district, outside of a Center or Corridor District, where single family dwellings or two-family dwellings are a permitted use.</u>
Sec. 122-560 General Prohibition.
Except as otherwise provided in this chapter, no vehicles may be parked or stored on any <u>lot that is zoned or used for residential</u> residentially-zoned lot except for operable passenger automobiles, pickup trucks, vans, or motorcycles which are personally owned by the persons residing on the premises, or their guests.
Sec. 122-561. Commercial Vehicles in Residential Areas.
The parking or storage of a commercial vehicle over a two ton capacity is prohibited on any residential lot. However, this section does not apply to commercial vehicles temporarily parked less than eight hours in a residential area in conjunction with maintenance or service to a residential property.
Sec. 122-562 Recreational Vehicles.
A. The parking or storage of recreational vehicles, whether or not the recreational vehicle is mounted upon or hitched to another vehicle, including vacant mobile homes, antique or racing automobiles, or any other vehicles of a similar nature and related equipment, is prohibited <u>may be parked or stored on</u> any lot in an R1, CN-SF, CN-Mid, CN, MD or HHS zoning district unless parked within a completely enclosed building or within a rear or side yard other than within a required yard setback area. <u>Recreational vehicles may be located</u> within a completely enclosed building or within a <u>front, rear or side yard</u> other than within a required yard setback area. <u>However, recreational vehicles taller than 8 feet in height must parked no less than 10 feet away from the front lot line. Such vehicles stored in a side yard must be screened from view from the street and the adjacent property by an acceptable fence or landscaped screen, in accordance with §122-634 of this chapter.</u> Notwithstanding the above, no recreational vehicle may be parked or stored on any indoor or outdoor parking space which is required to meet the minimum parking space requirement in an CN, MD or HHS district. B. No more than two recreational vehicles per dwelling unit may be stored outdoors at one time. The size of recreational vehicles kept or stored outdoors may not exceed eight feet in width, ten <u>twelve</u> feet in height, or 32 feet in length. C. Trailer coaches, motor homes, and other vehicles or equipment designed or adaptable for sleeping purposes must remain unoccupied and must not be connected to sanitary sewer facilities, or to electricity, water, or gas. D. <u>Recreational vehicles, including trailers for recreational vehicles, may not be permanently affixed to the ground. Such vehicles must be situated upon a chassis or other wheeled conveyance.</u>

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

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

SAMPLE MOTION

Motion to ***recommend City Council approve*** the proposed text amendment to Sections 122-203, 122-560, 122-561, and 122-562 with the following findings:

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

(Note: If Planning Commission is not comfortable with the proposed amendment as provided, Planning Commission can recommend changes to the text so long as proposed changes are clearly covered in the motion.)

Joshua Burns
City Planner, City of Ypsilanti

Julia Upfal, AICP
Senior Planner, Giffels Webster

Andy Aamodt
Senior Planner, Giffels Webster

c.c. File



**CITY OF YPSILANTI
PLANNING COMMISSION MEETING
DRAFT ACTION MINUTES
Wednesday, March 20th, 2024 @ 7:00 PM
Council Chambers
One South Huron, Ypsilanti, MI 48197**

I. Call to Order | 7:03 PM

II. Roll Call

Matt Dunwoodie, Chair - Present
Micheal Simmons, Vice-Chair – Excused Absence
Eric Bettis – Present
Mike Davis Jr. – Present
Phil Hollifield – Present
Amanda Smith – Present
Carl Scheir – Present
Brian Jones-Chance – Present

Excused absences acknowledged. Motion to approve.

--Moved by Jones-Chance. Seconded by Hollifield. Yays – 7, Nays – 0, motion carries

III. Agenda Approval

March 2024 Regular Meeting Agenda

Motion to approve the March 2024 agenda as presented.

--Moved by Smith. Seconded by Bettis. Yays - 7, Nays - 0, motion carries

IV. Approval of Minutes

February Meeting Minutes

[Microsoft Word - 21 February 2024 - Approved Minutes \(cityofypsilanti.com\)](https://cityofypsilanti.com/microsoft-word-21-february-2024-approved-minutes)

Motion to approve the February 2024 Meeting Minutes as presented.

--Moved by Smith. Seconded by Davis Jr. Yays – 7, Nays – 0, motion carries

V. Public Comments

Motion to open public comments to the Planning Commission.

--Moved by Bettis. Seconded by Smith. Yays - 7, Nays -0, motion carries

No public comments occurred.

Motion to close public comments to the Planning Commission.

--Motion made by Jones-Chance. Seconded by Hollifield. Yays – 7, Nays – 0, motion carries.

VI. Committee Reports

Commissioner Davis Jr:“ The committee didn’t meet quorum, so no report.”

VII. Public Hearing Items

Proposed Zoning Text Amendment to Sections 122-417(g), 122-422(d.1-2), 122-427(d), 122-432(d.1-2), 122-442(d.2), 122-447(d.2), 122-452(d.2), 122-462(d.1), 122-664, 122-665.

Staff Proposes:

Proposed Ordinance

See the proposed text. ~~Red~~ text with strikethrough is being deleted; green text underlined is proposed to be added. Sections shall be renumbered accordingly.

Section 122-417.g (Park District- P) Non-use and Dimensional Requirements (New Language)		
<u>Electronic Message Board Signs</u>		<u>Not Permitted</u>
Section 122-422.d.1 (Single-Family Residential District- R1) Non-use and Dimensional Requirements (New Language)		
<u>Electronic Message Board Signs</u>		<u>Not Permitted</u>
Section 122-422.d.2 (Single-Family Residential District- R1) Non-use and Dimensional Requirements. (New Language)		
<u>Electronic Message Board Signs</u>		<u>Not Permitted</u>
Section 122-427.d (Multiple Dwelling Residential District- MD) Non-use and Dimensional Requirements (New Language)		
<u>Electronic Message Board Signs</u>		<u>Not Permitted</u>
Section 122-432.d.1 (Production, Manufacturing and Distribution District- PMD) Non-use and Dimensional Requirements (New Language)		
<u>Electronic Message Board Signs</u>		<u>Not Permitted</u>
Section 122-432.d.2 (Production, Manufacturing and Distribution District- PMD) Non-use and Dimensional Requirements (New Language)		
<u>Electronic Message Board Signs</u>		<u>Not Permitted</u>
Section 122-442.D.2 (Core Neighborhoods- CN, CN-Mid, CN-SF) Non-use and dimensional requirements for site improvements not regulated by building type. (New Language)		
<u>Electronic Message Board Signs (Permanent)</u>	<u>Must comply with all requirements for Electronic Message Board Signs in Section 122-665</u>	<u>Permit Required</u>
Section 122-447.D.2 (Center- C) Non-use and dimensional requirements for site improvements not regulated by building type. (New Language)		
<u>Electronic Message Board Signs (Permanent)</u>	<u>Must comply with all requirements for Electronic Message Board Signs in Section 122-665</u>	<u>Permit Required</u>

Section 122-452.D.2 (Corridors- HC, NC, GC) Non-use and dimensional requirements for site improvements not regulated by building type. (New Language)		
Electronic Message Board Signs (Permanent)	Must comply with all requirements for Electronic Message Board Signs in Section 122-665	Permit Required
Section 122-462.d.1 (Health and Human Services- HHS) Non-use and dimensional requirements for site improvements not regulated by building type. (New Language)		
Electronic Message Board Signs		Not Permitted
Section 122-462.d.2 (Health and Human Services- HHS) Non-use and dimensional requirements for site improvements not regulated by building type. (New Language)		
Electronic Message Board Signs		Not Permitted

Section 122-664. Prohibited Signs
The following signs are prohibited in all zoning districts:
a) Unsafe signs. When any sign or sign structure becomes insecure, in danger of falling, or otherwise unsafe, or if any sign or sign structure shall be unlawfully installed, erected, or maintained in violation of any of the provisions of this chapter, or prohibited signs, it shall be considered a nuisance per se. The owner or lessee shall, upon receipt of written notice of the building official, immediately in the case of an unsafe sign make such sign conform to the provisions of this article or shall remove it. If, after ten days, the notice is not complied with, the building official may remove such sign at the expense of the owner or lessee after having obtained an order from the administrative hearings bureau. The cost, including actual attorney fees, shall be assessed against the property as provided in Article VIII of the City Charter. b) Prohibited signs 1) Animated Signs. 2) Portable Signs, not including sidewalk signs. 3) Signs mounted upon a roof. 4) Signs containing obscene material. Signs containing symbols that area or purports to be an imitation of or resembles a traffic control device or that attempts to direct the movement of traffic. 5) Mechanical Signs. 6) Sign, electronic message, excepting digital billboards. 7) Signs not specifically permitted under the sections of this chapter. 8) Signs with less than six feet horizontal clearance or 12 feet vertical clearance from overhead electrical conductors which are energized in excess of 250 volts.

Section 122-665(c) Sign Design Standards (New Language)
(C) Electronic Message Board Signs. Building Mounted Signs and Freestanding signs may include an Electronic Message Board, subject to the following:
1) <u>Required Area, Height, and Setbacks.</u> The maximum area for an electronic message board sign shall be no greater than 50% of the zoning district's maximum area for freestanding or building-mounted signs. The maximum height and minimum setbacks shall comply with the zoning district's allowances for freestanding or building-mounted signs. 2) <u>Maximum Number.</u> No more than one electronic message board sign shall be located on a single lot of land. 3) <u>Change of message</u> shall not occur more than once every two minutes. 4) <u>Lights shall never blink or flash.</u> Message change sequence shall not involve flashing or other animations but shall be an instantaneous change. 5) <u>Illumination.</u> Illumination from an electronic message board sign shall not exceed 0.3 footcandles when measured at the property line of the subject lot. 6) <u>Colors.</u> Messages shall be in monochrome text, and electronic display areas shall be black. 7) <u>Electronic message board signs shall not be illuminated between the hours of 9 PM and 6 AM.</u> 8) <u>Signs shall be programmed to go dark in the event of a malfunction.</u>

Staff recommends the Planning Commission ***recommend City Council approve*** the proposed text amendment to Sections 122-417(g), 122-422(d.1-2), 122-427(d), 122-432(d.1-2), 122-442(d.2), 122-447(d.2), 122-452(d.2), 122-462(d.1), 122-664, 122-665 with the following findings:

1. The proposed amendment is consistent with the guiding values of the Master Plan;
2. The proposed amendment is consistent with the intent of this Zoning Ordinance;
3. The proposed amendment will enhance the functionality, transportation network or character of the future development in the City;
4. The proposed amendment will preserve the historic nature of the surrounding area and of the City;
5. The proposed amendment will enhance the natural features and environmental sustainability of the City;

6. The proposed amendment will protect the health, safety, and general welfare of the public;
7. The proposed amendment will address a community need in physical or economic conditions or development practices;
8. The proposed amendment will not result in the creation of significant nonconformities in the City.

Motion to open public comments to the Planning Commissions.

--Motion made by Davis Jr. Seconded by Jones-Chance. Yays – 7, Nays – 0, motion carries.

Maurice Jordan (Deacon at Second Baptist Church)

Jordan states that the church has been frustrated with the City's ordinances because they kept getting cited for their signage. He claims that he is confident that a well-written text amendment will allow for EMBs to be brought seamlessly into the community. He believes the text amendment strikes the right balance for the City.

Another Member of Second Baptist Church

Mentions how their sign was taken out by a car and would like to have additional signage to draw people to their church.

Motion to close public comments to the Planning Commissions.

--Motion made by Jones-Chance. Seconded by Bettis. Yays – 7, Nays – 0, motion carries.

Planning Commission Discussion of the Text Amendment

The Planning Commission was overall happy with the proposed text amendment.

Motion to recommend the City Council adopt the zoning text amendment.

Smith – Yes

Davis Jr. – Yes

Scheir – Yes

Dunwoodie – Yes

Bettis – Yes

Jones-Chance – Yes

Hollifield – Yes

--Motions Carries

Proposed Zoning Text Amendment to Definitions: Section 122-203, and Article V, Division 2: Sections 122-560, 122-561, and 122-562.

Section 122-203. Definitions currently states:

Vehicle, Recreational means a boat, snowmobile, off-road vehicle, camper travel trailer, motor home, pick-up camper, trailer which is designed for private recreational or recreational travel use. Any trailer which is principally used for transporting any of the above shall also be considered a recreational vehicle.

Staff Proposes:

Vehicle, Recreational means a boat, snowmobile, off-road vehicle, camper travel trailer, motor home, pick-up camper, trailer which is designed for private recreational or recreational travel use and/or has a recreational license plate. Any trailer which is principally used for transporting any of the above shall also be considered a recreational vehicle.

New Definition Proposed:

Residentially Zoned means any zoning district, outside of a Center or Corridor District, where single family dwellings or two-family dwellings are a permitted use.

Section 122-560. General Prohibition currently states:

Except as otherwise provided in this chapter, no vehicles may be parked or stored on any residentially-zoned lot except for operable passenger automobiles, pickup trucks, vans, or motorcycles which are personally owned by the persons residing on the premises, or their guests.

Staff Proposes:

Except as otherwise provided in this chapter, no vehicles may be parked or stored on any lot that is zoned or used for residential except for operable passenger automobiles, pickup trucks, vans, or motorcycles

Section 122-561. Commercial Vehicles in Residential Areas currently states:

The parking or storage of a commercial vehicle over a two ton capacity is prohibited on any residential lot. However, this section does not apply to commercial vehicles temporarily parked less than eight hours in a residential area in conjunction with maintenance or service to a residential property.

Section 122-562. Recreational Vehicles currently states:

- A. The parking or storage of recreational vehicles, whether or not the recreational vehicle is mounted upon or hitched to another vehicle, including vacant mobile

homes, antique or racing automobiles, or any other vehicles of a similar nature and related equipment, is prohibited on any lot in an R1, CN-SF, CN-Mid, CN, MD or HHS zoning district unless parked within a completely enclosed building or within a rear or side yard other than within a required yard setback area. Such vehicles stored in a side yard must be screened from view from the street and the adjacent property by an acceptable fence or landscaped screen, in accordance with §122-634 of this chapter. Notwithstanding the above, no recreational vehicle may be parked or stored on any indoor or outdoor parking space which is required to meet the minimum parking space requirement in an CN, MD or HHS district.

- B. No more than two recreational vehicles per dwelling unit may be stored outdoors at one time. The size of recreational vehicles kept or stored outdoors may not exceed eight feet in width, ten feet in height, or 32 feet in length.
- C. Trailer coaches, motor homes, and other vehicles or equipment designed or adaptable for sleeping purposes must remain unoccupied and must not be connected to sanitary sewer facilities, or to electricity, water, or gas.

Staff Proposes:

- A. The parking or storage of recreational vehicles, whether or not the recreational vehicle is mounted upon or hitched to another vehicle, including vacant mobile homes, antique or racing automobiles, or any other vehicles of a similar nature and related equipment may be parked or stored on any lot in an R1, CN-SF, CN-Mid, CN, MD or HHS zoning district. Recreational vehicles may be located within a completely enclosed building or within a front, rear or side yard. However, recreational vehicles taller than 8 feet in height must be parked no less than 10 feet away from the front lot line. Notwithstanding the above, no recreational vehicle may be parked or stored on any indoor or outdoor parking space which is required to meet the minimum parking space requirement in an CN, MD or HHS district.
- B. No more than two recreational vehicles per dwelling unit may be stored outdoors at one time. The size of recreational vehicles kept or stored outdoors may not exceed eight feet in width, twelve feet in height, or 32 feet in length.
- C. Trailer coaches, motor homes, and other vehicles or equipment designed or adaptable for sleeping purposes must remain unoccupied and must not be connected to sanitary sewer facilities, or to electricity, water, or gas.
- D. Recreational vehicles, including trailers for recreational vehicles, may not be permanently affixed to the ground. Such vehicles must be situated upon a chassis or other wheeled conveyance.

Staff recommends the Planning Commission ***recommend City Council approve*** the proposed text amendment to Sections 122-203, 122-560, 122-561, and 122-562 with the following findings:

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

Motion to open public comments to the Planning Commissions.

--Motion made by Davis Jr. Seconded by Hollifield. Yays – 7, Nays – 0, motion carries.

Mark (Resident of the City)

Mark discusses how he uses his RV as a mobile office, but also for heat when his electricity goes out.

Gary (Resident of the City)

Pleased with the language of the ordinance.

Steve (Resident of the City)

Does not believe that the proposed text amendment is worded well and thinks the City should work with the Secretary of State on the plating language.

Motion to close public comments to the Planning Commission.

--Motion made by Jones-Chance. Seconded by Hollifield. Yays – 7, Nays – 0, motion carries.

Planning Commission Discussion of the Proposed Text Amendment

Dunwoodie believes the ordinance is more lenient and better overall.

Commissioners are interested in reviewing the occupancy of recreational vehicles.

Motion to recommend the City Council adopt the zoning text amendment with the following amendment(s):

122-562(a):

The parking or storage of recreational vehicles, whether or not the recreational vehicle is mounted upon or hitched to another vehicle, including vacant mobile homes, antique or racing automobiles, or any other vehicles of a similar nature and related equipment may be ~~parked or stored~~ permitted on any lot in an R1, CN-SF, CN-Mid, CN, MD or HHS zoning district. Recreational vehicles may be located within a completely enclosed building or within a front, rear or side yard. However, recreational vehicles taller than 8 feet in height must be parked no less than 10 feet away from the front lot line. Notwithstanding the above, no recreational vehicle may be parked or stored on any indoor or outdoor parking space which is required to meet the minimum parking space requirement in an CN, MD or HHS district.

Roll Call:

Smith – Yes

Davis Jr. – Yes

Scheir – Yes

Dunwoodie – Yes

Bettis – Yes

Jones-Chance – Yes

Hollifield – Yes

--Motions Carries

23 N. Washington Special Land Use and Site Plan

Skott Schoonover is proposing *Water Tower Distilling Co.* at 23 N. Washington. The applicant is proposing a small distillery and tasting room and will also allow for the sale of bottled alcoholic beverages for off-site consumption.

Motion to open public comments to the Planning Commission.

--Motion made by Davis Jr. Seconded by Bettis. Yays – 7, Nays – 0, motion carries.

Ted Badgerow (Head Brewer and Co-owner of the Ypsi Alehouse)

Badgerow discussed state liquor licensing.

Motion to close public comments to the Planning Commission.

--Motion made by Jones-Chance. Seconded by Hollifield. Yays – 7, Nays – 0, motion carries.

Planning Commission Discussion of the Proposed Special Land Use and Site Plan

The Planning Commission finds that staff made an error, and that the applicant's proposed use is permitted and not a special land use.

Motion to postpone the special use and site plan for 23 N. Washington.

--Moved by Smith. Seconded by Davis Jr.

Roll Call:

Smith – Yes

Davis Jr. – Yes

Scheir – Yes

Dunwoodie – Yes

Bettis – Yes

Jones-Chance – Abstains

Hollifield – Yes

--Motions Carries

136 N. Washington Planned Unit Development (PUD)

124 Peace Plaza, LLC (J29:7) proposed a Planned Unit Development at 124 Pearl Street. The development will be a mixed-use development with 60 apartments and a retail space on the ground floor. Some of the amenities included as part of this development include the rooftop garden, bike parking, and EV charging spaces.

Motion to open public comments to the Planning Commission.

--Motion made by Jones-Chance. Seconded by Bettis. Yays – 7, Nays – 0, motion carries.

Derric Scott (CEO of J29:7)

Mentions he has been a resident of Ypsilanti for 17 years. He wanted to invest into his neighborhood, which is why he moved his business into the City.

Scott claims his team was the only interested buyer for the Centennial Plaza that would keep all of the existing businesses in the building. He talks about the regional grant award he got from the City of Ann Arbor for \$8.2 million.

He mentions the development timeline and says "One of the significant things to kind of point out is with the MEDC grant that we receive for the for the wrap. There's a time consideration on it which really accelerated our timeline. We, in an ideal situation, like to take our time in these type of developments, really truly engage the neighborhood community. And understand how to really deliver impactful development. So, the last 90 days we've really been working just really closely with the city team who has been great with helping us kind of expedite a timeline and really think through how to make sure we can maximize the opportunity not to lose the 3 million in funding support to do the housing portion of this."

Scott claims that there was only a verbal agreement between the previous owners and the adjacent property owner to allow the adjacent property to use the driveway and parking.

Scott also claims "As far as the easement goes is the Cause except for 1 point, what you've described really is a prescriptive easement except for the fact that so is their argument that They had some, was your argument that there was some informal agreement with the previous owner and that's what makes it not hostile. There wasn't so the previous owner as

well as the previous broker who both preceded the property owners to the north. So I think they purchase their property in oh sevenish the previous owner purchased, roughly 23 years ago. And so they preceded them. There was the previous owner says that there was never an agreement. They signed a an affidavit to that effect and sold us the property under those with that understanding."

J29:7's Counsel: Elizabeth Rogers

Rogers claims that they have reached out to the neighbors but have not been able to reach an agreement. She does not believe that the adjacent property owner does not have a prescriptive easement.

Dr. Mike (PhD Chemical Engineering)

Has concerns over the decline of parking, especially with a new building being placed on the current parking lot.

Adam Breaux (Architect for the development)

Mentions that the design has been updated since they've submitted addressing some of the site concerns. Addresses the trash concerns listed in the staff report.

Ted Badgerow (Head Brewer and Co-owner of the Ypsi Alehouse)

Talks about the significance of the Alehouse in the community and the work they've done to restore the *Huron Hotel*. He is glad the ownership of the building stays within the hands of a local owner. Mentions the events the Alehouse holds which draws life into an already struggling downtown. He states "it is, it's very hard to find parking, my, staff, and all of our customers, park in that parking lot presently, and I can't expect my staff to pay for expensive parking just for them to show up for work. The Deja vu showgirls nightclub will be reopening soon. They held a soft opening. Recently I'm not sure when the Hard opening is coming, but I'm wondering how that will affect the residential. A character of the neighborhood. And we have had, of course, long time long Washington Street. Problem with drug sales, drug usage, and many other things, a lot of blue lights."

Donald Floria (Ypsilanti Resident)

He likes what Mr. Scott is doing and believes this development will be a nice addition to the City.

Tia Johnson (Ypsilanti Resident)

Believes this development is innovative for the City. She believes this development will be a new birth for Ypsilanti.

Steve Peirce

He believes that the adjacent property owner has a prescriptive easement. He mentions you can see the adjacent property owner has used this driveway for 25+ years. He said that

PUDs are supposed to be thought out, but believes the applicant has not fostered a development that fits into the area. He thinks it would be a mistake to rush the PUD process and that the Planning Commission needs to reject the project.

Emails Read into the Record

At 4:14 pm on 3/20, staff received an email from the lawyer of the property owners of 148 N. Washington. Staff read this email aloud.

Mike Bly (Alehouse Customer)

Mike states that he believes an affordable housing complex would be suited better somewhere else.

Cheryl Farmer (Ypsilanti Resident)

Mentions how many PUD departures the applicants are asking for. She doesn't understand why this even came to the Planning Commission with all the departures they are asking for. She says the loss of any parking spaces in the downtown area is a bad idea.

Motion to close public comments to the Planning Commission.

--Motion made by Jones-Chance. Seconded by Smith. Yays – 7, Nays – 0, motion carries.

Planning Commission Discussion of the Planned Unit Development

The planning commission discussed the pending litigation against the applicant. The planning commission does like that the development would increase housing in downtown, and wants the applicant to come back with revised plans that address the departures.

(See upload on YouTube for full discussion of the topic)

Motion to postpone the site condominium for 124 and 120 Pearl Street, with parcel IDs as noted in the staff report with the following findings:

The site condominium ordinance sections 122-711 and 122-712 requires review of a project of this nature to follow the Planned Unit Development section's requirements; this application as presented does not meet the PUD standards including but not limited to departures providing higher quality development. Additionally, important site plan details are not documented and logistical issues for trash pickup are unclear.

--Moved by Davis Jr. Seconded by Jones-Chance.

Roll Call:

Smith – Yes

Davis Jr. – Yes

Scheir – Yes
Dunwoodie – Yes
Bettis – Yes
Jones-Chance – Abstains
Hollifield – No
--Motions Carries

Motion to postpone the planned unit development for 124 and 120 Pearl Street, with parcel IDs as noted in the staff report with the following findings:

- The PUD departures do not, as a whole, create a higher quality development for the City. Departures that do not contribute to a higher quality development should be reduced.
- Compliance with the PUD standards of §122-706 is unclear until further information and site plan details are provided, including the dumpster enclosure detail and photometric details.
- Logistical issues of the trash pickup are still unclear, including full truck turning templates, the location of all the bins that will be rolled out, and the garbage truck pickup technique in the form of rear, front, or side load.

--Moved by Davis Jr. Seconded by Jones-Chance.

Roll Call:

Smith – Yes
Davis Jr. – Yes
Scheir – Yes
Dunwoodie – Yes
Bettis – Yes
Jones-Chance – Abstains
Hollifield – No
--Motions Carries

VIII. New Business

IX. Public Comments

Motion to open public comments to the Planning Commission.

--Motion made by Smith. Seconded by Davis Jr. Yays – 7, Nays – 0, motion carries.

Steve Pierce (Ypsilanti Resident)

Steve believes the Planning Commission should review the PUD standards of the city. Peirce does not believe there is a need to rush. He is glad the project was postponed.

Motion to close public comments to the Planning Commission.

--Motion made by Davis Jr. Seconded by Bettis. Yays – 7, Nays – 0, motion carries.

X. Adjournment | 11:13 pm



REQUEST FOR LEGISLATION
May 14, 2024

For: Mayor and City Council

From: Joshua Burns, City Planner

Subject: Ordinance No. 1430 - An Ordinance entitled "Zoning text amendment to allow electronic message board (EMB) signs, with reasonable standards to ensure compatibility with neighboring uses and reduce the potential for off-site glare".

Resolution No. 2024-087, determination.

Public Hearing

Resolution No. 2024-088, close the public hearing.

SUMMARY & BACKGROUND: The City of Ypsilanti is committed to improving our zoning systems and encouraging sensible regulations that ensure harmony between residential and non-residential uses. The purpose of this zoning text amendment is to update provisions for EMB signs in a sensible manner while ensuring that the neighboring uses, properties, and traffic concerns are adequately protected. This proposed amendment was taken up by the Planning Commission following a recommendation by the Zoning Board of Appeals to place this on a Planning Commission agenda for further consideration.

The Zoning Board of Appeals reviewed a variance request for an EMB sign at their December 6, 2023 meeting. This EMB sign variance was applied for by Second Baptist Church of Ypsilanti and was intended to be placed near the northwest corner of the building, facing the corner of South Hamilton and Catherine streets. The ZBA did not find that the variance met the standards for practical difficulty, and thus denied the request. Separate from the finding of practical difficulty and the technical denial of the variance, the ZBA was, in summary, interested by the arguments made by the applicant in terms of meeting a community need. The ZBA was also cognizant that, if approved, many conditions would likely be placed on the sign to prevent a nuisance. A ZBA member stated, in summary, "I do not believe it is in the purview of this board to start rewriting code, and any parameters that we put on this sign is essentially what we would be doing." This sentiment was seemingly accepted by all three members of the Board present. Then, the ZBA recommended by motion, that the Planning Commission review the EMB sign prohibition in the zoning ordinance. At the December 20, 2023 meeting, staff introduced this item to Planning Commission.

At the January 17, 2024 meeting, staff and Planning Commission engaged in a policy discussion regarding the manner in which EMBs could potentially be regulated. Among the considerations, they discussed the location, sign type, message change timeframes, animation, lighting, color, maximum area, time of day permitted, and malfunction mitigation. A public hearing on the amendment was held during the March meeting and the Planning Commission recommended adoption by the City Council.

See the staff report memos from the January 2024 and March 2024 Planning Commission meetings for more information regarding these discussion points.

RECOMMENDED ACTION

The Planning Commission recommends City Council approve the proposed text amendment to the sections of the ordinance listed as "exhibit A" with the following findings:

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

RECOMMENDED ACTION:

ATTACHMENTS:

1. Resolution No 2024-087
2. Ordinance
3. Resolution No 2024-088
4. Exhibit A
5. Staff Report
6. 20 March 2024 - Draft Minutes

CITY MANAGER APPROVAL:

COUNCIL AGENDA DATE: May 14, 2024

CITY MANAGER COMMENTS:

FISCAL SERVICES DIRECTOR APPROVAL:



Resolution No. – 2024-087

Date - May 14, 2024

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS the City of Ypsilanti recognizes that the City has an interest in protecting the economic diversity and image of the community; and

WHEREAS the City of Ypsilanti recognizes that the City has an interest in updating regulations to address changes in technology; and

WHEREAS the City of Ypsilanti recognizes that electronic message board signs allow for easy and clear communication among residents and businesses; and

WHEREAS the City of Ypsilanti recognizes the importance of regulations that ensure electronic message board signs are compatible with neighboring uses and unobtrusive to traffic; and

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council approve the Zoning Text Amendment provision in the zoning ordinance to permit Electronic Message Board signs in the CN-SF, CN-Mid, CN, Center, HC, GC, and NC Zoning Districts with corresponding regulations to protect neighboring properties and traffic from visual distractions and/or glare.

This zoning text amendment applies to the list of sections in Exhibit A attached.

OFFERED BY _____

SUPPORTED BY _____

YES: _____

NO: _____

ABSENT: _____

VOTE: _____

City of Ypsilanti
Notice of Adopted Ordinance
Ordinance No. 1430

An Ordinance Entitled *Electronic Message Board Signs*

THE CITY OF YPSILANTI ORDAINS that the Zoning Text Amendment provision in the zoning ordinance to permit Electronic Message Board signs in the CN-SF, CN-Mid, CN, Center, HC, GC, and NC Zoning Districts with corresponding regulations to protect neighboring properties and traffic from visual distractions and/or glare.

This zoning text amendment applies to

- Article IV, Division 2, Subdivision I, Section 122-417.g (Park District- P) Non-use and Dimensional Requirements
- Article IV, Division 2, Subdivision II, Section 122-422.d.1 (Single-Family Residential District- R1) Non-use and Dimensional Requirements
- Article IV, Division 2, Subdivision II, Section 122-422.d.2 (Single-Family Residential District- R1) Non-use and Dimensional Requirements
- Article IV, Division 2, Subdivision III, Section 122-427.d (Multiple Dwelling Residential District- MD) Non-use and Dimensional Requirements
- Article IV, Division 2, Subdivision IV, Section 122-432.d.1 (Production, Manufacturing and Distribution District- PMD) Non-use and Dimensional Requirements
- Article IV, Division 2, Subdivision IV, Section 122-432.d.2 (Production, Manufacturing and Distribution District- PMD) Non-use and Dimensional Requirements
- Article IV, Division 3, Subdivision I, Section 122-442.D.2 (Core Neighborhoods- CN, CN-Mid, CN-SF) Non-use and dimensional requirements for site improvements not regulated by building type
- Article IV, Division 3, Subdivision II, Section 122-447.D.2 (Center- C) Non-use and dimensional requirements for site improvements not regulated by building type
- Article IV, Division 3, Subdivision III, Section 122-452.D.2 (Corridors- HC, NC, GC) Non-use and dimensional requirements for site improvements not regulated by building type.
- Article IV, Division 3, Subdivision IV, Section 122-462.d.1 (Health and Human Services- HHS) Non-use and dimensional requirements for site improvements not regulated by building type.
- Article VI, Division 5, Section 122-664 Prohibited Signs
- Article VI, Division 5, Section 122-665 Sign Design Standards

Section 122-417.g (Park District- P) Non-use and Dimensional Requirements (New Language)	
Electronic Message Board Signs	Not Permitted
Section 122-422.d.1 (Single-Family Residential District- R1) Non-use and Dimensional Requirements (New Language)	
Electronic Message Board Signs	Not Permitted
Section 122-422.d.2 (Single-Family Residential District- R1) Non-use and Dimensional Requirements. (New Language)	
Electronic Message Board Signs	Not Permitted
Section 122-427.d (Multiple Dwelling Residential District- MD) Non-use and Dimensional Requirements (New Language)	
Electronic Message Board Signs	Not Permitted
Section 122-432.d.1 (Production, Manufacturing and Distribution District- PMD) Non-use and Dimensional Requirements (New Language)	
Electronic Message Board Signs	Not Permitted

Section 122-432.d.2 (Production, Manufacturing and Distribution District- PMD) Non-use and Dimensional Requirements (New Language)		
Electronic Message Board Signs	Not Permitted	
Section 122-442.D.2 (Core Neighborhoods- CN, CN-Mid, CN-SF) Non-use and dimensional requirements for site improvements not regulated by building type. (New Language)		
Electronic Message Board Signs (Permanent)	Must comply with all requirements for Electronic Message Board Signs in Section 122-665	Permit Required
Section 122-447.D.2 (Center- C) Non-use and dimensional requirements for site improvements not regulated by building type. (New Language)		
Electronic Message Board Signs (Permanent)	Must comply with all requirements for Electronic Message Board Signs in Section 122-665	Permit Required
Section 122-452.D.2 (Corridors- HC, NC, GC) Non-use and dimensional requirements for site improvements not regulated by building type. (New Language)		
Electronic Message Board Signs (Permanent)	Must comply with all requirements for Electronic Message Board Signs in Section 122-665	Permit Required
Section 122-462.d.1 (Health and Human Services- HHS) Non-use and dimensional requirements for site improvements not regulated by building type. (New Language)		
Electronic Message Board Signs	Not Permitted	
Section 122-462.d.2 (Health and Human Services- HHS) Non-use and dimensional requirements for site improvements not regulated by building type. (New Language)		
Electronic Message Board Signs	Not Permitted	

Section 122-664. Prohibited Signs
The following signs are prohibited in all zoning districts: - Unsafe signs. When any sign or sign structure becomes insecure, in danger of falling, or otherwise unsafe, or if any sign or sign structure shall be unlawfully installed, erected, or maintained in violation of any of the provisions of this chapter, or prohibited signs, it shall be considered a nuisance per se. The owner or lessee shall, upon receipt of written notice of the building official, immediately in the case of an unsafe sign make such sign conform to the provisions of this article or shall remove it. If, after ten days, the notice is not complied with, the building official may remove such sign at the expense of the owner or lessee after having obtained an order from the administrative hearings bureau. The cost, including actual attorney fees, shall be assessed against the property as provided in Article VIII of the City Charter. - Prohibited signs - Animated Signs. - Portable Signs, not including sidewalk signs. - Signs mounted upon a roof. - Signs containing obscene material. Signs containing symbols that area or purports to be an imitation of or resembles a traffic control device or that attempts to direct the movement of traffic. - Mechanical Signs. Sign, electronic message, excepting digital billboards. - Signs not specifically permitted under the sections of this chapter. - Signs with less than six feet horizontal clearance or 12 feet vertical clearance from overhead electrical conductors which are energized in excess of 250 volts.

Section 122-665(c) Sign Design Standards (New Language)
(C) Electronic Message Board Signs. Building Mounted Signs and Freestanding signs may include an Electronic Message Board, subject to the following: 1) Required Area, Height, and Setbacks. The maximum area for an electronic message board sign

shall be no greater than 50% of the zoning district's maximum area for freestanding or building-mounted signs. The maximum height and minimum setbacks shall comply with the zoning district's allowances for freestanding or building-mounted signs.

- 2) Maximum Number. No more than one electronic message board sign shall be located on a single lot of land.
- 3) Change of message shall not occur more than once every two minutes.
- 4) Lights shall never blink or flash. Message change sequence shall not involve flashing or other animations but shall be an instantaneous change.
- 5) Illumination. Illumination from an electronic message board sign shall not exceed 0.3 footcandles when measured at the property line of the subject lot.
- 6) Colors. Messages shall be in monochrome text, and electronic display areas shall be black.
- 7) Electronic message board signs shall not be illuminated between the hours of 9 PM and 6 AM.
- 8) Signs shall be programmed to go dark in the event of a malfunction.

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

_____ Tracey Boudreau, City Clerk

Attest

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

_____ Tracey Boudreau, 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 _____, ____.

_____ Tracey Boudreau, City Clerk

Notice Published:

First Reading:

Second Reading:

Published:

Effective Date:



Resolution No. – 2024-088

Date - May 14, 2024

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the public hearing for the Zoning Text Amendment provision in the zoning ordinance to permit Electronic Message Board signs in the CN-SF, CN-Mid, CN, Center, HC, GC, and NC Zoning Districts with corresponding regulations to protect neighboring properties and traffic from visual distractions and/or glare be officially closed.

OFFERED BY _____

SUPPORTED BY _____

YES: _____

NO: _____

ABSENT: _____

VOTE: _____

Exhibit A

The following sections of the Ordinance are proposed to be amended.

- **Article IV, Division 2, Subdivision I, Section 122-417.g (Park District- P) Non-use and Dimensional Requirements**
- **Article IV, Division 2, Subdivision II, Section 122-422.d.1 (Single-Family Residential District- R1) Non-use and Dimensional Requirements**
- **Article IV, Division 2, Subdivision II, Section 122-422.d.2 (Single-Family Residential District- R1) Non-use and Dimensional Requirements**
- **Article IV, Division 2, Subdivision III, Section 122-427.d (Multiple Dwelling Residential District- MD) Non-use and Dimensional Requirements**
- **Article IV, Division 2, Subdivision IV, Section 122-432.d.1 (Production, Manufacturing and Distribution District- PMD) Non-use and Dimensional Requirements**
- **Article IV, Division 2, Subdivision IV, Section 122-432.d.2 (Production, Manufacturing and Distribution District- PMD) Non-use and Dimensional Requirements**
- **Article IV, Division 3, Subdivision I, Section 122-442.D.2 (Core Neighborhoods- CN, CN-Mid, CN-SF) Non-use and dimensional requirements for site improvements not regulated by building type**
- **Article IV, Division 3, Subdivision II, Section 122-447.D.2 (Center- C) Non-use and dimensional requirements for site improvements not regulated by building type**
- **Article IV, Division 3, Subdivision III, Section 122-452.D.2 (Corridors- HC, NC, GC) Non-use and dimensional requirements for site improvements not regulated by building type.**
- **Article IV, Division 3, Subdivision IV, Section 122-462.d.1 (Health and Human Services- HHS) Non-use and dimensional requirements for site improvements not regulated by building type.**
- **Article VI, Division 5, Section 122-664 Prohibited Signs**
- **Article VI, Division 5, Section 122-665 Sign Design Standards**



March 14, 2024

**Text Amendment Staff Review
Electronic Message Board (EMB) Signs**

GENERAL INFORMATION

Action Requested

Proposed zoning text amendment to allow electronic message board (EMB) signs, with reasonable standards to ensure compatibility with neighboring uses and reduce the potential for off-site glare. The amendment includes the following sections of the Ordinance:

- Section 122-417.g (Park District- P) Non-use and Dimensional Requirements
- Section 122-422.d.1 (Single-Family Residential District- R1) Non-use and Dimensional Requirements
- Section 122-422.d.2 (Single-Family Residential District- R1) Non-use and Dimensional Requirements
- Section 122-427.d (Multiple Dwelling Residential District- MD) Non-use and Dimensional Requirements
- Section 122-432.d.1 (Production, Manufacturing and Distribution District- PMD) Non-use and Dimensional Requirements
- Section 122-432.d.2 (Production, Manufacturing and Distribution District- PMD) Non-use and Dimensional Requirements
- Section 122-442.D.2 (Core Neighborhoods- CN, CN-Mid, CN-SF) Non-use and dimensional requirements for site improvements not regulated by building type
- Section 122-447.D.2 (Center- C) Non-use and dimensional requirements for site improvements not regulated by building type
- Section 122-452.D.2 (Corridors- HC, NC, GC) Non-use and dimensional requirements for site improvements not regulated by building type.
- Section 122-462.d.1 (Health and Human Services- HHS) Non-use and dimensional requirements for site improvements not regulated by building type.
- Section 122-664 Prohibited Signs
- Section 122-665 Sign Design Standards

SUMMARY

The City of Ypsilanti is committed to improving our zoning systems, encouraging communication methods, and updating the ordinance to reflect changes in modern technology. It is the purpose of this zoning text amendment to update provisions for EMB signs in a sensible manner while ensuring that the neighboring uses, properties, and traffic concerns are adequately protected. This proposed amendment was taken up by City staff with the assistance of Planning Commission in forming the key policy considerations.

BACKGROUND

The Zoning Board of Appeals reviewed a variance request for an EMB sign at their December 6, 2023 meeting. This EMB sign variance was applied for by Second Baptist Church of Ypsilanti and was intended to be placed near the northwest corner of the building, facing the corner of South Hamilton and Catherine streets. The ZBA did not find that the variance met the standards for practical difficulty, and thus denied the request. Separate from the finding of practical difficulty and the technical denial of the variance, the ZBA was, in summary, interested by the arguments made by the applicant in terms of meeting a community need. The ZBA was also cognizant that, if approved, many conditions would likely be placed on the sign to prevent a nuisance. A ZBA member stated, in summary, "I do not believe it is in the purview of this board to start rewriting code, and any parameters that we put on this sign is essentially what we would be doing." This sentiment was seemingly accepted by all three members of the Board present. Then, the ZBA recommended by motion, that the Planning Commission review the EMB sign prohibition in the zoning ordinance. The motion passed unanimously. This motion does not compel the Planning Commission to craft any amendments; its purpose is to place this topic on your radar for review. At the December 20, 2023 meeting, staff introduced this item to Planning Commission. At the January 17, 2024 meeting, staff and Planning Commission engaged in a policy discussion regarding the manner in which EMBs could potentially be regulated.

See the staff report memos from the January 2024 and December 2023 Planning Commission meetings for more information regarding these discussion points.

DISCUSSION

A key result of the proposed text amendment would permit EMBs as freestanding and building-mounted (wall) signs in the HC, NC, GC, C, CN, CN-Mid, and CN-SF zoning districts. Such EMBs would be allowed to be built up to 50% of the zoning district's standards for freestanding or building-mounted (wall) signs. Additional conditions are provided to protect neighboring uses, properties, and alleviate traffic concerns.

PROPOSED TEXT AMENDMENT

Current Ordinance

Section 122-664 Prohibited Signs

The following signs are prohibited in all zoning districts:

- a) Unsafe signs. When any sign or sign structure becomes insecure, in danger of falling, or otherwise unsafe, or if any sign or sign structure shall be unlawfully installed, erected, or maintained in violation of any of the provisions of this chapter, or prohibited signs, it shall be considered a nuisance per se. The owner or lessee shall, upon receipt of written notice of the building official,

immediately in the case of an unsafe sign make such sign conform to the provisions of this article or shall remove it. If, after ten days, the notice is not complied with, the building official may remove such sign at the expense of the owner or lessee after having obtained an order from the administrative hearings bureau. The cost, including actual attorney fees, shall be assessed against the property as provided in Article VIII of the City Charter.

b) Prohibited signs

- 1) Animated Signs.
- 2) Portable Signs, not including sidewalk signs.
- 3) Signs mounted upon a roof.
- 4) Signs containing obscene material. Signs containing symbols that area or purports to be an imitation of or resembles a traffic control device or that attempts to direct the movement of traffic.
- 5) Mechanical Signs.
- 6) Sign, electronic message, excepting digital billboards.
- 7) Signs not specifically permitted under the sections of this chapter.
- 8) Signs with less than six feet horizontal clearance or 12 feet vertical clearance from overhead electrical conductors which are energized in excess of 250 volts.

Proposed Ordinance

See the proposed text. ~~Red~~ text with strikethrough is being deleted; green text underlined is proposed to be added. Sections shall be renumbered accordingly.

Section 122-417.g (Park District- P) Non-use and Dimensional Requirements (New Language)		
Electronic Message Board Signs	Not Permitted	
Section 122-422.d.1 (Single-Family Residential District- R1) Non-use and Dimensional Requirements (New Language)		
Electronic Message Board Signs	Not Permitted	
Section 122-422.d.2 (Single-Family Residential District- R1) Non-use and Dimensional Requirements. (New Language)		
Electronic Message Board Signs	Not Permitted	
Section 122-427.d (Multiple Dwelling Residential District- MD) Non-use and Dimensional Requirements (New Language)		
Electronic Message Board Signs	Not Permitted	
Section 122-432.d.1 (Production, Manufacturing and Distribution District- PMD) Non-use and Dimensional Requirements (New Language)		
Electronic Message Board Signs	Not Permitted	
Section 122-432.d.2 (Production, Manufacturing and Distribution District- PMD) Non-use and Dimensional Requirements (New Language)		
Electronic Message Board Signs	Not Permitted	
Section 122-442.D.2 (Core Neighborhoods- CN, CN-Mid, CN-SF) Non-use and dimensional requirements for site improvements not regulated by building type. (New Language)		
Electronic Message Board Signs (Permanent)	Must comply with all requirements for Electronic Message Board Signs in Section 122-665	Permit Required
Section 122-447.D.2 (Center- C) Non-use and dimensional requirements for site improvements not regulated by building type. (New Language)		
Electronic Message Board Signs (Permanent)	Must comply with all requirements for Electronic Message Board Signs in Section 122-665	Permit Required

Section 122-452.D.2 (Corridors- HC, NC, GC) Non-use and dimensional requirements for site improvements not regulated by building type. (New Language)		
<u>Electronic Message Board Signs (Permanent)</u>	<u>Must comply with all requirements for Electronic Message Board Signs in Section 122-665</u>	<u>Permit Required</u>
Section 122-462.d.1 (Health and Human Services- HHS) Non-use and dimensional requirements for site improvements not regulated by building type. (New Language)		
<u>Electronic Message Board Signs</u>	<u>Not Permitted</u>	
Section 122-462.d.2 (Health and Human Services- HHS) Non-use and dimensional requirements for site improvements not regulated by building type. (New Language)		
<u>Electronic Message Board Signs</u>	<u>Not Permitted</u>	

Section 122-664. Prohibited Signs
The following signs are prohibited in all zoning districts: - Unsafe signs. When any sign or sign structure becomes insecure, in danger of falling, or otherwise unsafe, or if any sign or sign structure shall be unlawfully installed, erected, or maintained in violation of any of the provisions of this chapter, or prohibited signs, it shall be considered a nuisance per se. The owner or lessee shall, upon receipt of written notice of the building official, immediately in the case of an unsafe sign make such sign conform to the provisions of this article or shall remove it. If, after ten days, the notice is not complied with, the building official may remove such sign at the expense of the owner or lessee after having obtained an order from the administrative hearings bureau. The cost, including actual attorney fees, shall be assessed against the property as provided in Article VIII of the City Charter. - Prohibited signs - Animated Signs. - Portable Signs, not including sidewalk signs. - Signs mounted upon a roof. - Signs containing obscene material. Signs containing symbols that area or purports to be an imitation of or resembles a traffic control device or that attempts to direct the movement of traffic. - Mechanical Signs. Sign, electronic message, excepting digital billboards. - Signs not specifically permitted under the sections of this chapter. - Signs with less than six feet horizontal clearance or 12 feet vertical clearance from overhead electrical conductors which are energized in excess of 250 volts.

Section 122-665(c) Sign Design Standards (New Language)
<u>(C) Electronic Message Board Signs. Building Mounted Signs and Freestanding signs may include an Electronic Message Board, subject to the following:</u> <u>1) Required Area, Height, and Setbacks. The maximum area for an electronic message board sign shall be no greater than 50% of the zoning district's maximum area for freestanding or building-mounted signs. The maximum height and minimum setbacks shall comply with the zoning district's allowances for freestanding or building-mounted signs.</u> <u>2) Maximum Number. No more than one electronic message board sign shall be located on a single lot of land.</u> <u>3) Change of message shall not occur more than once every two minutes.</u> <u>4) Lights shall never blink or flash. Message change sequence shall not involve flashing or other animations but shall be an instantaneous change.</u> <u>5) Illumination. Illumination from an electronic message board sign shall not exceed 0.3 footcandles when measured at the property line of the subject lot.</u> <u>6) Colors. Messages shall be in monochrome text, and electronic display areas shall be black.</u> <u>7) Electronic message board signs shall not be illuminated between the hours of 9 PM and 6 AM.</u> <u>8) Signs shall be programmed to go dark in the event of a malfunction.</u>

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

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

SAMPLE MOTION

Motion to ***recommend City Council approve*** the proposed text amendment to Sections 122-417, 122-422, 122-427, 122-432, 122-442, 122-447, 122-452, 122-462, 122-664, and 122-665 with the following findings:

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

(Note: If Planning Commission is not comfortable with the proposed amendment as provided, Planning Commission can recommend changes to the text so long as proposed changes are clearly covered in the motion.)

Joshua Burns
City Planner, City of Ypsilanti

Julia Upfal, AICP
Senior Planner, Giffels Webster

Andy Aamodt
Senior Planner, Giffels Webster

c.c. File



**CITY OF YPSILANTI
PLANNING COMMISSION MEETING
DRAFT ACTION MINUTES
Wednesday, March 20th, 2024 @ 7:00 PM
Council Chambers
One South Huron, Ypsilanti, MI 48197**

I. Call to Order | 7:03 PM

II. Roll Call

Matt Dunwoodie, Chair - Present
Micheal Simmons, Vice-Chair – Excused Absence
Eric Bettis – Present
Mike Davis Jr. – Present
Phil Hollifield – Present
Amanda Smith – Present
Carl Scheir – Present
Brian Jones-Chance – Present

Excused absences acknowledged. Motion to approve.

--Moved by Jones-Chance. Seconded by Hollifield. Yays – 7, Nays – 0, motion carries

III. Agenda Approval

March 2024 Regular Meeting Agenda

Motion to approve the March 2024 agenda as presented.

--Moved by Smith. Seconded by Bettis. Yays - 7, Nays - 0, motion carries

IV. Approval of Minutes

February Meeting Minutes

[Microsoft Word - 21 February 2024 - Approved Minutes \(cityofypsilanti.com\)](https://cityofypsilanti.com/microsoft-word-21-february-2024-approved-minutes)

Motion to approve the February 2024 Meeting Minutes as presented.

--Moved by Smith. Seconded by Davis Jr. Yays – 7, Nays – 0, motion carries

V. Public Comments

Motion to open public comments to the Planning Commission.

--Moved by Bettis. Seconded by Smith. Yays - 7, Nays -0, motion carries

No public comments occurred.

Motion to close public comments to the Planning Commission.

--Motion made by Jones-Chance. Seconded by Hollifield. Yays – 7, Nays – 0, motion carries.

VI. Committee Reports

Commissioner Davis Jr:“ The committee didn’t meet quorum, so no report.”

VII. Public Hearing Items

Proposed Zoning Text Amendment to Sections 122-417(g), 122-422(d.1-2), 122-427(d), 122-432(d.1-2), 122-442(d.2), 122-447(d.2), 122-452(d.2), 122-462(d.1), 122-664, 122-665.

Staff Proposes:

Proposed Ordinance

See the proposed text. ~~Red~~ text with strikethrough is being deleted; green text underlined is proposed to be added. Sections shall be renumbered accordingly.

Section 122-417.g (Park District- P) Non-use and Dimensional Requirements (New Language)		
<u>Electronic Message Board Signs</u>		<u>Not Permitted</u>
Section 122-422.d.1 (Single-Family Residential District- R1) Non-use and Dimensional Requirements (New Language)		
<u>Electronic Message Board Signs</u>		<u>Not Permitted</u>
Section 122-422.d.2 (Single-Family Residential District- R1) Non-use and Dimensional Requirements. (New Language)		
<u>Electronic Message Board Signs</u>		<u>Not Permitted</u>
Section 122-427.d (Multiple Dwelling Residential District- MD) Non-use and Dimensional Requirements (New Language)		
<u>Electronic Message Board Signs</u>		<u>Not Permitted</u>
Section 122-432.d.1 (Production, Manufacturing and Distribution District- PMD) Non-use and Dimensional Requirements (New Language)		
<u>Electronic Message Board Signs</u>		<u>Not Permitted</u>
Section 122-432.d.2 (Production, Manufacturing and Distribution District- PMD) Non-use and Dimensional Requirements (New Language)		
<u>Electronic Message Board Signs</u>		<u>Not Permitted</u>
Section 122-442.D.2 (Core Neighborhoods- CN, CN-Mid, CN-SF) Non-use and dimensional requirements for site improvements not regulated by building type. (New Language)		
<u>Electronic Message Board Signs (Permanent)</u>	<u>Must comply with all requirements for Electronic Message Board Signs in Section 122-665</u>	<u>Permit Required</u>
Section 122-447.D.2 (Center- C) Non-use and dimensional requirements for site improvements not regulated by building type. (New Language)		
<u>Electronic Message Board Signs (Permanent)</u>	<u>Must comply with all requirements for Electronic Message Board Signs in Section 122-665</u>	<u>Permit Required</u>

Section 122-452.D.2 (Corridors- HC, NC, GC) Non-use and dimensional requirements for site improvements not regulated by building type. (New Language)		
Electronic Message Board Signs (Permanent)	Must comply with all requirements for Electronic Message Board Signs in Section 122-665	Permit Required
Section 122-462.d.1 (Health and Human Services- HHS) Non-use and dimensional requirements for site improvements not regulated by building type. (New Language)		
Electronic Message Board Signs		Not Permitted
Section 122-462.d.2 (Health and Human Services- HHS) Non-use and dimensional requirements for site improvements not regulated by building type. (New Language)		
Electronic Message Board Signs		Not Permitted

Section 122-664. Prohibited Signs
The following signs are prohibited in all zoning districts:
a) Unsafe signs. When any sign or sign structure becomes insecure, in danger of falling, or otherwise unsafe, or if any sign or sign structure shall be unlawfully installed, erected, or maintained in violation of any of the provisions of this chapter, or prohibited signs, it shall be considered a nuisance per se. The owner or lessee shall, upon receipt of written notice of the building official, immediately in the case of an unsafe sign make such sign conform to the provisions of this article or shall remove it. If, after ten days, the notice is not complied with, the building official may remove such sign at the expense of the owner or lessee after having obtained an order from the administrative hearings bureau. The cost, including actual attorney fees, shall be assessed against the property as provided in Article VIII of the City Charter. b) Prohibited signs 1) Animated Signs. 2) Portable Signs, not including sidewalk signs. 3) Signs mounted upon a roof. 4) Signs containing obscene material. Signs containing symbols that area or purports to be an imitation of or resembles a traffic control device or that attempts to direct the movement of traffic. 5) Mechanical Signs. 6) Sign, electronic message, excepting digital billboards. 7) Signs not specifically permitted under the sections of this chapter. 8) Signs with less than six feet horizontal clearance or 12 feet vertical clearance from overhead electrical conductors which are energized in excess of 250 volts.

Section 122-665(c) Sign Design Standards (New Language)
(C) Electronic Message Board Signs. Building Mounted Signs and Freestanding signs may include an Electronic Message Board, subject to the following:
1) <u>Required Area, Height, and Setbacks.</u> The maximum area for an electronic message board sign shall be no greater than 50% of the zoning district's maximum area for freestanding or building-mounted signs. The maximum height and minimum setbacks shall comply with the zoning district's allowances for freestanding or building-mounted signs. 2) <u>Maximum Number.</u> No more than one electronic message board sign shall be located on a single lot of land. 3) <u>Change of message</u> shall not occur more than once every two minutes. 4) <u>Lights shall never blink or flash.</u> Message change sequence shall not involve flashing or other animations but shall be an instantaneous change. 5) <u>Illumination.</u> Illumination from an electronic message board sign shall not exceed 0.3 footcandles when measured at the property line of the subject lot. 6) <u>Colors.</u> Messages shall be in monochrome text, and electronic display areas shall be black. 7) <u>Electronic message board signs shall not be illuminated between the hours of 9 PM and 6 AM.</u> 8) <u>Signs shall be programmed to go dark in the event of a malfunction.</u>

Staff recommends the Planning Commission ***recommend City Council approve*** the proposed text amendment to Sections 122-417(g), 122-422(d.1-2), 122-427(d), 122-432(d.1-2), 122-442(d.2), 122-447(d.2), 122-452(d.2), 122-462(d.1), 122-664, 122-665 with the following findings:

1. The proposed amendment is consistent with the guiding values of the Master Plan;
2. The proposed amendment is consistent with the intent of this Zoning Ordinance;
3. The proposed amendment will enhance the functionality, transportation network or character of the future development in the City;
4. The proposed amendment will preserve the historic nature of the surrounding area and of the City;
5. The proposed amendment will enhance the natural features and environmental sustainability of the City;

6. The proposed amendment will protect the health, safety, and general welfare of the public;
7. The proposed amendment will address a community need in physical or economic conditions or development practices;
8. The proposed amendment will not result in the creation of significant nonconformities in the City.

Motion to open public comments to the Planning Commissions.

--Motion made by Davis Jr. Seconded by Jones-Chance. Yays – 7, Nays – 0, motion carries.

Maurice Jordan (Deacon at Second Baptist Church)

Jordan states that the church has been frustrated with the City's ordinances because they kept getting cited for their signage. He claims that he is confident that a well-written text amendment will allow for EMBs to be brought seamlessly into the community. He believes the text amendment strikes the right balance for the City.

Another Member of Second Baptist Church

Mentions how their sign was taken out by a car and would like to have additional signage to draw people to their church.

Motion to close public comments to the Planning Commissions.

--Motion made by Jones-Chance. Seconded by Bettis. Yays – 7, Nays – 0, motion carries.

Planning Commission Discussion of the Text Amendment

The Planning Commission was overall happy with the proposed text amendment.

Motion to recommend the City Council adopt the zoning text amendment.

Smith – Yes

Davis Jr. – Yes

Scheir – Yes

Dunwoodie – Yes

Bettis – Yes

Jones-Chance – Yes

Hollifield – Yes

--Motions Carries

Proposed Zoning Text Amendment to Definitions: Section 122-203, and Article V, Division 2: Sections 122-560, 122-561, and 122-562.

Section 122-203. Definitions currently states:

Vehicle, Recreational means a boat, snowmobile, off-road vehicle, camper travel trailer, motor home, pick-up camper, trailer which is designed for private recreational or recreational travel use. Any trailer which is principally used for transporting any of the above shall also be considered a recreational vehicle.

Staff Proposes:

Vehicle, Recreational means a boat, snowmobile, off-road vehicle, camper travel trailer, motor home, pick-up camper, trailer which is designed for private recreational or recreational travel use and/or has a recreational license plate. Any trailer which is principally used for transporting any of the above shall also be considered a recreational vehicle.

New Definition Proposed:

Residentially Zoned means any zoning district, outside of a Center or Corridor District, where single family dwellings or two-family dwellings are a permitted use.

Section 122-560. General Prohibition currently states:

Except as otherwise provided in this chapter, no vehicles may be parked or stored on any residentially-zoned lot except for operable passenger automobiles, pickup trucks, vans, or motorcycles which are personally owned by the persons residing on the premises, or their guests.

Staff Proposes:

Except as otherwise provided in this chapter, no vehicles may be parked or stored on any lot that is zoned or used for residential except for operable passenger automobiles, pickup trucks, vans, or motorcycles

Section 122-561. Commercial Vehicles in Residential Areas currently states:

The parking or storage of a commercial vehicle over a two ton capacity is prohibited on any residential lot. However, this section does not apply to commercial vehicles temporarily parked less than eight hours in a residential area in conjunction with maintenance or service to a residential property.

Section 122-562. Recreational Vehicles currently states:

- A. The parking or storage of recreational vehicles, whether or not the recreational vehicle is mounted upon or hitched to another vehicle, including vacant mobile

homes, antique or racing automobiles, or any other vehicles of a similar nature and related equipment, is prohibited on any lot in an R1, CN-SF, CN-Mid, CN, MD or HHS zoning district unless parked within a completely enclosed building or within a rear or side yard other than within a required yard setback area. Such vehicles stored in a side yard must be screened from view from the street and the adjacent property by an acceptable fence or landscaped screen, in accordance with §122-634 of this chapter. Notwithstanding the above, no recreational vehicle may be parked or stored on any indoor or outdoor parking space which is required to meet the minimum parking space requirement in an CN, MD or HHS district.

- B. No more than two recreational vehicles per dwelling unit may be stored outdoors at one time. The size of recreational vehicles kept or stored outdoors may not exceed eight feet in width, ten feet in height, or 32 feet in length.
- C. Trailer coaches, motor homes, and other vehicles or equipment designed or adaptable for sleeping purposes must remain unoccupied and must not be connected to sanitary sewer facilities, or to electricity, water, or gas.

Staff Proposes:

- A. The parking or storage of recreational vehicles, whether or not the recreational vehicle is mounted upon or hitched to another vehicle, including vacant mobile homes, antique or racing automobiles, or any other vehicles of a similar nature and related equipment may be parked or stored on any lot in an R1, CN-SF, CN-Mid, CN, MD or HHS zoning district. Recreational vehicles may be located within a completely enclosed building or within a front, rear or side yard. However, recreational vehicles taller than 8 feet in height must be parked no less than 10 feet away from the front lot line. Notwithstanding the above, no recreational vehicle may be parked or stored on any indoor or outdoor parking space which is required to meet the minimum parking space requirement in an CN, MD or HHS district.
- B. No more than two recreational vehicles per dwelling unit may be stored outdoors at one time. The size of recreational vehicles kept or stored outdoors may not exceed eight feet in width, twelve feet in height, or 32 feet in length.
- C. Trailer coaches, motor homes, and other vehicles or equipment designed or adaptable for sleeping purposes must remain unoccupied and must not be connected to sanitary sewer facilities, or to electricity, water, or gas.
- D. Recreational vehicles, including trailers for recreational vehicles, may not be permanently affixed to the ground. Such vehicles must be situated upon a chassis or other wheeled conveyance.

Staff recommends the Planning Commission ***recommend City Council approve*** the proposed text amendment to Sections 122-203, 122-560, 122-561, and 122-562 with the following findings:

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

Motion to open public comments to the Planning Commissions.

--Motion made by Davis Jr. Seconded by Hollifield. Yays – 7, Nays – 0, motion carries.

Mark (Resident of the City)

Mark discusses how he uses his RV as a mobile office, but also for heat when his electricity goes out.

Gary (Resident of the City)

Pleased with the language of the ordinance.

Steve (Resident of the City)

Does not believe that the proposed text amendment is worded well and thinks the City should work with the Secretary of State on the plating language.

Motion to close public comments to the Planning Commission.

--Motion made by Jones-Chance. Seconded by Hollifield. Yays – 7, Nays – 0, motion carries.

Planning Commission Discussion of the Proposed Text Amendment

Dunwoodie believes the ordinance is more lenient and better overall.

Commissioners are interested in reviewing the occupancy of recreational vehicles.

Motion to recommend the City Council adopt the zoning text amendment with the following amendment(s):

122-562(a):

The parking or storage of recreational vehicles, whether or not the recreational vehicle is mounted upon or hitched to another vehicle, including vacant mobile homes, antique or racing automobiles, or any other vehicles of a similar nature and related equipment may be ~~parked or stored~~ permitted on any lot in an R1, CN-SF, CN-Mid, CN, MD or HHS zoning district. Recreational vehicles may be located within a completely enclosed building or within a front, rear or side yard. However, recreational vehicles taller than 8 feet in height must be parked no less than 10 feet away from the front lot line. Notwithstanding the above, no recreational vehicle may be parked or stored on any indoor or outdoor parking space which is required to meet the minimum parking space requirement in an CN, MD or HHS district.

Roll Call:

Smith – Yes

Davis Jr. – Yes

Scheir – Yes

Dunwoodie – Yes

Bettis – Yes

Jones-Chance – Yes

Hollifield – Yes

--Motions Carries

23 N. Washington Special Land Use and Site Plan

Skott Schoonover is proposing *Water Tower Distilling Co.* at 23 N. Washington. The applicant is proposing a small distillery and tasting room and will also allow for the sale of bottled alcoholic beverages for off-site consumption.

Motion to open public comments to the Planning Commission.

--Motion made by Davis Jr. Seconded by Bettis. Yays – 7, Nays – 0, motion carries.

Ted Badgerow (Head Brewer and Co-owner of the Ypsi Alehouse)

Badgerow discussed state liquor licensing.

Motion to close public comments to the Planning Commission.

--Motion made by Jones-Chance. Seconded by Hollifield. Yays – 7, Nays – 0, motion carries.

Planning Commission Discussion of the Proposed Special Land Use and Site Plan

The Planning Commission finds that staff made an error, and that the applicant's proposed use is permitted and not a special land use.

Motion to postpone the special use and site plan for 23 N. Washington.

--Moved by Smith. Seconded by Davis Jr.

Roll Call:

Smith – Yes

Davis Jr. – Yes

Scheir – Yes

Dunwoodie – Yes

Bettis – Yes

Jones-Chance – Abstains

Hollifield – Yes

--Motions Carries

136 N. Washington Planned Unit Development (PUD)

124 Peace Plaza, LLC (J29:7) proposed a Planned Unit Development at 124 Pearl Street. The development will be a mixed-use development with 60 apartments and a retail space on the ground floor. Some of the amenities included as part of this development include the rooftop garden, bike parking, and EV charging spaces.

Motion to open public comments to the Planning Commission.

--Motion made by Jones-Chance. Seconded by Bettis. Yays – 7, Nays – 0, motion carries.

Derric Scott (CEO of J29:7)

Mentions he has been a resident of Ypsilanti for 17 years. He wanted to invest into his neighborhood, which is why he moved his business into the City.

Scott claims his team was the only interested buyer for the Centennial Plaza that would keep all of the existing businesses in the building. He talks about the regional grant award he got from the City of Ann Arbor for \$8.2 million.

He mentions the development timeline and says "One of the significant things to kind of point out is with the MEDC grant that we receive for the for the wrap. There's a time consideration on it which really accelerated our timeline. We, in an ideal situation, like to take our time in these type of developments, really truly engage the neighborhood community. And understand how to really deliver impactful development. So, the last 90 days we've really been working just really closely with the city team who has been great with helping us kind of expedite a timeline and really think through how to make sure we can maximize the opportunity not to lose the 3 million in funding support to do the housing portion of this."

Scott claims that there was only a verbal agreement between the previous owners and the adjacent property owner to allow the adjacent property to use the driveway and parking.

Scott also claims "As far as the easement goes is the Cause except for 1 point, what you've described really is a prescriptive easement except for the fact that so is their argument that They had some, was your argument that there was some informal agreement with the previous owner and that's what makes it not hostile. There wasn't so the previous owner as

well as the previous broker who both preceded the property owners to the north. So I think they purchase their property in oh sevenish the previous owner purchased, roughly 23 years ago. And so they preceded them. There was the previous owner says that there was never an agreement. They signed a an affidavit to that effect and sold us the property under those with that understanding."

J29:7's Counsel: Elizabeth Rogers

Rogers claims that they have reached out to the neighbors but have not been able to reach an agreement. She does not believe that the adjacent property owner does not have a prescriptive easement.

Dr. Mike (PhD Chemical Engineering)

Has concerns over the decline of parking, especially with a new building being placed on the current parking lot.

Adam Breaux (Architect for the development)

Mentions that the design has been updated since they've submitted addressing some of the site concerns. Addresses the trash concerns listed in the staff report.

Ted Badgerow (Head Brewer and Co-owner of the Ypsi Alehouse)

Talks about the significance of the Alehouse in the community and the work they've done to restore the *Huron Hotel*. He is glad the ownership of the building stays within the hands of a local owner. Mentions the events the Alehouse holds which draws life into an already struggling downtown. He states "it is, it's very hard to find parking, my, staff, and all of our customers, park in that parking lot presently, and I can't expect my staff to pay for expensive parking just for them to show up for work. The Deja vu showgirls nightclub will be reopening soon. They held a soft opening. Recently I'm not sure when the Hard opening is coming, but I'm wondering how that will affect the residential. A character of the neighborhood. And we have had, of course, long time long Washington Street. Problem with drug sales, drug usage, and many other things, a lot of blue lights."

Donald Floria (Ypsilanti Resident)

He likes what Mr. Scott is doing and believes this development will be a nice addition to the City.

Tia Johnson (Ypsilanti Resident)

Believes this development is innovative for the City. She believes this development will be a new birth for Ypsilanti.

Steve Peirce

He believes that the adjacent property owner has a prescriptive easement. He mentions you can see the adjacent property owner has used this driveway for 25+ years. He said that

PUDs are supposed to be thought out, but believes the applicant has not fostered a development that fits into the area. He thinks it would be a mistake to rush the PUD process and that the Planning Commission needs to reject the project.

Emails Read into the Record

At 4:14 pm on 3/20, staff received an email from the lawyer of the property owners of 148 N. Washington. Staff read this email aloud.

Mike Bly (Alehouse Customer)

Mike states that he believes an affordable housing complex would be suited better somewhere else.

Cheryl Farmer (Ypsilanti Resident)

Mentions how many PUD departures the applicants are asking for. She doesn't understand why this even came to the Planning Commission with all the departures they are asking for. She says the loss of any parking spaces in the downtown area is a bad idea.

Motion to close public comments to the Planning Commission.

--Motion made by Jones-Chance. Seconded by Smith. Yays – 7, Nays – 0, motion carries.

Planning Commission Discussion of the Planned Unit Development

The planning commission discussed the pending litigation against the applicant. The planning commission does like that the development would increase housing in downtown, and wants the applicant to come back with revised plans that address the departures.

(See upload on YouTube for full discussion of the topic)

Motion to postpone the site condominium for 124 and 120 Pearl Street, with parcel IDs as noted in the staff report with the following findings:

The site condominium ordinance sections 122-711 and 122-712 requires review of a project of this nature to follow the Planned Unit Development section's requirements; this application as presented does not meet the PUD standards including but not limited to departures providing higher quality development. Additionally, important site plan details are not documented and logistical issues for trash pickup are unclear.

--Moved by Davis Jr. Seconded by Jones-Chance.

Roll Call:

Smith – Yes

Davis Jr. – Yes

Scheir – Yes
Dunwoodie – Yes
Bettis – Yes
Jones-Chance – Abstains
Hollifield – No
--Motions Carries

Motion to postpone the planned unit development for 124 and 120 Pearl Street, with parcel IDs as noted in the staff report with the following findings:

- The PUD departures do not, as a whole, create a higher quality development for the City. Departures that do not contribute to a higher quality development should be reduced.
- Compliance with the PUD standards of §122-706 is unclear until further information and site plan details are provided, including the dumpster enclosure detail and photometric details.
- Logistical issues of the trash pickup are still unclear, including full truck turning templates, the location of all the bins that will be rolled out, and the garbage truck pickup technique in the form of rear, front, or side load.

--Moved by Davis Jr. Seconded by Jones-Chance.

Roll Call:

Smith – Yes
Davis Jr. – Yes
Scheir – Yes
Dunwoodie – Yes
Bettis – Yes
Jones-Chance – Abstains
Hollifield – No
--Motions Carries

VIII. New Business

IX. Public Comments

Motion to open public comments to the Planning Commission.

--Motion made by Smith. Seconded by Davis Jr. Yays – 7, Nays – 0, motion carries.

Steve Pierce (Ypsilanti Resident)

Steve believes the Planning Commission should review the PUD standards of the city. Peirce does not believe there is a need to rush. He is glad the project was postponed.

Motion to close public comments to the Planning Commission.

--Motion made by Davis Jr. Seconded by Bettis. Yays – 7, Nays – 0, motion carries.

X. Adjournment | 11:13 pm



Resolution No. 2024-089
May 14, 2024

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of the April 16 & April 19, 2024, City Council Meetings be approved.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



MINUTES
REGULAR COUNCIL MEETING
6:00 PM - Tuesday, April 16, 2024
Council Chambers
One South Huron, Ypsilanti, MI 48197

I. CALL TO ORDER

The meeting was called to order at 6:01 pm

II. ROLL CALL

PRESENT: Mayor Brown, Mayor Pro-Tem Wilcoxon, Council Member King, Council Member Tooson, Council Member McLean, Council Member Simmons (6:07), Council Member Sweet.

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.

None

IV. AGENDA APPROVAL

The agenda was approved as amended

Changes:

1. Add a discussion regarding the Juneteenth Celebration and add Resolution No. 2024-074 regarding Second Chance Month.
2. Remove Resolution No. 2024-066 from the consent agenda and place between Ordinance 1424 and 1425

V. PUBLIC COMMENT (3 MINUTES)

None

VI. PRESENTATIONS

- A. Update on the ongoing work for the removal of the Peninsular Dam - HRWC Daniel Brown

- B. ~~Update on the activities of the Washtenaw Regional Resource Management Authority (WRRMA) – Theo Eggermont, Washtenaw County Director of Public Works and Matt Best, WRRMA Chair/Pittsfield Township Director of Municipal Services (removed)~~

VII. PUBLIC HEARINGS

- A. Resolution No. 2024-058, approving a small distiller license for use at 23 N Washington St.
Public Hearing
Resolution No. 2024-059, closing the public hearing.
No comments during the public hearing
Council Member Tooson moved to close the public hearing. Seconded by Council Member McLean.
On a voice vote, the motion carried.

Council Member Tooson moved to Approve the Resolution No. 2024-058, approving a small distiller license for use at 23 N Washington St.

Public Hearing

Resolution No. 2024-059, closing the public hearing. as presented. Mayor Pro-Tem Wilcoxon seconded the motion.

Yes: (7) Michelle King, Evan Sweet, Roland Tooson, Desirae Simmons, Steve Wilcoxon, Nicole Brown, Patrick McLean

No: 0 None
Absent: (0)

VIII. ORDINANCES FIRST READING

- A. **Ordinance 1424, an ordinance entitled "an emergency ordinance to impose a moratorium on the issuance of marihuana retail and microbusiness permits within the city for a period of 60 days". Resolution No. 2024-060, determination.**
Public Hearing
Resolution No. 2024-061, close the public hearing.
No comments during the public hearing
Council Member Sweet moved to close the public hearing. Seconded by Council Member King. On a voice vote, the motion carried.

Council Member Sweet moved to Approve the Ordinance 1424, an ordinance entitled "an emergency ordinance to impose a moratorium on the issuance of marihuana retail and microbusiness permits within the city for a period of 60 days".

Resolution No. 2024-060, determination.

Public Hearing

Resolution No. 2024-061, close the public hearing. as presented. Council Member Tooson seconded the motion.

Yes: (7) Michelle King, Evan Sweet, Roland Tooson, Desirae Simmons, Steve Wilcoxon, Nicole Brown, Patrick McLean

No: 0 None

Absent: (0)

- C. **Resolution No. 2024-066, approving Ordinance 1423, an ordinance entitled "Zoning Text Amendment provision in the zoning code to strengthen locational buffers for marihuana microbusinesses, marihuana retailers, and/or provisioning centers". (Second Reading)**

Council Member King moved to Approve the Resolution No. 2024-066, approving Ordinance 1423, an ordinance entitled "Zoning Text Amendment provision in the zoning code to strengthen locational buffers for marihuana microbusinesses, marihuana retailers, and/or provisioning centers". (Second Reading) as presented. Mayor Pro-Tem Wilcoxon seconded the motion.

Yes: (7) Michelle King, Evan Sweet, Roland Tooson, Desirae Simmons, Steve Wilcoxon, Nicole Brown, Patrick McLean

No: 0 None

Absent: (0)

- B. **Ordinance 1425, an ordinance entitled "an ordinance to amend Chapter 7 of the City Code Marijauna".**

Resolution No. 2024-062, determination

Public Hearing

Resolution No. 2024-063, closing the public hearing.

No comments during the public hearing

Mayor Pro-Tem Wilcoxon moved to close the public hearing. Seconded by Council Member Sweet. On a voice vote the motion carried.

Mayor Pro-Tem Wilcoxon moved to Amend Resolution No. 2024-062, by increases the number of permits to 13. Council Member Simmons seconded the motion.

Yes: (4) Roland Tooson, Desirae Simmons, Steve Wilcoxon, Nicole Brown

No: 3 Michelle King, Evan Sweet, Patrick McLean

Absent: (0)

Mayor Pro-Tem Wilcoxon moved to Amend Resolution No. 2024-062 by increasing the number of designated consumption sites to 3. Council Member Sweet seconded the motion.

Yes: (6) Roland Tooson, Desirae Simmons, Steve Wilcoxon, Nicole Brown, Evan Sweet, Patrick McLean

No: 1 Michelle King

Absent: (0)

Mayor Pro-Tem Wilcoxon moved to approve Resolution No. 2024-062 as amended, approving an Ordinance 1425, an ordinance entitled "an ordinance to amend Chapter 7 of the City Code Marijauna". Council Member

Simmons seconded the motion.

Yes: (6) Roland Tooson, Desirae Simmons, Steve Wilcoxon, Nicole Brown, Evan Sweet, Patrick McLean

No: 1 Michelle King

Absent: (0)

IX. CONSENT AGENDA

Removed

A. Resolution No. 2024-064, approving the consent agenda.

Removed

X. RESOLUTIONS/MOTIONS/DISCUSSIONS

B. Resolution No. 2024-065, approving the minutes of the April 2, 2024 City Council Meeting.

Council Member King moved to Approve Resolution No. 2024-065, approving the minutes of the April 2, 2024 City Council Meeting. as presented. Mayor Pro-Tem Wilcoxon seconded the motion.

Yes: (7) Michelle King, Evan Sweet, Roland Tooson, Desirae Simmons, Steve Wilcoxon, Nicole Brown, Patrick McLean

No: 0 None

Absent: (0)

A. Resolution No. 2024-067, awarding the contract to Vinewood Preservations Planning for the Historic District Survey.

Council Member McLean moved to Approve Resolution No. 2024-067, awarding the contract to Vinewood Preservations Planning for the Historic District Survey. as presented. Council Member Simmons seconded the motion.

Yes: (7) Michelle King, Evan Sweet, Roland Tooson, Desirae Simmons, Steve Wilcoxon, Nicole Brown, Patrick McLean

No: 0 None

Absent: (0)

B. Resolution No. 2024-068, approving appointments to boards and commissions.

Council Member King moved to Approve the Resolution No. 2024-068, approving appointments to boards and commissions. as presented. Council Member Sweet seconded the motion.

Yes: (7) Michelle King, Evan Sweet, Roland Tooson, Desirae Simmons, Steve Wilcoxon, Nicole Brown, Patrick McLean

No: 0 None

Absent: (0)

C. Resolution No. 2024-069, supporting the Protect MI Kids Bill Package (SB 647-654) and urge the Legislature to approve these bills to protect the well-being of MI residents,

Council Member Sweet moved to Approve Resolution No. 2024-069, supporting the Protect MI Kids Bill Package (SB 647-654) and urge the Legislature to approve these bills to protect the well-being of MI residents, as presented. Council Member Simmons seconded the motion.

Yes: (7) Michelle King, Evan Sweet, Roland Tooson, Desirae Simmons, Steve Wilcoxon, Nicole Brown, Patrick McLean

No: 0 None

Absent: (0)

D. Resolution No. 2024-070, awarding the project bid for the Leforge Road mill and fill to Z Contractor's Inc.

Mayor Pro-Tem Wilcoxon moved to Approve Resolution No. 2024-070, awarding the project bid for the Leforge Road mill and fill to Z Contractor's Inc., as presented. Council Member Simmons seconded the motion.

Yes: (7) Michelle King, Evan Sweet, Roland Tooson, Desirae Simmons, Steve Wilcoxon, Nicole Brown, Patrick McLean

No: 0 None

Absent: (0)

E. Resolution No. 2024-071, approving the extension of the solid waste contract to Stevens.

Council Member Simmons moved to Approve the Resolution No. 2024-071, approving the extension of the solid waste contract to Stevens. as presented. Mayor Pro-Tem Wilcoxon seconded the motion.

Yes: (7) Michelle King, Evan Sweet, Roland Tooson, Desirae Simmons, Steve Wilcoxon, Nicole Brown, Patrick McLean

No: 0 None

Absent: (0)

F. Resolution No. 2024-072, approving a contract with Safebuilt to provide Building Official Services and Inspections.

Council Member Simmons moved to Approve the Resolution No. 2024-072, approving a contract with Safebuilt to provide Building Official Services and Inspections. as presented. Council Member Sweet seconded the motion.

Yes: (7) Michelle King, Evan Sweet, Roland Tooson, Desirae Simmons, Steve Wilcoxon, Nicole Brown, Patrick McLean

No: 0 None

Absent: (0)

G. Discussion of relevant city codes, Chapter 94, Article VII "Sidewalks", Division 1 & 3 and Chapter 8, Article II, Section 86-34.

A discussion ensued regarding sidewalks, recycling, enforcement and the City's responsibilities.

H. Resolution No. 2024-074, declaring April of 2024 to be Second Chance Month and support HB 4556-60 (added)

Council Member King moved to approve Resolution No. 2024-074, declaring April of 2024 to be Second Chance Month and support HB 4556-60. Council Member Simmons seconded the motion.

Yes: (7) Michelle King, Evan Sweet, Roland Tooson, Desirae Simmons, Steve Wilcoxon, Nicole Brown, Patrick McLean

No: 0 None

Absent: (0)

I. Discussion regarding Juneteenth (added)

Council Member Tooson moved to approve sponsorship to the Juneteenth celebration in the amount of \$2,500. Council Member Simmons seconded the motion.

Yes: (7) Michelle King, Evan Sweet, Roland Tooson, Desirae Simmons, Steve Wilcoxon, Nicole Brown, Patrick McLean

No: 0 None

Absent: (0)

XI. BOARD AND COMMISSION - LIAISON REPORTS

A. Police Advisory Commission

Council Member Tooson reported the last meeting was not held because there was not a quorum and that the next meeting will be in Council Chambers on April 25th at 7p.m.

B. Human Relations Commission

Council Member King reported that the next meeting will be in Council Chambers on April 18th at 6p.m.

C. Parks and Arts Commission

Council Member Tooson reported they met last night and that they will be doing a tour of parks in May to help with their master plan project.

D. Sustainability Commission

No meetings were held.

E. Historic District Commission

Council Member McClean reported they met last Tuesday, discussing signage for Bird Dog Bakery and an Avalon housing project. The next meeting will be held at the Freighthouse.

F. Planning Commission

Council President Pro-Tem Wilcoxon reported that the site plan came up for the development on North Washington, in the parking lot behind the centennial building and items need to be addressed before it comes back to the board.

G. Zoning Board of Appeals

No report.

XII. LIAISON REPORTS

A. SEMCOG Update

No report.

B. Washtenaw Area Transportation Study

Council Member King reported that the next meeting will be tomorrow on April 17th.

C. Urban County

No report.

D. Ypsilanti Downtown Development Authority

Council President Brown reported that the next meeting is Thursday, April 18th.

E. Friends of Rutherford Pool

Council President Pro-Tem Wilcoxon reported that they are going forward with resurfacing the pool, with State funds.

XIII. COUNCIL PROPOSED BUSINESS

Council Member Tooson reported that the McDonalds on Ecorse will host "Coffee with a Cop" on Thursday at 9 a.m.

Council Member McClain reported that the Ypsilanti Artisan Market is scheduled for Sunday, May 5th at the Freighthouse which is focused on Ypsilanti vendors and artisans.

Council Member Tooson reported that this Saturday there will be a clean up at Parkridge Park from 10 a.m. to 2 p.m.

Council Member Sweet congratulated two new Police Officers.

Council President Pro-Tem Wilcoxon noted that there is a lot of debris in the bike lanes. Wilcoxon also noted that a constituent informed him there are no street signs at the corner of Huron and Cross street. Wilcoxon continued by saying on Cornell between Washtenaw and Whittier, which has historically been no parking, and the no parking signs are missing. Please get signs back up and enforce the code.

Council Member Simmons commended Jamaica, Building Department, for her helpful nature with customers. Simmons suggested a resident idea to partner with school building to set up pallet housing to support the unhoused community. Simmons also mentioned putting forward concerns for recycling and garbage issues at apartment buildings. Simmons also asked for info on how the Public Safety and Health Millage funds are being used.

Council Member King asked about speeding issues around Perry School and requested a speed monitoring device be installed.

XIV. COMMUNICATIONS FROM THE MAYOR

Council President Brown noted that the Brown Chapel Brotherhood Banquet is this Saturday at 2 p.m. in the EMU Ballroom.

XV. COMMUNICATIONS FROM THE CITY MANAGER

Manager Hellenga noted he met with SEMCOG regarding potential funding for facilities and about pushing the state to have SRF funds available for storm water management.

XVI. COMMUNICATIONS

- A. Budget 1st Reading May 14, 2024 6:00 pm
Budget Departmental Presentation May 28, 2024 6:00 pm
Budget 2nd Reading June 4, 2024 6:00 pm**

XVII. PUBLIC COMMENT (3 MINUTES)

One member of the public spoke

XVIII. REMARKS FROM THE MAYOR

XIX. ADJOURNMENT

- A. Resolution No. 2024-073, adjourning the City Council Meeting.**

The meeting adjourned at 10:54 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
REGULAR COUNCIL MEETING
9:00 AM - Friday, April 19, 2024
Council Chambers
One South Huron, Ypsilanti, MI 48197**

I. CALL TO ORDER

The meeting was called to order at 9:01 am

II. ROLL CALL

PRESENT: Mayor Brown, Mayor Pro-Tem Wilcoxon, Council Member King, Council Member Sweet

ABSENT: Council Member Tooson, Council Member McLean, Council Member Simmons

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)

None

VI. RESOLUTIONS/MOTIONS/DISCUSSIONS

A. Rescind Resolution No. 2024-072, awarding Building Services to Safebuilt.

Mayor Pro-Tem Wilcoxon moved to Rescind Resolution No. 2024-072, awarding Building Services to Safebuilt. as presented. Council Member Sweet seconded the motion.

Yes: (4) Michelle King, Evan Sweet, Steve Wilcoxon, Nicole Brown

No: 0 None

Absent: (3) Roland Tooson, Desirae Simmons, Patrick McLean

B. Resolution No. 2024-075, awarding Building Services to Carlisle Wortman.

Council Member Sweet moved to Approve the Resolution No. 2024-075, awarding Building Services to Carlisle Wortman. as presented. Mayor Pro-Tem Wilcoxon seconded the motion.

Yes: (4) Michelle King, Evan Sweet, Steve Wilcoxon, Nicole Brown

No: 0 None

Absent: (3) Roland Tooson, Desirae Simmons, Patrick McLean

VII. PUBLIC COMMENT (3 MINUTES)

None

VIII. ADJOURNMENT

A. Resolution No. 2024-076, adjourning the City Council Meeting.

Mayor Brown adjourned the meeting at 9:16 pm

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



Resolution No. 2024-091
May 14, 2024

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

The certain ordinance entitled: "An Ordinance to amend Chapter 7 – MARIJUANA" be adopted on Second and Final Reading.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



**CITY OF YPSILANTI
NOTICE OF ADOPTED ORDINANCE
Ordinance No. 1425**

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 state license issued by the State of Michigan and permit issued by the City of Ypsilanti. ~~a permit from the city clerk's office, and a state license issued by the State of Michigan.~~

(b) Licenses The location of permits is transferrable upon state approval, city 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 must 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 business day following the deadline a \$50 late fine will be assessed 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 location 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~~ marihuana 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 number of facilities will be limited as follows:

- Medical marihuana provisioning centers. (2 max)
- Adult-use recreational retail. (13 Max)
- Marihuana microbusiness. (1 max)
- Marihuana safety compliance facility.
- Marihuana secure transporter.
- Marihuana processor.
- Cultivation/Processing (3 max)
 - 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 (1 max) ~~designated consumption establishment.~~
- Designated consumption establishment (1 max)

Sec. 7-4.2 5. - Application.

Every applicant for a ~~marijuana~~ marihuana 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~~ marihuana 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 ~~marihuana~~ 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 ~~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~~. If leased the operator of the facility must ensure the building owner is current with all real property taxes.
 - (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 marihuana facility 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 and any other facility based on requirements of Chapter 122.
- (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 the application includes errors or omissions the city will notify the applicant by certified mail and provide five business days to satisfy the requirement. If issues are not rectified, the applicant will either need to request an extension with cause, or the application will be denied.

Sec. 7-6. Approval of application.

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

Upon approval of the application a permit that is contingent on zoning and building department approval, will be provided. ~~The applicant will receive no more than 60 days to complete all work as listed in the application and be awarded all necessary permits/approvals for existing structures. Or the~~ The applicant will be provided no more than six months to complete all work as listed in the application and be awarded all necessary permits/approvals for new construction. Once the 60 days, or six months Once six months has expired the applicant will either be awarded a full permit, or have their permit revoked.

If multiple complete permit applications are submitted within the same zoning buffer, the first facility to receive site plan and special use permit (if applicable) approval will be granted the permit. The planning department will time stamp complete site plan and special use permit applications when submitted to their office.

Sec. 7-4.5 8. - 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 that exceeds 90 days;
- (3) Maintenance of a nuisance on the premises that exceeds 90 days;
- (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 provided a Special Use Permit if one is required at that applied to location.
- (8) Failure to be provided site plan approval or the expiration of an approved site plan.
- (9) Failure to be provided building plan approval and certificate of occupancy within 6 months of permit issuance
- (910) If the facility ceases operations for 120 days. "Operations" refers to the regular running of the business type applied for and does not refer to the construction prior to opening.

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

Sec. 7-4.6 9.- Appeal process.

If an applicant is denied a permit, they may request a meeting with relevant staff and the City Manager to remedy deficiencies in an application. At that time the applicant and City Manager will sign a notarized affidavit, which will provide a timeline to complete all necessary items to cure deficiencies. If the applicant is unable to meet the timeline, the application will be denied, and a formal denial letter will be provided via first class mail.

~~If an applicant or permitted marihuana facility chooses. At that time the applicant may to appeal the denial of a permit or revocation of a permit, they can enter by entering 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 item listed in the affidavit they were unable to complete and why they were unable to meet the deadline. 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 10. Social Equity Community Advocacy and Law Enforcement.

- ~~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.
 - d) Paraphernalia will be governed by Sec 74-197 of the City Code.
- 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 11. 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 12 Repeal

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

Sec. 7-8 13. 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 14. 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 15. Publication and Effective Date

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

MADE, PASSED, AND ADOPTED BY THE YPSILANTI CITY COUNCIL THIS 1st DAY OF August, 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 1st day of August, 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 August, 2023.

Andrew Hellenga, City Clerk

Notice Published:

First Reading:

Second Reading:

Published:

Effective Date:



REQUEST FOR LEGISLATION
May 14, 2024

For: Mayor and City Council

From: Bonnie Wessler, DPS Director

Subject: Resolution No. 2024-091, approving a contract with OHM for design engineering services to comply with regulations and directives mandated for the reconstruction of Harriet (First to Hawkins).

SUMMARY & BACKGROUND: Reconstruction of Harriet Street (First to Hawkins) is currently programmed in the Transportation Improvement Program (TIP) funding plan for the year 2025. Road construction projects generally consist of three phases: preliminary engineering, design engineering, and construction engineering/construction (concurrent). This is expected to be the first phase of a two-year reconstruction of Harriet, the second phase occurring in 2026. This project is being timed to take advantage of federal funding and to coordinate with YCUA water main upgrades. The anticipated construction cost is \$1.2 million, of which \$612,000 has been secured in federal funding.

This proposal includes continuing work on the Transportation Alternatives Program Grant application and process; potential CDBG program fund integration; subsurface investigation (\$5,350, subcontracted); SHPO application assistance (subcontracted, \$4,600) and detailed engineering design (\$104,760). The total of this proposal is \$114,710, which will be funded from the Major Streets Fund (202).

RECOMMENDED ACTION: Approval

2024 Goal Alignment

- **Strategic Goal 1: Capital Improvements and revitalization of City owned facilities and spaces.**
- Strategic Goal 2: Staff retention and creating greater efficiencies.
- Strategic Goal 3: Community Engagement
- Strategic Goal 4: Community Development
- **Strategic Goal 5: Infrastructure and investment**
- Strategic Goal 6: Financial Planning

RECOMMENDED ACTION:

ATTACHMENTS:

1. Res. No. 2024- 091
2. Proposal

CITY MANAGER APPROVAL:

COUNCIL AGENDA DATE: May 14, 2024

CITY MANAGER COMMENTS:

FISCAL SERVICES DIRECTOR APPROVAL:



RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the reconstruction of Harriet (First to Hawkins) is programmed for construction year 2025 in the current 3-year TIP; and

WHEREAS, the design engineering services will be expended from the Major Streets Fund; and

WHEREAS, OHM has submitted a proposal for engineering services for the final design of this project which includes: Transportation Alternatives Program Grant coordination; right of way documentation and coordination; SHPO application assistance; and detailed engineering design at an estimated cost of \$114,710; and

NOW, THEREFORE, BE IT RESOLVED THAT the City Council approves the proposal submitted by OHM for design engineering services to comply with regulations and directives mandated for the reconstruction of Harriet (First to Hawkins); and

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

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

ARCHITECTS. ENGINEERS. PLANNERS.

April 18, 2024

Bonnie Wessler, AICP
Director of Public Services
City of Ypsilanti
14 W. Forest Ave.
Ypsilanti, MI 48197

Subject: **Professional Engineering Services
Harriet Street, 1st Avenue to Hawkins Street
Design Engineering**

Dear Ms. Wessler:

OHM Advisors is pleased to submit a proposal for professional engineering services for the pavement reconstruction on Harriet Street from 1st Avenue to Hawkins Street. This proposal also includes full topographic survey from 1st Avenue to Hamilton Street to encompass the future reconstruction project on Harriet Street from Hawkins Street to Hamilton Street. The project is approved for pavement reconstruction as part of the Washtenaw Area Transportation Study (WATS) application for Federal funding, thus we have included applicable permit applications as part of the design.

PROJECT UNDERSTANDING

We understand that Harriet Street from 1st Avenue to Hawkins Street has been approved for pavement reconstruction in 2025 as part of the Washtenaw Area Transportation Study (WATS) application for Federal funding. This project has been estimated at \$1.2 million in construction costs (\$919,000 in the TIP) and has been approved for \$612,000 of federal funding. As a result of the Local Agency Program (LAP) requirements, this project is required to adhere to the National Environmental Policy Act (NEPA) for environmental reviews and the state's process for obtaining necessary easements for the improvements if needed. The City may also utilize Community Block Development Grant funds (CBDG) to fund a portion of this project and those grant requirements will need to be adhered to.





The project will consist of road reconstruction with storm sewer improvements and bump outs. It is understood the Ypsilanti Community Utilities Authority (YCUA) plans to replace the water main along this stretch in conjunction with the project. The City has requested OHM assist with submitting a Transportation Alternatives Planning (TAP) grant for pedestrian access improvements near Perry Early Learning Center.

SCOPE OF SERVICES

This scope of services includes creating and submitting a TAP Grant application, title work review with ROW determinations, and providing detailed engineering design to deliver Michigan Department of Transportation (MDOT) the necessary documents to bid the project. This scope reflects our understanding of the City's needs for this project and is consistent with past engineering services proposals. The components of this work plan are as follows:

Task 1: Base Plan Development and Preliminary Engineering (Topographic Survey, Geotechnical Investigation)

Under this phase of work, OHM Advisors will identify critical aspects that will be necessary to provide a base map and we will conduct topographic survey along Harriet Street from 1st Avenue to Hamilton St to assist in development of the base plan to document existing conditions. Specific work tasks include:

- ▶ Provide a field reconnaissance and ground control to establish survey horizontal and vertical control for the project necessary for topographic survey.
- ▶ Establish the existing road right-of-way (ROW) based on available information.
- ▶ Review available background information including record drawings from City of Ypsilanti and other pertinent sources as needed.
- ▶ Topographic Survey will be completed using ground crews to generate existing conditions plans. Right-of-way will be established based on the Public Land Survey System corners, boundary markers, and parcel descriptions. Topographic survey will consist of the following:
 - a. Collect existing features visible without excavation and ground elevations at 50 ft. intervals along the limits of the survey (i.e., driveways, culverts, utility poles, etc.).
 - b. Public underground utilities will be shown based on record drawings.
 - c. Apparent public utility structures within the existing right-of-way will be inventoried. Rim elevations, pipe sizes, and invert elevations will be provided for sanitary and storm structures.
 - d. Survey field data will be collected for the impacted public right-of-way (ROW) and an additional 5-foot beyond the ROW limits.
- ▶ Contact and coordinate with private utility companies to obtain background mapping information relative to gas, electric, phone, and cable throughout the corridor. Obtain additional utility locations as possible through Miss Digg.
- ▶ A digital base plan will be prepared using the topographic survey, record drawings, and franchised utility facility locations maps.

As part of the base drawing preparation, OHM will direct up to five (5) pavement cores as well as a subsurface investigation with a geotechnical sub-consultant, G2 Consulting Group. Soil boring locations will be shown on the base plan. OHM will review the information collected and review design options with the City prior to Detailed Engineering Design.



Task 2: Transportation Alternatives Program Grant Application

Under this phase of work, OHM Advisors will complete and submit a TAP Grant application through the online portal. Based on the 2023-2024 TAP Schedule, the next application deadline is June 19, 2024. There may be some schedule impacts to meet the TAP Grant milestones. Specific work tasks include:

- Create overall plan PDF displaying the conceptual design of the pedestrian improvements at Harriet Street and Hawkins Street near Perry Early Learning Center.
- Develop cost estimate for pedestrian upgrades in accordance with the TAP Grant requirements for submittal.
- Utilize photographs, Google earth, and drone imagery to show the project need along Harriet Street to include in the application.
- Complete the online application form that includes narratives for the following listed. OHM will work with the City to ensure the application is comprehensive and accurate.
 - a. Project description.
 - b. Project impacts to adjacent property owners.
 - c. Stakeholder engagement efforts.
 - d. Operation and maintenance needs, expenses, and party responsible.
 - e. Community benefits.
 - f. Description how project is competitive for TAP funding.
 - g. Project schedule including project milestones.

Task 3: Detailed Engineering Design

OHM will review the pavement cores and subsurface investigation and determine if a full reconstruction of the roadway is necessary or if the base course is salvageable. OHM will prepare final design engineering documents for a Grade Inspection (GI) submittal to MDOT and for bidding. The subtasks for this portion of work are listed below:

- Create a road centerline design for Harriet Street from 1st Avenue to Hawkins Street for the proposed roadway consistent with AASHTO Road Design Guidelines, MDOT, and City of Ypsilanti Design Standards. Curbed three-lane roadway with a parking lane and sidewalk on either side of roadway will be the primary focus.
- Prepare typical road cross section and conceptual design along the roadway to a level necessary for preparing a preliminary cost estimate.
- OHM will review storm sewer inspection materials provided by the City and make recommendations on storm sewer replacements. Storm sewer inspection is not included in this proposal and will be done by others. The results will be provided to OHM by June 1, 2024.
- OHM will design up to six (6) bump outs along the roadway and will include drainage improvements and crosswalks, if necessary.
- Prepare final design of the roadway including the pedestrian facilities, select storm sewer replacement, and special provisions. OHM will prepare design bidding plans and specifications in accordance with MDOT LAP guidelines for projects administered through MDOT.
- Arrange and attend up to four (4) progress meetings with the City staff to review applicable project items, i.e., plans, specifications, project schedule for LAP and/or TAP, easements, permits, environmental reviews, etc.
- Preparation of detailed Maintenance of Traffic (MOT) plans for impacted travel ways, including pedestrian ways. Where possible, the Michigan Manual of Uniform Traffic Control Devices (MMUTCD) typical details will be referenced, and OHM will prepare traffic control strategies for various stages. OHM understands



MDOT's traffic control requirements to receive MOT approval, as well as coordinating work with the City for local street traffic control.

- ▶ Revise preliminary engineer's opinion of probable construction costs.
- ▶ Attend up to two (2) public meetings, if requested.
- ▶ Complete and submit the Program Application materials as required by MDOT LAP guidelines.
- ▶ Submit preliminary plans, specifications, and engineer's opinion of probable construction cost to MDOT LAP office for Grade Inspection (GI) review.
- ▶ Coordinate proposed work with private utility companies.
- ▶ Attend the GI review meeting with MDOT and City staff to review the plans and specifications and address any required revisions.
- ▶ Submit final plans and specifications per MDOT guidelines, including a final engineer's opinion of probable construction cost using the Michigan Engineers Resource Library (MERL) program per MDOT requirements.
- ▶ Respond to Request for Information (RFI's) during the MDOT Letting.
- ▶ It is anticipated that the following permits will be required for the project. The effort associated with obtaining the permits is included in the scope. However, permit fees will be the responsibility of the City.
 - Washtenaw County Soil Erosion & Sedimentation Control Permit.
 - Michigan Department of Transportation – Local Agency Project (LAP) Program Application.
 - National Environmental Policy Act (NEPA). Complete general project information, contact information, project mapping documents, and verification of required permits/reviews listed below.
 - Permits that are anticipated to be required and are included in this scope of services
 1. USFWS – Section 10 Threatened and Endangered Species/Wild Scenic Rivers
 2. Traffic Impacts Review
 3. Noise Impacts and Air Quality Review
 4. Public Controversy Review
 5. USACE – General Permit/Permissions Letter
 6. EGLE – NPDES Permit (National Pollutant Discharge Elimination System)
 7. MDNR – Part 365 Threatened and Endangered Species
 8. Application for Section 106 Review State Historic Preservation Office (SHPO)*
 - The following permits are not anticipated to be required and have not been included with this scope of services. If deemed necessary OHM will provide a budget for these permit submittals.
 1. EGLE/USACE Joint Permit – Part 301 Inland Lakes and Streams
 2. EGLE/USACE Joint Permit – Part 303 Wetlands Protection
 3. MDNR Public Agency Permit – Part 305 Natural Rivers
 4. EGLE/USACE Joint Permit – Parts 307 & 315 Dam Safety
 5. USCG Section 9 Navigable Waters – Structures (Construction/Modification of any bridge spanning navigable waters)
 6. USACE Section 10 Navigable Waters
 7. EGLE/USACE Joint Permit – Part 323 Shoreland Protection (High Risk Erosion Areas)
 8. EGLE/USACE Joint Permit – Part 353 Critical Dunes
 9. EGLE/USACE Joint Permit – Part 325 Submerged Lands
 10. EGLE/USACE Joint Permit – Part 31 Floodplain Regulation
 11. Section 4(f) – Public Parks, Recreation and Refuge Programmatic Evaluation
 12. Section 6(f) – Grant Funded Public Park, Recreation, and Refuge Consultation
 13. PA116 Farmland or Preservation Land Consultation/Coordination
 14. Hazardous and Toxic Materials Review



*Section 106 Review require an archeologist and historian perform the SHPO determination. OHM has added Commonwealth Heritage Group to the team to assist with the application preparation.

ASSUMPTIONS AND CONSIDERATIONS

The following are assumptions and additional design phase considerations related to our proposal. OHM will be pleased to provide additional services for this project on a time and material basis. A separate proposal would be provided for such services.

- ▶ Permit fees are not included as part of this design.
- ▶ Construction phase services are not included and will be submitted under separate cover after letting.
- ▶ Additional meetings not listed under the scope of services.
- ▶ No traffic signal modifications are included under this project.
- ▶ Stormwater drainage study, modeling, and design are not included.
- ▶ Effort for securing additional ROW or easements is not assumed to be necessary and are not included in this proposal.
- ▶ Design for water or sanitary infrastructure improvements is not included. It is understood YCUA plans to replace the water main in conjunction with this project.
- ▶ Design for Harriett between Hawkins and Hamilton (or Huron) is not included with this proposal.

FEE SCHEDULE

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

<u>Description</u>	<u>Fee</u>
Design Engineering.....	\$104,760.00
Subsurface Investigation (G2 Consulting Group)	\$ 5,350.00
<u>SHPO Application Assistance (Commonwealth Heritage Group) ...</u>	<u>\$ 4,600.00</u>
Design Services Total	\$114,710.00

SCHEDULE

Harriet Street from 1st Avenue to Hawkins Street has been approved for pavement reconstruction in 2025 as part of the WATS Local Agency Program (LAP) and is required to follow the MDOT Letting schedule. We propose the Grade Inspection (GI) submittal to MDOT takes place in the summer of 2024 (80% plan completion) and final submittal to MDOT in the fall of 2024 for an early 2025 bidding/letting. Additionally, should the project be awarded a TAP Grant, OHM will work with grant administrators to meet grant deadlines for a 2025 construction.



We appreciate the opportunity to provide you with this proposal. Please feel free to contact us if you have questions or need additional information at (734) 522-6711.

Sincerely,

OHM Advisors



Kent Early, P.E.
Chief Operating Officer

cc: Andrew Hellenga, City Manager
Rachel Jackson, PE, OHM Advisors
Fraser Payne, PE, OHM Advisors
Rich Hobgood, PE, OHM Advisors
file

**Accepted for City of Ypsilanti
Harriet Street Design Engineering**

(Signature)

(Printed Name)

(Title)

(Date)



Resolution No. 2024-091

RESOLUTION TO AUTHORIZE PAYMENT FOR THE RESURFACE
OF RUTHERFORD POOL AS FIDUCIARY OF THE FRIENDS OF
RUTHERFORD POOL

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

Whereas, the Friends of Rutherford Pool (Friends), a Michigan Non-Profit, Federal Tax Exempt 501c3 corporation, have a contract with the city to manage the Rutherford Pool (the pool), and

Whereas, the Friends have successfully operated the pool for several years providing swimming lessons and safe, clean, wholesome water fun opportunity for thousands of children, youth and adults of the area, and

Whereas, the Friends have raised funds to repair, maintain and operate the pool and determined during the winter of 2023 that the pool needed to be resurfaced to open in the spring of 2024, and

Whereas, the City Council by Resolution 2024, dated January 9, 2024 agreed to act as fiduciary for the Friends and authorized the City Manager to sign and process a grant application to the Michigan DNR for funds to resurface the pool and the City Manager did process the grant application, and

Whereas, the Friends solicited bids for the resurface of the pool and received only one bid from B&B Pools and Spas for \$229,000, and the Friends accepted the bid, and

Whereas, B&B Pools and Spas completed the resurface of the pool on or about April 25, 2024 in time to reopen the pool for the 2024 season, and

Whereas, the City Manager has received assurance from the Michigan DNR that it would reimburse the city for the payment as a grant, as the city is acting as fiduciary for the Friends, and

Whereas, the Friends and city staff recommend payment for the work completed,

Now Therefore, the City Manager is authorized to approve the payment of \$229,000 to B & B Pools and Spas for the resurfacing of the pool and the Finance Department is authorized to make the payment as fiduciary for the Friends.

And further, the City Manager is authorized to send a copy of this resolution to the Michigan DNR with a request for repayment.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

RESOLUTION NO 2024-093 REQUESTING EXPENDITURE OF EXCESS BOND
PROCEEDS OF YPSILANTI COMMUNITY UTILITIES AUTHORITY
WATER SUPPLY SYSTEM BONDS, SERIES 2022
(CITY OF YPSILANTI)

Minutes of a regular meeting of the City Council of the City of Ypsilanti, County of Washtenaw, State of Michigan, held on the 14th day of May, 2024, at 6:00 p.m., prevailing Eastern Time.

PRESENT: Members: _____

ABSENT: Members: _____

The following preamble and resolution were offered by Member _____ and supported by Member _____:

WHEREAS, the Ypsilanti Community Utilities Authority (the “Authority”) previously issued its Water Supply System Bonds, Series 2022 (City of Ypsilanti), for the purposes of providing funds for the acquisition, construction and installation of various water supply system improvements, consisting of the acquisition, construction and installation of various water main and related improvements on Washtenaw Avenue between West Cross Street and Hamilton Street, Hamilton Street between Washtenaw Avenue and I-94, Huron Street between I-94 and West Cross Street, and Michigan Avenue between Huron Street and Hamilton Street, together with all necessary appurtenances and attachments thereto, to serve the Local Unit (the “Original Purposes”); and

WHEREAS, the Authority and the City of Ypsilanti (the “City”) have each approved and executed a Contract dated November 17, 2021 (the “Contract”) providing for the payment of the costs of the Project by the City; and

WHEREAS, the Authority was able to complete the Project at a cost less than that projected at the time of issuance as a result of more cost-efficient design from the Authority’s engineers and, consequently, has remaining funds available to be used for other purposes (the “Excess Proceeds”); and

WHEREAS, the total amount of Excess Proceeds is roughly One Million Five Hundred Thousand Dollars (\$1,500,000); and

WHEREAS, the City desires to use the Excess Proceeds for the painting and rehabilitation of the City-owned Shadford Tower, the City water meter replacement project, and any other improvements to the City’s water supply system (the “New Purposes”); and

WHEREAS, Section 17 of the Contract allows the use of Excess Proceeds to be approved for purposes other than the Original Purposes by resolution of the Authority upon request of the City; and

THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE
AUTHORITY AS FOLLOWS:

Section 2. Section Headings. Section headings are for convenience only and do not constitute a part of this resolution.

Section 4. Effective Date. This Resolution shall become effective immediately upon its adoption.

AYES: _____
Commissioners: _____

RESOLUTION DECLARED ADOPTED.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Ypsilanti, County of Washtenaw, State of Michigan, at a regular Meeting held on May 14, 2024, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

41926296.2/099369.00047



YPSILANTI COMMUNITY UTILITIES AUTHORITY

2777 STATE ROAD
YPSILANTI, MICHIGAN 48198-9112
TELEPHONE: 734-484-4600
WEBSITE: www.ycua.org

April 30, 2024

VIA EMAIL

Mrs. Tracey Boudreau, Clerk
CITY OF YPSILANTI
One South Huron Street
Ypsilanti, Michigan 48197-5400

Re: Excess Bond Proceeds from 2022 Water System Supply Bonds

Dear Mrs. Boudreau:

Enclosed please find a resolution that would authorize the expenditure of excess proceeds from the City of Ypsilanti's 2022 Water Supply System Bonds. The Ypsilanti Community Utilities Authority and the City of Ypsilanti executed a contract dated November 17, 2021, for the M-17 and US-12 Water Main Improvements Project. The contract included the issuance of the 2022 Water Supply System Bonds in the amount of \$11,900,000. The Authority is nearing completion of these improvements, which have been performed at a cost less than originally projected. As a result of a more cost-efficient design and installation, consequently, there are remaining funds available to be used for other purposes. The total amount of excess bond proceeds is roughly \$1,500,000.

The Authority would like to utilize the excess proceeds for the painting and rehabilitation of the Shadford Water Tower, water meter replacements, and any other improvements to the City's water supply system. The contract allows excess proceeds to be approved for purposes other than the original purposes by resolution of the Authority and upon request of the City. The Authority's Board of Commissioners approved this resolution at their April 24, 2024, Meeting. Therefore, please place this item on the agenda for consideration at the May 14, 2024, City Council Meeting.

Please contact me with any questions or concerns regarding this request by email at lblackburn@ycua.org or by phone at 734-484-4600 ext. 116.

Sincerely,

LUTHER BLACKBURN, Executive Director
Ypsilanti Community Utilities Authority

Enclosures
cc w/encl.:

Mr. Andrew Hellenga, City of Ypsilanti
Mr. Tom Colis, Miller, Canfield, Paddock and Stone, P.L.C.
Mr. Dwayne R. Harrigan, YCUA
Ms. Gail M. Thomas, YCUA
Ms. Karen Groulx, YCUA

Justin Harper

Juanita House

Katherine Layton

Britney Doulos

Olivia Hudson

Presentation

Agenda Juanita motioned kat seconded motion passes.

Juanita rescinded her motion.

Motion to approve the agenda with amendment 7d to include process supported by justin. Motion passed.

Non discrimination ordinance discussion

Kat moved to strikethrough from unless all the way to welfare. Britney seconded the motion. Motion passes. – katie to follow up on process

Kat recommended that the city council adopt the FCH Act to our code of ordinances, and Britney seconded the motion. The motion passed.

Postponing a decision for Chair and vice chair until next month

Britney moved to remove kirk and justin seconded the motion.

Motion passes.

Justin will call devika.

Commissioner removed ask if I just do it or if designee from commission.

Joint commission meeting

Special noticing if YPAC joins us may 16th meeting at 6 pm.

HRC Complaint Form and Process

No tracking system so no idea how many complaints ;

Katherine motioned to amend section 58-67 information and investigation to reflect the 9:159. The complaint procedure notes the differences between the commission name and the city. Seconded by Justin. Motion passed.

Park Spaces and Uses

Discussion of the use of parks and the unhoused community.

Commissioner Proposed Business

Weed engage them more social equity

Juanita motion justin seconded meeting adjourned at 8:21 pm.



Resolution No. 2024-094
May 14, 2024

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the City Council remove Kirk Crowner and Devika Choudhuri from the Human Relations Commission for a lack of attendance.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



Resolution No. 2024-095
May 14, 2024

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

<u>Name</u>	<u>Board</u>	<u>Expiration</u>
Jennifer Avery 417 W Cross Apt 2 Ypsilanti 48197	Human Relations Commission	07/01/2027

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

Citizen Advisory Boards and Commissions Participation Resume - Submission #6535

Date Submitted: 5/4/2024

The people of Ypsilanti are involved in their City government and are an important part of the community's achievements. Individuals interested in receiving more information in regards to serving on an advisory board or commission are invited to contact the City Clerk's Office at 734-483-1100. Alternatively, citizens who would like to participate can submit their information in the form below. After you apply, nomination to a board or a commission under the City Charter either by the Mayor or by two Council Members, and is subject to the approval and confirmation by a majority vote of the City Council.

Qualifications

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

Name*

Daniel Jackson

Email Address*

[REDACTED]

Address*

145 Campbell Ave

City*

Ypsilanti

State*

MI

Zip Code*

48198

Phone Number*

[REDACTED]

Number of Years in the Community*

12 years

Ward You Live In

Education

GED

Occupation

Executive Director For a nonprofit and business consultant, and coach

Employer

Impact business development firm and Awaken ministries

Are you applying for youth membership?

Three Commission Allow Youth Membership (Sustainability, Arts and Parks, Police Advisory & Human Relations)

- ☐ Yes
☒ No

Are you registered to vote in the City of Ypsilanti?

- ☐ Yes
☒ No

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

- | | | |
|--|--|--|
| ☐ Review and Tax Assessment Board | ☐ Ypsilanti Housing Commission | ☐ Arts and Parks Commission |
| ☐ Board of Ethics | ☒ Human Relations Commission | ☐ Ann Arbor Area Transit Authority |
| ☐ Fire Civil Service Commission | ☐ Planning Commission | ☐ Police and Fire Pension Board |
| ☐ YCUA | ☐ Non-motorized Advisory Committee | ☐ Huron River Watershed Council |
| ☐ Ypsilanti Downtown Development Authority | ☐ Zoning Board of Appeals | ☐ Sustainability Commission |
| ☐ Economic Development Corporation/Brownfield Redevelopment Authority | ☐ Dangerous Buildings Officer | ☒ Police Advisory Commission |
| ☐ Historic District Commission | | |

Party Affiliation

If you are applying to serve on the Ethics Board or the Fire Civil Service Commission please provide your political affiliation

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

I am interested in serving on these boards so that I can support my community in the work of community transformation and development. I want to help create with other dedicated community members a safer more equitable and prosperous community.

Work/volunteer experience related to the board or commission:

I have worked for the last 12 years full time for a nonprofit I established that is dedicated to the work of community transformation. I have worked in the inner city of Chicago, Detroit, New York and various other communities around the USA networking with a diversity of community groups and hundreds of organizations mostly faith based for the purpose of community engagement and community service. I am a business consultant and coach and have started my own business development firm to help inspire and support entrepreneurship. I am currently working with the community violence intervention team in Ypsilanti and I am working with the sheriff's office to help address systemic issues of violence within our community. However this is my first attempt at serving in this way. So maybe none of my experience will be helpful, but I am willing to learn and I am committed to supporting my community any way I can. Plus my time is flexible as I am self-employed. So making the meetings shouldn't be difficult. Thank you for the opportunity to serve.

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

☒ Yes

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

☒ Yes



Resolution No. 2024-096
May 14, 2024

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

<u>Name</u>	<u>Board</u>	<u>Expiration</u>
Daniel Jackson 145 Campbell Ave Ypsilanti 48198	Human Relations Commission	07/01/2027

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

Citizen Advisory Boards and Commissions Participation Resume - Submission #6535

Date Submitted: 5/4/2024

The people of Ypsilanti are involved in their City government and are an important part of the community's achievements. Individuals interested in receiving more information in regards to serving on an advisory board or commission are invited to contact the City Clerk's Office at 734-483-1100. Alternatively, citizens who would like to participate can submit their information in the form below. After you apply, nomination to a board or a commission under the City Charter either by the Mayor or by two Council Members, and is subject to the approval and confirmation by a majority vote of the City Council.

Qualifications

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

Name*

Email Address*

Daniel Jackson

Address*

145 Campbell Ave

City*

State*

Zip Code*

Ypsilanti

MI

48198

Phone Number*

Number of Years in the Community*

Ward You Live In

12 years

Education

GED

Occupation

Executive Director For a nonprofit and business consultant, and coach

Employer

Impact business development firm and Awaken ministries

Are you applying for youth membership?

Three Commission Allow Youth Membership (Sustainability, Arts and Parks, Police Advisory & Human Relations)

- ☐ Yes
☒ No

Are you registered to vote in the City of Ypsilanti?

- ☐ Yes
☒ No

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

- | | | |
|--|--|--|
| ☐ Review and Tax Assessment Board | ☐ Ypsilanti Housing Commission | ☐ Arts and Parks Commission |
| ☐ Board of Ethics | ☒ Human Relations Commission | ☐ Ann Arbor Area Transit Authority |
| ☐ Fire Civil Service Commission | ☐ Planning Commission | ☐ Police and Fire Pension Board |
| ☐ YCUA | ☐ Non-motorized Advisory Committee | ☐ Huron River Watershed Council |
| ☐ Ypsilanti Downtown Development Authority | ☐ Zoning Board of Appeals | ☐ Sustainability Commission |
| ☐ Economic Development Corporation/Brownfield Redevelopment Authority | ☐ Dangerous Buildings Officer | ☒ Police Advisory Commission |
| ☐ Historic District Commission | | |

Party Affiliation

If you are applying to serve on the Ethics Board or the Fire Civil Service Commission please provide your political affiliation

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

I am interested in serving on these boards so that I can support my community in the work of community transformation and development. I want to help create with other dedicated community members a safer more equitable and prosperous community.

Work/volunteer experience related to the board or commission:

I have worked for the last 12 years full time for a nonprofit I established that is dedicated to the work of community transformation. I have worked in the inner city of Chicago, Detroit, New York and various other communities around the USA networking with a diversity of community groups and hundreds of organizations mostly faith based for the purpose of community engagement and community service. I am a business consultant and coach and have started my own business development firm to help inspire and support entrepreneurship. I am currently working with the community violence intervention team in Ypsilanti and I am working with the sheriff's office to help address systemic issues of violence within our community. However this is my first attempt at serving in this way. So maybe none of my experience will be helpful, but I am willing to learn and I am committed to supporting my community any way I can. Plus my time is flexible as I am self-employed. So making the meetings shouldn't be difficult. Thank you for the opportunity to serve.

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

☒ Yes

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

☒ Yes



REQUEST FOR LEGISLATION
May 14, 2024

For: Mayor and City Council

From:

Subject: Discussion regarding fees for Cruise Nights.

SUMMARY & BACKGROUND:

RECOMMENDED ACTION:

ATTACHMENTS:

CITY MANAGER APPROVAL:

COUNCIL AGENDA DATE: May 14, 2024

CITY MANAGER COMMENTS:

FISCAL SERVICES DIRECTOR APPROVAL:



REQUEST FOR LEGISLATION
May 14, 2024

For: Mayor and City Council

From:

Subject: Discussion regarding RFP for unarmed response.

SUMMARY & BACKGROUND:

RECOMMENDED ACTION:

ATTACHMENTS:

CITY MANAGER APPROVAL:

COUNCIL AGENDA DATE: May 14, 2024

CITY MANAGER COMMENTS:

FISCAL SERVICES DIRECTOR APPROVAL:



Resolution No. 2024-097
May 14, 2024

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: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE: