1. City Council Regular Meeting Agenda

    Documents: 8-21-12 FINAL AGENDA (8-17-12).PDF

2. City Council Regular Meeting Packet

    Documents: 08-21-12 COUNCIL PACKET.PDF

CITY OF YPSILANTI
COUNCIL MEETING AGENDA
CITY COUNCIL CHAMBERS - ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, AUGUST 21, 2012
7:00 P.M.

I. CALL TO ORDER –

II. ROLL CALL –

Council Member Bodary	P A	Council Member Robb	P A
Council Member Jefferson	P A	Council Member Vogt	P A
Council Member Murdock	P A	Mayor Schreiber	P A
Mayor Pro-Tem Richardson	P A		

III. INVOCATION –

IV. PLEDGE OF ALLEGIANCE –

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

V. INTRODUCTIONS –

VI. AGENDA APPROVAL –

VII. PRESENTATIONS –

1. National Ovarian Cancer Awareness – Dolores DeTavernier

2. Water Street Update – Planner II Teresa Gillotti and Arthur Itkis, CBRE

VIII. AUDIENCE PARTICIPATION –

IX. REMARKS BY THE MAYOR –

X. MINUTES –

Resolution No. 2012-163, approving the minutes of June 29 and July 17, 2012.

XI. CONSENT AGENDA – Resolution No. 2012-164

1. Resolution No. 2012-165, recognizing Destiny and Purpose Outreach (DAPCO) as a non-profit organization in the City of Ypsilanti for the purpose of obtaining a charitable gaming license.

2. Resolution No. 2012-166, amending the ICMA-RA Administrative Service Agreement.

3. Resolution No. 2012-167, accepting the appointment of Wilmington Trust Retirement and Institutional Services Company (WTRISC) as non-discretionary directed trustee and non-discretionary directed successor trustee, replacing Vantage Trust Company (VTC) who resigned.

4. Resolution No. 2012-168, supporting a request to overturn the Supreme Court's Citizen United vs. Federal Elections Commission.

5. Resolution No. 2012-169, supporting *"Turn the Towns Teal"* in support of National Ovarian Cancer Awareness Month.

6. Resolution No. 2012-170, approving proposal from Oscar W. Larson Company for fuel tank repairs at the Police and Fire departments.

7. Resolution No. 2012-172, authorizing YCUA to use YCUA City Division Reserve for the Construction Fund for the West Cross Street Water Improvements Project.

8. Resolution No. 2012-173, approving the construction engineering and geotechnical testing services contract with Orchard, Hiltz & McCliment (OHM) for the reconstruction, curb/gutter replacement, drainage improvements and water main replacement for the West Cross Street between Wallace Blvd. and Washtenaw Ave. project.

9. Resolution No. 2012-174, approving the engagement letter from Rehmann Robson for the City of Ypsilanti for the year ended June 30, 2012.

XII. <u>RESOLUTIONS/MOTIONS/DISCUSSIONS</u> –

1. Resolution No. 2012-171, setting a Dangerous Building Show-Cause hearing for 25 Bell Street.

2. Resolution No. 2012-176, approving towing contract with Budget Towing.

3. Resolution No. 2012-177, approving voting delegate(s) for the 2012 Michigan Municipal League (MML) Annual Convention, October 3-5, 2012.

4. Resolution No. 2012-178, approving Memoranda of Understanding (MOU) with EMU for road salt purchases.

5. Resolution No. 2012- 179, approving Memoranda of Understanding (MOU) with Eastern Michigan University for the City of Ypsilanti's Department of Public Services to provide parking lot sweeping services.

6. Resolution No. 2012-175, approving appointment to Boards and Commissions (Michael Bodary to YCUA Board)

XIII. <u>LIASON REPORTS</u> -

A. SEMCOG Update
B. Washtenaw Area Transportation Study
C. Washtenaw Metro Alliance
D. Urban Counties
E. Freight House

XIV. <u>COUNCIL PROPOSED BUSINESS</u> –

XV. <u>COMMUNICATIONS FROM THE MAYOR</u> –

XVI. <u>COMMUNICATIONS FROM THE CITY MANAGER</u> –

XVII. AUDIENCE PARTICIPATION -

XVIII. REMARKS FROM THE MAYOR –

XIX. CLOSED SESSION -

Closed Session to discuss union negotiations. (OMA 15.268, Section 8(c))

XX. ADJOURNMENT –

A. Resolution No. 2012-180 adjourning the City Council Meeting.

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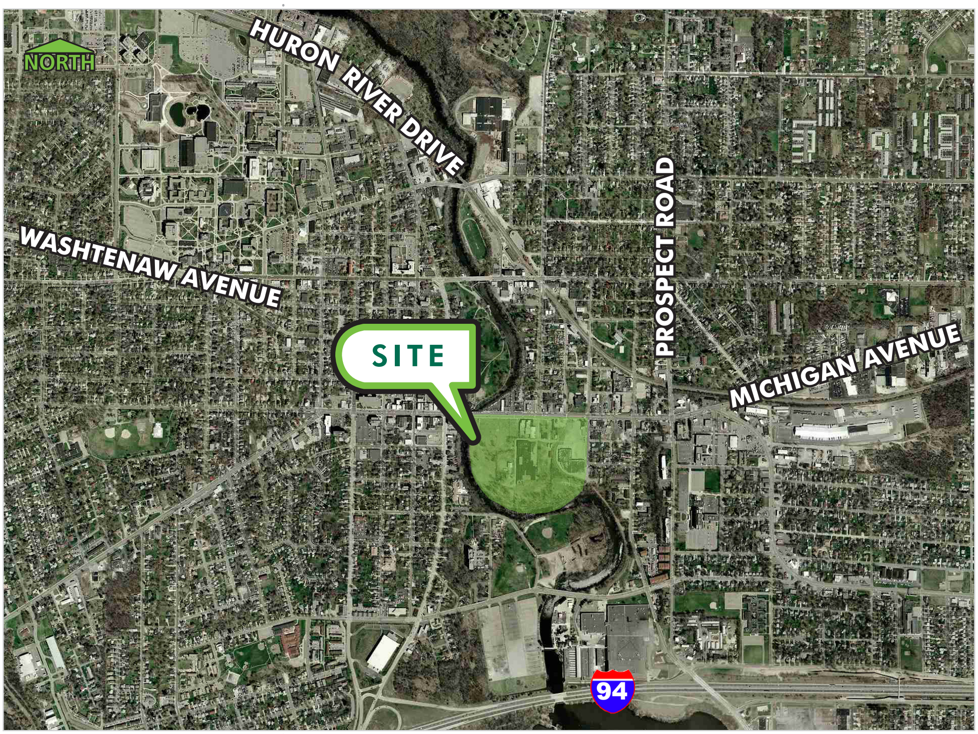
WATER STREET PROJECT

10-200 E. MICHIGAN AVENUE, YPSILANTI, MICHIGAN



PRIME MIXED-USE REDEVELOPMENT PROPERTY

1 to 38.5 acres
Michigan Avenue
Downtown Ypsilanti

TRAFFIC COUNTS

E. Michigan at Lincoln St.: 25,454 vpd
S. Huron near Michigan Ave.: 16,874 vpd

The Water Street Project is strategically located along the heavily-traveled Michigan Avenue corridor in Historic Downtown Ypsilanti. The 38.5 acre parcel is bordered by the Huron River and is positioned for immediate development. The property can be offered as one 38.5 Acre parcel or sold in various size parcels to different users, it can be divisible to 1 Acre sites. Water Street can host a multitude of uses including retail, office, medical, sporting venues, entertainment venues, hotels, single family housing, multifamily housing, loft apartments, student housing, research and development, logistic uses, and many others.

Water Street is located approximately one mile from the Interstate 94 Freeway. It is also easily accessed along major tributary roads from the US-23 Freeway and from the Interstate 275 Freeway.

Water Street draws from the Main and Business Campuses for Eastern Michigan University, the city's historic Depot Town area, the Eagle Crest/Marriott Golf and Convention Center, and Frog Island. Downtown Ypsilanti is located approximately 10 to 12 minutes from the Detroit Wayne County Airport and approximately 10 to 12 minutes from Downtown Ann Arbor.

2012 Estimated Demographics	1 mile	3 miles	5 miles
POPULATION	15,895	72,167	118,582
HOUSEHOLDS	6,112	30,322	49,747
AVE HH INCOME	$38,798	$52,677	$61,190
EMPLOYEES	5,586	25,399	44,176

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CBRE

WATER STREET PROJECT

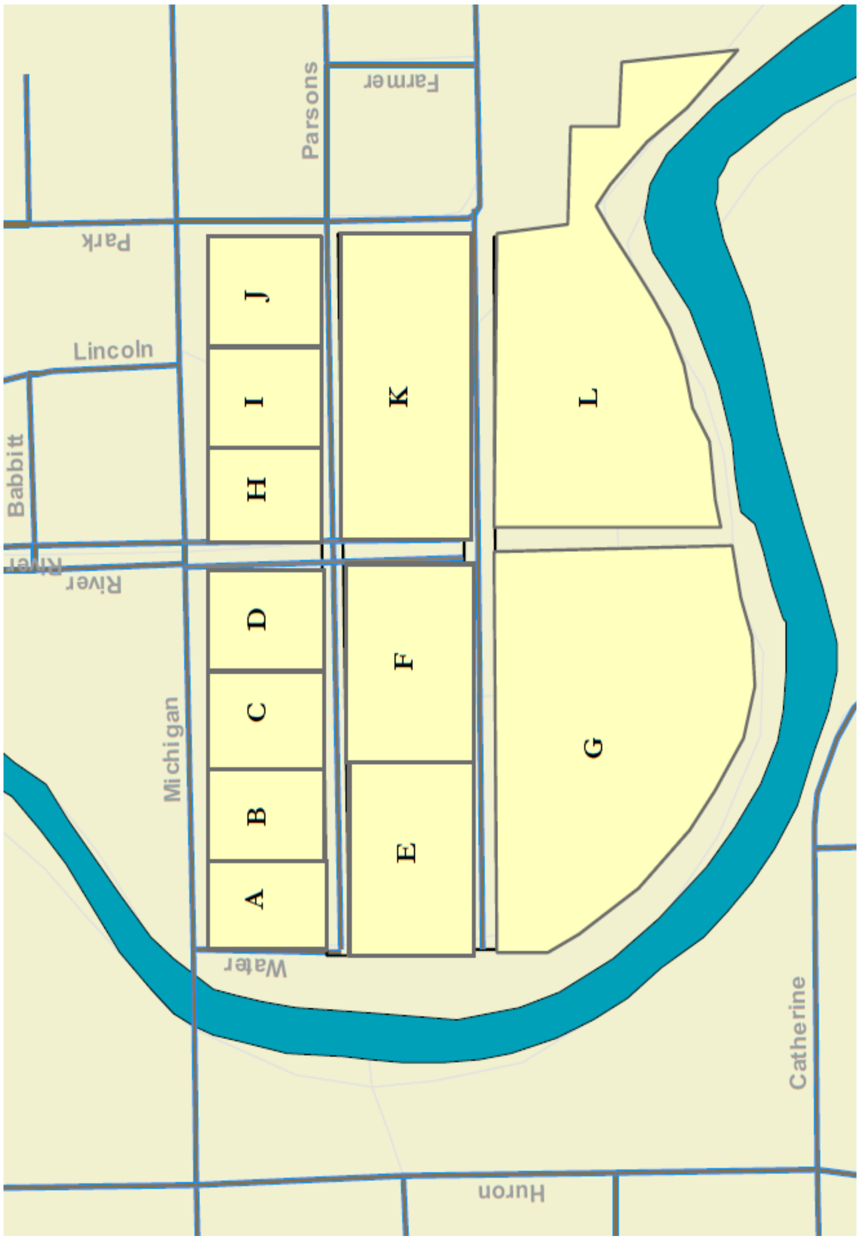
10-200 E. MICHIGAN AVENUE, YPSILANTI, MICHIGAN

PRIME MIXED-USE REDEVELOPMENT PROPERTY

1 to 38.5 acres

Michigan Avenue

Downtown Ypsilanti



WATER STREET REDEVELOPMENT AREA PARCEL SIZES

PARCEL	PARCEL SIZE
A	.9 acres
B	1 acre
C	1 acre
D	1 acre
E	2.2 acres
F	2.4 acres
G	8 acres
H	1 acre
I	1 acre
J	1.15 acres
K	3.7 acres
L	6.2 acres

NOTE *- This guide is for reference. Pictured parcels can be combined or divided, provided there are no "orphan parcels". For example; preference for a parcel no smaller than one acre with direct access to street frontage (existing or planned). Future access to the rear of the site is a deciding factor in how parcels are divided and sold.*

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CBRE

WATER STREET PROJECT

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Build your future in Ypsilanti

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WATER STREET PROJECT

10-200 E. MICHIGAN AVENUE, YPSILANTI, MICHIGAN

WHY YPSILANTI?

Ypsilanti, Michigan is a small city with a vibrant spirit. Ypsilanti has two historic business districts, close proximity to two airports, a well regarded regional university, and a vibrant arts and entrepreneurial culture:

Ypsi have an arts incubator, Shadow Art Fair, Mittensfest and boast the only mayoral candidate debate ever moderated by a puppet. Yes, we're that kind of town, but we're serious about business. Read on to learn more about what an Ypsilanti location means for your firm.

Demographics

The Ypsilanti area is part of the Ann Arbor MSA and boasts a young and well-educated population.

POPULATION

Washtenaw County	347,376
Ypsilanti City	19,435
Within 30 mile commute	1,109,000

MEDIAN HOUSEHOLD INCOME

$54,939

AGE AND EDUCATION LEVEL

Washtenaw County is one of the top locations for a young and educated workforce (source: Wadley-Donovan). The median age in Washtenaw County is 32.9 years, compared to 36.6 years in the US. In Ypsilanti, the median age is 24.9. The residents are highly educated; 50.2% have a bachelor's degree or higher.

MEDIAN AGE (2010)

Ypsilanti	24.9
Michigan	38.9
U.S.	35.3

EDUCATION LEVEL WASHTENAW COUNTY

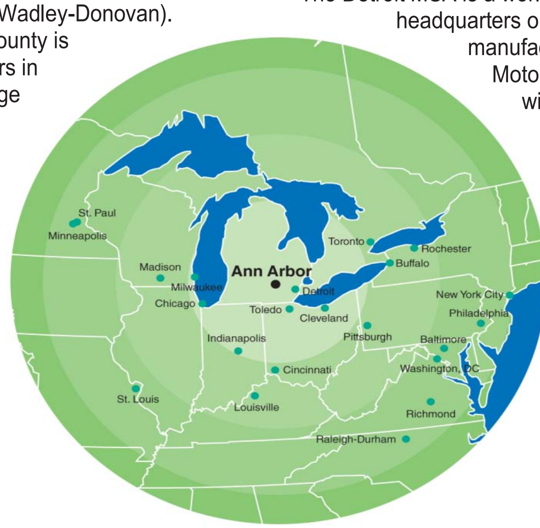
Bachelor's degree or higher	54.1%
United States	24.4%

Source: US Census

YPSILANTI COST OF LIVING

Overall	90
Food	95
Utilities	102
Miscellaneous	91
US Average	100

The Detroit MSA is a world center for automotive headquarters operations, research, design, and manufacture. The headquarters of Ford Motor Company, GM, and Chrysler are within 60 miles of Ypsilanti.



Ypsilanti area industry sectors include software/IT, data and information, life sciences, and photonics. The Ann Arbor MSA is where business intersects with advanced research, out-of-the-box thinkers, abundant financial resources, a vibrant economic development initiative and an immense talent pool.

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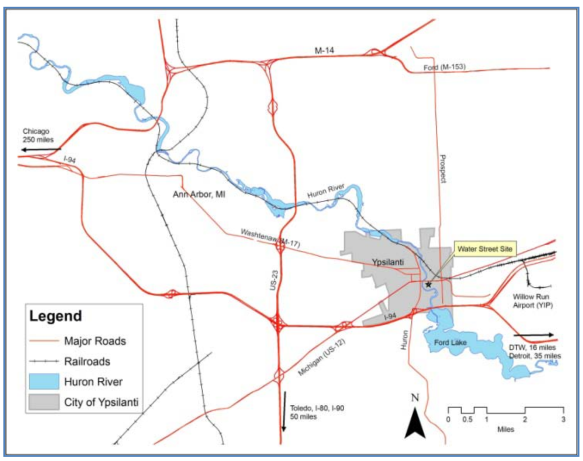
Ypsilanti - Open for Business

Location and Communications Infrastructure

Ypsilanti provides close and central proximity to major Midwest travel and business destinations. Located 10 miles from the city of Ann Arbor and 33 miles from the city of Detroit, Ypsilanti is an easy commute for employees and business travelers. Toll-free interstate highways connect Ypsilanti to major US cities and the Canadian market.

I-94 connects Ypsilanti to Detroit and the Canadian market. US23 and M14 allow easy commute from the greater Detroit region.



Detroit Metropolitan Airport (DTW) is 15 miles from downtown Ypsilanti. Detroit Metropolitan Airport is ranked #11 nationally and is the major Delta hub. Annual business passengers equal 19,996,045 and annual international passengers equal 2,973,308. Primary international destinations are Amsterdam, Frankfort, London, Toronto, and Tokyo.

Ypsilanti is within 100 miles of three deepwater Michigan ports, in Detroit, Monroe, and Port Huron.

Ypsilanti is 10 miles from Ann Arbor,
33 miles from Detroit,
4 miles from Willow Run Airport, and
15 miles from Detroit Metro Airport.

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Business Community Profile

In addition to many established industries, the area has become a magnet for emerging and rapidly growing sectors such as:

- Automotive R&D and Engineering
- Software/IT
- Life Sciences
- Information

TOP 25 WASHTENAW COUNTY EMPLOYERS (OCT 2010)

Company Name	Business Description	Employees
University of Michigan	Public University	16,143
University of Michigan Medical School	Medical Center	12,000
Trinity Health	Medical Center	4,500
Ann Arbor Public Schools	Public School	3,000
Eastern Michigan University	Public University	1,932
Thomson Reuters	Information	1,720
Washtenaw Community College	Education	1,559
Washtenaw County	County government	1,300
ACH Saline	Manufacturer of instrument panels, consoles	1,300
Veteran's Administration Medical Center	Medical center	1,230
Toyota Technical Center	Automotive research	1,060
United States Post Office	U.S. government	923
CitiGroup	Mortgage lender	850
Ford Motor Company	Manufacturer of automotive parts	800
Chelsea Community Hospital	Medical Center	800
City of Ann Arbor	Municipality	780
Saline Public Schools	Public School	613
Sheridan Books	Book printing	580
Zingerman's	Deli, restaurant	500
Domino's Pizza, Inc.	Company headquarters	550
ProQuest	Online information	475
Edwards Brothers, Inc.	Book printing	450
General Dynamics	Advanced Information systems	400

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Area Workforce and Education

Ypsilanti is part of the Ann Arbor MSA. The labor market extends into the adjacent Detroit/Livonia/Dearborn MSA, providing a labor pool of 1,109,000 within a 30-minute commute of Ypsilanti.

Sample Employment by Occupation

Job Title	Ann Arbor MSA	Detroit/Livonia/ Dearborn MSA	Total both MSAs
Electrical engineers	370	1090	1460
Mechanical engineers	1460	6000	7460
Computer programmers	1130	1750	2880
Chemists	380	530	910

Source: BLS

University of Michigan - An Educational Powerhouse

In the 2009-10 fiscal year, U-M research spending grew by 12 percent to an all-time record of $1.14 billion – putting Michigan in the #1 spot nationally for research funding at public universities. Of that record-breaking amount, more than $37 million was sourced by grants from the Departments of Energy and Transportation.

Area College Graduates

The Ypsilanti area is home to four colleges and universities, providing a source of new talent.

Eastern Michigan University (2010)	Number
Total graduates	5,223

University of Michigan Graduates (2010)	Number
Total graduates	12,516

Washtenaw Community College (2011)	Number
Total enrollment	12,330

Eastern Michigan University Research Centers

Textiles Research and Training Institute for automotive interiors

Coatings Research Institute – industrial and automotive coatings and polymers

Center for Product Research and Development – concept design and prototyping

EPA National Fuel and Vehicle Laboratory

The US EPA's center for testing vehicles, engines and fuels is located in Ann Arbor. The laboratory tests light-duty cars and trucks, heavy duty trucks for emissions and fuel economy.

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ARTS, CULTURE AND RECREATION

Ypsilanti's arts scene provides a wide variety of venues. The **Michigan Firehouse Museum**, the **Ypsilanti Automotive Heritage Museum**, and the **Ypsilanti Historical Museum** give visitors a sense of the city's past. **Spur Studios**, an incubator for artists and musicians, the **Shadow Art Fair**, and the **Riverside Arts Center** give visitors a taste of the city's present.

Ypsilanti hosts festivals and events year round. Among the best are the **Brewers Guild festival**, **Michigan Elvis Fest**, the **Ypsilanti Heritage Festival**, and **the Thunder over Michigan** air show hosted by the Yankee Air Museum.

The **Ypsilanti Food Coop** began in the 1970s and has expanded several times to meet demand for fresh, wholesome food.

Ypsilanti has **two farmers' markets**, one at the historic freight house in Depot Town and one in downtown Ypsilanti.

Washtenaw County residents value their parks. The city of Ypsilanti alone has seven neighborhood parks totaling 84 acres.

Washtenaw County has set aside 13,206 acres of land in 30 parks. Recreation opportunities abound. Kayaking and canoeing, cross-country skiing, Frisbee golf, nature trails, and geocaching can all be tried in area parks.

RANKINGS

2011 "Most Well-Read Cities in America"
Ann Arbor #4, Amazon.com

2011 "25 Smartest College Towns in the "US"
Ann Arbor #4, Daily Beast

2011 "America's 20 Geekiest Cities,"
Ann Arbor #16, Forbes

2011 "10 Most Affordable Places to Live,"
Ann Arbor #6, MSN Real Estate

2010 "Best College Sports Towns"
Ann Arbor #1, Forbes

2010 "Most Educated Cities in US"
Ann Arbor #2, American Community Survey

2010 "Top Digital Cities"
Ann Arbor #6, Center for Digital Government

2010 "20 Most Innovative Cities in the Nation (and Canada)"
Ann Arbor #12

2010 "75 Best College Towns and Cities"
Ann Arbor #2, American Institute for Economic Research

2010 "10 Great Cities for Raising Families"
Ann Arbor #2, Kiplinger

2010 "Best Places for Recent College Grads"
Ann Arbor #3, Forbes.com

2010 "Wall Street Journal Recruiters Survey"
University of Michigan BBA No. 1 for business, No. 1 for finance, No. 3 for computer science

2010 "America's Most Livable Cities"
Ann Arbor #4, Forbes.com

2010 "Best Cities for Families"
Ann Arbor #4, Parenting Magazine

2010 "Top 10 College Towns"
Ann Arbor #1, Forbes magazine

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Talent Enhancement

Ann Arbor SPARK, Washtenaw County - Employment Training & Community Services, and Michigan Works! combine to provide an extensive talent package for regional attraction companies. The Talent Team works with a staff of recruiting professionals that help hundreds of companies per year and help place thousands of employees each year in the region.

The following programs are customized to a specific company's need and are designed to attract, train and retain key talent that will help drive business success in the Ann Arbor region.

Talent Partnership: Team Talent works closely with the management team to plan and implement a talent program that will meet specific needs in terms of high quality talent acquisition. We will integrate the following programs into existing company HR efforts and recruiting processes to ensure seamless support.

Talent Identification: Team Talent will use the following tools to identify potential candidates:

- Post positions on the Michigan Talent Bank, Ann Arbor SPARK website, Craigslist, e-Washtenaw and through University Alumni websites
- Search the Michigan Talent Bank, a database of thousands of qualified candidates, and screen potential candidates
- Feature opportunities in the Ann Arbor SPARK weekly talent newsletter
- Selective networking through Linked-In, My Space and Facebook
- Host senior level, invitation-only career networking events
- Connections to Michigan college and university placement offices for on-campus interviewing and promotions, as well as a feature in communications to all college placement offices and on our "College Connections" web portal for college students

Talent Screening: Team Talent will screen candidates based on your specifications and will work with you to include your postings in Job Fit, which is a system to benchmark your top performers, and then find people with an appropriate background and personality profile.

Talent Interviewing: Team Talent can contact candidates and schedule interviews at the Washtenaw County ETCS facility in the Key Bank building or at a future company office.

Training Programs: Team Talent will work closely with you to model co-op and internship programs to integrate into the colleges and universities that graduate approximately 50,000 students per year.

Training Grants: Team Talent will work closely with you to maximize utilization of worker training programs and funds that are available for companies in our region.

Relocation & Spousal Assistance: We will also work with local realtors and other partners to connect relocating employees with housing, education and community resources to quickly welcome them into the community. Team Talent will also meet with any transferring employee's spouse to understand their career objectives, and will make critical introductions to integrate the spouse into the relevant professional communities.

Talent Portal

Ann Arbor USA offers automotive companies a multitude of access points to talent. One of the most popular is the Talent Portal - a free online job posting system that spotlights executive and knowledge-based positions as well as internships and positions for new college graduates. In 2010, more than 400 companies posted over 1,300 jobs to the Talent Portal. Of those companies, 41 percent hired at least one new employee identified through the portal.

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Demographic Report

CBRE
CB RICHARD ELLIS

		39 Water St 1 mile radius	39 Water St 3 mile radius	39 Water St 5 mile radius	39 Water St 10 mile radius
POPULATION	2011 Estimated Population	15,803	72,040	118,594	379,529
	2016 Projected Population	15,375	71,942	120,719	384,660
	2000 Census Population	16,999	72,608	111,077	357,452
	1990 Census Population	14,960	73,625	103,062	305,709
	Growth 2000-2011	-7.03%	-0.78%	6.77%	6.18%
	Growth 2011-2016	-2.71%	-0.14%	1.79%	1.35%
	2011 Estimated Median Age	23.88	29.73	32.36	33.67
	2011 Estimated Average Age	31.70	34.03	34.92	35.60
HOUSEHOLDS	2011 Estimated Households	6,067	30,389	49,761	149,383
	2016 Projected Households	5,859	29,935	49,865	149,616
	2000 Census Households	6,241	29,572	45,432	138,226
	1990 Census Households	5,998	27,877	39,546	112,517
	Growth 2000-2011	-2.80%	2.76%	9.53%	8.07%
	Growth 2011-2016	-3.42%	-1.49%	0.21%	0.16%
	2011 Est. Average Household Size	2.02	2.26	2.30	2.42
INCOME	2011 Est. Median Household Income	$29,303	$40,179	$46,652	$57,289
	2016 Prj. Median Household Income	$29,263	$40,307	$47,113	$57,853
	2000 Cen. Median Household Income	$27,506	$39,058	$43,747	$53,351
	1990 Cen. Median Household Income	$20,879	$30,454	$32,313	$36,635
	2011 Est. Average Household Income	$39,045	$52,486	$61,185	$75,356
	2011 Estimated Per Capita Income	$16,204	$22,343	$26,003	$30,075
HOUSING	2011 Estimated Housing Units	6,712	32,598	53,218	158,974
	2011 Estimated Occupied Units	6,067	30,389	49,761	149,383
	2011 Estimated Vacant Units	645	2,209	3,457	9,590
	2011 Est. Owner Occupied Units	2,035	15,007	28,693	94,558
	2011 Est. Renter Occupied Units	4,031	15,382	21,068	54,826
	2011 Est. Median Housing Value	$114,268	$125,493	$142,505	$185,540
	2011 Est. Average Housing Value	$133,974	$137,151	$154,897	$213,811

Prepared On: 8/10/2011 12:09:05 PM

MAPPING CENTER

Demographic Report

CBRE
CB RICHARD ELLIS

		39 Water St 1 mile radius		39 Water St 3 mile radius		39 Water St 5 mile radius		39 Water St 10 mile radius	
INCOME	2011 Estimated Households	6,067		30,389		49,761		149,383	
	- Income Less than $15,000	1,618	(26.7%)	5,188	(17.1%)	6,843	(13.8%)	16,858	(11.3%)
	- Income $15,000 to $24,999	989	(16.3%)	3,722	(12.2%)	5,330	(10.7%)	13,261	(8.9%)
	- Income $25,000 to $34,999	952	(15.7%)	4,313	(14.2%)	6,157	(12.4%)	14,592	(9.8%)
	- Income $35,000 to $49,999	953	(15.7%)	5,227	(17.2%)	8,247	(16.6%)	21,085	(14.1%)
	- Income $50,000 to $74,999	759	(12.5%)	5,469	(18.0%)	9,635	(19.4%)	27,456	(18.4%)
	- Income $75,000 to $99,999	454	(7.5%)	3,123	(10.3%)	6,063	(12.2%)	20,380	(13.6%)
	- Income $100,000 to $149,999	254	(4.2%)	2,376	(7.8%)	5,094	(10.2%)	22,523	(15.1%)
	- Income $150,000 to $199,999	54	(.9%)	559	(1.8%)	1,234	(2.5%)	6,936	(4.6%)
	- Income $200,000 to $499,999	30	(.5%)	362	(1.2%)	963	(1.9%)	5,426	(3.6%)
	- Income $500,000 and over	3	(.0%)	50	(.2%)	195	(.4%)	865	(.6%)
	2011 Est. Average Household Income	$39,045		$52,486		$61,185		$75,356	
	2016 Prj. Average Household Income	$39,219		$52,499		$61,434		$75,770	
	2000 Cen. Avg. Household Income	$37,315		$51,075		$57,661		$69,408	
	1990 Cen. Avg. Household Income	$26,278		$37,045		$40,577		$46,628	
HOUSEHOLD SIZE	2011 Estimated Households by Household Size	6,067		30,389		49,761		149,383	
	- 1 Person Household	2,802	(46.2%)	10,760	(35.4%)	16,704	(33.6%)	44,715	(29.9%)
	- 2 Person Household	1,696	(28.0%)	9,616	(31.6%)	16,035	(32.2%)	47,944	(32.1%)
	- 3 Person Household	760	(12.5%)	4,720	(15.5%)	7,917	(15.9%)	24,334	(16.3%)
	- 4 Person Household	470	(7.7%)	3,218	(10.6%)	5,624	(11.3%)	20,026	(13.4%)
	- 5 Person Household	190	(3.1%)	1,298	(4.3%)	2,248	(4.5%)	8,193	(5.5%)
	- 6 Person Household	101	(1.7%)	538	(1.8%)	868	(1.7%)	2,939	(2.0%)
	- 7 or More Person Household	46	(.8%)	238	(.8%)	367	(.7%)	1,232	(.8%)
	2011 Est. Average Household Size	2.02		2.26		2.30		2.42	
VEHICLES	2011 Estimated Households by Number of Vehicles	6,067		30,389		49,761		149,383	
	- Households with No Vehicles	918	(15.1%)	2,824	(9.3%)	3,810	(7.7%)	9,808	(6.6%)
	- Households with 1 Vehicle	2,774	(45.7%)	12,427	(40.9%)	19,332	(38.8%)	53,314	(35.7%)
	- Households with 2 Vehicles	1,600	(26.4%)	10,762	(35.4%)	19,319	(38.8%)	61,240	(41.0%)
	- Households with 3 Vehicles	463	(7.6%)	3,024	(10.0%)	5,245	(10.5%)	17,584	(11.8%)
	- Households with 4 Vehicles	169	(2.8%)	1,014	(3.3%)	1,504	(3.0%)	5,124	(3.4%)
	- Households with 5+ Vehicles	142	(2.3%)	339	(1.1%)	551	(1.1%)	2,314	(1.5%)
	2011 Est. Average Number of Vehicles	1.46		1.61		1.66		1.76	

Demographic Report

CBRE
CB RICHARD ELLIS

		39 Water St 1 mile radius	39 Water St 3 mile radius	39 Water St 5 mile radius	39 Water St 10 mile radius
RACE & ETHNICITY	2011 Estimated Population by Race and Origin	15,803	72,040	118,594	379,529
	- White Population	9,451 (59.8%)	41,176 (57.2%)	74,493 (62.8%)	279,933 (73.8%)
	- Black Population	5,248 (33.2%)	23,259 (32.3%)	30,287 (25.5%)	46,103 (12.1%)
	- Asian Population	267 (1.7%)	2,972 (4.1%)	6,317 (5.3%)	35,988 (9.5%)
	- Pacific Islander Population	5 (.0%)	36 (.0%)	73 (.1%)	164 (.0%)
	- American Indian and Alaska Native	78 (.5%)	352 (.5%)	623 (.5%)	1,374 (.4%)
	- Other Race Population	247 (1.6%)	1,308 (1.8%)	2,186 (1.8%)	4,614 (1.2%)
	- Two or More Races Population	507 (3.2%)	2,938 (4.1%)	4,615 (3.9%)	11,353 (3.0%)
	- Hispanic Population	474 (3.0%)	2,972 (4.1%)	5,115 (4.3%)	14,384 (3.8%)
	- White Non-Hispanic Population	9,651 (61.1%)	41,852 (58.1%)	75,257 (63.5%)	279,813 (73.7%)
AGE	2011 Estimated Population by Age	15,803	72,040	118,594	379,529
	- Aged 0 to 4 Years	624 (3.9%)	4,775 (6.6%)	8,089 (6.8%)	23,465 (6.2%)
	- Aged 5 to 9 Years	642 (4.1%)	4,572 (6.3%)	7,738 (6.5%)	22,998 (6.1%)
	- Aged 10 to 14 Years	619 (3.9%)	4,490 (6.2%)	7,624 (6.4%)	23,213 (6.1%)
	- Aged 15 to 17 Years	328 (2.1%)	2,404 (3.3%)	4,273 (3.6%)	14,747 (3.9%)
	- Aged 18 to 20 Years	3,485 (22.1%)	6,281 (8.7%)	8,043 (6.8%)	27,853 (7.3%)
	- Aged 21 to 24 Years	2,863 (18.1%)	7,969 (11.1%)	11,371 (9.6%)	34,685 (9.1%)
	- Aged 25 to 34 Years	1,919 (12.1%)	9,996 (13.9%)	15,922 (13.4%)	48,640 (12.8%)
	- Aged 35 to 44 Years	1,769 (11.2%)	9,878 (13.7%)	17,199 (14.5%)	52,477 (13.8%)
	- Aged 45 to 54 Years	1,275 (8.1%)	8,235 (11.4%)	14,768 (12.5%)	53,228 (14.0%)
	- Aged 55 to 64 Years	1,056 (6.7%)	7,015 (9.7%)	12,388 (10.4%)	42,905 (11.3%)
	- Aged 65 to 74 Years	590 (3.7%)	3,812 (5.3%)	6,568 (5.5%)	21,347 (5.6%)
	- Aged 75 to 84 Years	384 (2.4%)	1,856 (2.6%)	3,221 (2.7%)	9,996 (2.6%)
	- Aged 85 Years and Older	250 (1.6%)	755 (1.0%)	1,391 (1.2%)	3,974 (1.0%)
	2011 Estimated Median Age	23.88	29.73	32.36	33.67
	2011 Estimated Average Age	31.70	34.03	34.92	35.60
EDUCATION	2011 Estimated Population Over 25 by Educational Attainment	7,242	41,548	71,457	232,568
	- Less than 9th Grade	296 (4.1%)	1,280 (3.1%)	1,861 (2.6%)	4,850 (2.1%)
	- High School - No Diploma	613 (8.5%)	3,139 (7.6%)	4,863 (6.8%)	11,780 (5.1%)
	- High School Diploma	1,635 (22.6%)	8,991 (21.6%)	14,997 (21.0%)	42,777 (18.4%)
	- Some College	1,973 (27.2%)	10,737 (25.8%)	17,399 (24.3%)	46,866 (20.2%)
	- Associate Degree	507 (7.0%)	3,453 (8.3%)	5,830 (8.2%)	16,200 (7.0%)
	- Bachelor's Degree	1,346 (18.6%)	7,967 (19.2%)	14,634 (20.5%)	55,211 (23.7%)
	- Master's Degree	731 (10.1%)	4,350 (10.5%)	8,177 (11.4%)	36,421 (15.7%)
	- Professional Degree	60 (.8%)	714 (1.7%)	1,711 (2.4%)	7,966 (3.4%)
	- Doctoral Degree	81 (1.1%)	918 (2.2%)	1,985 (2.8%)	10,496 (4.5%)

Demographic Report

CBRE
CB RICHARD ELLIS

		39 Water St 1 mile radius		39 Water St 3 mile radius		39 Water St 5 mile radius		39 Water St 10 mile radius	
HOUSING VALUE	2011 Estimated Owner Occupied Units by Housing Value	2,035		15,007		28,693		94,558	
	- Valued Less than $20,000	28	(1.4%)	311	(2.1%)	1,378	(4.8%)	3,828	(4.0%)
	- Valued $20,000-$39,999	53	(2.6%)	227	(1.5%)	1,233	(4.3%)	3,046	(3.2%)
	- Valued $40,000-$59,999	113	(5.6%)	581	(3.9%)	1,349	(4.7%)	2,575	(2.7%)
	- Valued $60,000-$79,999	207	(10.2%)	1,335	(8.9%)	2,084	(7.3%)	3,424	(3.6%)
	- Valued $80,000-$99,999	370	(18.2%)	2,339	(15.6%)	2,754	(9.6%)	4,621	(4.9%)
	- Valued $100,000-$149,999	759	(37.3%)	4,955	(33.0%)	6,516	(22.7%)	14,644	(15.5%)
	- Valued $150,000-$199,999	373	(18.3%)	3,310	(22.1%)	6,541	(22.8%)	21,028	(22.2%)
	- Valued $200,000-$299,999	109	(5.4%)	1,502	(10.0%)	4,836	(16.9%)	23,607	(25.0%)
	- Valued $300,000-$399,999	16	(.8%)	235	(1.6%)	927	(3.2%)	9,255	(9.8%)
	- Valued $400,000-$499,999	7	(.3%)	95	(.6%)	501	(1.7%)	4,546	(4.8%)
	- Valued $500,000-$749,999	0		63	(.4%)	347	(1.2%)	2,755	(2.9%)
	- Valued $750,000-$999,999	0		32	(.2%)	135	(.5%)	770	(.8%)
	- Valued More than $1,000,000	0		22	(.1%)	92	(.3%)	458	(.5%)
	2011 Est. Median Housing Value	$114,268		$125,493		$142,505		$185,540	
	2011 Est. Average Housing Value	$133,974		$137,151		$154,897		$213,811	
HOUSING TYPE	2011 Estimated Housing Units by Housing Type	6,712		32,598		53,218		158,974	
	- 1 Unit Detached	2,503	(37.3%)	15,680	(48.1%)	26,022	(48.9%)	86,592	(54.5%)
	- 1 Unit Attached	134	(2.0%)	1,125	(3.5%)	2,768	(5.2%)	9,986	(6.3%)
	- 2 Units	520	(7.7%)	855	(2.6%)	1,131	(2.1%)	3,624	(2.3%)
	- 3-19 Units	2,649	(39.5%)	10,937	(33.6%)	14,714	(27.6%)	36,455	(22.9%)
	- 20-49 Units	439	(6.5%)	2,083	(6.4%)	2,685	(5.0%)	6,836	(4.3%)
	- 50+ Units	439	(6.5%)	1,262	(3.9%)	1,764	(3.3%)	5,676	(3.6%)
	- Mobile Home	27	(.4%)	656	(2.0%)	4,130	(7.8%)	9,798	(6.2%)
	- Boat, RV, Van or Other	0		0		3	(.0%)	8	(.0%)
UNIT BUILT	2011 Estimated Housing Units by Year Structure Built	6,712		32,598		53,218		158,974	
	- Structure Built 2000 or Later	306	(4.6%)	2,330	(7.1%)	6,887	(12.9%)	20,982	(13.2%)
	- Structure Built 1990 to 1999	65	(1.0%)	2,770	(8.5%)	7,148	(13.4%)	29,154	(18.3%)
	- Structure Built 1980 to 1989	246	(3.7%)	3,052	(9.4%)	5,796	(10.9%)	18,081	(11.4%)
	- Structure Built 1970 to 1979	742	(11.1%)	8,179	(25.1%)	11,617	(21.8%)	33,401	(21.0%)
	- Structure Built 1960 to 1969	1,029	(15.3%)	5,854	(18.0%)	8,275	(15.5%)	20,896	(13.1%)
	- Structure Built 1950 to 1959	1,033	(15.4%)	4,955	(15.2%)	6,345	(11.9%)	15,447	(9.7%)
	- Structure Built 1940 to 1949	981	(14.6%)	2,121	(6.5%)	3,071	(5.8%)	7,085	(4.5%)
	- Structure Built Before 1939	2,310	(34.4%)	3,335	(10.2%)	4,079	(7.7%)	13,928	(8.8%)
	2011 Est. Median Year Structure Built	1951		1970		1974		1976	

Demographic Report

CBRE
CB RICHARD ELLIS

		39 Water St 1 mile radius	39 Water St 3 mile radius	39 Water St 5 mile radius	39 Water St 10 mile radius
SEX	2011 Estimated Population by Sex	15,803	72,040	118,594	379,529
	- Male	7,406 (46.9%)	34,768 (48.3%)	57,883 (48.8%)	187,627 (49.4%)
	- Female	8,397 (53.1%)	37,271 (51.7%)	60,711 (51.2%)	191,903 (50.6%)
MARITAL STATUS	2011 Estimated Pop. over 15 by Marital Status	13,918	58,202	95,144	309,853
	- Males Never Married	4,313 (31.0%)	13,650 (23.5%)	20,452 (21.5%)	65,606 (21.2%)
	- Males Married	1,302 (9.4%)	10,565 (18.2%)	19,785 (20.8%)	71,716 (23.1%)
	- Males Widowed	152 (1.1%)	568 (1.0%)	915 (1.0%)	2,564 (.8%)
	- Males Divorced	640 (4.6%)	2,886 (5.0%)	4,704 (4.9%)	12,247 (4.0%)
	- Females Never Married	5,276 (37.9%)	15,071 (25.9%)	20,960 (22.0%)	62,690 (20.2%)
	- Females Married	1,266 (9.1%)	10,236 (17.6%)	19,352 (20.3%)	70,422 (22.7%)
	- Females Widowed	405 (2.9%)	1,755 (3.0%)	3,022 (3.2%)	8,576 (2.8%)
	- Females Divorced	565 (4.1%)	3,470 (6.0%)	5,953 (6.3%)	16,032 (5.2%)
GQ	2011 Estimated Population in Group Quarters	3,657	3,787	4,479	17,405
	- Institutional Group Quarters	194 (5.3%)	217 (5.7%)	791 (17.7%)	2,497 (14.3%)
	- Non-Institutional Group Quarters	3,463 (94.7%)	3,570 (94.3%)	3,688 (82.3%)	14,908 (85.7%)
MOVED IN	2011 Estimated Occupied Housing Units by Year Occ. Moved In	6,067	30,389	49,761	149,383
	- Moved In 2000 or Later	4,893 (80.6%)	21,565 (71.0%)	33,885 (68.1%)	92,308 (61.8%)
	- Moved In 1990-1999	595 (9.8%)	4,706 (15.5%)	9,625 (19.3%)	34,684 (23.2%)
	- Moved In 1980-1989	231 (3.8%)	1,734 (5.7%)	2,822 (5.7%)	10,918 (7.3%)
	- Moved In 1970-1979	127 (2.1%)	1,257 (4.1%)	1,870 (3.8%)	7,064 (4.7%)
	- Moved In 1969 or Earlier	221 (3.6%)	1,126 (3.7%)	1,559 (3.1%)	4,410 (3.0%)

Demographic Report

CBRE
CB RICHARD ELLIS

		39 Water St 1 mile radius		39 Water St 3 mile radius		39 Water St 5 mile radius		39 Water St 10 mile radius	
OCCUPATION	2011 Estimated Employed Population by Occupation	9,026		39,674		65,466		207,252	
	- Management	388	(4.3%)	2,591	(6.5%)	5,115	(7.8%)	22,106	(10.7%)
	- Business and Financial Operations	231	(2.6%)	1,403	(3.5%)	2,536	(3.9%)	8,904	(4.3%)
	- Professional and Related	1,495	(16.6%)	7,453	(18.8%)	13,226	(20.2%)	52,345	(25.3%)
	- Sales	1,296	(14.4%)	3,872	(9.8%)	6,344	(9.7%)	20,299	(9.8%)
	- Office Support	1,734	(19.2%)	6,460	(16.3%)	9,948	(15.2%)	26,868	(13.0%)
	- Service	2,124	(23.5%)	7,454	(18.8%)	11,088	(16.9%)	28,938	(14.0%)
	- Health Care Support	568	(6.3%)	3,424	(8.6%)	6,054	(9.2%)	19,029	(9.2%)
	- Farming, Fishing, and Forestry	7	(.1%)	27	(.1%)	83	(.1%)	321	(.2%)
	- Construction, Extraction, and Maintenance	408	(4.5%)	2,248	(5.7%)	3,719	(5.7%)	10,307	(5.0%)
	- Production, Transportation, and Material Moving	775	(8.6%)	4,743	(12.0%)	7,353	(11.2%)	18,136	(8.8%)
TRANSPORTATION	2011 Estimated Employed Population Over 16 by Primary Transportation to Work	8,720		38,812		64,110		203,202	
	- Car, Truck, Van or Motorcycle to Work	5,347	(61.3%)	29,712	(76.6%)	50,461	(78.7%)	156,067	(76.8%)
	- Carpooled	707	(8.1%)	3,795	(9.8%)	6,066	(9.5%)	15,078	(7.4%)
	- Public Transportation to Work	538	(6.2%)	1,615	(4.2%)	2,351	(3.7%)	7,344	(3.6%)
	- Other Transportation to Work	1,790	(20.5%)	2,584	(6.7%)	3,282	(5.1%)	15,838	(7.8%)
	- Work at Home	337	(3.9%)	1,107	(2.9%)	1,948	(3.0%)	8,876	(4.4%)
TRAVEL TIME	2011 Estimated Employed Population Over 16 by Travel Time to Work	8,720		38,812		64,110		203,202	
	- Travel Time Less than 15 Min	3,100	(35.6%)	10,626	(27.4%)	16,853	(26.3%)	57,376	(28.2%)
	- Travel Time 15-29 Min	3,450	(39.6%)	17,559	(45.2%)	28,605	(44.6%)	80,328	(39.5%)
	- Travel Time 30-44 Min	1,172	(13.4%)	6,128	(15.8%)	10,847	(16.9%)	37,377	(18.4%)
	- Travel Time 45-59 Min	381	(4.4%)	2,004	(5.2%)	3,604	(5.6%)	12,913	(6.4%)
	- Travel Time 60+ Min	382	(4.4%)	1,756	(4.5%)	2,905	(4.5%)	9,071	(4.5%)
	- 2011 Est. Average Travel Time	23.12		24.70		25.19		25.26	
EMPLOYMENT	Estimated Population Over 16 Years Old by Employment Status	13,804		57,374		93,693		304,879	
	- Civilian Males	3,459	(25.1%)	16,863	(29.4%)	28,880	(30.8%)	96,090	(31.5%)
	- Civilian Females	4,383	(31.8%)	18,297	(31.9%)	29,546	(31.5%)	90,511	(29.7%)
	- Armed Forces Male	3	(.0%)	46	(.1%)	114	(.1%)	246	(.1%)
	- Armed Forces Female	0		2	(.0%)	4	(.0%)	11	(.0%)
	- Unemployed Males	669	(4.8%)	2,402	(4.2%)	3,383	(3.6%)	9,948	(3.3%)
	- Unemployed Females	569	(4.1%)	1,689	(2.9%)	2,546	(2.7%)	7,228	(2.4%)
	- Not in the Labor Force Male	2,208	(16.0%)	7,933	(13.8%)	12,729	(13.6%)	43,317	(14.2%)
	- Not in the Labor Force Female	2,514	(18.2%)	10,142	(17.7%)	16,490	(17.6%)	57,528	(18.9%)

Demographic Report

CBRE
CB RICHARD ELLIS

		39 Water St 1 mile radius	39 Water St 3 mile radius	39 Water St 5 mile radius	39 Water St 10 mile radius
INDUSTRY	2011 Estimated Employed Population by Industry Employed In	9,026	39,674	65,466	207,252
	- Agriculture, Forestry, Fishing, Hunting, Mining	6 (.1%)	62 (.2%)	143 (.2%)	613 (.3%)
	- Construction	237 (2.6%)	1,156 (2.9%)	1,982 (3.0%)	6,318 (3.0%)
	- Manufacturing	617 (6.8%)	4,746 (12.0%)	8,195 (12.5%)	28,107 (13.6%)
	- Wholesale Trade	66 (.7%)	661 (1.7%)	1,228 (1.9%)	4,067 (2.0%)
	- Retail Trade	1,291 (14.3%)	4,342 (10.9%)	7,086 (10.8%)	20,881 (10.1%)
	- Transportation, Warehousing and Utilities	207 (2.3%)	1,474 (3.7%)	2,625 (4.0%)	8,031 (3.9%)
	- Information	197 (2.2%)	868 (2.2%)	1,396 (2.1%)	4,941 (2.4%)
	- Finance, Insurance and Real Estate	308 (3.4%)	1,849 (4.7%)	3,098 (4.7%)	10,027 (4.8%)
	- Professional, Scientific and Technical Services	315 (3.5%)	1,883 (4.7%)	3,624 (5.5%)	15,332 (7.4%)
	- Management	16 (.2%)	38 (.1%)	53 (.1%)	219 (.1%)
	- Educational Services	1,914 (21.2%)	7,127 (18.0%)	11,297 (17.3%)	38,656 (18.7%)
	- Other Services	2,265 (25.1%)	7,858 (19.8%)	11,855 (18.1%)	31,413 (15.2%)
	- Health Care and Social Assistance	1,005 (11.1%)	5,767 (14.5%)	9,761 (14.9%)	29,077 (14.0%)
	- Arts, Entertainment and Recreation	356 (3.9%)	776 (2.0%)	1,196 (1.8%)	4,178 (2.0%)
	- Public Administration	225 (2.5%)	1,068 (2.7%)	1,928 (2.9%)	5,394 (2.6%)
EMPLOYMENT	2011 Estimated Employed Population by Job Type	9,026	39,674	65,466	207,252
	- Blue Collar	1,183 (13.1%)	6,991 (17.6%)	11,072 (16.9%)	28,443 (13.7%)
	- White Collar	5,395 (59.8%)	23,913 (60.3%)	41,162 (62.9%)	144,708 (69.8%)
	- Service & Farm	2,448 (27.1%)	8,770 (22.1%)	13,232 (20.2%)	34,101 (16.5%)
	2011 Estimated Employed Population by Class of Worker	9,026	39,674	65,466	207,252
	- Federal Government Workers	61 (.7%)	501 (1.3%)	1,004 (1.5%)	2,891 (1.4%)
	- For-Profit Private Workers	5,781 (64.0%)	25,849 (65.2%)	42,361 (64.7%)	130,543 (63.0%)
	- Local Government Workers	789 (8.7%)	3,357 (8.5%)	5,184 (7.9%)	14,133 (6.8%)
	- Non-Profit Private Workers	942 (10.4%)	4,295 (10.8%)	7,331 (11.2%)	24,490 (11.8%)
	- Self-Employed Worker	434 (4.8%)	2,106 (5.3%)	3,866 (5.9%)	16,062 (7.7%)
	- State Government Workers	1,012 (11.2%)	3,527 (8.9%)	5,642 (8.6%)	18,906 (9.1%)
	- Unpaid Family Workers	7 (.1%)	40 (.1%)	78 (.1%)	227 (.1%)

Demographic Report

CBRE CB RICHARD ELLIS

	39 Water St 1 mile radius		39 Water St 3 mile radius		39 Water St 5 mile radius		39 Water St 10 mile radius	
ORIGIN								
2011 Estimated Hispanic Population by Origin	474		2,972		5,115		14,384	
- Mexican	314	(66.2%)	1,811	(60.9%)	3,042	(59.5%)	8,357	(58.1%)
- Puerto Rican	51	(10.8%)	348	(11.7%)	628	(12.3%)	1,775	(12.3%)
- Cuban	12	(2.5%)	102	(3.4%)	153	(3.0%)	529	(3.7%)
- All Others	97	(20.5%)	711	(23.9%)	1,292	(25.3%)	3,723	(25.9%)
HISPANIC BY RACE								
2011 Estimated Hispanic Population by Race	474		2,972		5,115		14,384	
- White	165	(34.8%)	1,320	(44.4%)	2,455	(48.0%)	8,357	(58.1%)
- Black	34	(7.2%)	186	(6.3%)	264	(5.2%)	551	(3.8%)
- Am. Indian or Alaska Native	13	(2.7%)	46	(1.5%)	76	(1.5%)	205	(1.4%)
- Asian	2	(.4%)	14	(.5%)	33	(.6%)	132	(.9%)
- Native Haw. Or Pac. Islander	1	(.2%)	5	(.2%)	7	(.1%)	20	(.1%)
- Other	194	(40.9%)	1,065	(35.8%)	1,770	(34.6%)	3,666	(25.5%)
- Two or More	65	(13.7%)	336	(11.3%)	510	(10.0%)	1,453	(10.1%)
ASIAN BY CATEGORY								
2011 Estimated Asian Population by Category	267		2,972		6,317		35,988	
- Chinese, except Taiwanese	60	(22.5%)	676	(22.7%)	1,627	(25.8%)	10,076	(28.0%)
- Filipino	31	(11.6%)	288	(9.7%)	556	(8.8%)	2,043	(5.7%)
- Japanese	13	(4.9%)	116	(3.9%)	266	(4.2%)	1,933	(5.4%)
- Asian Indian	54	(20.2%)	815	(27.4%)	1,779	(28.2%)	12,231	(34.0%)
- Korean	32	(12.0%)	346	(11.6%)	803	(12.7%)	4,916	(13.7%)
- Vietnamese	9	(3.4%)	141	(4.7%)	254	(4.0%)	821	(2.3%)
- Cambodian	1	(.4%)	4	(.1%)	8	(.1%)	14	(.0%)
- Hmong	0		0		0		0	
- Laotian	23	(8.6%)	163	(5.5%)	225	(3.6%)	302	(.8%)
- Thai	3	(1.1%)	67	(2.3%)	118	(1.9%)	298	(.8%)
- Other or 2 or More	41	(15.4%)	354	(11.9%)	679	(10.7%)	3,354	(9.3%)
LANGUAGE								
2011 Estimated Population Over 5 Years Old by Language Spoken at Home	15,179		67,264		110,506		356,064	
- Speak Asian or Pacific Island Language at Home	375	(2.5%)	2,248	(3.3%)	4,257	(3.9%)	20,318	(5.7%)
- Speak IndoEuropean Language at Home	375	(2.5%)	2,032	(3.0%)	4,031	(3.6%)	16,766	(4.7%)
- Speak Only English at Home	13,777	(90.8%)	59,449	(88.4%)	96,645	(87.5%)	302,419	(84.9%)
- Speak Other Language at Home	104	(.7%)	1,343	(2.0%)	2,219	(2.0%)	6,831	(1.9%)
- Speak Spanish at Home	547	(3.6%)	2,192	(3.3%)	3,353	(3.0%)	9,729	(2.7%)

Demographic Report

CBRE
CB RICHARD ELLIS

ANCESTRY	39 Water St 1 mile radius		39 Water St 3 mile radius		39 Water St 5 mile radius		39 Water St 10 mile radius	
2011 Estimated Population by Ancestry	15,803		72,040		118,594		379,529	
- Unclassified	1,501	(9.5%)	6,793	(9.4%)	10,943	(9.2%)	29,850	(7.9%)
- Arab	76	(.5%)	976	(1.4%)	1,869	(1.6%)	6,733	(1.8%)
- Czech	51	(.3%)	171	(.2%)	279	(.2%)	1,117	(.3%)
- Danish	27	(.2%)	119	(.2%)	230	(.2%)	905	(.2%)
- Dutch	94	(.6%)	635	(.9%)	1,141	(1.0%)	4,849	(1.3%)
- English	874	(5.5%)	4,475	(6.2%)	8,052	(6.8%)	27,614	(7.3%)
- French (except Basque)	189	(1.2%)	1,146	(1.6%)	2,129	(1.8%)	7,947	(2.1%)
- French Canadian	163	(1.0%)	602	(.8%)	1,112	(.9%)	3,896	(1.0%)
- German	1,941	(12.3%)	7,638	(10.6%)	13,369	(11.3%)	50,164	(13.2%)
- Greek	45	(.3%)	249	(.3%)	604	(.5%)	2,398	(.6%)
- Hungarian	99	(.6%)	344	(.5%)	663	(.6%)	3,180	(.8%)
- Irish	889	(5.6%)	4,198	(5.8%)	7,436	(6.3%)	27,961	(7.4%)
- Italian	552	(3.5%)	2,024	(2.8%)	3,372	(2.8%)	14,375	(3.8%)
- Lithuanian	35	(.2%)	84	(.1%)	159	(.1%)	742	(.2%)
- Norwegian	71	(.4%)	247	(.3%)	497	(.4%)	2,316	(.6%)
- Other ancestries	7,005	(44.3%)	31,335	(43.5%)	47,882	(40.4%)	130,227	(34.3%)
- Polish	836	(5.3%)	3,014	(4.2%)	5,219	(4.4%)	22,814	(6.0%)
- Portuguese	4	(.0%)	34	(.0%)	57	(.0%)	160	(.0%)
- Russian	83	(.5%)	372	(.5%)	878	(.7%)	4,144	(1.1%)
- Scotch-Irish	187	(1.2%)	639	(.9%)	1,078	(.9%)	4,087	(1.1%)
- Scottish	226	(1.4%)	1,098	(1.5%)	1,832	(1.5%)	6,919	(1.8%)
- Slovak	24	(.2%)	95	(.1%)	190	(.2%)	609	(.2%)
- Subsaharan African	212	(1.3%)	1,652	(2.3%)	2,452	(2.1%)	4,150	(1.1%)
- Swedish	80	(.5%)	399	(.6%)	690	(.6%)	3,480	(.9%)
- Swiss	5	(.0%)	67	(.1%)	145	(.1%)	863	(.2%)
- Ukrainian	40	(.3%)	166	(.2%)	285	(.2%)	1,222	(.3%)
- United States or American	408	(2.6%)	3,062	(4.3%)	5,345	(4.5%)	14,734	(3.9%)
- Welsh	39	(.2%)	121	(.2%)	286	(.2%)	1,104	(.3%)
- West Indian (exc Hisp Groups)	46	(.3%)	284	(.4%)	400	(.3%)	968	(.3%)

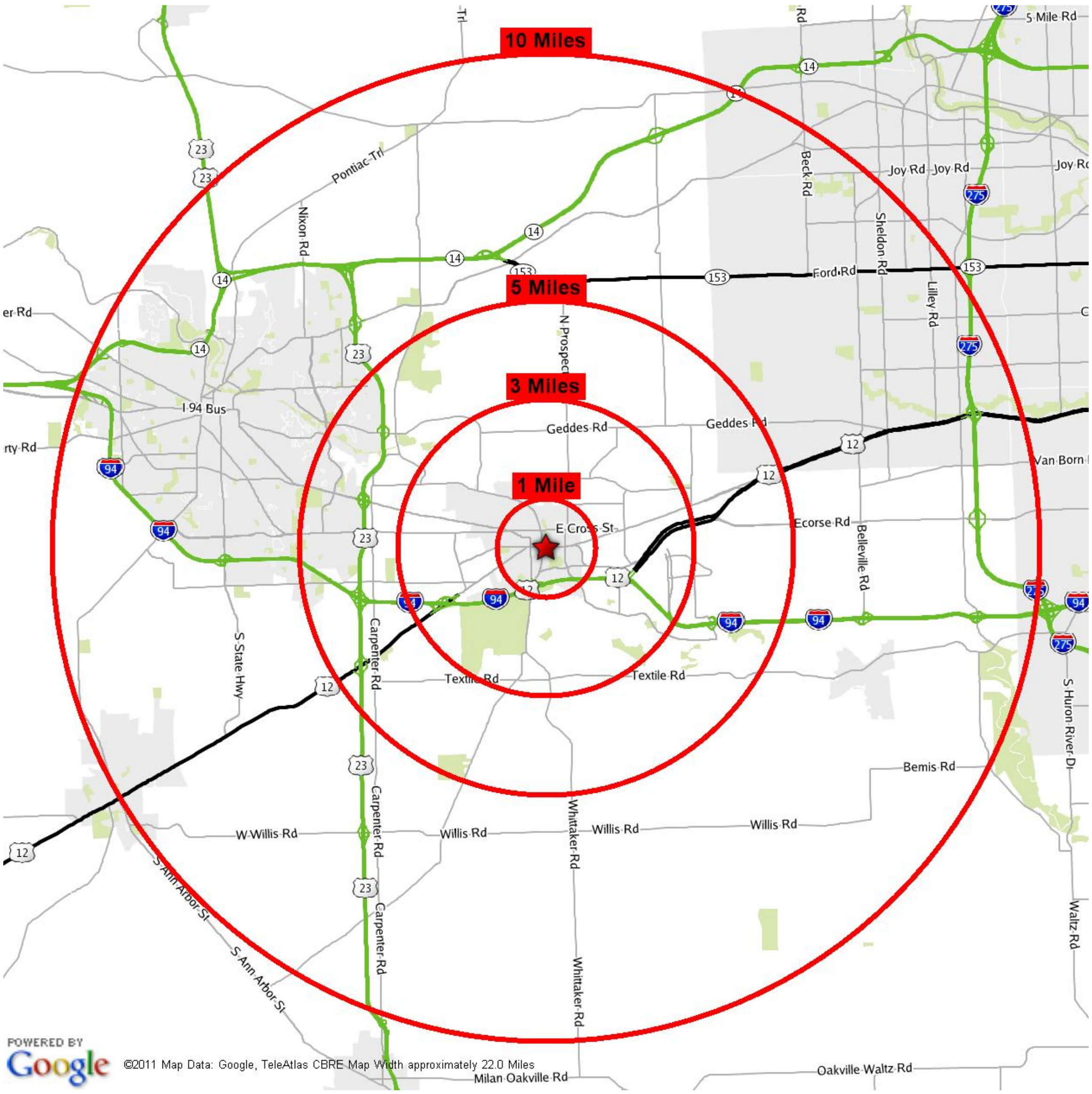
Demographic Report

CBRE
CB RICHARD ELLIS

		39 Water St 1 mile radius	39 Water St 3 mile radius	39 Water St 5 mile radius	39 Water St 10 mile radius
PRESENCE OF CHILDREN	2011 Estimated Families	2,170	16,080	27,928	89,511
	- Married-Couple, own children	441 (20.3%)	4,295 (26.7%)	8,370 (30.0%)	32,328 (36.1%)
	- Married-Couple, no own children	732 (33.7%)	5,869 (36.5%)	10,663 (38.2%)	37,008 (41.3%)
	- Male Householder, own children	114 (5.3%)	784 (4.9%)	1,292 (4.6%)	2,955 (3.3%)
	- Male Householder, no own children	146 (6.7%)	748 (4.7%)	1,154 (4.1%)	2,742 (3.1%)
	- Female Householder, own children	459 (21.2%)	2,893 (18.0%)	4,219 (15.1%)	9,211 (10.3%)
	- Female Householder, no own children	277 (12.8%)	1,493 (9.3%)	2,231 (8.0%)	5,266 (5.9%)
FAMILIES BY POVERTY STATUS	2011 Estimated Families by Poverty Status	2,170	16,080	27,928	89,511
	- Income At or Above Poverty Level	1,687 (77.7%)	13,683 (85.1%)	24,614 (88.1%)	82,651 (92.3%)
	- Income At or Above Poverty Level with Children	753 (34.7%)	6,593 (41.0%)	11,958 (42.8%)	40,331 (45.1%)
	- Income Below Poverty Level	483 (22.3%)	2,397 (14.9%)	3,314 (11.9%)	6,860 (7.7%)
	- Income Below Poverty Level with Children	391 (18.0%)	2,104 (13.1%)	2,934 (10.5%)	5,483 (6.1%)

Demographic Report

Location	Longitude	Latitude
1. 39 Water St - 1 mile radius	-83.611292	42.240475
2. 39 Water St - 3 mile radius	-83.611292	42.240475
3. 39 Water St - 5 mile radius	-83.611292	42.240475
4. 39 Water St - 10 mile radius	-83.611292	42.240475



Water Street Redevelopment Area Parcel sizes:

Note – this is for reference. Picture parcels can be combined or divided, as long as t here are not "orphan" parcels. For example, preference for no smaller than one-acre parcels with direct access to street frontage (existing or planned). Provided for future access to the rear of the site is a deciding factor in how parcels are divided and sold.

Parcel	A	B	C	D
Parcel size	.9 acre	1 acre	1 acre	1 acre
Price	**$300,000 per Acre**	**$300,000 per Acre**	**$350,000 per Acre**	**$400,000 per Acre**

Parcel	E	F	G	H
Parcel size	2.2 acres	2.4 acre	8 acre	1 acre
Price	**$225,000 per Acre**	**$225,000 per Acre**	**$120,000 per Acre**	**$400,000 per Acre**

Parcel	I	J	K	L
Parcel size	1 acre	1.15 acre	3.7 acre	6.2 acres
Price	**$375,000 per Acre**	**$375,000 per Acre**	**$225,000 per Acre**	**$120,000 per Acre**

Resolution No. 2012 – 163
August 21, 2012

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Minutes of June 29 and July 17, 2012 be approved.

OFFERED BY: ______________________________

SUPPORTED BY: ______________________________

YES: NO: ABSENT: VOTE:

CITY OF YPSILANTI **Draft #2**
COUNCIL MEETING AGENDA
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, JULY 17, 2012
6:00 p.m. - Work Session
7:00 p.m. – Open session

I. CALL TO ORDER

The meeting was called to order at 6:06 p.m.

II. ROLL CALL

Council Member Bodary	Present	Council Member Robb	Absent
Member Jefferson	Present	Council Member Vogt	Present
Council Member Murdock	Present	Mayor Schreiber	Present
Mayor Pro-Tem Richardson	Present		

III. INVOCATION

IV. PLEDGE OF ALLEGIANCE

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

V. INTRODUCTIONS

The Mayor introduced Public Services Director, Stan Kirton, Administrative Services Director David Kowal, Senior Planner II, Teresa Gillotti, Washtenaw Health Initiative Volunteer, Tom Biggs, and Director of Michigan Suburbs Alliance, Richard Murphy.

VI. AGENDA APPROVAL

On a voice vote, the motion to approve the agenda was unamious.

VII. WORK SESSSION – 6:00 – 7:00 p.m.

Parkridge Expansion – Teresa Gillotti, Planner II

For a copy of the Parkridge Expansion presentation, please visit www.cityofypsilanti.com or contact the City Clerk's office.

Senior Planner, Teresa Gillotti gave a brief overview of the expansion. She said the Parkridge Cultural and Job Training Center will be a joint venture bewtween Work Skills Corporation and the Parkridge Community Center. In addition she commented that the plan centers on a 12,000 square foot expansion of the Parkridge Community Center.

Public Services Director Stan Kirton asked about the maintenance of the grounds.

Mayor Pro-Tem Richardson commented that the city is looking for a long term lease.

Council Member Bodary said before this project can go foward he would like to the city to have some public forums and public hearings

Mayor Pro-Tem Richardson commented from day one the community has been informed of every phase and steps taken towards the planning of the expansion.

Council Member Jefferson commented he supports the idea of public hearings for the community.

Council Member Bodary questioned what the cost is to the city and what the city will gain.

Mayor Pro-Tem Richardson commented the gain to the community will be tremendous.

Mayor Pro-Tem Richardson commented the Parkridge board asked WCC to help aide in the financing of the project. In addition she said that she met with the new President of WCC and she is eager and excited about the project.

Mayor Schreiber asked has the Recreation Commission considered this proposal.

Ms. Gillotti answered no.

Mayor Schreiber commented the city has no current agreement with Parkridge but thinks that an agreement would be helpful.

Council Member Murdock asked if there was still money in the urban fund.

Ms. Gillotti answered yes an approximate amount of $40,000.00.

Ms. Gillotti explained that the next would be for city council and the recreation commission to hold a public hearing sometime next month.

Council Member Jefferson supported the next steps.

Council Member Vogt supported the next steps.

Ms. Gillotti asked if City Council would like to meet with the Recreation Commission before the council meeting on August 21, 2012 to discuss the Parkridge expansion.

Interim City Manager McMullan commented that we can poll everyone to have a meeting before the August 21, 2012 meeting.

Mayor Pro-Tem Richardson claified that Ms. Gillotti had asked to have a joint meeting with the Recreation Commission on the same day as the August 21, 2012 meeting but before 7:00 p.m.

Council Member Murdock commented that will be the first meeting for the new City Manager and he may have a lot to talk about.

Interim City Manager McMullan commented council needs to meet anyway becuase according to the City Charter council must meet within 30 days of the last meeting and the August 21, 2012 meeting is more than 30 days.

Ms. Gillotti commented she will get back city council after the Recreation Commission has been polled for meeting dates and times.

Mayor Pro-Tem Richardson commented that she would appreciate the break in between meetings and would like to have that. She said the legistators get a break, and she would welcome a break for the summer.

VIII. PRESENTATIONS

1. Washtenaw County Health Initiative- Tom Biggs, Washtenaw Health Initiative Volunteer

   For a copy of the Washtenaw County Health Initative presentation, please visit www.cityofypsilanti.com or contact the City Clerk's office.

   Mr.Tom Biggs, gave a brief overview of the Washtenaw County Health Initative, he said the initative is a colloaboration between U of M and St. Joseph Mercy health care services. In addition he said this will asssit the underinsured and low income families.

   Mr. Biggs said that the city can get involved in the initative by volunteering and helping to assist with funding.

   Mayor Pro-Tem Richardson congratulated Mr. Biggs on and excicting initative.

   Council Member Vogt said he supports the city helping to assist with funding.

   Council Member Jefferson supports making a contribution from the city also.

2. City of Ypsilanti Climate Action Plan – Richard Murphy, Michigan Suburbs Alliance

3. MDOT Road Diet on Huron and Hamilton relating to recent speed limit changes - Teresa Gillotti, Planner II

VIII. PUBLIC HEARING

1. Resolution to approve a Class C Downtown Development (DDA) Redevelopment Liquor License for "Mix on Michigan Avenue" located at 128-130 W. Michigan Ave.

   A. Resolution No. 2012-143, determination.

      RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

      WHEREAS, Mix On Michigan Avenue Corporation has applied to the City of Ypsilanti requesting a new Redevelopment Liquor License to be located at 128/130 W. Michigan Ave., Ypsilanti, MI. 48197 in accordance with MCL 436.1531a (1)(b); and

      WHEREAS, the proposed location of the license is within the Ypsilanti Downtown Development Authority area and Downtown Redevelopment Liquor License Area created by Resolution 200-143 of the Ypsilanti City Council on July 15, 2008; and

      WHEREAS, a public hearing to consider the request was duly noticed and held on July 17, 2012

      NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council approve the request of Mix On Michigan Avenue Corporation, for a new Class C

Liquor License to be issued under MCL 436.1521a (1) (b) with Sunday Sales Permit, Dance and Entertainment Permit, and Outdoor Service Permit (1 area) for the location at 128/130 W. Michigan Ave., Ypsilanti, MI. 48197 be approved above all others.

B. Open the public hearing.

Leonardo Christian, 7 S. Normal, commented with his support for Mix on Michigan Avenue. He said he held and event that benefited the Make A Wish Foundation and if Mix on Michigan Avenue not allowed him to have his benefit he would have had to go outside of Ypsilanti City limits.

Council Member Jefferson commented he supports the class c liquor license.

Mayor Schreiber commented he has eaten at Bona Sera and the food is delicious and he supports the class c liquor license.

C. Resolution No. 2012-144, close public hearing.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the public hearing to consider the proposed resolution entitled "Mix on Michigan Avenue DDA Redevelopment Liquor License" be officially closed.

OFFERED BY: Council Member Murdock
SUPPORTED BY: Council Member Bodary

On a voice vote, the vote to approve Resolution 2012-144 to close the public hearing was unanimous.

On a roll call vote, the vote to approve Resolution No. 2012-143 was as follows:

Council Member Bodary	Yes	Council Member Robb	Absent
Council Member Jefferson	Yes	Council Member Vogt	Yes
Council Member Murdock	Yes	Mayor Schreiber	Yes
Mayor Pro-Tem Richardson	Yes		

VOTE:

Yes: 6 No: 0 Absent: 1 (Robb) Vote: Carried

IX. AUDIENCE PARTICIPATION

1. Amanda Edmonds commented that she appreciates all the support shown for the revocation of Brandy's liquor license.

X. REMARKS BY THE MAYOR

Mayor Schreiber thanked Ms. Edmonds for her comments.

XI. MINUTES

On a voice vote, the motion to approve Resolution No. 2012-145 approving the minutes of June 19, 2012 was unanimous.

XII. CONSENT AGENDA- Resolution No. 2012-146

1. Resolution 2012-147, approving amendments to the City Code of Ordinances relative to peddler's and solicitors. ***(Ordinance No. 1179) (Second Reading)***

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance to amend municipal civil infraction penalties, entitled "AN ORDINANCE TO AMEND CHAPTER 22 OF THE YPSILANTI CITY CODE, ENTITLED "BUSINESSES," SECTION 22-161 'DEFINITIONS'" be adopted on second reading.

2. Resolution 2012-148, approving appointments to Boards and Commissions.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT, the following individuals be appointed to the Boards and Commissions as indicated below:

NAME	BOARD	TERM TO EXPIRE
Tom Roach 912 Pearl Ypsilanti, MI. 48197	**Zoning Board of Appeals**	**5/1/2014**

3. Resolution No. 2012-149, adopting the Climate Action Plan.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The City of Ypsilanti has applied for and received a 2010 grant from the Michigan Department of Natural Resources and Environment for the development of a Climate Action Plan; and

WHEREAS, The City has engaged Michigan Suburbs Alliance to coordinate and develop the plan on behalf of the City; and

WHEREAS, The development of the plan incorporates a Greenhouse Gas inventory for the City of Ypsilanti, extensive community input, best practices and other related climate and sustainability research;

NOW, THEREFORE, BE IT RESOLVED THAT the Ypsilanti City Council adopts the City of Ypsilanti Climate Action Plan with the intent to works toward achievement of the short and longer goals therein.

4. Resolution No. 2012-150, approving SRF Bond for the Factory Street Pump Station. ***(Ordinance # 1180, 940-M)***

CITY OF YPSILANTI

ORDINANCE NO. 940-M

AN ORDINANCE TO PROVIDE FOR THE ACQUISITION AND CONSTRUCTION OF ADDITIONS, EXTENSIONS AND IMPROVEMENTS TO THE EXISTING WATER SUPPLY AND SEWAGE DISPOSAL SYSTEM OF PROVIDE FOR THE ISSUANCE AND SALE OF REVENUE BONDS OF JUNIOR AND SUBORDINATE STANDING TO CERTAIN REVENUE BONDS PROVIDING TO PAY THE COST THEREOF; TO PROVIDE FOR THE RETIREMENT AND SECURITY OF THE BONDS HEREIN AUTHORIZED; AND TO PROVIDE FOR OTHER MATTERS RELATIVE TO THE SYSTEM AND THE BONDS, PURSUANT TO ORDINANCES NOS. 940, 940-A, 940-B, 940-C, 940-D, 940-E, 940-F, 940-G, 940-H, 940-J, 940-K, 1052 and AMENDED AND RESTATED ORDINANCE NO. 940-I OF THE CITY.

YPSILANTI ORDAINS:

Section 1. Definitions. Whenever used in this Ordinance, except when otherwise indicated by the context, the following terms shall have the following meanings:

(a) "Act 94" means Act 94, Public Acts of Michigan, 1933, as amended.

(b) "Authority" means the Michigan Finance Authority.

(c) "Authorized Officers" means the Mayor, the City Manager, City Clerk and the Finance Director of the Issuer.

(d) "Bonds" means the Outstanding Bonds, together with any additional bonds of equal standing with the Outstanding Bonds hereafter issued.

(e) "Issuer" or "City" means the City of Ypsilanti, County of Washtenaw, Michigan.

(f) "Series 2012 Bonds" means the bonds authorized by this Ordinance.

(g) "MDEQ" means the Michigan Department of Environmental Quality.

(h) "Outstanding Senior Bonds" means the Issuer's outstanding Water Supply and Sewage Disposal System Revenue Bonds, Series 2001 in the outstanding principal amount of $940,000, outstanding Water Supply and Sewage Disposal System Revenue Bonds, Series 2002A in the outstanding principal amount of $1,100,000, outstanding Water Supply and Sewage Disposal System Revenue Bonds, Series 2002B in the outstanding principal amount of $280,000, outstanding Water Supply and Sewage Disposal System Revenue Bonds, Series 2002C in the outstanding principal amount of $3,535,000, outstanding Water Supply and Sewage Disposal System Revenue Bonds, Series 2003A in the outstanding principal amount of $1,535,000, outstanding Water Supply and Sewage Disposal System Revenue Bonds, Series 2003B in the outstanding principal amount of $1,280,000, outstanding Water Supply and Sewage Disposal System Revenue Bonds, Series 2004A in

the outstanding principal amount of $2,270,000 outstanding Water Supply and Sewage Disposal System Revenue Refunding Bonds, Series 2006 in the outstanding principal amount of $9,795,000.

(i) "Outstanding Junior Bonds" means the Issuer's outstanding Water Supply and Sewage Disposal System Revenue Bonds, Series 2003C in the outstanding principal amount of $520,000, the Issuer's outstanding Water Supply and Sewage Disposal System Revenue Bonds, Series 2003D in the outstanding principal amount of $3,490,000, the Issuer's outstanding Water Supply and Sewage Disposal System Revenue Bonds, Series 2004B in the outstanding principal amount of $4,415,000, the Issuer's outstanding Water Supply and Sewage Disposal System Revenue Bonds, Series 2007 in the outstanding principal amount of $254,000, the Issuer's outstanding Water Supply and Sewage Disposal System Revenue Bonds, Series 2008 in the outstanding principal amount of $379,000 and the Issuer's outstanding Water Supply and Sewage Disposal System Revenue Bonds, Series 2009 in the outstanding principal amount of $ 129,000.

(j) "Prior Ordinances" means Ordinances Nos. 940, 940-A, 940-B, 940-C, 940-D, 940-E, 940-H and 1052 authorizing the issuance of the Outstanding Senior Bonds and Ordinances Nos. 940-F, 940-G, 940-J, 940-K, 940-L and Amended and Restated Ordinance 940-I authorizing the Outstanding Junior Bonds.

(k) "Project" means the acquisition and construction of additions, extensions and improvements to the System consisting generally of improvements to the Factory Street Pump Station, together with all necessary appurtenances and attachments therefore as further described in plans prepared by the City's consulting engineers.

(l) "Revenues" and "Net Revenues" means the revenues and net revenues of the System and shall be construed as defined in Section 3 of Act 94, including with respect to "Revenues", the earnings derived from the investment of moneys in the various funds and accounts established by the Prior Ordinances and this Ordinance.

(m) "Series 2012 Bonds" means the Water Supply and Sewage Disposal System Revenue Bond, Series 2012, in the principal amount of not to exceed $2,900,000 issued pursuant to this Ordinance.

(n) "Sufficient Government Obligations" means direct obligations of the United States of America or obligations the principal and interest on guaranteed by the United States of America, not redeemable at the option of the issuer, the principal and interest payments upon which without reinvestment of the interest, come due at such times and in such amounts as to be fully sufficient to pay the interest as it comes due on the Series 2012 Bonds and the principal on the Bonds as it comes due whether on the stated maturity date or upon earlier redemption. Securities representing such obligations shall be placed in trust with a bank or trust company, and if any of the Series 2012 Bonds are to be called for redemption prior to maturity, irrevocable

instructions to call the Series 2012 Bonds for redemption shall be given to the agent.

(o) "System" means Water Supply and Sewage Disposal System of the Issuer, together with the Project, and all additions, extensions and improvements hereafter acquired.

Section 2. Necessity; Approval of Plans and Specifications. It is hereby determined to be a necessary public purpose of the Issuer to acquire and construct the Project in accordance with the plans and specifications prepared by the Issuer's consulting engineers, which plans and specifications are hereby approved. The Project qualifies for the State of Michigan State Revolving Fund financing program being administered by the MDEQ and the Authority, whereby bonds of the Issuer are sold to the Authority and bear interest at a fixed rate of not to exceed two and one-half percent (2.50%) per annum.

Section 3. Costs; Useful Life. The cost of the Project is estimated to be not to exceed Two Million Nine Hundred Thousand Dollars ($2,900,000), including the payment of incidental expenses as specified in Section 4 of this Ordinance, which estimate of cost is hereby approved and confirmed, and the period of usefulness of the Project is estimated to be not less than twenty-five (25) years.

Section 4. Payment of Cost; Bonds Authorized. To pay part of the cost of acquiring the Project, legal, engineering, financial and other expenses incident thereto and incident to the issuance and sale of the Series 2012 Bonds, the Issuer shall borrow the sum of not to exceed Two Million Nine Hundred Thousand Dollars ($2,900,000) and issue the Series 2012 Bonds therefore pursuant to the provisions of Act 94. The remainder of the cost of the Project, if any, shall be defrayed from funds on hand and legally available for such use.

Except as amended by or expressly provided to the contrary in this Ordinance, all of the provisions of the Prior Ordinances shall apply to the Series 2012 Bonds issued pursuant to this Ordinance, the same as though each of said provisions were repeated in this Ordinance in detail; the purpose of this Ordinance being to authorize the issuance of additional revenue bonds of junior and subordinate standing and priority of lien to the Outstanding Senior Bonds and of equal standing and priority of lien as to the Net Revenues with the Outstanding Junior Bonds, to finance the cost of acquiring additions, extensions and improvements to the System, additional bonds of junior and subordinate standing to the Outstanding Senior Bonds for such purpose being authorized by the provisions of the Prior Ordinances, upon the conditions therein stated, which conditions have been fully met.

Section 5. Issuance of Series 2012 Bonds; Details. The Series 2012 Bonds of the Issuer, to be designated WATER SUPPLY AND SEWAGE DISPOSAL SYSTEM REVENUE BONDS, SERIES 2012, are authorized to be issued in the aggregate principal sum of not to exceed Two Million Nine Hundred Thousand Dollars ($2,900,000) as finally

determined by order of the purpose of paying the cost of the Project, including the costs incidental to the issuance, sale and delivery of the Series 2012 Bonds. The Series 2012 Bonds shall be payable out of the Net Revenues, as set forth more fully in Section 8 hereof. The Series 2012 Bonds shall be in the form of a single fully-registered, nonconvertible bond of the denomination of the full principal amount thereof, dated as of the date of delivery, payable in principal installments serially as finally determined by the order of the MDEQ at the time of sale of the Series the principal amount of the Series 2012 Bonds and the payment dates and amounts of principal installments of the Series 2012 Bonds shall be evidenced by execution of a Purchase Contract (the "Purchase Contract") between the Issuer and the Authority providing for sale of the Series 2012 Bonds and the Authorized Officers are authorized and directed to execute and deliver the Purchase Contract when it is in final form and to make the determinations set forth above; provided, however, that the first principal installment shall be due no earlier than October 1, 2013 and the final principal installment shall be due no later than October 1, 2034 and that the total principal amount shall not exceed $2,900,000.

The Series 2012 Bonds shall bear interest at a rate of not to exceed two and one-half percent (2.50%) per annum on the par value thereof or such other rate as evidenced by execution of the Purchase Contract, but in any event not to exceed the rate permitted by law, and the Authorized Officers shall deliver the Series 2012 Bonds in accordance with the delivery instructions of the Authority.

The Series 2012 Bonds principal amount is expected to be drawn down by the Issuer periodically, and interest on principal amount shall accrue from the date such principal amount is drawn down by the Issuer.

The Series 2012 Bonds shall not be convertible or exchangeable into more than one fully-registered bond. Principal of and interest on the Series 2012 Bonds shall be payable as provided in the Series 2012 Bonds form in this Ordinance.

The Series 2012 Bonds shall be subject to optional redemption by the Issuer with the prior approval of the Authority on any interest payment date on or after April 1, 2013 at par.

The Finance Director shall record on the registration books payment by the Issuer of each installment of principal or interest or both when made and the cancelled checks or other records evidencing such payments shall be returned to and retained by the Finance Director.

Upon payment by the Issuer of all outstanding principal of and interest on the Series 2012 Bonds, the Authority shall deliver the Series 2012 Bonds to the Issuer for cancellation.

<u>Section 6</u>. <u>Execution of Series 2012 Bonds</u>. The Series 2012 Bonds shall be signed by the manual signature of the Mayor and countersigned by the manual signature of the City Clerk and shall have

the corporate seal of the Issuer impressed thereon. The Series 2012 Bonds bearing manual signatures of the Mayor and the City Clerk sold to the Authority shall require no further authentication.

<u>Section 7</u>. <u>Registration and Transfer</u>. Any Series 2012 Bonds may be transferred upon the books required to be kept pursuant to this section by the person in whose name it is registered, in person or by the registered owner's duly authorized attorney, upon surrender of the Series 2012 Bonds for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the transfer agent. Whenever any Series 2012 Bonds or Series 2012 Bonds shall be surrendered for transfer, the Issuer shall execute and the transfer agent shall authenticate and deliver a new Series 2012 Bonds or Series 2012 Bonds, for like aggregate principal amount. The transfer agent shall require payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer. The Issuer shall not be required (i) to issue, register the transfer of or exchange any Series 2012 Bonds during a period beginning at the opening of business 15 days before the day of the giving of a notice of redemption of Series 2012 Bonds selected for redemption as described in the form of Series 2012 Bonds contained in Section 14 of this Ordinance and ending at the close of business on the day of that giving of notice, or (ii) to register the transfer of or exchange any Series 2012 Bonds so selected for redemption in whole or in part, except the unredeemed portion of Series 2012 Bonds being redeemed in part. The Issuer shall give the transfer agent notice of call for redemption at least 20 days prior to the date notice of redemption is to be given.

The transfer agent shall keep or cause to be kept, at its principal office, sufficient books for the registration and transfer of the Series 2012 Bonds, which shall at all times be open to inspection by the Issuer; and, upon presentation for such purpose, the transfer agent shall, under such reasonable regulations as it may prescribe, transfer or cause to be transferred, on said books, Series 2012 Bonds as hereinbefore provided.

If any Series 2012 Bonds shall become mutilated, the Issuer, at the expense of the holder of the Series 2012 Bonds, shall execute, and the transfer agent shall authenticate and deliver, a new Bond of like tenor in exchange and substitution for the mutilated Series 2012 Bonds, upon surrender to the transfer agent of the mutilated Series 2012 Bonds. If any Series 2012 Bonds issued under this Ordinance shall be lost, destroyed or stolen, evidence of the loss, destruction or theft may be submitted to the transfer agent and, if this evidence is satisfactory to both and indemnity satisfactory to the transfer agent shall be given, and if all requirements of any applicable law including Act 354, Public Acts of Michigan, 1972, as amended ("Act 354"), being sections 129.131 to 129.135, inclusive, of the Michigan Compiled Laws have been met, the Issuer, at the expense of the owner, shall execute, and the transfer agent shall thereupon authenticate and deliver, a new Series 2012 Bonds of like tenor and bearing the statement required by Act 354, or any applicable law hereafter enacted, in lieu of and in

substitution for the Series 2012 Bonds so lost, destroyed or stolen. If any such Series 2012 Bonds shall have matured or shall be about to mature, instead of issuing a substitute Series 2012 Bonds the transfer agent may pay the same without surrender thereof.

Section 8. Payment of Bonds; Security; Priority of Lien. Principal of and interest on the Series 2012 Bonds shall be payable from the Net Revenues. There is hereby recognized the statutory lien upon the whole of the Net Revenues created by this Ordinance which shall be a lien that is of junior standing and subordinate only as to the lien on the Outstanding Senior Bonds created by the Prior Ordinances and any bonds hereafter issued by the City of equal standing and priority of lien with the Outstanding Senior Bonds; such lien to continue until payment in full of the principal of and interest on all Series 2012 Bonds and all Outstanding Junior Bonds payable from the Net Revenues, or until sufficient cash or Sufficient Government Obligations have been deposited in trust for payment in full of all Series 2012 Bonds of a series then outstanding, principal and interest on such Series 2012 Bonds to maturity, or, if called for redemption, to the date fixed for redemption together with the amount of the redemption premium, if any. Upon deposit of cash or Sufficient Government Obligations, as provided in the previous sentence, the statutory lien shall be terminated with respect to the Series 2012 Bonds and the holders thereof shall have no further rights under the Prior Ordinances or this Ordinance, except for payment from the deposited funds, and the Series 2012 Bonds shall no longer be considered to be outstanding under the Prior Ordinances or this Ordinance.

Section 9. Junior Lien Bond and Interest Redemption Fund. There has been established and maintained pursuant to Ordinances Nos. 940-F, 940-G, 940-J, 940-K, 940-J and Amended and Restated Ordinance No. 940-I a separate depository fund designated "Junior Lien Bond and Interest Redemption Fund" (the "Junior Lien Fund"), the moneys on deposit therein from time to time to be used solely for the purpose of paying the principal of, redemption premiums (if any) and interest on the outstanding Junior Bonds and any bonds of equal standing with the outstanding Junior Bonds. The moneys in the Junior Lien Fund (including the Junior Lien Reserve Account) shall continue to be kept on deposit with the Transfer Agent.

Out of the Net Revenues remaining in the Receiving Fund after provision has been made for the Operation and Maintenance Fund and only after provision has been made for the Redemption Fund, there shall be set aside monthly in the Junior Lien Fund a sum proportionately sufficient to provide for the payment when due of the current principal of and interest on the Outstanding Junior Bonds and Series 2012 Bonds, less any amount in the Junior Lien Fund representing accrued interest on the Series 2012 Bonds. Commencing on October 1, 2012, the amount set aside each month for interest on the Series 2012 Bonds shall be 1/6 of the total amount of interest on the Series 2012 Bonds next coming due. The amount set aside each month for principal on the Series 2012 Bonds, commencing October 1, 2013 shall be 1/12 of the amounts of principal next coming due. If

there is any deficiency in the amounts previously set aside, that deficiency shall be added to the next succeeding months' requirements.

No moneys shall be set aside and credited to the Junior Lien Fund unless and until the City is current with respect to all required transfers to all other funds under the Outstanding Ordinances and there is no default in any payments or requirements under the Outstanding Ordinances.

Section 10. Management. The operation, repair and management of the System and the acquiring of the Project shall continue to be under the supervision and control of the City Council and the Ypsilanti Community Utilities Authority.

Section 11. Rates and Charges; No Free Service. The rates and charges for service furnished by the System and the methods of collection and enforcement of the collection of the rates shall be those in effect on the date of adoption of this Ordinance. No free service or use of the System, or service or use of the System at less than cost, shall be furnished by the System to any person, firm, or corporation, public or private, or to any public agency or instrumentality, including the Issuer and the rate covenant contained in the Outstanding Ordinances relative to the Outstanding Senior Bonds is hereby made specifically not applicable to the Series 2012 Bonds.

Section 12. Junior Lien Bond Reserve Account. There has been created pursuant to Ordinances Nos. 940-F, 940-G, 940-J, 940-K, 940-J and Amended and Restated Ordinance No. 940-I a separate Reserve Account in the Junior Lien Bond and Interest Redemption Fund, as established pursuant to Section 9 above, entitled "Junior Lien Reserve Account" (the "Account") which is to be additionally funded by an amount equal to the lesser of (a) the highest annual debt service requirements on the Outstanding Junior Bonds and Series 2012 Bonds, (b) 10% of the principal amount of the Outstanding Junior Bonds and Series 2012 Bonds, or (c) 125% of the average annual debt service requirements on the Outstanding Junior Bonds and Series 2012 Bonds. To provide said additional funds for the Account, there shall be deposited into said Account from funds of the System legally available therefore, a sum of moneys sufficient to meet such requirements in twenty (20) equal quarterly payments commencing October 1, 2012 and on each January 1, April 1, July 1 and October 1 thereafter until said Account is fully funded. Except as herein provided, the moneys credited to the Account shall be used solely for the payment of the principal of, redemption premiums (if any) and interest on the Series 2012 Bonds and Outstanding Junior Bonds as to which there would otherwise be a default. If at any time it shall be necessary to use moneys credited to the Account for such payment, then the moneys so used shall be replaced from the Net Revenues first received thereafter which are not required for current principal and interest requirements or used for the Replacement and Improvement Fund. Any deficit in the Account shall be restored within two years to the amount of the Account at the time it was used for such payment.

<u>Section 13</u>. <u>Bond Proceeds.</u> The proceeds of the sale of the Series 2012 Bonds as received by the Issuer shall be deposited in a separate account in a bank or banks qualified to act as depository of the proceeds of sale under the provisions of Section 15 of Act 94 designated WATER SUPPLY AND SEWAGE DISPOSAL SYSTEM REVENUE BONDS CONSTRUCTION FUND (the "Construction Fund"). Moneys in the Construction Fund shall be applied solely in payment of the cost of the Project and any engineering, legal and other expenses incident thereto and to the financing thereof.

<u>Section 14</u>. <u>Bond Form</u>. The Series 2012 Bonds shall be in substantially the following forms, with such changes or completion as necessary or appropriate to give effect to the intent of this Ordinance:

5. Resolution No. 2012-151, approving a contract with Washtenaw County for Master Plan and Zoning updates.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The Ypsilanti City Council has repeatedly identified the need to revise the City's Master Plan and zoning ordinance; and

WHEREAS, Washtenaw County, in cooperation with the City, applied for and received the HUD Community Challenge grant with $180,000 designated for the City of Ypsilanti to revise the Master Plan and zoning ordinance;

NOW, THEREFORE, BE IT RESOLVED THAT the Ypsilanti City Council approve the attached contract between the City of Ypsilanti and Washtenaw County for development of Master Plan and zoning ordinance revision over 30 months; and

FURTHER, that the Mayor and City Clerk are authorized to sign the contract to approval by the City Attorney

6. Resolution No. 2012-152, approving City enforcement of MDOT Sidewalk Café standards on trunk lines.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City regulates persons, firms and corporations who sell, offer to sell, buy, or offer to buy goods, wares, produce, fruit, vegetables or merchandise upon any public right-of-way in the City pursuant to Ypsilanti City Code Chapter 94-193; and

WHEREAS, said state trunk line highways within the city are under the jurisdiction of the Michigan Department of Transportation (hereinafter referred to as "MDOT"); and

WHEREAS, Public Act 1 of 2005 requires that certain businesses, such as sidewalk cafés, must receive a permit from MDOT to

conduct such activities within the right-of-way of any state trunk line; and

WHEREAS, MDOT requires under the Act that the City pass a Resolution supporting the activities described above and committing to enforcing MDOT sidewalk café permit

NOW THEREFORE BE IT RESOLVED, by the Ypsilanti City Council, authorizing persons, firms and corporations to sell or offer for sale or display or attempt to display for sale goods, wares, produce, fruit, vegetables or merchandise upon any state trunk line highway in the City so long as said person, firm or corporation has secured a permit for such activities from MDOT and the same comply with the City of Ypsilanti code sections, set forth above.

FURTHER RESOLVED, that the City shall enforce compliance with the MDOT Sidewalk Café permit;

FURTHER RESOLVED, that the authorization, set forth above, shall remain in force and effect so long as the permitted activities do not create an unsafe situation and do not interfere with the transportation along any state trunk line highway in the City of Ypsilanti pursuant to Public Act 1 of 2005.

7. Resolution No. 2012-153, approving the amended CDBG Grant Senior Center Improvements.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Ypsilanti City Council approved the Community Development Block Grant (CDBG) expenditures dedicated to Ypsilanti through the Washtenaw Count y Urban County on January 12, 2010 and a updated 2 year plan on February 21, 2012; and

WHEREAS, one of the projects identified for 2010-2011, and 2012-2013 CDBG expenditures is commercial kitchen upgrades at the Senior Center;

NOW, THEREFORE, BE IT RESOLVED THAT the Ypsilanti City Council approves the attached amended contract with Washtenaw County for expenditure of CDBG funds for the Senior Center kitchen upgrades; and

FURTHER, that the Mayor and City Clerk are authorized to sign the contract to approval by the City Attorney.

8. Resolution 2012-154, approving Friends of Ypsilanti Police Department as a recognized non-profit organization operating in the City of Ypsilanti.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the Friends of the Ypsilanti Police Department intends to apply to the State of Michigan for a Charitable Gaming License; and

WHEREAS, this license would permit the Friends of the Ypsilanti Police Department to hold fundraising events; and

WHEREAS, the Friends of the Ypsilanti Police Department has a 501(c)(3) tax exempt status

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council recognizes the Friends of the Ypsilanti Police Department as a nonprofit organization operating in the City of Ypsilanti for the purpose of obtaining a charitable gaming license.

OFFERED BY: Council Member Murdock
SUPPORTED BY: Council Member Bodary

On a voice vote, the vote to approve Resolution 2012-146 was unanimous.

XIII. <u>RESOLUTIONS/MOTIONS/DISCUSSIONS</u> –

1. Resolution No. 2012-155, adopting Municipal Employees' Retirement System (MERS) of Michigan Defined Benefit Program for City Manager.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City Council at its Special meeting of June 29, 2012 approved an Employment Agreement ("the Agreement") between the City and Mr. Ralph A. Lange to serve as City Manager; and

WHEREAS, the Agreement included a provision that requires the City to execute all necessary documents to provide for participation by Mr. Lange in a Defined Benefit Plan ("the Plan") of the Municipal Employees' Retirement System ("MERS") of Michigan; and

WHEREAS, in order to create the subject Plan for Mr. Lange, the City Council must adopt the attached MERS Resolution.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council does hereby approve and adopt the MERS Resolution for Adopting Municipal Employees' Retirement System of Michigan Defined Benefit Program, attached hereto and made a part hereof, and does further authorize and direct the Mayor and City Clerk to execute the subject MERS Resolution on behalf of the City.

OFFERED BY: Mayor Pro-Tem Richardson
SUPPORTED BY: Council Member Vogt

On a roll call vote, the vote to approve Resolution No. 2012-155 was as follows:

Council Member Jefferson	Yes	Council Member Vogt	Yes
Council Member Murdock	Yes	Mayor Schreiber	Yes
Mayor Pro-Tem Richardson	Yes	Council Member Bodary	Yes
Council Member Robb	Absent		

VOTE:

Yes: 6 No: 0 Absent: 1 (Robb) Vote: Carried

2. Resolution No. 2012-156, supporting revocation of Brandy's Party Store Liquor License.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, Brandy's Liquor Shoppe (Brandy's) is located 902 West Michigan Avenue, Ypsilanti Michigan, 48197, and has been in operation selling liquor and sundries for a number of years; and

Whereas, in the past several years many neighbors and citizens of the community have complained to the Ypsilanti Police Department and Ypsilanti City Council, reporting illegal activity at Brandy's including fights, drunkenness, loitering, profanity, gunfire in the area, urination in public, prostitution, and illegal drug sales; and

Whereas, the city made good faith efforts to work with Brandy's to correct the problem, without success, and finally brought a nuisance action against Brandy's in Circuit Court; and

Whereas, Brandy's and the city entered into a consent agreement in 2009 to allow Brandy's to remain open provided they hired private security services on the premises, maintained operational surveillance video cameras, joined neighborhood associations, barred any consumption of alcohol on the premises, maintained proper lighting, discouraged loitering, and sold no drug paraphernalia; and

Whereas, Brandy's failed to honor the terms of the consent agreement; and

Whereas, the city went back to court and presented facts resulting from a joint criminal investigation between the Ypsilanti Police Department and the Michigan State Police showing Brandy's employees purchased stolen liquor and put it with regular stock for sale, made the sale of stolen liquor, made illegal sale of cigarettes, and allowed illegal activities including prostitution, drug activity, urination in public, fights and gunfire in the neighborhood;

Whereas, the Washtenaw County Circuit Court entered an order on August 3, 2011, closing Brandy's for a period of one year from August 3, 2011 to August 4, 2012; and

Whereas, the closing of Brandy's has dramatically reduced the number of police calls and has lead to a better quality of life for the neighborhood and community overall; and

Whereas, the City Council understands that the liquor license of Brandy's is in escrow and the Michigan Liquor Control Commission is considering at least seven Michigan Liquor law infractions concerning Brandy's and has the power to revoke Brandy's liquor license; and

Whereas, the Ypsilanti City Council finds that it is in the best interest of the City of Ypsilanti that Brandy's liquor license be revoked.

Now Therefore, the Ypsilanti City Council respectfully requests that the Michigan Liquor Control Commission (MLCC) permanently revoke the liquor license of Brandy's Party Store and any affiliations associated with Brandy's Party Store located at 902 W. Michigan Avenue in the city of Ypsilanti, Michigan, and not allow Brandy's or any person or associated with Brandy's to receive a liquor license in the city of Ypsilanti.

OFFERED BY: Council Member Jefferson
SUPPRTED BY: Mayor Pro-Tem Richardson

On a roll call vote, the vote to approve Resolution No. 2012-156 was as follows:

Council Member Murdock	Yes	Mayor Schreiber	Yes
Mayor Pro-Tem Richardson	Yes	Council Member Bodary	Yes
Council Member Robb	Absent	Council Member Jefferson	Yes
Council Member Vogt	Yes		

VOTE:

Yes: 6 No: 0 Absent: 1 (Robb) Vote: Carried

XIV. LIASON REPORTS -

A. SEMCOG Update - Mayor Pro-Tem Richardson announced there will be a meeting on Thursday July 26, 2012 at 1:00 p.m.
B. Washtenaw Area Transportation Study- Council Member Murdock announced a meeting will be held on July 18, 2012.
C. Washtenaw Metro Alliance- Council Member Robb had no report.
D. Urban Counties- Mayor Schreiber reported there was no meeting this month.
E. Freight House - Council Member Murdock reported the next meeting is scheduled for July 19, 2012.

XV. COUNCIL PROPOSED BUSINESS –

Mayor Pro-Tem Richardson commented about the trip that was taken with new City Manager Ralph Lange and Council Member Murdock to Ghana, Ohio. She said the trip was to take a look at a property OHM developed that was similar to the city's Water Street property. In addition she said that the property was beautiful with businesses, condos and a convention center.

Mayor Pro-Tem Richardson commented that weeds are blocking resident's vision when you are coming off East Ferris.

Mayor Pro-Tem Richardson commented residents at 302 East Ainsworth are complaining about the tree roots that are pushing up the sidewalk. She said she has personally seen this and someone could trip and fall if walking in the dark.

Council Member Murdock reported he received a memo from DDA Director Tim Colbeck about streetscapes and they are planning on waiting until the fall.

Council Member Murdock commented on the new fireworks law and said the city should look at ways to regulate and place restrictions on them.

Mayor Schreiber asked Attorney John Barr to look at the new firework law and give his assessment.

Council Member Vogt commented that because of the new law, the city needs to place some time limits on when fireworks can be used. He said the volume of these new explosives is very loud.

Council Member Bodary commented about a complaint he received on the city hall elevator. He said the resident said the elevator is not working properly and everyone cannot take the stairs. He asked that the elevator be serviced on a consistent basis so that it works properly.

Interim City Manager Frances McMullan commented that maintenance is done on the elevator, but she had spoken with the Director of Public Services and he indicated the city does not have the money to replace the elevator. She said if the elevator has an issue Stan will come over and have it serviced immediately.

Council Member Jefferson commented that he agrees the fireworks issue should be looked at.

Council Member Jefferson commented that residents are complaining about a lot of pit bulls walking around the area.

Council Member Jefferson commented there is an overgrown bush at 1044 Madison that needs to trim because it blocks residents view.

XVI. COMMUNICATIONS FROM THE MAYOR

Mayor Schreiber asked City Council if they would be in support of a Citizens United resolution.

City Council responded yes, they would support a Citizens United resolution.

Mayor Schreiber commented he usually doesn't get involved in these kinds of resolutions but he thinks this is necessary.

Mayor Schreiber nominated Council Member Bodary to the YCUA Board and Tony Bedogne to the Zoning Board.

Tony Bedogne was present and said he has been a resident of Ypsilanti since 1994. He said he graduated from EMU and has been working for Janice Bobrin at the Water Resources Commission. He said he is interested in doing more volunteering and thinks he will perform well on the Zoning Board.

XVII. COMMUNICATIONS FROM THE CITY MANAGER

Interim City Manager McMullan commented that new voter registration cards have gone out to all residents via a county mailing because of the census and redistricting. She said that this mailing will aide the Clerk's office in helping to clean up its voter rolls. She thanked residents who have contacted the Clerk's office with voter information that may be inaccurate.

Interim City Manager McMullan commented that beginning with the August Primary, 2-2 and 2-4 new location will be, Ypsilanti Middle School located at 105 N. Mansfield.

Council Member Murdock commented that this is a long distance for residents in 2-2- and 2-4. Interim City Manager McMullan commented the other option was EMU student center and parking was an issue.

Mayor Pro-Tem Richardson asked had any churches been looked at for possible polling locations.

Interim City Manager McMullan commented that schools and churches had been considered. She said this process of finding a polling location has gone on for awhile since the Clerk's office knew we could not use the former Fletcher School this year. She said we can keep looking for locations.

Council Member Murdock commented that Ward 2, Precinct 4 is concentrated of a lot of students and that it tends to be a highly democratic ward.

Council Member Murdock asked is Ypsilanti Middle School even in the city.

Interim City Manager McMullan commented that part of the school is in the City and the other half in the Township but that it has been approved as a polling location for the City of Ypsilanti and has been used in the past.

Mayor Pro-Tem Richardson commented that the location is a long distance.

XVIII. AUDIENCE PARTICIPATION

1. Leonardo Christian, 7 S. Normal, suggested that the old Chapell School be used as a voting location.

Mayor Pro-Tem Richardson asked if Ypsilanti Middle School is in Ypsilanti Township.

Interim City Manager McMullan commented one side of the school is in the township and the other side is in the city.

Mayor Pro-Tem Richardson asked about using Hoyt Conference Center on EMU campus as an option.

Interim City Manager McMullan answered when speaking with EMU staff, Hoyt was not an option.

XIX. REMARKS FROM THE MAYOR

None

XX. REPORTS SUBMITTED

None

XXI. CLOSED SESSION

Closed Session to discuss pending litigation - OMA 15.268, Section 8(e).

On a roll call vote, the vote to adjourn into a closed session was as follows:

Mayor Pro-Tem Richardson	Yes	Council Member Bodary	Yes
Council Member Robb	Absent	Council Member Jefferson	Yes
Council Member Vogt	Yes	Council Member Murdock	Yes
Mayor Schreiber	Yes		

VOTE:

Yes: 6	No: 0	Absent: 1 (Robb)	Vote: Carried

Council reconvened to open session at 9:34 p.m. to consider Resolution No. 2012-158.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the Ann Arbor Center for Independent Living, sued the City of Ypsilanti for alleged sidewalk violations of the Americans with Disabilities Act; and

WHEREAS, the parties worked out a settlement and reduced the settlement to court order(s) and a Third Consent Decree was entered with the Court on November 11, 2007, requiring the City to complete r retrofitting 1,054 corners with two ramps within ten years; and

WHEREAS, because of lack of funds the City will be unable to meet these obligations; and

WHEREAS, the parties have reviewed the progress of work to date, viewed the work, negotiated the terms and agreed to a Fourth Consent Decree that gives the city more time by allowing the City to spend a designated amount of money each year for retrofitting work, instead of requiring a certain number of curb ramps be retrofitted each year; and

WHEREAS, the City has spent $100,000 a year on this project through grant funding; and

WHEREAS, because of federal law the city is required by law, to pay Plaintiffs attorney fees, and they have submitted an invoice for $12,712.81 in legal costs, which includes a negotiated 10 percent discount; and

WHEREAS, the Ypsilanti City Attorney recommends that the City approve this Fourth Consent Decree, to avoid further litigation and stretch out the work required.

NOW THEREFORE BE IT IS RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI That the City does approve the proposed Fourth Consent Decree and authorizes John M. Barr, Ypsilanti City Attorney to sign the Consent Decree on behalf of the City.

IT IS FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI That Plaintiff's legal costs of $12,712.81 be paid by the City of Ypsilanti to Heberle & Finnegan, PLLC.

OFFERED BY: Council Member Murdock
SUPPORTED BY: Mayor Pro-Tem Richardson

On a voice vote, the vote to approve Resolution 2012-158 carried unanimously.

XXII. ADJOURNMENT

1. Resolution 2012-157, adjourning the City Council meeting.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the City Council Meeting be adjourned, on call, by the Mayor or two (2) members of Council.

OFFERED BY: Council Member Jefferson
SUPPORTED BY: Council Member Vogt

On a voice vote the motion carried unanimously, and the meeting adjourned at 9:37 p.m.

DRAFT

CITY OF YPSILANTI
SPECIAL COUNCIL MEETING AGENDA
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
FRIDAY JUNE 29, 2012
7:30 A.M.

I. CALL TO ORDER –

The meeting was called to order at 7:35 a.m.

II. ROLL CALL –

Council Member Bodary	Present	Council Member Robb	Present (@ 7:38 a.m.)
Council Member Jefferson	Present	Council Member Vogt	Present
Council Member Murdock	Present	Mayor Schreiber	Present
Mayor Pro-Tem Richardson	Present		

III. INVOCATION –

The Mayor asked all to stand for a moment of silence.

IV. PLEDGE OF ALLEGIANCE –

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

V. INTRODUCTIONS –

The Mayor introduced Director of Administrative Services David Kowal and Mr. Ralph Lange.

VI. AGENDA APPROVAL –

On a voice vote, the vote to approve the agenda carried unanimously.

VII. AUDIENCE PARTICIPATION-

There was no audience participation.

VIII. RESOLUTIONS/MOTIONS/DISCUSSIONS

1. Resolution 2012-140, approving city manager contract

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City Council previously engaged the services of the Michigan Municipal League to perform a professional executive recruitment for the position of City Manager; and

WHEREAS, the City Council at Special Meetings held on April 26th and 27th, 2012 conducted interviews with five (5) candidates for the position of City Manager; and

WHEREAS, second interviews were subsequently conducted by the City Council on May 14, 2012 with two (2) finalists; and

WHEREAS, the requisite knowledge, skills, abilities and relevant experience that the City Manager should possess in order to be an effective chief administrative officer of the City were established by the City Council prior to commencing the recruitment process; and

WHEREAS, at its meeting of May 15, 2012, the City Council adopted a resolution to establish an ad hoc committee to draft an Employment Agreement by and between the City and Mr. Ralph Lange – the candidate it believed best matched the City Manager position profile developed by the Council; and

WHEREAS, the ad hoc committee (members consisting of Mayor Schreiber, Mayor Pro Tem Richardson, and Councilperson Robb) and Mr. Ralph Lange have negotiated a proposed Employment Agreement.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council does hereby approve the Employment Agreement by and between the City of Ypsilanti and Mr. Ralph Lange, attached hereto and made a part hereof, and does further authorize and direct the Mayor and City Clerk to execute the subject Employment Agreement on behalf of the City.

OFFERED BY: Council Member Bodary
SUPPORTED BY: Council Member Jefferson

Mayor Schreiber indicated that the new city manager is an at-will employee. In addition he explained that Mr. Lange has asked for 180 days of severance pay because this would help his family. He said it would also force city council to work out issues with him.

Council Member Robb said he feels 180 days is excessive. He also spoke against Council agreeing to put Mr. Lange into MERS when former City Manager Ed Koryzno was never put into MERS.

Council Member Robb said with the entire contract, including the $7,800.00 healthcare waiver, Mr. Lange makes more than former City Manager Edward Koryzno made. In addition, he said this contract has evolved into something he cannot support.

Mayor Pro-Tem Richardson said she appreciates the approach that Mr. Lange has taken. She said he has followed many things in the non-union handbook and she believes he has the city's best interest at heart.

Mr. Ralph Lange stated he appreciated the define benefit versus the define contribution retirement plan. He said he is contributing five percent or maybe even more.

Mr. Lange commented that a lot of people are going to lose their jobs and that will make him a very unpopular person, and that was the reason he wanted the 180 day severance in order to give him some stability.

Council Member Murdock commented he thinks a 90 day severance is adequate.

Mr. Lange commented that if council wants to amend the contract, he is amenable to that.

Council Member Bodary moved, supported by Council Member Jefferson, that Mr. Ralph Lange be entitled to 90 days severance and benefits beginning August 1, 2014.

Council Member Robb commented he feels it is a bad idea to amend a contract on the fly.

Mr. Lange commented that he is agreeable to 180 days for the first two years and 90 days thereafter. He said he is trying to be accommodating.

Mayor Schreiber asked Attorney John Barr to draft an amendment to the contract language to reflect those changes.

On a roll call vote, the vote to approve the amendment was as follows:

Council Member Bodary	Yes	Council Member Robb	Yes
Council Member Jefferson	Yes	Council Member Vogt	Yes
Council Member Murdock	Yes	Mayor Schreiber	Yes
Mayor Pro-Tem Richardson	Yes		

VOTE:

Yes: 7	No: 0	Absent: 0	Vote: Carried

On a roll call vote, the vote to approve Resolution No. 2012- 140 as amended was as follows:

Council Member Murdock	Yes	Mayor Schreiber	Yes
Mayor Pro-Tem Richardson	Yes	Council Member Bodary	Yes
Council Member Robb	No	Council Member Jefferson	Yes
Council Member Vogt	Yes		

VOTE:

Yes: 6	No: 1 (Robb)	Absent: 0	Vote: Carried

2. Resolution 2012-141, approving Aubree’s temporary authorization for outdoor service.

RESOLVED BY THE COUNCIL FOR THE CITY OF YPSILANTI:

WHEREAS, Aubree’s Saloon, Inc., 39-41 E. Cross St., Ypsilanti, MI 48198 has applied to the City of Ypsilanti and Michigan Liquor Control Commission requesting to temporarily expand outdoor service area to the adjacent City-owned parking lot on August 11, 2012 to celebrate their 40th year of being in business in Ypsilanti; and

WHEREAS, the Michigan Liquor Control Commission cannot consider the approval of this request without the approval of the local legislative body pursuant to the provisions of the Liquor Control Code; and

WHEREAS, Aubree's Saloon, Inc. has provided necessary documentation for approval to the Special Events Coordinator and is awaiting approval.

NOW, THEREFORE, BE IT RESOLVED THAT the Ypsilanti City Council approves the application of Aubree's Saloon, Inc. for temporary expansion of outdoor service area in the area of the City-owned parking lot adjacent to 39-41 E. Cross St., Ypsilanti, MI 48198.

OFFERED BY: Council Member Murdock
SUPPORTED BY: Council Member Robb

Interim City Manager Frances McMullan commented that this is a level four event and Sandy French, the owner of Aubree's, needs approval from the Michigan Liquor Control Commission and the local unit of government to proceed. In addition she said that Lt. Annas has approved the event.

On a roll call vote, the vote to approve Resolution No. 2012- 140 as amended was as follows:

Mayor Pro-Tem Richardson	Yes	Council Member Bodary	Yes
Council Member Robb	Yes	Council Member Jefferson	Yes
Council Member Vogt	Yes	Council Member Murdock	Yes
Mayor Schreiber	Yes		

VOTE:

Yes: 7 No: 0 Absent: 0 Vote: Carried

IX. REMARKS BY THE MAYOR –

None

X. CLOSED SESSION

Closed Session to discuss pending litigation (OMA 15.268, Section 8(e)).

On a roll call vote, the vote to adjourn to a closed session was as follows:

Mayor Pro-Tem Richardson	Yes	Council Member Bodary	Yes
Council Member Robb	Yes	Council Member Jefferson	Yes
Council Member Vogt	Yes	Council Member Murdock	Yes
Mayor Schreiber	Yes		

VOTE:

Yes: 7 No: 0 Absent: 0 Vote: Carried

XI. **ADJOURNMENT –**

Resolution No. 2012-142, adjourning the Special Council Meeting.

Council Member Jefferson moved, supported by Council Member Vogt to adjourn the City Council meeting.

On a voice vote, the motion carried and the meeting adjourned at 8:22 a.m.

DRAFT

CITY OF YPSILANTI
SPECIAL COUNCIL MEETING AGENDA
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
FRIDAY JUNE 29, 2012
7:30 A.M.

I. CALL TO ORDER –

The meeting was called to order at 7:35 a.m.

II. ROLL CALL –

Council Member Bodary	Present	Council Member Robb	Present (@ 7:38 a.m.)
Council Member Jefferson	Present	Council Member Vogt	Present
Council Member Murdock	Present	Mayor Schreiber	Present
Mayor Pro-Tem Richardson	Present		

III. INVOCATION –

The Mayor asked all to stand for a moment of silence.

IV. PLEDGE OF ALLEGIANCE –

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

V. INTRODUCTIONS –

The Mayor introduced Director of Administrative Services David Kowal and Mr. Ralph Lange.

VI. AGENDA APPROVAL –

On a voice vote, the vote to approve the agenda carried unanimously.

VII. AUDIENCE PARTICIPATION-

There was no audience participation.

VIII. RESOLUTIONS/MOTIONS/DISCUSSIONS

1. Resolution 2012-140, approving city manager contract

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City Council previously engaged the services of the Michigan Municipal League to perform a professional executive recruitment for the position of City Manager; and

WHEREAS, the City Council at Special Meetings held on April 26th and 27th, 2012 conducted interviews with five (5) candidates for the position of City Manager; and

WHEREAS, second interviews were subsequently conducted by the City Council on May 14, 2012 with two (2) finalists; and

WHEREAS, the requisite knowledge, skills, abilities and relevant experience that the City Manager should possess in order to be an effective chief administrative officer of the City were established by the City Council prior to commencing the recruitment process; and

WHEREAS, at its meeting of May 15, 2012, the City Council adopted a resolution to establish an ad hoc committee to draft an Employment Agreement by and between the City and Mr. Ralph Lange – the candidate it believed best matched the City Manager position profile developed by the Council; and

WHEREAS, the ad hoc committee (members consisting of Mayor Schreiber, Mayor Pro Tem Richardson, and Councilperson Robb) and Mr. Ralph Lange have negotiated a proposed Employment Agreement.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council does hereby approve the Employment Agreement by and between the City of Ypsilanti and Mr. Ralph Lange, attached hereto and made a part hereof, and does further authorize and direct the Mayor and City Clerk to execute the subject Employment Agreement on behalf of the City.

OFFERED BY: Council Member Bodary
SUPPORTED BY: Council Member Jefferson

Mayor Schreiber indicated that the new city manager is an at-will employee. In addition he explained that Mr. Lange has asked for 180 days of severance pay because this would help his family. He said it would also force city council to work out issues with him.

Council Member Robb said he feels 180 days is excessive. He also spoke against Council agreeing to put Mr. Lange into MERS when former City Manager Ed Koryzno was never put into MERS.

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Mayor Pro-Tem Richardson said she appreciates the approach that Mr. Lange has taken. She said he has followed many things in the non-union handbook and she believes he has the city's best interest at heart.

Mr. Ralph Lange stated he appreciated the define benefit versus the define contribution retirement plan. He said he is contributing five percent or maybe even more.

Mr. Lange commented that a lot of people are going to lose their jobs and that will make him a very unpopular person, and that was the reason he wanted the 180 day severance in order to give him some stability.

Council Member Murdock commented he thinks a 90 day severance is adequate.

Mr. Lange commented that if council wants to amend the contract, he is amenable to that.

Council Member Bodary moved, supported by Council Member Jefferson, that Mr. Ralph Lange be entitled to 90 days severance and benefits beginning August 1, 2014.

Council Member Robb commented he feels it is a bad idea to amend a contract on the fly.

Mr. Lange commented that he is agreeable to 180 days for the first two years and 90 days thereafter. He said he is trying to be accommodating.

Mayor Schreiber asked Attorney John Barr to draft an amendment to the contract language to reflect those changes.

On a roll call vote, the vote to approve the amendment was as follows:

Council Member Bodary	Yes	Council Member Robb	Yes
Council Member Jefferson	Yes	Council Member Vogt	Yes
Council Member Murdock	Yes	Mayor Schreiber	Yes
Mayor Pro-Tem Richardson	Yes		

VOTE:

Yes: 7	No: 0	Absent: 0	Vote: Carried

On a roll call vote, the vote to approve Resolution No. 2012- 140 as amended was as follows:

Council Member Murdock	Yes	Mayor Schreiber	Yes
Mayor Pro-Tem Richardson	Yes	Council Member Bodary	Yes
Council Member Robb	No	Council Member Jefferson	Yes
Council Member Vogt	Yes		

VOTE:

Yes: 6	No: 1 (Robb)	Absent: 0	Vote: Carried

2. Resolution 2012-141, approving Aubree's temporary authorization for outdoor service.

RESOLVED BY THE COUNCIL FOR THE CITY OF YPSILANTI:

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WHEREAS, the Michigan Liquor Control Commission cannot consider the approval of this request without the approval of the local legislative body pursuant to the provisions of the Liquor Control Code; and

WHEREAS, Aubree's Saloon, Inc. has provided necessary documentation for approval to the Special Events Coordinator and is awaiting approval.

NOW, THEREFORE, BE IT RESOLVED THAT the Ypsilanti City Council approves the application of Aubree's Saloon, Inc. for temporary expansion of outdoor service area in the area of the City-owned parking lot adjacent to 39-41 E. Cross St., Ypsilanti, MI 48198.

OFFERED BY: Council Member Murdock
SUPPORTED BY: Council Member Robb

Interim City Manager Frances McMullan commented that this is a level four event and Sandy French, the owner of Aubree's, needs approval from the Michigan Liquor Control Commission and the local unit of government to proceed. In addition she said that Lt. Annas has approved the event.

IX. REMARKS BY THE MAYOR –

None

X. CLOSED SESSION

Closed Session to discuss pending litigation (OMA 15.268, Section 8(e)).

On a roll call vote, the vote to adjourn to a closed session was as follows:

Mayor Pro-Tem Richardson	Yes	Council Member Bodary	Yes
Council Member Robb	Yes	Council Member Jefferson	Yes
Council Member Vogt	Yes	Council Member Murdock	Yes
Mayor Schreiber	Yes		

VOTE:

Yes: 7 No: 0 Absent: 0 Vote: Carried

XI. ADJOURNMENT –

Resolution No. 2012-142, adjourning the Special Council Meeting.

Council Member Jefferson moved, supported by Council Member Vogt to adjourn the City Council meeting.

On a voice vote, the motion carried and the meeting adjourned at 8:22 a.m.

Resolution No. 2012 – 164
August 21, 2012

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI,

That the following items be approved:

1. Resolution No. 2012-165, recognizing Destiny and Purpose Outreach (DAPCO) as a non-profit organization in the City of Ypsilanti for the purpose of obtaining a charitable gaming license.

2. Resolution No. 2012-166, amending the ICMA-RA Administrative Service Agreement.

3. Resolution No. 2012-167, accepting the appointment of Wilmington Trust Retirement and Institutional Services Company (WTRISC) as non-discretionary directed trustee and non-discretionary directed successor trustee, replacing Vantage Trust Company (VTC) who resigned.

4. Resolution No. 2012-168, supporting a request to overturn the Supreme Court's Citizen United vs. Federal Elections Commission.

5. Resolution No. 2012-169, supporting *"Turn the Towns Teal"* in support of National Ovarian Cancer Awareness Month.

6. Resolution No. 2012-170, approving proposal from Oscar W. Larson Company for fuel tank repairs.

7. Resolution No. 2012-172, authorizing YCUA to use YCUA City Division Reserve for the Construction Fund for the West Cross Street Water Improvements Project.

8. Resolution No. 2012-173, approving the construction engineering and geotechnical testing services contract with Orchard, Hiltz & McCliment (OHM) for the reconstruction, curb/gutter replacement, drainage improvements and water main replacement for the West Cross Street between Wallace Blvd. and Washtenaw Ave. project.

9. Resolution No. 2012-174, approving the engagement letter from Rehmann Robson for the City of Ypsilanti for the year ended June 30, 2012.

OFFERED BY: ____

SUPPORTED BY:____

YES: NO: ABSENT: VOTE:

REQUEST FOR LEGISLATION
August 21, 2012

FROM: Frances McMullan, City Clerk

SUBJECT: Request from Destiny and Purpose Community Outreach (DAPOCO) for recognition of nonprofit status to obtain Charitable Gaming License

SUMMARY & BACKGROUND:

Destiny and Purpose Community Outreach (DAPOCO) intends to apply to the State of Michigan for a charitable gaming license. The license would permit DAPOCO to hold two fundraisers, one in 2012 and one in 2013 at 127 N. Washington Street in Ypsilanti, MI 48197.

The contact person is Towana D. Parker, Executive Director, (877)832-1277, Ext. 103 or www.dapco1.sbcglobal.net.

RECOMMENDED ACTION: Approval

ATTACHMENTS: Resolution
Supporting Documentation

COUNCIL AGENDA DATE: August 21, 2012

CITY MANAGER COMMENTS: ____________________________________

CITY MANAGER APPROVAL: ____________________________________

FINANCE DIRECTOR APPROVAL: ________________________________

Resolution No. 2012-165
August 21, 2012

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Destiny and Purpose Community Outreach (DAPOCO) intends to apply to the State of Michigan for a Charitable Gaming License; and

WHEREAS, this license would permit DAPOCO to hold two fundraising events; one in 2012 and one in 2013 at 127 N. Washington Street in Ypsilanti, MI. 48197; and

WHEREAS, the DAPOCO is a 501(c)(3) tax exempt organization.

NOW THEREFORE BE IT RESOLVED THAT the City Council recognizes the DAPOCO as a nonprofit organization operating in the City of Ypsilanti for the purpose of obtaining charitable gaming license.

OFFERED BY: ____

SUPPORTED BY: ____

YES: NO: ABSENT: VOTE:

Destiny and Purpose Community Outreach

"The Heartbeat of the Community"
127 North Washington, Ypsilanti, MI 48197
(877) 832-1277 Ext. 103 Web Address: **www.dapco.org**

August 1, 2012

Ypsilanti City Hall
Attention Clerk, Frances McMillan
1 South Huron
Ypsilanti, MI 48197

On behalf of Destiny and Purpose Community Outreach (DAPCO) we submit the following paperwork to request consideration of the enclosed resolution being completed by the governing body at City Hall.

The completion of this resolution will be submitted to the Lansing Gaming commission to complete our application request to conduct a raffle by the end of 2012.

If you have questions, feel free to call our office at 877-832-1277 Ext. 103 Monday-Friday or you may contact us by email at dapco1@sbcglobal.net. Thank you in advance for your consideration of our request.

Sincerely,

[redacted]

Towana D. Parker
Executive Director

By Lisa Carolin
AnnArbor.com Freelance Journalist

Destiny and Purpose nonprofit relocating in downtown Ypsilanti

Posted: Tue, Jan 3, 2012 : 5:57 a.m. Topics: Ypsilanti, News

It will soon be moving day for **DAPCO.**, the local nonprofit also known as **Destiny and Purpose Community Outreach.**

The **Ypsilanti**-based organization, which assists individuals in becoming stabilized, anchored members of society, is renovating a new permanent office location at 127 N. Washington St. and is planning an open house in January.

The mission of DAPCO is to strengthen family: equipping men, women and youth who are at risk of becoming non-achievers with the skills and resources to become productive citizens with new hope; living purposeful lives with moral and ethical values.

Earlier this year, DAPCO closed its Detroit office with the goal to concentrate its efforts in Washtenaw County.

"Our funding is area specific and in 2012, 80 percent of our budget will be dedicated to programming in Washtenaw County," said DAPCO's executive director **Towana Parker.**

DAPCO's 2012 budget will be determined in January. Parker says the 2011 budget is close to $200,000, with most of the money coming from corporations, private donors and foundations.

For the past 15 years, DAPCO has been located at 133 W. Michigan in the Michigan Heritage Building. The new location will mean new programs, including teaching reading literacy in elementary schools in the Ann Arbor Public School District and a support group for family members and friends of incarcerated individuals.

"We will also have a re-entry program working with 15-25-year-olds coming out of jail," said Parker. "We will give them employment training."

DAPCO began in 1997 as a women's entrepreneurial support program called Ladies of Destiny and Purpose, International. When the focus broadened in 1999, the name changed to DAPCO and it became a charitable, educational and mission minded community development organization.

Parker says that DAPCO recently gave a community baby shower that more than 35 people attended.

"We now have 22 families of attendees who were there who have needs for Christmas," she said.

For more information, call 877-832-1277, ext. 103.

Tags: DAPCO, Destiny and Purpose Community Outreach, Towana Parker,

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: MAY 12 2003

DESTINY AND PURPOSE COMMUNITY
OUTREACH DAPCO

DETROIT, MI 48219-1116

Employer Identification Number:
38-3486156
DLN:
17053060791043
Contact Person:
JAMES H BLAIR ID# 31324
Contact Telephone Number:
(877) 829-5500
Our Letter Dated:
November 1999
Addendum Applies:
no

Dear Applicant:

This modifies our letter of the above date in which we stated that you would be treated as an organization that is not a private foundation until the expiration of your advance ruling period.

Your exempt status under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3) is still in effect. Based on the information you submitted, we have determined that you are not a private foundation within the meaning of section 509(a) of the Code because you are an organization of the type described in section 509(a)(1) and 170(b)(1)(A)(vi).

Grantors and contributors may rely on this determination unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your section 509(a)(1) status, a grantor or contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act, or the substantial or material change on the part of the organization that resulted in your loss of such status, or if he or she acquired knowledge that the Internal Revenue Service had given notice that you would no longer be classified as a section 509(a)(1) organization.

You are required to make your annual information return, Form 990 or Form 990-EZ, available for public inspection for three years after the later of the due date of the return or the date the return is filed. You are also required to make available for public inspection your exemption application, any supporting documents, and your exemption letter. Copies of these documents are also required to be provided to any individual upon written or in person request without charge other than reasonable fees for copying and postage. You may fulfill this requirement by placing these documents on the Internet. Penalties may be imposed for failure to comply with these requirements. Additional information is available in Publication 557, Tax-Exempt Status for Your Organization, or you may call our toll free number shown above.

If we have indicated in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

MICHIGAN LOTTERY
Charitable Gaming Division
Box 30023, Lansing, MI 48909
OVERNIGHT DELIVERY:
101 E. Hillsdale, Lansing MI 48933
(517) 335-5780
www.michigan.gov/cg

LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES

(Required by MCL.432.103(K)(ii))

At a ______________________ meeting of the ______________________
REGULAR OR SPECIAL — TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD

called to order by ______________________ on ______________________
DATE

at ____________ a.m./p.m. the following resolution was offered:
TIME

Moved by ______________________ and supported by ______________________

that the request from ______________________ of ______________________,
NAME OF ORGANIZATION — CITY

county of ______________________, asking that they be recognized as a
COUNTY NAME

nonprofit organization operating in the community for the purpose of obtaining charitable

gaming licenses, be considered for ______________________.
APPROVAL/DISAPPROVAL

APPROVAL		DISAPPROVAL	
Yeas:	________	Yeas:	________
Nays:	________	Nays:	________
Absent:	________	Absent:	________

I hereby certify that the foregoing is a true and complete copy of a resolution offered and adopted by the ______________________ at a ______________________
TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD — REGULAR OR SPECIAL

meeting held on ______________________.
DATE

SIGNED: ______________________
TOWNSHIP, CITY, OR VILLAGE CLERK

____
PRINTED NAME AND TITLE

____
ADDRESS

COMPLETION: Required.
PENALTY: Possible denial of application.

BSL-CG-1153(R6/09)

REGISTRATION #
MICS 23784

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

EXPIRATION DATE:
July 31, 2012

BILL SCHUETTE
ATTORNEY GENERAL

Destiny And Purpose Community Outreach (Dapco)
P. O. Box 19119
Detroit, MI 48219

CHARITABLE SOLICITATION REGISTRATION

Destiny and Purpose Community Outreach (DAPCO)

1. **The renewal form for this registration is due no later than July 01, 2012.** This is 30 days prior to the expiration date shown above. Please calendar the date now. Forms are available on the Attorney General's web site at: www.michigan.gov/agcharities or may be requested by contacting the Charitable Trust Section at (517) 373-1152.

2. **Extension** of the registration may be requested if required information will not be available prior to the renewal due date. A written request for an extension must be received on or before the above expiration date of the registration.

3. **Throughout the year**, notify us within 30 days of changes in the following:
   -- Name or address
   -- Board of directors
   -- Resident agent
   -- Methods of soliciting donations
   -- Fiscal year end
   -- Purposes
   -- Amendments to the bylaws or constitution of the organization
   -- Amendments to your articles of incorporation, assumed names or name changes
   -- If any other state has prohibited solicitation activity by your organization

4. Any **contracts** you enter into with professional fundraisers must be submitted to our office within 10 days of execution. Charities must verify the licensure of their professional fundraiser.

5. If you no longer need to register because the organization now meets exemption criteria, or if it is ceasing operations or merging with another organization, please notify our office.

Charitable Trust Section
P.O. Box 30214
Lansing, Michigan 48909

Phone: 517-373-1152
Fax: 517-241-7074
Email: ct_email@michigan.gov
Website: www.michigan.gov/agcharities

[redacted]

REQUEST FOR LEGISLATION
August 21, 2012

To: Mayor and Council

From: Judi Smith

Subject: ICMA-RC 457 (b) Plan

SUMMARY & BACKGROUND:

The City has agreed to engage ICMA-RC to provide administrative services and investments for the 457 Governmental Deferred Compensation Plan. ICMA-RC wishes to amend the Administrative Services Agreement to acknowledge the appointment of Wilmington Trust Retirement and Institutional Services Company (WTRISC) as non-discretionary directed trustee or non-discretionary directed successor trustee, as Vantage Trust Company, LLC (VTC) resigned effective July 31, 2012.

ICMA –RC is requesting that City Council approve the attached resolutions amending the administrative service agreement and accepting the appointment of Wilmington Trust, effective July 1, 2012.

RECOMMENDED ACTION: Approval

ATTACHMENTS: Resolution No. 2012-166 , amending the ICMA Administrative Service Agreement
Resolution No. 2012- 167, appointing Wilmington Trust (WTRISC)

CITY MANAGER APPROVAL: ____________________ COUNCIL AGENDA DATE: __8-21-12___

CITY MANAGER COMMENTS: ______________________________________

FISCAL SERVICES DIRECTOR APPROVAL: ______________________________

Resolution No. 2012 – 166
August 21, 2012

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, City Council of the City of Ypsilanti deems it to be in the best interest of its employees to continue to offer a 457 (b) Deferred Compensation Plan; and

WHEREAS, the employer entered the Agreement(s) to engage ICMA-RC to provide administrative services and investments for the plan under the terms specified in the A Agreement(s); and

WHEREAS, the parties wish to amend the Agreement(s) to acknowledge that the Employer has appointed Wilmington Trust Retirement and Institutional Services Company (WTRISC) as non-discretionary directed trustee or non-discretionary directed successor trustee, as applicable, under the Plan; and

WHEREAS, Section 11(a) of the Agreement provides that the Agreement(s) may be amended pursuant to a written instrument signed by the parties.

NOW, THEREFORE BE IT RESOLVED THAT the City of Ypsilanti and ICMA-RC agree to the following terms to be added to the Agreement(s):

1. Employer has appointed WTRISC as non-discretionary directed trustee or non-discretionary directed successor trustee, as applicable, under the Plan, and WTRISC is willing to serve as non-discretionary directed trustee or non-discretionary directed successor trustee, as applicable;

2. ICMA-RC and Employer acknowledge and agree that ICMA-RC will continue to have the sole responsibility to provide administrative services for the Plan under the terms specified in the Agreement(s), and that WTRISC shall not have any responsibility for the performance of said services; and

3. WTRISC's fee for providing such trustee services is an annual fee of $850 per plan. ICMA-RC will invoice the Employer annually, and payment will be due within 30 days of the date of the invoice.

OFFERED BY: ______________________________

SUPPORTED BY: ______________________________

YES: NO: ABSENT: VOTE:

Resolution No. 2012 - 167
August 21, 2012

Plan Number: 300180 **Name of Employer:** City of Ypsilanti **State:** Michigan

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the assets of the City of Ypsilanti's 457(b) Deferred Compensation Plan are held in trust for the exclusive benefit of Plan participants and their beneficiaries, and shall not be diverted to any other purpose prior to the satisfaction of all liabilities of the Plan; and

WHEREAS, the City of Ypsilanti has been notified that Vantage Trust Company, LLC ("VTC") will resign as passive-directed trustee of the Plan effective July 31, 2012; and

WHEREAS, the City of Ypsilanti desires to appoint Wilmington Trust Retirement and Institutional Services Company ("Wilmington Trust") to serve as successor passive-directed trustee of the Plan, effective as of July 1, 2012.

NOW THEREFORE BE IT RESOLVED, that the City of Ypsilanti accepts the resignation of VTC as passive-directed trustee of the Plan and hereby appoints Wilmington Trust to serve as successor passive-directed trustee of the Plan, effective July 1, 2012.

BE IT FURTHER RESOLVED that the City Council authorizes the Human Resources Department to retain ICMA-RC to provide 457 (b) Deferred Compensation Services to City employees for the calendar year of July 1, 2012 through June 30, 2013, and to coordinate and take any and all actions required to implement the foregoing resolution.

RECOMMENDED ACTION: Approval

ATTACHMENTS: 457(b) supporting documents

CITY MANAGER APPROVAL: ________________________ COUNCIL AGENDA DATE: __8-21-12____

CITY MANAGER COMMENTS: ____

FISCAL SERVICES DIRECTOR APPROVAL: _____________________________________

ICMA-RC
Building Retirement Security

May 2012

Important Notice: Change in Trustee for 457 Governmental Deferred Compensation Plan

Dear Plan Sponsor,

As you know, VantageTrust Company, LLC ("VTC"), a wholly-owned subsidiary of ICMA-RC, currently serves as passive-directed trustee for your 457 governmental deferred compensation plan(s). However, as of July 31, 2012, VTC will no longer serve in this capacity. If you desire to continue to use a passive-directed trustee, you will need to select a new passive-directed trustee to serve in this capacity.

To assist plan sponsors seeking a passive-directed trustee, ICMA-RC recently established a relationship with Wilmington Trust Retirement and Institutional Services Company ("Wilmington Trust"), a Delaware-chartered trust company, to provide passive-directed trustee services to our clients. Wilmington Trust is a highly experienced trust company and leader in providing independent passive-directed trustee services.

You may elect to use Wilmington Trust as your plan's successor passive-directed trustee or choose an alternative option to meet your plan's requirements. If you elect Wilmington Trust as your successor passive-directed trustee, there will be no change to how your retirement plan is administered. Please note that Wilmington Trust assesses an annual fee of $850 per plan.

To select Wilmington Trust to serve as your plan's successor passive-directed trustee, please follow these steps:

1. Complete and return the enclosed *Wilmington Trust Account Application* packet (Attachment 1) using the enclosed *Wilmington Trust Application Instructions*;
2. Execute the enclosed *Amendment to the Administrative Services Agreement(s)* (Attachment 2); and
3. Document the appointment of Wilmington Trust as successor passive-directed trustee by executing the enclosed *Suggested Resolution* (Attatcment 3), if required by your legislative body and/or plan administrative committee.

Please return the completed and ***executed original*** documents by mail to:

ICMA-RC
ATTN: New Business Unit
P.O. Box 96220
Washington, DC 20090-6220

If you choose a trustee option other than Wilmington Trust, ICMA-RC will work with you to ensure a smooth transition.

Please note that the selection of a new passive-directed trustee needs to be made no later than July 15, 2012.

If you have any questions regarding the passive-directed trustee change, please contact ICMA-RC's Plan Sponsor Services team at 800-326-7272. We appreciate your continued relationship with ICMA-RC.

Sincerely,

ICMA-RC

Enclosures

AC: 0512-5665

WILMINGTON TRUST APPLICATION INSTRUCTIONS

Below are simple instructions to help you complete the required documents to appoint Wilmington Trust Retirement and Institutional Services Company ("WTRISC") to serve as passive-directed trustee for your plan(s).

Please complete the ***Wilmington Trust Account Application*** **packet** (Attachment 1) by following these steps:

1. **Review Page 1** - We have pre-filled the Plan Sponsor information section for you. Please review for accuracy, fill in anything missing, and make any necessary changes.

2. **Read Pages 2-7** - Review the terms of the Trust Agreement being entered into between the Plan and WTRISC. The effective date (top of page 2) may be no later than July 31, 2012. If you desire an earlier date, please update accordingly.

3. **Check box (if applicable) and execute Page 8** - Check *Shareholder Communication Act* box (top of page 8), if you want WTRISC to withhold the name, address and share positions(s) from issuing companies. Execute *Employer Section* (bottom of page 8), have someone attest, provide corporate seal and return an executed original copy to ICMA-RC. Upon WTRISC's written acceptance of appointment, WTRISC will execute the agreement and send a copy back to you. However, should you need an original set returned to you, please provide two executed original copies to ICMA-RC.

4. **List Authorized Person(s) Page 9** - Select one box (top of page 9) to assign the appropriate number of individuals that WTRISC may accept and act upon instructions on behalf of the Plan. List each authorized person's name, title, date, and have each person sign in the appropriate box.

5. **Skip Page 10** - ICMA-RC will provide Wilmington Trust with all other applicable documents that are required (as referenced on the Document Requirements checklist).

NOTE: You will need to complete and return the *Wilmington Trust Account Application* packet (Attachment 1) **for each one of your plan(s)** that you wish to appoint WTRISC to serve as passive-directed trustee. WTRISC assesses an annual fee of $850 per plan. ICMA-RC will invoice the Employer annually and payment will be due within 30 days of the date of the invoice.

Please return the completed and executed original documents to ICMA-RC and keep a copy for your records.

Mail to: ICMA-RC
ATTN: New Business Unit
PO Box 96220
Washington, DC 20090-6220

Attachment 2

AMENDMENT
TO THE
Administrative Services Agreement(s)
for Plan Number(s)

This Amendment to the Administrative Services Agreement(s) ("Agreement(s)") for Plan number(s) 300180____ (the "Plans") is entered by and between CITY OF YPSILANTI______________ ("Employer") and ICMA Retirement Corporation ("ICMA-RC"), effective as of the date of execution by the Employer below ("Execution Date").

WHEREAS, the Employer sponsors the Plans on behalf of its eligible employees and retirees;

WHEREAS, the Employer entered the Agreement(s) to engage ICMA-RC to provide administrative services and investments for the Plan under the terms specified in the Agreement(s);

WHEREAS, the parties wish to amend the Agreement(s) to acknowledge that the Employer has appointed Wilmington Trust Retirement and Institutional Services Company (WTRISC) as non-discretionary directed trustee or non-discretionary directed successor trustee, as applicable, under the Plan; and

WHEREAS, Section 11(a) of the Agreement provides that the Agreement(s) may be amended pursuant to a written instrument signed by the parties.

NOW, THEREFORE, Employer and ICMA-RC agree to the following terms to be added to the Agreement(s):

1. Employer has appointed WTRISC as non-discretionary directed trustee or non-discretionary directed successor trustee, as applicable, under the Plan, and WTRISC is willing to serve as non-discretionary directed trustee or non-discretionary directed successor trustee, as applicable;

2. ICMA-RC and Employer acknowledge and agree that ICMA-RC will continue to have the sole responsibility to provide administrative services for the Plan under the terms specified in the Agreement(s), and that WTRISC shall not have any responsibility for the performance of said services; and

3. WTRISC's fee for providing such trustee services is an annual fee of $850 per plan. ICMA-RC will invoice the Employer annually, and payment will be due within 30 days of the date of the invoice.

In all other respects, the Agreement(s) is hereby ratified and affirmed.

IN WITNESS WHEREOF, Employer has caused this Amendment to be executed by its duly authorized officer this ________ day of ____________________, 2012.

EMPLOYER

By:

Print Name:

Title:

INTERNATIONAL CITY/COUNTY MANAGEMENT ASSOCIATION
RETIREMENT CORPORATION

By Angela C. Montez

Angela C. Montez
Assistant Corporate Secretary

Attachment 3

SUGGESTED RESOLUTION FOR APPOINTMENT OF WILMINGTON TRUST RETIREMENT AND INSTITUTIONAL SERVICES COMPANY AS SUCCESSOR TRUSTEE

Plan Number 30_________ Name of Employer: ________________________________State: _________

Title of Plan Coordinator: ________________________

Resolution of the above named Employer ("Employer"):

WHEREAS, the Employer has established and maintains a Deferred Compensation Plan and Trust to provide retirement income and other deferred benefits to the eligible Employees of the Employer and the Employees' Beneficiaries in accordance with the provisions of Section 457 of the Internal Revenue Code of 1986, as amended (the "Plan");

WHEREAS, the assets of the Plan are held in trust for the exclusive benefit of Plan participants and their beneficiaries, and shall not be diverted to any other purpose prior to the satisfaction of all liabilities of the Plan;

WHEREAS, the Employer has been notified that VantageTrust Company, LLC, ("VTC") will resign as passive-directed trustee of the Plan effective July 31, 2012; and

WHEREAS, the Employer desires to appoint Wilmington Trust Retirement and Institutional Services Company ("Wilmington Trust") to serve as successor passive-directed trustee of the Plan, effective as of __________________ (effective date may be no later than July 31, 2012).

NOW, THEREFORE, BE IT RESOLVED, that the Employer accepts the resignation of VTC as passive-directed trustee of the Plan.

BE IT FURTHER RESOLVED that the Employer hereby appoints Wilmington Trust to serve as successor passive-directed trustee of the Plan, _____________________ (effective date may be no later than July 31, 2012).

BE IT FURTHER RESOLVED that the above named Plan Coordinator shall be the coordinator and contact for the Plan to take any and all actions required to implement the foregoing resolution.

I, ______________________________, Clerk of the ______________________ (City, County, etc.) of ____________________________________, do hereby certify that the foregoing resolution, proposed by ______________________________ (Council Member, Trustee, etc.), was duly passed and adopted in the _________________________ (Council, Board, etc.) of the ___________________(City, Council, etc.) of ________________________________at a meeting thereof assembled the ____ day of_______, 2012, by the following vote:

AYES:

NAYS:

ABSENT:

(Seal)

____
Clerk of the (City, County, etc.)

WILMINGTON TRUST

Attachment 1

WILMINGTON TRUST
RETIREMENT AND INSTITUTIONAL SERVICES COMPANY

ACCOUNT APPLICATION - PASSIVE TRUSTEE — WTRISC

Plan Sponsor

Plan Name	CITY OF YPSILANTI
Plan Sponsor	CITY OF YPSILANTI
Entity Type	Governmental Entity
Contact Name/Title	JUDI SMITH, HUMAN RESOURCES GENERALIST
Address	ONE SOUTH HURON ST
City, State, Zip	YPSILANTI, MI 481975420
Telephone	(734) 483-1242
Fax	(734) 483-7387
Email Address	JASMITH@CITYOFYPSILANTI.COM
Plan Trust Tax I.D. (TIN)	
Plan Sponsor EIN	38-6004750 (for nonqualified plans only or plans w/o TINs established)
Plan Year End	
Plan Inception Date	12/17/1973
Current Trustee	VANTAGETRUST COMPANY, LLC
Current Custodian	
Plan Type	457(b) Other
Trust Type	Select One Other
Participant Directed Plan	Yes (the plan is participant directed)
Qualified Plan Under ERISA	No
Qualified Tax Status	No (Taxable)
Number of Participants	17
Asset Size	$902K

Disclaimer: No representation or warranty is made by Wilmington Trust Retirement and Institutional Services Company that the documents provided hereunder, including without limitation any trust agreement amendment and (as applicable) associated ministerial services agreement are appropriate for a particular plan or employer or that they comply with the requirements of law applicable to any particular plan or employer. Plan sponsors should consult with their legal, tax and other advisors in designing, drafting and/or reviewing the appropriate plan and trust agreements, amendments, and associated agreements and documents and to consider their effect on any existing or contemplated IRS tax qualification letters or determinations as well as compliance with applicable law.

Plan, the design or monitoring of the participant loan program, ensuring compliance with Section 404(c) of ERISA, if applicable, selecting or monitoring the selection of plan investments. The Employer or its designee agrees to notify the Trustee immediately in the event of any changes regarding plan investments.

(b) The Trust Agreement shall be construed and enforced against the Trustee according to the laws of the state of the Employer's residence, except that the state law relating to the Trustee's qualifications, performance, authority, duties, rights, protections and indemnities shall for all purposes be the internal laws of the State of Delaware other than its laws respecting choice of law, to the extent not preempted by ERISA, if applicable. The foregoing provisions shall control the interpretation of the Trust Agreement notwithstanding anything to the contrary contained herein or in any other document governing the Plan.

(c) Administrative Powers. The Trustee shall have the following administrative powers with respect to the Trust, which it may exercise in its sole discretion:

(i) With advance notice to the Employer, to engage attorneys (who may also serve as counsel for the Employer or the Trustee), accountants and other professional advisors, and, anything contained herein to the contrary notwithstanding, to engage in legal or administrative proceedings as the Trustee deems reasonably required in connection with the administration of the Trust, and to compensate any persons so engaged at such wages, fees, remuneration, consideration or otherwise, and upon such terms and conditions as the Trustee deems reasonable under the circumstances. Unless otherwise noted in this Agreement, such compensation shall be a charge upon the Trust and may be paid from the Trust with prior notice to the Employer and shall in no event be deducted from any compensation payable to the Trustee. (ii) To do all such acts, and exercise all such rights and privileges, although not specifically mentioned, unless specifically prohibited by the Employer or Plan Administrator, which shall be reasonably required in the performance of the Trustee's duties hereunder.

(ii) Judicial Settlement. With at least 10 days advance notice to the Employer, the Trustee shall have the right at any time to apply to a court of competent jurisdiction for judicial settlement of its accounts or for determination of any questions of construction which may arise or for instructions. The only necessary party defendant to any such action shall be the Plan Administrator, but the Trustee may, if it so elects, join in as a party defendant any other person or persons. The cost, including attorneys' fees, of any such accounting shall be a charge against the Trust with prior notice to the Employer.

(iii) Compensation. The Trustee shall receive compensation for the performance of its services in accordance with its schedule of compensation in effect when such services are rendered. In the event that the Trustee shall be called upon to render any extraordinary services, it shall be entitled to additional compensation in accordance with the schedule of compensation. To the extent not paid by Employer or another person or entity in its stead or on its behalf, such compensation shall constitute a charge against the Trust.

(iv) Expenses. Expenses for legal, accounting and all other proper charges and disbursements of the Trustee in connection with the administration of the Trust shall constitute a charge to be paid by the Trust with prior notice to the Employer.

(d) Designation of Plan Administrator, Authorized Persons and Investment Manager. The Plan Administrator, Authorized Person and Investment Manager may be designated by providing the name and signatures of such person(s) to the Trustee. The Trustee shall be entitled to rely entirely, without having to make further inquiry, and shall not be held liable for any actions taken in assuming, that the identity and duties of such persons so designated are valid until such time as it is otherwise notified in writing. Notice of authorization or removal of the Plan Administrator shall be accompanied by evidence of proper action of the Employer approving such instruction.

(e) Reliance on Instruction. The Trustee may rely in all respects, without having to make further inquiry, upon instructions appearing to be instructions from any person designated as the Employer, Plan Administrator, Investment Manager or Authorized Person. Instructions given by an Authorized Person in pursuant to the foregoing shall be reimbursed promptly by the Trustee to the extent of its non-entitlement.

(m) Specific Indemnities. In addition to and not in derogation of any other indemnification or hold harmless provisions in this Agreement, the Employer agrees to indemnify and hold the Trustee Indemnitees harmless from and against any liability that it or they may incur because of:

(i) The Employer's failure to make any contribution to the Trust or the insufficiency of the Trust to discharge any liabilities under the Plan.

(ii) Actions taken or omitted by the Trustee pursuant to any instructions from the Employer, Plan Administrator, Investment Manager or Authorized Person, as the case may be, or actions not taken in the absence of any such instruction.

(iii) The application of any part of the Trust by the Trustee in accordance with the instructions of the Employer, Plan Administrator, Investment Manager or Authorized Person.

(iv) The failure of an individually directed account or participant loan to satisfy the requirements of the Plan and Applicable Law.

(n) Waiver. The Trustee shall not, by act, delay, omission or otherwise, be deemed to have waived any right or remedy it may have either under this Agreement or generally, unless such waiver is in writing, signed by the Trustee, and such waiver shall only be effective to the extent expressly therein set forth. A waiver by the Trustee of any right or remedy granted by this Agreement shall not be construed as a bar to, or waiver of, the same or any other such right or remedy which it would otherwise have on any other occasion.

(o) No Affiliation. The Trustee is not affiliated with the recordkeeper and there is no agency, partnership or joint venture relationship between the Trustee and the recordkeeper.

(p) Removal or Resignation. The Trustee may be removed by the Employer at any time by written notice to the Trustee and the Trustee may resign at any time by written notice to the Employer; provided that, unless otherwise agreed, the effective date of such removal or resignation shall be greater than sixty (60) days from the date of said written notice. Notice of removal shall be accompanied by evidence of proper action of the Employer approving such removal.

(q) Successor. The Employer shall appoint a successor trustee to act hereunder within sixty (60) days after notice provided. If within sixty (60) days after such notice the Employer has not designated a successor trustee, which has accepted such appointment, the Trustee may apply to a court of competent jurisdiction for the appointment of a successor trustee or may appoint an employee of Employer as successor trustee in accordance with Applicable Law. Any business entity into which the Trustee may be merged or converted or with which it may be consolidated, or any entity resulting from any merger, conversion or consolidation to which the Trustee shall be a party, or any entity succeeding to all or substantially all of the corporate trust business of the Trustee, shall be the successor of the Trustee hereunder, without the execution or filing of any paper or any further act on the part of any of the parties hereto.

(r) Powers of Successor. Each successor trustee shall have the powers and duties conferred upon the Trustee in this Agreement and the term "Trustee" as used in this Agreement shall be deemed to include any successor trustee.

(e) Render reports to the Employer and the Trustee with respect to assets held as required or reasonably requested (e.g., SOC-1 or similar reports);

(f) Perform tax reporting and withholding in compliance with applicable Federal and State law in connection with payments to participants or beneficiaries and in accordance with instructions and directions provided by the Employer;

(g) Collect or cause to be collected all income, distributions, and proceeds relating to Plan assets and to invest the same and all contributions as directed by the Employer or another Instructing Party;

(h) Process or cause to be processed dividends, including reinvestment and/or payment, if applicable; and

(i) Forward or cause to be forwarded to the Employer all applicable proxies, corporate actions and other notices relating to the Plan assets, which the Employer shall process.

[Remainder of page intentionally left blank]

WILMINGTON TRUST

AUTHORIZED PERSON LIST

In accordance with the provisions of the Amendment of Trust entered into by and between **Wilmington Trust Retirement and Institutional Services Company** ("WTRISC"), and **CITY OF YPSILANTI**, as plan sponsor for the **CITY OF YPSILANTI** (the "Plan"), WTRISC may accept and act upon instructions on behalf of the Plan received from:

(Please select one):
- [XX] Any **one** of the individuals
- [ ] By **each and every one** of the individuals
- [ ] By **Insert Number of Individuals, if applicable** of the individuals shown below:

By: Judi Smith **Name:** Judi Smith **Title:** Human Resources Manager **Date:** July 31, 2012	**By:** ______ **Name:** **Title:** **Date:** ______
By: Marilou T. Uy **Name:** Marilou Uy **Title:** Director of Fiscal Services **Date:** July 31, 2012	**By:** ______ **Name:** **Title:** **Date:** ______
By: ______ **Name:** Ralph Lange **Title:** City Manager **Date:** July 31, 2012	**By:** ______ **Name:** **Title:** **Date:** ______

Resolution No. 2012-168
August 21, 2012

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The First Amendment of the Constitution of the United States prohibits the making of any law abridging the freedom of speech of “We the people”; and

WHEREAS, Campaign finance laws, including limits on campaign contributions, are key tools to ensure fair and free elections, which are essential to democracy and political freedom; and

WHEREAS, In the Supreme Court's ruling in Citizens United v. Federal Elections Commission, the Court held that the First Amendment prohibited the government from restricting independent political expenditures by corporations; and

WHEREAS, Corporations have special privileges, distinct from those of its members, not afforded to natural persons, that allow them to contribute exceptional amounts of money to political campaigns that often do not reflect the public interest; and

WHEREAS, This undue influence on elections leads to the conviction that the political influence of corporations should be limited.

NOW, THEREFORE, BE IT RESOLVED THAT the Ypsilanti City Council, with the utmost respect, calls upon the United States Congress to propose a Constitutional amendment to overturn Citizens United v. Federal Elections Commission and clarify that the rights offered in the Constitution are the rights of natural persons and are not extended to corporations.

OFFERED BY: ____

SUPPORTED BY: ____

YES: NO: ABSENT: VOTE:

Resolution No. 2012-169
August 21, 2012

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, ovarian cancer is the deadliest of gynecologic cancers and a leading cause of cancer-related death in women. The survival rate has barely improved over the past 40 years, when "War on Cancer" was declared.

WHEREAS, due to lack of early detection, less than 20 percent of ovarian cancer is diagnosed early, when it is most treatable; and

WHEREAS, the Michigan Ovarian Cancer Alliance (MIOCA), a nonprofit and partner member of the Ovarian Cancer National Alliance, promotes saving lives through early detection, improved treatment outcomes, community outreach and education; and

WHEREAS, ***"Turn the Towns Teal"*** is a campaign promoting awareness of ovarian cancer and its symptoms, and is held in conjunction with National Ovarian Cancer Awareness Month, from September 1 to September 30; and

WHEREAS, ***"Turn the Towns Teal"*** features teal ribbons tied throughout the city as well as awareness posters and information cards provided for establishments that are interested; and

WHEREAS, the Michigan Ovarian Cancer Alliance (MIOCA), will cover all expenses incurred by this campaign and there will be no cost to the city.

THEREFORE BE IT RESOLVED THAT the Mayor and City Council supports this national campaign and approves of teal ribbons being tied throughout the city, along with awareness posters and information cards being provided for those establishments that are interested.

OFFERED BY: ______________________________

SUPPORTED BY: ______________________________

YES: NO: ABSENT: VOTE:

Turn The Towns Teal®

An Awareness Campaign for Ovarian Cancer

Dear Administrator:

Turn The Towns Teal® is a campaign to create awareness of ovarian cancer and its symptoms. It consists of volunteers tying ribbons (which are biodegradable & made in the USA!) primarily in town centers and providing stores, health clubs, spas, libraries, etc. with symptom cards and information pertaining to ovarian cancer. We do this in September which is National Ovarian Cancer Awareness Month.

Ovarian cancer is often referred to as **"The Silent Disease"** as its symptoms are often vague and subtle. There is NO early detection test for ovarian cancer which is why we NEED women to be aware of the known symptoms. If detected in the early stages, the survival rate for ovarian cancer is 90 to 95% which is why this awareness campaign is so very, very critical.

I am asking you to grant permission for our volunteers to tie ribbons in the center of your town. Additionally, we know that individuals are going to be tying ribbons on their mailboxes and sign posts on their own private property. For more impact, we're going to have lawn signs (similar to political signs) stating that September is Ovarian Cancer Awareness Month. The ribbon & sign campaign will begin on or about September 1st, and your town volunteer (and/or group) will be removing the materials on or about September 30, 2012.

Thanks to the support of towns & cities like yours, we ARE saving lives with this campaign.

Your signature on the bottom of this letter will indicate your permission for our campaign. Kindly return the signed letter to your Teal Volunteer whose name & address are listed below. If you have any questions, please email me at: info@turnthetownsteal.org

Most sincerely,

Jane B. MacNeil

President

MAYOR / TOWN OFFICIAL **TOWN/STATE**

Please return the signed letter to the volunteer listed below. She/he is responsible for the campaign in your town.

VOLUNTEER NAME **CONTACT INFO**

P.O. Box 65, Brookside, NJ 07926
(973)543-2523
info@turnthetownsteal.org

www.turnthetownsteal.org

REQUEST FOR LEGISLATION

From: Stan Kirton, Director of Public Services Date: August 21,2012

Subject: Approval of Proposal to make Repairs to the Underground Fuel Storage Tanks Located in the Fire/Police Parking Lot

Summary and Background:

The 2012 – 2013 fiscal year budget includes funds of $48,000 to make repairs to the underground fuel storage tanks (USTs)located in the Fire/Police parking lot. The scope of work includes removing concrete to access the tank sumps and dispenser pans in the pump islands, supply and install new tank sumps and dispenser sumps, run new 1.5 "double wall piping to the gasoline and diesel pumps, reroute all existing conduit into new containment sumps, install new tank top manholes along with new overspill and overfill protection on tanks and repair up to 500 sq. ft. of 8" reinforced concrete.

Vendor options are limited for this type of work in SE Michigan. The Oscar W. Larson Company has serviced the City's fuel systems for a number of years and has demonstrated expertise in this type of work as well as delivering exemplary service.

During our most recent State inspection of the USTs, the inspector assured us that the USTs would not pass subsequent State Inspections without having these repairs completed. Staff recommends excepting the repair proposal from The Oscar W. Larson Company in the amount of $46,480.

The $46,480 to make these repairs will be expended from the $48,000.00 budgeted in account number 101-2650-818-00.

Attachments: Resolution, Proposal for repairs

Recommended Action: Approval

Date Received: August 14, 2012 Agenda Item No.: ______________

City Manager Comments: ____

Finance Director Approval ____

For Agenda of _August 21, 2012

Council Action Taken: ____

Resolution No. 2012-170
August 21, 2012

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the 2012–2013 fiscal year budget includes funds to make repairs to the underground storage tanks (UST) located in the Fire/Police parking lot; and

WHEREAS, a proposal to make the necessary repairs was submitted by The Oscar W. Larson Company, Clarkston MI, 48348, for the amount of $46,480 and;

WHEREAS, the Oscar W. Larson Company is in only vendor in this area that is certified to do this work; and

NOW, THEREFORE, BE IT RESOLVED THAT the City Council approves the proposal submitted by The Oscar W. Larson Company; and

FURTHER, that $46,480 to make the repairs to the USTs be expended from the $48,000 budgeted in account 101-2650-818-00; and

THAT the City Manager is authorized to sign this purchase proposal and any change orders, subject to approval by the City Attorney, to facilitate this work.

OFFERED BY:____

SUPPORTED BY: ____

YES: NO: ABSENT: VOTE:

THE OSCAR W. LARSON COMPANY

Corporate Office: 10100 Dixie Highway, Clarkston, MI 48348

Ph: (248) 620-0070 – (248) 549-3610 * Fx: (248) 620-0071 – (248) 620-0072

6568 Clay Avenue SW, Grand Rapids, MI 49548 Ph: (616) 698-0001 – Fx: (616) 698-2265
1360 Pineview, Gaylord, MI 49735 Ph: (989) 732-4190 – Fx: (989) 732-3377
1816 N. Telegraph Road, Dearborn, MI 48124 Ph: (810) 217-6534 – Fx: (313) 278-6030
26670 Glenwood, Suite B, Perrysburg, OH 43551 Ph: (419) 873-0555 – Fx: (419) 873-0559
2246 Research Drive, Fort Wayne, IN 46808 Ph: (260) 496-9870 – Fx: (260) 496-9480
8857 Commerce Park Pl., Ste.D, Indianapolis, IN 46268 Ph: (317) 337-9473 – Fx: (317) 337-9474

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To: City of Ypsilanti Fire Department
525 W. Michigan Avenue
Ypsilanti, MI 48197

Attention: Stan Kirton

Date: February 27, 2012

Phone: 734 483-1421
Cell: 734 368-7259
Email: skirton@cityofypsilanti.com

Conditions: 1) This proposal is open for 30 days from the date stated above. However, prices of components, equipment and raw materials may increase before the date such items are ordered. If so, such increases will be added to the quoted cost. THE OSCAR W. LARSON COMPANY will itemize such costs upon receipt of a signed Proposal. If such cost increases are unacceptable to Customer, Customer may elect to cancel order under the terms of the Master Environmental Services Agreement.
2) This Proposal and the Master Environmental Services Agreement constitute the full and complete agreement of the parties, and any inconsistent terms stated in any acceptance, invoice, purchase order, or any other document whatsoever are ineffective. This provision conforms to the requirements of RC 1302.10 (B) (1).
3) Contract documents incorporated by reference as though fully stated herein:
1) The Master Environmental Services Agreement 2) This Proposal

Special Terms: 25% upon acceptance of proposal, 25% on commencement, balance prior to start-up (or) upon completion of proposal (Based on Approved Credit).

SUBJECT: Fuel System Upgrade

SCOPE OF WORK

1. Disconnect all piping and electrical to the gasoline and diesel pumps and remove from islands.
2. Saw cut, demolish and properly dispose of concrete around tank sumps and dispenser pans in islands.
3. Supply and install new tank sumps and dispenser sumps and run new 1.5" doublewall flex piping to the gasoline and diesel pumps.
4. Reroute all existing conduits into new containment sumps, while reusing existing wires.
5. Backfill area and supply necessary tank top manholes along with new overspill and overfill protection on tanks.
6. Pour up to 500 square feet of 8" reinforced concrete.
7. Reinstall pumps, startup and calibrate.

TOTAL PRICE.. $46,480.00

[redacted]

Todd Perry, Construction Supervisor 02/27/12

ACCEPTANCE: This Proposal, when accepted by the purchaser, and approved by a Corporate Officer of the Oscar W. Larson Company, will constitute a contract between us, subject to all terms and conditions contained in the Master Environmental Services Agreement. It is expressly agreed that there are no promises, agreements, or understanding, oral or written, not specified in this proposal and the Master Environmental Services Agreement.

____
Company Name

By: ______________________________

Its: ______________________________

The Oscar W. Larson Company

By: ______________________________

Its: Bruce F. Larson, President

Date: ______________________________

REQUEST FOR LEGISLATION
August 17, 2012

From: Ralph A. Lange, City Manager

Subject: Use of YCUA City Division Reserve for Construction Funds

---

SUMMARY & BACKGROUND: City Council has approved the reconstruction of West Cross Street from Washtenaw to Wallace Boulevard. This project includes water main work and YCUA has requested authorization to use city division reserve for construction funds to pay for this work. Section 106-497 of the City of Ypsilanti Code of Ordinances provides for the creation and funding of a capital improvement fund and these funds shall not be used for any purpose except by authority of the YCUA board of commissioners, with the recommendation of the City Council.

The YCUA Board of Commissioners is requesting to use $504,500 of this fund for water main improvements associated with West Cross Street reconstruction. Attached is a letter from Larry Thomas, Director of YCUA which specifies the costs for this project.

RECOMMENDED ACTION: That City Council considers approving the request from the YCUA Board to use City Division Reserve for Construction funds to pay for $504,500 of water main improvements West Cross Street from Washtenaw to Wallace Boulevard.

ATTACHMENTS: Letter from Mr. Larry Thomas, Director YCUA

CITY MANAGER APPROVAL: ________________________ COUNCIL AGENDA DATE: _________

CITY MANAGER COMMENTS: __________________________

FISCAL SERVICES DIRECTOR APPROVAL: _____________________________________

Resolution No. 2012-172
August 21, 2012

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, at its July 24, 2012 regular Board Meeting, the YCUA Board of Commissioners recommended to City Council that the YCUA City Division Reserve for Construction Fund be used to finance the West Cross Street Water System Improvements Project; and

Whereas, the use of these funds requires City Council's approval; and

Whereas, the City of Ypsilanti along with MDOT is reconstructing West Cross Street from Washtenaw to Wallace Boulevard; and

Whereas, MDOT has agreed to include in their contract the water main replacement work which YCUA will finance; and

Whereas, the cost of construction and engineering for the project is estimated to be $504,500;

Now therefore be it resolved, that the Ypsilanti City Council authorizes YCUA to use the YCUA City Division Reserve for Construction Fund for the West Cross Street Water Improvements Project up to the amount of $504,500, pursuant to Sec. 106-497 of the Ypsilanti Code of Ordinances.

OFFERED BY: ____

SUPPORTED BY: ____

YES: NO: ABSENT: VOTE:

YCUA

YPSILANTI COMMUNITY UTILITIES AUTHORITY

2777 STATE ROAD
YPSILANTI, MICHIGAN 48198-9112
TELEPHONE: (734) 484-4600
FAX: (734) 484-3369
WEBSITE: www.ycua.org

August 1, 2012

VIA USPS

[redacted]

Ms. Frances McMullan, ~~Acting~~ City Manager
CITY OF YPSILANTI
One South Huron Street
Ypsilanti, Michigan 48197-5400

Re: **West Cross Street Water System Improvements Project**

Dear Frances:

At its July 24, 2012 regular Board meeting, the YCUA Board of Commissioners recommended to City Council that the YCUA City Division Reserve for Construction Fund be used to finance the West Cross Street Water System Improvements Project. The use of these funds requires City Council's approval. The City of Ypsilanti along with MDOT is reconstructing West Cross Street from Washtenaw to Wallace Boulevard. MDOT has agreed to include in their contract the water main replacement work which YCUA will finance.

The cost of construction and engineering for the project is estimated to be $504,500. At your earliest convenience, please offer for consideration by the Ypsilanti City Council a request to authorize YCUA to use the YCUA City Division Reserve for Construction Fund for the West Cross Street Water Improvements Project up to the amount of $504,500.

If you have any questions or if I can be of any assistance, please contact me.

Sincerely,

[redacted]

LARRY R. THOMAS, Director
Ypsilanti Community Utilities Authority

RECEIVED
AUG - 6 2012
CITY MANAGER'S OFFICE
CITY OF YPSILANTI

LRT/kks
cc: Mr. Dwayne Harrigan
Ms. Venita Terry
Mr. Scott D. Westover

REQUEST FOR LEGISLATION

From: Stan Kirton, DPS Director   Date: August 21, 2012

Subject: _Contract with Orchard, Hiltz & McCliment, Inc. for the West Cross Street Paving and water Main Improvement Project Construction Engineering Services

Summary and Background:

The West Cross Street Paving and Water Supply Improvement Project is slated for construction in the 2012 construction season. Federal Surface Transportation – Urban funds have been appropriated for this project through the City of Ypsilanti by WATS. It is necessary to secure construction engineering services for this project. The project includes full depth reconstruction of West Cross Street between Wallace Blvd. and Washtenaw Avenue in the 2012 construction season. This project is anticipated to include removal of the concrete pavement, resurfacing with asphalt, curb/gutter replacement, water main replacement and drainage improvement repairs. The road work associated with the this project is estimated to cost $544,500.

This road improvement project will be coordinated with Ypsilanti Community Utilities Authority to include water main replacement. Estimated cost for water supply improvements is $486,600. Water supply improvements for this project will be funded by YCUA.

The total project cost is estimated at $990,000. The construction engineering services proposed by OHM is at a not to exceed cost of $89,400.

Attachments: OHM Proposal for Construction Engineering Services

Recommended Action: Approval

Date Received: __August 14, 2012___   Agenda Item No.: ______________

City Manager Approval: ________________________________

City Manager Comments: ______________________________

For Agenda of _August 21, 2012

Finance Director Approval ______________________________

Resolution No. 2012-173
August 21, 2012

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Federal Surface Transportation Program - Urban funding has been programmed for full depth reconstruction, curb/gutter replacement, drainage improvements and water main replacement for West Cross Street between Wallace Blvd. and Washtenaw Avenue in the 2012 construction season; and

WHEREAS, Orchard, Hiltz and McCliment has provided an exemplary level of service to the City of Ypsilanti on similar street improvement projects, and posses a depth of experience with the infrastructure in the project area; and

WHEREAS, it is necessary to secure construction engineering services to keep this project on schedule;

NOW, THEREFORE, BE IT RESOLVED THAT the City Council approves the construction engineering and geotechnical testing services contract with Orchard, Hiltz & McCliment, Inc., 34000 Plymouth Road, Livonia, MI at a not to exceed cost of $89,400.00; and

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

THAT the City Manager is authorized to sign any change orders that may be needed to maintain the project's schedule, subject to review and approval by the City Attorney.

OFFERED BY:____

SUPPORTED BY: ____

YES: NO: ABSENT: VOTE:

August 13, 2012

OHM
est.1962

City of Ypsilanti
One South Huron St.
Ypsilanti, Michigan 48197

Attention: Mr. Stan Kirton
Department of Public Works Director

Regarding: **West Cross Street Paving – Washtenaw to Elbridge**
City of Ypsilanti
Construction Phase Services

Dear Mr. Kirton:

Orchard, Hiltz & McCliment, Inc. (OHM) is pleased to submit this proposal for engineering services for the West Cross Street Paving Project in the City of Ypsilanti.

PROJECT UNDERSTANDING

We understand that this project will be a water main replacement and paving rehabilitation along West Cross Street from Washtenaw Avenue to Elbridge Street. The project will be a cooperative effort between the Ypsilanti Community Utilities Authority (YCUA) and the City of Ypsilanti. YCUA will be responsible for the water main appurtenance replacement and the City will be responsible for the paving improvements.

The paving portion of the project will be funded by a grant administered by the Michigan Department of Transportation (MDOT). The water main construction will be financed through YCUA, and will be included as non-eligible work in the MDOT contract for the project.

The work to be performed under this proposal is for construction services for the paving portion of the project only.

SCOPE OF SERVICE

CONSTRUCTION SERVICES

(Construction layout, observation, construction engineering and contract administration)

Construction Layout

OHM will provide construction survey layout services for the paving activities. Staking will be provided for storm sewer, curb elevations and drive approaches. This will include the initial placement of the stakes and if removed by residents and/or contractor one (1) additional staking.

Construction Observation

OHM will provide full time on-site construction observation services for all paving activities and restoration. For this proposal, we anticipate eight weeks that will require full time inspection. If the contractor requires more time than this for the major items of work, additional fees may be required. Coordinating materials testing services will also be included under construction observation. Material testing is shown as a separate line item below.

Construction Engineering

OHM will provide construction engineering services for the paving portion of this project. Construction engineering services will include, but are not necessarily limited to, reviewing shop drawings and materials certifications provided by the contractor, attending a pre-bid, preconstruction, and one public meeting, answering requests for information (RFIs) from the contractor, resolving construction conflicts (i.e., mismarked utilities, interpretation of the contract documents, etc.). Record drawings will also be provided.

Contract Administration
OHM will provide necessary contract administration services for the project. Contract administration services will include MDOT coordination, preparation of any necessary change orders and correspondence needed for clarification, preparation and processing of partial and final payment estimates as well as final walk through and project close out.

FEE SCHEDULE
OHM proposes to provide the above outlined professional services on an Hourly - not to exceed basis.

Construction Services -	**$71,600**
Geotechnical Testing-	**$14,800**
TOTAL	**$89,400 (Hourly – Not to Exceed)**

This is an hourly estimate (not to exceed if there are no scope changes). If it appears during the project that this estimate will be exceeded OHM will notify the City in a timely manner and indicate the reasons that the budget will not be met (e.g. the contractor's productivity and field conditions).

ADDITIONAL SERVICES
OHM will be pleased to provide any of the following additional services for this project on a time and material basis. A separate proposal would be provided for such services.

- Boundary surveys
- Easement document preparation
- Easement acquisition
- Any other services not specifically described in the scope of work

DELIVERABLES
Record Drawings in the appropriate format will be delivered upon project completion. A final pay estimate and final acceptance letter will be issued upon project completion.

BASIS OF PAYMENT
OHM will invoice the City once a month for the hourly – not to exceed amount in accordance with the continuing services agreement between OHM and the City of Ypsilanti.
We thank you for this opportunity to provide professional engineering services. Should there be any questions, please contact us.

Sincerely,

ORCHARD, HILTZ & McCLIMENT, INC.

[redacted]

Marcus J McNamara

P:\0000_0100\0094090090_West_Cross_CONST\CE_Services_Proposal.doc

REQUEST FOR LEGISLATION

FROM: Marilou T. Uy, Fiscal Services Director

SUBJECT: Agreement between the City of Ypsilanti and Rehmann Robson, Certified Public Accountants

DATE: August 21, 2012

Annually, the City receives an engagement letter from the City Auditors for council approval prior to conducting the annual audit. This year, the City received an engagement letter dated August 3, 2012 from Rehmann Robson, CPA, outlining the services they will provide, such as: audit objectives, management responsibilities, audit procedures, audit administration, and fees for the annual audit for fiscal year ending June 30, 2012. On February 1, 2011, Council approved the extension of Rehmann Robson contract for two more years for a total of five continuous years. This will be the fifth and last year they conduct the financial audit for the City of Ypsilanti.

The document is reviewed and approved by the City Attorney as to form.

Please feel free to contact me at 734-483-1105 or by e-mail at muy@cityofypsilanti.con if you have questions.

RECOMMENDED ACTION: Approval of the engagement letter with Rehmann Robson, Certified Public Accountants, and authorization for the City Manager to sign the engagement letter.

ATTACHMENTS: Engagement letter dated August 3, 2012 from Rehmann Robson, addendum to engagement letter, Larson Allen, LLP system review report, John Barr, City Attorney Opinion letter, and the Proposed Resolution

CITY MANAGER APPROVAL:______________________________

COUNCIL AGENDA DATE: August 21, 2012

CITY MANAGER COMMENTS: _____________________________

FINANCE DIRECTOR APPROVAL:__________________________

Resolution No. 2012-174
August 21, 2012

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the engagement letter between the City of Ypsilanti and Rehmann Robson, Certified Public Accountants, dated August 3, 2012, for the annual audit for the fiscal year ended June 30, 2012, be approved. The City Manager is authorized to sign for and on behalf of the City of Ypsilanti.

OFFERED BY:____

SUPPORTED BY:____

YES: NO: ABSENT: VOTE:

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

105 Pearl Street
Ypsilanti, MI 48197
(734) 481-1234
Fax (734) 483-3871
www.barrlawfirm.com
e-mail: jbarr@barrlawfirm.com

John M. Barr
Karl A. Barr
~~~~~~~

Jesse O'Jack ~ Of Counsel
William F. Anhut ~ Of Counsel – Retired
Jane A. Slider ~ Legal Assistant

MEMORANDUM

TO: Marilou Uy, Finance Director

FROM: John M. Barr, Ypsilanti City Attorney

DATE: August 17, 2012

SUBJECT: Rehmann Audit contract dated August 3, 2012

I have reviewed the auditors letter contract dated August 3, 2012, prepared by Rehman Robson, and approve it as to form.

jas
Enc – contract approved as to form
sent by email
cc: City Manager
S:\Clerk's Office\CITY COUNCIL MEETINGS\CITY COUNCIL MEETINGS\2012 City Council Meetings\08-21-12\Attorney memo (Rehmann Robson audit contract).doc
~~~~~~~

ADDENDUM TO ENGAGEMENT LETTER
FOR PROFESSIONAL AUDITING SERVICES

The city of Ypsilanti, One South Huron Street, Ypsilanti MI 48197, a Michigan municipal corporation, hereinafter "CITY" and Rehmann Robson., CPA, professional auditing firm, of 675 Robinson Road, Jackson, MI 49203, hereinafter "AUDITOR," agree as follows:

1. CITY hereby hires AUDITOR to provide professional services to conduct a financial audit of the City of Ypsilanti. AUDITOR agrees to provide professional services according to the terms of this Agreement.

2. Professional services shall be supplied in the time and manner as specified in a certain Request for Proposal issued by the CITY Finance Department and a certain engagement letter dated August 3, 2012.

3. Payment shall be made as set forth in the engagement letter.

4. Work shall be done on premises at One South Huron Street, Ypsilanti, Michigan, and at such other place as the parties shall mutually agree in writing. No books or records shall be removed from the premises without written approval.

5. All work shall be done in a highly professional manner as set forth in the proposal.

6. Work shall begin by June 30 of each fiscal year and shall be finished by November 30 of each fiscal year.

7. This agreement shall be for professional services for audit of the fiscal years beginning July 1, 2011 through June 30, 2012.

8. The Request for Proposal and Proposal are incorporated in this agreement by reference. In the event of any inconsistency or conflict between the provisions of this Agreement and the Request for Proposal or Proposal Submitted, the terms of this Agreement meaning the Engagement Letter and this Addendum to the Engagement Letter) shall take precedence, the Request for Proposal next precedence, and the Proposal least precedence.

9. <u>Standard of Performance</u>. The AUDITOR shall perform the Agreement faithfully and diligently and perform the services in a competent, professional, satisfactory and proper manner and during the term of the Agreement, use every best effort and endeavor to promote the interests of the CITY and devote such time, attention, skill, knowledge and ability as is necessary to most effectively and efficiently carry out and perform the engagement.

10. The parties understand and agree that the CITY may terminate this Agreement at any time with or without notice. In such event the AUDITOR will be compensated for work already completed.

11. This Engagement is to be performed in Washtenaw County, Michigan, and all legal venue shall exclusively lie therein.

12. The parties agree that time is of the essence in the performance of this Agreement by the AUDITOR.

13. Each provision of this agreement shall be separately enforceable and in the event that a court of competent jurisdiction determines or adjudges that any provision of this agreement is invalid or illegal, such decision shall not effect the rest of the agreement which shall remain in full force and effect.

14. This agreement shall be governed by and construed in accordance with the laws of Michigan.

15. Independent Auditor. The relationship of the AUDITOR to the CITY is and shall continue to be that of an independent Auditor and no liability or benefits such as worker's compensation, pension rights, or other rights or liabilities arising out of or related to a contract for hire or employer/employee relationship shall arise or accrue to either party as a result of the performance of this engagement.

16. Insurance.

a. The AUDITOR prior to commencing work shall provide at his own cost and expense the following insurance in insurance companies licensed and/or approved in the State of Michigan, which insurance shall be evidenced by certificates with copies furnished to the CITY. All certificates of insurance shall be approved by the Department of City Manager of the CITY prior to the inception of any work.

b. Each certificate shall require that, thirty days prior to cancellation or material change in the policies, notice thereof shall be given to the CITY by registered mail, return receipt requested, for all of the following stated insurance policies. All such notices shall name the AUDITOR and identify the contract number.

(2) The CITY (at its option) shall be listed as an Additional Named Insured on the following insurance coverages provided by the AUDITOR.

YES _x___ NO ____ 1) Comprehensive General Liability
YES __x__ NO ____ 2) Automobile Liability

The AUDITOR shall maintain at its own expense during the term of this Agreement the following insurance:

(1) Worker's Compensation insurance with Michigan statutory limits and employers' liability insurance with minimum limits of $100,000 each accident.

(2) General Liability insurance with a minimum limit of liability per occurrence of $1,000,000 Combined Single Limit (Bodily Injury/Property Damage).

This insurance shall indicate on the Certificate of Insurance the following coverages:

a. Premises – Operations
b. Independent Auditor and Sub-Auditors
c. Products and Completed Operations
d. Broad Form Contractual
e. Broad Form Liability Endorsement

(3) Automobile Liability insurance with minimum limits of liability, per occurrence, of $500,000 Combined Single Limit (Bodily Injury/Property Damage) unless otherwise indicated in the "Special Conditions" of the Agreement specifications. This insurance shall include for bodily injury and property damage the following coverages:

a. Owned automobiles
b. Hired automobiles
c. Non-owned automobiles

The insurance shall provide minimum limits of liability per occurrence of $500,000. Said insurance shall provide that the term "Owner" or CITY shall be deemed to include all authorities, boards, bureaus, commissions, divisions, departments, districts and offices of the CITY and the individual members, employees and agents thereof in their official capacities.

(3) Professional Services. AUDITOR shall provide professional liabilities (errors and omissions) insurance, with minimum limits of $300,000 each occurrence.

(4) If any of the Property and Casualty insurance requirements are not complied with at their renewal dates, payments to the AUDITOR will be withheld until those requirements have been met, or at the option of the CITY the CITY may pay the Renewal Premium and withhold such payments from any moneys due the AUDITOR

20. Conflict of Interest. The AUDITOR covenants that neither said corporation nor any officer, agent or employee of the corporation has any interest nor shall they

acquire any interest, directly or indirectly, which would conflict in the manner or degree of performance with the Agreement.

21. Contingent Fees. The AUDITOR warrants it has not employed or retained any company or person other than bonafide employees working solely for the AUDITOR, to solicit or secure this Agreement, and that it has not paid or agreed to pay any company, or person, other than a bonafide employee working solely for the AUDITOR, any fee, commission, percentage, brokerage fee, gift, or any other consideration contingent upon or resulting from the award of making this Agreement. For breach or violation of this warranty, the CITY shall have the right to annul the Agreement without liability or, at its discretion, to deduct from the fees due the AUDITOR, or otherwise, recover the full amount of such fee, commission, percentage, brokerage fee, gift or contingent fee.

22. Equal Opportunity. The AUDITOR has knowledge of and agrees to comply with the provisions of the Ypsilanti City Ordinance 538, Affirmative Action.

23. The AUDITOR further agrees to perform this engagement in accord with all federal, state and local laws and will not discriminate against any person on the basis of race, sex, color, national origin, religion, handicap status, heights, weight, marital status, or other criteria which is not relevant to the particular job.

24. The AUDITOR further agrees not to discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, disability as set forth in the American's With Disability Act, age, height, weight, or marital status (except insofar as it relates to a bonafide or occupational qualification reasonable necessary to the normal operation of the business). Breach of this provision may be regarded as material breach of the Agreement.

25. Living Wage.

A. (1) Living Wages be paid according to the Ypsilanti Living Wage Ordinance No. 892 (The Ordinance) , and

(2) Suitable notices be posted in the work place; and

(3) Evidence of compliance including payroll records be provided to the Ypsilanti Personnel Department within 10 days of written request from the Ypsilanti Personnel Department.

B. In the event of violation of the provisions of The Ordinance or this agreement this agreement may be modified or terminated to comply with the provisions of The Ordinance, including withholding of moneys in amount equal to Living Wages not paid in accordance with The Ordinance and the City may also take action to recover the amount of the agreement provided to any person found to have violated The ordinance.

C. Any employee shall have a separate cause of action to enforce the provisions of this agreement and The Ordinance and any rights conferred under

The Ordinance, in law and or equity, and any court of competent jurisdiction upon proper proof and the prevailing of the employee in such action, shall award actual damages, wage restitution, interest and actual attorney fees.

D. The City shall have the right to enforce this agreement and The Ordinance in law or equity by court process including specific performance.

26. This Agreement and the Engagement Letter to which it relates are the sole Contract and Agreement between the parties. Any changes, additions or deletions shall not be effective or actionable unless they are in writing signed by the parties.

IN WITNESS WHEREOF, the undersigned have set their hands this _____ day of August, 2012.

In the presence of:

REHMANN ROBSON, CPA

______________________ BY: ______________________

, AUDITOR

____

CITY OF YPSILANTI, a Michigan
Municipal Home-rule City

______________________ BY: ______________________
Paul Schreiber, Mayor

______________________ BY: ______________________
Frances McMullan, City Clerk

APPROVED AS TO FORM:

[redacted]

JOHN M. BARR P-10475
Ypsilanti City Attorney

Rehmann

Rehmann Robson
675 Robinson Rd.
Jackson, MI 49203
Ph: 517.787.6503
Fx: 517.788.8111
www.rehmann.com

August 3, 2012

Ms. Marilou Uy, Finance Director
City of Ypsilanti
One South Huron Street
Ypsilanti, Michigan 48197

Enclosed is the engagement letter for the ***City of Ypsilanti*** for the year ended June 30, 2012. *Government Auditing Standards* (as amended) require that we communicate, during the planning stage of an audit, certain information to the City Council. This information includes the auditors' responsibilities in a financial statement audit, including our responsibilities for testing and reporting on compliance with laws and regulations and internal control over financial reporting. The engagement letter includes the items which must be communicated to the City Council.

Therefore, please make copies of the attached engagement letter and forward the copies to the City Council.

Please sign and return the enclosed copy of the attached engagement letter to us at your earliest convenience.

Sincerely,

[redacted]

Enclosures

Resolution No. 2012- 171
August 21, 2012

Regarding the property located at: ______25 Bell Street__________________
Tax ID # ___11-11-39-483-002_________________

IT IS RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that Ypsilanti City Council accepts the Dangerous Building Hearing Officer's Order of Findings; and

RESOLVES that an order to show cause is set for ______________________(date)___ at ___________(time) at City Hall, 1 S. Huron, Ypsilanti, MI. 48197.

OFFERED BY: ____

SUPPORTED BY: ____

YES:　　NO:　　ABSENT:　　VOTE:

Original – Dangerous Buildings Bureau
Copies to: Respondent , Bldg Dept, City Attorney, City Clerk

STATE OF MICHIGAN CITY OF YPSILANTI DANGEROUS BUILDINGS BUREAU	CITY COUNCIL SHOW CAUSE HEARING	Case No. DB 12 - 0001

PETITIONER	Respondent name, address, telephone no:
CITY OF YPSILANTI One South Huron Street Ypsilanti MI 48197 734 483-1100	Ronald H. Clark 1441 Ainsley Ypsilanti MI 48197

This matter concerns the property located at: 25 Bell Street, Ypsilanti, MI
Parcel ID 11-11-39-483-002

COUNCIL FINDINGS

xxx **Council finds that a** show cause should be set to show cause, if there is any, why the dangerous building hearing officer's order dated April 27, 2012 should not be enforced.

xxx Owner, agent, or owner/agent ~~failed to appear at the hearing or~~ entered a consent.

_ Owner, agent, or owner/agent failed to comply with the Dangerous Building Hearing Officer's order on __________ and the Dangerous Buildings Hearing Officer filed a report of the findings and a copy of the order with the City Council.

SHOW CAUSE HEARING SCHEDULED

HEARING SCHEDULED FOR: __________, ____________________

(Day of week) (Date)

commencing at ________________. at City Hall, One South Huron Street, Ypsilanti, MI

TO RESPONDENT: You must appear at the above address on the date and time indicated if you wish to show cause why Council should not take action to enforce the findings of the Dangerous Building Hearing Officer as indicated in the attached order.

If you require special accommodations because of disabilities, please contact the City Clerk immediately to make arrangements.

CERTIFICATE OF SERVICE

I certify that on this date a copy of this Order was served upon the above named Respondent at the address shown by:

☐ Personal Service or ☐ Certified mail, Return Receipt Requested;

on ________________ on ____________________

BY:____________________ BY: ____________________

name Name

AND by posting to the property on ________________

BY:____________________

Original – Dangerous Buildings Bureau
Copies to: Respondent Bldg Dept, City Attorney, City Clerk

STATE OF MICHIGAN CITY OF YPSILANTI DANGEROUS BUILDINGS	CONSENT AGREEMENT, FINDINGS, and ORDER	Case No. DB12-0001

PETITIONER	Respondent name, address, telephone no:
CITY OF YPSILANTI One South Huron Street Ypsilanti MI 48197 734 483-1100	Ronald H. Clark 1441 Ainsley Ypsilanti, MI
Attorney for Petitioner, address, telephone Jesse O'Jack, Assistant City Attorney 105 Pearl Street Ypsilanti MI 48197 (734) 483-9642	Attorney/Rep for Respondent, address, telephone

This matter concerns the property located at: 25 Bell Street, Ypsilanti, MI
Tax ID # 11-11-39-483-002

CONSENT AGREEMENT

The Parties agree that:

1. The Building or Structure at the above-described address is a dangerous building,
2. The Building or Structure at the above-described address should be demolished, and
3. The Dangerous Buildings Officer shall immediately request that the City Council take all necessary action to have the Building or Structure at the above-described address demolished, and
4. The City of Ypsilanti, its representatives, agents, employees, and contractors have permission to enter the premises, inspect the premises, inspect the premises, and take all actions, including demolition, ordered, and apply any escrowed funds toward the cost and expenses.

Dated: 4/27/2012

[redacted]
City of Ypsilanti

I state, under oath, that I am the owner of the above-mentioned property and have full authority to enter into this Agreement, and I choose to do so as a free act.

[redacted]

Dated: 4/27/2012

Signature of ____________, owner

STATE OF MICHIGAN)
)ss:
COUNTY OF WASHTENAW)

Subscribed and sworn to before me a Notary Public on this 27th day of April, 2012 by the above named RONALD H. CLARK, who stated that he is the owner of the above-mentioned property, has full authority to enter into this agreement, and does so as a free act.

[redacted]

, Notary Public
Washtenaw County, Michigan
My commission expires: December 22, 2017

FINDING AND ORDER OF ABATEMENT

The Dangerous Buildings Hearing Officer based on the above CONSENT AGREEMENT finds that:

1. The Building or Structure at the above-described address is a dangerous building, and
2. The Building or Structure at the above-described address should be demolished.

IT IS ORDERED THAT the Building or Structure at the above-described address shall be demolished.

The Dangerous Buildings Hearing Officer requests that the City Council take all necessary action to enforce the order immediately.

[redacted]

Dated: 4/27/2012

Dangerous Building Hearing Officer

CERTIFICATE OF MAILING

I certify that on this date a copy of this violation and Notice of Hearing were served upon the above named Respondent at the address shown by:

☑ Personal Service on 4/27/12

or ☐ Certified mail, Return Receipt Requested; on ______

BY: [redacted]
Name

BY: ______
Name

AND by posting to the property on ______

BY: ______

Original – Dangerous Buildings Bureau
Copies to: Respondent , Bldg Dept, City Attorney, City Clerk

STATE OF MICHIGAN CITY OF YPSILANTI DANGEROUS BUILDINGS BUREAU	CITY COUNCIL SHOW CAUSE HEARING	Case No. DB 12 - 0001

PETITIONER	Respondent name, address, telephone no:
CITY OF YPSILANTI One South Huron Street Ypsilanti MI 48197 734 483-1100	Ronald H. Clark 1441 Ainsley Ypsilanti MI 48197

This matter concerns the property located at: 25 Bell Street, Ypsilanti, MI
Parcel ID 11-11-39-483-002

COUNCIL FINDINGS

xxx **Council finds that a** show cause should be set to show cause, if there is any, why the dangerous building hearing officer's order dated April 27, 2012 should not be enforced.

xxx Owner, agent, or owner/agent ~~failed to appear at the hearing or~~ entered a consent.

__ Owner, agent, or owner/agent failed to comply with the Dangerous Building Hearing Officer's order on ______________ and the Dangerous Buildings Hearing Officer filed a report of the findings and a copy of the order with the City Council.

SHOW CAUSE HEARING SCHEDULED

HEARING SCHEDULED FOR: ______________, ________________________________
(Day of week) (Date)
commencing at ______________________. at City Hall, One South Huron Street, Ypsilanti, MI

TO RESPONDENT: You must appear at the above address on the date and time indicated if you wish to show cause why Council should not take action to enforce the findings of the Dangerous Building Hearing Officer as indicated in the attached order.

If you require special accommodations because of disabilities, please contact the City Clerk immediately to make arrangements.

CERTIFICATE OF SERVICE

I certify that on this date a copy of this Order was served upon the above named Respondent at the address shown by:

☐ Personal Service or ☐ Certified mail, Return Receipt Requested;

on ____________________ on ________________________________

BY:____________________________ BY: ________________________________
name Name

AND by posting to the property on __________________

BY:________________________________

Original – Dangerous Buildings Bureau
Copies to: Respondent Bldg Dept, City Attorney, City Clerk

STATE OF MICHIGAN CITY OF YPSILANTI DANGEROUS BUILDINGS	CONSENT AGREEMENT, FINDINGS, and ORDER	Case No. DB12-0001

PETITIONER	Respondent name, address, telephone no:
CITY OF YPSILANTI One South Huron Street Ypsilanti MI 48197 734 483-1100	Ronald H. Clark 1441 Ainsley Ypsilanti, MI
Attorney for Petitioner, address, telephone Jesse O'Jack, Assistant City Attorney 105 Pearl Street Ypsilanti MI 48197 (734) 483-9642	Attorney/Rep for Respondent, address, telephone

This matter concerns the property located at: 25 Bell Street, Ypsilanti, MI
Tax ID # 11-11-39-483-002

CONSENT AGREEMENT

The Parties agree that:

1. The Building or Structure at the above-described address is a dangerous building,
2. The Building or Structure at the above-described address should be demolished, and
3. The Dangerous Buildings Officer shall immediately request that the City Council take all necessary action to have the Building or Structure at the above-described address demolished, and
4. The City of Ypsilanti, its representatives, agents, employees, and contractors have permission to enter the premises, inspect the premises, inspect the premises, and take all actions, including demolition, ordered, and apply any escrowed funds toward the cost and expenses.

Dated: 4/27/2012

[redacted]
City of Ypsilanti

I state, under oath, that I am the owner of the above-mentioned property and have full authority to enter into this Agreement, and I choose to do so as a free act.

[redacted]

Dated: 4/27/2012

Signature of ______________, owner

STATE OF MICHIGAN)
)ss:
COUNTY OF WASHTENAW)

Subscribed and sworn to before me a Notary Public on this 27th day of April, 2012 by the above named RONALD H. CLARK, who stated that he is the owner of the above-mentioned property, has full authority to enter into this agreement, and does so as a free act.

[redacted]

______________, Notary Public
Washtenaw County, Michigan
My commission expires: December 22, 2017

FINDING AND ORDER OF ABATEMENT

The Dangerous Buildings Hearing Officer based on the above CONSENT AGREEMENT finds that:

1. The Building or Structure at the above-described address is a dangerous building, and
2. The Building or Structure at the above-described address should be demolished.

IT IS ORDERED THAT the Building or Structure at the above-described address shall be demolished.

The Dangerous Buildings Hearing Officer requests that the City Council take all necessary action to enforce the order immediately.

Dated: 4/27/2012

[redacted]

Dangerous Building Hearing Officer

CERTIFICATE OF MAILING

I certify that on this date a copy of this violation and Notice of Hearing were served upon the above named Respondent at the address shown by:

☑ Personal Service on 4/27/12

BY: [redacted]
Name

or ☐ Certified mail, Return Receipt Requested; on ______

BY: ______
Name

AND by posting to the property on ______

BY: ______

REQUEST FOR LEGISLATION
July 16, 2012

FROM: Craig T. Annas, Administrative Lieutenant

SUBJECT: Towing Contract

SUMMARY & BACKGROUND:

Recently the Ypsilanti Police Department sought bids for the purpose of entering into a towing contract with a single vendor to provide tow service for all authorized needs of the Police Department and the City of Ypsilanti. A towing contract between the Police Department and a local towing service is critical to ensure prompt, courteous and professional service to citizens and visitors of Ypsilanti.

Bids were solicited and a notice was publicized in the Ypsilanti Courier on April 12th, 2012. A pre-bidders meeting was held on May 1st, 2012 in the Ypsilanti City Council Chambers. Budget Towing was the only attendee. Sealed bid proposals were due at the Ypsilanti City Clerk's office on May 25th, 2012 by 11:00am. Budget Towing was the sole bidder for the city towing contract.

The bid and bid packet was reviewed for accuracy and compliance with the instructions and requirements of the request for proposal (RFP). In addition - investigation and inquiry was made into the claims and assertions contained in the bid - as well as a site visit to the bidding company that is located at 876 Railroad, in the City of Ypsilanti, State of Michigan.

Upon completion of the review, the following was determined with regard to the bidder.

Determination of Bid Points for Towing Contract

Prior to compiling the points for the bid, the location was visited to verify information provided in the RFP response and to assist in the determination of points awarded.

A. Rate (max 2 points)
$75.00 for Basic Road Service
$120.00 for Base Class A Tow
$20.00 per day storage fee on Class A Tows

Base Class A Tow rate is higher than the normal price range. 2 points have been deducted.

B. LOCATION

1. Business office is located within the City of Ypsilanti. (max 5 points)

Budget Towing is located at 876 Railroad St. in the City of Ypsilanti and is awarded 5 points.

2. Storage lot located in or easily accessible to City of Ypsilanti. (max 2 points)

Budget Towing's storage lot is located in the City of Ypsilanti about 1 mile from the police department. 2 points are awarded for being in the City and within a short distance of the police station.

3. Business office located at or adjacent to storage lot. (max 1 point)

Budget Towing's office is at their storage lot and they are awarded 1 point.

4. Office and/or lot staffed 24 hrs per day. (max 2 points)

Budget Towing's office is staffed 24 hrs per day and is awarded 2 points.

5. Dispatch staffed 24 hrs per day to provide dispatching service. (max 2 points)

Budget Towing has a dispatch center staffed 24 hours per day at their business location and is therefore awarded 2 points.

6. Location is well lighted and easily accessible. (max 1 point)

Budget Towing is well lighted and easily accessible and is awarded 1 point.

7. Business is identifiable from the road. (max 1 point)

Budget Towing is identifiable from the road and awarded 1 point.

C. EQUIPMENT

1. One point for each additional truck beyond minimum 2. (max 2 points)

Budget Towing has 29 trucks available on a 24 hr basis, therefore they are awarded 2 points.

2. One point for each driver available on a 24 hr basis. (max 2 points)

Budget Towing has more than 2 additional drivers available and is awarded 2 points.

3. Each additional Class B unit. (max 2 points)

Budget towing has 9 Class B units and is therefore awarded 2 points.

4. Each additional Class C unit. (max 2 points)

Budget towing has 5 Class C units available and is therefore awarded 2 points.

5. Each additional Class C unit. (max 2 points)

Budget towing has 2 Class D units available and is therefore awarded 2 points.

6. Authorized provider of a nationally recognized road service. (max 1 point)

Budget Towing is an authorized provider of a nationally recognized road service provider and is therefore awarded 1 point.

D. LICENSE

1. All equipment properly licensed and in good operating condition. (max 5 points)

The equipment at Budget Towing appears properly licensed and in good operating condition and they are therefore awarded 5 points.

2. Majority of vehicles inspected and certified by MPSC. (max 1 point)

The trucks at Budget Towing appear to be certified by MPSC and therefore they are awarded 1 point.

E. CLEANLINESS

1. Majority of personnel are in clean and neat uniforms. (max 1 point)

Budget Towing is awarded 1 point for having most employees in neat, clean uniforms.

2. Majority of vehicles washed and clean. (max 1 point)

Budget Towing is awarded 1 point for clean equipment.

3. Majority of vehicle newly painted. (max 1 point)

Budget Towing is awarded 1 point for vehicles with paint in good condition.

F. PERSONNEL

1. Majority of employees offered medical insurance. (max 2 points)

Budget Towing offers medical insurance to most employees and is therefore awarded 2 points.

G. PROFESSIONALISM (max 5 points)

1. Company has received a conditional or satisfactory safety fitness rating issued by the state of federal government.

Budget Towing has a satisfactory vehicle safety rating from the Federal Motor Carrier Safety Administration and is therefore awarded 5 points.

Points	Maximum Points	Budget
Total		**39**
A. Rate	**2**	**-2**
B. Location	**14**	**14**
- Office in City of Ypsilanti	5	5
- Storage area in City	2	2
- Business office at lot	1	1
- Office/lot staffed 24 hr	2	2
- Dispatch staffed 24 hr	2	2
- Well lighted/accessible	1	1
- Identifiable from road	1	1
C. Equipment	**11**	**11**
- Additional trucks	2	2
- Additional drivers	2	2
- Additional Class B units	2	2
- Additional Class C units	2	2
- Additional Class D units	2	2
- Road Service provider	1	1
D. License	**6**	**6**
- Vehicles in good condition	5	5
- MPSC inspected/certified	1	1

E. Cleanliness	**3**	**3**
- Personnel neat/clean	1	1
- Personnel not neat/clean	1	
- Vehicles clean	1	1
- Vehicles not clean	-1	
- Vehicles newly painted	-1	1
- Vehicles not newly painted	-1	
F. Personnel	**2**	**2**
- Personnel offered medical	2	2
G. Professionalism	**5**	**5**
- Satisfactory safety rating	5	5
- Unsatisfactory safety rating	-5	

RECOMMENDED ACTION:

Approve and accept the bid provided by Budget Towing based on the fact that the company was the sole bidder and the company meets/exceeds the standards established by the request for proposal.

ATTACHMENTS:

CITY MANAGER APPROVAL:____________________________ COUNCIL AGENDA DATE: __________

CITY MANAGER COMMENTS:

FINANCE DIRECTOR APPROVAL:________________________________

Resolution No. 2012 -176
August 21, 2012

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the Ypsilanti Police Department has issued a request for proposal for a police department towing contract, and

WHEREAS, based on the fact that Budget Towing was the sole bidder and that Budget Towing either meets or exceeds the standards outlined within the Request for Proposal, and now

THEREFORE BE IT RESOLVED, that the Chief of Police be authorized to sign all necessary documents needed to execute the contract with Budget Towing, subject to approval by the City Attorney.

OFFERED BY: ____

SUPPORTED BY: ____

YES: NO: ABSENT: VOTE:

Resolution No. 2012 -177
August 21, 2012

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT ____ be appointed as Delegate and ____ be appointed as Alternate for the Annual Convention of the Michigan Municipal League (MML), to be held October 3-5, 2012 on Mackinac Island, to cast the vote of the municipality for election of trustees, policy and other business as may properly come before the meeting.

OFFERED BY: ____

SUPPORTED BY: ____

YES: NO: ABSENT: VOTE:

michigan municipal league

Better Communities.
Better Michigan.

1675 Green Road
Ann Arbor, MI 48105

TEL 734.662.3246 800.653.2483
FAX 734.662.8083
WEB www.mml.org

August 9, 2012

Michigan Municipal League Annual Meeting Notice

(Please present at the next Council, Commission or Board Meeting)

Dear Official:

The Annual Convention of the Michigan Municipal League will be held on Mackinac Island, October 3-5, 2012. The annual meeting is scheduled for 11:00 am on Wednesday, October 3 in the Terrace Room at the Grand Hotel. The meeting will be held for the following purposes:

1. Election of Trustees. To elect six members of the Board of Trustees for terms of three years each (see #1 on page 2).

2. Policy. A) To vote on the Core Legislative Principles document. B) If the League Board of Trustees has presented any resolutions to the membership, they also will be voted on. (See #2 on page 2.)

   A) In regard to the proposed League Core Legislative Principles, the document is available on the League website at http://www.mml.org/delegate. If you would like to receive a copy of the proposed principles by fax, please call Susan at the League at 800-653-2483.

   B) In regard to resolutions, member municipalities planning on submitting resolutions for consideration by the League Trustees are reminded that under the Bylaws, they must be submitted to the Trustees for their review by **September 3, 2012.**

3. Other Business. To transact such other business as may properly come before the meeting.

Designation of Voting Delegates

Pursuant to the provisions of the League Bylaws, you are requested to designate by action of your governing body one of your officials who will be in attendance at the Convention as your official representative to cast the vote of the municipality at the annual meeting, and, if possible, to designate one other official to serve as alternate. Please submit this information through the League website by visiting http://www.mml.org/delegate **no later than September 21, 2012.**

Regarding the designation of an official representative of the member to the annual meeting, please note the following section of the League Bylaws:

"Section 4.4 - Votes of Members. Each member shall be equally privileged with all other members in its voice and vote in the election of officers and upon any proposition presented for discussion or decision at any meeting of the members. Honorary members shall be entitled to participate in the discussion of any question, but such members shall not be entitled to vote. The vote of each member shall be cast by its official representative attending the meeting at which an election of officers or a decision on any proposition shall take place. Each member shall, by action of its governing body prior to the annual meeting or any special meeting, appoint one official of such member as its principal official representative to cast the vote of the member at such meeting, and may appoint one official as its alternate official representative to serve in the absence or inability to act of the principal representative."

1. Election of Trustees

Regarding election of Trustees, under Section 5.3 of the League Bylaws, six members of the Board of Trustees will be elected at the annual meeting for a term of three years. The regulations of the Board of Trustees require the Nominations Committee to complete its recommendations and post the names of the nominees for the Board of Trustees on a board at the registration desk at least four hours before the hour of the business meeting.

2. Statements of Policy and Resolutions

Regarding consideration of resolutions and statements of policy, under Section 4.5 of the League Bylaws, the Board of Trustees acts as the Resolutions Committee, and "no resolution or motion, except procedural and incidental matters having to do with business properly before the annual meeting or pertaining to the conduct of the meeting, shall be considered at the annual meeting unless it is either (1) submitted to the meeting by the Board of Trustees, or (2) submitted in writing to the Board of Trustees by resolution of the governing body of a member at least thirty (30) days preceding the date of the annual meeting." Thus the deadline this year for the League to receive resolutions is **September 3, 2012**. Please submit resolutions to the attention of Daniel P. Gilmartin, Executive Director/CEO at 1675 Green Rd., Ann Arbor, MI 48105. **Any resolution submitted by a member municipality will go to the League Board of Trustees, which serves as the resolutions committee under the Bylaws, which may present it to the membership at the Annual Meeting or refer it to the appropriate policy committee for additional action.**

Further, "Every proposed resolution submitted by a member shall be stated in clear and concise language and shall be accompanied by a statement setting forth the reasons for recommending the proposed resolution. The Board shall consider the proposal at a Board meeting prior to the next annual meeting and, after consideration, shall make a recommendation as to the advisability of adopting each such resolution or modification thereof."

3. Posting of Proposed Resolutions and Core Legislative Principles

The proposed Michigan Municipal League Core Legislative Principles and any new proposed Resolutions recommended by the Board of Trustees for adoption by the membership will be available on the League website, to permit governing bodies of member communities to have an opportunity to review such proposals and delegate to their voting representative the responsibility for expressing the official point of view of the member at the annual meeting.

The Board of Trustees will meet on Wednesday, October 3 at the Grand Hotel for the purpose of considering such other matters as may be requested by the membership, in addition to other agenda items.

Sincerely,

[redacted]

Karen Majewski
President
Mayor of Hamtramck

[redacted]

Daniel P. Gilmartin
Executive Director & CEO
Enc.

REQUEST FOR LEGISLATION
August 21, 2012

From: Stan Kirton, Director of Public Services

Subject: Inter-Agency Agreement with Eastern Michigan University for Road Salt Purchases

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SUMMARY & BACKGROUND:

To formalize the continuous collaboration between Eastern Michigan University and the City of Ypsilanti for the purchase of road salt for winter maintenance through MiDeal, the state purchase program, the attached MOU (memorandum of understanding) outlines the terms of the road salt purchases, distribution and billing.

Staff is requesting City Council to approve the MOU to formalize this collaborative effort between EMU and the City.

RECOMMENDED ACTION: Approval

ATTACHMENTS: Inter-Agency Agreement with Eastern Michigan University

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CITY MANAGER APPROVAL: ______________________ COUNCIL AGENDA DATE: August 21, 2012

CITY MANAGER COMMENTS: ______________________

FISCAL SERVICES DIRECTOR APPROVAL: ______________________

Resolution No. 2012 -178
August 21, 2012

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti participates in the MiDeal State Purchasing Program to purchase road salt for winter maintenance; and

WHEREAS, the City purchases road salt for Eastern Michigan University in conjunction with its purchases; and

WHEREAS, it is necessary formalize the terms of our collaborative efforts by way of a Memorandum of Understanding;

NOW, THEREFORE, BE IT RESOLVED THAT the City Council approves the Memorandum of Understanding with Eastern Michigan University for the purchase of road salt for winter maintenance through the MiDeal State Purchasing Program ; and

THAT the Mayor and City Clerk are authorized to sign this agreement, subject to review and approval by the City Attorney; and

OFFERED BY: ______________________________

SUPPORTED BY: ______________________________

YES: NO: ABSENT: VOTE:

Memoranda of Understanding

Road Salt Purchase Program

2012-2013 Winter

This Memoranda of Understanding is for the collaboration between the Grounds department of Eastern Michigan University and Department of Public Services (DS) for the City of Ypsilanti for the purchase of road salt through the State of Michigan MIDeal Program. This process will be reviewed on a yearly base, and any changes will need to be jointly agreed upon.

Grounds department

1. The EMU Grounds department will provide the DPS of Ypsilanti with the projected salt usage for the next snow season by March 10, of the current year.
2. Following the State of Michigan MIDeal Program's cost structure and contract terms; the EMU Grounds department will be able to purchase up to 130% of salt usage estimate with no penalty, and will be required to purchase 70% of the salt usage estimate or pay a storage penalty.
3. The EMU Grounds department will pay MiDeal Program's current salt purchase rate for the year, plus a 5% administration fee to the DPS of Ypsilanti for handling all of the billing and paper work.
4. The Grounds department will send back any excess salt to the DPS Yard contingent on availability of space in the salt storage barn, for a full credit minus a restocking fee. This fee will be based on the regular hourly rate of the operator multiplied by the time (in hours) that it takes to re-stack the salt that is returned.

DPS of Ypsilanti

1. The DPS of Ypsilanti will load the vehicles for the EMU's Grounds department concurrently as DPS vehicles are loaded during regular business hours.
2. The EMU's Grounds department can request a DPS operator to come in for overtime to load EMU vehicles and the EMU Grounds department will be charged a minimum of four hours overtime per the union contract. If an operator for the DPS of Ypsilanti is already in on overtime and is loaded of the city an additional charge will not be assessed.
3. The DPS of Ypsilanti will coordinate all purchases of road salt for the EMU Grounds department.

REQUEST FOR LEGISLATION
August 21, 2012

From: Stan Kirton, Director of Public Services

Subject: Inter-Agency Agreement with Eastern Michigan University for Parking Lot Sweeping Services

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SUMMARY & BACKGROUND:

As an ongoing effort to increase inter-agency collaboration with local entities, Eastern Michigan University has requested that the City provide parking lot sweeping services. This is an opportunity to report new collaborative efforts in the State EVIP Report as well a generating a new revenue stream for the City.

The terms for this inter-agency collaboration include an hourly rate of $175.00, plus fuel costs and disposal costs. The sweeping hourly rate was determined by the state vehicle rental rate and the operator's wages. All sweeping will occur after normal work hours and EMU will pay an overtime rate for the operator.

Attached is a Memoranda of Understanding with Eastern Michigan University outlining the terms for the City to provide this service.

Staff recommends approval to enter into this Inter-Agency Agreement with Eastern Michigan University.

RECOMMENDED ACTION: Approval

ATTACHMENTS: Memoranda of Understanding with Eastern Michigan University

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CITY MANAGER APPROVAL: ______________________ COUNCIL AGENDA DATE: August 21, 2012

CITY MANAGER COMMENTS: ______________________

FISCAL SERVICES DIRECTOR APPROVAL: ______________________

City of Ypsilanti
Pride. Diversity. Heritage.

Resolution No. 2012 -179
August 21, 2012

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Eastern Michigan University is desirous to have the City of Ypsilanti's Department Public Services provide parking lot sweeping services; and

WHEREAS, Memoranda of Understanding has been created to outline the terms of this inter-agency collaboration between the City and Eastern Michigan University;

NOW, THEREFORE, BE IT RESOLVED THAT the City Council approves the Memoranda of Understanding with Eastern Michigan University for the City of Ypsilanti's Department of Public Services to provide parking lot sweeping services; and

THAT the Mayor and City Clerk are authorized to sign this agreement, subject to review and approval by the City Attorney; and

OFFERED BY: ______________________________

SUPPORTED BY: ______________________________

YES: NO: ABSENT: VOTE:

Memoranda of Understanding

Eastern Michigan University and the City of Ypsilanti

Parking Lot Sweeping Services

2012-2013

This Memoranda of Understanding is for the collaboration between the Parking department of Eastern Michigan University (EMU) and Department of Public Services (DPS) for the City of Ypsilanti, for parking lot sweeping services of EMU's parking lots. This process will be reviewed on a yearly base, and any changes will need to be jointly agreed upon.

EMU Parking Department

1. EMU will provide a list of parking lots that require sweeping and the frequency the lots need to be clean.
2. EMU will pay for; equipment used and operators wages on an hourly bases at the rate of $175.00/hour, and vehicle fuel and disposal of sweepings based on usage and quantities.

DPS of Ypsilanti

1. The DPS of Ypsilanti will provide the equipment and manpower to sweep the designated parking of EMU. If possible EMU would prefer the DPS use its lowest emission sweeper.
2. The DPS of Ypsilanti will dispose of the materials collected during the sweeping of the parking lots, and will collect data on the amount of material cleaned up on EMU's parking lots, and provide that information to EMU's Grounds department for storm water management.

Resolution No. 2012 –175
August 21, 2012

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

NAME	**BOARD**	**TERM TO EXPIRE**
Michael Bodary 1206 Westmoorland Ypsilanti, MI 48198	YCUA Board	2/1/2013 (replacing Mark Namatevs who resigned)

OFFERED BY: ______________________________

SUPPORTED BY: ______________________________

YES: NO: ABSENT: VOTE:

Resolution No. 2012-180
August 21, 2012

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the City Council Meeting be adjourned, on call, by the Mayor or two (2) members of Council.

OFFERED BY: ______________________________

SUPPORTED BY: ______________________________

YES: NO: ABSENT: VOTE: