

1. City Council Regular Meeting Agenda

Documents: [12-18-12 REVISED FINAL AGENDA.PDF](#)

2. City Council Regular Meeting Packet

Documents: [12-18-2012 PACKET.PDF](#)



Revised – 12/17/12

**CITY OF YPSILANTI
COUNCIL MEETING AGENDA
CITY COUNCIL CHAMBERS - ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, DECEMBER 18, 2012
6:00 P.M. – CLOSED SESSION
7:00 P.M. – OPEN SESSION**

I. CALL TO ORDER –

II. ROLL CALL –

Council Member Jefferson	P A	Council Member Robb	P A
Council Member Moeller	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. AGENDA APPROVAL –

VI. CLOSED SESSION –

Closed Session to discuss collective bargaining. OMA 15.268, Section 8(c)

VII. INTRODUCTIONS –

VIII. PRESENTATIONS –

Redevelopment Ready Recertification – Jennifer Rigterink, MEDC RRC Program Manager

IX. SHOW-CAUSE HEARINGS –

1. 910 Monroe- DB12-0006 Parcel ID # 11-11-37-129-001

- A. Open the Show-Cause hearing
- B. Resolution No. 2012-270
- C. Close the Show-Cause hearing

2. 818 Monroe - DB12-0011 Parcel ID # 11-11-37-128-003

- A. Open the Show-Cause hearing
- B. Resolution No. 2012-271
- C. Close the Show-Cause hearing

3. 875 Jefferson- DB12-0002 Parcel ID # 11-11-37-155-009
 - A. Open the Show-Cause hearing
 - B. Resolution No. 2012-268
 - C. Close the Show-Cause hearing
4. 15 S. Washington - DB12-0003 Parcel ID # 11-11-39-101-017
 - A. Open the Show-Cause hearing
 - B. Resolution No. 2012-269
 - C. Close the Show-Cause hearing

X. AUDIENCE PARTICIPATION –

XI. REMARKS BY THE MAYOR

XII. MINUTES –

Resolution No. 2012-273, approving the minutes of December 4, 2012.

XIII. CONSENT AGENDA –

Resolution No. 2012-274

1. Resolution No. 2012-275, approving the recommended firms for legal services through 2014.
2. Resolution No. 2012-276, approving the contract with Washtenaw County for computer technology, network infrastructure and telephone support services through June 30, 2016.
3. Resolution No. 2012-277, approving deficit elimination plan.
4. Resolution No. 2012-278, authorizing the Mayor to sign an amended Economic Development Grant Agreement between the Michigan Strategic Fund (MSF) and the City of Ypsilanti for the Water Street Redevelopment Project.
5. Resolution No. 2012-283, appreciating the Ypsilanti Charter Commission. **(Added)**

XIV. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2012-279, approving conditional rezoning of 311 S. Grove from B2 to Conditional B4 **(Second Reading) Ordinance No. 1182**
2. Resolution No. 2012-281, withdrawing from membership of the Ann Arbor-Ypsilanti Chamber of Commerce.
3. Resolution No. 2012-280, adopting the "80/20 Cap" option for employee contributions to its medical benefits plan.

XV. LIASON REPORTS -

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

XVI. COUNCIL PROPOSED BUSINESS –

XVII. COMMUNICATIONS FROM THE MAYOR –

Board and Commission Nominations:

Historic District Commission

Jane Schmiedeke (reappointment)
313 High
Ypsilanti, MI 48198
Term Expires: 1/31/2016

Historic District Commission

Alex Pettit (reappointment)
945 Sheridan
Ypsilanti, MI 48197
Term Expires: 1/31/2016

Property Tax Board of Review

Craig Hupy (reappointment)
1124 N. Congress
Ypsilanti, MI 48197
Term Expires: 12/31/2014

Property Tax Board of Review

Eric Dotzauer (reappointment)
213 E. Forest
Ypsilanti, MI 48198
Term Expires: 12/31/2014

Property Tax Board of Review

Andy Fanta (new appointment)
1221 Westmoorland
Ypsilanti, MI 48197
Term Expires: 12/31/2014

XVIII. COMMUNICATIONS FROM THE CITY MANAGER –

XIX. AUDIENCE PARTICIPATION -

XX. REMARKS FROM THE MAYOR –

XXI. ADJOURNMENT –

A. Resolution No. 2012-282, adjourning the City Council Meeting.



Revised – 12/17/12

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 - A. Open the show-cause hearing
 - B. Close the show-cause hearing
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 - A. Open the show-cause hearing
 - B. Close the show-cause hearing
 - C. Resolution No. 2012-269, supporting the Order of Demolition.

3. 910 Monroe- DB12-0006 Parcel ID # 11-11-37-129-001
 - A. Open the show-cause hearing
 - B. Close the show-cause hearing
 - C. Resolution No. 2012-270, supporting the Order of Demolition.
4. 818 Monroe - DB12-0011 Parcel ID # 11-11-37-128-003
 - A. Open the show-cause hearing
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XVIII. COMMUNICATIONS FROM THE CITY MANAGER –**XIX. AUDIENCE PARTICIPATION -****XX. REMARKS FROM THE MAYOR –****XXI. ADJOURNMENT –**

A. Resolution No. 2012-282, adjourning the City Council Meeting.



Resolution No. 2012-268
December 18, 2012

Regarding the property located at: 875 Jefferson
Tax ID # 11-11-37-155-009
Case # DB 12-0002

WHEREAS Council has reviewed the report of findings and order of the hearing officer, and

WHEREAS Council has had an opportunity to hear testimony and evidence offered; now therefore

IT IS RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that the Ypsilanti City Council hereby:

- ☐ Approves the Hearing Officer's Order.
- ☐ Disapproves the Hearing Officer's Order.
- ☐ Modifies the Hearing Officer's Order as follows:

If the order has been approved or modified above, Council further resolves that:

1. The order must be complied with within 60 days and that any repairs and maintenance ordered, where applicable, must comply with the procedures set forth in Chapter 54, Historical Preservation, of the Ypsilanti City Code.

2. If the order is not complied with within 60 days that:

a. The City of Ypsilanti, its representatives, agents, employees, and contractors are authorized to enter the premises, inspect the premises, and take all actions, including demolition, ordered, and to apply any escrowed funds toward the cost and expenses.

b. The cost of the demolition, of making the building safe, or of maintaining the exterior of the building or structure, or grounds adjoining the building or structure incurred by the city to bring the property into conformance with the Dangerous Building provisions of the Ypsilanti City Code, including the cost of consulting services, investigation, publication charges, attorney fees, court costs, and all administrative expenses must be reimbursed to the city by the owner or party in interest in whose name the property appears.

c. The owner or party in interest in whose name the property appears on the last local tax assessment records must be notified by the assessor of the amount of the cost of the demolition, of making the building safe, or of maintaining the exterior of the building or structure or grounds adjoining the building or structure by first class mail at the address shown on the records. If the owner or party in interest fails to pay the cost within 30 days after mailing by the assessor of the notice of the amount of the cost, the city shall thereupon place the entire sum, plus collection charge as set by resolution of the city council, on the tax rolls as an assessment against the parcel or lot, assessment to be collected as other taxes are levied and collected. Such charges must be added to the general city tax roll, and to the total of the taxes levied on such parcel or lot for the same year. The city shall have a lien for the cost incurred by the city to bring the property into conformance with the Dangerous Building provisions of the Ypsilanti City Code and for any charges imposed until the amounts have been fully paid. The lien will not take effect until notice of the lien has been filed or recorded as provided by law. The lien ordered herein does not have priority over previously filed or recorded liens and encumbrances. The lien for the cost must be collected and treated in the same manner as provided for property tax liens under the General Property Tax Act, Act No. 206 of the Public Acts of Michigan of 1893, being MCL 211.1 to 211.157, or the applicable sections of the Ypsilanti City Charter and Code.

d. In addition to other remedies under the Ypsilanti City Code, the city may bring an action against the owner of the building or structure for the full cost of the demolition, of making the building safe, or of maintaining the exterior of the building or structure or grounds adjoining the building or structure. The city will have a lien on the property for the amount of a judgment obtained pursuant to this judgment. The lien provided for with this judgment will not take effect until notice of the lien is filed or recorded as provided by law. This lien does not have priority over prior filed or recorded liens and encumbrances. The judgment obtained may be enforced against assets of the owner other than the building or structure. The city will have a lien for the amount of the judgment obtained against the owner's interest in all real property located in this State that is owned in whole or in part by the owner of the building or structure against whom the judgment is obtained. This lien does not take effect until a notice of the lien is filed or recorded as provided by law, and the lien does not have priority over prior filed or recorded liens and encumbrances.

3. AN OWNER AGGRIEVED BY ANY FINAL DECISION OR ORDER OF THE CITY COUNCIL MAY APPEAL THE DECISION OR ORDER TO THE CIRCUIT COURT BY FILING A PETITION FOR AN ORDER OF SUPERINTENDING CONTROL WITHIN 20 DAYS FROM THE DATE OF THIS DECISION.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

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

Frances McMullan, City Clerk

STATE OF MICHIGAN CITY OF YPSILANTI DANGEROUS BUILDINGS		Case No.
	ORDER OF FINDINGS	DB-12-0002

PETITIONER	Respondent name, address, telephone no:
CITY OF YPSILANTI	Patricia Ware
One South Huron Street	7402 Redbird Dr.
Ypsilanti MI 48197	Ypsilanti, MI. 48197
734 483-1100	
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: 875 Jefferson, Ypsilanti, MI
Tax ID # 11-11-37-155-009

ORDER OF ABATEMENT

☐ The Dangerous Buildings Hearing Officer finds that the property at the above-described address is not a dangerous building.

☒ The Dangerous Buildings Hearing Officer finds that the property at the above-described address is a dangerous building, and orders the following remedy:

☒ The Building shall be demolished. Within 60 days of service

☐ The building shall be made safe or properly maintained as indicated on the attached checklist

The owner, agent, or owner/agent, shall comply with this order by: 60 days of service

If the owner, agent, or owner/agent fails to comply by the above date, the hearing officer shall file a report of the findings and a copy of this order with the City Council not more than 5 days after noncompliance.

Dated: 6-22-12


Dangerous Building Hearing Officer

I CONSENT TO THE ABOVE ORDER:

Signature of owner, agent, owner/agent

CERTIFICATE OF MAILING

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

☐ Personal Service or ☒ Certified mail, Return Receipt Requested;
on 7/16/2012

BY: _____
Name

BY: 
Name

AND by posting to the property on _____
BY: _____

CITY OF YPSILANTI BUILDING DEPARTMENT

PROPERTY ADDRESS:

875 JEFFERSON

THE PROPERTY WAS FOUND TO BE A DANGEROUS BUILDINGS PURSUANT TO THE CITY CODE IN THE FOLLOWING PARTICULARS:

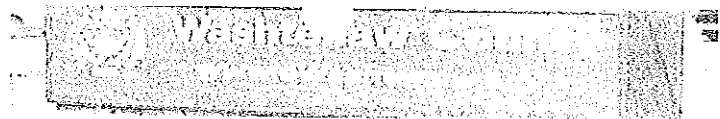
- ☒ (1) A door, aisle, passageway, stairway, or other means of exit does not conform to the approved fire code of the city.
- ☒ (2) A portion of the building or structure is damaged by fire, wind, flood, or other cause so that the structural strength or stability of the building or structure is appreciably less than it was before the catastrophe and does not meet the minimum requirements of the city building code for a new building or structure, purpose, or location.
- ☐ (3) A part or appurtenance of the building or structure is likely to fall, become detached or dislodged, or collapse and injure persons or damage property.
- ☐ (4) A portion of the building or structure has settled to such an extent that walls or other structural portions of the building or structure have materially less resistance to wind than is required in the case of new construction by the building code of the city.
- ☐ (5) The building or structure, or a part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, or the removal or movement of some portion of the ground necessary for the support, or for other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fall or give way.
- ☒ (6) The building, structure, or a part of the building or structure is manifestly unsafe for the purpose for which it is used.
- ☒ (7) The building or structure is damaged by vandalism, fire, wind, or flood, or is dilapidated or deteriorated and becomes an attractive nuisance to children who might play in the building or structure to their danger, or becomes a harbor for vagrants, criminals, or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful or immoral act.
- ☒ (8) A building or structure used or intended to be used for dwelling purposes, including the adjoining grounds, because of dilapidation, decay, damage, faulty construction or arrangement, or otherwise, is 1) unsanitary or unfit for human habitation, or 2) in a condition that the health officer of the city or county determines is likely to cause sickness or disease, or 3) likely to injure the health, safety, or general welfare of people living in the dwelling.
- ☐ (9) A building or structure is vacant, dilapidated, and open at door or window, leaving the interior of the building exposed to the elements or accessible to entrance by trespassers.
- ☒ (10) A building or structure remains not "regularly occupied" for a period of 180 consecutive days or longer, and is not listed as being available for sale, lease, or rent with a licensed real estate broker.
- ☐ OTHER: _____

Dated:

8-11-2011

JR1

Ech.b.T 1



Online Services Home

Services

Certified
Vital Records

Register of Deeds
Records

Property/Parcel
Lookup

Map Store

Dog License

Shopping
Cart

Customer
Accounts

Tell Me
About...

Convenience
Fees

Monthly
Accounts

Order Fulfillment

Security

Help Desk

Washtenaw County Parcel Summary

This data is received from local cities, villages, and townships. For additional information or verification, please contact your local city, village or township assessor, the Washtenaw County Clerk/Register of Deeds at (734)222-6710 or the Washtenaw County Department of Equalization at (734)222-6662.

Information herein deemed reliable but **not** guaranteed.

Parcel Identification

Parcel Number:	11-11-37-155-009
City, Village, or Township:	CITY OF YPSILANTI
Parcel Status:	ACTIVE
Property Address Street Number, Name & Direction	875 JEFFERSON ST
Property City, State, Zip Code	YPSILANTI MI, 48197
School District Number & Name	81020 YPSILANTIPUBLIC SCHOOLS
Property Classification	401 RESIDENTIAL

Taxpayer Identification -- Year 2012

Taxpayer Name 1:	WARE PATRICIA D (2012)
Taxpayer Name 2:	
Taxpayer Mailing Address:	7402 RED BIRD DR
Taxpayer City, State, Zip Code:	YPSILANTI, MI, 48197

Assessment

Year	State Equalized Value	Taxable Value	Principal Residence Exemption %
2011	\$22,200.00	\$22,200.00	0
2010	\$23,500.00	\$23,500.00	0

Gates

Sale Date:	05/19/2010	Sale Price:	\$0.00
Liber-Page:	4790/360	Last Update:	

1 of 1

Delinquent Tax

Legal Description

Sales History

View All Reports

Printer Friendly

Search Results

Refine Search

New Search



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Exh. b.1 2

STATE OF MICHIGAN 14A2 DISTRICT COURT	SEARCH WARRANT	CASE NO.
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415 West Michigan Avenue, Ypsilanti, MI 48197

(734) 484-6690

TO THE SHERIFF OR ANY PEACE OFFICER:

POLICE AGENCY

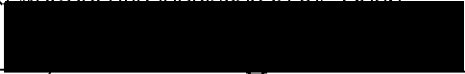
REPORT NUMBER: _____

Jon Roe, Fire Official, City of Ypsilanti Building Multiple-Unit Housing Inspector, has sworn to the attached affidavit regarding the following:

1. The person, place, or thing to be searched is described as and is located at:
Building located at 875 Jefferson Street, City of Ypsilanti, County of Washtenaw, State of Michigan.

2. The PROPERTY to be searched for and seized, if found, is specifically described as:
The exterior, interior, and curtilage of the property; exterior and interior common areas; exterior and interior inspection of any and all apartments for means used to prevent unauthorized access, fire risks, potential hazards, and compliance with building and maintenance code ordinance(s), as adopted by the City of Ypsilanti.

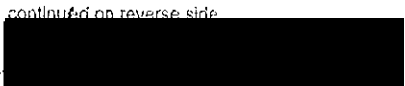
IN THE NAME OF THE PEOPLE OF THE STATE OF MICHIGAN: I have found that probable cause exists and you are commanded to make the search and seize the described property. Leave a copy of this warrant with affidavit attached and a tabulation (a written inventory) of any property taken with the person from whom the property was taken or at the premises. You are further commanded to promptly return this warrant and tabulation to the Court.

Issued: 8/8/11 
Date Judge/Magistrate

RETURN AND TABULATION

Search was made 8/11/2011 and the following property was seized:
Date

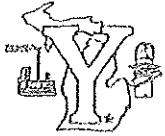
☐ continued on reverse side

 
Witness

COPY of affidavit, warrant and tabulation served on: BUILDING 875 JEFFERSON YPSILANTI, MI
Name

Tabulation filed: _____
Date

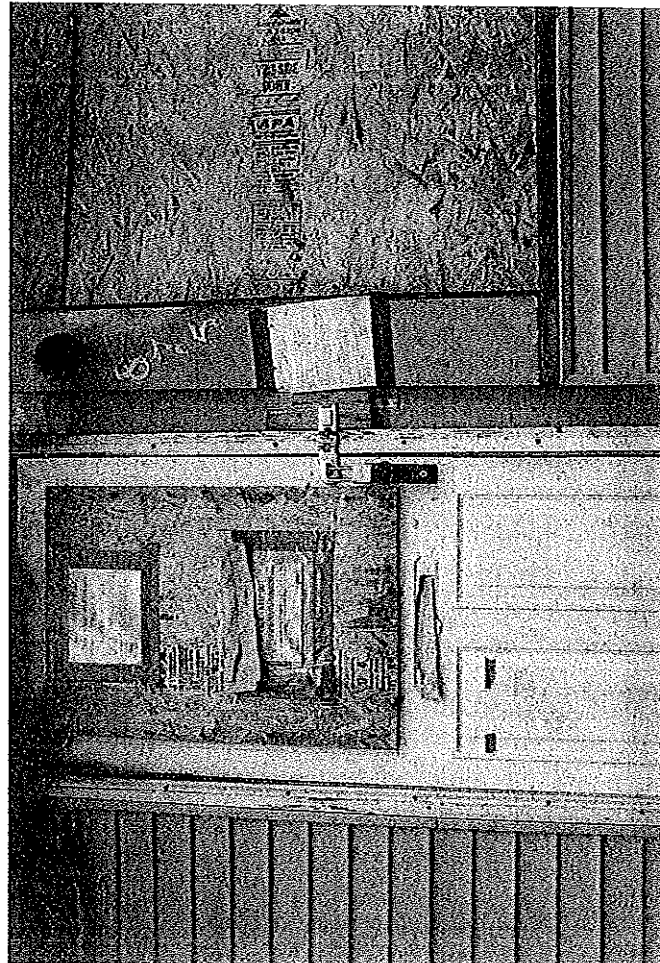
8-11-2011



CITY OF YPSILANTI FIRE DEPARTMENT

525 WEST MICHIGAN AVENUE • YPSILANTI, MICHIGAN 48197

TELEPHONE (313) 482-9778



(1) SEARCH WARRANT POSTED 8-11-2011

(2) CONDEMNED AND POSTED AFTER FIRE 5-17-2008

(3) CONDEMNED POSTER, POSTED TO REPLACE WITHINERED ONE

875 JEFFERSON?



Resolution No. 2012-269
December 18, 2012

Regarding the property located at: 15 South Washington
Tax ID # 11-11-39-101-017
Case # DB 12-0003

WHEREAS Council has reviewed the report of findings and order of the hearing officer, and

WHEREAS Council has had an opportunity to hear testimony and evidence offered; now therefore

IT IS RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that the Ypsilanti City Council hereby:

_____ Approves the Hearing Officer's Order.

_____ Disapproves the Hearing Officer's Order.

_____ Modifies the Hearing Officer's Order as follows:

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1. The order must be complied with within 60 days and that any repairs and maintenance ordered, where applicable, must comply with the procedures set forth in Chapter 54, Historical Preservation, of the Ypsilanti City Code.

2. If the order is not complied with within 60 days that:

a. The City of Ypsilanti, its representatives, agents, employees, and contractors are authorized to enter the premises, inspect the premises, and take all actions, including demolition, ordered, and to apply any escrowed funds toward the cost and expenses.

b. The cost of the demolition, of making the building safe, or of maintaining the exterior of the building or structure, or grounds adjoining the building or structure incurred by the city to bring the property into conformance with the Dangerous Building provisions of the Ypsilanti City Code, including the cost of consulting services, investigation, publication charges, attorney fees, court costs, and all administrative expenses must be reimbursed to the city by the owner or party in interest in whose name the property appears.

c. The owner or party in interest in whose name the property appears on the last local tax assessment records must be notified by the assessor of the amount of the cost of the demolition, of making the building safe, or of maintaining the exterior of the building or structure or grounds adjoining the building or structure by first class mail at the address shown on the records. If the owner or party in interest fails to pay the cost within 30 days after mailing by the assessor of the notice of the amount of the cost, the city shall thereupon place the entire sum, plus collection charge as set by resolution of the city council, on the tax rolls as an assessment against the parcel or lot, assessment to be collected as other taxes are levied and collected. Such charges must be added to the general city tax roll, and to the total of the taxes levied on such parcel or lot for the same year. The city shall have a lien for the cost incurred by the city to bring the property into conformance with the Dangerous Building provisions of the Ypsilanti City Code and for any charges imposed until the amounts have been fully paid. The lien will not take effect until notice of the lien has been filed or recorded as provided by law. The lien ordered herein does not have priority over previously filed or recorded liens and encumbrances. The lien for the cost must be collected and treated in the same manner as provided for property tax liens under the General Property Tax Act, Act No. 206 of the Public Acts of Michigan of 1893, being MCL 211.1 to 211.157, or the applicable sections of the Ypsilanti City Charter and Code.

d. In addition to other remedies under the Ypsilanti City Code, the city may bring an action against the owner of the building or structure for the full cost of the demolition, of making the building safe, or of maintaining the exterior of the building or structure or grounds adjoining the building or structure. The city will have a lien on the property for the amount of a judgment obtained pursuant to this judgment. The lien provided for with this judgment will not take effect until notice of the lien is filed or recorded as provided by law. This lien does not have priority over prior filed or recorded liens and encumbrances. The judgment obtained may be enforced against assets of the owner other than the building or structure. The city will have a lien for the amount of the judgment obtained against the owner's interest in all real property located in this State that is owned in whole or in part by the owner of the building or structure against whom the judgment is obtained. This lien does not take effect until a notice of the lien is filed or recorded as provided by law, and the lien does not have priority over prior filed or recorded liens and encumbrances.

3. AN OWNER AGGRIEVED BY ANY FINAL DECISION OR ORDER OF THE CITY COUNCIL MAY APPEAL THE DECISION OR ORDER TO THE CIRCUIT COURT BY FILING A PETITION FOR AN ORDER OF SUPERINTENDING CONTROL WITHIN 20 DAYS FROM THE DATE OF THIS DECISION.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

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

Frances McMullan, City Clerk

STATE OF MICHIGAN CITY OF YPSILANTI DANGEROUS BUILDINGS		Case No.
	ORDER OF FINDINGS	DB12-0003

PETITIONER	Respondent name, address, telephone no:
CITY OF YPSILANTI	James Pate
One South Huron Street	708 Cambridge
Ypsilanti MI 48197	Ypsilanti, MI 48197
734 483-1100	
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: 15 South Washington, Ypsilanti, MI
Tax ID # 11-11-39-101-017

ORDER OF ABATEMENT

☐ The Dangerous Buildings Hearing Officer finds that the property at the above-described address is not a dangerous building.

☒ The Dangerous Buildings Hearing Officer finds that the property at the above-described address is a dangerous building, and orders the following remedy:

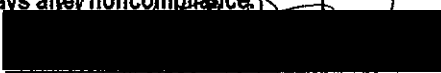
☐ The Building shall be demolished.

☒ The building shall be made safe or properly maintained as indicated on the attached checklist

The owner, agent, or owner/agent, shall comply with this order by: _____

If the owner, agent, or owner/agent fails to comply by the above date, the hearing officer shall file a report of the findings and a copy of this order with the City Council not more than 5 days after noncompliance.

Dated: 6/22/2012


Dangerous Building Hearing Officer

I CONSENT TO THE ABOVE ORDER:

Signature of owner, agent, owner/agent

CERTIFICATE OF MAILING

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

☐ Personal Service or ☒ Certified mail, Return Receipt Requested;
on _____ on 7/6/2012

BY: _____ BY: 
Name Name

AND by posting to the property on _____
BY: _____

Make occupiable by doing the following:

_Repair roof (permit within 30 days, works to be completed within 90 days of issuance)

_Remediate mold (within 30 days of roof completion)

_Comply with HDC

= Structural Steel to be remediated
with the Roof Repair



Online Services Home

Services

Certified
Vital Records

Register of Deeds
Records

Property/Parcel
Lookup

Map Store

Dog License

Shopping
Cart

Customer
Accounts

Tell Me
About...

Convenience
Fees

Monthly
Accounts

Order Fulfillment

Security

Help Desk

Washtenaw County Parcel Summary

This data is received from local cities, villages, and townships. For additional information or verification, please contact your local city, village or township assessor, the Washtenaw County Clerk/Register of Deeds at (734)222-6710 or the Washtenaw County Department of Equalization at (734)222-6662.

Information herein deemed reliable but **not** guaranteed.

Parcel Identification

Parcel Number:	11-11-39-101-017
City, Village, or Township:	CITY OF YPSILANTI
Parcel Status:	ACTIVE
Property Address Street Number, Name & Direction	15 S WASHINGTON ST
Property City, State, Zip Code	YPSILANTI MI, 48197
School District Number & Name	81020 YPSILANTIPUBLIC SCHOOLS
Property Classification	201 COMMERCIAL

Taxpayer Identification -- Year 2012

Taxpayer Name 1:	PATE JAMES (2012)
Taxpayer Name 2:	
Taxpayer Mailing Address:	708 CAMBRIDGE
Taxpayer City, State, Zip Code:	YPSILANTI, MI, 48197

Assessment

Year	State Equalized Value	Taxable Value	Principal Residence Exemption %
2011	\$392,500.00	\$252,605.00	0
2010	\$494,300.00	\$248,383.00	0

Sales

Sale Date:	09/01/1992	Sale Price:	\$300,000.00
Liber-Page:	3555-790	Last Update:	

1 of 1

Delinquent Tax

Legal Description

Sales History

View All Reports

Printer Friendly

Search Results

Refine Search

New Search



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Exhib. T 1

COPY

Original Warrant - return
1st copy - Prosecutor
2nd Copy - Serve
3rd copy - issuing judge

STATE OF MICHIGAN
14A2 DISTRICT COURT

SEARCH
WARRANT

CASE NO.

415 West Michigan Avenue, Ypsilanti, MI 48197

(734) 484-6690

TO THE SHERIFF OR ANY PEACE OFFICER:

POLICE AGENCY

REPORT NUMBER: _____

Jon R. Ichesco, Fire Chief, City of Ypsilanti, has sworn to the attached affidavit regarding the following:

- 1, The person, place, or thing to be searched is described as and is located at: 15 South Washington Street, City of Ypsilanti, County of Washtenaw, State of Michigan.
2. The PROPERTY to be searched for and seized, if found, is specifically described as:
The exterior, interior, and cartilage of the property; exterior and interior of common areas, and interior and exterior of all areas for means used to prevent unauthorized access, fire risks, potential hazards, and compliance with building and maintenance code ordinance(s), as adopted by the City of Ypsilanti, pursuant to City Code Section 18-220, which makes unlawful any owner, agent or owner/agent thereof to keep or maintain any dwelling or part thereof which is a dangerous building as defined by City Code 18-111

IN THE NAME OF THE PEOPLE OF THE STATE OF MICHIGAN: I have found that probable cause exists and you are commanded to make the search and seize the described property. Leave a copy of this warrant with affidavit attached and a tabulation (a written inventory) of all property taken with the person from whom the property was taken or at the premises. You are further commanded to promptly return this warrant and tabulation to the Court.

Issued: 12-15-11
Date

Judge/Magistrate

RETURN AND TABULATION

Search was made _____ and the following property was seized:
Date

☐ continued on reverse side

Officer

Witness

Y of affidavit, warrant and tabulation served on: _____

Name

Tabulation filed: _____

Date

CITY OF YPSILANTI BUILDING DEPARTMENT

PROPERTY ADDRESS: 15 South Washington

THE PROPERTY WAS FOUND TO BE A DANGEROUS BUILDINGS PURSUANT TO THE CITY CODE IN THE FOLLOWING PARTICULARS:

- ☐ (1) A door, aisle, passageway, stairway, or other means of exit does not conform to the approved fire code of the city.
- ☒ (2) A portion of the building or structure is damaged by fire, wind, flood, or other cause so that the structural strength or stability of the building or structure is appreciably less than it was before the catastrophe and does not meet the minimum requirements of the city building code for a new building or structure, purpose, or location.
- ☒ (3) A part or appurtenance of the building or structure is likely to fall, become detached or dislodged, or collapse and injure persons or damage property.
- ☐ (4) A portion of the building or structure has settled to such an extent that walls or other structural portions of the building or structure have materially less resistance to wind than is required in the case of new construction by the building code of the city.
- ☐ (5) The building or structure, or a part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, or the removal or movement of some portion of the ground necessary for the support, or for other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fall or give way.
- ☒ (6) The building, structure, or a part of the building or structure is manifestly unsafe for the purpose for which it is used.
- ☐ (7) The building or structure is damaged by vandalism, fire, wind, or flood, or is dilapidated or deteriorated and becomes an attractive nuisance to children who might play in the building or structure to their danger, or becomes a harbor for vagrants, criminals, or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful or immoral act.
- ☐ (8) A building or structure used or intended to be used for dwelling purposes, including the adjoining grounds, because of dilapidation, decay, damage, faulty construction or arrangement, or otherwise, is 1) unsanitary or unfit for human habitation, or 2) in a condition that the health officer of the city or county determines is likely to cause sickness or disease, or 3) likely to injure the health, safety, or general welfare of people living in the dwelling.
- ☐ (9) A building or structure is vacant, dilapidated, and open at door or window, leaving the interior of the building exposed to the elements or accessible to entrance by trespassers.
- ☒ (10) A building or structure remains not "regularly occupied" for a period of 180 consecutive days or longer, and is not listed as being available for sale, lease, or rent with a licensed real estate broker.

☐ OTHER: _____

Dated: 12/16/2011



Exhibit 3

STATE OF MICHIGAN CITY OF YPSILANTI DANGEROUS BUILDINGS BUREAU	VIOLATION	Case No.
	and	
	NOTICE OF SHOW CAUSE HEARING	

PETITIONER	Respondent name, address, telephone no:
CITY OF YPSILANTI	James Pate
One South Huron Street	708 Cambridge
Ypsilanti MI 48197	Ypsilanti MI 48197
734 483-1100	

This matter concerns the property located at: 15 South Washington, Ypsilanti, MI
Parcel ID 11-11-39-101-017

DANGEROUS BUILDING VIOLATION

PLEASE TAKE NOTICE that the building at the above-listed address has been inspected and found to be a Dangerous Building in violation of Ypsilanti City Code Section 18-220. See conditions described on the attached checklist.

A show cause hearing has been scheduled to give you the opportunity to appear and show cause, if there is any, why the building should not be determined dangerous and demolished, otherwise made safe, properly maintained, and/or, where applicable, referred to the historic district commission for a determination of demolition by neglect.

SHOW CAUSE HEARING SCHEDULED

HEARING SCHEDULED FOR: FRIDAY, APRIL 27, 2012
(Day of week) (Date)
commencing at 10:00 a.m. 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 contest this finding. At the hearing, if the Dangerous Buildings Hearing Officer determines that the building or structure should be demolished, otherwise made safe, or properly maintained, the hearing officer shall so order, fixing a time in the order for compliance with the order. The order may require maintenance of the exterior of the building and the adjoining grounds.

I declare under the penalty of perjury that the statements above are true to the best of my information, knowledge, and belief.

Building [REDACTED] BY: [REDACTED]
Issuing Department: _____ Date: April 11, 2012

Approved: Office of the City Attorney

BY: _____ Dated: April 11, 2012

If you require special accommodations because of disabilities, please contact the Administrative Hearings Bureau immediately to make arrangements.

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 below:

By: [REDACTED] or [REDACTED] (Certified mail Return Receipt Requested)

By: [REDACTED] or [REDACTED]

A copy is being left to the property on _____

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

STATE OF MICHIGAN CITY OF YPSILANTI DANGEROUS BUILDINGS BUREAU	VIOLATION	Case No.
	and	
	NOTICE OF SHOW CAUSE HEARING	

PETITIONER	Respondent name, address, telephone no:
CITY OF YPSILANTI	James Pate
One South Huron Street	708 Cambridge
Ypsilanti MI 48197	Ypsilanti MI 48197
734 483-1100	

This matter concerns the property located at: 15 South Washington, Ypsilanti, MI
Parcel ID 11-11-39-101-017

DANGEROUS BUILDING VIOLATION

PLEASE TAKE NOTICE that the building at the above-listed address has been inspected and found to be a Dangerous Building in violation of Ypsilanti City Code Section 18-220. See conditions described on the attached checklist.

A show cause hearing has been scheduled to give you the opportunity to appear and show cause, if there is any, why the building should not be determined dangerous and demolished, otherwise made safe, properly maintained, and/or, where applicable, referred to the historic district commission for a determination of demolition by neglect.

SHOW CAUSE HEARING SCHEDULED

HEARING SCHEDULED FOR: FRIDAY, APRIL 27, 2012
(Day of week) (Date)

commencing at 10:00 a.m. 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 contest this finding. At the hearing, if the Dangerous Buildings Hearing Officer determines that the building or structure should be demolished, otherwise made safe, or properly maintained, the hearing officer shall so order, fixing a time in the order for compliance with the order. The order may require maintenance of the exterior of the building and the adjoining grounds.

I declare under the penalty of perjury that the statements above are true to the best of my information, knowledge, and belief.

Building 151 Frank Daniels
Issuing Department: BY: 151 Frank Daniels
Date: April 11, 2012

Approved: Office of the City Attorney

BY: [Redacted] Dated: April 12, 2012

*If you require special accommodations because of disabilities, please contact the
Administrative Hearings Bureau immediately to make arrangements.*

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 or ☒ Certified mail, Return Receipt Requested
On [Redacted]

BY [Redacted] Name [Redacted]

AND by posting to the property on [Redacted]
at [Redacted]



Resolution 2012-270
December 18, 2012

Regarding the property located at: 910 Monroe
Tax ID # 11-11-37-129-001
Case # DB 12-0006

WHEREAS Council has reviewed the report of findings and order of the hearing officer, and

WHEREAS Council has had an opportunity to hear testimony and evidence offered; now therefore

IT IS RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that the Ypsilanti City Council hereby:

- _____ Approves the Hearing Officer's Order.
- _____ Disapproves the Hearing Officer's Order.
- _____ Modifies the Hearing Officer's Order as follows:

If the order has been approved or modified above, Council further resolves that:

1. The order must be complied with within 60 days and that any repairs and maintenance ordered, where applicable, must comply with the procedures set forth in Chapter 54, Historical Preservation, of the Ypsilanti City Code.

2. If the order is not complied with within 60 days that:

a. The City of Ypsilanti, its representatives, agents, employees, and contractors are authorized to enter the premises, inspect the premises, and take all actions, including demolition, ordered, and to apply any escrowed funds toward the cost and expenses.

b. The cost of the demolition, of making the building safe, or of maintaining the exterior of the building or structure, or grounds adjoining the building or structure incurred by the city to bring the property into conformance with the Dangerous Building provisions of the Ypsilanti City Code, including the cost of consulting services, investigation, publication charges, attorney fees, court costs, and all administrative expenses must be reimbursed to the city by the owner or party in interest in whose name the property appears.

c. The owner or party in interest in whose name the property appears on the last local tax assessment records must be notified by the assessor of the amount of the cost of the demolition, of making the building safe, or of maintaining the exterior of the building or structure or grounds adjoining the building or structure by first class mail at the address shown on the records. If the owner or party in interest fails to pay the cost within 30 days after mailing by the assessor of the notice of the amount of the cost, the city shall thereupon place the entire sum, plus collection charge as set by resolution of the city council, on the tax rolls as an assessment against the parcel or lot, assessment to be collected as other taxes are levied and collected. Such charges must be added to the general city tax roll, and to the total of the taxes levied on such parcel or lot for the same year. The city shall have a lien for the cost incurred by the city to bring the property into conformance with the Dangerous Building provisions of the Ypsilanti City Code and for any charges imposed until the amounts have been fully paid. The lien will not take effect until notice of the lien has been filed or recorded as provided by law. The lien ordered herein does not have priority over previously filed or recorded liens and encumbrances. The lien for the cost must be collected and treated in the same manner as provided for property tax liens under the General Property Tax Act, Act No. 206 of the Public Acts of Michigan of 1893, being MCL 211.1 to 211.157, or the applicable sections of the Ypsilanti City Charter and Code.

d. In addition to other remedies under the Ypsilanti City Code, the city may bring an action against the owner of the building or structure for the full cost of the demolition, of making the building safe, or of maintaining the exterior of the building or structure or grounds adjoining the building or structure. The city will have a lien on the property for the amount of a judgment obtained pursuant to this judgment. The lien provided for with this judgment will not take effect until notice of the lien is filed or recorded as provided by law. This lien does not have priority over prior filed or recorded liens and encumbrances. The judgment obtained may be enforced against assets of the owner other than the building or structure. The city will have a lien for the amount of the judgment obtained against the owner's interest in all real property located in this State that is owned in whole or in part by the owner of the building or structure against whom the judgment is obtained. This lien does not take effect until a notice of the lien is filed or recorded as provided by law, and the lien does not have priority over prior filed or recorded liens and encumbrances.

3. AN OWNER AGGRIEVED BY ANY FINAL DECISION OR ORDER OF THE CITY COUNCIL MAY APPEAL THE DECISION OR ORDER TO THE CIRCUIT COURT BY FILING A PETITION FOR AN ORDER OF SUPERINTENDING CONTROL WITHIN 20 DAYS FROM THE DATE OF THIS DECISION.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

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

Frances McMullan, City Clerk

STATE OF MICHIGAN CITY OF YPSILANTI DANGEROUS BUILDINGS	ORDER OF FINDINGS	Case No. DB12-0006
---	-------------------	-----------------------

PETITIONER CITY OF YPSILANTI One South Huron Street Ypsilanti MI 48197 734 483-1100	Respondent name, address, telephone no: St. John's Baptist Church 866 Monroe Ypsilanti, MI 48197
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: 910 Monroe Street, Ypsilanti, MI
Tax ID # 11-11-37-129-001

ORDER OF ABATEMENT

☐ The Dangerous Buildings Hearing Officer finds that the property at the above-described address is not a dangerous building.

☒ The Dangerous Buildings Hearing Officer finds that the property at the above-described address is a dangerous building, and orders the following remedy:

☒ The Building shall be demolished.

☐ The building shall be made safe or properly maintained as indicated on the attached checklist

The owner, agent, or owner/agent, shall comply with this order by: 60 days

If the owner, agent, or owner/agent fails to comply by the above date, the hearing officer shall file a report of the findings and a copy of this order with the City Council not more than 5 days.

Dated: 6/22/2012

[Redacted Signature]
Dangerous Building Hearing Officer

I CONSENT TO THE ABOVE ORDER:

Signature of owner, agent, owner/agent

CERTIFICATE OF MAILING

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

☐ Personal Service on _____

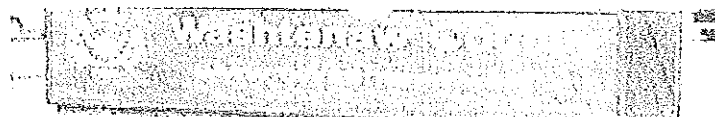
or

☒ Certified mail, Return Receipt Requested; on 7/18/2012

BY: _____
Name

BY: [Redacted Signature]

AND by posting to the property on _____
BY: _____



Online Services Home

Services

Certified
Vital Records
Register of Deeds
Records
Property/Parcel
Lookup
Map Store
Dog License
 Shopping
Cart
Customer
Accounts
Tell Me
About...
Convenience
Fees
Monthly
Accounts
Order Fulfillment
Security
Help Desk

Washtenaw County Parcel Summary

This data is received from local cities, villages, and townships. For additional information or verification, please contact your local city, village or township assessor, the Washtenaw County Clerk/Register of Deeds at (734)222-6710 or the Washtenaw County Department of Equalization at (734)222-6662.

Information herein deemed reliable but **not** guaranteed.

Parcel Identification

Parcel Number:	11-11-37-129-001
City, Village, or Township:	CITY OF YPSILANTI
Parcel Status:	ACTIVE
Property Address Street Number, Name & Direction	910 MONROE ST
Property City, State, Zip Code	YPSILANTI MI, 48197
School District Number & Name	81020 YPSILANTIPUBLIC SCHOOLS
Property Classification	401 RESIDENTIAL

Taxpayer Identification -- Year 2012

Taxpayer Name 1:	ST JOHN MISSIONARY BAPTIST CHURCH (2012)
Taxpayer Name 2:	
Taxpayer Mailing Address:	866 MONROE
Taxpayer City, State, Zip Code:	YPSILANTI, MI, 48197

Assessment

Year	State Equalized Value	Taxable Value	Principal Residence Exemption %
2011	\$31,400.00	\$31,400.00	0
2010	\$30,900.00	\$30,900.00	0

Sales

Sale Date:	03/14/2003	Sale Price:	\$51,000.00
Liber-Page:	4234-708	Last Update:	

1 of 1

[Delinquent Tax](#)

[Legal Description](#)

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STATE OF MICHIGAN 14A2 DISTRICT COURT	SEARCH WARRANT	CASE NO.
--	-------------------	----------

415 West Michigan Avenue, Ypsilanti, MI 48197

(734) 484-6690

TO THE SHERIFF OR ANY PEACE OFFICER:

POLICE AGENCY

REPORT NUMBER: _____

Jon Roe, Fire Official, City of Ypsilanti Building Multiple-Unit Housing Inspector, has sworn to the attached affidavit regarding the following:

1. The person, place, or thing to be searched is described as and is located at:
Building located at 910 Monroe Avenue, City of Ypsilanti, County of Washtenaw, State of Michigan.

2. The PROPERTY to be searched for and seized, if found, is specifically described as:
The exterior, interior, and curtilage of the property; exterior and interior common areas; exterior and interior inspection of any and all apartments for means used to prevent unauthorized access, fire risks, potential hazards, and compliance with building and maintenance code ordinance(s), as adopted by the City of Ypsilanti.

IN THE NAME OF THE PEOPLE OF THE STATE OF MICHIGAN: I have found that probable cause exists and you are commanded to make the search and seize the described property. Leave a copy of this warrant with affidavit attached and a tabulation (a written inventory) of any property taken with the person from whom the property was taken or at the premises. You are further commanded to promptly return this warrant and tabulation to the Court.

Issued: 8/8/11 _____
Date

RETURN AND TABULATION

Search was made 8/15/2011 and the following property was seized:
Date

☐ continued on reverse side

COPY of affidavit, warrant and tabulation served on: BUILDING 910 MONROE, YPSILANTI, MICHIGAN 48197
Name

Tabulation filed: _____
Date

CITY OF YPSILANTI BUILDING DEPARTMENT

PROPERTY ADDRESS:

910 MONROE

THE PROPERTY WAS FOUND TO BE A DANGEROUS BUILDINGS PURSUANT TO THE CITY CODE IN THE FOLLOWING PARTICULARS:

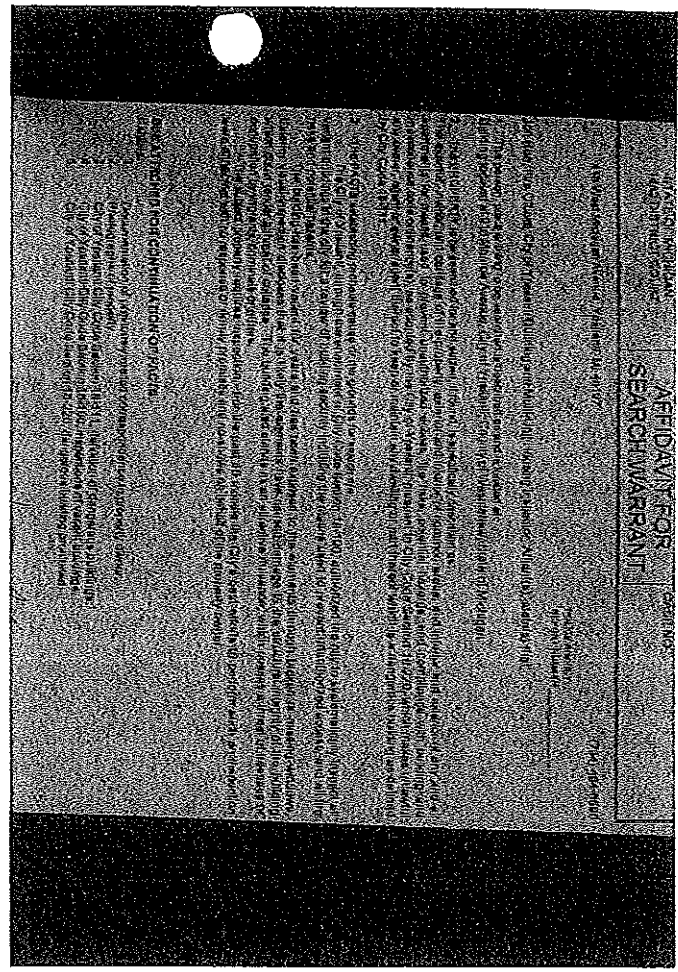
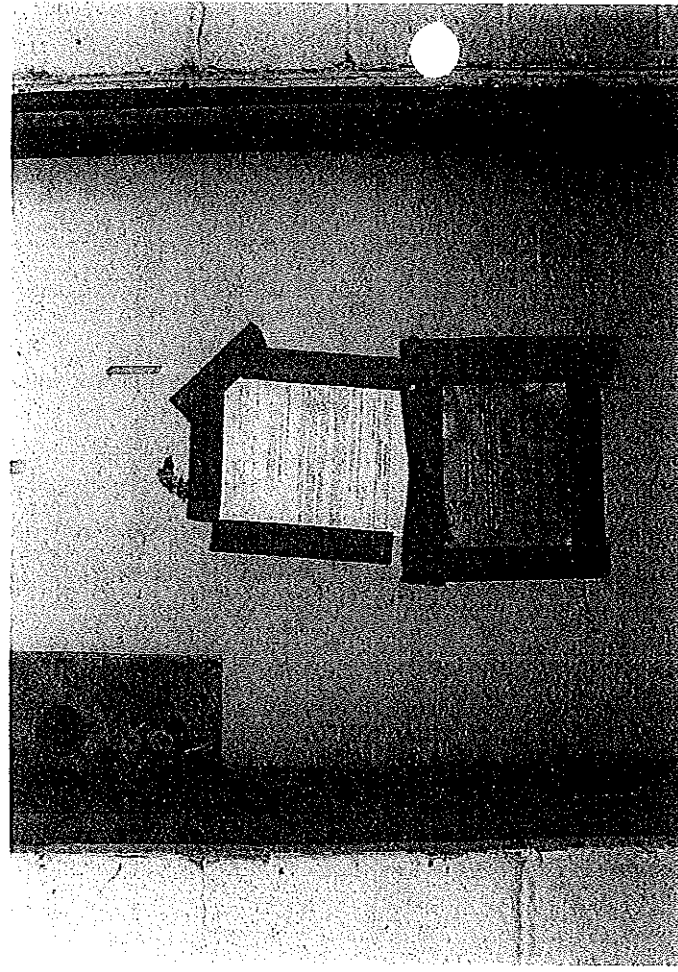
- ☒ (1) A door, aisle, passageway, stairway, or other means of exit does not conform to the approved fire code of the city.
- ☐ (2) A portion of the building or structure is damaged by fire, wind, flood, or other cause so that the structural strength or stability of the building or structure is appreciably less than it was before the catastrophe and does not meet the minimum requirements of the city building code for a new building or structure, purpose, or location.
- ☐ (3) A part or appurtenance of the building or structure is likely to fall, become detached or dislodged, or collapse and injure persons or damage property.
- ☐ (4) A portion of the building or structure has settled to such an extent that walls or other structural portions of the building or structure have materially less resistance to wind than is required in the case of new construction by the building code of the city.
- ☐ (5) The building or structure, or a part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, or the removal or movement of some portion of the ground necessary for the support, or for other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fall or give way.
- ☒ (6) The building, structure, or a part of the building or structure is manifestly unsafe for the purpose for which it is used.
- ☒ (7) The building or structure is damaged by vandalism, fire, wind, or flood, or is dilapidated or deteriorated and becomes an attractive nuisance to children who might play in the building or structure to their danger, or becomes a harbor for vagrants, criminals, or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful or immoral act.
- ☒ (8) A building or structure used or intended to be used for dwelling purposes, including the adjoining grounds, because of dilapidation, decay, damage, faulty construction or arrangement, or otherwise, is 1) unsanitary or unfit for human habitation, or 2) in a condition that the health officer of the city or county determines is likely to cause sickness or disease, or 3) likely to injure the health, safety, or general welfare of people living in the dwelling.
- ☒ (9) A building or structure is vacant, dilapidated, and open at door or window, leaving the interior of the building exposed to the elements or accessible to entrance by trespassers.
- ☒ (10) A building or structure remains not "regularly occupied" for a period of 180 consecutive days or longer, and is not listed as being available for sale, lease, or rent with a licensed real estate broker.
- ☐ OTHER: _____

Dated:

2/10/2011

Exhibit 3

410 Keweenaw
8-15-2011



- (1) CONDEMNED POSTER
- (2) SEARCH WARRANT 8-15-2011

STATE OF MICHIGAN CITY OF YPSILANTI DANGEROUS BUILDINGS BUREAU	VIOLATION	Case No.
	and	
	NOTICE OF SHOW CAUSE HEARING	

PETITIONER	Respondent name, address, telephone no:
CITY OF YPSILANTI	St. John's Baptist Church
One South Huron Street	866 Monroe Street
Ypsilanti MI 48197	Ypsilanti MI 48197
734 483-1100	

This matter concerns the property located at: 910 Monroe Street, Ypsilanti, MI
Parcel ID 11-11-37-129-001

DANGEROUS BUILDING VIOLATION

PLEASE TAKE NOTICE that the building at the above-listed address has been inspected and found to be a Dangerous Building in violation of Ypsilanti City Code Section 18-220. See conditions described on the attached checklist.

A show cause hearing has been scheduled to give you the opportunity to appear and show cause, if there is any, why the building should not be determined dangerous and demolished, otherwise made safe, properly maintained, and/or, where applicable, referred to the historic district commission for a determination of demolition by neglect.

SHOW CAUSE HEARING SCHEDULED

HEARING SCHEDULED FOR: FRIDAY, APRIL 27, 2012
(Day of week) (Date)

commencing at 10:00 a.m. 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 contest this finding. At the hearing, if the Dangerous Buildings Hearing Officer determines that the building or structure should be demolished, otherwise made safe, or properly maintained, the hearing officer shall so order, fixing a time in the order for compliance with the order. The order may require maintenance of the exterior of the building and the adjoining grounds.

I declare under the penalty of perjury that the statements above are true to the best of my information, knowledge, and belief.

Building
Issuing Department:

BY:

Date: April 11, 2012

Approved: Office of the City Attorney

BY: _____ Dated: April, 2012

*If you require special accommodations because of disabilities, please contact the
Administrative Hearings Bureau immediately to make arrangements.*

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:

1. Personal Service or 2. Certified mail (Return Receipt Requested)
on _____

By: _____
Name: _____

And in posting to the property on _____
at _____



Resolution No. 2012-271
December 18, 2012

Regarding the property located at: 818 Monroe
Tax ID # 11-11-37-128-003
Case # DB 12-0011

WHEREAS Council has reviewed the report of findings and order of the hearing officer, and

WHEREAS Council has had an opportunity to hear testimony and evidence offered; now therefore

IT IS RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that the Ypsilanti City Council hereby:

- ☐ Approves the Hearing Officer's Order.
- ☐ Disapproves the Hearing Officer's Order.
- ☐ Modifies the Hearing Officer's Order as follows:

If the order has been approved or modified above, Council further resolves that:

1. The order must be complied with within 60 days and that any repairs and maintenance ordered, where applicable, must comply with the procedures set forth in Chapter 54, Historical Preservation, of the Ypsilanti City Code.
2. If the order is not complied with within 60 days that:
 - a. The City of Ypsilanti, its representatives, agents, employees, and contractors are authorized to enter the premises, inspect the premises, and take all

actions, including demolition, ordered, and to apply any escrowed funds toward the cost and expenses.

b. The cost of the demolition, of making the building safe, or of maintaining the exterior of the building or structure, or grounds adjoining the building or structure incurred by the city to bring the property into conformance with the Dangerous Building provisions of the Ypsilanti City Code, including the cost of consulting services, investigation, publication charges, attorney fees, court costs, and all administrative expenses must be reimbursed to the city by the owner or party in interest in whose name the property appears.

c. The owner or party in interest in whose name the property appears on the last local tax assessment records must be notified by the assessor of the amount of the cost of the demolition, of making the building safe, or of maintaining the exterior of the building or structure or grounds adjoining the building or structure by first class mail at the address shown on the records. If the owner or party in interest fails to pay the cost within 30 days after mailing by the assessor of the notice of the amount of the cost, the city shall thereupon place the entire sum, plus collection charge as set by resolution of the city council, on the tax rolls as an assessment against the parcel or lot, assessment to be collected as other taxes are levied and collected. Such charges must be added to the general city tax roll, and to the total of the taxes levied on such parcel or lot for the same year. The city shall have a lien for the cost incurred by the city to bring the property into conformance with the Dangerous Building provisions of the Ypsilanti City Code and for any charges imposed until the amounts have been fully paid. The lien will not take effect until notice of the lien has been filed or recorded as provided by law. The lien ordered herein does not have priority over previously filed or recorded liens and encumbrances. The lien for the cost must be collected and treated in the same manner as provided for property tax liens under the General Property Tax Act, Act No. 206 of the Public Acts of Michigan of 1893, being MCL 211.1 to 211.157, or the applicable sections of the Ypsilanti City Charter and Code.

d. In addition to other remedies under the Ypsilanti City Code, the city may bring an action against the owner of the building or structure for the full cost of the demolition, of making the building safe, or of maintaining the exterior of the building or structure or grounds adjoining the building or structure. The city will have a lien on the property for the amount of a judgment obtained pursuant to this judgment. The lien provided for with this judgment will not take effect until notice of the lien is filed or recorded as provided by law. This lien does not have priority over prior filed or recorded liens and encumbrances. The judgment obtained may be enforced against assets of the owner other than the building or structure. The city will have a lien for the amount of the judgment obtained against the owner's interest in all real property located in this State that is owned in whole or in part by the owner of the building or structure against whom the judgment is obtained. This lien does not take effect until a notice of the lien is filed or

recorded as provided by law, and the lien does not have priority over prior filed or recorded liens and encumbrances.

3. AN OWNER AGGRIEVED BY ANY FINAL DECISION OR ORDER OF THE CITY COUNCIL MAY APPEAL THE DECISION OR ORDER TO THE CIRCUIT COURT BY FILING A PETITION FOR AN ORDER OF SUPERINTENDING CONTROL WITHIN 20 DAYS FROM THE DATE OF THIS DECISION.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

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

Frances McMullan, City Clerk

STATE OF MICHIGAN CITY OF YPSILANTI DANGEROUS BUILDINGS	ORDER OF FINDINGS	Case No. DB12-0011
---	-------------------	-----------------------

PETITIONER CITY OF YPSILANTI One South Huron Street Ypsilanti MI 48197 734 483-1100	Respondent name, address, telephone no: Jim & David Raggs P.O. Box 981326 Ypsilanti, MI 48197
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: 818 Monroe Street, Ypsilanti, MI
Tax ID # 11-11-37-128-003

ORDER OF ABATEMENT

☐ The Dangerous Buildings Hearing Officer finds that the property at the above-described address is not a dangerous building.

☒ The Dangerous Buildings Hearing Officer finds that the property at the above-described address is a dangerous building, and orders the following remedy:

☒ The Building shall be demolished. Within 60 days of service

☐ The building shall be made safe or properly maintained as indicated on the attached checklist

The owner, agent, or owner/agent, shall comply with this order by: 60 days of service

If the owner, agent, or owner/agent fails to comply by the above date, the hearing officer shall file a report of the findings and a copy of this order with the City Council not more than 5 days after noncompliance.

Dated: 6/22/2012


Building Hearing Officer

I CONSENT TO THE ABOVE ORDER:

Signature of owner, agent, owner/agent

CERTIFICATE OF MAILING

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

☐ Personal Service or ☒ Certified mail, Return Receipt Requested;
on 7/9/2012

BY: _____
Name

BY: 

AND by posting to the property on _____
BY: _____



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Washtenaw County Parcel Summary

This data is received from local cities, villages, and townships. For additional information or verification, please contact your local city, village or township assessor, the Washtenaw County Clerk/Register of Deeds at (734)222-6710 or the Washtenaw County Department of Equalization at (734)222-6662.

Information herein deemed reliable but **not** guaranteed.

Parcel Identification

Parcel Number:	11-11-37-128-003
City, Village, or Township:	CITY OF YPSILANTI
Parcel Status:	ACTIVE
Property Address Street Number, Name & Direction	818 MONROE ST
Property City, State, Zip Code	YPSILANTI MI, 48197
School District Number & Name	81020 YPSILANTI PUBLIC SCHOOLS
Property Classification	401 RESIDENTIAL

Taxpayer Identification -- Year 2012

Taxpayer Name 1:	RAGGS JIM (2012)
Taxpayer Name 2:	
Taxpayer Mailing Address:	PO BOX 981326
Taxpayer City, State, Zip Code:	YPSILANTI, MI, 48197

Assessment

Year	State Equalized Value	Taxable Value	Principal Residence Exemption %
2011	\$31,200.00	\$25,346.00	0
2010	\$32,200.00	\$24,923.00	0

Sales

Sale Date:	03/03/2003	Sale Price:	\$0.00
Liber- Page:		Last Update:	

1 of 1

Delinquent Tax	Legal Description	Sales History	View All Reports
Printer Friendly	Search Results	Refine Search	New Search



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Exhibit 1

Sec. 18-111. - Definitions.

The following words, terms and phrases when used in this article shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Certificate of compliance means an official document titled "certificate of compliance" issued by the city building inspection department for a multiple dwelling or one-or two-unit rental dwelling indicating that the covered unit(s) identified thereon are in compliance with all applicable provisions of this Code, particularly the property maintenance code and the fire prevention code.

Dangerous buildings means a building or structure that has one or more of the following defects or is in one or more of the following conditions:

- (1) A door, aisle, passageway, stairway, or other means of exit does not conform to the approved fire code of the city.
- (2) A portion of the building or structure is damaged by fire, wind, flood, or other cause so that the structural strength or stability of the building or structure is appreciably less than it was before the catastrophe and does not meet the minimum requirements of the city building code for a new building or structure, purpose, or location.
- (3) A part or appurtenance of the building or structure is likely to fall, become detached or dislodged, or collapse and injure persons or damage property.
- (4) A portion of the building or structure has settled to such an extent that walls or other structural portions of the building or structure have materially less resistance to wind than is required in the case of new construction by the building code of the city.
- (5) The building or structure, or a part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, or the removal or movement of some portion of the ground necessary for the support, or for other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fall or give way.
- (6) The building, structure, or a part of the building or structure is manifestly unsafe for the purpose for which it is used.
- (7) The building or structure is damaged by vandalism, fire, wind, or flood, or is dilapidated or deteriorated and becomes an attractive nuisance to children who might play in the building or structure to their danger, or becomes a harbor for vagrants, criminals, or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful or immoral act.
- (8) A building or structure used or intended to be used for dwelling purposes, including the adjoining grounds, because of dilapidation, decay, damage, faulty construction or arrangement, or otherwise, is 1) unsanitary or unfit for human habitation, or 2) in a condition that the health officer of the city or county determines is likely to cause sickness or disease, or 3) likely to injure the health, safety, or general welfare of people living in the dwelling.
- (9) A building or structure is vacant, dilapidated, and open at door or window, leaving the interior of the building exposed to the elements or accessible to entrance by trespassers.
- (10) A building or structure remains not "regularly occupied" for a period of 180 consecutive days or longer, and is not listed as being available for sale, lease, or rent with a real estate broker licensed under article 25 of the occupational code, Act No. 299 of the Public Acts of Michigan of 1980, being MCL 339.2501—339.2515. For purposes of this subdivision, "building or structure" includes, but is not limited to, a commercial building or structure. This subdivision does not apply to any of the following:
 - a. A building or structure as to which the owner or agent does both of the following:
 1. Notifies the city building department in writing that the building or structure will remain not "regularly occupied" for a period of 180 consecutive days. The notice shall be given to the building department by the owner or agent not more than 30 days after the building or structure becomes not "regularly occupied."
 2. Maintains the exterior of the building or structure and adjoining grounds in accordance with the this Code.
 - b. A secondary dwelling of the owner that is normally not "regularly occupied" for a period of 180 days or longer each year, if the owner notifies the city building department in writing that the dwelling will remain not "regularly occupied" for a period of 180 consecutive days or more each year. An owner

exh. b.7 2

who has given the notice prescribed by this subparagraph shall notify the building department in writing not more than 30 days after the dwelling no longer qualifies for this exception. As used in this subparagraph, "secondary dwelling" means a dwelling such as a vacation home, hunting cabin, or summer home, that is "regularly occupied" by the owner or a member of the owner's family during part of a year.

- c. A new building or new structure under construction that meets all of the following conditions: 1) has a valid building permit, 2) demonstrates that significant and continuous progress is being made toward completion, 3) secures the property and takes all other necessary safety precautions, and 4) otherwise complies with this division and all applicable laws, ordinances, and regulations.

Dwelling unit means one or more rooms with principal kitchen facilities designed as a unit for occupancy by only one family for cooking, living and sleeping purposes, together with the common areas which support the unit, including the exterior of the structure as it relates to the unit.

Multiple dwellings means a building containing three or more dwelling units and/or sleeping units.

One- or two-unit rental dwelling means a building wherein:

- (1) Any payment for the use of one or more dwelling units or one or more sleeping units, including, but not limited to, payment of money or goods or the performance of services or labor or the payment of taxes or utilities, is made; or
- (2) Any one or more dwelling units or one or more sleeping units are occupied and the building is not owner occupied.

Occupant means any person living or sleeping in a building; or having possession of a space within a building.

Occupied means a building or portion thereof that has an occupant.

Owner/agent means an individual who is either an owner or agent who has been designated pursuant to section 18-131(e) as the "owner/agent."

Regularly occupied means a building or portion of a building that is lawfully utilized or lawfully occupied for the purpose for which it is lawfully intended and designed and which if its intended purpose is residential normally has at least one person lawfully living or sleeping in it daily and which if its intended purpose is nonresidential normally has persons lawfully in it and utilizing it on a basis consistent with its lawful nonresidential purpose. Persons solely in the building for the purpose of maintenance, repair, or cleaning of the building do not make the building "regularly occupied."

Sleeping unit means a room which is rented or leased primarily for sleeping purposes, not having kitchen and bath facilities within the unit, i.e., sleeping room, together with the common areas, including bath and kitchen facilities, which support the unit, including the exterior of the structure.

Temporary certificate means a certificate of compliance issued for a multiple dwelling or one- or two-unit rental dwelling following inspection, which is found to be substantially in compliance.

Triggering event means any one or more of the following events that occur at a vacant building, the property on which it is located, or its adjacent right-of-way:

- (1) Law enforcement response.
- (2) Fire or emergency personnel response.
- (3) Ordinance enforcement and subsequent abatement, including, but not limited to: grass, weed, or brush violations; litter, trash, or cleanup violations; graffiti violations; vehicle or zoning vehicle violations; animal complaints; and unsecured or non-weather tight structure.
- (4) Remains a vacant building for 12 months or more.
- (5) Issuance of a citation or complaint to correct exterior violations, apparent or existing, of the Property Maintenance Code as adopted by the City of Ypsilanti.

Vacant building means a building or structure that meets one or more of the following:

- (1) Is not "regularly occupied" for a period greater than 30 days, excepting homestead property or rental property occupied in the manner of homestead property.
- (2) Is condemned.
- (3) Does not have a valid certificate of occupancy or certificate of compliance.

(Code 1983, § 6.73; Ord. No. 862, § 6.73, 9-2-1997; Ord. No. 969, 12-3-2002; Ord. No. 974, 1-21-2003; Ord. No. 975, 1-21-2003; Ord. No. 1002, § 1, 3-1-2005)

Cross reference—Definitions generally, § 1-2.

Sec. 18-190. - Inspections.

- (a) *Generally.* The city building department with the assistance of the city fire department and/or fire marshal, shall forthwith undertake systematic inspection of all vacant buildings in the city. Vacant buildings shall be re-inspected periodically.
- (b) *Scope of inspection.* The inspection shall include review of building security including the means used to prevent unauthorized access, and all fire risks and potential hazards, including but not limited to, structural building materials (type and age), renovations that may be encountered during a fire, unprotected hazardous materials and fuel packages, open shafts, pits and holes due to removal of equipment, structural degradation due to weather and vandalism, exposed structural members, penetrations in barriers such as walls, floors, and ceilings that allow abnormal fire travel, combustible contents, maze-like configurations, blocked or damaged stairs, and whether fire alarm and suppression systems are present and working.
- (c) *Cost of inspections.* A fee for the cost of the inspections shall be set by resolution of the city council. The owner, the owner's agent, or the "owner/agent" of the vacant building shall be individually and severally responsible for the fee.
- (d) *Scheduling.*
 - (1) The owner, the owner's agent, or the "owner/agent" of the vacant building shall schedule the initial inspection at the time they register the vacant building. The inspection shall be scheduled for inspection within 30 days of the date that the building qualified as a vacant building. Thereafter, at each inspection, if not scheduled previously, the next monthly inspection shall be scheduled.
 - (2) Unsecured vacant buildings shall be inspected forthwith pursuant to section 18-221 to determine whether such building or structure is a dangerous building.
 - (3) Unregistered vacant buildings shall be inspected forthwith pursuant to section 18-221 to determine whether such building or structure is a dangerous building and monthly thereafter under section 18-221
- (e) *Waiving of fees.* The fees shall be waived for the following vacant buildings:
 - (1) Vacant buildings that have not had a triggering event occur during the period it qualifies as a vacant building or within 60 days prior to its initial designation as a vacant building.
 - (2) A new or existing building or structure undergoing significant construction progress on a continual basis without a triggering event other than remaining a vacant building for 12 months or more.

(Ord. No. 974, 1-21-2003; Ord. No. 2001, § 1, 3-1-2005)

Sec. 18-220. - Dangerous building prohibited.

It is unlawful for any owner, agent, or owner/agent thereof to keep or maintain any dwelling or part thereof which is a dangerous building. All such dangerous buildings shall be abated by alteration, repair, rehabilitation, demolition, or removal in accordance with the procedures specified within this division, or, where applicable, the procedures set forth within chapter 54, Historical Preservation, of this Code.

(Ord. No. 975, 1-21-2003)

STATE OF MICHIGAN CITY OF YPSILANTI DANGEROUS BUILDINGS BUREAU	VIOLATION	Case No.
	and	DB 12 0011
	NOTICE OF SHOW CAUSE HEARING	

PETITIONER	Respondent name, address, telephone no:
CITY OF YPSILANTI	Jim Raggs
One South Huron Street	PO Box 981326
Ypsilanti MI 48197	Ypsilanti MI 48197
734 483-1100	

This matter concerns the property located at: 818 Monroe Street, Ypsilanti, MI
Parcel ID 11-11-37-128-003

DANGEROUS BUILDING VIOLATION

PLEASE TAKE NOTICE that the building at the above-listed address has been inspected and found to be a Dangerous Building in violation of Ypsilanti City Code Section 18-220. See conditions described on the attached checklist.

A show cause hearing has been scheduled to give you the opportunity to appear and show cause, if there is any, why the building should not be determined dangerous and demolished, otherwise made safe, properly maintained, and/or, where applicable, referred to the historic district commission for a determination of demolition by neglect.

SHOW CAUSE HEARING SCHEDULED

HEARING SCHEDULED FOR: FRIDAY, JUNE 22, 2012
(Day of week) (Date)

commencing at 10:00 a.m. 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 contest this finding. At the hearing, if the Dangerous Buildings Hearing Officer determines that the building or structure should be demolished, otherwise made safe, or properly maintained, the hearing officer shall so order, fixing a time in the order for compliance with the order. The order may require maintenance of the exterior of the building and the adjoining grounds.

I declare under the penalty of perjury that the statements above are true to the best of my information, knowledge, and belief.

Building
Issuing Department:

BY

Date: June 12, 2012

Approved: Office of the City Attorney

BY

Dated: June 12, 2012

*If you require special accommodations because of disabilities, please contact the
Administrative Hearings Bureau immediately to make arrangements.*

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

☐ Personal Service or ☒ Certified mail, Return Receipt Requested;
on _____ on 6-12-12

BY: _____
name

BY: _____
Name

AND by posting to the property on 6-12-12
BY: _____

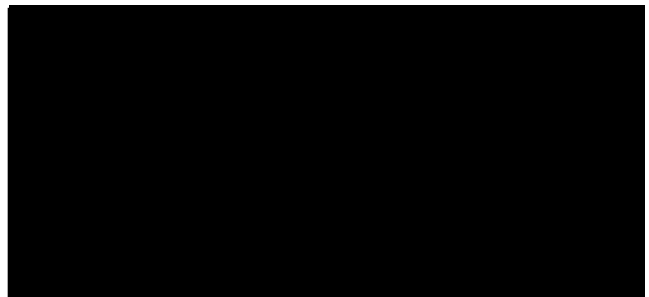
CITY OF YPSILANTI BUILDING DEPARTMENT

PROPERTY ADDRESS: 818 MONROE

THE PROPERTY WAS FOUND TO BE A DANGEROUS BUILDINGS PURSUANT TO THE CITY CODE IN THE FOLLOWING PARTICULARS:

- ☒ (1) A door, aisle, passageway, stairway, or other means of exit does not conform to the approved fire code of the city.
- ☐ (2) A portion of the building or structure is damaged by fire, wind, flood, or other cause so that the structural strength or stability of the building or structure is appreciably less than it was before the catastrophe and does not meet the minimum requirements of the city building code for a new building or structure, purpose, or location.
- ☒ (3) A part or appurtenance of the building or structure is likely to fall, become detached or dislodged, or collapse and injure persons or damage property.
- ☐ (4) A portion of the building or structure has settled to such an extent that walls or other structural portions of the building or structure have materially less resistance to wind than is required in the case of new construction by the building code of the city.
- ☐ (5) The building or structure, or a part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, or the removal or movement of some portion of the ground necessary for the support, or for other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.
- ☒ (6) The building, structure, or a part of the building or structure is manifestly unsafe for the purpose for which it is used.
- ☒ (7) The building or structure is damaged by vandalism, fire, wind, or flood, or is dilapidated or deteriorated and becomes an attractive nuisance to children who might play in the building or structure to their danger, or becomes a harbor for vagrants, criminals, or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful or immoral act.
- ☒ (8) A building or structure used or intended to be used for dwelling purposes, including the adjoining grounds, because of dilapidation, decay, damage, faulty construction or arrangement, or otherwise, is 1) unsanitary or unfit for human habitation, or 2) in a condition that the health officer of the city or county determines is likely to cause sickness or disease, or 3) likely to injure the health, safety, or general welfare of people living in the dwelling.
- ☒ (9) A building or structure is vacant, dilapidated, and open at door or window, leaving the interior of the building exposed to the elements or accessible to entrance by trespassers.
- ☒ (10) A building or structure remains not "regularly occupied" for a period of 180 consecutive days or longer, and is not listed as being available for sale, lease, or rent with a licensed real estate broker.
- ☐ OTHER: _____

Dated: 8-15-2011





Resolution No. 2012 – 273
December 18, 2012

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Minutes of December 4, 2012 be approved.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



Draft

**CITY OF YPSILANTI
COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS - ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, DECEMBER 4, 2012
6:00 P.M. – WORK SESSION
7:00 P.M. – REGULAR SESSION**

I. CALL TO ORDER

The meeting was called to order at 6:00 p.m.

II. ROLL CALL

Council Member Jefferson	Present	Council Member Robb	Present
Council Member Moeller	Present (7:00)	Council Member Vogt	Present
Council Member Murdock	Present	Mayor Schreiber	Present
Mayor Pro-Tem Richardson	Present		

On a voice vote Council excused the absence.

III. INVOCATION

All stood 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. WORK SESSION (6:00 – 7:00 p.m.)

Water Street Update – Teresa Gillotti, Senior Planner

VI. INTRODUCTIONS

Mayor Schreiber introduced City Planners Teresa Gillotti and Bonnie Wessler, Growing Hope Executive Director Amanda Edmonds, SmartZone Candidate Alex Easley and Police Chief Amy Walker.

VII. AGENDA APPROVAL

Agenda approved as submitted.

VIII. PRESENTATIONS

None

IX. ORDINANCES – FIRST READING

1. Conditional Rezoning of 311 S. Grove from B2 to B4

Ordinance No. 1182

A. Resolution No. 2012-257, determination

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the proposed ordinance entitled "Conditional Rezoning 311 S. Grove St." be approved on First Reading.

OFFERED BY: Council Member Jefferson

SUPPORTED BY: Council Member Vogt

Planner Gillotti gave the background.

Background

Ayad Jacksi the owner of Complete Auto Service Center at 311 S. Grove Street contacted staff to determine how he can sell used automobiles on his property in addition to his existing legally non-conforming minor automotive repair business.

Staff provided several recommendations and the applicant decided to pursue a rezoning from B2 to B4. The Planning Commission reviewed this application at its October 24 meeting. While sympathetic to application, the Commission did not feel they could provide a recommendation due to no indication in the master plan for a change from B2, neighborhood business to B4, General business. Planning Commission tabled the decision and asked staff to pursue any other possible means to assist the applicant.

Staff then reviewed the file again, in particular a previous non-conforming use as automotive status. However, the previous use was abandoned by a change in use to minor repair and the expiration of the state sales license. The other option pursued was a conditional rezoning. Similar to a standard map amendment, this variation requires the applicant to propose additional requirements or restrictions on the rezoning for presentation to Planning Commission and ultimately City Council.

Through this process the applicant request a conditional change from B2 to B4 zoning, restricting the B4 zoning to uses and adding conditions (see attached comparison and final zoning sheets), and improved fencing and landscaping.

Planning Commission reviewed conditional zoning request at its November 14, 2012 and spent a great deal of time reviewing the comparison chart between the B2 and B4 uses. The Conditional rezoning would allow B4 permitted and special uses held in common with B2 zoning with the addition of auto sales as indicated in 122-412 (6), plus proposed conditions by the applicant. The Commission discussed that this was an improved option as the list of permitted and special uses would be minimal. They also noted the remaining incongruity with the master plan, but ultimately voted to recommend the approval of the conditional rezoning.

Mr. Jacksi, owner, was present to answer questions from Council.

B. Open Public Hearing

1. Olga Tucker expressed her support for the proposal stating it made sense for the community.
2. Lee Tooson stated that, as a long time resident of Ypsilanti, he has seen this before and he supports it. He added that this was a reputable business that represents the City well.

3. James Hendrix, Pastor of St. John's Baptist Church, shared his support of Mr. Jacksi and his proposal and stated he has been a customer for years, and trusts him to repair his Cadillac.
4. Cecil Lochner echoed the sentiments of Mr. Tooson and agreed that this business is a benefit to the City and the community
5. Matt Nicholson, Associate Pastor at Calvary Baptist Church, stated that he has been a long-time customer of Mr. Jacksi's and he is in full support of his business. He added that he agrees with everything that has been shared by the other speakers during the public hearing.
6. Johnny Epps shared his support for Mr. Jacksi and his integrity, stating that his business will continue to bring more customers to the city.
7. Phil Skinner, resident of South Lyon, stated that he drives in to Ypsilanti to bring his car to be repaired by Mr. Jacksi. He stated that he feels giving Mr. Jacksi this leverage will help him to contribute to the Ypsilanti community.
8. Eric Brown, resident of Belleville, shared that he has worked with Mr. Jacksi for over five years, and he confirms and agrees with the sentiments shared by the others. He added that Mr. Jacksi is a very honorable and honest man whom he trusts greatly. Mr. Brown asked all the other audience member that showed up in support of Mr. Jacksi to raise their hand as many of them may feel uncomfortable speaking and there may not be time to hear all of their comments.

C. Resolution No. 2012-258, close public hearing

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the public hearing to consider the proposed Ordinance entitled "Conditional Rezoning 311 S. Grove St." be officially closed.

OFFERED BY: Council Member Jefferson

SUPPORTED BY: Mayor Pro-Tem Richardson

On a voice vote the motion carried.

Council Member Murdock asked if the business will be for car sales or repairs.

Ms. Gillotti answered both and said the zoning allows for both.

Council Member Murdock asked if there is a time frame for completion.

Ms. Gillotti answered there was no discussion of a time frame by the Planning Commission.

Mayor Pro-Tem Richardson asked how many cars will be on site for sale versus repairs.

Ms. Gillotti answered those questions will be answered when this appears before the Planning Commission.

Council Member Robb questioned the tone that approving this would set.

Ms. Gillotti said that much of a difference would be noticed. She said the lot would be more filled and signage and landscaping would be added.

Council Member Robb noted that this would be the city's first conditional zoning and it would set a precedent. He questioned what impact setting a precedent would have on the future.

Ms. Gillotti answered City Council can set policy on conditional zoning if it wants to be more cautious.

Council Member Robb asked how does this work elsewhere in the state.

Ms. Gillotti answered Ann Arbor has granted only 2 or 3 and they have certain standards they look for. She said this is not a precedent in the state because there is a handful in other communities.

Council Member Robb asked if this would change with the master plan.

Ms. Gillotti answered yes.

Council Member Robb said the master plan would give the city a chance to do some things over.

Ms. Gillotti answered yes.

Council Member Robb pointed out that the building height was not addressed.

Ms. Gillotti answered she will confirm the height at the second reading.

Mayor Pro-Tem Richardson asked if conditional zoning follows the land or the business.

Ms. Gillotti answered the zoning goes with the land unless it is rezoned later.

City Manager Lange asked if the conditional zoning is defaulted if the land is abandoned.

Ms. Gillotti answered no. She explained that if the zoning is changed the business would be a non-conforming use and summarized the pros and cons.

Council Member Jefferson said he supports the request and thinks it can be done.

Council Member Murdock asked if this item would go back to the Planning Commission if it is passed with conditions.

Ms. Gillotti answered the site plan would go back to the Planning Commission because it triggers a change of use and at that time the Planning Commission can alter or change conditions. She added that the conditions previously requested were above and beyond and is required to be shown on the site plan.

Council Member Murdock asked if there is a time frame for conditions.

Mr. Jacksi said he would begin work in about 2 months and as soon as approval is given he will begin working on the small improvements. He said he needs approval for a dealer's license from the state first.

Council Member Murdock asked if site plan approval is what begins the clock?

Ms. Gillotti answered yes and said they can ask for an extension if needed.

There was discussion regarding a time line.

Council Member Murdock moved, supported by Mayor Pro-Tem Richardson to amend the ordinance to state that conditions must be met within 1 year of site plan approval or by December 31, 2013.

Ms. Gillotti said she would consult Mr. Barr regarding how to add an amendment to an ordinance.

City Manager Lange suggested a height requirement be added as a condition also.

Council Member Robb suggested a friendly amendment to state that if the request is turned down by the state, the conditional zoning is no longer applicable.

Council Member Murdock and Mayor Pro-Tem Richardson agreed to withdraw their amendment.

Council Member Murdock moved, supported by Council Member Robb to amend the ordinance to establish a deadline of December 31, 2013 for conditions to be met.

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

Council Member Jefferson	Yes	Council Member Robb	Yes
Council Member Moeller	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, the vote to approve Ordinance 1182 as amended was as follows:

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

VOTE:

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

Ordinance No. 1182 as amended reads as follows:

**City of Ypsilanti
Ordinance No. 1182**

Conditional rezoning 311 S. Grove

B4, permitting as permitted uses only those uses held in common with the B2 zoning district, with the addition of auto sales as spelled out in 122-412(6), and permitting as special uses only those held in common with the B2 district, AS OUTLINED IN THE FOLLOWING LISTS.

B4 conditional zone, PERMITTED uses

B4 conditional zone, PERMITTED uses
Adult drop-in centers
Antique, consignment, and resale stores.
Arts and crafts studios and schools.
Auction House, subject to the specific provisions in section 122-813.
Automobile sales: showrooms, salesrooms, or offices for new and used automobiles, trucks and tractors, boats, mobile homes, recreation vehicles and trailer sales, including automobile repair shops providing minor repair. Major repair is not permitted except as provided in subsection 122-413(5). The outdoor display of vehicles is regulated by subsection 122-413(11).
Bar/lounge, provided that all service occurs within a completely enclosed building.
Community garages and community parking lots, as defined in Section 122-2, subject to the provisions of Sections 122-781 and 122-782 respectively
Essential services.
Financial institutions, including banks, credit unions, and savings and loan associations. Drive-through facilities are permitted, subject to the specific provision in section 122-784.
Funeral and mortuary establishments, provided that adequate assembly area is provided off-street for vehicles to be used in funeral processions.
Hotels and motels.
Laundry and dry cleaning customer outlets (no dry cleaning is permitted on the premises), coin operated Laundromats, self-serve dry cleaning establishments, and similar operations, provided that all services performed on the premises shall be sold at retail on the same premises.
Medical or dental offices, clinics, or laboratories.
Medical Marijuana Dispensary, subject to the specific provisions in section 122-814.
Offices and showrooms of a plumber, electrician, upholsterer, caterer, decorator or similar trade, subject to the specific provisions in section 122-797.
Outdoor cafes, outdoor fast-food or sit-down restaurants, and beer gardens, subject to the specific provisions of section 122-799.
Personal service shops such as a tailor, barber, beauty, shoe repair, locksmith, photocopy services, photo processing, or similar personal service shop.
Private noncommercial recreational areas or social facilities, institutional or community recreational centers, and nonprofit swimming pool or tennis club, subject to the specific provisions in section 122-802.
Radio and television studios.
Private service clubs, lodges, banquet halls, and meeting halls.
Restaurants, including carry-out or delivery, sit-down, or fast-food, or any combination thereof. Drive-through facilities are permitted subject to the provisions in section 122-783.
Retail businesses which are intended to supply commodities on the premises for regional customers, such as: Food stores: grocery stores, food cooperatives, meats, dairy products, alcoholic beverages, baked goods, ice cream, and similar food products. The retail sale of poultry, fish, and game is permitted, provided that the slaughtering thereof is not allowed. The manufacture of food products, such as baked goods or ice cream, is permitted provided that 50 percent or more of the products are sold at retail from the same building, and all activities and storage occur within a completely enclosed building. The sale of alcoholic beverages for consumption on the premises is prohibited.
Retail stores which sell personal use items such as drugs, dry goods, notions, hardware, books, magazines, periodicals, stationery and school supplies, artist's supplies, gifts, jewelry, records and video cassette sales, flowers, shoes, small household articles, tobacco products, toilet articles, wearing apparel and personal accessories, toys, and similar products.

B4 conditional zone, PERMITTED uses
Retail stores which offer comparison goods completely within a fully-enclosed building such as home appliances (including service and repair), camera and photography supplies, sporting goods, electronics, furniture, optical items, bicycle sales, home supply centers, paint and wallpaper stores, carpet, rug, and linoleum/tile stores, lawn care products and machinery, building materials, pets and pet supplies (provided that no animals are boarded except for sale and that all animals are boarded inside a building), hobby and craft stores, and similar specialty goods stores. The manufacture of sporting goods, small household items and crafts is permitted provided that 50 percent or more of the products are sold at retail from the same building and all activities and storage occur within a completely enclosed building.
Veterinary hospitals and clinics, subject to the specific provisions in section 122-809.
Video rental establishments.
Accessory uses customarily incidental and clearly ancillary to the above permitted uses when in accordance with article XI, division 2 of this chapter.

B4 Conditional Zone, SPECIAL uses
Any establishment intending to operate between 2 a.m. and 6 a.m. during any 24-hour period.
Automotive service stations which provide minor repair only, as defined in Article 2, subject to the standards in Section 122-776, and located along a designated major thoroughfare; provided, however, that quick oil change facilities are not permitted.
Auto rental operations, including parking, storage, washing and repair facilities.
Coin-operated amusement arcades, and pool and billiard halls.
Emergency shelters for the homeless, subject to the Specific Provisions in Section 122-785.
Express and passenger terminals and express transfer facilities, subject to the Specific Provisions of Section 122-786.
Outdoor retail sales and display, subject to the specific provisions in Section 122-800.
Substance abuse treatment facilities subject to the Specific Provisions in Section 122-808.

Additional conditions for this approval are:

- **Addition of trees and ornamental grass on south grove from property line (chain fence) adjacent to spring street to driveway on south grove**
- **Addition of wooden or rod iron fence adjacent to spring street**
- **Plant shrubs adjacent to fence near spring street**
- **Work shall be completed by 12-31-2013**

Ordinance No. 1183

2. Zoning Text Amendment: Food production, processing and sales
 - A. Resolution No. 2012-259, determination

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the proposed ordinance entitled "FOOD PRODUCTION AMENDMENTS" be approved on First Reading.

OFFERED BY: Council Member Moeller
SUPPORTED BY: Council Member Vogt

Planner Gillotti gave the background for the request.

Background

In late 2010, the Planning Commission's ordinance committee began looking into possible text amendments related to clarifying where food can be grown in the City, addressing calls/requests for small scale hoop houses, and increasing areas where food production can be done in the City limits. The four key areas researched were:

1. Interest in food production in residential lots
2. Hoop houses/greenhouses – consideration of accessory use in residential zones
3. Food processing – opportunities in other business districts other than industrial/manufacturing
4. Food carts/trucks – options and ideas

Earlier this year, the Planning Commission's ordinance committee invited several other local experts, practitioners along with staff to discuss potential changes to existing ordinances to proactively consider some options for text amendments. The committee, upon staff recommendation, focused on the first three items and intend to reconsider food carts/trucks later. The committee met twice, Feb. 8, 2012 and April 6, 2012.

The committee consists of the following members:

Dan Lautenbach, Planning Commission	Amanda Edmonds, Growing Hope
Mark Bullard, Planning Commission	Liz Dahl MacGregor, Growing Hope, attorney
Kelly Weger, Planning Commission	Stefanie Stauffer, Nightshade Industries (food entrepreneur)
Bonnie Wessler, staff	Leah DuMouchel, staff
Teresa Gillotti, staff	

The Planning Commission reviewed proposed ordinance changes and held public hearings twice, first at the July 25, 2012 then with revisions at the October 24, 2012 meeting.

At the second meeting Planning Commission made recommendations regarding zoning text amendments to three categories listed below. Food production in residential lots

1. Food production in residential lots
2. Hoop houses/greenhouses – consideration of accessory use in residential zones
3. Food processing – opportunities in other business districts other than industrial/manufacturing

Food production in residential lots

There has been continued interest gardening vacant lots in the City of Ypsilanti. Currently, gardening is not allowed as a principle use, and is not defined as a permitted accessory use either. To prevent issues similar to what happened in Oak Park in the summer of 2011 (raised bed garden was considered a code violation), the Planning Commission is recommending zoning ordinance changes that will allow gardening as primary and accessory uses as below:

- Gardens/community gardens allowed as permitted primary use in R1, single family and R2 one-two family residential districts
 - Gardens as principal uses must maintain 3 foot setback on street frontages and maintain corner visibility clearance
 - No farm stands or other sale of goods grown in gardens/community gardens is allowed on garden sites.
- Gardens/community gardens allowed as permitted accessory use in R1, R2, R3, R4 and RO
- Community gardens allowed as permitted use in PL, Public land

- Landscaping definition now specifically includes “edible plants” as a permitted type of landscaping.

Hoop houses/greenhouses

Due to Michigan’s growing season, there is increased interest in hoop houses, greenhouses and other similar structures to extend the growing season to nearly year round use. Interest is both in residential areas where homeowners and renters would like to legally have a hoophouse as an accessory structure and for those interested in larger gardens on vacant lots, to have a hoophouse as a season extension tool for garden/urban agriculture issues.

The accessory use application of the greenhouse/hoophouse was fairly simple to apply, however the committee and the Planning Commission had much deliberation regarding the location of greenhouses/hoophouses on vacant lots in R1 and R2 districts. Concerns ranged from there the lack of an immediate resident/tenant to address any possible issues with the hoophouse maintenance, worry that they may be used as a second garage, and concern that hoophouses may be so large they could exceed the size of adjacent structures or generally not fit into the character of the neighborhood. On the supportive side, the benefits of seasonal extension were discussed as well as thoughts on what size would be most appropriate to accommodate the investment necessary for micro-farms. Additionally, staff worked with the City’s building official and Larry Lehman, Chief of the Building Division of the State Code of Bureau of Construction Codes from the Michigan to understand how the Right to Farm Act might apply to hoophouses/greenhouses in the City before making recommendations to the Planning Commission.

Building permit required

The City’s building official contacted other jurisdictions and has confirmed that hoophouses and greenhouses can be treated as agricultural buildings if the use and/or underlying district is agricultural in nature. This agriculture use invokes the “Right to Farm” legislation which states that building permits are not required for agricultural buildings. The exception to this is goods grown in said agriculture building are sold on site, or any other public uses of the greenhouse/hoophouse.

In practice, greenhouses/hoophouses would not require permits, except in the case of greenhouse in an approved zoning district where sales were also conducted on site, or potentially in the case where they may be used for educational trainings or other public gatherings. In cases where greenhouses may be an accessory use to a garden on a vacant lot in R1 or R2, staff is recommending a size limitation of 720 sf, which is the maximum size of a garage for a single-family lot, if setbacks and other requirements are unable to be met. For hoophouses/greenhouses between 720 sf and 1200 sf, planning commission is recommending a special use/site plan for the larger size. As this may put financial constraints on larger hoop houses, staff can, at council’s discretion, put together special standards in lieu of the special use/site plan requirement between first and second reading.

Recommended changes to the zoning text are as follows:

- Greenhouses (hoophouses) are defined as exclusively for the cultivation of plants
- Greenhouses may be an accessory structure in R1, R2, R3, R4, RO and PL districts
 - In cases where a greenhouse is accessory to a garden as a principle use on a vacant lot, the greenhouse is limited in size to 720 sf, unless a special use permit is obtained, in which case the size can be increased to 1200 sf.
 - In cases where a greenhouse is accessory to a garden as a principle use on a vacant lot, the greenhouse is subject to front yard setback requirements.
- Greenhouses do not require building permits unless sales occur on site or otherwise open to the public.

Food Processing

Currently, the zoning ordinance limits food production uses to manufacturing districts, while catering is allowed in several districts. In many circumstances, food production would not be more intensive than the current catering use. Planning Commission is recommending a change to the catering definition to allow more commercial space for small scale food/beverage production. Additional recommendations create more uniform definitions for manufacturing linked to retail sale food stores, with the exception that in B1, there is still a limitation on the sale of alcohol.

Recommendations:

- Catering services use also include "the manufacture and processing of food products including brewing and distilling as Special use in RC, B1 and B2 and as permitted use in B4, WS, CI, M1 and M2

The Planning Commission held a public hearing and recommended approval of the attached ordinance changes. Staff suggests revisiting the greenhouse special use recommendation to determine if special standards might make this more feasible between first and second reading.

Council Member Robb stated that basically this request is invoking the Right to Farm Act.

Ms. Gillotti answered yes and explained the Right to Farm Act saying that it would not require a permit. She explained the intent is to clarify that the use is allowed in vacant lots because currently zoning does not allow it.

Council Member Vogt asked if there is a height limit.

Ms. Gillotti answered yes it is the same as what is allowed for accessory uses. She gave an overview of the special use standards and said they would apply.

B. Open Public Hearing

1. Lindsey Scalera, 910 Sheridan, shared that the energy and momentum behind the local food movement in Ypsilanti is a big part of the reason that she decided to stay in Ypsilanti after attending Eastern Michigan University.
2. Casey Van Ness, of North Normal, stated that the reason she stays is because of the culture of the Midwest and the urban agriculture revolution.
3. Amanda Edmonds, 320 Garland, Executive Director of Growing Hope, stated that she also sits on the Michigan Food Policy Council. She stated that this would make Ypsilanti the first community in the state that allows food houses in an urban community, which would make headlines across the state and perhaps even across the nation.

Council Member Robb said the grass ordinance would become obsolete if this passed. He also said that 50% of goods must be sold and if the use is extended the city will have to enforce downtown which is an unintended consequence.

Ms. Gillotti said enforcement is complaint driven and staff may not proactively enforce this.

Council Member Robb said oversight is needed. He said he is concerned about safety and the fact that greenhouses can be erected without a permit and then the city will not capture the taxes. He added that hoop houses are an entirely separate subject that should be addressed as well.

Ms. Gillotti said discussion and feedback is welcomed. She said the Assessor uses site inspections also to determine taxes applied. She said this is limited to accessory structures and would be open to interpretation.

Attorney Barr said if a land covenant is included in the deed, neighbors can take you to court and also complain if the zoning is violated.

There was extension discussion on hoop houses and them being allowed in historic districts. Discussion regarding the height of corn and it being grown in the front yard ensued.

Ms. Gillotti said corner clearance requirements would have to be met. She said she is working on reconciling recommendations with the Property Maintenance Code, the Assessor and HDC approval. She asked for the item to be tabled to allow her to address the concerned expressed.

Council Member Vogt asked about tractors and if they would be allowed. He asked if there would be limits on what could be grown and on the number of lots that can be joined or configured. He voiced concern about grass and weeds also.

Ms. Gillotti said there is a limit on the size of a hoop house but they didn't look at the use of multiple lots. She said the noise ordinance would regulate the use of tractors but they are trying to prevent the storage of them.

Mayor Pro-Tem Richardson said she is not opposed to the concept but some areas need clarification. She said she would hate to see neighbors fueling over this.

Council Member Robb said he wants to understand all of the Right to Farm Act, the issues and how it impacts all of the city ordinances before voting on this because the issues will come up and he wants the city to have an answer.

Ms. Gillotti said she needs more than 2 weeks to work on this and suggested it be tabled until January.

Council Member Robb said Council can prioritize projects for Ms. Gillotti at goal setting.

City Manager Lange said a project like this absorbs a lot of staff's time and energy.

Council Member Murdock moved, supported by Mayor Pro-Tem Richardson to postpone Ordinance No. 1183 until the January 22, 2013 Council Meeting.

On a voice vote the motion carried and Ordinance No. 1183 was postponed to January 22, 2013.

C. Resolution No. 2012-260, close public hearing

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the public hearing to consider the proposed ordinance entitled "FOOD PRODUCTION AMENDMENTS" be officially closed.

OFFERED BY: Council Member Moeller
SUPPORTED BY: Council Member Vogt

On a voice vote the motion carried unanimously.

X. AUDIENCE PARTICIPATION

1. Dave Strenski, 323 Oak, of Solar Ypsi, stated he was present to show support for the DTE Solar Farm at the old City dump. He stated that he thinks it is great land use and wonderful PR for the City. He shared that this would mean 3% of Ypsilanti's residents powered by solar energy.
2. Amanda Edmonds stated that she would send along information from studies where urban agriculture has been successfully implemented in other cities and states. She added that urban gardens actually assist in crime reduction.
3. Brian Tell, 408 N. Huron, stated that he is also involved in Solar Ypsi and he works in the solar industry full-time. He stated that he feels the City has a good chance with this project and lends his full support.

IX. REMARKS BY THE MAYOR

Mayor Schreiber appreciated the comments from the audience participants and thanked Dave Strenski for his comments.

Council took a 10 minute recess at 10:00 p.m.

The meeting convened at 10:10 p.m.

X. MINUTES –

Resolution No. 2012-261, approving the minutes of November 12 and November 20, 2012.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Minutes of November 12 and November 20, 2012 be approved.

OFFERED BY: Council Member Robb

SUPPORTED BY: Council Member Jefferson

On a voice vote the minutes were approved as submitted.

XI. RESOLUTIONS/MOTIONS/DISCUSSIONS

1. Resolution No. 2012-263, approving Letter of Intent with SunDurance for development of former City Landfill adjacent to I-94 for solar array.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The Ypsilanti City Council seeks to put underutilized City property to productive use; and

WHEREAS, DTE has issued a request for proposal for development of a solar array in a highly visible location; and

WHEREAS: SunDurance Energy has approached the City to utilize the former City Landfill, parcel ID # 11-11-37-101-007 as part of their proposal to DTE for the construction a 1.3 Megawatt Solar Array; and

WHEREAS upon selection a resulting lease agreement would result in an annual lease of 4.5 acres for \$44,000;

NOW, THEREFORE, BE IT RESOLVED THAT the Ypsilanti City Council approve the attached Letter of Intent between the City of Ypsilanti and SunDurance for the potential development of a solar array on the City former landfill property; and

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

OFFERED BY: Council Member Murdock

SUPPORTED BY: Council Member Robb

Planner Gillotti gave the background for the request.

Background

DTE Energy recently announced a request for proposals (RFP) for the development of a megawatt (or more) solar array to produced alternative energy for the existing DTE energy grid. The RFP indicates that developers of the project should select sites that have high visibility and be within the DTE service area, with emphasis on locations in the City of Detroit.

Soon after the announcement by DTE, several companies began seeking out developable land in highly visible locations including highway frontage. One company contacted the City directly, while another was brought to the City once the knowledge that the former landfill site (location of the digital billboard) might be available for such a project.

Staff worked with both developers to move toward an option or letter of intent that Council could approve, and the developer could include in the proposal to DTE, but are recommending approval of a letter of intent with SunDurance as they have experience working on landfill sites, had more intensive due diligence even during a short window of time, and have provided a better financial offer to the City for the Landfill area.

DTE Request

The project itself would require a 20-year lease between the property owner (City) and DTE with the potential to extend each year for 10 years (see attached standard DTE lease). The attached letter of intent would be between the City and SunDurance who would be applying to develop the solar array for DTE, with the purpose of transferring ownership to DTE once complete. The DTE proposal process has 2 phases, the first evaluates the sites and initial costs, while the second allows for DTE to focus on a select group of applicants to provide more detailed plans, background and due diligence on the sites, while they review qualifications and other factors before making a decision. Below is a general idea of the timeline as established in the attached DTE RFP.

Issue RFP:	9/28/2012
Respondents Conference Call	10/12/2012
Respondent Questions Due	10/12/12 - 12/14/12
Phase 1 RFP Proposal Responses Due	12/21/2012 -12:00PM EDT
Short List Notification for Phase 2	1/18/2013
Phase 2 Conference Call –(Invite only)	Estimated end of Jan, 2013
Phase 2 Proposals Responses Due	Anticipated 45 days from Phase 2 conference
Project In Service Date	Targeted 12/31/2013

The letter of intent/option is between the City of Ypsilanti and SunDurance. The maximum term of the option would be through May 2013 or earlier. At that time either the project will not be selected, or the City will enter into a lease based on the LOI terms with DTE for 20-years with the potential to extend for 10 more.

<u>Option Period</u>	Through final selection by DTE in the RFP process and final Lease, expected to be May 2013 or earlier.
<u>Option Payment:</u>	Two Thousand Dollar non-refundable payment (\$2,000.00) paid to the City within sixty (60) days of notification from DTE that the proposal has been selected for Phase 2 of the RFP.
<u>Lease Payments:</u>	A one-time construction payment of Twenty Thousand Dollars (\$20,000.00) shall be made within thirty days of execution of the Lease. After commercial operation of the System at the Premises, Lessee agrees to pay Customer annually by December 1 st for each year of the Term the sum of Forty Four Thousand Dollars (\$44,000.00).
<u>Term:</u>	20 years, subject to Lessee's option to extend the Lease for 10 additional and successive 1 year periods.

The proposed project is approximately 4.5 areas, resulting in a lease price of approximately \$9,778 / acre, or \$44,000/year. Currently, the City receives \$35,000/ year for the digital billboard lease.

The amount of investment in solar panels and related equipment is expected to be about \$4 million dollars. The Letter of Intent provides that a payment of lieu of taxes be provided if the state exempts similar projects or eliminates personal property tax. As well the agreement requires the developer to pay for any related environmental or geotechnical assessments required as part of the development.

City Council would approve any subsequent long-term lease with DTE. As well, the development would come under Planned Unit Development (PUD), as there is no existing zoning uses for solar panel arrays. The PUD process would first go to Planning Commission for a recommendation and then to City Council for a public hearing and approval. All is subject to the selection of the site and project by DTE as a part of their selection process.

City ownership of the former landfill occurred prior to 1949. The estimated closure date of the Landfill is between 1957 and 1967. The closure did not include a formal sealing or capping of the landfill, and the property is known to have environmental contamination although it is not known to what extent. Initial testing was undertaken by the Traverse Group in 1998, but it did not include a formal Phase I or Phase II environmental assessment. Currently the Washtenaw County Brownfield Redevelopment Authority has requested on behalf of the City, assessment grant funds for a Phase I environmental assessment which has recently commenced. It is expected that additional grant funds for Phase II will be available through the Downriver Community Conference as well. Initial conversations with Michigan Department of Environmental Quality (MDEQ) staff indicate that the development of a solar array may be a feasible use of the landfill, as it may not require in disruption or release of any contaminants on the site. DEQ staff did indicate that with older landfills geotechnical issues may be a larger concern as any substantial weight may result in shifting. Geotechnical analysis will be likely prior to any development of the site. Staff will be following up with DEQ as the process proceeds to make sure due diligence procedures are being followed.

David Strenski was present to answer questions.

Mayor Pro-Tem Richardson asked if this would have any effect on Ward 1 residents.

Mr. Strenski replied no and said residents would only see the back.

Council Member Murdock stated this is a great project and said visibility is good. He added that educational viewing is a great suggestion.

City Manager Lange thanked those responsible for bringing this forth.

Council Member Robb said he thinks it is a great project and if chosen it could be tweaked later.

On a roll call, the vote to approve Resolution No. 2012-263 was as follows:

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

VOTE:

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

2. Resolution No. 2012-264, approving agreement transferring the responsibilities under the Michigan Dog Law of 1919 to the Washtenaw County Treasurer.

IT IS RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that the City Manager and Clerk are authorized to execute the attached agreement transferring the responsibilities under the Michigan Dog Law of 1919 to the Washtenaw County Treasurer.

OFFERED BY: Mayor Pro-Tem Richardson

SUPPORTED BY: Council Member Jefferson

City Manager Lange gave the background. He explained he spoke with city staff and this is an easy thing to give away. He said he is a big fan of collaborating with neighbors and no money is involved. He said the County Treasurer's office will take over the permit process.

Council Member Robb asked how many dog permits are processed per year.

Mr. Lange answered about 350 or so, approximately \$1,800-\$2,600 yearly. He said the County has assured the city that we would have a data base of all registered dogs. He said the information on how to register a dog would still be available in the Building Department.

Council Member Robb said there are far more dog permits in the city and by doing this the city is setting dog owners up for trouble.

Mr. Lange said permits are synced with rabies shots which are required every 3 years. He said this will enhance public safety and there will be 24 hour online access to data for the city.

Council Member Robb said there are a lot of unlicensed dogs and asked what can the city do so that people aren't nailed.

Mr. Lange said there are only two additional enforcement officers for the County and the same level of enforcement and notice will continue. He said this system gives one central location for the entire county. He said he will make sure residents are noticed.

Council Member Moeller spoke in favor of this and said she is happy the county will notice and remind dog owners to renew. She felt this was a great opportunity to work together.

Council Member Murdock asked how would the city deal with loose dogs.

Police Chief Amy Walker answered the calls would be sent to the County and the Human Society would pick up the dogs. She said the city doesn't have the resources or proper training to do this. She said unfortunately the city doesn't know what the County or Humane Society does with the animals or how they come up with their numbers.

Mr. Lange said the County has stated the city should share in the cost, however there is a grey area as to what is being paid for. He said collaborating on this takes the burden off the police and helps with EVIP.

Mayor Pro-Tem Richardson moved, supported by Council Member Jefferson to extend the meeting to 11:30 p.m.

On a voice vote the motion carried and the meeting was extended to 11:30 p.m.

On a roll call, the vote to approve Resolution No. 2012-264 was as follows:

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

VOTE:

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

3. Resolution No. 2012-265, approving intergovernmental agreement with Pittsfield for K-9 Unit.

Approval of intergovernmental agreement with Pittsfield Township for the K-9 Unit.

IT IS RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that the certain agreement between the City of Ypsilanti and Pittsfield Charter Township for shared K-9 officer services and shared vehicle use, a copy of which is attached hereto), be and the same hereby is approved and the Mayor and City Clerk are authorized to sign the Agreement, subject to the approval of the City Attorney.

OFFERED BY: Council Member Robb

SUPPORTED BY: Council Member Vogt

Police Chief Amy Walker gave the background.

Chief Walker said she has been negotiating with Pittsfield Township Public Service Director Harshberger and they have worked out a draft intergovernmental cooperation agreement that the City would provide

the K-9 Unit and the Township would provide the vehicle, a Tahoe. The police officer, dog handler, would be granted police powers in the township and the K-9 would respond to requests in both jurisdictions. It is expected that the K-9 Unit would spend most of its time in the City of Ypsilanti. The agreement provides for some reimbursement of costs and the term of the agreement is four years commencing January 1, 2013, with a 60 day termination clause.

On a roll call, the vote to approve Resolution No. 2012-265 was as follows:

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

VOTE:

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

4. Resolution No. 2012-266A, approving the following appointments to Boards and Commissions:

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

<u>NAME</u>	<u>BOARD</u>	<u>TERM TO EXPIRE</u>
Ariel Moore (reappointment) 1 Oakwood Ypsilanti, MI 48197	Ypsilanti Housing Commission	12/31/2017
Morgan Cox (reappointment) 807 Charles St. Ypsilanti, MI 48198	Millennial Mayors Congress	12/4/2013
Maia Hardy (new appointment) 201 N. Washington, Apt. 1 Ypsilanti, MI 48197	Millennial Mayors Congress (Alternate)	12/4/2013

OFFERED BY: Council Member Vogt

SUPPORTED BY: Council Member Jefferson

Morgan Cox was present and gave an overview of an upcoming grant opportunity and said she is looking forward to serving on the executive board this year. She said she is looking forward to coming back to share with Council an update on their programs and processes.

On a roll call, the vote to approve Resolution No. 2012-266A was as follows:

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

VOTE:

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

Resolution No. 2012-266B, approving the following appointments to Boards and Commissions:

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

<u>NAME</u>	<u>BOARD</u>	<u>TERM TO EXPIRE</u>
Bilal Saeed (new appointment) 535 Rice Ave. Ypsilanti, MI 48197	SmartZone	12/4/2016
Alex M. Easley (new appointment) 8500 Lawrence Ave Ypsilanti, MI 48197	YDDA	7/7/2013

OFFERED BY: Council Member Vogt

SUPPORTED BY: Council Member Murdock

Council Member Robb questioned if no one with a technology background could be found within the city.

Mayor Schreiber replied no.

On a voice vote, the vote to approve Resolution No. 2012-266B was as follows:

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

VOTE:

Yes: 5 No: 1 (Robb) Abstain: 1 (Richardson) Absent: 0 Vote: Carried

XII. LIASON REPORTS

- A. SEMCOG Update - none
- B. Washtenaw Area Transportation Study – no meeting due to no quorum
- C. Washtenaw Metro Alliance- none
- D. Washtenaw County Land Bank Authority – remove from agenda
- E. Washtenaw Urban County – meeting on 11/27. Unspent money reallocated to Habitat for Humanity. 5 year plan consolidation discussed for improving housing and a public hearing will be held at the December meeting.
- F. Freight House - none

XIII. COUNCIL PROPOSED BUSINESS

RICHARDSON

- December has 5 Saturdays, 5 Sundays and 5 Mondays

MURDOCK

- Would like a resolution in the future appreciating the Charter Commission for their efforts.

ROBB

- Would like a resolution recommending a design for the Recreation Center at the next meeting.
- Asked when is Goal Setting.

JEFFERSON

- Asked when a Fireworks Ordinance is coming to Council.

XIV. COMMUNICATIONS FROM THE MAYOR

None

XV. COMMUNICATIONS FROM THE CITY MANAGER

- Thanked Council for their consideration of tonight's items and thanked staff for their hard work.
- Announced that a date for Goal Setting is forthcoming soon.
- Discussed the issue with packet distribution and technology issues.
- Discussed the SEMCOG audit and said it is coming to Council soon.
- Said he is entering into a contract with Joyce Parker to assist him
- Reported the IT contract and resolution to continue the 80/20 employee contribution to health care is coming at the next meeting.
- Requested Council consider extending the current legal services contract for an additional year and said the institutional knowledge is needed.

XVI. AUDIENCE PARTICIPATION

None

XVII. REMARKS FROM THE MAYOR

None

Council Member Jefferson moved, supported by Council Member Vogt to extend the meeting to 12:00 midnight.

On a voice vote the motion carried unanimously.

XVIII. CLOSED SESSION

Closed Session to discuss collective bargaining and evaluation of a public officer. (OMA 15.268, Sections 8 (a)(c))

Council Member Jefferson moved, supported by Council Member Vogt to adjourn to Closed Session to discuss collective bargaining and an evaluation of a public officer.

On a roll call, the vote was as follows:

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

VOTE:

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

XIV. ADJOURNMENT

A. Resolution No. 2012-267, 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 to closed session at 11:24 p.m.



RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI,

That the following items be approved:

1. Resolution No. 2012-275, approving the recommended firms for legal services through 2014.
2. Resolution No. 2012-276, approving the contract with Washtenaw County for computer technology, network infrastructure and telephone support services through June 30, 2016.
3. Resolution No. 2012-277, approving deficit elimination plan.
4. Resolution No. 2012-278, authorizing the Mayor to sign an amended Economic Development Grant Agreement between the Michigan Strategic Fund (MSF) and the City of Ypsilanti for the Water Street Redevelopment Project.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



REQUEST FOR LEGISLATION
November 30, 2012

TO: Mayor and City Council

FROM: Ralph Lange, City Manager

SUBJECT: Legal Services

SUMMARY and BACKGROUND

In 2008 the City did an extensive attorney review and bid process.

Then-City-Manager Edward Koryzno made a recommendation for legal services that was adopted by City Council by Resolution 2008-200.

The Resolution recommended the following firms to represent the city for legal services:

- General Law: Barr, Anhut & Associates
- Prosecution: Barr, Anhut & Associates
- Litigation: Barr, Anhut & Associates, and Hafeli Staran Hallahan Christ & Dudek, P.C.
- Labor: Keller Thoma

Mr. Koryzno's recommendation was that the contracts be until December of 2012.

I have been well pleased with the legal representation afforded by the firms to this date. Because of the many immediate challenges facing the City and this office, and because of the excellent representation received by the named-firms to date, it is my recommendation that the City continue with these same firms for the next two years. The time frame will allow me to do an in-depth review of the matter while working on the other challenges facing the City.

I recommend that the legal work be re-bid in the year 2014.

ATTACHMENTS: Proposed Resolution

RECOMMENDED ACTION: Approval

DATE RECEIVED: _____ AGENDA ITEM NO.

CITY MANAGER COMMENTS:

FOR AGENDA OF: _____ FINANCE DIR. APPROVAL

COUNCIL ACTION TAKEN:



Resolution No. 2012 -275
December 18, 2012

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS the City of Ypsilanti requires legal services in various areas; and

WHEREAS an extensive interview process was conducted in the year 2008 and City Council selected firms to represent the city at that time; and

WHEREAS the City Manager is satisfied with the work of the present firms and believes it in the best interest of the City that the present firms be continued for a period of two years based on their qualifications and cost; and

WHEREAS the City Manager is recommending to City Council that the following firms be selected to represent the City for legal services:

- General Law: Barr, Anhut & Associates
- Prosecution: Barr, Anhut & Associates
- Litigation: Barr, Anhut & Associates, and Hafeli Staran Hallahan Christ & Dudek, P.C.
- Labor: Keller Thoma

IT IS RESOLVED THAT THE COUNCIL OF THE CITY OF YPSILANTI approves the recommendation of the City Manager and selects the aforementioned law firms, presently representing the city, to continue to represent the city and provide legal services, on the same terms and conditions, through 2014.

OFFERED BY: _____

SUPPORTED BY: _____

YES:

NO:

ABSENT:

VOTE:



REQUEST FOR LEGISLATION
December 18, 2012

TO: Mayor and City Council

FROM: Marilou Uy, Fiscal Services Director and Ralph A. Lange, City Manager

SUBJECT: Computer and network infrastructure and Telephone Support Services Contract

SUMMARY AND BACKGROUND:

Washtenaw County has been providing technical support services to the City of Ypsilanti under contract since September 19, 2006. The benefits of this partnership have been many. To name a few: City employees have access to the Washtenaw County help desk and a standardized support system. We continue having access to a high speed network connection, network redundancy, email archiving, threat stop internet security and shared data Center. City employees are eligible to attend technical training in various software applications as provided by the County to its employees. All City PCs were replaced and standardized and the County has provided the City with wireless internet access as well as accessing data through Citrix from anywhere. The County has assisted the City in making sure that software licensing is kept current including allowing the City to buy necessary licenses in collaboration with the County. The County and the City has combined licenses for the GIS application currently being used by both. The County also assisted us implementing the document management system between the Clerk's office and the Finance Department digitizing their records. The County provided the necessary technical expertise for moving the telephone extensions from one office to another. The County maintains the voice mail messages for the Nortel Telephone System.

The County is a very important partner in the installation of the BS & A Software upgrade for the Assessing, Treasury and Building Departments. They provided the necessary technical expertise in speeding up the installation of the BS & A software upgrade.

The pricing included in the contract is consistent with the expense included in the City's five year Computer Equipment budget for fiscal year 2012-2013 presented to and approved by City Council in June 2012.

The contract that has been drawn up between the City and the County, which was approved as to form by the Ypsilanti City Attorney, states that services will be provided from December 16, 2012 to June 30, 2016. The benefits of such a long-term plan, in contrast to a shorter

contract, will allow for greater stability and security in the City's networks as well as allow time for additional collaboration to take place between the City and County.

It is therefore our recommendation that this contract be awarded to Washtenaw County for three-year duration. Please feel free to contact us at (Marilou Uy) 734-483-1105 or by e-mail at muy@cityofypsilanti.com and (Ralph A. Lange) at 734-483-1555 or by email at rlange@cityofypsilanti.com with any questions.

RECOMMENDED ACTION: Approval of Washtenaw County computer network and telephone support contract.

ATTACHMENTS: Proposed Resolution, Contract, and computer support, telephone support, and computer replacements charges from September 21, 2012 to June 30, 2016.

CITY MANAGER APPROVAL:_____ Agenda Date: December 18, 2012

CITY MANAGER COMMENTS:

FINANCE DIRECTOR APPROVAL:_____



Resolution No. 2012-276
December 18, 2012

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti's current support services contract with Washtenaw County expired on September 20, 2012; and

WHEREAS, the City of Ypsilanti and Washtenaw County extended the contract to expire on December 15, 2012 while both parties re-evaluates the contract; and

WHEREAS, the contract pricing was included in the City of Ypsilanti's 2012-2013 budget approved by City Council; and

WHEREAS, the contract drawn up between the City of Ypsilanti and Washtenaw County was approved by the Ypsilanti City Attorney as to form; and

WHEREAS, the contract specifies that the cost for all contracted services rendered will not exceed \$381,000 which will be paid over a three years and nine months period ending in June 30, 2016.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Ypsilanti approves the contract for computer technology and network infrastructure and telephone support services to Washtenaw County.

OFFERED BY: _____

SUPPORTED BY: _____

YES:

NO:

ABSENT:

VOTE:



**Washtenaw County
Infrastructure Management/IT**

110 North Fourth Avenue, P.O. Box 8645, Ann Arbor, MI 48107-8645

Telephone 734-222-6542

Fax 734-222-6573

CV 32591.2

September 18, 2012

City Of Ypsilanti
One South Huron Street
Ypsilanti, MI 48197

Dear Contractor:

Washtenaw County wishes to amend the contract with your agency. Corporation Counsel has indicated that this amendment could be accomplished by a letter signed by both of us. If this amendment is agreeable to you, please sign and return a copy of this letter. You will receive an executed letter upon its completion.

Accordingly, I hereby amend the Service Contract between Washtenaw County and the City of Ypsilanti, CV 32591 as follows:

Amend ARTICLE IV – TERM to state the following:

"This contract begins on September 20, 2012 and ends on December 15, 2012.

All other terms and conditions remain the same as in the original contract

ATTESTED TO:

WASHTENAW COUNTY

By: _____
Lawrence Kestenbaum (DATE)
County Clerk/Register

By: _____
Verna J. McDaniel (DATE)
County Administrator

APPROVED AS TO CONTENT:

City of Ypsilanti

By: _____
Andy Brush (DATE)
Information and Technology Manager

By: _____
Ralph Lange (DATE)
City Manager

APPROVED AS TO FORM BY

BY: _____
Curtis N. Hedger (DATE)
Office of Corporation Counsel

Original: Clerk
City of Ypsilanti
cc: Administration
Purchasing

Washtenaw computer support, telephone support, and computer replacement contract-Sept 21 2012 to June 30, 2016

Computer Charges based on last year's rate from September 21 to December 15, 2012 - 85 days

	Qty	Unit Price	Annual Amount	Prorated Amount	City Fiscal Year
Computer Support	57	1284	73,188.00	17,043.78	
ECM Maintenance	1	2500	2,500.00	582.19	
Nortel Phone Support	1	7494.48	7,494.48	1,745.29	
Total				19,371.26	

Computer Charges from December 16, 2012 to June 30, 2013 - 197 days

	Qty	Unit Price	Annual Amount	Prorated Amount	City Fiscal Year
Computer Support	55.67	1327	73,869.67	39,869.38	
ECM Maintenance	1	2500	2,500.00	1,349.32	
Nortel Phone Support	1	8243.92	8,243.92	4,449.46	
Total				45,668.15	

Total charges Sept 21 to June 30, 2012

65,039.42

Computer Charges from July 1, 2013 to June 30, 2014 - 365 days

	Qty	Unit Price	Annual Amount	Prorated Amount	City Fiscal Year
Computer Support	55.67	1327	73,869.67	73,869.67	
ECM Maintenance	1	2500	2,500.00	2,500.00	
Nortel Phone Support	1	8243.92	8,243.92	8,243.92	
Total Charges From July 1, 2013 to June 30, 2014					84,613.59

Computer Charges from July 1, 2014 to June 30, 2015 - 365 days

	Qty	Unit Price	Annual Amount	Prorated Amount	City Fiscal Year
Computer Support	55.67	1327	73,869.67	73,869.67	
ECM Maintenance	1	2500	2,500.00	2,500.00	
Nortel Phone Support	1	8243.92	8,243.92	8,243.92	
Total Charges From July 1, 2014 to June 30, 2015					84,613.59

Computer Charges from July 1, 2015 to June 30, 2016 - 365 days

	Qty	Unit Price	Annual Amount	Prorated Amount	City Fiscal Year
Computer Support	55.67	1327	73,869.67	73,869.67	
ECM Maintenance	1	2500	2,500.00	2,500.00	
Nortel Phone Support	1	8243.92	8,243.92	8,243.92	
Total Charges From July 1, 2014 to June 30, 2015					84,613.59

Total Support Contract

318,880.18

Estimated Computer Replacement in FY 2015-2016-Vendor's price will be used to bill the City

Laptop	19	1250	23,750.00	23,750.00	
Desktop	34	1100	37,400.00	37,400.00	61,150.00

Total support & computer replacement

380,030.18

CONTRACT
City of Ypsilanti

AGREEMENT is made this _____ day of _____, 2012, by the City of Ypsilanti located at One South Huron Street, Ypsilanti, Michigan, 48197, and the COUNTY OF WASHTENAW, a municipal corporation, with offices located in the County Administration Building, 220 North Main Street, Ann Arbor, Michigan 48107("County").

In consideration of the promises below, the parties mutually agree as follows:

ARTICLE I - SCOPE OF SERVICES

The COUNTY and the City of Ypsilanti are engaged in a strategic partnership in which the County will provide technical support, consultant services and network IT support services to the City of Ypsilanti. The goal of the project is to share resources in order to reduce costs and improve services both to internal and external customers of the City of Ypsilanti in the area of technology.

The following are deliverables and outcomes of the strategic partnership.

- General Technical Support
The County will provide desktop technology and network infrastructure support.

Washtenaw County will provide:

1. Desktop and Computer Support-Safe and secure computing including operating system, productivity suite, virus protection and regular automated updates.
2. Network Support-Appropriately configured and secured data connections between City buildings and to the County's network via a connection between the County's Eastern County Government Center and the Ypsilanti Police Department. LAN/WAN support including firewall upgrades and network maintenance.
3. Data Center Support-Servers, data backup and restore.
4. Email-Email addresses, spam filtering, desktop email software, web-based email.
5. Email Archiving
Archive email in conformity with County's email retention schedule.
6. Help Desk Support
Email, web or telephone support for all technology issues covered in this agreement.
7. Microsoft Windows and Office licensing
Licensing included for each computer covered in this agreement.
8. Enterprise Content Management (ECM) Infrastructure – access to and use of the ECM infrastructure for storage of City documents.
9. Application Support
See asset list (attached for application support model).
10. Telephone System Support
Servicing of the City-owned Nortel phone system through the County's existing contract with Suntel Services Inc. Telecom Reconfiguration Costs (Moves, Adds, Changes).

City of Ypsilanti Responsibilities:

1. Fund replacement and upgrades of equipment on a scheduled basis as required by the County.
2. Fund acquisition of new equipment.
3. Make all technology purchases through County IT.

4. Use County Help Desk to make all requests for service including break-fix, new services, and new equipment. Helpdesk can be contacted at 734.222.3737 or helpdesk@ewashtenaw.org.
5. Follow County IT standards for desktop computing (standard PC's and Office applications).
6. Assist with technology asset tracking.
7. Identify technology liaison(s) as onsite technology resource or point of contact for technology-related issues.
8. Be responsible for all records stored, including, but not limited to, responding to all Freedom of Information requests (FOIA).

Exclusions

1. City of Ypsilanti-specific application support.
2. Mobile computers in police vehicles.

Performance Expectations:

1. County will strive to provide full system availability during normal business hours.
2. County agrees to provide system performance at a mutually agreeable level
3. Any major planned service outages will be discussed with the City of Ypsilanti at a minimum 10 business days prior planned service outages.
4. Major planned service outages will be scheduled to occur during non-core operating hours where possible.
5. County Helpdesk will be staffed during core operating hours.
6. County Helpdesk tickets will be responded to within 24 hours (one business day).
7. Core operating hours are defined as Monday – Friday 8:00am 5:00pm; excluding holidays
8. After hours support will be available for emergency public safety issues – requests made through County help desk.

Communications Protocol

1. The County Helpdesk is the main point of contact for all service-related issues.
2. Main point of contact for County business/administrative issues is the County Information and Technology Manager, the alternate contact is the Network/Infrastructure Supervisor.
3. Main point of contact for City of Ypsilanti business/administrative issues is the Finance Director, Marilou Uy and the alternate contact is Payroll Technician, Kimberly Jones.
4. Scheduling of planned service outages will be communicated through email addressed to City of Ypsilanti point of contact no later than 10 business days prior to planned service outages.
5. Planned outages and system outages will be communicated via email list of City of Ypsilanti key contacts.

Role of Contractors

The City of Ypsilanti will obtain approval from the County for any work done by third party contractors in support of systems that use the County infrastructure. At least 10 business days' notice is required and access will be jointly supervised by County and City of Ypsilanti.

ARTICLE II - COMPENSATION

Upon completion of the above services and submission of invoices the City of Ypsilanti will pay the COUNTY for services rendered as outlined below:

Payment Number	Type	Amount
Annual Technology Support – based on 61 PC's \$1,327 per PC less volume discount on 8 PC's . Subject to annual adjustment based on annual number of PC's.	Annual	\$73,813.77
Enterprise Content Management (ECM) Infrastructure	Annual	\$2,500
Enterprise Content Management (ECM) Licenses	Annual	Billed at Cost
Telephone System Support	Annual	\$8,243.92
Telephone System Reconfiguration 30 hours included	Hourly	\$62.50/hour
Replacement Hardware Purchases	As Needed	Billed at Cost
New Software or Hardware Purchases	As Needed	Billed at Cost
Wiring	As Needed	Billed at Cost
Special Projects outside of scope	As Needed	TBD
Additional Data Circuits via Comcast	As Needed	

Contract not to exceed \$380,030.

ARTICLE III - TERM

This contract begins on December 16, 2012 and ends on June 30, 2016.

ARTICLE IV - EQUAL EMPLOYMENT OPPORTUNITY

The County will not discriminate against any employee or applicant for employment because of race, creed, color, sex, sexual orientation, national origin, physical handicap, age, height, weight, marital status, veteran status, religion and political belief (except as it relates to a bona fide occupational qualification reasonably necessary to the normal operation of the business).

The County will take affirmative action to eliminate discrimination based on sex, race, or a handicap in the hiring of applicant and the treatment of employees. Affirmative action will include, but not be limited to: Employment; upgrading, demotion or transfer; recruitment advertisement; layoff or termination; rates of pay or other forms of compensation; selection for training, including apprenticeship.

The County agrees to post notices containing this policy against discrimination in conspicuous places available to applicants for employment and employees. All solicitations or advertisements for employees, placed by or on the behalf of the County, will state that all qualified applicants will receive consideration for employment without regard to race, creed, color, sex, sexual orientation, national origin, physical handicap, age, height, weight, marital status, veteran status, religion and political belief.

ARTICLE V - EQUAL ACCESS

The County shall provide the services set forth in Article I without discrimination on the basis of race, color, religion, national origin, sex, sexual orientation, marital status, physical handicap, or age.

ARTICLE VI - ASSIGNS AND SUCCESSORS

This contract is binding on the City of Ypsilanti and the County, their successors and assigns. Neither the County nor the City of Ypsilanti will assign or transfer its interest in this contract without the written consent of the other.

ARTICLE VII - TERMINATION OF CONTRACT

Section 1 – Either party may choose to terminate this Agreement with or without cause by giving ninety (90) days written notice to the other party of its intent to terminate with the following conditions being met prior to termination: Payment of any remaining costs owed County.

ARTICLE VIII - CHANGES IN SCOPE OR SCHEDULE OF SERVICES

Changes mutually agreed upon by the City Of Ypsilanti and the County will be incorporated into this contract by written amendments signed by both parties.

ARTICLE IX - CHOICE OF LAW AND FORUM

This contract is to be interpreted by the laws of Michigan. The parties agree that the proper forum for litigation arising out of this contract is in Washtenaw County, Michigan.

ARTICLE X - EXTENT OF CONTRACT

This contract represents the entire agreement between the parties and supersedes all prior representations, negotiations or agreements whether written or oral.

ARTICLE XI – ELECTRONIC SIGNATURES

All parties to this contract agree that either electronic or handwritten signatures are acceptable to execute this agreement.

ATTESTED TO:

WASHTENAW COUNTY

By: _____
Lawrence Kestenbaum (DATE)
County Clerk/Register

By: _____
Verna J. McDaniel (DATE)
County Administrator

APPROVED AS TO CONTENT:

City of Ypsilanti

By: _____
Andy Brush (DATE)
Information and Technology Manager

By: _____
Ralph Lange (DATE)
City Manager

APPROVED AS TO FORM BY

APPROVED AS TO FORM BY

BY: _____
Curtis N. Hedger (DATE)
Office of Corporation Counsel

BY: _____
John Barr City of Ypsilanti Attorney (DATE)

REVISED: 6/1/00



REQUEST FOR LEGISLATION
December 18, 2012

FROM: Marilou T. Uy, Fiscal Services Director

SUBJECT: Deficit Elimination Plan

SUMMARY & BACKGROUND:

The Comprehensive Annual Financial Report for the City of Ypsilanti as of June 30, 2012 revealed that the 2003 General Obligation Unlimited Tax Bonds fund (341) has a deficit fund balance of \$23,938 (please see page 30 of 2012 CAFR). The State of Michigan, Department of Treasury requires that the City of Ypsilanti formulate and file a financial plan to eliminate the deficit and present it to them. The plan will be submitted to the Department of Treasury with a letter dated December 19, 2012, noting that it will be included in the Ypsilanti Council Agenda for approval at this meeting.

The deficit in Fund 341 was the result of actual and estimated charge backs from Washtenaw County and delinquent taxes for fiscal year 2011-2012. The deficit will be eliminated by adjusting fiscal year 2013-2014 street millage rates.

Recommended Action: That the City Council adopt the attached resolution to accept the deficit elimination plan submitted to the State of Michigan to avoid violation of Act 275 of the Public Acts of 1980.

Attachment: Page 30 of the June 30, 2012 of the Comprehensive Annual Financial Report.

CITY MANAGER APPROVAL:

For Agenda of: December 18, 2012

CITY MANAGER COMMENTS:

FISCAL SERVICES DIRECTOR APPROVAL:



Resolution No. 2012 -277
December 18, 2012

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS the City of Ypsilanti Comprehensive Annual Financial Report as of June 30, 2012 revealed that the 2003 General Obligation Unlimited Tax Bonds fund (341) has a deficit fund balance of \$23,938; and

WHEREAS Act 275 of the Public Acts of 1980 requires that a Deficit Elimination Plan be formulated by the City of Ypsilanti and filed with the State of Michigan, Department of Treasury; and

WHEREAS such a plan will be submitted on December 19, 2012 to the Department of Treasury, noting that it was presented to the Ypsilanti City Council for approval on December 18, 2012; and

NOW, THEREFORE, BE IT RESOLVED that the City adopts the deficit elimination plan as submitted as required by the State of Michigan, Department of Treasury.

OFFERED BY: _____

SUPPORTED BY: _____

YES:

NO:

ABSENT:

VOTE:

CITY OF YPSILANTI, MICHIGAN

Statement of Revenues, Expenditures and Changes in Fund Balances

Governmental Funds

For the Year Ended June 30, 2012

	General	Land Revolving Capital Projects	2003 Unlimited Tax Bonds Debt Service	2012 Refunding Bonds Debt Service	Other Governmental Funds	Total Governmental Funds
Revenues						
Taxes and special assessments	\$ 8,014,277	\$ -	\$ 718,241	\$ 686,886	\$ 1,135,997	\$ 10,555,401
Licenses and permits	674,728	-	-	-	59,522	734,250
Intergovernmental	2,659,705	58,563	-	-	3,960,308	6,678,576
Charges for services	448,341	-	-	-	-	448,341
Fines and forfeits	516,393	-	-	-	-	516,393
Investment earnings	387,303	817	1,332	2,275	21,477	413,204
Other revenues	416,526	-	-	-	264,126	680,652
Total revenues	13,117,273	59,380	719,573	689,161	5,441,430	20,026,817
Expenditures						
Current:						
General government	1,913,971	-	-	-	228,019	2,141,990
Public safety	7,852,432	-	-	-	240,769	8,093,201
Public works	746,088	-	-	-	42,122	788,210
Refuse collection	-	-	-	-	1,041,143	1,041,143
Highways, streets and bridges	-	-	-	-	1,740,226	1,740,226
Parks and recreation	300,134	-	-	-	-	300,134
Community development	8,756	66,277	-	-	-	75,033
Public transportation	-	-	-	-	262,183	262,183
Unallocated employee benefits	950,627	-	-	-	-	950,627
Tax tribunal refunds	332,424	-	19,041	18,539	27,349	397,353
Debt service:						
Principal	-	-	515,000	605,000	2,055,000	3,175,000
Interest and fiscal charges	-	-	199,919	78,925	2,047,598	2,326,442
Total expenditures	12,104,432	66,277	733,960	702,464	7,684,409	21,291,542
Revenues over (under) expenditures	1,012,841	(6,897)	(14,387)	(13,303)	(2,242,979)	(1,264,725)
Other financing sources (uses)						
Transfers in	8,756	6,898	-	-	2,107,312	2,122,966
Transfers out	(1,756,803)	-	-	-	(174,054)	(1,930,857)
Total other financing sources (uses)	(1,748,047)	6,898	-	-	1,933,258	192,109
Net changes in fund balances	(735,206)	1	(14,387)	(13,303)	(309,721)	(1,072,616)
Fund balances (deficit), beginning of year	9,394,353	2,116,716	(9,551)	32,035	9,218,696	20,752,249
Fund balances (deficit), end of year	\$ 8,659,147	\$ 2,116,717	\$ (23,938)	\$ 18,732	\$ 8,908,975	\$ 19,679,633

The accompanying notes are an integral part of these financial statements.



Resolution No. 2012-278
December 18, 2012

BE IT RESOLVED THAT Mayor Schreiber is authorized to sign an Amended Economic Development Grant Agreement between the State of Michigan Strategic Fund (MSF) and the City of Ypsilanti for the Water Street Redevelopment Project.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

MICHIGAN ECONOMIC DEVELOPMENT CORPORATION

December 5, 2005

Mr. Edward Koryzno, Jr.
City Manager
City of Ypsilanti
One South Huron Street
Ypsilanti, Michigan 48197

Re: Amendment #8 - Project Budget & Scope of Work

Dear Mr. Koryzno:

I am writing regarding the City of Ypsilanti's Michigan Community Development Block Grant (CDBG) MSC 201017-EDIG, the Water Street Redevelopment Project.

Your recent letter requests that the amount of matching funds be reduced to reflect the amount that has been spent to date. In addition, the city is also requesting an increase in the amount of credits for new private investment and changes to the repayment terms. These changes are being requested to assist the city due to the loss of Core Communities funding for the Water Street Redevelopment Project. I am pleased to inform you that your request is approved and the Grant Agreement is amended as follows:

I. GRANT OFFER

The maximum amount of grant assistance hereby offered is ~~\$3,050,350~~, but not more than twenty (20) percent of the actual total cost of completing the project. If the actual total cost is less than shown in the Total Authorized Budget (See Section II. SPECIAL TERMS AND CONDITIONS A. 1) the amount of the grant shall be reduced on a proportional basis. The Grantee shall be responsible for any cost overruns.

II. SPECIAL TERMS AND CONDITIONS

A. TOTAL AUTHORIZED BUDGET

1. Sources of funds for the project under this grant agreement consist of:

State Cash Contributions	\$ 3,050,350
Other Cash Contributions	<u>12,296,115</u>

TOTAL	\$15,346,465
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2. Application of funds to the project supported under this grant agreement consists of:

PLEASE REFER TO THE AMENDED ATTACHMENT A FOR THE AUTHORIZED BUDGET FOR THIS PROJECT.

300 N. WASHINGTON SQ.
ANN ARBOR, MI 48103

CUSTOMER
CONTACT CENTER
517 373 9808

WWW.MICHIGAN.ORG

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MARY TORGOW
Sterling Group

DR. S. WALTERS
Sanj Industries Corp.



Mr. Edward Koryzno, Jr.
Page 2
December 5, 2005

B. SCOPE OF WORK

4. The Grantee shall expend up to \$3,050,350 of grant funds for the Water Street Redevelopment Project. The project activities are further described in Attachment B which is included in the original grant document.
6. The City has been awarded a total of \$3,050,350 of which \$300,000 is a grant to the city to be used for administrative, legal, and property management expenses related to the Water Street Redevelopment Project. The city agrees to repay grant funds in the amount of \$2,750,350 or the actual amount of CDBG funds disbursed less credits applied (unpaid principal balance) and less the \$300,000 grant amount. Interest will begin accruing at a rate of 4% on January 1, 2015. Quarterly principal and interest payments will begin March 1, 2015 with payments first being applied towards unpaid interest and then to the unpaid principal balance. Payments will be amortized over a 10-year period, beginning January 1, 2015 and ending January 1, 2025.

The Grantee shall earn credits equal to \$100,000 for each \$5,000,000 of new private investment that occurs on the Water Street Redevelopment Project prior to March 1, 2010. Beginning July 1, 2002 and every quarter thereafter until April 1, 2010, the city shall report to the Grantor any net new private investment that has occurred within the Water Street Redevelopment Project. The maximum credit that shall be applied against the unpaid principal balance is \$1,250,000. The Grantee acknowledges that the Grantor has sole discretion to determine the amount of credits earned under this project.

Should any questions arise, please contact Mary Kramer at (517) 373-6206.

Sincerely,

John Czarnecki
Fund Manager
Michigan Strategic Fund

Enclosure

cc: Brett Lenart
Mary Kramer
Nancy Eddy
CDBG File

PROJECT BUDGET
MICHIGAN COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Michigan Economic Development Corporation		Amended Attachment A				
1. Applicant - Ypsilanti City		2. Project Title - Water Street Redevelopment Project				
3. Project Cost Elements		2. Project Funding Sources (Identify all other funding sources)				
Activities	CDBG	CMI Grant	City Land Revolving Fund	City-Issued Bonds	TOTAL	
<u>Loan Activities</u>						
Environmental Studies and Development Plans	\$643,445		\$175,000	\$19,882	\$838,327	
Relocation	\$252,575		\$14,441	\$424	\$267,440	
Engineering and Design	\$70,595				\$70,595	
Administration, Legal, and Property Management	\$1,783,735				\$1,783,735	
<u>Grant Activities</u>						
Administration, Legal, and Property Management	\$300,000		\$36,202	\$71,125	\$407,327	
Demolition, Acquisition, and Public Infrastructure		\$3,728,000	\$618,096	\$7,632,945	\$11,979,041	
TOTALS	\$3,050,350	\$3,728,000	\$843,739	\$7,724,376	\$15,346,465	



MICHIGAN STRATEGIC FUND

300 N Washington Sq
Lansing, MI 48913

November 19, 2012

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Relations, Butzel Long

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Client and Community
Relations, PNC Financial
Services Group

*MSF Investment
Subcommittee member

**MSF Incentive
Subcommittee member

***MSF Entrepreneurial
Subcommittee member

The Honorable Paul Schreiber
Mayor of the City of Ypsilanti
One South Huron Street
Ypsilanti, Michigan 48197

RE: Amendment #10 – Repayment Term Amendment

Dear Mayor Schreiber:

I am writing with regard to the Economic Development Grant Agreement (the "Agreement"), as amended, between the Michigan Strategic Fund ("MSF") and the City of Ypsilanti (the "Grantee") for the Water Street Redevelopment Project, MSC 201017-EDIG.

Per your amendment request to Deborah Stuart dated October 31, 2012, and Section III(5)(b) of the Agreement, the parties agree to amend the Agreement as follows:

- Delete Paragraph 1 of Section II(B)(6) of the Agreement in its entirety and replace with the following:

The City has been awarded a total of \$3,050,350 of which \$300,000 is a grant to the city to be used for administrative, legal, and property management expenses related to the Water Street Redevelopment Project. The city agrees to repay grant funds in the amount of \$2,750,350 or the actual amount of CDBG funds disbursed less credits applied (unpaid principal balance) and less the \$300,000 grant amount. Interest will begin accruing at a rate of 2% on January 1, 2017. Quarterly principal and interest payments will begin March 1, 2017 with payments first being applied towards unpaid interest and then to the unpaid principal balance. Payments will be amortized over a 10 year period, beginning January 1, 2017 and ending January 1, 2027.

- Delete the first and second sentence of Paragraph 2 of Section II(B)(6) of the Agreement in its entirety and replace with the following:

The Grantee shall earn credits equal to \$100,000 for each \$5,000,000 of new private investment that occurs on the Water Street Redevelopment Project prior to October 15, 2017. Beginning July 1, 2002 and every quarter thereafter until December 1, 2017, the city shall report to the Grantor any new net private investment that has occurred within the Water Street Redevelopment Project.

All other terms and conditions of the Agreement shall remain unchanged and in full effect.

Please sign both originals and return one original to the Michigan Strategic Fund, ATTN: Deborah Stuart, 300 North Washington Square, Lansing, Michigan 48913 and retain the second original for the Grantee's file. If you have any questions, please contact Deborah Stuart at (517) 241-4775 or stuardd@michigan.org

Sincerely,

Deborah Stuart
Director, Community Development
Financial Incentive Packages

AGREED:

Mr. Paul Schreiber, Mayor
City of Ypsilanti



Resolution No. 2012-283
December 18, 2012

WHEREAS, the City of Ypsilanti wishes to acknowledge and appreciate the tireless effort and dedication of the Ypsilanti Charter Commission; and

WHEREAS, the Ypsilanti Charter Commission was formed in November of 2010 to review the charter and make an informed decision concerning a charter revision; and

WHEREAS, the Ypsilanti Charter Commission faithfully served the City of Ypsilanti with their time, knowledge and expertise as they diligently reviewed the charter and considered input from the City Manager, City Attorney, City Council Members, Planning Commissioners and citizens.

NOW, THEREFORE, BE IT RESOLVED that the members of the Ypsilanti City Council do hereby thank the Ypsilanti Charter Commission and commend them for the service they rendered on behalf of the citizens of the City of Ypsilanti.

OFFERED BY: _____

SUPPORTED BY: _____

YES:

NO:

ABSENT:

VOTE:



REQUEST FOR LEGISLATION
December 18, 2012

From: Teresa Gillotti, Planner II

Subject: Conditional Rezoning Request 311 S. Grove – B2 to Conditional B4

Second Reading follow-up

The text amendment has been modified to include a deadline of 12-31-13 for all conditions to be completed. If not, the zoning will revert back to B2.

There was also a question about area regulations, and whether the B2 or the B4 regulations will apply. Staff reviewed this, and the B4 base regulations will apply. A chart below shows the differences between the two:

	B2 – 122.374...	B4
General	No building or structure nor any enlargement thereof in a B2 community business district shall be erected except in conformance with the following lot area, yard, and building coverage requirements:	No building or structure nor any enlargement thereof in a B4 general business district shall be hereafter erected except in conformance with the following lot area, yard, and building coverage requirements:
Lot area, width, and building coverage	The minimum lot area and width and the maximum percent of building coverage shall be determined by the use and the required off-street parking, loading, screening walls and yard setbacks as provided in this chapter for the respective uses and use districts.	The minimum lot area and width and the maximum percent of building coverage shall be determined by the use and the required off-street parking, loading, screening walls and yard setbacks as provided in this chapter for the respective uses and use districts.
Frontyard	Where all frontage on the same side of a street between two intersecting streets is located entirely within business zoning districts and where a	Where all frontage on the same side of a street between two intersecting streets is located entirely with business zoning districts and where a

	setback has been established by 50 percent of such frontage, then this established setback shall determine the required front yard. In all other cases, there shall be a front yard of not less than 20 feet. In the B2 district, except as otherwise provided in this chapter, off-street parking may be permitted in any required or nonrequired yard areas, provided that such parking lot is located no closer than ten feet to any street right-of-way line and that a greenbelt is maintained between any parking lot and street right-of-way in accordance with subsection 122-835(11) b.	setback has been established by 50 percent of such frontage, then this established setback shall determine the required front yard. In all other cases, there shall be a front yard of not less than 30 feet. In the B4 district, except as otherwise provided in this chapter, off-street parking may be permitted in any required or nonrequired yard areas, provided that no parking lot is located closer than ten feet to any street right-of-way line and that a greenbelt is maintained between any parking lot and street right-of-way in accordance with subsection 122-835(11).
Side yards.	No side yards are required along the interior side lot lines if building walls are built of fire-retardant construction, except as otherwise specified in the building code. If walls of structures, facing such interior side lot lines, contain windows or other openings, side yards of not less than three feet shall be provided.	No side yards are required along the interior side lot lines if building walls are built of fire-retardant construction, except as otherwise specified in the building code. If walls of structures, facing such interior side lot lines, contain windows or other openings, side yards of not less than three feet shall be provided.
Street side yards.	On a corner lot, the street side yard setback shall conform to the requirements for a front yard in the B2 district. A minimum four-foot six inch wide greenbelt shall be maintained along a side yard street bordering a residential district in accordance with section 122-835 (11) b.	In the B4 general business district, the street side yard setback on a corner lot shall follow the requirements of subsection (2) of this section. A minimum four-foot six-inch wide greenbelt shall be maintained along a side yard street bordering a residential district in accordance with section 122-835 (11) b.
Courtyards	Courts starting at the ground floor level may be substituted for side yards opposite windows along an interior lot line, but not opposite exits, and shall be not less than five feet in depth for a one-story building, eight feet for	Courts starting at the ground floor level may be substituted for side yards opposite windows along an interior lot line, but not opposite exits, and shall be not less than five feet in depth for a one-story building, eight feet for a

	a two-story building, plus two feet for each additional story.	two-story building, plus two feet for each additional story.
Rear Yards	There shall be a rear yard of not less than ten feet. If a building is used in part as a dwelling, a minimum rear yard of 25 feet plus five feet for each story in excess of two stories shall be provided, starting at the floor level first used as a dwelling. Rear yards abutting an alley may be measured from the centerline of an alley, provided no wall or fence is constructed along the rear property line.	There shall be a rear yard of not less than ten feet. If a building is used in part as a dwelling, a minimum rear yard of 25 feet plus five feet for each story in excess of two stories shall be provided, starting at the floor level first used as a dwelling. Rear yards abutting an alley may be measured from the centerline of an alley, provided no wall or fence is constructed along the rear property line.
Abutting a residential district	Notwithstanding the provisions of this section, no principal building or accessory structure associated with a business use shall be located closer than 25 feet to any adjacent residential district. In addition, an obscuring fence or greenbelt shall be provided and maintained on those sides or rear of the property abutting land zoned residential, as provided by section 122-703.	Notwithstanding the above, no principal building or accessory structure associated with a business use shall be located closer than 25 feet to any adjacent residential district. In addition, an obscuring fence or greenbelt shall be provided and maintained on those sides or rear of the property abutting land zoned residential, as provided in section 122-703.
Height restrictions	Sec. 122-375 No building or structure in a B2 community business district shall exceed four stories or 50 feet in height, whichever is less. See section 122-640 for height exceptions	Sec. 122-415 No building or structure in the B4 general business district shall exceed six stories or 75 feet in height, whichever is less. See section 122-640 for height exceptions.
Development Standards	(a) Site plan review and approval are required for uses in the B2 district, in accordance with article IV of this chapter. (b) General standards. Buildings and uses in the B2 district shall be subject to all applicable standards and requirements set forth in this chapter, including nonconformities, general provisions, off-street	(a) Site plan review and approval are required for uses in the B4 district in accordance with article IV of this chapter. (b) General standards. Buildings and uses in the B4 district shall be subject to all applicable standards and requirements set forth in this chapter, including nonconformities, general provisions, off-street

	parking requirements, signs, and flood damage prevention.	parking requirements, signs, and flood damage prevention.
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The primary difference between the area regulations between the two districts is the height limit of 50 feet or 4 stories in the B2, or 75 feet or 6 stories (in both cases, whichever is less) in the B4.

ATTACHMENTS:

- Conditional B4 rezoning text and conditions, revised 12-13-12



Resolution No. 2012 -279
December 18, 2012

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the proposed Ordinance entitled "Conditional Rezoning 311 S. Grove St." be approved on **Second and Final Reading.**

OFFERED BY: _____

SUPPORTED BY: _____

YES:

NO:

ABSENT:

VOTE:

**City of Ypsilanti
Ordinance No. 1182**

Conditional rezoning 311 S. Grove

B4, permitting as permitted uses only those uses held in common with the B2 zoning district, with the addition of auto sales as spelled out in 122-412(6), and permitting as special uses only those held in common with the B2 district, AS OUTLINED IN THE FOLLOWING LISTS.

B4 conditional zone, PERMITTED uses
Adult drop-in centers
Antique, consignment, and resale stores.
Arts and crafts studios and schools.
Auction House, subject to the specific provisions in section 122-813.
Automobile sales: showrooms, salesrooms, or offices for new and used automobiles, trucks and tractors, boats, mobile homes, recreation vehicles and trailer sales, including automobile repair shops providing minor repair. Major repair is not permitted except as provided in subsection 122-413(5). The outdoor display of vehicles is regulated by subsection 122-413(11).
Bar/lounge, provided that all service occurs within a completely enclosed building.
Community garages and community parking lots, as defined in Section 122-2, subject to the provisions of Sections 122-781 and 122-782 respectively
Essential services.
Financial institutions, including banks, credit unions, and savings and loan associations. Drive-through facilities are permitted, subject to the specific provision in section 122-784.
Funeral and mortuary establishments, provided that adequate assembly area is provided off-street for vehicles to be used in funeral processions.
Hotels and motels.
Laundry and dry cleaning customer outlets (no dry cleaning is permitted on the premises), coin operated Laundromats, self-serve dry cleaning establishments, and similar operations, provided that all services performed on the premises shall be sold at retail on the same premises.
Medical or dental offices, clinics, or laboratories.
Medical Marijuana Dispensary, subject to the specific provisions in section 122-814.
Offices and showrooms of a plumber, electrician, upholsterer, caterer, decorator or similar trade, subject to the specific provisions in section 122-797.
Outdoor cafes, outdoor fast-food or sit-down restaurants, and beer gardens, subject to the specific provisions of section 122-799.
Personal service shops such as a tailor, barber, beauty, shoe repair, locksmith, photocopy services, photo processing, or similar personal service shop.
Private noncommercial recreational areas or social facilities, institutional or community recreational centers, and nonprofit swimming pool or tennis club, subject to the specific provisions in section 122-802.
Radio and television studios.
Private service clubs, lodges, banquet halls, and meeting halls.
Restaurants, including carry-out or delivery, sit-down, or fast-food, or any combination thereof. Drive-through facilities are permitted subject to the provisions in section 122-783.
Retail businesses which are intended to supply commodities on the premises for regional customers, such as: Food stores: grocery stores, food cooperatives, meats, dairy products, alcoholic beverages, baked goods, ice cream, and similar food products. The retail sale of poultry, fish, and game is permitted, provided that the slaughtering thereof is not allowed. The manufacture of food products, such as baked goods or ice cream, is permitted provided that 50 percent or more of the products are sold at retail from the same building, and all activities and storage occur within a completely enclosed building. The sale of alcoholic beverages for consumption on the premises is prohibited.
Retail stores which sell personal use items such as drugs, dry goods, notions, hardware, books, magazines, periodicals, stationery and school supplies, artist's supplies, gifts, jewelry, records and video cassette sales, flowers, shoes, small household articles, tobacco products, toilet articles, wearing apparel and personal accessories, toys, and similar products.
Retail stores which offer comparison goods completely within a fully-enclosed building such as home appliances (including service and repair), camera and photography supplies, sporting goods, electronics, furniture, optical items, bicycle sales, home supply centers, paint and wallpaper stores, carpet, rug, and linoleum/tile stores, lawn care products and machinery, building materials, pets and pet supplies (provided that no animals are boarded except for sale and that all animals are boarded inside a building), hobby and craft stores, and similar specialty goods stores. The manufacture of sporting goods, small household items and crafts is

B4 conditional zone, PERMITTED uses
permitted provided that 50 percent or more of the products are sold at retail from the same building and all activities and storage occur within a completely enclosed building.
Veterinary hospitals and clinics, subject to the specific provisions in section 122-809.
Video rental establishments.
Accessory uses customarily incidental and clearly ancillary to the above permitted uses when in accordance with article XI, division 2 of this chapter.

B4 Conditional Zone, SPECIAL uses
Any establishment intending to operate between 2 a.m. and 6 a.m. during any 24-hour period.
Automotive service stations which provide minor repair only, as defined in Article 2, subject to the standards in Section 122-776, and located along a designated major thoroughfare; provided, however, that quick oil change facilities are not permitted.
Auto rental operations, including parking, storage, washing and repair facilities.
Coin-operated amusement arcades, and pool and billiard halls.
Emergency shelters for the homeless, subject to the Specific Provisions in Section 122-785.
Express and passenger terminals and express transfer facilities, subject to the Specific Provisions of Section 122-786.
Outdoor retail sales and display, subject to the specific provisions in Section 122-800.
Substance abuse treatment facilities subject to the Specific Provisions in Section 122-808.

Additional conditions for this approval are:

- Addition of trees and ornamental grass on south grove from property line (chain fence) adjacent to spring street to driveway on south grove
- Addition of wooden or rod iron fence adjacent to spring street
- Plant shrubs adjacent to fence near spring street
- **Work shall be completed by 12-31-2013**

MADE, PASSED AND ADOPTED BY THE YPSILANTI CITY COUNCIL THIS ____ DAY OF _____, 2012.

Frances McMullan, City Clerk

Attest

I do hereby confirm that the above Ordinance No. ____ was published in the Ypsilanti Courier on the ____ day of _____, 2012.

Frances McMullan, City Clerk

CERTIFICATE OF ADOPTING

I hereby certify that the foregoing is a true copy of the Ordinance passed at the regular meeting of the City Council held on the _____ day of _____, 2012.

Frances McMullan, City Clerk

Notice Published: November 22, 2012

First Reading: December 4, 2012

Second Reading: December 18, 2012

Published: _____

Effective Date: _____



REQUEST FOR LEGISLATION
December 18, 2012

To: Mayor and Council

From: Ralph A. Lange, City Manager

Subject: Public Act 152 of 2011 Option Selection

SUMMARY & BACKGROUND:

Public Act 152 of 2011 (hereinafter "the Act") establishes new restrictions on how much public employers, including the City of Ypsilanti, can pay toward the medical benefit plans offered to employees.

The City has four (4) options: 1) applying a hard cap cost sharing model; 2) adopting by majority vote the 80/20 cost-sharing model; 3) electing not to follow the statute and risk losing 10% of Economic Vitality Incentive Program ("EVIP") payments; or, 4) opting out. The first two options apply to medical benefit plan years which begin on or after January 1, 2012.

The "hard cap" and the "80/20" models apply to "medical benefit plans" which include: Plans established and maintained by a carrier, a voluntary employees' beneficiary association described in section 501(c)(9) of the Internal Revenue Code of 1986, 26 USC 501, or by 1 or more public employers, that provides for the payment of medical benefits, including, but not limited to, hospital and physician services, prescription drugs, and related benefits for public employees. A medical benefit plan does not include benefits provided to individuals retired from a public employer. Thus, the Act applies to medical insurance (including prescription drugs) but does not apply to dental, vision or other insurance plans, such as life or disability insurance.

OPTION 1: THE "HARD CAP"

The "hard cap" model is the default option which would apply to the City unless the City Council elects a different option. If the hard cap is preferred, the Council need not take any action. The hard cap operates as follows:

The City's contributions to its medical benefit plans for its employees would be limited to no more than a total amount equal to \$5,500 multiplied by the number of employees with single person coverage, \$11,000 multiplied by the number of employees with 2-person coverage, plus \$15,000 multiplied by the number of employees with family coverage.

The cap includes annual costs and any payments for reimbursement of co-pays, deductibles, or payments into health savings accounts, flexible spending accounts, or similar accounts used for health care costs.

By October 1 of each year, the state treasurer is required to adjust the maximum payment amounts based on the annual change in the medical care component of the United States consumer price index.

OPTION 2: THE "80/20 CAP"

The City may also choose a model under which it would pay no more than eighty (80%) percent of the "total annual costs" of the medical benefit plans it offers to employees. The City Council would have to elect this option by a majority vote.

The phrase "total annual costs" includes the premium of the medical benefit plan and all employer payments for reimbursement of co-pays, deductibles, and payments into health savings accounts, flexible spending accounts, or similar accounts used for health care.

The phrase "total annual costs" excludes beneficiary-paid copayments, coinsurance, deductibles, other out-of-pocket expenses, other service-related fees that are assessed to the coverage beneficiary, or beneficiary payments into health savings accounts, flexible spending accounts, or similar accounts used for health care.

OPTION 3: NON-COMPLIANCE

The Act provides a specific penalty for non-compliance with its requirements. A public employer that fails to comply may be penalized by a ten (10%) percent reduction in its Economic Vitality Incentive Program ("EVIP") payments (formerly Statutory State Shared Revenue).

OPTION 4: OPTING OUT

The City may opt-out of the Act's cost-sharing requirements for the succeeding year by a two-thirds vote of its governing body. Each subsequent year, the governing body must attain a two-thirds vote to remain exempted. It is important to note that opting out is allowed by, and amounts to compliance with, the Act. Thus, the City would be in compliance with the Act if it opted out. In such a case, the ten (10%) percent EVIP penalty would not necessarily apply. However, the Act does not address the consequence of opting-out. Thus, it is impossible to assess the full consequence of opting out of the Act's cost-sharing models.

COLLECTIVE BARGAINING AGREEMENTS

The Act states that groups of employees who are covered by a collective bargaining agreement (hereinafter "CBA") or "other contract" which is in effect "on the effective date of the Act" are exempted from both the "hard cap" and the "80/20" requirements. The Governor signed the legislation on September 24, 2011.

The Act requires that no agreement "executed" after September 15, 2011 can include terms which are inconsistent with the requirements of the "hard cap" or "80/20" models. The CBA and "other contract" exemption last until the contract expires.

COMPARISON OF OPTIONS 1 & 2

Attached hereto are impact summaries of the aforementioned Options 1 & 2. In an attempt to put this matter into some perspective, the following provides a 12-month projection of current employee contributions (broken down by employee group) for health insurance coverage in accordance with existing City policy.

Employee Group**Annual Current Contribution**

Non-Union	\$38,310.40
POAM	\$22,179.41
COAM	\$9,816.02
IAFF	\$21,616.46
AFSCME	<u>\$20,145.86</u>
TOTAL	\$112,068.15

RECOMMENDED ACTION (Approval)

Staff recommends adoption of the "80/20 Cap" option as provided for in Public Act 152 of 2011. An appropriate Council resolution is attached for your consideration.

ATTACHMENTS: None

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: 12/18/12

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2012 - 280
December 18, 2012

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Public Act 152 of 2011 (hereinafter "the Act") establishes new restrictions on how much public employers, including the City of Ypsilanti, can pay toward the medical benefit plans offered to employees; and

WHEREAS, the City of Ypsilanti has four (4) options as provided for in the Act under which compliance with all provisions of the Act can be achieved; and

WHEREAS, the City Council, by majority vote, may select an option under which it would pay no more than eighty percent (80%) of the "total annual costs" of the medical benefit plans it offers to employees; and

WHEREAS, the Act does not apply to medical benefit plans that include benefits provided to individuals retired from a public employer; and

WHEREAS, the Act applies to medical insurance (including prescription drugs) but does not apply to dental, vision or other insurance plans, such as life or disability insurance; and

WHEREAS, the Act states that groups of employees who are covered by a collective bargaining agreement or "other contract" which is in effect "on the effective date of the Act" are exempted from the "80/20 Cap" requirements; and

WHEREAS, the Act requires that no agreement "executed" after September 15, 2011 can include terms which are inconsistent with the requirements of the "80/20 Cap" option and that the collective bargaining agreement and "other contract" exemption last until the contract expires.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council does hereby approve and adopt the "80/20 Cap" option as provided for in Public Act 152 of 2011, to become effective January 1, 2012.

OFFERED BY: _____

SUPPORTED BY: _____

YES:

NO:

ABSENT:

VOTE:



Resolution No. 2012-281
December 18, 2012

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The Ypsilanti City Council is a dues-paying member of the Ann Arbor / Ypsilanti Regional Chamber of Commerce; and

WHEREAS, the Michigan Chamber of Commerce has taken contrary positions on issues important to the Council of the City of Ypsilanti as well as its residents. Specifically, the Michigan Chamber of Commerce supported passage of Right To Work legislation, opposed increasing the minimum wage, supports the elimination of personal property tax, opposed the Patient Protection and Affordable Care Act, and advocated for the loosening of DNR/DEQ regulations; and

WHEREAS, the Michigan Chamber of Commerce has spent millions of dollars lobbying for these legislative changes; and

WHEREAS, these positions are counter to the beliefs of the majority of the citizens of the City of Ypsilanti;

NOW, THEREFORE, BE IT RESOLVED THAT the Council of the Ypsilanti hereby withdraws its membership in the Ann Arbor / Ypsilanti Regional Chamber of Commerce effective immediately.

OFFERED BY: _____

SUPPORTED BY: _____

YES:

NO:

ABSENT:

VOTE:

DATE: November 11, 2012

TO: Mayor Schreiber and City Council

FROM: Jane Bird Schmiedeke

RE: Re-appointment to the Historic District Commission

I wish to express my interest in re-appointment to the Historic District Commission.

I have informed the HDC that I will step down as Chair in the spring of 2013.

At that point, my focus will be to assist in the transition and to provide institutional memory.

Additional goals are to remain alert to the need for new and/or amended policies, to work with commissioners and staff to create new and/or updated Fact Sheets, and to work with staff to keep the HDC Staff and Intern Manual current and pertinent.

Attached please find my resume.

Thank you.

Jane Bird Schmiedeke
313 High Street, Ypsilanti

Resident of Ypsilanti since 1955, property owner since 1959, active in historic preservation since 1972

Ypsilanti Historic District & historic preservation:

Chair, original Ypsilanti Historic District Study Committee, 1972-1978

Author, Ypsilanti Historic District Ordinance

Chair, Ypsilanti Historic District Commission, 1978-2013

Ypsilanti Heritage Foundation, co-founder, 1974
president, 1974-1982
board member since 1982

Founding Member & Trustee, Michigan Historic Preservation Network

Co-author, Ad Hoc Review Committee Majority Report on the Ypsilanti Historic District Ordinance, 1983

Chair, Starkweather Farmhouse Historic District Study Committee, 2004

Chair, Edison Power Plant Historic District Study Committee, 2009

Community Service:

Current: City of Ypsilanti election worker since 2000
Volunteer, St Joseph Mercy Hospital since 2001
Ypsilanti Historical Society Archives Advisory Board since 2005

Former: Board Member, Historic East Side Neighborhood Association
Member, Ypsilanti Public Schools Local History Curriculum Advisory Board
City of Ypsilanti Board of Canvassers
Volunteer, City of Ypsilanti Police Service Corps (2002 graduate of City of Ypsilanti
Citizens Police Academy)

Awards for service to historic preservation:

Chandler's Birthday Club, Certificate of Merit, 1978

Ypsilanti Board of Realtors, Award of Merit, 1979

Ypsilanti Players, Leading Lady Award, 1982

UAW, Outstanding Civic Contribution Award, 1982

Wilkinson-Greene Thistle Award, Leadership in Historic Preservation, 1992

Ypsilanti Heritage Foundation, Recognition of Lifetime Commitment to Historic Preservation, 1994

Michigan Historic Preservation Network, Citizen's Preservation Award, 1996

Depot Town Association, Certificate of Appreciation, 1998

American Communities, Certificate of Appreciation, 2001

Ann Arbor News, Heritage Fellow Award, 2002

Celebration of Women, Leadership in Community Service, 2005

Michigan Historic Preservation Network, Lifetime Achievement Award, 2010

Statement by Alex Pettit

Mayor Schreiber,

It is my desire to be re-appointed to serve on the City of Ypsilanti Historic District Commission. I strongly believe that the continued development and support of the city's historic district is critical to the strength of our city. Ypsilanti has a special resource in its historic district and I'm committed to doing my part in keeping it strong.

I have served for the past three years as a commissioner on the HDC.

In that time, I have participated in the regular business of making decisions regarding a wide variety of residential and commercial projects within the district. I have also worked with the other commissioners on special projects including the development of new fact sheets which help applicants understand how to satisfy the requirements of the historic district ordinance with regard to modern technology including satellite dishes and other antennae, as well as door and window technologies.

My ability to function as a competent commissioner in the future is aided by my current and recent experience as a commissioner in addition to: Spending my adolescent through college years working in various capacities with my family's General Contracting business where we nearly always worked on structures of historic significance, and regularly dealt with decisions involving modifying and repurposing existing historic structures and materials; My undergraduate coursework at the State University of New York at Buffalo in the Architecture department which involved coursework on historic preservation, adaptive reuse, and urban planning.

During my next term as commissioner I plan to continue to meet the regular needs of applicants in making decisions about projects within the district, in addition to further reviewing and updating facts sheets and other materials that are available to applicants in order to better assist them in undertaking successful projects within the district. This work will also include identifying topics which we frequently receive questions on, and developing ways to deliver information regarding those topics to the residents and business owners within the district.

Thank you.

--Alexander J. Pettit

CITY OF YPSILANTI
BOARDS AND COMMISSIONS
CITIZEN PARTICIPATION RESUME

(Note: You must be a registered voter to be eligible to serve on a City of Ypsilanti Board or Commission)

NAME: Erik Dotzauer

ADDRESS: 213 E Forest Ave.

Ypsilanti, MI 48198

NO. YEARS IN THE COMMUNITY: 8

HOME: (734) 604-8569 Call: (X) A.M. or () P.M. FAX # (734) 483-5966

BUSINESS: (734) 604-8569 Call: (X) A.M. or () P.M.

EMAIL ADDRESS: erikdotzauer@me.com

EDUCATION: Undergrad - Eastern Michigan → Social Science w/
concentrations in: Economics, Geography & Sociology - Minor → Business
Graduate - Eastern Michigan → Urban & Regional Planning w/ concentration in Economic
Development

CURRENT OCCUPATION: Executive Director

CURRENT EMPLOYER: Depot Town Community Development Corporation

I would like to be considered and could devote sufficient time to serve on the following Board(s) or Commission(s) in order of preference:

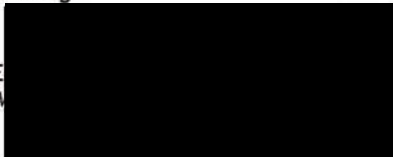
1. Tax Board of Review

2. _____

Please indicate experience and/or qualifications that would help make you an effective member of each board for which you have applied.

WORK/VOLUNTEER EXPERIENCE: Both my graduate & undergrad studies
have taught me the underlying principles & concepts to effectively
serve on this board. I bring 3 years of experience working closely
with local businesses, residents & government entities. I also serve on the
Eastern Leaders Group Executive Committee & the Eastern Energy Committee.
My goals for serving on the Board are to maintain income derived from
property taxes for the City while equitably reviewing appeals from residents & businesses.
I understand that appointment to a City of Ypsilanti Board or Commission requires regular attendance at board meetings.

SIGNATURE
(RETURN COM



DATE 12-15-10
MENT, 1 SOUTH HURON ST., YPSILANTI, MI 48197)

CRAIG A. HUPY
1124 N. Congress
Ypsilanti, MI 48197-4602
(734) 483-0004

EMPLOYMENT

May 2009 To Present	<u>Interim Manager, Field Operations Unit</u> Responsible for completing the reorganization of the Field Operations Unit. Field Operations is the consolidation of seven former operating units (utilities, solid waste, streets, forestry, parks operations, signs/signals/communications, natural area preservation) with 25 plus job descriptions into a single unit with basically 3 job descriptions. The unit is currently comprised of about 140 employees.	<u>City of Ann Arbor, MI</u>
August, 2003 To Present	<u>Manager, Systems Planning Unit</u> Responsible for the formation and management of the Systems Planning Unit of the Public Services Area of the City of Ann Arbor. The professionals within this unit undertake long range planning to establish needs and goals within the areas of transportation, non-motorized facilities, solid waste, recycling, storm water, soil erosion, drinking water and sanitary sewer collection systems; all undertaken with a goal of producing a sustainable community. Standards development and updating; GIS coordination and implementation; development of models for water, storm water and wastewater systems are undertaken within the System Planning Unit. Responsible for coordinating the preparation of the capital improvement plan and the resulting capital budgets. Responsible for the coordination of the consolidation of the Water Treatment Plant and Wastewater Treatment Plant Laboratories and the coordination of the lab services. Represents the City of Ann Arbor at the Huron River Watershed Council. The Huron River Watershed Council is a regional storm water planning and coordinating agency.	<u>City of Ann Arbor, MI</u>
February 1990 To July 2003	<u>Field Superintendent, Utilities Department</u> Responsible for management of 37 employees that maintain and operate approximately 440 miles of water main, 338 miles of sanitary sewer and 194 miles of storm sewer. Responsible for preparing and managing the Field Services Division's budget of \$6 million. Involved in the 10 year capital investment plan for infrastructure. Coordinated utility construction projects with other municipal infrastructure improvements such as roads. Oversaw the management and maintenance of 70 pieces of equipment, such as backhoes, heavy trucks, trailers, and other vehicles. Major accomplishments include negotiating the first NPDES Permit for the Storm Water System; establishing a career ladder for Utilities Maintenance Staff and Utilities Engineer; implementing GIS database of the water and sanitary sewer systems, implementation of GIS application for field crews; upgrading the construction equipment used by the department; participated in the Sanitary Sewer Overflow Task Force, which involved citizens in understanding, developing alternatives and supporting the recommended solution to remove footing drain connections to the sanitary sewer system.	<u>City of Ann Arbor, MI</u>

Craig A. Hupy

March 1986 to Jan. 1990	<u>Civil Engineer II, Ann Arbor Engineering Department</u> Reviewed subdivisions and other private development projects during the planning process. Reviewed and approved the construction drawings for subdivisions and private development. Supervised construction inspectors and resolve problems arising during construction. Managed water, sewer, and road projects from design through construction to final acceptance of the work. Managed technical staff and outside consultants.	<u>Ann Arbor, MI</u>
October 1985 to March 1986	<u>Engineer, Broad Corporation</u> Responsibilities included providing field engineering and support services for structural steel projects involving building modifications, in-plant modifications, and rack storage systems.	<u>River Rouge, MI</u>
September 1984 to Sept. 1985	<u>Engineer III, GTE Sprint Communications Corp.</u> Supervised maintenance and construction of new facilities including buildings, sites, and communication towers. Supervised consulting engineers, architects, and contractors to solve problems encountered during construction and operations of the GTE communications network. Required extensive travel through the upper Midwest of the United States.	<u>Irving, TX</u>
May 1973 to Sept. 1984	<u>City of Gladstone</u> Managed local street construction. Secured permits and approvals from federal, state, and county governments for construction of various projects. Also responsible for reporting to the State of Michigan the expenditure of road funds.	<u>Gladstone, MI</u>

EDUCATION

November 1980 to Nov. 1983	Michigan Technological University, Houghton, Michigan Bachelor of Science in Civil Engineering with honor, construction option in November 1983
September 1972 to June 1975	The University of Michigan, Ann Arbor, Michigan Enrolled in the college of Literature, Science, and the Arts. General studies in the sciences and mathematics. Class honors - April 1975, Regents Alumni Scholar 1972.

PROFESSIONAL AFFILIATIONS

Member of American Public Works Association
Member of American Water Works Association
Member of Water Environment Federation
Huron River Watershed Council, Past Vice-Chairman and Past Treasurer

PROFESSIONAL CERTIFICATIONS

Registered Professional Engineer, Michigan;
Michigan Department of Environmental Quality, S-1 (Water Distribution), D-3 (Limited Treatment, Wells), F-4 (Filter Plant) Water System Operator Certifications;
Michigan Department of Environmental Quality, Industrial Site Storm Water Operator Certification

PROFESSIONAL AWARDS

Michigan Water Environment Association, Collection System Professional of the Year, June 2003

Statement from Andy Fanta:

My background: BA, JD, PhD (Sociology of Education). All from Ohio State University. Practicing attorney 50 years (Ohio) 38 years Michigan. School Board member September 1998 to November 2012.

During my long tenure of the school board I had to sit as a "jury member" in long term suspension cases as well as expulsion hearings. I also sat and assisted my fellow SB members in deciding cases wherein Ypsilanti school district residents sought waivers to send their children to other districts.

My law practice has not involved property issues or real estate; but it seems that in hearing appeals that a balancing test would be involved between the appeal of an individual owner, the character of the neighborhood similar values for nearby properties etc. One would have to be a good and active listener and to be able to direct specific questions. Emotional considerations would have to be respectfully placed aside.

Hope that these thoughts and facts are helpful.
Warm Regards,
Andy



Resolution No. 2012-282
December 18, 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: