

1. City Council Regular Meeting Agenda

Documents: [4-23-13 FINAL AGENDA.PDF](#)

2. City Council Regular Meeting Packet

Documents: [04-23-13 PACKET.PDF](#)



**CITY OF YPSILANTI
COUNCIL MEETING AGENDA
CITY COUNCIL CHAMBERS - ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, APRIL 23, 2013
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 (6:00 – 7:00 p.m.)

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

VII. INTRODUCTIONS -

VIII. PRESENTATIONS –

Proclamation for Jim Toy – Mayor Schreiber

Family Dollar Update – Planner Teresa Gillotti

IX. AUDIENCE PARTICIPATION -

IX. REMARKS BY THE MAYOR -

X. MINUTES

Resolution No. 2013-063, approving the minutes of April 9, 2013.

XI. CONSENT AGENDA

Resolution No. 2013-064

1. Resolution No. 2013-065, approving 517-521 Tyler Road Rezoning – Ordinance No. 1187
(Second Reading)
2. Resolution No. 2013-066, approving license agreement between the City of Ypsilanti and Ford Motor Company to allow Ford Motor Company to continue environmental clean-up efforts on city property at the corner of Spring Street and Grove Road.
3. Resolution No. 2013-067, authorizing the Director of Public Services and OHM to make application to MDOT to include the Forest Avenue Bridge on the 2016 State and Federal Local Bridge Programs for priority preventative maintenance.
4. Resolution No. 2013-068, approving appointments to Boards and Commissions.

XII. RESOLUTIONS/MOTIONS/DISCUSSIONS

1. Resolution No. 2013-069, approving request for membership in the Ann Arbor Transportation Authority (AATA).
2. Resolution No. 2013-051, approving POAM contract.

XIII. LIASON REPORTS

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

XIV. COUNCIL PROPOSED BUSINESS –

XV. COMMUNICATIONS FROM THE MAYOR –

- A. Nominations to Boards and Commissions

Huron River Watershed Council

Sally Lusk (reappointment)
1111 W. Clark Rd.
Ypsilanti, MI 48198
Term expiration: 12/2/2014

Ethics Board

Sally Lusk (new appointment)
1111 W. Clark Rd.
Ypsilanti, MI 48198
Term expiration: 10/16/2013

Planning Commission

Mark Bullard (reappointment)
37 Photo
Ypsilanti, MI 48198
Term expiration: 5/1/2016

XVI. COMMUNICATIONS FROM THE CITY MANAGER –

XVII. AUDIENCE PARTICIPATION -

XVIII. REMARKS FROM THE MAYOR –

XIX. ADJOURNMENT –

A. Resolution No. 2013-070, adjourning the City Council Meeting.



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XVI. COMMUNICATIONS FROM THE CITY MANAGER –

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XVIII. REMARKS FROM THE MAYOR –

XIX. ADJOURNMENT –

A. Resolution No. 2013-070, adjourning the City Council Meeting.



Resolution No. 2013 – 063
April 23, 2013

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Minutes of April 9, 2013 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, APRIL 9, 2013
6:00 P.M. – CLOSED SESSION
7:30 P.M. – OPEN SESSION**

I. CALL TO ORDER

The meeting was called to order at 6:15 p.m.

II. ROLL CALL

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

Council Member Jefferson moved, supported by Council Member Moeller to excuse the absence.

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

III. INVOCATION

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

IV. PLEDGE OF ALLEGIANCE

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

V. AGENDA APPROVAL

Mayor Schreiber requested the proclamation honoring Jane Schmiedeke be moved to the May 2, 2013 meeting.

On a voice vote the motion carried and the agenda was approved as amended.

VI. CLOSED SESSION (6:00 to 7:30 p.m.)

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

On roll call, the vote to adjourn to closed session 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	Absent		

VOTE:

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

The meeting adjourned to closed session at 6:17 p.m.

Open session reconvened at 8:32 p.m.

VII. INTRODUCTIONS -

Mayor Schreiber introduced former Mayor Cheryl Farmer and Finance Director Marilou Uy.

VIII. PRESENTATIONS

1. ~~Proclamation honoring Jane Schmiedeke — Mayor Schreiber~~
(postponed to May 2, 2013 meeting)
2. Go Solar Presentation – ~~Catherine M. Baxter~~ Virginia Shannon

Ms. Shannon gave a presentation outlining a vision for making Ypsilanti a solar destination. She shared that Ypsilanti has the third most solar projects in the DTE service area, only falling behind Detroit and Ann Arbor. She discussed the ways in which solar energy can build the local economy and serve as a good investment, as well as the benefits of using solar, a pollution-free energy source, to increase the health and safety of the community.

Mayor Schreiber asked Ms. Shannon about the report being done by an EMU professor and students, which would estimate the number of roofs in the City of Ypsilanti that could go solar, and asked when it was expected to be completed.

Ms. Shannon answered that it was being worked on in class and she does not know the exact date it will be finished.

Council Member Murdock stated that several of the policy recommendations listed are things the City is already involved in, and some of the partnerships seem better suited to smaller groups like Solar Ypsi.

Ms. Shannon stated that the partnerships are absolutely critical to their success and there are many opportunities for larger scale projects, in addition to the residential part of the project.

Council Member Murdock stated that he is a supporter of solar energy and he thinks the City's main focus will be on energy efficiency.

Ms. Shannon stated that energy efficiency is the first step and she thinks creating a vision for the future will help encourage and promote solar activity and growth.

Mayor Schreiber stated that he attended the Go Solar event at the Corner Brewery and there was a lot of excitement. He said he also supports solar energy and would like to see the report being done by the professor and students, once it is finished. He stated that his understanding is that Ms. Shannon is looking for a policy commitment from the City, rather than a monetary commitment.

Ms. Shannon agreed and said that a policy commitment would attract investments and promote solar on a local level.

Council Member Murdock asked if there were places in Michigan that were manufacturing solar panels.

Ms. Shannon answered that there were a lot of manufacturers in Michigan and named some of the larger companies.

3. ~~Grove Road Update—Marcus McNamara, OHM Advisor~~ **(postponed)**

IX. ORDINANCES – FIRST READING

Ordinance No. 1187

1. 517-521 Tyler Road Rezoning

A. Resolution No. 2013-056, determination

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the proposed Ordinance entitled "517-521 Tyler Rezoning" be approved on First Reading.

An Ordinance Entitled "TYLER REZONING"

THE CITY OF YPSILANTI ORDAINS:

That the north portion of 517-521 Tyler, tax code ID# 11-11-10-360-023, currently zoned PL, Public Land be rezoned to M2, General Manufacturing.

OFFERED BY: Council Member Robb

SUPPORTED BY: Council Member Vogt

Teresa Gillotti gave an overview.

SUMMARY & BACKGROUND

The current owner has applied for a rezoning of 521-517 Tyler from B2, Community Business, and PL, Public Land, to M2, General Manufacturing; Planning Commission has recommended that only that portion currently zoned PL be rezoned to M2.

The parcel is currently used as a self-storage facility, with living quarters for a resident manager and truck rentals available. As some of the storage buildings are in the area zoned PL, they are considered a legal nonconforming use of legal nonconforming structures; this limits their ability to be rebuilt, per sections 122-205 and 122-206 of the zoning ordinance. The applicant is seeking rezoning in order to reduce the nonconformity, thereby removing barriers to refinancing, rebuilding, or future expansion.

The area bounded by the east-west alley south of Maus, Emerick, Tyler, and Prospect was rezoned in the mid-1990s to the current B2/M2/PL configuration from M1 as part of a City-wide zoning ordinance update. It appears that the parcel boundaries on the map used for this exercise were out of date or otherwise incorrect. A 1986 Washtenaw County equalization print shows the northern boundary of this site as it is today; the plat/parcel-based zoning maps apparently used in the rezoning effort show a different boundary, reflected in the boundary of the zones. Staff discovered the error as part of a routine zoning verification request by the owner. The owner is requesting the rezoning in order to refinance the parcel. Staff views this rezoning as means to address the previous administrative zoning boundary issue.

When an applicant requests rezoning, also called a map amendment, Planning Commission is obligated to review that request in the context of the neighborhood and the Master Plan. This area is within the "Gateway Area / Perry Neighborhood," and the Future Land Use Map, excerpted below, shows the site as partially community commercial, the equivalent of B2, but with the majority of the site master planned for light industrial/high technology.

The master plan recommended a light manufacturing district; that district's purpose is "to provide locations for wholesale activities, warehouses, and industrial operations which produce minimal external impacts that are detrimental in any way to other uses in the district." It is roughly equivalent to M1, Light Manufacturing. The storage facility would be consistent with the intent of M1 zoning; however, current uses of other, adjacent M2-zoned areas do not fit with the M1 goal. Thus, Planning Commission recommends pursuing only the requested rezoning for this specific site, rather than that of the area as a whole.

Planning Commission held a public hearing at its 16 January 2013 meeting, and notice was given in accordance with the ordinance. A representative of the owner was present; no neighbors attended. Consideration was given to rezoning both the B2 and the PL portions of the site to M2, but as the B2 portion of the site contains no structures and is contiguous with B2-zoned areas, Planning Commission recommends re-zoning only that portion of the property currently zoned PL to M2.

The Planning Commission recommends that the City Council rezone that portion of 517-521 Tyler currently zoned PL, Public Land, to M2, General Manufacturing.

Mayor Schreiber asked Ms. Gillotti to discuss the portion of the Planning Commission minutes where all but one Commissioner supported the motion to leave the B2 section as is.

Ms. Gillotti stated that the original request was for the entire property to be rezoned as M2 even though the master plan recommends the property be zoned as M1. She said she believed the Commissioner that voted against the motion probably felt they should follow the master plan. She added that it was her understanding that the other Commissioners realized the zoning error that was made previously and wanted to rectify it, as it should have been rezoned along with the adjacent parcels, since the rezoning was done prior to the 1998 master plan.

Mayor Schreiber asked how the current master planning process would impact the zoning of this property.

Ms. Gillotti stated that she did not know because it was too soon in the process to tell.

Mayor Schreiber asked Ms. Gillotti to describe the difference between M1 and M2 zoning.

Ms. Gillotti stated that M2 was the most permissive for heavy manufacturing and intensive industrial uses. She stated that, in reference to the food ordinance, there is some slaughtering and sugar production that could be done in an M2 zone, with a special use permit. She said that self-storage is permitted in an M1 zone however the parcel would be split.

Council Member Robb asked if a grow facility was allowed in an M2 zone.

Ms. Gillotti answered that it was allowed in both M1 and M2 zones with a special use permit.

B. Open public hearing

Mayor Schreiber read the rules for audience participation.

1. Maurice Pogoda, owner of the property, stated that he has had the property since the late 1990s and was surprised to find, when in the process of refinancing, that part of the property seems to be in a non-conforming use. He said that since it was an error in the past, it would better to have the entire property zoned the same. He added that the portion of the property that the Planning Commission voted to be zoned as B2 is a closed driveway, exiting on to Prospect that the company does not utilize. He stated that he appreciated Council's consideration of his rezoning request and hoped they would take his comments under advisement when considering their decision.

C. Resolution No. 2013-057, close public hearing

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the public hearing on the proposed Ordinance entitled "517-521 Tyler Rezoning" be officially closed.

OFFERED BY: Council Member Robb

SUPPORTED BY: Council Member Vogt

On a voice vote, the motion carried and the public hearing was closed.

Council Member Robb asked Ms. Gillotti if she foresaw any unintended consequences that could occur as a result of rezoning the property.

Ms. Gillotti answered that she believes the property will remain a self-storage facility and stated that the master plan could include more of a buffer if Council desired. She said this was more of a technicality that they were trying to remedy.

On roll call, the vote to adjourn to approve Resolution No. 2013-056 was as follows:

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

VOTE:

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

Mayor Schreiber thanked Mr. Pogoda for attending.

Mr. Pogoda stated that he has put a lot of money into the property to clean it up and invited Council to visit the property because he feels they would be very pleased.

IX. AUDIENCE PARTICIPATION

Mayor Schreiber read rules for audience participation.

1. Former Mayor, Dr. Cheryl Farmer, 214 N. Huron St., stated that she wanted to thank those who voted to delay the Water Street redevelopment project to let the Shape Ypsilanti master planning process move forward before making a final decision. She added that she feels businesses wishing to build on the Water Street property should have to demonstrate why they need to be on the river because it is a very special asset and businesses should take advantage of it, rather than turn their backs to it. She further said that the way in which Water Street is developed will have an enormous impact on the future of the community and the Shape Ypsilanti process should help in developing that parcel, and the river, in ways the City will be proud of. She stated that she also wanted to thank the Council members who helped to make Hamilton Crossing a reality. She ended by saying that she wants to encourage Council to consider a moratorium on Marijuana facilities in the City.

X. REMARKS BY THE MAYOR

Mayor Schreiber stated that he appreciated former Mayor Cheryl Farmer's comments. He said that Hamilton Crossing was a hard project, which required a lot of group effort, but he saw it as a success.

XI. MINUTES

Resolution No. 2013-058, approving the minutes of March 19, 2013

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Minutes of March 19, 2013 be approved.

OFFERED BY: Council Member Moeller

SUPPORTED BY: Council Member Vogt

On a voice vote, the motion carried and the minutes were approved as submitted.

XII. RESOLUTIONS/MOTIONS/DISCUSSIONS

1. Resolution No. 2013-059, approving DTE lease and easement for Solar Array on City landfill.

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 Solar Array; and

WHEREAS: the City of Ypsilanti approved a Letter of Intent with SunDurance for development of the solar array on the former City Landfill site on Dec. 4, 2012; and

WHEREAS upon selection the attached 20-year lease agreement will be executed for up to 4.5 acres for either \$40,000 or \$44,000/year depending on final size of the installation as depicted in the attached lease/easement agreement;

NOW, THEREFORE, BE IT RESOLVED THAT the Ypsilanti City Council approve the attached easement/lease agreement between the City of Ypsilanti and DTE 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 easement/ lease agreement upon selection, with approval from the City Attorney.

OFFERED BY: Council Member Vogt

SUPPORTED BY: Council Member Murdock

Ms. Gillotti provided the background.

BACKGROUND

On December 4, 2013, Ypsilanti City Council approved a Letter of Intent with SunDurance Systems for the development of a solar array on the City's former landfill as part of a request for proposals issued by DTE for sites and solar power generating systems. The proposal, including the City landfill property has passed the first cut, and as part of the second stage of proposals to DTE, the City is being asked to approve a lease/agreement for the project in advance of DTE's final selection.

As a reminder, the DTE RFP indicated 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.

Proposals will be compared to each other for final selection based on various factors including location, price, etc. SunDurance has since been refining the proposal based on feedback from DTE. The initial proposal submitted was for a 1.3 MW installation. DTE has indicated to SunDurance that they are interested in a smaller installation on this site, preferably around the 750 watts. SunDurance asked that the City approve two different sized installations as options DTE can consider in weighing the proposal (below).

As per the terms of the LOI, the City received \$2,000 from SunDurance for continuing to hold the property for this potential development.

Current proposal

The majority of the elements previously discussed will remain the same. As the site was a former City landfill, the proposed array will be a ground-mounted, fixed-tilt system, requiring minimal or no penetration of the surface of the site. As noted, SunDurance is requesting two options for sizing/locating the array as depicted in the exhibits below. Both options are included in the attached easement/lease agreement with slightly varying rental rates.

Option 1 – 750 kW system to be located west of existing access road

Option 2 – 1000 kW system located on both sides of existing access road

DTE Lease/Agreement

As was noted in the previously approved LOI, 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.

Basic details follow:

<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 for 1000 kW system or \$40,000 for 750 kW system.
<u>Lease Term:</u>	20 years, subject to Lessee's option to extend the Lease for 10 additional and successive 1 year periods.
<u>Removal penalty:</u>	If the City determined that the land would be better suited for another use(s) and wanted to move the solar array, the City would be responsible for all relocation expenses up to \$500,000.
<u>Personal Property Tax</u>	The lease (as in the LOI) indicates that if the State of Michigan exempts or otherwise extinguishes Personal Property tax, DTE will be responsible for a payment in lieu of taxes
<u>Final size/location determination</u>	The final executed lease/easement will include the final area which will be finalized in the zoning approval phase.
<u>Access</u>	Existing access easement to digital billboard will be maintained.

City approval process and next steps

If the proposal is selected, SunDurance would submit site plans and a Planned Unit Development application for approval with the City. The PUD process would first go to Planning Commission for a recommendation and then to City Council for a public hearing and approval. DTE is still interested in a project going into service by the end of the calendar year.

Landfill history and environmental issues

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.

Since the LOI was adopted the City received two grants from the Downriver Community Conference as part of our membership in the Washtenaw County Brownfield Redevelopment. The first grant covered costs of a Phase I environmental assessment. The second grant, currently underway, will involve sampling of the landfill site, and should provide information as to the extent of the landfill area, as well as a more detailed picture of existing contaminants on-site. Staff will be following up with DEQ as the process proceeds to make sure due diligence procedures are being followed.

Mayor Schreiber introduced Dan Thomson from SunDurance and invited him to make a statement.

Mr. Thomson stated the first step in the process would be to submit the formal proposal and have the lease agreement executed. He said that he was there to answer any questions and thanked Council for their support.

Mayor Schreiber stated that all of the feedback he had received about the project was positive.

Mr. Thomson agreed and said that the location was ideal and he hopes DTE will select it for the next phase of the project.

Mayor Schreiber asked if the second phase was the last phase or if there were subsequent phases that needed to be completed.

Mr. Thomson answered that this was the last phase and said they would know fairly quickly, after the proposal was submitted, whether or not the location has been chosen.

Council Member Murdock stated that he feels it is a great project and asked if the City would be able to find Michigan-built solar panels to use as a part of the project or if they would have to use panels build overseas.

Mr. Thomson stated that DTE has asked that the panels be American-made, so they will not be imported from overseas, however he does not know where the panels will be built.

Mr. Lange mentioned that he had given them the names of some of the American-made solar panels, because he has a background in the field, and they have been very receptive to locally available suppliers.

Council Member Robb asked Ms. Gillotti what led to changing the language of the personal property tax clause from the original.

Ms. Gillotti answered that the wording in the original was broader than the intent that they initially had, and she is not surprised that they had requested a change.

On roll call, the vote to approve Resolution No. 2013-059 was as follows:

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

VOTE:

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

2. Resolution No. 2013-060, approving three-year contract with Abraham & Gaffney for Professional Auditing Services beginning fiscal year June 30, 2013 through June 30, 2015.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS the City of Ypsilanti Council under the Ypsilanti City Code requires a change in auditing firms after a five-year continuous annual auditing of the City; and

WHEREAS the Finance Department posted the Requests for Proposals on at www.mitn.info (The Michigan Inter-governmental trade network) on November 19, 2013; and

WHEREAS Abraham & Gaffney completed the living wage ordinance compliance report; and

WHEREAS Abraham & Gaffney's proposal for a three-year contract was \$123,025 that includes audit and reporting services for the City of Ypsilanti, Economic Development Corporation, Downtown Development Authority, Single Audit, Police and Fire Retirement System, provide advice and assistance in preparing the City to meet the current Statement of Auditing Standards; and assist in preparing comprehensive annual financial reports for submission to Government Finance Officers Association (GFOA) to participate in Certificate of Excellence award.

NOW THEREFORE BE IT RESOLVED that the Ypsilanti City Council approve a three-year contract with Abraham & Gaffney in the amount of \$123,025 for Professional Auditing Services beginning with fiscal year ending June 30, 2013, through June 30, 2015.

OFFERED BY: Council Member Jefferson
SUPPORTED BY: Council Member Moeller

Finance Director Marilou Uy gave an overview of the request and distributed a handout of the public bid tally sheet for the financial audit.

OVERVIEW

The revised Ypsilanti City Code, under the Independent Annual Audit, Section 5.14 of the City Charter, requires a change in auditing firm after a five-year continuous auditing service. Past practice has been to contract three years with the option to extend the contract for an additional two years at the discretion of the City. The auditing firm, Rehmann Robson, has served the City of Ypsilanti for five years.

Requests for Proposal were posted at www.mitn.info (The Michigan Inter-governmental trade network) on November 19, 2012. Seven proposals were received on January 22, 2013, with the following results:

AUDITING FIRMS	FULL AUDIT 3-YEAR PROPOSAL	WITH ASSISTANCE FROM REHMANN
Abraham & Gaffney, P.C.	\$153,100	\$123,025
Yeo & Yeo, P.C., CPA	\$166,800	\$148,800
Stewart, Beauvais & Whipple	\$170,000	\$120,000
Alan C. Young & Associates, P.C.	\$188,345	\$148,840
Plante Moran, PLLC	\$193,500	\$149,850
UHY LLP	\$196,700	\$196,650
Andrews Hooper Pavlik PLC	\$216,000	\$178,500

The criteria used to evaluate the proposals was as follows:

Qualification	30%
Prior auditing experience	30%
References	30%
Proposed fee	10%
Total	100%

We examined each firm's involvement in municipal activities, municipal experience of staff assigned to audit, expertise in GASB 34, experience with the Government Finance Officers Association (GFOA) certificate of achievement award, knowledge of the current Statement of Auditing Standards which will enable them to provide advice and assistance in preparing the City to meet new Auditing Standards with which we need to comply by June 30, 2014. We also compared the number of municipalities currently being audited and their other governmental experiences. Reference checks were made regarding meeting deadlines as required by state and federal requirements, staff turnover, staff knowledge in municipal accounting and auditing, principal or partner involvement with the audit, and the overall assessment of the audit firm. Finally, we compared the audit fees. Three firms completed the Living Wage Ordinance compliance report.

After summarizing our evaluations, I recommend awarding Abraham & Gaffney, P.C. a three-year engagement for a total cost of \$123,025. My recommendation was based upon the overall criteria, their qualifications, their experience and expertise with municipalities, their current and prior clients' stellar recommendations, and their proposed fee. The approval of the contract will be contingent upon the City Attorney's review as to form.

Mayor Schreiber asked if the average annual increase was \$5,740 over what would be paid if Sallea Tisch, Accounting Supervisor, were to remain employed in her current position and asked Ms. Uy if she was happy with the services provided by Rehmann Robson.

Ms. Uy answered yes and stated that the average annual increase was \$5,740. She said she was very happy with Rehmann Robson and feels the city received the best service for the lowest price.

Mayor Schreiber asked if the reason the city could no longer use Rehmann Robson was because of the Charter statute limiting the number of years a company could provide auditing services.

Ms. Uy answered yes and said due to the charter a company could only serve the city for five years. She said the new company would serve for three years with an optional two year extension.

Mayor Schreiber asked if the city could then go back to Rehmann Robson.

Ms. Uy answered yes the city could go back to Rehmann Robson at that time.

Mr. Lange stated that he had worked with Ms. Uy on this and they tried to get the best deal and had hoped that this would be transitional and a new in-house auditor could eventually be trained to pick up more duties and responsibilities to replace Ms. Tisch and help drive the costs down.

Council Member Murdock asked if Ms. Tisch was going to be replaced.

Mr. Lange answered yes and said Ms. Tisch would be retiring June 30th.

Council Member Murdock asked if advertising for the position had begun.

Mr. Lange answered yes interviews have already started. He explained that there would be a bit of an overlap because Ms. Tisch would be staying on, as a contract employee, for a month or two to train her replacement.

Council Member Murdock asked if there would be a new employee, along with Ms. Tisch and Rehmann Robson, as a contractor, all at the same time.

Ms. Uy replied yes and explained that Ms. Tisch will retire on time if the new employee is able to do the job more quickly than expected.

Council Member Murdock stated that there would already be two months of overlap for training, if the new employee was hired now.

Mr. Lange stated that he did not know how long it would take to complete interviews and go through background checks, so the overlap period is just an estimate.

On roll call, the vote to approve Resolution No. 2013-060 was as follows:

Mayor Pro-Tem Richardson	Absent	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: 6 No: 0 Absent: 1 (Richardson) Vote: Carried

3. Resolution No. 2013-061, approving engagement letter with Rehmann Robson for accounting services.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS The Accounting Supervisor for the City of Ypsilanti will be retiring June 30, 2013; and

WHEREAS The new General Accountant will not have time to learn all of the GASB standards and procedures for their implementation prior to commencement of the fiscal year 2012-2013 audit; and

WHEREAS Rehmann Robson is familiar with the City of Ypsilanti of finances, GAAP and GASB standards, and CAFR preparation; and

WHEREAS The agreement between Rehmann Robson and the City of Ypsilanti has been approved by the City's legal counsel as to form.

NOW THEREFORE BE IT RESOLVED that the Ypsilanti City Council approve a two-year agreement with Rehmann Robson to perform

general accounting services under the direction of the Fiscal Services Director.

OFFERED BY: Council Member Moeller

SUPPORTED BY: Council Member Vogt

Attorney John Barr stated that he read the agreement and approved it on principle, however there was one final thing he would like to follow up on.

On roll call, the vote to approve Resolution No. 2013-061 was as follows:

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

VOTE:

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

4. ~~Resolution No. 2013-051, approving POAM contract.~~ **(Removed)**

XIII. LIASON REPORTS

A. SEMCOG Update:

- Council Member Murdock stated that Mayor Pro-Tem Richardson had been elected as a delegate for Washtenaw County.

B. Washtenaw Area Transportation Study:

- Council Member Vogt stated that they are expecting another wave of funds to come through for the following year, for entities that have spent their funds and completed projects which should encourage the completion of current projects and submission of proposals for new projects.

C. Washtenaw Metro Alliance:

- None

D. Urban County:

- Mayor Schreiber stated there was a public hearing for the 5 year consolidated plan and said funding from the Federal government was projected to go down quite a bit which may stretch out projects. He added that the board voted on keeping the HUD-funded formula as-is. He said one change that was made was that there is now a 10% set-aside of funding for any projects that have county-wide benefit.

E. Freight House:

- Murdock stated the drawings and cost estimates should be ready in the next couple of weeks, for the next meeting in May.

XIV. COUNCIL PROPOSED BUSINESS

Council Member Murdock

- Stated that the Charter Commission had brought up items that merit looking at. He suggested piggybacking on the statewide election to make the following Charter amendments:
 - Limiting the activities requiring an ordinance.
 - Changing the Council meeting schedule.
 - Opening up the public notice required for a hearing on an ordinance to include the use of electronic media, the state allows.
 - Eliminating the prohibition of City Council members sitting on commissions.

He said three of the items have already gone to the Governor so there shouldn't be a problem.

Council members voiced no objection to Council Member Murdock's comments. Mr. Murdock said the street lighting special assessment is controversial and he's trying to avoid putting those types of issues on the ballot. He said the last charter question was rejected because it was loaded with controversial issues.

Council Member Moeller

- Reported that she and Council Member Vogt recently attended a College Height's neighborhood meeting. She said the discussion was mostly about Candy Cane park. She said she thinks the president is interested in being on the Recreation Commission.

Council Member Vogt

- Added that they also talked about the city's financial problems at the neighborhood association meeting.

Council Member Jefferson

- Reported that Parkridge Community Center recently received computers and a wide screen television for the center.

XV. COMMUNICATIONS FROM THE MAYOR

Mayor Schreiber stated that he is in favor of a policy statement supporting the goal of solar roofs in Ypsilanti.

Regarding Council Members serving on Boards and Commissions, Mayor Schreiber said it seems that Council members are already liaisons to commissions. He said he didn't know how it would work for Boards like Zoning Board of Appeals.

Attorney Barr said there are some state requirements and prohibitions regarding Council members serving on committees.

Nominations:

Planning Commission

Phil Hollifield (reappointment)
 125 Hawkins St.
 Ypsilanti, MI 48197
 Expires: 5/1/2016

Zoning Board of Appeals

John Bailey (reappointment)
514 Fairview
Ypsilanti, MI 48197
Expires: 5/1/2016

Planning Commission

Rod Johnson (reappointment)
310 N. Grove
Ypsilanti, MI 48198
Expires: 5/1/2016

Recreation Commission

Conan Malmer (new appointment)
913 Pleasant Dr.
Ypsilanti, MI 48197
Expires: 4/23/2016

XVI. COMMUNICATIONS FROM THE CITY MANAGER

- Reported that the street lighting assessment project is well on its way
- Announced he is an official Ypsilanti resident
- Reported that the Rutherford Pool is moving along in the right direction.

Planner Gillotti distributed the *Shape Ypsilanti* schedule, a master plan event, and encouraged Council and the public to become engaged and attend the sessions.

XVII. AUDIENCE PARTICIPATION

None

XVIII. REMARKS FROM THE MAYOR

None

XIX. ADJOURNMENT

A. Resolution No. 2013-062, 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 and the meeting adjourned at 10:00 p.m.



Resolution No. 2013 – 064
April 23, 2013

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI,

That the following items be approved:

1. Resolution No. 2013-065, approving 517-521 Tyler Road Rezoning – Ordinance No. 1187
(Second Reading)
2. Resolution No. 2013-066, approving license agreement between the City of Ypsilanti and Ford Motor Company to allow Ford Motor Company to continue environmental clean-up efforts on city property at the corner of Spring Street and Grove Road.
3. Resolution No. 2013-067, authorizing the Director of Public Services and OHM to make application to MDOT to include the Forest Avenue Bridge on the 2016 State and Federal Local Bridge Programs for priority preventative maintenance.
4. Resolution No. 2013-068, approving appointments to Boards and Commissions.

OFFERED BY: _____

SUPPORTED BY: _____

YES:

NO:

ABSENT:

VOTE:



REQUEST FOR LEGISLATION
April 9, 2013

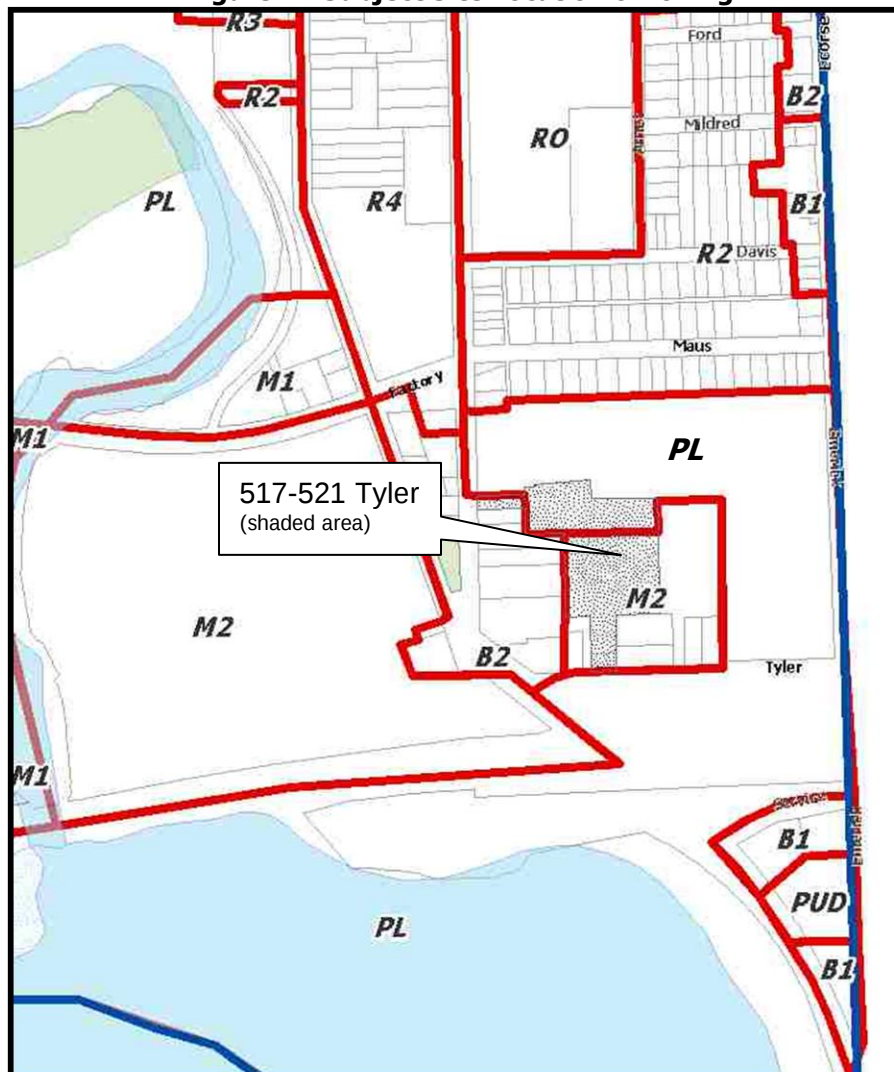
From: Bonnie Wessler, Planner I

Subject: Rezoning of 517-521 Tyler, portions PL to M2

SUMMARY & BACKGROUND:

The current owner has applied for a rezoning of 521-517 Tyler from B2, Community Business, and PL, Public Land, to M2, General Manufacturing; Planning Commission has recommended that only that portion currently zoned PL be rezoned to M2, as seen below.

Figure 1: Subject Site Location & Zoning



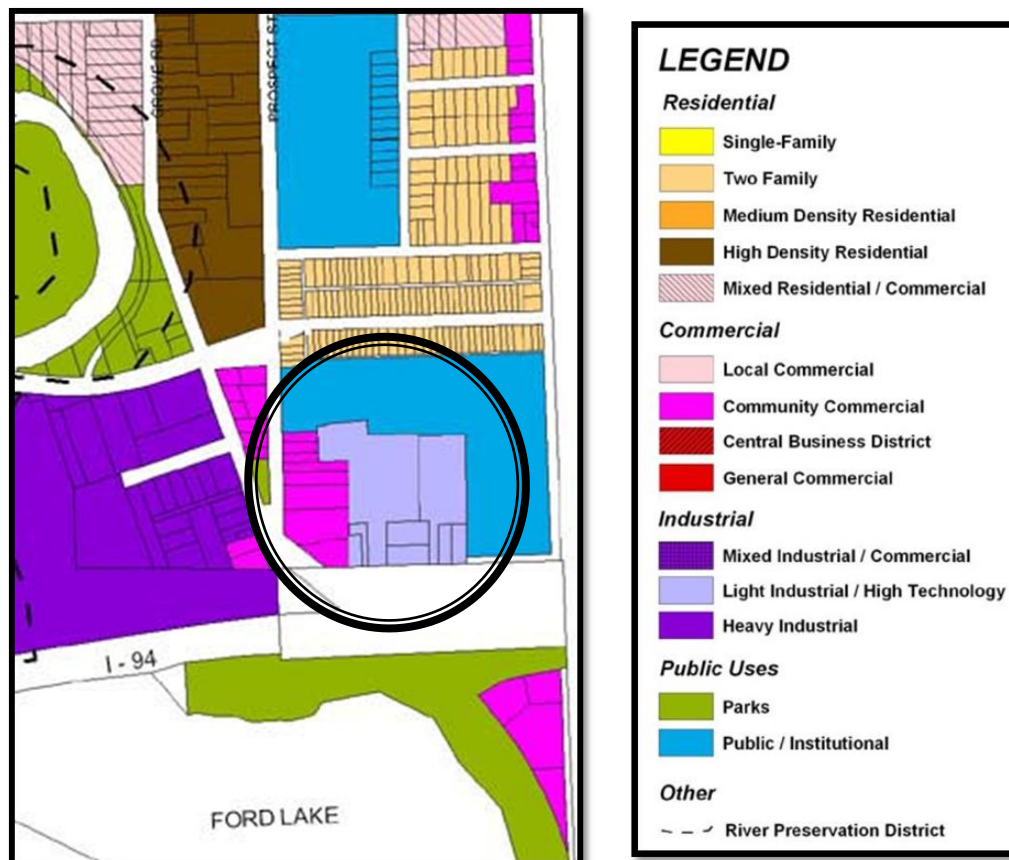
The parcel is currently used as a self-storage facility, with living quarters for a resident manager and truck rentals available. As some of the storage buildings are in the area zoned PL, they are considered a legal nonconforming use of legal nonconforming structures; this limits their ability to be rebuilt, per sections 122-205 and 122-206 of the zoning ordinance. The applicant is seeking rezoning in order to reduce the nonconformity, thereby removing barriers to refinancing, rebuilding, or future expansion.

The area bounded by the east-west alley south of Maus, Emerick, Tyler, and Prospect was rezoned in the mid-1990s to the current B2/M2/PL configuration from M1 as part of a City-wide zoning ordinance update. It appears that the parcel boundaries on the map used for this exercise were out of date or otherwise incorrect. A 1986 Washtenaw County equalization print shows the northern boundary of this site as it is today; the plat/parcel-based zoning maps apparently used in the rezoning effort show a different boundary, reflected in the boundary of the zones. Staff discovered the error as part of a routine zoning verification request by the owner. The owner is requesting the rezoning in order to refinance the parcel. Staff views this rezoning as means to address the previous administrative zoning boundary issue.

When an applicant requests rezoning, also called a map amendment, Planning Commission is obligated to review that request in the context of the neighborhood and the Master Plan. This area is within the "Gateway Area / Perry Neighborhood," and the Future Land Use Map, excerpted below, shows the site as partially community commercial, the equivalent of B2, but with the majority of the site master planned for light industrial/high technology.

The master plan recommended a light manufacturing district; that district's purpose is "to provide locations for wholesale activities, warehouses, and industrial operations which produce minimal external impacts that are detrimental in any way to other uses in the district." It is roughly equivalent to M1, Light Manufacturing. The storage facility would be consistent with the intent of M1 zoning; however, current uses of other, adjacent M2-zoned areas area do not fit with the M1 goal. Thus, Planning Commission recommend pursuing only the requested rezoning for this specific site, rather than that of the area as a whole.

Figure 2: Future Land Use Designations



Planning Commission held a public hearing at its 16 January 2013 meeting, and notice was given in accordance with the ordinance. A representative of the owner was present; no neighbors attended. Consideration was given to rezoning both the B2 and the PL portions of the site to M2, but as the B2 portion of the site contains no structures and is contiguous with B2-zoned areas, Planning Commission recommends re-zoning only that portion of the property currently zoned PL to M2.

RECOMMENDATION

The Planning Commission recommends that the City Council rezone that portion of 517-521 Tyler currently zoned PL, Public Land, to M2, General Manufacturing.

Please contact Bonnie Wessler, Planner I, with any questions you may have regarding this rezoning at 734-483-9646 or by email to wesslerb@cityofpysilanti.com.

RECOMMENDED ACTION: Approval

ATTACHMENTS: 16 Jan 2013 staff report to Planning Commission
Excerpt from 16 Jan 2013 adopted Planning Commission minutes
Zoning text amendment ordinance and resolutions

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2013 - 065
April 23, 2013

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the proposed Ordinance entitled "517-521 Tyler Rezoning" be approved on **Second and Final Reading.**

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

Ordinance No. 1187

An Ordinance Entitled "TYLER REZONING"

THE CITY OF YPSILANTI ORDAINS:

That the north portion of 517-521 Tyler, tax code ID# 11-11-10-360-023, currently zoned PL, Public Land be rezoned to M2, General Manufacturing.

MADE, PASSED, AND ADOPTED BY THE YPSILANTI CITY COUNCIL THIS _____ DAY OF _____, 2013

FRANCES MCMULLAN, City Clerk

Attest

I do hereby confirm that the above Ordinance No. _____ was published in the Ypsilanti Courier on the _____ day of _____, 2013.

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 _____, 2013.

FRANCES MCMULLAN, City Clerk

Notice Published: March 21, 2013
First Reading: April 9, 2013
Second Reading: April 23, 2013
Published: _____
Effective Date: _____



City of Ypsilanti

Planning and Development Department
10 January 2013

Staff Review of Rezoning Application National Storage Centers Rezoning 517-521 Tyler Rd

Applicant:	Maurice Pogoda Tyler Industries, Inc 30301 Northwestern Hwy, Ste 300 Farmington Hills, MI 48334
Project:	National Storage Centers Rezoning
Application Date:	10 December 2012
Location:	North side of Tyler Rd, between Prospect and Emerick St
Zoning:	Current: M2, General Manufacturing PL, Public Land B2, Community Business
Master Plan:	Light Industrial/High Technology (M1, per p 72) Community Commercial (B2, per p 72)
Action Requested:	Rezone to M2, General manufacturing
Staff Recommendation:	Partial Approval.

PROJECT AND SITE DESCRIPTION

Rezoning is requested for a single, 4.3-acre parcel. The property is currently used as a self-storage facility, with living quarters for a resident manager, and truck rentals available. Zoning on the site is currently split; some of the storage buildings are in a portion of the site that is zoned PL, Public Land. The storage buildings are thus considered legal nonconforming. The applicant is seeking rezoning for the entirety of the site to M2, General Manufacturing, to eliminate those nonconformities, thus removing barriers to refinancing, rebuilding, or future expansion.

The area bounded by the east-west alley south of Maus, Emerick, Tyler, and Prospect was rezoned in the mid-1990s to the current B2/M2/PL configuration from M1 as part of a City-wide zoning ordinance update. It further appears that the parcel boundaries on the map used for this exercise were out of date or otherwise incorrect. A 1986 Washtenaw County equalization print shows the northern boundary of this site as it is today; the plat/parcel-based zoning maps apparently used in the rezoning effort show a different boundary, reflected in the boundary of the zones.

Staff discovered the error as part of a routine zoning verification request by the owner. The owner is requesting the rezoning in order to refinance the parcel. Staff views this rezoning application as means for correction to the previous administrative zoning boundary issue.

Figure 1: Subject Site Location & Zoning



Figure 2: Site Aerial (2010)



Figure 3: Topography (2ft contours, Washtenaw County database)

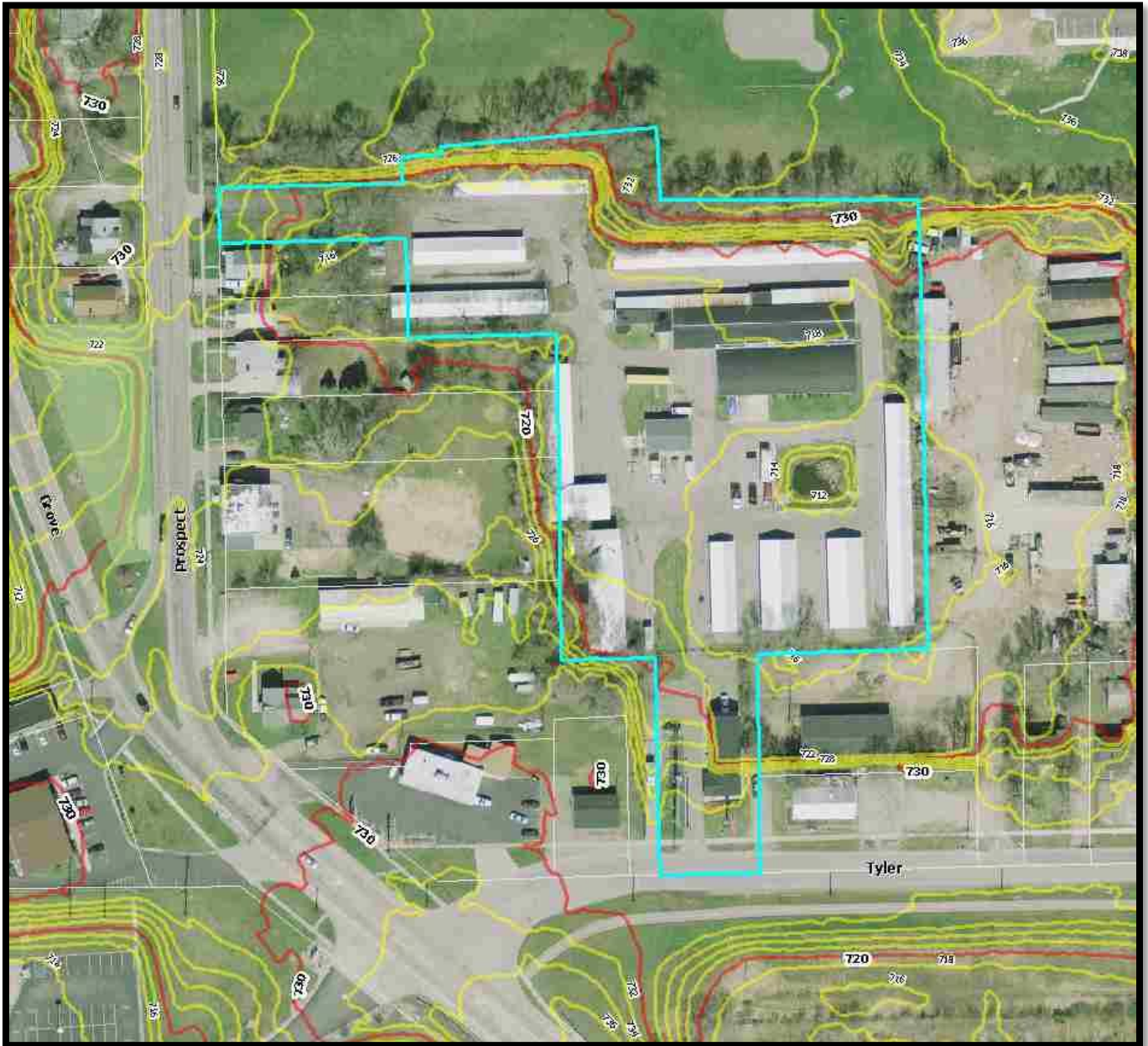
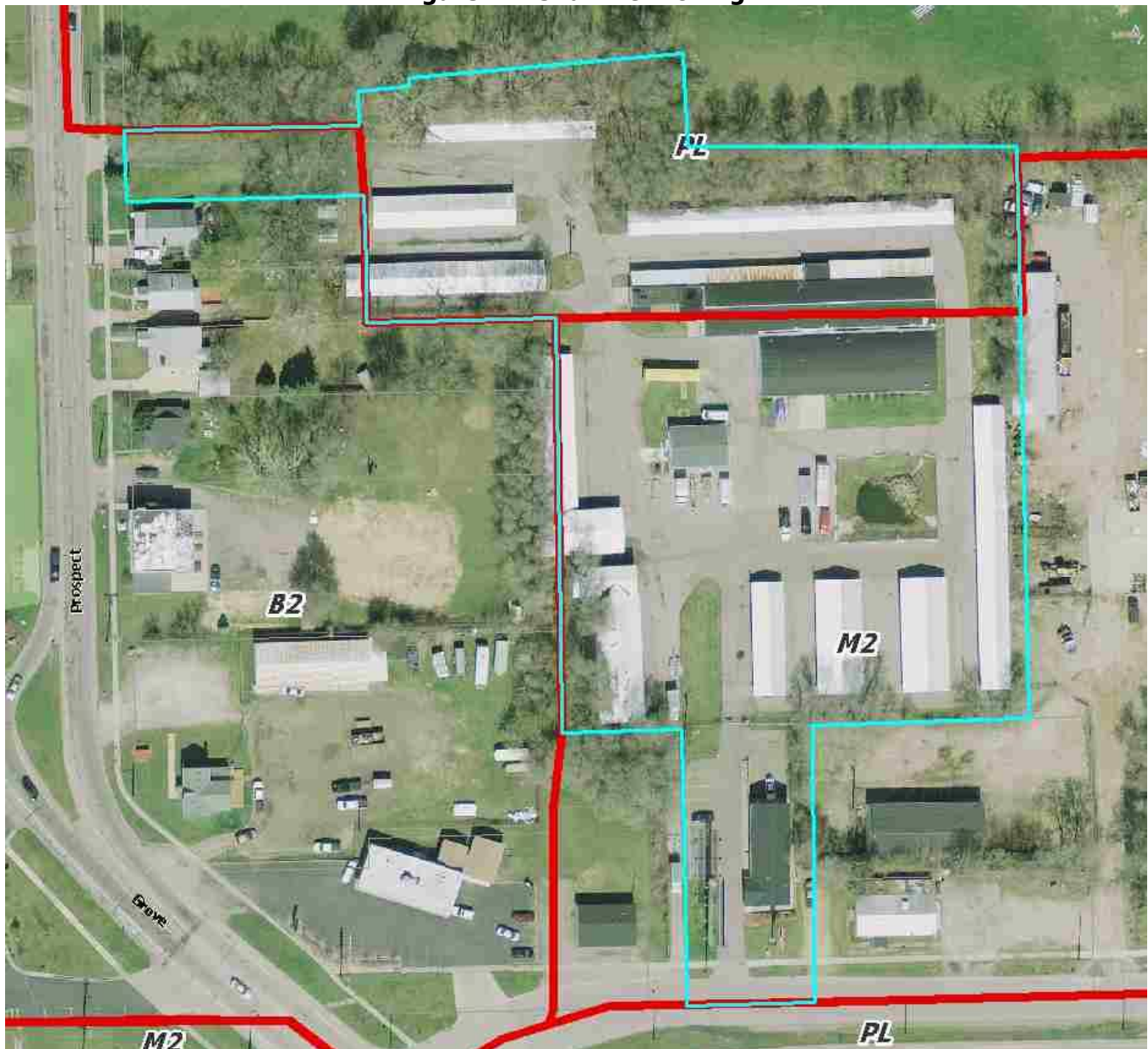


Figure 4: Aerial with zoning



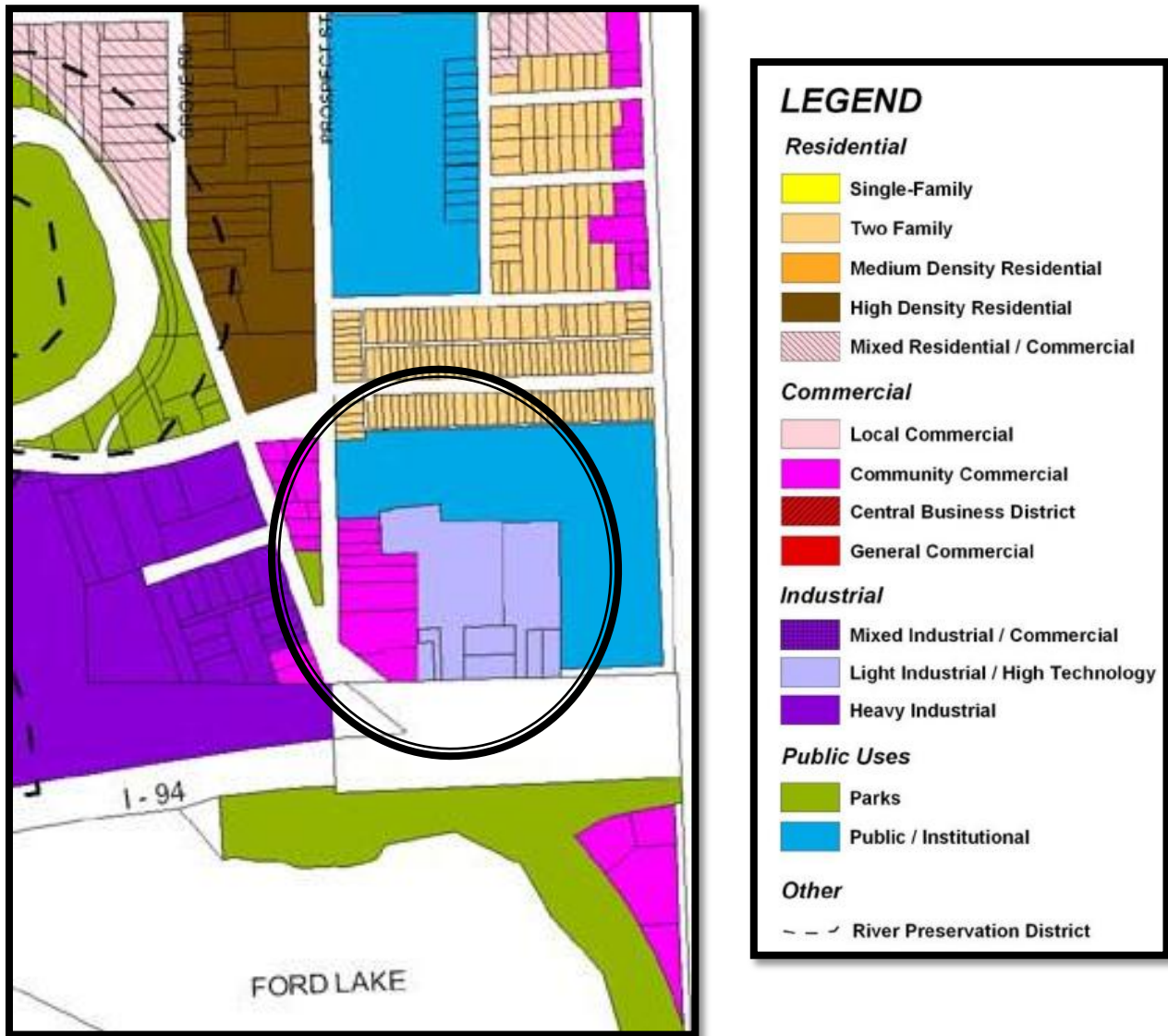
Note: aerial is skewed slightly to the west of parcel boundaries. All buildings on the site are fully on the subject site. The west property line (at Prospect) should be approximately flush with the sidewalk.

MASTER PLAN

The subject property is within the "Gateway Area / Perry Neighborhood." Goals for this neighborhood include "creating a positive entry into the City via design, landscaping, and signage; improving the linkages between neighborhoods and Downtown; upgrading the commercial properties along East Michigan Avenue; preventing unwanted land uses along West Michigan Avenue; and improving and redeveloping the existing housing stock." This site is not within any specific target area.

The future land use map, below, shows the site as partially Community Commercial, the equivalent of B2; but with the majority of the site master planned for light industrial/high technology.

Figure 5: Future Land Use Designations



EXISTING LAND USE AND ZONING

Only one parcel is under consideration for rezoning; it is currently used a self-storage facility, with living quarters for a resident manager, and truck rentals available. The majority of the site is zoned M2, with a significant portion in the PL district and a smaller portion in the B2 district.

Figure 6: Surrounding Land Use and Zoning

	LAND USE	ZONING
NORTH	High School (Washtenaw International Baccalaureate)	PL, Public Land
EAST	Retail (525 Tyler, vacant) Machine shop (527 Tyler, landscaping contractor's office Mobile home recycling (529 Tyler)	M2, General Industrial
SOUTH	I-94	PL, Public Land
WEST	Retail (513 Tyler, vacant) Construction (345 S Prospect) Church (333 S Prospect) One-and-Two family homes	M2, General Manufacturing B2, Community Business

Traffic

On Grove south of Tyler, counts totaled approximately 7700 vehicles per day in 2006. On South Prospect south of Spring, counts totaled approximately 7600 vehicles per day in 2004. There is a sidewalk at the Prospect St frontage.

On Tyler west of Redwood, in a residential neighborhood about half a mile east of the site, traffic counts totaled about 1000 cars in 2001. There is a sidewalk along the north side of Tyler and a shared-use path to the south.

REZONING IMPLICATIONS

INTENT

The stated purpose of **M2** zoning is to provide "locations for general or heavy industrial activities" and that "permitted activities or operations will produce external impacts."

The stated purpose of **B2** is to provide "for major retail shopping areas outside the downtown area... the uses permitted are intended to accommodate both the general retail consumer and the needs and services of the automobile travelling consumer, and are to be limited in hours of operation."

Note: The portion of the site that is currently zoned B2 does not contain any structures. It currently serves as an access/service drive for the site; there is an 8'-10' grade change that would affect placement of any structures. It is approximately 50' x 170'.

The stated purpose of **PL** zoning is to "classify publicly-owned uses, and permits the normal principal and incidental uses required to carry out governmental functions and services.

The master plan recommended **light manufacturing** district's stated purpose is "to provide locations for wholesale activities, warehouses, and industrial operations which produce minimal external impacts that are detrimental in any way to other uses in the district."

The storage facility as it exists would be consistent with the intent of M1 zoning; however, current uses of other M2-zoned areas in the adjacent area do not fit with the M1 ideal. Thus, staff has chosen to pursue only the requested rezoning for this specific site, rather than addressing the zoning of the area as a whole.

REZONING CONSIDERATIONS

The following are generally accepted criteria for evaluating a rezoning request and staff responses to each:

1) Is the proposed change consistent with the goals, policies and future land use map of the City of Ypsilanti Master Plan?

The Master Plan recommends that the future use of this parcel be "light industrial/high tech" roughly equivalent to M1 per the equivalency table on page 72 of the Master Plan. Light Industrial/High Tech is described as the following:

The light industrial/high-tech district is designed to primarily accommodate wholesale activities, warehouses, and industrial operations whose external and physical effects are restricted to the immediate area having only a minimal effect on surrounding districts. This designation is also structured so as to permit the manufacturing, compounding, processing, packaging, and assembly of finished or semi-finished products from previously prepared materials. Research and hi-tech uses are also included in this designation, so long as the impacts are minimal. Because many of the areas with this designation are not located along major thoroughfares, the uses in this designation can be serviced by small trucks only." (p 70).

The change from PL to M2, consistent with the remainder of the site, would enable the light industrial use to continue operations and to expand &/or remodel. Although the existing (and proposed expansion) M2 zoning allows more intense uses than indicated in the future land use map, other limitations on this site, such as the grade, stormwater, and availability of water/sewer, would likely deter them.

The B2 Community Business portion is designated Community Commercial in the future land use map, correlating to the current zoning and can remain B2.

2) Is there evidence that the owner(s) cannot receive a reasonable return on investment through developing the property with one of the uses permitted under the current zoning?

The property is currently developed and is existing nonconforming. Under the existing ordinance and PL zoning, those buildings being used for the self-storage use that are completely destroyed (cost to rebuild exceeds SEV) would not be able to rebuilt, per §122-205(4). This stands in contrast to those buildings extant in the M2 district, where any buildings that are (legal) nonconforming would be able to be rebuilt, provided such construction is completed within 18 months and is diligently pursued to completion, per §122-206(b)(4). Thus, the issue is not that of proximate economic return but long-term economic viability.

3) Are the uses permitted in the proposed zoning district compatible with existing surrounding land uses?

Yes. The self-storage site has low traffic volumes, low daily use, low noise, and few other externalities; it is, however, space-intensive and possibly considered unsightly. The majority of this use exists below-grade, is fenced, and has minimal on-street presence, consisting of a caretaker house/office, two driveways, a billboard, and signage on the Tyler frontage.

- 4) *Are city utilities and services sufficient to accommodate the uses permitted in the proposed zoning designation?*

Perhaps. For the current use, utilities are sufficient. Should a more-intense use be proposed, there may be issues of sanitary sewer availability; the neighboring use at 527 Tyler was found by YCUA to have no access, as the nearest access was more than 200' distant.

- 5) *Can the existing street system safely and efficiently accommodate the expected traffic generated by uses permitted in the proposed zoning district?*

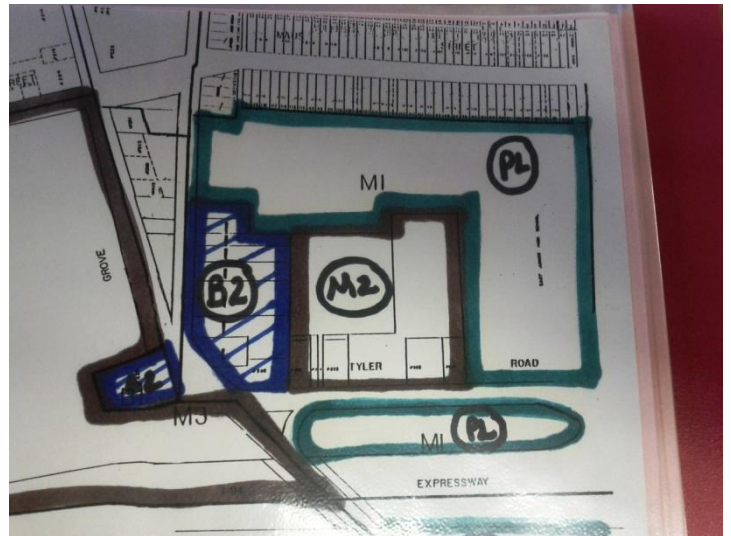
Yes. Per ITE trip generation rates, a single-bay automotive repair use generates up to ten trips per day. Per those same standards, a *new* car sales establishment with one sales person would generate up to twenty trips per day.

- 6) *Is there apparent demand for the types of uses permitted in the proposed zoning district compared to the amount of land in the City currently zoned and available to accommodate the demand?*

Yes. There are currently two self-storage facilities within Ypsilanti. Due to EMU, there is a relatively high demand baseline; both facilities in Ypsilanti appear to be operating at or near full capacity.

- 7) *The boundaries of the requested rezoning district are reasonable in relationship and development of the site will be able to meet the dimensional regulations for the proposed zoning district.*

Yes. The boundaries for rezoning encompass an area which was part of the property during the 1994 rezoning, which appears to have attempted to follow existing property lines in this block. It is reasonable to assume that had this office had correct information available, the portions of this property currently zoned PL would have been zoned M2.



- 8) *If the rezoning is appropriate, is the proposed designation the most appropriate considering all other districts, from the City's perspective?*

Yes.

- 9) *If the rezoning request is for a specific use, is rezoning the land more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use?*

Yes.

- 10) *Will the requested rezoning create an isolated and unplanned "spot zone"?*

No.

STAFF RECOMMENDATION

Staff recommends the Planning Commission recommend partial **approval** of the rezoning for 519-521 Tyler with the following findings:

1. The rezoning is consistent with the goals and policies of the 1998 Master Plan.
2. The proposed zoning of the site is consistent with existing and planned surrounding zoning districts and land uses.
3. Utilities and services as they exist are adequate for the self-storage and accessory uses.
4. The proposed boundary for the rezoning is appropriate, based on the existing character of the site, the uses permitted in the proposed and existing zoning districts, natural features, and the character and use of adjacent properties.
5. The rezoning will not result in an unplanned and isolated spot-zone.
6. The adjacent M2, General Manufacturing, designation is the most appropriate for this property.
7. The portion of the site currently designated B2, Community business retain the existing zoning designation.

Bonnie Wessler
Planner I, Community Development Department

c.c. File



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

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

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

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

**REQUEST FOR LEGISLATION**

DATE: April 23, 2013

FROM: John M. Barr, Ypsilanti City Attorney

SUBJECT: License agreement with Ford Motor Company for decontamination

**SUMMARY/BACKGROUND**

Ford Motor Company has been doing contamination remediation on city property at the intersection of Spring Street and Grove Road in the city. The license term has ended and Ford would like to continue the remediation with wells and monitoring under a new license agreement.

The proposed license would allow Ford to continue the efforts until December 31, 2017.

The clean up efforts would benefit both parties and approval is recommended.

ATTACHMENTS: Proposed License Agreement, site sketch, Rules

RECOMMENDED ACTION: Approval of the license and authority to sign

---

DATE RECEIVED: \_\_\_\_\_ AGENDA ITEM NO.

CITY MANAGER COMMENTS:

FOR AGENDA OF: \_\_\_\_\_ FINANCE DIR. APPROVAL

COUNCIL ACTION TAKEN:

## LICENSE AGREEMENT

THIS LICENSE, made this \_\_\_\_ day of February, 2013 ("Date of this License"), is entered into between the CITY OF YPSILANTI, a Michigan Incorporated City with offices at One South Huron Street, Ypsilanti, MI 48196, (hereinafter referred to as "Licensor,") and FORD MOTOR COMPANY, a Delaware corporation, with offices at The American Road, Dearborn, Michigan 48126, (hereinafter referred to as "Licensee").

### WITNESSETH:

WHEREAS, Licensor is the fee owner of a certain parcel of real property located at Spring Street Right-of-Way extending from the intersection with Grove Street to the Huron River, 111 Spring Street (Parcel Number 11-11-09-480-011), and S Grove Street (Parcel Number 11-11-09-480-009) in Ypsilanti, Michigan, as more particularly described and shown on the Exhibit A Parcels Map attached hereto and made a part hereof by reference (hereinafter referred to as the "Premises"); and

WHEREAS, Licensee is desirous of obtaining a License to enter and use the Premises for the purpose of performing environmental testing and remediation on the Premises, including, without limitation, the performance of soil borings and the installation and sampling of groundwater monitoring wells as more particularly described on Exhibit B attached hereto and made a part hereof by reference (herein referred to as the "Permitted Use"); and

WHEREAS, Licensor has agreed to allow Licensee to enter and use the Premises for the Permitted Use, subject to the terms of this License.

NOW, THEREFORE, in consideration of the terms and conditions contained herein, the parties hereto agree as follows:

1. Licensor for valuable consideration, the receipt and adequacy of which is hereby acknowledged, gives Licensee and its authorized employees, representatives, contractors and agents, a revocable License to enter and use the Premises for the Permitted Use.

2. This License shall be for a term commencing as of the Date of this License (hereinafter referred to as the "License Commencement Date") and terminating December 31, 2017 (hereinafter referred to as the "License Termination Date"), unless earlier terminated pursuant to the provisions of Paragraph 11 hereof.

3. Licensee certifies, represents, and declares that it has no title in and to the Premises of Licensor nor to any portion thereof and has not, does not, and will not claim any such title nor any easement over the Premises of Licensor.

4. All activities, operations, or work performed by Licensee, its agents, employees, contractors and invitees on and about the Premises shall be conducted with the least possible inconvenience to Licensor; and upon the License Termination Date or earlier termination as provided in Paragraph 11 hereof, Licensee shall, at its sole cost and expense, promptly remove all of Licensee's equipment from the Premises and promptly restore the Premises to substantially the condition existing as of the License Commencement Date, except that Licensee shall not be required to remove any installations such as monitoring wells which have been installed in order to continue the environmental testing or remediation of the Premises. Such monitoring wells shall at all times be and remain the property of Licensee.

5. Licensee shall, during the term of this License, keep the Premises in a safe, clean and proper condition. Licensee shall not during the term of the License install or place any permanent structures on the Premises. Licensor acknowledges that Licensee may erect a fence on the Premises to protect any installations such as monitoring wells provided the fence is removed on or prior to the License Termination Date or earlier termination as provided in Paragraph 11 hereof.

## LICENSE AGREEMENT

6. Licensors shall, at all times, have the right to make such other use of the Premises as shall not be inconsistent with Licensee's exercise of the License hereby granted to it.

7. Licensee shall indemnify and save harmless Licensors and its subsidiaries and affiliates and their respective officers, directors, employees, contractors and agents (herein collectively referred to as the "Indemnitees") from and against any and all suits, liabilities, obligations, losses, damages, penalties, or claims (collectively referred to as the "Claims"), which may be imposed upon or incurred by or asserted against the Indemnitees or any of them, by reason of actual or alleged (i) injury or death to persons (including, without limitation, employees of one or more of the Indemnitees or of Licensee and employees of its contractors, subcontractors, vendors, or agents), (ii) damage to the property of any person or legal entity (including, without limitation, the property of one or more of the Indemnitees and the property of its contractors, subcontractors, vendors, agents or employees), arising from or in any manner based upon or relating to the exercise by Licensee of any rights or privileges granted it hereunder. However, the foregoing indemnity shall not apply to the extent that such Claims are caused by the gross negligence or willful misconduct of Licensors, its affiliated entities or its employees, agents or contractors or assigns.

8. Licensee shall, in the exercise of the rights and privileges granted by this License, adhere to and comply with all laws, ordinances, rules and regulations applicable to its activities, operations and work performed upon, or use of, the Premises.

9. Licensee may not assign this License.

10. This License is granted subject to existing rights, if any, of third parties.

11. This License shall cease and terminate, without the necessity of the execution of any further documents upon (a) the completion of the term of this License, or (b) in the event Licensee is in default with respect to any of its obligations hereunder, Licensors may immediately terminate this License upon giving 10 (ten) days' written notice to Licensee; provided, however, in the event Licensee cures such default within such 10 (ten) day period, the License shall remain in full force and effect.

12. This License may not be changed orally but only by an instrument in writing signed by both Licensors and Licensee.

13. All notices provided for or desired to be sent by the parties shall be in writing, and shall be deemed to have been fully given when deposited in the United States mail via prepaid certified mail, or by prepaid overnight mail delivery service providing written evidence of delivery, and addressed as follows:

If to Licensors:

Ralph A. Lange,  
City Manager  
Office of the City Manager  
City Of Ypsilanti  
One South Huron Street  
Ypsilanti, MI 48197

If to Licensee:

Glen Logan, Manager  
Worldwide Environmental Support  
Environmental Quality Office  
Ford Motor Company  
290 Town Center Drive, Suite 800  
Dearborn, MI 48126

## LICENSE AGREEMENT

With a copy to:

Ford Motor Land Development Corporation  
330 Town Center Drive, Suite 1100  
Dearborn, MI 48126  
Attention: Counsel – Real Estate

14. This License may be executed in any number of counterparts, each of which so executed shall be deemed to be an original, and such counterparts shall together constitute one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have duly executed this License as of the Date of this License.

WITNESS:

\_\_\_\_\_  
  
\_\_\_\_\_

LICENSOR: CITY OF YPSILANTI

By: \_\_\_\_\_  
Paul Schreiber, Mayor

By: \_\_\_\_\_  
Frances McMullan, City Clerk

WITNESS:

\_\_\_\_\_  
  
\_\_\_\_\_

LICENSEE: FORD MOTOR COMPANY

By: \_\_\_\_\_  
Corporate Secretary or Assistant Secretary

Approved as to form:

\_\_\_\_\_  
John M. Barr, Ypsilanti City Attorney



Resolution No. 2013-066  
April 23, 2013

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI** that:

The certain License agreement between the City of Ypsilanti and Ford Motor Company to allow Ford Motor Company to continue environmental clean up efforts on city property at the corner of Spring Street and Grove Road in the City of Ypsilanti is approved and the Mayor and City Clerk are authorized to sign for the city, subject to the approval of the City Attorney.

OFFERED BY: \_\_\_\_\_

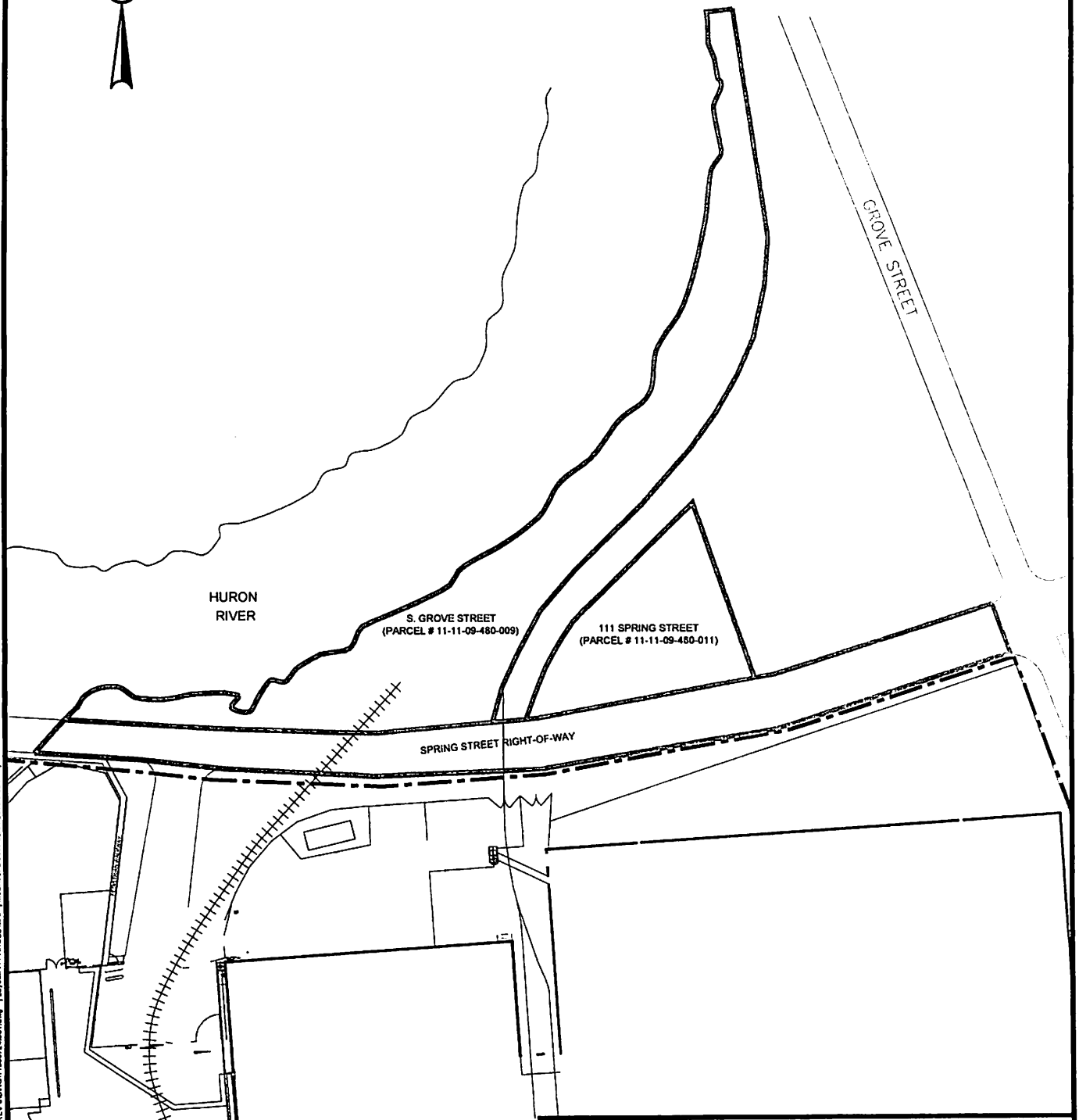
SUPPORTED BY: \_\_\_\_\_

YES:            NO:            ABSENT:            VOTE:

## EXHIBIT B – PERMITTED USE

### RULES AND REGULATIONS

1. The Work will be coordinated with Licensor.
2. Licensor will be provided with the results of the Work and Licensee's testing and investigations upon Licensor's request.
3. No monitoring equipment will be installed above ground level without notice to Licensor.
4. Upon closure of the site, proper closure of any monitoring wells will be provided.
5. Any investigation and remediation waste materials (including soil cuttings and purge water) generated during the Work will be properly contained, removed from the Premises and properly disposed of by Licensee.
6. Licensee will be responsible for locating any underground utilities or other underground objects prior to performing drilling or excavation work. MISS DIG System Inc. will be informed as part of this process and attempts will be made to locate private utilities with a private utility locator.
7. Any open holes shall be satisfactorily covered when the Licensee is not physically working at the Premises. Large open holes, e.g. excavations, shall be surrounded by fencing.
8. Borings will be completely backfilled with a concrete/bentonite mixture and sealed with asphalt patch if located in asphalt paved areas.
9. No equipment or tools will be stored on the Premises without Licensor's prior consent.
10. Licensor shall not suffer any mechanics' or materialmen's liens of any kind to be enforced against the Premises on account of the Work.
11. Licensee will use only OSHA-trained personnel to perform the Work where hazardous wastes or materials may be encountered.
12. Licensee will prepare and submit to Licensor a site health and safety plan prior to performing the Work.
13. Monitoring wells will be properly sealed and finished in a traffic-rated well protection device where necessary. A sealing plug will be installed and maintained to prevent surface infiltration.
14. Monitoring wells will not be placed within existing parking spaces, but may be placed on the line separating parking spaces.



LEGEND

----- PROPERTY LINE

0 75 150 225  
SCALE FEET

PROJECT

CITY OF YPSILANTI  
ANGSTROM YPSILANTI PLANT  
YPSILANTI, MICHIGAN

TITLE

PARCELS MAP  
ACCESS AGREEMENT



Golder  
Associates

|                       |     |            |                      |
|-----------------------|-----|------------|----------------------|
| PROJECT No. 113-88724 |     |            | FILE No. 11388724001 |
| DESIGN                | RC  | 2013-02-01 | SCALE AS SHOWN       |
| CADD                  | DJC | 2013-02-01 |                      |
| CHECK                 |     |            |                      |
| REVIEW                |     |            |                      |

EXHIBIT A

K:\Projects\11-Project\113-88724-ACH Ypsilanti Access Agreement\REV\DWG\11388724001.dwg [Layout: A-Parcel Map] [Modified: D:\ss 02/01/2013 3:32 PM] [Plotted: D:\ss 02/01/2013]

**John M. Barr**

---

**From:** Tucker, Lynn (L.M.) [ltucke33@ford.com]  
**Sent:** Tuesday, April 09, 2013 11:51 AM  
**To:** John M. Barr  
**Subject:** City of Ypsilanti Access Agreement Renewal - Requested Information  
**Attachments:** 2013-03-05 Nov GW Sampling Results.pdf

Mr. Barr,

I apologize for my delay in providing you the information related to Ford's access agreement renewal request to the City. As we discussed previously, we would like to execute another access agreement with the City while we complete additional remediation work on the former ACH Ypsilanti Plant property, now the Angstrom Ypsilanti Plant property. Golder & Associates, on behalf of Ford Motor Company, has been implementing an in-situ remediation program on the Angstrom site. We require access to the City property for sampling of monitoring wells that we installed on the property under the previous agreement.

In May 2011, Ford Motor Company conducted an in-situ remediation program at the Angstrom Ypsilanti Plant to treat hexavalent chromium impacts in the soil and groundwater. As part of the remediation program Ford has been conducting groundwater sampling and analysis to monitor for the migration of the metal manganese in groundwater. Manganese results from the breakdown of the hexavalent chromium. To date, none of the manganese concentrations in the groundwater samples from the wells located to the north of Spring Street on the City of Ypsilanti / Ypsilanti Communities Utility Authority property have been above the manganese action level of 0.860 mg/L established in the Response Action Plan accepted by the Michigan Department of Environmental Quality.

I have attached our most current quarterly monitoring report that is submitted to Mr. Ralph Lange on a quarterly basis. If you require more detail, please let me know. As we have done in the past, I am available to attend a City Council meeting and/or meet ahead of that meeting to discuss the project.

Thanks,  
Lynn

**Lynn M. Tucker**  
Ford EQO - Site Assessment and Remediation  
Fairlane Plaza North  
290 Town Center Drive, Suite 800 | Dearborn, MI 48126  
Phone: 313.248.7552 | Fax: 313.248.5030 | Cell: 248.891.1677

4/11/2013



March 5, 2013

Project No. 11388724

Mr. Ralph Lange  
City Manager  
City of Ypsilanti  
1 South Huron Street  
Ypsilanti, Michigan 48197

**RE: NOVEMBER 2012 GROUNDWATER SAMPLING RESULTS  
ANGSTROM YPSILANTI SITE  
128 SPRING STREET  
INSITU REMEDIATION PROGRAM**

Dear Mr. Lange:

Golder Associates Inc. on behalf of Ford Motor Company (Ford) is providing the results of the November 2012 groundwater sampling events at the Angstrom Ypsilanti Site. Attached to this letter are the summary table and figure for the November 2012 groundwater sampling results. The summary table includes the monthly groundwater manganese results for each well since June 2011 for comparison purposes.

In November, the manganese groundwater concentrations in onsite wells MW-008, SB-250, and SB-254 located near the northern property boundary exceeded the manganese action level (0.860 mg/L) established in the *Response Action Plan*. However, no exceedances of the action level were detected in the groundwater samples from the offsite monitoring wells. The manganese concentrations in the monitoring wells located near the property boundary has continued to generally decrease since the previous sampling event in August.

The next groundwater sampling event for manganese will be conducted in February 2013.

If you have any questions regarding the content of this letter, please contact me at (248) 295-0135.

Sincerely,

[Redacted] INC.

[Redacted Signature]

Rob Card  
Senior Engineer

[Redacted Signature]

Tim Cook  
Senior Geologist

cc: Lynn Tucker, Ford EQO  
Adam Bruckner, Angstrom  
Kevin Lund, MDEQ

**Attachments:**

Figure 1 – November 2012 Groundwater Sampling Results  
Table 1 – Groundwater Sample Manganese Analytical Results

2013-03-05 Nov GW Sampling Results.docx

Golder Associates Inc.  
51229 Century Court  
Wixom, MI 48393 USA

Tel: (248) 295-0135 Fax: (248) 295-0133 www.golder.com

Golder Associates: Operations in Africa, Asia, Australasia, Europe, North America and South America

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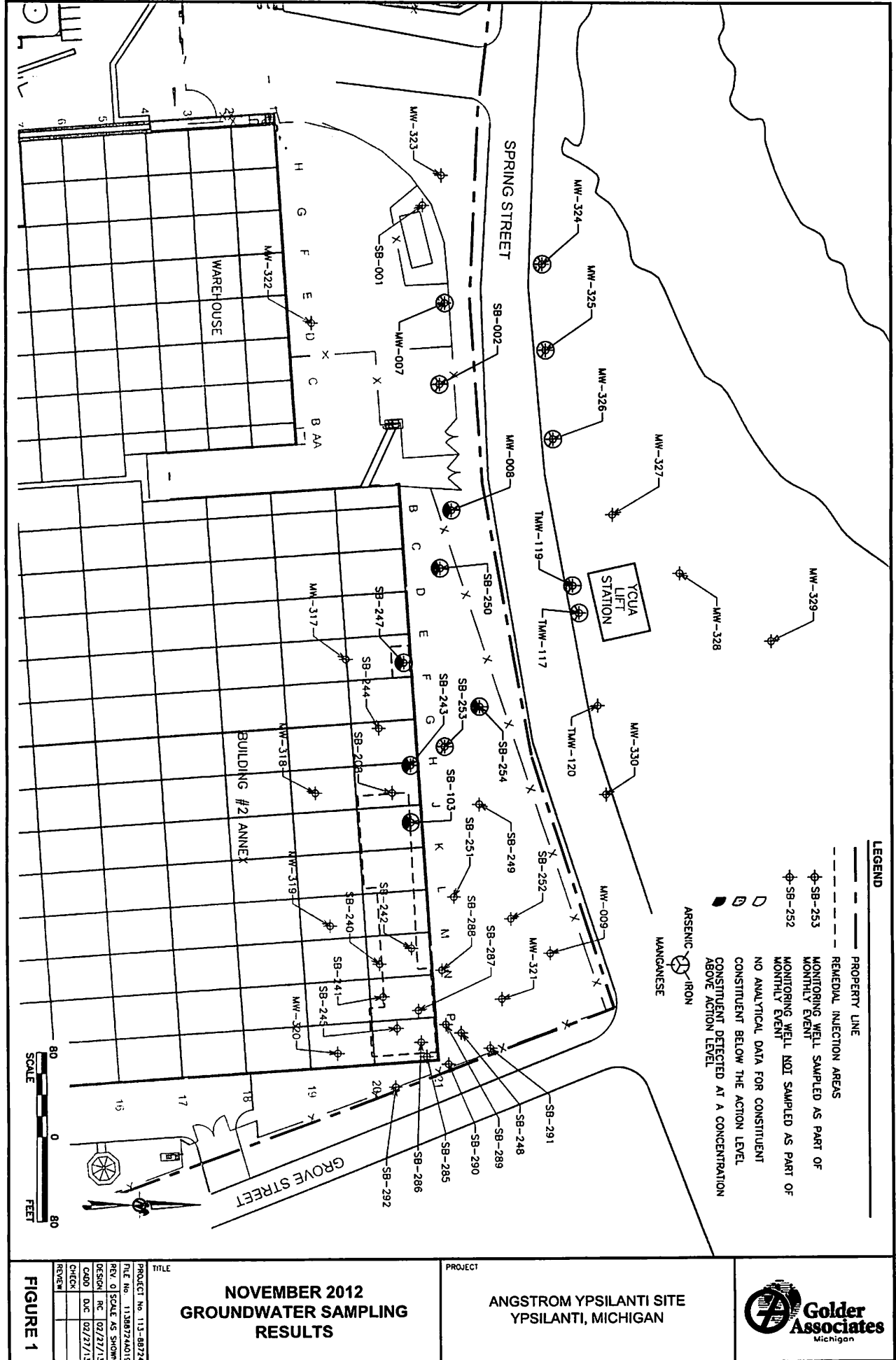


Table 1  
Groundwater Sample Manganese Analytical Results  
Angstrom Ypsilanti Site

| Well    | Month and Year |           |           |            |           |           |           |           |           |           |           |          |           |           |           |           |
|---------|----------------|-----------|-----------|------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|----------|-----------|-----------|-----------|-----------|
|         | June 2011      | July 2011 | Aug. 2011 | Sept. 2011 | Oct. 2011 | Nov. 2011 | Dec. 2011 | Jan. 2012 | Feb. 2012 | Mar. 2012 | Apr. 2012 | May 2012 | June 2012 | July 2012 | Aug. 2012 | Nov. 2012 |
| MW-007  | NA             | NA        | 0.018     | 0.051      | <0.015    | 0.036     | 0.024     | <0.015    | <0.015    | 0.028     | 0.105     | 0.027    | 0.051     | 0.027     | 0.007     | 0.026     |
| MW-008  | 0.915          | 1.02      | 1.21      | 2.00       | 2.04      | 1.80      | 2.23      | 2.20      | 1.67      | 1.62      | 1.41      | 1.10     | 0.900     | 1.16      | 1.28      | 0.932     |
| MW-009  | 0.098          | 0.025     | 0.026     | 0.021      | 0.028     | 0.064     | NA        | NA        | NA        | NA        | NA        | NA       | NA        | NA        | NA        | NA        |
| SB-001  | NA             | NA        | <0.015    | 0.027      | 0.019     | 0.023     | <0.015    | <0.0075   | 0.0207    | 0.016     | <0.015    | NA       | NA        | NA        | NA        | NA        |
| SB-002  | NA             | 2.80      | 3.08      | 4.13       | 1.71      | 3.74      | 5.37      | 6.36      | 4.97      | 2.69      | 2.02      | 1.80     | 1.60      | 1.26      | 1.18      | 0.738     |
| SB-103  | 0.537          | 0.021     | 0.823     | 0.439      | 7.07      | 2.70      | 2.01      | 1.87      | 1.68      | 1.52      | 1.13      | 1.12     | 1.10      | 1.03      | 1.15      | 1.10      |
| SB-208  | <0.015         | <0.015    | <0.015    | 0.393      | 1.37      | 6.02      | 3.66      | 2.63      | NA        | NA        | NA        | NA       | NA        | NA        | NA        | NA        |
| SB-240  | 2.53           | 4.53      | 3.05      | 3.06       | 2.17      | 2.00      | NA        | NA        | NA        | NA        | NA        | NA       | NA        | NA        | NA        | NA        |
| SB-241  | 7.41           | 5.81      | 2.53      | 2.03       | 1.37      | 1.12      | NA        | NA        | NA        | NA        | NA        | NA       | NA        | NA        | NA        | NA        |
| SB-242  | 0.017          | 0.038     | 0.312     | 0.516      | 0.408     | 0.529     | NA        | NA        | NA        | NA        | NA        | NA       | NA        | NA        | NA        | NA        |
| SB-243  | 4.66           | 2.37      | 5.56      | 6.19       | 2.96      | 1.49      | 1.33      | 0.928     | 0.851     | 0.823     | 0.680     | 0.707    | 0.750     | 0.814     | 0.991     | 1.02      |
| SB-244  | 0.248          | 0.415     | 0.572     | 0.554      | 0.681     | 0.741     | 0.768     | 0.595     | 0.541     | NA        | NA        | NA       | NA        | NA        | NA        | NA        |
| SB-245  | 10.5           | 5.33      | 2.43      | 1.55       | 1.36      | 1.21      | NA        | NA        | NA        | NA        | NA        | NA       | NA        | NA        | NA        | NA        |
| SB-247  | 1.82           | 8.66      | 3.36      | 2.25       | 1.55      | 1.25      | 2.17      | 1.62      | 1.26      | 1.14      | 0.933     | 0.839    | 0.790     | 0.871     | 0.930     | 0.952     |
| SB-249  | <0.015         | 0.050     | <0.015    | <0.015     | <0.015    | 0.037     | <0.015    | 0.024     | <0.015    | <0.015    | <0.015    | NA       | NA        | NA        | NA        | NA        |
| SB-250  | 2.35           | 1.82      | 1.29      | 1.51       | 5.30      | 0.991     | 1.09      | 0.796     | 1.68      | 1.00      | 0.948     | 1.42     | 0.650     | 0.894     | 0.938     | 0.891     |
| SB-251  | 0.273          | 0.262     | 0.599     | 0.370      | 0.148     | 0.125     | 0.108     | 0.105     | 0.0893    | NA        | NA        | NA       | NA        | NA        | NA        | NA        |
| SB-253  | 2.35           | 2.33      | 2.05      | 1.79       | 1.97      | 1.91      | 1.48      | 1.33      | 0.915     | 0.766     | 0.541     | 0.487    | 0.430     | 0.420     | 0.411     | 0.056     |
| SB-254  | NA             | 5.26      | 2.79      | 2.25       | 2.99      | 2.22      | 1.52      | 2.18      | NA        | 2.43      | 1.65      | 2.38     | 2.10      | 1.59      | 1.45      | 1.13      |
| SB-285  | <0.015         | <0.015    | <0.015    | <0.015     | <0.015    | <0.015    | NA        | NA        | NA        | NA        | NA        | NA       | NA        | NA        | NA        | NA        |
| SB-286  | 2.46           | 0.969     | 0.792     | 0.319      | 0.196     | 0.153     | NA        | NA        | NA        | NA        | NA        | NA       | NA        | NA        | NA        | NA        |
| SB-287  | 2.96           | 3.27      | 3.94      | 3.59       | 3.69      | 6.57      | NA        | NA        | NA        | NA        | NA        | NA       | NA        | NA        | NA        | NA        |
| SB-288  | 0.560          | 2.26      | 1.94      | 1.65       | 1.12      | 0.920     | 0.844     | 0.702     | 0.766     | NA        | NA        | NA       | NA        | NA        | NA        | NA        |
| SB-289  | <0.015         | <0.015    | <0.015    | <0.015     | <0.015    | <0.015    | NA        | NA        | NA        | NA        | NA        | NA       | NA        | NA        | NA        | NA        |
| TMW-117 | NA             | NA        | <0.015    | <0.015     | <0.015    | <0.015    | <0.015    | <0.015    | <0.0075   | <0.015    | <0.015    | <0.015   | <0.015    | <0.015    | <0.015    | <0.015    |
| TMW-119 | NA             | <0.015    | <0.015    | <0.015     | <0.015    | <0.015    | <0.015    | <0.0075   | <0.0075   | <0.015    | <0.015    | <0.015   | <0.015    | <0.015    | <0.015    | 0.229     |
| MW-321  | <0.015         | <0.015    | <0.015    | <0.015     | <0.015    | <0.015    | NA        | NA        | NA        | NA        | NA        | NA       | NA        | NA        | NA        | NA        |
| MW-324  | NA             | NA        | 0.468     | 0.383      | 0.331     | 0.048     | 0.141     | 0.095     | 0.234     | 0.130     | 0.232     | 0.297    | 0.270     | 0.277     | 0.285     | 0.346     |
| MW-325  | NA             | <0.015    | 0.210     | 0.225      | 0.168     | <0.015    | 0.166     | 0.095     | 0.118     | 0.027     | 0.118     | 0.253    | 0.290     | 0.222     | 0.299     | 0.340     |
| MW-326  | NA             | 0.486     | 0.476     | 0.365      | 0.469     | 0.442     | 0.425     | 0.603     | 0.422     | 0.636     | 0.517     | 0.686    | 0.520     | 0.628     | 0.561     | 0.494     |

Notes:  
Manganese concentrations highlighted in red exceed the action level of 0.860 mg/L established in the Response Action Plan, Chromium Impact Remediation, Former ACH Ypsilanti Site dated February 2011.



REQUEST FOR LEGISLATION  
April 23, 2013

From: Stan Kirton, Public Works Director

Subject: Application to Local Bridge Program for Forest Avenue Bridge

---

SUMMARY & BACKGROUND:

The bridge located on Forest Avenue over the Huron River was constructed in 1964 and rehabilitated in 1995. The bi-annual bridge inspections conducted by Orchard, Hiltz and McCliment (OHM) in 2013 revealed significant deficiencies in the piers and slope protection. Also, noted were cracks developing in the concrete bridge deck. Over time, these cracks can allow moisture to penetrate and cause damage to the deck, routed joints and the beams. To increase the life of the structure it is recommended that an epoxy overlay be placed on the bridge deck to prevent moisture penetration.

Based on their bridge inspection OHM recommends that the City Council authorizes the Director of Public Services and Orchard, Hiltz and McCliment to submit application to the Michigan Department of Transportation to include the Forest Avenue Bridge on the State and Federal Local Bridge – 2016 Local Bridge Program as a priority preventative project. The City will apply for priority preventative maintenance as opposed to priority rehabilitation which will be a less costly project.

Staff concurs with OHM and recommends City Council authorizes the Public Services Director and OHM to submit application for the 2016 Local Bridge Program.

RECOMMENDED ACTION: Approval

ATTACHMENTS: Resolution, Program Application

---

CITY MANAGER APPROVAL: \_\_\_\_\_ COUNCIL AGENDA DATE: April 23, 2013

CITY MANAGER COMMENTS: \_\_\_\_\_

FISCAL SERVICES DIRECTOR APPROVAL: \_\_\_\_\_



Resolution No. 2013 - 067  
April 23, 2013

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

Whereas, the bridge located on Forest Ave. over the Huron River in the City of Ypsilanti was constructed in 1964; and

Whereas, the City of Ypsilanti had a bridge inspection completed in 2013, which notes significant deficiencies in the piers and slope protection as well as the bridge deck; and

WHEREAS, based on the findings and recommendations of the City's consulting engineers, Orchard, Hiltz and McCliment (OHM), the Director of Public Services recommends that the City Council authorizes the Director of Public Services and Orchard, Hiltz and McCliment to submit application to the Michigan Department of Transportation to include the Forest Avenue Bridge on the State and Federal Local Bridge – 2016 Local Bridge Program as a priority for preventative maintenance.

NOW THEREFORE BE IT RESOLVED THAT, the City is actively seeking financial participation to repair the Forest Avenue Bridge, and City Council authorizes the Director of Public Services and Orchard, Hiltz and McCliment to make application to the Michigan Department of Transportation to include the Forest Avenue Bridge on the 2016 State and Federal Local Bridge Programs for priority preventative maintenance.

OFFERED BY: \_\_\_\_\_

SUPPORTED BY: \_\_\_\_\_

YES:                      NO:                      ABSENT:                      VOTE:

|                                                                                                                    |                             |                  |                       |                   |                          |                   |                        |  |                                                                                  |
|--------------------------------------------------------------------------------------------------------------------|-----------------------------|------------------|-----------------------|-------------------|--------------------------|-------------------|------------------------|--|----------------------------------------------------------------------------------|
| <b>Facility</b>                                                                                                    | <b>Federal Structure ID</b> |                  | <b>Inspector Name</b> |                   | <b>Agency/Consultant</b> |                   | <b>Inspection Date</b> |  | <b>Legend</b><br>9 New<br>7-8 Good<br>5-6 Fair<br>3-4 Poor<br>2 or Less Critical |
| FOREST AVENUE                                                                                                      | 814747800054B03             |                  | KIMBERLY OR..         |                   | ORCHARD, HILTZ & ..      |                   | 05/09/2011             |  |                                                                                  |
| <b>Feature</b>                                                                                                     | <b>Latitude</b>             | <b>Longitude</b> | <b>Struc Num</b>      | <b>Insp Freq</b>  | <b>Insp Key</b>          |                   |                        |  |                                                                                  |
| HURON RIVER                                                                                                        | 42 14' 57.22"               | 83 36' 45.62"    | 11090                 | 24                | PCVK                     |                   |                        |  |                                                                                  |
| <b>Location</b>                                                                                                    | <b>Length</b>               | <b>Width</b>     | <b>Year Built</b>     | <b>Year Recon</b> | <b>Br Type</b>           | <b>Scour Eval</b> | <b>No.Pins</b>         |  |                                                                                  |
| IN CITY OF YPSILANTI                                                                                               | 148                         | 59.71            | 1964                  | 1995              | 5                        | 32                | U                      |  |                                                                                  |
| <div style="display: flex; justify-content: space-around;"> <span>07</span> <span>09</span> <span>11</span> </div> |                             |                  |                       |                   |                          |                   |                        |  |                                                                                  |

## NBI INSPECTION

|                                         |   |   |   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-----------------------------------------|---|---|---|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Surface<br>SIA-58A                   | 6 | 6 | 6 | Spalling and patching at the east reference line. One spall (1x1/2) in the west span near the pier. One longitudinal on the south half of the deck. Several longitudinal, transverse and areas of map cracking on the north half of the deck. ( 11)<br>Spalling and patching at the east reference line. One spall (1x1/2) in the west span near the pier. One longitudinal on the south half of the deck. Several longitudinal, transverse and areas of map cracking on the north half of the deck. ( 09)<br>Spalling and patching at the east reference line. One spall (1x1/2) in the west span near the pier. One longitudinal on the south half of the deck. Several longitudinal, transverse and areas of map cracking on the north half of the deck. ( 07) |
| 2. Expansion<br>Jts                     | 6 | 6 | 6 | Deck beginning to crack along the reference line joints. Debris build up at the pier joint. ( 11)<br>Deck beginning to crack along the reference line joints. Debris build up at the pier joint. ( 09)<br>Deck beginning to crack along the reference line joints. Debris build up at the pier joint. ( 07)                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 3. Other<br>Joints                      | 6 | 6 | 6 | Some efflorescence along longitudinal construction joint. ( 11)<br>Some efflorescence along longitudinal construction joint. ( 09)<br>Longitudinal construction joint is in good condition. ( 07)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 4. Railings                             | 7 | 7 | 7 | Minor surface corrosion is several areas on the tubes and connections. ( 11)<br>Minor surface corrosion is several areas on the tubes and connections. ( 09)<br>Surface corrosion is several areas on the tubes and connections. ( 07)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 5. Sidewalks<br>or curbs                | 7 | 7 | 7 | A few transverse cracks and minor abrasion. Longitudinal crack 6' behind curb face on south sidewalk. 8' spall to steel on south fascia of west span. ( 11)<br>A few transverse cracks and minor abrasion. Longitudinal crack 6' behind furb face on south sidewalk. 8' spall to steel on south fascia of west span. ( 09)<br>A few transverse cracks and minor abrasion. ( 07)                                                                                                                                                                                                                                                                                                                                                                                   |
| 6. Deck<br>Bottom<br>Surface<br>SIA-58B | 7 | 7 | 7 | Some diagonal cracks at backwall with some leaching. Efflorescence along construction joint. ( 11)<br>Some diagonal cracks at backwall with some leaching. Efflorescence along construction joint. ( 09)<br>Some diagonal cracks at backwall with some leaching. Efflorescence along construction joint. ( 07)                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 7. Deck<br>SIA-58                       | 7 | 7 | 7 | Few cracks on bottom surface are minor. ( 11)<br>Few cracks on bottom surface are minor. ( 09)<br>Few cracks on bottom surface are minor. ( 07)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 8. Drainage                             |   |   |   | Deck drains are open. ( 11)<br>Deck drains are open. ( 09)<br>Minor erosion in the southeast quad. ( 07)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 9. Stringer<br>SIA-59                   | 7 | 7 | 7 | Some cracking on the bottom flange at the pier at the bearings. North end diaphragms in both spans have spalled along bottom with rebar exposed. ( 11)<br>Some cracking on the bottom flange at the pier at the bearings. North end diaphragms in both spans have spalled along bottom with rebar exposed. ( 09)<br>Some cracking on the bottom flange at the pier at the bearings. North end diaphragms in both spans have spalled along bottom with rebar exposed. ( 07)                                                                                                                                                                                                                                                                                        |
| 10. Paint<br>SIA-59A                    | N | N | N | ( 11)<br>( 09)<br>( 07)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 11. Section<br>Loss                     | N | N | N | ( 11)<br>( 09)<br>( 07)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 12. Bearings                            | 6 | 6 | 6 | Fascia bearing at the south pier is close to being undermined at the spalled pier cap. ( 11)<br>Fascia bearing at the south pier is close to being undermined at the spalled pier cap. ( 09)<br>Fascia bearing at the south pier are close to being undermined at the spalled pier cap. ( 07)                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

**NBI INSPECTION**Page 2

|                      |                             |                       |                          |                        |                 |                   |                |                    |
|----------------------|-----------------------------|-----------------------|--------------------------|------------------------|-----------------|-------------------|----------------|--------------------|
| <b>Facility</b>      | <b>Federal Structure ID</b> | <b>Inspector Name</b> | <b>Agency/Consultant</b> | <b>Inspection Date</b> | <b>Legend</b>   |                   |                |                    |
| FOREST AVENUE        | 814747800054B03             | KIMBERLY OR..         | ORCHARD, HILTZ & ..      | 05/09/2011             | 9 New           |                   |                |                    |
| <b>Feature</b>       | <b>Latitude</b>             | <b>Longitude</b>      | <b>Struc Num</b>         | <b>Insp Freq</b>       | <b>Insp Key</b> | 7-8 Good          |                |                    |
| HURON RIVER          | 42 14' 57.22"               | 83 36' 45.62"         | 11090                    | 24                     | PCVK            | 5-6 Fair          |                |                    |
| <b>Location</b>      | <b>Length</b>               | <b>Width</b>          | <b>Year Built</b>        | <b>Year Recon</b>      | <b>Br Type</b>  | <b>Scour Eval</b> | <b>No.Pins</b> | 3-4 Poor           |
| IN CITY OF YPSILANTI | 148                         | 59.71                 | 1964                     | 1995                   | 5               | 5                 | U              | 2 or Less Critical |

☐ 07 ☐ 09 ☐ 11

## NBI INSPECTION

|                              |                               |                          |                          |                     |                          |                      |
|------------------------------|-------------------------------|--------------------------|--------------------------|---------------------|--------------------------|----------------------|
| <b>Guard Rail</b>            | <b>Crit Feat Insp(SIA-92)</b> | <b>Freq</b>              | <b>Date</b>              | 71 Watr Adeq        | 8                        | <b>General Notes</b> |
| 36A <input type="checkbox"/> |                               |                          |                          | 72 Appr Align       | 7                        |                      |
| 36B <input type="checkbox"/> | 92A Frac Crit                 | <input type="checkbox"/> | <input type="checkbox"/> | Temp Supp           | <input type="checkbox"/> |                      |
| 36C <input type="checkbox"/> | 92B Und. Watr                 | <input type="checkbox"/> | <input type="checkbox"/> | Hi Ld Hit (M)       | <input type="checkbox"/> |                      |
| 36D <input type="checkbox"/> | 92C Spl.Insp                  | <input type="checkbox"/> | <input type="checkbox"/> | Special Insp Equip. | <input type="checkbox"/> |                      |
|                              | Fatg Sntv.Insp                | 0                        | -                        |                     |                          |                      |

## MDOT Bridge ID

8174784 0005400B03

## Control Section

8174784 0..

| NBI Bridge ID   | Struct Num | Region | TSC | County | City Resp | City Location | 7- Facility Carried |
|-----------------|------------|--------|-----|--------|-----------|---------------|---------------------|
| 814747800054B03 | 11090      | 06     | 6B  | 81     | 7478      | 7478          | FOREST AVENUE       |

| 6- Feature Intersected | 9- Location          | Latitude      | Longitude     | Owner | Maint Resp |
|------------------------|----------------------|---------------|---------------|-------|------------|
| HURON RIVER            | IN CITY OF YPSILANTI | 42 14' 57.22" | 83 36' 45.62" | 4     | 4          |

## Bridge History, Type, Materials

|                            |      |
|----------------------------|------|
| 27 - Year Built            | 1964 |
| 106 - Year Reconstructed   | 1995 |
| 202 - Year Painted         |      |
| 203 - Year Overlay         |      |
| 43 - Main Span Bridge Type | 5 32 |
| 44 - Appr Span Bridge Type |      |
| 77 - Steel Type            | 0    |
| 78 - Paint Type            | 0    |
| 79 - Rail Type             | 3    |
| 80 - Post Type             | 0    |
| 107 - Deck Type            | 1    |
| 108A - Wearing Surface     | 1    |
| 108B - Membrane            | 0    |
| 108C - Deck Protection     | 0    |

## Structure Dimensions

|                           |       |
|---------------------------|-------|
| 34 - Skew                 | 20    |
| 35 - Struct Flared        | 0     |
| 45 - Num Main Spans       | 2     |
| 46 - Num Apprs Spans      | 0     |
| 48 - Max Span Length      | 86    |
| 49 - Structure Length     | 148   |
| 50A - Width Left Curb/SW  | 4.92  |
| 50B - Width Right Curb/SW | 4.92  |
| 33 - Median               | 0     |
| 51 - Width Curb to Curb   | 48.0  |
| 52 - Width Out to Out     | 59.71 |
| 112 - NBIS Length         | Y     |

## Inspection Data

|                             |            |
|-----------------------------|------------|
| 90 - Inspection Date        | 05/09/2011 |
| 91 - Inspection Freq        | 24         |
| 92A - Frac Crit Req/Freq    | N          |
| 93A - Frac Crit Insp Date   |            |
| 92B - Und Water Req/Freq    | N          |
| 93B - Und Water Insp Date   |            |
| 92C - Oth Spec Insp Req/F.. | N          |
| 93C - Oth Spec Insp Date    |            |
| 176A - Und Water Insp Met.. |            |
| 58 - Deck Rating            | 7          |
| 58A - Deck Surface Rtg      | 6          |
| 59 - Superstructure Rating  | 7          |
| 59A - Paint Rating          | N          |
| 60 - Substructure Rating    | 4          |
| 61 - Channel Rating         | 7          |
| 62 - Culvert Rating         | N          |

## Navigation Data

|                            |   |
|----------------------------|---|
| 38 - Navigation Control    | 0 |
| 39 - Vertical Clearance    | 0 |
| 40 - Horizontal Clearance  | 0 |
| 111 - Pier Protection      |   |
| 116 - Lift Brgd Vert Clear |   |

## Route Carried By Structure(ON Record)

|                             |         |
|-----------------------------|---------|
| 5A - Record Type            | 1       |
| 5B - Route Signing          | 5       |
| 5C - Level of Service       | 0       |
| 5D - Route Number           | 02006   |
| 5E - Direction Suffix       | 0       |
| 10L - Best 3m Unclr-Lt      | 0 0     |
| 10R- Best 3m Unclr- Rt      | 99 99   |
| PR Number                   |         |
| Control Section             | 0       |
| 11- Mile Point              | 0.0     |
| 12- Base Highway Network    | 0       |
| 13- LRS Route-Subroute      | 000.. - |
| 19- Detour Length           | 2       |
| 20- Toll Facility           | 3       |
| 26- Functional Class        | 17      |
| 28A - Lanes On              | 4       |
| 29 - ADT                    | 7316    |
| 30 - Year of ADT            | 1997    |
| 32- Appr Roadway Width      | 48.0    |
| 32A/B - Ap Pvt Type/Width   | 5 48.0  |
| 42A- Service Type On        | 5       |
| 47L - Left Horizontal Clear | 0.0     |
| 47R- Right Horizontal Clear | 47.9    |
| 53- Min Vert Clr Ov Deck    | 99 99   |
| 100- STRAHNET               | 0       |
| 102 - Traffic Direct        | 2       |
| 109 - Truck %               | 0       |
| 110 - Truck Network         | 0       |
| 114 - Future ADT            | 10500   |
| 115 - Year Future ADT       | 2010    |
| Freeway                     | 0       |

## Structure Appraisal

|                          |   |
|--------------------------|---|
| 36A- Bridge Railing      | 1 |
| 36B-Rail Transition      | 1 |
| 36C- Approach Rail       | 1 |
| 36D- Rail Termination    | 0 |
| 67- Structure Evaluation |   |
| 68- Deck Geometry        |   |
| 69- Underclearance       |   |
| 71- Waterway Adequacy    | 8 |
| 72- Approach Alignment   | 7 |
| 103- Temporary Structure |   |
| 113- Scour Criticality   | U |

## Miscellaneous

|                             |   |
|-----------------------------|---|
| 37- Historical Significance | 5 |
| 98A- Border Bridge State    |   |
| 98B- Border Bridge %        |   |
| 101- Parallel Structure     | N |
| EPA ID                      |   |
| Stay in Place Forms         |   |

## Route Under Structure(UNDER Record)

|                             |       |
|-----------------------------|-------|
| 5A - Record Type            |       |
| 5B - Route Signing          |       |
| 5C - Level of Service       |       |
| 5D - Route Number           |       |
| 5E - Direction Suffix       |       |
| 10L - Best 3m Unclr-Lt      |       |
| 10R- Best 3m Unclr- Rt      |       |
| PR Number                   |       |
| Control Section             |       |
| 11- Mile Point              |       |
| 12- Base Highway Network    |       |
| 13- LRS Route-Subroute      |       |
| 19- Detour Length           |       |
| 20- Toll Facility           |       |
| 26- Functional Class        |       |
| 28A - Lanes Under           |       |
| 29 - ADT                    |       |
| 30 - Year of ADT            |       |
| 42B- Service Type Under     | 5     |
| 47L - Left Horizontal Clear |       |
| 47R- Right Horizontal Clear |       |
| 54A - Left Feature          | N     |
| 54B- Left Underclearance    | 99 99 |
| 54C- Right Feature          | N     |
| 54D- Right Underclearance   | 99 99 |
| Under Clearance Year        |       |
| 55A - Reference Feature     | N     |
| 55B- Right Horiz Clearance  | 327.8 |
| 56- Left Horiz Clearance    | 0     |
| 100- STRAHNET               |       |
| 102 - Traffic Direct        |       |
| 109 - Truck %               |       |
| 110 - Truck Network         |       |
| 114 - Future ADT            |       |
| 115 - Year Future ADT       |       |
| Freeway                     |       |

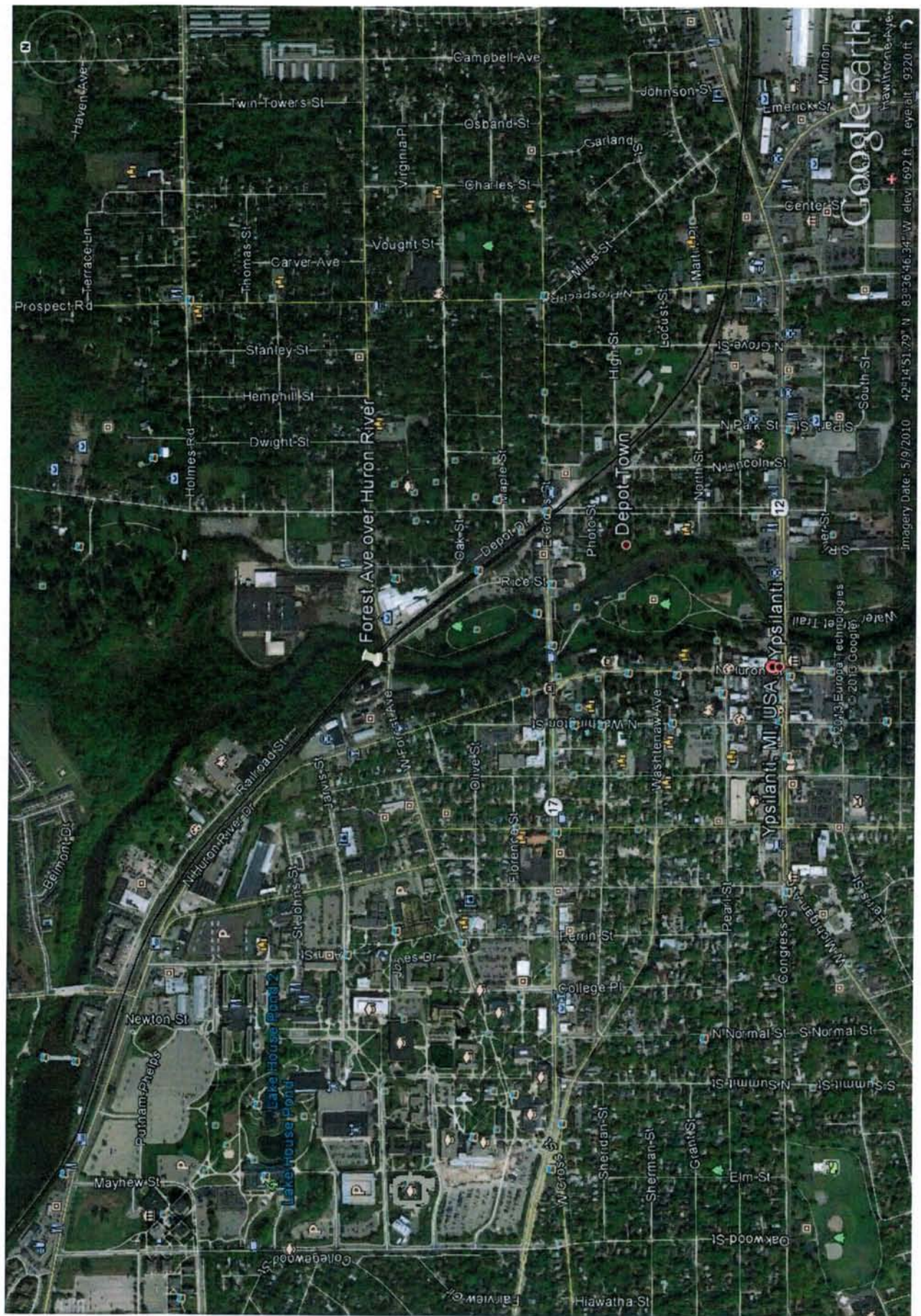
## Proposed Improvements

|                           |  |
|---------------------------|--|
| 75 - Type of Work         |  |
| 76- Length of Improvement |  |
| 94- Bridge Cost           |  |
| 95- Roadway Cost          |  |
| 96- Total Cost            |  |
| 97- Year of Cost Estimate |  |

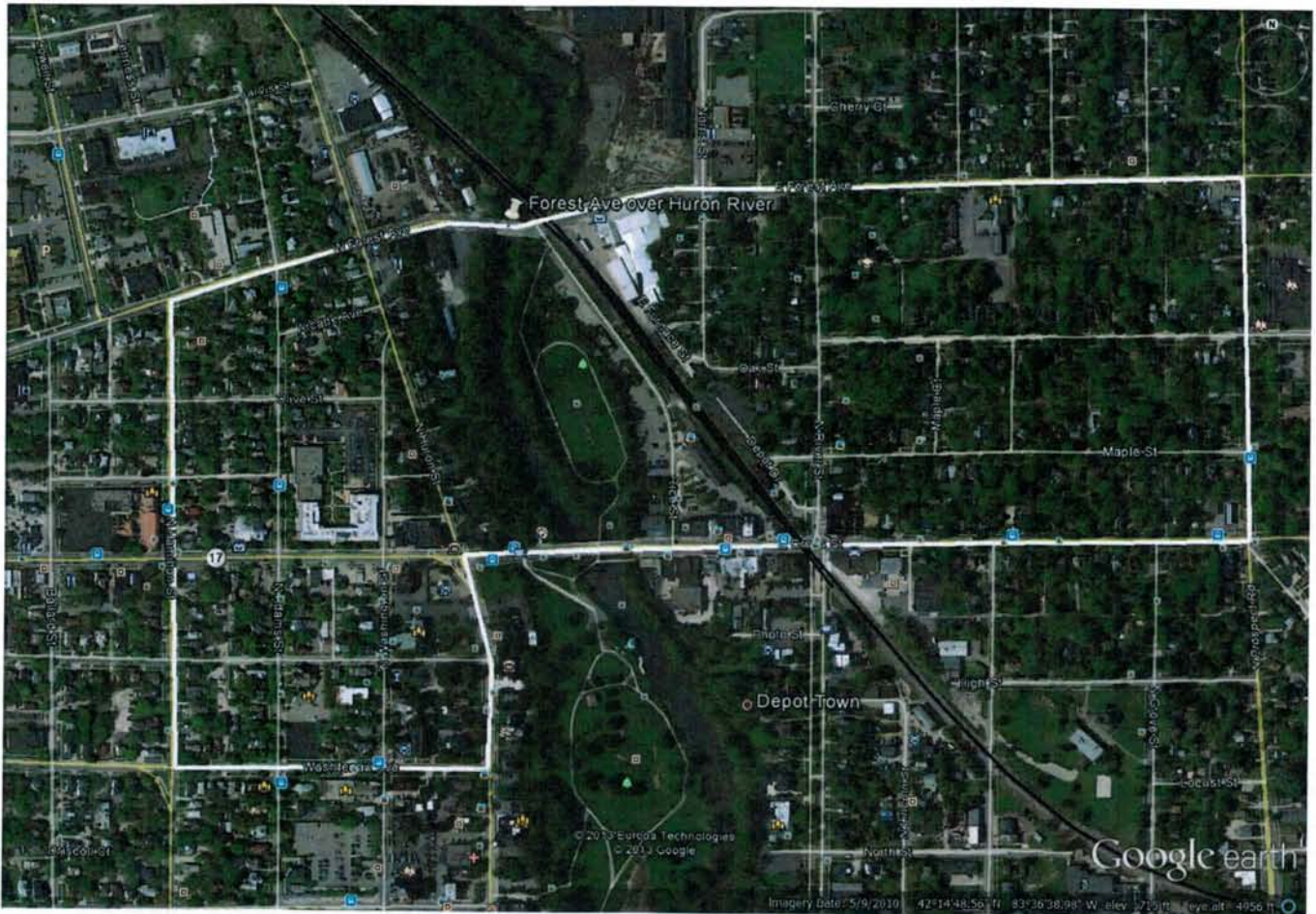
## Load Rating and Posting

|                          |       |
|--------------------------|-------|
| 31- Design Load          | 6     |
| 41- Open, Posted, Closed | A     |
| 63- Oper Rtg Method      | 2     |
| 64F- Fed Rtg Method      | 40.5  |
| 64M- Mich Oper Rtg       | 9 116 |
| 65- Inv Rtg Method       | 2     |
| 66- Inventory Load       | 32.7  |
| 70- Posting              | 5     |
| 141- Posted Loading      |       |
| 195- Analysis ID         |       |
| 193- Overload Class      |       |

## 2a. Situation Map



## 2b. Detour Map



Forest to Hamilton  
To Washtenaw  
To Huron  
To Cross  
To Prospect  
To Forest

Detour Length: 2.2 miles (Note: Forest is a minor arterial and detour utilizes minor arterial or greater road classifications. Huron and Hamilton and one-way roads and the detour shown is for EB traffic because it is longer than the WB detour.

**3 and 4. Photographs**



Looking east across structure



North Elevation



Surface with cracking



Surface with cracking



Spalling near the pier joint



East Reference Line Joint



West Reference Line Joint



Typical Underside



Pier, East Face, North Half



Pier, East Face, South Half



Pier, West Face, North Half



Pier, West Face, South Half



Pier deterioration in southwest quadrant



Pier deterioration in northwest quadrant

#### **4. Application Requirements for Forest Avenue over Huron River**

##### **A. Local Agency Contact Person**

Stan Kirton  
Director of Public Services  
(734) 483-1421

##### **B. The purpose of this application is for the preventative maintenance of the bridge carrying Forest Avenue over Huron River. Funding requested for epoxy overlay and concrete substructure patching.**

##### **C. Economic Importance of the Structure**

This structure is located in downtown Ypsilanti just north of the historic district, Depot Town. The bridge serves more than 7000 cars daily. The area to the south of the bridge is Frog Island Park. This area is used by the many residents of Ypsilanti as well as for the many different festivals the City hosts such as the Heritage Festival and the Elvis Fest. This structure is critical to maintaining ingress and egress to this important portion of the City. The City Department of Public Works Department is located on Forest Avenue in the northwest quadrant of the structure. This department is responsible for the City's public utilities. They use the Forest Avenue structure to access areas of the City east of the river. Without this structure they would need to use Cross Street which is in downtown Depot Town and can be difficult to traverse with the pedestrians and slow moving traffic, or Michigan Avenue which is further south and adds distance and time to response calls they receive.

The bridge was rehabilitated in 1995. The City is working hard to manage their assets to ensure they can provide the right fixes at the right time, which ultimately saves money for the City and the tax payers.

The existing precast I-beam superstructure is currently in good condition with only a couple of small deficiencies. The substructure is in fair to poor condition with deterioration on the pier cap. The existing concrete deck is experiencing cracking throughout the deck. Over time, these cracks can allow moisture to penetrate the deck causing damage to the deck, the routed joints and the beams. To increase the life of the structure it would be beneficial to place an epoxy overlay on the deck. This will seal all the cracks on the deck and prevent water from causing deterioration of the deck and eventually the superstructure and substructure. The northwest and southwest quadrants of the pier cap are spalling with exposed rebar. Although none of the bearings are currently affected the fascia bearing in the southwest quadrant is very close the spall. If the spall continues to get larger in size the bridge may become unstable and temporary supports, reduced load or complete closure may be necessary. If the spalls are repaired the bridge service life can be extended. The approach sidewalks have settled and replacement of them will eliminate any tripping hazards for pedestrians.

**D. If there is a current detour, what does it affect?**

Currently the bridge is open to traffic and there is no detour.

**E. If the structure were to be closed, what would the detour affect?**

If the structure were to be closed, the detour would affect the residents and businesses in the area. It would also affect the ability of the DPS to access the eastern portion of the City.

**F. The structure is not currently closed.**

**G. Maintenance of the Structure**

No maintenance has been done on this structure since its construction.

**6. Estimated Rehabilitation Costs**

|                                       |               |
|---------------------------------------|---------------|
| Epoxy Overlay and Substructure Repair |               |
| A. Approach Construction              | \$ 6,000.00   |
| B. Structure Construction             | \$ 198,000.00 |
| Total (A & B)                         | \$ 204,000.00 |

For a breakdown of Construction costs, see Appendix A.

**7. Priority List**

**1. Forest Avenue over Huron River**

**8. Resolution**

The resolution is attached in Appendix B.

**9. The Federal Sufficiency Rating for this structure is 52.5**

**10. Previous Applications**

It is understood that all previous applications have been discarded and that this application will be used to select funding.

## **APPENDIX A**

**2016 CALL FOR PROJECTS  
BRIDGE REPAIR COST ESTIMATE**

ENGINEER: KSO      DATE: 4/3/2013  
LOCATION: Forest over Huron River  
PRIMARY REPAIR STRATEGY: Epoxy Overlay

DECK AREA: 8,835.6 SFT  
DECK DIM: 148' x 59.7'

STRUCTURE ID: 5806

STR. TYPE: Spread Box Beam

| WORK ITEM                                                                    | QUANTITY | UNIT  | UNIT COST        | TOTAL               |
|------------------------------------------------------------------------------|----------|-------|------------------|---------------------|
| <b>NEW BRIDGE</b>                                                            |          |       |                  |                     |
| Multiple Spans, Concrete (add demo. & road approach & traffic control)       |          | SFT   | \$150.00 /SFT    |                     |
| Multiple Spans, Steel (as above)                                             |          | SFT   | \$180.00 /SFT    |                     |
| Single Span or Over Water, Concrete (as above)                               |          | SFT   | \$190.00 /SFT    |                     |
| Single Span or Over Water, Steel (as above)                                  |          | SFT   | \$210.00 /SFT    |                     |
| Pedestrian Bridge (includes removal, add traffic control)                    |          | SFT   | \$285.00 /SFT    |                     |
| Other                                                                        |          |       |                  |                     |
| <b>NEW SUPERSTRUCTURE</b>                                                    |          |       |                  |                     |
| Concrete (includes rem of old super, new railing, add t.c. & approach)       |          | SFT   | \$110.00 /SFT    |                     |
| Steel (as above)                                                             |          | SFT   | \$160.00 /SFT    |                     |
| Over Water (add to new superstructure cost)                                  |          | SFT   | \$28.00 /SFT     |                     |
| Other                                                                        |          |       |                  |                     |
| <b>WIDENING</b>                                                              |          |       |                  |                     |
| Added portion only, _____ ft of width (add road approach widening)           |          | SFT   | \$190.00 /SFT    |                     |
| Other                                                                        |          |       |                  |                     |
| <b>NEW DECK</b>                                                              |          |       |                  |                     |
| Includes removal of old deck & new railing (add t.c. & approach)             |          | SFT   | \$65.00 /SFT     |                     |
| Other                                                                        |          |       |                  |                     |
| <b>DEMOLITION</b>                                                            |          |       |                  |                     |
| Entire bridge, grade separation                                              |          | SFT   | \$27.00 /SFT     |                     |
| Entire bridge, over water                                                    |          | SFT   | \$36.00 /SFT     |                     |
| Other                                                                        |          |       |                  |                     |
| <b>SUPERSTRUCTURE REPAIR</b>                                                 |          |       |                  |                     |
| Concrete Deck Patch (includes hand chipping)                                 | 100.0    | SFT   | \$33.00 /SFT     | \$3,300.00          |
| Full Depth Patch                                                             |          | SFT   | \$70.00 /SFT     |                     |
| HMA Cap (no membrane - add bridge rail if req'd)                             |          | SFT   | \$1.20 /SFT      |                     |
| HMA Overlay with WP membrane (add bridge rail if req'd)                      |          | SFT   | \$4.50 /SFT      |                     |
| Removal of Concrete Wearing Course (latex)                                   |          | SFT   | \$2.00 /SFT      |                     |
| Removal of HMA Overlay or Epoxy Overlay                                      |          | SFT   | \$1.00 /SFT      |                     |
| Epoxy Overlay                                                                | 789.3    | SYD   | \$34.00 /SYD     | \$26,837.33         |
| Shallow Overlay (includes joint replmt & hydro, add bridge rail if req'd)    |          | SFT   | \$23.00 /SFT     |                     |
| Deep Overlay (includes joint replmt & hydro, add bridge rail if req'd)       |          | SFT   | \$24.00 /SFT     |                     |
| PCI Beam End Repair (\$2000-\$4000 per beam end)                             |          | EA    | \$3,000.00 EA    |                     |
| Repair Structural Steel (\$2000 bolted, \$6000 welded)                       |          | EA    | \$5,000.00 EA    |                     |
| High Load Hit Repair (PCI Beam)                                              |          | SFT   | \$200.00 /SFT    |                     |
| Paint Structural Steel                                                       |          | SFT   | \$9.00 /SFT      |                     |
| Partial Painting                                                             |          | SFT   | \$18.00 /SFT     |                     |
| Pin & Hanger replacement (includes temporary supports)                       |          | EA    | \$6,000.00 EA    |                     |
| Other                                                                        |          |       |                  |                     |
| <b>SUBSTRUCTURE REPAIR</b>                                                   |          |       |                  |                     |
| Pier repair (measured x 2) Replace unit if spalled area > 30%                |          | CFT   | \$180.00 /CFT    |                     |
| Pier repair over water (measured x 2)                                        | 180.0    | CFT   | \$200.00 /CFT    | \$36,000.00         |
| Pier replacement                                                             |          | CFT   | \$70.00 /CFT     |                     |
| Abutment repair (measured x 2)                                               |          | CFT   | \$180.00 /CFT    |                     |
| Temporary Supports for Substructure Repair                                   | 8.0      | EA    | \$1,500.00 EA    | \$12,000.00         |
| Slope Protection repairs                                                     | 22.0     | SYD   | \$80.00 /SYD     | \$1,760.00          |
| Other                                                                        |          |       |                  |                     |
| <b>MISCELLANEOUS</b>                                                         |          |       |                  |                     |
| Expansion or Construction Joints (includes removal)                          | 48.0     | FT    | \$450.00 /FT     | \$21,600.00         |
| Bridge Railing, remove and replace (type 4 \$210, aesthetic parapet \$260)   |          | FT    | \$235.00 /FT     |                     |
| Thrie Beam Railing retrofit                                                  |          | FT    | \$34.00 /FT      |                     |
| Deck Drain Extensions                                                        |          | EA    | \$500.00 EA      |                     |
| Scour Countermeasures                                                        |          | LSUM  |                  | LSUM                |
| Resealing Bridge Construction Joints                                         | 96.0     | FT    | \$10.00 /FT      | \$960.00            |
| Rip Rap                                                                      | 1.0      | LSUM  | \$10,000.00 LSUM | \$10,000.00         |
| <b>ROAD WORK</b>                                                             |          |       |                  |                     |
| Approach Pavement, 12" RC (add C & G, GR, Slope, Shldr.) 40' ea. end         |          | SFT   | \$11.50 /SFT     |                     |
| Approach Curb & Gutter (18' ea. quad.)                                       |          | FT    | \$37.50 /FT      |                     |
| Guardrail Anchorage to Bridge (<40')                                         |          | quads | \$1,500.00 /quad |                     |
| Guardrail, Type B or T (beyond GR anchorage to bridge, <200')                |          | FT    | \$21.50 /FT      |                     |
| Guardrail Ending (end section)                                               |          | EA    | \$1,850.00 EA    |                     |
| Roadway Approach work (beyond approach pavement)                             |          | LSUM  |                  | LSUM                |
| Utilities                                                                    |          | LSUM  |                  | LSUM                |
| Sidewalk Replacement                                                         | 300.0    | SFT   | \$9.00 SFT       | \$2,700.00          |
| Approach Sidewalk HMA Ramp                                                   | 4.0      | EA    | \$200.00 /EA     | \$800.00            |
| <b>TRAFFIC CONTROL - Unit Cost to be determined by Region or TSC T&amp;S</b> |          |       |                  |                     |
| Part Width Construction                                                      | 1.0      | LSUM  | \$25,000.00 LSUM | \$25,000.00         |
| Crossovers                                                                   |          | EA    | \$250,000.00 EA  |                     |
| Temporary Traffic Signals                                                    |          | set   | \$18,000.00 /set |                     |
| RR Flagging                                                                  |          | LSUM  |                  | LSUM                |
| Detour                                                                       |          | LSUM  |                  | LSUM                |
| Other                                                                        |          |       |                  |                     |
| CONTINGENCY (10% - 20%) (use higher contingency for small projects)          | 20.0     | %     | \$141,000.00     | \$28,000.00         |
| MOBILIZATION (estimate at 5% but put "10% max" in pay item description)      | 5.0      | %     | \$169,000.00     | \$8,000.00          |
| INFLATION (assume 5% per year, beginning in 2014)                            | 15.0     | %     | \$177,000.00     | \$27,000.00         |
| <b>CONSTRUCTION TOTAL</b>                                                    |          |       |                  | <b>\$204,000.00</b> |

(DOES NOT INCLUDE PE & CE)



Resolution No. 2013 – 068  
April 23, 2013

**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:

| <b><u>NAME</u></b>                                                        | <b><u>BOARD</u></b>            | <b><u>TERM TO EXPIRE</u></b> |
|---------------------------------------------------------------------------|--------------------------------|------------------------------|
| Phil Hollifield (reappointment)<br>125 Hawkins St.<br>Ypsilanti, MI 48197 | <b>Planning Commission</b>     | <b>5/1/2016</b>              |
| John Bailey (reappointment)<br>514 Fairview<br>Ypsilanti, MI 48197        | <b>Zoning Board of Appeals</b> | <b>5/1/2016</b>              |
| Rod Johnson (reappointment)<br>310 N. Grove<br>Ypsilanti, MI 48198        | <b>Planning Commission</b>     | <b>5/1/2016</b>              |
| Conan Malmer (new appointment)<br>913 Pleasant Dr.<br>Ypsilanti, MI 48197 | <b>Recreation Commission</b>   | <b>4/23/2016</b>             |

OFFERED BY: \_\_\_\_\_

SUPPORTED BY: \_\_\_\_\_

YES:            NO:            ABSENT:            VOTE:

**Statement by Phil Hollifield:**

Hello Paul.

Yes I'm looking forward to serving another term. It has been my pleasure to serve my community and the city itself, along with serving on the master plan committee. With this insight I will be more empowered to serve the city, for a better Ypsilanti.

Thank you

Phil

**Statement by John Bailey:**

Good morning Paul. I would like to continue on the ZBA, which I have been on since 2004. I will strive to provide quality representation to the City and uphold and enforce our zoning ordinances while treating our citizens fairly.

April 10, 2013

Paul Schreiber, Mayor of Ypsilanti,

I hereby wish to be reappointed to another term on the Planning Commission.

The Planning Commission's goals for the coming year would include:

- Continuing the Master Plan revision and the subsequent Zoning revision. This process is expected to last until the spring of 2014.
- Continuing to maintain Ypsilanti's partnership with Reimagine Washtenaw, a regional effort to upgrade this important corridor.
- Continue to maintain Ypsilanti's support of non-motorized transportation capabilities such as the Huron/Whittaker pedestrian crossing over I-94 and the Border-to-Border Trail.
- Continue to monitor and be at the ready to evaluate any developments in the Water Street development area and the Ann Arbor-Detroit Commuter Rail Project.
- Maintaining a high level of service to the citizens of Ypsilanti which, I feel, the Planning Commission has and continues to live up to.

It's been a pleasure to serve on the Planning Commission and I look forward to another term ahead.

Kind regards,

Rod Johnson

Conan Malmer  
913 Pleasant Drive  
Ypsilanti, MI 48197

April 3, 2013

Dear Mayor Schreiber,

I request consideration for appointment to the Ypsilanti Parks and Recreation Commission. I have been very involved in helping maintain portions of our parks for several years now. I feel participating in the Parks and Recreation commission is the next logical step for me.

I have been a volunteer coach with our community Little League for the past six years (Ypsilanti American Little League (YALL)). Along with coaching, I became very active in field clean-up and maintenance. I am passionate about our City parks and I have a strong desire to help maintain them and make them better. My desire to see the Ypsilanti American Little League increase our efforts to self-maintain the City baseball diamonds is a primary reason I joined the Little League Board of directors two years ago.

At my urging, YALL is implementing maintenance procedures on two additional baseball diamonds this season (Parkridge and Waterworks Parks). My goal is to open up additional ball fields not only for the use of YALL but for use by all city residents – especially our young ball players.

As you are aware, Amy and I have lived on Pleasant Drive since 1996. We have two children ages 11 and seven. This is our second residence in Ypsilanti since moving from Illinois in 1987.

I have lived my entire adult life in Ypsilanti and have long enjoyed volunteering to help improve quality of life for the youth in our community. My volunteer activities include the Big Brother Program, past member and past President of the Optimist Club of Ypsilanti, and past member of the Ypsilanti Jaycees. I currently coach and serve on the Ypsilanti American Little League (YALL) Board of Directors and volunteer in my daughter's classroom at Perry Child Development Center.

For these reasons, I ask you to consider appointing me to the Ypsilanti Parks and Recreation Commission.

Professionally, I am a fee-based investment advisor and licensed securities broker. I specialize in trading strategies and portfolio management tailored to each of my clients. I founded Malmer Asset Management (MAM) in 2009 after a

19-year career with a similar firm in Ann Arbor. I help individuals manage their investment portfolios and retirement assets. I have one employee, who also lives in Ypsilanti.

I look forward to hearing from you soon. I can be reached at 734-355-1352 or [malmer@malmerresearch.com](mailto:malmer@malmerresearch.com)

Thank you for your consideration,

Sincerely,

Conan Malmer



Resolution No. 2013-069  
April 23, 2013

### **City of Ypsilanti Request for Ann Arbor Transportation Authority Membership**

WHEREAS The City of Ypsilanti has been providing public transportation service to Ypsilanti residents for decades through purchase of service agreements with the Ann Arbor Transportation Authority (AATA), and

WHEREAS AATA and has developed a long range service plan, and

WHEREAS AATA and several Washtenaw County communities have been looking to improve transit service through a regional effort, and

WHEREAS, in 2010 Ypsilanti voters overwhelmingly approved a 0.9789 transit charter millage by a three to one margin; and

WHEREAS, the transit charter millage provides a dedicated revenue stream for bus service and demonstrates a long-term commitment to public transportation by Ypsilanti citizens; and

WHEREAS, the City of Ypsilanti has reached the 20 mill state statutory limit under Section 5. (1) (a) of the State of Michigan Home Rule City Act 279 of 1909 and

WHEREAS the City of Ypsilanti must join a transit authority for the ability to increase transit funding; and

WHEREAS, Ypsilanti bus service can be improved by increasing frequency and hours of operation as demonstrated by a 30 percent ridership increase on AATA Route 4; and

WHEREAS, AATA is a transit authority formed by the City of Ann Arbor under the State of Michigan Public Act 55 of 1963; and

WHEREAS, PA 55 specifies a procedure for political subdivisions like the City of Ypsilanti to join AATA; and

WHEREAS, the City of Ypsilanti wishes to join AATA in return for contributing the entire Ypsilanti city charter transit millage to AATA; and

WHEREAS, expanding the AATA to include the City of Ypsilanti will strengthen the authority and provide options to improve bus service in Ypsilanti, Ann Arbor and throughout the County

NOW THEREFORE BE IT RESOLVED that the City of Ypsilanti requests membership in the Ann Arbor Transportation Authority in accordance with the State of Michigan Public Act 55 of 1963 and asks the AATA Board of Directors to approve the request.

OFFERED BY: \_\_\_\_\_

SUPPORTED BY: \_\_\_\_\_

YES:            NO:            ABSENT:            VOTE:



REQUEST FOR LEGISLATION  
April 23, 2013

From: Ralph A. Lange, City Manager

Subject: POAM Contract

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SUMMARY & BACKGROUND:

We need to settle the POAM Contract at our earliest opportunity with the Union due to our last contract expiring June 30, 2012. We also need this contract settled as soon as possible because we need to hire additional police personnel. In order to do this, Council has directed that all new employees must be hired under the Tier 2 POAM Wage and Benefit package. The ratification of this contract is necessary for this to occur.

The net cost of settling a new POAM Contract must be as close to zero dollars as possible. This contract will achieve a significant savings to the City with regards to the new employee's Fire & Police Pension costs.

Another major item to be accomplished with regards to this contract was to write in the necessary language that will allow the POAM Union to incorporate the position of Public Safety Officer into their Union. This contract will accomplish this goal.

The YPOA membership met on Friday 3/22/2013 at 1830 to review and vote on City of Ypsilanti Management Proposal to POAM dated March 26, 2013. After a change on Item 8, Page 1, Overtime Issue, the membership had no further issues with the proposal and conducted a vote, the results of which were a majority in favor of accepting the proposal that was submitted.

For the reasons mentioned above, it is the City Manager's request that the City Council approve the resolution approving a new four year contract between the POAM Union and the City of Ypsilanti.

RECOMMENDED ACTION: Approval/Denial

ATTACHMENTS: Email from Robert Peto, POAM Union President noting membership approval

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CITY MANAGER APPROVAL: \_\_\_\_\_ COUNCIL AGENDA DATE: 4/23/13

CITY MANAGER COMMENTS: \_\_\_\_\_

FISCAL SERVICES DIRECTOR APPROVAL: \_\_\_\_\_

**Ralph Lange**

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**From:** Robert Peto  
**Sent:** Monday, March 25, 2013 5:22 PM  
**To:** Ralph Lange  
**Cc:** Amy Walker; Judi Smith; Annette Coppock; Brooke Mullender; Jonathan McDonagh; Robert Murphy  
**Subject:** Contract

Mr. Lang,

In reference to the 2012 contract, the YPOA membership met on Friday 03/22/2013 at 1830 to review and vote on City of Ypsilanti Management Proposal to POAM dated March 15, 2013. During the review of the it was noted Item 8, on page one, Overtime Issue, appears to contradict itself in the manor in which it is written. The YPOA suggests replacing "a one time" with "an annual" The YPOA membership had no further issues with the proposal and conducted a vote. Results of the vote revealed that the YPOA membership majority were in favor of accepting the proposal that was presented with the suggested change, and would like to proceed to the next level toward ratification of the 2012 Labor agreement.

**Respectfully,**  
**Officer Robert L. Peto 1\***  
**Ypsilanti Police Officer's Association**

**Statement by Sally Lusk for Huron River Watershed Council:**

Sally Lechlitrer Lusk, PhD, RN, FAAN, FAAOHN  
Professor Emerita, The University of Michigan

**BACKGROUND AND EXPERIENCE:**

- Masters in Public Health Degree from the University of Michigan. Program included a focus on water quality and environmental health.
- Residence on the river with continuous observation of the river and its inhabitants.
- Personal investment in and concern for water quality..

**GOALS (for Second Term):**

- Keep Ypsilanti officials and community informed regarding pertinent issues related to the Huron River's passage through our city.
- Promote enactment of relevant ordinances to protect and enhance quality of the River.
- Inform the HRWC regarding concerns and interests of Ypsilanti's citizens and officials.

**Statement by Sally Lusk for Ethics Board:**

Sally Lechlitrer Lusk, PhD, RN, FAAN, FAAOHN

Dr. Lusk, an Ypsilanti resident, is a Professor Emerita in the University of Michigan School of Nursing. She earned her BSN from Indiana University, and her MPH and PhD degrees from the University of Michigan. During her 34 years at the School of Nursing she conducted research to promote worker health and safety, taught courses to all levels of students, directed BSN and MS programs.

As a believer in good government delivered with integrity and transparency, she is interested in serving on the City's Ethics Board. According to the City Ordinance 819, the Board is to study ethical problems, make recommendations to the City Council, and may be asked to review complaints received by the City Attorney. Her ability to serve in this role is based on: an understanding of the structure and functioning of local government; experience with local and federal agencies; teaching of ethical principles in college courses; and a strong commitment to ensuring that the City of Ypsilanti delivers high quality services while observing the letter and spirit of laws and rules.

**Background of Mark Bullard:**  
**MARK BULLARD**

**EXPERIENCE & SKILLS SUMMARY**

I am a results-driven leader with 18 years of experience and accomplishments in the real estate industry. I have extensive experience in launching real estate companies, managing P&L budgets in excess of \$3 Millions, and managing significant numbers of real estate agents and support staff. I am an equity partner in two regions of Keller Williams Realty International, which currently consists of 43 offices and 5000 agents with total growth expected to exceed 70 offices and 12,000 agents. My strengths include business strategy, launching successful, profitable real estate companies and recruiting talented people. I am astute at problem solving, dispute resolution, and directing people to maximize job performance and promote a healthy productive work environment.

- **Business Launches:** Successfully launched five real estate organizations since 1998, and was the principal lead in four of the five projects. All five businesses are currently in operation and highly profitable multi-million dollar ventures. All launches were pioneering efforts in new markets. I have also consulted on the launch of 14 other Keller Williams (KW) related businesses as a non-principal, and 13 of these offices remain as successful Keller Williams franchises today.
- **Real Estate Consultant & Regional Director:** Real estate consultant contracted by the CEO of Keller Williams to launch the Southern California region in San Bernardino, Riverside, and E. LA counties. As the Regional Director my team has launched 17 offices to date. Total growth in the region is expected to be 35 franchise offices. The region has more than 2000 agents today with growth expected to be 6000 agents.
- **Real Estate Broker:** Real estate broker for 11 years, and sales manager of the #1 Coldwell Banker office in the 13 state midwest region. Managed and led the Keller Williams Northville office to become the #1 Real Estate office in Michigan of all brokers, in terms of total production and number of agents. Achieved every major designation in residential real estate CRS, GRI, and ABR. I have developed and taught training curriculum for both new and experienced agents. Through mentoring and accountability, I have assisted numerous owners and agents in launching and developing their own successful real estate businesses.
- **Lead Arbitrator:** Lead arbitrator and professional standards chairman for the largest Board of REALTORS in Michigan (WWOCAR) from 1997-2001 for the highest level arbitration disputes. Competing Boards would frequently request my services to chair interboard disputes. During my tenure as a managing Broker I have not had a claim against our error and omissions insurance.

## EMPLOYMENT HISTORY

- **Covenant Management, Inc.**

**Jan 2004 - Present**

**Owner / CEO**

Holding company for real estate and technology consulting, and real estate investment portfolios. Accomplishments include prospecting, and winning a \$ 15 Million property tax systems project with the County of San Bernardino for technology consulting, and building a residual income investment portfolio consisting of 2000 clients.

- **Keller Williams Inland Empire Region**  
**Dec 2001 – Present**

**Equity Partner**

Share holder and equity partner for the Inland Empire Region (including E. LA county) in California consisting of 17 offices and more than 2000 agents (projected to increase to 30 offices and 5000 agents). I retired from my operational roll in 2003.

- **Keller Williams Inland Empire Region**

**Dec 2001 – Dec 2003**

**Regional**

**Director**

**Keller**

**Williams**

**Realty**

Responsible for the initial launch of the Keller Williams Inland Empire Region (including E. LA county), which is a strategic region of the country that includes San Bernardino, Riverside and NE Las Angelas counties. My duties included: idetifying high potential franchise candidates through marketing, prospecting, and networking; (2) qualifying candiates using an in depth process developed by Keller Williams known as "Career Visioning"; (3) mentor the candidate in preparing a detailed franchise application; (4) assist in territory selection; (5) assist in office site selection; (6) consult in the area of lease negotiation, site planning, build out and equipment; (7) assist in the recruiting and the development of the management team.; (8) coordinate and lead agent recruiting events; (9) extensive training and education in systems, procedures and business models; (10) continue to represent Keller Williams International in the ongoing support and growth of all franchise operators in terms of profitability and number of agents growth. Key accomplishments include launching eight (8) offices in Year 1 (projection was three offices). This region is still growing and still a very strategic region for KW International.

- **Keller Williams Michigan and Ohio Region**  
**Dec 1998 – Present**

**Equity Partner / Director**

Share holder and equity partner for the Michigan and Ohio Regions consisting of 29 offices and more than 3000 agents (projected to increase to 40 number of offices and 6000 agents). I retired from my opperational roll in 2001.

- **Keller Williams Michigan and Ohio Region**

**Dec 1998 –Dec 2001**

**Team Leader / Principal**

Responsible for the initial launch of the first franchise in the Michigan and Ohio regions. The office is located in Northville Michigan. My duties included: (1) recruiting sales associates (Interview, select, hire.); (2) training existing sales associates (new and experienced) in key area of the business; (3) lead sales and business meetings; (4) manage staff to acceptable professionalism and job performance; (5) research competition and develop business prospecting and marketing strategies to successfully compete; (6) facilitate regular sales meetings; (7) conduct performance reviews of staff and associates; and (8) manage the P&L, and all financial decisions of the organization. Key accomplishment: In 2001 this was the number #1 real estate office in Michigan of any firm for both number of agents and total production.

- **Coldwell Banker**

**Jun**

**1996 – Dec 1998**

**Sales Manager**

Responsibilities similar to the above. Key accomplishment: through my team's efforts, this office became the #1 Coldwell Banker office in the 13 state midwest region In 1998.

- **Coldwell Banker**

**Jun**

**1991 – Dec 1996**

**Sales Associate**

Key accomplishment: Consistent top producing agent ranked in the top 50 agents company wide.



Resolution No. 2013-070  
April 23, 2013

**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: