

1. City Council Regular Meeting Agenda

Documents:

[12-2-14 FINAL AGENDA.PDF](#)

2. City Council Regular Meeting Packet

Documents:

[DECEMBER 2, 2014 COUNCIL PACKET_REDACTED.PDF](#)



**CITY OF YPSILANTI
COUNCIL MEETING AGENDA
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
Tuesday, December 2, 2014
7:00 p.m.**

I. CALL TO ORDER –

II. ROLL CALL –

Council Member Brown	P A	Council Member Robb	P A
Council Member Murdock	P A	Council Member Vogt	P A
Mayor Pro-Tem Richardson	P A	Mayor Edmonds	P A

III. INVOCATION –

IV. PLEDGE OF ALLEGIANCE –

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

V. INTRODUCTIONS –

VI. AGENDA APPROVAL –

VII. PRESENTATIONS –

VIII. AUDIENCE PARTICIPATION –

IX. REMARKS BY THE MAYOR –

X. MINUTES –

Resolution No. 2014-275, approving the minutes of November 18, 2014

XI. ORDINANCES – FIRST READING -

Ordinance No.1236

1. Ordinance to Convey Two City-Owned Parcels to Strong Future LDHA Limited Partnership for rehabilitation and/or redevelopment of existing low-income housing throughout the City. Properties under consideration are 130 S. Grove St. and 928 W. Michigan Ave.
 - A. Resolution No. 2014-276, determination.
 - B. Open public hearing.
 - C. Resolution No. 2014-277, close public hearing.

XII. CONSENT AGENDA –

Resolution No. 2014-278

1. Resolution No. 2014-279, approving *Ordinance No. 1233* to amend the Ypsilanti City Code to add clarifying language and provide rules and procedures for garnishment of penalties, sanctions, and remedies for Blight Violations, to make it an offense for failure to pay fines and costs ordered for certain Blight Violations, and to clarify that the remedies available in Section 1-15(4) regarding Blight Violations may be used to enforce an Administrative Hearing Officer's Order. ***(Second Reading)***.
2. Resolution No. 2014-280, approving *Ordinance No. 1234* to amend Ypsilanti City Code Chapter 86 "Solid Waste," Article III "Yard Waste," by amending Section 86-87 to a Blight Violation and to make the appeal process consistent with other Sections of the Code; and to amend Chapter 110 "Vegetation," Article IV "Weed Control," by amending Section 110-83 to a Blight Violation and Section 110-86 to make the appeal process consistent with other Sections of the Code; and to simplify the wording in all sections. ***(Second Reading)***
3. Resolution No. 2014-281, approving *Ordinance No. 1235* to amend Ypsilanti City Code Chapter 18 "Buildings and Building Regulations," Article III "State Construction Code," by adding Section 18-53 "Eligibility for building permits, certificates of use and occupancy, and variances," to make certain applicants ineligible if the person or owner is delinquent in paying a civil fine, costs, or a justice system assessment imposed by the City of Ypsilanti's Administrative Hearings Bureau. ***(Second Reading)***

XIII. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2014-282, approving purchase to upgrade current in-car video recording systems, purchase body worn cameras and the server, hardware, software, installation and training to facilitate their use.
2. Resolution No. 2014-283, approving cost of living adjustments for Non-Union employees.

XIV. LIASON REPORTS –

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

XV. COUNCIL PROPOSED BUSINESS –

XVI. COMMUNICATIONS FROM THE MAYOR –

XVII. COMMUNICATIONS FROM THE CITY MANAGER –

XVIII. AUDIENCE PARTICIPATION –

XIX. REMARKS FROM THE MAYOR –

XX. ADJOURNMENT -

Resolution No. 2014-284, adjourning the City Council meeting.



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XX. ADJOURNMENT -

Resolution No. 2014-284, adjourning the City Council meeting.



Resolution No. 2014 – 275
December 2, 2014

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Minutes of November 18, 2014 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, November 18, 2014
7:00 p.m.**

I. CALL TO ORDER –

The meeting was called to order at 7:03 p.m.

II. ROLL CALL –

Council Member Brown	Present	Council Member Robb	Present
Council Member Murdock	Present	Council Member Vogt	Present
Mayor Pro-Tem Richardson	Present	Mayor Edmonds	Present

III. INVOCATION –

Mayor Edmonds asked all who are able to stand for a moment of silence.

IV. PLEDGE OF ALLEGIANCE –

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V. INTRODUCTIONS –

Mayor Edmonds introduced the following individuals; City Attorney John Barr, City Clerk Frances McMullan, Planning Assistant Bonnie Wessler, Planning Consultant Megan Masson-Minock, Former Community Development Director Teresa Gillotti, Assistant City Attorney Jesse O'Jack, Former Mayor Paul Schreiber, and Former Mayor Cheryl Farmer.

VI. AGENDA APPROVAL –

Council Member Murdock moved to amend the agenda moving Audience Participation to after Presentations, supported by Mayor Pro-Tem Richardson.

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

VII. PRESENTATIONS –

Proclamation recognizing former Mayor Paul T. Schreiber – Mayor Edmonds

Former Mayor Paul Schreiber thanked the audience and stated how exciting it is to see the level of attendance at a City Council meeting. Mr. Schreiber added that he will be looking for great things from this next Council.

VIII. AUDIENCE PARTICIPATION –

Mayor Edmonds asked for comments regarding the Zoning Ordinance to please wait until the public hearing for that agenda item.

1. Philip Patterson, 1084 Levona, stated while living at 812 N. River #2, a Beal property, last summer he and his partner signed a lease stating that the landlord would be responsible for both heat and gas. Mr. Patterson stated when he contacted DTE to turn on the electricity heat and gas was put in his name. When he contacted Mr. Beal to have this issue rectified Mr. Beal said he would look into the matter. Mr. Patterson concluded Mr. Beal eventually told him he would be responsible for those charges. Mr. Patterson stated because of his experience he approached others who have had similar experiences with Beal Properties.
2. Jamie Gibson, 417 Pearl #4, stated since a thunderstorm, occurring on August 11, 2014, there has been a tarp over the roof to keep it from leaking, however it does not cover the entire roof and during a rain storm she has to leave work in order to cover her electrical devices to avoid damage. Also, condensation from a pipe in the wall caused a hole which was poorly repaired. Ms. Gibson added when she moved in the residence had not been painted.
3. Roberta Andrews, 7 N. Maple, stated she was here to discuss the proposed zoning changes, mainly the core neighborhood change from single family to group living or group residence. This area would comprise 20% of the City if the new Zoning Ordinance is approved turning a large portion of the City to a "College Fraternity", style area which would have higher levels of trash and more noise violations.
4. Katelyn Pedri, 1084 Levona, stated in the past she lived at 812 N. River #2 and during this time she received several demands to vacate to the point of harassment which was a stressful experience. Ms. Pedri stated through research she found several Beal Properties tenants had issues and still the Ypsilanti Downtown Development Authority awarded Beal Properties \$17,500 in grants for the Thompson Block and the City awarded Beal Properties \$500,000 in an OPRA tax exemption. Ms. Pedri asked the City to work with the community and inform tenants on how the City can help to resolve issues and enforce the codes the City has in place to address delinquencies.
5. Sue Melke, 330 Chidester #409, stated there have been several issues brought to the attention of Council of how powerless tenants can feel. Ms. Melke explained residents of Chidester Place were forced to get outside help in order to rectify issues. Ms. Melke asked that a tenants union be formed in order to address concerns.
6. Alex Upham, 25 N. Washington, stated meetings have been held to discuss how landlords, tenants, and City officials need to communicate effectively to resolve issues such as those brought to Council this evening. Mr. Upham stated what he is looking for is formation of a Tenants Association that can communicate with City Officials and landlords to advocate for tenants. Mr. Upham concluded there is a meeting on November 23rd at Café Ollie starting at 3:00 p.m.
7. Jennifer Trombley, 25 N. Washington, stated during her 6 years living in Ypsilanti she has held residences at 4 rental properties and her experiences have gone from bad to exceptional. Ms. Trombley stated housing is a person's sanctuary and it needs to be both safe and reliable, and to produce those conditions a reasonable and responsible landlord is required. Ms. Trombley suggested that Council support a Tenant's Union in order to mediate issues with city officials and landlords, address complaints from tenants, and advocate for tenants.
8. Robert DeVries, 1351 N. Huron River Drive, stated he supports a Tenant's Association. He said he had negative experiences with McKinley Properties.

Mr. DeVries stated there needs to be an organization in place that can protect tenants.

9. Ralph Thompson, 330 Chidester #717, stated on August 31st a mold test was performed in his apartment which tested positive. The mold was located mostly in the ventilation system. Chidester Place conducted another mold test which concluded the complex is free of mold and results were posted on each resident's door. Mr. Thompson stated he has hired an attorney who is filing a suit against Chidester Place specifically regarding mold, however, only the City Attorney has the authority to ensure the remediation is performed properly.
10. Stuart Beal, 113 Buffalo, stated he was recently informed that a Tenant's Rights Association was holding a meeting at Café Ollie. Mr. Beal stated he attended the meeting and informed those in attendance that Ypsilanti has the strongest rules in place in Michigan and Michigan has the strongest rules in any place in the country. Mr. Beal addressed the tenant regarding 417 Pearl stating there is an issue with the roof and it is scheduled for repair for Monday, November 24th. Mr. Beal addressed the past tenants of 812 N. River #2, stating their complaint is over \$72.
11. Rae Cameron, [REDACTED] stated she has been a resident of Ypsilanti for 3 years and has had interesting rental experiences. Ms. Cameron stated she heard some complaints regarding Beal Properties, however the issue is not only with landlords failing to make repairs it is also an issue of tenants not taking care of the rentals. When a landlord only has 2 weeks to repair damage done by previous tenants some problems go unresolved and the rentals are not up to code. Ms. Cameron concluded she would like to see the building code outlined in each signed lease so tenants can be aware of what the building code is.
12. Leslie Taton, 330 Chidester #107, stated there is still a mold problem at Chidester Place, but it is being resolved, however before a lawyer was hired tenants were having issues with the Resident's Council and their inability to act.
13. Dave Ungaar, 417 Pearl #2, stated when attempting to acquire renters insurance through State Farm his application was denied due to the condition of the roof. Mr. Ungaar added the carpet in the residence is in terrible condition; however he is thankful that Mr. Beal rented to him as he has three dogs. He said he will take Mr. Beal's word that the roof will be replaced soon.
14. Erin Peters, 704 Pearl, stated she formally lived at 103 N. Adams, a Beal property, which was rented as a 3 bedroom apartment, however the staircase is too steep to get up, making the upstairs space unusable. She recalled before a city inspection everything from the upper level was removed in order for the property to pass. Ms. Peters concluded that once the lease had expired Mr. Beal informed her they would be charged their security deposit due to missing screens and when told that the screens were never in place and showed photographs as evidence, Mr. Beal threatened to reopen the case and render more charges.

IX. ORDINANCES – FIRST READING -

Ordinance No. 1232

1. Zoning Map and Text Amendments – Citywide
To consider proposed adoption of a significant amendment to both the zoning map and the zoning text of the Zoning code, in accordance with the recently adopted Master Plan ("Shape Ypsi")
 - A. Resolution No. 2014-260, determination.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, The City of Ypsilanti has adopted a comprehensive Master Plan, "Shape Ypsi;" and

Whereas, the City of Ypsilanti is desirous of fulfilling the goals of the Master Plan; and

Whereas, the Zoning Ordinance will help to implement those goals of creating a safe, sustainable, and diverse Ypsilanti;

Now therefore be it resolved that the Ypsilanti City Council approves the amendments to Chapter 122 of the City's Code of Ordinances on FIRST READING.

OFFERED BY: Council Member Vogt

SUPPORTED BY: Council Member Brown

B. Open public hearing.

1. Mark Naess, 302 Miles, stated his issue is regarding the Miles and Harriet St. area. As a part of the proposed zoning ordinance that area would be changed from R2 to R1, which could cause an issue for individuals with multi-family properties.
2. Dave Reynolds, 229 Miles, stated he has the same concern as Mr. Naess regarding Miles and Harriet being converted from R2 to R1 as this could pose a significant challenge with banks claiming properties are not in compliance with zoning.
3. Rod Johnson, 310 N. Grove, stated he is Chair of the Planning Commission and the Planning Commission enthusiastically supports the proposed zoning map and the coinciding designations. Mr. Johnson thanked the Planning Department, led by Planner Bonnie Wessler, former Community Development Director Teresa Gillotti, and Planning Consultant Megan Masson-Minock, for the long hours they put in to develop the proposed ordinance. Mr. Johnson stated he believes the City should run smoother as a result of the ordinance, however Council will need to listen to each issue brought forth with the ordinance, weighing both sides of the argument.
4. Bryan Foley, 424 Ainsworth Cir, thanked former Council Member Jefferson for his years of service to the City, not only as a Council Member but as a Church Elder. Mr. Foley informed Council Member Brown that she will be awarded the same support as given to Mr. Jefferson from the Ward 1 constituency.
5. Cheryl Farmer, 214 N Huron, welcomed the new Council and thanked them for their service. She concurred with Roberta Andrews concerns regarding increasing usage intensity as older neighborhoods tend to have smaller lot sizes and as intensity increases so does the need for parking which could create a quagmire in that area. Ms. Farmer concluded the goal is the zoning map and designations adopted will have the positive effect of making the City stronger and encourage positive change in Ypsilanti.
6. Tony Bedogne, 717 Stanley, stated he sits on the Planning Commission and is a 20 year resident of Ypsilanti. He said over time

he lived in many different neighborhoods at different capacities. Mr. Bedogne stated he feels the proposed ordinance reflects the goals of the Master Plan. Mr. Bedogne stated in response to the issues of increase usage intensity, the proposed ordinance allows for only 6 non-related individuals living in very large homes. If residents wish to have additional individuals it will require a special use permit. The R2 conversion to R1 is in response to the smaller lot size in that area and will eventually be phased into all single family homes.

7. Nickie Sandberg, 910 Sheridan, stated she is a member of the Planning Commission and the Commission put a tremendous amount of effort into developing the proposed ordinance which embodies the goals stated in the Master Plan specifically focusing on diversity one of Ypsilanti strengths. As a result of that strength the City requires an equally diverse housing pool which can be difficult when trying to balance those different needs. Ms. Sandberg concluded there have been stipulations included in the ordinance that will keep increased intensity in check as well as employ form based codes which will provide for continuity through the City.
8. Paul Schreiber, 922 Pleasant Dr., stated the award winning "Shape Ypsi" planning process has taken place over the last two years and he would like to thank the Planning Commission and planning staff for their hard work and dedication. Mr. Schreiber concluded the City has evolved since the last time a Master Plan was developed. The City at that time was a manufacturing City, now the City is a college town and that needs to be kept in mind in how the City can grow.
9. Norman Burgess, owner of 29 Bell and 102 Spring Streets, stated he is here to address a concern with a partial at 33 Bell St. Mr. Burgess stated this would be a lucrative property to purchase for him, however changing the zoning to neighborhood corridor from mid-corridor could cause an issue.

C. Resolution No. 2014-261, close public hearing.

That the public hearing to consider proposed adoption of a significant amendment to both the zoning map and the zoning text of the City of Ypsilanti's Zoning code, in accordance with the recently adopted Master Plan ("Shape Ypsi") be officially closed.

OFFERED BY: Council Member Vogt

SUPPORTED BY: Council Member Brown

On a voice vote, Resolution No. 2014-261 carried, and the public hearing was officially closed.

Planning Assistant Bonnie Wessler provided a presentation regarding the Proposed Zoning Ordinance.
(Presentation available on city's website)

Mayor Pro-Tem Richardson asked if a home could be converted into a daycare under the new zoning ordinance.

Planning Consultant Megan Masson-Minock responded family daycare homes are permitted by state law in all residential designations as a special use. As a special use conversion it would require a public hearing and any resident within 300 ft. would be notified.

Mayor Edmonds asked if a garage could still face the street under the new ordinance.

Ms. Masson-Minock replied yes, as long as the front has a door and a porch or a stoop.

Mayor Edmonds asked if an empty public school is purchased would the new provisions allow for redevelopment.

Ms. Masson-Minock replied if it were in the core neighborhood district, yes. A core neighborhood district allows four units by right and if there is more than four units it would go through special land-use scrutiny.

City Manager Lange asked if there is still the category in the downtown for the Eastern Michigan University Business School.

Ms. Wessler replied the Main Campus is given the Public Land designation, any satellite locations of EMU is given the designation of the surrounding areas for ease of redevelopment in case of sale.

Mayor Pro-Tem Richardson asked if the building is an institution would it lose its non-conforming status.

Ms. Wessler responded it would depend if the building planned to be expanded or damage occurred.

Mayor Pro-Tem Richardson asked if a church burned down would it be required to re-locate.

Ms. Wessler responded it depends on the circumstances, they may require applying for a special use permit, or the church would need to rebuild within 18 months.

Mayor Edmonds asked if cottages were defined by their peak height.

Ms. Masson-Minock responded the size of the lot designates house type; the bigger the lot the bigger the home.

Council Member Vogt stated residents along Washtenaw, west of Oakwood, in the proposed "core neighborhood" designation are concerned with homes being converted into stores with an apartment on the upper level or a home being demolished and rebuilt as a store.

Ms. Wessler responded it is difficult to build a store in that district, commercial buildings are limited or required to be next to a property with special use designation. This would require rezoning to permit this building type.

Ms. Masson-Minock added the process would require a public meeting and residents within 300 ft. of the proposed site would be noticed.

Council Member Vogt stated eventually, this would require a vote from Council. Mr. Vogt asked if rooming houses would be located in the core neighborhood designation.

Ms. Masson-Minock replied it depends on how you define rooming houses.

Council Member Vogt responded the way that he is thinking, and a simple way of explaining it to the public, is that R1 is parents a few teenagers and ½ a dozen cars; R2 is two families, maybe a duplex, and 5 to 6 cars, and core neighborhood would be 1 to 2 middle aged individuals 4 to 5 college students and 5 to 6 cars, same form and same use. Mr. Vogt asked if this is a fair assessment.

Ms. Masson-Minock responded yes.

City Manager Lange asked if the proposed zoning ordinance would allow the redevelopment of carriage houses.

Ms. Masson-Minock replied yes, as previously stated, carriage houses can be repurposed with upper story apartments.

Mr. Lange stated some of the large homes seem unlikely that they will be used as single family dwellings, will those be able to be repurposed.

Ms. Wessler replied yes, they may be repurposed as bed and breakfasts or as multi-unit developments.

Ms. Masson-Minock stated homes along that corridor can be repurposed as offices, or for civic uses. The current zoning ordinance would require a rezoning and a site plan. The proposed ordinance would only require a site plan and a site plan review.

Mayor Edmonds asked if a smaller bio-digester can be located in other areas of the City.

Ms. Wessler responded a bio-digester is only allowed in the PMD (production, manufacturing, distribution).

Council Member Vogt asked for clarification on the rules regarding hoop houses as accessory structures.

Ms. Masson-Minock responded hoop houses are an accessory structure and per the zoning ordinance any passive solar structure which would include greenhouses, size is limited to the square footage of the lower level plus an additional cap of 200 square feet.

Council Member Vogt asked if the size is regardless of any other accessory structures on the property or lot size.

Ms. Masson-Minock responded the rules for R1 are that all the accessory structures accumulated square footage cannot exceed that of the square footage of the first floor, however a hoop house can exceed that square footage by 200 square feet.

Mayor Edmonds asked if neighborhoods with large lots and small homes follow the same protocol.

Council Member Murdock stated the 200 square feet is the exception for hoop houses. If a homeowner has a large garage that fills the entire lot a hoop house is still allowed.

Ms. Masson-Minock responded if an existing house in an R1 designation had a large garage they can still have a 200 square foot hoop house no matter how close they are to the cap.

Council Member Murdock asked can a homeowner have a 200 square feet hoop house no matter how much space is used by auxiliary structures.

Ms. Wessler responded as long as it is in the backyard, follows the accessory structure guidelines, and is set back 3 ft. from all property boundaries.

Mayor Pro-Tem Richardson asked if a hoop house is only able to be located in the backyard and does that mean it will be behind the house.

Ms. Wessler responded correct.

Mayor Pro-Tem Richardson responded that would mean it has to be further than a 3 ft. setback.

Ms. Wessler stated the 3 foot setback accounts for all boundary lines including the sides and rear.

Mayor Edmonds stated a 200 square foot structure is no larger than a play structure.

Ms. Wessler stated the current zoning code allows for a 720 square foot garage no matter what. The proposed zoning ordinance removes that stipulation and replaces it with a 200 square foot hoop house.

Mayor Pro-Tem Richardson asked if a 720 square foot garage would no longer be allowed in the proposed zoning ordinance.

Ms. Wessler responded a 720 square foot garage would be allowed as long as it is under the cap for auxiliary structures.

Mayor Pro-Tem Richardson stated a homeowner may not surpass the cap set for auxiliary structures.

Ms. Wessler responded except for a hoop house which can surpass the cap by 200 square feet.

Ms. Masson-Minock added hoop houses are the only exception but they still must fall within the lot coverage guidelines.

Council Member Vogt asked about drainage issues that could arise from auxiliary buildings.

Ms. Masson-Minock replied that is the reason for lot coverage guidelines.

Ms. Wessler stated there are three things that limit the size of auxiliary structures; lot coverage, setbacks, and auxiliary structures cannot account for more square footage than the principle structure except in the case of hoop houses. Ms. Wessler added these three parameters help to protect neighbors from storm water and unsightliness. Also, all structures must comply with maintenance codes.

Ms. Masson-Minock stated an R1 designation only allows for 35% lot coverage leaving 65% of open space on that lot.

Mayor Pro-Tem Richardson asked if a lot holds an 800 square foot home with an 800 square foot garage and a 200 square foot hoop house how would this allow for 65% of open space on that lot.

Ms. Masson-Minock replied in order to have the 1800 square feet needed those structures can account for only 35% of the total lot.

Council Member Murdock asked if a hoop house would be allowed to surpass that 35%.

Ms. Masson-Minock replied no, a hoop house would not be given an exception in that circumstance.

Council Member Murdock stated the limiting factors are the 35% total lot coverage and the cap linked to the footprint of the primary structure. He asked if those limits are absolute.

Ms. Masson-Minock replied yes.

Mayor Edmonds asked if smaller lots have a limiting factor in terms of building auxiliary structures.

Ms. Masson-Minock responded the 35% limit is included with the current ordinance and the proposed ordinance only continues that practice.

Mayor Edmonds asked if that policy was particularly restrictive.

Ms. Wessler responded she could only think of one instance where that was an issue and it was because a deck was built out over the yard.

City Manager Lange asked if open space meant where a structure is not built but it doesn't necessarily have to be grass.

Ms. Masson-Minock replied correct.

Council Member Murdock asked if the mega wattage cap in terms of alternate energy was changed.

Ms. Wessler responded yes, it was altered to a square footage cap in order to maintain the physical form without limiting the technology.

Council Member Murdock asked if solar panels could be placed in a yard.

Ms. Wessler replied no, in a residential zone solar panels would have to be attached to an existing structure.

Mayor Edmonds asked if a carport could be built to accommodate a solar panel.

Ms. Wessler stated a carport would constitute a structure.

Council Member Murdock stated it is his understanding that accessory dwelling units are not allowed in an R1 zone.

Ms. Wessler replied they are not allowed in an R1, they are allowed in core neighborhood mid, and core neighborhood.

Council Member Murdock asked if accessory dwellings included apartments in carriage houses.

Ms. Wessler responded yes, as long as the structure is detached and the apartment is either above or inside the structure.

Council Member Murdock asked if the issue regarding Finishing Services was resolved.

Ms. Wessler responded yes, the boundaries of the zoning district were altered.

Mayor Edmonds asked how the proposed definition of an accessory building deal with tiny houses especially those on trailers.

Ms. Wessler responded if a structure is on a trailer it is not an accessory dwelling. As for tiny houses, they are not addressed in the proposed ordinance, there is a minimum square footage for single family homes in part due to market demand as there have been no inquiries about tiny homes. Ms. Wessler added homes less than 1,000 square feet tend to stay on the market much longer.

Mayor Edmonds asked what the response would be to an individual who asked to have a tiny house on a trailer under the proposed ordinance.

Ms. Masson-Minock responded the individual would need to petition to amend the text to allow tiny houses in certain areas.

Council Member Murdock stated you can't just back a trailer into a driveway and live there.

Mayor Edmonds stated that is what people do with tiny homes.

Ms. Mason responded yes, but based on information gathered through petitions and public input regarding accessory dwellings this is what was deemed appropriate.

Council Member Robb asked how many non-conforming uses this zoning ordinance will cause.

Ms. Wessler replied it will resolve many issues of non-conforming uses however, more data would be needed to provide a comprehensive report.

Council Member Robb asked how many non-conforming uses were created under the current ordinance.

Ms. Wessler responded there are more non-conforming uses under the current code than would be under the proposed ordinance.

Council Member Robb stated you will be shifting some that were conforming to non-conforming.

Council Member Murdock stated some non-conforming uses are based off of lot size.

Ms. Masson-Minock responded there are three different non-conformities; a non-conforming use which is very difficult to isolate, a non-conforming building which would require a lot of aerial photography and measurement, and non-conforming lots, which many were resolved through the proposed ordinance because it was scaled back properly to be consistent with the surrounding neighborhood. It should be kept in mind that if it has a special land-use permit, under the current zoning or any previous zoning, that will stay with the land. Ms. Masson-Minock added most time when an individual is worried about being a non-conforming use they have a special land-use.

Council Member Robb asked if carriage houses can be repurposed into anything allowed in the Historic Corridor.

Ms. Wessler replied no, because it is not a conforming building to the other uses, it would only be allowed to be used as an accessory dwelling unit.

Council Member Robb asked if the primary structure could be repurposed into an office and turn the carriage house into an office.

Ms. Masson-Minock replied yes, as long as it is a part of the same use.

Council Member Robb asked why core neighborhood does not work for the Miles and Harriet area.

Ms. Masson-Minock answered the Miles and Harriet area is an outlying neighborhood in the Master Plan with smaller lot sizes and a small variety of uses. Ms. Masson-Minock added if you wanted to allow duplexes in that area you should have a separate R2 district that is use-based where everyone abides by the same setbacks.

Council Member Robb stated during the public hearing it was mentioned that staff had proposed an alternative to the change to the Planning Commission and asked what that change was.

Ms. Wessler responded the alternative was to create an R2 zoning district and what that would look like on Miles and what it would look like on Harriet. Ms. Wessler stated staff cautioned the Planning Commission that this would require an examination of other area in the City that would be suited for an R2 designation.

Council Member Murdock asked if the area on Prospect between Cross and Michigan had been changed to R1.

Council Member Robb stated it is proposed for R1.

Ms. Wessler replied the east side of Prospect, the 300 and upper 200 blocks, were R2 and they are proposed for R1.

Council Member Murdock informed staff there is an apartment building there.

Ms. Wessler said she would have to check the data, however, if there is an apartment building there it would receive a non-conforming use.

Council Member Robb presented a hypothetical question asking if an 8 unit apartment on Adams St. had a fire and was partially damaged would it be able to be rebuilt.

Ms. Wessler replied if the building were on N. Adams the owner would be able to apply for a special use permit to pursue more than the 4 unit cap by right.

Council Member Robb asked if the special use would be for 6 units or 8 units.

Ms. Wessler answered either, there is no special use cap for units in the core neighborhood.

Council Member Robb asked if the same rule would apply if a duplex on Miles was damaged by fire, can it be rebuilt as a duplex.

Ms. Wessler responded as long as the requirements are followed as spelled out in Section 122-207.

Council Member Robb stated when looking at the text Section 122-633, "Damage Destroyed Buildings", references Section 122-207 and B4 which doesn't exist.

Ms. Wessler stated that would be fixed.

Council Member Robb asked what other items in the proposed ordinance no longer exists.

Ms. Wessler responded that is the only item staff is aware of.

Council Member Robb asked if the Second Reading vote should be postponed until December 16th to allow more time to ask questions before voting.

Ms. Wessler responded that is at Council's discretion.

Council Member Robb stated it seems this is being rushed in order to take effect on January 1st and asked if that is because it is a convenient starting date or are there other factors.

Ms. Wessler answered staff wants to keep the momentum of this process going and does not want it to stall, but an extra two weeks would not be an issue.

Council Member Murdock stated Mr. Robb asked a question regarding fire damage to a duplex on Miles in an R1, and a different answer was provided than previously. Mr. Murdock asked if that structure could be rebuilt as a duplex.

Council Member Robb stated if a building is burned more than 50% State Equalized Value (SEV) in a depressed real estate market 50% SEV is nothing.

Ms. Wessler responded if the damage exceeds 100% SEV or 50% of a higher value established damage, it would not be able to be rebuilt as a duplex, it would need to conform to the zoning guidelines. Ms. Wessler added if the damage is lesser, the duplex would be allowed to be rebuilt.

Ms. Masson-Minock stated if the concern is that there are duplexes existing in an R1 zone and you want them to be able to be rebuilt no matter what, there is no State law that would forbid that. Ms. Masson-Minock added language would need to be added to the R1 designation to allow that.

Council Member Robb responded the issue is not with duplexes the issue is the number one industry in the City is property rental and people invest a lot of money in rental properties. Mr. Robb asked if the previous hypothetical building on Adams would be allowed to be rebuilt if it were damaged beyond 100% SEV.

Ms. Wessler responded a special use permit could be obtained and the individual would have to go through the planning process.

City Manager Lange asked if the area on Water Street, furthest from Michigan Ave, would be zoned to allow for multi-unit residential.

Ms. Wessler responded yes, staff wanted to provide more options there, not fewer.

Mayor Pro-Tem Richardson asked Council Member Robb if he would rather not vote on this tonight.

Council Member Robb responded he is asking to have the Second Reading on December 16th.

Council Member Robb asked if six people living in a house makes it a group house.

Ms. Wessler stated up to six people living in a house constitutes a group house and seven or more individuals can live together if they have a special use permit.

Council Member Murdock asked what is the difference between a group house and a rooming house.

Ms. Wessler responded a group house means individuals living as some kind of social unit with a single lease or deed.

Mayor Pro-Tem Richardson asked is there a regulation regarding the size of a house that will act as a group house.

Ms. Wessler stated there needs to be enough living area per the building code.

Mayor Pro-Tem Richardson stated the reason she is asking is on E. Ainsworth there is a small three bedroom house acting as a group home.

Ms. Wessler responded E. Ainsworth is not part of the core neighborhood that we are discussing, also group homes are regulated by the State and are not subject to local zoning.

Ms. Masson-Mincok stated rooming houses must be at least 200 feet away from an R1 or CNF district.

Mayor Edmonds stated there seems to be some confusion with this topic both here and at the Planning Commission meeting, and asked that staff prepare a memo describing group homes and rooming houses.

Council Member Robb stated the current ordinance defined family as either one person or 2 other people living together and that same definition is included in the proposed ordinance. Mr. Robb asked how that definition fits into the group home concept and does it say that in the Core Neighborhood three non-related individuals can cohabitate.

Ms. Masson-Minock responded that is true unless it is a group residence or a group house.

Mayor Edmonds asked staff to prepare a memo for Council that includes all definitions that may require clarification.

Council Member Robb asked if there was a reason why that definition was not removed from the proposed ordinance.

Ms. Wessler responded in the proposed ordinance there is a third definition of family which defines family as "a continuing non-transient unit that keeps house and pays bills together" and staff did not feel it was necessary to remove the previous definition and use this as a replacement.

Mayor Edmonds asked if both of the definitions were included in the proposed ordinance.

Ms. Wessler responded yes both are included.

Mayor Pro-Tem Richardson asked for clarification of the definitions.

Ms. Masson-Minock stated the definition of family is something that is highly legally contested and staff felt because of that it makes sense to include both definitions, and will provide Council with this information in the requested memo.

Ms. Wessler stated by definition a family can be a single individual, two or more persons related by blood, marriage, or adoption and no more than two additional individuals as boarders or guests living together in a household or dwelling unit. It could also be individuals not related by blood, marriage, or adoption who reside in a single dwelling unit provided that the total number of occupants not exceed three except in the ND district and any permitted residential corridor; total of occupants may not exceed four unless otherwise provided. It may also mean a collective of individuals living together in one dwelling unit whose relationship consists of a non-transient group of individuals, domestic character, who will be cooking and living together in the same dwelling unit. The definitions do not include any society, club, fraternity, sorority, association, lodge, or a group of students whose domestic relationship is seasonal and transient by nature for a limited term such as a school term.

Mayor Edmonds asked the language in the definition regarding "servants" be updated.

Council Member Robb stated that the second clause in subsection A and B reading "all of whom are domiciled together..." and asked does that apply to subsection A or B or does it apply to both.

Ms. Wessler replied it is A or B the non-related individuals, such as servants, must live in the principle residence and not in an accessory dwelling unit.

Council Member Robb asked if the fourth definition of family makes the first three definitions obsolete.

Ms. Wessler responded that would be a question for the City Attorney's Office.

Mayor Edmonds asked if there are any other items Council may need information regarding the proposed zoning ordinance.

City Manager Lange stated this is a tremendous amount of information to digest and staff is in support of postponing second reading until December 16, 2014.

Council Member Murdock moved to add an amendment to the end of the resolution stating that second reading will occur on December 16th instead of December 2nd.

Council Member Robb supported the motion.

On a roll call, the vote to approve Resolution No. 2014-260 was as follows:

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Council Member Brown	Yes	Council Member Robb	Yes
Council Member Murdock	Yes	Mayor Edmonds	Yes
Mayor Pro-Tem Richardson	Yes	Council Member Vogt	Yes

VOTE:

YES: 6 NO: 0 ABSENT: 0 VOTE: Carried

Council Member Vogt moved, supported by Council Member Brown to extend the meeting till 11:00 p.m.

On a voice vote, the motion carried and the meeting was extended.

Ordinance No. 1233

2. An ordinance to amend the Ypsilanti City Code to add clarifying language and provide rules and procedures for garnishment of penalties, sanctions, and remedies for Blight Violations, to make it an offense for failure to pay fines and costs ordered for certain Blight Violations, and to clarify that all the remedies available in Section 1-15(4) regarding Blight Violations may be used to enforce an Administrative Hearing Officer's Order.

- A. Resolution No. 2014-262, determination.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled " AN ORDINANCE TO AMEND YPSILANTI CITY CODE CHAPTER 1 "GENERAL PROVISIONS," SECTION 1-15 "PENALTIES, SANCTIONS, AND REMEDIES," SUBSECTION (4) "BLIGHT VIOLATION" TO ADD CLARIFYING LANGUAGE AND TO PROVIDE FOR RULES AND PROCEDURES FOR GARNISHMENT; AND TO AMEND CHAPTER 71 "ADMINISTRATIVE HEARINGS BUREAU," ARTICLE II "ADMINISTRATIVE HEARINGS BUREAU," SECTION 71-43 "VIOLATION OF ORDERS" TO ADD AN OFFENSE FOR FAILURE TO PAY A CIVIL FINE AND COSTS, AND TO AMEND SECTION 71-46 "ENFORCEMENT OF ADMINISTRATIVE HEARING OFFICER'S ORDER" TO INCLUDE ALL REMEDIES SET FORTH IN SECTION 1-15(4)" be approved on First Reading.

OFFERED BY: Council Member Brown

SUPPORTED BY: Council Member Vogt

- B. Open public hearing.

- C. Resolution No. 2014-263, close public hearing.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the public hearing on an ordinance entitled " AN ORDINANCE TO AMEND YPSILANTI CITY CODE CHAPTER 1 "GENERAL PROVISIONS," SECTION 1-15 "PENALTIES, SANCTIONS, AND REMEDIES," SUBSECTION (4) "BLIGHT

VIOLATION" TO ADD CLARIFYING LANGUAGE AND TO PROVIDE FOR RULES AND PROCEDURES FOR GARNISHMENT; AND TO AMEND CHAPTER 71 "ADMINISTRATIVE HEARINGS BUREAU," ARTICLE II "ADMINISTRATIVE HEARINGS BUREAU," SECTION 71-43 "VIOLATION OF ORDERS" TO ADD AN OFFENSE FOR FAILURE TO PAY A CIVIL FINE AND COSTS, AND TO AMEND SECTION 71-46 "ENFORCEMENT OF ADMINISTRATIVE HEARING OFFICER'S ORDER" TO INCLUDE ALL REMEDIES SET FORTH IN SECTION 1-15(4)" be officially closed.

OFFERED BY: Council Member Brown
SUPPORTED BY: Council Member Vogt

On a voice vote, Resolution No. 2014-263 carried, and the public hearing was officially closed.

Assistant City Attorney Jesse O'Jack stated the State passed legislation that allowed for better enforcement policies such as wage garnishment and penalties for fines exceeding \$1,000. Mr. O'Jack stated the Ordinance will allow for penalties for pulling building permits or zoning compliance for those owing fines to the Administrative Hearing Bureau (AHB). Mr. O'Jack concluded this Ordinance adds the language already approved by the State.

On a roll call, the vote to approve Resolution No. 2014-262 was as follows:

	Council Member Brown	Yes	Council Member Robb	Yes
	Council Member Murdock	Yes	Mayor Edmonds	Yes
	Mayor Pro-Tem Richardson	Yes	Council Member Vogt	Yes
VOTE:				
YES:	6	NO:	0	ABSENT: 0
				VOTE: Carried

Ordinance No. 1234

3. An ordinance to amend Ypsilanti City Code Chapter 86 "Solid Waste," Article III "Yard Waste," by amending Section 86-87 to a Blight Violation and to make the appeal process consistent with other Sections of the Code; and to amend Chapter 110 "Vegetation," Article IV "Weed Control," by amending Section 110-83 to a Blight Violation and Section 110-86 to make the appeal process consistent with other Sections of the Code; and to simplify the wording in all sections.

- A. Resolution No. 2014-264, determination.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled " AN ORDINANCE TO AMEND YPSILANTI CITY CODE CHAPTER 86 "SOLID WASTE," ARTICLE III "YARD WASTE," BY AMENDING SECTION 86-87 TO A BLIGHT VIOLATION AND TO MAKE THE APPEAL PROCESS CONSISTENT WITH OTHER SECTIONS OF THE CODE; AND TO AMEND CHAPTER 110 "VEGETATION," ARTICLE IV "WEED CONTROL," BY AMENDING SECTION

110-83 TO A BLIGHT VIOLATION AND SECTION 110-86 TO MAKE THE APPEAL PROCESS CONSISTENT WITH OTHER SECTIONS OF THE CODE; AND TO SIMPLIFY THE WORDING IN ALL SECTIONS" be approved on First Reading.

OFFERED BY: Council Member Robb
SUPPORTED BY: Council Member Vogt

On a roll call, the vote to approve Resolution No. 2014-264 was as follows:

	Council Member Brown	Yes	Council Member Robb	Yes
	Council Member Murdock	Yes	Mayor Edmonds	Yes
	Mayor Pro-Tem Richardson	Yes	Council Member Vogt	Yes
VOTE:				
YES:	6	NO:	0	ABSENT: 0
		VOTE: Carried		

C. Open public hearing.

None

C. Resolution No. 2014-265, close public hearing.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the public hearing on an ordinance entitled " AN ORDINANCE TO AMEND YPSILANTI CITY CODE CHAPTER 86 "SOLID WASTE," ARTICLE III "YARD WASTE," BY AMENDING SECTION 86-87 TO A BLIGHT VIOLATION AND TO MAKE THE APPEAL PROCESS CONSISTENT WITH OTHER SECTIONS OF THE CODE; AND TO AMEND CHAPTER 110 "VEGETATION," ARTICLE IV "WEED CONTROL," BY AMENDING SECTION 110-83 TO A BLIGHT VIOLATION AND SECTION 110-86 TO MAKE THE APPEAL PROCESS CONSISTENT WITH OTHER SECTIONS OF THE CODE; AND TO SIMPLIFY THE WORDING IN ALL SECTIONS" be officially closed.

OFFERED BY: Council Member Robb
SUPPORTED BY: Council Member Vogt

On a voice vote, Resolution No. 2014-265 carried, and the public hearing was officially closed.

On a roll call, the vote to approve Resolution No. 2014-264 was as follows:

	Council Member Brown	Yes	Council Member Robb	Yes
	Council Member Murdock	Yes	Mayor Edmonds	Yes
	Mayor Pro-Tem Richardson	Yes	Council Member Vogt	Yes
VOTE:				
YES:	6	NO:	0	ABSENT: 0
		VOTE: Carried		

4. An ordinance to amend Ypsilanti City Code Chapter 18 "Buildings and Building Regulations," Article III "State Construction Code," by adding Section 18-53 "Eligibility for building permits, certificates of use and occupancy, and variances," to make certain applicants ineligible if the person or owner is delinquent in paying a civil fine, costs, or a justice system assessment imposed by the City of Ypsilanti's Administrative Hearings Bureau.

A. Resolution No. 2014-273, determination.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled "AN ORDINANCE TO AMEND YPSILANTI CITY CODE CHAPTER 18 "BUILDINGS AND BUILDING REGULATIONS," ARTICLE III "STATE CONSTRUCTION CODE," BY ADDING SECTION 18-53 "ELIGIBILITY FOR BUILDING PERMITS, CERTIFICATES OF USE AND OCCUPANCY, AND VARIANCES," TO MAKE CERTAIN APPLICANTS INELIGIBLE IF THE PERSON OR OWNER IS DELINQUENT IN PAYING A CIVIL FINE, COSTS, OR A JUSTICE SYSTEM ASSESSMENT IMPOSED BY THE CITY OF YPSILANTI'S ADMINISTRATIVE HEARINGS BUREAU" be approved on First Reading.

OFFERED BY: Council Member Vogt
SUPPORTED BY: Council Member Murdock

On a roll call, the vote to approve Resolution No. 2014-273 was as follows:

Council Member Brown	Yes	Council Member Robb	Yes
Council Member Murdock	Yes	Mayor Edmonds	Yes
Mayor Pro-Tem Richardson	Yes	Council Member Vogt	Yes

VOTE:

YES: 6 NO: 0 ABSENT: 0 VOTE: Carried

B. Open public hearing.

None

C. Resolution No. 2014-274, close public hearing.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That a public hearing on an ordinance entitled "AN ORDINANCE TO AMEND YPSILANTI CITY CODE CHAPTER 18 "BUILDINGS AND BUILDING REGULATIONS," ARTICLE III "STATE CONSTRUCTION CODE," BY ADDING SECTION 18-53 "ELIGIBILITY FOR BUILDING PERMITS, CERTIFICATES OF USE AND OCCUPANCY, AND VARIANCES," TO MAKE

CERTAIN APPLICANTS INELIGIBLE IF THE PERSON OR OWNER IS DELINQUENT IN PAYING A CIVIL FINE, COSTS, OR A JUSTICE SYSTEM ASSESSMENT IMPOSED BY THE CITY OF YPSILANTI'S ADMINISTRATIVE HEARINGS BUREAU" be officially closed.

OFFERED BY: Council Member Vogt
SUPPORTED BY: Council Member Brown

On a voice vote, Resolution No. 2014-274 carried, and the public hearing was officially closed.

Council Member Murdock asked if someone is applying for a permit and the applicant is delinquent on fines owed to the Administrative Hearings Bureau (AHB) will penalties be added if the work is not being done on the non-compliant property.

City Attorney Jesse O'Jack responded no, it applies to any property owned by that individual, except for the non-compliant property so permits may be pulled in order to perform the work ordered by the Administrative Hearings Bureau (AHB).

Council Member Robb asked if the responsible person would be the business or would it be the business's owner.

Mr. O'Jack responded the owner of the LLC would be the responsible party.

On a roll call, the vote to approve Resolution No. 2014-273 was as follows:

	Council Member Brown	Yes	Council Member Robb	Yes
	Council Member Murdock	Yes	Mayor Edmonds	Yes
	Mayor Pro-Tem Richardson	Yes	Council Member Vogt	Yes
VOTE:				
YES: 6	NO: 0	ABSENT: 0	VOTE: Carried	

X. AUDIENCE PARTICIPATION –

Moved and heard after 'Presentations'.

XI. REMARKS BY THE MAYOR –

None

XII. MINUTES –

Resolution No. 2014-266, approving the minutes of November 10, 2014

OFFERED BY: Council Member Murdock
SUPPORTED BY: Council Member Vogt

On a roll call, the vote to approve Resolution No. 2014-266 was as follows:

Council Member Brown	Yes	Council Member Robb	Yes
Council Member Murdock	Yes	Mayor Edmonds	Yes
Mayor Pro-Tem Richardson	Yes	Council Member Vogt	Yes

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VOTE:

YES: 6

NO: 0

ABSENT: 0

VOTE: Carried

XIII. CONSENT AGENDA –

Resolution No. 2014-267

1. Resolution No. 2014-268, approving *Ordinance No. 1231* prohibiting smoking in the City's tot-lot playgrounds, at Second and Final Reading.

**RESOLUTION TO ADOPT ORDINANCE TO PROHIBIT SMOKING
IN TOT LOTS**

**IT IS RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI
THAT an ordinance entitled, "An ordinance to amend the
Ypsilanti City Code to prohibit smoking in the City's tot-lot
playgrounds" be adopted on Second and Final reading.**

2. Resolution No. 2014-269, approving appointment of Kenneth Dobson II, and Brienne Willcock to the Ypsilanti Downtown Development Authority (YDDA).

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

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

<u>NAME</u>	<u>BOARD</u>	<u>TERM EXPIRATION</u>
Kenneth Dobson II 207 Welch Hall Ypsilanti, MI 48197	YDDA (replacing Leigh Greden)	7/7/2017
Brienne Willcock 114 W. Michigan Ave. (Illuminart) Ypsilanti, MI 48197	YDDA (replacing Reagan Parker)	7/7/2015

OFFERED BY: Mayor Pro-Tem Richardson

SUPPORTED BY: Council Member Brown

On a roll call, the vote to approve Resolution No. 2014-267 was as follows:

Council Member Brown	Yes	Council Member Robb	Yes
Council Member Murdock	Yes	Mayor Edmonds	Yes
Mayor Pro-Tem Richardson	Yes	Council Member Vogt	Yes

VOTE:

YES: 6

NO: 0

ABSENT: 0

VOTE: Carried

XIV. RESOLUTIONS/MOTIONS/DISCUSSIONS –

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1. Resolution No. 2014-270, rejecting existing bids and approving the solicitation of new bids for the construction of the Ypsilanti Heritage Bridge and Trail; and the River's Edge

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

WHEREAS it is a priority of the City of Ypsilanti to continue the Border to Border Trail across the Huron River; and

WHEREAS, to this end, the City sought and accepted grants to construct the Ypsilanti Heritage Bridge and Trail and the River's Edge Linear Park and Trail; and

WHEREAS, the budget for these projects totals approximately \$1,200,000; and

WHEREAS the City requested proposals to construct the Ypsilanti Heritage Bridge and Trail and the River's Edge Linear Park and Trail; and

WHEREAS the lowest qualified bid submitted was approximately \$375,000 above the budget for the project; and

WHEREAS the City wishes to revise and review the design of the project and then re-request proposals for construction;

NOW, THEREFORE, BE IT RESOLVED THAT all of the bids submitted to the City for the construction of the Ypsilanti Heritage Bridge and Trail and the River's Edge Linear Park and Trail are rejected.

OFFERED BY: Council Member Vogt

SUPPORTED BY: Council Member Brown

City Manager Lange stated this project is very important to the City and staff has put in a lot of work, however, the bids came in too pricey, around \$300,000 over the project estimation. Mr. Lange stated the attorneys and OHM are reviewing the bid and refining it so that it may be resubmitted.

Council Member Murdock stated this grant has been delayed several times and has been extended by the trust fund and asked if the trust fund will allow the City more time.

Mr. Lange responded staff has assured him that there will be no issue with acquiring another extension.

Council Member Murdock asked if the City will be combining the two grants in order to pay for this project.

Mr. Lange responded as much as we are allowed to.

Council Member Murdock asked how the bid specifications will be altered in order to ensure the project is affordable.

Mr. Lange replied the placement of the Border to Border trail on the South side of Michigan Ave. could be moved, there are several alternatives that can be removed from the specifications, the timing of the project could be moved, and other technical issues that the engineers will resolve.

Council Member Murdock asked if the issue with Rick Fischer and the easement had been resolved.

Mr. Lange replied yes, the City has purchased that property for \$40,000.

On a roll call, the vote to approve Resolution No. 2014-270 was as follows:

	Council Member Brown	Yes	Council Member Robb	Yes
	Council Member Murdock	Yes	Mayor Edmonds	Yes
	Mayor Pro-Tem Richardson	Yes	Council Member Vogt	Yes
VOTE:				
YES:	6	NO:	0	ABSENT: 0
VOTE: Carried				

2. Resolution No. 2014-271, adopting the "80/20 Cap" health care option.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

WHEREAS, the City of Ypsilanti has three (3) options as provided for in the Act under which compliance with all provisions of the Act can be achieved; and

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

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

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

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

WHEREAS, the Act requires that no agreement "executed" after January 1, 2015, can include terms which are inconsistent with the requirements of the "80/20 Cap" option and that the collective bargaining agreement and "other contract" exemption last until the contract expires.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council does hereby approve and adopt the "80/20 Cap" option as provided for in Public Act 152 of 2011, to become effective January 1, 2015.

OFFERED BY: Council Member Brown
SUPPORTED BY: Council Member Vogt

Council Member Murdock stated he noticed healthcare costs for the City have grown significantly, around 20%, this can be attributed to the increase in the number of employees and employees' growing families. Mr. Murdock added that the actual rate increases for the City were only 2.6% which is unheard of.

City Manager Lange stated the rate increases were kept low by individuals moving into Medicare Advantage.

Council Member Robb stated he would like the City to handle healthcare costs by each employee contributing 6% of their yearly pay to healthcare. Mr. Robb stated some employees are paying 10% of their salary for healthcare; this disproportionately affects those employees with lower incomes. Mr. Robb added he hopes that this issue can be discussed at the goal setting meeting. Mr. Robb concluded saying he will be voting against this resolution and encouraged Council to do the same.

Mayor Edmonds asked Council Member Robb to explain his recommendation.

Council Member Robb stated public employees, at least in Michigan, are unique because it has been mandated that management employ the 80/20 rule. Mr. Robb stated as an employee in the private sector he pays 40% of his healthcare costs, which accounts for 7% of his salary and there is no equivalent of this method in the public sector. Mr. Robb added because the State has mandated this rule the City can decide the best way to handle the rules.

Mayor Edmonds clarified her question and asked where the practice of employees paying a percentage of their salary as payment for healthcare derived.

Council Member Robb replied before Ypsilanti changed to the 80/20 mandate that practice occurred in Ypsilanti.

Council Member Murdock stated City employees used to pay 2% of their salary as a contribution to healthcare. After the state mandated 80/20 rule the City examined several different aspects of how to administer the rule, however, due to time constraints the changes were rushed through and now the City has this method in union contracts which make them difficult to alter.

Council Member Robb stated that is not entirely true, the contract only states they will pay for healthcare using the 80/20 rule.

Council Member Murdock stated the time to make changes to union contracts is at the negotiation table.

City Manager Lange stated he apologizes for this item not coming to Council sooner, however, staff needed rates from Blue Cross Blue Shield to provide to Council. Union contracts are negotiated and bonuses given to compensate for healthcare issues, and the unions seem satisfied with this practice. Mr. Lange stated it is important in principle if a cost is shared. The contribution should be paid into the benefit and if you pay a cost not related to the benefit it becomes difficult to control that cost.

Council Member Robb stated if the City simply accepts the rates Blue Cross/Blue Shield submits how does that control cost.

Mr. Lange responded the union contract was written as such to not allow management to mandate healthcare. Mr. Lange added the cost was lowered by using tier 2 and Medicare Advantage.

Mayor Edmonds asked if Council Member Robb was satisfied with Mr. Lange's response.

Council Member Robb responded this is a perfect item to address at the goal setting meetings. Mr. Robb asked if the COAM contract locked the City into using Blue Cross Blue Shield.

Mr. Lange replied the City is locked into Blue Cross/Blue Shield, however, the actual increase in cost was only 2.6% which is very low.

On a roll call, the vote to approve Resolution No. 2014-271 was as follows:

	Council Member Brown	Yes	Council Member Robb	No
	Council Member Murdock	Yes	Mayor Edmonds	Yes
	Mayor Pro-Tem Richardson	Yes	Council Member Vogt	Yes
VOTE:				

YES: 5 NO: 1 (Robb) ABSENT: 0 VOTE: Carried

XV. LIASON REPORTS –

- A. SEMCOG Update - None
- B. Washtenaw Area Transportation Study – Meeting is tomorrow Wednesday, November 19th.
- C. Washtenaw Metro Alliance - None
- D. Urban County - None
- E. Freight House – Request for Proposals will be going out next month and the YDDA is discussing a contribution which will be voted on at the next meeting on Thursday, November 20th.

City Manager Lange stated the Eastern Leaders Group will be contributing \$25,000 specifically for the Freight House.

- F. Parks and Recreation - None

XVI. COUNCIL PROPOSED BUSINESS –

Richardson

- Stated in the past the City has offered social services such as warming centers. Ypsilanti needs to partner with other agencies or churches to provide these services as the winter approaches.
- Informed Council that Parkridge Center is beginning to prepare for Christmas Dinner, which is available to community youth who use the Center and asked if members of Council would like to donate or purchase gifts for these children. Also, the Parkridge Center will be having a Thanksgiving dinner on November 25th.
- Requested another mold inspection at Chidester Place to make sure that the issue is rectified.

Murdock

City Council Meeting Minutes
November 18, 2014

- Stated winter is fast approaching and asked how the City will be handling snow removal with the code enforcement mechanism, as well as community partners to help address the issue.
- Addressed those individuals concerned with tenant's rights, stating a lot of this has to do with misinformation of code enforcement. Mr. Murdock stated there used to be a tenant's Bill of Rights which explained to those renting properties methods to address these problems.
- There have been discussions regarding personal cameras worn by police officers and funds have been allocated. Chief DeGiusti stated he would research this matter and write a report along with recommendations, and asked what is the status of that report.

Brown

- Stated she has been approached by several citizens complaining about the speed on Ainsworth Cir between Ferris and Middle and asked that stop signs be placed on Ferris.

Mayor Pro-Tem Richardson asked if the bushes at Hamilton and Ferris have been a problem and have to have been cut back.

Robb

- Asked what the process is for getting a speed monitor to a certain location.

City Manager Lange responded that a Council Member would just need to ask.

XVII. COMMUNICATIONS FROM THE MAYOR –

- Stated the Downtown Association of Ypsilanti purchased a snow blower after last winter and the Downtown Development Authority has discussed contributing to that initiative. Mayor Edmonds added that the City should set priorities on what walks to clear considering housing and commercial districts of high priority.
- Said mold has been an issue at Chidester Place for some time and the population living there tends to be more medically sensitive. She said the City needs to do everything it can to help these individuals.
- Stated she supports the organization of a tenant's union and would like to see tenant's rights be better communicated, as well as avenues that would help rectify a situation whether they are building enforcement or mediation.

XVIII. COMMUNICATIONS FROM THE CITY MANAGER –

- The street light at Huron and Michigan has been repaired.
- The construction on Prospect Rd., south of Michigan Ave., is complete.
- The street striping, as part of the urgent road repairs, is complete.
- Aggressively dealing with any and all violation of building ordinances.

- Ordinance Enforcement and DPS are preparing for the winter months and subcontractors have been hired in case the work load becomes too great for DPS.
- Subcontractors have been hired in order to assist with the backlog of ordinance violations.
- The Police Department has been examining the possibility of using body-cams, but some technical issues have arisen.
- The Police Department is in the process of hiring four new officers and two Lieutenants have been trained.

Mayor Edmonds asked if there was a motion to extend the meeting.

Council Member Vogt moved, supported by Council Member Brown to extend the meeting till 11:10 p.m.

On a voice vote, the motion passed and the meeting was extended until 11:10 p.m.

XIX. AUDIENCE PARTICIPATION –

1. Katelyn Pedri, 1084 Levona, stated she would like to address the mischaracterization presented by Stuart Beal regarding herself and her partner. Ms. Pedri explained the dispute was not over \$76 it was over a total of \$234 which developed as a result of late fees attached to her account. Ms. Pedri said in order to resolve the issue, the fees for gas were subtracted from the rent owed, because of this each month she and her partner received a late fee and an eviction notice and Beal's attorney attempted to use these funds as a bargaining tool to leverage the two to take down negative reviews on the internet. Ms. Pedri concluded stating there is a Tenant's Bill of Rights available online and at a few local libraries however it takes work to find these documents.
2. Philip Patterson, 1084 Levona, stated regardless of Ypsilanti having some of the best laws in the country regarding tenant's rights, what he has seen and heard means the City needs to do a better job. Mr. Patterson challenged Council to investigate Beal properties and, look at the condition they are in; and speak with the tenants of those properties to learn of their experiences. Mr. Patterson told Council that it is his intention to continue with his efforts and form a tenant's union, however he would like to see Council be more active in ensuring tenants have safe and healthy homes. Mr. Patterson stated Jason Gray, who lived at 210 Washington and unable to attend tonight's meeting and claims that Beal took his security deposit because of broken windows that he stated were broken before he moved in. The neighbors below Mr. Gray complained about the same situation. Mr. Patterson stated Mr. Gray's belongings were removed without his permission and Mr. Beal entered his property without permission and evicted him without cause. Mr. Patterson told Council that Mr. Beal also took Mr. Gray's dog to the Humane Society.
3. Stuart Beal, 113 Buffalo, stated he stands behind his characterization of his former tenants at 812 River #2 that the dispute is regarding \$72. Mr. Beal explained that his company owns 90 properties in Washtenaw County and tonight only three issues were brought to Council; a leaking roof that permits have already been pulled to repair, tenants being charged for ripped screens, and this \$72 fine. The dispute between Mr. Gray and Beal Properties resulted in Mr. Gray breaking into his former apartment at 210 N. Washington, after his mother had removed all of his belongings, and left his dog. The next day the

apartment was to be painted and the dog was found who was kept until Sunday night after having called Ypsilanti Police, the Humane Society and the Washtenaw County Animal Control who advised him to take the dog to the Humane Society.

XX. REMARKS FROM THE MAYOR –

XXI. ADJOURNMENT -

Resolution No. 2014-272, 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 Robb

SUPPORTED BY: Council Member Vogt

On a voice vote, the motion carried and the meeting adjourned at 11:09 p.m.



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

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

John M. Barr
Karl A. Barr
Daniel J. DuChene

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

REQUEST FOR LEGISLATION

DATE: November 26, 2014

FROM: John M. Barr

SUBJECT: Ordinance to Convey Two City-owned Parcels to Strong Future LDHA Limited Partnership

SUMMARY/BACKGROUND

On February 4, 2014, City Council adopted Ordinance No. 2014-1210, which authorized the Mayor and City Clerk to enter into an Option to Purchase Land Agreement with Strong Future LDHA Limited Partnership for the sale of the remaining city-owned low income housing, excepting Parkridge (which was dealt with by Ordinance 2014-1209). The purpose of this agreement was to show site control by the limited partnership in order that their application for tax credits from the Michigan State Housing Development Authority be approved.

This application was so approved and the parties are moving forward to complete the sale of those sites. The limited partnership has submitted site plans for the anticipated redevelopment and rehabilitation of the properties. As part of this plan, the limited partnership anticipates constructing a new building at both the Paradise Manor and Hollow Creek sites. These buildings will house management and social service operations and will be used for other purposes as well. In order to construct these buildings, the City would need to sell the parcels it owns that are adjacent to these sites.

The first is Ometha Smith Memorial Park, which is adjacent to Paradise Manor. The parcel is owned by the City, but operated by the Ypsilanti Housing Commission (see Resolution 93-138 attached). This parcel is not protected land and not required under the Master Plan, as provided in Article XI, Section 11.03 of the Charter. Therefore, no vote of the people is necessary to convey this parcel.

The second is 130 S. Grove Street, which is adjacent to Hollow Creek. This site is undeveloped and unused. The parcel is adjacent to the Huron River and the City would require an easement to the 30 feet adjoining the Huron River and its banks. The proposed quitclaim deed concerning this parcel reserves such an easement.



At the time this legislation was drafted, the voters of the City had approved Proposal H, which authorizes City Council to convey land by resolution instead of by ordinance. However, it is currently unclear exactly when this amendment to the Charter would be in effect. Furthermore, this amendment still requires that a public hearing be held. Therefore, this action is initially being offered as an ordinance. If the relative amendment becomes effective before the ordinance's first reading, this may change.

ATTACHMENTS: -Proposed Ordinance
 -Proposed Site Plans
 -Resolution 93-138

RECOMMENDED ACTION: Review and adoption

DATE RECEIVED: _____ AGENDA ITEM NO. _____

CITY MANAGER COMMENTS:

FOR AGENDA OF: _____ FINANCE DIR. APPROVAL _____

COUNCIL ACTION TAKEN:



Resolution No. 2014-276
December 2, 2014

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled "An ordinance to sell city-owned property to Strong Future LDHA Limited Partnership" be approved on First Reading.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

**City of Ypsilanti
Ordinance No. 1236**

An Ordinance to Convey Two City-owned Parcels to Strong Future LDHA Limited Partnership

WHEREAS on February 4, 2014, City Council for the City of Ypsilanti adopted Ordinance No. 2014-1210, which authorized the Mayor and City clerk to enter into an Option to Purchase Land Agreement with Strong Future LDHA Limited Partnership; and

WHEREAS the purpose of this Option to Purchase was to show site control by the limited partnership in order that their application for tax credits from the Michigan State Housing Development Authority be approved;

WHEREAS the Option to Purchase was contingent upon on the approval of this application; and

WHEREAS the application was so approved and the limited partnership has submitted site plans to redevelop or rehabilitate the various parcels throughout the City; and

WHEREAS these site plans anticipate the construction of two new buildings for the purposes of housing management and social services in addition to other purposes; and

WHEREAS in order to construct these two new buildings, the limited partnership requires two additional parcels that are currently owned by the City; and

WHEREAS the first parcel is adjacent to Paradise Manor, currently under the control of the Ypsilanti Housing Commission, and is operated as Ometha Smith Memorial Park (928 W. Michigan Avenue, Parcel ID #11-11-39-145-030); and

WHEREAS the second parcel is adjacent to Hollow Creek, undeveloped, and unused (130 S. Grove Street, Parcel ID #11-11-09-170-024); and

WHEREAS the City anticipates conveying these parcels to the limited partnership at the time of closing for the properties that are under the Option to Purchase; and

WHEREAS the City, in its 2012 Master Plan has defined its guiding values to include, "Anyone, no matter what age or income, can find a place to call home in Ypsilanti: Housing options should match the needs of the people. Those needs will change as residents age and move. The need for safe, quality, affordable homes for all should be factored into decisions;" and

WHEREAS the City desires to sell such properties to further these goals;

NOW THEREFORE:

1. THE CITY OF YPSILANTI ORDAINS: The Mayor and City Clerk are authorized to execute the attached quitclaim deeds to convey the above-identified properties to Strong Future LDHA Limited Partnership

2. Copies to be available. Copies of the Ordinance are available at the office of the city clerk for inspection by, and distribution to, the public during normal office hours.

3. Publication and Effective Date. The City Clerk shall cause this Ordinance, or a summary of this Ordinance, to be published by printing the same in the Ypsilanti Courier. This Ordinance shall become effective after publication at the expiration of 30 days after adoption.

MADE, PASSED AND ADOPTED BY THE YPSILANTI CITY COUNCIL THIS _____ DAY OF _____, 2014.

Frances McMullan, City Clerk

Attest

I do hereby confirm that the above Ordinance No. 1236 was published in Washtenaw Now on the _____ day of _____, 2014.

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 _____, 2014.

Frances McMullan, City Clerk

Notice Published: November 20, 2014

First Reading: December 2, 2014

Second Reading: _____

Published: _____

Effective Date: _____



Resolution No. 2014-277
December 2, 2014

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the public hearing on an ordinance entitled "An ordinance to sell city-owned property to Strong Future LDHA Limited Partnership" be officially closed.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

August 30, 1993

RESOLUTION transferring control of property to Ypsilanti Housing Commission.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that;

WHEREAS the City is the owner of certain property described as part of Lot 25 and 26 and additional land as more fully appears from the attached description; and

WHEREAS said property is adjacent to Ypsilanti Housing Commission property on East Michigan Avenue, Ypsilanti, Michigan; and

WHEREAS the City desires the Housing Commission to develop said property for Housing Commission purposes;

NOW THEREFORE IT IS RESOLVED That:

1. The control, use, and occupancy of said property is transferred to the Ypsilanti Housing Commission for use and development for recreation and Commission purposes;

2. All such use of the property shall be in full compliance with all city codes and ordinances and is conditioned upon the Ypsilanti Housing Commission naming the city as an additional insured on Ypsilanti Housing Commission liability insurance policies.

A. Requirement that the property be enclosed.

3. The Mayor and City Clerk are hereby authorized to sign any and all documents necessary to effectuate the transfer of control and any state or federal requirements for such transfer.

4. In the event that the Ypsilanti Housing Commission fails to occupy or utilize said property for a period in excess of 90 days that the occupancy, control and use of said property shall revert to the City of Ypsilanti.

OFFERED BY: _____

Mary Louise Foley

SUPPORTED BY: _____

[Signature]

YES: 10

NO: 0

ABSENT: 1-Ganun

VOTE: Unanimous

QUITCLAIM DEED

The City of Ypsilanti, a Michigan home rule city whose address is 1 S. Huron Street, Ypsilanti, MI 48197, **QUITCLAIMS** to **Strong Future LDHA Limited Partnership**, a Michigan limited partnership whose address is 101 N. Main Street Suite 555, Ann Arbor, MI 48104, the following described premises situated in the City of Ypsilanti of, County of Washtenaw, and state of Michigan, to-wit:

*OLD SID - 11 11-040-238-00 YP CITY 2E-68 LOT 238 EXC RIGHT OF WAY TO MICHIGAN CENTRAL RAILROAD ORIGINAL PLAT.

(Commonly known as 130 S. Grove Street, Ypsilanti, MI 48198)

Reservation of Easement: The City of Ypsilanti reserves a perpetual easement that shall run with the land. The easement premises consists of the 30 feet of the property adjoining the Huron River and along its banks. This easement protects the Huron River, its banks, and its slopes on the property and restricts further development of the area. Also, the easement allows the City of Ypsilanti to construct and maintain a pathway for non-motorized public use.

For the full consideration of One Dollar (\$1.00).

THIS CONVEYANCE HAS A VALUE OF CONSIDERATION RECEIVED OF LESS THAN \$100 AND IS THEREFORE WITHIN THE MEANING OF MCLA 207.505(a). THE GRANTOR IS A MUNICIPALITY OF THE STATE OF MICHIGAN AND IS THEREFORE WITHIN THE MEANING OF MCLA 207.505(h)(i). ALSO EXEMPT UNDER MCL 207.526(a) AND MCL 207.526(h)(i).

CITY OF YPSILANTI

Amanda Edmonds
Mayor of the City of Ypsilanti

Dated: _____

STATE OF MICHIGAN)
)ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me on this ____ day of _____, 20____, by AMANDA EDMONDS, who being duly sworn, did say that she is the Mayor of the City of Ypsilanti and did represent that she was duly authorized to execute this document on behalf of said Michigan municipality.

, Notary Public
County, Michigan

My commission expires:

Dated: _____

Frances McMullan
Ypsilanti City Clerk

STATE OF MICHIGAN)
)ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me on this ____ day of _____, 20____,
by FRANCES McMULLAN, who being duly sworn, did say that she is the Clerk of the City of Ypsilanti
and did represent that she was duly authorized to execute this document on behalf of said Michigan
municipality.

, Notary Public
County, Michigan

My commission expires:

Recording Fee: \$17
State transfer tax: \$0
Tax Parcel # 11-11-09-170-024

Drafted by and when recorded return to:
John M. Barr
Ypsilanti City Attorney
105 Pearl Street
Ypsilanti, MI 48197

QUITCLAIM DEED

The City of Ypsilanti, a Michigan home rule city whose address is 1 S. Huron Street, Ypsilanti, MI 48197, **QUITCLAIMS** to **Strong Future LDHA Limited Partnership**, a Michigan limited partnership whose address is 101 N. Main Street Suite 555, Ann Arbor, MI 48104, the following described premises situated in the City of Ypsilanti of, County of Washtenaw, and state of Michigan, to-wit:

Lot 25, Assessor's Plat No. 4, in the City of Ypsilanti, Washtenaw County, Michigan. Also the East 10 feet of Lot 26, according to the recorded plat of Assessor's Plat No. 4, in the City of Ypsilanti, County of Washtenaw and State of Michigan. Also a strip of land 20 feet wide which lies directly west of the east 10 feet of Lot No. 26 of Assessor's Plat No. 4 to the City of Ypsilanti, Michigan, according to the plat thereof as recorded in Liber 9 of Plats, page 15 in the Register of Deeds Office, Washtenaw County, Michigan.

EXCEPT:

Beginning at the Southeast corner of Lot 10 Woods Subdivision; thence southerly along the east line of Lot 10 produced, 50.06 feet; thence westerly parallel with the south line of Woods Subdivision 34.80 feet; thence northerly 50.00 feet to the south line of Woods Subdivision; thence easterly along the south line of Woods Subdivision 37.75 feet to Place of Beginning.

EXCEPT:

Beginning at the Northeast corner of Lot 25 of Assessor's Plat No. 4, City of Ypsilanti; thence, southerly along the east line of Lot 25, 50.46 feet; thence westerly on a line parallel with the south line of Woods Subdivision 80.35 feet; thence northerly 50.06 feet to the southwest corner of Lot 9, Woods Subdivision; thence easterly along the north line of Lot 25, Assessor's Plat No. 4, 75.10 feet to Place of Beginning.

(Commonly known as 928 W. Michigan Avenue, Ypsilanti, MI 48197)

For the full consideration of One Dollar (\$1.00).

THIS CONVEYANCE HAS A VALUE OF CONSIDERATION RECEIVED OF LESS THAN \$100 AND IS THEREFORE WITHIN THE MEANING OF MCLA 207.505(a). THE GRANTOR IS A MUNICIPALITY OF THE STATE OF MICHIGAN AND IS THEREFORE WITHIN THE MEANING OF MCLA 207.505(h)(i). ALSO EXEMPT UNDER MCL 207.526(a) AND MCL 207.526(h)(i).

CITY OF YPSILANTI

Amanda Edmonds
Mayor of the City of Ypsilanti

Dated: _____

STATE OF MICHIGAN)
)ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me on this ____ day of _____, 20____, by AMANDA EDMONDS, who being duly sworn, did say that she is the Mayor of the City of Ypsilanti and did represent that she was duly authorized to execute this document on behalf of said Michigan municipality.

, Notary Public
County, Michigan

My commission expires:

Dated: _____

Frances McMullan
Ypsilanti City Clerk

STATE OF MICHIGAN)
)ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me on this ____ day of _____, 20____, by FRANCES McMULLAN, who being duly sworn, did say that she is the Clerk of the City of Ypsilanti and did represent that she was duly authorized to execute this document on behalf of said Michigan municipality.

_____, Notary Public
County, Michigan

My commission expires:

Recording Fee: \$17
State transfer tax: \$0
Tax Parcel # 11-11-39-145-030

Drafted by and when recorded return to:
John M. Barr
Ypsilanti City Attorney
105 Pearl Street
Ypsilanti, MI 48197

HOLLOW CREEK APARTMENTS RENOVATIONS

YPSILANTI LIST OF DRAWINGS

CIVIL ENGINEERING

C.001 TOPOGRAPHIC SURVEY
C.002 TREE SURVEY INFORMATION

C.101 CIVIL LAYOUT
C.102 CIVIL LAYOUT

LANDSCAPING

L.101 SITE PLANTING PLAN
L.102 SITE PLANTING PLAN/ DETAILS

L.901 SITE DETAILS

ARCHITECTURAL

A.S.101 ARCHITECTURAL SITE PLAN

A.101 FIRST & SECOND FLOOR BUILDING PLAN
A.102 COMMUNITY BUILDING FLOOR PLAN & ELEVATIONS

A.201 UNIT BUILDING ELEVATIONS
A.202 UNIT BUILDING ELEVATIONS

LIGHTING

E.P.101 LIGHTING SITE PLAN
E.901 LIGHTING DETAILS
E.902 LIGHTING DETAILS



LOCATION MAP

NO SCALE



DEVELOPMENT TEAM

OWNER
STRONG FUTURE LDHA LP
601 ARMSTRONG DR
YPSILANTI, MI 48197

DEVELOPER
CHESAPEAKE COMMUNITY ADVISORS
33 SOUTH GAY ST. STE. 200
BALTIMORE, MD 21202

ARCHITECT
FUSCO, SHAFFER & PAPPAS, INC.
550 E. NINE MILE RD
FERNDAL E, MI 48220
248.543.4100

CIVIL ENGINEER
NOWAK AND FRAUS
48777 WOODWARD AVE
PONTIAC, MI 48342

LANDSCAPE ARCHITECT
KENNETH WIEKAL
33203 BIDDESTONE
FARMINGTON HILLS, MI 48334

DATE	ISSUE
11.03.2014	SITE PLAN APPROVAL/ REVIEW



FUSCO, SHAFFER & PAPPAS, INC.
ARCHITECTS AND PLANNERS

MICHIGAN SUMMARY TABLE

SITE DATA

SITE AREA	
EXISTING PARCEL - APARTMENTS	69,696 S.F. OR 1.6 AC.
PROPOSED PARK PARCEL	16,885 S.F. OR ± .37 AC.
TOTAL	86,591 S.F. OR 1.97 AC.

ZONING (CURRENT)	
EXISTING PARCEL - APARTMENTS	PUBLIC LAND PL
PROPOSED PARK PARCEL	ONE & TWO FAMILY RESIDENTIAL R2

TOTAL BUILDING FOOTPRINT AREA	
EXISTING APARTMENTS	12,320 S.F.
PROPOSED MANAGEMENT OFFICE	1,065 S.F.
TOTAL	13,385 S.F.

LOT COVERAGE	
PROPOSED	15.5%

OPEN SPACE	
PROPOSED	73,196 S.F.

BUILDING TO BUILDING SETBACK	
REQUIRED	20'
PROPOSED	20'

BUILDING HEIGHT	
PROPOSED MANAGEMENT OFFICE BLDG.	15 FT-1 STORY

DENSITY	
PROPOSED - DWELLINGS/ACRE	12.1 D.U./AC.

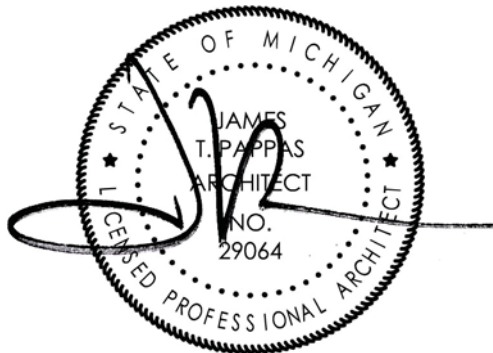
UNIT COUNT (EXISTING APARTMENTS)	
2 BR UNITS	8 D.U.
3 BR UNITS	12 D.U.
4 BR UNITS	4 D.U.
TOTAL	24 D.U.

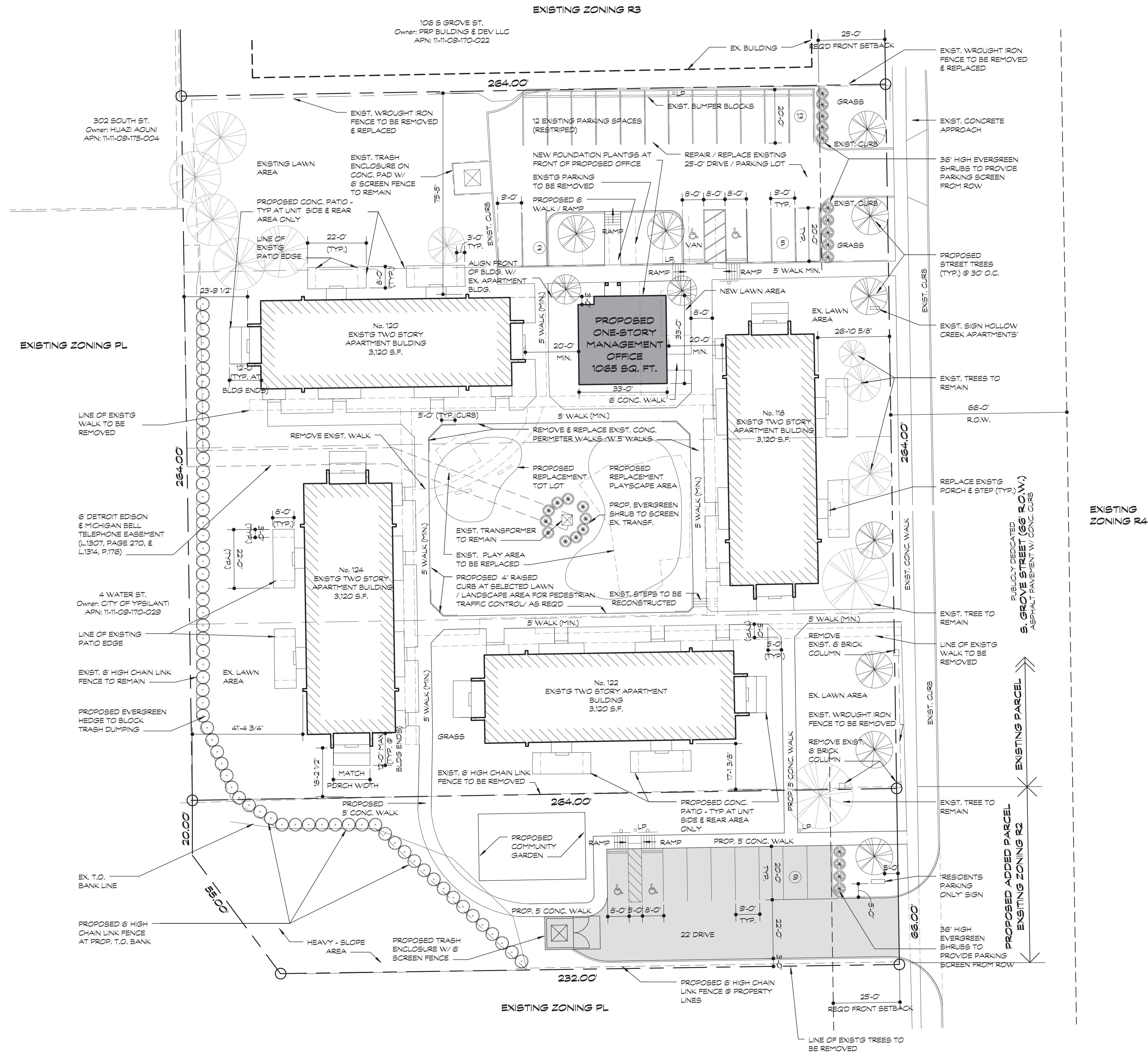
PARKING - APARTMENTS	
PROVIDED (EXISTING)	24 SPACES

PARKING - OFFICE BUILDING	
REQUIRED (1 SPACE/ 300 S.F. USABLE AREA)	3 SPACES
PROPOSED	4 SPACES

PARKING TOTAL	
PROPOSED	28 SPACES

NOTES: 1. ALL EXISTING CONCRETE PORCHES TO BE REPAIRED & REPLACED AS NECESSARY
2. EXISTING CONCRETE WALKS REPAIRED OR REPLACED AS NECESSARY
3. ALL BUILDINGS ARE TWO STORY BRICK & VINYL SIDING APARTMENT BUILDING W/ ASPHALT SHINGLE ROOF - EXTERIOR MATERIALS TO BE ENTIRELY REPLACED
4. BUILDING S.F. IS BASED ON EXTERIOR BUILDING DIMENSIONS AT GROUND LEVEL ONLY





SITE DATA		
SITE AREA		
EXISTING PARCEL - APARTMENTS	69,696 S.F. OR 1.6 AC.	
PROPOSED PARK PARCEL	16,885 S.F. OR 1.37 AC.	
TOTAL	86,581 S.F. OR 1.97 AC.	
ZONING (CURRENT)		
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PROPOSED PARK PARCEL	ONE & TWO FAMILY RESIDENTIAL R2	
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PROPOSED	20'	
BUILDING HEIGHT		
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2 BR UNITS	8 D.U.	
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PARKING - APARTMENTS		
PROVIDED (EXISTING)	24 SPACES	
PARKING - OFFICE BUILDING		
REQUIRED (1 SPACE/ 300 S.F. USABLE AREA)	3 SPACES	
PROPOSED	4 SPACES	
PARKING TOTAL		
PROPOSED	28 SPACES	

- NOTE:
1. ALL EXISTING ON SITE CONC. WALKS TO BE REPLACED
 2. ALL ENTRY PORCHES / STEPS TO BE REMOVED & REPLACED
 3. ALL BUILDINGS ARE TWO STORY BRICK & VINYL SIDING APARTMENT BUILDING W/ ASPHALT SHINGLE ROOF - EXTERIOR MATERIALS TO BE ENTIRELY REPLACED
 4. BUILDING S.F. IS BASED ON EXTERIOR BUILDING DIMENSIONS AT GROUND LEVEL ONLY
 5. REPORT TO LANDSCAPE PLANS FOR ACTUAL TREE & PLANT MATERIAL LOCATIONS

PAVING

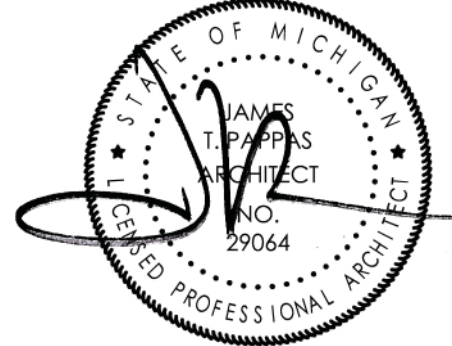
CONCRETE

ASPHALT

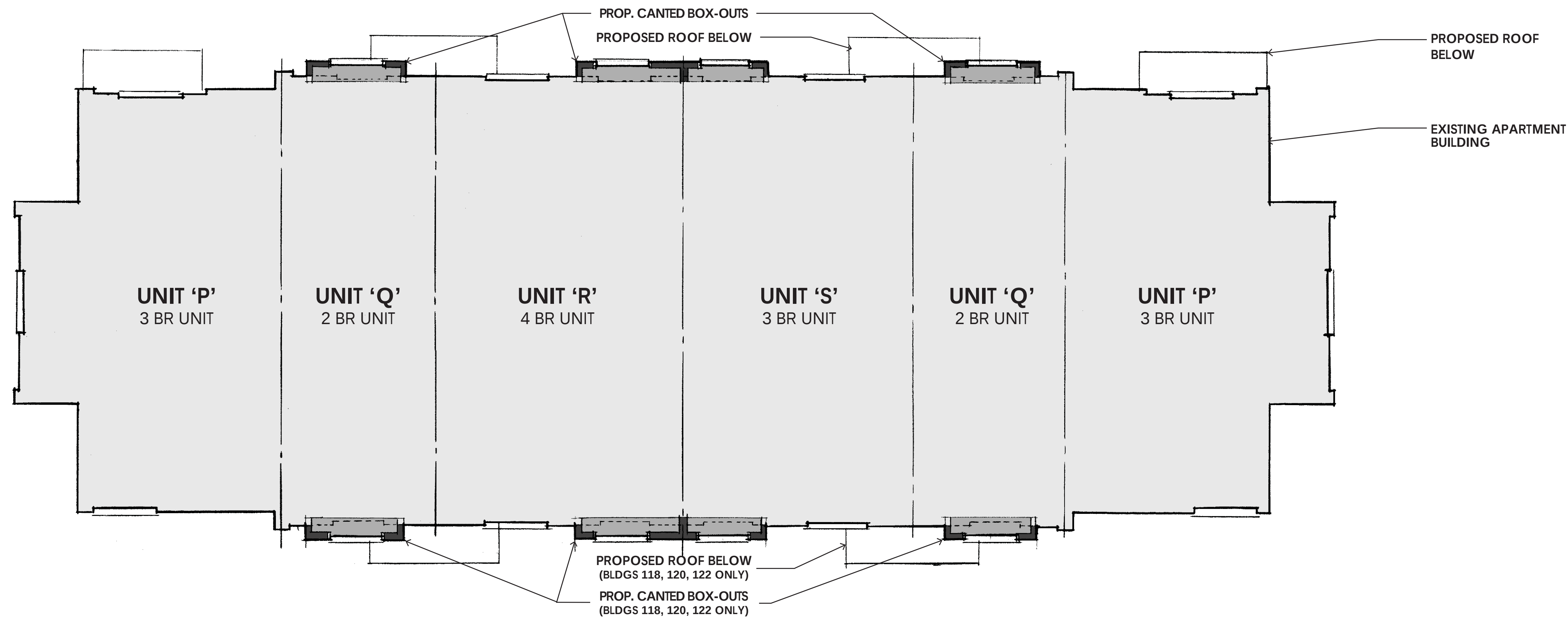
ARCHITECTURAL SITE PLAN

1" = 20'

10' 20' 40'

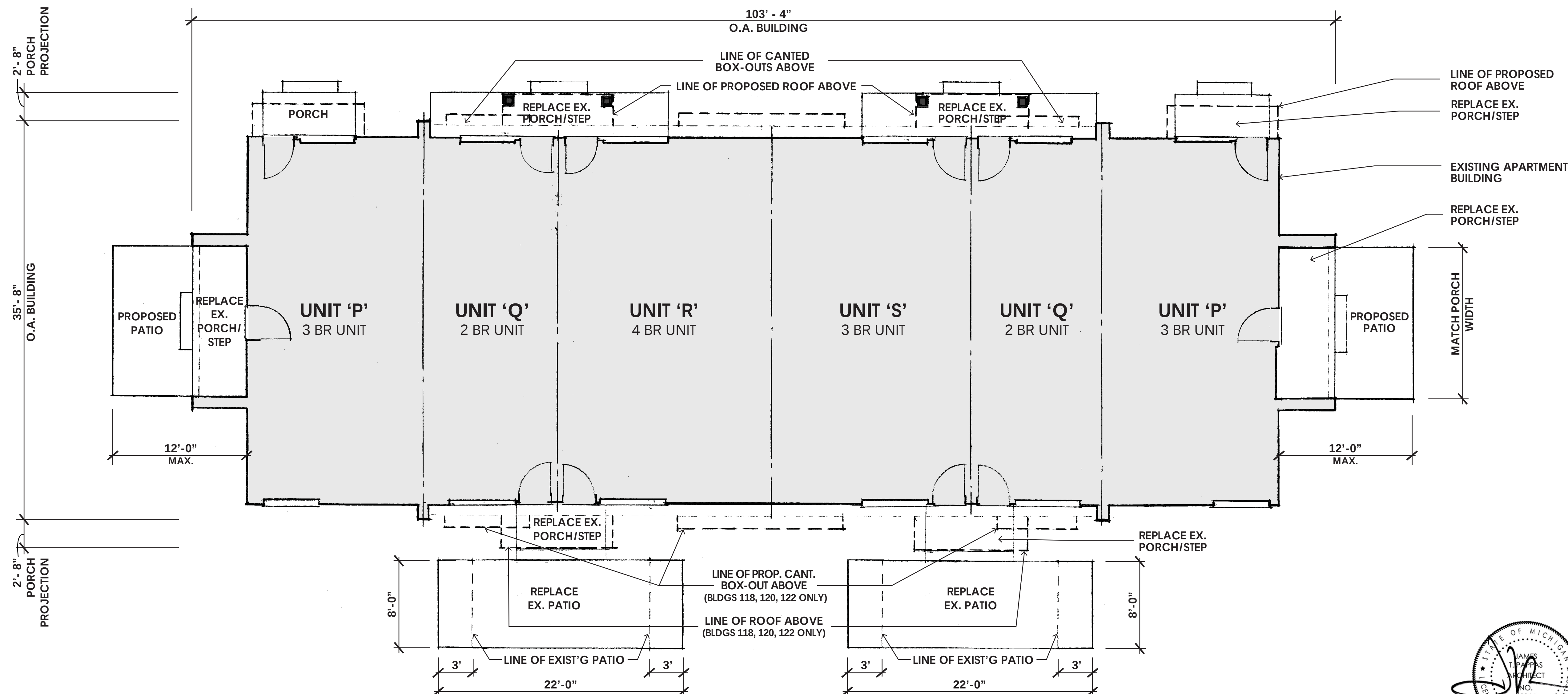


FSP FUSCO, SHAFER & PAPPAS, INC.
 ARCHITECTS & PLANNERS
 550 E. NINE MILE RD.
 FERNDALE, MICHIGAN 48220
 PHONE 248.543.4100 FAX 248.543.4141
 www.fsparchitects.com



SECOND FLOOR BUILDING PLAN - TYPICAL

3/16" = 1'-0"



FIRST FLOOR BUILDING PLAN - TYPICAL

3/16" = 1'-0"

BUILDING PLANS HOLLOW CREEK APARTMENTS RENOVATIONS

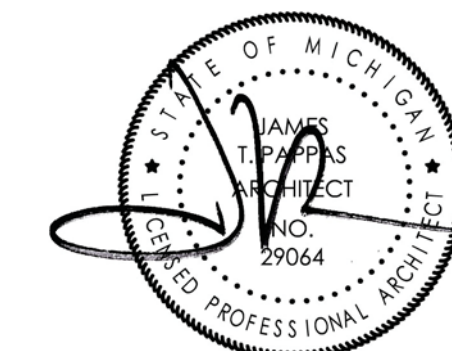
YPSILANTI

MICHIGAN

FSP FUSCO,
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PAPPAS, INC.
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www.fsparchitects.com

NOVEMBER 03, 2014

A.101





LEFT SIDE ELEVATION

3/16" = 1'-0"



FRONT ELEVATION

3/16" = 1'-0"



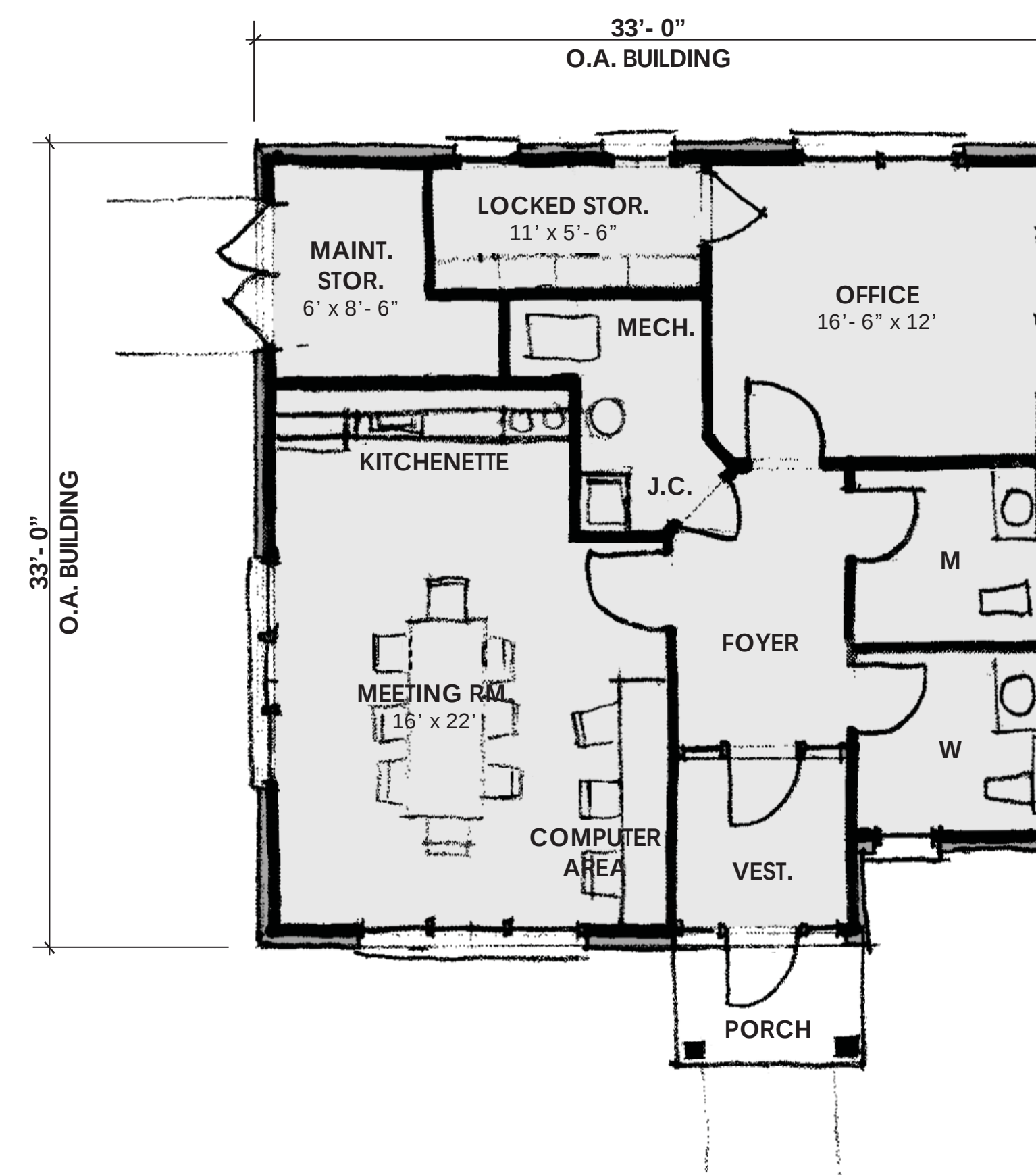
RIGHT SIDE ELEVATION

3/16" = 1'-0"



REAR ELEVATION

3/16" = 1'-0"



COMMUNITY BUILDING FLOOR PLAN

3/16" = 1'-0"

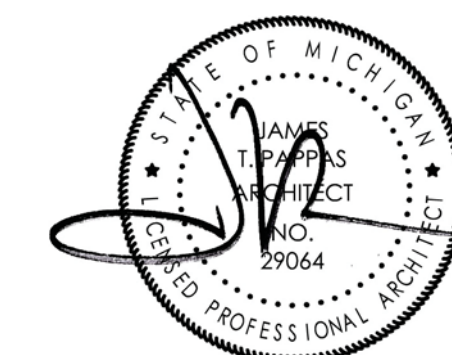
MANAGEMENT OFFICE BUILDING

1,065 S.F.

COMMUNITY BUILDING FLOOR PLAN AND ELEVATIONS HOLLOW CREEK APARTMENTS RENOVATIONS

YPSILANTI

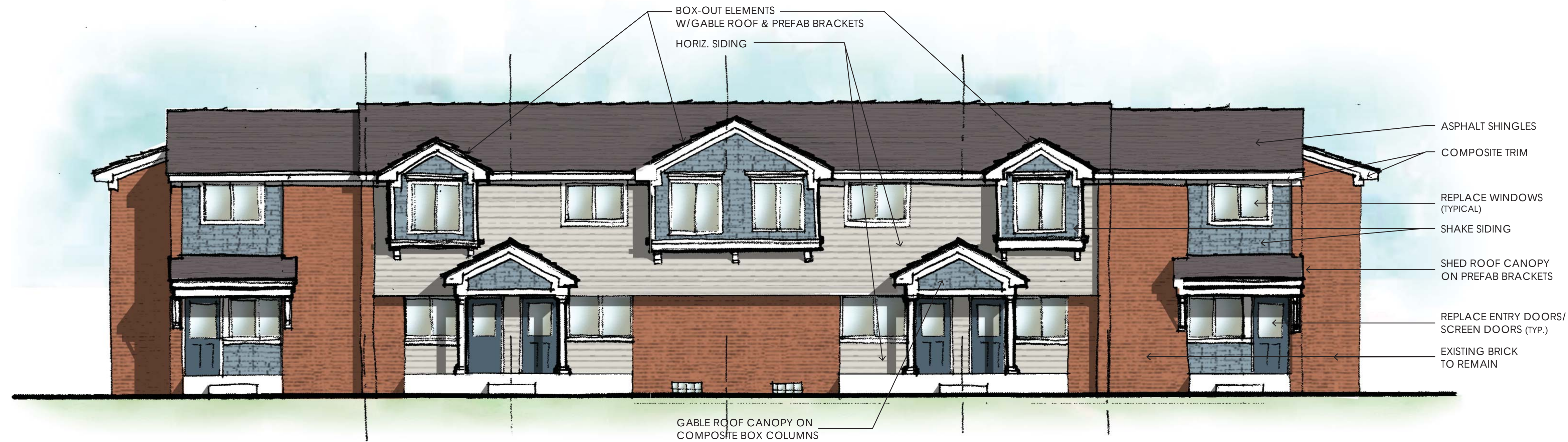
MICHIGAN



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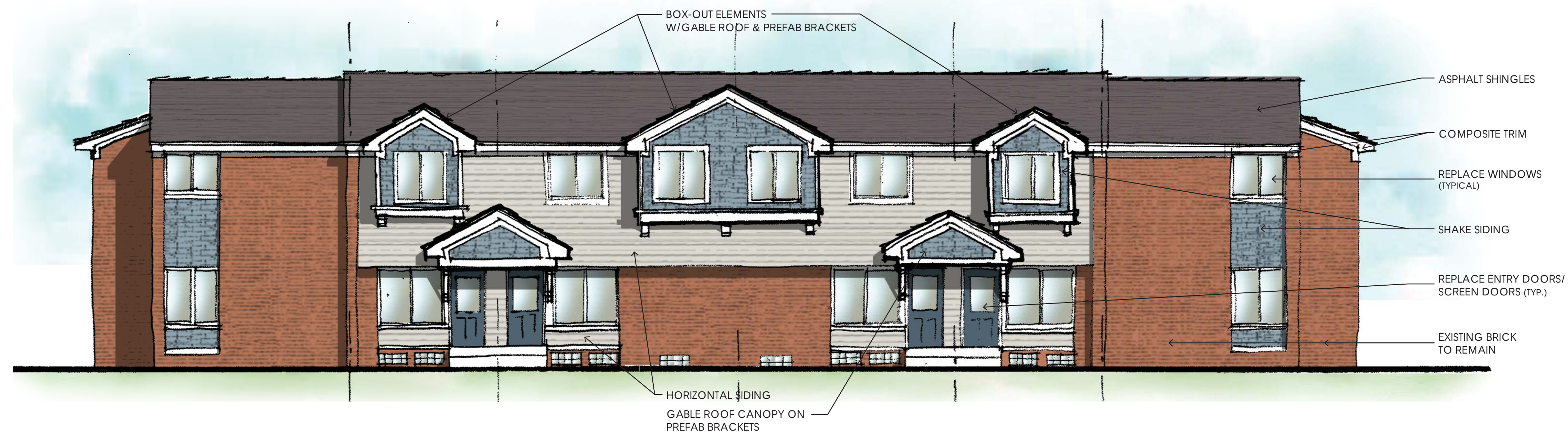
NOVEMBER 03, 2014

A.102



FRONT ELEVATION (ALL BUILDINGS)
TYPICAL APARTMENT BUILDING

3/16" = 1'-0"



REAR ELEVATION (BUILDINGS 118, 120, 122)
TYPICAL APARTMENT BUILDING

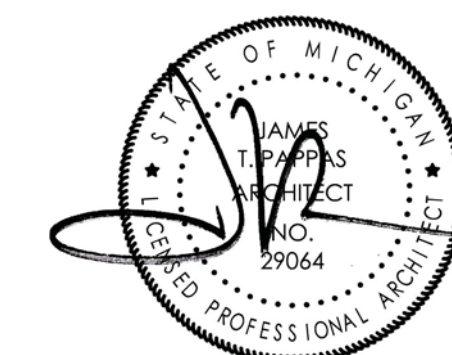
3/16" = 1'-0"



NOTE: ALL EXISTING EXTERIOR MATERIALS EXCEPT BRICK TO BE REMOVED & REPLACED

APARTMENT BUILDING ELEVATIONS HOLLOW CREEK APARTMENTS RENOVATIONS

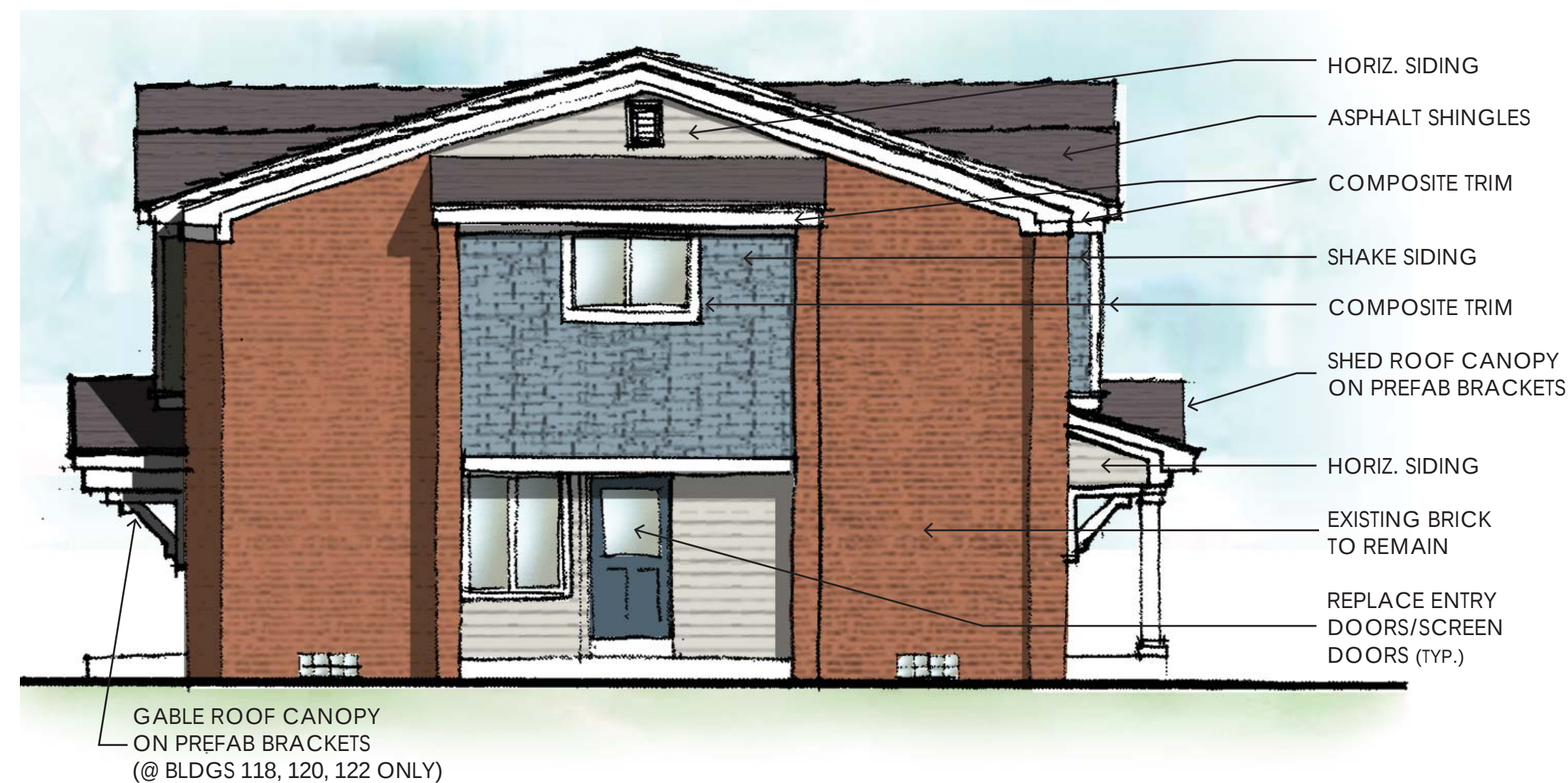
YPSILANTI MICHIGAN



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A.201



LEFT SIDE ELEVATION (RIGHT SIDE SIM. OPP. HAND) 3/16" = 1'-0"
TYPICAL APARTMENT BUILDING



REAR ELEVATION (BUILDING 124) 3/16" = 1'-0"

0 10' 20' 30'

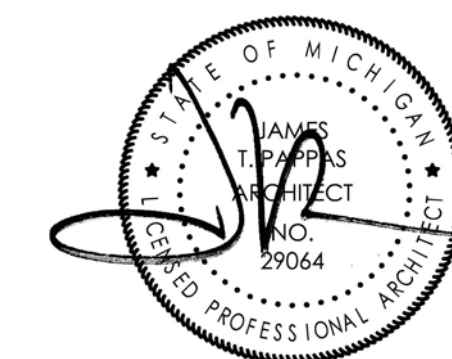
NOTE: ALL EXISTING EXTERIOR MATERIALS EXCEPT BRICK TO BE REMOVED & REPLACED

APARTMENT BUILDING ELEVATIONS

HOLLOW CREEK APARTMENTS RENOVATIONS

YPSILANTI

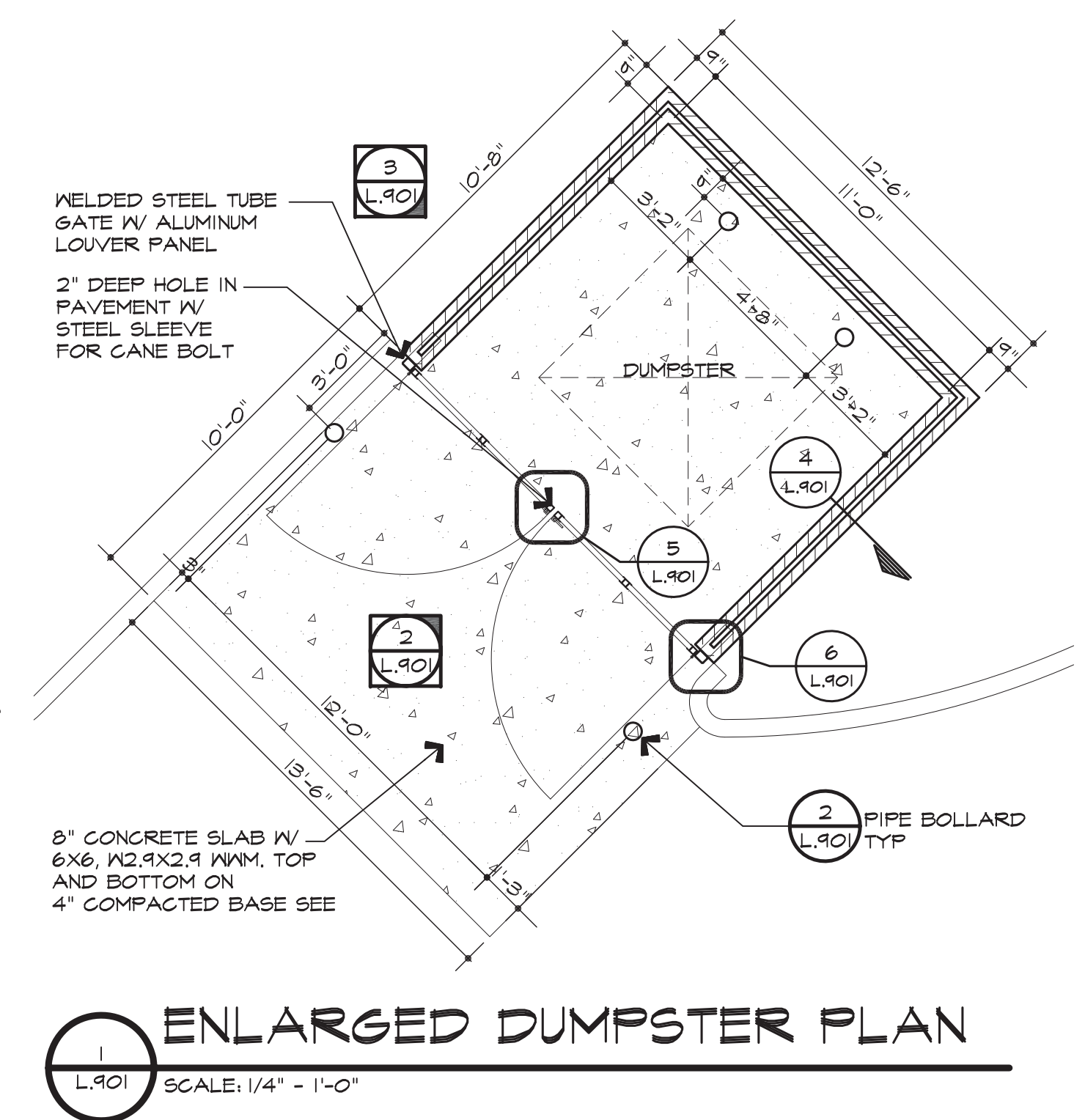
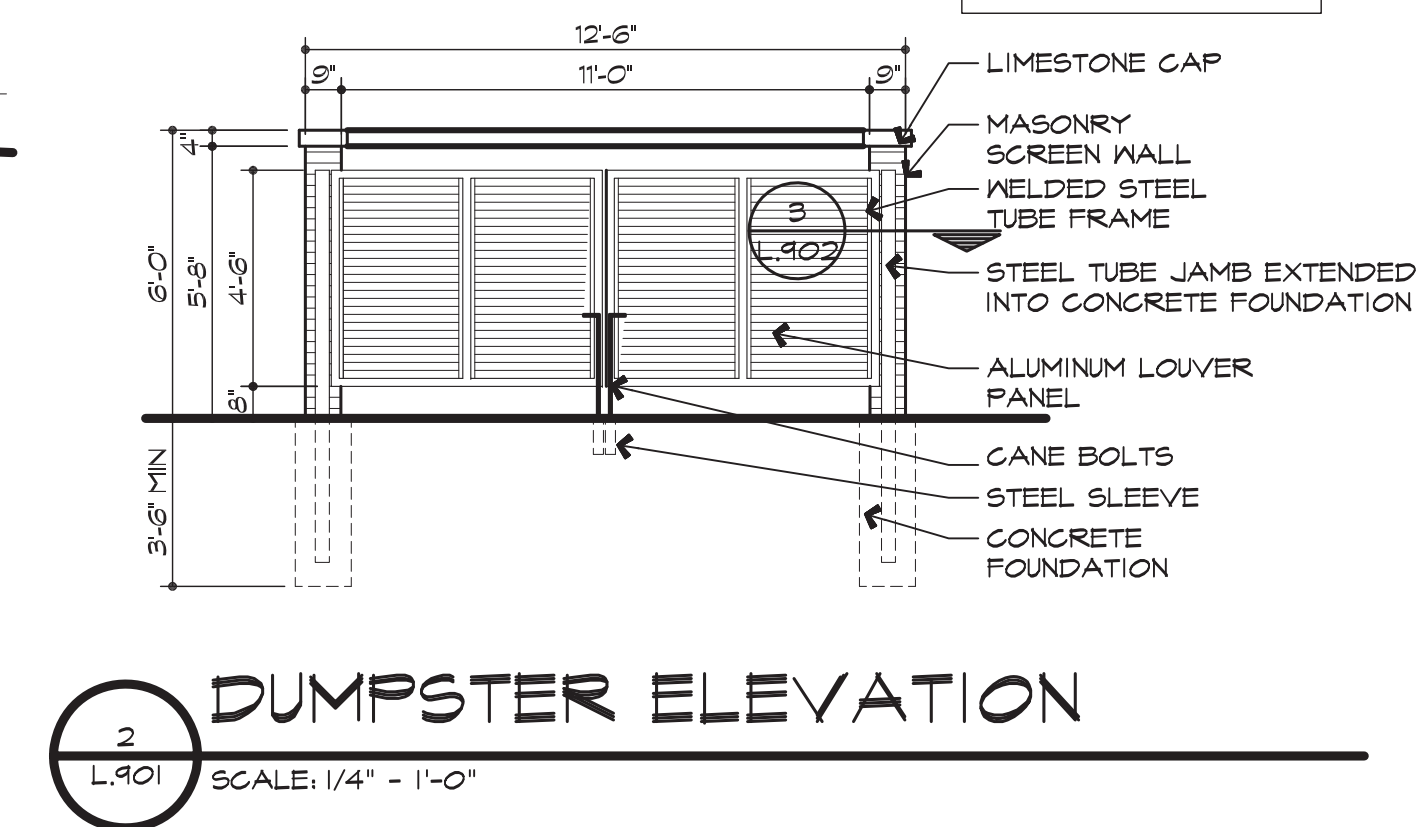
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FERNDALE, MICHIGAN 48220
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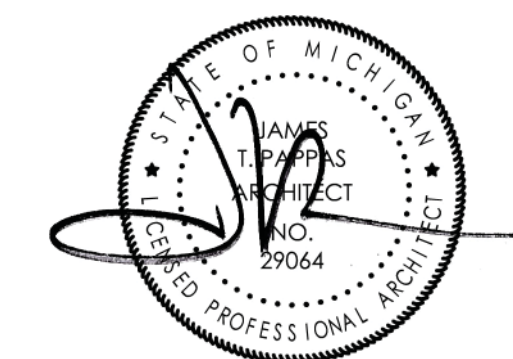
A.202



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NOVEMBER 03, 2014

L.901



PARADISE MANOR APARTMENTS RENOVATIONS

YPSILANTI LIST OF DRAWINGS

CIVIL ENGINEERING

C.001 TOPOGRAPHIC SURVEY
C.002 TREE SURVEY INFORMATION
C.003 DEMOLITION PLAN

C.101 CIVIL LAYOUT

LANDSCAPING

L.101 TREE TRANSPLANTING AND REMOVALS
L.102 SITE PLANTING PLAN
L.103 SITE PLANTING PLAN/ DETAILS

ARCHITECTURAL

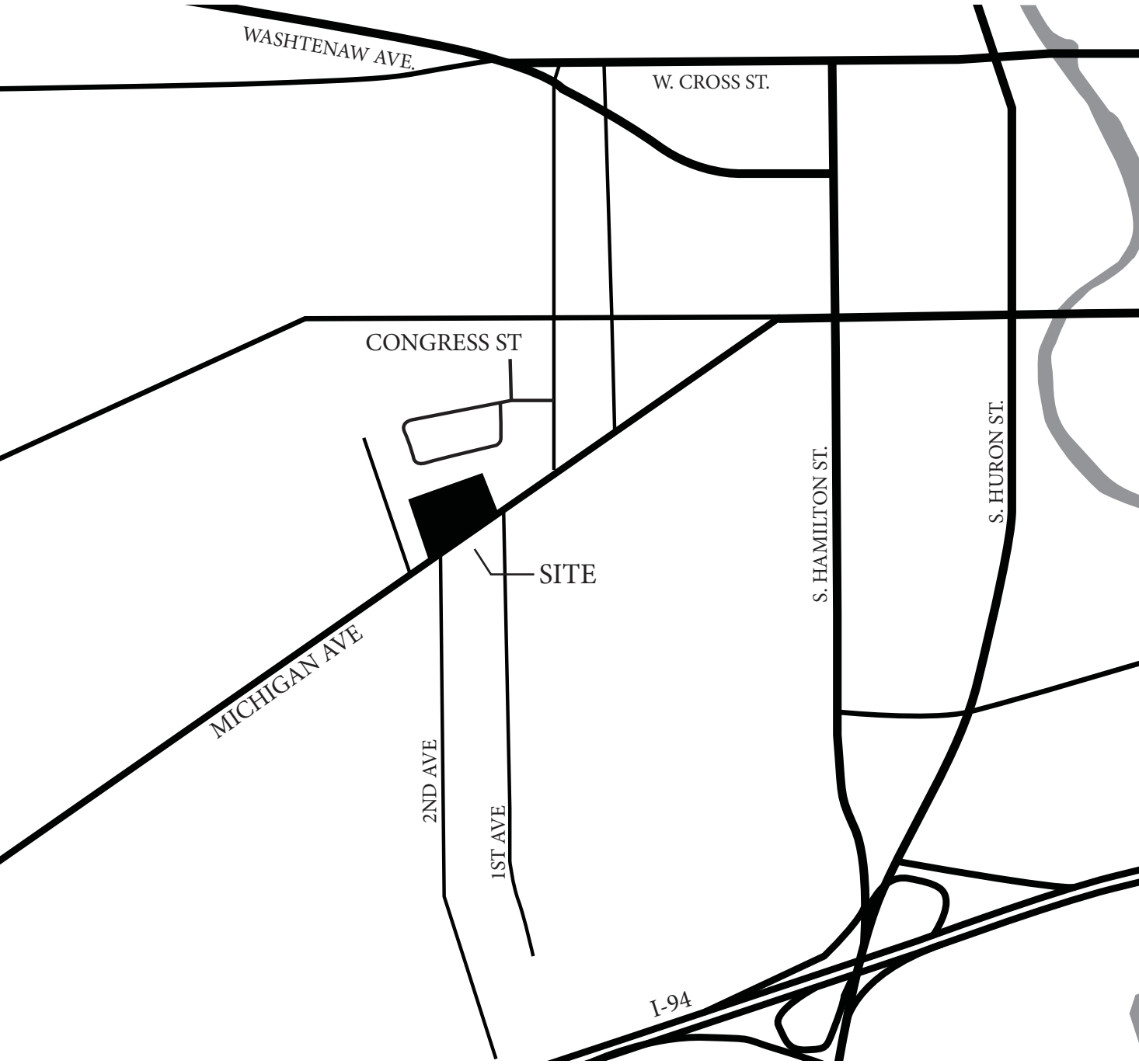
A.S.101 ARCHITECTURAL SITE PLAN

A.102 FIRST FLOOR BUILDING PLAN & PARTIAL BUILDING PLAN
A.102 SECOND FLOOR BUILDING PLAN
A.103 COMMUNITY BUILDING FLOOR PLAN

A.201 UNIT BUILDING ELEVATIONS
A.202 UNIT BUILDING ELEVATIONS
A.203 COMMUNITY BUILDING ELEVATIONS

LIGHTING

E.P.101 LIGHTING SITE PLAN
E.901 LIGHTING DETAILS
E.902 LIGHTING DETAILS



LOCATION MAP

NO SCALE



DEVELOPMENT TEAM

OWNER
STRONG FUTURE LDHA LP
601 ARMSTRONG DR
YPSILANTI, MI 48197

DEVELOPER
CHESAPEAKE COMMUNITY ADVISORS
33 SOUTH GAY ST. STE. 200
BALTIMORE, MD 21202

ARCHITECT
FUSCO, SHAFFER & PAPPAS, INC.
550 E. NINE MILE RD
FERNDALE, MI 48220
248.543.4100

CIVIL ENGINEER
NOWAK AND FRAUS
48777 WOODWARD AVE
PONTIAC, MI 48342

LANDSCAPE ARCHITECT
KENNETH WIEKAL
33203 BIDDESTONE
FARMINGTON HILLS, MI 48334

DATE	ISSUE
11.03.2014	SITE PLAN APPROVAL/ REVIEW



FUSCO, SHAFFER & PAPPAS, INC.
ARCHITECTS AND PLANNERS

MICHIGAN SUMMARY TABLE

SITE DATA

SITE AREA	
EXISTING PARCEL - APARTMENTS	140,677 S.F. OR 3.23 AC.
PROPOSED ADDED PARCEL	± 32,408 S.F. OR ± .74 AC.
TOTAL	173,085 S.F. OR 3.97 AC.

ZONING (CURRENT)	
EXISTING PARCEL - APARTMENTS	MULTIPLE - FAMILY HIGH DENSITY RESIDENTIAL - R4 W/ RC-OL & E-OL OVERLAY
PROPOSED PARK PARCEL	COMMUNITY BUSINESS B2 W/RC-OL & E-OL OVERLAY

TOTAL BUILDING FOOTPRINT AREA	
EXISTING APARTMENTS	18,780 S.F.
PROPOSED MANAGEMENT OFFICE	3,804 S.F.
TOTAL	22,584 S.F.

LOT COVERAGE	
PROPOSED	13 %

OPEN SPACE	
PROPOSED	150,501 S.F.

BUILDING HEIGHT	
PROPOSED COMMUNITY BUILDING	18 FT-1 STORY

DENSITY	
PROPOSED - DWELLINGS/ACRE	9 D.U./AC.

UNIT COUNT (EXISTING APARTMENTS)	
2 BR UNITS	12 D.U.
3 BR UNITS	18 D.U.
4 BR UNITS	6 D.U.
TOTAL	36 D.U.

PARKING - APARTMENTS	
PROVIDED (EXISTING)	67 SPACES

PARKING - COMMUNITY BUILDING	
REQUIRED (1 SPACE/ 300 S.F. USABLE AREA)	6 SPACES
PROPOSED	10 SPACES

PARKING TOTAL	
PROPOSED	77 SPACES

NOTES: 1. ALL EXISTING CONCRETE PORCHES TO BE REPAIRED & REPLACED AS NECESSARY
2. EXISTING CONCRETE WALKS REPAIRED OR REPLACED AS NECESSARY
3. ALL BUILDINGS ARE TWO STORY BRICK & VINYL SIDING APARTMENT BUILDING W/ ASPHALT SHINGLE ROOF - EXTERIOR MATERIALS TO BE ENTIRELY REPLACED
4. BUILDING S.F. IS BASED ON EXTERIOR BUILDING DIMENSIONS AT GROUND LEVEL ONLY



SITE AREA	
EXISTING PARCEL - APARTMENTS	140,677 S.F. OR 3.23 AC.
PROPOSED ADDED PARCEL	± 32,408 S.F. OR ± .74 AC.
<u>TOTAL</u>	173,085 S.F. OR 3.97 AC.

TOTAL BUILDING FOOTPRINT AREA	
EXISTING APARTMENTS	18,780 S.F.
PROPOSED MANAGEMENT OFFICE	3,804 S.F.
<u>TOTAL</u>	<u>22,584 S.F.</u>

OPEN SPACE
PROPOSED 150,501 S.F.

DENSITY
PROPOSED - DWELLINGS/ACRE 9 D.U./AC.

UNIT COUNT (EXISTING APARTMENTS)	
2 BR UNITS	12 D.U.
3 BR UNITS	18 D.U.
4 BR UNITS	6 D.U.
<u>TOTAL</u>	<u>36 D.U.</u>

PARKING - COMMUNITY BUILDING	
REQUIRED (1 SPACE/ 300 S.F. USABLE AREA)	6 SPACES
PROPOSED	10 SPACES

PARKING TOTAL
PROPOSED 77 SPACES

- NOTES:
1. ALL EXISTING CONCRETE PORCHES TO BE REMOVED & REPLACED
 2. EXISTING CONCRETE WALKS REPAIRED OR REPLACED AS NECESSARY
 3. ALL BUILDINGS ARE TWO STORY BRICK & VINYL SIDING APARTMENT BUILDING W/ ASPHALT SHINGLE ROOF - ALL EXTERIOR MATERIALS TO BE ENTIRELY REPLACED EXCEPT BRICK TO REMAIN
 4. BUILDING S.F. IS BASED ON EXTERIOR BUILDING DIMENSIONS AT GROUND LEVEL ONLY
 5. REPORT TO LANDSCAPE PLANS FOR ACTUAL TREE & PLANT MATERIAL LOCATIONS

CONCRETE

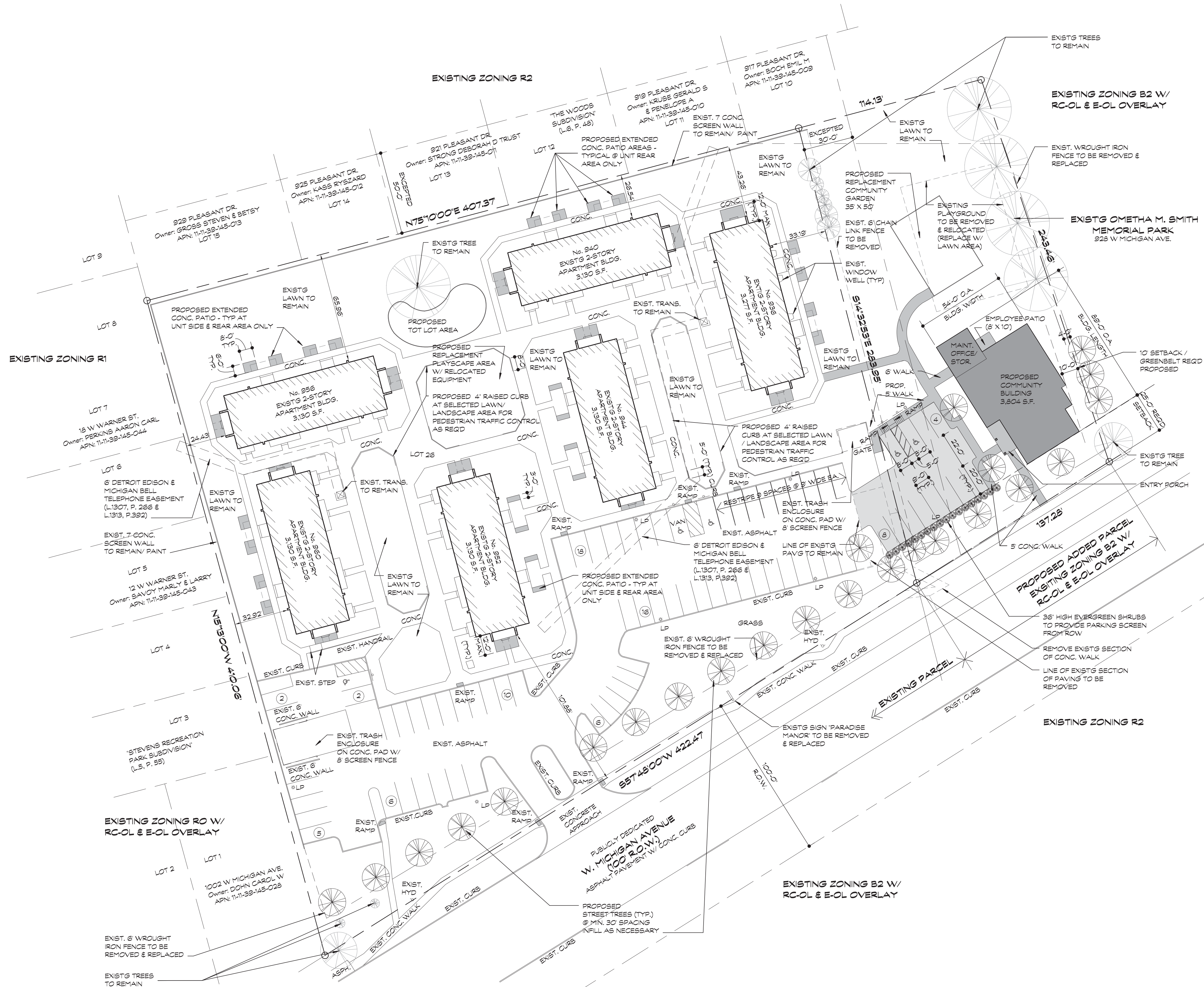
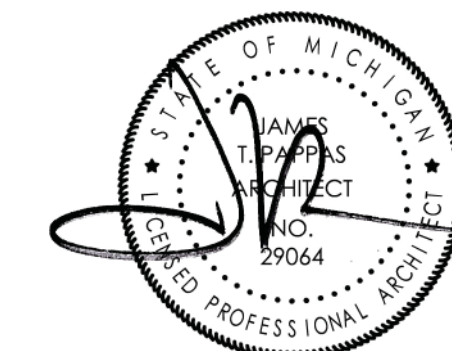
 ASPHALT

Y P S I L A N T I M I C H I G A N

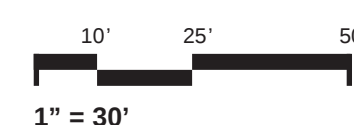
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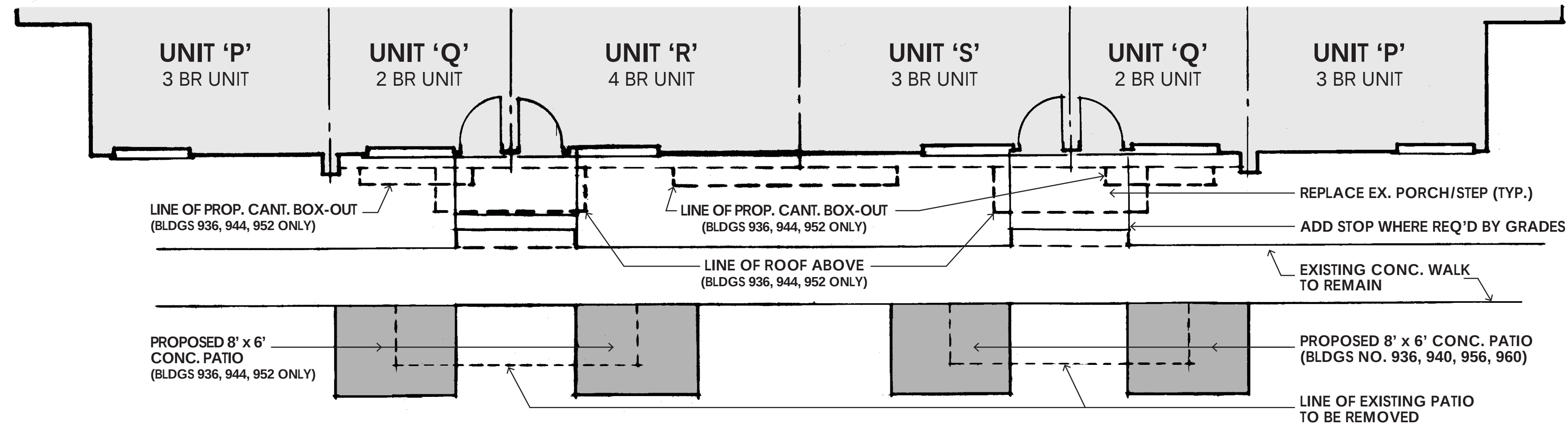
NOVEMBER 03, 2014

A.S.101



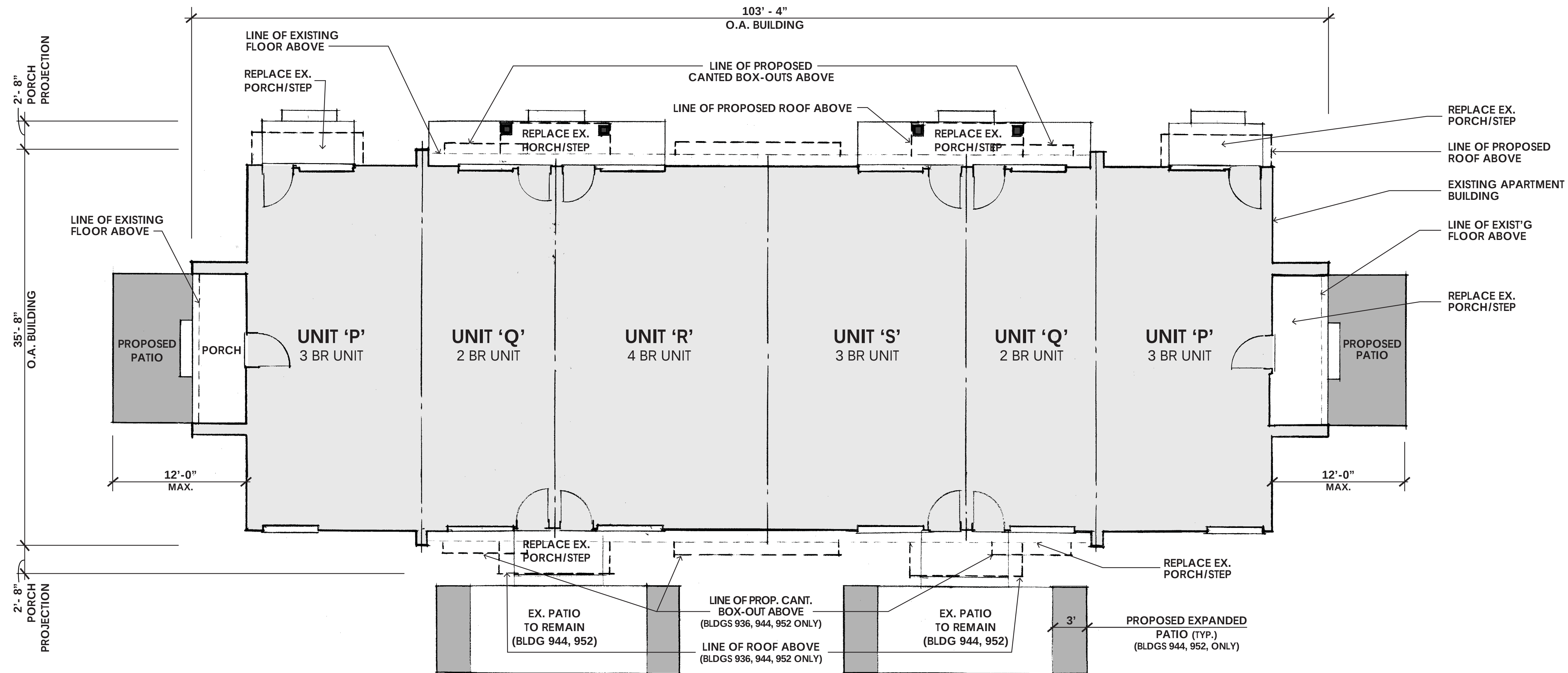
 ARCHITECTURAL SITE PLAN





PARTIAL
FIRST FLOOR REAR PATIO PLAN - BUILDINGS 930, 940, 956, 960

3/16" = 1'-0"



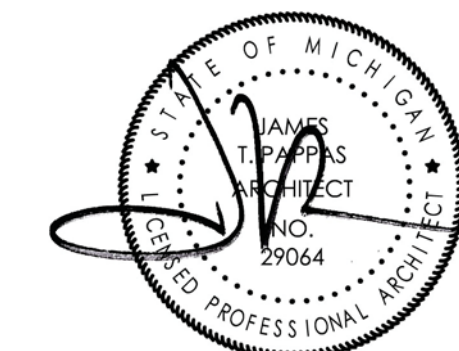
FIRST FLOOR BUILDING PLAN - TYPICAL

3/16" = 1'-0"



BUILDING PLAN PARADISE MANOR APARTMENTS RENOVATIONS

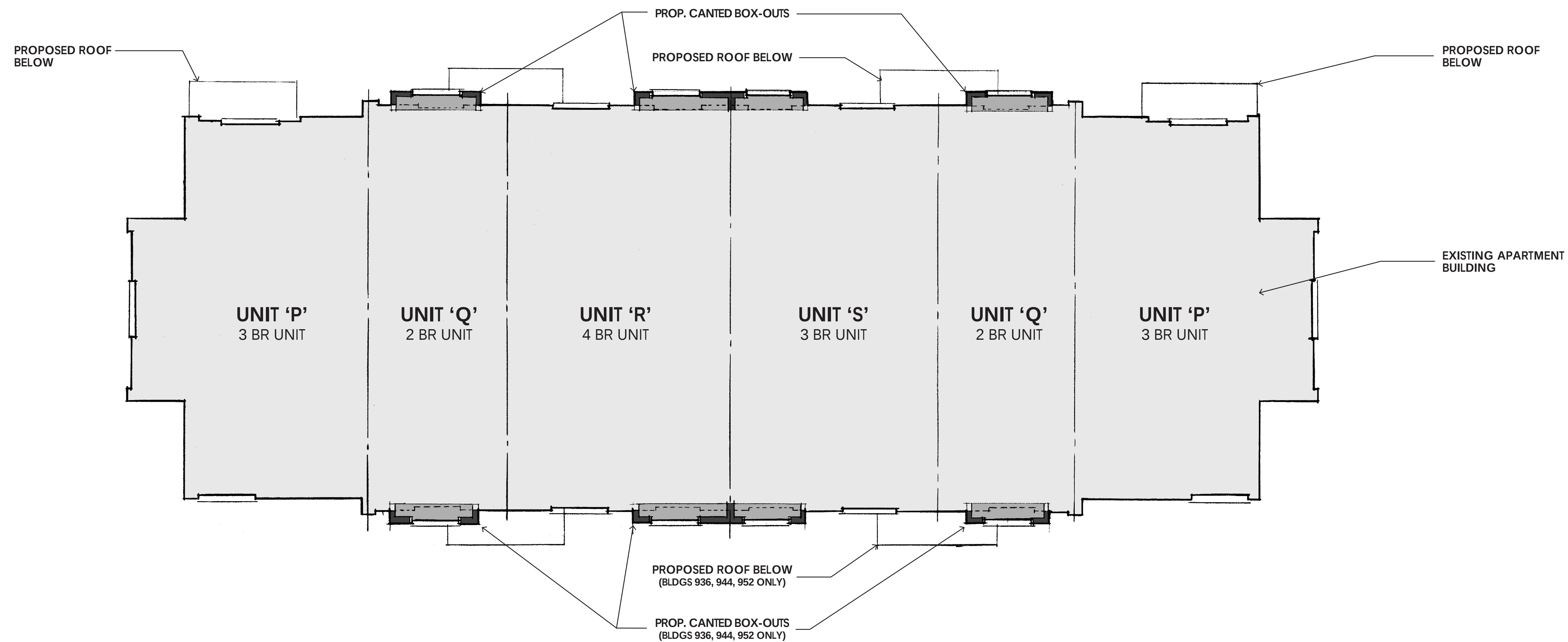
YPSILANTI MICHIGAN



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A.101



SECOND FLOOR BUILDING PLAN - TYPICAL

3/16" = 1'-0"



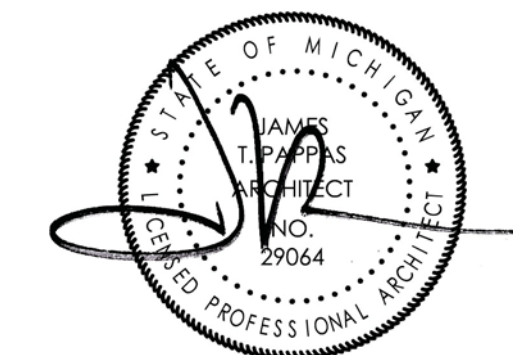
BUILDING PLAN

PARADISE MANOR APARTMENTS

RENOVATIONS

YPSILANTI

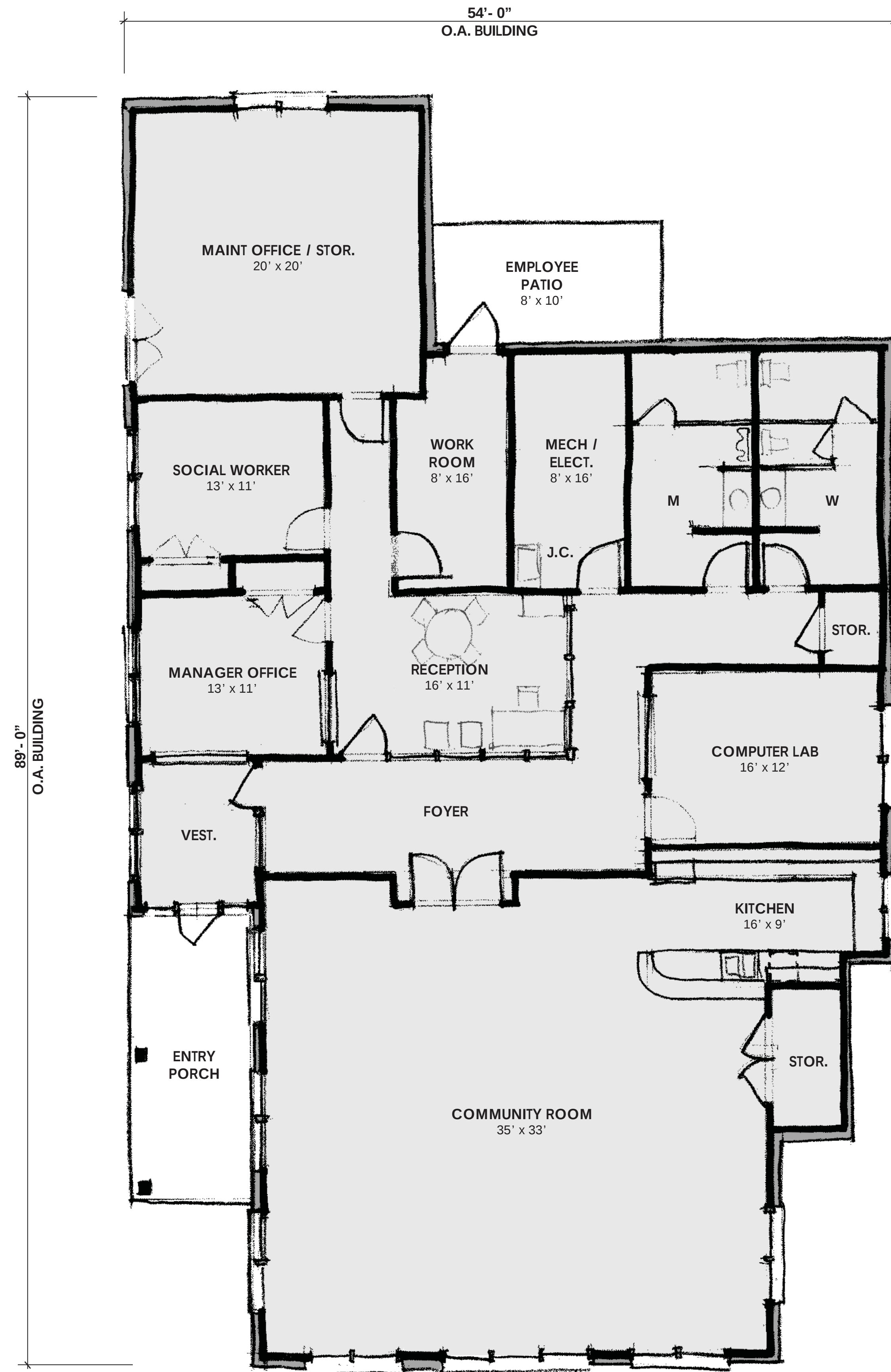
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A.102



COMMUNITY BLDG FLOOR PLAN

3/16" = 1'-0"

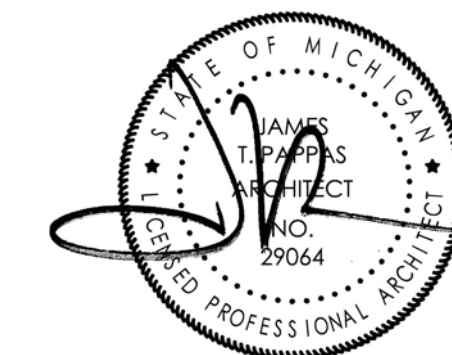
3,804 S.F.



COMMUNITY BUILDING FLOOR PLAN PARADISE MANOR APARTMENTS RENOVATIONS

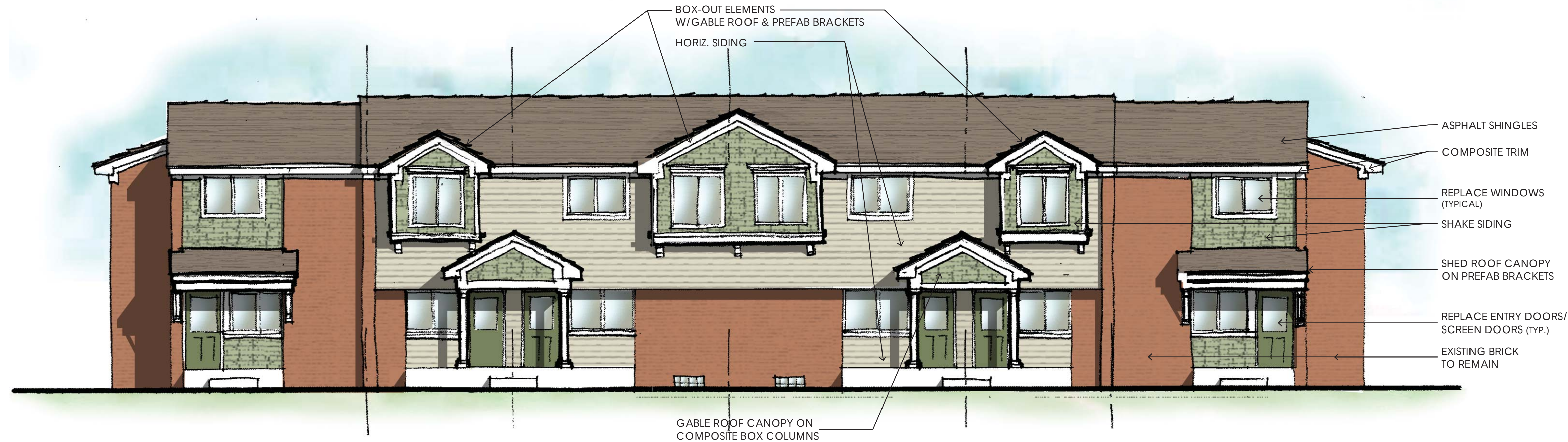
YPSILANTI

MICHIGAN



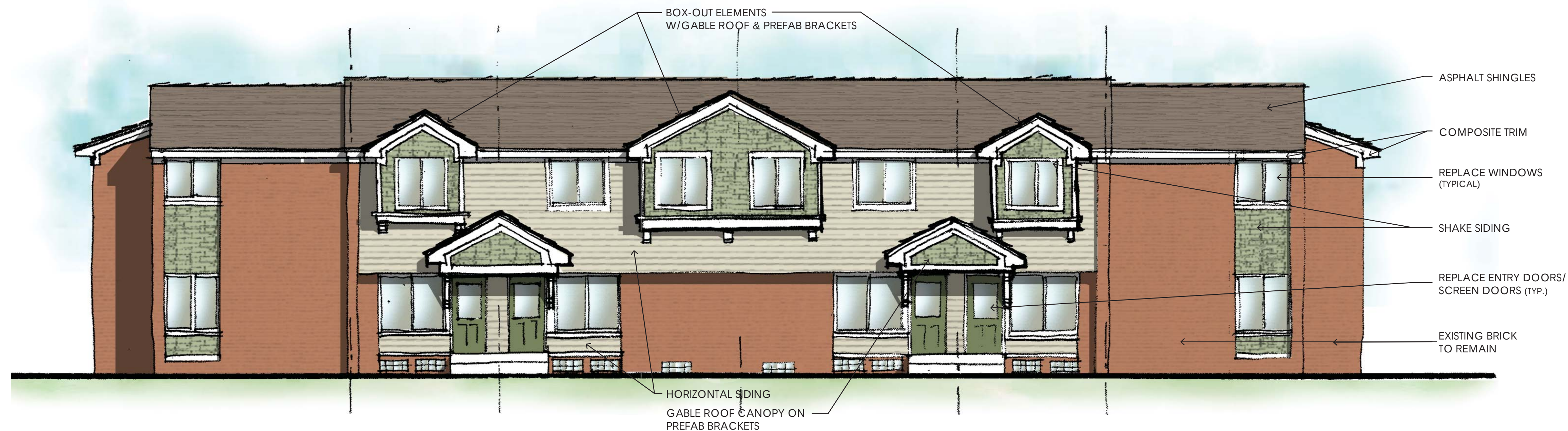
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NOVEMBER 03, 2014



FRONT ELEVATION (ALL BUILDINGS)
TYPICAL APARTMENT BUILDING

3/16" = 1'-0"



REAR ELEVATION (BUILDINGS 936, 944, 952)
TYPICAL APARTMENT BUILDING

3/16" = 1'-0"

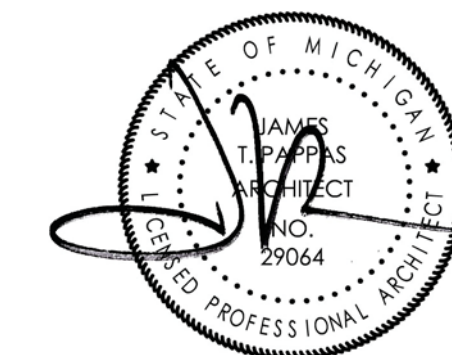


NOTE: ALL EXISTING EXTERIOR MATERIALS
EXCEPT BRICK TO BE REMOVED & REPLACED

APARTMENT BUILDING ELEVATIONS PARADISE MANOR APARTMENTS RENOVATIONS

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A.201



LEFT SIDE ELEVATION (RIGHT SIDE SIM. OPP. HAND)
TYPICAL APARTMENT BUILDING

3/16" = 1'-0"



REAR ELEVATION (BUILDINGS 940, 956, 960)

3/16" = 1'-0"

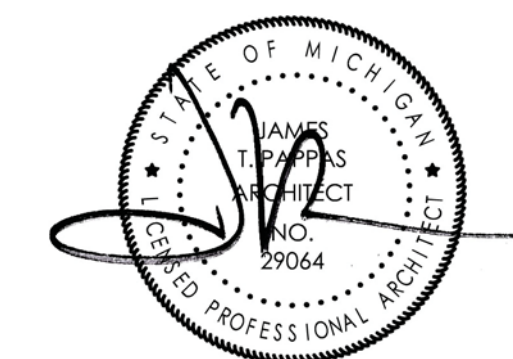


NOTE: ALL EXISTING EXTERIOR MATERIALS EXCEPT BRICK TO BE REMOVED & REPLACED

APARTMENT BUILDING ELEVATIONS PARADISE MANOR APARTMENTS RENOVATIONS

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NOVEMBER 03, 2014

A.202



FRONT ELEVATION

3/16" = 1'-0"



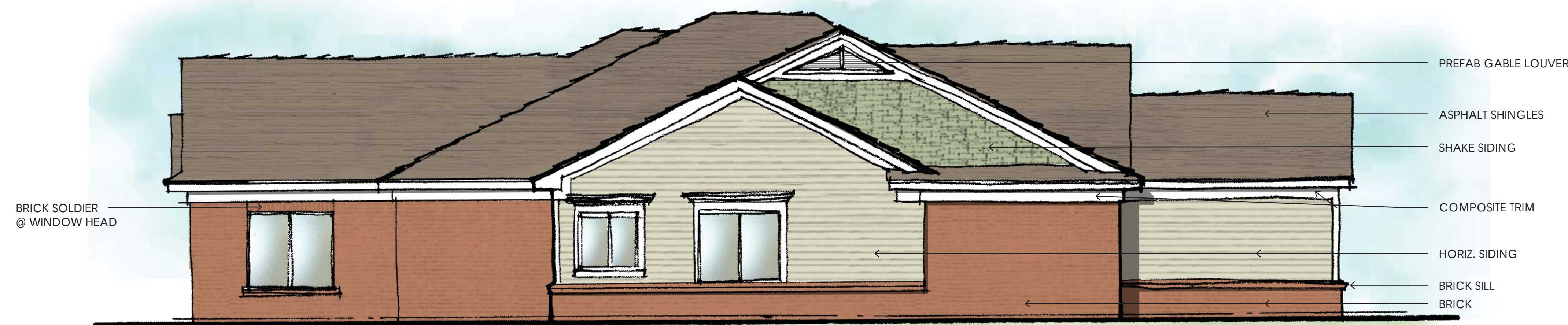
REAR ELEVATION

3/16" = 1'-0"



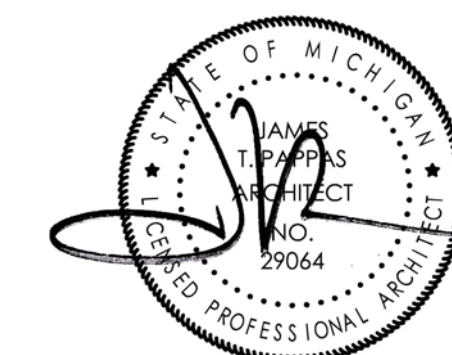
LEFT SIDE ELEVATION

3/16" = 1'-0"



RIGHT SIDE ELEVATION

3/16" = 1'-0"



COMMUNITYBUILDING ELEVATIONS PARADISE MANOR APARTMENTS RENOVATIONS YPSILANTI MICHIGAN

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NOVEMBER 03, 2014

A.203



Resolution No. 2014 – 278
December 2, 2014

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the following items be approved:

1. Resolution No. 2014-279, approving *Ordinance No. 1233* to amend the Ypsilanti City Code to add clarifying language and provide rules and procedures for garnishment of penalties, sanctions, and remedies for Blight Violations, to make it an offense for failure to pay fines and costs ordered for certain Blight Violations, and to clarify that all the remedies available in Section 1-15(4) regarding Blight Violations may be used to enforce an Administrative Hearing Officer's Order. ***(Second Reading)***.
2. Resolution No. 2014-280, approving *Ordinance No. 1234* to amend Ypsilanti City Code Chapter 86 "Solid Waste," Article III "Yard Waste," by amending Section 86-87 to a Blight Violation and to make the appeal process consistent with other Sections of the Code; and to amend Chapter 110 "Vegetation," Article IV "Weed Control," by amending Section 110-83 to a Blight Violation and Section 110-86 to make the appeal process consistent with other Sections of the Code; and to simplify the wording in all sections. ***(Second Reading)***
3. Resolution No. 2014-281, approving *Ordinance No. 1235* to amend Ypsilanti City Code Chapter 18 "Buildings and Building Regulations," Article III "State Construction Code," by adding Section 18-53 "Eligibility for building permits, certificates of use and occupancy, and variances," to make certain applicants ineligible if the person or owner is delinquent in paying a civil fine, costs, or a justice system assessment imposed by the City of Ypsilanti's Administrative Hearings Bureau. ***(Second Reading)***

OFFERED BY: _____

SUPPORTED BY: _____

YES:

NO:

ABSENT:

VOTE:



Resolution No. 2014-279
December 2, 2014

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled " AN ORDINANCE TO AMEND YPSILANTI CITY CODE CHAPTER 1 "GENERAL PROVISIONS," SECTION 1-15 "PENALTIES, SANCTIONS, AND REMEDIES," SUBSECTION (4) "BLIGHT VIOLATION" TO ADD CLARIFYING LANGUAGE AND TO PROVIDE FOR RULES AND PROCEDURES FOR GARNISHMENT; AND TO AMEND CHAPTER 71 "ADMINISTRATIVE HEARINGS BUREAU," ARTICLE II "ADMINISTRATIVE HEARINGS BUREAU," SECTION 71-43 "VIOLATION OF ORDERS" TO ADD AN OFFENSE FOR FAILURE TO PAY A CIVIL FINE AND COSTS, AND TO AMEND SECTION 71-46 "ENFORCEMENT OF ADMINISTRATIVE HEARING OFFICER'S ORDER" TO INCLUDE ALL REMEDIES SET FORTH IN SECTION 1-15(4)" be approved on Second and Final Reading.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

The City of Ypsilanti

Ordinance No. 1233

AN ORDINANCE TO AMEND YPSILANTI CITY CODE CHAPTER 1 "GENERAL PROVISIONS," SECTION 1-15 "PENALTIES, SANCTIONS, AND REMEDIES," SUBSECTION (4) "BLIGHT VIOLATION" TO ADD CLARIFYING LANGUAGE AND TO PROVIDE FOR RULES AND PROCEDURES FOR GARNISHMENT; AND TO AMEND CHAPTER 71 "ADMINISTRATIVE HEARINGS BUREAU," ARTICLE II "ADMINISTRATIVE HEARINGS BUREAU," SECTION 71-43 "VIOLATION OF ORDERS" TO ADD AN OFFENSE FOR FAILURE TO PAY A CIVIL FINE AND COSTS, AND TO AMEND SECTION 71-46 "ENFORCEMENT OF ADMINISTRATIVE HEARING OFFICER'S ORDER" TO INCLUDE ALL REMEDIES SET FORTH IN SECTION 1-15(4).

THE CITY OF YPSILANTI HEREBY ORDAINS:

Section 1: Amendments, additions, and deletions to the Code of Ordinances, City of Ypsilanti, Michigan.

That Chapter 1 of the Code of Ordinances, City of Ypsilanti, Michigan, entitled "General Provisions," Section 1-15 "Penalties, sanctions, and remedies," subsection (4) "Blight violation" is hereby amended as follows:

(4) *Blight violation.* The term "blight violation" means an act or omission regarding zoning, building or construction, building or property maintenance or condition in buildings or on the premises; fire prevention as designated; illegal dumping, disposal of solid waste; noxious weeds, and abandoned or inoperative vehicles, that is prohibited by this code or any ordinance of the city and designated a blight violation, including but not limited to those violations designated as blight violations in Chapter(s) 18, 42, 50, 86, 94, 110, and 122.

a. The sanction for a violation that is a blight violation shall be a civil fine in the amount as provided this Code or any ordinance; provided, however, that a penalty of imprisonment cannot be imposed, and, except in cases to enforce the collection of any tax imposed and collected by the city, a fine in excess of \$10,000.00 exclusive of costs of enforcement and costs imposed to secure compliance with this Code, cannot be imposed.

1. Unless otherwise specifically provided for a particular blight violation by City Council, this Code or any ordinance, the civil fine for a violation shall be not less than \$50.00, plus costs and other sanctions.

2. Increased civil fines may be imposed for repeated violations by a person of any requirement or provision of this Code or any ordinance. As used in this section, "repeat offense" means a second (or any subsequent) blight violation of the same requirement or provision committed by a person within any two-year period (unless some other period is specifically provided by this Code or any ordinance) and for which the person admits responsibility or is determined to be responsible. Unless otherwise specifically provided for by City Council, this Code or any ordinance for a particular blight violation, the increased fine for a repeat offense shall be as follows:

- i. The fine for any offense which is a first repeat offense shall be no less than \$150.00, plus costs.
 - ii. The fine for any offense which is a second repeat offense or any subsequent repeat offense shall be no less than \$300.00, plus costs.
- b. In addition to the fine designated above, the Administrative Hearings Officer upon affirming an order or determination:
 - i. Shall impose a justice system assessment.
 - ii. May assess costs reasonably related to the instituting of the administrative adjudication proceeding.
 - iii. Issue orders that are consistent with the applicable provisions of this Code.
 - iv. May, to ensure that the blight violations are remedied and that fines are paid in a timely manner, require the person responsible of committing the blight violation to post a compliance bond with the city, or, as appropriate, to consent to the granting and recording of a lien against titled property, pursuant to the provisions of this Code.
- c. Each day that a blight violation occurs is a separate and distinct offense.
- d. In any case in which a person fails to comply with an administrative hearing officer's order to correct a blight violation or imposing a fine or other sanction as a result of a blight violation, any expenses incurred by the city to enforce the administrative hearing officer's order, upon compliance with the procedures set forth in this Code, is a debt due and owing the city
- e. If a defendant does not pay a civil fine or costs or an installment payment ordered by a hearing officer within 30 days after payment is due for a violation involving the use or occupation of land or a building or other structure, the city may, unless stayed by a valid appeal, obtain a lien against the land, building, or structure involved in the violation by recording a copy of the final decision and order requiring payment of fines and costs with the Washtenaw County register of deeds. A legal description of the property must be incorporated or attached to the order. In addition to all other remedies authorized by law, the city clerk may place the entire sum of this lien on the tax rolls as an assessment against the parcel or lot, the assessment to be collected as other taxes are levied and collected. Such charges will be added to the general city tax roll, and to the total of the taxes levied on such parcel or lot the same year, and will be a lien on the parcel until fully paid. The city may not commence an action to enforce a lien under this subsection if the city has commenced an action for a writ of garnishment with respect to the unpaid fine, costs, or payment under subsection (f) below.
- f. Garnishment. If after an administrative hearings officer orders the payment of a civil fine or costs, and if the defendant does not appeal the order within the time allowed by section 71-45, and if the city has not obtained a lien under subsection (f) above for the fine or costs, the city may file an action for a writ of garnishment in the appropriate court. The initial papers filed with the court must include a properly authenticated copy of the applicable order. The procedures and rules for the garnishment are as set forth in MCL 600.4027 including that a defendant or garnishee defendant in an action under this subsection may not raise in the action any issue that could have been appealed under section 71-45.

That Chapter 71 of the Code of Ordinances, City of Ypsilanti, Michigan, entitled "Administrative Hearings Bureau," Article II "Administrative Hearings Bureau," Section 71-43 "Violations of orders," is hereby amended as follows:

Sec. 71-43. Violations of orders and failure to pay civil fine and costs:

(a) Violation of orders.

(1) Elements of the offense. A person violates this subsection if he or she:

(i) Is served notice of a blight violation, and is afforded an opportunity to be heard under this Code; and

(ii) Knowingly fails to comply with an order issued by an administrative hearings officer under this chapter, including any requirement of a subpoena.

(2) Each day that the violation occurs is a separate and distinct offense.

(3) Sentence. A person convicted under this subsection is guilty of a misdemeanor and punishable by a period of jail not greater than 90 days, a fine of not more than \$500.00, and the costs of the enforcement.

(b) Failure to pay civil fine and costs.

(1) Elements of the offense. If the civil fine and costs imposed against a person by an administrative hearings officer are \$1,000.00 or more and the person does not pay the civil fine and costs imposed within 30 days after a final decision and order of the administrative hearings officer or of the circuit court.

(2) Sentence.

(i) 1st violation: For a first violation, the person is responsible for a state civil infraction and may be ordered to pay a civil fine of not more than \$500.00.

(ii) 2nd or subsequent violation: For a second or subsequent violation, a person is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500.00, or both.

(3) Subsection (b) Failure to pay civil fine and costs does not apply to any of the following that becomes the owner of a property after foreclosure or after taking a deed in lieu of foreclosure:

(i) A government-sponsored enterprise. As used in this subsection, "government-sponsored enterprise" means the term as defined in 2 USC 622(8), or the Michigan state housing development authority created under the state housing development authority act of 1966, 1966 PA 346, MCL 125.1401 to 125.1499c.

(ii) A financial institution. As used in this subsection, "financial institution" means that term as defined in section 4(c) of the Michigan strategic fund act, 1984 PA 270, MCL 125.2004.

(iii) A mortgage servicer. As used in this subsection, "mortgage servicer" means that term as defined in section 1a of the mortgage brokers, lenders, and servicers licensing act, 1987 PA 173, MCL 445.1651a, that is subject to the mortgage brokers, lenders, and servicers licensing act, 1987 PA 173, MCL 445.1651 to 445.1684.

(iv) A credit union service organization that is organized under the laws of this state or the United States.

(4) Subsection (b) Failure to pay civil fine and costs does not apply to the owner of a property if, at the time the civil fine and costs are imposed against the owner, the owner had filed a principal residence exemption affidavit as provided under section 7cc of the general property tax act, 1893 PA 206, MCL 211.7cc, certifying that the property is owned and occupied as a principal residence by the owner.

(5) An entity described in subsection (b)(3) above that becomes the owner of a property after foreclosure or after taking a deed in lieu of foreclosure must adhere to all ordinances relating to vacant property or blight violations adopted by the City of Ypsilanti.

(6) As used in subsection (b) failure to pay fine and costs, "person" means not only an individual, partnership, corporation, limited liability company, association, or other legal entity, but also includes the partners or members of a firm, a partnership, or an association and the officers of a corporation.

(c) Defenses. It is an affirmative defense to this section that a court of competent jurisdiction stayed the order issued by the administrative hearing officer before the effective date of the order and that the order is currently stayed.

(d) Prohibited defenses. It is not a defense to this section that a person:

(1) Came into compliance or attempted to come into compliance with the order after the date the order by its terms required compliance; or

(2) Sought judicial review of the order, but failed to obtain a stay of the order before the date the order by its terms required compliance.

(e) Venue. The city attorney must institute actions under this section in a court of competent jurisdiction.

~~(a) — *Elements of the offense.* A person violates this section if he or she:~~

~~(1) — Is served notice of a blight violation, and is afforded an opportunity to be heard under this Code; and~~

~~(2) — Knowingly fails to comply with an order issued by an administrative hearing officer under this chapter, including any requirement of a subpoena.~~

~~Each day that the violation occurs is a separate and distinct offense.~~

~~(b) — *Defenses.* It is an affirmative defense to this section that a court of competent jurisdiction stayed the order issued by the administrative hearing officer before the effective date of the order.~~

~~(c) — *Prohibited defenses.* It is not a defense to this section that a person:~~

~~(1) — Came into compliance or attempted to come into compliance with the order after the date the order by its terms required compliance; or~~

~~(2) — Sought judicial review of the order, but failed to obtain a stay of the order before the date the order by its terms required compliance.~~

~~(d) — Sentence. A person convicted under this section is guilty of a misdemeanor and punishable by a period of jail not greater than 90 days, a fine of not more than \$500.00 and the costs of enforcement.~~

~~(e) — Venue. The city attorney must institute actions under this section in a court of competent jurisdiction.~~

That Chapter 71 of the Code of Ordinances, City of Ypsilanti, Michigan, entitled "Administrative Hearings Bureau," Article II "Administrative Hearings Bureau," Section 71-46 "Enforcement of administrative hearing officer's order," is hereby amended as follows:

Sec. 71-46. Enforcement of administrative hearing officer's order.

(a) Any fine, sanction, or cost imposed by an administrative hearing officer's order that remains unpaid after the exhaustion of, or the failure to exhaust, judicial review procedures is a debt due and owing the city and, as such, may be collected in accordance with applicable law.

(b) After the expiration of the period in which judicial review may be sought, unless stayed by a court of competent jurisdiction, the findings, decision, and order of an administrative hearing officer may be enforced in the same manner as a judgment entered by a court of competent jurisdiction.

(c) In any case in which a respondent fails to comply with an administrative hearing officer's order to correct a blight violation or imposing a fine or other sanction as a result of a blight violation, any expenses incurred by the city to enforce the administrative hearing officer's order, including but not limited to, attorney's fees, court costs, fines, fees, and costs related to property demolition or foreclosure, after they are fixed by a court of competent jurisdiction or an administrative hearing officer is a debt due and owing the city. Before an administrative hearing officer fixes any expense, the respondent must be provided notice that states that the respondent must appear at a hearing before an administrative hearing officer to determine whether the respondent has failed to comply with the administrative hearing officer's order. The notice must set the time for the hearing, which may not be less than seven days from the date that notice is served. Notice is sufficient if served by first class mail and the seven-day period begins to run on the date that the notice is deposited in the mail.

(d) Upon being recorded in the manner required by the Michigan Uniform Commercial Code, a lien is imposed on the real estate or personal estate, or both, of the respondent in the amount of a debt due and owing the city. The lien may be enforced in the same manner as a judgment lien pursuant to a judgment of a court of competent jurisdiction.

(e) Nothing in this section prevents the city from enforcing or seeking to enforce any order of an administrative hearing officer in any manner, which is in accordance with applicable law.

(f) The city may also use the remedies set forth in Section 1-15(4) of the City Code.

Section 2. Severability.

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

Section 3. Repeal.

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

Section 4. Savings Clause.

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

Section 5. Copies to be available.

Copies of the ordinance are available at the office of the city clerk for inspection by, and distribution to, the public during normal office hours.

Section 6. Publication and Effective Date.

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

MADE, PASSED AND ADOPTED BY THE YPSILANTI CITY COUNCIL THIS ____ DAY
OF _____, 2014.

Amanda Edmonds , Mayor

Frances McMullan, City Clerk

Attest

I do hereby confirm that the above Ordinance No 1233 was published in Washtenaw Now on the
____ day of _____, 2014.

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 _____, 2014.

Frances McMullan, City Clerk

Notice Published: November 6, 2014

First Reading: November 18, 2014

Second Reading: December 2, 2014

Published: _____

Effective Date: _____



Resolution No. 2014-280
December 2, 2014

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled " AN ORDINANCE TO AMEND YPSILANTI CITY CODE CHAPTER 86 "SOLID WASTE," ARTICLE III "YARD WASTE," BY AMENDING SECTION 86-87 TO A BLIGHT VIOLATION AND TO MAKE THE APPEAL PROCESS CONSISTENT WITH OTHER SECTIONS OF THE CODE; AND TO AMEND CHAPTER 110 "VEGETATION," ARTICLE IV "WEED CONTROL," BY AMENDING SECTION 110-83 TO A BLIGHT VIOLATION AND SECTION 110-86 TO MAKE THE APPEAL PROCESS CONSISTENT WITH OTHER SECTIONS OF THE CODE; AND TO SIMPLIFY THE WORDING IN ALL SECTIONS" be approved on Second and Final Reading.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

The City of Ypsilanti

Ordinance No. 1234

AN ORDINANCE TO AMEND YPSILANTI CITY CODE CHAPTER 86 "SOLID WASTE," ARTICLE III "YARD WASTE," BY AMENDING SECTION 86-87 TO A BLIGHT VIOLATION AND TO MAKE THE APPEAL PROCESS CONSISTENT WITH OTHER SECTIONS OF THE CODE; AND TO AMEND CHAPTER 110 "VEGETATION," ARTICLE IV "WEED CONTROL," BY AMENDING SECTION 110-83 TO A BLIGHT VIOLATION AND SECTION 110-86 TO MAKE THE APPEAL PROCESS CONSISTENT WITH OTHER SECTIONS OF THE CODE; AND TO SIMPLIFY THE WORDING IN ALL SECTIONS.

Section 1: Amendments, additions, and deletions to the Code of Ordinances, City of Ypsilanti, Michigan.

That Chapter 86 of the Code of Ordinances, City of Ypsilanti, Michigan, entitled "Solid Waste," Article III "Yard Waste," Section 86-87 is hereby amended as follows:

Sec. 86-87. Yard waste disposal.

- (a) Failure to properly dispose of yard waste is determined to be a nuisance.
 - (1) *Leaves.* In order to preserve the public health, safety, and welfare of the citizens of Ypsilanti, the council determines that the existence of piles of leaves on property, or moved into the streets or onto the sidewalks, constitutes a nuisance and must be removed for the reason that the piles of leaves provide a hiding place for vermin, are unsightly and unkempt, are likely to accumulate in and cause damage to storm sewers, and are likely to be scattered by the elements onto nearby properties.
 - (2) *Tree limbs and brush.* In order to preserve the public health, safety, and welfare of the citizens of Ypsilanti, the council determines that the existence of tree limbs and brush, piled and left for more than 48 hours immediately preceding proper yard waste disposal, or moved into the streets or onto the sidewalks, constitutes a nuisance and must be removed for the reason that the materials provide a hiding place for vermin, and are unsightly and unkempt.
- (b) *Proper disposal procedures; penalty.*
 - (1) *Leaves.* Homeowners may dispose of their leaves by composting, mulching, or removal by city (via compliance with DPW procedure), or other party. Leaves may ~~my~~ not be moved into the street or sidewalk. No owner, possessor or occupier of property within the city, or the person having charge of any parcel or lot, may ~~shall~~ move leaves into the street or onto the sidewalks, nor may ~~shall~~ they have leaves moved by others into the street or onto the sidewalks.
 - (2) *Tree limbs and brush.* Tree limbs and brush must be properly bundled and/or contained, and placed on the margin no more than 48 hours immediately preceding scheduled yard waste pickup for the property. No owner, possessor or

occupier of property within the city, or the person having charge of any parcel or lot, ~~may shall~~ place tree limbs or brush into the street or onto the sidewalks, have tree limbs or brush moved by others into the street or onto the sidewalks, nor ~~may shall~~ tree limbs or brush be placed on the margin more than 48 hours immediately preceding scheduled pickup for the property.

(3) The provisions of this section are in addition to and cumulative with any and all other remedies or requirements which may be provided to the city by law or any provision of this Code or other ordinance of the city, and nothing in any provision of this Code or other ordinance of the city shall be deemed to impair the full effectiveness of this section.

(4) Blight violation. ~~Municipal civil infraction.~~ A person who violates any provision of this section is responsible for a blight violation ~~municipal civil infraction~~, subject to payment of a civil fine as set forth in section 71-73 70-38. Repeat offenses under this section ~~are shall be~~ subject to increased fines as set forth in section 71-73 70-38.

(c) *Collection and disposal of yard waste materials by city.* In the event the owner, possessor or occupier of property within the city, or the person having charge of any parcel or lot, ~~shall~~ refuses or neglects to dispose of such materials as provided in this section, such person ~~is shall be~~ responsible for a blight violation ~~municipal civil infraction~~, subject to payment of a civil fine as set forth in section 71-73 70-38 and the city or its designee, at the direction of the city manager, may enter the sidewalk, and/or margin of the property and properly dispose of said yard waste.

(d) *Payment of costs.* It ~~is shall be~~ the duty of the city manager, or his/her designee, to keep an accurate account of the costs incurred in carrying out the provisions of subsection (c) and to file a statement thereof in the office of the city clerk. The owner, possessor or occupier of property within the city, or the person having charge of any parcel or lot, on which leaves, tree limbs or brush have been disposed of by city employees under the direction of the city manager, is required to pay the costs so incurred. The city clerk will ~~shall~~ bill each such owner, possessor or occupier of property within the city, or the person having charge of any parcel or lot, for the costs charged against each parcel or lot. Payment may be made at the office of the city clerk, who is hereby authorized to receive it and to receipt therefor in the name of the city.

(e) *Lien for costs.* In the event the owner, possessor or occupier of property within the city, or the person having charge of any parcel or lot, on which yard waste has been disposed of by the city fails to pay the aforementioned bill from the city clerk within 30 days from the date of the billing, the city clerk will ~~shall~~ thereupon place the entire sum, plus a collection charge as set by resolution of the city council, on the tax rolls as an assessment against the parcel or lot, the assessment to be collected as other taxes are levied and collected. Such charges will ~~shall~~ be added to the general city tax roll, and to the total of the taxes levied on such parcel or lot the same year and will ~~shall~~ be a lien on the parcel until fully paid.

(f) *Appeal.*

(1) The owner, possessor or occupier of property within the city, or the person having charge of any parcel or lot, billed for disposing of yard waste pursuant to this section, ~~has shall have~~ the right ~~to of~~ appeal ~~of~~ the bill.

(2) Appeal ~~must shall~~ be taken within ten days of receipt of ~~the said~~ bill, but in no case later than 30 days from the date of billing, to the city manager. ~~The Such~~ appeal ~~must shall~~ be in writing, signed by the appellant, ~~and specify~~ specifying the reason for the appeal.

(3) The city manager ~~will shall~~ consider ~~the such~~ appeal and make a decision in writing, within ten days of receipt of the appeal. A copy of the decision ~~will shall~~ be filed with the city clerk and sent to the appellant by first class mail.

(4) An adverse decision of the city manager may be appealed to the circuit court. ~~city sidewalk appeal board, pursuant to the procedures set forth in section 94-230 of this Code. The sidewalk appeal board shall have the power to hear such appeal and make decision. Appeal from the sidewalk repair appeal board shall be to circuit court.~~

That Chapter 110 of the Code of Ordinances, City of Ypsilanti, Michigan, entitled "Vegetation," Article IV "Weed Control," Section 110-83 is hereby amended as follows:

Sec. 110-83. Removal by city.

(a) In the event the owner, possessor or occupant of land or the person having charge of any such land ~~shall~~ refuses or neglects to comply with the aforementioned notice to cut ~~the such~~ weeds, brush or grass on or before the date stated in ~~the such~~ notice such person ~~is shall~~ be responsible for a blight violation municipal civil infraction, subject to payment of a civil fine as set forth in section ~~71-73 70-38~~. Repeat offenses under this section are subject to increased fines as set forth in section 71-73.

(b) It ~~is shall~~ be the duty of the city manager or his /her designee ~~a person designated by him~~ to enter upon such land and to cause all such weeds, brush and grass to be cut down and the city manager or other authorized person doing this work shall not be liable in any action of trespass therefor.

That Chapter 110 of the Code of Ordinances, City of Ypsilanti, Michigan, entitled "Vegetation," Article IV "Weed Control," Section 110-86 is hereby amended as follows:

Sec. 110-86. Appeal.

(a) The owner, possessor, or occupant of any parcel of lot billed for cutting noxious weeds pursuant to this article ~~section 110-85 of this Code~~, ~~shall have~~ has the right ~~to of~~ appeal ~~of~~ the bill.

(b) Appeal ~~must shall~~ be taken within ten days of receipt of ~~the said~~ bill, but in no case later than 30 days from the date of billing, to the city manager. ~~Such~~ The appeal ~~must shall~~ be in writing, signed by the appellant, and specify ~~specifying~~ the reason for the appeal.

(c) The city manager will ~~shall~~ consider the ~~such~~ appeal and make a decision in writing, within ten days of receipt of the appeal. A copy of the decision will ~~shall~~ be filed with the city clerk and sent to the appellant by first class mail.

(d) An adverse decision of the city manager may be appealed to the circuit court. ~~city sidewalk appeal board, pursuant to the procedures set forth in section 94-230 of this Code. The sidewalk appeal board shall have the power to hear such appeal and make decision. Appeal from the sidewalk repair appeal board shall be to circuit court.~~

Section 2. Severability.

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

Section 3. Repeal.

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

Section 4. Savings Clause.

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

Section 5. Copies to be available.

Copies of the ordinance are available at the office of the city clerk for inspection by, and distribution to, the public during normal office hours.

Section 6. Publication and Effective Date.

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

MADE, PASSED AND ADOPTED BY THE YPSILANTI CITY COUNCIL THIS ____ DAY OF _____, 2014.

Amanda Edmonds , Mayor

Frances McMullan, City Clerk

Attest

I do hereby confirm that the above Ordinance No. ____ was published in Washtenaw Now on the ____ day of _____, 2014.

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 _____, 2014.

Frances McMullan, City Clerk

Notice Published: November 6, 2014

First Reading: November 18, 2014

Second Reading: December 2, 2014

Published: _____

Effective Date: _____



Resolution No. 2014-281
December 2, 2014

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled "AN ORDINANCE TO AMEND YPSILANTI CITY CODE CHAPTER 18 "BUILDINGS AND BUILDING REGULATIONS," ARTICLE III "STATE CONSTRUCTION CODE," BY ADDING SECTION 18-53 "ELIGIBILITY FOR BUILDING PERMITS, CERTIFICATES OF USE AND OCCUPANCY, AND VARIANCES," TO MAKE CERTAIN APPLICANTS INELIGIBLE IF THE PERSON OR OWNER IS DELINQUENT IN PAYING A CIVIL FINE, COSTS, OR A JUSTICE SYSTEM ASSESSMENT IMPOSED BY THE CITY OF YPSILANTI'S ADMINISTRATIVE HEARINGS BUREAU" be approved on Second and Final Reading.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

The City of Ypsilanti

Ordinance No. 1235

AN ORDINANCE TO AMEND YPSILANTI CITY CODE CHAPTER 18 "BUILDINGS AND BUILDING REGULATIONS," ARTICLE III "STATE CONSTRUCTION CODE," BY ADDING SECTION 18-53 "ELIGIBILITY FOR BUILDING PERMITS, CERTIFICATES OF USE AND OCCUPANCY, AND VARIANCES," TO MAKE CERTAIN APPLICANTS INELIGIBLE IF THE PERSON OR OWNER IS DELINQUENT IN PAYING A CIVIL FINE, COSTS, OR A JUSTICE SYSTEM ASSESSMENT IMPOSED BY THE CITY OF YPSILANTI'S ADMINISTRATIVE HEARINGS BUREAU.

Section 1: Amendments, additions, and deletions to the Code of Ordinances, City of Ypsilanti, Michigan.

That Chapter 18 of the Code of Ordinances, City of Ypsilanti, Michigan, entitled "Buildings and Building Regulations," Article III "State Construction Code," is hereby amended by adding a section, to be numbered Section 18-53, to be titled "Eligibility for building permits, certificates of use and occupancy, and variances," which section reads as follows:

Section 18-53. Eligibility for building permits, certificates of use and occupancy, and variances.

(a) If a person or the owner of the affected or proposed building or structure is delinquent in paying a civil fine, costs, or a justice system assessment imposed by the City of Ypsilanti's Administrative Hearings Bureau, that person or owner is not eligible to apply for a building permit under MCL 125.1510, a certificate of use and occupancy under MCL 125.1513, or a variance under MCL 125.1515.

(b) Subsection (a) above does not apply if:

(1) The applicant became the owner of the property by foreclosure or by taking a deed in lieu of foreclosure and is one (1) of the following:

(i) A government-sponsored enterprise. As used in this subsection, "government-sponsored enterprise" means the term as defined in 2 USC 622(8), or the Michigan state housing development authority created under the state housing development authority act of 1966, 1966 PA 346, MCL 125.1401 to 125.1499c.

(ii) A financial institution. As used in this subsection, "financial institution" means that term as defined in section 4(c) of the Michigan strategic fund act, 1984 PA 270, MCL 125.2004.

(iii) A mortgage servicer. As used in this subsection, "mortgage servicer" means that term as defined in section 1a of the mortgage brokers, lenders, and servicers licensing act, 1987 PA 173, MCL 445.1651a, that is subject to the mortgage brokers, lenders, and servicers licensing act, 1987 PA 173, MCL 445.1651 to 445.1684.

(iv) A credit union service organization that is organized under the laws of this state or the United States.

(2) The application for a building permit if the work authorized under the building permit will correct, in whole or in part, the blight violation that was the subject of the delinquent payment referred to in subsection (a).

Section 2. Severability.

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

Section 3. Repeal.

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

Section 4. Savings Clause.

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

Section 5. Copies to be available.

Copies of the ordinance are available at the office of the city clerk for inspection by, and distribution to, the public during normal office hours.

Section 6. Publication and Effective Date.

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

MADE, PASSED AND ADOPTED BY THE YPSILANTI CITY COUNCIL THIS ____ DAY
OF _____, 2014.

Amanda Edmonds , Mayor

Frances McMullan, City Clerk

Attest

I do hereby confirm that the above Ordinance No. ____ was published in Washtenaw Now
on the ____ day of _____, 2014.

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 _____, 2014.

Frances McMullan, City Clerk

Notice Published: November 6, 2014

First Reading: November 18, 2014

Second Reading: December 2, 2014

Published: _____

Effective Date: _____



REQUEST FOR LEGISLATION
December 2, 2014

FROM: Chief of Police Tony DeGiusti

SUBJECT: In-Car Camera/Body Camera Project

Summary and Background:

Approximately a year ago the police department experienced a problem with the server that downloads and stores the patrol vehicle video recordings. At that time the department requested a quote from L-3 Inc. to replace the server. The quote came back in an amount that seemed inordinately large. The department began to look for other alternatives. It also came to light that the workstation that is utilized to burn, copy and produce CDs of the videos was experiencing problems and that the cameras in the cars were past end of life and had already missed one upgrade and was due for another. At this same time the department started to do some research into the possibility of utilizing body worn cameras for patrol officers.

We evaluated several options and worked with some vendors who quite frankly promised many solutions, but were more interested in getting the order than solving our problem. In the end L-3 came up with a solution that upgraded all aspects of the current system to HD, provide the ability to have 15 body worn cameras and to provide a new server that will support all of those functions as well as software to be able to maintain that amount of recording.

In working with L-3 we were able to secure below state bid level pricing along with L-3 providing some of the equipment at no cost. L-3 also included the three year service contract for the 15 body worn cameras at no charge.

Action Requested:

Approve the purchase of the in-car camera upgrades, the body cameras and the server as well as the installation, software and training for this project from L-3 Mobile-Vision Inc. in the amount of \$54,634.45.

\$33,322.00 would come from account #414-7-9370-987-40, \$15,340.00 would come from the 2014 Byrne Memorial Technology Grant and the remaining \$5,972.45 from the Drug Forfeiture Account.

City Manager Approval: _____ Council Agenda Date: December 2, 2014

City Manager Comments:

Finance Director Approval: _____



Resolution No. 2014-282
December 2, 2014

RESOLVED BY THE CITY COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti Police Department desires to upgrade the current in-car video recording systems, purchase body worn cameras and purchase the server, hardware, software, installation and training to facilitate their use, and

WHEREAS, the City of Ypsilanti Police Department has been allocated funds in the FY2014-15 Budget, secured a 2014 Byrne Memorial Grant for this purpose and has Drug Forfeiture funds available for this purchase, and

WHEREAS, the City of Ypsilanti Police Department has negotiated pricing with L-3 Mobile-Vision Inc. that is below the State Bid Pricing of \$54,984.45, and is the current provider of recording equipment in use by the department.

THEREFORE BE IT RESOLVED, that the Chief of Police be authorized to sign all necessary documents needed to execute the purchase.

OFFERED BY: _____

SUPPORTED BY: _____

YES:

NO:

ABSENT:

VOTE:



To: Mayor Edmonds & City Council
From: Ralph A. Lange, City Manager
Ericka R. Savage, Assistant to the City Manager
Date: November 25, 2014
RE: **Cost of Living Increases and Bonuses**

Office of the City Manager

REQUEST FOR LEGISLATION

SUMMARY/BACKGROUND

During the 2014 budget sessions, City Council voted to remove all funds allocated for pay increases from the FY 2014-2015 and 2015-2016 budget for nonunion employees. Staff was instructed to develop and present a plan to Council that was not based on merit, and included across the board pay increases. Attached you will find the administrative breakdown for costs of living increases and bonuses.

Wage Parity Study- During the budget sessions, it was also suggested by at least one member of Council to study employee wages to determine whether increases would be warranted and within the market. Accordingly, prior to determining the structure for pay increases and bonuses, the City Manager's office and Human Resources worked jointly to complete a Wage Parity study. Based on the findings of the report (Attachment 1), it was concluded that a pay increase and/or bonus for nonunion employees is warranted and justified.

Justification for a Cost of Living Pay Increase and/or Bonus for Nonunion Employees

- A pay increase is justified because nonunion classifications have not received a cost of living pay increase since the 1% increase in 2007. Regardless of the number of years that an employee has been employed by the City of Ypsilanti, no job classification has received a cost of living pay increase in over 7 years. We feel as though this places a significant burden on employees as the cost of living has increased; it also hinders the City in its talent recruitment efforts.
- Over this same period of time, union employees have had pay increases (see Attachment 2). Nonunion employees have received the smallest base pay increases and bonuses for over 7 years.
- The pay increases and/or bonuses adopted in the City's union contracts are not related to merit and distributed across the board.
- Union employees have been promoted and continued to receive the benefit of a contractually imposed cost of living increase and/or bonus in their new position.
- A select number of nonunion employees have received pay increases and bonuses since 2007, based on promotions or additional work responsibilities. However, no nonunion employee has received a cost of living pay increase since 2007.
- Thirteen (13) nonunion employees received a \$1750 bonus in 2013. These employees were identified as employees who were employed by the City at the time of the last pay

increase in 2007 and subjected to the 5% pay cut in 2010 and had not received any increase base pay since 2007.

- **Note:** an additional employee received a \$985 prorated bonus.
- In 2013, the 5% pay cut was reinstated to all nonunion employees who were employed by the City in 2010 and had not received a base pay increase since that time.

2014 Policy for Pay Increases and Bonuses

- A 2% cost of living pay increase will be added to the base pay of all permanent, full time, nonunion employees, who have been employed with the City for at least a year.
 - **Note:** currently two employees in this classification have not been employed by the City for a full year; they will receive a 2% pay increase on their one year anniversary date in 2015.
 - **Note:** cost of living increases will not apply to part time employees.
- A one-time bonus will be given to all nonunion employees according to the following:
 - Full time, permanent, nonunion employees- \$1500
 - Part time, permanent, nonunion employees- prorated based on number of hours worked. Currently two employees are within this classification and will receive a bonus of \$975 and \$1088.
 - **Note:** A bonus was added to a cost of living pay increase in order to create more parity for lower paid and part time employees; a bonus was also added because the intent was for the raises to be effective on July 1, 2014 and the City is half way through the fiscal year.
- The cost out for the pay increases and bonuses has been provided by John Kaczor, of Municipal Analytics (see Attachment 3) and updated in the City's general projections. The updated projections will be presented to City Council in December 2015 and do not put an undue burden on the General Fund or other funds impacted.
- Merit increases may still be given to select employees, in select circumstances, but will not be considered until after all the nonunion employee evaluations have been conducted and analyzed along with the wage parity study.

Staff recognizes that the wage parity study is a separate discussion from cost of living increases. The study was conducted with the intentions of comparing similarities and differences between cities to determine if the City of Ypsilanti has prepared job classifications and wages within market trends. The City's goal is to be as talented and diverse of a workforce as possible, but prudent, and realistic about our finances. It was a great question brought forward from City Council and staff spent a significant amount of time gathering information from other communities.

In the context of this RFL and Resolution, the wage parity study is being utilized to provide assurance that a 2% cost of living pay increase will in no way be disproportionate with the

market. In the vast majority of classifications, City of Ypsilanti employees are paid below average. These figures are reflected in the data of the attached report.

As reflected in Attachment 3, the total cost increase to the FY 2014-2015 budget for pay increases and bonuses will be \$48,944. The impact on the FY 2015-2016 budget will be updated in next year's budget amendment.

ATTACHMENTS: Resolution; Wage Parity Report; City of Ypsilanti Wage Increases since 2007; Wage Adjustment Analysis

RECOMMENDED ACTION: Approve a budget amendment to add \$48,944 to the FY 2014-2015 budget for cost of living pay increases and one-time bonuses

DATE RECEIVED: _____ AGENDA ITEM NO.

CITY MANAGER COMMENTS:

FOR AGENDA OF: _____ FINANCE DIR. APPROVAL

COUNCIL ACTION TAKEN:



Resolution No. 2014-283
December 2, 2014

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, during the 2014 budget sessions, City Council removed funds for nonunion employee pay increases from the FY 2014-2015 and 2015-2016 budget; and

WHEREAS, staff was instructed to develop a plan for pay increases that was not based on merit, and included across the board pay increases; and

WHEREAS, City Council also suggested that staff evaluate wage parity among nonunion positions to determine whether pay increases would be warranted and justified within market; and

WHEREAS, staff spent several months conducting a study of comparable cities, and based on the findings it was concluded that a pay increase and/or bonus for nonunion employees is justified and would not place the City above the market trends; and

WHEREAS, nonunion employees have not received a cost of living pay increase since 2007, which places a significant burden on employees and hinders the City's talent recruitment efforts; and

WHEREAS, the City Manager has proposed:

- A 2% cost of living pay increase be added to the base pay of all permanent, full time, nonunion employees
- A one-time \$1500 bonus be given to all permanent, full time, nonunion employees; and
- A one-time prorated bonus, based on the number of hours worked, be given to all permanent, part time, nonunion employees.

NOW, THEREFORE, be it resolved that the Ypsilanti City Council approves a budget amendment to add \$48,944 to the FY 2014-2015 budget for nonunion cost of living pay increases and one-time bonuses.

OFFERED BY: _____

SUPPORTED BY: _____

YES:

NO:

ABSENT:

VOTE:



2014 Wage Parity Study Full Time and Part Time Non-Union Employees

BACKGROUND AND SUMMARY

During the 2014 budget sessions, it was suggested to study employee wages to determine whether pay increases would be warranted and within the norms of the market. Accordingly, prior to determining the structure for pay increases and bonuses, the City Manager's office and Human Resources worked jointly to complete a Wage Parity study.

Data Compilation & Methodology:

- ❖ Data was compiled from Michigan Municipal League's 2013 Pay and Benefits Survey. Other relevant and available information was obtained via the internet and direct phone calls to the cities.
- ❖ Cities listed in the population range of 15,000 to 30,000 were selected. Additionally, we considered the presence of institutions of higher education, form of government, population, median household income, diversity and whether the city had in house fire and police departments.
- ❖ Staff narrowed the field down to six (6) **comparable cities**: Auburn Hills, Ferndale, Garden City, Monroe, Mt. Pleasant and Wayne. Of the six comparable cities.
 - Three (3) cities were designated as **most comparable cities** based on the following:
 - **Ferndale**- similar form of government, population, and square mileage
 - **Mt. Pleasant**- similar population, median household income, and Central Michigan University
 - **Wayne**- similar form of government, population, median household income, diversity, and number of employees
- ❖ All comparable cities were contacted for job descriptions, organizational charts and salary information.
 - Three cities sent job descriptions: Ferndale, Monroe and Mt. Pleasant.
 - Three cities sent organizational charts: Auburn Hills, Mt. Pleasant and Wayne
 - The MML survey provided salary information for Auburn Hills, Garden City, Monroe and Mt. Pleasant.
 - Two cities sent additional salary information: Ferndale and Wayne

In trying to compare job descriptions, staff discovered the sample was too few and the process was too onerous. Ferndale sent nine descriptions and Monroe sent six. The Mt. Pleasant descriptions were vague and not concrete enough to make a fair comparison. The three organizational charts provide some idea of how departments are organized within the cities, but we only received three. Ultimately, staff decided to focus the study on the job classifications



2014 Wage Parity Study Full Time and Part Time Non-Union Employees

and salary ranges. Where the data was vague, follow up calls were made to cities for clarification and then a note was created on the page.

How to read the Wage Parity Study:

- ❖ Each sheet includes a nonunion job classification
- ❖ Each city listed falls within the population of 15,000 to 30,000 search criteria
- ❖ On each sheet, there are terms that are used to explain the data-
 - **Current Pay of Reporting Cities-** a range is listed for the lowest and highest salary for all cities that reported “current pay” to the 2013 MML survey and/or an inquiry from our staff.
 - **Comparable Cities-** the six cities that were designated by staff to have similar attributes (see above).
 - **Most Comparable Cities-** the three cities that were designated by staff to have a combination of the most similar attributes (see above).
 - **Average Salary-** the average pay of the most comparable cities. Average salary was not calculated for all reporting cities or all comparable cities because it was more effective to use a smaller sample of cities with the greatest similarity to Ypsilanti.
 - If Current Pay was not reported for most comparable cities, then data from comparable cities was used.
 - If Current Pay was not reported for any of the six comparable cities, then Salary Ranges of comparable cities were used.
 - If no Current Pay or Salary Ranges were reported for comparable cities, then other reporting cities were used.
 - *The wage comparison charts attached to the study reflect the average salary of the best data available, in the order above.*
 - **Notes-** provided where the data compiled required further explanation or clarification.

The Wage Parity Study is a fair representation of salaries from comparable cities in terms of the criteria that was set and the data that was compiled. For a more in-depth study, comparing job descriptions, organizational structure, benefits, etc... we would recommend the services of contractor with specialized experience in this area.



2014 Wage Parity Study Full Time and Part Time Non-Union Employees

Included in the Wage Parity Study

- ❖ Wage Parity Report, by Nonunion Classification
- ❖ Spreadsheet of Comparable Cities
- ❖ Wage Comparison Charts A through D
- ❖ Nonunion Employee Salary Ranges



2014 Wage Parity Study

Full Time and Part Time Non-Union Employees

CITY MANAGER		
City	Salary Range	Current Pay
Madison Heights		121,532
Oak Park		122,300
Garden City		35,000
Mt. Pleasant		101,646
Hamtramck		99,495
Auburn Hills	87,537 – 128,618	124,500
Monroe		100,050
Birmingham	100,000 – 118,000	
Ferndale		105,000
Trenton	83,722 – 97,943	
Wayne	90,000 – 100,000	
Hazel Park		96,907
Mt. Clemens		80,000
Ypsilanti	80,000 – 110,000	93,500.16

- ❖ Current pay of reporting cities ranges from \$80,000 to \$124,500.
- ❖ The 3 most comparable cities have an average salary of \$100,549:
 - Mt Pleasant- \$101,646
 - Ferndale- \$105,000
 - Wayne- \$90,000 to \$100,000 (median \$95,000)
- ❖ The Ypsilanti City Manager salary is approximately 7% below the average of the most comparable cities.



2014 Wage Parity Study

Full Time and Part Time Non-Union Employees

ASSISTANT TO THE CITY MANAGER		
City	Salary Range	Current Pay
East Lansing	42,099.20 – 58,905.60	
Farmington Hills	66,500 – 73,440	73,440
Ferndale	55,000 – 65,000	57,000
Ypsilanti	40,000 – 65,000	54,900

- ❖ The most comparable City is Ferndale with a salary of 57,000
- ❖ The Ypsilanti Assistant to the City Manager's salary is approximately 4% below Ferndale.
- ❖ **Note:** The Assistant to the City Manager in Ypsilanti is paid an additional \$4000 for acting as a Special Events Coordinator, which is not included in the above salary because the responsibility is transferrable between employees.
- ❖ **Note:** The Ferndale position is titled "Chief Innovation Officer" but was confirmed to perform similar duties as an Assistant to the City Manager.



2014 Wage Parity Study

Full Time and Part Time Non-Union Employees

EXECUTIVE SECRETARY		
City	Salary Range	Current Pay
Madison Heights	46,742 – 53,528	53,528
Garden City	44,908 – 59,313	
Mt. Pleasant	33,200 – 40,100	41,600
Wyandotte	31,762 – 38,230	
Hamtramck		40,700
Auburn Hills	41,106 – 50,248	
Monroe		45,730
Wayne	39,515.21 – 46,612.28	46,612.28
Hazel Park		56,160
Mt. Clemens		38,727
Ypsilanti #1	30,000 – 55,000	51,450.72
Ypsilanti #2	30,000 – 55,000	50,026.08

- ❖ Current pay of reporting cities ranges from \$38,727 to \$56,160.
- ❖ The two most comparable cities have an average salary of \$44,106:
 - Mt. Pleasant: \$41,600
 - Wayne: \$46,612
- ❖ The Ypsilanti Executive Secretary #1 salary is approximately 17% above the average of the most comparable cities.
- ❖ The Ypsilanti Executive Secretary #2 salary is approximately 13% above the average of the most comparable cities.
- ❖ **Note:** The Ypsilanti Executive Secretary #1 is paid an additional \$4000 for acting as a Special Events Coordinator, which is not included in the above salary because the responsibility is transferrable.
- ❖ **Note:** The Ypsilanti Executive Secretary #2 is a non-exempt employee eligible for overtime.



2014 Wage Parity Study

Full Time and Part Time Non-Union Employees

HUMAN RESOURCES OR PERSONNEL DIRECTOR		
City	Salary Range	Current Pay
Madison Heights	81,656 – 90,734	90,734
Oak Park		66,800
Mt. Pleasant	64,200 – 75,800	72,726
Hamtramck		42,000
Monroe		72,957
Ferndale		67,000
Wayne		64,896
Mt. Clemens		67,991
Ypsilanti	40,000 – 65,000	60,008

- ❖ Current pay of reporting cities ranges from \$64,896 to \$90,734.
- ❖ The three most comparable cities have an average salary of \$68,207:
 - Mt. Pleasant- \$72,726
 - Ferndale- 67,000
 - Wayne- \$64,896
- ❖ The Ypsilanti Human Resources Manager salary is approximately 12% below the average of the most comparable cities.
- ❖ **Note:** Ypsilanti has a Human Resources Manager position and no Human Resources Director.



2014 Wage Parity Study

Full Time and Part Time Non-Union Employees

FINANCE DIRECTOR		
City	Salary Range	Current Pay
Oak Park		90,420
Mt. Pleasant	73,600 – 94,700	98,880
Wyandotte	86,819 – 105,622	
Hamtramck		87,000
Auburn Hills	78,416 – 99,829	95,552
Monroe		88,301
Ferndale		93,000
Trenton	72,802 – 89,237	
Wayne		89,000
Hazel Park		127,200
Ypsilanti	60,000 – 85,000	82,576

- ❖ Current pay of reporting cities ranges from \$87,000 to \$127,200.
- ❖ The three most comparable cities have an average salary of \$93,627:
 - Mt. Pleasant- \$98,880
 - Ferndale- \$93,000
 - Wayne- \$89,000
- ❖ The Ypsilanti Finance Director salary is approximately 12% below the average of the most comparable cities.
- ❖ **Note:** The Ypsilanti Finance department does not supervise the Treasury function; the Treasury function is supervised by the Finance Director in most comparable cities.



2014 Wage Parity Study

Full Time and Part Time Non-Union Employees

GENERAL ACCOUNTANT II		
City	Salary Range	Current Pay
Madison Heights	44,946 – 51,460	51,460
Auburn Hills	46,842 – 56,930	
Monroe	33,614 – 50,401	
Ypsilanti	40,000 – 65,000	48,000.16

- ❖ Current pay of reporting cities ranges from \$33,614 to \$56,930.
- ❖ The most comparable city is Monroe which has a salary range of \$33,614 - \$50,401 (Median \$42,008).
- ❖ The Ypsilanti General Accountant II salary is approximately 14% above the median of Monroe's salary range.
- ❖ The lower bound of the Ypsilanti salary range is approximately 16% above the lower bound of Monroe's salary range. The upper bound of the Ypsilanti salary range is approximately 22% above the upper bound of Monroe's salary range.



2014 Wage Parity Study

Full Time and Part Time Non-Union Employees

CITY CLERK/DEPUTY TRESURER II		
City	Salary Range	Current Pay
Madison Heights	72,891 – 80,769	80,769
Mt. Pleasant	58,400 – 70,000	67,133
Wyandotte		70,117
Hamtramck		54,600
Auburn Hills	63,161 – 86,407	72,720
Birmingham	63,727 – 81,541	
Ferndale		66,589.12
Trenton	48,675 – 64,900	
Wayne		77,985
Hazel Park		58,442
Mt. Clemens		65,681
Garden City (Clerk-Treasurer)	79,884 – 105,445	
Ypsilanti	50,000 – 75,000	71,019.52

- ❖ Current pay of reporting cities ranges from \$54,600 to \$80,769
- ❖ The three most comparable cities have an average salary of \$70,569:
 - Mt. Pleasant: \$67,133
 - Ferndale: \$66,589
 - Wayne: \$77,985
- ❖ The Ypsilanti City Clerk salary is approximately 1% above the average of the most comparable cities.
- ❖ **Note:** Ypsilanti City Clerk supervises the Treasurer. The Finance Director supervises the Treasurer in the most comparable cities.
- ❖ **Note:** The Ypsilanti City Clerk also acts as Deputy Treasurer II.
- ❖ **Note:** Garden City is the only comparable city with a Clerk/Treasurer's Office. It also consists of three full time employees: City Clerk-Treasurer, Deputy Treasurer and Office Manager. One employee acts as both the City Clerk and Treasurer therefore salaries were not compared with Ypsilanti.



2014 Wage Parity Study

Full Time and Part Time Non-Union Employees

TREASURER/DEPUTY CLERK II		
City	Salary Range	Current Pay
Mt. Pleasant	64,200 – 75,800	76,893
Wyandotte		6,000
Auburn Hills	63,161 – 86,407	73,980
Trenton		7,000
Garden City	79,884 – 105,445	
Ypsilanti	40,000 – 65,000	64,671.36

- ❖ Current pay of reporting cities ranges from \$73,980 to \$76,893.
- ❖ The most comparable city is Mt. Pleasant with a salary of \$76,893.
- ❖ The Ypsilanti Treasurer salary is approximately 16% below the salary of Mt. Pleasant.
- ❖ **Note:** The Mt. Pleasant Treasurer performs property tax administration, pension administration, payroll, cash receipts, utility billing, and accounts receivable.
- ❖ **Note:** The Ypsilanti Treasurer also acts as Deputy City Clerk II.



2014 Wage Parity Study

Full Time and Part Time Non-Union Employees

DEPUTY CLERK I		
City	Salary Range	Current Pay
Mt. Pleasant	33,700 – 48,400	44,064
Wyandotte	31,762 – 38,230	
Auburn Hills	47,226 – 61,623	
Monroe	30,571 – 45,846	
Birmingham	44,027 – 56,362	
Ferndale		53,012.96
Trenton	37,791 – 44,211	
Wayne		32,023/PT
Mt. Clemens	27,040 – 35,360	29,120
Ypsilanti	25,000 – 50,000	39,998.40

- ❖ Current pay of reporting cities ranges from \$29,120 to \$53,012.
- ❖ The three most comparable cities have an average salary of \$46,591:
 - Mt. Pleasant: \$44,064
 - Ferndale: \$53,012
 - Wayne: \$32,023 P/T (adjusted to a full-time salary for comparison, calculates to \$42,697)
- ❖ The Ypsilanti Deputy Clerk I salary is approximately 14% below the average of the most comparable cities.



2014 Wage Parity Study

Full Time and Part Time Non-Union Employees

POLICE CHIEF		
City	Salary Range	Current Pay
Madison Heights	93,766 – 104,187	104,187
Garden City	83,828 – 110,653	
Mt. Pleasant	73,600 – 94,700	92,016
Wyandotte		95,014
Hamtramck		85,600
Auburn Hills	78,416 – 99,829	104,083
Birmingham	81,541 – 104,305	
Ferndale		99,008
Wayne		89,870
Trenton	76,802 – 90,952	
Hazel Park		90,250
Ypsilanti	70,000 – 95,000	87,000.16

- ❖ Current pay for reporting cities ranges from \$85,600 to \$104,187.
- ❖ The three most comparable cities have an average salary of \$93,629:
 - Mt. Pleasant: \$92,016
 - Ferndale: \$99,000
 - Wayne: \$89,870
- ❖ The Ypsilanti Police Chief salary is 7% below the average of the most comparable cities.



2014 Wage Parity Study

Full Time and Part Time Non-Union Employees

FIRE CHIEF		
City	Salary Range	Current Pay
Madison Heights	92,040 – 102,274	102,274
Garden City	79,837 – 105,383	
Mt. Pleasant	64,200 – 75,800	82,047
Wyandotte	67,392 – 87,235	
Hamtramck		87,400
Auburn Hills	78,416 – 99,829	
Monroe		81,600
Birmingham	81,541 – 104,305	
Ferndale		85,001.28
Wayne		82,761
Trenton	72,802 – 89,237	
Hazel Park		79,935
Ypsilanti	70,000 – 95,000	84,011.20

- ❖ Current pay for reporting cities ranges from \$81,600 to \$102,274.
- ❖ The three most comparable cities have an average salary of \$83,269:
 - Mt. Pleasant: \$ 82,047
 - Ferndale: \$85,001
 - Wayne: \$82,761
- ❖ The Ypsilanti Fire Chief salary is approximately 1% above the average of the most comparable cities.
- ❖ **Note:** Ypsilanti's Fire Chief also acts as the Fire Marshall.



2014 Wage Parity Study

Full Time and Part Time Non-Union Employees

BUILDING DIRECTOR		
City	Salary Range	Current Pay
Auburn Hills	\$55,203 – 67,059	\$67,059
Birmingham	47,840 – 60,320	
Hazel Park		49,920
Monroe	38,805 – 58,238	
Mount Clemens		54,000
Oak Park		59,000
Trenton	54,420 – 63,664	
Ypsilanti	50,000 – 75,000	60,008

- ❖ Current pay for reporting cities ranges from \$49,920 to \$67,059.
- ❖ No data is available for the most comparable cities.
- ❖ The two comparable cities have an average salary of \$57,791:
 - Auburn Hills- \$67,059
 - Monroe- \$38,805 - \$58,238 (Median \$48,522)
- ❖ The Ypsilanti Building Manager salary is approximately 4% higher than the average of the comparable cities.
- ❖ **Note:** Ypsilanti has a Building Manager position; the Economic and Community Development Director serves as Director of the Building Department.



2014 Wage Parity Study

Full Time and Part Time Non-Union Employees

CODE ENFORCEMENT		
CITY	SALARY RANGE	CURRENT PAY
Madison Heights	39,156 – 44,831	44,831
Garden City		48,982
Mt. Pleasant	31,200 – 37,440	
Wyandotte		24,960
Auburn Hills	46,842 – 56,930	56,930
Hazel Park	24,960 – 31,200	
Mt. Clemens		48,390
Wayne		32.50/HR/PT (28 hrs, retiree)
Ypsilanti (Enforcement Officer)	25,000 – 50,000	40,955.20
Ypsilanti (Housing Inspector)	30,000 – 55,000	46,660

- ❖ Current pay for reporting cities ranges from \$24,960 to \$56,930.
- ❖ The two most comparable cities have an average salary of \$50,960:
 - Mt. Pleasant: \$31,200 – \$37,440 (Median \$34,320)
 - Wayne: \$32.50/hour (full-time adjusted to \$67,600)
- ❖ The Ypsilanti Housing Inspector salary is approximately 8% below the average of the most comparable cities.
- ❖ The Ypsilanti Ordinance Enforcement Officer salary is approximately 20% below the average of the most comparable cities.
- ❖ **Note:** The Ypsilanti Housing Inspector is a non-exempt position eligible for overtime.



2014 Wage Parity Study

Full Time and Part Time Non-Union Employees

DIRECTOR OF PUBLIC SERVICES		
City	Salary Range	Current Pay
Mt. Pleasant	73,600 – 94,700	82,000
Wyandotte	48,339 – 58,780	
Birmingham	75,726 – 96,727	
Auburn Hills	67,195 – 93,163	85,773
Garden City	76,842 – 101,432	
Madison Heights	90,714 – 100,796	95,745
Monroe		86,700
Ferndale		87,500
Mt. Clemens		65,960
Ypsilanti	60,000 – 85,000	73,109.92

- ❖ Current pay for reporting cities ranges from \$65,960 to \$95,745.
- ❖ The two most comparable cities have an average salary of \$84,750:
 - Mt. Pleasant: \$82,000
 - Ferndale: \$87,500
- ❖ The Ypsilanti Director of Public Services salary is approximately 14% below the average of the most comparable cities.



2014 Wage Parity Study

Full Time and Part Time Non-Union Employees

OFFICE MANAGER		
City	Salary Range	Current Pay
Garden City		47,840
Hazel Park	35,360 – 41,600	
Ypsilanti	30,000 – 55,000	47,087.04

- ❖ No data available for the most comparable cities
- ❖ Hazel Park is a comparable city with a salary range of \$35,360-\$41,600.
- ❖ Garden City is a comparable city with current pay of \$47,840.
- ❖ The Ypsilanti Office Manager salary is approximately 2% below the salary of Garden City.



2014 Wage Parity Study

Full Time and Part Time Non-Union Employees

GENERAL SUPERINTENDENT		
City	Salary Range	Current Pay
Mt. Pleasant	52,700 – 64,200	61,953
Hamtramck		72,500
Auburn Hills	55,623 – 63,792	63,000
Monroe	64,265 – 73,380	
Trenton	54,420 – 63,664	
Ypsilanti	40,000 – 65,000	55,704.48

- ❖ Current pay for reporting cities ranges from \$61,953 to \$72,500.
- ❖ The most comparable city is Mt. Pleasant with a salary of \$61,953.
- ❖ The Ypsilanti General Superintendent salary is approximately 10% below the salary of Mt. Pleasant.
- ❖ **Note:** The General Superintendent is a non-exempt position eligible for overtime.



2014 Wage Parity Study

Full Time and Part Time Non-Union Employees

GENERAL FOREMAN		
City	Salary Range	Current Pay
Garden City	51,959 – 68,585	
Hazel Park	49,131 – 60,664	
Mount Clemens	48,946 – 51,500	
Wyandotte	41,787 – 50,814	
Ypsilanti #1	30,000 – 55,000	\$47,775.52
Ypsilanti #2	30,000 – 55,000	\$51,111.84

- ❖ Only salary ranges are available, with a group lower bound of \$41,787 and a group upper bound of \$68,585.
- ❖ The most comparable city is Garden City with a range of \$51,959 - \$68,585 (median \$60,272).
- ❖ The Ypsilanti General Foreman #1 salary is approximately 21% below the median of the Garden City salary range.
- ❖ The Ypsilanti General Foreman #2 salary is approximately 15% below the median of the Garden City salary range.
- ❖ **Note:** The General Foreman #1 and #2 are non-exempt positions eligible for overtime.

**Spreadsheet Of Comparable Cities
to Support Wage Parity Study**

City	Population	Square Miles	In-House Police/Fire	Higher Education Institution	Form of Government	City Employees	Extra Departments	MML Region	Diversity	Median Household Income	Income Tax	Largest Employer
Ypsilanti	19435	4.2	Yes	Eastern Michigan University	Council/Manager	86 FT		1	White: 61.5% Black: 29.2% Asian: 3.4% Hispanic: 3.9%	32996	No	Eastern Michigan University (1906)
Auburn Hills	21412	17.5	Yes	Baker College, Oakland University	Council/Manager	179	Assessing, Golf Course, IT, Library, Senior Services, Water/Sewer, Parks & Rec	1	White: 66.3% Black: 18.5% Asian: 8.9% Hispanic: 7.8%	52224	No	Chrysler (10172 in Oakland County)
Ferndale	19900	3.97	Yes		Council/Manager	135 FT	Water/Sewer, Library, Fire to surrounding communities, community center	1	White: 84.7% Black: 9.6% Asian: 1.3% Hispanic: 2.8%	48967	No	Garden Fresh (400+ employees)
Garden City	27692	5.8	Yes	Schoolcraft College (satellite campus)	Council/Manager	103	Library, Purchasing. Cable TV channel, Parks & Recreation	1	White: 92.5% Black: 3.4% Asian: 0.8% Hispanic: 3.3%	55270	No	Garden City Hospital
Monroe	20733	10.5	Yes		Council/Manager	150 FT	Assessing, Engineering, IT, Wastewater, Water, Custer Airport	1	White: 88.4% Black: 6.2% Asian: 0.7% Hispanic: 4.1%	42738	No	Mercy Memorial Hospital (1738)
Mt. Pleasant	26016	7.8	Yes	Central Michigan University	Council/Manager	135 FT	Airport, Cemetery, Engineering, IT, Wastewater Treatment, Water Treatment	4	White: 87.6% Black: 3.9% Asian: 3% Hispanic 3.3%	27407	No	Central Michigan University (2551)
Wayne	17593	6	Yes		Council/Manager	88 FT	Engineering, Library	1	White: 76.3% Black: 17.1% Asian: 2.1% Hispanic 3.4%	39980	No	Ford Motor Company (3746)
	= DESIGNATED AS MOST COMPARABLE CITY											
Ypsilanti		http://quickfacts.census.gov/qfd/states/26/2689140.html			http://en.wikipedia.org/wiki/Ypsilanti,_Michigan				http://cityofypsilanti.com/			
Adrian		http://quickfacts.census.gov/qfd/states/26/2600440.html			http://en.wikipedia.org/wiki/Adrian,_Michigan				http://adriancity.com/			
Auburn Hills		http://quickfacts.census.gov/qfd/states/26/2604105.html			http://en.wikipedia.org/wiki/Auburn_Hills,_Michigan				http://www.auburnhills.org/			
Ferndale		http://quickfacts.census.gov/qfd/states/26/2627880.html			http://en.wikipedia.org/wiki/Ferndale,_Michigan				http://www.ferndalemi.gov/			
Garden City		http://quickfacts.census.gov/qfd/states/26/2631420.html			http://en.wikipedia.org/wiki/Garden_City,_Michigan				http://www.gardencitymi.org/			
Monroe		http://quickfacts.census.gov/qfd/states/26/2655020.html			http://en.wikipedia.org/wiki/Monroe,_Michigan				http://www.monroemi.gov/			
Mount Pleasant		http://quickfacts.census.gov/qfd/states/26/2656020.html			http://en.wikipedia.org/wiki/Mount_Pleasant,_Michigan				http://www.mt-pleasant.org/			
Wayne		http://quickfacts.census.gov/qfd/states/26/2684940.html			http://en.wikipedia.org/wiki/Wayne,_Michigan				http://www.ci.wayne.mi.us/			

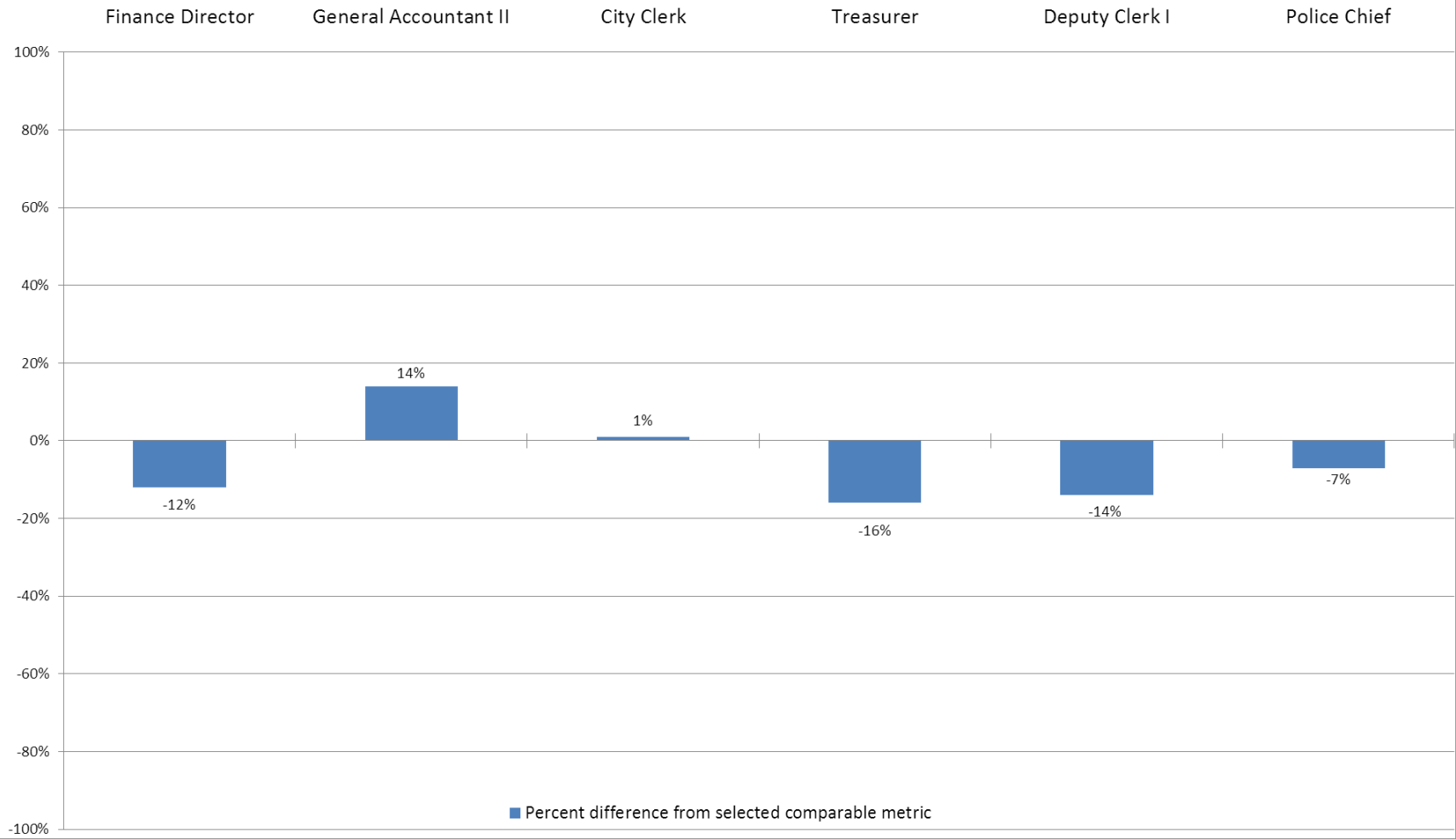
Non-Union Pay Scale - Revised 11/06/2014 (revised)

<u>Position</u>	<u>Grade</u>	<u>Annual</u> <u>Minimum</u>	<u>Annual</u> <u>Midpoint</u>	<u>Annual</u> <u>Maximum</u>	<u>Biweekly</u> <u>Minimum</u>	<u>Biweekly</u> <u>Midpoint</u>	<u>Biweekly</u> <u>Maximum</u>	<u>Hourly</u> <u>Minimum</u>	<u>Hourly</u> <u>Midpoint</u>	<u>Hourly</u> <u>Maximum</u>
Deputy Clerk I	1	\$ 25,000	\$ 37,500	\$ 50,000	\$ 962	\$ 1,442	\$ 1,923	\$12.0192	\$ 18.0288	\$ 24.0385
Ordinance Officer	1	\$ 25,000	\$ 37,500	\$ 50,000	\$ 962	\$ 1,442	\$ 1,923	\$12.0192	\$ 18.0288	\$ 24.0385
Planner I	1	\$ 25,000	\$ 37,500	\$ 50,000	\$ 962	\$ 1,442	\$ 1,923	\$12.0192	\$ 18.0288	\$ 24.0385
Deputy Clerk II	2	\$ 30,000	\$ 42,500	\$ 55,000	\$ 1,154	\$ 1,635	\$ 2,115	\$14.4231	\$ 20.4327	\$ 26.4423
Executive Secretary	2	\$ 30,000	\$ 42,500	\$ 55,000	\$ 1,154	\$ 1,635	\$ 2,115	\$14.4231	\$ 20.4327	\$ 26.4423
General Accountant I	2	\$ 30,000	\$ 42,500	\$ 55,000	\$ 1,154	\$ 1,635	\$ 2,115	\$14.4231	\$ 20.4327	\$ 26.4423
General Foreman	2	\$ 30,000	\$ 42,500	\$ 55,000	\$ 1,154	\$ 1,635	\$ 2,115	\$14.4231	\$ 20.4327	\$ 26.4423
Housing Inspector	2	\$ 30,000	\$ 42,500	\$ 55,000	\$ 1,154	\$ 1,635	\$ 2,115	\$14.4231	\$ 20.4327	\$ 26.4423
HR Generalist	2	\$ 30,000	\$ 42,500	\$ 55,000	\$ 1,154	\$ 1,635	\$ 2,115	\$14.4231	\$ 20.4327	\$ 26.4423
Office Manager	2	\$ 30,000	\$ 42,500	\$ 55,000	\$ 1,154	\$ 1,635	\$ 2,115	\$14.4231	\$ 20.4327	\$ 26.4423
Police Admin. Services Manager	2	\$ 30,000	\$ 42,500	\$ 55,000	\$ 1,154	\$ 1,635	\$ 2,115	\$14.4231	\$ 20.4327	\$ 26.4423
Asst. to the City Manager	3	\$ 40,000	\$ 52,500	\$ 65,000	\$ 1,538	\$ 2,019	\$ 2,500	\$19.2308	\$ 25.2404	\$ 31.2500
Accounting Supervisor	3	\$ 40,000	\$ 52,500	\$ 65,000	\$ 1,538	\$ 2,019	\$ 2,500	\$19.2308	\$ 25.2404	\$ 31.2500
Assessor	3	\$ 40,000	\$ 52,500	\$ 65,000	\$ 1,538	\$ 2,019	\$ 2,500	\$19.2308	\$ 25.2404	\$ 31.2500
Deputy Comm. Development Dir.	3	\$ 40,000	\$ 52,500	\$ 65,000	\$ 1,538	\$ 2,019	\$ 2,500	\$19.2308	\$ 25.2404	\$ 31.2500
General Accountant II	3	\$ 40,000	\$ 52,500	\$ 65,000	\$ 1,538	\$ 2,019	\$ 2,500	\$19.2308	\$ 25.2404	\$ 31.2500
General Superintendent	3	\$ 40,000	\$ 52,500	\$ 65,000	\$ 1,538	\$ 2,019	\$ 2,500	\$19.2308	\$ 25.2404	\$ 31.2500
Human Resources Manager	3	\$ 40,000	\$ 52,500	\$ 65,000	\$ 1,538	\$ 2,019	\$ 2,500	\$19.2308	\$ 25.2404	\$ 31.2500
Planner II	3	\$ 40,000	\$ 52,500	\$ 65,000	\$ 1,538	\$ 2,019	\$ 2,500	\$19.2308	\$ 25.2404	\$ 31.2500
Treasurer	3	\$ 40,000	\$ 52,500	\$ 65,000	\$ 1,538	\$ 2,019	\$ 2,500	\$19.2308	\$ 25.2404	\$ 31.2500
Building Director	4	\$ 50,000	\$ 62,500	\$ 75,000	\$ 1,923	\$ 2,404	\$ 2,885	\$24.0385	\$ 30.0481	\$ 36.0577
City Clerk	4	\$ 50,000	\$ 62,500	\$ 75,000	\$ 1,923	\$ 2,404	\$ 2,885	\$24.0385	\$ 30.0481	\$ 36.0577
Deputy Fire Chief	5	\$ 60,000	\$ 72,500	\$ 85,000	\$ 2,308	\$ 2,788	\$ 3,269	\$28.8462	\$ 34.8558	\$ 40.8654
Deputy Police Chief	5	\$ 60,000	\$ 72,500	\$ 85,000	\$ 2,308	\$ 2,788	\$ 3,269	\$28.8462	\$ 34.8558	\$ 40.8654
Finance Director	5	\$ 60,000	\$ 72,500	\$ 85,000	\$ 2,308	\$ 2,788	\$ 3,269	\$28.8462	\$ 34.8558	\$ 40.8654
Community Development Dir.	5	\$ 60,000	\$ 72,500	\$ 85,000	\$ 2,308	\$ 2,788	\$ 3,269	\$28.8462	\$ 34.8558	\$ 40.8654
Public Works Director	5	\$ 60,000	\$ 72,500	\$ 85,000	\$ 2,308	\$ 2,788	\$ 3,269	\$28.8462	\$ 34.8558	\$ 40.8654
Assistant City Manager	5	\$ 60,000	\$ 72,500	\$ 85,000	\$ 2,308	\$ 2,788	\$ 3,269	\$28.8462	\$ 34.8558	\$ 40.8654
Deputy City Manager	6	\$ 70,000	\$ 82,500	\$ 95,000	\$ 2,692	\$ 3,173	\$ 3,654	\$33.6538	\$ 39.6635	\$ 45.6731
Fire Chief	6	\$ 70,000	\$ 82,500	\$ 95,000	\$ 2,692	\$ 3,173	\$ 3,654	\$33.6538	\$ 39.6635	\$ 45.6731
Police Chief	6	\$ 70,000	\$ 82,500	\$ 95,000	\$ 2,692	\$ 3,173	\$ 3,654	\$33.6538	\$ 39.6635	\$ 45.6731
Public Safety Director	6	\$ 70,000	\$ 82,500	\$ 95,000	\$ 2,692	\$ 3,173	\$ 3,654	\$33.6538	\$ 39.6635	\$ 45.6731
City Manager	7	\$ 80,000	\$ 95,000	\$ 110,000	\$ 3,077	\$ 3,654	\$ 4,231	\$38.4615	\$ 45.6731	\$ 52.8846

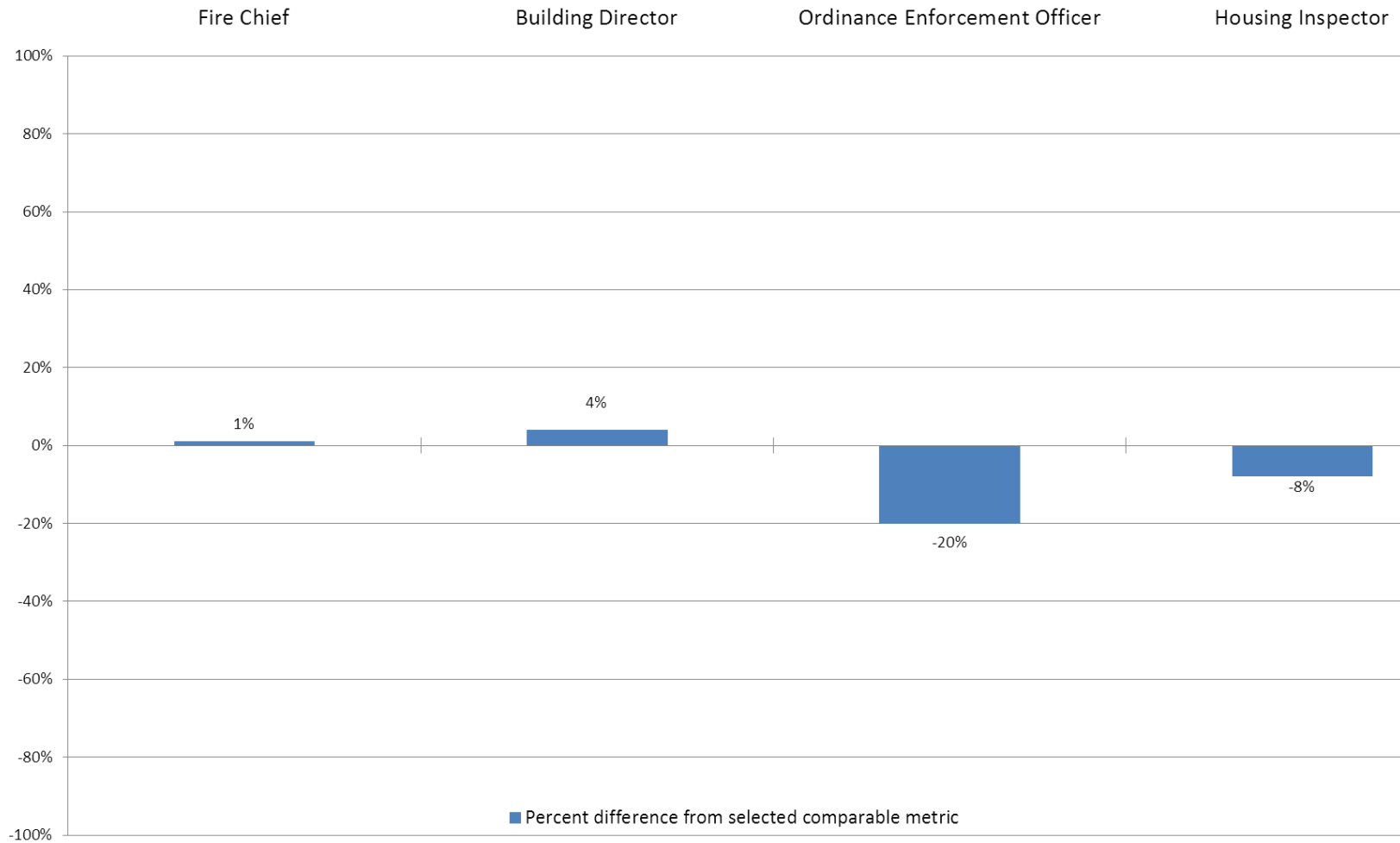
Pay Comparison Chart A



Pay Comparison Chart B



Pay Comparison Chart C



Pay Comparison Chart D



CITY OF YPSILANTI WAGE INCREASES FROM 2007 – 2017

(Revised 7/08/2014)

	NON-UNION		AFSCME		COAM				POAM		IAFF	
YEAR	%	BONUS	%	BONUS	Road Sgt %	Road Lt. %	Adm. Lt. %	BONUS	%	BONUS	%	BONUS
2007	1%	0	3%	0	3%	3%		0	3%	0	3%	\$500
2008	0	0	2.25%	0	2.25%	2.28%		0	2%	0	2%	0
2009	0	0	2.25%	0	0	5.67%		0	0%	0	0%	0
2010	-5%	0	1%	\$500	1%	1%		0	1%	0	-5%	0
2011	0	0	0	0	0.06%	0.06%		0	1%	0	0%	0
2012	0	0	0	0	0	0		0	0%	\$500*	0%	0
2013	+5%	\$1750	0	\$1500*	0	0		0	0%	0	5%	\$1500
2014	?	?	0	\$1000*	** -4.3%	* -4.3%	+1%	0	1%	\$500	1%	\$1500
2015	?	?	0	\$1000*	0	0	0	0	0%	0	1%	0
2016	?	?	0	\$1000*	0	0	0	0	0%	0	1%	0

Total: 1%

8.5%

2.01%

7.71 %

1%

8%

8%

AFSCME Contract Expires in 2017- Note: Some AFSCME members receive Step Increases on their Anniversary Date

*In addition to a signing bonus of \$1500, AFSCME will receive an additional bonus each year for the duration of their contract.

Note: PA 152- 20% Health Care deductions began on 7/01/2013

COAM Contract Expires in 2017 - Note: PA 152- 20% Health Care deductions began on 7/01/2012

* Road Lt's receive 14% increase over Road Sgt's

****** Road Sgt's receive 8% increase over Sr. Patrol Officers

POAM Contract and Extension expires in 2017 - Note: PA 152- 20% Health Care deductions began on 7/01/2012

*In addition to the \$500 Bonus in 2012 and 2014, the POAM receives a \$1,500 Overtime Adjustment Check each year of their contract.

IAFF Contract Expires in 2017 - Note: PA 152- 20% Health Care deductions began on 7/01/2012

Will receive a one-time \$1500 Bonus in 2013 and 2014

Will receive a 1% increase in salary in 2014, 2015 & 2016

Non-Union -

Note: PA 152- 20% Health Care deductions began on 01/01/2012

No increase in pay has been determined at this time

Attachment 3

* Employees with less than 1 year of full-time service receive 2% adjustment on 1 year anniversary. All others assumed to increase Dec. 1, 2014.

** Note: only 13% of General DPS employee cost increase applies to General Fund. Balance charged to Major Streets, Local Streets, Garbage and Motor Pool.

^ Permanent part-time positions receive prorated bonus based on regular hours worked, but no increase in hourly pay.



Resolution No. 2014-284
December 2, 2014

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: