

1. City Council Regular Meeting Agenda

Documents:

[2-17-15 ONLY REVISED FINAL AGENDA 2.PDF](#)

2. City Council Regular Meeting Packet

Documents:

[2-17-15 ONLY BOARD PACKET REDACTED.PDF](#)

3. City Council Regular Meeting Action Minutes

Documents:

[2-17-15 ACTION MINUTES.PDF](#)



**CITY OF YPSILANTI
COUNCIL MEETING AGENDA
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
Tuesday, February 17, 2015
7:00 p.m.**

I. CALL TO ORDER –

II. ROLL CALL –

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

III. INVOCATION –

IV. PLEDGE OF ALLEGIANCE –

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

V. INTRODUCTIONS –

VI. AGENDA APPROVAL –

VII. PRESENTATIONS –

VIII. AUDIENCE PARTICIPATION –

IX. REMARKS BY THE MAYOR –

X. MINUTES –

Resolution No. 2015-032, approving the minutes of Feb. 3 and Feb. 9, 2015

XI. PUBLIC HEARINGS –

1. Public hearing to consider an ordinance to vacate Lathers Street, located between the City boundary to the west and Warner Street to the east, within the City of Ypsilanti. **(Second Reading - Ordinance No. 1237)**

- A. Resolution No. 2015-033, determination
 - B. Open public hearing
 - C. Resolution No. 2015-034, close public hearing
2. Public hearing to consider an ordinance to close alley:
Forest/Prospect/Oak/River, second north-south alley from east. ***(Second Reading – Ordinance No. 1238)***
- A. Resolution No. 2015-035, determination
 - B. Open public hearing
 - C. Resolution No. 2015-036, close public hearing

XII. ORDINANCES – FIRST READING –

Ordinance No. 1242

- 1. Ordinance to vacate an alley located at
Whittier/Cornell/Washtenaw/Mansfield, easternmost portion immediately
south of 1403 Whittier.
- A. Resolution No. 2015-042, determination
 - B. Open public hearing
 - C. Resolution No. 2015-043, close public hearing

XIII. CONSENT AGENDA –

Resolution No. 2015-037

- 1. Resolution No. 2015-038, approving an ordinance to amend Section 78-100 of the Ypsilanti City Code to include electronic vaporizing and nicotine delivery systems with prohibited smoking in the City's tot-lot playgrounds. ***(Second Reading- Ordinance No. 1241)***
- 2. Resolution No. 2015-039, adopting the Housing Affordability and Economic Equity Analysis report.
- 3. Resolution No. 2015-040, approving the Frog Island Park MDNR Grant Obligation Conversion.
- 4. Resolution No. 2015-041, approving agreement with Friends of Ypsilanti Freighthouse to apply for a grant and provide seed funds in the amount of \$10,000.

XIV. RESOLUTIONS/MOTIONS/DISCUSSIONS –

- 1. Resolution No. 2015-044, approving an ordinance titled "Ypsilanti Tax Exemption Ordinance – Water Street Flats" to provide for a service charge in lieu of taxes for a housing project for low income persons and families to be financed with an Authority-aided Mortgage Loan or an advance or grant from the Authority pursuant to the provisions of the State Housing Development Authority Act of

1966 (1966 PA 346, as amended; MCL 125.1401, et seq) (the "Act"). ***(Second Reading – Ordinance No. 1240)***

2. Resolution No. 2015-045, approving new Zoning Ordinance fee schedule.
3. Resolution No. 2015-046, approving appointments to Boards and Commissions.

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
- G. Millennial Mayors Conference
- H. Ypsilanti Downtown Development Authority
- I. Eastern Washtenaw Safety Alliance

XIV. COUNCIL PROPOSED BUSINESS –

XV. COMMUNICATIONS FROM THE MAYOR –

XVI. COMMUNICATIONS FROM THE CITY MANAGER –

XVII. AUDIENCE PARTICIPATION –

XVIII. REMARKS FROM THE MAYOR –

XIX. ADJOURNMENT -

Resolution No. 2015-047, adjourning the City Council meeting.



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XVI. COMMUNICATIONS FROM THE CITY MANAGER –

XVII. AUDIENCE PARTICIPATION –

XVIII. REMARKS FROM THE MAYOR –

XIX. ADJOURNMENT -

Resolution No. 2015-047, adjourning the City Council meeting.



Resolution No. 2015 – 032
February 17, 2015

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Minutes of February 3 and February 9, 2015 be approved.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



**CITY OF YPSILANTI
COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
Tuesday, February 3, 2015
7:00 p.m.**

I. CALL TO ORDER –

The meeting was called to order at 7:08 p.m.

II. ROLL CALL –

Council Member Anne Brown	Present	Council Member Robb	Present
Council Member Nicole Brown	Present	Council Member Vogt	Present
Council Member Murdock	Present	Mayor Edmonds	Present
Mayor Pro-Tem Richardson (7:20)	Present		

III. INVOCATION –

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

IV. PLEDGE OF ALLEGIANCE –

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

V. INTRODUCTIONS –

Mayor Edmonds introduced the following individuals; Ypsilanti Housing Commission Director Zach Fosler, Assistant City Attorney Dan DuChene, Ypsilanti Downtown Development Authority Chair Kevin Hill, Dave Hiekkinen of the Downtown Association of Ypsilanti (DAY), Former Fire Chief Jon Ichesco, and Angel Vennes of the Jaycees.

VI. AGENDA APPROVAL –

Add: Resolution No. 2015-031, authorizing the City of Ypsilanti to join the intervention by the municipal coalition regarding the recent DTE petition to the Michigan Public Service Commission (MPSC) to change the rate charged to municipalities for electricity, including street lighting, increasing the cost of operating LED street lights while decreasing the cost of conventional High Pressure Sodium (HPS) Lights (Rate Case U-17767).

Council Member Murdock motioned, supported by Council Member A. Brown to add Resolution No. 2014-031, regarding DTE to Section No. VIII, Resolution/Motions/Discussions.

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

VII. PRESENTATIONS –

None

VIII. AUDIENCE PARTICIPATION –

1. Kevin Hill, owner of The Wolverine, 228 W. Michigan, thanked City Manager Lange and Council Member Murdock for clearing street parking in Area 5 to ensure snow removal on the street. Stated the City's response to snow removal was quick and should be commended.
2. Robert Hunter, 515 Ferris, stated he received a notice of abatement from the City's enforcement Department regarding snow although he claimed his property was shoveled within the 24 hour period, as allowed by City Ordinance. Mr. Hunter stated he is concerned about the equal enforcement of the ordinance. Mr. Hunter said it appears there is no working mechanism in the City for removal of snow and ice and that the City does not hold a contract with a company charged with that task. Mr. Hunter asked that this issue be examined.
3. Angel Vennes, Ypsilanti Area Jaycees, provided Council with a survey and would like to improve the relationship with Council. Ms. Vennes asked that the City allow the Jaycees the use of Frog Island Park for little to no fee to hold the Easter Egg Scramble. Ms. Vennes stated the Jaycees have taken excellent care of the park when they used it in the past. Ms. Vennes stated the event is expected to grow this year, with the help of Depot Town Merchants and will show the City in a very positive light.
4. Sue Melke, 330 Chidester #409, stated she understands it will take time to fix the lights on Washington, between Pearl and Michigan and asked that the City examine alternatives until a permanent solution is developed.

IX. REMARKS BY THE MAYOR –

- Stated YDDA Chair Kevin Hill was referring to individuals with an Area 5 parking permit were allowed to park in the Washington St. lot while the roads in that area were plowed.
- Stated staff will examine the other issues brought up during Audience Participation.
- Thanked Ms. Vennes of the Jaycees and informed her Council will fill out the surveys provided and return them at a later date.

Council Member Murdock stated City Manager Lange will be providing Council with a report regarding the Washington St. lights. Mr. Murdock said he noticed that half, or more of the lights were on tonight.

X. MINUTES –

Resolution No. 2015-019, approving the minutes of January 20, 2015

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Minutes of January 20, 2015 be approved.

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

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

XI. PUBLIC HEARINGS –

1. Public hearing to consider a resolution to convey, by quitclaim deed, city-owned parcels to the Ypsilanti Housing Commission for the rehabilitation and/or redevelopment of existing units, and continued operation as low-income housing in the City.
- A. Resolution No. 2015-020, determination

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that:

WHEREAS, the City of Ypsilanti created the Ypsilanti Housing Commission by the authority invested in it by the Michigan Legislature pursuant to MCL 125.652, et seq, to administer the low income public housing and Section 8 programs within the City; and

WHEREAS, the City of Ypsilanti owns certain properties that are administered by the Ypsilanti Housing Commission; and

WHEREAS, the Ypsilanti Housing Commission has applied for and has been approved for funding through U.S. Department of Housing and Urban Development's Rental Assistance Demonstration Program, which provides the opportunity to convert public housing to units subsidized with Projected Based Rental Assistance; and

WHEREAS, the Ypsilanti Housing Commission has applied and been approved for low-income housing tax credits from the Michigan State Housing Development Authority to raise capital to renovate or replace current units; and

WHEREAS, Ypsilanti City Council adopted Ordinance No. 2014-1210 on February 4, 2014, which authorized the Mayor and City Clerk to enter into a one-year Option to Purchase Land Agreement with Strong Future LDHA Limited Partnership for the sale of all land operated as low income housing by the Ypsilanti Housing Commission, exclusive of Parkridge; and

WHEREAS, the purpose of this agreement was to show site control by the limited partnership in order that their application for tax credits be approved; and

WHEREAS, Ypsilanti City Council adopted Ordinance No. 2014-1236 on December 16, 2014, which authorized the Mayor and City Clerk to execute a quitclaim deed to the limited partnership for two additional City-owned parcels that adjoin the project; and

WHEREAS, the U.S Department of Housing and Urban Development has required that the properties previously approved to be transferred directly to the limited partnership be instead transferred first to the Ypsilanti Housing Commission; and

WHEREAS, the U.S. Department of Housing and Urban Development has also provided that the plan for additional acquisition credits by a promissory note to the City is not in compliance with HUD policy; and

WHEREAS, the limited partnership has provided that the project can continue without the use of such credits; 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 resident's age and move. The need for safe, quality, affordable homes for all should be factored into decisions;" and

WHEREAS, the City wishes that these properties are rehabilitated through this program in order to provide quality low-income housing to its residents and further this goal.

NOW THEREFORE BE IT RESOLVED that the Mayor and City Clerk are authorized to execute the attached quitclaim deed, which conveys the subject properties to the Ypsilanti Housing Commission

OFFERED BY: Council Member A. Brown
SUPPORTED BY: Mayor Pro-Tem Richardson

B. Open public hearing

1. Ariel Moore, 1 Oakwood St, stated that she is the Vice Chair of the Ypsilanti Housing Commission and is here to voice support for the proposal as well as all the work of staff.
2. Russ Oh, EMU Professor, stated two Social Work students at Eastern completed a project surveying residents of what is going to become Strong Housing and the findings state that there are a great number of individuals with disabilities creating need for barrier free units. Mr. Oh stated he supports the project and it will help the residents of these properties.

3. Valerie Brennon, Ypsilanti Housing Commissioner, expressed support for the project and thanked staff for the great work they do.

C. Resolution No. 2015-021, close public hearing

That the public hearing to consider a resolution to convey, by quitclaim deed, city-owned parcels to the Ypsilanti Housing Commission for the rehabilitation and/or redevelopment of existing units, and continued operation as low-income housing be officially closed.

OFFERED BY: Council Member A. Brown

SUPPORTED BY: Council Member N. Brown

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

Assistant City Attorney Dan DuChene stated this resolution is to Quit Claim all properties once included in the Strong Housing option of purchase, which was approved a year ago. Mr. DuChene stated the new process is how the Department of Housing and Urban Development (HUD) wishes it be done.

Council Member Murdock asked if the City will no longer be responsible for the property involved in the project.

Mr. DuChene stated that is correct, other than the ability to appoint Housing Commissioners.

Council Member Robb stated the City will be responsible for inspecting Housing Commission units which last time the City took on that task it only achieved an 11% inspection rate. Mr. Robb asked if the City's concerns have been expressed to the Housing Commission.

Ypsilanti Housing Commission Director Zach Fosler stated discussions regarding inspections have not occurred, however, he imagines inspections will be similar to other rental property inspections. Mr. Fosler stated the inspections have been scheduled for Hamilton Crossings.

City Manager Lange stated the City will be very aggressive with inspections.

Mayor Edmonds asked if Mr. Lange's overall goal is to improve inspection rates for the entire City.

Mr. Lange responded yes.

Mayor Edmonds asked for an explanation of how the City will address a re-inspection after a rental property fails its initial inspection.

Mr. Lange stated he is unsure of the exact timeframe but he believes the a re-inspection would occur within 30-60 days after the initial inspection.

Council Member Robb asked that Mr. Fosler say on the record that the Housing Commission will pay the City the fees required for inspection.

Mr. Fosler stated the Commission can commit to comply with any City Ordinance regarding inspection fees.

Mayor Pro-Tem Richardson asked if the City is responsible for property issues involved with this project.

Mr. DuChene responded the Ypsilanti City and Ypsilanti Housing Commission (YHC) are both "body corporate", they are two separate entities and the Housing Commission will be responsible for any issues that may arise.

Council Member Murdock stated the City and the Housing Commission are not exactly separate entities.

Mr. DuChene stated they are integrated procedurally, but they are two separate bodies.

Council Member Murdock stated the Housing Commission puts onus and financial responsibility on the City, and asked if that still is the case.

City Attorney John Barr stated it is a complicated situation, but through communications with HUD he was told that responsibility would fall to the Housing Commission.

Council Member Murdock stated Council appoints the Commissioners making the City responsible.

Mr. Barr stated it is a HUD requirement.

Mayor Edmonds stated the City has appointment responsibilities to other Boards and Commissions on more of a regional level, but the City is not responsible for said Boards and Commissions.

Council Member Murdock stated the Huron River Watershed Council is not a body that is required by law so the relationship is different than the relationship between the City and the Housing Commission. Mr. Murdock stated he is not sure that the change would actually make a difference.

Vickie Vaughn, Chesapeake Community Advisors, stated this only applies to the scattered site properties that are part of the Strong Communities Project. Ms. Vaughn stated the original strategy was to transfer properties from the City directly to the tax credit partnership. HUD now requires that properties from the City be transferred to the YHC and then to the tax credit partnership. The eventual owner will be the same owner as in the original approved entity. In order for HUD to sign the RAD partnership it requires the owner be the Housing Authority.

Council Member Robb stated the City still owns property that the Housing Commission manages and are still deeply entwined with the Commission because of that he has concern regarding the City's liability.

Mr. Fosler stated the City would still own the Parkridge Property, and that due to a 1996 case stating that city owned properties must be turned over to housing commissions the City should not own that property. Ultimately, the City will need to transfer that property to the Housing Commission.

Mr. Barr stated the reason for this issue is a result of HUD and in his opinion the 1996 case does not require the City transfer the Parkridge Property, but HUD does requires the City transfer the property to complete the deal.

Council Member Murdock stated in terms of a chain of accountability; the City appoints the Housing Commission, and the Housing Commission appoints a Board to oversee the project, which includes three Board Members.

Mr. DuChene responded yes, that is accurate.

Council Member Murdock stated no matter how much distance the City puts between itself and the property, it may still be responsible.

Mr. DuChene stated he can only provide information given by HUD which states the YHC is the responsible entity.

Mayor Edmonds stated this resolution adds an extra step in what has already been approved by Council. She asked Council Members Robb and Murdock if they had concerns about ownership when this item was originally approved.

Council Member Murdock responded that he will vote yes for this item and it is his intention to gain better understanding of the subject.

City Manager Lange stated Hamilton Crossing is the role model for this process, which became difficult to maintain. The Housing Commission's approach to solve this issue is the privatization of public housing. Eventually, three corporations under the Housing Commission will oversee Housing Commission properties. He added that if this strategy fails he doesn't believe the City will regain ownership.

Ms. Vaughn stated the RAD Program provides the opportunity to transform public housing and convert what have been very limited subsidies into a section eight rental subsidies which can provide enough capital to apply for tax credits and take on debt. The projects will have long term affordability requirements, and after 20 years the YHC will have the ability to buy back the property for \$1.

Mr. Lange asked if the equity partnership collapses then control of the property would fall to the YHC who doesn't have the funding capability to operate the building, so would the property be the responsibility of the City.

Ms. Vaughn responded the project will have a lender and if there is a foreclosure the lender would take ownership of the property not the City.

Council Member Murdock stated the City went through a similar situation regarding Parkview, when the property was abandoned the City resumed responsible for the structure.

Mayor Edmonds asked Mr. Fosler to describe the new ownership structure and oversight for housing projects.

Mr. Fosler responded staffing will change significantly, leaving an executive director and an assistant and YHC's role becomes asset management.

Council Member A. Brown asked if this is the trend across the country, or is this hybrid model specific to Ypsilanti.

Mr. Fosler replied it is playing out in different ways in different communities.

Mayor Pro-Tem Richardson asked if any units in Strong Housing would be section eight.

Mr. Fosler responded yes, however, the vouchers involved are site based and must be used at that specific building.

On a roll call, the vote to approve Resolution No. 2015-020 was as follows:

Council Member N. Brown

Yes

Council Member Robb

Yes

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

VOTE:

YES: 7 NO: 0 ABSENT: 0 VOTE: Carried

2. Public hearing to consider a request by Mishigama Craft Brewing, Inc. for new Micro-Brewery/Small Wine Maker license to be located at 124 Pearl #100, Ypsilanti, MI 48197.
Published 1/27/2015

A. Resolution No. 2015-022, determination

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Mishigama Craft Brewing Company, LLC has applied to the City of Ypsilanti requesting a micro-brewery liquor license to be located at 124 Pearl Street, Ste. 100 in the Centennial Center building in accordance with MCL 436.1531(A)(1)(b); and

WHEREAS, a public hearing to consider the request was duly noticed and held on February 3, 2015; and

WHEREAS, City staff has reviewed the request from Mishigama Craft Brewing Company, LLC and have no objections to the City granting approval.

NOW, THEREFORE, BE IT RESOLVED THAT the request of Mishigama Craft Brewing Company, LLC for a micro-brewery liquor license, to be located at 124 Pearl Street, Ste. 100 in Ypsilanti, MI 48197, be approved.

OFFERED BY: Council Member Robb

SUPPORTED BY: Council Member Vogt

B. Open public hearing

1. Sue Melke, 330 Chidester #409, stated the license should be approved as it brings another business to the downtown and increases the City's tax base.
2. Kevin Hill, 108 Washtenaw #4, stated he was speaking as a private citizen and not a representative of the YDDA or DAY. Mr. Hill stated he has lived in Ypsilanti for 32 years and this type of enterprise is healthy for communities, and listed Ferndale as an example, and hopes that the license be approved in order to continue adding to the vibrancy of the downtown.
3. David Robertson stated he applicant and can answer any questions that Council may have. Mr. Robertson added that he has been working with

the land lord and feels that he has a good proposal and hopes to make the Downtown more of a destination.

4. James Bishop, 604 Emmet, stated the Jaycee, is a business oriented organization and encourages Council to approve the license.

C. Resolution No. 2015-023, close public hearing

That the public hearing to consider a request by Mishigama Craft Brewing, Inc. for new Micro-Brewery/Small Wine Maker license to be located at 124 Pearl #100, Ypsilanti, MI 48197 be officially closed.

OFFERED BY: Council Member Robb

SUPPORTED BY: Council Member Vogt

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

Mayor Edmonds stated she supports the proposal and asked for an explanation of the proposed 10 p.m. closing time.

David Robertson, Mishigama Craft Brewing, responded 10 p.m. is a tentative closing time and more likely the business will be open until 11 p.m. Mr. Robertson added that he would not label the business a bar and it will not serve cocktails.

Mayor Edmonds stated Corner Brewery closes at midnight.

Mr. Robertson stated more than likely Mishigama would follow that model.

Council Member A. Brown asked if Mishigama is leasing the entire space, or only the space occupied by Korey's Chicken.

Mr. Robertson responded his business will occupy the ground floor, other than what is currently occupied by the hair salon. Mr. Robertson stated any development along Washington, especially in the former Pub 13 space, will be helpful to Mishigama.

City Attorney John Barr asked that Council note that the resolution to close the public hearing had a typographical error, it should read, "...124 Pearl #100" not "...124 Pearl #500".

Mr. Robertson asked if there would be anything further regarding to the business' closing time.

Mayor Edmonds responded no.

Council Member Murdock stated he supports the project and it will be a great venture for the downtown. Mr. Murdock stated the resolution states that the City is issuing the license and he thought the State issued liquor licenses.

Mr. Barr responded a liquor license requires local government approval, but the State is the licensing body.

Mayor Edmonds asked Clerk McMullan for clarification regarding the wording of the Request for Legislation (RFL). Mayor Edmonds stated the RFL reads, "...We view this business as Friends and Family Brewing."

City Council Meeting Minute
February 3, 2015

City Clerk McMullan stated the language of the RFL was provided by the license applicant.

On a roll call, the vote to approve Resolution No. 2015-022 was as follows:

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

VOTE:

YES: 7 NO: 0 ABSENT: 0 VOTE: Carried

XII. ORDINANCES – FIRST READING

Ordinance No. 1240

1. An ordinance titled "Ypsilanti Tax Exemption Ordinance – Water Street Flats" to provide for a service charge in lieu of taxes for a housing project for low income persons and families to be financed with an Authority-aided Mortgage Loan or an advance or grant from the Authority pursuant to the provisions of the State Housing Development Authority Act of 1966 (1966 PA 346, as amended; MCL 125.1401, et seq) (the "Act").
Published 1/27/2015

- A. Resolution No. 2015-024, determination.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled "Ypsilanti Tax Exemption Ordinance-Water Street Flats." be approved on First Reading.

OFFERED BY: Mayor Pro-Tem Richardson
SUPPORTED BY: Council Member N. Brown

- B. Open public hearing.

None

- C. Resolution No. 2015-025, close public hearing.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the public hearing on an ordinance entitled "Ypsilanti Tax Exemption Ordinance-Water Street Flats." be officially closed.

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

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

City Council Meeting Minute
February 3, 2015

City Manager Lange stated he is excited and optimistic about the progress of the Water Street Flats project.

Mike Rodriguez, Herman Kittle, provided a presentation regarding the Water Street Flats project.

Mayor Edmonds asked how a tract is determined.

Mr. Rodriguez responded a tract is calculated by the census based on incomes.

Mayor Edmonds asked how often tract calculations are determined.

Mr. Rodriguez responded calculations are performed every year.

Council Member Murdock stated Water Street does not produce income.

Mr. Rodriguez responded the calculations are based on entire census tract, not just the Water Street area.

Council Member Murdock stated the entire tract has always been Community Development Block Grant eligible.

Council Member A. Brown asked if MSHDA was informed that the requested amount was changed.

Mr. Rodriguez stated last year's approval of tax credits cannot be used for this year.

Council Member A. Brown asked how Herman Kittle plans to close the gap in projections from 2014 to 2015.

Mr. Rodriguez responded awarded tax credits from last year could be sold for \$0.97 for every dollar. Mr. Rodriguez stated Key Bank has been following this deal and could be a possible buyer.

Mayor Pro-Tem Richardson stated all that is needed is \$100,000 more in financing.

Mr. Rodriguez stated in terms of financing yes, but the project does need further assistance from the City in the way of an extension of the purchase agreement and a payment in lieu of taxes (PILOT) in the amount of 10% in gross revenue, which will occur when the tax increment financing (TIF) reimbursement has been fully reimbursed.

Mayor Edmonds stated in 23 years the PILOT would take effect.

Mr. Rodriguez responded yes.

Council Member Murdock stated that would apply to the years 2014 or 2015.

Mr. Rodriguez stated correct and the reason a PILOT is being requested is because the MSHDA home loan has a 50 year term, and after the TIF term expires, on year 21, MSHDA is worried that the loan could be defaulted.

Council Member Murdock stated the \$108,000 PILOT does not all go to the City; it is distributed between the governmental layers.

Mr. Rodriguez responded yes.

Council Member Murdock stated the City would only recoup 47% of revenue.

Mr. Rodriguez stated he is uncertain about the exact percentage.

Council Member Robb stated the City would get a share \$45,994 based on the current millage rate. Mr. Robb asked what projected rents would be in 20 years compared to utilities.

Mr. Rodriguez responded rents are projected to grow revenue by 2% and utilities by 3% annually. Mr. Rodriguez stated between year 15 and 20 Herman Kittle will request tax credits from MSHDA to rehab the property. Mr. Rodriguez added there is also a good chance that the PILOT will not take effect.

Mayor Edmonds stated this PILOT may not be used, but another might be required in the future.

Mr. Rodriguez responded potentially, it would be at the discretion of Council.

Council Member Murdock asked why the City can't wait until a PILOT is needed before giving approval.

Mr. Rodriguez responded because MSHDA is awarding this loan now and they require assurance that in year 21 Herman Kittle won't default on their loan.

Council Member Robb asked if the taxable value decreased since March 2014 when it was listed as \$1.675 million.

Mr. Rodriguez stated it is possible that at the time the plan may have included more market rate units.

Council Member Robb stated the projection he is referencing was before the formation of that plan.

Mr. Rodriguez stated the numbers have been in place since October and are more accurate.

Council Member Robb stated the development appears to be changing and that is concerning.

Mr. Lange stated it is a \$10 million project, the assessing is low, but that does not have to do with the project itself.

Council Member Robb stated it appears that this is being rushed, staff should have analyzed what the City will gain and lose and should have provided that data in the packet. Mr. Robb stated he feels the PILOT is not a good idea and this is not the project that he supported initially. Mr. Robb stated it was agreed that the Recreation Center would be the last non-taxable structure included on the Water Street Site.

Mayor Edmonds asked Council Member Robb to expand on why he sees this project different than originally planned.

Council Member Robb stated the issue is that this project began as a fully taxable and now it is being proposed as a PILOT.

Council Member Murdock stated Council's concern regarding the Water Street Development is to maintain taxable value. Mr. Murdock stated during initial discussions the idea of having a PILOT was rejected. Mr. Murdock stated when this project was first proposed it was planned to pay full taxes which was a major

reason why Council accepted the project. Mr. Murdock stated he is very reluctant to move forward with a PILOT.

Mr. Lange stated he understand Council feelings, this is not a backdoor way to make this a tax exempt project. Mr. Lange stated this project will provide \$1 million worth of infrastructure that the City could not afford.

Mr. Rodriguez stated it was not the intention of Herman Kittle to have a PILOT when originally negotiated, but due to HUD's rule changes it became necessary to make the deal work.

Mayor Pro-Tem Richardson stated the word affordable has created a negative perception. Ms. Richardson stated she thinks people confuse affordable with low income and she is going to support this because the City needs infrastructure there to entice other developments.

Mr. Rodriguez stated the project is a \$12 million investment in the City and \$1.81 million will be spent on infrastructure and environmental remediation. The intention of this program is to create quality housing for working class individuals. Mr. Rodriguez stated 65% of Ypsilanti citizens would be income qualified to rent here and 84% of Ypsilanti renters would be income qualified to rent here. This project will be designed and built at the standard of all of Herman Kittle's market rate properties. The only aspect of affordable is how it is being financed. Mr. Rodriguez added there will be no project based section eight vouchers.

Mayor Edmonds stated the question from Council is not of the original support of this project it is regarding the issues of taxable value. Mayor Edmonds asked why Herman Kittle did not structure the business plan to account for increased income, can rents not raise and still be considered "affordable".

Mr. Rodriguez responded MSHDA requires that rents only increase 2% annually, while expenses grow at 3% and taxes grow at 5%.

Council Member A. Brown asked when Herman Kittle plans on letting MSHDA know which tax credits will be used for the project.

Mr. Rodriguez answered the home funds from last year expire in February if an agreement can be made his preference would be to use the tax credits already awarded and cancel the 2015 application.

Council Member A. Brown stated Mr. Rodriguez said there was an opportunity to sell tax credits to Key Bank.

Mr. Rodriguez stated Herman Kittle will competitively shop the tax credits to see if a better deal can be reached.

Mayor Edmonds asked if the home funds expire at the end of February.

Mr. Rodriguez responded yes.

Council Member A. Brown asked if Herman Kittle has to find a buyer for the tax credits.

Mr. Rodriguez responded that is standard operating procedure.

Council Member Murdock stated as this resolution is written Herman Kittles would be paying full taxes up until the time the tax increment finance (TIF) plan is complete, which would be in 20 to 23 years and the

reimbursement for the brownfield tax credits, which is around the same timeframe. Mr. Murdock asked what will take place at the end of that timeframe.

Mr. Barr responded the property would become a PILOT.

Council Member Murdock stated the process would be automatic and asked when Council would have the opportunity to deal with the new reality of the property.

Mr. Barr responded if the property would refinance.

Council Member Murdock stated lacking a refinancing, the property would be a PILOT and asked if the property refinances would Herman Kittle be required to come before Council.

Mr. Rodriguez responded the PILOT automatically terminates as well as in the case that the property is sold.

Council Member A. Brown asked how many properties have been recently sold by Herman Kittles.

Mr. Rodriguez answered Herman Kittles does not sell tax credit properties, which is illustrated in the company's business model.

Mayor Edmonds asked if Council rejects the PILOT would the project still be viable.

Mr. Rodriguez responded if that is the case he does not feel the application would be competitive.

Council Member Vogt asked what the 10% represents, where does that come from how does that relate to property taxes.

Mr. Rodriguez responded the 10% was derived based on the net property taxes estimated to be paid in 20 years.

Council Member Vogt asked how is that based on present factors.

Mr. Rodriguez responded current property taxes growing at 5% per year and TIF reimbursement of \$77,000.

Council Member Vogt stated the 10% is not based off the market value it's based off rent plus utilities, so it may not reflect the level of property taxes at that time.

Mr. Rodriguez stated it is difficult to say.

Council Member Vogt stated Herman Kittle could be either making a great deal of money, or losing money.

Mr. Rodriguez stated it is hard to say what property tax levels will be at that point, it is a best estimation.

Council Member Vogt stated it seems that Herman Kittles is asking the City to take the same risk the developer is taking and the City's take may be higher or lower depending on Herman Kittle's profitability. Mr. Vogt stated the 10% has nothing to do with future tax rates and asked if this is only for the TIF part of it, or does it include all property tax.

Mr. Rodriguez responded this would take the place of the TIF once the TIF is fully paid back. Theoretically, this would take place in year 20, but Herman Kittle hopes to refinance before that time.

Council Member Vogt stated without making a judgment it is a gamble for both the City and Herman Kittle.

Mr. Rodriguez responded that is correct.

Council Member Murdock stated the tax liability of this project whether in the TIF district, or outside is the same.

Mr. Rodriguez stated Herman Kittle would pay full taxes.

Council Member Murdock stated when the City approves a PILOT it must distribute it to the other taxing units. Mr. Murdock stated understanding what the difference would be in 20 years would give Council an idea why a PILOT would be beneficial; the lack of information is very concerning.

Mr. Rodriguez responded the tax liability in year 20 is around \$170,000 compared to \$108,000 with a PILOT and that is if the project grows by 5% per year.

Mayor Edmonds stated with either of those scenarios the City does not receive 100% of the taxable value.

Council Member Murdock responded correct.

Council Member Robb stated \$118,000 is the anticipated tax payment; \$77,000 will be reimbursed for constructed infrastructure for the first 20 years, meaning Herman Kittle's payment per year is \$41,000, essentially Herman Kittle is attempting to create a situation in which the \$41,000 is the yearly tax payment. Basically, the City would be subsidizing this project for over \$25,000 a year. It is not in the best interest of the City to subsidize individual projects.

Council Member Murdock stated if the TIF is included the City receives about 42 mils, but when the TIF goes away the City will only receive 36 mils.

Council Member Robb stated with that factored in the total cost to the City per year would be \$26,000.

Council Member Vogt asked City Manager Lange how the City would benefit from this proposal.

Mr. Lange responded this project's density, the payment of the land, and the infrastructure provided. Also, the proposed PILOT would not take effect for 20 years. Mr. Lange stated that Herman Kittle develops a quality product and with 85% of the units being market rate if they are not maintained the units would go unrented. He added the City does not have \$1 million to develop the infrastructure.

Mayor Edmonds asked Mr. Rodriguez if Council did not vote on this item tonight would that affect the deal.

Mr. Rodriguez responded the only effect would be that MSHDA would be asked to extend the home loan from 2014 and could make the case a little less strong.

Council Member Vogt stated the figures being discussed are all based on data that is assumed to be static, but in reality that could change. Council should keep in mind the large figures and how they would be affected by the PILOT. Mr. Vogt stated he does not see this making a large difference in the

overall project. Mr. Vogt added he has opposed the project in the past, but wanted to put it in perspective for the rest of Council.

Mr. Rodriguez stated the most likely scenario is that the PILOT does not take effect.

Council Member Robb stated the only way to guarantee the PILOT never takes effect is to vote against it and encouraged Council to vote against the resolution.

Mayor Edmonds stated if Council votes against the PILOT there is a good chance that it could terminate the project and is that a risk Council wishes to take.

Council Member Robb stated this was not the project he supported a year ago he supported something very different. Mr. Robb stated as Mayor Pro-Tem Richardson stated the project was originally saddled with the term "affordable housing" now it will be saddled with the term "PILOT".

Mr. Lange stated he would concur with Council Member Robb if this was a PILOT from the beginning of the project and there is a likelihood that this never becomes a PILOT. Once refinanced this project will be fully taxed as it was originally planned.

Mayor Edmonds stated she recalls that in Council's original discussions regarding this project that the MSHDA's provisions were a requirement.

Mr. Rodriguez responded when discussing the 9% rate in October was the first time the 20 year stipulation was mentioned. Mr. Rodriguez added the affordability is 15 years.

Mayor Edmonds stated there is not a guarantee that this will always remain affordable housing.

Council Member A. Brown asked if the vote is not held tonight is there a risk that MSHDA will not grant an extension.

Mr. Rodriguez responded yes, MSHDA might take issue with an extension without a PILOT in place.

Council Member A. Brown asked when Herman Kittles was informed that they would need to apply for a PILOT.

Mr. Rodriguez replied when it was realized that the project was in a qualified census tract, in January.

Mayor Edmonds stated this is a difficult issue, the project is valuable to the City, but she is concerned about adding an additional PILOT.

Mayor Pro-Tem Richardson stated this may be a difficult trade-off, but it should be looked at as more development on Water Street and infrastructure that makes the site more attractive to other developers. Ms. Richardson stated if Council is concerned with changed plans it should concern itself with the Recreation Center which has changed plans several times.

Council Member Robb asked Mayor Pro-Tem Richardson if she wanted the Recreation Center to happen would she offer them \$25,000 a year for the next 20 years because that is what this deal is.

Mayor Edmonds correct Mr. Robb stating the PILOT would begin in 20 years.

Mayor Pro-Tem Richardson stated Council does not know what will happen in 20 years.

Council Member Vogt stated in order to stay objective this resolution provides a possibility that in 20 years it could become a PILOT, and if it does it would be against the developer's interest as it would result in a loss of revenue.

Mr. Rodriguez stated Herman Kittles has purchased properties that are in year 13 of the 20 year span and are losing money on those properties with hope that they will be able to re-syndicate in order to make money.

Council Member Vogt stated he has opposed the project in the past but does not see this as a material change in circumstances.

Mayor Edmonds stated she will support this resolution.

On a roll call, the vote to approve Resolution No. 2015-024 was as follows:

Council Member N. Brown	Yes	Council Member Robb	No
Council Member Murdock	No	Mayor Edmonds	Yes
Mayor Pro-Tem Richardson	Yes	Council Member Vogt	No
Council Member A. Brown	Yes		

VOTE:

YES: 4 NO: 3 (Vogt, Murdock, Robb) ABSENT: 0 VOTE: Carried

Ordinance No. 1241

2. An ordinance to amend Section 78-100 of the Ypsilanti City Code to include electronic vaporizing and nicotine delivery systems with prohibited smoking in the City's tot-lot playgrounds. ***Published 1/27/2015***

- A. Resolution No. 2015-026, determination.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that: the ordinance entitled " An ordinance to amend the Ypsilanti City Code to include electronic vaporizing and nicotine delivery systems with prohibited smoking in the City's tot-lot playgrounds" be approved on First Reading.

OFFERED BY: Council Member N. Brown

SUPPORTED BY: Council Member A. Brown

- B. Open public hearing.

1. Jon Ichesco, 1218 Pearl St., stated he sees Water Street Flats as a marketing flaw and asked how many Council Members would live at Water Street Flats.

- C. Resolution No. 2015-027, close public hearing.

That the public hearing to an ordinance to amend Section 78-100 of the Ypsilanti City Code to include electronic vaporizing and nicotine delivery systems with prohibited smoking in the City's

tot-lot playgrounds be officially closed.

OFFERED BY: Council Member N. Brown

SUPPORTED BY: Council Member A. Brown

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

Assistant City Attorney Dan DuChene stated essentially the City, upon request of the Washtenaw County Public Health Department and the Ypsilanti Parks and Recreation Commission, to prohibit smoking in tot lots. The County asked that this stipulation be added to the ordinance.

On a roll call, the vote to approve Resolution No. 2015-026 was as follows:

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

VOTE:

YES: 7 NO: 0 ABSENT: 0 VOTE: Carried

Council Member Murdock asked for a short recess.

Mayor Edmonds called a five minute recess.

XIII. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2015-028, approving amendment to the Agreement to Purchase Real Estate with Water Street Flats LDHA Limited Partnership in order that the term of the Agreement be extended one month.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that:

WHEREAS, the City Council for the City of Ypsilanti adopted Resolution No. 2014-058 on March 4, 2014, which permitted the Mayor and City Clerk to enter into an Agreement to Purchase Real Estate with Herman & Kittle Properties for the sale and development of 3.14 acres of the Water Street Redevelopment Area; and

WHEREAS, Agreement to Purchase Real Estate was entered into by the parties on March 10, 2014 and was contingent upon the developer receiving and accepting a sufficient allocation from MSHDA to finance the project by August 15, 2014; and

WHEREAS, Herman & Kittle Properties was awarded and received a \$2.1 million allocation from MSHDA for the project but this was about half of the amount requested; and

WHEREAS, City Council then Resolution No. 2014-210, which authorized the Mayor and City Clerk to enter into a First Amendment to the Agreement to Purchase Agreement, on September 2, 2014; and

WHEREAS, this First Amendment, which extended the date to which the developer was required to inform the City that it had received the required allocation to March 31, 2015, was executed on September 15, 2014; and

WHEREAS, the Agreement to Purchase Real Estate was assigned by Herman & Kittle Properties to the Water Street Flats LDHA Limited Partnership on September 12, 2014; and

WHEREAS, on January 15, 2015, Water Street Flats has submitted a second-round application for tax exempt bonds and MSDHA HOME Funds; and

WHEREAS, the commitment of HOME Funds will not be made until April 23, 2015; and

WHEREAS, both the City and Water Street Flats wish to amend the Agreement to further extend the date that the City must be notified that the purchaser has received the required allocation to April 30, 2015;

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor and City Clerk are authorized to enter into the attached Second Amendment to Agreement to Purchase Real Estate between the City of Ypsilanti and Water Street Flats LDHA Limited Partnership, in conjunction with and subject to the review and approval of the City Attorney.

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

Michael Rodriguez, Herman Kittles, stated Council Member Robb mentioned the tax liability of \$140,000 when this was examined in March of 2014, which the original plan included 90 units but after completing a site plan it was found the building would only be able to hold 80 units and that created the difference in tax liability.

On a roll call, the vote to approve Resolution No. 2015-028 was as follows:

Council Member N. Brown	Yes	Council Member Robb	No
Council Member Murdock	Yes	Mayor Edmonds	Yes
Mayor Pro-Tem Richardson	Yes	Council Member Vogt	Yes
Council Member A. Brown	Yes		

VOTE:

YES: 6

NO: 1 (Robb)

ABSENT: 0

VOTE: Carried

2. Resolution No. 2015-029, authorizing Ypsilanti City Council to file or join amicus briefs in the litigation in the United State Supreme Court for the purpose of supporting plaintiff's position that the "Michigan Marriage Amendment" Article 1, Section 25 of the Michigan Constitution is unconstitutional.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that:

Whereas the voter approved "Michigan Marriage Amendment" (MMA), Article 1, Section 25 of the Michigan Constitution, prohibits same-sex marriages, and

Whereas Article 1, Section 25 of the Michigan Constitution (MMA) was determined to be unconstitutional by the United States District Court, Eastern District of Michigan, Southern Division, on March 21, 2014, in the case of April Deboer et al v Richard Snyder, et al, Civil Action No. 12-CV-10285, Hon. Bernard A. Friedman, finding that the MMA impermissibly discriminates against same-sex couples in violation of the Equal Protection Clause of the U.S. Constitution because the MMA does not advance any conceivable legitimate state interest and

Whereas defendant appealed the decision to the United States Court of Appeals for the Sixth Circuit, case number 6th Cir#14-1341 ED Mi #12-civ-10285, and

Whereas the Sixth Circuit reversed the lower court and upheld the Michigan Marriage Amendment, and

Whereas plaintiffs have appealed to the United States Supreme Court, and the Court granted Certiorari on January 16, 2015, Order 14-571, and

Whereas parties supporting plaintiff's position are filing an amicus brief in the United States Supreme Court appeal in support of the lower District court decision and have requested that the City Council of the City of Ypsilanti join in the amicus brief, and

Whereas the Council of the City of Ypsilanti are in support of the findings and holding of the lower court that the MMA, Article 1, Section 25 of the Michigan Constitution is unconstitutional,

NOW THEREFORE, permission is given for the City of Ypsilanti to file or join amicus brief in the appeal litigation.

Further that the City Clerk shall forward a certified copy of this resolution to attorney Cameron R. Getto, Zausmer, Kaufman,

August & Caldwell, P.C., attorney at law to take all appropriate action to add the City of Ypsilanti to the amicus brief in the Supreme Court in support of the position that the MMA, Article 1, Section 25 of the Michigan Constitution is unconstitutional.

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

Mayor Edmonds asked why this resolution contains more signature lines than other resolutions.

City Attorney John Barr responded so that it can be unanimous.

Council Member Vogt stated in support of the resolution there is absolutely categorically no basis to oppose this resolution.

Council Member Murdock stated the City previously entered an amicus brief at the appellate level and this continues the long standing policy of the City.

Mayor Edmonds agreed and stated she is pleased that the City is taking leadership on this key issue.

On a roll call, the vote to approve Resolution No. 2015-029 was as follows:

Council Member N. Brown	Yes	Council Member Robb	Yes
Council Member Murdock	Yes	Mayor Edmonds	Yes
Mayor Pro-Tem Richardson	No	Council Member Vogt	Yes
Council Member A. Brown	Yes		

VOTE:

YES: 6 NO: 1 (Richardson) ABSENT: 0 VOTE: Carried

3. Resolution No. 2015-031, authorizing the City of Ypsilanti to join the intervention by the municipal coalition regarding the recent DTE petition to the Michigan Public Service Commission (MPSC) to change the rate charged to municipalities for electricity, including street lighting, increasing the cost of operating LED street lights while decreasing the cost of conventional High Pressure Sodium (HPS) Lights (Rate Case U-17767).

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti adopted a climate action plan calling for the conversion of the City's street lighting to LED lighting, and

WHEREAS, the City collaborated with DTE to convert the City's entire street lighting system to LED lighting, consisting of nearly 1,700 fixtures, and

WHEREAS, the conversion of the street lighting system to LED has reduced energy consumption and maintenance costs, and

WHEREAS, the conversion has reduced the City's annual street lighting costs by an estimated \$120,000, and

WHEREAS, the street lighting conversions have been accomplished with technical support from DTE, which has been a good partner with the City in its efforts to conserve energy use, and

WHEREAS, DTE recently petitioned the Michigan Public Service Commission (MPSC) to change the rate charged to municipalities for electricity, including street lighting, increasing the cost of operating LED street lights while decreasing the cost of conventional High Pressure Sodium (HPS) Lights (Rate Case U-17767), and

WHEREAS, LED street lights use significantly less electricity to operate than HPS lights and require less maintenance, and

WHEREAS, a coalition of municipalities led by the Michigan Municipal League has filed to intervene in the established public process for rate changes with the MPSC (Rate Case U-17767), and

WHEREAS, additional municipalities and local governments may still join the coalition, and

WHEREAS, the cost of the intervention is being shared by the members of the coalition including a contribution from the Michigan Municipal League's Legal Defense Fund and that the City of Ypsilanti's contribution (anticipated to not exceed \$2,200) is based on a formula based on proportionate number of street lights.

NOW THEREFORE BE IT RESOLVED that the City of Ypsilanti join the intervention by the municipal coalition in Rate Case U-17767; and

FURTHER BE IT RESOLVED that the City urges other municipalities to join the intervention by the municipal coalition in Rate Case U-17767; and

FURTHER BE IT RESOLVED that this resolution be shared with the Washtenaw County Board of Commissioners, SEMCOG, and other nearby communities.

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

City Council Meeting Minute
February 3, 2015

Council Member Murdock stated the new rate structure would be a disincentive to use a more efficient product that requires less maintenance. Mr. Murdock stated the City of Ann Arbor is going through a similar situation. The significant savings that were supposed to be a result of the conversions will be decreased, but the main point is that this will be a disincentive for other communities to make the conversion.

City Manager Lange stated if his calculation is correct the City will see similar savings to what was initially projected and he does not want to see anything erode that. Mr. Lange added that staff will provide Council with a report regarding the Cities relationship with DTE as the two entities are a part of many things happening in Ypsilanti.

On a roll call, the vote to approve Resolution No. 2015-031 was as follows:

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

VOTE:

YES: 7 NO: 0 ABSENT: 0 VOTE: Carried

XIV. LIASON REPORTS –

- A. SEMCOG Update – SEMCOG is interested in the issue with DTE and at the next meeting a DTE representative will be present to discuss the situation. At the last meeting a representative from the State was there to discuss the proposed tax increase.
- B. Washtenaw Area Transportation Study – No meeting
- C. Washtenaw Metro Alliance – No meeting
- D. Urban County – No update
- E. Freight House – Continuing their fundraising efforts to match funds of the MEDC.
- F. Parks and Recreation – Public Act 210 designated Pure Michigan Trails as Pure Michigan Water Trails and was asked if Ypsilanti would formally adopt the new designation. The application for Ypsilanti to host the MSU extension services connecting entrepreneurial communities this coming year has been submitted. The Governor's showcased trail is called Iron Belle which runs from Belle Isle to Ironwood and will be running through Ypsilanti as well. The time table is five years for completion.
- G. Millennial Mayors Conference – Meeting is on Thursday
- H. Ypsilanti Downtown Development Authority – No update
- I. Eastern Washtenaw Safety Alliance – Meeting will be held Monday, February 9th.

XIV. COUNCIL PROPOSED BUSINESS –

Robb

- Stated this is the second meeting in a row that City Hall was closed the Monday before a Council meeting, leaving no time to ask staff questions. Mr. Robb asked Council if this practice is acceptable.

Mayor Edmonds stated that she and Council Member A. Brown have spoken with Clerk McMullan about how a change in packet availability would affect staff.

Council Member Robb stated it is about process, all staff activities do not have to revolve around the most current Council Meeting.

- Asked that a presentation be given regarding loss in parking enforcement revenue.

Richardson

- Stated she has received several calls regarding a 24 hour warning letter for snow removal. Ms. Richardson stated some of the calls were from elderly people who are dependent on others to shovel. Ms. Richardson stated there should be some leeway in these situations.
- Apologized for being late for the meeting this evening.
- Stated Robert Hunter had spoken with her regarding Sec. 136 of the City Ordinance, which states the timing a person can be ticketed for snow removal and that it can be assessed to their tax bill.
- Asked if Council Member Murdock or former Fire Chief Jon Ichesco remembered Council Member and Mayor Pro-Tem John Baas, Council Member Sam Baas, Melvin Bass who was the first African American Building Inspector in Ypsilanti. Ms. Richardson stated that John's wife had passed away and the funeral was on Monday, February 1st. Ms. Baas was on the committee to desegregate Ypsilanti Public Schools.

Murdock

- Commended staff for the recent snow removal.
- Stated the refurbished Downtown Ypsilanti sign looks terrific and thanked Fire Fighter John Roe.

N. Brown

- Echoed the sentiments of Council Member Murdock and thanked staff for their efforts regarding snow removal.
- Asked for a status on a speed tracker being placed at Ferris and Middle.

City Manager Lang stated in order to produce the results the speed tracker must be placed in an area for some time. Unfortunately, the tracker has in need of repair. Mr. Lange stated he is trying to get the tracker repaired and will keep Council informed.

A Brown

- Stated as a result of plowing on Collegewood, two driveways on Bellevue were blocked.
- Stated local Government Committee meets for the first time tomorrow and she will keep Council informed on its results.

- Approached several businesses that seemed hesitant in sharing posters and information regarding the Eastern Washtenaw County Safety Alliance because they felt that it expressed to customers that there is a crime issue in Ypsilanti.

XV. COMMUNICATIONS FROM THE MAYOR –

- Stated she will be officiating a wedding in Council Chambers on Friday the 13th.

Council Member A. Brown, supported by Council Member N. Brown to extend the meeting until 10:15 p.m.

On a voice vote, the motion carried and the meeting was extended until 10:15 p.m.

- There will be a call for art for the April edition of First Friday's at City Hall which will include rotating art from local artists.
- Encouraged the City to concentrate on its corridors when considering snow removal strategies and stated that several key areas of the City had not been plowed. Mayor Edmonds stated that several individuals were waiting in deep snow for buses and that should be considered as a part of snow removal priorities.
- Met with the LDFA Board Members representing Ypsilanti and shared her opinion on how SPARK funds and LDFA funds should not be focused only on tech industries. Mayor Edmonds stated the LDFA zone is expanding to include Tecumseh and they focus on sectors other than tech industries.
- Spoke with Reinhart Realtors promoting Ypsilanti and why people should come to Ypsilanti.

Council Member Robb asked what recommendations Mayor Edmonds made to the LDFA.

Mayor Edmonds stated it was an initial discussion intended as a learning tool for the processes of the LDFA and what is fundable in the TIF plan. Mayor Edmonds stated she is waiting for a follow-up that the regional expansion may prompt eligibility to expand to sectors outside tech industries.

Council Member Robb responded that Mayor Edmonds stated that she made recommendations and asked if she any recommendations were made.

Mayor Edmonds responded that she had a discussion and gave her opinion and stated she will provide Council with documents the LDFA supplied.

Nominations to Boards/Commissions:

- Stated several names were brought forward during the January 20th Council Meeting and some on this list are reappointments.
- Requested that Council motion at least on the Review and Tax Assessment Board and the Ypsilanti Community utilities Authority.

Council Member A. Brown asked if Council can motion on the slates presented, or do they need to be handled one at a time.

Council Member Robb stated the process is that nominations are presented in the packet and at the following meeting a vote is held.

Mayor Edmonds stated four appointments were brought to Council at the last meeting.

Council Member Robb stated the appointments were not included in the last Council Meeting's packet.

City Clerk McMullan stated there is time before the March Board of Review.

Mayor Edmonds requested that Council act on the appointments for the Review and Tax Assessment Board and the Ypsilanti Community Utilities Authority.

Council Member Murdock stated the next Council Meeting is February 17th and the Board of Review is not held until March.

Mayor Edmonds responded there is enough time but the Assessor is eager to have these appointments in place, but if this is not the will of Council then it can be handled at the next meeting.

Council Member Murdock stated he would rather wait until next meeting.

Council Member A. Brown asked if there are issues that require the appointment for the Ypsilanti Community Utilities Authority (YCUA) to be made at tonight's meeting.

Council Member Murdock stated he does not believe YCUA meets before February 17th meeting.

Mayor Edmonds asked Jon Ichesco when the next YCUA meeting is.

Jon Ichesco responded he believes it will be held on February 24th.

Mayor Edmonds stated appointments can wait until the February 17th Council Meeting.

Council Member Vogt stated he is neutral on the matter.

Council Member N. Brown asked at the next meeting will the appointments be voted on as a slate.

City Attorney Barr responded the practice is that Council will be provided with a sheet that will include all appointments to be voted.

Council Member Robb stated as long as they are City residents.

Council Member Murdock stated if the appointments are not City residents they are required to be appointed separately.

Mayor Edmonds stated that would not apply to any of these appointments.

Council Member Murdock stated he was not certain of the address of Greta Bolhuis a reappointment for Millennial Mayors.

Mayor Edmonds responded that she will check on the address of Ms. Bolhuis.

Council Member Murdock asked that the remaining appointments needed be sent to Council.

Mayor Edmonds responded that she will provide Council with that information. Mayor Edmonds added that a better communication system is being implemented that will inform the Clerk Department of resignations from Boards and Commission which are outside of the City's purview.

Historic District Commission

Erika Lindsay - Reappointment
Ronald Rupert - Reappointment

Human Relations Commission

Teresa Saunders – Appointment
Krista Nordberg - Reappointment
Sue Melke – Appointment

Huron River Watershed Council

Sally Luske – Reappointment

Millennial Mayors

Erica Mooney – Reappointment
Greta Bolhuis – Appointment

Parks and Recreation Commission

Delois Wilson – Appointment

Review and Tax Assessment Board

Andy Fanta - Reappointment
Craig Hupy – Reappointment
Zachary Fineberg – Appointment

Ypsilanti Community Utilities Authority

Jon Ichesco – Appointment

Ypsilanti Housing Commission

Clarence Hollifield - Reappointment

XVI. COMMUNICATIONS FROM THE CITY MANAGER –

- Stated on the biggest things the public can do to assist with snow removal is to keep cars off the street and out of City parking lots for 24 hours. If that is done snow removal will be much quicker.

Council Member Murdock asked what declaring a snow emergency does.

City Manager Lange responded the issue with declaring a snow emergency is that people do not have any other options than to park their car in the street. Mr. Lange stated declaring a snow emergency requires cars to be removed from the street making it easier to plow.

Council Member Murdock stated as he recalls it's not a complete ban on street parking it's only on the emergency snow routes.

Council Member Robb stated that former City Manager Ed Koryzno and DPS Director Stan Kirton essentially made every road applicable to a snow emergency. Mr. Robb stated snow routes were not created and Council voted against adopting a snow emergency provision. Mr. Robb added the City cannot declare a snow emergency because snow emergency routes have not been established.

Council Member Murdock stated at one time there were discussions about alternate parking in the winter to address that issue.

Mr. Lange responded if cars are not parked in City owned lots it is much easier to clear, but the lots are always full making it difficult to plow. Mr. Lange added staff will continue to find solutions for this issue.

Mayor Pro-Tem Richardson stated Mr. Hikkenen addressed Council stating he would clear the sidewalks downtown and in this past storm he was only able to do a portion of the walks because of how the streets were plowed and as a result a business owner was given a ticket. Ms. Richardson asked if the City is going to be that stringent and issue tickets even though a portion large enough to walk through was shoveled.

Mr. Lange stated those are issues that the City is working on and will better educate the public on what to do.

- Stated the City does not hold an official contract with a company for snow removal, but it falls within his purchasing authority and will complete the contracting process.

Mayor Edmonds stated the City does not hold a contract for snow removal for properties that are non-compliant with the 24 hour stipulation of the ordinance after being warned and ticketed.

Mr. Lange responded the City does it just does not hold a formal contract, but the City is taking the necessary steps to contract a company for snow removal.

Mayor Edmonds asked if this contract will run through the current snow season.

Council Member Murdock stated even with the contract in place it would be difficult to have all walkways cleared as soon as the 24 hour grace period expires.

Mayor Edmonds asked for a motion to extend the meeting.

Council Member Vogt motioned, supported by Council Member N. Brown to extend the meeting until 10:30 p.m.

On a voice vote, the motion carried and the meeting was extended until 10:30 p.m.

- Stated DPS has worked very hard to get the Washington St. lights back on, but this is not the solution to the problem. Mr. Lange stated he would like to hold a public hearing and get citizen input in two weeks to see how citizens feel about City strategies with the Washington St. light transition strategies.
- Stated the DTE rate increases are bothersome and he will meet with DTE on a host of issues.

Council Member Robb asked what kind of contract the City holds with DTE for Riverside Park regarding the temporary poles and the timeline for their removal.

Mr. Lange responded the poles should be removed sometime in May and the replacements will all be underground.

Mayor Edmonds asked if there is a contract or a Memorandum of Understanding (MOU).

Mr. Lange replied there was not a contract developed the poles were an effect of an emergency that needed to be responded to quickly.

Mayor Edmonds asked if it was possible to develop a contract now that would require the poles be removed by a certain date.

Mr. Lange stated he will discuss that with DTE next time he meets with them.

Council Member Murdock stated this is a big issue, the power provided to the City was about to disappear.

Mr. Lange answered it is a big deal which is why the City worked to rectify the problem and protect the citizens of Ypsilanti.

Council Member Robb asked what the issue was that required the poles be placed in Riverside Park. Mr. Robb stated the power grid almost failed which is not something that needs to be kept secret.

Mr. Lange stated it is not a secret. The power went out four or five times at the Fisher Honda last year which was the beginning of the investigation which led to this situation.

Council Member Murdock stated there have been issues of power going out four times in pockets of the City per year.

Mr. Lange stated he was not aware, but that is a trigger for a review of the system and more and more problems arose as a result of that review. Mr. Lange

added with the help of DTE there is now adequate power running in and out of the substation.

Mayor Edmonds asked for something in writing that states when the poles will be removed.

Council Member A. Brown asked if City Manager Lange was working with DTE's Government Relations Official.

Mr. Lange replied yes he is.

XVII. AUDIENCE PARTICIPATION –

1. Ralph Thompson, 330 Chidester #717, asked if Council had received the mold test results that he delivered in hard copy. Mr. Thompson stated Holly Township has an ordinance that requires people not park on the street during certain times during the winter months.

XVIII. REMARKS FROM THE MAYOR –

Mayor Pro-Tem Richardson asked if there are warming stations in Ypsilanti where homeless individuals are able to go to and if not the City should partner with another organization to provide that.

Mayor Edmonds responded a memo was sent providing information on options in Ypsilanti.

Council Member A. Brown stated that information should be posted on the City's Website.

Mayor Pro-Tem Richardson stated homeless individuals don't have access to the website.

Mayor Edmonds stated she will ask the County where that information is distributed.

Clerk McMullan asked on what date the Goal Setting meeting will be held.

Mayor Edmonds responded Monday, February 9 from 6:00 - 9:00 p.m.

XIX. ADJOURNMENT -

Resolution No. 2015-030, 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 A. Brown

SUPPORTED BY: Council Member N. Brown

On a voice vote, the motion carried and the meeting adjourned at 10:26 p.m.



Draft

**CITY OF YPSILANTI
COUNCIL GOAL SETTING/SPECIAL MEETING MINUTES
215 W. MICHIGAN AVE.
YPSILANTI, MI 48197
Tuesday, February 9, 2015
6:00 p.m.**

I. CALL TO ORDER –

The meeting was called to order at 6:05 p.m.

II. ROLL CALL –

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

III. INVOCATION –

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

IV. PLEDGE OF ALLEGIANCE –

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

V. INTRODUCTION, MEETING OVERVIEW AND APPROVAL

None

VI. REVIEW OF HANDOUTS

Naheed Huq and Trevor Layton, SEMCOG

1. Verify goals and actions listed are accurate and complete

Trevor Layton, SEMCOG, provided an overview of the materials in the provided packet;

Council Member A. Brown asked if "prioritize past projects in Parks Master Plan" from Goal #1, "achieve fiscal sustainability through sustainable administrative practices and improved efficiency", can be moved to Goal #2, "maximize economic development by leveraging community assets and partnerships".

VII. Exercise 1: Identify three highest priority actions for each goal (Red for council, blue for department heads)

Naheed Huq, SEMCOG, asked both Council and Department Heads to identify three items that they feel are the highest priority actions.

1. Discussion and Questions

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Naheed Huq listed the following strategies the process deemed most important under each goal;

- Goal #1 – Achieve fiscal stability through sustainable administrative practices and improved efficiency.
 - Approve and begin implementing a five year plan and restructure debt
 - Prioritizing Water Street property sales and management, and create a strategy to sell off excess City owned property.
 - Ensure maintenance of existing assets.
- Goal #2 – Maximize economic development by leveraging community assets and partnerships.
 - Promote Water Street Development and anchor projects.
 - Leverage relationships with business resource providers, financial and education institutions, as well as developers and investors to support business growth.
 - Prioritize projects in parks Master Plan.
- Goal #3 – Continue to enhance safety of all residents, businesses, and visitors.
 - Ensure police and fire staffing levels meet the needs of the community.
 - Leverage relationships with other units of government to develop sharing of resources and mutual aid agreements.
 - Prioritize code enforcement and partnership with County Sheriff to strengthen neighborhoods.
 - Increase number of compliant rental properties through increasing priority on inspections.
 - Increase participation in public outreach safety programs, including engaging citizens in five year police strategic plan.
- Goal #4 – Strengthen the reputation and perception of the City of Ypsilanti by marketing its assets, diversity, opportunities, and inclusiveness.
 - Create a marketing strategy that emphasizes the unique assets of Ypsilanti, including EMU, museums, parks, and safety.
 - Promote the City's assets through press releases, website, social media, ect.
- Goal #5 – Enhance outreach and communication to increase participation in community initiatives and decision making.
 - Create a framework for regular communication between City officials and residents through newsletters, social media, and town hall meetings.
 - Promote community and business involvement through initiatives such as "Adopt-a-Park," neighborhood watch, and fundraising efforts.
 - Encourage participation in community-based public safety programs.
- Goal #6 – Encourage long-term staff wellness and work satisfaction.
 - Increase employee satisfaction and productivity, while managing healthcare costs, through wellness, education, and prevention efforts.
 - Utilize technology to streamline and manage workloads.
 - Ensure staff knowledge of and adherence to all personnel policies.
- Goal #7 – Develop a sustainable culture in the City of Ypsilanti based on energy efficiency, environmental stewardship, and judicious planning.
 - Market Ypsilanti as a place for sustainability/green business.
 - Leverage community expertise through establishing a Sustainability and Energy Commission to move Climate Action Plan forward.
 - Support solar and other community-driven sustainability initiatives.
- Goal #8 – Ensure effective and efficient administration and delivery of community services.
 - Digitize community records to increase quality and efficiency of services.
 - Develop regular reporting system to keep City Council abreast of progress on key initiatives.
 - Align staffing levels consistent with community priorities and fiscal constraints.
 - Implement and support residents and businesses in working under new Zoning Ordinance.

Mayor Edmonds asked if "update ordinances to maintain administrative standards" meant codifying ordinances.

Trevor Layton, SEMCOG, responded yes, the statement was referring to codifying.

VIII. Exercise 2: Develop broad statement(s) on how to define success for the goal

1. Discussion and Questions

Naheed Huq, SEMCOG, stated the reason why priorities are identified is so the City knows where to allocate resources. Ms. Huq stated the next exercise will help to identify measures that illustrate if Goal #1 has been achieved.

Council Member Vogt stated a balanced budget would be a metric of success of financial stability.

Mayor Edmonds asked what could be used as a measure of ensuring maintenance of existing assets.

DPS Director Stan Kirton stated it would depend on the asset, in terms of City owned properties a measure could be how many organizations/companies have made inquiries.

Mayor Edmonds stated if the asset being examined is vacant land or homes the compliance rates with City Codes could be a measure.

City Manager Lange stated that would be a very compelling reason to sell properties due to the overhead cost to the City to maintain them.

Ypsilanti Downtown Development Director Tim Colbeck stated another measure would be a decreased City overhead dedicated to City owned property.

Mayor Pro-Tem Richardson asked for an example of City owned property with overhead.

Mr. Lange responded properties identified throughout Ypsilanti that are owned by the City that cannot be maintained such as mowing the grass, shoveling the sidewalks, and liability insurance.

Council Member A. Brown stated it is the kind of property that could be sold and used for in-fill housing.

City Planner Bonnie Wessler stated staff is developing a property disposition policy to identify areas where in-fill housing could be a possible opportunity, whereas other areas are unbuildable and breakdown what needs to be done at each property in order to make it attractive for possible sale.

City Attorney John Barr stated the goal is to create a strategy; first a list of all property owned by the City should be created and then see if the property qualifies for City operations. Once that is complete the City should plan what properties will be sold and how. The same tactic can be used for personal property.

Council Member A. Brown asked if in-fill housing would be sold for market rate, or would it be sold for a discount cost.

Ms. Wessler responded it could be either, they would have to be decided on a case by case basis.

Mayor Edmonds stated a policy, or a set of policy solutions would need to be developed in order to dictate steps to be taken. Mayor Edmonds stated a performance measure would be if the policy would be adhered to.

Ms. Huq stated the next step is to examine what measures could be used to determine success of Goal #2.

Mayor Edmonds stated a measure could be the number of development projects in the pipeline for Water Street. A measure describing anchor projects could be the ground breaking for the Recreation Center.

Mr. Lange stated that is something that is not controlled by the City completely.

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Ms. Huq stated Mr. Lange was correct that the City does not control every element of that issue, but it was listed as a priority and resources should be allocated to ensure its success.

Mr. Lange stated another measure would be the sale of property for new development.

Mayor Edmonds stated in terms of "projects in Parks Master Plan", priorities could be set for the use of parks capital improvement funds as well as external funding leveraged. Mayor Edmonds asked what would be a measure of "relationships with business resource providers, financial and education institutions, as well as developers and investors to support business growth have been leveraged".

Mr. Kirton replied storefronts have been filled.

Mr. Colbeck stated the measure of increased employment and new businesses.

Fire Chief Max Anthouard stated business growth is a measure.

Mr. Colbeck stated that could be measured by how many building permits were pulled.

Mayor Edmonds suggested number of overall leads, or expressed interests in bringing business and developments to Ypsilanti.

Mr. Colbeck suggested the sale of real estate. Mr. Colbeck added an improvement on an existing building would also be an excellent qualifier of economic development.

Chief Anthouard stated a business could be asked why they chose another community over Ypsilanti to open their business.

Council Member Robb answered the reason why businesses are opening elsewhere is Ypsilanti does not have the demographics. The average family in the City makes an average of \$48,000 a year.

Mr. Lange stated the City just approved a liquor license for a downtown business and the City had a meeting with another business possibly opening in Ypsilanti's industrial park.

Council Member Robb stated Ypsilanti has a good building stock which is beneficial over having to build new buildings.

Mr. Barr stated a change in the taxable value is a possible metric.

Ms. Huq stated the intention for gathering these thoughts is to assist in deciding what should be measured. Ms. Huq asked what measures could be used to determine the success of Goal #3 and if police and fire staffing levels are meeting the needs of the community.

Council Member Vogt stated crime rate levels as well as response rates would be possible indicators.

Chief Anthouard stated hiring rates could be a possible indicator.

Mayor Edmonds asked Chief Anthouard beyond hiring rates what would be an indicator that staffing levels are at the appropriate levels.

Chief Anthouard responded the Insurance Safety Office (ISO) rating staying stable.

Mr. Colbeck stated number of calls could signify that staffing is at an appropriate level.

Mr. Barr suggested closure rates on criminal cases as an indicator.

Mayor Edmonds asked Police Chief DeGiusti what would indicate appropriate staff levels.

Chief DeGiusti responded actual crime reports don't always indicate appropriate staff levels. Appropriate levels are based on response time, type of service, and community policing. Chief DeGiusti echoed Mr.

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Barr stating a high closure rate is an indicator of appropriate staff levels and added public perception of safety.

Ms. Huq asked how perception of safety could be measured.

Chief DeGiusti responded through survey and response rate of that survey.

Mayor Edmonds asked if crimes against strangers versus crimes against parties that know each other is examined.

Chief DeGiusti stated that is available, but it is not used in forming strategy of officer deployment.

Mayor Edmonds stated her suggestion was based as a metric of perception of safety.

Chief DeGiusti responded when violent crime is examined it includes domestic violence, and Ypsilanti has maybe the highest in the County. The issue becomes how police can strategize how to minimize that, which is little the department can do other than educational programs.

Mayor Edmonds stated the community could have a campaign that describes the services Safehouse offers or referrals to other resources.

Chief DeGiusti stated there are already State Mandates, as a part of the Domestic Violence Statute, that require providing certain information to victims. If the City wanted to provide billboards advertising Safehouse it would be at the discretion of Council.

Mr. Barr asked Chief DeGiusti if Ypsilanti has one of the highest closure rates in the County.

Chief DeGiusti replied that is correct, well above 60%.

Mayor Pro-Tem Richardson stated an increase in community policing and developing relationships between police officers and citizens has an impact in crime rates.

Chief DeGiusti responded the level of service is directly correlated to staffing levels, more officers means more personal services are provided.

Council Member Murdock stated it seems Mayor Edmonds was speaking toward more external social programs.

Mayor Edmonds responded she was speaking toward more community policing as discussed by Chief DeGiusti, such as the School Resource Officer and reading to school children.

Chief DeGiusti stated the actions that Mayor Edmonds is discussing are nice options, but changing to a Community Policing model would completely change the way the Police Department conducts business. Community Policing, in structure, takes a very large staff.

Council Member A. Brown stated she sees community policing as establishing personal relationship with the citizens.

Mr. Barr stated the City allocates a lot of funding to train police how to interact with citizens and little funding goes into teaching citizens how to interact with the police.

Mayor Pro-Tem Richardson stated a program was planned that focused on that subject at the high school, which was canceled due to inclement weather, but another is planned on February 19th at New Hope Church.

Mayor Edmonds suggested a decreased amount of code enforcement citations issued as a metric.

Chief DeGiusti responded in the short term the City would hope that the citation levels increase, and as behaviors change the citation levels would decrease with that change.

Trevor Layton, SEMCOG, asked how success of Goal #4 would be measured.

Mayor Edmonds suggested the amount of positive stories being told about Ypsilanti.

Council Member Vogt stated positive stories getting to the press and on the City's website.

Mr. Barr stated every goal needs to list what department/individual is responsible for implementation of strategies. With the limited staff levels in the City it becomes difficult to implement marketing strategies.

Mayor Edmonds stated the Ypsilanti Area Convention and Visitors Bureau (CVB) has a large budget that can be leveraged to assist in marketing.

Mayor Pro-Tem Richardson stated Ypsilanti is a part of Washtenaw County, which houses five institutions of higher learning; perhaps students could perform marketing tasks for Ypsilanti to earn college credit.

Ms. Wessler responded that comes with a cost, as that student would need to be overseen by a staff member to ensure that the City's brand meets the standards of the City.

Mayor Pro-Tem Richardson stated if the City collaborated with the CVB it could possible to offset some of the personnel time.

Ms. Wessler replied if the City collaborated with the CVB it would be an Ypsilanti-wide effort not specific to City of Ypsilanti.

Mr. Colbeck stated the CVB has a limited mission; there are some things that they will not promote. A CVB's mission is to increase hotel stays in an area; it would not be in their purview to promote a local business.

Mayor Pro-Tem Richardson stated it depends on what the student would market.

Ms. Wessler responded yes, the City should definitely keep the door open to that possibility.

Mayor Edmonds suggested positive media and identifying target opportunities to leverage other support as a measure.

Ms. Huq asked for measures indicating success of Goal #5.

Mayor Edmonds stated volunteer hour can be tracked and number of applications for programs such as, "Adopt-a-Park" and "Adopt-a-Block".

Council Member A. Brown suggested tracking attendance at community public safety programs.

Mayor Edmonds offered filling communication gaps to reach as many citizens as possible.

Council Member A. Brown stated a youth commission was suggested by a Council Member and that is an item that could be driven by a Council Member rather than City staff.

Ms. Huq stated this strategy of this process is to identify what is important for Ypsilanti.

Mayor Edmonds stated tasks are not being specifically allocated in this process. Future task allocation will be at the discretion of the City Manager and Council.

Mr. Lange stated he feels that there is great community involvement in Ypsilanti stating that there are always several individuals in attendance during City Council Meeting.

Council Member N. Brown disagreed with Mr. Lange and it seems those attending City Council Meetings are always the same and a method needs to be devised on how to reach citizens who do not in attend.

Mayor Pro-Tem Richardson recommended taking Council Meetings to the people.

Mayor Edmonds proposed tracking attendance at community meetings.

Mayor Pro-Tem Richardson asked City Attorney Barr if there is a legal reason that Council Meetings must be held in Council Chambers.

City Attorney Barr responded there is not a legal requirement for holding Council Meetings in Council Chambers.

Council Member N. Brown said her concern is more with having conversations with members of the public.

Mayor Edmonds stated the School Board has approached her about holding a joint meeting. Mayor Edmonds recommended a joint meeting with Ypsilanti Township.

Mr. Layton asked what metric could be used to measure the success of Goal #6.

Mayor Edmonds informed Council that the strategies listed under Goal #6 were developed by Human Resources Director Judi Smith.

Council Member N. Brown asked if staff could be surveyed regarding work satisfaction.

Mayor Edmonds suggested examining staff tendency and turnover.

Mr. Barr stated "utilization of technology to streamline and manage workloads" was heavily favored by Council.

Mayor Edmonds stated a reduction in employee sick days as a possible metric.

Mr. Layton asked what measures would be used to prove the success of Goal #7.

Mayor Edmonds stated the establishment of an Energy Commission would be a possible metric. Also, the Climate Action Plan has very specific goals that could be tracked and further market Ypsilanti as a green/sustainable community.

Mr. Kirton stated Ypsilanti will be featured in the DTE Quarterly for its conversions to LED lights.

Council Member Murdock stated to measure use of solar power solar panels could be counted with a goal of 1,000.

Mr. Lange stated the City is completing the implementation of the three solar power grants.

Mr. Layton asked what measures would be used to show success of Goal #8.

Council Member N. Brown stated completion of digitizing community records.

Assistant to the City Manager Ericka Savage asked for clarification on what should be digitized.

Council Member Robb stated every document being stored at Iron Mountain should be digitized.

Mayor Pro-Tem Richardson stated will someone be hired to complete that task, because the Clerk's Office is pushed to the limit.

Ms. Savage stated the City has been solicited by companies to assist in record digitization, but this would take buy-in and the City would need to provide material to be scanned.

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Mr. Barr stated the City could use funds budgeted for Iron Mountain services for record digitization.

Mayor Edmonds stated the strategy of this task would be for the City Manager and the City Clerk to create document digitization plan.

City Clerk McMullan stated currently, each department uses Iron Mountain at their discretion, meaning not every document flows through the Clerk Department, so it would be a huge project.

Ms. Wessler stated there are also legal requirements mandating the City to maintain original hard copies.

Mr. Barr stated there are documents stored at Iron Mountain that are not necessary.

Mr. Colbeck stated by law minutes and other documents are required to be held for a certain number of years, but is the City destroying documents after the legal retention period.

Ms. McMullan stated a retention schedule could be sent to all departments.

Mr. Layton asked if there were any thoughts regarding measures of success for "aligning staffing levels consistent with community priorities and fiscal constraints".

Mr. Lange stated if a City has unlimited funding there would be exceptional service, but that is not the reality.

Mayor Edmonds stated levels would be consistent with community priorities and, on a hypothetical basis, marketing is considered a priority a budget line item must be there to meet that community priority.

Chief Anthouard stated priorities should be aligned to the staffing that is in place.

Mr. Colbeck stated it appears the City is already staffing appropriately to achieve some of the major long term goals by hiring an Economic Developer.

Council Member A. Brown stated there are certain staffing levels required to effectively remove snow and other services DPS provides.

Mayor Edmonds asked how the City would know if it has successfully and appropriately staffed.

Chief Anthouard responded if department goals are met, the department is staffed effectively.

Mr. Layton asked what measure would be used for "implementing and supporting residents and businesses in working under new Zoning Ordinances" effectiveness.

Ms. Wessler responded its user perception and if applications are processed successfully. But it is dependent upon many other factors.

Mayor Edmonds asked if speed of the application process could be a metric of success.

Ms. Wessler responded that would again be dependent on each project, maybe feedback of applicants.

Mr. Barr stated when code enforcement for rental properties was implemented the City held a number of town hall meetings to inform the public of the change.

Council Member Murdock stated what will trigger activity is going to be when a citizen wants to do something that requires a variance, so perhaps the number of declines for variances would be a measure.

Mayor Edmonds asked if there is need for training for other parties to help disseminate zoning knowledge to the public.

Ms. Wessler stated this would be tough to track, perhaps the number of amendments to the zoning code and if requests lower each year.

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Council Member Murdock stated a lower number of amendments might not be an indicator of success because there are things in the Zoning Ordinance that will need to be changed.

Council Member A. Brown asked if communication went out to businesses regarding ordinance changes.

Ms. Wessler stated there was a communication sent out to property owners that would see a significant change.

Council Member Murdock asked if it would be a good idea to inform realtors about zoning changes so they can inform people of how property can be used.

2. Discussion of process for developing measures and monitoring progress/success

Ms. Huq stated the City Manager along with Department Heads may want to develop two to three measures for each goal. Ms. Huq suggested a quarterly report be submitted to Council explaining progress.

Council Member A. Brown stated she would prefer reports be given more frequently in case changes in direction need to happen quickly.

Ms. Huq agreed with Council Member A. Brown and reports could be made monthly, but a quarter does give a slightly broader framework, but it is up to Council.

Mayor Edmonds stated quarterly makes sense, but more information could be provided by the City Manager.

Mr. Barr asked Council Member Robb how this would be handled in the business world.

Council Member Robb responded he wants Mr. Lange to be the City Manager that gets things done and that Council has not even vetted any of the tasks listed under goals.

Mr. Barr asked if Ford sets goals.

Council Member Robb responded, absolutely, and his objectives are very specific, he works for Ford and designs parts and there are metrics for builds, quality, and other specific tasks.

Mr. Barr asked who sets those goals.

Council Member Robb responded the Board of Directors set goals and those goals filter to appropriate departments.

Mr. Barr asked how often Mr. Robb must report to his superiors.

Council Member Robb stated he has meetings with his boss every week, but organizationally, something the size of the City, would meet quarterly.

Council Member N. Brown stated her employer operates very similarly. Ms. Brown stated she is a facilitator and goals are set with families and allocated to particular individuals to accomplish those goals and then they report what has been accomplished.

Council Member A. Brown asked at what point it would be decided if there needs to be an intervention.

Council Member N. Brown responded when goals are not being met, at that point strategies of how to achieve that goal need to be reevaluated.

Council Member A. Brown asked if this would be waited until quarterly reports.

Council Member N. Brown stated no, strategies are changed very quickly, and quarterly a more comprehensive look is taken.

Ms. Huq asked what the consensus is of how often this should be reported.

Mayor Edmonds asked what is realistic.

Chief DeGiusti responded that it is relative to the task; some tasks will have little to report on a month to month basis.

Mr. Colbeck stated if a new policy is being implemented it must be given time to work. Meeting monthly on a new policy will not allow enough time to deem it effective.

Council Member N. Brown agreed that the frequency of a report should be dependent on the type of task, but there needs to be more information provided to Council.

Mr. Barr asked how often Council receives the Council Information Letter (CIL).

Mr. Lange stated every month.

Mayor Edmonds stated more specific information will be in the Council Information Letter.

Ms. McMullan stated they need to be more focused on certain goals rather than what the department wants to report.

IX. Exercise 3: Choose top 5 overall strategies (green for council, yellow for department heads)

Mayor Pro-Tem Richardson informed Council that four contractors within the city have been hired to work on Housing Commission projects.

Naheed Huq, SEMCOG, stated by the list of most important strategies it is clear that the most important item is the development of Water Street.

X. Next Steps

XI. AUDIENCE PARTICIPATION –

1. Bill Teeppen, PO Box, stated his largest frustration is he does not know what is happening with Water Street and other vacant structures. Mr. Teeppen also voiced his concerns about police department.

XII. REMARKS FROM THE MAYOR –

- Thanked Mr. Teeppen for raising his concerns to Council.

Mayor Pro-Tem Richardson introduced Howard Fink Township Manager of Northfield who came to observe the goal setting meeting.

Howard Fink, Northfield Township Manager, thanked Council for the opportunity to observe the process.

Council Member Murdock requested a short recess.

Mayor Edmonds called a recess for two minutes

XIII. CLOSED SESSION –

- Executive Session to consider the purchase or lease of real property up to the time an option to purchase or lease the real property is obtained. OMA 15.268, Section 8(d).

On a roll call, the vote to adjourn to Closed Session was as follows:

Council Member N. Brown	No	Council Member Robb	Yes
Council Member Murdock	Yes	Mayor Edmonds	No
Mayor Pro-Tem Richardson	Yes	Council Member Vogt	Yes
Council Member A. Brown	No		

VOTE:

YES: 4 NO: 3 (A. Brown, N. Brown, Edmonds) ABSENT: 0 VOTE: Failed

The meeting remained in Open Session

Council Member Murdock stated this item was supposed to be in Closed Session, however, not enough votes were obtained to adjourn to Closed Session so the discussion will occur in Open Session. Mr. Murdock stated Mayor Edmonds has a conflict of interest in regards to the purchase of property precluding others from looking into it.

City Attorney Barr stated if the issue is going to be discussed in Open Session the property must be identified.

Council Member Murdock stated the property is 16 S. Washington. Mr. Murdock stated the Ypsilanti Downtown Development Authority Chair Kevin Hill was here to speak about it but has since left.

Mr. Barr stated the audience was asked to leave because Council was entering Closed Session. Mr. Barr suggested addressing the matter at a future meeting, or holding a special meeting.

Council Member Murdock stated he would deal with the matter in a different way.

Mayor Edmonds stated nothing related to this property has come before Council since she has been Mayor.

Council Member Murdock responded when Mayor Edmonds was the Chair of the DDA there was discussion to purchase of this property.

Mayor Edmonds stated the issue never made it out of the Committee.

Council Member Murdock stated it does not matter if the issue never made it out of Committee. It was discussed while Mayor Edmonds was present and she should have recused herself and failed to do so. There are other individuals on the DDA who want to revisit the possibility of purchasing the property which was placed on the market. Mr. Murdock added he asked the City to make some inquiries and found the property wasn't for sale and the owner would let the City know if it were placed on the market. Mr. Murdock stated he wanted to give the YDDA time to decide if they wanted to move forward with the purchase. Mr. Murdock stated Mayor Edmonds is following two masters.

Mayor Edmonds stated she forwarded communications from YDDA Director Tim Colbeck which included all the materials from the YDDA regarding this property produced at Committee. Mayor Edmonds stated a result of that information the Committee decided to not move on the property.

Council Member Murdock stated the Committee never took a vote. Mr. Murdock stated other members of the YDDA have different opinions and some of the data in the material provided by Director Colbeck have changed. Mr. Murdock stated he wants to allow the YDDA time to explore if purchasing the property is now beneficial. Mr. Murdock stated he understands Mayor Edmonds does not want the YDDA to purchase the property and the Mayor has manipulated things very well.

Mayor Edmonds stated nothing she has been involved with regarding YDDA pertains to this issue. Mayor Edmonds stated she has been openly pursuing this project for two years.

Mr. Barr stated there are two issues here; one is the DDA and the other is the City. Mr. Barr stated he was not aware that the DDA was going to be a part of the Closed Session, or he would not have had the individuals representing the DDA leave. There are three things that can be done; the City can vote tonight to purchase the property, Council could bring it up at a future meeting either an Open Session, or hold a Closed Session and invite the DDA.

Council Member Murdock stated his intention is to allow the DDA time to reconsider the issue. Mr. Murdock stated the item is on the Agenda for the next Committee meeting Mr. Murdock stated he would like Council to help to provide the DDA time to examine if they wish to purchase the property.

Council Member A. Brown stated after having Discussion with Council Member Murdock she pulled the minutes from DDA meetings around a year ago and there was no mention of the property. Ms. Brown stated she understands that it was an issue being addressed at the Committee level, and it decided not to proceed with the project.

Mayor Edmonds stated the committee decided not to take the matter to the full Board and any actions taken through the Board come through committee.

Council Member A. Brown stated the City is not in a position financially to purchase the property.

Mr. Barr stated he is unsure if the City has the ability to purchase the property, but Council has never expressed interest in purchasing the property.

Council Member A. Brown stated this item has been on the table for two years or more but Mr. Murdock has said that the property was not for sale.

Council Member Murdock stated the property was not on the market but inquiries were being made.

Council Member A. Brown stated inquiries were made and there was no response.

Council Member Murdock said correct, there was not a specific response, until recently. Mr. Murdock stated, as relayed to him from City Manager Lange, if the City were interested the property owner would accept an offer, but the matter would need to go before City Council. Mr. Murdock added there was not time to bring it before Council at the February 3rd meeting and so it was placed on tonight's agenda.

Mayor Edmonds stated that she did not become Mayor until November and she shared openly with the DDA plans to purchase this property and provided a presentation regarding her intention. Mayor Edmonds added the discussion was held at the Committee level which she was not in attendance.

Council Member A. Brown asked City Attorney John Barr what the next steps would be.

Mr. Barr stated Mr. Lange contacted the attorney's office around two months ago to find out what the status of the property was, and see if there was an option to purchase.

Council Member A. Brown asked if the City would be the purchaser.

Mr. Barr responded the purchaser would be an undisclosed principle, in other words the City was not disclosed to the principle. Assistant City Attorney Dan DuChene contacted the bank and in numerous attempts, but received little response. Then a short time ago there was a response that informed Mr. DuChene that there was another interested buyer. Mr. Lange was informed of the situation and Mr. Lange stated at that time the City was not interested in purchasing the property.

Council Member A. Brown asked if that was communicated to the YDDA.

Mr. Barr replied no.

Mr. Lange stated the Attorney's Office does not work for the YDDA.

Mr. Barr stated Council Member Murdock brought up the issue of conflict of interest and Mr. Barr began looking into that matter. Mr. Barr stated he spoke with Mayor Edmonds of the possibility of conflict of interest. At that time Mayor Edmonds informed Mr. Barr she had been pursuing this for the past 15 months and that the YDDA was not interested in the purchase of the property. Mr. Barr stated he then spoke with Council Member Murdock to inform him that Mayor Edmonds had a deal but it has not yet been finalized.

Mayor Edmonds stated negotiations have taken place for the past eight months.

Mr. Barr stated he informed Council Member Murdock that the City has not made an official interest in the property and now that a deal has been reached it may be too late. Mr. Barr said the issue is if the City is interested in purchasing the property and a second issue is if the YDDA is interested in the property. Mr. Barr stated no action needs to be taken from Council other than to provide the Attorney's Office with direction on if the City has interest in purchasing the property.

Council Member Vogt stated his interest is to gain information on the matter and he is not sure that he is comfortable doing so Open Session. Mr. Vogt stated it would have been helpful to have the YDDA Chair Kevin Hill or another representative of the YDDA here to provide information on the subject.

Council Member Murdock stated he can request that Mr. Hill return to address Council.

Council Member Vogt stated that he would accept that, and both sides seem to have worthwhile goals, but he would prefer that the property stay on the tax roll. Mr. Vogt stated he would also like to see the property utilized as much as possible in matters of public interest.

Mayor Pro-Tem Richardson stated neither entity would provide private ownership, the YDDA is a governmental agency and Growing Hope is a non-profit.

Mayor Edmonds stated Growing Hope would not be the owner, it would be owned privately.

Council Member Vogt stated this is part of his question and he was hoping to be provided with more detail, the proposal is that there is a private buyer and Growing Hope would lease from that buyer.

Mayor Edmonds stated that is true, but this is not an issue of what is happening with a piece of private land, the issue is does the City want to purchase this land.

Council Member Vogt responded it is in part because it depends on what the public purpose might be, and whether the City might have an interest in the property. Mr. Vogt stated it does not see that there is much difference in either proposal.

Council Member A. Brown asked if the YDDA has their own attorney why they did not pursue this with their attorney.

Council Member Murdock stated the YDDA Chair Kevin Hill can answer those questions once he arrives.

Mr. Barr stated he feels conflicted that he asked the audience members to leave because Council was adjourning to Closed Session and now that this is in Open Session it looks planned, it might be better off to have these discussions in Closed Session.

Council Member N. Brown, supported by Council Member Vogt motioned to adjourn into Closed Session.

On a roll call, the vote to adjourn to Closed Session was as follows:

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

VOTE:

YES: 7 NO: 0 ABSENT: 0 VOTE: Carried

The meeting adjourned to Closed Session.

Council Member N. Brown motioned, supported by Council Member A. Brown to adjourn Closed Session.

On a voice vote, the motion carried and Closed Session was adjourned.

Open Session Resumed.

Council Member A. Brown stated this situation may illustrate that Council Members sitting on Boards and Commissions may create a problem.

Council Member Vogt stated the Charter Amendment Council Member A. Brown is referencing is not the issue, the issue is whether or not Mayor Edmonds should have been involved in discussions regarding the property with the YDDA. Mr. Vogt stated the conflict arose when Mayor Edmonds ran for office.

City Council Goal Setting Meeting
February 9, 2015

Council Member Murdock stated the issue is that Mayor Edmonds, at the time of the discussion of possible purchase, was the Chair of the YDDA.

XIV. ADJOURNMENT

Council Member Vogt motioned, supported by Council Member A. Brown to adjourn the meeting.

On a voice vote, the motion carried and the meeting adjourned at 10:31 p.m.



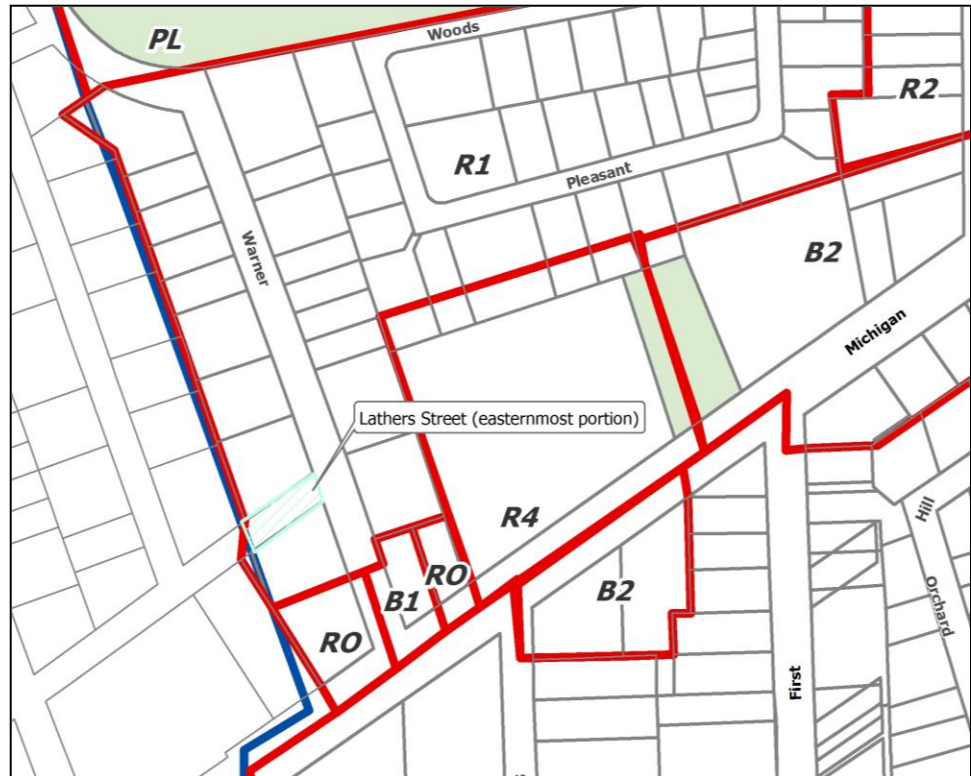
REQUEST FOR LEGISLATION
06 January 2015

From: Planning and Development Department

Subject: Street Vacation: That portion of Lathers within the City

SUMMARY & BACKGROUND:

The family of Ms Foley live at 1010 W Michigan, at the corner of Warner and Michigan Ave. Immediately to the north of the property is the disused Lathers Street, and to the north is 15 W Warner, a single-family residence. This portion of Lathers has not been in use as a street for many years; it has become effectively part of the neighbors' yards; it is not used for access. The neighbors are requesting the City formally vacate the street so that it may become part of their respective properties.



City Code does not currently outline a process by which streets are vacated. Currently we abide by state statute, which only requires Council resolve to vacate the street in question. However, in defense of the public interest, the City has chosen to, for the time being, address street vacations in the same manner as alley vacations, including a mirroring of the review process and public noticing. We anticipate revising the ordinance within the next year to address this procedure directly.

The Planning Commission reviewed the alley vacation application under the standards set forth by §94-271 and recommends that it be vacated, findings that the street is effectively closed to traffic, that the adjoining Warner does not have an outlet, and that the vacation supports the future land use plans of the City. Planning Commission further recommended that the right-of-way to the north, connecting the built portion of Warner to the built portion of West Warner, remain unvacated in perpetuity. Minutes (excerpted) and the original staff report are attached.

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

RECOMMENDED ACTION: Approval of resolution of intent to close alley;
Approval of ordinance first reading to close alley.

ATTACHMENTS: Staff Report, 16 October 2014
Planning Commission Minutes (excerpted), 22 October 2014.

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: 01-06-2015

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2015-033
February 17, 2015

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the owners of the property located at 1010 W Michigan, have requested that the City vacate a street that runs north of their property; and

WHEREAS, after considering the request, the City does not believe any of the factors listed in Section 94-271 of the Code of Ordinances for the City of Ypsilanti indicate that ownership interest in the purported alley should not be vacated; and

WHEREAS, Section 94-297 of the Code of Ordinances for the City of Ypsilanti provides that when a public alley is vacated by the City, the public right-of-way is extinguished and title to the publicly owned land reverts to the adjacent property owners, "except that the city shall in each case retain and reserve within the entire former right-of-way an easement for installation and maintenance of utilities...;" and

NOW THEREFORE:

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

- A. It is in the best interests of the City to vacate the street described above; and
- B. The ordinance entitled "An ordinance to vacate Lathers Street, located between the City boundary to the west and Warner Street to the east, within the City of Ypsilanti" be approved on Second and Final Reading.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



**CITY OF YPSILANTI
NOTICE OF ADOPTED ORDINANCE
Ordinance No. 1237**

An ordinance to vacate Lathers Street, located between the City boundary to the west and Warner Street to the east, within the City of Ypsilanti.

1. THE CITY OF YPSILANTI ORDAINS that:

The portion of Lathers Street, in the City of Ypsilanti, Michigan, is vacated subject the following conditions:

1. The City reserves all rights and an easement for installation and maintenance of utilities within the entire former right-of-way
2. The Ypsilanti City Clerk shall record a certified copy of such resolution of vacation and this ordinance with the Washtenaw County register of deeds and send a copy to the State Treasurer.
3. No further City action or expense to transfer title to the alley and amend the plat is authorized. The affected property owners may institute such legal action as may be necessary to properly obtain title and amend the plat.

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

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

4. Savings Clause. The balance of the Code of Ordinances, City of Ypsilanti, Michigan, except as herein or previously amended, shall remain in full force and effect. The repeal provided herein shall not abrogate or affect any offense or act committed or

done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

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. A complete copy of the ordinance is also available for inspection on the City's website, www.cityofypsilanti.com.

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 publication of record. This Ordinance shall become effective after publication at the expiration of 30 days after adoption.

MADE, PASSED AND ADOPTED BY THE YPSILANTI CITY COUNCIL THIS _____ DAY OF _____, 2015.

Frances McMullan, City Clerk

Attest

I do hereby confirm that the above Ordinance No. ____ was published in The Washtenaw Now on the _____ day of _____, 2015.

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 _____, 2015.

Frances McMullan, City Clerk

Notice Published: _____

First Reading: January 6, 2014

Second Reading: February 17, 2015

Published: _____

Effective Date: _____



City of Ypsilanti
Community & Economic Development Department

16 October 2014
Staff Review of Street Vacation Application
Lathers Street

GENERAL INFORMATION

Applicant: City of Ypsilanti on behalf of
Mary Louise Foley & family
1010 W Michigan Ave
Ypsilanti, MI 48197

Application Date: 9/18/2014

Location: Lathers Street within the City

Zoning: RO, Residential Office (1010 W Michigan) and R1, single-family
residential (northwards)

Action Requested: Street Vacation

Staff Recommendation: Approval.

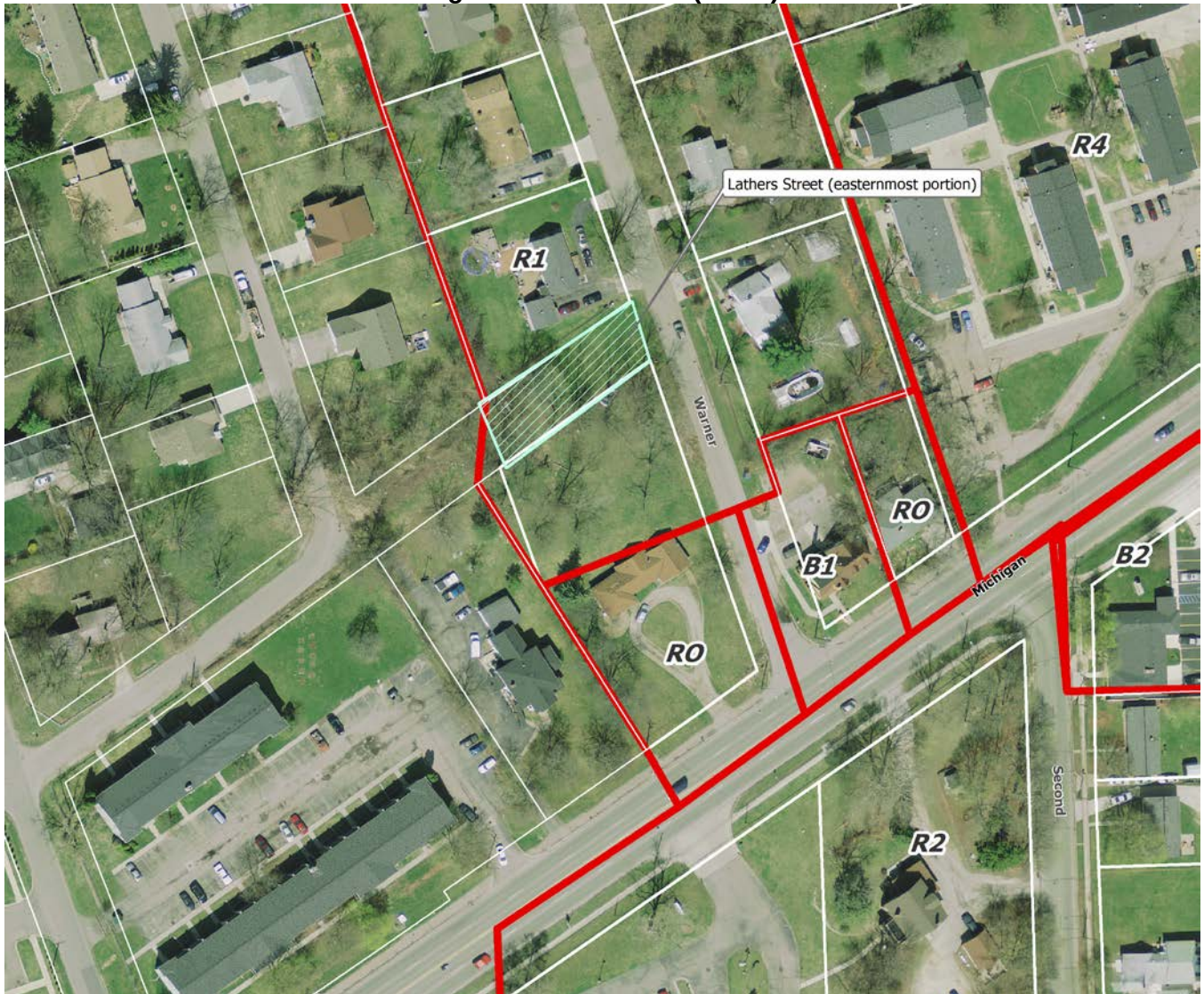
PROJECT AND SITE DESCRIPTION

The family of Ms Foley live at 1010 W Michigan, at the corner of Warner and Michigan Ave. Immediately to the north of the property is the disused Lathers Street, and to the north is 15 W Warner, a single-family residence. This portion of Lathers has not been in use as a street for many years; it has become effectively part of the neighbors' yards; it is not used for access. The neighbors are requesting the City formally vacate the street so that it may become part of their respective properties.

Figure 1: Street Location



Figure 2: Site Aerial (2010)



ALLEY VACATION STANDARDS

§94-271

City Code does not currently outline a process by which streets are vacated. Currently we abide by state statute, which only requires Council resolve to vacate the street in question. However, in defense of the public interest, the City has chosen to, for the time being, address street vacations in the same manner as alley vacations, including a mirroring of the review process and public noticing. We anticipate revising the ordinance within the next year to address this procedure directly.

The process to vacate an alley, as prescribed by City Code, follows these simplified steps:

- (1) A motion of City Council, or a Petition by the majority of abutting owners, initiates the process.
- (2) Planning Commission holds a public hearing
- (3) Planning Commission makes recommendation to City Council
- (4) City Council considers the request in open session and passes a resolution of intent to vacate in the form of an ordinance first reading.
- (5) City Council sets a date for a public hearing not less than four weeks thereafter.
- (6) City Council decides to vacate or close the alley, with or without conditions, or take no action.

The ordinance further provides standards to be considered in any closure or vacation of a public right-of-way. These five, and staff comments, are as follows:

(1) Whether the alley services a residential, single-family, multi-family or business area.

The street is effectively closed, currently.

(2) Whether the closing will create an undue burden on traffic.

The street does not serve any traffic, currently.

(3) Whether the closing is necessary to prevent traffic from traveling through the neighborhood to destinations outside the neighborhood or other safety factors such as speed of traffic, frequency of use, the size and condition of the alley.

These factors do not appear to apply.

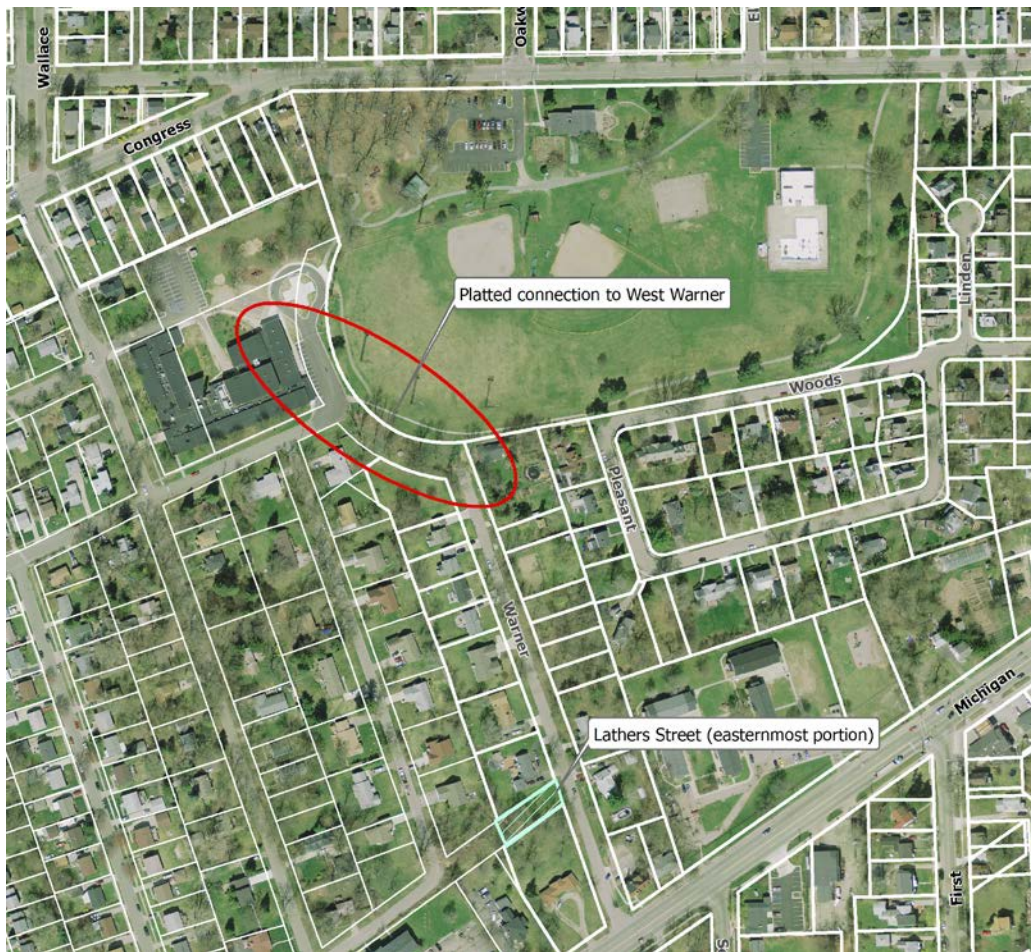
(4) The wishes and desires of the majority of the neighborhood.

It is our understanding that both property owners abutting Lathers are in favor of the vacation. However, notice of this petition was only published in the newspaper of record; individual notices were not sent at this point in the process.

Not less than four weeks prior to the City Council meeting at which this issue will be further deliberated, staff will mail notice to adjacent property owners, post notice of that meeting in no less than three different public places in and around the alley, and publish notice in the official city newspaper at least once per week for two successive weeks, per §94-293, §94-294, & §94-295. Additional feedback is expected at that time.

(5) The present and future interests of the city considering planning for the entire city.

As constructed, Warner is a street with no outlet. To the north, it dead-ends into Recreation Park. As platted, however, it connects to West Warner in the township, and to Lathers, the subject of our review. The Master Plan emphasizes connections between neighborhoods; Warner is fairly unique within the City in that it is largely disconnected; not only is it a dead-end street, but it also has no sidewalks connecting it either to Michigan Avenue or into Recreation Park. A connection to the adjacent neighborhood could be very valuable, but it can be via either platted right-of-way, it need not be via both. Staff would prioritize maintaining the connection adjacent to the park and school before the connection via Lathers, and such a connection would be more “legible”- both on its own, or in the presence of a Lathers connection.



OTHER DEPARTMENT AND AGENCY INVOLVEMENT

DEPARTMENT OF PUBLIC SERVICES

AWAITING FEEDBACK. Utility easements, if necessary, will be retained.

FIRE DEPARTMENT

The Fire Department has reviewed the application and has no objection.

UTILITY ACCESS

Per §94-297 of the City Code of Ordinances, the City shall retain and reserve within the entire former right-of-way an easement for installation and maintenance of utilities unless such easement is specifically abandoned. Staff is not aware of any utilities in this location.

STAFF RECOMMENDATIONS

Staff recommends that Lathers be vacated , as it currently serves no public purpose and will not negatively impact traffic patterns.

Staff further recommends that Lathers be vacated, but that Planning Commission note that the right-of-way connecting Warner to West Warner .

Bonnie Wessler
Planner I, Community & Economic Development Dept.

CC File
 Applicant

After further discussion, Commissioner Straley moved that the Planning Commission recommend to City Council that the alley located at the Easternmost portion of the east-west alley of Whittier, Cornell, Washtenaw and Mansfield, immediately south of 1403 Whittier, not be vacated based on the following findings:

Findings:

1. Because the alley serves both a residential and a business area, and is in active use for both.
2. No feedback has been received from other parties abutting the alleyway, and this portion of Washtenaw is considered to be a major traffic corridor of the City, and the commerce located along it serves mostly neighborhood needs.
3. Staff also recommends to City Council to direct staff and consider amendment of Chapter 42, Section 75 of the Ypsilanti City Code of Ordinances to reconsider how citations to adjacent property owners in similar circumstances are handled where one party has primary enjoyment and access of an alley.

The motion was supported Commissioner Bedogne. A roll call vote was taken and carried unanimously 6:0.

3. Lathers Street Vacation

Ms. Wessler stated that this is a request for a street vacation at Lathers Street within the City. The family of the applicant lives at 1010 W. Michigan, at the corner of Warner and Michigan Avenue. Immediately to the north of the property is the disused Lathers Street, and to the north is 15 W. Warner, a single-family residence. This portion of Lathers has not been in use as a street for many years; it has become effectively part of the neighbor's yards; it is not used for access. The neighbors are requesting the City formally vacate the street so that it may become part of their respective properties.

City code does not currently outline a process by which streets are vacated. Currently, we abide by state statute, which only requires Council resolve to vacate the street in question. However, in defense of the public interest, the City has chosen to, for the time being; address street vacations in the same manner as alley vacations, including a mirroring of the review process and public noticing. We anticipate revising the ordinance within the next year to address this procedure directly.

Staff recommends that Lathers be vacated, as it currently serves no public purpose and will not negatively impact traffic patterns. Staff further recommends that if Lathers be vacated, then the portion of Warner Street adjacent to Recreation be un-vacated.

Commissioner Sandberg moved to open the public portion of the hearing (Support: P. Hollifield) and the motion carried unanimously.

Commissioner Zuellig stated that she was concerned about vacating this property since it could affect future properties to be developed.

Mary Louis Foley, 1010 W. Michigan – stated she purchased the property 30 years ago. The city has never cut grass on the property in question. When she bought the property, she was told that the street had been vacated. She later found out that the vacation had never taken place. Ms. Wessler added that according to the Assessor, the property to the north had never been vacated.

Commissioner Bedogne asked Ms. Foley why she is requesting the vacation. Ms. Foley stated that since the city has never taken care of the upkeep, and it has always been done by her and her neighbor, it is her opinion that it should be vacated and be considered part of her property.

Commissioner Hollifield moved to close the public portion of the hearing (Support: A. Bedogne) and the motion carried unanimously.

After further comments by board members, Commissioner Bedogne moved that the Planning Commission recommend to City Council to vacate Lathers Street, as it currently serves no public purpose and will not negatively impact traffic patterns based on the following findings:

Findings:

1. The street is effectively closed currently
2. The street does not serve traffic currently
3. Warner Street is with no outlet
4. Further recommend that the Lathers be vacated but the Planning Commission note that right-of-way connecting Warner to West Warner shall not be vacated at this time to the north where the built road dead-ends into Recreation Park.
5. The vacation supports the future land use plans of the city.

The motion was supported by Commissioner Hollifield. A roll call vote was taken and carried unanimously 6:0.

VI. NEW BUSINESS

1. 540 S. Mansfield

Ms. Wessler corrected the staff report to read 540 S. Mansfield. Ms. Wessler stated that this is a request for site plan approval for the UPS Parking Lot immediately south of the existing UPS facility on the west side of South Mansfield, south of Michigan Avenue, in the Industrial Park. The applicant is a long-time resident of the city's industrial park and due to the increasing importance of internet-based sales; they are seeing an increased need for seasonal employee parking. They are applying to lay a gravel parking lot to the south of the existing parking area this year, and to pave it in the following year, as well as install a sidewalk along the Mansfield frontage. No other changes are proposed to the site.

Staff is recommending approval with conditions. We do not have an engineering review but will receive one in the future. They will be providing a sidewalk but not this season.



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YPSILANTI COMMUNITY UTILITIES AUTHORITY

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

January 14, 2015

VIA ELECTRONIC MAIL

Ms. Frances McMullan, City Clerk
CITY OF YPSILANTI
One South Huron Street
Ypsilanti, Michigan 48197

Re: Public Hearing Notices
Vacation of Streets and Alleys
City Council
Tuesday, February 17, 2015

Dear Ms. McMullan:

This letter is written in response to the Public Hearing Notices issued by your office for the proposed vacation of streets and alleys in the City of Ypsilanti. The locations are Lathers Street between Aveline and Warner, the second alley west of Prospect between Forest and Oak, and a portion of the alley immediately west of Cornell between Washtenaw and Whittier.

We have reviewed our facility maps and field verified our infrastructure in these areas and note that we have existing sanitary sewer in the alley immediately west of Cornell between Washtenaw and Whittier. Given the existing infrastructure, we can support the vacation of the rights-of-way only if adequate easements are provided for the Authority to operate, maintain, and replace the sanitary sewer in the future. For that reason, we would request that the Authority be granted easement rights over the entire right-of-way width that is vacated. Should there be any questions please contact this office.

Sincerely,



SCOTT WESTOVER, P.E., Engineering Manager
Ypsilanti Community Utilities Authority

cc w/encl.: Mr. Jeff Castro
Mr. Bob Fry
YCUA File

Frances McMullan

From: Dan Duchene <DDuchene@barrlawfirm.com>
Sent: Thursday, January 15, 2015 9:01 AM
To: Frances McMullan; John M. Barr
Subject: FW: YCUA Ltr RE Street and Alley Vacation Public Hearing

FYI

Dan DuChene
Associate Attorney
Barr, Anhut & Associates, P.C.
105 Pearl Street
Ypsilanti, MI 48197
Ph: (734) 481-1234
Fx: (734) 483-3871

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From: Scott Westover [<mailto:SWestover@ycua.org>]
Sent: Thursday, January 15, 2015 8:08 AM
To: Dan Duchene
Subject: RE: YCUA Ltr RE Street and Alley Vacation Public Hearing

That works for us. Hopefully the petitioner has been informed of the easement as well. Thanks.

SCOTT WESTOVER | Engineering Manager
Telephone: (734) 484-4600 ext. 220 | Facsimile: (734) 484-4699
swestover@ycua.org

Ypsilanti Community Utilities Authority
2777 State Road | Ypsilanti, Michigan USA 48198-9112
www.ycua.org

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From: Dan Duchene [<mailto:DDuchene@barrlawfirm.com>]
Sent: Wednesday, January 14, 2015 4:44 PM
To: Scott Westover
Subject: YCUA Ltr RE Street and Alley Vacation Public Hearing

Mr. Westover,

I am the Assistant City Attorney for the City of Ypsilanti. I have been forwarded your letter to Clerk McMullan from today concerning a public hearing for the proposed vacation of streets and alleys in the City. It appears from this letter that your only concern rests with the proposed vacation of the alley between Washtenaw and Whittier.

Be advised that Section 94-297 of the Code of Ordinances for the City of Ypsilanti provides that the City must retain and reserve an easement for installation and maintenance of utilities in the entire former right-of-way. Such requirement is also put forth in the language of any ordinance that vacates a street or alley, which is eventually recorded.

Please let me know if this adequately addresses your concerns.

Thank you,

Dan DuChene
Associate Attorney
Barr, Anhut & Associates, P.C.
105 Pearl Street
Ypsilanti, MI 48197
Ph: (734) 481-1234
Fx: (734) 483-3871

IMPORTANT: THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS ATTORNEY PRIVILEGED, CONFIDENTIAL, AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE TO ARRANGE FOR THE RETURN OF THE ORIGINAL MESSAGE TO US VIA THE UNITED STATES POSTAL SERVICE. THANK YOU.



Resolution No. 2015-034
February 17, 2015

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the public hearing to consider an ordinance to vacate Lathers Street, located between the City boundary to the west and Warner Street to the east, within the City of Ypsilanti be closed.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



REQUEST FOR LEGISLATION
January 6, 2015

From: Planning and Development Department

Subject: Alley closure: Forest/Prospect/Oak/River, second north-south alley from east.

SUMMARY & BACKGROUND:

Mr Grams and his family live at 317 Oak, at the south-west end of the alleyway. With the recent closure of the alley to their east, approved by Planning Commission in 2011, he and his neighbors have seen an increase in cut-through traffic in the alley. Due to this traffic, the neighbors are concerned about their health, safety, and welfare. They do not wish the alley be vacated, as pedestrians use the alley frequently, and the neighbors use it for garage access.



The Planning Commission reviewed the alley closure application under the standards set forth by §94-271 and recommends that it be closed, with no conditions. Minutes (excerpted) and the original staff report are attached.

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

RECOMMENDED ACTION: Approval of resolution of intent to close alley;
Approval of ordinance first reading to close alley.

ATTACHMENTS: Staff Report, 16 October 2014
Planning Commission Minutes (excerpted), 22 October 2014.

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: 01-06-2015

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2015-035
February 17, 2015

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled "An ordinance to close the second north-south alley running between East Forest and Oak between River and Prospect in the City of Ypsilanti" be approved on Second and Final Reading.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



**CITY OF YPSILANTI
NOTICE OF ADOPTED ORDINANCE
Ordinance No. 1238**

An ordinance to close the second north-south alley running between East Forest and Oak between River and Prospect in the City of Ypsilanti.

1. THE CITY OF YPSILANTI ORDAINS That:

Pursuant to the Ypsilanti City Code Section 94-271, et al, the second north-south alley running between East Forest and Oak between River and Prospect hereby is closed to through traffic.

The said alley terminates on one end at a point between 322 and 316 East Forest, and on the other end between 323 and 327 Oak, City of Ypsilanti, Washtenaw County, Michigan.

The City Administration shall cause a barrier to be installed in the alley to prohibit vehicular traffic. The alley will remain a public right-of-way accessible via either end for pedestrian and non-motorized vehicle traffic.

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

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

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

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. A complete copy of the ordinance is also available for inspection on the City's website, www.cityofypsilanti.com.

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 publication of record. This Ordinance shall become effective after publication at the expiration of 30 days after adoption.

MADE, PASSED AND ADOPTED BY THE YPSILANTI CITY COUNCIL THIS _____ DAY OF _____, 2015.

Frances McMullan, City Clerk

Attest

I do hereby confirm that the above Ordinance No. ____ was published in Washtenaw Now on the _____ day of _____, 2015.

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 _____, 2015.

Frances McMullan, City Clerk

Notice Published: _____

First Reading: January 6, 2015

Second Reading: February 17, 2015

Published: _____

Effective Date: _____



City of Ypsilanti
Community & Economic Development Department

16 October 2014
Staff Review of Alley Vacation Application
Second from East N-S Alley between Forest and Oak

GENERAL INFORMATION

Applicant: Robert Grams, Jr
317 Oak St
Ypsilanti, MI 48198

Application Date: 9/17/2014

Location: Second from East N-S Alley between Forest and Oak

Zoning: R1, Single-family Residential

Action Requested: Alley Closure

Staff Recommendation: Approval.

PROJECT AND SITE DESCRIPTION

Mr Grams and his family live at 317 Oak, at the south-west end of the alleyway. With the recent closure of the alley to their east, approved by Planning Commission in 2011, he and his neighbors have seen an increase in cut-through traffic in the alley. Due to this traffic, the neighbors are concerned about their health, safety, and welfare. They do wish the alley not be vacated, as pedestrians use the alley frequently, and the neighbors use it for garage access.

Figure 1: Street Location

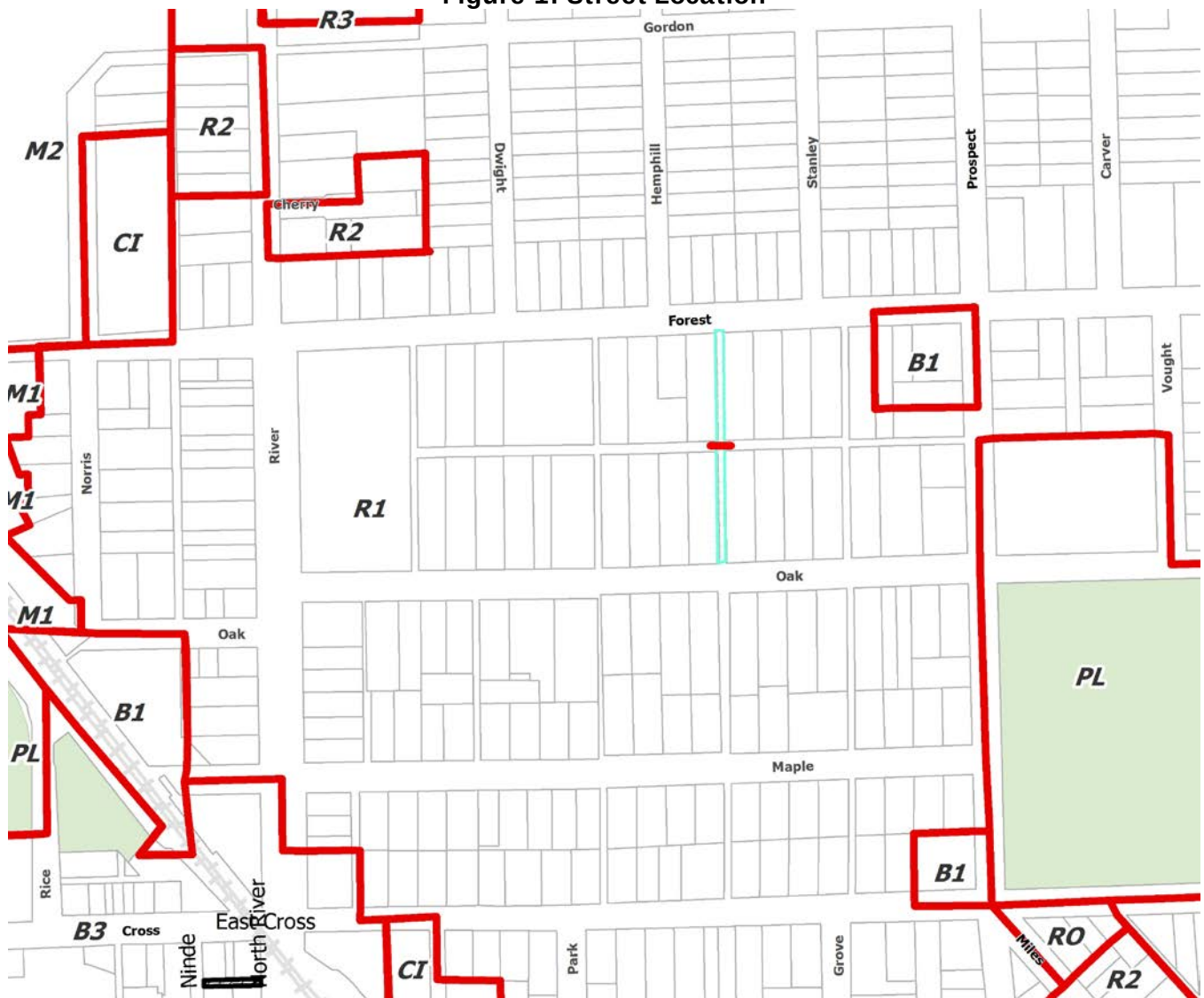


Figure 2: Site Aerial (2010)



ALLEY VACATION STANDARDS

§94-271

The process to vacate an alley, as prescribed by City Code, follows these simplified steps:

- (1) A motion of City Council, or a Petition by the majority of abutting owners, initiates the process.
- (2) Planning Commission holds a public hearing
- (3) Planning Commission makes recommendation to City Council
- (4) City Council considers the request in open session and passes a resolution of intent to vacate in the form of an ordinance first reading.
- (5) City Council sets a date for a public hearing not less than four weeks thereafter.
- (6) City Council decides to vacate or close the alley, with or without conditions, or take no action.

The ordinance further provides standards to be considered in any closure or vacation of a public right-of-way. These five, and staff comments, are as follows:

(1) Whether the alley services a residential, single-family, multi-family or business area.

The area served is residential.

(2) Whether the closing will create an undue burden on traffic.

It is currently used for garage access and pedestrian traffic. Cut-through traffic has been redirected from the alley to the east to this alley. Those drivers were, anecdotally, avoiding the light at Forest/Prospect and traffic generated by the school.

(3) Whether the closing is necessary to prevent traffic from traveling through the neighborhood to destinations outside the neighborhood or other safety factors such as speed of traffic, frequency of use, the size and condition of the alley.

This closure would prevent cut-through traffic

(4) The wishes and desires of the majority of the neighborhood.

Representatives from each household abutting the alley have signed the petition for its closure.

Not less than four weeks prior to the City Council meeting at which this issue will be further deliberated, staff will mail notice to adjacent property owners, post notice of that meeting in no less than three different public places in and around the alley, and publish notice in the official city newspaper at least once per week for two successive weeks, per §94-293, §94-294, & §94-295. Additional feedback is expected at that time.

(5) The present and future interests of the city considering planning for the entire city.

Closing the alley does not affect future plans. We recommend that this alley not be vacated in the future.

OTHER DEPARTMENT AND AGENCY INVOLVEMENT

DEPARTMENT OF PUBLIC SERVICES

AWAITING FEEDBACK. Utility easements, if necessary, will be retained.

FIRE DEPARTMENT

The Fire Department has reviewed the application and has no objection.

UTILITY ACCESS

Per §94-297 of the City Code of Ordinances, the City shall retain and reserve within the entire former right-of-way an easement for installation and maintenance of utilities unless such easement is specifically abandoned. Staff is not aware of any utilities in this location.

STAFF RECOMMENDATIONS

Staff recommends that this alley be closed.

Bonnie Wessler
Planner I, Community & Economic Development Dept.

CC File
 Applicant

**PLANNING COMMISSION
MEETING MINUTES
October 22, 2014
CITY COUNCIL CHAMBER
7:00 P.M.**

I. CALL TO ORDER

The meeting was called to order at 7:00 p.m.

II. ROLL CALL

Present: R. Johnson, C. Zuellig, P. Hollifield, N. Sandberg, A. Bedogne, S. Straley

Absent: H. Jugenitz (excused)

Staff: Bonnie Wessler, Planner II
Teresa Gillotti, Community Development Director
Nan Schuette, Executive Secretary

III. APPROVAL OF MINUTES

Commissioner Sandberg moved to approve the minutes of August 20, 2014 (Support: P. Hollifield) and the motion carried unanimously.

IV. AUDIENCE PARTICIPATION

None

V. PUBLIC HEARING ITEMS

1. Alley Vacation Application

This is a request for an alley closure second from East N-S Alley between Forest and Oak. The applicant and his family live at 317 Oak, at the southwest end of the alleyway. With the recent closure of the alley to their east, which was approved by Planning Commission in 2011, he and his neighbors have seen an increase in cut-through traffic in the alley. Because of this traffic, the neighbors are concerned about the health, safety and welfare. They do not want the alley to be vacated, since pedestrians use the alley frequently, and the neighbors use it for garage access.

Commissioner Bedogne moved to open the public portion of the hearing (Support: C. Zuellig) and the motion carried unanimously.

Robert Grams, 317 Oak – has complained about the problems with cut-through traffic on many occasions – signage is ignored. Mr. Grams had his four other neighbors sign the petition for the alley closure. Residents also prefer that the city not maintain it with snow removal, etc.

Commissioner Hollifield moved to close the public portion of the hearing (Support: C. Zuellig) and the motion carried unanimously.

After some discussion of board members with staff, Commissioner Zuellig moved to recommend to City Council to approve closing the alley from East N-S between Forest and Oak, based on the following findings:

Findings:

1. Area served is residential
2. Closing will not create an undue burden on traffic or affect future plans
3. Cut-through traffic has been redirected from the alley to the east to this alley.
4. Closure would prevent cut-through traffic

The motion was supported by Commissioner Straley. A roll call vote was taken and carried unanimously 6:0.

2. Alley Vacation Application

This is a request for an alley vacation at the easternmost portion of the east-west alley Whittier, Cornell, Washtenaw and Mansfield, immediately south of 1403 Whittier.

Ms. Wessler, Planner II, stated that this would be a vacation, which means that the city would give up any property interest in the alley. The ownership would revert to the neighboring property owner. Only a small portion of the full alley is being petitioned for vacation, immediately behind 14 Whittier. The primary reason for this request is because the trash from the south goes on the fence line and the northern portion of the alley and under current code, 1403 Whittier is responsible for picking up the trash on their portion. The intent is that once the alley is vacated, they intend to deed it to the southern property owner, thus have no responsibility for upkeep.

This alley is currently open and owned by the city. The property owner at 1415 Whittier, immediately adjacent, uses the alley for access to their garage, as does the property at 1439 Whittier. Businesses along the Washtenaw frontage use the alleyway for access to parking, ingress and egress.

Ms. Wessler reviewed the standards. The closing would not create a burden on traffic but as the alley would become private property, it could possibly be built over. It is not being used as a cut-through. As far as present and future use by the city, because Washtenaw is a very high intensity corridor, it is going to be more intense in a single residential neighborhood. This alley could serve as a buffer or unloading/loading zone. Staff is recommending denial at this time.

Chairman Johnson asked if the city has closed partial alleys previously, to which, Ms. Wessler responded in the affirmative.



Resolution No. 2015-036
February 17, 2015

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the public hearing for an ordinance entitled "An ordinance to close the second north-south alley running between East Forest and Oak between River and Prospect in the City of Ypsilanti" be officially closed.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



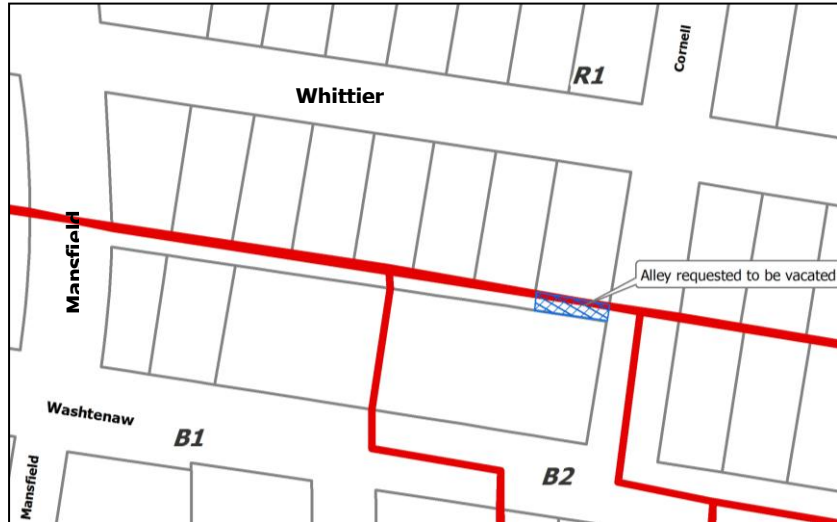
REQUEST FOR LEGISLATION
17 February 2015

From: Planning and Development Department

Subject: Alley Vacation: Whittier/Cornell/Washtenaw/Mansfield, easternmost portion immediately south of 1403 Whittier.

SUMMARY & BACKGROUND:

Homes for Autism owns the property at 1403 Washtenaw, which is immediately north of 1420 Washtenaw, Sam's Auto. These properties are currently separated by the alleyway. The applicant has had issues with trash blowing onto the portion of the alley immediately adjacent to them. Under the City Code, §42-75, adjacent property owners are responsible for keeping the alley clean. They no longer wish to be responsible for this, and they state they do not generate the litter in question. By vacating this portion of the alley and deeding "their" portion to their neighbor to the south, they would be free of this responsibility.



This alley is currently open and owned by the city. The property owner at 1415 Whittier, immediately adjacent, uses the alley for access to their garage, as does the property at 1439 Whittier. Businesses along the Washtenaw frontage use the alleyway for access to parking, ingress, and egress.

The Planning Commission reviewed the alley vacation application under the standards set forth by §94-271 and recommends that it not be vacated, finding that the alley serves both a residential and a business area, and is in active use for both; that no feedback or support has been received from other parties abutting the alleyway, and this portion of Washtenaw is considered to be a major traffic corridor of the City, and the commerce located along it serves mostly neighborhood needs; and further recommends that City Council direct staff to consider amendment of Chapter 42, Section 75 of the Code of Ordinances to consider how citations to adjacent property owners in similar circumstances are handled, where one party has primary enjoyment and access of an alley. Minutes (excerpted) and the staff report are attached.

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

RECOMMENDED ACTION: Approval of resolution of intent to not vacate the alley.

ATTACHMENTS: Staff Report, 16 October 2014 & applicant request
Planning Commission Minutes (excerpted), 22 October 2014.

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: 02-17-2015

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2015-042
February 17, 2015

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, William Schramm, on behalf of Homes for Autism, doing business as Pheasant Ring, the owners of a building located at 1403 Whittier, in the City of Ypsilanti, have requested that the City vacate an alley that runs behind their property; and

WHEREAS, this alley runs east and west between Mansfield and Cornell streets, is located north of Washtenaw Avenue and south of Whittier Street; and

WHEREAS, after considering the request, the City does not believe any of the factors listed in Section 94-271 of the Code of Ordinances for the City of Ypsilanti indicate that any possible ownership interest in the purported alley should be vacated; and

NOW THEREFORE IT IS RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that: It is not in the best interests of the City or its citizens to vacate the alley described above.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



16 October 2014

**Staff Review of Alley Vacation Application
Whittier / Cornell / Washtenaw / Mansfield east portion**

GENERAL INFORMATION

Applicant: Homes for Autism DBA Pheasant Ring
1403 Whittier
Ypsilanti, MI 48197

Application Date: 7/22/2014

Location: Easternmost portion of the east-west alley Whittier, Cornell, Washtenaw, and Mansfield, immediately south of 1403 Whittier.

Zoning: B2, Community Business, and R1, Single-Family Residential

Action Requested: Alley Vacation

Staff Recommendation: Denial.

PROJECT AND SITE DESCRIPTION

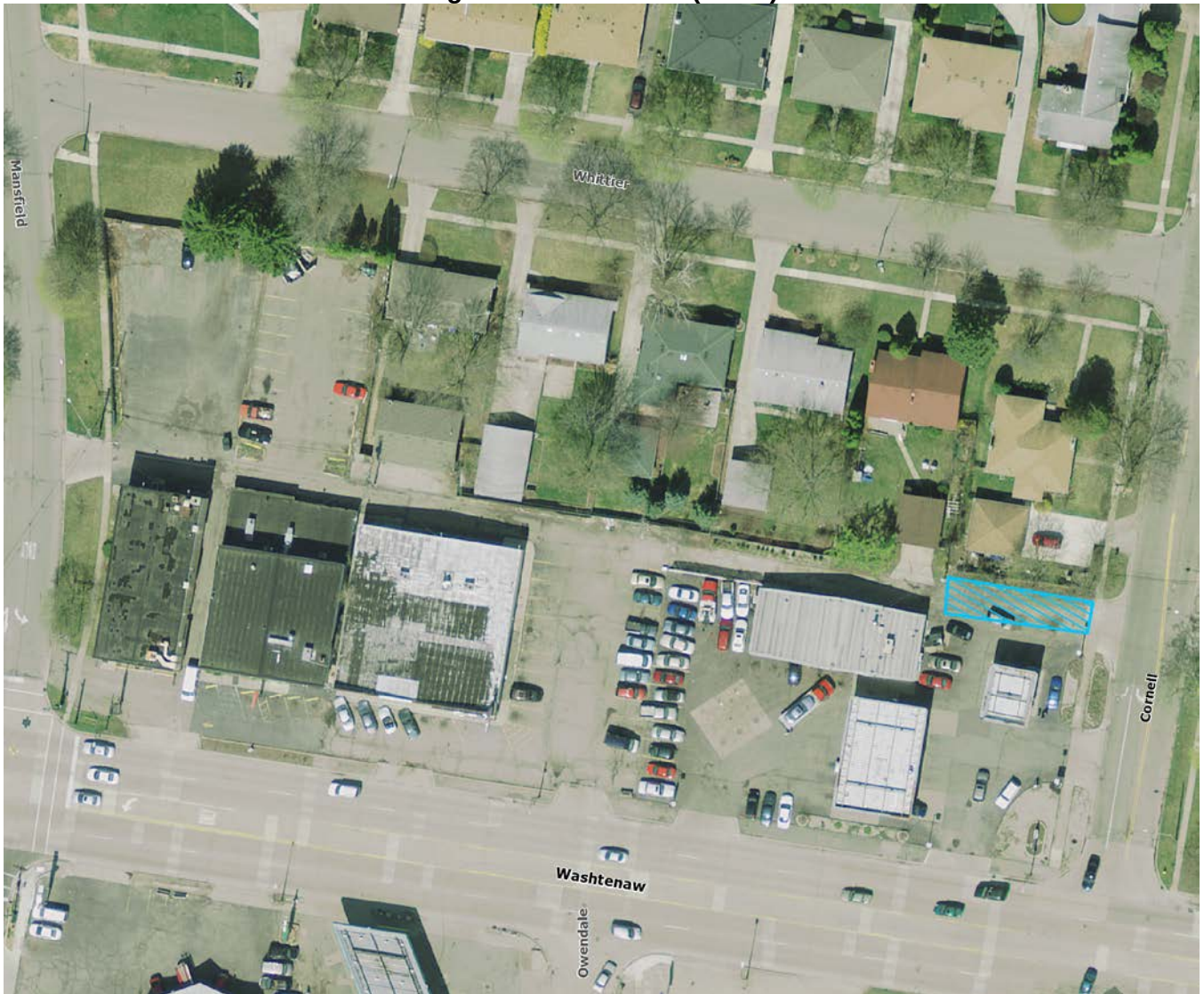
Homes for Autism own the property at 1403 Washtenaw, which is immediately north of 1420 Washtenaw, Sam's Auto. These properties are currently separated by the alleyway. The applicant has had issues with trash blowing onto the portion of the alley immediately adjacent to them. Under the City Code, §42-75, they are responsible for keeping this portion of the alley clean. They no longer wish to be responsible for keeping it clear, and they state they do not generate the litter in question. By vacating this portion of the alley and deeding "their" portion to their neighbor to the south, they would be free of this responsibility.

This alley is currently open and owned by the city. The property owner at 1415 Whittier, immediately adjacent, uses the alley for access to their garage, as does the property at 1439 Whittier. Businesses along the Washtenaw frontage use the alleyway for access to parking, ingress, and egress.

Figure 1: Alley Location



Figure 2: Site Aerial (2010)



ALLEY VACATION STANDARDS

§94-271

The process to vacate an alley, as prescribed by City Code, follows these simplified steps:

- (1) A motion of City Council, or a Petition by the majority of abutting owners, initiates the process.
- (2) Planning Commission holds a public hearing
- (3) Planning Commission makes recommendation to City Council
- (4) City Council considers the request in open session and passes a resolution of intent to vacate in the form of an ordinance first reading.
- (5) City Council sets a date for a public hearing not less than four weeks thereafter.
- (6) City Council decides to vacate or close the alley, with or without conditions, or take no action.

The ordinance further provides standards to be considered in any closure or vacation of a public right-of-way. These five, and staff comments, are as follows:

(1) Whether the alley services a residential, single-family, multi-family or business area.

The alley serves both a residential and a business area, and is in active use for both.

(2) Whether the closing will create an undue burden on traffic.

It is our understanding that the property owner at 1403 Whittier does not wish to retain title to that portion of the alley, were it to be vacated. Presumably they would offer it to the business to the south. Likely, it would be used as an ingress/egress for the business, but does have the potential to be closed off to non-business traffic.

(3) Whether the closing is necessary to prevent traffic from traveling through the neighborhood to destinations outside the neighborhood or other safety factors such as speed of traffic, frequency of use, the size and condition of the alley.

These factors do not appear to apply.

(4) The wishes and desires of the majority of the neighborhood.

No feedback has been received from other parties abutting the alleyway. However, notice of this petition was only published in the newspaper of record; individual notices were not sent at this point in the process.

Not less than four weeks prior to the City Council meeting at which this issue will be further deliberated, staff will mail notice to adjacent property owners, post notice of that meeting in no less than three different public places in and around the alley, and publish notice in the official city newspaper at least once per week for two successive weeks, per §94-293, §94-294, & §94-295. Additional feedback is expected at that time.

(5) The present and future interests of the city considering planning for the entire city.

This portion of Washtenaw is considered to be a major traffic corridor of the City, and the commerce located along it to serve mostly neighborhood needs. The area to the north is strongly single-family residential. This is reflected both in the City's Master Plan and in the current and future zoning ordinances. As this block in particular has intense commercial uses, the alley serves as a buffer between those very different use types. It may also serve as a secondary access for loading and unloading for current and future businesses, as well as garage access for residences to the north.

OTHER DEPARTMENT AND AGENCY INVOLVEMENT

DEPARTMENT OF PUBLIC SERVICES

AWAITING FEEDBACK. Utility easements, if necessary, will be retained.

FIRE DEPARTMENT

The Fire Department has no objection to this vacation.

UTILITY ACCESS

Per §94-297 of the City Code of Ordinances, the City shall retain and reserve within the entire former right-of-way an easement for installation and maintenance of utilities unless such easement is specifically abandoned. Staff does not recommend that such easements be abandoned in this case.

STAFF RECOMMENDATIONS

The easternmost portion of the east-west alley immediately abutting 1403 Whittier and 1420 Washtenaw currently serves as an important access point for the block; serves to buffer the commercial and residential uses; and will support future redevelopment of the Washtenaw frontage. Staff does not recommend vacation at this time.

Bonnie Wessler
Planner I, Community & Economic Development Dept.

CC File
 Applicant



Homes for Autism

The Brightest Hope for People with Autism

PO Box 904
Birmingham, MI
48012-0904
July 22, 2014

VIA E-mail: Teresa Gillotti (tgillotti@cityofypsilanti.com)

City of Ypsilanti
Planning & Development Department
One South Huron
Ypsilanti, MI 48197

Dear Ms. Theresa Gillotti,

Attached are:

- Alley Vacation Application;
- Sketch of pertinent area;
- Photograph of pertinent area.

I submit this application for alley vacation so that the 16' ROW between 1403 Whittier and the Citgo gas station can be ceded to the Citgo gas station owner who I believe is Sam Wahab. He also owns the adjoining Sam's auto service at 1420 Washtenaw Ave. Ypsilanti, MI 48197.

Homes for Autism DBA Pheasant Ring, owner of the residence at 1403 Whittier, and the Citgo gas station have been cited for code violations. As you can see from the attached photos, none of the debris is on the home side of the fence. Despite this, the home has received several citations.

Sam Wahab and his son, Al Wahab are in agreement to accept the ROW as an extension of the property as indicated on the sketch. I met with them on July 22, 2014 at the site.

I met with your representative and it was suggested that an application be submitted so the ROW can be placed in private hands. Homes for Autism has no interest in acquiring any property beyond its lot 350, namely, 1403 Whittier. Therefore it is willing to cede any of the ROW to Sam Wahab.

As a way of background, Homes For Autism has 5 homes in southeast Michigan where adults who have autism live under 24/7 care. See: www.homesforautism.org

We are currently renovating a home in Waterford working with Habitat for Humanity of Oakland County and Christ the Redeemer Church in Lake Orion, MI. See Christ the Redeemer web site for photos showing the progress of renovation.

Because we are a 501(c) (3) Michigan corporation, we request that the fee for the application be waived.

If you need any further information, please let me know.

Sincerely yours,



William J. Schramm
President
Homes For Autism DBA Pheasant Ring
2674 Browning Dr.
Lake Orion, MI 48360
248-391-2674

CC: Anne Gerard, Executive Director of Homes For Autism: via e-mail
Sam & Al Wahab: via e-mail: aliwahab@gmail.com
State Senator James Marleau, Board member of Homes for Autism: via E-mail
Jess O'Jack: via e-mail

Robert Grams, 317 Oak – has complained about the problems with cut-through traffic on many occasions – signage is ignored. Mr. Grams had his four other neighbors sign the petition for the alley closure. Residents also prefer that the city not maintain it with snow removal, etc.

Commissioner Hollifield moved to close the public portion of the hearing (Support: C. Zuellig) and the motion carried unanimously.

After some discussion of board members with staff, Commissioner Zuellig moved to recommend to City Council to approve closing the alley from East N-S between Forest and Oak, based on the following findings:

Findings:

1. Area served is residential
2. Closing will not create an undue burden on traffic or affect future plans
3. Cut-through traffic has been redirected from the alley to the east to this alley.
4. Closure would prevent cut-through traffic

The motion was supported by Commissioner Straley. A roll call vote was taken and carried unanimously 6:0.

2. **Alley Vacation Application**

This is a request for an alley vacation at the easternmost portion of the east-west alley Whittier, Cornell, Washtenaw and Mansfield, immediately south of 1403 Whittier.

Ms. Wessler, Planner II, stated that this would be a vacation, which means that the city would give up any property interest in the alley. The ownership would revert to the neighboring property owner. Only a small portion of the full alley is being petitioned for vacation, immediately behind 14 Whittier. The primary reason for this request is because the trash from the south goes on the fence line and the northern portion of the alley and under current code, 1403 Whittier is responsible for picking up the trash on their portion. The intent is that once the alley is vacated, they intend to deed it to the southern property owner, thus have no responsibility for upkeep.

This alley is currently open and owned by the city. The property owner at 1415 Whittier, immediately adjacent, uses the alley for access to their garage, as does the property at 1439 Whittier. Businesses along the Washtenaw frontage use the alleyway for access to parking, ingress and egress.

Ms. Wessler reviewed the standards. The closing would not create a burden on traffic but as the alley would become private property, it could possibly be built over. It is not being used as a cut-through. As far as present and future use by the city, because Washtenaw is a very high intensity corridor, it is going to be more intense in a single residential neighborhood. This alley could serve as a buffer or unloading/loading zone. Staff is recommending denial at this time.

Chairman Johnson asked if the city has closed partial alleys previously, to which, Ms. Wessler responded in the affirmative.

Commissioner Zuellig moved to open the public portion of the hearing (Support: N. Sandberg) and the motion carried unanimously.

Bill Schram, President, Homes for Autism - has owned this property since 1999. The roadway is being primarily used by the gas station for ingress and egress. He has no interest in the right-of-way and is asking that the property be transferred to the gas station owner contingent upon use by the gas owner as is currently being done. The property is not being used as a buffer between both property owners but being used by traffic going in and out of the gas station. The Fire Department has no objection since it has no effect on the residents. Staff has stated they have not received any objection by any homeowners. He believes he has met the code requirements of a vacation. He is also asking that the fee be waived since they are a 501(3)(c) organization.

Commissioner Bedogne asked Mr. Schram if he has an expectation that the gas station owner will initiate the taking over this property. Mr. Schram responded that he did not know who should initiate this but feels that this is the responsibility of the city. Commissioner Zuellig asked if the issue was mainly the use since if the property was transferred, the same use would continue. The issue appears to be more of a maintenance problem since Mr. Schram is being cited for debris that is on his property that is occurring because of the traffic in and out of the gas station. If the property was transferred to the gas station, they would not be responsible for the trash. The question remains if the gas station owner does not want the property transferred to him.

Robert Grams – agrees that the city should cite the gas station to maintain the alley.

Karen Grams – asked why the gas station allowed having a dumpster. Ms. Wessler responded that the dumpster is on the property of 1421. Chairman Johnson added that the dumpster has been there a long time, which was approved in the original site plan. We cannot go back now and ask them to add a screen; however, if they applied for any site changes to the property in the future, screening the dumpster would be a requirement.

Commissioner Bedogne moved to close the public portion of the hearing (Support: P. Hollifield) and the motion carried unanimously.

Commissioner Straley asked if the vacation was approved, could language be attached to that sliver of land requiring an easement for the properties between Mansfield and Cornell and Washtenaw and Whittier. Ms. Wessler responded that the way it is constructed in the city code, the alley has to be divided up the middle but the city can reserve the right for utilities but wouldn't be able to reserve the right for access. Commissioner Zuellig did understand the frustration with the applicant is mainly that of the trash and citations being received and wondered what steps can be taken if the gas station owner does not want the property. Ms. Wessler added that the gas station owner is currently being cited for trash on his half of the alley.

Chairman Johnson is concerned about the access by the residents to the west. Also, if we vacate the alley, he feels there could be a lot of legal recourse since the city cannot force the property on to someone.

After further discussion, Commissioner Straley moved that the Planning Commission recommend to City Council that the alley located at the Easternmost portion of the east-west alley of Whittier, Cornell, Washtenaw and Mansfield, immediately south of 1403 Whittier, not be vacated based on the following findings:

Findings:

1. Because the alley serves both a residential and a business area, and is in active use for both.
2. No feedback has been received from other parties abutting the alleyway, and this portion of Washtenaw is considered to be a major traffic corridor of the City, and the commerce located along it serves mostly neighborhood needs.
3. Staff also recommends to City Council to direct staff and consider amendment of Chapter 42, Section 75 of the Ypsilanti City Code of Ordinances to reconsider how citations to adjacent property owners in similar circumstances are handled where one party has primary enjoyment and access of an alley.

The motion was supported Commissioner Bedogne. A roll call vote was taken and carried unanimously 6:0.

3. Lathers Street Vacation

Ms. Wessler stated that this is a request for a street vacation at Lathers Street within the City. The family of the applicant lives at 1010 W. Michigan, at the corner of Warner and Michigan Avenue. Immediately to the north of the property is the disused Lathers Street, and to the north is 15 W. Warner, a single-family residence. This portion of Lathers has not been in use as a street for many years; it has become effectively part of the neighbor's yards; it is not used for access. The neighbors are requesting the City formally vacate the street so that it may become part of their respective properties.

City code does not currently outline a process by which streets are vacated. Currently, we abide by state statute, which only requires Council resolve to vacate the street in question. However, in defense of the public interest, the City has chosen to, for the time being; address street vacations in the same manner as alley vacations, including a mirroring of the review process and public noticing. We anticipate revising the ordinance within the next year to address this procedure directly.

Staff recommends that Lathers be vacated, as it currently serves no public purpose and will not negatively impact traffic patterns. Staff further recommends that if Lathers be vacated, then the portion of Warner Street adjacent to Recreation be un-vacated.

Commissioner Sandberg moved to open the public portion of the hearing (Support: P. Hollifield) and the motion carried unanimously.

Commissioner Zuellig stated that she was concerned about vacating this property since it could affect future properties to be developed.



Resolution No. 2015-043
February 17, 2015

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That a public hearing on an ordinance to vacate an alley located at Whittier/Cornell/Washtenaw/Mansfield, easternmost portion immediately south of 1403 Whittier be officially closed.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



Resolution No. 2015 – 037
February 17, 2015

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the following items be approved:

1. Resolution No. 2015-038, approving an ordinance to amend Section 78-100 of the Ypsilanti City Code to include electronic vaporizing and nicotine delivery systems with prohibited smoking in the City's tot-lot playgrounds. **(Second Reading- Ordinance No. 1241)**
2. Resolution No. 2015- 039, adopting the Housing Affordability and Economic Equity Analysis report.
3. Resolution No. 2015-040, approving the Frog Island Park MDNR Grant Obligation Conversion.
4. Resolution No. 2015-041, approving agreement with Friends of Ypsilanti Freighthouse to apply for a grant and provide seed funds in the amount of \$10,000.

OFFERED BY: _____

SUPPORTED BY: _____

YES:

NO:

ABSENT:

VOTE:



**Barr,
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Karl A. Barr
Daniel J. DuChene

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

REQUEST FOR LEGISLATION

DATE: January 8, 2015

FROM: John M. Barr, Ypsilanti City Attorney

SUBJECT: Electronic Cigarettes for City Tot Lots

SUMMARY/BACKGROUND

Based on the encouragement of the Washtenaw County Public Health Department and the recommendation of the City Parks and Recreation Commission, City Council adopted Ordinance No. 1231, which prohibited smoking in the City's tot-lot playgrounds on November 18, 2014.

Subsequent to this adoption, the City was contacted by representatives from the County Public Health Department, who felt that the ordinance adopted did not provide enough detail to effectively prohibit the use of electronic cigarettes and other personal vaporizers. While the existing language did prohibit smoking devices, it was believed that more specificity was necessary to effectively regulate such activity.

After review of Ordinance 14-03 of the City of Ann Arbor, this office has proposed the attached ordinance for review of City Council. This proposed ordinance has been shared with representatives from the County Public Health Department, who have provided that it does effectively rectify their concerns.

ATTACHMENTS: Proposed Ordinance

RECOMMENDED ACTION: Adoption of the ordinance

DATE RECEIVED: _____ AGENDA ITEM NO. _____

CITY MANAGER COMMENTS:

FOR AGENDA OF: _____ FINANCE DIR. APPROVAL

COUNCIL ACTION TAKEN:



Resolution No. 2015-038
February 17, 2015

RESOLUTION TO ADOPT ORDINANCE TO PROHIBIT
SMOKING IN TOT LOTS

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that: the ordinance entitled " An ordinance to amend the Ypsilanti City Code to include electronic vaporizing and nicotine delivery systems with prohibited smoking in the City's tot-lot playgrounds" be approved on Second and Final Reading.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



**CITY OF YPSILANTI
NOTICE OF ADOPTED ORDINANCE
Ordinance No. 1241**

An ordinance to amend Section 78-100 of the Ypsilanti City Code to include electronic vaporizing and nicotine delivery systems with prohibited smoking in the City's tot-lot playgrounds.

1. THE CITY OF YPSILANTI HEREBY ORDAINS That Chapter 78, Article III, Section 78-100 of Ypsilanti City Code be amended as follows:

Section 78-100. Other prohibited activities.

While in a city park, city owned property or open area, no person shall:

- (1) Use any device transmitting electronically amplified sound, including, but not limited to radios, tape recorders, automobile radios or music amplifiers at a volume so that the sound may be heard by persons of normal sensitivity at a distance of more than 50 feet, except by special permission and permit granted by the chief of police.
- (2) Enter the premises of any swimming pool facility or use any other park facility for which payment is required without making the required payments and being duly admitted to the use of the facility.
- (3) Loiter in or about any restroom/washroom, or use such facilities for purposes other than those intended. In addition, male persons shall not resort to any restroom/washroom facilities set apart for women, and female persons shall not resort to any restroom/washroom facilities set apart for men, provided that this shall not apply to children accompanied by an adult.
- (4) Carry, possess, sell, use or discharge any weapon, explosives or fireworks without legal authority. The following persons have such legal authority:
 - a. Duly authorized law enforcement officers or officials.
 - b. Members of the United States armed services, army reserve and national guard while on active duty or reserve or special duty.
 - c. Holders of a valid license to carry concealed weapons while within the restrictions imposed by the license.
 - d. Holders of a special fireworks or explosive permit issued by the city council.
- (5) Make or excite any disturbance so that the peace and good order of other persons using the park, city owned property or open area or persons in the neighborhood of such property are disturbed.

(6) Interfere with any baseball, football or hockey game or other authorized event.

(7) Gamble or maintain a gaming table or pool tickets, used for gaming or knowingly suffer a gaming table or pool tickets to be kept, maintained, played or sold on any park, city owned property or open area except under special event permit.

(8) Operate powered, line attached model crafts or remote controlled crafts of any kind or description, including but not limited to airplanes, boats and automobiles except in areas set aside for those specific activities.

(9) Operate any portable electric generator, alternator or other machinery, except by permission and permit granted by the city manager. All departments of the city and all franchise utility companies operating within the city are exempt from this provision.

(10) Wear footgear that will damage, injure or create need for excessive maintenance on any field, court, deck, floor, turf or specialized surface prepared for particular games or activities. In areas posted with a sign specifying footgear authorized or approved it shall be unlawful for any person to participate in any sports activities in any such area other than with the footgear so designated.

(11) Enter any body of water for the purpose of swimming, diving, wading, bathing, when such activities are prohibited by signs conspicuously posted.

(12) Sell, offer to sell, show, hawk, display, or distribute any goods, wares, merchandise or refreshments, or conduct business of any kind, without a peddler's license or special events permit.

(13) Smoke, light, or carry a lighted pipe, cigar, cigarette, or other smoking devise of any kind in any of the City's tot-lot playgrounds. This prohibition includes the use of any e-cigarette, e-cigar, e-pipe, and any personal vaporizer or electronic nicotine delivery system of any kind.

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

the Ordinance would have been adopted had such invalid or unconstitutional provisions not have been included in this Ordinance.

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

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

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.

6. Publication and Effective Date. The City Clerk shall cause this Ordinance, or a summary of this Ordinance, to be published according to Section 11.13 of the City Charter. 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 _____, 2015.

Frances McMullan, City Clerk

Attest

I do hereby confirm that the above Ordinance No. _____ was published according to Section 11.13 of the City Charter on the _____ day of _____, 2015.

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 _____, 2015.

Frances McMullan, City Clerk

Notice Published: January 27, 2015

First Reading: February 3, 2015

Second Reading: February 17, 2015

Published: _____

Effective Date: _____



Resolution No. 2015-039
February 17, 2015

A RESOLUTION TO ADOPT THE HOUSING AFFORDABILITY AND
ECONOMIC EQUITY – ANALYSIS

WHEREAS, the Washtenaw County Office of Community and Economic Development, with support from the U.S. Department of Housing and Urban Development, the City of Ann Arbor, and the Ann Arbor Downtown Development Authority, commissioned an Affordable Housing Needs Assessment; and

WHEREAS, czb LLC, a consulting firm, was selected through competitive process to perform the analysis and completed the work in January of 2015; and

WHEREAS, the report provides information from stakeholder interviews, surveys, and data analysis describing a widening imbalance in the housing markets of Washtenaw County, and particularly the urbanized area; and

WHEREAS, the report provides findings as well as targets and implementation strategies that can be considered to improve the balance of markets and the access of lower income households throughout the community; and

WHEREAS, the Ypsilanti City Council is committed to promoting those policies that create resiliency, promote equity, and improve opportunity for households of all income levels throughout the city of Ypsilanti.

NOW THEREFORE BE IT RESOLVED that the Ypsilanti City Council hereby adopts the Housing Affordability and Equity – Analysis for Washtenaw County; and

BE IT FURTHER RESOLVED that the Ypsilanti City Council commits to advancing the goals of this analysis to promote balance in the housing market through policy, partnerships, collaborations and through a goal of providing services to residents of the city of Ypsilanti; and

BE IT FURTHER RESOLVED that the Ypsilanti City Council supports the identification and/or designation of a workgroup or structure that will annually review the status of goals identified in this report and requests that the Office of Community and Economic Development report on progress to the City of Ypsilanti and the community at large.

OFFERED BY: _____

SUPPORTED BY: _____

YES:

NO:

ABSENT:

VOTE:



REQUEST FOR LEGISLATION
(February 10, 2015)

From: Bonnie Wessler, Acting Planner II

Subject: Frog Island Park: MDNR Grant Obligation Conversion

SUMMARY & BACKGROUND

The use of a portion of Frog Island Park as a recycling center is contradictory to the long term requirements listed in the Land and Water Conservation Fund (LWCF) Grant that the City took advantage of in 1983 which states that the land is to be used for public outdoor recreation. The portion of the Frog Island property on which the recycling center is located was originally designated as a parking lot in the development plan. This use fulfilled that recreation requirement, however, the recycling center is a conversion from that recreation use to a non-recreation use. In order to mitigate the conversion of use the City needs to either move the recycling center elsewhere or propose a similar recreation use on another piece of land that is not currently in outdoor recreation use. This conversion needs to be addressed by the City in order to be eligible for future LWCF grants.

Staff recommends that an alternate piece of land that is owned by the City and is not already designated as public outdoor recreation use, namely the parking area associated with the Border to Border (B2B) Trail on South Grove St, be used for the conversion.

This process had begun started in 1999 after the City was notified of the issue. However, that progress was halted for several years. Staff was informed of and began addressing the issue again in 2013, and several of the requirements have since been completed, including the Section 106 review and the appraisal of the sites. The next step, a public hearing, will need to be held on this matter as per the requirements listed in the *Procedures for Receiving Approval for Converting Grant-Assisted Property* (attached).

RECOMMENDED ACTION: Approval

ATTACHMENTS: Resolution
Procedures for Receiving Approval for Converting Grant-Assisted Property

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: 2/17/2015

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2015 -040
February 17, 2015

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, in 1998 the Michigan Department of Natural Resources (MDNR) formally notified the city that the location of the recycling center constitutes a violation of the Land and Water Conservation Fund (LWCF) grant agreement (project number 26-01269) that funded early improvements to Frog Island Park; and

WHEREAS, in order to comply with the contractual requirements, the city must either a) move the recycling center or b) replace the parcel with another that has similar recreation value and would serve a similar group of users; and

WHEREAS, the LWCF project at Frog Island Park was a development project, thus it is possible to mitigate the conversion by dedicating the parking area associated with the Border to Border (B2B) Trail on South Grove St; and

WHEREAS, the staff's plan of action is to complete this process by the end of April 2015;

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council authorizes staff to move forward on this proposed plan of action to mitigate the Frog Island Park property on which the Ypsilanti Recycling Center is located and forward to the MDNR for approval.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

**Procedures for Receiving Approval for Converting Grant-Assisted Property
Michigan Natural Resources Trust Fund (MNRTF)
Land and Water Conservation Fund (LWCF)
January 4, 2010**

This document is provided as an outline of the general process and procedures for addressing Conversion of Use situations for public parks assisted by the state using Michigan Natural Resources Trust Fund (MNRTF) and/or the Land and Water Conservation Fund (LWCF). While conversion and mitigation is often a straight forward process, the circumstances often vary from case to case, and it is difficult to provide guidance to cover every possible scenario. After reviewing this outline, it is important to consult with the Department's Grants Management Office to discuss the specifics of your situation. Following that consultation, we will provide specific guidance to assist your efforts.

A fundamental purpose in providing grants to local units of government through the LWCF and MNRTF program is increasing the amount of public outdoor recreation opportunity in the state. To that end, the community receiving an LWCF or MNRTF grant and the Department of Natural Resources enter into an agreement wherein the community commits to keeping the area acquired or developed with grant assistance in public outdoor recreation use in perpetuity.

Occasionally, circumstances change and property encumbered by these grant obligations must be utilized for a purpose other than public outdoor recreation. In these cases, the Department strives to receive, at a minimum, a direct replacement for the property lost in both recreation usefulness and monetary value. While the programs have some detail differences in the documentation that is required, the following process will be used for either LWCF or MNRTF conversion situations. In both cases, the grantee works with staff to prepare a conversion and mitigation proposal that meets the program requirements. In cases where there are grants from multiple sources are utilized within the same site, the more restrictive policies will prevail; however the grantee will only be required to complete one proposal that will be used for final approval from the MNRTF Board of Trustees and the National Park Service.

On conversion proposals involving MNRTF grant-assisted property, the Department forwards the final recommendation to the MNRTF Board for final approval. In the case of the LWCF, the National Park Service makes the final determination.

Statement of Policy

A conversion of use occurs when one or both of the following situations occur:

- The grant-assisted site, or a portion of the site, is no longer used for public outdoor recreation, or
- The grant-assisted site, or a portion of the site, is conveyed by the grantee, either in fee, lease, or other mechanism, to another entity.

Specifically:

MNRTF Board Policy 94.1 states, in part: *"Property acquired or developed with Michigan Natural Resources Trust Fund (MNRTF) assistance, including both State and local projects, shall be retained and preserved in its natural state including development needed to provide for outdoor public recreation use as set forth in the MNRTF application. Property acquired or developed with MNRTF assistance shall not be wholly or partially converted to other than public outdoor recreation use without the approval of the Department of Natural Resources (DNR) and MNRTF Board and the implementation of mitigation measures approved by the DNR and the Board."*

**Procedures for Receiving Approval for Converting Grant-Assisted Property
Michigan Natural Resources Trust Fund (MNRTF)
Land and Water Conservation Fund (LWCF)
January 4, 2010**

LWCF Guidance Manual Section, Chapter 8, states, in part: *"Property acquired or developed with L&WCF assistance shall be retained and used for public outdoor recreation. Any property so acquired or developed shall not be wholly or partly converted to other than public outdoor recreation uses*

without the approval of the NPS Regional Director pursuant to Section 6(f)(3) of the L&WCF Act and 36 CFR Part 59. The Director has the authority to disapprove conversion requests and/or to reject proposed property substitutions".

Department Contact Information

In every conversion, the community is responsible for completing all necessary steps. A third party cannot become the grantee's advocate or assume their responsibilities regarding the conversion. To obtain approval of a conversion, information listed in this procedure must be submitted by the grantee to the Michigan Department of Natural Resources (Department) for review. For assistance in working through the approval process, contact Grants Management at (517) 373-9125.

Mailing Address	Street Address
Grants Management	Grants Management
Department of Natural Resources	Department of Natural Resources
P.O. Box 30425	430 W. Allegan Street
Lansing, MI 48909-7925.	Lansing, MI

Early Coordination – Establishing the Boundary of the Conversion

Generally, the grant-assisted boundary will be considered the entire park unless otherwise stipulated through the grant agreement executed between the state and the grantee.

Grantees are requested to contact Grants Management as early in the process as possible to ensure that proper channels of communication are established. The first step in any conversion is agreement on the area converted, including both the shape and the total size of the area. Any conversion of less than the total grant-assisted site must take into consideration that total area impacted by the proposed non-conforming use, including necessary access routes and all possible intrusions into the remaining area. For example, cellular phone towers will require an access route for service and grantees should also consider the fall zone of the tower. In some cases, the proposed use of the area to be converted will prevent or diminish the intended recreation uses of the remaining site through noise, safety zone encroachment, or visual impairment. In some cases, the Department may determine that it is necessary to involve the National Park Service in the early coordination process to ensure proper procedures are followed and communications are established.

Only after the boundary of the conversion is established to the satisfaction of the Department may the grantee begin preparing the following documentation.

Required Information

To request approval of a conversion under the LWCF and/or MNRTF programs, provide the following information in writing to Grants Management. Please follow the outline shown.

**Procedures for Receiving Approval for Converting Grant-Assisted Property
Michigan Natural Resources Trust Fund (MNRTF)
Land and Water Conservation Fund (LWCF)
January 4, 2010**

1. **DESCRIPTION OF CONVERSION:** Describe the conversion being proposed (or that has already occurred). Describe the grant-assisted site and indicate how much of the site is involved in the conversion. Discuss the recreation opportunities and uses of the park before and after the conversion. Explain why the conversion is being considered or why it had occurred without prior approval. Also include information on how the control of the property will be conveyed; if other than in fee, include a copy of the conveyance document.
2. **PUBLIC REVIEW:** The proposed conversion must go through a rigorous public review process that includes ample opportunity for the residents of the community to review the proposed changes to the grant-assisted area as well as the proposed mitigation. The community must provide a copy of the public notice and a certified copy of the public meeting minutes. At a minimum, the residents must be given 30 days to review the proposed conversion, including a public meeting specific to the conversion and mitigation proposal. All issues and comments raised during the review process or at the subsequent meeting must be addressed in the final conversion request materials. For the LWCF, the public review process must adhere to National Environmental Protection Act (NEPA) standards.
3. **ALTERNATIVES TO THE PROPOSED CONVERSION:** Discuss all practical alternatives, including no action, to the proposed conversion and why they were rejected. If there is a viable alternative to converting grant-assisted property, the conversion will not be approved.
4. **BEFORE AND AFTER SITE PLANS FOR THE CONVERSION:** Provide a site plan or boundary map that depicts project boundary and uses of the grant-assisted park prior to being converted (or partially converted). Provide a separate site plan that depicts the project boundary and uses following the conversion. Show dimensions and acreage.
5. **MAP AND SITE PLAN FOR THE MITIGATION:** Provide a location map and site plan or map of the property proposed as mitigation (replacement). Show dimensions and acreage. More than one property can be used as mitigation. Property currently owned by the grantee or another public agency cannot be used as mitigation unless certain conditions are met. Please contact Grants Management for information on conditions that may apply.
6. **RECREATION USEFULNESS:** Provide an analysis of the recreation usefulness of the mitigation property in comparison to the conversion property. In essence, will the mitigation property replace the recreation opportunities lost through conversion of the project site? The mitigation property is not required to provide identical recreation experiences or be located at the same site as the conversion property. However, the recreation usefulness of the mitigation property should be equal or greater than the conversion property. ***Grantees are encouraged to discuss potential mitigation properties with Grants Management before preparing a formal request.***
7. **LOCAL RECREATION PLAN:** If your community has a plan in place, explain how the proposed development of the mitigation property is in accordance with the local recreation plan. If your community does not have a current recreation plan, other community planning documents may be utilized to support the request.

The information provided by the grantee will be evaluated for completeness and to determine whether the Department will support the conversion and mitigation

**Procedures for Receiving Approval for Converting Grant-Assisted Property
Michigan Natural Resources Trust Fund (MNRTF)
Land and Water Conservation Fund (LWCF)
January 4, 2010**

proposal. The grantee will be informed of the Department's determination in writing. Following a decision by the Department to support the conversion and mitigation proposal, a submittal will be prepared by the Department and sent to the National Park Service and/or the MNRTF Board, as appropriate. Proposals that are not supported by Department staff will not be forwarded to the NPS or the Board.

At this point, the Department will conduct an analysis of the proposed conversion. You should wait before proceeding to the next step, which involves the cost of appraisals. After receiving Department approval "in concept" on the proposed mitigation property and proposed public recreation for that property, continue with obtaining appraisals as outlined below. Adjustments to the mitigation proposal may be necessary depending on the outcome of the appraisals.

8. APPRAISALS:

Appraisals must be completed by a State Certified General Appraiser following appraisal standards provided by the Department. These standards will be used by the Department's Office of Land and Facilities to review the appraisals.

Evaluate the fair market value of the conversion property in relation to the mitigation property. The fair market value of the mitigation property, excluding the value of any buildings or facilities that do not enhance outdoor recreation, must be equal to or greater than the fair market value of the conversion property.

Appraisals of the conversion and mitigation properties must be performed to document that the mitigation property has a fair market value at least equal to the property to be converted.

For conversion proposals that involve LWCF-assisted sites, the following item is also required. Further guidance will be provided under separate cover.

- 9. ENVIRONMENTAL ASSESSMENT:** The Department will provide the grantee with a federal environmental screening form to be completed by the grantee agency. The screening form is used to identify potential or known negative effects to environmental or cultural resources, or social conditions, as the result of the proposed action. The completed form is to be sent to Grants Management for review. An environmental assessment report may not be necessary if none of the "triggers" apply to the conversion and mitigation proposal. If the Department determines that an environmental assessment is required, further guidance will be provided to the grantee. In that case, an environmental assessment of the conversion and mitigation properties must be completed.

- 10. STATE HISTORIC PRESERVATION OFFICE (SHPO) REVIEW:** Review of potential effects of the conversion and mitigation proposal on historical properties is conducted by the SHPO. A letter of "no effect" will need to be obtained from SHPO for the conversion property and the mitigation property. Follow the guidance provided. Note that SHPO has guidance specific to cell towers.



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

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Fax (734) 483-3871
www.barrlawfirm.com
e-mail: jbarr@barrlawfirm.com

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

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

REQUEST FOR LEGISLATION

DATE: February 11, 2015

FROM: John M. Barr, Ypsilanti City Attorney

SUBJECT: Agreement with Friends of Freighthouse for funding

SUMMARY/BACKGROUND

The City owns the Freighthouse, a historic building in Ypsilanti to be used for public gatherings. The Freighthouse is in need of renovation. FOYF have a management contract with City to manage the Freighthouse. FOYF and City desire that the Freighthouse be renovated to bring it up to State and City codes for use by the public. Both parties agree that the renovation of the Freighthouse is in the public interest. FOYF is working with the Michigan Economic Development Corporation (MEDC) on a fund raising project using the internet and the Patronicity crowdfunding platform (The Project.) MEDC has grant money available and will match certain funds on the Project provided FOYF is able to raise seed money as described in the grant documents. The proposed agreement is to memorialize the commitment of City to provide \$10,000 in funding to allow matching funds of all or part of the City contribution.



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

February 13, 2015  
Page 2

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ATTACHMENTS:      Proposed Resolution

RECOMMENDED ACTION:   Approval of resolution to enter into contract and pay \$10,000

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

CITY MANAGER COMMENTS:

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

COUNCIL ACTION TAKEN:



Resolution No. 2015-041  
February 17, 2015

Resolution to approve agreement with Friends of Ypsilanti Freighthouse  
to apply for grant and provide seed funds in amount of \$10,000

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

Whereas, The City of Ypsilanti owns the Freighthouse, a historic building in Ypsilanti to be used for public gatherings; and

Whereas, The Freighthouse is in need of renovation and the renovation is in for the public good and interest; and

Whereas, the Friends of the Ypsilanti Freighthouse (Friends) have a management contract with City to manage the Freighthouse; and

Whereas, the Friends is working with the Michigan Economic Development Corporation (MEDC) on a fund raising project using the internet and the Patronicity crowdfunding platform for renovation of the Freighthouse, and MEDC has grant money available and will match certain funds on the Project provided the Friends is able to raise seed money as described in the grant documents; and

Whereas, the City is supportive of the grant application and is desirous of providing money for the project in the amount of \$10,000 allow matching funds of all or part of the City contribution.

Now therefore be it resolved that the Ypsilanti City Council approves the attached agreement with the Friends of the Ypsilanti Freighthouse (Friends) and authorizes the Mayor and City Clerk to sign the agreement for and on behalf of the city and the city to pay the funds as indicated.

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

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

YES:            NO:            ABSENT:            VOTE:

## Agreement for Funding Freighthouse Renovations

Agreement by and between the City of Ypsilanti, (City) a Michigan Home Rule City of 1 South Huron, Ypsilanti, Mi and Friends of Ypsilanti Freighthouse (FOYF) a Michigan non-profit 501C3 corporation of Ypsilanti;

### Recitals

City owns the Freighthouse, a historic building in Ypsilanti to be used for public gatherings. The Freighthouse is in need of renovation. FOYF have a management contract with City to manage the Freighthouse. FOYF and City desire that the Freighthouse be renovated to bring it up to State and City codes for use by the public. Both parties agree that the renovation of the Freighthouse is in the public interest. FOYF is working with the Michigan Economic Development Corporation (MEDC) on a fund raising project using the internet and the Patronicity crowdfunding platform (The Project.) MEDC has grant money available and will match certain funds on the Project provided FOYF is able to raise seed money as described in the grant documents. This agreement is to memorialize the commitment of City to provide \$10,000 in funding to allow matching funds of all or part of the City contribution.

The City and FOYF agree:

1. FOYF will diligently pursue the Project and raising funds for renovation of the Freighthouse using grants available from MEDC and the Patronicity platform for crowdfunding to raise \$50,000 or more.
2. City will provide \$10,000 toward the Project. FOYF will request \$10,000 (or more) of matching funds for the City contribution from MEDC as outlined in the grant documents.
3. In consideration, FOYF agrees to solicit funds from other sources including private donors by crowdfunding using the Patronicity platform, and use the total of all funds collected in the renovation and for the benefit of the Freighthouse in accordance with grant and MEDC guidelines.
4. FOYF will keep accurate records and provide a full and accurate accounting of all funds collected and expended to the City at the first City Council meeting in June until the Project is completed.

5. FOYF agrees to comply with all Federal, State and Local laws, ordinances and regulations in the performance of this agreement.

Dated January \_\_\_\_, 2015

City of Ypsilanti

By: \_\_\_\_\_  
Amanda Edmunds, Mayor

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

Friends of Ypsilanti Freighthouse

By: \_\_\_\_\_  
President

Approved as to form:

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

By: \_\_\_\_\_  
Secretary



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

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

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

**REQUEST FOR LEGISLATION**

DATE: February 11, 2015

FROM: John M. Barr, Ypsilanti City Attorney

SUBJECT: Water Street Flats – PILOT Ordinance

**SUMMARY/BACKGROUND**

At its last meeting on February 3, 2015, City Council passed Ordinance No. 1240 on first reading. This ordinance provides for a PILOT of 10 percent of shelter rent (rent collected less utilities) to take effect for the proposed Water Street Flats property after the Brownfield TIF is fully reimbursed. The ordinance further provides that exemption from property taxes (and thus need for a PILOT) would terminate if the MSHDA debt is refinanced or paid off.

After this first reading, it was determined that the language of the ordinance that had passed inadvertently identified the incorrect TIF. This issue has been corrected for this version on second reading, and also more clearly lays out when the tax exemption would take effect. Additionally, this version for second reading also more precisely identifies the project parcel.

Since these changes are not substantive, this corrected ordinance may proceed to the second reading and adoption.

ATTACHMENTS: Proposed Ordinance for Second Reading

RECOMMENDED ACTION: Review and Consideration

---

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

CITY MANAGER COMMENTS:

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

COUNCIL ACTION TAKEN:

S:\Clerk's Office\CITY COUNCIL MEETINGS\CITY COUNCIL MEETINGS\2015 City Council Meetings\02-17-15\Water St. Flats 2nd Reading\Water Street Flats PILOT RFL for Second Reading 021015.doc



Resolution No. 2015-044  
February 17, 2015

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

That an ordinance entitled "Ypsilanti Tax Exemption Ordinance-Water Street Flats." be approved on Second and Final Reading.

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

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

YES:            NO:            ABSENT:            VOTE:

NOTICE OF ADOPTED ORDINANCE  
CITY OF YPSILANTI  
Ordinance No. 1240

An Ordinance to provide for a service charge in lieu of taxes for a housing project for low income persons and families to be financed with an Authority-aided Mortgage Loan or an advance or grant from the Authority pursuant to the provisions of the State Housing Development Authority Act of 1966 (1966 PA 346, as amended; MCL 125.1401, et seq) (the "Act").

THE CITY OF YPSILANTI ORDAINS:

SECTION 1. This Ordinance shall be known and cited as the "Ypsilanti Tax Exemption Ordinance-Water Street Flats."

SECTION 2. Preamble.

It is acknowledged that it is a proper public purpose of the State of Michigan and its political subdivisions to provide housing for its low income persons and families and to encourage the development of such housing by providing for a service charge in lieu of property taxes in accordance with the Act. The City is authorized by this Act to establish or change the service charge to be paid in lieu of taxes by any or all classes of housing exempt from taxation under this Act at any amount it chooses, not to exceed the taxes that would be paid but for this Act. It is further acknowledged that such housing for low income persons and families is a public necessity, and as the City will be benefited and improved by such housing, the encouragement of the same by providing real estate tax exemption for such housing is a valid public purpose. It is further acknowledged that the continuance of the provisions of this Ordinance for tax exemption and the service charge in lieu of all ad valorem taxes during the period contemplated in this Ordinance are essential to the determination of economic feasibility of the housing projects that is constructed or rehabilitated with financing extended in reliance on such tax exemption.

The City acknowledges that the Sponsor (as defined below) has offered, subject to receipt of a Mortgage Loan from the Michigan State Housing Development Authority, to construct, own and operate a housing project identified as Water Street Flats on certain property located at the future intersection of River Street and South Street in the City of Ypsilanti, County of Washtenaw, State of Michigan, and legally described as (the "Project"):

Part of Section 9, T3S, R7E, City of Ypsilanti, Washtenaw County, Michigan, described as: Commencing at the East ¼ corner of said Section; thence S1°49'34"W 328.02 feet along the East line of said Section; thence N88°10'26"W 1436.81 feet to the Place of Beginning; thence S81°37'17"W 321.33 feet; thence N2°22'02"E 272.82 feet; thence S88°03'48"E 297.91

feet; thence S2°22'02"W 96.64 feet; thence Southerly 49.33 feet along a 263.0 foot radius curve to the left, the long chord of which bears S3°00'20"E 49.25 feet; thence S8°22'43"E 70.70 feet to the Place of Beginning.

The Project will serve low income persons and families, and that the Sponsor has offered to pay the City on account of this housing project an annual service charge for public services in lieu of all ad valorem property taxes.

### SECTION 3. Definitions.

A. Authority means the Michigan State Housing Development Authority.

B. Annual Shelter Rent means the total collections during an agreed annual period from or paid on behalf of all occupants of a housing project representing rent or occupancy charges, exclusive of Utilities.

C. Low Income Persons and Families means persons and families eligible to move into a housing project.

D. Mortgage Loan means a loan or grant made or to be made by the Authority to the Sponsor for the construction, rehabilitation, acquisition and/or permanent financing of the housing project, and secured by a mortgage on the housing project.

E. Sponsor means Herman & Kittle Properties, Inc. and any entity that receives or assumes a Mortgage Loan.

F. Utilities means charges for gas, electric, water, sanitary sewer and other utilities furnished to the occupants that are paid by the housing project. Phone, cable, internet, and television services are specifically not considered utilities.

### SECTION 4. Class of Housing Projects.

It is determined that the class of housing projects to which the tax exemption shall apply and for which a service charge shall be paid in lieu of such taxes shall be housing projects for Low Income Persons and Families that are financed with a Mortgage Loan by the Authority. It is further determined that Water Street Flats is of this class.

### SECTION 5. Establishment of Annual Service Charge.

The housing project identified as Water Street Flats and the property on which it will be located is subject to the Water Street Redevelopment Area Brownfield Plan, approved by the City of Ypsilanti City Council on December 16, 2014 with final adoption by the Washtenaw County Board of Commissioners on February 18, 2015. As authorized by the Brownfield Redevelopment Financing Act, P.A. 381 of the State of Michigan, as amended,

and under the approved Brownfield Plan referenced above, an Act 381 Work Plan will be developed jointly between the City of Ypsilanti, the Sponsor, and the Washtenaw County Brownfield Authority, which will include all eligible brownfield activities to be reimbursed to the Sponsor. In addition, the Act 381 Work Plan will specify the total amount of Administrative Fees and Local Site Revolving Remediation Fund deposits to be paid to the Washtenaw County Brownfield Authority. This Act 381 Work Plan will then be approved by the State of Michigan. Following the completion of the reimbursement of all certified eligible brownfield expenses to the Sponsor by the Washtenaw County Brownfield Authority, and payment of any and all Administrative Fees and Local Site Revolving Remediation Fund deposits to the Washtenaw County Brownfield Authority, as specified in the above-referenced and approved Act 381 Work Plan, the Project shall be exempt from all ad valorem property taxes. The City acknowledges that the Sponsor and the Authority have established the economic feasibility of the housing project in reliance upon the enactment and continuing effect of this Ordinance, and the qualification of the housing project for exemption from all ad valorem property taxes and a payment in lieu of taxes as established in this Ordinance. Therefore, in consideration of the Sponsor's offer to construct and operate the housing project, the City agrees to accept payment of an annual service charge for public services in lieu of all ad valorem property taxes. Subject to receipt of a Mortgage Loan, the annual service charge shall be equal to ten percent (10%) of the Annual Shelter Rents actually collected by the housing project during each operating year.

#### SECTION 6. Contractual Effect of Ordinance.

Notwithstanding the provisions of section 15(a)(5) of the Act to the contrary, a contract between the City and the Sponsor with the Authority as third party beneficiary under the contract, to provide tax exemption and accept payments in lieu of taxes, as previously described, is effectuated by enactment of this Ordinance.

#### SECTION 7. Limitation on the Payment of Annual Service Charge.

Notwithstanding Section 5, the service charge to be paid each year in lieu of taxes for the part of the housing project that is tax exempt but which is occupied by other than low income persons or families shall be equal to the full amount of the taxes which would be paid on that portion of the housing project if the housing project were not tax exempt.

#### SECTION 8. Payment of Service Charge.

The annual service charge in lieu of taxes as determined under this Ordinance shall be payable in the same manner as general property taxes are payable to the City and distributed to the several units levying the general property tax in the same proportion as prevailed with the general property tax in the previous calendar year. The annual payment for each operating year shall be paid on or before April 15th of the following

year. Collection procedures shall be in accordance with the provisions of the General Property Tax Act (1893 PA 206, as amended; MCL 211.1, et seq).

#### SECTION 9. Duration.

This Ordinance shall remain in effect and shall not terminate so long as a Mortgage Loan remains outstanding and unpaid and the housing project remains subject to income and rent restrictions under the Low Income Housing Tax Credit Program or HOME Investments Partnership Program. The exemption from all ad valorem property taxes established by this Ordinance shall terminate upon the re-financing or payoff of the Authority mortgage loan(s) or upon the sale of the Development.

#### SECTION 10. Severability.

The various sections and provisions of this Ordinance shall be deemed to be severable, and should any section or provision of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid the same shall not affect the validity of this Ordinance as a whole or any section or provision of this Ordinance, other than the section or provision so declared to be unconstitutional or invalid.

#### SECTION 11. Inconsistent Ordinances.

All ordinances, resolutions, or parts of ordinances or resolutions inconsistent or in conflict with the provisions of this Ordinance are repealed to the extent of such inconsistency or conflict.

#### SECTION 12. 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 13. Publication and Effective Date.

The City Clerk shall cause this Ordinance, or a summary of this Ordinance, to be published according to Section 11.13 of the City Charter. 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 \_\_\_\_\_, 2015.

\_\_\_\_\_  
Frances McMullan, City Clerk

Attest

I do hereby confirm that the above Ordinance No. \_\_\_\_\_ was published according to  
Section 11.13 of the City Charter on the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
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 \_\_\_\_\_, 2015.

\_\_\_\_\_  
Frances McMullan, City Clerk

Notice Published: \_\_\_\_\_

First Reading: February 3, 2015

Second Reading: February 17, 2015

Published: \_\_\_\_\_

Effective Date: \_\_\_\_\_



REQUEST FOR LEGISLATION  
February 10, 2015

From: Bonnie Wessler, Acting Planner II

Subject: New Zoning Ordinance: Fee schedule update

In December, City Council approved the zoning ordinance revision. That revision introduced one new permit process, for temporary food concession sales (§122-35(7)), and removed another application process, for use variances. Staff proposes a fee of \$50 for the temporary food concession sales permit, as we anticipate spending approximately 2 hours per application, and to remove the fee for the use variance application.

Note that fees for other applications are unchanged at this time. Staff will be tracking the amount of time involved in processing applications under the new ordinance, and anticipates further revision with the annual fee schedule update this calendar year, and perhaps more substantial revisions for calendar year 2016.

RECOMMENDED ACTION: Approval

Attachments:

- Resolution

---

CITY MANAGER APPROVAL:

COUNCIL AGENDA DATE: 2-17-2015

CITY MANAGER COMMENTS:

FINANCE DIRECTOR APPROVAL:



Resolution No. 2015 -045  
February 17, 2015

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

WHEREAS, the City of Ypsilanti adopts an annual fee schedule; and

WHEREAS, the City approved a revision of the zoning ordinance in December that provides for two new types of permits, and removes also one type of application; and

WHEREAS, staff proposes a \$50 application fee for temporary use: food concession sales permits, and to remove the application fee for a use variance application.

NOW, THEREFORE, BE IT RESOLVED THAT the Ypsilanti City Council approves the amendment of the City fee schedule.

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

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

YES:                      NO:                      ABSENT:                      VOTE:



Resolution No. 2015 – 046  
February 17, 2015

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

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

| <b><u>NAME</u></b>                                                         | <b><u>BOARD</u></b>             | <b><u>TERM<br/>EXPIRATION</u></b> |
|----------------------------------------------------------------------------|---------------------------------|-----------------------------------|
| Erika Lindsay (reappointment)<br>317 N. Prospect<br>Ypsilanti, MI 48197    | Historic District Commission    | 1/31/2018                         |
| Ronald Rupert (reappointment)<br>421 N. Huron<br>Ypsilanti, MI 48197       | Historic District Commission    | 1/31/2018                         |
| Theresa Saunders (appointment)<br>2125 Collegewood<br>Ypsilanti, MI 48197  | Human Relations Commission      | 2/17/2018                         |
| Krista Nordberg (reappointment)<br>1411 Collegewood<br>Ypsilanti, MI 48197 | Human Relations Commission      | 2/17/2018                         |
| Sue Melke (appointment)<br>330 Chidester, #409<br>Ypsilanti, MI 48197      | Human Relations Commission      | 2/17/2018                         |
| Sally Lusk (reappointment)<br>1111 W. Clark Rd.<br>Ypsilanti, MI 48198     | Huron River Watershed Council   | 12/31/2017                        |
| Erica Mooney (reappointment)<br>109 Ferris, #4<br>Ypsilanti, MI 48197      | Millennial Mayors               | 12/31/2017                        |
| Greta Bolhuis (appointment)                                                | Millennial Mayors               | 12/31/2017                        |
| Delois Wilson (appointment)<br>418 Ainsworth<br>Ypsilanti, MI 48197        | Parks and Recreation Commission | 2/17/2018                         |

|                                                                                        |                                 |            |
|----------------------------------------------------------------------------------------|---------------------------------|------------|
| Andy Fanta (reappointment)<br>1221 Westmoorland<br>Ypsilanti, MI 48197                 | Review and Tax Assessment Board | 12/31/2017 |
| Craig Hupy (reappointment)<br>1124 N. Congress<br>Ypsilanti, MI 48197                  | Review and Tax Assessment Board | 12/31/2017 |
| Zachary Fineberg (appointment)<br>938 Sheridan St., Ypsilanti MI, 48197<br>(Alternate) | Review and Tax Assessment Board | 12/31/2017 |
| Eric Dotzauer (reappointment - Alternate)<br>213 E. Forest<br>Ypsilanti, MI 48198      | Review and Tax Assessment Board | 12/31/2017 |
| Jon Ichesco (appointment)<br>1218 Pearl St.<br>Ypsilanti, MI 48197                     | YCUA                            | 2/17/2018  |
| Clarence Hollifield (reappointment)<br>360 Worden<br>Ypsilanti, MI 48197               | Ypsilanti Housing Commission    | 2/17/2020  |

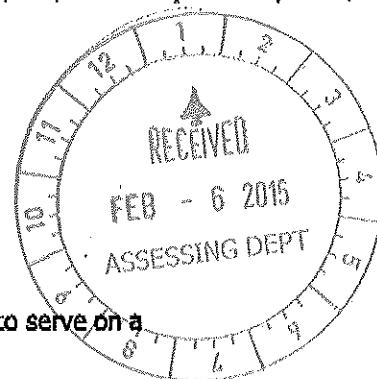
OFFERED BY: \_\_\_\_\_

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

YES:            NO:            ABSENT:            VOTE:



**CITY OF YPSILANTI  
BOARDS AND COMMISSIONS  
CITIZEN PARTICIPATION RESUME**



You must be a registered voter and a city resident to be eligible to serve on a City of Ypsilanti Board or Commission.

NAME: THERESA SAUNDERS

ADDRESS: 2135 COLLEENWOOD DR  
Ypsilanti, MI 48197

Number of years in the community: 2011 Ward you live in: \_\_\_\_\_

HOME PHONE: \_\_\_\_\_ Call: A.M. or P.M. (please circle)

CELL PHONE: 314-724-3872 WORK PHONE: 734-487-2779

EMAIL ADDRESS: Wmtward@aol.com

EDUCATION: B.A. Ed. - Boston University; Ed. D. - Uni. of S. California

CURRENT OCCUPATION: Asst. Prof. EMU

CURRENT EMPLOYER: EMU

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

a) Human Resource b) \_\_\_\_\_

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

To be of service to the Ypsilanti community regarding human resource issues, laws and concerns.

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

WORK/VOLUNTEER EXPERIENCE: Teach HR courses at EMU; Worked w/ HR Director as High School Principal & district superintendent

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

SIGNATURE: \_\_\_\_\_ DATE: 1/27/15

(Return completed form to: City Clerk's Office, 1 S. Huron Street, Ypsilanti, MI 48197)

## Frances McMullan

---

**From:** blueeyedpupil melke <smelke@msn.com>  
**Sent:** Thursday, January 29, 2015 12:12 PM  
**To:** Frances McMullan  
**Subject:** RE: Board or Commission Appointment

---

**From:** [smelke@msn.com](mailto:smelke@msn.com)  
**To:** [amandaforypsi@gmail.com](mailto:amandaforypsi@gmail.com)  
**Subject:** RE: Board or Commission Appointment  
**Date:** Thu, 29 Jan 2015 12:10:43 -0500

hello amanda and frances,

i resubmitted the form but i think its not working. my current phone number is [REDACTED] Below is my short paragraph about me and why i'm interested in serving on the human relations commission

i have been a resident of the first ward of ypsilanti for 8 years. i have attended a number of city meetings and have spoken to the officials and residents. i think ypsis' most valuable asset is its incredibly diverse population. i was involved with WEFD and with the ypsilanti tenants' rights association. i am currently the president of the Chidester place resident council. And have met with city officials and spoken at council meetings in that capacity. As a resident of a subsidized apartment and a person with mobility impairment i believe i can bring those voices to the commission. i also want to help bring other voices that may not be being heard to the city officials.

Before i became disabled i had worked since i was 14. my last position was as a data analyst at Bowne, the worlds largest financial printer.

if you have other questions just let me know,  
regards,

Susan Melke

ps my keyboard is having a hard time with upper case letters sorry

---

----- Forwarded message -----

From: **S. Zachary Fineberg** <[zachary@finebergwealth.com](mailto:zachary@finebergwealth.com)>

Date: Mon, Dec 22, 2014 at 9:40 PM

Subject: Regarding a Role as Volunteer

To: [mayor@cityofypsilanti.com](mailto:mayor@cityofypsilanti.com)

Amanda,

I appreciate the call this evening. Per our conversation, here is a summary of my skillset and goals regarding my role as a potential volunteer for the city.

I own an investment management practice in Ann Arbor (now with a home office in Normal Park!). Please check out the website: <http://www.finebergwealth.com>.

My wife, a current volunteer at Growing Hope, teaches art at a Montessori school in Ann Arbor.

I am formally educated in finance and capital budgeting but specialize in personal financial planning for clients with complex situations. I spent time working for large brokerage firms before going out on my own in order to fully align my interests with my clients. Never looked back!

I have experience and feel confident:

- Speaking publicly
- Speaking privately ☺
- Using analogies to explain complex concepts

I am knowledgeable about:

- Capital Markets, Investment Portfolio Management, Banking, and Real Estate,
- Entrepreneurship
- Architecture
- Audio Recording and Production

Through this volunteering opportunity I hope to:

- Have the opportunity to lead in some capacity
- Engage directly with people

Thanks Amanda. I'm looking forward to working together.

Have a relaxing holiday!

Zachary Fineberg

| <b><u>Board</u></b>              | <b><u>First Name</u></b> | <b><u>Last Name</u></b> | <b><u>Expiration Date</u></b> |
|----------------------------------|--------------------------|-------------------------|-------------------------------|
| AAATA                            | Gillian                  | Ream                    | 5/1/2018                      |
| Dangerous Buildings Officer      | Gregory                  | Marker                  | N/A                           |
| Economic Development Corporation | Barb                     | Furman                  | open                          |
| Economic Development Corporation | Brent                    | Lenart                  | 6/30/2017                     |
| Economic Development Corporation | John                     | Lusk                    | open                          |
| Economic Development Corporation | Roland                   | Smith                   | open                          |
| Ethics                           | Sally                    | Lusk                    | 10/16/2018                    |
| Ethics                           | Evan                     | Dority                  | 4/3/2017                      |
| Ethics                           | Patrick                  | McLean                  | 8/1/2015                      |
| Fire Civil Service               | John                     | McMillan                | 1/10/2018                     |
| Fire Civil Service               | Robert                   | Jones                   | 1/11/2016                     |
| Fire Civil Service               | Michael                  | Vincent                 | 1/12/2016                     |
| Fire & Police Pension            | Donald                   | Person                  | N/A                           |
| Fire & Police Pension            | Patrick                  | Quinn                   | N/A                           |
| Historic District Commission     | Michael                  | Condon                  | 1/31/2017                     |
| Historic District Commission     | Jennifer                 | Henricksen              | 1/31/2015                     |
| Historic District Commission     | Alex                     | Pettit                  | 1/31/2016                     |
| Historic District Commission     | Henry                    | Prebys                  | 1/31/2017                     |
| Historic District Commission     | Ronald                   | Rupert                  | 1/31/2015                     |
| Historic District Commission     | Jane                     | Schmiedeke              | 1/31/2016                     |
| Historic District Commission     | Anne                     | Stevenson-Less          | 1/31/2017                     |
| Historic District Commission     | Erika                    | Lindsay                 | 1/31/2015                     |
| Human Relations Commission       | Benjamin                 | Elmgren                 | 2/6/2016                      |
| Human Relations Commission       | Arika                    | Lycan                   | 11/1/2015                     |
| Human Relations Commission       | Claudia                  | Pettit                  | 2/6/2016                      |
| Human Relations Commission       | Darlene                  | Scott                   | 1/22/2016                     |
| Human Relations Commission       | John                     | Shuler                  | 11/1/2015                     |
| Human Relations Commission       | Jennifer                 | Symanns                 | 4/5/2017                      |
| Huron River Watershed            | Lisa                     | Wozniak                 | 4/22/2015                     |
| Non-Motorized Advisory Committee | Kevin                    | Hill                    | Jan-2016                      |
| Non-Motorized Advisory Committee | Bob                      | Krzewinski              | Jan-2015                      |
| Non-Motorized Advisory Committee | Richard                  | Murphy                  | Jan-2015                      |
| Non-Motorized Advisory Committee | Laura                    | Shiltz                  | Jan-2016                      |
| Non-Motorized Advisory Committee | Cheryl                   | Weber                   | Jan-2015                      |
| Non-Motorized Advisory Committee | Anthony                  | Bedogne                 | Jan-2016                      |
| Non-Motorized Advisory Committee | Diana                    | Gonzales                | Jan-2016                      |
| Parks & Recreation               | Linda                    | Horne                   | 11/1/2015                     |
| Parks & Recreation               | Macallan                 | Winning                 | 11/1/2015                     |
| Parks & Recreation               | Bob                      | Krzewinski              | 6/19/2016                     |
| Parks & Recreation               | Eric                     | Maes                    | 5/1/2017                      |
| Parks & Recreation               | Conan                    | Malmer                  | 4/23/2016                     |
| Parks & Recreation               | Bob                      | Mossing                 | 6/19/2016                     |
| Parks & Recreation               | Cathy                    | Thorburn                | 6/19/2016                     |
| Planning                         | Phil                     | Hillifield              | 5/1/2016                      |
| Planning                         | Roderick                 | Johnson                 | 5/1/2016                      |
| Planning                         | Richard                  | Murphy                  | 5/1/2015                      |

|                                    |          |               |            |
|------------------------------------|----------|---------------|------------|
| Planning                           | Heidi    | Jugenitz      | 5/1/2017   |
| Planning                           | Cheryl   | Zuellig       | 5/1/2015   |
| Planning                           | Anthony  | Bedogne       | 5/1/2015   |
| Planning                           | Nicki    | Sandberg      | 5/1/2017   |
| Planning                           | Dan      | Lautenbach    | 5/1/2015   |
| Planning                           | Scott    | Straley       | 5/1/2016   |
| Review & Tax Assessment Challenges | Erik     | Dotzauer      | 12/31/2014 |
| Review & Tax Assessment Challenges | Andy     | Fanta         | 12/31/2014 |
| Review & Tax Assessment Challenges | Craig    | Hupy          | 12/31/2014 |
| Smartzone LDFA                     | Vince    | Chimielewski  | 6/30/2015  |
| Smartzone LDFA                     | Bilal    | Saeed         | 12/4/2016  |
| Smartzone LDFA                     | Caryn    | Charter       | 6/30/2017  |
| Smartzone LDFA                     | Stephen  | Rapundalo     | 6/30/2017  |
| WaterStreet Recreation Center      | D'Real   | Graham        |            |
| WaterStreet Recreation Center      | Bob      | Krzewinski    |            |
| WaterStreet Recreation Center      | Pete     | Murdock       |            |
| WaterStreet Recreation Center      | Kelly    | Weger         |            |
| WaterStreet Recreation Center      | Cheryl   | Zuellig       |            |
| YCUA                               | Michael  | Bodary        | 2/1/2016   |
| YCUA                               | Andy     | Cameron       | 12/1/2015  |
| YDDA                               | Kenneth  | Dobson        | 7/7/2017   |
| YDDA                               | Kevin    | Hill          | 7/7/2016   |
| YDDA                               | Karen    | Maurer        | 7/7/2016   |
| YDDA                               | Brienne  | Willcock      | 7/7/2015   |
| YDDA                               | Rois     | Saavides      | 7/7/2015   |
| YDDA                               | Mark     | Teachout      | 7/7/2018   |
| YDDA                               | James    | Dauphine      | 7/7/2018   |
| YDDA                               | Adam     | Gainsley      | 7/17/2017  |
| YDDA                               | Richard  | Smith         | 7/7/2016   |
| YDDA                               | Jessica  | French-Cossey | 7/7/2018   |
| Housing Commission                 | Tabitha  | Boone         | 10/21/2016 |
| Housing Commission                 | Ariel    | Moore         | 12/31/2017 |
| Housing Commission                 | E. Renee | Smith         | 10/21/2015 |
| Housing Commission                 | Valerie  | Bieberich     | 12/31/2018 |
| Zoning Board of Appeals            | Nicki    | Sandberg      | 5/1/2015   |
| Zoning Board of Appeals            | John     | Bailey        | 5/1/2017   |
| Zoning Board of Appeals            | Roderick | Johnson       | 5/1/2016   |
| Zoning Board of Appeals            | Tom      | Roach         | 5/1/2017   |
| Zoning Board of Appeals            | Eric     | Seymour       | 5/1/2016   |
| Zoning Board of Appeals            | Jake     | Albers        | 5/1/2017   |

## **Ypsilanti Parks and Recreation**

### **Liaison Report**

**February 2015**

#### **General Business**

##### Officer Elections for 2015-16

- Chairperson - Linda Horne
- Vice Chairperson – Cathy Thorburn
- Secretary – Bob Krzewinski

#### **Continuing Business Items Discussed**

- Park Capitol Fee Revenue and Expenses through 2014
- Adopt a Park applications. A Brown stated she knew of three applications being submitted to S. Kirton for review before the end of the month. One application is being updated for Water works.
- City Facilities
  - Kitchen improvements at Rec Center
  - Solar panels at Parkridge Center
- Commission events –
  - Co-sponsored Friday Night Movie at 7pm in Ypsi Historical Museum Basement annex
  - Ypsi Huron River Days in May and October 2015 still in the planning stages
  - Ypsi Pride Day is scheduled for May 16, 2015. Applications for teams in online.
  - Discussion of other recreational activities involving partners such as EMU, and Eagle Scouts.
  - Proposed Washtenaw County Rec Center
  - Commission E-News
  - Grant Funding to assist with maintenance and upgrades needed
  - CDBG Funds

#### **Old Business**

Updates from Friends of Penn Park provided by P. Murdock and A. Brown. C. Thorburn discussed Rutherford Pool and plans for 2015.

Continued discussion of updating and making park signage consistent throughout city.

Members discussed current vacancies on council and A. Brown stated Mayor Edmonds indicated she has a list of names to submit to council for appointment and some for reappointment.

Those present identified current vacancies and know the Commission consists of three city residents from each ward and two youth.

Submitted by:

Anne Brown, Parks and Rec Liaison



Resolution No. 2015-047  
February 17, 2015

**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:



## ACTION MINUTES

**CITY OF YPSILANTI  
COUNCIL MEETING AGENDA  
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.  
YPSILANTI, MI 48197  
Tuesday, February 17, 2015  
7:00 p.m.**

**I. CALL TO ORDER –**

**Meeting called to order at 7:04 p.m.**

**II. ROLL CALL –**

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

**All present**

**III. INVOCATION –**

**IV. PLEDGE OF ALLEGIANCE –**

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

**V. INTRODUCTIONS –**

**VI. AGENDA APPROVAL –**

**Agenda approved as amended. (Addition of Res. No. 2015-048)**

**VII. PRESENTATIONS –**

**VIII. AUDIENCE PARTICIPATION –**

**IX. REMARKS BY THE MAYOR –**

**X. MINUTES –**

Resolution No. 2015-032, approving the minutes of Feb. 3 and Feb. 9, 2015  
**Minutes were approved as submitted**

**XI. PUBLIC HEARINGS –**

1. Public hearing to consider an ordinance to vacate Lathers Street, located between the City boundary to the west and Warner Street to the east, within the City of Ypsilanti. ***(Second Reading - Ordinance No. 1237)***
  - A. Resolution No. 2015-033, determination  
**Approved: Yes – 7; No – 0; Absent – 0**
  - B. Open public hearing
  - C. Resolution No. 2015-034, close public hearing  
**Approved: Yes – 7; No – 0; Absent – 0**
2. Public hearing to consider an ordinance to close alley: Forest/Prospect/Oak/River, second north-south alley from east. ***(Second Reading – Ordinance No. 1238)***
  - A. Resolution No. 2015-035, determination  
**Approved: Yes – 7; No – 0; Absent – 0**
  - B. Open public hearing
  - C. Resolution No. 2015-036, close public hearing  
**Approved: Yes – 7; No – 0; Absent – 0**

**XII. ORDINANCES – FIRST READING –**

***Ordinance No. 1242***

1. Ordinance to vacate an alley located at Whittier/Cornell/Washtenaw/Mansfield, easternmost portion immediately south of 1403 Whittier.
  - A. Resolution No. 2015-042, determination  
**(Petition Denied) Approved as amended: Yes – 7; No – 0; Absent – 0**
  - B. Open public hearing
  - C. Resolution No. 2015-043, close public hearing  
**Approved: Yes – 7; No – 0; Absent – 0**

**XIII. CONSENT AGENDA –**

Resolution No. 2015-037

1. Resolution No. 2015-038, approving an ordinance to amend Section 78-100 of the Ypsilanti City Code to include electronic vaporizing and nicotine delivery systems with prohibited smoking in the City's tot-lot playgrounds. ***(Second Reading- Ordinance No. 1241)***  
**Approved: Yes – 7; No – 0; Absent – 0**
2. Resolution No. 2015-039, adopting the Housing Affordability and Economic Equity Analysis report.  
**Approved: Yes – 7; No – 0; Absent – 0**

3. Resolution No. 2015-040, approving the Frog Island Park MDNR Grant Obligation Conversion.

**Approved: Yes – 7; No – 0; Absent – 0**

4. Resolution No. 2015-041, approving agreement with Friends of Ypsilanti Freighthouse to apply for a grant and provide seed funds in the amount of \$10,000.

**Approved: Yes – 7; No – 0; Absent – 0**

#### **XIV. RESOLUTIONS/MOTIONS/DISCUSSIONS –**

1. Resolution No. 2015-044, approving an ordinance titled "Ypsilanti Tax Exemption Ordinance – Water Street Flats" to provide for a service charge in lieu of taxes for a housing project for low income persons and families to be financed with an Authority-aided Mortgage Loan or an advance or grant from the Authority pursuant to the provisions of the State Housing Development Authority Act of 1966 (1966 PA 346, as amended; MCL 125.1401, et seq) (the "Act"). ***(Second Reading – Ordinance No. 1240)***

**Approved: Yes – 5; No – 2 (Murdock, Robb); Absent – 0**

2. Resolution No. 2015-045, approving new Zoning Ordinance fee schedule.

**Approved: Yes – 7; No – 0; Absent – 0**

3. Resolution No. 2015-046, approving appointments to Boards and Commissions.

**Substitute Resolution Approved: Yes – 7; No – 0; Absent – 0**

4. Resolution No. 2015-048, supporting solar array installation on city owned parcel located at I-94 and Huron Street. ***(Added)***

**Approved: Yes – 7; No – 0; Absent – 0**

#### **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
- G. Millennial Mayors Conference
- H. Ypsilanti Downtown Development Authority
- I. Eastern Washtenaw Safety Alliance

#### **XIV. COUNCIL PROPOSED BUSINESS –**

#### **XV. COMMUNICATIONS FROM THE MAYOR –**

**XVI. COMMUNICATIONS FROM THE CITY MANAGER –**

**XVII. AUDIENCE PARTICIPATION –**

**XVIII. REMARKS FROM THE MAYOR –**

**XIX. ADJOURNMENT -**

Resolution No. 2015-047, adjourning the City Council meeting.

**Meeting adjourned at 9 :15 p.m.**