

1. City Council Regular Meeting Agenda

Documents:

[REVISED 4-21-15 FINAL AGENDA.PDF](#)

2. City Council Regular Meeting Packet

Documents:

[4-21-15 REVISED COUNCIL PACKET_REDACTED.PDF](#)

3. City Council Regular Meeting Action Minutes

Documents:

[4-21-15 ACTION MINUTES.PDF](#)



**CITY OF YPSILANTI
COUNCIL MEETING AGENDA
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
Tuesday, April 21, 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. 2015-089, approving the minutes of April 7, 2015.

XI. ORDINANCES - FIRST READING –

Ordinance No. 1245

1. An Ordinance to Amend the Zoning Ordinance, Sec 122-8, to Revise "Violations and Penalties" for the Administrative Hearings Bureau (AHB).
 - a. Resolution No. 2015-090, determination
 - b. Open public hearing
 - c. Resolution No. 2015-091, close public hearing
2. An Ordinance to Amend the Zoning Ordinance. Article VI, to Revise Non-conforming Uses.

Ordinance No. 1246

 - a. Resolution No. 2015-092, determination
 - b. Open public hearing
 - c. Resolution No. 2015-093, close public hearing
3. An Ordinance to Amend Ypsilanti City Code Chapter 102 "Traffic and Vehicles" for Permit Parking.

Ordinance No. 1247

 - a. Resolution No. 2015-094, determination
 - b. Open public hearing
 - c. Resolution No. 2015-095, close public hearing

XII. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2015-084, adopting engineering standards for the development of projects in the city.
2. Resolution No. 2015-096, approving the Memorandum of Understanding (MOU) for a Target Market with the City of Dexter.
3. Resolution No. 2015-097, approving the contract amount of \$29,400 for professional services rendered by Beckett and Raeder.
4. Resolution No. 2015-098, forgiving part of the debt for the Heritage Festival. (Mayor)

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. COMMUNICATIONS -

- Chidester Place Inspection Documents.
- Parks and Recreation Commission Liaison Report.
- Council Work Session scheduled for April 28, 2015 at 6:00 p.m. in the Council Chambers. Items for discussion are parking, motor pool, and other items.
- Council Budget Sessions are scheduled for May 12th, 16th, and 19th at 6:00 p.m. in the Council Chambers.

XX. ADJOURNMENT -

Resolution No. 2015-099, adjourning the City Council meeting.



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XX. ADJOURNMENT -

Resolution No. 2015-099, adjourning the City Council meeting.



Resolution No. 2015 – 089
April 7, 2015

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Minutes of April 7, 2015 be approved.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



DRAFT

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

I. CALL TO ORDER –

The meeting was called to order at 7:05 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 –

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 –

None

VI. AGENDA APPROVAL –

Council Member N. Brown moved, supported by Council Member A. Brown to approve the agenda.

Council Member Robb moved to amend the agenda to remove Resolution No. 2015-084.

Council Member A. Brown moved to amend the agenda and move Resolution No. 2015-083 to after the minutes.

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

VII. PRESENTATIONS –

Proclamation – Mayor’s Day of Recognition for National Service

Mayor Edmonds stated 2,630 Mayors across the country are thanking those for their volunteer service in various organizations and acknowledged three organizations Retired Senior Volunteer Program, Foster Grandparents, and Americore VISTA, and thanked them for their service.

Presentation – Chidester Place Management

Mr. Stavedahl, Director of Legal Affairs and in-house counsel for Independent Management Services, the property management firm servicing Chidester Place Apartments. Mr. Stavedahl introduced two Vice Presidents; Blake Hunter and Mark Sack who have had experience with Chidester since 2005 when Independent Management Services took over the property and as of March 2015 Chidester scored 95 out of 100 on a Real Estate Assessment Center (REAC) Score.

Council Member Murdock asked Mr. Stavedahl to explain concerns regarding mold, and the heating and cooling system at Chidester.

Mr. Stavedahl replied in September there was a complaint regarding mold in a resident’s unit which was examined twice and the test stated it was at acceptable limits. He stated there have been issues with gaining access to resident’s apartments, who at times refuse entrance. He stated individual medical conditions may create a greater susceptibility and pets could add to the problem. He added trees near the property may transfer spores to units and each unit has specific heating and cooling systems which have been cleaned.

Council Member A. Brown asked what the remediation process was.

Mr. Stavedahl responded it was consistent with IIIRC remediation standards and to date there have only been complaints from two residents.

Blake Hunter, Independent Management Services, stated an independent third party test was performed and the outdoor spore counts were higher than any of the building’s units.

Mayor Edmonds asked how many units received remediation.

Mr. Stavedahl replied every unit received remediation.

Mayor Edmonds asked when the remediation took place.

Mr. Stavedahl responded earlier this year.

Mayor Edmonds asked if spore levels prior to January prompted the remediation.

Mr. Stavedahl answered the remediation was in response to resident complaints. However, he stated there is not a concern, that the entire building was affected by mold.

Council Member A. Brown asked if there was any testing before the remediation.

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Mr. Stavedahl replied prior testing was performed on one specific unit. He added the entire building was not tested because the issue does not affect the entire building.

Mayor Edmonds asked what the internal complaint process is and how is it documented.

Mark Sack, Independent Management Services, explained when a resident has a complaint it should be reported at the rental office in writing and the manager would take care of any normal service request. He stated in this instance, the request came in form of a petition, describing a concern of mold in the building. He said the petition was used as a target list to address all units on that petition.

Mayor Edmonds asked if there is a complaint form.

Mr. Sack replied yes, there is a site complaint form.

Mr. Stavedahl stated during the April 7th Council Meeting, a "mold awareness" policy was discussed. He said the addendum to the lease, which is certified by Housing and Urban Development (HUD), simply states that residents must inform management within 24 hours of seeing mold, or if they believe mold is present.

Council Member A. Brown asked if Mr. Stavedahl had a copy of the addendum.

Mr. Stavedahl responded he did not, but said he would be happy to provide one for Council.

Mayor Edmonds asked if the addendum is recent.

Mr. Stavedahl replied no, and said it was not created in response to this situation.

Council Member Vogt asked when did the symptoms begin in and when did they end for those units who reported them.

Mr. Stavedahl answered in one particular case symptoms began in 2014 and a few others began in 2015. He said he does not recall any petitions that described symptoms, such as vomiting, except for one that was addressed specifically.

Council Member Vogt asked if any residents reporting symptoms have had a medical evaluation.

Mr. Stavedahl replied he does not know.

Mayor Edmonds asked what a reasonable accommodation would be for an individual with an auto-immune susceptibility.

Mr. Stavedahl responded it is difficult to estimate because a reasonable cost would be balanced with the ability to provide a livable unit.

Mayor Edmonds asked about adding additional filtration.

Mr. Stavedahl replied that is a possibility, but currently each unit has its own filtration.

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City Manager Lange stated there was a claim made that a unit was so bad that the mold turned the walls black, and the resident was placed in a hotel during remediation. He asked if the claim was true.

Mr. Stavedahl replied that is false, the reason why the resident was provided hotel accommodations was to allow time for the anti-microbial solution to sit and take effect.

Mayor Edmonds asked Mr. Lange for the amount of complaints received by the Building Department regarding mold at Chidester.

Mr. Lange replied the Building Department is in the process of inspecting Chidester Place, but have not received any specific complaints.

Mr. Stavedahl asked that he be provided notice of complaints received by the City.

Mr. Lange responded reports are public record.

City Attorney Barr responded a continuing request under FOIA could be filed for a specified time period.

Council Member Murdock stated when the City performs an inspection on a complaint the results are provided to management.

Council Member A. Brown asked if Independent Management Services has met with the resident council to discuss its findings.

Mr. Stavedahl responded there has not been a formal meeting with the resident council, nor has there been a formal request for management to meet with the council.

Council Member A. Brown asked if Independent Management Services would take the initiative to meet with the resident council.

Mr. Stavedahl replied yes, and said he is also willing to provide residents with his direct phone extension. Mr. Stavedahl stated to date there have been no communications with a resident council, nor is he aware that one exists.

Mayor Pro-Tem Richardson confirmed there is a resident council and said she has spoken with them.

Council Member A. Brown asked if Vice Presidents Mark Sack and Blake Hunter are based at Chidester Place.

Mr. Hunter responded no, there are site managers and a property manager for Chidester Place.

Mayor Edmonds explained the resident council is not a formal body, so it is not unlikely that formal requests were made, but site managers and the property manager should be involved with that group.

Mr. Stavedahl stated current practice is to handle each complaint individually which is why management has not met with the council, but in the future Independent Management Services would be willing to make that connection.

VIII.AUDIENCE PARTICIPATION –

1. Alexandra Way, 202 Sellers Hall, stated she is a Senator on student government and would like to see an increased connection between the University and the City. She said an initiative she has worked on is getting local business to provide coupons to students. Unfortunately, many students are not aware of businesses in Ypsilanti and asked the City for help in making this connection and help market the City to Eastern's student body. Ms. Way stated she is drafting a resolution for the Public Affairs Committee to include an off-campus event and asked Council and City staff to contact her with any ideas or strategies.
2. Roland Seizmore, 7727 Tuttle Hill, stated he has spoken with the YMCA who is interested in putting soccer fields in Waterworks Park. Also, he recommended the DDA and Eastern Leaders Group encourage property owners on Huron Street to improve the rear of their properties. He thanked Mayor Edmonds in getting local artists in community buildings. He stated he is not in favor of consolidating the Ypsilanti and Ann Arbor Convention and Visitors Bureau and hopes for support in maintaining the current structure.
3. Jim Mogensen, 330 Chidester #718, stated he lives across the hall from Mr. Thompson who has come before Council to discuss levels of mold at Chidester. He stated Mr. Daniels, of the Building Department, is performing inspections because it is required for multi-family dwellings. He said Chidester Place has been inspected as required, as part of the HUD REAC Inspection, and management is required to share the results with tenants. He said this is an opportunity for the City of Ypsilanti to resolve this situation.
4. Deb Locke Daniel, 273 Woodlake Drive, Brighton, MI, stated the Ypsilanti Area Conventions and Visitors Bureau (YACVB) is working on a branding project for the City and would love the input from Council. She stated the 'wayfinding' project is underway and the YACVB will be asking for financial buy-in from the City and to be placed on a future agenda.
5. Sally Richie, 40-42 E. Cross, stated she is excited that Council will be examining the DDA and the TIF in Depot Town and it is impressive how far Depot Town has come since the inception of the TIF district. She stated she was not aware that this matter was coming before Council, and received no notice of the public hearing for the March 17th meeting.

Council Member Murdock stated at the April 21st meeting Council will hear a second reading which will include a public hearing.

6. Janet Rook, 3002 Forest Creek Ct, Ann Arbor, Depot Town business owner, stated she appreciates the resolution of support for the Convention and Visitors Bureau and it has been invaluable to her business. Expressed appreciation to the DDA and all that it has accomplished in Depot Town.

7. Rex Richie, 40-42 E. Cross, stated he, and all other business owners in the Depot Town, feel that the DDA grants have a tremendous effect on the appearance of the district.
8. Ralph William Thompson, Chidester Place #717, stated he is the resident the representation from Chidester Place was referencing. Mr. Thompson said that he has never seen the three individuals representing Chidester Place nor has he seen other staff members on a daily basis. He said he has the documentation to submit to the Building Department. He said another test was performed on his and Judith Winters' apartments on March 22, 2015. He said that Ms. Winters has never refused entrance to her apartment and remediation was performed. However, Ms. Winters was asked to allow Chidester Place to perform further remediation which she did refuse. Mr. Thompson stated he was accused that he stated there was visible mold in his apartment which he refuted, but there are apartments at Chidester Place that do have visible mold. Mr. Thompson added that independent tests that were performed on his and Ms. Winters' apartments still indicate spore levels are too high and remediation is not complete.
9. Michelle Barney, 330 Chidester Place #406, stated if Council has not read the documents she submitted at the March 17th meeting it becomes difficult to assess the situation. She said she does not understand how the attorney has not received the complaints which are listed in the documents she provided to Council. Ms. Barney stated the problem is management shows no respect to the residents which is why management is not approached. Ms. Barney submitted pictures of a Chidester Place apartment with mold.
10. Zachary Stavedahl, Fenton, MI, stated the photographs of mold in Apartment #806 is new information and will be looked into to remediate. He explained each mold test performed includes a disclaimer that states pets will increase spore levels. Mr. Stavedahl said he misspoke when he said that complaints have not been received, and referenced Mr. Hunter statement that management had received a petition and each resident on that petition was reached out to. He said the test completed in January of 2015 on Mr. Thompson's unit tested at appropriate levels. Mr. Stavedahl asked Council while reading the tests results also read the disclaimers.
11. Cheryl Farmer, 214 N. Huron, stated she is in favor of the Depot Town TIF renewal. She said that Depot Town defines Ypsilanti in a very positive way and individuals that have not been to Ypsilanti have heard of the Sidetrack. Members of the DDA have been excellent stewards of TIF generated funds both in long term and short term projects.
12. Carolyn McKeever, property owner in Depot Town, stated the DDA has provided help to her through grants provided by the DDA. She stated some store owners would not be able to make improvements to their buildings without the assistance of the DDA.
13. Lee Tooson, 107 Middle, stated that the Mayor has a lot of work to do to improve the condition of Chidester Place. Mr. Tooson said the Mayor should be checking in on the residents of Chidester Place. He said the public has been asking for a stop sign at Middle and Ferris for many years with little success. He asked Council Member N. Brown to not take "no" for an answer regarding the stop sign. He asked the Mayor to pay close attention to the Washington St.

house rather than relying on messages from staff. He asked Council to support City Manager Lange and not let what others say about him have an effect on their opinion.

IX. REMARKS BY THE MAYOR –

- Said she appreciated what was said by the residents of Chidester Place as well as the Independent Management Services representation. She said she hopes to see on site managers at City Council meetings in the future and there is clearly a breakdown in communication between management and residents.
- Stated she is anxious to see the results of the building inspections of Chidester Place performed by the City.
- Said the reports given to Council are very technical and are difficult to understand for individuals without expertise on the subject, but appreciated the information and said it that can help improve living situations.

Mayor Pro-Tem Richardson stated she has been attempting to contact Washtenaw County Department of Environmental Health.

- Said she appreciates the comments in support of the Ypsilanti Area Conventions and Visitors Bureau.
- Asked the Downtown Development Director Tim Colbeck to describe the noticing process for public hearings related to the TIF renewal.

DDA Director Tim Colbeck stated in congruence with State Law, each physical address in Depot Town was notified by first class mail. He said 20 posters were posted and two public notices were published in the Washtenaw Now newspaper publication.

X. MINUTES –

Resolution No. 2015-076, approving the minutes of March 17, 2015.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Minutes of March 17, 2015 be approved.

Council Member Murdock motioned, supported by Council Member A. Brown to approve the minutes as submitted.

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

1. Resolution No. 2015-083, supporting the Ypsilanti Area Convention and Visitor's Bureau (YACVB).

**RESOLUTION OF SUPPORT FOR THE YPSILANTI AREA
CONVENTION AND VISITORS BUREAU AND OPPOSITION TO
ANY REDUCTION OR REALLOCATION OF THEIR FUNDING**

WHEREAS, the Ypsilanti Area Convention and Visitors Bureau (YACVB) was established in 1974 by the enactment of State Bill 263, which allowed for the collection of a countywide lodging tax from 2-5% on each occupied overnight room. At that time two separate and distinct Bureaus formed, one in Ann Arbor who receives 75% of the lodging assessment and the Ypsilanti CVB who receives 25%; and

WHEREAS, the YACVB is a 501(c)(6) organization with a mission to conduct an aggressive marketing and sales program, stressing the advantages of the Ypsilanti area in particular and Washtenaw County in general. This includes promoting the area as a viable destination for meetings, conventions, sporting events and leisure travel; and

WHEREAS, since 1974 the YACVB has promoted the distinctly unique assets and attractions of the Ypsilanti Area and has become an important economic engine for Ypsilanti in particular and Washtenaw County in general by increasing awareness of Ypsilanti as a travel destination through targeted market strategies, support for new and expanded visitor attractions and infrastructure, and advocating the value of tourism for our community to all county leaders and stakeholders; and

WHEREAS, the Ypsilanti City Council believes that having a separate and unique Convention and Visitors Bureau representing Ypsilanti is essential to the economic vitality of our community; and

WHEREAS, the YACVB has developed the relationships and knowledge of our community and its needs over 40 years that are necessary to adequately promote Ypsilanti as a destination; and

WHEREAS, their institutional knowledge of our community has made them an integral part of our economic development that would be lost or greatly reduced through any potential merger of CVB's and/or reduction of revenue dedicated to the YACVB;

NOW, THEREFORE, BE IT RESOLVED THAT the Ypsilanti City Council strongly urges the Washtenaw County Commission to support maintaining a separate and unique Ypsilanti Area Convention and Visitors Bureau; and strongly opposes any reduction in funding levels for the YACVB by the Washtenaw County Commission so that the YACVB is able to maintain and grow all of the important work that they do for Ypsilanti and Washtenaw County.

OFFERED BY: Council Member N. Brown

SUPPORTED BY: Mayor Pro-Tem Richardson

Debbie Locke-Daniel, YACVB Director, thanked Council and the community on behalf of the YACVB Board of Directors and staff. She said this is the fourth time in 40 years that the hotel community has proposed consolidating the Ypsilanti and the Ann Arbor CVBs. She said if there is a single fund Ypsilanti would suffer which is well stated in the resolution. She said she feels guardedly optimistic, and said that a taskforce will convene on Thursday, April 16th at 8:00 a.m. providing an opportunity for people to voice their support. Ms. Locke-Daniel stated she believes at the end of this, the CVBs will stay separate but there may be changes to the YACVB.

Mayor Pro-Tem Richardson stated she agrees that the CVBs should remain separate.

Council Member Murdock said it is important for Ypsilanti to maintain its own identity and its own CVB which has a positive effect on Ypsilanti's economy.

Mayor Pro-Tem Richardson added in the past few years there has been a push to enhance the eastern part of Washtenaw County through groups such as the Eastern Leaders Group (ELG). She said it seems conflicting to take money from the YACVB and reallocate it to Ann Arbor.

Ms. Locke-Daniels responded most of the Commissioners agree with Mayor Pro-Tem Richardson and stated how important the Downtown Development Authority is to the success of the YACVB. She said that DDA Director Tim Colbeck has been a valuable partner to the CVB as well as his predecessor.

Mayor Edmonds said many individuals have approached her in the past several months regarding this matter and she has told them that she greatly supports the continued autonomy of the YACVB.

On a roll call, the vote to approve Resolution No. 2015-083 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

XI. PUBLIC HEARING –

Public hearing on the proposed plan to mitigate the conversion of the Frog Island Park property on which the Ypsilanti Recycling Center is located and to dedicate the parking area associated with the Border to Border (B2B) Trail on South Grove St. as the replacement parcel.

1. Resolution No. 2015-077, determination

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 of the MDNR grant and be able to take advantage of future grants, 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 to-be-constructed Border to Border (B2B) Trail on South Grove St; and

WHEREAS, a public hearing was held on April 7, 2015 and residents provided a minimum of 30 days to review the proposed conversion plans;

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council authorizes the proposed plan to mitigate the conversion of the Frog Island Park property on which the Ypsilanti Recycling Center is located and to dedicate the parking area associated with the Border to Border (B2B) Trail on South Grove St as the replacement parcel. The Ypsilanti City Council further authorizes that this plan forwarded to the MDNR for approval.

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

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City Planner Bonnie Wessler stated the City received a grant from the Michigan Department of Natural Resources and as a part of that grant the area that the recycling center sits was supposed to be kept as parking. She said the City will either need to move the recycling center, or provide additional recreational parking in the City. Ms. Wessler stated the area ahead of the Border to Border Trail was identified as a possible site for recreational parking.

City Manager Lange stated the Border to Border Trail bid opening will be delayed until April 24, 2015.

Council Member A. Brown asked how the public was notified for this public hearing.

Ms. Wessler replied the notice was published in Washtenaw Now.

2. Open public hearing

- a. Rex Richie, Depot Town property owner, stated there is an issue of parking in Depot Town and asked Council to be forward thinking. He asked that the recycling center be moved for additional parking in Depot Town. He asked that the possibility of moving the recycling center be examined.
- b. Sally Richie, Depot Town property owner, stated locating the recycling center might be a project the DDA could undertake after the TIF renewal. She added parking will be needed eventually, and it should be addressed sooner rather than later.
- c. Carolyn McKeever, Depot Town property owner, stated she is a strong supporter of recycling and does not want it removed from the City. However, that specific site may be best used for public parking.
- d. Cheryl Farmer, 214 N. Huron, said recycling is a very important function, but can be unsightly and does not need to be located near the river, or the park. Dr. Farmer added this might be an opportunity to relocate the center.

3. Resolution No. 2015-078, close public hearing

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the public hearing for the proposed plan to mitigate the conversion of the Frog Island Park property on which the Ypsilanti Recycling Center is located and to dedicate the parking area associated with the Border to Border (B2B) Trail on South Grove St as the replacement parcel be officially closed.

OFFERED BY: Council Member Vogt

SUPPORTED BY: Council Member N. Brown

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

Council Member A. Brown asked if the cost of relocating the recycling center was examined.

Ms. Wessler replied not recently, but she estimated the relocation around \$40,000.

City Manager Lange stated the issue with relocation is having a place to move the recycling center.

Mayor Pro-Tem Richardson asked if there is potential to move the recycling center to the proposed location of the park on S. Grove.

Ms. Wessler replied if the recycling center is moved to that location it faces the same issue as it does in its current location; being adjacent to the river, near multi-family housing, and it would be further from the Department of Public Services yard. Ms. Wessler stated several plans recommend moving the recycling center to another location but the challenge is finding another location, or partner.

Council Member Vogt asked the size of the area on the S. Grove site.

Ms. Wessler replied about an acre.

Council Member Vogt asked the size of the current recycling center location.

Ms. Wessler replied roughly the same.

Mayor Pro-Tem Richardson stated there is nothing located at the proposed designated recreation parking.

Ms. Wessler responded the Border to Border Trail will have a trailhead at that location.

Mayor Pro-Tem Richardson stated that location will not provide parking for businesses.

Council Member Robb responded this is not a business related issue, the proposed site is for recreation parking not for businesses.

Council Member Murdock stated the fact is nothing is going to change and the recycling center will remain at the same location.

Council Member A. Brown stated the relocation of the recycling center is included in many plans formed by the city and asked what plans the city has to relocate the center.

Ms. Wessler responded the most likely scenario is partnering with Eastern Michigan University to have a recycling drop-off or using foreclosed properties.

Council Member A. Brown asked if the Department of Natural Resources has approved this proposal.

Ms. Wessler responded the concept has been approved.

On a roll call, the vote to approve Resolution No. 2015-077 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. ORDINANCE - FIRST READING –

Ordinance No. 1244

1. Adoption, Amendment and Restatement of the Depot Town Development Plan and Tax Increment Financing Plan.
 - A. Resolution No. 2015-061, determination
(Public hearing held March 17, 2015)

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the Depot Town DDA was established in 1984 and the district was expanded in 1992; and

WHEREAS, the current Depot Town TIF and Development Plan was implemented in 2000 and has an expiration date of December 2015; and

WHEREAS, the Ypsilanti DDA Board has approved an Amended and Restated Depot Town Tax Increment Finance (TIF) & Development Plan as prepared and submitted by Beckett & Raeder that will extend the plan through December 2040.

NOW, THEREFORE, BE IT RESOLVED THAT the Ypsilanti City Council approves the adoption of the Amended and Restated Depot Town TIF and Development Plan as submitted.

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

Council Member A. Brown asked when the Downtown Tax Increment Financing Authority (TIFA) will end.

Downtown Development Authority (DDA) Director Tim Colbeck responded the Downtown TIFA will expire in 2024.

Council Member Murdock stated tax increment financing (TIF) does not create new revenue; it simply captures it from other taxing entities. He explained taxes being collected to provide City services are
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the same as they were in 1998. He said TIFs were never meant to be permanent they are tools to spur economic development. Mr. Murdock stated the City cannot afford to have certain areas tax levels frozen at 1998 levels for another 25 years, and this is an opportunity to alter the formula. Mr. Murdock suggested that the DDA capture only 50% of revenue and the other 50% would return to the City.

Mayor Edmonds stated she is strongly opposed to this amendment which would create major changes to the proposed Depot Town TIF plan. She said the DDA has a very limited budget and the TIF dollars captured are leveraged to perform several tasks that otherwise would need to be performed by the City. Mayor Edmonds stated the development of this plan took over a year, and there was ample opportunity for individuals to provide input and this was never mentioned.

Mayor Pro-Tem Richardson stated if Council decides to accept this proposal she would suggest 25% be returned to the City, not 50% as proposed by Council Member Murdock.

Council Member Robb applauded Council Member Murdock for providing this information and said he has not heard an amendment. Mr. Robb stated this proposal is not last minute; there are two weeks before the amendment is made at second reading which provides ample time for this to be further examined. Mr. Robb stated tax increment financing is fundamentally a PILOT, which means the City has had a PILOT in the City's business district since 1992 and with a 25 year extension would keep the same tax base for 48 years. Mr. Robb said over the past eight years the City has invested a lot into the business district through the Obsolete Property Rehabilitation Act (OPRA). Mr. Robb stated Mr. Murdock's proposal is a good proposal, and he encourages Council to speak with stakeholders about this possibility before second reading in two weeks.

Council Member Vogt stated he may support this proposal, but he does feel that 50% is too high, and would like to discuss this further with stakeholders. Mr. Vogt asked how much revenue is being generated by the TIF in Depot Town.

Mr. Colbeck stated based on the submitted Plan the TIF revenue generated for FY2015-16 is estimated at \$69,450 and FY2016-17 revenues or forecasted to raise to \$70,145.

Council Member Vogt asked what the current fiscal year revenues are.

Mr. Colbeck responded \$64,540.

Council Member Vogt asked if the DDA was responsible for a \$20,000 debt.

Mr. Colbeck responded that is partially true in the next fiscal year \$10,000 will still remain on the books until the debt expires in December.

Council Member Vogt asked how that debt was accrued.

Mr. Colbeck answered through the construction of the Maple Street parking lot.

Mayor Edmonds explained that the DDA bonds long term construction projects and pays for them over time.

Council Member Vogt asked if the City could bond in support of the DDA.

Mr. Colbeck responded yes, in past projects in the downtown the City was the bond holder and the DDA made payments to the City. Mr. Colbeck added the City would be holding the debt opposed to the DDA in that scenario.

Mayor Edmonds stated TIF revenue is paying for the DDA to exist and if the DDA were to lose funding it would not be able to function at its current capacity.

Council Member Vogt asked if Mayor Pro-Tem Richardson's scenario was a reality how would the DDA be effected.

Mr. Colbeck replied he would have to look at the numbers for that scenario. He stated he has examined the effect a 50% reduction in revenue would have on the DDA. He said a 50% revenue reduction would remove \$35,000 from the budget essentially dropping revenues from \$90,000 to \$55,000. Mr. Colbeck stated in next year's budget there is \$87,000 worth of expenses. He said that Depot Town is the only TIF currently projecting revenue and removing \$35,000 of revenue out of the budget would create a deficit of \$32,000. Mr. Colbeck stated drastic cuts in the budget would be needed; the first would be staff followed by streetscape maintenance, the Downtown Police Officer, and pedestrian trashcan service.

Council Member Vogt stated if these reductions are made the City could implement the same services with the funding it recoups from the TIF capture.

Mr. Colbeck responded that Council should be mindful that a decrease in \$35,000 in the DDA budget does not mean an increase in \$35,000 in the City's budget. The City would only capture \$25,000 of that money and the remainder would return to the taxing entity that the TIF was captured. He said essentially the City would be removing \$10,000 that would have been invested in Depot Town and returning \$25,000 to the General Fund.

Council Member Vogt stated the DDA would begin lobbying the City for funding.

Mr. Colbeck replied that is a possibility.

Mayor Edmonds stated cuts would include the façade grant and rehabilitation grant that were spoken about by property owners during public participation.

Mr. Colbeck stated the question is does Council feel that the work is complete in Depot Town, because reducing the revenue by 50% the DDA would cease to be productive in Depot Town. He said if Council feels that the work is done in Depot Town it is more appropriate to end the Depot Town TIF.

Mayor Edmonds stated state legislation requires that 50% of a DDA Board be comprised of business and property owners so stakeholders would set priorities rather than the City.

Mr. Colbeck stated he believes the proposed TIF plan shows there is still a lot of work to be done in Depot Town, and if revenues were cut in half it would greatly reduce the possibilities.

Council Member Vogt asked if there is a different method to calculate the revenue source, as Council Member Murdock stated the Ann Arbor DDA only collects TIF funds on new construction.

Mr. Colbeck responded that scheme works in Ann Arbor because 75% of the revenue developed is through parking.

Council Member Murdock stated there is also a lot of new construction in Ann Arbor.

Mr. Colbeck replied that is true, and there is not much opportunity for new construction in Depot Town other than the Thompson Block and the Train Depot.

Council Member Robb stated that 46, 48, and 50 E. Cross is for sale for \$900,000 with a taxable value of \$120,000. He said that would create tremendous pop-up in value and Council should consider that. Mr. Robb added that would increase revenue more than \$65,000. Mr. Robb stated he is going to pass this as is tonight, and looks forward to further discussion in two weeks.

City Attorney Barr stated the proposed resolution is to approve Ordinance 1244 on first reading and he would like the resolution to read "submitted by Ordinance 1244".

Council Member A. Brown moved to amend the resolution so that it reads "submitted by Ordinance 1244".

Council Member N. Brown supported the friendly amendment.

On a voice vote, the motion carried and the resolution was amended.

Mr. Colbeck stated he will be out of the country and not available at the April 21st council meeting but will be available to answer any questions Council may have before he leaves on April 18th. Mr. Colbeck added that staff will be present at the public hearing.

Council Member Murdock stated a TIF plan is much like a city's Master Plan in that it is a big picture plan. He said the 25 year TIF plan's stated revenue forecasting is unlikely and the projects it states may be unable to obtain, which is misleading. He said when the TIF began it was at zero and it is a possibility to begin the TIF again at zero, but he is not suggesting that. He said his proposal shares the growth of the Depot Town TIF with the City which is struggling financially.

Council Member Vogt stated he is against resetting the base year for the Depot Town TIF, but he does feel the City should recoup some of the district's growth. He asked if there is some type of hybrid in which the DDA can maintain its budget and long term plans. He said Council Member Robb mentioned a possible increase in taxable value in Depot Town that would go beyond the present TIF Plan, and asked what would happen in this scenario.

Mr. Colbeck responded in communities that experience a significant jump in taxable value, a cap is placed on the amount captured through the TIF.

Council Member Vogt stated he is glad this has occurred in other communities, and he hopes that it can be explored in more detail.

Mr. Colbeck stated a hybrid scenario would at least not restrict the DDA in future projects.

Council Member Vogt stated he believes the DDA has had a very positive effect on the City, yet the financial difficulties of the City cannot be ignored.

Mayor Edmonds stated the revenue the DDA captures is spent in Ypsilanti to achieve projects aligned with the Master Plan. She said she sees this as a multiplier investment that the City would lose if those funds are shifted elsewhere.

Council Member Murdock responded to a couple issues brought up during the March 29th meeting: the possibility of decreasing the length of the TIF extension, which he does not support but is a possibility, and it is true that the DDA does spend money to improve the DDA Districts but there are other budgetary issues that the City is facing. Mr. Murdock stated his plan does not eliminate DDA functions, the proposal only limits a very small part of the DDA budget. Mr. Murdock stated he simply wants to share the growth of taxable value in Depot Town. Mr. Murdock asked if the DDA Chair Kevin Hill had anything he would like to say about the proposal.

DDA Chair Kevin Hill, 108 Washtenaw #4, stated he is not necessarily against an examination of a possible hybrid. Mr. Hill stated a possible sharing in growth that would not affect the current budget might make sense. He stated the City should not be cut out of the positive effect that the DDA is having on Ypsilanti.

Council Member A. Brown asked if Council took action and altered the way the TIFA operated would it affect the Downtown District.

Mr. Colbeck replied it would only affect the Depot Town TIFA.

Mayor Edmonds asked City Attorney Barr what the process would be if an amendment is made during second reading.

Mr. Barr replied it depends on the amendment, if there is a substantial change to the ordinance it will require an additional notice of public hearing.

Council Member Murdock asked what would constitute a substantial change.

Mr. Barr responded if the captured amount is changed from 100% to 50% it would be a substantial change.

Council Member Robb stated he is not sure that it is a substantial change, but he will research it before second reading on April 21st.

City Manager Lange asked if there is a time frame that this must be completed.

Mr. Colbeck stated the TIF will expire in December; it needs to be done this calendar year.

On a roll call, the vote to approve Resolution No. 2015-061 as amended 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

Resolution No. 2015-061, as adopted reads as follows:

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the Depot Town DDA was established in 1984 and the district was expanded in 1992; and

WHEREAS, the current Depot Town TIF and Development Plan was implemented in 2000 and has an expiration date of December 2015; and

WHEREAS, the Ypsilanti DDA Board has approved an Amended and Restated Depot Town Tax Increment Finance (TIF) & Development Plan as prepared and submitted by Beckett & Raeder that will extend the plan through December 2040.

NOW, THEREFORE, BE IT RESOLVED THAT the Ypsilanti City Council approves the adoption of the Amended and Restated Depot Town TIF and Development Plan as submitted by Ordinance No. 1244.

XIII. CONSENT AGENDA -

Resolution No. 2015-079

1. Resolution No. 2015-080, approving application for grant with the Ann Arbor Fire Department for a County grant for fire investigations and inspections.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, the City supports joining with other municipalities to leverage assets and services, and

Whereas, the Ypsilanti Fire Department desires to partner with the Ann Arbor Fire Department to apply for a county grant for investigations and inspections, and

Whereas, the grant would benefit 8 fire agencies including the Ypsilanti Fire Department and the Ann Arbor Fire Department, and

Whereas, the grant will provide that the City of Ypsilanti be the fiduciary to receive and manage the funds as a pass through for all the 8 fire agencies, and

Whereas, the grant would be in the public interest and benefit the City.

Now Therefore, Ypsilanti City Council approves the grant application and authorizes the Ypsilanti Fire Chief to sign for and on behalf of the City of Ypsilanti, subject to the approval of the City Attorney.

2. Resolution No. 2015-081, approving appointment to Zoning Board of Appeals.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

<u>NAME</u>	<u>BOARD</u>	<u>TERM</u> <u>EXPIRATION</u>
Eric Seymour 611 Pearl Street Ypsilanti, MI 48197	Zoning Board of Appeals	5/1/2018

3. Resolution No. 2015-082, supporting MDOT ownership of commuter rail.

WHEREAS, the City is very much in favor of MDOT establishing commuter rail service from Detroit to Ann Arbor, and;

WHEREAS, the City of Ypsilanti will have a stop on this commuter line when it goes into service, and;

WHEREAS, the commuter rail stations have proved to be engines for economic development for the areas located around these stations, and;

WHEREAS, the City wants to show its complete support for MDOT keeping its refurbished railcars so that rail service can start as soon as the corridor rail improvements have been completed, and

NOW THEFORE BE IT RESOLVED that the city of Ypsilanti authorizes the Mayor and City Manager to sign and send the attached letter to MDOT Director, Kirk Steudle.

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

On a voice vote, the motion carried and Resolution No. 2015-079, Consent Agenda, was approved.

Council Member A. Brown moved to extend the meeting by 45 minutes.

Council Member Vogt supported the motion.

Council Member Murdock opposed the motion.

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

XIV. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. ~~Resolution No. 2015-083, supporting the Ypsilanti Area Convention and Visitor's Bureau (YACVB).~~
(Moved and heard after Resolution No. 2015-076)
2. ~~Resolution No. 2015-084, adopting engineering standards for the development of projects in the city.~~
(Postponed to the April 21, 2015 Council Meeting)
3. Resolution No. 2015-085, approving proposal from OHM for construction engineering for Phase II of the Prospect Road PRIP Project.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Priority Road Improvement Funds has been programmed Road programmed in the 2014-15 and 2015- 2016 FY-Budgets for road improvements to Prospect; and

WHEREAS, Orchard, Hiltz and McCliment, Inc. has submitted a proposal to provide construction engineering services and geotechnical testing for a not to exceed amount of \$198,000; and

WHEREAS, the construction services will be expended from account number 202-7-9041-975-02 in the FY 2014-15 and 2015-2016 FY Budgets; and

NOW, THEREFORE, BE IT RESOLVED THAT the City Council approves the proposal submitted by OHM, Inc. for the not to exceed amount of \$198,000; and

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

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

OFFERED BY: Council Member Robb

SUPPORTED BY: Mayor Pro-Tem Richardson

Kent Early, OHM Director of Municipal Engineering, stated the City was awarded Priority Road Improvement Funds for the Prospect Road project last year, and this will finish the project north of Michigan Ave.

City Manager Lange stated full construction work is more engaged and needs serious engineering to secure the quality of the project.

Council Member Murdock asked if this is for the oversight of the project and not the design.

Mr. Early replied yes.

On a roll call, the vote to approve Resolution No. 2015-085 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

4. Resolution No. 2015-086 awarding contract to Fonson, Inc. for Phase II of the Prospect Road PRIP Project.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Priority Road Improvement Program (PRIP) Funds has been programmed for road improvements to Prospect Road in the 2014 and 2015 construction seasons; and

WHEREAS, Phase I of this project was completed during the 2014 construction season.

WHEREAS, Phase II of this project is slated for the 2015 construction season and include the removal of the existing pavement, Hot Mix Asphalt (HMA) paving, select subgrade repairs, removal and replacement of the curb and gutter, removal and replacement of drive approaches, select sidewalk repairs and sidewalk ramp improvements to North Prospect Road between Michigan Avenue and Holmes Road; and

WHEREAS, bids were solicited for Phase II on MITN (Michigan Inter-governmental Trade Network), Reed Construction Data, McGraw Hill, Isqft Plan Room, CAM (Construction Association of Michigan) and the Builders Exchange of Michigan; and

WHEREAS, five (5) bids were received and opened on March 31, 2015, bids ranged from \$1,480,000.00 to \$1,781,196.45; and

WHEREAS, the engineers' (OHM) estimated the cost of Phase II at \$1.5 million; and

WHEREAS, Fonson Inc., Canton, MI, submitted the lowest qualified bid in the amount of \$1,535,400.30; and

NOW, THEREFORE, BE IT RESOLVED THAT the City Council approves the execution of this contract with Fonson, Inc. for the amount of \$1,535,400.30; and

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

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

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

Kent Early stated there were five bidders on this project and OHM has worked with Fonson Inc., the suggested company. Mr. Early said as read the bid by Pavex was incorrect which made Fonson the lowest bidder.

Council Member Robb asked what projects has Fonson worked on.

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Mr. Early replied Ten Mile Road in Oak Park, projects in Auburn Hills, some work for the Washtenaw County Road Commission.

Mayor Edmonds asked where Fonson has worked in Washtenaw County.

Mr. Early replied Geddes/Ridge Round-About, Plymouth Rd in a couple of areas, and the non-motorized path on Textile.

Council Member Robb asked if Fonson has completed any comparable projects.

Mr. Early responded the Geddes/Ridge Round-About was a complete rebuild, and it is still functioning well.

Council Member Robb asked when that project was completed.

Mr. Early replied the project was completed in 2012.

Council Member A. Brown asked if Fonson was providing a warranty.

Mr. Early responded Fonson is offering a two year maintenance guarantee.

Council Member A. Brown asked if the City can ask for a longer guarantee.

Mr. Early responded the City could have but it must be done upfront.

Council Member Murdock stated Prospect Road has been an issue for years, and last time the road was repaired it did not last long. He said he wants to make sure the road is done properly.

Mr. Early replied the 1998 construction was mostly mill and fill with some curb repairs. He said the City was informed the road would only last seven to ten years, and the City was not interested in asking for more funding. Mr. Early added this project will be a complete new construction in the worst section of this road.

Council Member Murdock stated there has been an increased amount of truck traffic, and asked will the road be designed to handle that kind impact.

Mr. Early stated yes.

Council Member Murdock asked if this project contains bike lanes, road widening, tree removal, or any water and sewer replacement.

Mr. Early responded no, it does not.

Council Member Murdock stated during construction this road will be closed and asked if there is a plan in place for a detour.

Mr. Early responded a detour has not been designed at this point.

Council Member Murdock stated the sensor on Cross and Miles needs to be adjusted, and asked if that will that be fixed as a part of this construction.

Mr. Early replied the project is not slated to go on the Miles leg, but that is more of a DPS question.

Council Member Murdock asked will the striping be the zebra design.

Marcus McNamara, OHM Engineering, stated as a part of the Complete Streets process he received feedback from staff requesting zebra striped crosswalks at every leg of every signalized crosswalk and every non-signalized crosswalks, but sides streets would be six inch crosswalks.

Council Member Murdock asked why the intersection at Maus and Prospect was not a part of the Prospect reconstruction.

Mr. McNamara replied that intersection requires significant upgrades in order to be ADA compliant which would cost \$180,000 to \$200,000.

Council Member Murdock stated he was referencing the surface of the road.

Mr. McNamara replied repaving would trigger ADA rules also.

Mayor Pro-Tem Richardson asked if the parts of the road that were done last year will be redone.

Mr. Early stated only the emergency repairs from last year will be redone.

City Manager Lange stated if this project is approved as is, it will be \$253,000 Mr. Lange added the TAP grant is now included in this project. He said in some areas the repairs can be mill and fill which will save a lot of money.

Council Member Murdock stated the project is \$253,000 over budget, and asked if that includes money already allocated for this project.

Mr. Lange responded this project was budgeted \$1.9 million for Phase I, Phase II, all engineering designs, and engineering construction.

Council Member Murdock stated when the City was awarded the grant from the State, the City budgeted money for the engineering design of Prospect Street. He asked if those funds are a part of the \$253,000.

Mr. Lange responded there are funds set aside for the design, but the initial project was changed.

Council Member Robb stated Council budgeted \$114,000 for design engineering three years ago, and asked what Mr. Lange meant he said that money is no longer available.

Mr. Lange responded the City needed to shift funds around in order to complete other projects.

Council Member Robb asked if this project will be paid for out of the Major Street Fund.

Mr. Lange responded yes.

Council Member Robb said the City was awarded a grant for \$1.9 million last spring and during the budget process the \$253,000 was not included. He added this resolution should contain a fund number to illustrate from what account the money is coming.

Council Member Murdock stated he would like to know what happened to the money that was budgeted out of the General Fund.

Mr. Lange replied it was transferred into the Major Streets Fund.

Council Member Robb stated any time funds are spent that were not budgeted they need to be accounted for.

Council Member Murdock said in the past every resolution allowing spending needed to be signed off by Fiscal Services stating the funds were available and what account the funds would be coming from.

Mr. Lange answered a special account was created for the \$1.9 million, and the balance of this project will come from the Major Streets Fund.

Mayor Edmonds asked how Council wishes to proceed with this resolution.

Council Member Vogt suggested a notation be made on the resolution that stipulates what account funds will be taken from.

Mr. Early stated before the Priority Road Improvement Plan (PRIP) funds became available Council allocated funding in the range of \$750,000, and part of that was to pay the \$114,000 for engineering designs. He said at that time the PRIP funds became available the \$114,000 was placed in that account.

Mayor Edmonds asked Mr. Lange in the future to provide Council with a table that explains projects.

Mr. Lange stated he would provide Council with that document, and added that this is a very unusual circumstance.

Council Member Murdock stated he does not want to hold up this project, however in the future resolutions that expend funds should state the account information. He asked if the City received the advanced funding for Adams St.

Mr. Early answered yes, the project is funded.

Mayor Edmonds asked if Council Member Vogt moved an amendment.

Council Member Vogt responded he did not give specific language but suggested a line be added that specifies the account. He moved to amend the resolution adding the account that the \$243,000 would be coming out of Major Street Funds.

Council Member Robb stated the funds should come out of the General Fund because this was not budgeted in the Major Streets Fund. He said money can be transferred from the General Fund into the Major Streets Funds as revenue.

Mr. Lange asked that this money come from the Major Streets Fund because the General Fund is stressed.

Council Member Murdock asked what account is the \$1.5 million is coming from.

Mr. Lange replied it is coming out of the PRIP.

Council Member Murdock stated he does not want to add any more money to this until Council is aware of what accounts the funding is coming from and whether it is needed. He said he would rather approve the resolution as is, and if more money is needed it would come back to Council.

Mr. Lange stated that would be fine.

Mayor Edmonds stated there is an amendment on the floor and asked if there is support.

Council Member Vogt stated it sounds like the amendment is unnecessary, and withdrew the amendment.

Council Member Robb stated the resolution states that the City Manager is authorized to sign change orders, and asked if those change orders can include funding.

City Attorney John Barr responded the change orders normally are within the scope of the original contract unless the change is less than \$25,000.

Council Member Robb stated he had no issue with the resolution as it is written.

On a roll call, the vote to approve Resolution No. 2015-086 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

5. Resolution No. 2015-087, supporting Proposal 15-1 on the May 5, 2015 ballot for funding needed to fix our roads.

WHEREAS, over one-third of State and local roads are in poor condition; and

WHEREAS, safe roads are crucial to public safety and to grow Michigan's economy; and

WHEREAS, Michigan ranks last among the states for per capita investment on transportation, resulting in crumbling roads which damage vehicles, lower property values and hurt our economy.

WHEREAS, approximately 30% of the City of Ypsilanti streets are classified as being in "poor" condition including 80% of the City's "Major" streets; and

WHEREAS, the longer we wait to fix Michigan's roads, the more it will cost us.

WHEREAS, the Ypsilanti City Council has selected fixing Ypsilanti's streets as a top priority; and

WHEREAS, The City's Act 51 street funding is inadequate to maintain the street system at a level satisfactory to Ypsilanti residents;

WHEREAS, Proposal 15-1 provides that every penny paid at the pump in state gas taxes constitutionally will be guaranteed to go to transportation.

WHEREAS, Proposal 15-1 when fully implemented in October 2018 will bring an estimated additional \$736,412 annually to Ypsilanti for city streets and roads;

WHEREAS, Proposal 15-1 on the May 5 ballot provides dedicated funds to improve roads and streets while also supporting Michigan's long-term future by investing in our public schools and local communities.

RESOLVED, THAT the YPSILANTI City Council supports Proposal 15-1 on the May 5, 2015 ballot for funding needed to fix our roads.

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

Council Member Murdock stated at this point there is no alternate plan to maintain roads in Michigan.

Council Member Robb stated Council is elected to represent the residents of Ypsilanti. He said that each elector has the ability to vote on this proposal, and that this is outside the purview of City Council. Mr. Robb stated he will be voting no on this resolution.

Council Member Vogt moved to extend the meeting until 11:30 p.m.

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Council Member Robb supported the motion to extend the meeting.

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

Council Member Vogt stated because members of the State Legislature signed anti-tax promises the citizens of Michigan were presented with this convoluted proposal. Mr. Vogt stated many citizens do not believe the legislature, or the Governor, and they do not understand this proposal. Mr. Vogt stated the State Representatives who signed the anti-tax promise have no leadership skills. He said this proposal will benefit the City financially, the school system used by Ypsilanti residents and it is essential that this money is raised. He said whether this passes, or not it should not be used as an excuse to preform backdoor methods to take money away from schools, other means of transportation, local governments, or cut the state income tax. Mr. Vogt stated he supports this and agrees with Council Member Murdock that the alternative is to take funding from schools and local governments.

On a roll call, the vote to approve Resolution No. 2015-087 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

XIV. LIASON REPORTS –

- A. SEMCOG Update – the General Assembly was held on March 26th at the Detroit Institute of Arts, and Mayor Pro-Tem Richardson was re-elected to the County Executive Board. The meeting included a presentation on Proposal 15-1 and the Wayne County Supervisor discussed the poor condition of the roads in Wayne County.
- B. Washtenaw Area Transportation Study – The addition of the US-23 MDOT amendment to the TIF plan is on the agenda for the next meeting. Mr. Murdock stated he has the packet for that meeting and is willing to share it with Council.
- C. Washtenaw Metro Alliance – No meeting
- D. Urban County – No meeting
- E. Freight House – Working to finalize the bid documents
- F. Parks and Recreation – The meeting is next week. Council Member Ann Brown stated "Pride Day" is scheduled for May 16th and every park does have a team captain.

Council Member Murdock added he spoke with someone with the Washtenaw Community College Construction Program about performing some work on Prospect Park as well as the Peninsular Paper Site.

- G. Millennial Mayors Conference – No meeting
- H. Ypsilanti Downtown Development Authority – No meeting
- I. Eastern Washtenaw Safety Alliance – No meeting

Mayor Pro-Tem Richardson asked Mayor Edmonds if during the last meeting she stated that Urban County was awarding a grant or stipend to Ypsilanti Housing Commission.

Mayor Edmonds responded she does not recall and said the Ypsilanti Housing Commission is on the Urban County plan for this year and will forward Council the minutes once she receives them.

XIV. COUNCIL PROPOSED BUSINESS –

Robb

- Stated people have expressed issues with Action Tickets Reports. He said he has had meeting with representatives from See Click Fix who create modules for this kind of system. He said he and staff had a phone conference to work through how the "See Click Fix" system works. He stated the modules are very transparent and it gives closing statements. Mr. Robb stated he was provided a proposal which he will bring to the budget session. He said the module the City currently uses is not bad, it is just not used correctly. He said it is more of an etracker. Mr. Robb stated the current system at least provides a way to track how long the ticket has been open and if there is a resolution. He added new tools are only good if they are used.
- Said he wants to have a meeting to discuss parking.
- He would like to schedule a meeting to discuss the budget and suggested that there be three budget meetings.
- Said he would like to schedule a meeting to discuss health care.

Vogt

- Stated it was suggested that he act as the point person on the DTE rate increase matter and he is willing to fill that role.
- Said citizens on Douglas Street would like to know the process of how to have speed bumps placed on Douglas. Mr. Vogt stated he would pass their information on to staff.
- Thanked Mr. Lange and staff for the two new lights that were placed on Hewitt near the EMU President's House.

N. Brown

- Said she is going to examine the Action Ticket issues as Council Member Robb stated.

A Brown

- Asked that a work session be held for both the budget and for Action Ticket issues.

Murdock

- Stated there are some DPS issues that were budgeted for this year that have not yet been completed, such as bike lanes on Forest.
- Said he heard that the street sweeper is operational, and asked if it is possible to schedule services in order to make sure people are not parked on the roads.

Council Member Robb stated information should be shared with Council because ultimately Council is the face of the City and citizens complain to them.

- Asked how parking enforcement is being handled because he has yet to find a parking meter that is operational.
- Said he attended the NAACP state of the community event, which for the most part was a positive event. Mr. Murdock stated near the end of the event Mr. Tooson voiced his disappointment in how the issue with firefighter Williams was handled. Mr. Murdock stated Council was told by City Manager Lange that the matter with firefighter Williams had been resolved and asked what is the status of that situation.

City Manager Lange stated he needs to get a report from Mr. Tooson to Council.

Council Member Murdock stated he is uncertain of the parameters of the issue but people are going to begin asking questions if people in public places start making those allegations.

Richardson

- Stated she would like to see the City respond to Alexandra Way who spoke from Eastern Michigan University.
- Said she met with Mr. Reid who has been having issues with his rental property that he rents from Beal Properties Inc. and asked that the City assist in finding a solution to that issue.

City Manager Lange asked for some clarification regarding the incident, stating there are two aspects; police enforcement and code enforcement.

Mayor Pro-Tem Richardson stated Mr. Reid wants copies of the code that Mr. Beal has been complaining about for over a year.

Mayor Edmonds stated one of the issues that was cited in Mr. Beal's letters was loitering if that is a violation.

Mayor Pro-Tem Richardson said that she does not recall the City passing a loitering ordinance, and if there wasn't then there is no violation.

Mayor Edmonds added the City does have general nuisance violations and violations regarding rooming houses.

Mayor Pro-Tem Richardson stated Mr. Reid has straightened that out, he understands the rules, and has complied with those rules.

Council Member Murdock said the certificate of occupancy for that property expires on May 1st.

- Stated that on Monday, April 6th a ribbon cutting was held on the Parkridge solar panels. Ms. Richardson said Council passed a resolution with the goal of 1,000 buildings in Ypsilanti having solar panels, and this is the start to that goal.

XV. COMMUNICATIONS FROM THE MAYOR –

- Noted that she and City Manager have been working together to sketch out possible dates of work sessions for the budget. She said there is a proposed date of April 14, 2015 for a work session regarding MDOT which would include a public hearing.

City Manager Lange responded the public hearing would be planned for the April 21st Council Meeting.

Mayor Edmonds stated Mr. Lange suggested holding a work session for MDOT issues on April 14th and a work session on April 28th to discuss the Action Ticket issue that Council Member Robb brought to Council's attention. She said that a potential Special Meeting for the budget may be scheduled.

Mayor Pro-Tem Richardson asked if Executive Secretary Nan Schuette would be sending our possible dates for these work sessions so that Council can plan accordingly.

Mayor Edmonds responded this was based off Council Member Murdock proposal to hold work sessions on alternate Tuesdays.

City Clerk Frances McMullan informed Council that May 5th is the date of the Special Election for Proposal 15-1 and is also the date of the regularly scheduled Council Meeting. She said that it needs to be decided if Council wishes to hold the meeting on the following Tuesday or on Thursday, May 7th.

Council Member Murdock stated the usual practice is that the Council meeting is rescheduled for the Thursday following the election.

Mayor Edmonds stated she would be late to that May 7th meeting.

Ms. McMullan said she would reschedule the May 5th meeting for May 7th.

XVI. COMMUNICATIONS FROM THE CITY MANAGER –

- Stated if anyone is interested in learning how to play chess there will be an event at Parkridge on Wednesday, April 8th from 5:00 to 6:00 p.m.

XVII. AUDIENCE PARTICIPATION –

1. Jim Mogensen, 330 Chidester #718, stated the Chidester Place issues are time sensitive because the Building Department is currently performing inspections at the building. He said that the inspection code includes plumbing standards and through that code the internal plumbing can be examined. He stated he is very concerned with the issue and is trying to help this situation be resolved without legal disputes.
2. Michelle Barney, 330 Chidester #406, said the attorney and the representatives from Chidester Place stated there is no medical evidence that there is a mold problem at Chidester Place. She explained that most residents have either Medicare or Medicaid which do not cover a culture unless it is known what organism you suspect. She said because of this it is difficult to acquire medical evidence of a mold problem at Chidester. She added that most private insurers will not cover what Medicare and Medicaid will not cover.
3. Mark Sack, Independent Management Services, stated the reason that an attorney was brought to this meeting is because Independent Management Services was approached by an attorney, and the petition that was submitted to management was the first time management was made aware of the situation. He said each apartment included on that petition was inspected and remediated, and management will continue to do so. Mr. Sack stated if Ms. Barney wants her apartment, retested he is willing to perform that test.

XVIII. REMARKS FROM THE MAYOR –

- Reminded Council to complete the Annual Financial/Conflict of Interest Council Member Disclosure Report.

XIX. COMMUNICATIONS -

- Resolution No. 2015-073, approving Speed Control Policy (***postponed 3/17/15 and will be heard 4/21/15***)
- Annual Financial/Conflict of Interest Council Member Disclosure Report due to City Clerk by 4/17/15

XX. ADJOURNMENT -

Resolution No. 2015-088, 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 11:25 p.m.



REQUEST FOR LEGISLATION
April 21, 2015

From: Bonnie Wessler, Acting Planner II

Subject: Blight Violation update

SUMMARY & BACKGROUND

Article I of the zoning ordinance addresses ordinance violations and the penalties for such violations. The ordinance adopted in December contained language used prior to the 2010 establishment of the Administrative Hearings Bureau (AHB). This update corrects that reversion.

RECOMMENDED ACTION: Approval

ATTACHMENTS: Ordinance

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: 04/21/2015

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2015-090
April 21, 2015

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, The City of Ypsilanti has enacted a blight court, known as the Administrative Hearings Bureau; and

Whereas, the City has seen success with processing zoning violations through the Administrative Hearings Bureau; and

Whereas, the amendment to the Zoning Ordinance will help to implement the Master Plan goals of creating a safe and attractive Ypsilanti;

Now therefore be it resolved that the Ypsilanti City Council approve the amendments to Chapter 122, Article I, Section 8 of the City's Code of Ordinances on FIRST READING.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

Ordinance No. 1245

An ordinance entitled, "VIOLATIONS AND PENALTIES"

An ordinance to AMEND the Zoning Ordinance of the City of Ypsilanti, Section 122-8, to Revise "Violations and Penalties."

THE CITY OF YPSILANTI HEREBY ORDAINS:

1. THE CITY OF YPSILANTI ORDAINS that Section 122-2 of the Ypsilanti City Code be amended as follows:

ARTICLE I. IN GENERAL

Sec. 122-8. Violations and penalties.

- (a) *Public nuisance.* Any building or structure which is erected, altered, converted, or used, or any use of premises or land which is begun or changed subsequent to the passage of this chapter and in violation of any of the provisions of this chapter is hereby declared to be a public nuisance per se, and may be abated by order of the city council, subject to appeal to any court of competent jurisdiction.
 - (b) ~~Municipal civil infraction.~~ *Blight Violation.* A person who violates any provision of this chapter is responsible for a ~~municipal civil infraction~~ blight violation, subject to payment of a civil fine and costs as set forth in section ~~70-38~~ 71-73. Repeat offenses under this ~~article~~ chapter shall be subject to increased fines and costs as set forth in section ~~70-38~~ 71-73. A person who violates this chapter is also subject to enforcement by the procedures, costs, and penalties set forth in Section 1-15 of the Ypsilanti City Code for blight violations.
 - (c) *Owner responsibility.* The owner of any building, structure or premises or part thereof, where any condition in violation of this chapter shall exist or shall be created, and who has assisted knowingly in the commission of such violation, shall be guilty of a separate offense and upon conviction thereof shall be liable for the fines provided in this chapter.
 - (d) *Each day separate offense.* Each and every day during which a violation of this chapter shall exist shall constitute a separate offense.
 - (e) *Rights and remedies are cumulative.* The rights and remedies provided in this chapter are cumulative and are in addition to any other remedies provided by law.
 - (f) *Rights and remedies preserved, no waiver.* Any failure or omission to enforce the provisions of this chapter, and any failure or omission to prosecute any violations of this chapter, shall not constitute a waiver of any rights and remedies provided by this chapter or by law, and shall not constitute a waiver of nor prevent any further prosecution of violations of this chapter.
 - (g) *Money received from penalties.* All money received from penalties assessed shall be placed in the city's general fund.
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 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, repealed.
- 4. Saving Clause.** The balance of the Code of Ordinances, City of Ypsilanti, Michigan, except as 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 of this ordinance.
- 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 by printing the same in the newspaper 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 Ypsilanti Courier 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: _____
Second Reading: _____
Published: _____
Effective Date: _____



Resolution No. 2015-091
April 21, 2015

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the public hearing for the approval of the amendments to Chapter 122, Article I, Section 8 of the City's Code of Ordinances regarding the Administrative Hearings Bureau be officially closed.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



REQUEST FOR LEGISLATION
April 21, 2015

From: Bonnie Wessler, Acting Planner II

Subject: Nonconforming use ordinance revision

SUMMARY & BACKGROUND

Planning Commission has recommended to City Council certain revisions to Article VI of the zoning code, regarding nonconformities. The proposed revisions will allow for rebuilding of certain existing legal nonconforming uses, once they have received a special designation as "nonconforming A.". The proposed change would increase the ability of owners of these properties to obtain financing; it would not grant them any rights to expand, change, or otherwise intensify the use. The proposed revisions were planned to be brought up in June at the six-month review of the new zoning ordinance; the timeline was advanced at the request of the Ypsilanti Housing Commission, which has several properties that were downzoned through the years.

Only certain properties will be eligible for this special designation. They must be multifamily and/or group residences in R1, CN-SF, and CN-Mid districts; conform to the property maintenance code and sign ordinance where applicable, and must not alter the character of the area or be contrary to public health and safety. Neighbors within 300 feet of the nonconforming parcel will be noticed in a manner similar to the special use process, and a public hearing will be held at Planning Commission. This designation will not be automatically conferred; property owners must apply.

RECOMMENDED ACTION: Approval

ATTACHMENTS: Ordinance
March Planning Commission Minutes (excerpt)

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: 04/21/2015

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2015-092
April 21, 2015

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, The City of Ypsilanti adopted a new zoning ordinance in December of 2014; and

Whereas, an area of ongoing concern and attention is nonconforming multifamily housing; and

Whereas, the amendment to the Zoning Ordinance will allow certain multifamily properties to be rebuilt in the event of a casualty; and

Whereas, this amendment will help to implement the Master Plan goals of ensuring housing type diversity, maintaining a walkable community, and an environmentally sustainable community;

Now therefore be it resolved that the Ypsilanti City Council approve the amendments to Chapter 122, Article I, Section 8 of the City's Code of Ordinances on FIRST READING.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

Ordinance No. 1246

An ordinance entitled, "NONCONFORMITIES"

An ordinance to AMEND the Zoning Ordinance of the City of Ypsilanti, Article VI, to Revise Nonconforming Uses, and to Allow for Certain Uses to be Resumed once Designated as "Nonconforming A" by Planning Commission.

THE CITY OF YPSILANTI HEREBY ORDAINS:

1. THE CITY OF YPSILANTI ORDAINS that Article VI of the Ypsilanti City Code be amended as follows:

ARTICLE VI. NONCONFORMING USES, BUILDINGS, STRUCTURES OR LOTS*

***State law reference(s)**--Nonconforming uses and structures, MCL 125.583a, MSA 5.2933(1).

Sec. 122-201. Description and purpose.

~~Certain existing lots, structures, buildings and uses of lots and structures were lawful before this chapter was adopted, but have become nonconformities under the terms of this chapter and its amendments. It is the intent of this chapter to permit such nonconformities to remain until they are abandoned or removed, but not to encourage their survival or, where abandonment or removal is not feasible, to gradually upgrade such nonconformities to conforming status. Nonconformities must not be enlarged, expanded, or extended, except as provided in this chapter and must not be used as grounds for adding other structures and uses of lots and structures which are prohibited. Nonconformities are declared by this chapter to be incompatible with the structures and uses permitted in the various districts.~~

It is recognized that there exists within the districts established by this chapter uses of land which were lawful before this chapter was passed or amended, but which would be prohibited or restricted under the terms of this chapter.

It is the intent of this chapter to permit these nonconformities to continue until they are removed, abandoned, or brought into compliance with this chapter but not to encourage their survival. Such uses are declared by this chapter to be incompatible with permitted uses in the districts. It is further the intent of this chapter that nonconforming buildings, structures, or lots shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited in the district.

It is further recognized that certain nonconforming uses are not necessarily contrary to the public health, safety and welfare and that such uses were lawful at the time of their inception, and that no useful purpose would be served by the strict application of the elimination of lawful nonconforming use status. Therefore, two classes of nonconforming uses are designated, being class A and class B. All nonconforming uses are classified as class B nonconforming uses unless designated class A nonconforming uses.

Sec. 122-202. ~~Nonconforming lots.~~ Authority to continue class B nonconforming.

~~Any nonconforming use, building, structure, or lot which existed lawfully at the time of the adoption of the ordinance from which this chapter derives and which remains nonconforming and any such use, building, structure or lot which must become nonconforming upon the adoption of this article, or of any subsequent amendments thereto, may be continued, subject to the regulations in this article.~~

Any class B nonconforming use which existed lawfully at the time of the adoption of the ordinance from which this chapter derives and which remains nonconforming and any such use which becomes nonconforming upon the adoption of this article, or of any subsequent amendments thereto, may be continued, subject to the regulations in this article.

Sec. 122-203. Nonconforming use of land. Nonconforming lots.

(a) A nonconforming use of land occurs when property is used for a purpose or in a manner which was lawfully in existence before this chapter was adopted, but has become nonconforming under the terms of this chapter or its amendments.

(b) The nonconforming use of land not involving a building or structure, or in connection with which any building or structure thereon is incidental or accessory to the principal use of the land, may be continued subject to the regulations which follow:

(1) *Change.* The nonconforming use of land must not be changed to any other use except to a use permitted in the district in which the land is located.

(2) *Expansion.* A nonconforming use of land must not be expanded or extended beyond the area it occupies.

(3) *Moving.* No such nonconforming use must be moved in whole or in part to any other portion of the lot or parcel occupied by such use at the effective date of adoption or amendment of this chapter.

(4) *Change in occupancy or ownership.* A change in occupancy or ownership must not constitute a change in use.

(5) *Abandonment.* If the nonconforming use of land is abandoned for a period of 365 consecutive days, where there is an intent demonstrated by the property owner to abandon the nonconforming use, it must not thereafter be renewed, and any subsequent use of the land must conform to the regulations of the district in which the land is located. A nonconforming use must be determined to be abandoned if the use has ceased and one (1) or more of the following conditions exist, that said condition(s) being deemed to demonstrate intent on the part of the property owner to abandon the nonconforming use:

(a) One (1) or more utility meters, such as water, gas and electricity to the property, have been removed;

(b) The property, buildings and/or grounds are unsafe or unsanitary, as described in Chapter 18, Article V;

(c) Cessation of business operations;

(d) Receipt of a written declaration by the property owner.

(e) Signs or other indications of the existence of the nonconforming use have been removed;

(f) Removal of equipment or fixtures that are necessary for the operation of the nonconforming use;

(g) Failure to maintain current licenses, certificates, permits, registrations or other appropriate documentation for the nonconforming use;

(h) Bank or tax foreclosure;

(i) Operation or maintenance of a permitted use at the property; or

(j) Other actions or omissions, which in the opinion of the Planning or Building Department(s), evidence an intention of the part of the property owner to abandon the nonconforming use.

A nonconforming lot is a lot of record or a lot described in a deed or land contract existing at the effective date of the ordinance from which this chapter derives that does not meet the minimum area or lot dimensional requirements of the district in which the lot is located. The following regulations must apply to any nonconforming lot:

(1) Use of nonconforming lot. Any nonconforming lot must be used only for a use permitted in the district in which it is located.

(2) Single lot of record. A principal structure and customary accessory structures may be erected on any single lot of record at the effective date of adoption or amendment of this chapter, notwithstanding limitations imposed by other provisions of this chapter. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provision must apply even though such lot fails to meet the requirements for area or width or both, that are generally applicable in the district, provided that yard setback dimensions and requirements other than those applying to area or width of the lot must conform to the regulations for the district in which such lot is located. However, no more than one dwelling unit must occupy any lot except in conformance with the provisions of this chapter for required lot area for each dwelling unit.

(3) Variance from yard or other requirements. If the use of a legal nonconforming lot requires a variation from any yard or other requirements, other than lot area or width, then such variance must be obtained from the Zoning Board of Appeals.

(4) Contiguous lots in same ownership. When two or more contiguous nonconforming lots or parts of nonconforming lots are in a single ownership at the time of, or subsequent to the adoption or amendment of this chapter, such lots must be considered to be a single lot for the purposes of this

chapter, and no portion of such lot must be used, occupied, divided, or sold in any manner which would diminish compliance with minimum lot width and area requirements of this chapter.

Sec. 122-204. Nonconforming uses of buildings or structures. Nonconforming use of land.

The nonconforming use of a building or structure, or structure and lot in combination, may be continued subject to the following provisions:

(1) *Change in use.* The nonconforming use of a building or structure may not be changed to a different use unless the new use is permitted in that same district. Any structure, or structure and lot in combination, in or on which a nonconforming use is replaced by a permitted use, must thereafter conform to the regulations of the district in which it is located and the nonconforming use may thereafter not be resumed.

a. A building or structure used for residential purposes which is nonconforming due to the number of dwelling units contained therein may only be changed so that the number of dwelling units is decreased, or so that the use is brought into conformity with this chapter.

b. Notwithstanding the above, a nonconforming use of a building or structure may be changed to another nonconforming use so that the degree of nonconformity is lessened when authorized by the Planning Commission after a public notice and hearing in accordance with section 122-164. In considering such authorization, the Planning Commission must consider the following:

1. Whether the proposed use is equally or more appropriate than the present nonconforming zoning district in which the building, structure or land is located. No change to a less appropriate use may be authorized by the Planning Commission.

2. Whether the proposed use will interfere with the use of adjoining lands or other properties in the surrounding neighborhood for the uses for which they have been zoned pursuant to the provisions of this chapter.

3. The effect of the proposed use on adjoining lands and the surrounding neighborhood.

4. In permitting such change, the Planning Commission may require appropriate conditions and safeguards in accord with the purpose and intent of this chapter.

5. Where a nonconforming use of a structure, or structure and land, is hereafter changed to a more conforming use, it must not thereafter be changed to a less conforming use.

(2) *Expansion of nonconforming use.*

a. The nonconforming use of any part of a building or structure must not be expanded or extended into any other portion of such building or structure. b. No visible structural alteration must be made to the building or structure devoted to a nonconforming use, except repairs and maintenance work which are required to keep such building in sound condition or as required by law.

c. An existing structure containing a nonconforming use must not be enlarged, constructed, reconstructed, moved or structurally altered or extended, unless the use is changed to a use which is permitted in the district in which the structure is located.

(3) *Change in occupancy or ownership.* A change of occupancy or ownership must not constitute a change in use.

(4) *Removal or destruction.* If a building or structure in which a nonconforming use is being conducted is removed, destroyed, or severely damaged to the extent that the cost of restoration of the structure exceeds 100 percent of the state equalized value (SEV) or 50 percent of a higher value established by the most recent appraisal of the structure exclusive of the foundation and land, the nonconforming use must not be renewed, and any subsequent use of the premises must conform to the use regulations of the district in which the premises are located. Single family homes on individual lots that are considered a non-conforming use in the Neighborhood Corridor Zoning District must be allowed to be rebuilt regardless of the amount of damage done to the structure.

For the purpose of calculating a fair and equitable cost of restoration regulated by this section, the average of two bid estimates from licensed contractors must be used. All work requiring permits under state and local regulations, and materials necessary to bring the structure up to current code must be included. Clean up costs, demolition, furnishings, appliances, and site work, i.e. landscaping, fencing, paving, must not be included. The actual repair and reconstruction may be done by the owner or contractor of his or her choice.

(5) *Abandonment.* If the nonconforming use of land is abandoned for a period of 365 consecutive days, where there is an intent demonstrated by the property owner to abandon the nonconforming use, it must not thereafter be renewed, and any subsequent use of the land must conform to the regulations of the district in which the land is located. A nonconforming use must be determined to be abandoned if the use has ceased and one (1) or more of the following conditions exist, that said condition(s) being deemed to demonstrate intent on the part of the property owner to abandon the nonconforming use:

(a) One (1) or more utility meters, such as water, gas and electricity to the property, have been removed;

(b) The property, buildings and/or grounds are unsafe or unsanitary, as described in Chapter 18, Article V;

(c) Cessation of business operations;

(d) Receipt of a written declaration by the property owner.

- (e) Signs or other indications of the existence of the nonconforming use have been removed;
 - (f) Removal of equipment or fixtures that are necessary for the operation of the nonconforming use;
 - (g) Failure to maintain current licenses, certificates, permits, registrations or other appropriate documentation for the nonconforming use;
 - (h) Bank or tax foreclosure;
 - (i) Operation or maintenance of a permitted use at the property; or
 - (j) Other actions or omissions, which in the opinion of the Planning or Building Department(s), evidence an intention of the part of the property owner to abandon the nonconforming use.
- (1) A nonconforming use of land occurs when property is used for a purpose or in a manner which was lawfully in existence before this chapter was adopted, but has become nonconforming under the terms of this chapter or its amendments.
- (2) The nonconforming use of land not involving a building or structure, or in connection with which any building or structure thereon is incidental or accessory to the principal use of the land, may be continued subject to the regulations which follow:
- (a) Change. The nonconforming use of land must not be changed to any other use except to a use permitted in the district in which the land is located.
 - (b) Expansion. A nonconforming use of land must not be expanded or extended beyond the area it occupies.
 - (c) Moving. No such nonconforming use must be moved in whole or in part to any other portion of the lot or parcel occupied by such use at the effective date of adoption or amendment of this chapter.
 - (d) Change in occupancy or ownership. A change in occupancy or ownership shall not constitute a change in use.
 - (e) Abandonment. If the nonconforming use of land is discontinued for a period of 365 consecutive days, where there is an intent demonstrated by the property owner to abandon the nonconforming use, such use shall not be renewed, and any subsequent use of the land must conform to the regulations of the district in which the land is located. A nonconforming use may be determined to be abandoned if the use has ceased and one (1) or more of the following conditions exist, that said condition(s) demonstrating intent on the part of the property owner to abandon the nonconforming use:
 - (i.) One (1) or more utility meters, such as water, gas and electricity to the property, have been removed;
 - (ii.) The property, buildings and/or grounds are unsafe or unsanitary, as described in Chapter 18, Article V;
 - (iii.) Cessation of business operations;
 - (iv.) Receipt of a written declaration by the property owner.
 - (v.) Signs or other indications of the existence of the nonconforming use have been removed;
 - (vi.) Removal of equipment or fixtures that are necessary for the operation of the nonconforming use;
 - (vii.) Failure to maintain current licenses, certificates, permits, registrations or other appropriate documentation for the nonconforming use;
 - (viii.) Bank or tax foreclosure;
 - (ix.) Operation or maintenance of a permitted or different use at the property; or

- (x.) Other actions or omissions, which in the opinion of the Planning or Building Department(s), evidence an intention of the part of the property owner to abandon the nonconforming use.

(3) A nonconforming use of land is not eligible for class A nonconforming designation.

Sec. 122-205. Nonconforming buildings or structures. Class B nonconforming uses of buildings.

(a) A nonconforming building or structure is a structure which was lawful on the effective date of adoption or amendment of this chapter, but which does not conform to the new chapter regulations for building type, lot area, lot area per dwelling unit, lot width, lot coverage, floor area, height, greenbelts or screening, off-street parking, loading space, yard, or other requirements of the zoning district in which it is located.

(b) Nonconforming buildings and structures may be re-used and occupied by new owners or tenants if all requirements of this Chapter are met and the restrictions below are met.

(c) Nonconforming buildings and structures must be subject to the following restrictions:

(1) *Expansion.* Nonconforming structures may be expanded only in compliance with the following regulations:

a. All nonconforming structures, in any zoning district, may only be expanded in such a way that does not increase a non-conforming characteristic. All expansions must meet all requirements of the zoning district in which it is located, including lot coverage, heights, yard requirements, and off-street parking. A non-conforming building type may not be expanded.

(2) *Alterations.* A nonconforming structure may be altered to decrease its nonconformity.

(3) *Moving.* A nonconforming structure which is moved within a site or to another site must thereafter conform to the regulations of the district in which it is located.

(4) *Damage and removal.* A nonconforming structure which is damaged by any means may be restored to its original conditions and location prior to such damage, provided such construction is completed within 18 months of the date of damage and is diligently pursued to completion. Failure to complete reconstruction must result in the loss of legal, nonconforming status.

(5) *Restoration or repair.*

a. All repairs and maintenance work required to keep a nonconforming building or structure in sound condition may be made, but such building or structure must not be structurally altered in a way inconsistent with the description and purpose of this article.

b. If a nonconforming structure or a structure housing a nonconforming use becomes physically unsafe or unlawful or poses a threat to the public health, safety, and welfare due to a lack of repairs or maintenance, the structure must be declared by the building department to be unsafe or unlawful by reason of physical condition. Such structure must not thereafter be restored, repaired, or rebuilt except in conformity with the provisions of this chapter.

(6) *Restoration of Historic Structures.* Restoration may be permitted of a legal nonconforming structure, designated as historic by the Ypsilanti Historic District Commission, which has been destroyed or abandoned (as defined in section 122-205) provided the Planning Commission finds all of the following provisions are met:

a. The approved design of the restored building maintains the same design and historical character it had prior to the destruction or abandonment; or, in the case of a building that had been altered prior to destruction or abandonment, that the restored building more closely parallels the design of the original historic structure.

b. All reasonable attempts at eliminating or reducing the nonconforming nature of the structure have been considered and will be implemented in the restoration project.

All nonconforming uses of buildings not designated class A shall be class B nonconforming uses of buildings. Class B nonconforming uses of buildings shall comply with all the provisions of this article relative to nonconforming uses of buildings. The class B nonconforming use of a building, or building and lot in combination, may be continued subject to the following provisions:

(1) Change in use. The nonconforming use of a building may not be changed to a different use unless the new use is permitted in that same district. Any building, or building and lot in combination, in or on which a nonconforming use is replaced by a permitted use, must thereafter conform to the regulations of the district in which it is located and the nonconforming use may thereafter not be resumed.

(a) A building or structure used for residential purposes which is nonconforming due to the number of dwelling units contained therein may only be changed so that the number of dwelling units is decreased, or so that the use is brought into conformity with this chapter.

- (b) Notwithstanding the above, a nonconforming use of a building or structure may be changed to another nonconforming use so that the degree of nonconformity is lessened when authorized by the planning commission after a public notice and hearing in accordance with section 122-164. In considering such authorization, the planning commission must consider the following:
- (i.) Whether the proposed use is equally or more appropriate than the present nonconforming zoning district in which the building, structure or land is located. No change to a less appropriate use may be authorized by the planning commission.
 - (ii.) Whether the proposed use will interfere to a lesser extent with the use of adjoining lands or other properties in the surrounding neighborhood for the uses for which they have been zoned pursuant to the provisions of this chapter.
 - (iii.) The effect of the proposed use on adjoining lands and the surrounding neighborhood.
 - (iv.) In permitting such change, the planning commission may require appropriate conditions and safeguards in accord with the purpose and intent of this chapter.
 - (v.) Where a nonconforming use of a structure, or structure and land, is hereafter changed to a more conforming use, it must not thereafter be changed to a less conforming use.

(2) Expansion of class B nonconforming use.

- (a) The nonconforming use of any part of a building or structure must not be expanded or extended into any other portion of such building or structure.
- (b) No visible structural alteration must be made to the building or structure devoted to a nonconforming use, except repairs and maintenance work which are required to keep such building in sound condition or as required by law.
- (c) An existing structure containing a nonconforming use shall not be enlarged, constructed, reconstructed, moved or structurally altered or extended, unless the use is changed to a use which is permitted in the district in which the structure is located.

(3) Change in occupancy or ownership. A change of occupancy or ownership shall not constitute a change in use.

(4) Removal or destruction. If a building or structure in which a nonconforming use is being conducted is removed, destroyed, or severely damaged to the extent that the cost of restoration of the structure exceeds 100 percent of the state equalized value (SEV) or 50 percent of a higher value established by the most recent appraisal of the structure exclusive of the foundation and land, the nonconforming use shall not be renewed, and any subsequent use of the premises must conform to the use regulations of the district in which the premises are located. Single-family homes on individual lots that are considered a non-conforming use in the NC, Neighborhood Corridor Zoning District, shall be allowed to be rebuilt regardless of the amount of damage done to the structure so long as the rebuilt building is not enlarged or expanded.

For the purpose of calculating a fair and equitable cost of restoration regulated by this section, the average of two bid estimates from licensed contractors must be used. All work requiring permits under state and local regulations, and materials necessary to bring the structure up to current code must be included. Clean up costs, demolition, furnishings, appliances, and site work, i.e. landscaping, fencing, paving, shall not be included. The actual repair and reconstruction may be done by the owner or contractor of his or her choice.

(5) Abandonment. If the nonconforming use of land is discontinued for a period of 365 consecutive days, where there is an intent demonstrated by the property owner to abandon the nonconforming use, it must not thereafter be renewed, and any subsequent use of the land must conform to the regulations of the district in which the land is located. A nonconforming use must be determined to be abandoned if the use has ceased and one (1) or more of the following conditions exist, that

said condition(s) being deemed to demonstrate intent on the part of the property owner to abandon the nonconforming use:

- (a) One (1) or more utility meters, such as water, gas and electricity to the property, have been removed;
- (b) The property, buildings and/or grounds are unsafe or unsanitary, as described in Chapter 18, Article V;
- (c) Cessation of business operations;
- (d) Receipt of a written declaration by the property owner.
- (e) Signs or other indications of the existence of the nonconforming use have been removed;
- (f) Removal of equipment or fixtures that are necessary for the operation of the nonconforming use;
- (g) Failure to maintain current licenses, certificates, permits, registrations or other appropriate documentation for the nonconforming use;
- (h) Bank or tax foreclosure;
- (i) Operation or maintenance of a permitted use or different use at the property; or
- (j) Other actions or omissions, which in the opinion of the Planning or Building Department(s), evidence an intention of the part of the property owner to abandon the nonconforming use.

Sec. 122-206. ~~Building or structure under construction on effective date of the ordinance from which this chapter is derived.~~ Class A nonconforming uses of buildings.

Any building or structure must be considered existing and lawful for the purposes of this article if, on the effective date of the ordinance from which this chapter is derived, a building permit has been obtained therefore, if required; or if no building permit is required, a substantial start has been made toward construction and construction is thereafter pursued diligently to conclusion.

Nonconforming uses of buildings shall be designated class A provided that the Planning Commission finds all of the following exists with respect to the use or structure:

- (1) The use of structure was lawful at its inception.
- (2) The decision to continue the nonconforming use, if granted, will not alter the essential character of the area or neighborhood.
- (3) Continuance of the use or structure would not be contrary to the public health, safety, or welfare or the spirit of the chapter.
- (4) No useful purpose would be served by strict application of the provisions of this chapter with which the use or structure does not conform.
- (5) Nonconforming uses of buildings are subject to the following restrictions:
 - (a) *Change in use.* The nonconforming use of a building may not be changed to a different use unless the new use is permitted in that same district. Any building, or building and lot in combination, in or on which a nonconforming use is replaced by a permitted use, must thereafter conform to the regulations of the district in which it is located and the nonconforming use may thereafter not be resumed.
 - (b) A building or structure used for residential purposes which is nonconforming due to the number of dwelling units contained therein may only be changed so that the number of dwelling units is decreased, or so that the use is brought into conformity with this chapter.
 - (c) Notwithstanding the above, a nonconforming use of a building or structure may be changed to another nonconforming use so that the degree of nonconformity is lessened when authorized by the planning commission after a public notice and hearing in accordance with section 122-164. In considering such authorization, the planning commission must consider the following:

- (i.) Whether the proposed use is equally or more appropriate than the present nonconforming zoning district in which the building, structure or land is located. No change to a less appropriate use may be authorized by the planning commission.
 - (ii.) Whether the proposed use will interfere to a lesser extent with the use of adjoining lands or other properties in the surrounding neighborhood for the uses for which they have been zoned pursuant to the provisions of this chapter.
 - (iii.) The effect of the proposed use on adjoining lands and the surrounding neighborhood.
 - (iv.) In permitting such change, the planning commission may require appropriate conditions and safeguards in accord with the purpose and intent of this chapter.
 - (v.) Where a nonconforming use of a structure, or structure and land, is hereafter changed to a more conforming use, it must not thereafter be changed to a less conforming use.
- (6) Removal or destruction. If a class A nonconforming structure is destroyed, or severely damaged, it may be restored in conformance with the plans submitted when the status was conferred.
- (7) This designation shall run with the land.

Sec. 122-207. ~~Unlawful nonconformities.~~ Class A Conditions.

(a) ~~No nonconformity must be permitted to continue in existence if it was unlawful at the time it was established.~~

(b) ~~The city must maintain records of nonconforming uses and structures as accurate as is feasible for determining legal nonconforming uses and structures in existence on the effective date of the ordinance from which this chapter is derived. However, failure on the part of a property owner to provide the city with necessary information to determine legal nonconforming status may result in denial of a required or requested permit.~~

The decision to grant a class A designation shall be made by the Planning Commission in writing, setting forth its findings of fact and basis for the designation. Only multiple family dwellings and/or group residence uses in R1, CN-SF, and CN-Mid shall be eligible for this designation. For changes or improvements to a class A use, site plans shall be required.

- (1) Application. An application for class A nonconforming status shall be filed with the city planner's office by the record owner of the property in question or by a person authorized to act on the record owner's behalf. The application shall consist of a completed application form, fee, and the following information:
- (a) Name, address, and telephone number of the applicant and property owner; and the interest of the applicant in the property.
 - (b) Legal description, address, and tax parcel number of the subject property.
 - (c) An accurate, scaled drawing of the property, showing all property lines and dimensions correlated with the legal description; the location and dimensions of all existing and proposed structures and uses on the property; any roads, alleys, easements, drains, or waterways which traverse or abut the property; and the lot area and setback dimensions necessary to show compliance with the regulations of this chapter. In most cases, a site plan or survey will meet this requirement.
 - (d) The applicant shall show compliance with all applicable conditions of the City of Ypsilanti Code of Ordinances, and all applicable conditions of the International Property Maintenance Code, as adopted under Chapter 18 of the City of Ypsilanti Code of Ordinances.
 - (e) Other reasonable information deemed necessary by the Planning Commission in order to make a proper decision.
 - (f) No application for Class A designation shall be accepted after such time as the building has been destroyed as described in §122-205(4) or the use abandoned as described in §122-205(5).
- (2) Conditions. The Planning Commission may condition its approval on the following:

- (a) Screening and landscaping in keeping with community standards to ensure compatibility with adjacent uses.
 - (b) Restrictions on lighting, noise, odor, or visual impact.
 - (c) Signage must comply with current zoning district requirements. Existing nonconforming signs may be required to be eliminated or reduced in size and number.
 - (d) Replacement of a building must not create a more nonconforming yard setback condition which would impact on conforming properties in the immediate vicinity.
 - (e) Other reasonable safeguards and improvements may be imposed by the Planning Commission to protect conforming uses in the surrounding area.
- (3) Procedure. By the following procedure, the Planning Commission shall assure the public health, safety and welfare, and the spirit and purpose of this chapter:
- (a) A class A designation shall be deemed temporary until the Planning Commission has received written verification from the building official that the party requesting the class A designation has complied with all of the conditions set forth by the Planning Commission.
 - (b) Once the Planning Commission has received written verification from the building director that the party requesting the class A designation has complied with said conditions, the class A designation shall become final, subject to other provisions of this chapter as hereafter prescribed.
 - (c) No class A nonconforming use shall be resumed if it has been abandoned as defined in section §122-205(5). No class A nonconforming use shall be used, altered, or enlarged in violation of any conditions imposed in its designation.
 - (d) A temporary class A nonconforming use designation shall be void after six months if any conditions imposed by the designation remain outstanding, unless the Planning Commission grants a written request for an extension of six months. No more than two extensions may be granted.
- (4) Revocation. Approval of a Class A designation may be revoked by the Planning Commission if the use and building is not in conformance with the approved plans, or if compliance with conditions has not been consistently demonstrated. In such case, the issue must be placed on the agenda of the Planning Commission for consideration. Written notice must be given to the applicant not less than ten days prior to the meeting. The applicant must be given the opportunity to present information to the Planning Commission and answer questions. The Planning Commission may revoke the Class A designation if it finds that a violation of the conditions set forth by the Planning Commission in their initial decision exists and has not been remedied prior to the meeting.

Sec. 122-208. Acquisition of nonconformities. Nonconforming structures.

The city may acquire private property to remove a nonconformity, as provided in Act No. 207 of the Public Acts of Michigan of 1921 (MCL 125.581 et seq., MSA 5.2931 et seq.), as amended.

- (8) A nonconforming building or structure is a structure which was lawful on the effective date of adoption or amendment of this chapter, but which does not conform to the new chapter regulations for building type, lot area, lot area per dwelling unit, lot width, lot coverage, floor area, height, screening, off-street parking, loading space, yard, or other requirements of the zoning district in which it is located.
- (9) Nonconforming buildings and structures may be re-used and occupied by new owners or tenants if all requirements of this Chapter are met and the restrictions below are met.
- (10) Nonconforming buildings and structures are subject to the following restrictions:
 - a. Expansion. Nonconforming structures may be expanded only in compliance with the following regulations:
 - i. All nonconforming structures, in any zoning district, may only be expanded in such a way that does not increase a non-conforming characteristic.

- ii. All expansions must meet all requirements of the zoning district in which it is located, including lot coverage, heights, yard requirements, and off-street parking.
 - iii. A non-conforming building type may not be expanded.
 - b. Alterations. A nonconforming structure may be altered to decrease its nonconformity.
 - c. Moving. A nonconforming structure which is moved within a site or to another site must conform to the regulations of the district in which it is located.
 - d. Damage and removal. A nonconforming structure which is damaged by any means may be restored to its original conditions and location prior to such damage, provided such construction is completed within 18 months of the date of damage and is diligently pursued to completion. Failure to complete reconstruction must result in the loss of legal, nonconforming status.
 - e. Restoration or repair.
 - i. All repairs and maintenance work required to keep a nonconforming building in sound condition may be made, but such structure must not be structurally altered in a way inconsistent with the description and purpose of this article.
 - ii. If a nonconforming structure or a structure housing a nonconforming use becomes physically unsafe or unlawful or poses a threat to the public health, safety, and welfare due to a lack of repairs or maintenance, the structure must be declared by the building department to be unsafe or unlawful by reason of physical condition. Such structure must not thereafter be restored, repaired, or rebuilt except in conformity with the provisions of this chapter.
- (11) Restoration of Historic Structures. Restoration may be permitted of a legal nonconforming structure, designated as historic by the Ypsilanti Historic District Commission, which has been destroyed or abandoned (as defined in §122-205) provided the Planning Commission finds all of the following provisions are met:
- a. The approved design of the restored building maintains the same design and historical character it had prior to the destruction or abandonment; or, in the case of a building that had been altered prior to destruction or abandonment, that the restored building more closely parallels the design of the original historic structure.
 - b. All reasonable attempts at eliminating or reducing the nonconforming nature of the structure have been considered and are implemented in the restoration project.

~~Secs. 122-210 – 122-230. Reserved.~~

Sec. 122-209. Acquisition of nonconformities.

The city may acquire private property to remove a nonconformity, as provided in Act No. 207 of the Public Acts of Michigan of 1921 (MCL 125.581 et seq., MSA 5.2931 et seq.), as amended.

Sec. 122-210. Building or structure under construction on effective date of the ordinance from which this chapter is derived.

Any building or structure must be considered existing and lawful for the purposes of this article if, on the effective date of the ordinance from which this chapter is derived, a building permit has been obtained therefore, if required; or if no building permit is required, a substantial start has been made toward construction and construction is thereafter pursued diligently to conclusion.

Sec. 122-211. Unlawful nonconformities.

- (1) No nonconformity shall be permitted to continue in existence if it was unlawful at the time it was established.

(2) The city shall maintain records of nonconforming uses and structures as accurate as is feasible for determining legal nonconforming uses and structures in existence on the effective date of the ordinance from which this chapter is derived. However, failure on the part of a property owner to provide the city with necessary information to determine legal nonconforming status may result in denial of a required or requested permit.

Secs. 122-212--122-230. Reserved.

- 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 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, repealed.
- 4. Saving Clause.** The balance of the Code of Ordinances, City of Ypsilanti, Michigan, except as 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 of this ordinance.
- 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 by printing the same in the newspaper 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 Ypsilanti Courier 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: _____
Second Reading: _____
Published: _____
Effective Date: _____

Draft 03-23-2015



Resolution No. 2015-093
April 21, 2015

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the public hearing for the approval of the amendments to Chapter 122, Article I, Section 8 of the City's Code of Ordinances regarding Non-conforming uses be officially closed.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



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

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

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

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

REQUEST FOR LEGISLATION

DATE: April 13, 2015

FROM: John M. Barr, Ypsilanti City Attorney

SUBJECT: An Ordinance to Amend Ypsilanti City Code Chapter 102 "Traffic and Vehicles" of the Ypsilanti City Code, Article III "Stopping, Standing and Parking", Division 3 "Residential Permit Parking", Sections 102-101 and 102-102 to Make the Purpose of the Division Consistent With Its Prohibitions

SUMMARY/BACKGROUND

Upon review of this ordinance to answer a question posed by City Staff, it was noticed that the purpose stated in the City Code relevant to the City's residential permit parking program (Chapter 102, Article III, Division 3) did not align with the prohibitions contained therein. Specifically, the effective language of the ordinance prohibits any parking by people who do not hold permits in these zones during posted hours, not just such parking "on a longterm basis." The attached ordinance brings the stated purpose of the Code in line with the relevant prohibitions.

Further, this change to the Code negates the need to define "longterm" within this Division. As this is the only term defined within the Division, the attached ordinance also removes Section 102-102, the definition Section of the Division.

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. 2015-094
April 21, 2015

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled " AN ORDINANCE TO AMEND YPSILANTI CITY CODE CHAPTER 102 "TRAFFIC AND VEHICLES" OF THE YPSILANTI CITY CODE, ARTICLE III "STOPPING, STANDING AND PARKING", DIVISION 3 "RESIDENTIAL PERMIT PARKING", SECTIONS 102-101 AND 102-102 TO MAKE THE PURPOSE OF THE DIVISION CONSISTENT WITH ITS PROHIBITIONS" be approved on first reading.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



**CITY OF YPSILANTI
NOTICE OF ADOPTED ORDINANCE
Ordinance No. 1247**

AN ORDINANCE TO AMEND YPSILANTI CITY CODE CHAPTER 102 "TRAFFIC AND VEHICLES" OF THE YPSILANTI CITY CODE, ARTICLE III "STOPPING, STANDING AND PARKING", DIVISION 3 "RESIDENTIAL PERMIT PARKING", SECTIONS 102-101 AND 102-102 TO MAKE THE PURPOSE OF THE DIVISION CONSISTENT WITH ITS PROHIBITIONS

1. THE CITY OF YPSILANTI HEREBY ORDAINS That Chapter 102 of the Code of Ordinances, City of Ypsilanti, Michigan, entitled "Traffic and Vehicles," Article III "Stopping, Standing and Parking," Division 3 "Residential Permit Parking", Section 102-101 "Purpose of division; designation", is hereby amended as follows:

Sec. 102-101. - Purpose of division; designation.

(a) *Purpose.* The purpose of the residential parking permit program is to eliminate severe hardship created by non-residents who park on the street on a longterm basis in residential zoning districts, and to limit the use of streets in residential areas for commercial parking.

(b) *Designation.* Residential permit parking zones shall be designated by and may be modified by the city manager. A map of these zones is available for inspection in the office of the city manager.

2. THE CITY OF YPSILANTI HEREBY FURTHER ORDAINS That Chapter 102 of the Code of Ordinances, City of Ypsilanti, Michigan, entitled "Traffic and Vehicles," Article III "Stopping, Standing and Parking," Division 3 "Residential Permit Parking", Section 102-102 "Definitions", is hereby amended by deleting the entire section as follows:

~~Sec. 102-102. - Definitions.~~

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

~~*Longterm parking* means parking in a particular spot, or in front of a particular residence, or on a certain block within the city for more than two hours at a time or more than one time per week.~~

3. 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.

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

5. 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.

6. 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.

7. 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: _____

Second Reading: _____

Published: _____

Effective Date: _____



RESOLUTION NO. 2015-095
April 21, 2015

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the public hearing for the proposed ordinance entitled " AN ORDINANCE TO AMEND YPSILANTI CITY CODE CHAPTER 102 "TRAFFIC AND VEHICLES" OF THE YPSILANTI CITY CODE, ARTICLE III "STOPPING, STANDING AND PARKING", DIVISION 3 "RESIDENTIAL PERMIT PARKING", SECTIONS 102-101 AND 102-102 TO MAKE THE PURPOSE OF THE DIVISION CONSISTENT WITH ITS PROHIBITIONS" be officially closed.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



REQUEST FOR LEGISLATION
April 7, 2015

From: Bonnie Wessler, Acting Planner II

Subject: Engineering Standards for Development Projects

SUMMARY & BACKGROUND

During the Redevelopment Ready Certification process, it was brought to staff attention that the City had not adopted Engineering Standards that were readily available to developers, for them to use when drafting plans for our review and eventual approval. OHM has worked to provide documentation of procedures and standards already in place, to provide clarity to applicants as to what is expected during the development process.

The attached Engineering Design Standards have been reviewed and recommended for approval by Planning Commission Note that it provides clarity on several aspects of the development process, including timing, and largely reflects the processes and standards currently in place. One new item is included, and that is the requirement of a performance bond prior to construction. No fee changes will take place until the annual fee schedule update.

RECOMMENDED ACTION: Approval

ATTACHMENTS: Resolution
Standards

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: 4/7/2015

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2015 - 084
April 7, 2015

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, it is considered a best practice to have clear, consistent, and accessible engineering design standards; and

WHEREAS, the City has not previously published such standards for potential developers to use; and

WHEREAS, the City has an ongoing commitment to clarity, transparency, and predictability; and

WHEREAS, the Planning Commission has reviewed and recommended the City adopt such standards;

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council adopt the attached Engineering Standards, dated April 2015.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

City of Ypsilanti

Engineering Design Standards and Site Development Procedures Manual



APRIL 2015

architects. engineers. planners.



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- B. Bonds and Maintenance Documents**
Maintenance and Guarantee Bond - Site Development
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- D. Certifications – Grading – Stormwater Outlet**
City of Ypsilanti Site Grading/Setback Certification
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- E. Washtenaw County Design Standards Appendices**
Washtenaw County authored documents are available at the County’s website. It is the applicant’s responsibility to verify the most current version of the documents at:

http://www.ewashtenaw.org/government/drain_commissioner/dc_webPermits_DesignStandards/dc_Rules

I. General Requirements and Procedures

A. Title and Purpose

These guidelines shall be known and may be cited as the City of Ypsilanti Engineering Design and Construction Standards. The intent of this manual is to establish minimum engineering requirements for the design and construction of improvements within the City of Ypsilanti.

B. Definitions

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

AASHTO:

American Association of State Highway and Transportation Officials

ANSI:

American National Standards Institute

ASTM:

American Society for Testing and Materials

AWWA:

American Water Works Association

CITY:

The City of Ypsilanti, Michigan

CITY ENGINEER:

The consulting engineers or staff engineers employed by the City of Ypsilanti.

DETENTION POND:

An open water facility used to manage and control storm water flows leaving a site via an engineered controlled outlet.

DPS:

City of Ypsilanti Department of Public Services

EASEMENT:

The right of an owner of property by reason of such ownership, to use the property of another for purposes of ingress, egress, utilities, drainage and similar uses.

GLUMRB:

Recommended Standards for Sewage Services, (Ten States Standards); standards for use as a guide in the design and preparation of plans and specifications for sewage services, prepared by the Standards Committee of the Great Lakes-Upper Mississippi River Board of State Sanitary Engineers.

MDEQ:

Michigan Department of Environmental Quality

MDOT:

Michigan Department of Transportation

MDPH:

Michigan Department of Public Health

MIOSHA:

Michigan Occupational Safety and Health Act

P&D:

City of Ypsilanti Planning and Development Department

STANDARD DETAILS DRAWINGS (SDD):

Refers to the City of Ypsilanti and YCUA Standard Details Drawings for water mains, storm sewers, sanitary sewers and soil erosion adopted by the City. They are considered a part of these standards.

WCRC:

Washtenaw County Road Commission

YCUA:

Ypsilanti Communities Utility Authority

ZBA:

The City of Ypsilanti Zoning Board of Appeals

C. Compliance with Ordinances and Public Acts

All construction shall be in compliance with the procedural and substantive requirements of the Zoning Ordinance; Part 91 - Soil Erosion Control; the Land Division Act, Act No. 288 of the Public Acts of Michigan of 1967, the Condominium Act 59 of 1978, as Amended, the 2010 Americans with Disabilities Act standards including 28 CFR section 35.151 and 28 CFR part 36 App. A, the ADAAG, and all other applicable statutes and ordinances, in addition to the requirements contained in this manual.

D. Standard Details

All utilities described and contained in this manual shall be constructed in accordance with the City's and YCUA's "Standard Details Drawings" (SDD) which are included with this manual.

E. General Project Review Procedures

1. The project review and approval process generally consists of four phases. All must be completed before a project is accepted by the City.
 - a. **Phase I – Site Plan**
The first phase includes review of the site plan and concludes with approval of the site plan by the Planning Commission. This includes any site improvements, public and private utility installation, paving, and storm water management facilities.

The applicant must contact the Planning and Development Department (P&D) for the required forms, fees and detailed explanation of the process. P&D will distribute the plans to the appropriate City departments and consultants who perform an engineering site plan review. The review of the site plan from an engineering standpoint, along with the associated fees and plan requirements is outlined herein.

The second phase begins after the Planning Commission approves the plan and the City Planner signs off on the plans implementing all conditions of approval.
 - b. **Phase II – Engineering Plan**
Upon completion of the Site Plan phase, the developer submits detailed engineering plans and fees to the Planning and Development Department. P&D then distributes the engineering plans to the appropriate City departments and consultants who perform a detailed engineering plan review.

Final approval of the plans will not be issued until all required permits are on file. The City of Ypsilanti Building Department will not issue any building permits until after all permits have been received, and the construction plans have been approved.
 - c. **Phase III – Building Department Review**
Building permit applications shall be obtained from the Building Department. The Building Department will not issue permits until the plans are approved for construction and a preconstruction meeting has been held.
 - d. **Phase IV – Construction**
The fourth phase begins after all permits are received and the plans have been approved for construction by the City Engineer and the Building Department. The construction phase begins with a preconstruction meeting, and ends with final acceptance of the project by the City of Ypsilanti, YCUA, and the Building Department.
2. Additional review steps are needed for single-family condominium and subdivision reviews per the City of Ypsilanti Zoning Ordinance.

F. Engineering Requirements for Site Plans

1. The applicant must follow the procedures of the Planning and Development Department in order to achieve site plan approval. Information on the submission deadlines and procedures must be obtained from the P&D Department.

<http://cityofypsilanti.com/planning>

The site plan submission shall include the level of engineering detail necessary to demonstrate conformance with these standards will be possible. The checklist included in Appendix A outlines the level of detail necessary on the detailed engineering plan submission, not necessarily the engineering site plan submission. It is the applicant's responsibility to provide the appropriate level of detail necessary to illustrate how the engineering requirements will be met.

For example, providing rough storm water detention calculations and identifying the detention pond location and approximate size would be suitable for site plan review. Detailed calculations and grading plans are necessary for engineering plan review and approval.

2. Special engineering design considerations may also be addressed at this time.

G. Engineering Requirements for Detailed Engineering Plans (Construction Plans)

The Detailed Engineering Plan Review process is outlined in Section II of this manual. A checklist outlining the information that needs to be included on a Detailed Engineering Plan submittal is included in Appendix A.

H. Permit Requirements

Prior to commencing construction the applicant must obtain all required permits.

1. **Building Permit:**
Before any construction can begin, a building permit must be obtained from the City of Ypsilanti. This permit will not be issued until construction plans have been approved by the Building Department, Department of Public Services, the City Engineer, and the Fire Department.
<http://cityofypsilanti.com/Government/Departments/BuildingDepartment>
2. **Soil Erosion and Sediment Control Permit:**
Application and fee must be deposited with Washtenaw County. A permit from Washtenaw County for soil erosion is required **for all projects** before engineering plan approval.
http://www.ewashtenaw.org/government/drain_commissioner/dc_websoilerosion
3. **City Right-of-Way Procedures and Fees Schedule:**

Anyone wishing to work in a City of Ypsilanti right-of-way must apply for and obtain an approval from the DPS. This includes, but is not limited to, driveway construction and reconstruction and private utility work.

4. Michigan Department of Environmental Quality (Water Main):
Construction of a public water main requires a construction permit from the Michigan Department of Environmental Quality as well as the approval of the City of Ypsilanti and YCUA. Projects meeting certain criteria may also require approval from the Detroit Water & Sewerage Department. The proprietor will submit four (4) sets of plans and detail sheets, signed and sealed by the Michigan registered professional civil engineer responsible for the preparation of plans and specifications. A completed MDEQ permit application must also be submitted. In addition, a tabulation of water mains consisting of their size, location, type and length will be prepared by the applicant's engineer and submitted to the City.

A current MDEQ permit application can be found at
<http://www.michigan.gov/deq/>.

5. Michigan Department of Environmental Quality (Sanitary):
Construction of public sanitary sewer requires a construction permit from the MDEQ as well as the approval of the City of Ypsilanti and YCUA. The applicant will submit three (3) sets of plans and specifications signed and sealed by a professional civil engineer registered in the State of Michigan. In addition, design flow computations for the proposed sewers and a tabulation of the capacities of the proposed sewers and the existing outfall sewer will be submitted by the proprietor's engineer, as well as two (2) copies of the completed MDEQ permit application. The City Engineer will send three (3) sets of plans to YCUA and request approval for an MDEQ permit.

A current MDEQ permit application can be found at
<http://www.michigan.gov/deq/>

6. Washtenaw County Road Commission (Roads)
All work in roads under the jurisdiction of Washtenaw County requires a permit from the Washtenaw County Permit Engineering Section.
7. Office of the Washtenaw County Water Resources Commissioner, (Storm Drainage):
 - a. Connections to County Drains and Sewers:
A Washtenaw County construction permit is required for any connection to a County drain. A Certificate of outlet will be required (See Appendix D).

- b. The City of Ypsilanti will require a certificate of outlet for all stormwater discharges. (See Appendix D).
8. Michigan Department of Environmental Quality (MDEQ) (Wetlands, Inland Lakes and Streams):

It is the developer's responsibility to obtain MDEQ permits as required under Part 303 (Wetland Protection Permit) and Part 301 (Inland Lakes and Streams Permit).

A current MDEQ permit application can be found at
<http://www.michigan.gov/deq/>.

9. Other Permits:

Other agencies from which the developer may need a permit must be designated on the approved plan. These permits are the applicant's responsibility and will be required prior to construction. Other possible agencies include, but are not limited to:

Michigan Department of Environmental Quality – N.P.D.E.S.
Michigan Department of Transportation
Washtenaw County Health Department

I. Fees and Escrow Requirements

All escrows and fees must be submitted to the appropriate department prior to beginning any plan reviews. The fees and escrow amounts outlined in this document are for the City Engineer only. Additional fees from other City Departments and other permitting agencies may be required. The applicant is encouraged to contact the Planning and Development Department for a comprehensive schedule of City fees.

- 1. Engineering Site Plan Review Fee – paid to the Planning and Development Department
 - a. This fee must be deposited with the P&D Department prior to site plan review. This fee is non-refundable and approval cannot be given without its receipt.
 - b. Fees shall be paid in accordance with the Fee Schedule adopted by City Council.
 - c. The initial fee covers two reviews. Additional reviews beyond the second review will require additional fees in accordance with the Fee Schedule.

2. Detailed Engineering Plan Review Fee – paid to the Planning and Development Department
 - a. The fee will be calculated in accordance with the Fee Schedule adopted by City Council. The fee is calculated based on the total construction cost of the project. The total construction costs calculation shall include grading/earthwork, water main, sanitary sewer, pavement, storm sewers and underground detention / detention basins. Construction costs inside the building footprint shall not be included.
 - b. An itemized, unit-cost cost estimate of the work activities listed above must be provided to the Planning and Development Department with the original engineering application and plan sets. This estimate must be signed and sealed by an engineer registered in the State of Michigan and must be approved by the City Engineer. The initial fee will be determined as a percentage of the estimate as detailed in the Fee Schedule. As part of the first review, the estimate will be reviewed for completeness and compared to average industry costs. If revisions to the estimate are required additional fees will apply.
 - c. The original review fee covers three plan reviews. If additional reviews are necessary, the applicant must submit additional payment. Additional payments must be posted with the next submittal to the Planning and Development Department. The review process will be put on hold until this payment is received.
 - d. All engineering reviews must be submitted to the Planning and Development Department for processing. The Planning and Development Department will forward plans to the City Engineer.
3. Soil Erosion Plan Review and Construction Observation Fee (Contact Washtenaw County).
4. Construction Observation Escrow – paid to the Planning and Development Department:

The construction escrow must be deposited prior to construction to cover the costs of City Construction Observation. The fee is based on the construction cost of all water mains, sanitary sewers, storm sewers, earthwork, paving and sidewalks that require engineering Construction Observation. The construction cost will be defined as either the signed contract for the work or a sealed engineer's itemized estimate for the work approved by the City Engineer.

The initial escrow amount will be determined as a percentage of the estimate as detailed in the Fee Schedule. The construction escrow will be placed in an account and any unused monies will be refunded. If the construction escrow is not sufficient to cover the project costs, an additional deposit shall be required prior to the acceptance of the infrastructure by the City or issuance of a final certificate of occupancy.

5. Building Permit Fee – paid to the Building Department (contact Building Department).

J. Insurance

1. The CONTRACTOR, prior to commencing work, shall provide at their own cost and expense the following insurance to the CITY in insurance companies licensed and/or approved in the State of Michigan, which insurance shall be evidenced by certificates and/or policies as determined by the CITY. All policies and certificates of insurance shall be approved by the City Manager of the CITY prior to the inception of any work.
2. Each certificate or policy shall require that, thirty days prior to cancellation or material change in the policies, notice thereof shall be given to the CITY by registered mail, return receipt requested, for all of the following stated insurance policies. All such notices shall name the CONTRACTOR and identify the contract number.
3. All property losses shall be made payable to and adjusted with the CITY.
4. In order to determine financial strength and reputation of insurance carriers, all companies providing the coverages required shall be licensed or approved by the Insurance Bureau of the State in which the work is performed and shall have a financial rating not lower than XI and a policyholder's service rating no lower than B+ as listed in A.M. Best's Key Rating Guide, current edition. Certificates of insurance shall note A.M. Best's Rating. Companies with ratings lower than B+:XI will be acceptable only upon written consent of the CITY.
5. All policies and certificates of insurance of the CONTRACTOR shall contain the following clauses:
 - a. The clause "other insurance provision" in a policy in which the CITY is named as an insured, shall not apply to the CITY.
 - b. The insurance companies issuing the policy or policies shall have no recourse against the CITY (including its agents and agencies as aforesaid) for payment of any premiums or for assessments under any form of policy.
 - c. Any and all deductibles in the above described insurance policies shall be assumed by and be for the account of, and at the sole risk of, the CONTRACTOR.
 - d. The CITY (at its option) shall be listed as an Additional Named Insured on the following insurance coverages provided by the CONTRACTOR.
6. The CONTRACTOR shall maintain at its own expense the following insurance:
 - a. Worker's Compensation insurance with Michigan statutory limits and employers' liability insurance with minimum limits of \$500,000 each accident.

- b. General Liability insurance with a minimum limit of liability per occurrence of \$1 Million Combined Single Limit (Bodily Injury/Property Damage), with no aggregate.
This insurance shall indicate on the Certificate of Insurance the following coverages:
(commercial general liability insurance) with limits of liability of not less than \$1 Million (\$1,000,000) per occurrence combined single limit, personal injury, bodily injury and property damage. Coverage shall include form general liability extensions or equivalent.
- 1) Premises - Operations
 - 2) Independent Contractor and Subcontractors
 - 3) Products and Completed Operations
 - 4) Broad Form Contractual
 - 5) Broad Form Liability Endorsement
- c. Automobile Liability insurance with minimum limits of liability, per occurrence, of \$1 Million Combined Single Limit (Bodily Injury/Property Damage) unless otherwise indicated in the "Special Conditions" of the Contract specifications. This insurance shall include for bodily injury and property damage the following coverages:
- 1) Owned automobiles
 - 2) Hired automobiles
 - 3) Non-owned automobiles
- d. Protective Liability Insurance: Owners and Contractors. The CONTRACTOR shall provide the original and duplicate policy of insurance to the City Manager. This insurance contract shall name the CITY as the insured and remain in effect until the contract is accepted by the CITY.
The insurance shall provide minimum limits of liability per occurrence of \$1 million (\$1,000,000) Combined Single Limit. Said insurance shall provide that the term "Owner" or CITY shall be deemed to include all authorities, boards, bureaus, commissions, divisions, departments, districts and offices of the CITY and the individual members, employees and agents thereof, all elected and appointed officials and volunteers in their official capacities.
- e. Construction Insurance: The CONTRACTOR at their own cost and expense shall provide and maintain the applicable construction insurance until the Contract is accepted by the CITY and/or its designee. This coverage shall be written for 100% of the completed value covering the CITY as the insured, with a deductible of not more than \$1,000. The CONTRACTOR shall provide the original and duplicate policy to the CITY (unless the CITY shall accept, in lieu thereof, all contained endorsements including all applicable provisions and coverages).
- f. Professional Services. CONTRACTOR shall provide professional liabilities (errors and omissions) insurance, with minimum limits of \$1 Million (\$1,000,000) each occurrence.
- g. Disability Benefits: The CONTRACTOR shall provide proof of compliance with the Disability Benefits Law. (If applicable)
- h. Additional insurance may be required on an individual basis for extra hazardous contracts and specific service agreements. If such additional

insurance is required for a specific contract, that requirement will be described in the "Special Conditions" of the contract specifications.

7. Certificate of Insurance; required language. The Certificate of Insurance obtained by the CONTRACTOR shall contain the following language: "The City of Ypsilanti, Michigan, its elected officials, officers, employees, boards, commission, authorities, voluntary associations, and any other units operating under the jurisdiction of the City and within appointment of its operating budget, including the City of Ypsilanti, are named as additional insured, and such coverage shall be considered to be the primary coverage rather than any policies and insurance or self insurance retention owned or maintained by the City of Ypsilanti."
Additional Named Insured under Owners and Contractors Protective Liability and Property Damage Insurance will include the City of Ypsilanti; the Ypsilanti City Council, jointly and individually, and all City of Ypsilanti employees; the YCUA Board of Commissioners, jointly and individually; all YCUA employees, agents, and consultants, individually.

K. Pre-Construction Meeting

Prior to construction of any improvements, a pre-construction meeting will be scheduled by the applicant through the City Engineer to discuss the various project requirements. Prior to scheduling a pre-construction meeting, items such as insurance binders and permits must be on file. The owner, design engineer, underground contractor, paving contractor, and any other interested parties shall attend. Building Department permits will not be issued until a preconstruction meeting has been held.

See Appendix A for pre-construction meeting guidelines.

L. Construction Observation

1. Full-time Construction Observation shall be required during the construction of subdivisions, private utilities within public right-of-way, site plan improvements and utility systems and roads located within the City. Such construction and improvements shall include, but not be limited to, water mains, sanitary sewers, storm sewers, storm water holding facilities, street paving, driveway pavements and pumping stations. Observation personnel shall be provided by the City or the City Engineer. All estimated costs to be incurred for services must be paid prior to the start of construction by the proprietor, owner or developer of the project to be constructed. All costs incurred by the City for observation shall be paid by the proprietor prior to final acceptance of the project by the City.
2. Three (3) working days' notice is required prior to beginning any work. Contact information will be provided to the owner and contractor at the preconstruction meeting.
3. It shall be the owner's responsibility to provide soil and material testing to ensure that all construction methods and materials meet requirements of these standards.

Such testing will be performed by a qualified testing laboratory or registered professional engineer acceptable to the City and/or the City Engineer. All testing shall be subject to the direction and review of the City Engineer.

4. Failure by the owner or their contractors or agents to strictly adhere to these standards, to use good engineering judgment during any phase of the work, or to conduct the work in accordance with the approved plans may cause the City or City Engineer to consider the work unacceptable.
5. Generally, one observer will be assigned to a particular project and will be responsible for that project until its completion. The contractor makes arrangements for day-to-day Construction Observation. Any interruption or moratorium on the flow of work may result in a re-assignment of that observer to another project and require the normal 3 working days' notice before work is resumed.
6. The DPS, YCUA, and City Engineer will perform a final inspection at completion of construction. No infrastructure will be accepted by YCUA or the DPS until all punch list items are complete. At the time of final inspection for all public improvements, the owner or their contractor will provide all necessary labor and equipment to allow the YCUA and DPS to inspect the system. See Project Completion/Final Acceptance guidelines later in this section.

M. Bonds

A Performance Bond must be provided to the P&D Department prior to the scheduling of a pre-construction meeting. The bond amount shall be 50% of the proposed site improvements including all utilities, paving, earthwork, and landscaping.

A two-year Maintenance and Guarantee Bond (see Appendix B), in an amount equal to 50% of the infrastructure constructed in the public right-of-way must be posted prior to final acceptance (e.g. drive apron, sidewalk, utility cut repair, etc).

YCUA requires a Maintenance and Guarantee Bond in an amount equal to 50% of the public utility infrastructure construction cost for a period of two years (e.g. public water main, public sanitary sewer) prior to final acceptance of the utilities.

N. Easements

The applicant shall provide YCUA and the City with necessary easements prior to final acceptance of infrastructure to allow maintenance of any water mains and/or sanitary sewers that are to be located on developed property and maintained by YCUA. The form of such easements shall be subject to approval of YCUA, the City Engineer and the City Attorney. Sample easements are included in Appendix C. Sufficient evidence of title shall be provided by the grantor along with the easement in the form of a policy of title insurance, acceptable to the City Attorney, to show that the grantor of the easement is the owner of the property. All parties having a legal interest in the property shall execute and

grant the easement. Water main easements shall be of a minimum 12-foot width. Sanitary sewer easements shall be of a minimum 20-foot width.

O. Project Completion/Final Acceptance

The following items must be completed before improvements are accepted by the City and a final Certificate of Occupancy is issued:

1. For public roads constructed as part of a subdivision or otherwise, the following shall apply: In no case will a partial acceptance of any street be made for maintenance.
 - a. Quit Claim Deed and necessary easement documents recorded or final plat recorded.
 - b. Approximately 80% of the homes constructed.
 - c. Developer's engineer must issue certification letter to the P&D Department with a copy to the City Engineer that improvements have been made per the approved plan.
 - d. Right-of-way restoration complete with vigorous growth within greenbelts.
 - e. Public utilities within right-of-way accepted (see below).
 - f. Storm sewers completely cleaned with soil erosion measures removed.
 - g. Striping and signing complete.
 - h. Releases provided from all other permit agencies.
 - i. See items 2 – 8 below.
2. Final Inspection scheduled and completed by YCUA, the DPS, P&D, and City Engineer with all punch list items addressed.
3. Project acceptance by Building and Fire Department.
4. Two year Maintenance and Guarantee Bond for 50% of constructed value, submitted for all new infrastructure (see Appendix B). Bonds provided for City of Ypsilanti and YCUA as detailed in Section I.M.
5. All easement documents must be submitted to the DPS for review prior to recording (see Appendix C).
6. Public sanitary sewer and public storm sewer must be taped, reviewed and approved by YCUA and the DPS.
7. Record plans must be submitted to the City Engineer for review and approval. Upon approval, final record plans must be submitted in electronic form (see Appendix A).
8. Site Grading/Setback Certification submitted by the developer's engineer (see Appendix D).
9. Certificate of Outlet submitted by the developer's engineer (see Appendix D)
10. Any outstanding fees must be paid.

II. General Requirements for Engineering Reviews

A. General Procedures

1. Prior to the issuance of a building permit, the plans must first receive approval from the Building Department, Planning and Development Department, Planning Commission, City Engineer, and Washtenaw County (if applicable).
2. A minimum of two (2) complete sets of site engineering plans will be required, depending on the various agencies influenced by the proposed development. The plans will be received at the Planning and Development Department, One S. Huron Street, Ypsilanti, Michigan, 48197. All plans must be signed and sealed by an engineer registered to practice in the State of Michigan.
3. Two (2) copies of a detailed, itemized construction cost estimate for all earthwork, water main, sanitary sewer, paving and drainage improvements must be submitted to the P&D Department at the time of plan submittal. The estimate must be signed and sealed by an engineer registered to practice in the State of Michigan.
4. On all projects for which phasing of construction is intended, a separate plan sheet shall be included in the construction drawings which breaks down all improvement quantities by item; items shall include sidewalks, storm sewer, landscaping, pavement base and wearing courses, and utilities for each phase. Such phasing limits shall match those approved by the City Planning Commission.
5. The P&D Department will forward the plans to all other concerned departments (DPS, Fire Department, etc) that may have jurisdiction over a certain phase or area of the site. The review comments of these other departments will need to be addressed by the developer as a part of the review process.
6. After completing the review, the City Engineer may return one set of plans to the design engineer with revisions and/or corrections noted on the plans. Directions will be given at that time as to how many plans must be resubmitted.
7. The plans will be reviewed again and revisions must be made as required.
8. Prior to engineering plan approval, all permits and storm water agreements must be forwarded to the City Engineer.
9. Upon Engineering, DPS, and Fire Department approval, notification will be given to the Building Department that the site-engineering plan is approved. An approved plan will be returned to the Building Department, the DPS and owner.
10. Partial approvals will generally not be given. All revisions on all elements of the project must be made prior to engineering approvals.

11. Approval will not be given until all required fees have been deposited.

B. General Plan Requirements

1. Construction cost estimate shall be submitted with plans. The estimate shall be sealed by the design engineer. City Engineer will review estimate.
2. Submittal on 24" x 36" white paper having blue or black lines with a minimum horizontal scale of 1" = 50' and vertical of 1" = 5'. Other acceptable scales are 1" = 20', 1" = 30' and 1" = 40'.
3. General plan scaled at 1" = 100' or 1" = 200' when size of site prohibits a single plan sheet. Show street names, units, utilities, pavement, site dimensions, phase lines, lot lines and lot numbers.
4. Location map showing section number and major thoroughfares, drawn with appropriate scale not greater than 1" = 100' nor smaller than 1" = 2000'.
5. Lot number, parcel dimensions and adjoining rights-of-way.
6. Plans must be prepared under, and signed and sealed by, a professional engineer registered in the State of Michigan. All correspondence concerning the design of the site will be directed to the engineer whose seal appears on the plan.
7. Title sheet showing:
 - a. Project title
 - b. Location map
 - c. Index of plan sheets
 - d. Symbol legend
 - e. Plan completion date with most recent revision dates
 - f. Name, address and phone number of engineer and the owner, and affected permitting agencies
8. Legal description of property that closes within acceptable limits.
9. Setbacks and building separations noted in accordance with zoning requirements.
10. Striping plan for parking lot areas in accordance with zoning requirements.
11. Walls or berms must be shown in cross-section. Walls separating a grade differential of more than 18" are considered retaining walls and require a structural engineering design and review. Design Engineer must supply calculations with engineering plan submittal.
12. The storm sewer, sanitary sewer and water main shall be shown on the same plan view.
13. Title block for each sheet.
14. Include landscape plans. Plantings must not interfere with utilities.

15. Adequate space must be provided to allow for turning movements of vehicles including trucks and fire engines.
16. North arrow, scale, and MISS DIG notice on all sheets.
17. Concrete pads provided for trash dumpsters.
18. Utilities must be a minimum of 10' from buildings.
19. Proposed locations of gas, electric, cable, phone, etc. must be shown on the plans. These must be located in rear yards on residential sites.
20. If final site plan is approved prior to engineering approval and changes are made to easements, right-of-way., etc., the final site plan and master deed will need to be revised.

III. Soil Erosion

A. Sites Requiring Permits

1. All sites shall follow Washtenaw County Soil Erosion and Sedimentation Control procedures.

B. Intent of Permit

1. The intent of this requirement is to ensure that no silt or sediment enters the public stream or watercourses. This is accomplished through means of silt fences, filters, diversions, etc.

C. Plan Requirements

1. The Office of the Washtenaw County Water Resources Commissioner is responsible for soil erosion permitting and inspection. Current information, including permit application packages, can be found on their website at http://www.ewashtenaw.org/government/drain_commissioner/dc_websoilerosion

D. Construction Observation

1. Construction Observation will be made periodically by Washtenaw County throughout construction on the maintenance and effectiveness of soil erosion control methods.
2. If Construction Observation reveals that the controls are not being implemented, a cease and desist order on all site construction may be issued.

IV. Topography

A. General

1. A complete topographical survey is required for all sites. Existing off-site elevations must be given at a minimum of 50' and 100' outside the entire perimeter of the site. Grades will be indicated at all property corners and along all property lines. On-site, intermittent elevations or defined contours are required to establish the existing site drainage.
2. All existing conditions will be indicated. Locations and elevations must be given on the following:
 - a. Existing drainage courses, ditches and culverts.
 - b. Sidewalks.
 - c. Finished grades of all adjacent buildings.
 - d. All easements.
 - e. Trees.
3. Show existing utilities (invert and casting elevations), gas main, electric lines, phone lines, cable lines, and power poles.
4. Two USGS NGVD 29 benchmarks are required. All elevations shown on plan must be to USGS datum.
5. Road topography will extend across the entire site with grades shown on both sides of the street for:
 - a. Property line.
 - b. Ditch centerline.
 - c. Top of bank.
 - d. Edge of shoulder.
 - e. Edge of pavement or top of curb.
 - f. Crown or centerline.
 - g. Existing and proposed right-of-way, per the Master Plan.
6. Property lines must be indicated by distances and bearings where applicable.
7. Existing and proposed rights-of-way of adjacent roads must be indicated.

V. Grading

A. General

1. All proposed developments shall be graded such that storm water runoff shall be intercepted within the boundaries of the site and conducted through a storm sewer system to an approved point of discharge. Open drainage ditches may be approved only where storm sewer systems are not feasible, as determined by the engineer.
2. No storm water runoff from developed property shall flow onto the adjacent lands of others. Filling and grading shall not create a barrier causing entrapment of water on the adjacent lands of others.
3. The developer shall provide for overland flow of storm water from adjacent properties where the existing off-site land slopes to the site. The amount of runoff to be provided for from off-site lands shall be at least equal to the amount of runoff from the land in the undeveloped state.
4. Each single-family lot shall be graded to drain away from the house to swales constructed along the lot lines. Swales shall discharge to a catch basin, roadway gutter, or other approved drainage course.
5. Grading plans shall take into account the desirable natural features and the character of the land, which must be preserved where possible.
6. No filling will be allowed in any areas of land within a proposed subdivision or other type of development which lie either wholly or in part within the flood plain of a river, stream, creek, or lake unless under the terms of a permit granted by the MDEQ.
7. Trees and stumps (removed due to grading operations), excess topsoil, surplus materials, construction debris, etc., shall be removed from the site and properly disposed of.
8. Elevation representing the brick ledge, finished grade, and the first floor grade must be indicated.
9. Proposed grading shall meet abutting property line elevations. Differentials in grade must incorporate a minimum four horizontal to one vertical slope to the abutting property line.
10. Any wall separating a differential grade of more than 18" shall be considered a retaining structure and will require a structural engineering design and review.
11. Asphalt surface parking lots and roadways shall be graded to a minimum 1% slope, 1' per 100', except where concrete curb and gutters are to be provided. Where concrete curb and gutters are to be used, the transverse slope to the gutter

shall be a minimum of 1% for parking lots and 1/4" per foot for roadway crowns. Longitudinal gutter grades shall be a minimum of 0.5%. In general, pavement grades shall not exceed 6%.

12. All areas within 25' of buildings shall slope away from the building at a minimum slope of 2%. All other areas shall have a minimum of 1% slope.
13. All lawn or landscaped areas shall drain to parking lots or swales.
14. Catch basins shall be placed at all low points in parking lots and swales.

VI. Paving

A. General:

1. All paving shall conform to the current standards and specifications of the Washtenaw County Road Commission, MDOT Standard Specifications for Construction (current edition), and the City of Ypsilanti, as applicable. “Permeable pavements” are allowed.
2. Any road improvements in Washtenaw County right-of-way are subject to the review and approval of Washtenaw County. A permit must be secured for construction.
3. Any road improvements in MDOT right-of-way are subject to the review and approval of MDOT. A permit must be secured for construction.
4. The Washtenaw County Road Commission standard paving detail sheets shall accompany construction plans where required.
5. Construction of new or reconstructed driveways connecting to an existing county or state roadway shall be allowed only after an approved permit has been secured from the agency having jurisdiction over said roadway.
6. Cross-sections of all proposed pavement must be shown on the plans. All cross sections must be engineered based on soil conditions and expected passenger and commercial traffic volumes. Cross sections will be reviewed and approved on a case-by-case basis.
7. The minimum surface grade for asphalt paving shall be 1%. The minimum surface grade for concrete paving shall be 0.5%. In general, pavement grades shall not exceed 6%.
8. Concrete curb and gutter shall be required around all private paving. Wheel stops may be substituted for curb for the parking stalls only. Asphalt curbs are not allowed.
9. Underground storm sewers shall be installed with all paving that requires concrete curbs and gutter.
10. Where pavements are to be constructed over clay soils or other poorly drained soils and a granular sub-base is used, an approved sub-drainage system shall be installed. Edge drains will generally be required for all roads.
11. Design standards of Washtenaw County Road Commission shall apply for horizontal and vertical alignment of all roadways.

12. Soil borings must be taken and analyzed by a professional engineering firm, qualified to do such work, at the locations of all proposed public roads. Copies of the report must be submitted to the County and the City Engineer. It is recommended that soils investigations be done and a report prepared for all areas where pavement is proposed.
13. Sufficient proposed grades must be shown on the plan to clearly demonstrate the drainage patterns.
14. Parking spaces, maneuvering lanes, and driveways shall conform in size and configuration to City ordinances.
15. The minimum requirements that follow are based on adequate sub-grade, sub-grade drainage and average live loads. Each site must be examined individually and additional pavement thickness and/or base requirements may be necessary.

B. Public Roads:

1. Public roads under Washtenaw County jurisdiction must conform to Washtenaw County Road Commission standards. Plans must be reviewed by Washtenaw County Road Commission. A permit must be obtained from Washtenaw County Road Commission for construction.
2. Public roads under the City of Ypsilanti jurisdiction must also conform to Washtenaw County Road Commission standards. Plans must be reviewed by the DPS and the City Engineer. Approval must be granted by the City Engineer and a permit must be obtained from the DPS.

C. Private Roads:

Private Roads must conform to the following minimum requirements:

1. Sub-Grade Requirements:
 - a. A 6" compacted thickness of MDOT Class II granular material shall be placed under all pavements except where existing soils consist of approved granular materials.
 - b. A minimum of 6" of MDOT 21AA aggregate base must be placed under concrete pavement sections.
2. All pavement surfaces must be supported upon a prepared sub-grade that has been compacted to at least 95% of maximum unit weight in accordance with MDOT standards. When unstable sub-grade materials, i.e., peat, muck, marl, wet clays, etc., are encountered, excavation and removal of such unstable materials and replacement to plan sub-grade with approved materials compacted in place

shall be required. Approved materials shall include crushed stone, gravel, coarse sand, or other materials approved by the City Engineer.

3. Should it be found that the excavation, removal and replacement of unstable sub-grade material is impractical due to excessive depths, alternate pavement structure designs must be submitted to and approved by the City Engineer prior to pavement installation.

D. Parking Lot Pavements (Non-industrial):

1. Asphalt pavement cross section shall be placed on suitable granular soil sub-base. 6" compacted thickness of MDOT granular material Class II shall be placed except where existing soils consist of approved granular material. Pavement cross section shall be a minimum of 3" HMA on 8" 21AA.
2. Concrete pavement cross section shall be a minimum of 6" thick plain concrete pavement; MDOT Spec. 7.01; mixture 35P with 8" granular sub-base.
3. All parking spaces and isles shall conform to Article XIII of the Zoning Ordinance.

E. Industrial Parking Lots:

1. Parking lots for industrial uses will be reviewed on an individual basis with consideration given to intended use, type and volume of traffic, and subsoil data furnished by the developer. The applicant must submit pavement design criteria along with basis of design to be reviewed by the City Engineer. In no case shall the minimum design standards be less than those outlined here for non-industrial parking lots.

F. Sidewalks:

1. Sidewalks are required along all frontage. They shall be located in the right-of-way, 1' from the ultimate right-of-way line.
2. The walk shall be 5' wide constructed of 4" of Portland Cement concrete on compacted porous sub-grade. The walk must be continued through driveway sections where it shall be increased in thickness to 8" on major thoroughfares and collector roads and 6" in all other instances. Curbs must be tapered to meet the walk. Cross slopes on the sidewalk shall be 1/4" per foot maximum toward the street.
3. Proposed grades must be indicated along the property line, driveways, and intermittent locations along the length of the walk.
4. Any structures, hydrants, poles, etc., that are existing along the alignment of the

walk, must be adjusted or relocated at the expense and coordination of the developer.

5. All sidewalk construction shall be in accordance with Americans with Disabilities Act requirements, including 28 CFR section 35.151 and 28 CFR part 36 App. A, the ADAAG. The project, to the maximum extent feasible, shall be performed in such a manner that the facility is readily accessible to and usable by individuals with disabilities.

G. Driveways:

Residential driveways shall conform to Article XIII Section 122.833 of the Zoning Ordinance.

1. Residential Driveways, (Single Family):
 - a. The drive apron shall be 6" concrete over a 6" compacted 21AA aggregate base course. Approval from the Planning Commission and the City Engineer are required for bituminous drive aprons.
 - b. Concrete driveways must be 6" thick from the back of curb to the property line and a nominal 4" thick beyond the property line on private property. Concrete shall conform to MDOT 7.01, Grade 35P.
 - c. Bituminous driveways shall consist of a minimum compacted thickness of 3" (two equal lifts) of bituminous pavement placed over a 6" compacted 21AA aggregate base course. The bituminous mixture shall be an MDOT mix approved by the City Engineer.
 - d. The driveway cannot be located closer than 2' from the property line.
 - e. The driveway approach at the roadway edge cannot extend beyond the property line extended, thereby creating an encumbrance across the frontage of the adjacent properties.
2. Commercial and Industrial Drives
 - a. Commercial and Industrial Drives will be reviewed on a case by case basis.
 - b. Cross section and geometric requirements will be dictated by the expected vehicle size and weight.

VII. Storm Sewer and Detention Basin

A. General

1. All construction must conform to the current standards and specifications of the City of Ypsilanti, Washtenaw County, Michigan Department of Environmental Quality (MDEQ) or Michigan Department of Transportation as jurisdiction applies. The following watersheds will be under the review of MDEQ due to thermal/environmental sensitivity: Paint Creek.
2. **The use of Low Impact Designs (LIDs) and Best Management Practices (BMP's) to manage storm water are highly encouraged.** Washtenaw County Standards shall be followed when implementing low impact design techniques: http://www.ewashtenaw.org/government/drain_commissioner/dc_webPermits_DesignStandards/dc_lid
3. Where construction of storm sewer is proposed, the Ypsilanti City standard storm sewer detail sheets must accompany the plans, depending upon jurisdictional responsibilities.
4. Underground drainage facilities will generally be required. All run-off on-site must be accommodated and discharged in a controlled manner. The minimum on-site pipe size is 12". All public systems shall have a minimum pipe size of 12".
5. Sump pump discharge must be directed into the storm sewer via an enclosed system. A minimum of 4" pipe shall be utilized and will also be allowed to discharge unrestricted.
6. Depth of sewer: The minimum allowable coverage over pipe is 2.5'. Where possible, the minimum cover shall be 4'.
7. A certificate of outlet will be required for each discharge.
8. Capital improvement and stormwater services charges will be assessed as defined in Chapter 42 of the Code of Ordinance of the City of Ypsilanti and set forth by resolution of the Ypsilanti City Council.

B. Structure

1. Inlets at the upstream end of the system shall be a minimum of 24" in diameter. Catch basins with an inlet pipe shall have a minimum diameter of 48". All manholes and public catch basins shall be a minimum of 48" in diameter. All structures must be a minimum of 4' deep.
2. The first structure upstream from a public system within the confines of the private development shall be 48" in diameter and have a 24" sump.
3. Manholes shall be located at:

- a. All changes in alignment.
 - b. Points where the sewer changes size.
 - c. Points where the grade changes.
 - d. Junction of sewer lines.
4. The maximum distance between manholes shall be 300' for sewers 30" diameter and smaller; 400' for 36" diameter; and 600' for diameters greater than 36".
5. Catch basins shall be located as follows:
- a. 5' away from the end of radius.
 - b. At all low points.
 - c. No more than 150' of street drainage will be allowed to flow around a corner.
 - d. A relief basin will be required at the highest end of radius where drainage is required to cross an intersection longitudinally.
 - e. At intermediate points along the street, the maximum distance drainage will be allowed to flow is 600'. The maximum street drainage into a basin is 800', (from two directions).
 - f. Where longitudinal grade exceeds 1000', a double inlet structure will be required at the low point.

C. Storm Sewer Design

- 1. Storm sewers shall be designed using the Manning Equation for pipes flowing full.
- 2. Runoff shall be determined using the Rational Method with an intensity formula of:
 - a. $I = 175 \div (T+25)$. The initial time of concentration (T) shall generally be 20 minutes maximum.
- 3. Storm sewer design computations must be submitted for review. The velocity shall be a minimum of 2.5 fps and shall not exceed 10 fps.

4. The minimum and general maximum gradients in percent slope for each size pipe listed shall be as follows:

Pipe Diameter	Minimum Slope	Maximum Slope
12"	0.34	4.8
15"	0.26	3.6
18"	0.2	2.6
21"	0.16	2.2
24"	0.14	1.8
27"	0.12	1.5
30"	0.1	1.3
36"	0.08	1
42"	0.06	0.8
48"	0.05	0.7

5. The 10-year design storm hydraulic gradient must be maintained within the pipe wherever possible and shall be shown on the storm sewer profile. It must be a minimum of 2' below the top of all inlet structures.
6. The 100-year storm flood plain elevation contours must be shown on the plans, and the source of the information shall be included.
7. Run-off coefficient can be determined for each individual drainage area and calculations for each drainage area must be submitted as part of the design computations.
8. Along with the storm sewer design computations, the design engineer must submit a storm district map showing all drainage districts within the development. The district limits must be overlaid on a proposed grading plan for the site.
9. All upstream drainage must be accommodated on-site. Allowances for upstream area must be based on ultimate improvements and run-off.
10. Discharge must not be diverted onto abutting properties. The outlet must be in accordance with the existing natural drainage courses in the area.
11. Footing drains shall be discharged by means of sump pumps connected by underground piping to a storm sewer.
12. For new subdivisions and site condominiums, storm sewers shall be extended where required to provide an outlet for sump pump lines for all lots. Exceptions to this rule may be permitted where soils and hydrology studies demonstrate that sump pumps discharging to the ground surface will not cause a drainage problem for the prospective homeowner or the adjacent lot owners.

13. Sump pump discharge lines shall not discharge directly to street gutters.

D. Plan and Profile:

1. All public storm sewers must be shown in profile. For developments larger than one acre the private sewer must also be shown in profile.
2. The following must be shown in profile:
 - a. Length of run between manholes and catch basins.
 - b. Type and class of pipe between manholes and catch basins.
 - c. Size and grade of sewer between manholes.
 - d. Top of casting elevations.
 - e. Inverts of all pipes at manholes.
 - f. Proposed and existing ground elevations along the route of the sewer.
 - g. Progressive numbering system on all manholes and catch basins.
 - h. All utility crossings.
 - i. Special backfill areas.
 - j. Hydraulic gradient for the 10-year design storm.

E. Taps

1. Connections must be made at manholes. Blind taps are not allowed.

F. Detention

1. Any site development must detain the increased run-off on-site. Acceptable means of detention can be achieved through oversize storm pipes or a separate detention basin. Either of these designs may be utilized to achieve the required detention.
2. Reduced detention requirements may be appropriate if a site has a direct discharge to the Huron River. These cases will be reviewed and discussed with the applicant during the site plan review processes. All sites are required to meet water quality standards prior to discharge, including first flush treatment.
3. Storage of water in parking lots will be reviewed on a “case by case” basis but is generally discouraged. Where allowed, that maximum allowable depth is 4”.
4. Sufficient detention volume must be provided so that the allowable discharge rate during the design storm is not exceeded.

5. Discharge must be throttled to a restricted rate.
6. The basin must be constructed to drain entirely unless designed to retain a permanent water level that conforms to the aesthetics of a landscape plan relating to the surrounding landscape.
7. The bottom of the dry basin must be permanently stabilized with maintainable densely rooted turf.
8. A minimum of 12" of freeboard must be maintained with a positive, non-erodible overflow capable of handling the capacity of a 100-year storm.
9. Minimum grade on the bottom of the retention basin shall be 1%.
10. A maintenance agreement shall be required for all detention basins.
11. Design Criteria:
 - a. The outfall from retention basins shall be designed to operate by gravity. Where this is not possible, mechanical pumping is permissible, and such facilities are subject to the review and approval of the City DPS.
 - b. Mechanical lift stations for detention basin discharge shall be designed with a minimum of two pumps, each rated at the allowable discharge rate and provided with an automatic control system to operate the pumps on alternating periodic cycles. The pump control system shall also contain a manual override control. The developer shall furnish all design data on the pumps and discharge force main. The developer shall also include calculations and pump performance curves.
 - c. The allowable discharge must be determined by one of the following: (In no case shall it be more than 0.15 cfs. per acre)
 - 1) Discharge approved by agency having jurisdiction over outlet, i.e. Washtenaw County Office of the Water Resources Commissioner; (approval must be submitted).
 - 2) S.C.S. Technical Release No. 55 "Urban Hydrology for Small Water Sheds"; (calculations must be provided).
 - 3) Allowable flows for which the outlet was designed, (previous calculations must be submitted).

- d. The storage volume required shall be equal to, or greater than, the volume computed for a 100-year frequency storm according to the formulas provided by Washtenaw County Office of the Water Resources Commissioner.
- e. Any volume of water provided below invert of the gravity outfall pipe will not be considered as usable detention capacity.
- f. The formula for an orifice discharge is $Q = 0.62 a \sqrt{2 gh}$

G. Retention

1. Retention basins will only be considered in cases where no other positive outlet for storm water runoff is available. Retention basins with no outlet will be capable of storing two consecutive one hundred year storm events, which can be determined by:

$$V = 2 \times 16,500 \times A \times C$$

2. The proposed storage volume of the retention basin will be based on the total amount of contributing acreage, including all off-site areas that flow onto the property.
3. The applicant must submit soil-boring logs, taken within the basin area to a depth of twenty-five (25) feet below the existing ground or twenty (20) feet below the proposed basin bottom elevation.
4. The ground water elevation must be below the bottom of the basin.
5. A minimum of 12" of freeboard must be maintained with a positive, non-erodible overflow capable of handling a 100-year storm.

H. Public Storm Sewer

1. All public storm sewers must be located in a public right-of-way or an easement. Standard easement forms are available in Appendix C. The easement size will vary as required for maintenance and access. The minimum storm sewer easement shall be 12'. The dedication of the easement will be required prior to City acceptance of the system for continuous maintenance and service.
2. Any storm sewer that accepts runoff from abutting property or public right-of-way must be placed in a minimum 12' storm sewer easement.

I. Materials: Storm Sewer

1. Sewer Pipe:
 - a. Concrete Pipe: Storm sewer pipe shall conform to the current ASTM "Tentative Specifications for Reinforced Concrete Culvert, Storm Drain

and Sewer Pipe", ASTM C-76 for circular pipe, or C-507 for horizontal elliptical pipe, latest revision. If other materials are proposed for use, the proprietor shall furnish the load carrying design analysis for the pipe for the proposed depth conditions.

- b. Plastic Pipe: Plastic pipe will be allowed only in areas outside the influence of paved surfaces. The pipe must be High Density Corrugated Polyethylene (HDPE) with a smooth interior. It must conform to AASHTO M294-Type S.

2. Pipe Joints: Pipe joints shall conform to one of the following requirements:

- a. Modified Grooved Tongue (MGT), pipe shall have a rubber gasket snapped into a groove cast into the tongue. The modified groove or bell end of the pipe shall be made smooth and shall have not over a 3 degree slope for sizes 10" - 24", or a 2 degree slope for sizes 27" - 108", tapered to fit the rubber gasket to tolerances as determined by the gasket manufacturer. MGT joints shall be lubricated and coupled in accordance with the pipe manufacturer's printed instructions.
- b. Rubber gasket joints shall be in accordance with the Tentative Specification for "Joints for Circular Concrete Sewer and Culvert Pipe, Using Flexible, Watertight, Rubber Type Gaskets", ASTM Designation: C-443, latest revision. Rubber gasket joints shall be lubricated and coupled in accordance with pipe manufacturer's printed instructions.

3. Manholes:

- a. Manholes shall be constructed of concrete block or pre-cast reinforced concrete sections in accordance with the City of Ypsilanti standard details in accordance with jurisdictional responsibilities.
- b. Pre-cast reinforced concrete manhole sections shall conform to the requirements of the ASTM "Tentative Specifications for Precast Reinforced Concrete Manhole Risers and Tops", ASTM Designation C-478, latest revision. Wall thickness shall depend on depth and shall be subject to the approval of the City engineer.
- c. Brick for casting adjustment or concrete block for manhole inlet and catch basin construction shall conform to the requirements of the MDOT "Standard Specifications for Road and Bridge Construction", Section 5.14.03, latest revision. Wall thickness shall depend on depth and shall be subject to the approval of the City engineer.
- d. Precast manhole joints shall be as described in Section H, Item 2 of this chapter.
- e. A minimum of three or a maximum of five courses of brick shall be placed above the top of the cone section on all pre-cast or block manholes.

- f. Manhole covers and frames shall be East Jordan Iron Works #1010, #1000, or approved equal, (see standard detail sheets).
- 4. Catch Basins:
 - a. Catch basins shall be constructed of brick, pre-cast manhole blocks, or pre-cast reinforced concrete manhole sections, in accordance with the Municipal standard details.
 - b. Catch basin and inlet frame and covers shall be EJIW No. 5080 or equivalent when located in pavement edge or gutter line.
 - c. Catch basin and inlet frame and covers shall be EJIW No. 1010 Type M cover or equivalent when located in paved areas other than edge gutter line.
 - d. Catch basin and inlet frame and covers shall be EJIW No. 1000 with Type N or Type M cover or equivalent when located in yard areas.

VIII. Water Main

A. Per YCUA Standards

IX. Sanitary Sewer

A. Per YCUA Standards

Appendix A

Engineering Plan Checklist

***Site Plan Submission Requirements Available from the Planning and Development Department**

General Requirements

- [] 1. Submitted on 24" x 36" paper with a minimum horizontal scale of 1" = 50' and vertical of 1" = 5'. Oversize plans will not be accepted.
- [] 2. General plan at 1" = 100' or 1" = 200' when size of site prohibits a single plan sheet. Show street names, units, utilities, pavement, site dimensions, phase lines.
- [] 3. Plan completion date with most recent revision date.
- [] 4. Location map showing section number and major thoroughfares.
- [] 5. Lot number, parcel dimensions and adjoining rights-of-way (existing and proposed) clearly shown.
- [] 6. Professional engineer seal (State of Michigan) for all site civil drawings.
- [] 7. Name, address and phone number of engineer, architect and the owner.
- [] 8. Title block, scale and north arrow for each sheet.
- [] 9. Legal description of property that closes within acceptable limits. Provide legal description of R.O.W. dedication, if applicable. Confirm lot and right-of-way consistent with current Tax I.D. Maps and future Right-of-Way Map.
- [] 10. Striping plan for parking lot.
- [] 11. Loading spaces indicated.
- [] 12. Building use indicated and other uses of property including any outdoor storage areas.
- [] 13. Traffic study may be required. City Engineer to determine need during review of plans.
- [] 14. Separate landscape plan. Verify no trees in existing or proposed public easements.
- [] 15. Underground utilities shall not be located closer than 10' from any building or structure.
- [] 16. For residential sites, all private utilities (i.e. gas, electric, etc.) shall be placed in backyards. A note shall be added to the site plan.
- [] 17. Phasing limits shall be clearly identified on the plans.

- [] 18. Truck circulation plan provided with turning movements shown for the largest vehicle.
- [] 19. For residential or multi-unit development, a Development Agreement/Association/Master Deed document with “Exhibit B” must be submitted with maintenance outlined for all improvements, including public road acceptance.

Topographical Survey

- [] 20. A separate current existing conditions and topography plan sheet shall be submitted, sealed by a Professional Surveyor or Engineer licensed to practice in the State of Michigan.
- [] 21. Indicate USGS NGVD 29 benchmarks (minimum of two).
- [] 22. Property lines shown by bearing and distance (Lines to match legal description).
- [] 23. Existing off-site elevations at a minimum of 50’ and 100’ around the property. Elevations at property corners and along property lines and sufficient on-site elevations or contours to establish site drainage.
- [] 24. Show existing conditions; ditches, culverts, utilities (invert and casting elevations), sidewalks, power poles, easements, and finish grade of adjacent buildings.
- [] 25. Show the locations of all existing gas, electric, cable and telephone lines.
- [] 26. Indicate the zoning of all adjacent parcels.
- [] 27. Show existing adjacent roads with both existing right-of-way and future right-of-way per the master plan. Grades must be shown at ditch centerline, top of bank, edge of shoulder, edge of pavement (or top of curb) and pavement centerline. Grades must be shown on both sides of road.
- [] 28. Limits of existing wetlands, regulated or unregulated, shall be shown and any impacts indicated and quantified. If none are located within the influence of the site a note shall be added on the plans.
- [] 29. In accordance with the Huron Watershed Council, the natural drainage pattern of land shall not be altered in any way that might cause adverse effects to existing wetlands.
- [] 30. County drains identified by name with easements shown. “Natural Drainage Courses” also identified (MDEQ jurisdiction).

Water Main

- [] 31. Review and approval from YCUA is require for all water system improvement work, both public and private.

- [] 32. Public water main shall be located in a greenbelt whenever feasible including new gate wells or boxes. In the event that the majority of public main is proposed under pavement, a note shall be added to the plan indicating it's the property owner's responsibility for any pavement repairs as a result of public utility maintenance.
- [] 33. Minimum size water main is 8". Maximum dead-end main lengths are: 40' for 6" fire hydrant lead; 600' for 8" main; 1,000' for 12" main all originating from water main of equal or greater size. Loop mains if these minimums cannot be met, with a gate valve and well provided between the two connection points.
- [] 34. All dead end mains must end with a flushing hydrant then a gate valve and well.
- [] 35. Water main shall extend to adjacent properties as necessary to facilitate future development.
- [] 36. Show water service and size. No private services allowed from 6" hydrant lead or water main larger than 24" in diameter.
- [] 37. A 10' horizontal separation must be maintained between the water main and sanitary or storm sewers.
- [] 38. Minimum 12' wide public easement must be shown on the plans. Permanent structures of any type, including but not limited to, trees, light poles, drainage structures, etc. will not be allowed within the influence of public easements. Verify against landscape plan.
- [] 39. Valve spacing:

In the event of a breakage; three valves to isolate break, four maximum, no more than two hydrants out of service, no more than 24 single-family units or 30 multiple units out of service. Gate valve shall be placed near intersections wherever practical.
- [] 40. Hydrant spacing: Maximum of 500' or as determined by Fire Department.
- [] 41. No parking within a 15' radius of a hydrant.
- [] 42. Water main pipe material shall be shown.
- [] 43. For new developments with proposed cul-de-sacs, water main shall be extended around the entire cul-de-sac to facilitate service taps.
- [] 44. Any public water main proposed on adjacent properties will require a public easement. A letter of understanding with sketch shall be provided from the adjacent owner prior to site plan approval.

Sanitary Sewer

- [] 45. Review and approval from YCUA is required for all sanitary sewer work, both public and private.
- [] 46. Verify that existing sanitary system has capacity to handle the new sanitary flow.
- [] 47. Public sanitary sewer shall be located in a greenbelt whenever feasible including new manholes. If any public sewer is proposed under pavement, a note shall be added to the plan indicating it's the property owner's responsibility for any pavement repairs as a result of public utility maintenance.
- [] 48. Sanitary sewer shall extend to adjacent properties as necessary to facilitate future development. Adequate depth must be provided for service area.
- [] 49. Minimum 20' wide, public easement must be shown on the plans. Wider easement may be required based on depth of sewer. Permanent structures of any type, including but not limited to, trees, light poles, drainage structures, etc. will not be allowed within influence of public sewer easement. Verify against landscape plan.
- [] 50. Pump stations/lift stations will not be accepted unless there is no other feasible alternative. If a pump station is proposed, special language and requirements will be needed in the Development Agreement and on plans. The owner or Association is responsible for all monthly utility bills (e.g. electric, phone).
- [] 51. Show building lead size and location.
- [] 52. Provide minimum of 10' of separation from other utilities.
- [] 53. Sanitary sewer pipe material shall be shown.
- [] 54. Any public sanitary sewer proposed on adjacent properties will require a public easement. A letter of understanding with sketch shall be provided from the adjacent owner prior to site plan approval.

Storm Sewer

- [] 55. Underground storm sewer systems are required for new developments (12" minimum diameter). Private easements indicated as necessary.
- [] 56. Proposed collection points, system layout, sizes and outlets must be shown on the site plan. Also show preliminary invert and rim elevations.
- [] 57. Pump stations will not be accepted unless there is no other feasible alternative. Pump stations must be labeled as private with easements indicated and appropriate maintenance language in the Development Agreement/Association/Master Deed documents. Utility bills and maintenance costs are the responsibility of the developer and/or association.

- [] 58. If connecting to an existing system, provide calculations showing capacity of existing system based on as-built information.
- [] 59. All sump pump drains shall be indicated and must connect to a storm structure.
- [] 60. Minimum 2.5' of cover over system.
- [] 61. Storm sewer pipe material shall be shown.
- [] 62. Upstream/offsite drainage must be accommodated.

Detention

- [] 63. Supply preliminary calculations for site plan review per [the Rules of the Washtenaw County Water Resources Commissioner](#) latest edition. Detention volume required and provided calculations shall be shown.
- [] 64. Acceptable means of detention are open basins, underground storage systems, bioswales, and rain gardens. Parking lot storage requires special approval.
- [] 65. A sediment forebay or other treatment structure (e.g. CDS System, Vortech) is required for all new detention systems.
- [] 66. Aerators shall be incorporated into detention basins and noted on the drawings.
- [] 67. Location and size of detention ponds shown with side slopes indicated.

Paving and Right-of-Way Improvements

- [] 68. On-site paving requirements:
 - a. Pavement cross-section must be shown. Minimums are:
 - 1) Residential (Driveways): 4" Concrete on 6" aggregate base or 3" HMA on 6" aggregate base
 - 2) Commercial and Industrial: Determined on case-by-case basis depending on intensity of use, but in no cases less than residential requirement.
 - b. Slopes:
 - 1) Asphalt: Minimum 1.0% Maximum 6.0%
 - 2) Concrete: Minimum 0.5% Maximum 6.0%
 - c. Concrete curb for entire perimeter of drive or parking areas.
- [] 69. Public right-of-way (City):
 - a. Pavement cross-sections must be shown

- b. All public roads must have curb and gutter unless otherwise approved.
 - c. Turning improvements, center-turn lane, acceleration lane and taper, deceleration lane and taper as necessary to facilitate traffic flow.
- [] 70. Sidewalks required along the frontage of all roads except in districts zoned “RE”.
- a. Located 1’ from ultimate right-of-way line.
 - b. Sidewalk ramps noted, in accordance with A.D.A. standards.
 - c. All structures, hydrants, poles, etc., noted and moved or adjusted as necessary.

Site Grading

- [] 71. Sufficient proposed grades indicated to ensure that:
- a. Drainage is adequately discharged offsite consistent with current drainage pattern.
 - b. No upstream drainage is restricted.
 - c. Paving slopes are adequate.
 - d. The site generally drains without standing water.
- [] 72. Elevation representing the brick ledge, finished grade and the first floor grade must be indicated.
- [] 73. Proposed grading will meet abutting property line elevations. Differentials in grade must incorporate a one on four maximum slope to the abutting property line.
- [] 74. Temporary easement from adjacent property owner will be required for any grading necessary on off-site property. Appropriate notes shall be added to the site plan if this is applicable with a letter of understanding submitted.
- [] 75. Location of any proposed retaining walls shall be shown on plans. Walls separating a grade differential of more than 18” are considered retaining walls and require a structural engineering design and review. Design engineer must supply calculations with engineering plan submittal.

CONSTRUCTION CONTACT INFORMATION

Project Name: _____ **Location (include section #):** _____

Project Supervisor: _____ **OHM Project No.:** 0094- _____

Municipality Project No.: _____

Developer/Owner

Company Name: _____

Contact Person: _____

Street Address: _____

City, State & Zip: _____

Phone: _____ **Fax:** _____

Email: _____

Emergency Contact Number: _____

Design Engineer

Company Name: _____

Contact Person: _____

Street Address: _____

City, State & Zip: _____

Phone: _____ **Fax:** _____

Email: _____

Emergency Contact Number: _____

Prime Contractor

Company Name: _____

Contact Person: _____

Street Address: _____

City, State & Zip: _____

Phone: _____ **Fax:** _____

Email: _____

Emergency Contact Number: _____

Mass Grading/Earthwork

Company Name: _____

Contact Person: _____

Street Address: _____

City, State & Zip: _____

Phone: _____ **Fax:** _____

Email: _____

Emergency Contact Number: _____

Underground

Company Name: _____

Contact Person: _____

Street Address: _____

City, State & Zip: _____

Phone: _____ **Fax:** _____

Email: _____

Emergency Contact Number: _____

Paving

Company Name: _____

Contact Person: _____

Street Address: _____

City, State & Zip: _____

Phone: _____ **Fax:** _____

Email: _____

Emergency Contact Number: _____

Landscaping

Company Name: _____

Contact Person: _____

Street Address: _____

City, State & Zip: _____

Phone: _____ **Fax:** _____

Email: _____

Emergency Contact Number: _____

Other: Specify: _____

Company Name: _____

Contact Person: _____

Street Address: _____

City, State & Zip: _____

Phone: _____ **Fax:** _____

Email: _____

Emergency Contact Number: _____

PRIOR TO THE START OF CONSTRUCTION: Mark N/A if the item is not applicable to this project.

Check below if an issue is present and identify the issue and/or reference an attachment.

_____Electricity: _____

_____Natural Gas: _____

_____Telephone: _____

_____Cable TV: _____

The following should address any other Municipality concerns, including other possible interested parties:

_____City of Ypsilanti: _____

_____Adjacent Municipality: _____

_____Road Commission: _____

_____Drain Commission: _____

_____MDOT: _____

_____Railroad: _____

_____YCUA: _____

_____Residential: _____

_____Community Development Agency: Developer to pay close attention to approved landscape plan.

PRIOR TO THE START OF CONSTRUCTION *continued*:

The following checked items must be submitted to the Municipality and OHM:

_____ **PERMITS:** Copies of permits may be faxed to the OHM Construction Department at 734-522-6427.

_____ Soil Erosion Permit from the Washtenaw County
Permit # _____ Expiration Date: _____

_____ NPDES (National Pollution Discharge Elimination System - MDEQ)
Permit # _____ Expiration Date: _____

_____ Water Main (Michigan Department of Environmental Quality)
Permit # _____ Expiration Date: _____
YCUA Permit # _____ Expiration Date: _____

_____ Sanitary Sewer (Michigan Department of Environmental Quality)
Permit # _____ Expiration Date: _____
Sanitary Permit YCUA# _____ Expiration Date: _____

_____ Right of Way (Washtenaw County)
Permit # _____ Expiration Date: _____

_____ Right of Way (MDOT)
Permit # _____ Expiration Date: _____

_____ Wetland/Floodplain: (Michigan Department of Environmental Quality)
Permit # _____ Expiration Date: _____

_____ DPS Permit - City of Ypsilanti
Permit # _____ Expiration Date: _____

_____ A Performance Guarantee of \$ _____ must be posted with the City of Ypsilanti. A performance bond must be provided to the Department of Public Works. The bond amount shall be 100% of the construction cost per the approved engineer's estimate.

_____ Construction Fee in the amount of \$ _____ must be paid to the City of Ypsilanti. Send a copy of the paid fee receipt to OHM Construction Department.

_____ Owner's and Contractor's Protective Public Liability and Property Damage Insurance and Contractor's General Liability Insurance shall include the following additional named insured:

1. Ypsilanti Community Utilities Authority and employees and agents jointly and individually.
2. YCUA Board of Commissioners, individually
3. All YCUA employees, agents and consultants, individually.

4. City of Ypsilanti
5. Ypsilanti City Council members and employees, individually.
6. Charter Township of Ypsilanti
7. Ypsilanti Township Trustees and employees, individually
8. Orchard, Hiltz & McCliment, Inc. its employees, agents
9. Washtenaw County Water Resources Commission
10. Any other entities impacted

_____ **SCHEDULE:** Please provide a schedule of work including the anticipation of duration for major elements such as: mass grading, water main installation, storm installation, lead installations, paving activities, and landscape restoration. Fax to OHM Construction Department at 734-522-6427.

_____ **PRE-CONSTRUCTION VIDEO TAPING:** If this section is checked, this project requires the work-site to be videotaped prior to the start of construction and a copy of the video to be mailed to OHM.

_____ **TYPE OF MATERIALS:** Please list the type and class of the materials to be used for this project and provide a copy of the testing orders (suppliers and materials) to the inspector on site.

_____	Sand	_____
_____	Aggregate	_____
_____	Bituminous	_____
_____	Concrete	_____
_____	Sanitary Sewer	_____
_____	Water Main	_____
_____	Storm Sewer	_____
_____	Manholes	_____
_____	Hydrants	_____
_____	Brass/Fittings:	_____
_____	Castings	_____
_____	Signs	_____
_____	Posts	_____

PRIOR TO THE START OF CONSTRUCTION *continued*:

- _____ Contractor shall provide material certifications to the inspector for any of the above applicable items and any other related items used in the site construction work.
- _____ Excess material should be legally disposed of off-site. **DO NOT** transport any material to other sites (including residential) within the City of Ypsilanti.
- _____ At the request of the City of Ypsilanti, inspection is required for the following: water main, sanitary sewer, storm sewer, retaining walls, public paving, private paving, restoration, landscaping, soil erosion control measures, sump discharges, and _____
- _____ Soil Erosion Escrow in the amount of \$ _____ TBD by the County) must be paid to the Washtenaw County.
- _____ Three (3) working days notice is required (not including weekends/holidays) to schedule inspection. Applies to construction start and any time that work is suspended for two days or more, contact OHM's Construction Department or Gary Smolinski, Mondays through Fridays 8 am to 4 pm. (734) 522-6711
- _____ Utilities must be staked and dated cut sheets given to inspector before construction may start. This includes water, sanitary, storm and road (where applicable). Fax cut sheets to OHM's Construction Department (734) 522-6427. (Attn Const. Department)
- _____ Notify MISS DIG (800-482-7171) at least three (3) full working days in advance. Keep your reference number for complaints on improperly staked utilities or if no staking was done.
- _____ Density testing will be performed by an independent testing company and not by OHM. The Owner/Developer is responsible for arranging this service as well as the cost for this service. OHM is to be cc'ed on all testing results.
- _____ Any field problems or design changes shall be directed to the Developer's Engineer for re-design then submitted to OHM for approval. All changes must be submitted for approval, approved and distributed before construction will be allowed. Note the revision number and date on all plans.
- _____ Any water used on site, originating from a public fire hydrant or water source, must have a backflow-preventer in place. Contact Bob Fry at YCUA (734-484-4600) for directions on water use and whenever water main flushing occurs. Water usage to be estimated on this project.
- _____ Public and private streets must be maintained in a clean condition and free of debris at all times. In the event that a public roadway becomes dirty, the Contractor shall clean it immediately. The question of the cleanliness of roads and streets will be determined solely by the Municipal road agency or its authorized representative.

PRIOR TO THE START OF CONSTRUCTION continued:

- _____ It is the Contractor's responsibility to comply with all current MIOSHA/OSHA standards where applicable including confined space regulations for new construction. Attendance at the pre-construction meeting by the Contractor's representative acknowledges understanding of this obligation. The Municipality and its engineering consultant (OHM) will not oversee the Contractor's operations from the stand point of safety and are not obligated to act as the Contractor or Subcontractor's safety officer.
- _____ Traffic control must be in compliance with the Michigan Manual of Uniform Traffic Control Devices in conjunction with local construction permit requirements or stipulations and any detour, staging or traffic control diagrams incorporated into approved plans.
- _____ Sidewalk Ramps – Sidewalk ramps are to be installed per the latest approved details (MDOT R-28 Series) per the Americans with Disabilities Act (ADA). Any ramps placed that do not meet the latest approved details per the ADA will be removed and replaced at the developer's or contractor's expense.

_____ **WATER MAIN**

- _____ Water main shall be constructed per the Municipalities Standard Water Main Details. Where conflicts occur between the general plans and the standard details, the conditions in the standard details shall govern.
Refer to the YCUA Water Main Standards for current material requirements.
 - Gate Valves in The City of Ypsilanti OPEN RIGHT (standard red valve operator nut).
 - All water main to be installed with Polyethylene encasement (Poly-wrap).
 - All Water main outside the influence of the road will have class II sand under and at least one foot over the pipe.
 - All water main inside the influence of the road will have class II sand under and all the way up.
 - The contractor will propose and use a compaction method that guarantees the haunches of the pipe are compacted properly.
 - Thrust blocks are not permitted except behind tapping valves, and behind fire hydrants to virgin ground. All other joint restraint to be provided by mechanical joint retainer glands (i.e. Mega-Lug), and/ or locking gaskets.
No Waterous Pacer Hydrants
- _____ Pressure testing will be conducted by the contractor with OHM witnessing on behalf of the Municipality. Water main testing shall be per AWWA Standards. Notify OHM (Site Coordinator) of schedule (3 working days prior to test). Prior to any utility testing, the remaining escrow amount will be reviewed to verify that there is enough escrow to complete the project
- _____ No bacterial tests will be performed until pressure tests have been passed. Bacteria samples (two consecutive days) will be obtained by the OHM Inspector, with the

Contractor present. Chlorination and Flushing will be conducted by the contractor and documented by OHM. The contractor will use one of the chlorination methods outlined in YCUA standard details.

Contractor may decide where the samples will be tested; either a County Lab (results available no sooner than one week) or a private testing facility (paid by the contractor). Hard copy results must be on file at OHM prior to any tie-in.

PRIOR TO THE START OF CONSTRUCTION continued:

_____ No water main tie-ins are allowed until bacteria and pressure tests have been passed. When a tie-in does occur, all flushing of the main will have been stopped, all apparatus disconnected, and all valves opened. No water main tie-ins are allowed until bacteria and pressure tests have been passed. Notify OHM 72 hours in advance of any water main shutdowns. The contractor is responsible for notifying any affected residents 24 hours before any water main shutdown. When a tie-in does occur, all flushing of the main will have been stopped, all apparatus disconnected, and all valves opened. No water main tie-ins will be allowed on Friday.

_____ **SANITARY SEWER**

_____ Sanitary sewer shall be constructed per YCUA Standard Sanitary Sewer Details. Where conflicts occur between the general plans and the standard details, the conditions in the standard details shall govern.

_____ Sanitary taps into existing structures will be inspected by OHM. Taps into existing structures shall be neatly core-drilled and a rubber boot shall be used for the new pipe.

_____ Sanitary sewer invert elevations will be recorded by the inspector and the contractor at each structure. Sanitary sewer main that is found to be laid at less than minimum-specified grade, or with backflow, will not be accepted by YCUA.

_____ If there are any fitting in the force main, Hydrostatic pressure testing will be conducted by the contractor and witnessed by OHM on behalf of YCUA (150 psi for one hour with less than 5psi loss). Contact OHM to set up test date. Prior to any utility testing, the remaining escrow amount will be reviewed to verify that there is enough escrow to complete the project.

_____ Videotaping of the sanitary sewer is to be performed no sooner than 30 days after completion of backfill and a copy of the tape must be on file with OHM prior to acceptance.

_____ A nine-point deflection test using a mandrel is required 30 days after the pipe is backfilled by YCUA standards. This may be difficult as there is not a dead end manhole. The camera will have to push or tow the mandrel up the run and then pull it back watching the mandrel.

_____ Coordinate construction and inspection of all sanitary service leads within 10 feet of the building with the Ypsilanti Township Building Department at 734-485-3943.

_____ **STORM SEWER / UNDERGROUND DETENTION**

To be constructed per the approved plans.

PRIOR TO FINAL ACCEPTANCE OF PROJECT

- _____ OHM will conduct a Preliminary Walkthrough of the site after all public utility installation is complete, and after at least the leveling course of asphalt pavement is complete. A Preliminary Utility Punch list will be generated from this walkthrough. Once the items on the Preliminary Utility Punch list have been completed, OHM will issue a letter to YCUA recommending the public utilities on the project are substantially complete. **ALL MAINTENANCE AND OPERATION OF THE PUBLIC UTILITY IMPROVEMENTS ON THE PROJECT WILL REMAIN THE RESPONSIBILITY OF THE DEVELOPER / CONTRACTOR DURING THE TIME PERIOD FROM SUBSTANTIAL COMPLETION TO FINAL ACCEPTANCE.** OHM, Inc. will only recommend Final Acceptance of the project upon satisfactory completion of all Close-out items, including but not necessarily limited to, Record Drawings, Easements, Maintenance and Guarantee Bond, and Final Utility Inspection.
- _____ OHM may conduct one or more Interim Walkthroughs on long-term projects to identify items that are damaged as construction occurs.
- _____ OHM will conduct a Final Walkthrough of the site after all construction on the project is complete. This includes all buildings, landscaping, and wearing course of asphalt pavement. A Final Utility Punch list will be generated from this walkthrough and shall be transmitted to the Developer and their Contractor. The Contractor shall have thirty (30) days to rectify all items on the punch list. Failure to do so may result in the temporary or permanent Certificate of Occupancy to be withheld. All items on the Final Utility Punch list must be completed prior to Final Acceptance of the project.

RECORD DRAWINGS AND RELATED DOCUMENTS

- _____ After public utility installation is complete, the Developer's Engineer will be provided (by OHM) a copy of the Inspector's Daily Reports (IDR), any applicable lead reports, and a blank "Record Drawing Requirement Checklist" in order to prepare record drawings to OHM for review and approval.
- _____ A grading certificate will be requested at this time. This form (provided by OHM with IDR's) will also need to be signed and sealed by the Developer's Engineer and then submitted to OHM along with the record drawings.
- _____ Easements for public utilities based on "As-Built" conditions requires a sketch and legal description to be submitted by the Developer's Engineer to OHM for review and approval along with the record drawings. Once easements documents are approved, OHM will mail the Developer/Municipality the easements to be recorded with the County Register of Deeds. Once the easements are recorded with liber and page number, recorded copies will need to be forwarded to the Municipality and OHM.

- ____ Once the record drawings are approved by OHM, the Developer's Engineer will be instructed As to what is required for final distribution (i.e. Blulines, mylars, CD-ROM, or possibly micro-film)..
- ____ A Maintenance and Guarantee bond for 50 % of applicable Public Works based on the engineer's estimate of \$_____ for a duration of **2 years** shall be submitted to the Municipality once all Final Utility Punchlist items have been addressed. A blank form will be forwarded to the developer once final inspection has passed. Please be aware that the duration of the maintenance bond is determined on the date of final acceptance.

Sidewalk ramps per ADA specifications. Please refer to MDOT R-28 Series Detials if you have any doubt.

ITEMS REQUIRED FOR RECOMMENDATION OF PROJECT CLOSEOUT

- ☐ **As-builts:** reviewed and approved CADD Files
- ☐ **Grading certificate:** signed and sealed
- ☐ **Easements Required:**
 - ☐ Water Main ☐ Sanitary Sewer ☐ Storm Sewer
 - ☐ Safety Path ☐ Ingress/Egress
 - ☐ Other _____
- ☐ **Maintenance and Guarantee Bond**

A maintenance and guarantee bond for 50% of applicable Public Works based on the Engineers Estimate of \$_____ for a duration of 2 years shall be submitted to the municipality once all punch list items have been addressed. The amount required for this project is \$_____. A blank form will be forwarded to the Developer once final inspection has passed. Please be aware that the duration of the maintenance bond is determined on the date of final acceptance.
- ☐ **Passing Final Inspection**

ADDITIONAL NOTES:

All landscaping to be installed per approved landscape plans.

Appendix B

MAINTENANCE AND GUARANTEE BOND-SITE DEVELOPMENT

(This should be drafted on legal size paper)

Obligee Review or Project No. _____ Bond No. _____
(if applicable)

KNOW ALL MEN BY THESE PRESENTS:

That we, the developer, _____ (hereinafter called Principal), and _____ (hereinafter called Surety), a corporation organized under the laws of the State of _____ and authorized to do a surety business in the State of Michigan, are held and firmly bound unto the municipal/public agency known as _____ (hereinafter called Obligee) in the full and just sum of _____ Dollars and _____ Cents (\$ _____), lawful money of the United States of America, for the payment of which sum, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, said Principal has constructed or caused to have constructed the following described public improvements in a public easement and/or right-of-way:

(Check all applicable items)

_____ 1ft. Storm Sewer System	_____ 1ft. Roadway
_____ 1ft. Sanitary Sewer System	_____ 1ft. Sidewalk or Pathway
_____ 1ft. Water Main System	_____ Other: _____

which have been or are about to be accepted by the Obligee for the project known as _____ and located in Section _____, T _____, and R _____; more specifically at _____.

AND WHEREAS, it is required that the Principal should guarantee the project from defects caused by faulty materials or workmanship for a period of _____ year(s) from and after the date of acceptance of same by the Obligee.

The Obligee shall notify the Principal in writing of any defect for which the Principal is responsible and shall specify in said notice a reasonable period of time within which the Principal shall have to correct said defect. If the Principal fails to correct such defect within the time specified in said notice, then the Surety shall have sixty (60) days thereafter within which to take such action as it deems necessary to insure performance of the Principal's obligation. If such defect is not corrected after the expiration of such sixty-day period, then the Obligee shall have the right to correct such defect and the Principal and Surety, jointly and severally, shall pay all costs and expenses incurred by Obligee in correcting such defect; including but not limited to, the engineering, legal, administration and other costs, together with any damages either direct or consequential, which the Obligee may sustain on account of the Principal's failure to correct such defect. In addition, the Obligee shall have the right to contract for the correction of such defect and, upon acceptance of the lowest responsible bid, the Principal and Surety shall become immediately liable for the amount of the said bid.

If any repair is necessary to be made at once to protect life and property, then and in that case, the Obligee may take immediate steps to repair or barricade such defects without notice to the Principal or Surety. In such accounting, the Obligee shall not be held to obtain the lowest figures for the doing of the work, or any part thereof, but all sums actually paid therefore shall be charged to the Principal or Surety. In this instance, the judgment of the Obligee is final and conclusive.

The Principal shall fully indemnify, defend and save harmless the Obligee, and its agents, consultants, employees and officers from all suits and actions for damages of every name and description brought or claimed against them for, or on account of, any injury or damage to person or property received or sustained by any party or parties, by or from any of the acts or omissions or through the negligence of said Principal, and its servants, agents

or employees, in the prosecution of the work, and from any and all claims arising under the Workman's Compensation Act, so-called, of the State of Michigan.

NOW, THEREFORE, if the said Principal shall for a period of ____ year(s) from and after the date of acceptance of the completed project by the Oblige replace any and all defects arising in said work whether resulting from defective materials or defective workmanship, then the above obligation shall be null and void; otherwise to remain in full force and effect for ____ year(s) from the date of acceptance by the Oblige.

IN WITNESS WHEREOF, the parties have caused this instrument to be signed and sealed by their respective authorized officers this _____ day of _____, 20____.

WITNESS

Name: _____

PRINCIPAL

(seal)

By: _____

Name: _____

Title: _____

Address: _____

Phone: _____

Fax: _____

SURETY

(seal)

By: _____

Name: _____

Title: _____

Address: _____

Phone: _____

Fax: _____

Name: _____

Appendix C

PUBLIC UTILITY EASEMENT

_____, (marital status must be filled in)
“grantor,” whose address is _____,

Ypsilanti, Michigan, in consideration of the sum of One (\$1.00) Dollar, receipt of which is hereby acknowledged and determined to be fair and just compensation by grantor, does, by these presents, covenant and warrant that grantor is the fee simple owner of the property described in **Exhibit A**, attached hereto, and does grant and convey to the Ypsilanti Community Utilities Authority, a Michigan municipal corporation, referred to in this agreement as “grantee,” whose address is 2777 State Road, Ypsilanti, Michigan 48198, a permanent and perpetual easement and right-of-way upon, over, under and across that portion of said property described in **Exhibit B**, attached hereto, for the purpose of construction, installation, inspection, maintenance, repair, operation, alteration, removal (and similar and related activity) of municipally owned utilities, including, without limitation, water lines and/or pipes, storm sewer lines and/or pipes and sanitary sewer lines and/or pipes and any and all connections thereto.

The grantor agrees not to build or to convey to others permission to build any permanent structures on the described easement (**Exhibit B**).

The grantee, by its employees, agents or independent contractors shall have full right, upon, over, under and across said property for the purpose of constructing, installing, inspecting, maintaining, repairing, operating, altering or removing (and similar and related activity) said municipally owned utilities and, further, for the purpose of storing or moving machinery, materials or other incidentals in connection with and during such activity. Further, grantee, by its employees, agents, or independent contractors shall have a permanent easement consisting of the full right of ingress and egress over and upon other lands of the grantor necessary to and for the sole purpose of gaining access to said property and municipally owned utilities.

Upon completion of such construction, installation, inspection, maintenance, repair, operation, alteration or removal (or similar and related activities) of said municipally owned utilities including ingress and egress thereto, any and all of grantor’s property used for said purposes shall be left as nearly and as reasonably possible in the same condition as before such work began and all machinery, materials and equipment shall be removed.

The granting of the permanent easement as stated, including a permanent easement for use of grantor’s property for ingress and egress shall vest in the grantee the authority to use said property solely for the purposes designated in this agreement. This grant of easements shall run with the land and shall be binding upon the heirs, successors and assigns of the grantor and grantee. It is understood and agreed that any and all improvements or appurtenances of the municipally owned utilities in or upon the said property shall become and remain at all times the property of the grantee, its successors and assigns and shall be subject to the grantee’s fees, rules, regulations and local ordinances.

IN WITNESS WHEREOF, grantor has executed this instrument on _____, 20__ .

IN THE PRESENCE OF:

(Witnesses and grantor must print or type name below signature in black ink.)

WITNESSES:

GRANTOR

Subscribed and sworn to before me this _____ day of _____, 20__.

Notary Public
_____ County, Michigan
My Commission Expires: _____

**This instrument drafted by and when
recorded, return to:**

Thomas E. Daniels (P29565)
Pear Sperling Eggan & Muskovitz, P.C.
1349 S. Huron Street, Suite 1
Ypsilanti, MI 48197

Tax Identification No.: _____

EXHIBIT A

Insert a stamped and sealed survey of the subject property.

EXHIBIT B

Insert a stamped and sealed sketch of the easement

Appendix D

GRADING CERTIFICATION

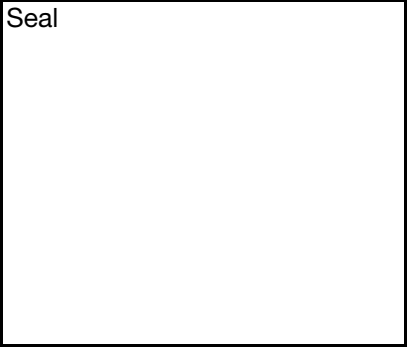
Submit a sealed grading certificate attesting that finish elevations are in compliance with approved grading plan along with the as-built grading plan(s) showing any changes that were made in the field.

These documents were prepared by:

Print Name

Signed

Seal



ENGINEER'S CERTIFICATE OF OUTLET

Date _____

Development Name / Address _____

City of Ypsilanti Sec. _____

Washtenaw County, Michigan

I hereby certify that the existing drain and/or stormwater collection system is the only reasonable available storm water outlet for the proposed storm water management system and that the existing drain and/or stormwater collection system has sufficient capacity to serve as an adequate outlet for the proposed system, without detriment to or diminution of the drainage service that the existing outlet presently provides.

Signed: _____

Registered Professional Engineer

NOTE: The engineer's certificate must be stamped with the engineer's seal.
The certificate submitted must be the original.



REQUEST FOR LEGISLATION
April 21, 2015

From: Bonnie Wessler, City Planner

Subject: Memorandum of Understanding with City of Dexter for Administration of a MSHDA Grant for a Target Market Analysis

Summary

To further the economic and community development of the city in line with the Master Plan and Council's adopted goals, it is important that we have the data on which to build informed policies. At the end of last year, the Michigan State Housing Development Authority (MSHDA) invited municipalities to apply for a grant through them to perform a target market analysis (TMA) for housing in their area. A TMA is a detailed study of households migrating into and out of the community intended to identify gaps in housing products offered. Communities were awarded more points if they chose to apply with partners, and so we chose to apply with the Cities of Saline, Chelsea, and Dexter, with Dexter as the lead applicant. MSHDA awarded this coalition \$20,000; the coalition is matching up to \$20,000; and Ypsilanti's portion of that commitment will not exceed \$5,000.

The relationship between the Cities and our respective responsibilities pursuant to this grant are spelled out in the attached Memorandum of Understanding. More information about the TMA is also attached.

RECOMMENDED ACTION: Approval

Attachments: Resolution
MOU
Grant Award Letter
Grant Agreement
LandUseUSA Proposal

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: 04/21/2015

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



RESOLUTION NO. 2015-096
April 21, 2015

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Dexter has applied for grant funding for a Target Market Analysis for Housing from the Michigan State Development Authority on behalf of a coalition including themselves and the Cities of Chelsea, Saline, and Ypsilanti; and

WHEREAS, the coalition has been awarded said grant; and

WHEREAS, the City of Ypsilanti's monetary contribution for match will not exceed \$5,000; and

WHEREAS, the City of Dexter has offered to administer the grant on behalf of the coalition under the terms laid out in the attached Memorandum of Understanding;

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council approves the MOU with the City of Dexter and authorizes the City Clerk and Mayor to sign the agreement.

OFFERED BY: _____

SUPPORTED BY: _____

YES:

NO:

ABSENT:

VOTE:

MEMORANDUM OF UNDERSTANDING REGARDING RESIDENTIAL TARGET MARKET ANALYSIS

This Memorandum of Understanding ("MOU") is made as of _____, 2015 by and between the City of Dexter ("Dexter"), the City of Chelsea ("Chelsea"), the City of Saline ("Saline") and the City of Ypsilanti City ("Ypsilanti"), collectively, the "parties."

RECITALS

- A. The parties desire to assist each other with developing a residential Target Market Analysis ("TMA") for specified areas in the County of Washtenaw.
- B. To assist in the TMA, the Michigan State Housing Development Authority ("MSHDA") has provided Grant #HDF-308 (the "Grant") to Dexter for up to one half of the cost of the TMA, but not to exceed \$20,000. A copy of the Grant Agreement is attached as **Exhibit 1**. Dexter, Chelsea, Saline, and Ypsilanti have committed varying amount of monies, as specified below, toward the TMA.
- C. The parties are entering into this MOU to share responsibilities arising from the use of the funds for the TMA.

TERMS AND CONDITIONS

- 1. City of Dexter Obligations. Dexter shall under take the following:
 - 1.1 Dexter has executed the Grant Agreement, and shall be responsible for administering the Grant and communicating directly with MSHDA regarding the Grant. Dexter shall retain an individual or entity to perform a residential TMA. The TMA shall identify opportunities for specific housing products and price ranges based upon an in-depth assessment of housing needs in specified areas of Dexter, Chelsea, Saline, and Ypsilanti.
 - 1.2 The focus of the TMA in Dexter shall be on the historic downtown area, which includes a 10-15 acre area that once supported Dexter's manufacturing industry, and the originally platted "village" neighborhood, circa 1830, which is adjacent to the downtown.
 - 1.3 Dexter shall contribute \$5,000 towards the TMA. To the extent that Dexter asks for any additional work from the individual or entity hired to perform the TMA, such additional work shall be paid for by Dexter alone.
 - 1.4 Dexter shall advertise the results of the TMA relating to Dexter.

- 1.5 If the TMA determines a market for a particular housing type, Dexter shall commence a development project aligned with the results of the TMA within three years of issuance of the TMA. Failure to satisfy this provision, in the sole discretion of MSHDA, shall result in Dexter being obligated to pay to MSHDA 25% of the amount of the MSHDA Grant.
2. City of Chelsea Obligations. Chelsea shall undertake the following:
 - 2.1 The TMA for the Chelsea shall concentrate on its Downtown Development District (DDA) for housing opportunities. In particular, the areas alongside M52 (Main Street) through its downtown area and also, the Chelsea Clocktower Development which has residential development potential in the empty, three story Rockwell Building.
 - 2.2 Chelsea shall contribute \$5,000 towards the TMA. To the extent that Chelsea asks for any additional work from the individual or entity hired to perform the TMA, such additional work shall be paid for by Chelsea alone.
 - 2.3 Chelsea shall advertise the results of the TMA relating to Chelsea.
 - 2.4 If the TMA determines a market for a particular housing type in Chelsea, Chelsea shall commence a development project aligned with the results of the TMA within three years of issuance of the TMA. Failure to satisfy this provision, in the sole discretion of MSHDA, shall result in, Chelsea being obligated to pay to MSHDA 25% of the amount of the MSHDA Grant.
3. City of Saline Obligations. Saline shall undertake the following:
 - 3.1 The focus of the TMA in Saline shall focus on three primary locations in need of development: 600 Maple which was the former Department of Public Works site; its core downtown, which includes a vacant lot at 147 West Michigan Avenue that was formerly a dealership and a gas station; and a parcel located on the southwestern edge of town at 207 Monroe Street.
 - 3.2 Saline shall contribute \$5,000 towards the TMA. To the extent that Saline asks for any additional work from the individual or entity hired to perform the TMA, such additional work shall be paid for by Saline alone.
 - 3.3 Saline shall advertise the results of the TMA relating to Saline.
 - 3.4 If the TMA determines a market for a particular housing type, Saline shall commence a development project aligned with the results of the TMA within three years of issuance of the TMA. Failure to satisfy this provision, in the sole discretion of MSHDA, shall result in Saline being obligated to pay to MSHDA 25% of the amount of the MSHDA Grant.

4. Ypsilanti Obligations. Ypsilanti shall undertake the following:

- 4.1 The focus of the TMA in Ypsilanti shall be on the Water Street area in its downtown.
- 4.2 Ypsilanti shall contribute \$5,000 towards the TMA. To the extent that Ypsilanti asks for any additional work from the individual or entity hired to perform the TMA, such additional work shall be paid for by Ypsilanti alone.
- 4.3 Ypsilanti shall advertise the results of the TMA relating to Ypsilanti.
- 4.4 If the TMA determines a market for a particular housing type, Ypsilanti shall commence a development project aligned with the results of the TMA within three years of issuance of the TMA. Failure to satisfy this provision, in the sole discretion of MSHDA, shall result in Ypsilanti being obligated to pay to MSHDA 25% of the amount of the MSHDA Grant.

5. Miscellaneous.

- 5.1 Refund of Monies: If the full \$20,000 is not used for the TMA, MSHDA shall be obligated to pay only 50% of the actual cost and shall be refunded any amount MSHDA has paid in excess of the 50%. The balance of any excess monies shall be returned to Dexter, Chelsea, Saline and Ypsilanti in the same proportion that it was contributed.
- 5.2 Document Delivery. Chelsea, Saline and Ypsilanti shall provide Dexter such information and documents that it requests, at no cost to Dexter, in furtherance of Dexter's obligations to administer the Grant. Dexter shall provide the parties with all information and documents relevant to the administration of the Grant.
- 5.3 Compliance with the Grant Agreement. The parties shall comply with all terms and conditions contained in the Grant Agreement executed between Dexter and MSHDA. To the extent there is an inconsistency between the terms of this MOU and the terms of the Grant Agreement, the terms of the Grant Agreement shall control.
- 5.4 Counterparts. This agreement may be executed simultaneously in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.
- 5.5 Entire Agreement/Amendments. This agreement and attached Exhibit 1 sets forth all of the promises, covenants, agreements, conditions, and undertakings between the parties with respect to the subject matter of this agreement and supercedes all prior and contemporaneous agreements and understandings, inducements, or conditions, express or implied, oral or written, relating to this

matter, except as contained within this agreement. This agreement may not be changed orally, but only by an agreement in writing, duly executed by or on behalf of the paily or parties against whom enforcement of any waiver, change, modification, consent or discharge is sought.

5.6 Effective Date. This agreement shall be effective immediately upon execution.

Dated:_____

CITY OF DEXTER

By: _____
Shawn Keough, Its Mayor

And: _____
Carol Jones, Its Clerk

Dated:_____

CITY OF CHELSEA

By: _____
Jason Lindauer, Its Mayor

And: _____
Laura Kaiser, Its Clerk

Dated:_____

CITY OF SALINE

By: _____
Brian D. Marl, Its Mayor

And: _____
Terri Royal, Its Clerk

Dated:_____

CITY OF YPSILANTI

By: _____
Amanda Edmonds, Its Mayor

And: _____
Frances McMullan, Its Clerk

Exhibit 1 – Housing Development Grant Agreement Grant #HDF-308

March 18, 2015

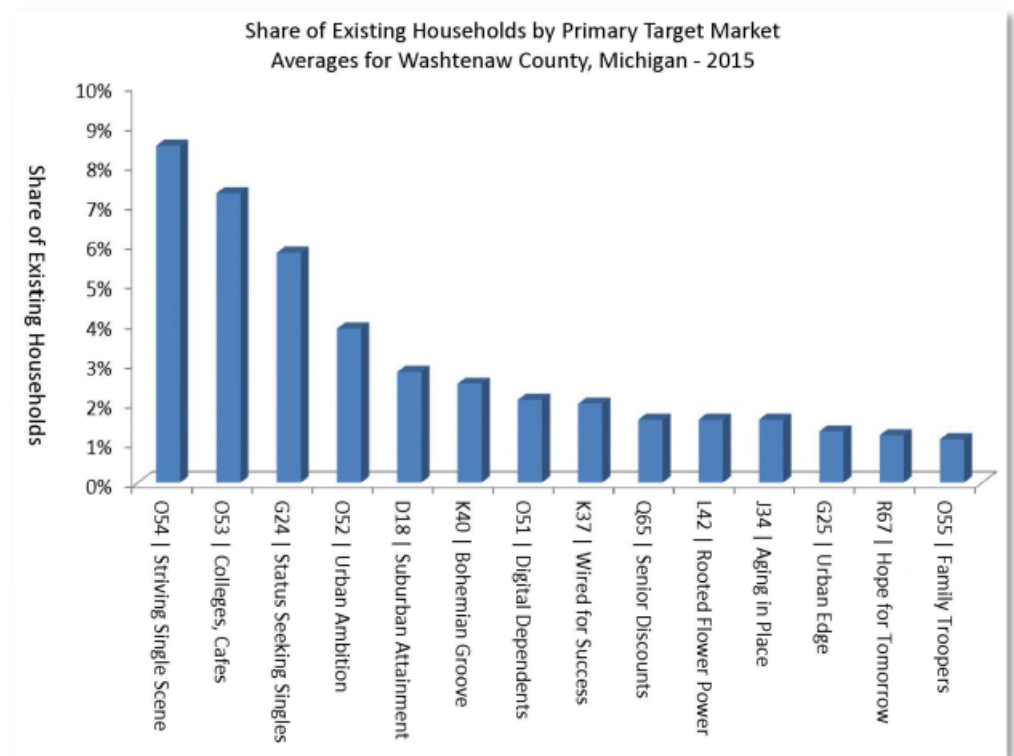


Chart reflects data through December 2014.

The Cities of Dexter, Chelsea, Saline, and Ypsilanti
Washtenaw County, Michigan
Joint Target Market Analysis (TMA)
A Proposal

MSHDA-Approved
TMA Consultant





March 18, 2015

Michelle Aniol, Manager
Community Development
The City of Dexter
8123 N. Main Street, 2nd Floor
Dexter, Michigan 48130
(734) 426-8303 ext. 15
maniol@dextermi.gov

RE: Joint Target Market Analysis - Proposal and Response to RFP

Dear Michelle,

Thank you for this opportunity to submit our proposal for a Joint Target Market Analysis (TMA) for the four partner communities in Washtenaw County, including the Cities of Dexter, Chelsea, Saline, and Ypsilanti.

LandUse|USA is Michigan-based professional consulting firm with offices centrally located in Lansing, Michigan. We welcome any questions on our enclosed proposal, and urge you to consider our unique qualifications:

25 Years of Experience with Lifestyle Cluster Data – I have been a retail and residential market analysis for my entire career of 25 years, and have utilized lifestyle cluster and target market data in my work since 1990. I am a professionally trained real estate market analyst, site selection and location analyst, demographer, and mathematician. I am also a Certified Counselor of Real Estate with a Master's Degree Geography (with an emphasis on Urban Planning and Applied Geography), and Minor in Mathematics. Our complete team qualifications are attached, and include my biographical profile with a detailed list of experience.

Non-Proprietary Transparency – We believe in utilizing data and conducting TMA studies in a transparent fashion. We will not encrypt, transform, collapse, rename, or otherwise alter the source data. Instead, we strive to ensure that our work and methods are completely traceable, replicable, and can be easily updated by anyone and if there is a need.

Placemaking Emphasis – Placemaking has become a key topic in planning for Michigan's future, and we understand how to apply it to our TMA work in a way that meets MSHDA's expectations. Together with MSHDA, I have given numerous TMA Tutorials across the state, and most recently presented at the MCDA conference in Traverse City.

This Friday (March 19, 2015), MSHDA and I will both presenting the TMA Tutorial to the Northeast Michigan Council of Governments (NEMCOG). Next week (on March 25), I will be explaining the Placemaking concepts and TMA approach to a wider audience at the upcoming National Land Conference in Tucson AZ.

Michigan Placemaking Curriculum – LandUseUSA is the only MSHDA-approved TMA consulting firm that is also certified by the State of Michigan to teach the Placemaking Curriculum Modules. In February 2015, I also received certification from the National Charrette Institute (NCI).

Retail Target Market Analysis – We are also the only MSHDA-approved TMA consulting firm with the ability and skills to conduct Retail TMA studies in-house. While retail is not a component of this project for your Joint TMA, the option is available if there is ever a future need. We are currently working on two Retail TMAs for Mason County (Ludington) and Wayne County (Southwest Detroit), both in tandem with Residential TMAs.

Ease of Local Travel – LandUse|USA's offices are located in the Greater Lansing Area, so we can easily drive to Washtenaw County for in-person meetings and public presentations. Instead of spending your budget on travel expenses, we will spend it on professional time to do the very best job and ensuring that the work is complete and fully meets the needs of your four partner communities.

Next Steps

Please let me know if there is anything we can do to ensure that our proposal best meets your needs. We will gladly refine our scope of work to address any questions that you might have, and look forward to talking with you about this important assignment.

Sincerely,

Sharon M. Woods, CRE
President, Principal Owner
LandUse|USA, LLC

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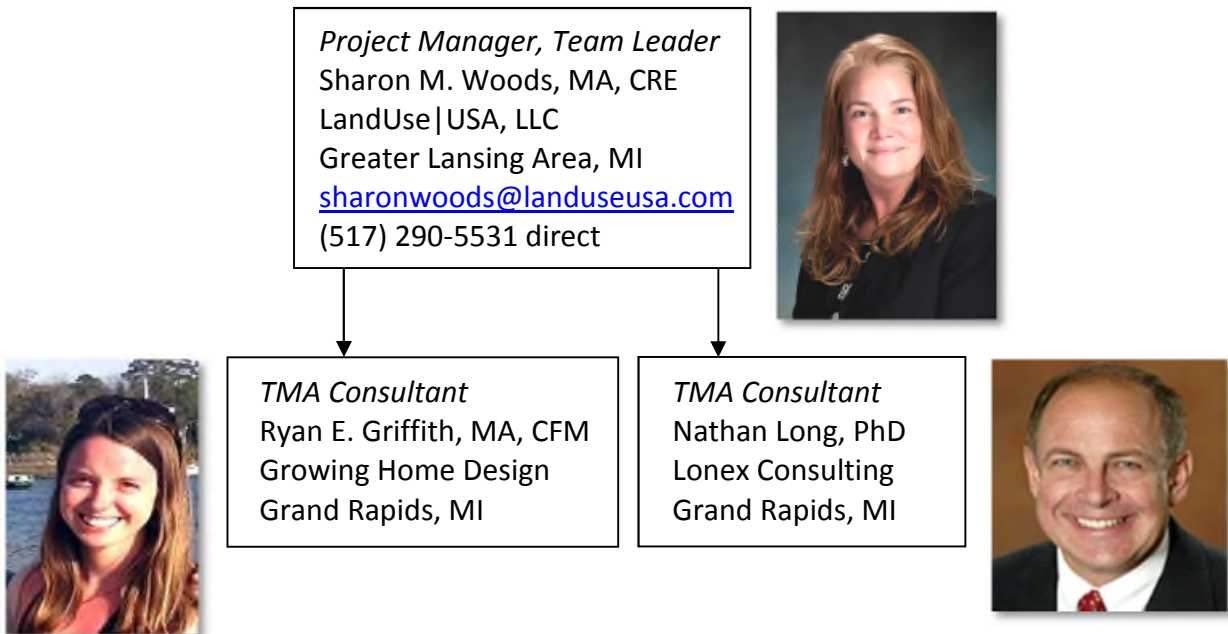
Our TMA Team

On behalf of LandUse|USA, thank you for the invitation to submit this proposal for professional services to develop a Target Market Analysis for your four partner communities in Washtenaw County, including the Cities of Dexter, Chelsea, Saline, and Ypsilanti.

We understand that you have received approval for a matching TMA grant from the Michigan State Housing Development Authority (MSHDA), as part of the Community Development Division’s Place-based Planning Program. Our work will fully meet the requirements and format of the TMA approach as approved by that state agency. We will also customize the work approach, analyses, and stakeholder engagement process to ensure that it best meets your needs and accurately reflects market realities for your local communities.

LandUse|USA is one of only two firms approved by MSHDA to work on TMAs funded under their *Placemaking Planning Program*. In addition, they have asked us to engage subcontractors as part of a shared interest in increasing the overall capacity for completing TMAs in Michigan. Our two MSHDA-approved subcontractors are introduced below, and include Ryan Griffith of Growing Home Design, and Nathan Long of Lonex Consulting.

The TMA Team - Organization and Contact Information



Our project manager and TMA Team Leader on this project will be Sharon Woods of LandUse|USA. Sharon will facilitate the kick-off meeting and formal presentations; analyze the data results; conduct the analysis to measure the optimum market potential; and develop strategy recommendations. We may seek your permission and authorization to have either Ryan or Nathan assist with this assignment. With your approval, they would work under Sharon's close direction to assist with data gathering, fieldwork and preliminary analyses; and they would also participate in most of the meetings.

LandUse|USA is a Limited Liability Company based in the Greater Lansing Area, and our two MSHA-approved subcontractors (Growing Home Design and Lonex Consulting) are both based in Grand Rapids. Because we are all located in Southern Michigan, it will be easy for us to travel for in-person meetings, field work, and the presentations.

Our Unique Qualifications

25 Years of Market Research Experience – LandUse|USA specializes in Target Market Analysis as well as downtown market strategies and land use economics. Our firm was founded in 2008 by Sharon M. Woods, who has 25 years of professional experience in the fields of market research and analysis. Sharon has been in professional consulting since 2000, when she left Kmart Corporation as their former Director of Real Estate Market Strategies. Since then, she has become an advocate for downtowns and works predominately on helping communities leverage their urban resources while managing the risks of suburban sprawl.

MSHDA-Approved TMA Tutorial – Jim Tischler and Sharon Woods have been co-presenters on a variety of TMA presentations throughout Michigan. We have also provided TMA Tutorials to diverse audiences and a number of important association conferences listed below. These sessions were not contractual, and were purely instructional (i.e., they were not given under TMA contracts with our client communities). We would also include a joint TMA Tutorial as part of our work on this project.

<i>Acronym</i>	<i>Session Sponsors</i>	<i>Location</i>	<i>Month Year</i>	
MDA	Michigan Downtown Assoc.	Battle Creek	Oct.	2015
BMCC	Building MI Comm. Conf. (panel)	Lansing	Apr.	2015
NLC	National Land Conference	Tucson AZ	Mar.	2015
NEMCOG	Northeast Michigan COG	Gaylord	Mar.	2015
MCDA	Michigan Comm. Dev. Assoc.	Traverse City	Sept.	2014
MEDA	Michigan Economic Dev. Assoc.	Lansing	May	2014
BMCC	Building Michigan Communities	Lansing	April	2014
MCDA	Michigan Comm. Dev. Assoc.	Lansing	Mar.	2014
SWDBA	SW Detroit Business Assoc.	Detroit	Feb.	2014
SEMCOG	MIplace Training Curriculum	Detroit	Jan.	2014
MAP	Michigan Assoc. of Planning	Holland	Oct.	2013

Michigan Placemaking Curriculum – LandUse|USA is the only state-approved TMA consulting firm that is also certified to teach the Michigan Placemaking Curriculum on behalf of the Governor's Sense of Place Council (which includes the MSHDA, MEDC, MML, MAP, MSU-LPI).

Michigan Placemaking Curriculum – 6 Modules

Module 1 – People, Places, and Placemaking

Module 2 – Economics of Place

Module 3 – Neighborhoods, Streets, and Connections

Module 4 – Form Planning & Regulation

Module 5 – Collaborative Public Involvement in Placemaking

Module 6 – Applied Placemaking

TMA Work Experience – LandUse|USA is the first firm to complete a TMA under MSHDA's matching-grant initiative and sponsored by its Community Development Division and under its Placemaking Planning Program. The very first study was finalized by LandUse|USA in late 2013 for the Lansing Michigan-Grand River Avenue corridor project.

We have since completed 21 TMAs throughout Michigan (2013 and 2014). We are currently wrapping up the work on 3 TMAs (for Ludington, Holland, and SW Detroit), and have commenced work on TMA's for the City of Flint, and Muskegon County. The list on the following page demonstrates that our team has the capacity to undertake numerous projects at any given time.

LandUse|USA also collaborated with SmithGroup|JJR on a TMA for Washtenaw County in 2014, so we are already familiar with your region. That project focused on the ReImagine Washtenaw study area, and included a study of Washtenaw County averages. The strategy and presentation from our ReImagine Washtenaw TMA is also available online, and an excerpt from one of the work products is also provided in the attached Section E of this proposal.

ReImagine Washtenaw - Strategy with TMA Summary:

<https://drive.google.com/file/d/0BxcijJf1zBKRXzc3eTFRT3hCMDq/view?pli=1>

ReImagine Washtenaw - Stakeholder TMA Presentation:

<https://drive.google.com/file/d/0BxcijJf1zBKRMnliVy0wZGRRQzg/edit?pli=1>

The most recent TMAs for Prosperity Region 2 can be retrieved online with this link:

www.networksnorthwest.org/planning/planning-policy/housing/reports-and-documents.html

Target Market Analyses | 2015

<i>Project Type</i>	<i>Michigan Markets</i>	<i>Underway</i>
Target Market Analysis	Benton Harbor (awarded)	Late 2015
Target Market Analysis	Muskegon Co. (underway)	Underway
Target Market Analysis	City of Flint (underway)	Underway

<i>Project Type</i>	<i>Michigan Markets</i>	<i>Completion</i>
Target Market Analysis	The City of Holland	April 2015
Target Market Analysis	Ludington and Mason Co.	April 2015
Target Market Analysis	Southwest Detroit	April 2015

Target Market Analyses | 2013 – 2014 (continued)

<i>Project Type</i>	<i>Michigan Markets</i>	<i>Completed</i>
TMA Assessment	Canton Township	2015
Target Market Analysis	City of Jackson	2014
Target Market Analysis	Newaygo County	2014
Target Market Analysis	Washtenaw County	2014
Target Market Analysis	Grand Traverse County	2014
Target Market Analysis	Leelanau County	2014
Target Market Analysis	Benzie County	2014
Target Market Analysis	Manistee County	2014
Target Market Analysis	Emmet County	2014
Target Market Analysis	Charlevoix County	2014
Target Market Analysis	Antrim County	2014
Target Market Analysis	Wexford County	2014
Target Market Analysis	Missaukee County	2014
Target Market Analysis	Kalkaska County	2014
Target Market Analysis	Mexicantown/Detroit	2014
Target Market Analysis	City of Wyandotte	2014
Target Market Analysis	City of Onaway	2014
Target Market Analysis	Greater Lansing Area	2013
Target Market Analysis	Downtown Traverse City	2013

Results in East Lansing – Since completing the Lansing TMA study in 2013, we have also facilitated private, one-on-one meetings with local developers and are continuing to work with MSHDA on identifying new development opportunities in the market.

Developers Actively Engaged in Implementation of the Lansing TMA

Gillespie Group	Eyde Company
CB Richard Ellis	Mayberry Homes
Sam Eyde Management	Ferguson Development
Unified Group	HRS Communities

Local developers have since broken ground on three residential projects within the study area, all of which align with our recommendations. These include projects near Midtown (Frando); along the W. Michigan Avenue corridor; and near the Lansing City Market. We are actively supporting MSHDA's ongoing efforts in Downtown Lansing by continuing to meet with developers and encouraging them to invest in new housing projects, and expect at least one new project to be announced in 2015.

Other Local Experience – We have good local knowledge and have recently have developed market strategies throughout your region, including our recent ReImagine Washtenaw TMA, plus other projects for Downtown Belleville; a retail needs analysis for Domino's Farms in Ann Arbor Township, and a retail strategy for the Zeeb Road Corridor in Scio Township.

A partial listing of our non-TMA experience is provided below, and more detailed list is also enclosed with our company qualifications.

Other Local Experience

Retail Market Strategy
Retail Market Strategy
Retail Needs Analysis
TMA Assessment

In or Proximate to Washtenaw Co.

Downtown Belleville
Zeeb Road, Scio Township
Domino's Farms, Ann Arbor Twp.
Developer-funded, Canton Twp.

A Strategy, not Just a Study – We also differentiate ourselves by ensuring that each community's TMA includes practical, actionable, and real-life strategies for achieving the market potential. We won't just give you the number and data results. Rather, we will explain what it means with the context of place, and will qualify the results for each of your unique neighborhoods and subareas.

Project Objectives

The TMA approach is designed as an important tool to focus state, federal, local and private development dollars, and to ensure that local planning and practice is in alignment with emerging markets. Our work will be customized to ensure that it meets the project objectives for your four partner communities for this Joint TMA, as follows:

1. We will produce a Target Market Analysis that identifies the market potential for newly introduced or existing market-rate attached (i.e., multi-family) housing units to be leased or sold as well as the need and opportunity for new affordable housing units in each of the four communities, and also within their downtown subareas.
2. We will provide a stronger and data-based foundation for Washtenaw County (including its partner communities and subareas) to effectively work together on developing a shared community development plan and an approach that works toward mutual goals (and in alignment with Placemaking principles).
3. We will identify opportunities for public/private collaborative ventures leading to focused community investment and sustainable development.
4. We will customize our work in a way that helps you meet to MSHDA's objectives and assist you and other stakeholders in the navigation of MSHDA's development requirements under the matching grant agreement.
5. We will also help your stakeholders understand how the Joint TMA can be used by private developers to make real projects happen, and what they need to do in order to qualify for additional support from MSHDA under their *Placemaking Planning Program*.
6. We will include an Advisory Report recommending a strategy for distributing the TMA results to the broader community, including developers, and existing residents. Examples of strategies might include charrette-like workshops, public meetings, volunteer committees, developer forums, and website resources.

The Joint TMA will serve as an important tool to focus state, federal, local and private community development dollars to ensure that local planning and practice is in alignment with emerging markets. The analysis will provide a template for your communities and downtown neighborhoods to adjust to evolving statewide goals and strategies, and most notably Michigan's focus on Placemaking. This includes is a community process of diversifying approaches to community development (including citizen input); channel funding to optimize positive impacts; and focus efforts toward projects that are supported by economic realities.

The TMA Approach

Housing market studies for MSHDA-funded projects have traditionally used conventional measures of supply and demand in local markets, and have been based on the choices that existing residents have already made among existing housing products. This approach is flawed because it fails to consider that residents would make other choices if they had the options. It can also contribute to redundancy in the housing market, and blandness in neighborhoods and communities.

The alternative TMA approach relies on measuring demand based on the migration of populations that have a clear preference for living in urban and downtown environments. This is combined with a study of the lifestyle characteristics of those populations that are on the move, and of the types of housing that they are choosing in other markets throughout the Upper Midwest.

Results of the TMA are used to identify “missing middle” housing products for developers and to encourage the development of unique products to fill those missing categories. By matching unique housing products with the preferences of the target markets, communities also benefit through population retention and growth. These same philosophies and principles will be applied in the TMA analysis for your unique project for your four partner communities in Washtenaw County.

The work will involve a number of specific tasks designed to complete the comprehensive and Joint TMA. We will model the analytic approach after similar TMA studies that we conducted in Detroit, Lansing, and Jackson; and that are also underway for Muskegon and Flint. Again, all of these assignments fall under MSHDA’s TMA matching grant program.

NOTE: An explanation of the TMA approach is also provided in the attached Section A, as an excerpt from the Michigan Association’s Special Edition on Placemaking.

Work Transparency

Our work approach is designed to be completely transparent, and we insist on using utilizing lifestyle cluster data in its original form. We do not encrypt, transpose, collapse, rename, or otherwise modify the original data, and we do not believe that transforming data to make it proprietary is in your best interest. Our transparent approach makes it easy for anyone to trace and update the work if there is ever a need.

We utilize a replicable work approach that has been fully approved by MSHDA. In early 2014, our Lansing TMA was used by MSHDA to help establish guidelines and standards for future studies under their new Placemaking Planning Program. We have demonstrated to MSHDA that the TMA methodology does not need to be proprietary, and that the work can be completed by other qualified market analysts – as long as they have solid training and experience in location analysis, real estate consulting, and mathematics.

Our willingness to be transparent in our methodology means that we are also training other experienced analysts on the TMA approach to conducting housing studies, and at MSHDA's request. We expect Growing Home Design and Lonex Consulting to graduate from our training program in 2015, and that they will become fully authorized by MSHDA to conduct TMAs in Michigan.

Geographic Terminology

We recognize that each of the partner communities within is diverse with unique attributes, needs, and challenges. They include households living in a variety of housing types and conditions, and in neighborhoods that vary in density, stability, and affordability. To address this diversity, we will customize our work to represent the unique identities and character of each subarea, and look forward to working with stakeholders to ascertain those needs.

The primary study area for this project will include your four unique communities in Washtenaw County, with a close study of the Cities of Dexter, Chelsea, Saline, and Ypsilanti, plus each of the downtown districts. We will also qualify the study results for site-specific projects that have been identified within each community.

For example, results of the city-wide TMA for Chelsea will be qualified for the 600 Maple, and results for the downtown will be qualified for the 207 Monroe site. Similarly, results for downtown Ypsilanti will be qualified for each of the Water Street and Downtown areas. Results for Dexter will be qualified for its downtown, and also for the original Village neighborhood.

If you identify other site-specific projects, then they will also be highlighted in the study. This is intended to ensure that developers, lenders, and funding agencies have a complete picture of real estate development initiatives that might be underway throughout each of the four communities.

List of Subareas within the Joint TMA
The Cities of Dexter, Chelsea, Saline, and Ypsilanti, Michigan

	Subarea Name	Estimated Households	Will Be Qualified for:
Subarea 1	The City of Dexter	1,655	City-Wide Overview
Subarea 2	Downtown Dexter	230	Downtown Area, Village Nbhd.
Subarea 3	The City of Chelsea	2,280	City-Wide Overview
Subarea 4	Downtown Chelsea	45	DDA District
Subarea 5	The City of Saline	3,790	City-Wide and 600 Maple
Subarea 6	Downtown Saline	175	Downtown Core and 207 Monroe
Subarea 7	The City of Ypsilanti	8,225	City-Wide Overview
Subarea 8	Downtown Ypsilanti	1,040	Downtown and Water Street
Comparison	The City of Milan	2,375	comparison purposes only
Comparison	City of Manchester	945	comparison purposes only
Primary Draw Area	Washtenaw County	140,615	market parameters only

Target Audience and Stakeholders

The TMA will be targeted to interested community partners, including (but not limited to) jurisdictional officials city level; neighborhood associations, and other community leaders. We anticipate that diverse group of stakeholders will be interested in the study results, and will strive to engage them in the process. Stakeholders will probably include local and county officials, state agencies (particularly MSHDA, the MEDC, and Governor's Sense of Place Council), and both public and private-sector stakeholders. We anticipate conducting phone interviews with up to 10 of the local stakeholders, particularly local developers who might be interested in making real projects happen.

Public sector stakeholders may include local city councils and planning commissions, other specialized city departments, economic development and housing commissions, convention and visitor's bureau, chamber of commerce, downtown development authorities, and economic development corporations.

Private sector stakeholders are likely to include neighborhood associations, local property owners and managers, developers and investors, lenders, real estate brokers and professionals, business owners and entrepreneurs, and private citizens living in the city neighborhoods.

Review of Prior Work

Our work will also leverage the resources and prior studies that may have been recently completed by the county and communities. We always review prior work to quickly build an understanding and appreciation for your history, objectives, and potential challenges. For example, Washtenaw County recently completed a study an Affordable Housing Needs Assessment, and we will review those study results. We would also review your local master plans, corridor studies, downtown studies and plans, and any related retail or housings studies.

Engaging MSHDA in the Process

LandUse|USA has a solid understanding of MSHDA’s overall TMA initiatives, including how it fits within its Placemaking Planning Program. We also support the National and Michigan Main Street Centers’ 4-Point approach to creating vibrant and successful downtowns. As your consultants on this project, we are available to help you navigate the process of working with MSHDA and engaging its key staff in the TMA process.

In completing this assignment, we will fully meet MSHDA’s requirements and guidelines for TMA studies in Michigan, which are more stringent than other states. To ensure that our work is complying with MSHDA’s expectations, our preliminary steps and review of the draft TMA report will involve phone discussions and/or meetings with their key staff members, including those listed below.

Michigan State Housing Development Authority – Key Stakeholders

James E. Tischler, AICP
Community Dev. Director
TishclerJ@Michigan.gov
(517) 241-0050

David Allen, Ph. D.
Chief Market Analyst
AllenD@Michigan.gov
(313) 456-0534

Bryan Robb
Statewide Partnerships Specialist
Technical Assistance Specialist
RobbB@Michigan.gov
(517) 241-4967

Nicol S. Brown
Community Dev. Specialist
Comm. Outreach Specialist
BrownN8@michigan.gov
(313) 456-3597

Meetings and Formal Presentations

Our scope of work includes all of the items that you requested, as outlined in your Request for Proposals. This section of our proposal is intended to address the kick-off meeting and presentations, and also describes the roles and information that we will seek from the four partner communities during our work.

- (1) *Steering Committee Member Roles* – We typically ask your steering committee members to plan on attending at least two meetings, the TMA Tutorial, and review the draft and final TMA study results. Here is a more detailed list of ways that committee members can become involved:
 - Attend a project kick-off meeting that includes a tutorial on the TMA approach.
 - After the TMA Tutorial, participate in a driving tour of their community.
 - Provide local resources or contacts that might influence the study and results.
 - Provide contact information for stakeholders that we should talk with.
 - Participate in a phone conference to review the draft study results.
 - Read the TMA study and provide questions and/or comments back to the chair.
 - Attend at least one formal presentation with a larger assembly of stakeholders.
- (2) *Meeting Arrangements* – We will also ask that you provide a conference room for the kick-off meeting; a larger auditorium, council chambers, or classroom for a TMA Tutorial; and presentation space in each of four (4) subareas for a final presentation. We ask that you make the invitations to your coordinating group members and any other stakeholders that you would like to participate in the kick-off meeting and presentations.
- (3) *Project Kick-off Meeting* – We will ask that you invite only your steering committee to participate in the kick-off meeting for team introductions and to review the project objectives, process, timeline, and approach. At the meeting, we will also address any new questions that may have surfaced since this proposal.
- (4) *Public Open House and TMA Tutorial* – The kick-off meeting will be followed by a 1-hour tutorial on the Target Market Analysis approach and methodology. The tutorial will also describe current housing trends that are unique to the four partner communities, and will explain the national trends that are driving a renewed interest in downtown living.

The TMA Tutorial is usually provided in a large class-room meeting of all stakeholders and all four communities, gathered together for one shared Tutorial. We recommend that you invite local developers and real estate professionals to the tutorial, leaders in the business community, and any other stakeholders that might have an interest in the study results.

- (5) *Market Tours* – The kick-off meeting and TMA tutorial can be followed by a driving tour of the four cities, with a focus on their downtowns and urban neighborhoods. Typically the kick-off meeting and TMA Tutorial takes place on the first day, and the tours are sequenced during the second day. The tours can involve a bus of all committee members, or a van that rotates to pick up and drop off an ambassador in each community. We would seek your help in making arrangements for the tours.
- (6) *Field Work and Photo Inventories* – Immediately after the kick-off meeting, TMA Tutorial, and market tours, we will then extend our visit to complete independent fieldwork and photo inventories of each City and its downtown subarea. The photo inventory will focus on existing choices among attached housing units; downtown housing choices; and Placemaking amenities.
- (7) *Phone Conference to Review Draft Workbook* – Upon completion of the draft Target Market Analysis Workbook, we will arrange for a phone conference to review the materials with the chair of the coordinating group and any other participants that you choose to invite. Each coordinating group member may also be asked to spend at least 4 hours reviewing the study results of the TMA study, either before or after the phone conference.
- (8) *Formal Presentations* – Over the span of two consecutive days we will provide up to 4 formal presentations for the project stakeholders. These can be provided to the key stakeholders as a group (i.e., your steering committee), and/or gatherings of city and county-level stakeholders. A suggested schedule is provided below, which may be customized to best meet your needs.
- (9) *Presentation Schedule* – We anticipate providing the presentations to the Cities of Dexter and Chelsea during the noon and evening of first day; the City of Saline in the morning of the second day, and the City of Ypsilanti and all other stakeholders over noon of the second day. However, this schedule is flexible and can be adapted to best suit your needs. The county representatives should plan on attending at least the last meeting. You might also like to invite the media.

General Scope of Work

Our scope of work involves a detailed study of optimal market potential among lifestyle clusters who, based on their preferences, will find the four partner communities as desirable places to live. We will complete a TMA that will identify the characteristics of such target market and household type living in the study area; and households with high movership rates and living in Washtenaw County. We will also customize the study to inform your city staff and leadership, stakeholders, coordinating group, and local developers on the services, amenities, and nearby businesses that will attract and help to retain those target markets.

At a minimum, we will complete the Joint TMA and fully address all of the following questions:

1. What are the current demographic, income, employment and housing trends in the four partner communities and their downtown its subareas? What are they projected to be in five years (through 2020)?
2. What types of housing are currently available in the study area, in terms of price points, amenities offered, and floor plans/structure type?
3. What types of amenities are available in the study area? These will include commercial enterprises, gathering places, cultural resources, public infrastructure, community anchors, and other major employers.
4. What types of placemaking activities are underway in the study area? How successful have they been in attracting new populations or new economic development opportunities to the area?
5. Who will the target market(s) be for attached (i.e., multi-family) residential units, including potential new developments as well as rehabilitations and conversions of existing buildings? What are the demographic, employment, income, and social attributes of these target market(s)?
6. What is the potential demand for attached (i.e., multi-family) housing projects of the above type(s) in the study area?
7. What types of projects (owner or renter) will capture the broadest number of target market households? Where will these be located within the study area? What types of amenities/floor plans/site plans will appeal most to the target market(s)? What price points will be offered (sale prices and rental prices)?
8. With a variety of potential residential development sites ranging from adaptive reuse of school buildings, waterfront, to potential for mixed-use development, what target populations will be identified for the different housing locations?
9. Gap Analysis: Given the description of current housing conditions and the estimate of the target market potential, provide a range of new product that will be in demand by the identified target market.
10. Identify the realistic target densities for the markets and any sites that have been identified.
11. Provide illustrative examples of similar housing types this study identifies as good market targets for the different locations within the study area.
12. What are the retail, service, and institutional amenities that can be supportive for resident retention and attraction into the study area?
13. What are the impediments to development of housing meeting the defined markets in the study area? What important ingredients are missing?
14. Other issues not listed but deemed important will be included.

The TMA description of the study area will include the following:

1. A map of the study area will be included showing major transportation routes, important places, neighborhoods, and other basic geographic information.
2. Current population and household counts will be provided with five year (through 2020) estimates and a description of the pattern of population and household change since 2000 and 2010 Census.
3. Current employment figures will be provided, as well as a breakdown of industries and occupations in the area.
4. Current housing conditions will be presented describing:
 - a. Mix of owner and renter;
 - b. Description of building types;
 - c. Contract rents being received in the market by existing projects;
 - d. Amenities offered by existing projects;
 - e. Vacancy rates from existing projects;
 - f. Prices of for-sale housing offered in the study area;
 - g. Amenities included in for-sale housing in the area; and a
 - h. Map detailing the locations of rental housing projects in the study area.

Finally, we will also include a listing and description of the Placemaking attributes and amenities in the study area, and a description of the successes of these efforts in increasing the population or economic activity in the area (increased commercial occupancy rates, more foot traffic, recent housing construction, etc.). We will also include a description of the study area in terms of transportation networks and linkages describing:

1. Major transportation corridors, and development efforts around them.
2. Locations in the study area that exhibit high levels of walkability or “bikeability”.
3. Existing public transportation opportunities.

Detailed Scope of Work

The Request for Proposals submitted for this project generally aligns with MSHDA guidelines for Target Market Analyses in the State of Michigan. The following scope of work more precisely matches MSHDA’s requirements, and does not deviate from their expectations. We are committed to both you and MSHDA in meeting all of the work tasks in this TMA project.

- 1 We will include an Executive Summary of the basic findings of the analysis, including:
 - 1.1 Type and number of units that could be developed under a “Placemaking” Approach;
 - 1.2 The locations where this type of development will see maximum success;
 - 1.3 building types, and supportive building and neighborhood amenities;
 - 1.4 The size and composition of the target market segments for the areas identified;
 - 1.5 An estimate of the absorption rate and period; and
 - 1.6 Any major impediments to this type of development that can be described.

- 2 We will prepare materials that describe the study area, including:
 - 2.1 A map of the study area will be included, showing major transportation routes, important places, neighborhood sub areas, and other basic geographic information.
 - 2.2 Current population and household counts will be noted with five-year estimates.
 - 2.3 Current employment figures, as well as a breakdown of industries and occupations in the area, will be studied and included.
 - 2.4 We will address and describe current housing conditions, including:
 - 2.4.1 The mix of owner and renter households in the area.
 - 2.4.2 A description of building types in the area currently.
 - 2.4.3 Renter and owner prices among available attached units.
 - 2.4.4 Vacancy rates among existing projects.
 - 2.4.5 Prices for for-sale housing on offer in the area.
 - 2.4.6 A map showing the locations of rental housing projects in the study area.
 - 2.4.7 A map showing recent sales of single-family housing in the area; and
- 3 We will also address Placemaking Issues, including:
 - 3.1 A listing and description of the Placemaking attributes and amenities in the study area.
 - 3.2 A description of the successes of these efforts in increasing the population or economic activity in the area (increased commercial occupancy rates, more foot traffic, recent housing construction, etc.).
 - 3.3 A description of the study area in terms of transportation networks and linkages, describing:
 - 3.3.1 Major transportation corridors, and development efforts around them;
 - 3.3.2 Locations in the study area that exhibit high levels of "walkability" or "bikeability"; and
 - 3.3.3 Existing public transportation opportunities.
- 4 Target Market Analysis – Reflecting on the information gathered so far, we will then identify the optimum market potential for projects that align with Placemaking principles. We will include the following items in this step of the work:
 - 4.1 A discussion of commuting and migration patterns into and out of the study area.
 - 4.2 A description of the likely types of households that would be attracted to housing developed along Placemaking principles, in terms of their demographics, employment profile, economic situation and housing preferences, including any immigrant preferences not otherwise indicated.
 - 4.3 A defensible tie between migration patterns and the size of the in-migrating target market.
 - 4.4 "Gap Analysis" – Reflecting the estimates of the optimal market potential and current housing conditions, we will determine how much new product (again developed along Placemaking principles) will be demanded by the target markets. We will provide estimates in the form of a range.

- 5 We will provide recommendations on the ideal attributes of new housing, including:
 - 5.1 A description of the locations within the study area that are most conducive to Placemaking developments;
 - 5.2 A description of the building type that would result in the maximum capture of the target market demand;
 - 5.3 A description of amenities that would provide the maximum capture of potential target market demand;
 - 5.4 A description of the amenities needed for the maximum capture of potential target market demand;
 - 5.5 A listing of the price points that would be most successful with target market households; and
 - 5.6 Description of areas where targeted rehabilitation / residential incentives would be most impactful.
- 6 We will address any impediments to new developments, including:
 - 6.1 What exists in the study area that limits the possibility of development guided by Placemaking.
 - 6.2 Whether there are any apparent other hindrances to achieving Placemaking objectives.
- 7 We will develop conclusions and address any issues pertaining to the optimal market potential, and will provide:
 - 7.1 A statement of the general findings of the study will be provided in this section.
 - 7.2 In addition, other issues that we consider important will also be addressed.

Work Product Contents

We will prepare a professional report with narrative and an appendix of charts, maps, tables, photos, and other attachments to substantiate the work, conclusions, recommendations, and strategy. The report will be delivered as electronic PDF copies, and up to four (4) printed copies upon request. The report will include an executive summary with the optimal market potential and recommended strategy, and in a format that is easy to distribute among local stakeholders.

A professional report will be submitted with narrative and Workbook of supporting charts, maps, tables, photos, and other attachments to substantiate the work, conclusions, recommendations, and strategy. We will also provide detailed profiles on the target markets in a separate work product that will also be delivered electronically.

The deliverables will be carefully designed to be a work product that is easy to duplicate, transmit, and share with various stakeholders; plus more robust documentation of all supporting materials and methodologies in a Workbook.

Deliverable Contents	Pages
01 TMA Market Strategy Report	75+
02 TMA Workbook	75+
03 Supply-Demand Workbook	<u>75+</u>
Total Pages, All Deliverables	225+

To help manage direct costs for printing, most other stakeholders will be asked to accept copies of the report as .pdf files that they can print as needed. In addition, .pdf electronic copies will also be provided to key staff members at MSHDA.

Fee Schedule

Completing a Target Market Analysis involves an intense process of gathering and analyzing data, setting-up and running models, studying the results, and developing place-based recommendations that are appropriate to the four partner communities, and the downtown subareas. Our budget is allocated based on estimates of the professional time required to complete these steps.

We anticipate dedicating a minimum of 300 hours of professional time to this joint TMA. Sharon Woods' professional rate is \$100 per hour, resulting in a total budget of \$30,000. Itemized tasks and costs are provided on the following page.

Joint Target Market Analysis – Project Budget
Cities of Dexter, Chelsea, Saline, and Ypsilanti

TMA Tasks	Not-to-Exceed Budget
Admin. Time, Project Planning, Communications	\$ 0. (waived fee)
Qualitative Assessment, Placemaking Attributes	\$ 1,000.
Desk-top Research, Discovery, Data Collection	\$ 3,000.
Real Estate Analysis of Housing Market	\$ 2,000.
Setting Up, Testing, & Refining Analytic Models	\$ 3,000.
Finalizing the Models, Analyzing the Results	\$ 3,000.
Studying the Results, Drawing Conclusions	\$ 2,000.
Developing Recommendations, Strategies	\$ 2,000.
Preparing Data Tables of the Gap Results	\$ 2,000.
Preparing Summary Maps, Demographic Tables	\$ 2,000.
Assembling Materials into a Workbook	\$ 2,500.
Preparing Summary Tables and Exhibits	\$ 3,000.
Writing Narrative Report & Executive Summary	\$ 4,000.
Advisory Report of Next-Steps	\$ 500.
Addressing Questions, Special Requests	\$ 0. (waived fee)
	\$ 30,000.
 Kick-off Meeting, Tutorial, and Market Tours	 \$ 0. (waived fee)
Phone Conference – Interim Review Session	\$ 0. (waived fee)
Meetings and Discussions with MSHDA Staff	\$ 0. (waived fee)
Formal Presentations (2 consecutive days)	\$ 0. (waived fee)
Total Meetings and Presentations	\$ 0. (waived fee)
 Materials costs	 \$ 0. (waived fee)
Travel expenses	\$ 0. (waived fee)
Shipping and handling costs	\$ 0. (waived fee)
Total Project Not-To-Exceed Budget	\$ 30,000.

In summary, fees for professional time for this Residential TMA represent a lump sum, not-to-exceed amount of \$30,000. All direct costs, including materials, travel, shipping, and handling, will be absorbed internally at LandUse|USA as overhead expenses and will not be invoiced to you or any of the four partner communities.

Project Timeline

From prior experience, we know that it typically takes at least 3 months to complete a TMA analysis and address all of the items that MSHDA requires. Given the complexity of this Joint TMA project (four cities, plus four downtown subareas), we will ask for three (3) months to complete the work.

This schedule also includes time to ensure that the coordinating group is engaged in the TMA process with committee phone conferences. We will also need to allow some time for committee members to review and comment on the draft report.

Therefore, a fourth month will be needed to finalize the study and to prepare PowerPoint presentations. Assuming that this assignment and our work commences by the end of April, then we will work on the analysis and draft workbooks through May and June of 2015, and will ask for July to finalize the work. The road tour of public meetings can take place in early August.

Joint Target Market Analysis – Project Schedule Cities of Dexter, Chelsea, Saline, and Ypsilanti

Work Deliverables	Status	Targeted Dates	Delivery Format
Project Commencement	Start	April 27, 2015	Signed Agreement
Formal Kick-off	Meet	May 18-29, 2015	Round-Table Meeting
TMA Tutorial	Meet	May 18-29, 2015	Auditorium Format
Market Tours	Meet	May 18-29, 2015	Bus, Trolley, or Van
02 TMA Workbook	Draft	May 18-29, 2015	At Kick-off Meeting
03 Supply-Demand Workbook	Draft	May 18-29, 2015	At Kick-off Meeting
01 Market Strategy Results	Draft	June 30, 2015	Phone Conference
01 Market Strategy Narrative	Draft	July 31, 2015	Email Correspondence
All Final Work Products	Final	July 31, 2015	Email Correspondence
Public Presentations	Present	August, 2015	Public Presentations

~ end of proposal ~

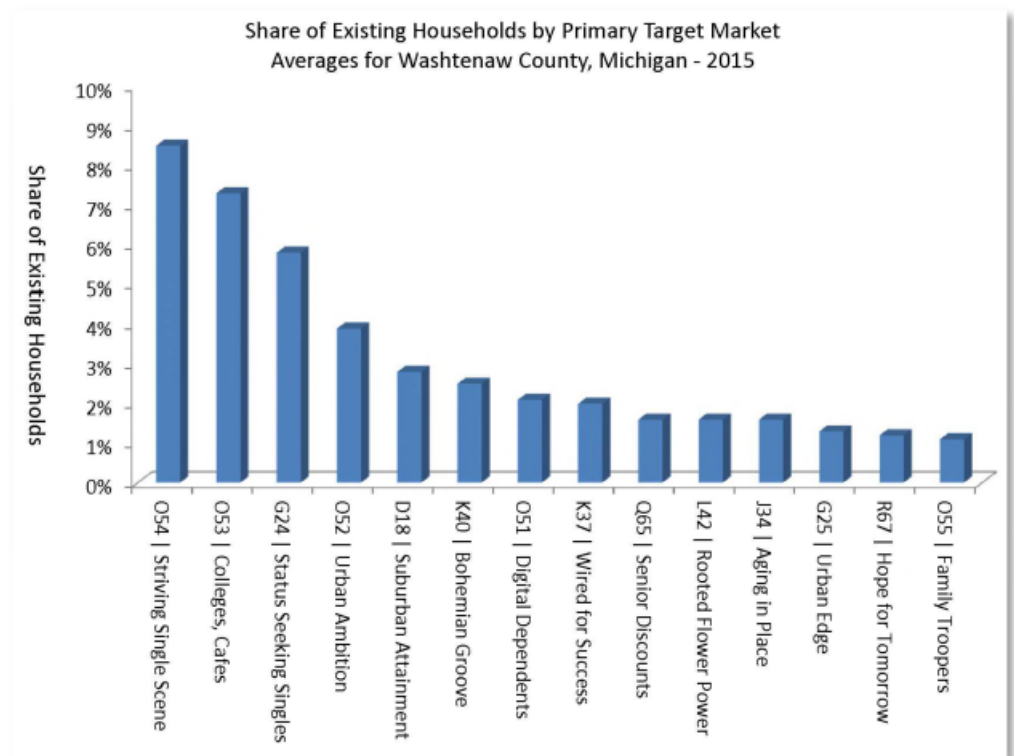


Chart reflects data through December 2014.

The Cities of Dexter, Chelsea, Saline, and Ypsilanti
Washtenaw County, Michigan

Joint Target Market Analysis (TMA)

Attachments

MSHDA-Approved
TMA Consultant



Proposal

Appendix

- A. TMA Approach
 - B. Team Qualifications
 - C. Selected References
 - D. Financial Good Standing
 - E. Work Sample (excerpt)
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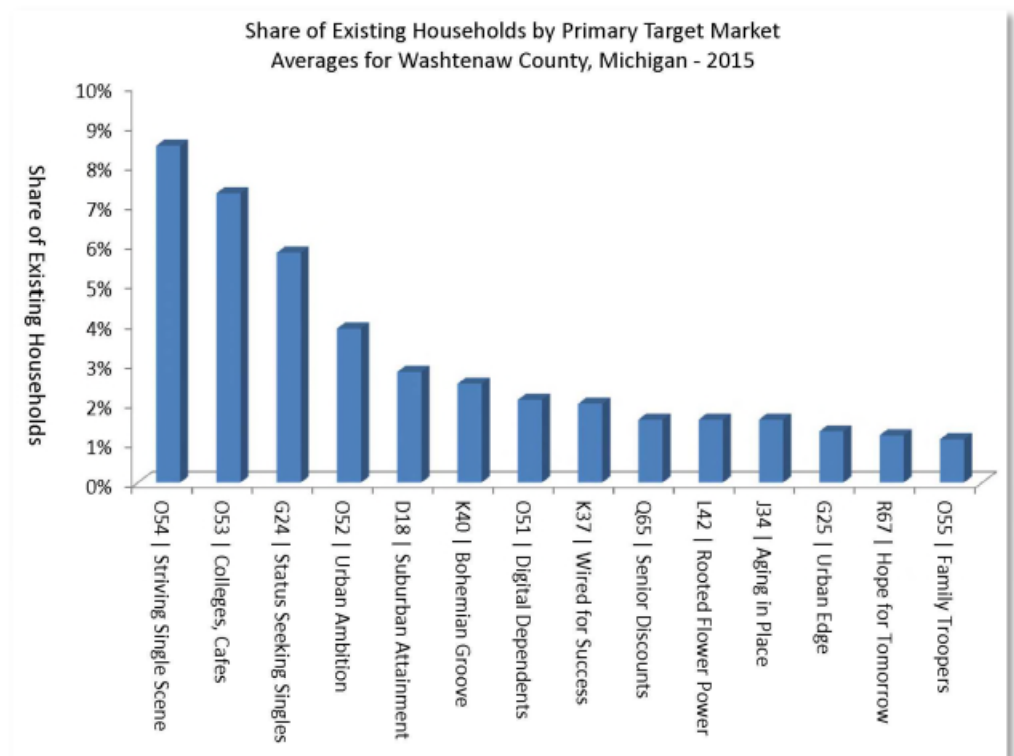


Chart reflects data through December 2014.

Section A

TMA Approach

MSHDA-Approved
TMA Consultant



MICHIGAN PLANNER



American Planning Association
Michigan Chapter

Making Great Communities Happen

A Publication of the Michigan Chapter of the American Planning Association

SPECIAL EDITION:
PLACEMAKING

REINFORCING PLANNING THROUGH PLACEMAKING

PLACEMAKING. IT'S WHAT PLANNERS DO, RIGHT?

Since the advent of our profession, creating quality places of lasting value has been both our charge and our passion. Together with elected leaders and appointed officials, city managers, township administrators, and other municipal professionals, planners have worked to create a vision, establish alternatives and priorities, and implement the programmatic, regulatory and policy initiatives to make great communities happen. As both an art and a science, community building can be messy, political and complicated, but in the end we strive to create communities that attract and maintain residents and businesses through the use of traditional tools of the trade including the master planning process, zoning, and building and design codes, or more contemporary models such as form based codes.

As community planners, we are heartened that state agencies like the Michigan State Housing Development Authority (MSHDA) are taking the lead to influence changes in state policy that support the planning and placemaking work that we have been advocating and advancing for years. We should see this as a reinforcement of our professional efforts – a heightened recognition of the value of community planning – and use this new energy to bolster our local planning efforts. A message of placemaking that resonates across disciplines is good for all of us.

This entire issue of the *Michigan Planner* magazine is devoted to placemaking. We cover innovations in the master planning process; the street and place; centers, nodes and corridors as a basis for form; target market analysis; and the use of more contemporized tools like Form-Based Code, Charettes, and Transportation Oriented Development.

Many of MAP's Planners in Private Practice (PIPP) Division



NEW PROGRAM OFFERING

MAP's newest program, Community Engagement, is an intensive curriculum now available through onsite programming. Schedule your three hour, interactive learning experience today!

www.planningmi.org/onsite.asp

members elevated their knowledge and acumen through participation in MSHDA-sponsored training programs over the last 18 months, and share their craft through the articles published here.

The bar is being raised in Michigan. The ideals of community planners are being echoed throughout state agencies and other partner organizations like the Michigan Municipal League, the Land Policy Institute, Community and Economic Development Association of Michigan, the Michigan Historic Preservation Network, and others. As placemaking is integrated into the policies and practices of our partners, so too are the ideals of community planning. And that's good for planning, right?

PLANNER INSIDE

SPECIAL EDITION: PLACEMAKING	PAGES 1, 3-18
CONNECT	PAGE 2
EDUCATION OPPORTUNITIES	PAGE 19

TARGET MARKET ANALYSIS

The Target Market Analysis (TMA) approach to conducting housing studies is getting broad attention in Michigan in light of strategic placemaking efforts and the economic recovery.

The TMA approach identifies households that are a) highly mobile and on-the-move throughout Michigan; b) have unique lifestyle attributes; and c) are seeking new housing formats across the urban transect zones. The following key phrases are critical to understanding what TMA is, what the analysis considers, and how the results will be integrated into community planning.

Mobility – or movership rates are used to measure the share of existing populations and households that moved within each county, each year and the share that moved in from other parts of the state, other states, and abroad. To measure net migration patterns in any given year, the outflow of households from any given county can be compared to inflow of households, resulting in a gain or loss.

The Lifestyle Clusters – Based on statistical classification techniques that determine whether the majority of households living within a given block group fall with a given demographic group, and then if these

defined groups are located in specific geographic clusters (within the block group). Sources include combinations of surveys and primary consumer data, statistically analyzed and then reported.

Applying the Urban Transect – The socio-economic attributes of over 70 lifestyle clusters are studied along with their spatial or geographic distribution within communities and places. Results are used to determine each cluster's propensity for choosing to live in the T-2 through T-6 transect zones. Key demographic indicators include a) household density; b)

tenure (renter v. owner occupancy); and c) number of housing units by building size.

Applying Urban Form – Local market conditions and existing housing forms are studied to determine whether there are any “missing middle” products. Data is revealing that most communities throughout Michigan have inadequate choices among attached housing products in the T-4, T-5, and T-6 zones. Depending on the market, these products could range from duplexes and quads to row houses, town houses, flats above street front retail, hard and soft lofts, condominiums, and choices in mid-rise buildings.



Underlying data provided by Experian Decision Analytics and powered by Sites | USA. Analysis and exhibit prepared by LandUse | USA, 2014.

The Target Markets – Lifestyle clusters become Target Markets if they have high mobility rates and a propensity for missing middle housing formats. In each county and community, there are typically at least three (and up to 10) distinct Target Markets. These represent the market potential for developing new housing products that are unique to the market. Ideally, private investors will work with community leaders to design and develop products with the building form, unit density, and placemaking attributes that make them most desirable to the Target Markets.

The Millennials – The population group with the highest movership rates tend to be young, single renters with low-to-moderate income profiles. They may have college degrees but might also be finding it difficult to

find good paying jobs in their chosen professions. Many have aspirations for eventually owning a home, buying a car, getting married, and starting a family, but they are postponing these decisions later than preceding generations. Rather than moving for a job, they are increasingly more likely to seek a job after they have chosen a community to live in. They want to be socially connected and are showing a strong preference for urban places to live – particularly downtown districts.

The Active Adults – Maturing adults are also an important group, and include mid-aged singles, empty nesters, early retirees, active seniors, seniors living in independent and assisted living facilities, and the elderly. These groups are living longer, staying more active later in life, working later into life, and growing as a share of

the total population. Similar to the Millennials, they too are seeking vibrant urban places that allow them to be more socially connected and active. Although they have relatively low movership rates, many are also seeking opportunities to downsize from detached houses into attached housing – without moving into a senior apartment.

The Role of Placemaking – The Placemaking process is paramount to the successful development of new housing products that fully meet the preferences and expectations of the Target Markets. More than ever, residents are demanding communities that include complete streets for all modes of transportation, provide easy access to public transit, and are walkable to neighborhood amenities.

Retail TMA – Many of the Target Markets

have a high propensity to choose attached housing products in urban places, and there is often a need to test the market potential for mixed-use projects with new housing choices above street-front retail. Regardless of the form and context, residents still need access to a mix of retail and services. In particular, new housing should be walkable to a neighborhood grocery store, pharmacy, hardware store, and eateries. The potential for other retail and services will depend on existing competition and lifestyle preferences of the Target Markets.

MSHDA Matching Grants – To help with the completion of regional TMAs in Michigan, the Michigan State Housing Development Authority (MSHDA) Community Development Division is offering matching grants to qualifying communities. The completed studies will help guide the planning of other MSHDA grants and programs, and will serve as a platform for more site-specific studies and developer grant applications. Contact your MSHDA Community Development Specialist for more information about conducting a TMA for your community and applying for a matching grant.

Community and Site Planning – Ideally, the TMA results are used to help guide future updates to local planning documents, including community-wide master plans, downtown plans, and sub-area plans. The results should also be used by local developers and stakeholders to guide site-specific development plans, and as a platform for site-specific studies for underwriting purposes.

Supply-Demand and Gap Analyses – The Target Market Analysis approach is unique from more conventional supply-demand and gap models, which focus on studying the attributes of households that are already living in a given community. The supply-

demand approach relies on existing conditions only, and fails to consider the lifestyle preferences of migrating households and the choices that they would make if they were available.

The supply-demand approach assumes that existing housing products currently available and occupied by households is an accurate representation of their preferences. This assumption is leveraged by the private development community (and supported by the lending institutions) to justify the development of more of that same product, rather than products that are missing. These trends and practices contribute to bland, homogeneous communities that lack diversity and fail to attract the moving Target Markets.

FOR MORE INFORMATION:

The Target Market Approach: <http://www.experian.com/assets/marketing-services/brochures/mosaic-brochure.pdf>

Target Market Profiles: <http://classic.demographicsnow.com/AllocateOnline.srct?ShowPage=static/MosaicUSA.htm>

AUTHOR SHARON M. WOODS is a certified Counselor of Real Estate (CRE), the founding Principal of LandUse|USA, and holds a Master's Degree in applied Geography with an emphasis in



demographics, spatial analysis, and location intelligence. LandUse|USA specializes in land use economics, market strategies, and target market analysis for large and small urban places. LandUse|USA (www.LandUseUSA.com) is also pre-approved to work on MSHDA-funded Target Market Analyses throughout Michigan. For more information, send an email to sharonwoods@landuseusa.com, or call (517) 290-5531.

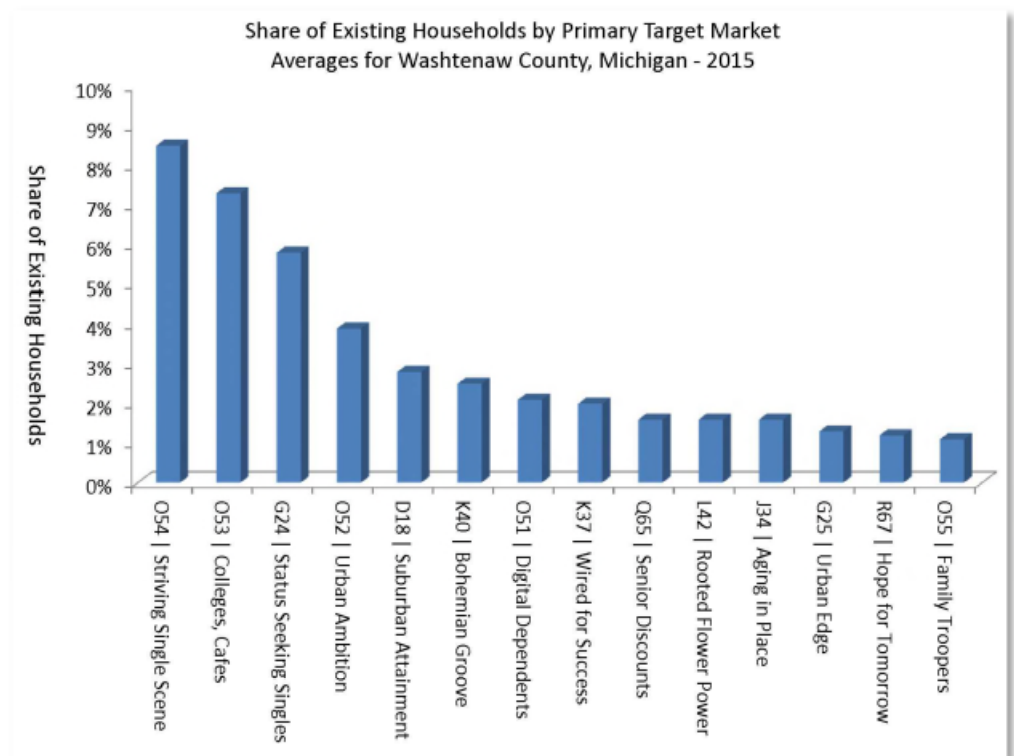


Chart reflects data through December 2014.

Section B

Team Qualifications

MSHDA-Approved
TMA Consultant



Sharon M. Woods, CRE | NCI | MA | MCP
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BIOGRAPHICAL PROFILE



Our Founding Principal and CEO at LandUse|USA is Sharon M. Woods, who is a certified Counselor of Real Estate (CRE) and has 25 years of experience in Land Use Economics and Real Estate Consulting.

Sharon specializes in Target Market Analysis, downtown

strategies, community and economic development, urban planning, and the economics of place. She promotes the highest and best use of land supported by sound economics of supply and demand. Her work is also supported by smart urban planning, economic realities and implementation plans.

Sharon has been providing professional consulting services for public and private-sector clients since 2001. Her experience working with private-sector developers is invaluable in formulating economic growth strategies based on land use economics. And, her experience with retailers and extensive list of contacts is invaluable in recruiting developers and new businesses to create jobs, fill market gaps, and fuel economic growth.

Sharon's experience includes 10 years as a Senior Market Strategist for several Fortune 500 retail companies, including Target Corp./Dayton-Hudson; Macy's, Inc./Federated; and Sears Holdings/Kmart Corp. She has worked on countless projects throughout Michigan and the Upper Midwest.

LandUse|USA's services are customized to represent the unique needs of municipalities and developers – together with a solid appreciation for retailer, shopper and resident preferences. We often collaborate with site planners, urban planners and landscape architects to design optimal strategies that enable projects to achieve their fullest potential.

NATIONAL AFFILIATIONS

Counselors of Real Estate (CRE Certification)
American Planning Association (MCP Certification)
National Charrette Institute (NCI Certification)
International Council of Shopping Centers (ICSC)
National Trust for Historic Preservation (NTHP)
Congress for New Urbanism (CNU)

MICHIGAN AFFILIATIONS

Michigan Downtown Association (MDA)
Michigan Association of Planning (MAP)
East and West Alliances (ICSC)
MIplace / MSHDA (Certified Contractor)

TENURE W/ FORTUNE 500 RETAILERS

Sears Holdings; Kmart Corp. (SuperK)
Real Estate Market Strategies
2000 – 2001; Director



Macy's, Inc.; Federated Dept. Stores
Market Research and Analysis
1993 – 2000; Senior Manager



Target Corp.; Dayton-Hudson (Greatland)
Area Research, Site Analysis
1990 – 1993; Senior Analyst



ADVANCED EDUCATION

Miami University of Ohio
Master's Degree (MA) – 1990; Summa Cum Laude
Urban Planning & Applied Geography

University of Wisconsin
Bachelor's Degree (BA) – 1988
Urban Planning & Applied Geography
Mathematics Minor

Curriculum Vitae
Sharon M. Woods, CRE | NCI | MA | MCP
Principal, LandUse|USA © 2015

Professional Consulting; 2001 – Current

Sharon M. Woods, CRE is the Principal and Founder of LandUse|USA, a professional consulting firm that serves the entire United States from its offices in central Michigan. She has 25 years of professional experience, including a decade in professional consulting preceded by tenure with Fortune 500 firms, including Target Corp./Dayton-Hudson; Macy's/Federated and Sears Holdings/Kmart Corp., and General Motors/Urban Science.

Sharon provides expert counseling and advisory services in real estate, land use economics and community development. She specializes in developing optimal market strategies for developers, planners, foundations, lenders and investors, retailers, jurisdictions and public-sector agencies. Her expertise spans all categories of land use, including retail, commercial, residential, office, industrial, warehousing, logistics, aviation-related, medical and mixed-use.

Employment History; 1990 – Current

Professional Consulting (2001 – Current; Principal; CEO)

General Motors; Urban Science (2001 – 2002; Senior Manager of Location Intelligence)

Sears Holdings, Inc.; Kmart Corp. (2000 – 2001; Director of Real Estate Strategies)

Macy's Inc.; Federated Department Stores (1993 – 2000; Senior Manager, Area Research)

Target Corp.; Dayton-Hudson Corp. (1990 – 1993; Senior Analyst, Market Research)

Advanced Education; 1985 – Current

National Charrette Institute; Certificate – 2014

MIplace Placemaking Curriculum (All 6 Modules at the maximum 300 Level) – 2014

University of Michigan – Extension; Master Citizen Planner – 2009

Middleton School of Real Estate; Continuing Education – 2002

Miami University of Ohio; Master of Applied Geography (Urban Planning) – 1988 – 1990

University of Wisconsin; Bachelor of Applied Geography (Liberal Arts) – 1985 – 1988

Team Awards

1. Town Center and TOD Plan; Village of Prairie Grove, Illinois – 2013 Award Winner
Best Strategic Plan; APA-IL Award; Chicago, Illinois
In collaboration with Teska Associates
2. Turn on 28th Street Master Plan; City of Wyoming, Michigan – 2011 Award Winner
Regional/Urban Design; AIA Grand Valley; Grand Rapids, Michigan
In collaboration with Nederveld, Inc. and Williams & Works

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Public Presentations (non-contractual sessions only)

Target Market Analysis – Conference Presentations / Panels

<i>Acronym</i>	<i>Association</i>	<i>Location</i>	<i>Month Year</i>	
MDA	Michigan Downtown Assoc.	Ann Arbor	Oct.	2015
HRS	HRS Communities (private)	Farmington Hills	May	2015
BMCC	Building MI Communities Conf.	Lansing	Apr.	2015
NEMCOG	Northeast MI Council of Gov.	Gaylord	Mar.	2015
H4H	Habitat for Humanity	Lansing	Nov.	2014
MCDA	Michigan Comm. Dev. Assoc.	Traverse City	Sept.	2014
MEDA	Michigan Economic Dev. Assoc.	Lansing	May	2014
BMCC	Building Michigan Communities	Lansing	April	2014
MCDA	Michigan Comm. Dev. Assoc.	Lansing	March	2014
SWDBA	SW Detroit Business Assoc.	Detroit	Jan.	2014
SEMCOG	Michigan Placemaking Curriculum	Detroit	Jan.	2014
CMS	Developer's Forum	Jackson	Jan.	2014
MAP	Michigan Assoc. of Planning	Holland	Oct.	2013

Other Conference Presentations

Highest and Best Use: Commercial – March 2015 (scheduled)
ALC – Accredited Land Consultants; National Land Conference; Tucson, Arizona

Real Estate Development Boot Camp: Commercial + Residential – May 2012
CEDAM – Community Economic Development Association of Michigan

To Big-Box, or Not; Location Strategies of Discount Department Stores – March 2012
City of Sturgis, Michigan

Turn on 28th Street Corridor Renovation and Retrofit (Award-Winning Project) – October 2011
MAP – Michigan Association of Planning

Performance Metrics for Site Decision-Making and Land Use – May 2008
NBC – National Brownfield Conference

Supporting Great Planning with Smart Economics – October 2006
MAP – Michigan Association of Planning

Utilizing Geography Degrees in the Current Job Market; Alumni Bicentennial – August 2006
Miami University of Ohio; Department of Geography

Lifestyle Centers Defined – October 2005
Michigan Downtown Association

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Michigan Placemaking Curriculum

LandUse|USA is certified by the State of Michigan and the Governor's MIplace Sense of Place Council to provide training on the Placemaking Curriculum, and for all Modules (1 – 6) at the 100, 200, and 300 levels. We are also certified by the National Charrette Institute (NCI).

Module 1 – People, Places, and Placemaking
Module 2 – Economics of Place
Module 3 – Neighborhoods, Streets, and Connections
Module 4 – Form Planning & Regulation
Module 5 – Collaborative Public Involvement in Placemaking
Module 6 – Applied Placemaking

Other Lectures and Instruction

1. Real Estate Site Selection, Location Analysis; Michigan State University; 2011 – 2013 (6 classes).
2. Community Economic Development Assoc. of MI (CEDAM); Real Estate Boot Camp; 2012.
3. Junior Achievement Program; Minneapolis Public Schools; Fall Term 1992 (6 classes).

Memberships and Affiliations

<i>Acronym</i>	<i>Association Name</i>	
CRE	Counselors of Real Estate	(certified)
MSU LPI	Michigan Placemaking Curriculum	(certified)
NCI	National Charrette Institute	(certified)
MSU MCP	Master Citizen Planner	(certified)
ULI	Urban Land Institute	
CNU	Congress for New Urbanism	
APA	American Planning Association	
ALC – RLI	Accredited Land Consultants – Land Institute	
ICSC	International Council of Shopping Centers	
MCDA	Michigan Community Development Association	
MAP	Michigan Association of Planning	
NTHP	National Main Street Center	
MML	Michigan Municipal League	
MDA	Michigan Downtown Association	
CEDAM	Michigan Economic Development Association	
MU	Miami University – Oxford, Ohio – Alumni Assoc.	

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Target Market Analysis (Projects) – 2015

<i>Project Type</i>	<i>Location (Market and State)</i>	<i>Date Completed</i>
Target Market Analysis	City of Flint	Mid - 2015 (pending)
Target Market Analysis	City of Muskegon	Mid - 2015 (pending)
Target Market Analysis	Benton Harbor / St. Joseph	Mid - 2015 (awarded)
Target Market Analysis	City of Niles	Spring 2015 (pending)
Target Market Analysis	Mason Co. / Ludington	Spr. 2015 (underway)
Target Market Analysis	Southwest Detroit	Spr. 2015 (underway)
Target Market Analysis	City of Holland	Spr. 2015 (underway)

Target Market Analysis (Projects) – 2013 / 2014

<i>Project Type</i>	<i>Location (Market and State)</i>	<i>Date Completed</i>
Target Market Analysis	Grand Traverse County	November 2014
Target Market Analysis	City of Traverse City	July 2014
Target Market Analysis	Leelanau County	November 2014
Target Market Analysis	Emmet County	November 2014
Target Market Analysis	Charlevoix County	November 2014
Target Market Analysis	Emmet County	November 2014
Target Market Analysis	Benzie County	November 2014
Target Market Analysis	Manistee County	November 2014
Target Market Analysis	Wexford County	November 2014
Target Market Analysis	Missaukee County	November 2014
Target Market Analysis	Kalkaska County	November 2014
Target Market Analysis	City of Jackson	September 2014
Target Market Analysis	Washtenaw County	September 2014
Target Market Analysis	Newaygo County	August 2014
Target Market Analysis	City of Onaway	August 2014
Target Market Analysis	City of Wyandotte	July 2014
Target Market Analysis	Mexicantown, Detroit	July 2014
Target Market Analysis	Greater Lansing Area	July 2013

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Other Consulting Projects – 2014 / 2015

<i>Project Type</i>	<i>Location (Market and State)</i>	<i>Date Completed</i>
Residential Site Assessment	Canton Township, MI	Spr. 2015 (underway)
Retail Market Assessment	Stanton, MI	Spr. 2015 (underway)
Downtown Market Study	Erie, PA	Spr. 2015 (underway)
Recreation Destination Strategy	Waterford Township, MI	Spr. 2015 (underway)
Retail TMA	Southwest Detroit	Spr. 2015 (underway)
Retail TMA	Mason Co. / Ludington	Spr. 2015 (underway)
Recreation Destination Strategy	Oshtemo Township, MI	Spr. 2015 (retainer)
Retail Market Assessment	Filer Township, MI	October 2014
Economic Growth Strategy	City of Jackson, MI	September 2014
Mixed-Use Market Strategy	Bentonville-Rogers, AR	March 2014
Retail Market Strategy	City of Portage, MI	January 2014

Other Consulting Projects – 2013

<i>Project Type</i>	<i>Location (Market and State)</i>	<i>Date Completed</i>
Downtown Market Strategy	City of Owosso, MI	December 2013
Downtown Market Strategy	Village of Roscommon, MI	November 2013
Economic Growth Strategy	City of Beckley, WV	November 2013
Downtown Market Strategy	Grosse Ile Township, MI	November 2013
Highest and Best Use Strategy	5 Campgrounds, MI	October 2013
Downtown Market Strategy	Village of Sparta, MI	October 2013
Master Plan Consulting	Will Rogers World Airport, OK	September 2013
Mixed Use Market Strategy	San Diego Int'l Airport, CA	May 2013
Corridor Market Strategy	City of Birmingham, MI	July 2013
Mixed-Use Market Strategy	City of Milford, MI	March 2013
Mixed-Use Market Strategy	Standale (Grand Rapids), MI	February 2013
Planning Advisory Services	Delta Township, MI	January 2013

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Consulting Projects – 2012

<i>Project Type</i>	<i>Location (Market and State)</i>	<i>Date Completed</i>
Downtown Market Strategy	Adams (Wisc. Dells), WI	November 2012
Residential Market Potential	Three Oaks-New Buffalo, MI	November 2012
Residential Market Potential	Calumet-Hancock, MI	December 2012
Corridor Market Strategy	Delta Township, MI	November 2012
Residential Market Potential	Au Gres-Bay City, MI	July 2012
Downtown Market Strategy	City of Sylvania, OH	April 2012
Corridor Improvement Strategy	City of Niles, MI	February 2012
Retail Market Strategy	Grand Blanc Township, MI	January 2012

Consulting Projects – 2011

<i>Project Type</i>	<i>Location (Market and State)</i>	<i>Date Completed</i>
Retail Impact Analysis	City of South Haven, MI	December 2011
Retail Market Strategy	City of Grand Blanc, MI	November 2011
Farmers' Market Strategy	City of Kalamazoo, MI	November 2011
Downtown Market Strategy	Village of Kalkaska, MI	October 2011
Downtown Market Strategy	City of St. Clair, MI	October 2011
Corridor Market Strategy	City of Wyoming, MI	March 2011
Economic Growth Strategy	Greater Cincinnati, OH-KY-IN	February 2011
Business Campus Strategy	City of Coldwater, MI	January 2011

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Consulting Projects – 2009 – 2010

<i>Project Type</i>	<i>Location (Market and State)</i>	<i>Date Completed</i>
Commercial Market Strategy	Will Rogers World Airport, OK	December 2010
Boundary Agreement Strategy	City of Merrill, WI	November 2010
Retail Anchor Recruitment	City of Jackson, MI	October 2010
TOD Master Plan Strategy	Village of Prairie Grove, IL	May 2009
Residential Market Potential	City of Traverse City, MI	April 2009
Urban Grocery Strategy	City of Jackson, MI	April 2009
Economic Growth Strategy	City of Merrill, WI	February 2009
Downtown Market Strategy	City of Rogers City, MI	January 2009
Downtown Market Strategy	Village of Ravenna, MI	January 2009
Business Campus Assessment	City of Coldwater, MI	January 2009

Consulting Projects – 2008

<i>Project Type</i>	<i>Location (Market and State)</i>	<i>Date Completed</i>
Retail Market Strategy	Coppell; Dallas – Ft. Worth, TX	June 2008
Retail Market Strategy	Orland Park; Chicago, IL	June 2008
Economic Growth Strategy	Gaines Twp.; Grand Rapids, MI	June 2008
Economic Growth Strategy	Old Booklyn; Cleveland, OH	June 2008
Economic Growth Strategy	Scio Twp.; Ann Arbor, MI	May 2008
Retail Market Strategy	Toledo, OH	May 2008
Retail Market Strategy	Westland; Detroit, MI	April 2008
Residential Market Potential	Grand Haven, MI	March 2008
Mixed-Use Market Strategy	Bowling Green, KY	March 2008
Forensic Research, Fiscal Impact	Ann Arbor Twp., MI	March 2008
Residential Market Potential	Salt Lake City, UT	January 2008
Mixed-Use Market Strategy	Gibraltar; Detroit, MI	January 2008
Retail Market Strategy	Kalamazoo, MI	January 2008
Residential Market Potential	Johnson Co.; Kansas City, KS	January 2008

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Consulting Projects – 2007

<i>Project Type</i>	<i>Location (Market and State)</i>	<i>Completed</i>
Retail Market Strategy	Battle Creek, MI	December 2007
Residential Market Potential	Downers Grove, IL	December 2007
Residential Market Potential	Byron Twp, Grand Rapids, MI	November 2007
Residential Market Potential	Taylor, MI	October 2007
Residential Market Potential	Nashville, TN	October 2007
Retail Market Strategy	St. Clair, MI	October 2007
Master Plan Review	Lapeer, Oakland Co., MI	September 2007
Residential Market Potential	Village of Redford, MI	August 2007
Retail Market Strategy	Mt. Pleasant, MI	August 2007
Residential Market Potential	Iowa City, IA	August 2007
Mixed-Use Market Strategy	Waterford Twp., MI	July 2007
Residential Market Potential	Palm Coast, FL	July 2007
Residential Market Potential	Voorhees, NJ, Philadelphia	July 2007
Mixed-Use Market Strategy	Louisville, Oldham Co., KY	June 2007
Medical Feasibility Analysis	Olde Town, Lansing, MI	June 2007
Fiscal Impact Analysis	Troy, MI	May 2007
Commercial Market Strategy	Lincoln, Alcona Co., MI	May 2007
Residential Market Potential	Midland, MI	May 2007
Residential Market Potential	Biloxi-Ocean Springs, MS	May 2007
Retail Market Strategy	Swartz Creek, MI	April 2007
Retail Market Strategy	Westland, MI	April 2007
Downtown Market Strategy	Howell, MI	March 2007
Residential Market Potential	Fayetteville-Rogers, AR	March 2007
Residential Market Potential	Pittsburg, PA	March 2007
Retail Market Strategy	Birmingham, MI	February 2007
Residential Market Potential	Lansing, MI	February 2007
Retail Market Strategy	West Branch, Ogemaw Co., MI	February 2007
Residential Market Potential	Perry, MI	February 2007
Economic Growth Strategy	Village of Lincoln, MI	January 2007

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Consulting Projects – 2006

<i>Project Type</i>	<i>Location (Market and State)</i>	<i>Date Completed</i>
Downtown Market Strategy	Howell, MI	December 2006
Downtown Market Strategy	Escanaba, MI	December 2006
Retail Market Strategy	Meridian Twp., MI	November 2006
Downtown Market Strategy	Adrian, MI	November 2006
Retail Market Strategy	Eaton County, MI	November 2006
Retail Market Strategy	Long Branch / Monmouth Co., NJ	October 2006
Residential Market Potential	Grand Traverse Co., MI	September 2006
Mixed-Use Market Strategy	City of Mt. Pleasant, MI	September 2006
Economic Growth Strategy	Oscoda County, MI	September 2006
Residential Market Potential	Howell, MI	August 2006
Residential Market Potential	Bath Twp., MI	August 2006
Residential Market Potential	Boise, ID	August 2006
Mixed-Use Market Potential	Kenosha, WI	July 2006
Residential Market Potential	Wisconsin and Illinois	July 2006
Residential Market Potential	Grand Traverse Bay Area, MI	July 2006
Retail Location Strategy	Nampa and Pocatello, ID	July 2006
Retail Location Strategy	Price and Cedar City, UT	July 2006
Retail Location Strategy	Tucson, AZ	July 2006
Mixed-Use Market Strategy	Racine, WI	June 2006
Forensic Research; Mixed-Use	Huron Twp., MI	June 2006
Retail Market Strategy	Walker / Grand Rapids, MI	April 2006
Mixed-Use Market Strategy	Grand Traverse Bay Area	April 2006
Residential Market Potential	Zeeland, Holland, MI	March 2006
Residential Market Potential	Grand Rapids, MI	March 2006
Retail Market Strategy	Lansing, MI	February 2006
Downtown Market Strategy	Albion, MI	February 2006
Residential Market Potential	Howell, MI	January 2006
Retail Market Strategy	Fishers / Indianapolis, IN	January 2006

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Consulting Projects – 2005

<i>Project Type</i>	<i>Location (Market and State)</i>	<i>Date Completed</i>
Land Use Feasibility Analysis	Pleasant Prairie, Kenosha, WI	December 2005
Economic Growth Strategy	Dearborn Heights, MI	November 2005
Downtown Market Strategy	Hart, MI	November 2005
Residential Market Potential	Bristol / Kenosha, WI	November 2005
Residential Market Potential	Madison, WI	October 2005
Residential Market Potential	Post Falls / Spokane, WA	October 2005
Retail Location Strategy	Las Vegas, NV	September 2005
Retail Location Strategy	Phoenix-Mesa, AZ	September 2005
Retail Market Strategy	Lafayette, LA	September 2005
Retail Market Strategy	Kansas City / Johnson Co., MO	September 2005
Mixed-Use Market Strategy	Springdale, AR	July 2005
Downtown Market Strategy	Iron Mountain, MI	June 2005
Retail Market Strategy	Grand Traverse Co., MI	June 2005
Residential Market Potential	Auburn Hills / Detroit, MI	June 2005
Residential Market Potential	Mt. Clemens / Detroit, MI	June 2005
Residential Market Potential	Dundee, MI	June 2005
Residential Market Potential	Linden-Fenton, MI	May 2005
Downtown Market Strategy	Belleville, MI	April 2005
Residential Market Potential	Wyoming / Grand Rapids, MI	March 2005
Residential Market Potential	Grand Traverse Bay Area, MI	March 2005
Residential Market Potential	Putnam Co., WV	February 2005
Mixed-Use Market Strategies	Ashwaubenon / Green Bay, WI	January 2005

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Consulting Projects – 2004

<i>Project Type</i>	<i>Location (Market and State)</i>	<i>Date Completed</i>
Retail Market Strategy	Pleasant Prairie, Kenosha, WI	December 2004
Residential Market Potential	Zeeland, Holland, MI	December 2004
Mixed-Use Market Strategy	Lansing Twp., MI	November 2004
Mixed-Use Market Strategy	Cannon Twp., Grand Rapids, MI	October 2004
Economic Market Analysis	Columbia, MO	October 2004
Downtown Market Strategy	Roscommon, MI	September 2004
Retail Market Strategy	Wyoming, Grand Rapids, MI	September 2004
Mixed-Use Market Assessment	Stamford, CT	August 2004
Retail Location Strategy	Orange Co., CA	July 2004
Retail Location Strategy	Riverside-San Bernardino, CA	July 2004
Retail Location Strategy	San Diego, CA	July 2004
Retail Market Strategy	Big Rapids, MI	June 2004
Forensic Research, Market Strategy	Acme Twp., MI	June 2004
Mixed-Use Market Strategies	Marshall, MI	June 2004
Retail Location Strategy	Salt Lake City, UT	May 2004
Residential Market Potential	Atlanta, GA	April 2004
Retail Market Strategy	Bowie, MD	March 2004
Economic Growth Strategy	Manistique, Schoolcraft Co., MI	March 2004
Downtown Market Study	Grayling, Crawford Co., MI	February 2004
Forensic Research, Analysis	Toledo, OH	January 2004

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Consulting Projects – 2003

<i>Project Type</i>	<i>Location (Market and State)</i>	<i>Date Completed</i>
Forensic Research, Real Estate	Franklin, Nashville, TN	November 2003
Residential Market Potential	Southgate, MI	September 2003
Retail Market Strategy	Georgetown, Grand Rapids, MI	September 2003
Downtown Market Strategy	Beaverton, MI	September 2003
Retail Market Strategy	Port St. Lucie, FL	July 2003
Retail Market Strategy	Oyster Bay, Long Island, NY	June 2003
Downtown Market Strategy	Glenview, Chicago, IL	April 2003
Urban Redevelopment Strategy	Santurce, San Juan, PR	January 2003

Consulting Projects – 2002

<i>Project Type</i>	<i>Location (Market and State)</i>	<i>Date Completed</i>
Residential Market Potential	Milwaukee, WI	November 2002
Retail Market Strategy	Milwaukee, WI	October 2002
Downtown Market Strategy	Muskegon, MI	October 2002

Sears/Kmart Projects – 2001

<i>Project Type</i>	<i>Location (Market and State)</i>	<i>Date Completed</i>
Nationwide Market Prioritization	Nationwide	December 2001
Montgomery Ward Acquisition	Los Angeles, CA	September 2001
Kmart Market Wide Strategy	Atlanta, GA	July 2001
Kmart Market Wide Strategy	Kansas City, MO-KS	June 2001
Kmart Market Strategy	Mobile, AL	March 2001

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Macy's/Federated Projects – 2000

<i>Project Type</i>	<i>Location (Market and State)</i>	<i>Date Completed</i>
Bon Marche Expansion Strategy	Spokane, WA	September 2000
Gottchalk's/Lamont's Strategy	Washington and Idaho	April 2000
Mervyn's Market Analysis	Washington, Oregon, Idaho	July 2000
Major Retail Location Analysis	Northwest States	July 2000
Bon Marche Expansion Strategies	Great Falls, Kalispell, MT	May 2000
Bon Marche Furniture Strategies	Portland, OR	July 2000
Rich's Market Strategy	Nashville, TN	July 2000
Rich's Market Strategy	Atlanta, GA	October 2000
Kohl's Impact Analysis	Atlanta, GA	August 2000

Macy's/Federated Projects – 1999

<i>Project Type</i>	<i>Location (Market and State)</i>	<i>Date Completed</i>
ZCMI Acquisition Strategy	Nationwide	September 1999
Emporium Acquisition Strategy	Washington and Idaho	November 1999
Bon Marche Expansion Strategy	Seattle, WA	April 1999
Bon Marche Baseline Sales	Spokane, WA	March 1999
Bon Marche Expansion Strategy	Boise, ID	March 1999
Bon Marche Expansion Strategy	Helena, MT	August 1999
Bon Marche Furniture Strategies	Portland-Vancouver, OR-WA	October 1999
Rich's Expansion Strategy	Atlanta, GA	March 1999

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Macy's/Federated Projects – 1998

<i>Project Type</i>	<i>Location (Market and State)</i>	<i>Date Completed</i>
Mall Expansion Strategy	Somerset Collection, MI	August 1998
Bon Marche Expansion Strategy	Issaquah, WA	August 1998
Emporium Acquisition Strategy	Washington and Idaho	November 1998
Bon Marche Expansion Strategy	Seattle, WA	April 1998
Bon Marche Baseline Sales	Spokane, WA	March 1998
Bloomington's Market Strategy	New Haven, CT	June 1998
Lazarus Market Strategy	Cincinnati, OH	April 1998
Lazarus Market Strategy	Columbus, OH	January 1998

Macy's/Federated Projects – 1994 – 1997

<i>Project Type</i>	<i>Location (Market and State)</i>	<i>Year Completed</i>
Macy's Expansion Strategy	Wenatchee, WA	1997
Bon Marche Expansion Strategy	Bend, OR	1997
New Mall Feasibility Study	Great Lakes Crossing, MI	1995
Bloomington's Market Analysis	Greater Miami, FL	1996
Bloomington's Market Strategy	Las Vegas, NV	1996
John Wanamaker Acquisition	Philadelphia, PA	1995
Bloomington's Market Strategy	Washington D.C.	1995
Macy's Market-wide Strategy	Greater New York, NY-NJ-CT	1994
Macy's Market-wide Strategy	Greater Boston, MA	1994
Macy's Market-wide Strategy	Greater Rhode Island	1994

Target/Dayton-Hudson Projects – 1990 – 1993

<i>Project Type</i>	<i>Location (Market and State)</i>	<i>Year Completed</i>
Venture Stores Acquisition	Greater Chicago, IL-WI-IN	1993
Target Expansion Strategy	Greater Chicago, IL-WI-IN	1993
Target Market-wide Strategy	Greater Cleveland, OH	1992
Target Market-wide Strategy	Greater Kansas City, KS	1991
Target Stores Market Strategy	Greater Madison, WI	1991
Target Expansion Strategy	Greater Sacramento, CA	1990
Target Expansion Strategy	Greater Milwaukee, WI	1990

Target Market Analysis

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target market analysis (TMA)

- ❖ Migration Patterns, Movership Rates
- ❖ Generations – The Millennials
- ❖ Generations – Active Seniors
- ❖ Target Markets – Shopping Preferences
- ❖ Target Markets – Housing Preferences
- ❖ Retail Strategies – Merchant Mix
- ❖ Housing Strategies – Formats, Styles
- ❖ Housing Strategies – Unit Sizes, Prices

other core services

- ❖ Supply-Demand Analysis
- ❖ Gap Modeling
- ❖ Feasibility Studies
- ❖ Land Use Economics
- ❖ Highest-and-Best Use
- ❖ Site Optimization
- ❖ Market Prioritization
- ❖ Location Intelligence
- ❖ Tenant Strategies, Recruitment
- ❖ Retail Sales Forecasting

private-sector clients

- ❖ Private Developers
- ❖ Property Owners
- ❖ Urban Planning Firms
- ❖ Lending Institutions
- ❖ Non-profits, foundations

public-sector clients

- ❖ Downtown Development Authorities
- ❖ Business Improvement Districts
- ❖ Cities, Villages, Townships, Counties
- ❖ Councils of Governments
- ❖ Economic Development Corporations
- ❖ Housing Development Authorities
- ❖ Municipal Planning Departments
- ❖ Municipal Leagues

TARGET MARKET ANALYSIS



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Market Analysis, Location Strategies United States Overview



West Michigan

Sample Strategies and Assignments

1. Gaines Township MI
Dutton Place Site Assessment
2. Cannon Township
Retail Market Strategy
3. Georgetown Township
Mixed-Use Market Strategy
4. Newaygo County MI
Residential Target Market Analysis
5. City of Wyoming MI
Turn on 28th Retail Strategy
6. City of Walker MI
Retail Market Strategy - Power Center
Standale Mixed Use Market Strategy
7. Portage MI
Portage Road Market Strategy
8. Village of Sparta MI
Downtown Retail Market Strategy
9. Village of Ravenna MI
Downtown Retail Market Strategy
10. Ottawa County MI
County Housing Needs Assessment
11. South Haven MI
Downtown Retention Strategy
12. Niles MI
Corridor Retail Market Strategy
13. Kalamazoo MI
Farmers' Market Strategy
14. Gull Lake MI
Lake Resort Market Strategy
15. Three Oaks MI
Health Center, Sr. Housing Study

Market Strategies and Downtown Studies By Location – Upper Midwest States

Indiana and Illinois

Fishers IN
South Bend IN
Merrillville IN
Valparaiso IN
Glenview IL
Downers Grove IL
Prairie Grove IL
Orland Park IL



Ohio and Kentucky

Oldham County KY
Kenton County KY
Cincinnati OH
Columbus OH
Cleveland OH
Toledo OH
Sylvania OH



Southwest Michigan

Cassopolis
Coldwater
Battle Creek
Grand Rapids
Kalamazoo
South Haven
Jackson



Southeast Michigan

Swartz Creek
St. Clair
Midland
Adrian
Waterford Twp.
Howell
Belleville
Gibraltar
Taylor
Troy

Southeast Michigan

Dearborn Heights
Westland
Auburn Hills
Birmingham
Pontiac
Troy
Scio Twp.
Birmingham

Central Michigan

Midland
Beaverton
Grayling
Roscommon
Mt. Pleasant
West Branch
Jackson
Perry

Lansing Region

Lansing Twp.
East Lansing
Meridian Twp.
Bath Twp.
City of Lansing
Delta Twp.
Old Town
Mason

Ryan E. Griffith, CFM Growing Home Design



BIOGRAPHICAL PROFILE



Ryan Griffith is the founder and Principal of Growing Home Design, a consulting firm focused on market research and analysis; community and urban planning; downtown development strategies; and urban food security systems.

In her 12 years of experience with non-profits and planning, Ryan has accomplished:

- Pre-certification by MSHDA's Community Development Division as a subcontractor on TMA projects throughout Michigan, with full certification anticipated in 2015.
- Certificate of Completion of six MiPlace Placemaking modules through the Governor's Sense of Place Council.
- Market research and analysis in support of several TMA studies currently underway in Southwest Detroit, Washtenaw, Newaygo, and 10 counties in Region 2, Michigan.
- Spatial analysis and mapping of the downslope hazards of steep slope development in western NC, and the creation of a stability index as a tool for safety.
- Creation of the first rural sustainability indicator report and target goals for the Southeast USA.
- Creation and implementation of a transportation and energy survey in a historically low-income neighborhood (in partnership with the City of Asheville, NC).
- Creation of a franchise service agreement for a recycling service on behalf of an environmental advisory board (in NC).
- Implementation for a Greenways Plan on behalf of a County Greenways Commission (in NC).
- Service as a member on several boards, including the Land Use Advisory Committee for GroWNC (a regional planning project); a local Chamber of Commerce; and a Regional Brownfield's Initiative. Service as the Vice-Chair of a local Zoning Board of Adjustments.

NATIONAL AFFILIATIONS

American Planning Association (APA)
National Trust for Historic Preservation (NTHP)
Association of State Floodplain Managers (CFM)

STATE AFFILIATIONS

Michigan Association of Planners (MAP)
West Michigan Sustainable Business Forum (WMSBF)
Master Gardener – Michigan State University

EXPERIENCE

Owner/ Principal (2013 – current)
Growing Home Design – Grand Rapids, MI
Market Analysis, Downtown Development Strategies and Environmental Planning and Design.

Director (2014) – Gourmet Gone Wild – Lansing, MI
Conservation through the local foods movement.

Senior Planner (2013) – Town of Bluffton, SC
Master plan and development plan management.

Project Planner (2012 – 2013)
Michael Griffith Architects – Bluffton, SC
Architectural design assessment and review.

Director (2010 – 2012) – Downtown Marshall Assoc., NC
Economic development through the Main Street program.

ADVANCED EDUCATION

Miplace Placemaking Curriculum (300 Level) – 2014
Certified Floodplain Manager - 2012

Appalachian State University
Master's Degree (MA) – 2012
Geography and Community Planning

Warren Wilson College
Bachelor's Degree of Arts (BA) – 2007
Environmental Policy; Spanish Minor
Study Abroad in Tibet

Nathan Long, Ph.D.
Lonex Consulting, LLC
© 2012-2014



BIOGRAPHICAL PROFILE



Nathan Long, PhD. founded Lonex Consulting in 2012. He has over 30 years of experience as a successful business executive in many capacities, and most recently as a MSHDA-approved subcontractor to LandUse|USA.

For 15 years Nathan worked as President & CEO of three companies, Bio-Nano Power, Pepex Biomedical, and Central Michigan University Research Corporation, developing broad experience in nanotechnology, biosensors, bioenergy, pharmaceuticals, consumer products, business analytics, healthcare information systems, and new business incubation.

Before taking the helm in general management, Nathan led product development teams that launched over 100 new products as Vice President of R&D at Benckiser Consumer Products, Senior Section Head for the Colgate-Palmolive, and Research Supervisor at BASF/Diversey Wyandotte. Through these positions he has accumulated extensive international field experience.

Nathan also has served on over 10 management boards, including private company and community boards, such as brownfield redevelopment authority, downtown development authority (DDA), economic development corporation (EDC), tax increment finance authority (TIFA) and local development finance authority (LDFA) boards.

Lonex Consulting has been providing professional consulting services for public and private-sector clients since 2012. Today, Lonex specializes in economic feasibility studies, market research, research and development, community and economic development, urban planning, and placemaking.

TENURE W/ STARTUP COMPANIES

Lonex Consulting
Professional Consulting Services
2012 – current; Founder and CEO

Bio-Nano Power
Bionanotechnology
2008 – current; Founder and CEO

Pepex Biomedical
Medical Devices
1995 – 2004; Co-Founder and CEO

TENURE W/ UNIVERSITY RESEARCH

Central Michigan Univ. Research Corp
University Research Corporation
2004 – 2007; President and CEO

TENURE W/ PRIVATE COMPANIES

Benckiser Consumer Products
Research and Development
1988 – 1995; Vice President

Colgate-Palmolive Company
Research and Development
1984 – 1988; Senior Section Head

BASF/Diversey Wyandotte
Research and Development
1979 – 1984; Research Supervisor

ADVANCED EDUCATION

Michigan State University
Doctoral Degree, PhD – 1979
Organic Chemistry

University of Michigan
Bachelor's Degree, BS – 1975
Chemistry

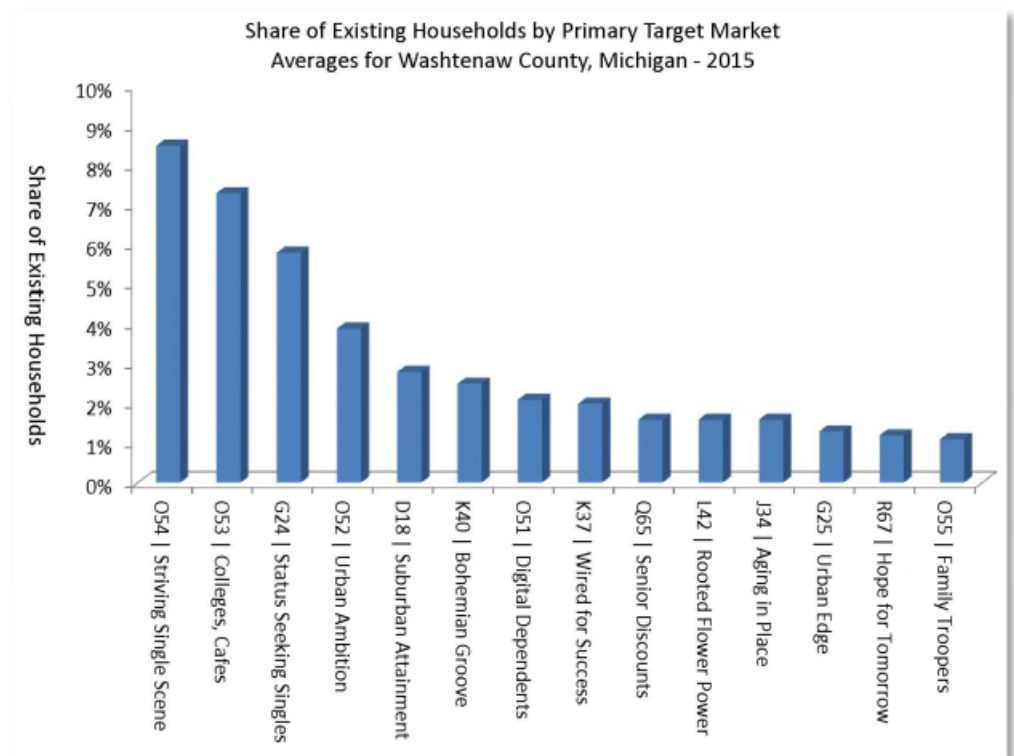


Chart reflects data through December 2014.

Section C

Selected References

MSHDA-Approved
TMA Consultant



Mlplace Curriculum Training – Target Market Analysis (2013 – current)
Mlplace Partnership | MSHDA | MSU Land Policy Institute

Description: LandUse | USA and MSHDA have prepared a Target Market Analysis PowerPoint presentation that has been presented at numerous conferences and Mlplace training sessions. This presentation is being used as part of the Mlplace Curriculum Training (2013), and is being used by MSHDA's Community Outreach Specialists (COS) to explain the TMA approach to Michigan's communities. A copy of the presentation is available upon request.

Sponsors

James E. Tischler, AICP
Director, Community Development Division
Michigan State Housing and Development Authority
735 E. Michigan Avenue
Lansing, Michigan 48912
(517) 241-0050
tischlerj@michigan.gov

Mark A. Wyckoff, FAICP
Director, Planning & Zoning Center at MSU
Senior Associate Director, Land Policy Institute
Room 112A, Human Ecology Building
East Lansing, Michigan 48824
(517) 884-7742
wyckoff@landpolicy.msu.edu
wyckoff@pzcenter.msu.edu

Target Market Analysis (commencing October 2014)
The City of Holland, Michigan (and Grand Haven option)

Description: LandUse | USA (contractor) and Lonex Consulting (subcontractor) have been selected as the consultant team to conduct the City of Holland's Target Market Analysis. The City of Grand Haven has also expressed interest in being added to the study, and we expect that the two communities might submit a request for an Addendum to MSHDA for additional matching grant funds. Adding Grand Haven to the Holland study is expected to involve a budget increase of +\$5,000 (assuming a combined market study report and stakeholder meetings). A similar approach could be used by Kinexus to add the City of Holland to its TMA for Benton Harbor and St. Joseph.

Primary Client

Phillip Meyer
City Manager
City of Holland, MI
jvanrav@aol.com
(517) 896-5135

Primary Client

Joel Dye
City Planner
City of Holland, MI
gwhiterealtor@comcast.net
(517) 881-2345

Potential Partner Community

Char Seise
Neighborhood Development Coordinator
20 N. Fifth Street
Grand Haven, MI 49417

Project Budget = \$29,000. + \$5,000. = \$34,000

Target Market Analysis (2013)
Michigan-Grand River Avenue Corridor
The Cities of Lansing and East Lansing, Michigan

Description: LandUse | USA was retained by MSHDA and the Michigan State University to complete a Residential Market Strategy that follows the Target Market Analysis (TMA) approach. The document is now being used to help set a new standard for future TMA in Michigan under MSHDA's TMA program. A copy of the complete study, Workbook, and Guidebook to the Target Markets are available upon request.

School of Planning, Design, and Construction
Michigan State University
Room 101, Human Ecology Building
East Lansing, Michigan 48824

Project Coordinator
James Van Ravensway
jvanrav@aol.com
(517) 896-5135

Developer, Private-Sector Liaison
Gil White, Realtor
gwhiterealtor@comcast.net
(517) 881-2345

Chief Investigator
Roger E. Hamlin, Ph.D., Professor
hamlin@msu.edu
(517) 353.8743

Primary Client
Scott Witter, Ph.D., Director
witter@anr.msu.edu
(517) 432-0704

Project Budget = \$30,000.

Target Market Analysis (2013 – 2014)
Downtown Wyandotte, Michigan

Description: LandUse | USA has been retained to complete a developer-funded Housing Strategy for a specific redevelopment site in downtown Wyandotte. A draft report has been completed and will be delivered to the client at the end of March, 2014. A copy can be made available upon request and with prior approval from the client.

Developer Liaison

Joseph M. Voszatka, Owner
SMOOTH Development, LLC
3166 Van Alstyne Street
Wyandotte, Michigan 48192
(734) 301-1282
jmvoszatka@smoothdevelopment.com
jmvoszatka@wyan.org

Primary Client

Anthony J. Lo Duca, Project Manager
MJC Companies
46600 Romeo Plank
Macomb Township, Michigan 48044
(734) 250-3768
aloduca@buildtechsolutions.com

Budget = \$18,000.

Target Market Analysis (2014)
The City of Onaway, Michigan

Description: LandUse | USA has been retained to complete a Target Market Analysis for the Iron One Educational Foundation, a non-profit entity of Moran Iron Works. Moran Iron Works is interested in creating 30 new jobs each year over the next few years, which is significant for this small market of about 850 residents.

The study objectives include developing a residential market strategy that will encourage local developers to invest in new projects designed to meet the needs of the new workers. This study will be completed by month-end July 2014. Draft materials have been prepared and are available upon request.

Primary Client

Marilyn Kapp Moran
Public Relations, Special Projects
Iron One Educational Foundation
(989) 733-2011
marilyn@moraniron.com

Budget = \$20,000.

Target Market Analysis (2014) Downtown Jackson, Michigan

Description: LandUse | USA has been retained to complete a Target Market Analysis for the City of Jackson and its Downtown Development Authority. Downtown Jackson is in the preparing a new comprehensive plan; and many of its downtown employers (like Consumers Energy) are creating new jobs with opportunities for white collar professionals. However, there is a serious absence of quality downtown housing, and also an absence of placemaking amenities needed to attract skilled workers into the downtown.

The study objectives include developing a residential market strategy that will encourage local developers to invest in new projects designed to meet the needs of the new workers. This study will be completed by month-end July 2014. Draft materials have been prepared and are available upon request.

Primary Client

Jonathan Greene
Executive Director, DDA
City of Jackson, Michigan
(517) 768-6456
JGreene@cityofjackson.org

Patrick H. Burtch
City Manager
City of Jackson, Michigan
(517) 788-4035
PBurtch@cityofjackson.org

Budget = \$30,000.

Target Market Analysis (2014)

Fremont, Newaygo, Grant, White Cloud, and Hesperia
Newaygo County, Michigan

Description: LandUse | USA has been retained to complete a Target Market Analysis for Newaygo County and its five partner communities, including Grant, Newaygo, Fremont, Hesperia, and White Cloud. Many of the households in the Newaygo County are low-to-moderate income workers. They tend to be young, single renters with high movership rates, and struggling to get by in small urban communities.

At the other end of the spectrum, the county also includes many households who are affluent owners, many of them with two homes (including a second home in Florida, Arizona, Chicago, etc.) These also tend to be older generations, early retirees, empty nesters, and active seniors. Although they have higher expenditure potential on homes, they are less likely to live in urban places and also have relatively low movership rates.

The study objectives include measuring the magnitude of development opportunity in the urban communities, with a special focus on the downtown districts. Draft materials have been prepared and are available upon request.

Primary Client

Paul Wishka
Division Director
TrueNorth Comm. Services
(231) 924-0641 x133

Primary Client

Veronica Turien
Program Manager
True North Comm. Services
(231) 924-0641 x132

Budget = \$30,000.

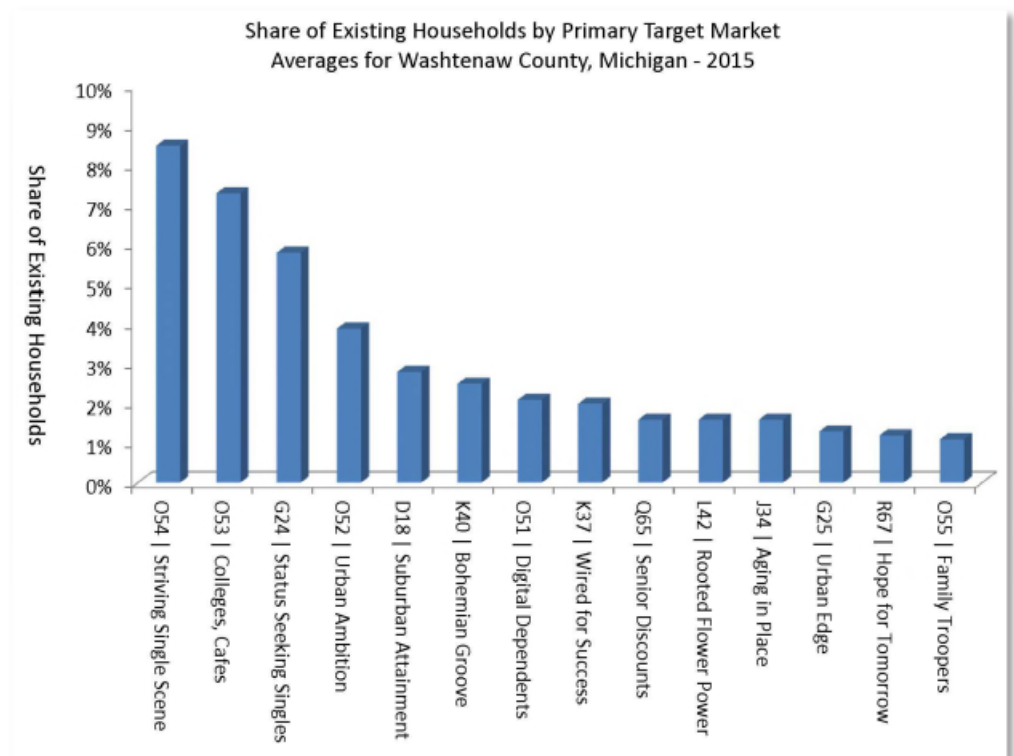


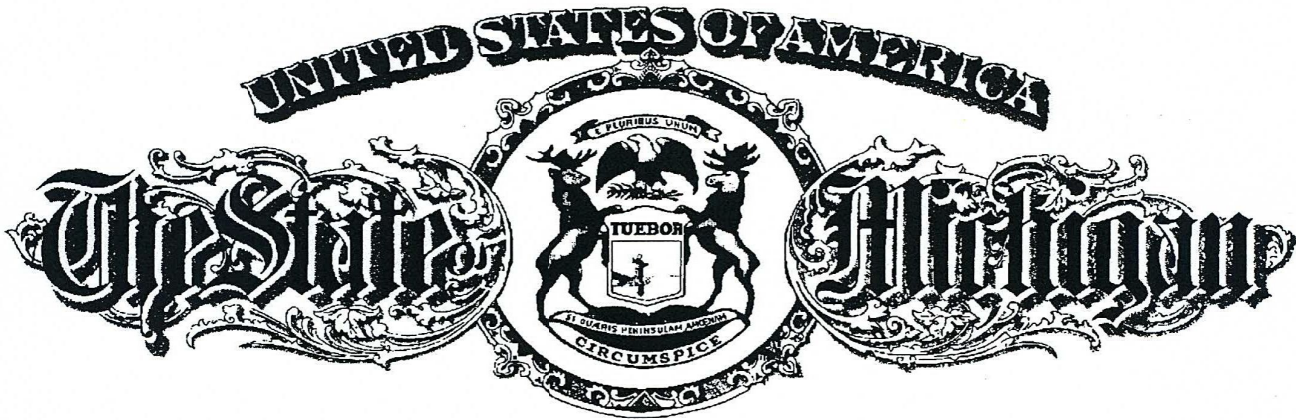
Chart reflects data through December 2014.

Section D

Financial Good Standing

MSHDA-Approved
TMA Consultant





Department of Licensing and Regulatory Affairs

Lansing, Michigan

This is to Certify That

LANDUSE/USA, LLC

was validly organized on June 5, 2008 as a Limited Liability Company. Said Limited Liability Company is validly in existence under the laws of this state and has satisfied its annual filing obligations.

This certificate is issued pursuant to the provisions of 1993 PA 23, as amended, to attest to the fact that the company is in good standing in Michigan as of this date.

This certificate is in due form, made by me as the proper officer, and is entitled to have full faith and credit given it in every court and office within the United States.

*In testimony whereof, I have hereunto set my hand,
in the City of Lansing, this 22nd day of July, 2014*



Alan J. Schefke, Director
Corporations, Securities & Commercial Licensing Bureau

GOLD SEAL APPEARS ONLY ON ORIGINAL

Michigan Department of Labor & Economic Growth

Filing Endorsement

This is to Certify that the CERTIFICATE OF AMENDMENT TO THE ARTICLES OF ORG.

for

LANDUSE

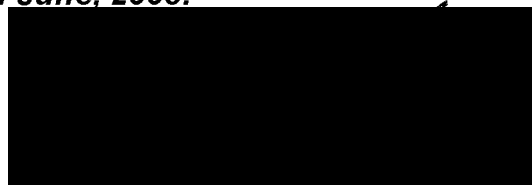
ID NUMBER: E0977K

received by facsimile transmission on June 6, 2008 is hereby endorsed

Filed on June 9, 2008 by the Administrator.

The document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.

In testimony whereof, I have hereunto set my hand and affixed the Seal of the Department, in the City of Lansing, this 9TH day of June, 2008.



, Director

Bureau of Commercial Services

FLINTOFF & KLEIN

CERTIFIED PUBLIC ACCOUNTANTS
2149 JOLLY ROAD, SUITE 500
OKEMOS, MICHIGAN 48864
TELEPHONE (517) 347-0330
FAX (517) 347-0811

MICHAEL S. FLINTOFF, C.P.A.
KENNETH J. KLEIN, C.P.A.
JOAN J. LATIMER, E.A.

September 25, 2014

Ms. Stacy Neidlinger
Kinexus Procurement
499 W Main Street
Benton Harbor, MI 49022

Dear Ms. Neidlinger:

I am writing to you at the request of Ms. Sharon Woods.

The purpose of this letter is to confirm that I prepared the 2013 corporate income tax returns of LandUse Usa, LLC (LUU), that Ms. Woods is 100% owner, and delivered these returns to the owner for review and approval before filing it electronically with the Internal Revenue Service (IRS) and, if required, the State of Michigan. In addition, to my knowledge, Ms. Woods and LUU does not have prior tax liabilities and remits income and payroll tax payments timely based on current year projected activity.

For the year above, the LUU owner provided the firm with a signed and dated copy of IRS Form 8879, which includes a declaration that they examined a copy of their electronic income tax return and accompanying schedules and statements for that tax year and declared that it is true, correct and complete to the best of their knowledge.

DISCLAIMERS:

These returns were prepared from information furnished to our firm by the LUU owner. This information was neither audited nor reviewed by me, and I make no representation nor provide any assurance regarding the accuracy and completeness of this information, or the sufficiency of these tax returns, as they relate to your decision to extend credit to, or make any other determination regarding, Ms. Woods or any other persons or entities.

Ms. Neidlinger
September 25, 2014
Page 2

I prepared LUU's tax returns in accordance with applicable tax law and regulations, and guidance by IRS and State of Michigan, solely for filing with the tax authorities. They are not intended to benefit or influence any third party, either to obtain credit or for any other purpose. As a result, the tax returns do not represent any assessment on our firm's part as to their creditworthiness, and does not include any statement of their financial position or income and expense for the year 2013 in accordance with generally accepted accounting principles, and should not be construed to do so.

As you know, a credit decision, or any other determination for which this information might be used, should be based upon the exercise of due diligence in obtaining and considering multiple factors and information. Any use by you of LUU's 2013 federal income tax returns and this letter is solely a matter of your responsibility and judgment.

Sincerely,

A black rectangular redaction box covering the signature of Joshua Girth.

Joshua Girth, CPA
Flintoff & Klein

cc: Ms. Woods

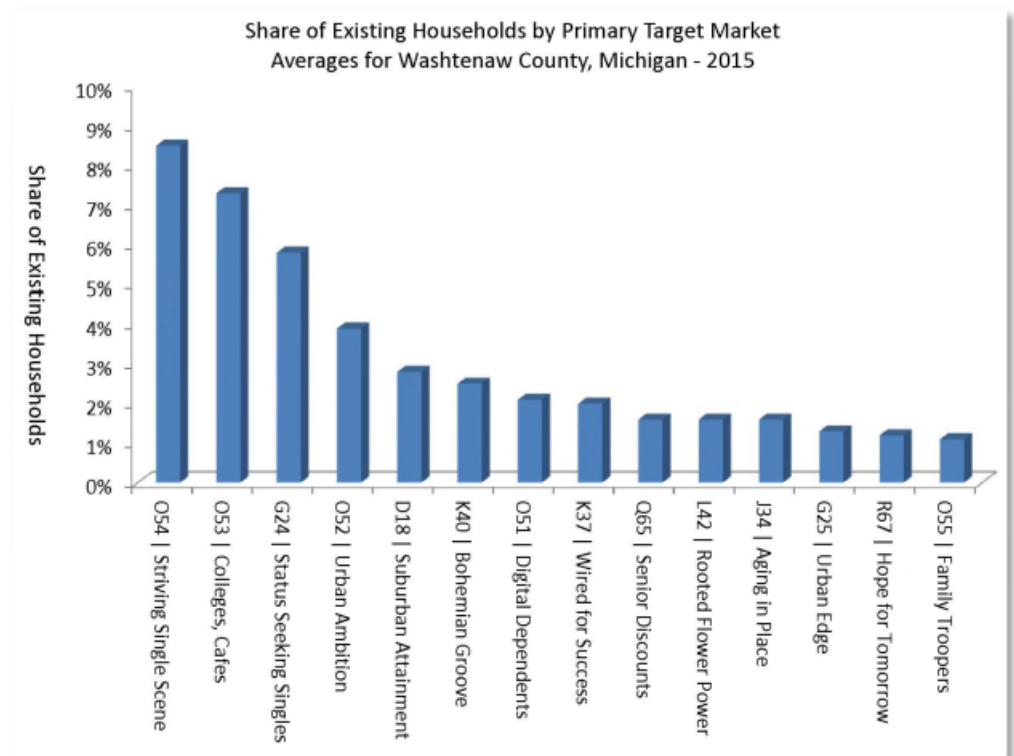


Chart reflects data through December 2014.

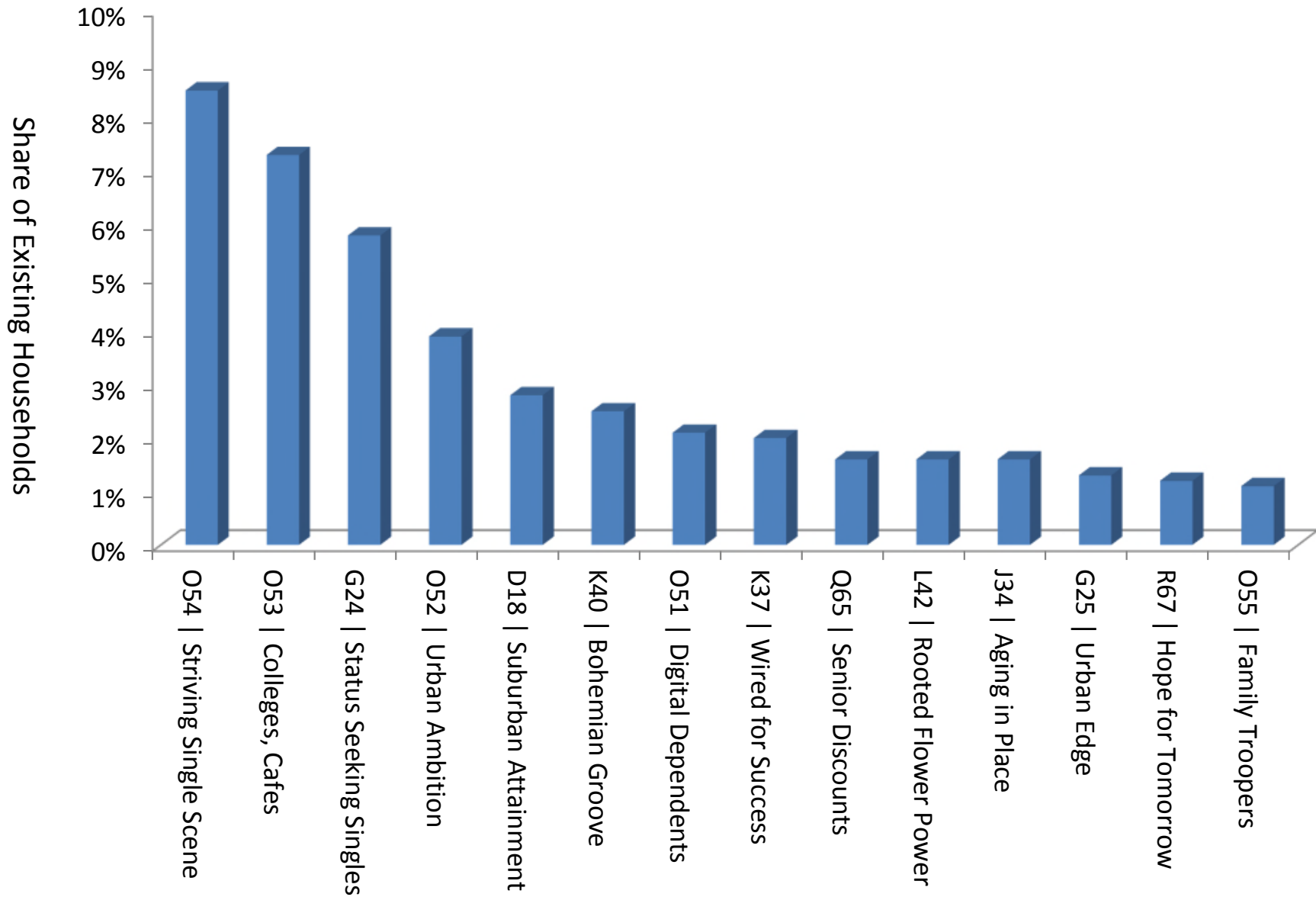
Section E

Work Sample (excerpt)

MSHDA-Approved
TMA Consultant



Share of Existing Households by Primary Target Market
Averages for Washtenaw County, Michigan - 2015



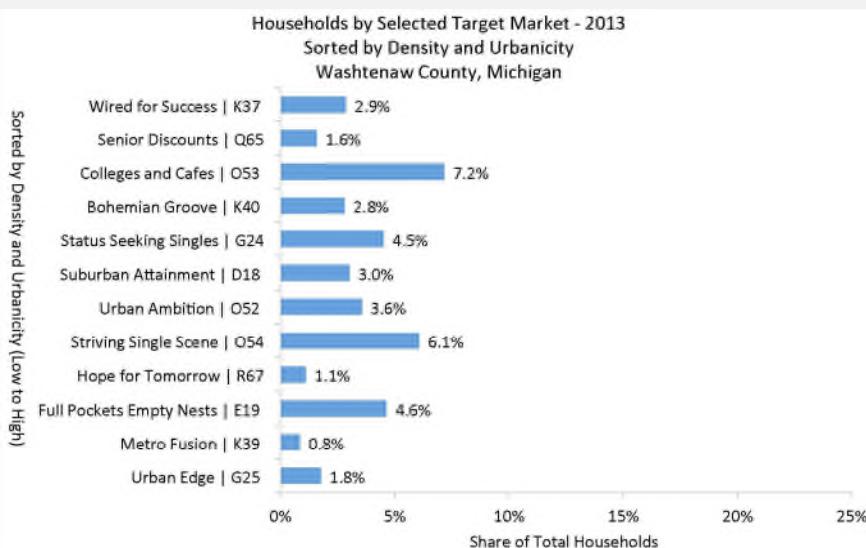
Source: Preliminary TMA Assessment of Primary Target Markets in Washtenaw County, Michigan.
Analysis and exhibit prepared by LandUse|USA; March 17, 2015.

Target Market Analysis

Washtenaw County

Michigan

September 26, 2014



Prepared for:



Prepared by:



In collaboration with:

SMITHGROUP JJR



Acknowledgements

Washtenaw County, Michigan

Paul Montagno, AICP
Sustainable Communities Coordinator

Nathan Voght
Economic Development Specialist

Stephen Wade
Management Analyst

Target Market Analysis Consultant Team

Sharon M. Woods, MA, CRE
Principal, LandUse|USA

Ryan E. Griffith, MA, CFM
TMA Consultant, Market Analyst

In Collaboration with:

Smith Group JJR
Cheryl Zuellig, RLA
Alicia Adams

LSL Planning/SAFEbuilt
Brad Strader, AICP
Kathleen Duffy, AICP



Project Support

Prepared for:



Prepared by:



In Collaboration with:

SMITHGROUP JJR



Washtenaw County, Michigan Target Market Analysis

Table of Contents

Section	Workbook Section
- -	Workbook Narrative
A	Washtenaw County Map
B	The Target Markets
C	Market Parameters Supply/Demand
D	Migration Patterns
E	Movership Rates
F	Employment

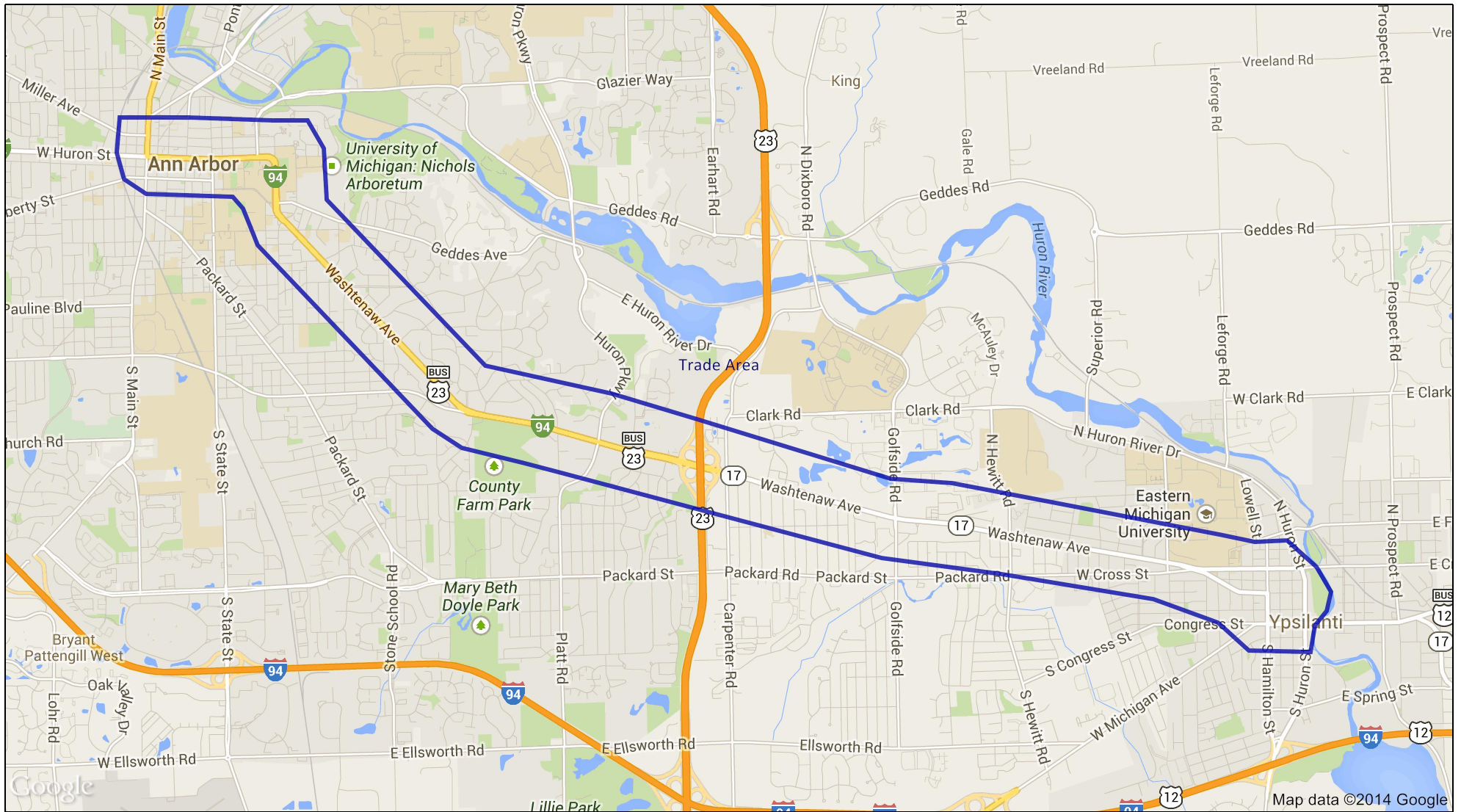
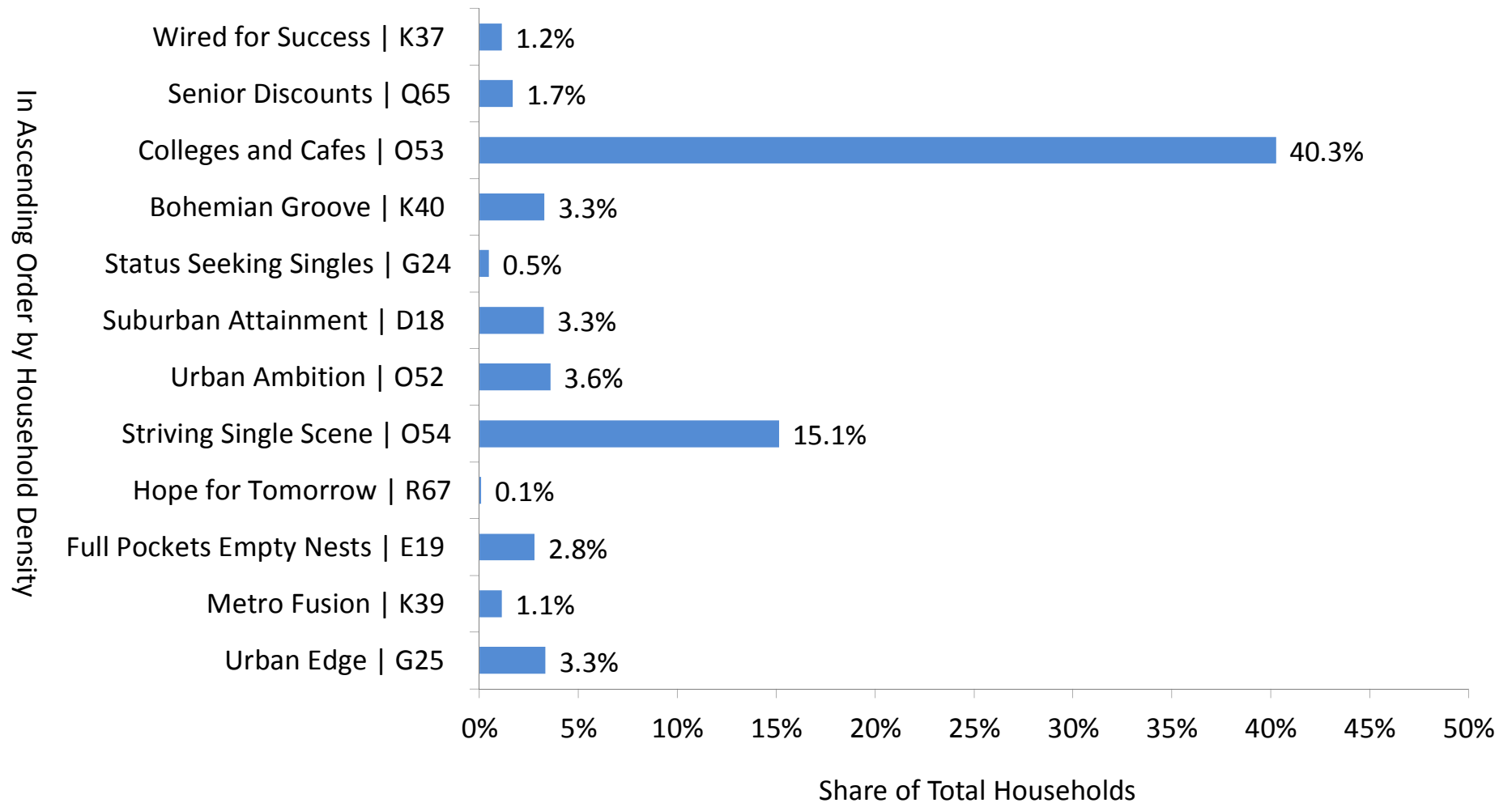


Exhibit A.1

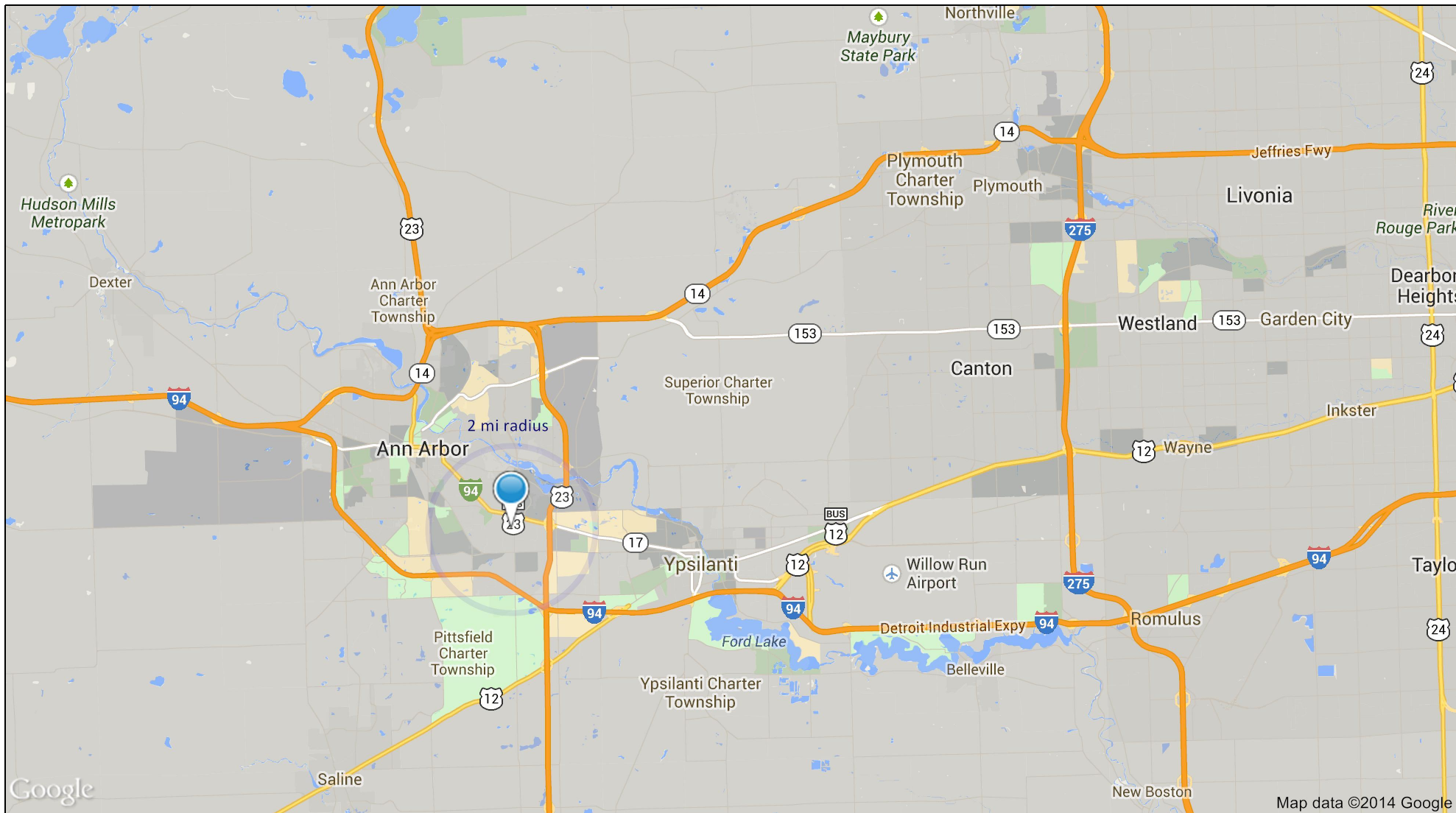
Overview Map Washtenaw Avenue Corridor Washtenaw County, Michigan

Households by Selected Target Market - 2013
8 Mile Corridor along Washtenaw Avenue
Washtenaw County, Michigan

Exhibit A.2



Source: Underlying data provided by Experian; powered by Sites|USA. Data analysis and exhibit prepared by LandUse|USA with all rights reserved ©2014.



O54 Striving Single Scene

By Block Groups

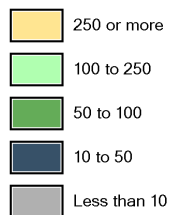


Exhibit A.3

Distribution of Selected Target Market Washtenaw County, Michigan - 2013

O54 | Striving Single Scene

Geography: Big cities throughout the South and West, and close to the urban action.

Age: 20-somethings; and over 90 percent are younger than 35 years of age.

Housing Format: Nearly all are living in older apartment buildings, in the city. Their units are compact and located in low-rise and high-rise buildings built between 1960 and 1990. Many of the buildings are dilapidated.

Housing Tenure: Nearly all (96%) are renters.

Movership: This group has high movership rates partly motivated by an ongoing search for better jobs and larger apartments. The majority just moved in during the last year, and 80 percent have stayed at the same address for fewer than three years.

Family Composition: This group has the highest percent of singles in the nation, usually deferring marriage and families until they have advanced farther in their careers. A whopping 95 percent are single; and nearly 90 percent have never been married and do not have children.

Education: They tend to be well-educated, and nearly three-quarters have gone to college. They also like taking adult education courses to improve their skills in painting, photography, and aerobics and yoga (while also making new friends).

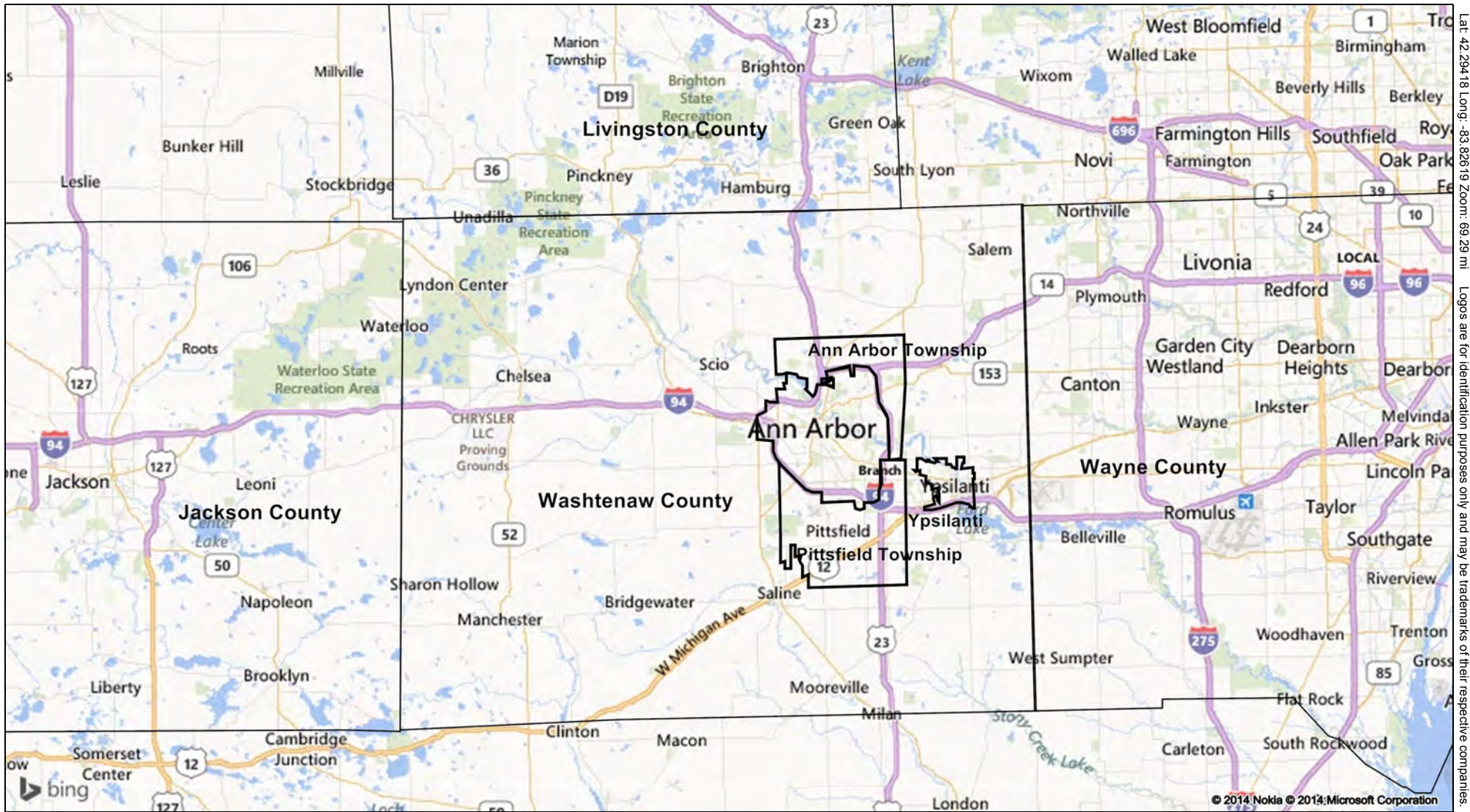
Jobs and Work: Tend to be employed in entry-level sales and service-sector jobs, including jobs in construction, public administration, health care, and professional services. They are an ambitious bunch and self-described workaholics, spending a lot of time on their careers to advance as quickly as possible. Many are already talking about starting their own businesses.

Income: Many are concerned with paying down their student loans and car loans, and aren't thinking about saving for retirement.

Mobility: Few own cars, but they are happy to walk or take public transportation.

Leisure: If they have time after work to relax at home, they choose carefree activities like reading a book; downloading books/music/videos/games; and cooking with friends. They are also active in the dating scene.

Retail Shopping: They tend to frequent bars, restaurants, health clubs, movie theaters, and other entertainment venues like concerts. They can't afford high-end stores, but they will bypass the discount stores in preference for the latest, in-season fashions. They surf the malls and mainstream apparel stores for sales and bargains. They also like the latest trends in everything from health food to electronic devices. They can be impulsive in the retail stores, but have also fully integrated the internet for entertainment and planned shopping excursions.

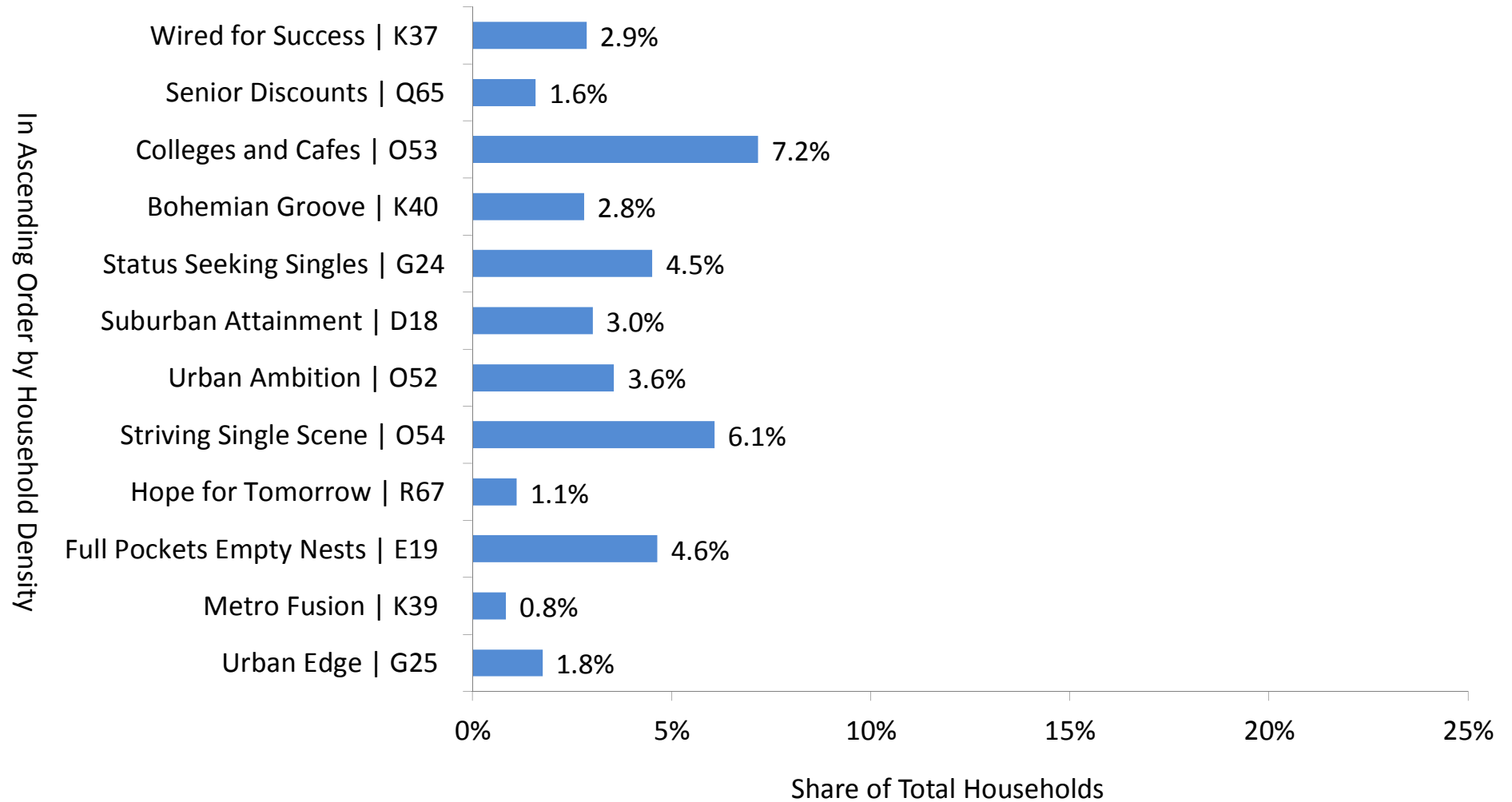


Overview Map Washtenaw County, Michigan

Exhibit A.1

Households by Selected Target Market - 2013
Washtenaw County, Michigan

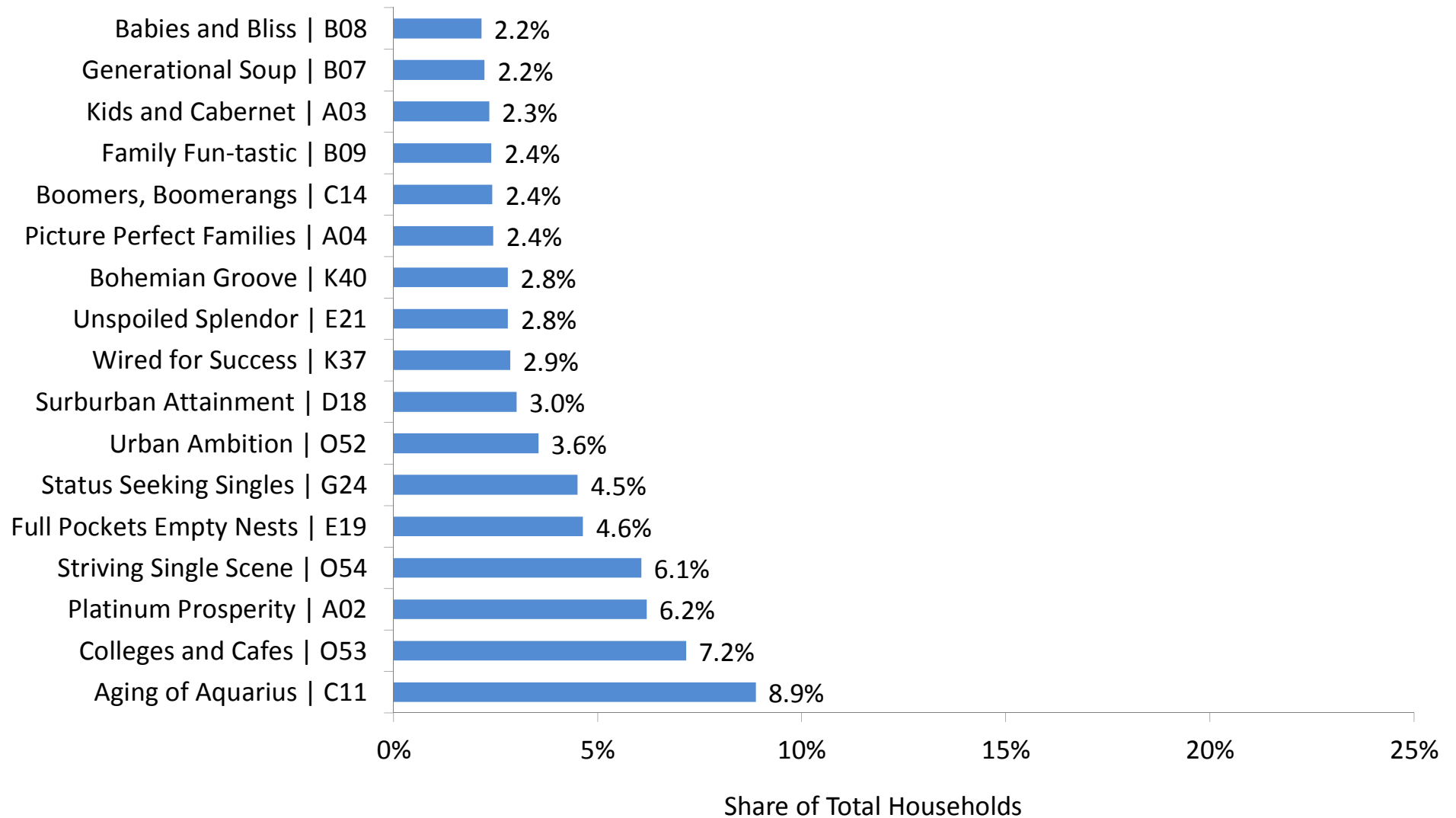
Exhibit B.2



Source: Underlying data provided by Experian; powered by Sites|USA. Data analysis and exhibit prepared by LandUse|USA with all rights reserved ©2014.

Households by Most Prevalent Lifestyle Clusters - 2013
Washtenaw County, Michigan

Exhibit B.1



Source: Underlying data provided by Experian; powered by Sites|USA. Data analysis and exhibit prepared by LandUse|USA in collaboration with the SmithGroup/JJR and LSL Planning with all rights reserved ©2014.

Selected Demographics by Lifestyle Clusters
Washtenaw County, Michigan - 2013

Exhibit B.3

		Wash- tenaw Co.						Share	Share	Share in				
		Share of	Number	Med.	Med.	Med.	Share in	in 2 - 4	in 5 - 9	10 +	Share	Share	Density	Head of
	Lifestyle Cluster (Household)	Hhlds.	of Hhlds.	Hhld. Inc.	Home Value	Contract Rent	1 unit (house)	Unit Bldgs.	Unit Bldgs.	Unit Bldgs.	Owner Occ.	Renter Occ.	Index	Hhld.'s Avg. Age
1	Aging of Aquarius C11	8.9%	12,461	\$79,431	\$234,499	\$942	97.7%	1.1%	1.3%	0.0%	98.8%	1.0%	0.89	61
2	Colleges and Cafes O53	7.2%	10,065	\$28,929	\$163,843	\$542	43.3%	16.8%	11.9%	28.1%	24.9%	58.4%	1.08	41
3	Platinum Prosperity A02	6.2%	8,702	\$141,280	\$333,976	\$1,357	96.4%	1.4%	2.0%	0.3%	98.1%	1.5%	0.92	61
4	Striving Single Scene O54	6.1%	8,523	\$26,641	\$141,082	\$537	1.6%	5.2%	5.3%	87.9%	3.1%	95.7%	1.15	31
5	Full Pockets Empty Nests E19	4.6%	6,515	\$55,378	\$239,372	\$755	47.9%	14.5%	11.5%	26.2%	84.2%	7.9%	1.19	59
6	Status Seeking Singles G24	4.5%	6,337	\$48,868	\$186,635	\$729	82.3%	7.2%	8.0%	2.6%	75.8%	5.8%	1.10	41
7	Urban Ambition O52	3.6%	4,987	\$31,186	\$118,635	\$555	36.2%	29.2%	21.1%	13.6%	6.4%	79.0%	1.13	41
8	Suburban Attainment D18	3.0%	4,232	\$50,997	\$146,016	\$760	92.9%	4.8%	2.0%	0.4%	94.5%	1.8%	1.10	52
9	Wired for Success K37	2.9%	4,016	\$43,229	\$192,572	\$672	10.1%	19.8%	20.6%	49.4%	9.5%	82.6%	1.03	44
10	Unspoiled Splendor E21	2.8%	3,941	\$48,688	\$170,753	\$733	97.4%	1.3%	1.3%	0.0%	97.6%	1.8%	0.58	60
11	Bohemian Groove K40	2.8%	3,928	\$28,840	\$140,100	\$563	19.7%	29.9%	25.4%	25.0%	11.4%	78.4%	1.10	52
12	Picture Perfect Families A04	2.4%	3,435	\$109,849	\$260,577	\$1,130	98.1%	0.6%	1.1%	0.0%	98.6%	1.3%	0.87	52
13	Boomers, Boomerangs C14	2.4%	3,405	\$58,184	\$186,720	\$838	98.0%	0.9%	1.0%	0.1%	98.4%	1.1%	0.83	57
14	Family Fun-tastic B09	2.4%	3,368	\$70,462	\$186,960	\$911	96.9%	1.6%	1.5%	0.0%	96.8%	1.8%	0.99	49
15	Kids and Cabernet A03	2.3%	3,292	\$130,000	\$351,861	\$1,251	98.0%	0.5%	1.3%	0.1%	98.9%	1.0%	0.89	46
16	Generational Soup B07	2.2%	3,130	\$78,773	\$266,605	\$924	97.8%	0.9%	1.2%	0.0%	98.4%	1.4%	0.89	53
17	Babies and Bliss B08	2.2%	3,026	\$69,345	\$213,024	\$899	97.9%	0.6%	1.3%	0.0%	98.4%	1.3%	0.87	43
18	Couples with Clout A05	2.0%	2,776	\$104,117	\$271,443	\$1,059	95.6%	1.6%	2.5%	0.3%	96.1%	2.5%	0.97	43
19	Silver Sophisticates C13	1.9%	2,640	\$68,254	\$306,655	\$821	95.6%	2.0%	2.2%	0.1%	96.5%	2.3%	0.99	63
20	Urban Edge G25	1.8%	2,469	\$49,187	\$248,557	\$692	4.2%	17.1%	13.7%	65.1%	18.4%	77.5%	1.51	41
21	American Royalty A01	1.7%	2,414	\$132,536	\$504,960	\$1,168	97.0%	1.2%	1.6%	0.3%	97.5%	1.9%	0.90	55
22	Aging in Place J34	1.7%	2,371	\$54,734	\$155,785	\$765	98.9%	0.7%	0.5%	0.0%	99.3%	0.6%	0.96	71
23	Fast Track Couples F22	1.7%	2,365	\$51,422	\$180,404	\$756	96.7%	1.2%	1.9%	0.3%	93.1%	2.8%	0.90	32
24	Rooted Flower Power L42	1.6%	2,305	\$36,875	\$129,613	\$648	90.7%	4.1%	3.5%	1.6%	91.9%	4.1%	1.03	60
25	Sports Utility Families D15	1.6%	2,279	\$62,514	\$182,768	\$852	97.8%	0.7%	1.3%	0.0%	97.5%	1.7%	0.69	46

Source: Underlying data by Experian Decision Analytics; analysis and exhibit prepared by LandUse|USA © 2014.

Exhibit B.4

Selected Demographics by Lifestyle Clusters Washtenaw County, Michigan - 2013

		Wash- tenaw Co.						Share	Share	Share in				Head of
		Share of	Number	Med.	Med.	Med.	Share in	in 2 - 4	in 5 - 9	10 +	Share	Share		Head of
Lifestyle Cluster (Household)		Hhlds.	of Hhlds.	Hhld. Inc.	Home Value	Contract Rent	1 unit (house)	Unit Bldgs.	Unit Bldgs.	Unit Bldgs.	Owner Occ.	Renter Occ.	Density Index	Hhld.'s Avg. Age
26	Senior Discounts Q65	1.6%	2,222	\$19,922	\$112,672	\$443	0.0%	2.8%	2.3%	94.8%	16.1%	76.5%	1.05	73
27	Stockcars and State Parks I30	1.5%	2,095	\$45,974	\$150,362	\$726	97.4%	1.2%	1.3%	0.0%	96.1%	2.6%	0.50	51
28	Reaping Rewards Q62	1.4%	1,941	\$34,666	\$206,939	\$600	78.2%	7.3%	6.9%	7.6%	91.2%	6.0%	0.92	76
29	No Place Like Home E20	1.4%	1,922	\$48,144	\$154,307	\$750	96.7%	1.5%	1.7%	0.1%	96.5%	2.3%	0.90	49
30	Birkenstocks, Beemers H27	1.3%	1,829	\$47,045	\$202,604	\$720	94.3%	2.3%	3.2%	0.3%	90.7%	4.5%	0.82	54
31	Digital Dependents O51	1.1%	1,607	\$29,736	\$123,393	\$597	88.3%	5.2%	5.3%	1.2%	61.9%	21.0%	0.92	31
32	Full Steam Ahead O50	1.1%	1,602	\$35,331	\$117,800	\$571	0.4%	1.9%	2.5%	95.3%	1.0%	97.7%	1.06	43
33	Hope for Tomorrow R67	1.1%	1,552	\$16,149	\$68,331	\$435	46.3%	34.8%	18.3%	0.6%	1.0%	82.4%	1.17	40
34	Blue Collar Comfort I31	0.9%	1,300	\$41,953	\$114,966	\$701	97.2%	1.4%	1.1%	0.3%	96.3%	2.6%	1.01	49
35	Metro Fusion K39	0.8%	1,179	\$36,967	\$169,511	\$613	8.2%	9.5%	9.4%	72.8%	19.6%	74.2%	1.31	46
36	Rolling the Dice P56	0.8%	1,063	\$31,913	\$105,516	\$606	91.8%	4.6%	2.9%	0.7%	70.7%	9.4%	1.10	47
37	Family Troopers O55	0.7%	1,026	\$26,104	\$122,470	\$555	18.0%	24.8%	21.4%	35.8%	0.7%	93.0%	0.99	30
38	Families Matter F23	0.6%	852	\$41,949	\$141,849	\$702	96.5%	1.3%	1.8%	0.4%	87.9%	6.1%	0.83	35
39	Countrified Pragmatics N47	0.6%	776	\$31,868	\$119,656	\$605	95.5%	1.7%	2.3%	0.5%	80.9%	8.4%	0.64	48
40	Rural Southern Bliss N48	0.5%	712	\$28,638	\$85,397	\$571	97.4%	1.3%	1.2%	0.0%	80.1%	5.4%	0.73	50
41	Hard Times S71	0.5%	648	\$17,090	\$118,770	\$408	2.4%	5.4%	3.7%	88.5%	3.1%	94.3%	1.22	59
42	Urban Survivors S69	0.4%	601	\$20,654	\$68,704	\$496	92.9%	5.0%	2.1%	0.0%	66.0%	15.1%	1.10	55
43	Town Elders Q64	0.4%	569	\$19,894	\$110,078	\$503	95.2%	2.4%	2.1%	0.4%	95.6%	3.1%	0.85	75
44	Destination Recreation H29	0.4%	510	\$39,716	\$148,096	\$669	94.5%	2.1%	2.8%	0.5%	81.2%	8.5%	0.85	44
45	Dare to Dream R66	0.4%	496	\$22,061	\$84,394	\$503	39.5%	38.3%	21.5%	0.6%	3.0%	76.8%	1.13	41
46	Cul de Sac Diversity D17	0.3%	461	\$52,180	\$184,232	\$790	97.2%	1.2%	1.5%	0.0%	92.9%	3.4%	0.99	44
47	Booming and Consuming L41	0.3%	409	\$37,577	\$181,001	\$634	86.6%	5.0%	6.2%	2.2%	80.5%	12.4%	0.83	58
48	Cosmopolitan Achievers B10	0.3%	369	\$69,899	\$314,365	\$863	89.1%	5.5%	4.3%	1.2%	91.9%	4.2%	1.21	51
49	Settled and Sensible J36	0.2%	281	\$30,483	\$72,271	\$599	96.0%	2.5%	1.4%	0.0%	96.6%	2.3%	0.97	61
50	Diapers, Debit Cards M45	0.2%	221	\$28,424	\$69,964	\$590	93.9%	3.6%	2.3%	0.4%	61.4%	20.7%	0.97	38

Selected Demographics by Lifestyle Clusters
Washtenaw County, Michigan - 2013

Exhibit B.5

		Wash- tenaw Co.			Med.	Med.	Share in	Share	Share	Share in				Head of
		Share of	Number	Med.	Home	Contract	1 unit	in 2 - 4	in 5 - 9	10 +	Share	Share		Hhld.'s
Lifestyle Cluster (Household)		Hhlds.	of Hhlds.	Hhld. Inc.	Value	Rent	(house)	Unit	Unit	Unit	Owner	Renter	Density	Hhld.'s
								Bldgs.	Bldgs.	Bldgs.	Occ.	Occ.	Index	Avg. Age
51	Settled in Suburbia D16	0.2%	211	\$58,523	\$248,184	\$811	96.6%	2.1%	1.2%	0.0%	98.1%	1.5%	1.03	52
52	Enduring Hardships S70	0.1%	196	\$15,985	\$103,063	\$447	9.3%	26.6%	25.4%	38.7%	1.0%	97.3%	0.82	47
53	Rural Escape J35	0.1%	137	\$31,942	\$151,801	\$581	96.8%	1.2%	1.9%	0.1%	95.2%	3.1%	0.43	66
54	Everyday Moderates H28	0.1%	125	\$43,879	\$131,591	\$723	97.5%	0.9%	1.2%	0.4%	94.4%	3.7%	0.99	52
55	True Grit Americans N46	0.1%	100	\$35,405	\$127,037	\$617	94.9%	2.0%	2.4%	0.6%	83.5%	7.4%	0.83	51
56	small Town Shallow Pockets S68	0.1%	83	\$20,211	\$63,187	\$501	91.5%	4.4%	3.4%	0.8%	56.8%	20.5%	0.92	55
57	Humble Beginnings P61	0.0%	65	\$24,224	\$99,402	\$476	0.3%	2.1%	2.4%	95.3%	1.8%	98.1%	1.15	44
58	Jet Set Urbanites A06	0.0%	62	\$99,890	\$371,195	\$947	1.9%	6.5%	5.0%	86.5%	37.1%	49.7%	1.86	54
59	Red White Bluegrass M44	0.0%	58	\$33,469	\$97,337	\$628	95.9%	1.6%	1.9%	0.6%	81.4%	8.6%	0.55	39
60	Balanced Harmony I33	0.0%	20	\$36,935	\$124,757	\$649	97.3%	1.1%	1.2%	0.4%	83.9%	3.7%	1.01	42
61	Striving Forward P60	0.0%	18	\$25,115	\$149,401	\$525	26.0%	41.5%	25.7%	6.8%	3.3%	84.6%	1.31	44
62	Meager Metro Means P57	0.0%	17	\$28,106	\$261,868	\$522	1.1%	40.1%	10.8%	47.9%	5.6%	93.4%	1.70	47
63	Golf Carts, Gourmets C12	0.0%	13	\$82,376	\$275,820	\$870	63.4%	7.0%	7.2%	22.5%	87.8%	8.6%	0.92	68
64	Gotham Blend K38	0.0%	12	\$42,713	\$303,936	\$655	5.0%	63.2%	15.3%	16.5%	32.5%	62.0%	1.63	52
65	Fragile Families P58	0.0%	10	\$28,133	\$292,990	\$554	4.3%	51.5%	21.1%	23.1%	3.6%	93.2%	1.67	46
66	Homemade Happiness L43	0.0%	7	\$28,065	\$82,523	\$578	96.6%	1.3%	1.9%	0.2%	90.2%	3.6%	0.53	60
67	Work Hard Pray Hard N49	0.0%	5	\$25,267	\$84,916	\$551	98.1%	0.6%	1.1%	0.0%	74.3%	4.7%	0.53	45
68	Progressive Potpourri H26	0.0%	2	\$47,129	\$222,139	\$728	85.9%	9.0%	4.1%	1.1%	90.6%	5.3%	1.17	54
69	Steadfast Conventionalists I32	0.0%	2	\$39,757	\$198,674	\$663	70.9%	17.0%	7.3%	4.8%	82.4%	6.7%	1.24	50
70	Expanding Horizons P59	0.0%	0	\$23,537	\$75,159	\$550	96.4%	1.7%	1.3%	0.4%	71.6%	7.7%	0.99	47
71	Footloose, Family Free Q63	0.0%	0	\$27,645	\$120,977	\$563	63.3%	14.4%	9.3%	13.0%	87.9%	8.1%	1.06	71

Source: Underlying data by Experian Decision Analytics; analysis and exhibit prepared by LandUse|USA © 2014.

HOUSING DEVELOPMENT GRANT AGREEMENT
Grant #HDF-308

MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY
735 East Michigan Avenue, Lansing, Michigan 48912

THIS GRANT AGREEMENT made and entered into as of April 3, 2015, by and between the City of Dexter, a Michigan local unit of government, whose address is 8140 Main Street, Dexter, MI 48130 (the "Grantee"), and the Michigan State Housing Development Authority, a public body corporate and politic of the State of Michigan, whose address is 735 East Michigan Avenue, Lansing, Michigan 48912 ("the Authority").

R E C I T A L S:

A. Section 23 of Public Act 346 of 1966, as amended (the "Act"), creates and establishes a housing development fund under the jurisdiction and control of the Authority, and further provides that the Authority may use the monies held in the housing development fund to make grants to local communities, as defined by the Authority in rules promulgated under the Act, or to public or private nonprofit organizations or local governmental agencies organized to provide assistance to persons and families of low or moderate income, in any amounts as the Authority determines, not to exceed the net costs, exclusive of any federal aid or assistance, incurred by the recipient in planning for or implementing housing assistance or community or housing development.

B. The Grantee has represented to the Authority that it fully intends to undertake or continue a program planning for or implementing housing assistance or community or housing development.

C. The Housing Development Fund Grant, HDF-308, in an amount not to exceed Twenty Thousand and 00/100 Dollars (\$20,000) (the "Grant") is for a program more specifically described in Exhibit A attached hereto (the "Program").

D. The Authority, as a public body, is charged with the responsibility of regulating the use of funds advanced by it to assure that such funds are being used for purposes and in a manner that are in accordance with the Act and the Authority's General Rules.

E. The Authority has agreed to make the Grant to the Grantee on the condition that the Grantee agrees to the terms and conditions set forth below.

NOW, THEREFORE, in consideration of and as a condition to receiving the Grant, the Grantee agrees that:

1. The terms and conditions set forth herein are a reasonable and appropriate means to assure the use of funds in accordance with the Act and the Authority's General Rules, and the Resolutions.

2. All aspects of the Grantee's plan for the use of the Grant are specifically described in the Program attached hereto as Exhibit A, which Program is incorporated herein, and the Grantee will operate the Program as described in Exhibit A.

3. All actions of the Grantee and requirements of the Grantee's Program are subject to the terms of this Agreement, the provisions of the Act and the Rules of the Authority, being R

125.101, et seq.

4. The activities of the Grantee will be subject to the review of and, in the discretion of the Authority, audit by Authority staff to ensure compliance with this Agreement, the Act and the Authority's Rules, and the Grantee will provide any books, records or documents in such form and at such place as the Authority may request.

5. The Grantee agrees to draw down Grant proceeds only when and in such amounts as may be necessary to pay for the activities described in Exhibit A.

6. All requests for the disbursement of Grant proceeds shall be submitted to the Executive Director of the Authority or his designee, shall be made in writing, and shall include the amount of Grant proceeds to be disbursed, a description of the purposes for which the proceeds are to be used, copies of invoices, billings, or such other documentation as may be necessary to demonstrate project costs, and such other information as the Executive Director or his designee may request.

7. If an advance or a portion of the Grant for a specific purpose is not used for that purpose due to conditions that make it impossible to use as provided herein, or if the Grantee decides not to use the money, upon such decision, the sum shall be returned to the Authority immediately.

8. If any of the Grant proceeds are to be used for the construction or rehabilitation of housing, then:

a. prior to disbursement of funds, the Grantee shall prepare and submit to the Authority a detailed budget of the work to be done, including the cost per unit to be constructed or rehabilitated;

b. all housing units constructed or rehabilitated under the Grant will meet all local codes and will be maintained in good repair; and

c. all housing units constructed or rehabilitated under the Grant shall be affordable to persons whose incomes do not exceed 60 percent of the area median income, adjusted for family size for the area in which each unit will be located.

9. Any of Grantee's activities that are assisted by the use of Grant proceeds and the selection of persons for participation in the Program shall not discriminate against any person on the grounds of race, color, creed, religion, height, weight, sex, age (except for a Development specifically designed for elderly occupants), national origin, handicap, or marital or familial status except as provided by law. The Grantee shall comply with all requirements imposed by Title VIII of the Civil Rights Act of 1968 (as amended by the Fair Housing Amendments Act of 1988), the Americans with Disabilities Act, the Elliott-Larsen Civil Rights Act, and the Michigan Persons with Disabilities Civil Rights Act.

10. The Grantee assumes responsibility for any and all costs to implement the Grantee's Program exceeding the amount of the Grant.

11. In the event of a violation of any of the provisions of this Agreement, the Authority will notify the Grantee in writing of the violation and the Grantee will have a 30-day period in which to correct the violation. In the event the violation is not corrected to the satisfaction of the Authority within the time prescribed herein, the Authority may:

a. immediately terminate the Grant, without further notice, in a writing signed by the Authority's Executive Director; and

b. pursue any other remedy provided at law or in the Act.

The Grantee hereby agrees that an election by the Authority to pursue any one remedy shall not be construed to preclude or be a waiver of the right to pursue any other remedy available to it.

12. The term of this Agreement shall commence on April 3, 2015 and shall terminate on April 2, 2016 unless extended by the Authority in writing,

13. If any advance or portion of Grant funds used for the specific purpose assented to within this Agreement is not used for that specific purpose, the Grantee will reimburse the Authority for the full amount of the advance (or portion) not used for the specific purpose. Grant proceeds that have not been used for Grant purposes by April 2, 2016 will, within 30 days, be returned to the Authority.

14. The invalidity of any clause, part, or provision of this Agreement shall not affect the validity of the remaining portion hereof.

15. This Agreement may be signed in several counterparts and all so executed shall constitute one agreement, binding on all parties hereto.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year shown above.

CITY OF DEXTER, A MICHIGAN LOCAL UNIT
OF GOVERNMENT

By: _____
Courtney Nicholls
Its: City Manager

MICHIGAN STATE HOUSING
DEVELOPMENT AUTHORITY

By: _____
Clarence L. Stone, Jr.
Its: Director of Legal Affairs

Exhibit A
City of Dexter
Housing Development Fund Grant Agreement, HDF-308

With the City of Dexter, acting as fiduciary, in conjunction with the Cities of Chelsea, Saline and Ypsilanti, will receive support from the Authority for the completion of a residential Target Market Analysis (TMA) covering neighborhoods within each of the four cities.

The City of Dexter desires more information in order to develop policies regarding appropriate housing product types, their marketability, absorption, and the price point per square foot that make different product types financially viable. Dexter seeks this analysis based on two areas of need. The first area is the historic downtown area, which includes a 10-15 acre area that once supported Dexter's manufacturing industry. The second area of focus would be the originally platted "village" neighborhood, circa 1830, which is adjacent to the downtown.

The City of Chelsea would like to concentrate on the Downtown Development District (DDA) for housing opportunities. In particular, the areas alongside M-52 (Main Street) through the downtown area and also the Chelsea Clocktower Development, which has residential development potential in the empty, three story Rockwell Building.

The City of Ypsilanti needs more information to build informed policies on what kind of housing is marketable, how much can be absorbed and the price point per square foot that makes building housing financially viable. Ypsilanti needs analysis for two areas: the City of Ypsilanti overall and the downtown area with the 38-acre Water Street redevelopment site.

The City of Saline has three primary locations in need of development: 600 Maple, which was the former Department of Public Works site; their core downtown, which includes a vacant lot at 147 West Michigan Avenue that was formerly a dealership and a gas station; and a parcel located on the southwestern edge of town at 207 Monroe Street. Having a TMA would enable the City of Saline to reach out to potential developers and offer them valuable information when deciding to bring forth a project. Information from the TMA would also be used for future updates to their Master Plan, zoning and ordinances to encourage future innovative housing options. In addition, Saline would also provide the target market analysis to the Saline Area Chamber of Commerce and Saline Main Street as they are key partners in bringing potential businesses to Saline and have provided letters of support.

The four cities have committed matching funds of \$20,000. Each community will contribute \$5,000 each toward the study.

Exhibit A Continued
City of Dexter
Housing Development Fund Grant Agreement, HDF-308

The TMA budget is as follows:

Activity	Current Budget	
	MSHDA	OTHER (Flint)
Residential Target Market Analysis	\$20,000	\$20,000
TOTAL	\$20,000	\$20,000

Conditions and procedures of the grant:

- The City of Dexter will consult with MSHDA staff for proper requirements to include in the request for proposals, including the scope of work, prior to posting.
- The City of Dexter shall seek MSHDA staff review and approval prior to selecting a vendor for use of MSHDA funds, for which MSHDA will match up to 50% of the contract amount, not to exceed the total of this grant.
- Funds will be disbursed upon completion of the TMA.
- No funds will be disbursed for work conducted prior to, or after, the grant term. The Grantee is responsible for drafting the contract in a manner that aligns with the grant agreement's term of work.
- If the analysis determines a market for a particular housing type, a development project in each community must be completed within 3 years of this grant or it shall be repaid. The development project must be aligned with the results of the TMA.

The City of Dexter will provide written monthly or quarterly progress reports which will give a detailed description of the deliverables and accomplishments for the month or quarter and related outcomes. Financial status reports (payment requests) should contain detailed documentation, including invoices, itemized receipts, employee time dedicated to professional service delivery, and other such documentation that the Authority deems necessary to make a reasonable determination for eligible cost reimbursements in accordance with the Authority's Act and Rules governing Housing Development Fund grants. Travel, if necessary to the delivery of programming outlined in the application and grant agreement, shall be reimbursed up to the limits set annually by the Michigan Department of Technology, Management and Budget. The reports are to be submitted to Bryan Robb at the Michigan State Housing Development Authority, 735 E. Michigan Avenue, Lansing, MI 48912 on the 15th day of the month following the end of each calendar quarter. The first report is expected to be received by July 15, 2014. MSHDA staff will review the progress reports and will advise the City of Dexter in a timely manner if any problems arise that may affect the terms of this agreement.



STATE OF MICHIGAN

RICK SNYDER
GOVERNOR

MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY

WAYNE WORKMAN
ACTING-EXECUTIVE DIRECTOR

April 3, 2015

Courtney Nicholls
City of Dexter
8140 Main Street
Dexter, MI 48130

RE: Announcement of Funding Award, Grant #HDF-308

Dear Ms. Nicholls:

Congratulations! The Michigan State Housing Development Authority (MSHDA) has approved your request for MSHDA funds in the amount of \$20,000. The purpose of this letter is to inform you of the documentation needed to initiate this grant.

Enclosed you will find the following documents:

- A Grant Agreement (two originals)
- An Authorized Signature Designation Form
- Payment Request form with instructions

Please sign and return both original Grant Agreements. Furthermore, reply to the special conditions (if applicable and identified in Exhibit A of the Grant Agreement) within 45 days to Bryan Robb at the Michigan State Housing Development Authority, PO Box 30044, Lansing, MI 48909. After MSHDA receives both copies of the original Grant Agreements, MSHDA-Legal Affairs will execute the contract, and one copy will be returned to you for your records.

Executing the Grant Agreement

Your agency's highest elected official must sign the Grant Agreements before a witness. Others are permitted to sign IF they have been specifically designated by your agency's governing body to act on their behalf. Note: **MSHDA will NOT allow consultants and/or third-party administrators to be designated to act on behalf of the governing body.**

Authorized Signature Designation Form

The Authorized Signature Designation Form formally identifies and designates the person or persons authorized to sign and/or submit grant related reports, forms, and documents on behalf of the governing board. Each signatory must sign in the appropriate spaces on the form next to his or her printed or typed name. NOTE: MSHDA will NOT allow consultants and/or third-party administrators to be designated as authorized signatories.

Financial Status Report/Payment Requests (FSR/PR)

Please follow the enclosed instructions to properly complete the Payment Request form. Each request must have an original signature from an individual designated as an authorized signatory on the Authorized Signature Designation Form. Payment Requests must be submitted at least quarterly, but not more frequently than monthly. The request should cover expenses for the previous quarter or month and should be submitted by the 15th of the month following the report period. An electronic version of the FSR form is available upon request.

Keep in mind that any deviations from the terms or conditions of the Grant Agreement must be requested and **prior approval** formalized in an amendment by Community Development Division staff. I congratulate you on receiving this award. If you have questions, please contact Bryan Robb at 517-241-4967.

Cordially,



James Tischler, Director
Community Development Division

Enclosures



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

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

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

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

REQUEST FOR LEGISLATION

DATE: April 16, 2015

FROM: John M. Barr, Ypsilanti City Attorney

SUBJECT: Council approval of Beckett & Raeder contract amount

SUMMARY/BACKGROUND

On November 20, 2014, the City entered into a professional services contract with Beckett & Raeder, Inc. to provide services for City planning staff while the position of Community Development Director was vacant. This contract provided for an hourly rate of \$75 an hour not to exceed \$18,000. The total amount paid under this original contract was \$8,906.25.

On January 23, 2015, this contract was extended until February 20, 2015 for the same hourly rate and an amount not to exceed \$9,600. However, additional services were needed after February 20. All told, the total amount spent by the City under both the original contract and extension totaled \$29,400.

Article X of the City Charter provides that the authority to contract on behalf of the City is vested with City Council, but that Council may provide for a purchasing procedure. Through this provision of the Charter, Section 2-296 of the City Code provides that the city manager is authorized to contract for amounts of \$25,000 or less without prior approval from City Council.

Because the total amount spent on services for this contractor was over the spending authority of the City Manager by \$4,400, the City Fiscal Services Director has requested that City Council approve the amount paid to Beckett & Raeder. This may not be technically required by City Code, as there were two separate contracts. However, I believe it best to err on the side of caution.

ATTACHMENTS: Proposed resolution; original November 20, 2014 contract with Beckett & Raeder; and January 23, 2015 extension.

RECOMMENDED ACTION: Adoption of the resolution



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

April 17, 2015
Page 2

DATE RECEIVED: _____ AGENDA ITEM NO.

CITY MANAGER COMMENTS:

FOR AGENDA OF: _____ FINANCE DIR. APPROVAL

COUNCIL ACTION TAKEN:



RESOLUTION NO. 2015-097
April 21, 2015

RESOLUTION APPROVING CONTRACT AMOUNT OF \$29,400 FOR PROFESSIONAL
SERVICE RENDERED BY BECKETT & RAEDER

WHEREAS, The City Manager entered into a contract with Beckett & Raeder on November 20, 2014 to provide services for the City planning staff; and

WHEREAS, this contract was extended on January 23, 2015 until February 20, 2015; and

WHEREAS, additional services were provided past the term of the extension; and

WHEREAS, the total amount paid by the City to Beckett & Raeder for contracted services was \$29,400; and

WHEREAS, Chapter 2, Article VI, Division 2, Section 2-296 of the Code of Ordinances for the City of Ypsilanti requires that City Council approve purchases in excess of \$25,000;

NOW THEREFOR BE IT RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that:
The total amount of \$29,400 be approved for services rendered by Beckett & Raeder, Inc. under the contracts attached hereto.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

CONTRACT FOR PROFESSIONAL SERVICES
FOR PLANNING SERVICES

This Agreement is made this 20th day of November, 2014, between THE CITY OF YPSILANTI, a Michigan home-rule municipal corporation of One South Huron Street, Ypsilanti, MI 48197, hereinafter referred to as "CITY," and BECKETT & RAEDER, INC. referred to as "CONTRACTOR," agree as follows:

WHEREAS the CITY is desirous of obtaining services to aid the CITY in staff services for City of Ypsilanti Planning staff, now therefore:

IT IS AGREED AS FOLLOWS:

1. Contractor warrants that Contractor and all associates have the required skill and training to do the provide staff services.
2. Contractor shall provide the following services:
 - Coordinate with staff to review, research, and make written recommendations on all site plans, special uses, private roads, subdivision plats, site condominium, P.U.D.s, rezoning's and other related matters prior to action by staff, the Planning Commission, Zoning Board of Appeals, and/or City Council as necessary.
 - Answer questions from the public regarding City ordinances, procedures, or practices relating to zoning and development.
 - Answer/address zoning ordinance and planning issues with Building Official as needed.
 - Coordinate with Washtenaw County and other state agencies regarding the City's rezonings and developments.
 - Attendance at City Council, Planning Commission, Zoning Board of Appeals, and other evening meetings is not expected but could be required as needed.
3. CITY shall pay CONTRACTOR \$75.00 per hour not to exceed \$18,000.00. An evening meeting allowance is established in an amount not to exceed \$1,800.00 if attendance at such meeting(s) is authorized by the CITY.
4. All documents, drawings and images prepared by CONTRACTOR pursuant to this Agreement shall be the property of the City. This paragraph survives termination of this contract.
5. The CONTRACTOR shall perform the Contract faithfully and diligently and perform the services in a competent, professional, satisfactory and proper manner and during the Contract term or extensions thereof, use every best effort and endeavor to promote the interests of the CITY and devote such time, attention, skill, knowledge and ability as is necessary to most effectively and efficiently carry out and perform the Contract.

JMS
11-21-14

^{8.}
~~Manner~~
Planner. The Contractor shall work at the direction of the City of Ypsilanti City Planner. The Contractor retains the sole right to control or direct the manner in which the services described herein are to be performed, so long as the needs of the city are met. Subject to the foregoing, the City retains the right to inspect, to stop work, to prescribe alterations and generally to supervise the work to ensure its conformity.

7. Independent Contractor. The relationship of the CONTRACTOR to the CITY is and shall continue to be that of an INDEPENDENT CONTRACTOR and no liability or benefits such as worker's compensation, FICA, pension rights, tax withholding, insurance, vacation, or other rights or liabilities arising out of or related to a contract for hire or employer/employee relationship shall arise or accrue to either party as a result of the performance of this contract.

8. Independent Judgment. CONTRACTOR, in the performance of his duties, shall exercise his or her Independent Judgment concerning the place where services are to be performed, the hours of his or her furnishing services, and resources utilized by him or her to complete his work. CONTRACTOR will, however, coordinate efforts with those of CITY to successfully fulfill this contract. If requested by the CONTRACTOR, the CITY will make space and records available to CONTRACTOR as required to perform the services.

9. Tax withholding and Insurance. CONTRACTOR shall provide all his or her own insurance needs, including healthcare and worker's compensation, and agrees that the CITY will not withhold any taxes from amount paid to CONTRACTOR and contractor shall be solely responsible for the same and indemnify and hold the CITY harmless.

10. Indemnity. To the extent not covered by CITY Insurance, The CONTRACTOR agrees to save and hold harmless the CITY against and from all liabilities, obligations, damages, penalties, claims, costs, charges, losses, and expenses which may be imposed, incurred by, or asserted against the CITY by reason of:

- A. Any negligent or tortuous act, error or omission of the CONTRACTOR.
- B. Any failure by the CONTRACTOR to perform his or her obligations, either implied or expressed, under this contract.

11. Waiver of Liability. The CONTRACTOR hereby waives any claim against the CITY and agrees not to hold the CITY liable for any personal injury or property damage incurred by it, its employees or associates on this project which is not held by a court of competent jurisdiction to be directly attributable to the gross negligence or malicious intentional conduct of any employee of the CITY acting within the scope of their employment. It further agrees to hold the CITY harmless from any such claim by its employees or associates.

For the purpose of the hold harmless, indemnity and insurance provision contained in this contract, the term "CITY" shall be deemed to include the City of Ypsilanti and all other associated, affiliated, allied or subsidiary entities, or commissions, officers, agents, representatives and employees.

12. Conflict of Interest. The CONTRACTOR covenants that neither said contractor, nor any officer, agent, or employee of the contractor has any interest, nor

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

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

14. No Discrimination. The CONTRACTOR further agrees not to discriminate against any employee or applicant for employment because race, color, religion, sex, sexual orientation, national origin, physical handicap, age, height, weight, or marital status (except insofar as it relates to a bona fide or occupational qualification reasonably necessary to the normal operation of the business). Breach of this provision may be regarded as material breach of the Agreement.

15. The parties understand and agree that the CITY may terminate this Contract at any time with ten days notice. In such event the CONTRACTOR will be compensated for work already completed. This contract is to be performed in Washtenaw County, Michigan, and all legal venue shall exclusively lie therein.

16. Force Majeure. The Contractor shall not be responsible for delays or failures (including any delay by the Consultant to make progress in the prosecution of any Services) if such delay arises out of causes beyond its control. Such causes may include, but are not restricted to, acts of God or of the public enemy, fires, floods, epidemics, riots, quarantine restrictions, strikes, freight embargoes, earthquakes, electrical outages, computer or communications failures, and severe weather, and acts or omissions of subcontractors or third parties."

17. CITY may, with the approval of the CONTRACTOR, issue written directions within the general scope of any Services to be ordered. Such changes (the "Change Order") may be for additional work or the Contractor may be directed to change the direction of the work covered by the scope of services, but no change will be allowed unless agreed to by the Contractor in writing. Additional services requested by the City may be negotiated and agreed upon at any time and are outside the scope of this contract.

18. This Contract and attachments hereto are the sole Contract and Agreement between the parties. Any changes, additions or deletions shall not be effective or actionable unless they are in writing signed by the parties.

IN WITNESS WHEREOF, the undersigned have set their hands this 20th day of November, 2014.

In the presence of:

[Redacted Signature]

BECKETT & RAEDER, INC.

BY:

[Redacted Signature]
John Iacoangeli, Principal
CONTRACTOR

[Redacted Signature]

THE CITY OF YPSILANTI

BY:

[Redacted Signature]
Ralph Lange, City Manager

APPROVED AS TO FORM:

[Redacted Signature]
JOHN M. BARR P-10476
Ypsilanti City Attorney

EXTENSION OF CONTRACT FOR PROFESSIONAL SERVICES
FOR PLANNING SERVICES
CITY AND BECKETT & RAEDER, INC.

This Agreement is made this 23rd day of January, 2015 between THE CITY OF YPSILANTI, a Michigan home-rule municipal corporation of One South Huron Street, Ypsilanti, MI 48197, hereinafter referred to as "CITY," and BECKETT & RAEDER, INC. referred to as "CONTRACTOR," agree as follows:

WHEREAS the CITY and BECKETT & RAEDER, INC., heretofore entered into a certain contract for professional planning services, and whereas the parties are desirous of continuing that contract until February 20, 2015 on the same terms and conditions, now therefore:

IT IS AGREED AS FOLLOWS:

1. The parties continue the contract for planning services, dated November 20, 2014 on the same terms and conditions for a term to end February 20, 2015.

2. Total amount to be paid CONTRACTOR under this extension shall not exceed \$9,600.00.

IN WITNESS WHEREOF, the undersigned have set their hands this 23rd day of January, 2015.

In the presence of:

[Redacted Signature]

BECKETT & RAEDER, INC.

BY:

[Redacted Signature]

John Iacoangeli, Principal, CONTRACTOR

THE CITY OF YPSILANTI

[Redacted Signature]

BY:

Ralph Lange, City Manager

APPROVED AS TO FORM:

[Redacted Signature]

JOHN M. BARR P-10475
Ypsilanti City Attorney



Resolution No. 2015 - 098
April 21, 2015

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti adopted a Special Events Policy and pursuant to the policy, the City may support an event through co-sponsorship, or may support an event due to economic hardship of a non-profit organization planning the event; and

WHEREAS, the Heritage Festival took place August 15, 2014 through August 17, 2014 in Riverside Park; and

WHEREAS, the Heritage Festival has an outstanding balance owed to the City of \$9,042.13; and

WHEREAS, City Council agrees that supporting the Heritage Festival would be in the general interest of the public.

WHEREAS, City Code section 10-270 provides that City Council may wave fees for good cause shown, and City Council finds good cause,

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council approve to waive \$_____ of the 2014 Heritage Festival's outstanding fees due to the City.

(If partial waiver) **BE IT FURTHER RESOLVED THAT** fees waived shall be applied to _____.

OFFERED BY: _____

SUPPORTED BY: _____

YES:

NO:

ABSENT:

VOTE:



To: Mayor and Council
From: Ericka R. Savage, Assistant to the City Manager
Amanda Holsinger, Special Events Coordinator
Date: April 17, 2015
Re: Heritage Festival- Billing and Condensed Timeline of events

Per the request of the Mayor, below is a timeline of events between City staff and the Heritage Festival since the 2013 festival. This documentation includes a summary of the billing for the 2013 and 2014 festival, a condensed timeline of staff communication with the festival organizers, and a copy of the festival's 2013 and 2014 invoices.

Currently the Heritage Festival owes the City \$9,042.13 for the 2014 festival. It is my understanding that the Mayor will be proposing a resolution to waive \$5,000 of the outstanding balance. As noted to the Mayor, the Special Events Policy grants two options for the City to support events, 1) co-sponsorship or 2) economic hardship for non-profits. The Heritage Festival requested a co-sponsorship in August 2014 that was not approved by City Council. Although many have inquired, the only other festival to formally request City sponsorship under the Policy was the Elvis Fest in 2014 and it also was not approved.

I would also like to explain the kinds of fees that are paid up front, versus billed after the event. We call "Upfront Fees" the \$25 application fee, all permit fees (park rental, noise, signs, street closure, etc...), utilities, capital park improvement fees and the security deposit. These fees must be paid to receive an approval letter. The Heritage Festival paid \$10,643 upfront.

After the event, the City bills for the expenses incurred by the City, including the pass through costs from other agencies or vendors for the events (e.g., designated dispatch services by the Sheriff). The City billed \$13,042.13 after the festival solely for Police and DPS labor, equipment, administrative fees and park damages. A \$4,000 partial payment was made by the festival on February 17, 2015. The balance due is now \$9,024.13.

If the resolution partially waives the outstanding balance, then it should be specified by Council in the resolution which portion of the bill will be waived. Each department maintains records of outstanding invoices, with specific line items of expenses for labor, equipment, overtime, etc...

HERITAGE FESTIVAL BILLING FOR 2013 AND 2014

2013 Bill with Damages	\$ 27,756.06	Permit fees- \$4,025 YPD \$14,792.30 Designated dispatch billed by Sheriff- \$2,680 DPS- \$4,132.50 Damages- \$4,299.38 No charge for DPS equipment No administrative fee charged No late fees or penalties charged
2013 Bill without Damages	\$ 23,456.68	
2014 Mock Estimate given to Heritage Festival winter 2014 (based solely off 2013 bill)	\$ 29,296.19	
2014 Actual Estimate (prepared after receiving application with 5K added)	\$ 32,759.00	
2014 Estimate without 5K Run	\$ 26,143.72	
2014 Bill with Damages	\$ 23,685.13	Permit fees- \$5,143 YPD - \$12,038.41 Designated dispatch waived as 1 year courtesy by Sheriff DPS- \$4,636.53 Damages- \$500 Charged for DPS Equipment 10% Administrative Fee No late fees or penalties charged
2014 Bill without Damages	\$ 23,185.13	
Permit fees and security deposit paid 08/14	\$ (10,643)	
Partial payment on 02/17/15	\$ (4,000)	
Total Due	\$ 9,042.13	

***Note:** the 2014 bill includes DPS equipment fees (\$1,014) and a 10% administrative fee (\$1,640.19) that were not billed in 2013 due to staff over site. Without this rectified billing, the Heritage Festival invoice would have been \$20,530.94 when compared to \$23,456.68 charged for the same exact line items in 2013.

BILLING FOR SPECIAL EVENTS

- **Application fees** (nonrefundable, due upfront)- application fee, permit fees, utilities, security deposit
- **Departmental charges & damages-** invoiced after the event
- **Administrative fees-** 10% of departmental charges to reimburse staff time for coordinating special events
- **Late fees-** Penalties and interest charged for late payments. 3.0% of the outstanding balance after 30 days past due. The interest charged for late payments is 0.5% of the outstanding balance each month until paid in full.

CONDENSED TIMELINE OF STAFF DEALINGS WITH THE HERITAGE FESTIVAL

August 16-18, 2013 Heritage Festival

September 3, 2013 Amanda received email from Mr. Clock; he wanted to set up a post event meeting to discuss what worked and what didn't work; Inquired when the final invoice would be ready and also wanted an assessment of the damaged light pole in the park.

September 6, 2013 YPD Bill Generated

September 6, 2013 Amanda sent email to Mr. Clock – Attempted to set up a post event meeting for Heritage Festival; let him know both invoices would soon be ready for review.

September 24, 2013 Special Events Policy Forum; all event organizers were invited to participate and ask questions regarding new policy; Mr. Clock attended. Ericka received a call from Nickerson indicating that he would have attended but couldn't because of personal reasons.

September 25, 2013 Amanda received email from Mr. Clock – Wanted to discuss the proposed fee increases and policy and set up a meeting; he also sent another email with his estimates for the 2014 Heritage Festival.

October 2, 2013 DPS Bill Generated; YPD and DPS bills were then mailed to Heritage Festival at 300 N. Washington Street and a PO Box provided by Mr. Nickerson, as well as emailed to Mr. Nickerson; bills were itemized with staff, classification, hourly wage and hours worked

October 10, 2013	RAL and Ericka met with Nickerson to discuss how the city can work with Heritage festival; we were told that the Board would be meeting to come up with a new plan for the festival; we advised Mr. Nickerson to contact us after they meet and we will work with them; we were also advised that Mr. Clock was no longer the festival's contact to the City and to only communicate with Mr. Nickerson.
October 30, 2013	Amanda sent email to Mr. Nickerson inquiring if he had received the invoices. I verified the address I sent them to as well as emailed him both invoices. He later emailed back another address to send the invoices to.
November 4, 2013	Sent mock estimates to Mayor & Council of all of the major events for 2014. By request of the mayor, it was also included in the meeting packet.
November 19, 2013	Amanda received email from Nickerson requesting internal documents to support the invoice (RAL, Ericka and Mayor were cc'd)
November 19, 2013	Ericka discussed with Chief and Amanda, then sent response email to Nickerson that a FOIA was required
November 19, 2013	Ericka received call from Mr. Nickerson and discussed police bill
November 26, 2013	Amanda sent follow up email to Nickerson, noting that she received a call from Mr. Clock, and since we have been advised that Mr. Nickerson is the sole contact, she made him aware of the contact and further explained that a FOIA would be required for additional documentation.
December 3, 2013	Heritage Festival did presentation at Council Meeting; Festival again noted that they were working on a new plan for the Festival.
December 23, 2013	In follow up to the December 3 discussion, emailed Mayor and Council a breakdown from YPD regarding why designated dispatch fees were being billed
January 15, 2014	Amanda emailed Nickerson regarding outstanding balance
January 28, 2014	Ericka emailed Nickerson regarding outstanding balance
February 10, 2014	In response to being alerted by CVB, responded to an email that Andy Clock distributed about the special events policy
February 14, 2014	RAL sent outreach email to Nickerson inviting to meet in the spirit of friendship
May 1, 2014	Pre-event planning meeting- staff asked if there were any major changes to the festival to reduce costs ▪ The only notable change by the festival was adding a 6 p.m. festival curfew ▪ The City made the following accommodations:

- Reclassified the festival to a Class 3a instead of 4a for all but one of the days so that the fees would be lower for both park rental and utilities.
- City waived the \$1,000 Capital Park Improvement fees for all of the set up days, even though the Festival vendors set up by hammering stakes in the ground and trucks drive all over the grass.
- The City allowed the festival to have private security at night which allowed YPD to lower the bill.
- The City did not bill staff time or command officers time for pre or post event meetings, including several meetings assisting with a 5K run route that was later cancelled.

March 4, 2014

Special Events Policy Adopted

The Policy states the City will provide support to Special Events on the following basis:

- Co-Sponsored events:** The City may jointly sponsor certain events with other organizations when City Council determines that the event is of general interest to the public and advances the City's public image.
- Non-Profit Events:** The City may, in its discretion, contribute the park rental fee to assist other Special Events operated by non-profit organizations with good cause shown or hardship (*See City Code Section 10-270*). For the purposes of this policy, good cause or hardship may be demonstrated by startup organizations, charitable events, or any other reasonable cause for lacking in operating capital.

Park fee contributions must be approved by City Council no less than 30 days prior the event. City Council may, in its discretion, waive park rental on a per day basis, up to three (3) days. City Council may also impose conditions and/or require repayment terms after completion of the event. These events must meet the all requirements of the Special Event Policy, and must reimburse the City for any City costs in excess of this support level. Non-Profit Organizations must submit a current IRS 501 C3 Statement.

March 5, 2014

Heritage Festival Submits 2014 Application that that added a 5K requesting 8 street closures, in addition to the Michigan Avenue street closure for the parade.

March 7, 2014

Heritage Fest Paid 2013 bill

March 13, 2014

Received email from Clock with 5K route that included a national website (www.usatf.org) advertising the 5K, with details and sign up fees.

March-April 2014

Several emails back and forth regarding the 5K

April 14, 2014

Ericka, Amanda, Gress, DeGuisti and Brad met with Nickerson, Clock and 5K race coordinator to discuss 5K

July 2, 2014

Ericka, Amanda and Brad met with Nickerson and gave final estimate, including 5K.

- Nickerson was told that we needed to know immediately about the Michigan Ave street closure because we needed to give the State 45 days notice
- *Nickerson was asked if the festival was still interested in requesting sponsorship, he indicated yes. He was advised to submit the request to be added to the next council meeting.*

July 3, 2014 Received notice from CM Robb and Murdock that Clock complained that the 5K had to be canceled and that it was the City's fault. City staff had worked with the festival for months in trying to establish a route and the festival was warned numerous times that the complicated route would be expensive. As a compromise, the city even allowed part of the 5K to include Michigan Avenue, when no other event organizer is permitted to close Michigan Ave for an event.

July 9, 2014 (5:39 p.m.) Ericka sent email to Mayor and Council with details on how we have worked with Heritage Festival and the money we saved them by reducing police manpower; then sent email to Mr. Nickerson expressing disappointment that the City was being blamed for canceling the 5K when staffed worked with them in several meetings.

(9:20 p.m.) Ericka received a written apology email from Mr. Nickerson stating that Clock does not speak for the Board, with entire Board and Mr. Clock copied on the email.

Ericka,

Again, I apologize on the behalf of the festival. Mr. Clock does not speak for the festival board, whom I have included on this email.

July 15, 2014 Ericka emailed Nickerson an updated estimate with the 5K cancelled, *and again, stated that the City was waiting on the Sponsorship request*

July 31, 2014 Ericka emailed Nickerson an updated estimate of police manpower for the festival *and reiterated that the City never received a sponsorship request and that our assumption was that they were no longer interested in City sponsorship.*

August 1, 2014 (12:31 p.m.) Ericka received written sponsorship request from Nickerson; the request was for \$3,000 and did not provide the City with any benefit of sponsorship other than having our name announced over the loudspeaker during the event. Nickerson told Ericka that it was too late to add the City to any written promotional materials.

The sponsorship request was received on the day that the meeting packet was published and Ericka immediately requested for it to be added to the agenda but was told it was too late.

August 7, 2014 Special arrangements were made with the Mayor Pro Tem (who chaired the next meeting) to have it added to the agenda.

The Council meeting fell on the same date as the Heritage Fest Opening Gala; Mr. Nickerson requested to be contacted to be contacted when the resolution

was brought forth for consideration. Special arrangements were made to contact him via text.

The motion to add the Heritage Festival sponsorship resolution to the agenda failed without a second to the motion.

- August 15-17, 2014 Heritage Festival
- August 19, 2014 Ericka emailed Nickerson all of the major complaints received by the City Manager's office in follow up to the festival.
- August 20, 2014 Ericka received an email from Lt. Gress that YPD totals came in lower than estimated
- September 25, 2014 In response to concerns raised at a Council meeting, Ericka, Dan DuChene & Chief DeGiusti met with Sheriff Clayton regarding designated dispatch fees charged by the County for the festival; the Sheriff agreed to waive the designated dispatch for 2014 only and agreed to attend the next Council meeting to present the purpose of the fees
- October 14, 2014 Ericka, Amanda, Brad and Lt. Gress attended a festival debrief meeting with Heritage Festival (Nickerson) and also advised him that the designated dispatch fees had been waived as a courtesy for one year.
- October 15, 2014 Staff received email from Mr. Nickerson regarding Mr. Clock
- Good Evening All,*
- I want to thank each of you for the time and effort this year working with me and your efforts to help the festival. I want to apologize on behalf of the festival and the board for the actions of Andrew Clock while he was working for the festival. I have asked for Andrew's resignation effective immediately. The hope of the board is that we can move towards a more normalized relationship and partnership between the festival and the city. I will keep you informed of our plans moving forward as we prepare for the 2015 festival.*
- February 9, 2015 Ericka received a call from Andrea Linn letting her know that she was newly appointed to the board and was designated to contact the City about the Heritage Festival. Ericka had a lengthy discussion with Ms. Linn regarding ideas to save the festival money and increase participation.
- February 11, 2015 Ericka and Amanda met with Ms. Linn to discuss ideas to save the festival money on City fees and increase community participation.
- February 17, 2015 Ericka met with Andrea and received \$4000 partial payment of 2014 bill. We also further discussed issues with the festival board and roadblocks that Ms. Linn was experiencing trying plan for the 2015 festival.
- February 22, 2014 Heritage Festival submitted 2015 application
- February 24, 2015 Ericka received an email from Ms. Linn that Dave Nickerson resigned from the Heritage Festival Board.

February 25, 2015 Received an email from Ms. Linn of the newly elected Heritage Festival Board

Joe Kisselberg President

Andrea Linn Vice President

Karyn Goven Treasurer

Heidi Kisselberg Secretary

March 2, 2015 Ericka and Amanda met with Ms. Linn and Mr. Kisselberg to discuss 2015 event plans and dates. They notified us that Mr. Clock's position would not be replaced and that they would be planning the festival themselves. They notified us that several attractions would be cut due to budget constraints, like the parade and beer tent.

We conversed for over 3 hours about their frustrations with the way the festival had been mismanaged in recent years...the books, recordkeeping, fundraising, sponsorships...then mentioned that they did not have access to most of the files, or the website, to properly plan for 2015. We told them that we would not interfere with 2015 plans, but that we would need the 2014 bill to be paid as soon as possible.

March 3, 2015 Mr. Kisselberg visited Ericka to request a preliminary estimate for the 2015 festival based on our discussions on how they planned to change the festival. It was prepared and given to him.

April 6, 2014 In response to departmental requests to have 2015 festival plans finalized (for scheduling purposes and other special event applicants are requesting these dates), Ericka emailed Ms. Linn and Mr. Kisselberg asking for updates and a date that the payment could be made.

April 8, 2015 (10:30 a.m.) The City Manager met with Ericka, Amanda, Chief DeGiusti, and Lt. Gress to discuss outstanding festival bills and the need to have major festival plans finalized by May 11, 2015. It was decided that an informational letter would be sent by Amanda to the event organizers requesting payment, with City Council copied.

(12:30 p.m.) Received email from Ms. Linn (with the Mayor copied) that the Heritage Festival was issuing a community plea to pay its 2014 invoice.

(10:42 p.m.) Received email from the Mayor asking for a detailed summation of the City's interaction with the Heritage Festival.

Event: Heritage Festival/Parade		
August 15-17, 2014		
Location: Riverside Park/Michigan Avenue/Cross Street		
Class 4A/Street Closures		
Application Fees & Permits		
Application fee		\$ 25.00
Park Rental	Thursday (Class 3)	\$ 200.00
	Friday (Class 3A)	\$ 300.00
	Saturday (Class 4A)	\$ 500.00
	Sunday (Class 3A)	\$ 300.00
Capital Park Improvement	\$1,000/day/3 days	\$ 3,000.00
Street Closure permit	2 major streets @\$160	\$ 320.00
Street Closure security deposit		\$ 500.00
Security Deposit		\$ 5,000.00
Utilities	\$100/day/3 days (Electric)/\$50/day/3 days	\$ 450.00
Sign permit		\$ 28.00
Noise permit		\$ 20.00
Non-refundable fees		\$ 5,143.00
Total Upfront Fees (permit and security deposit)		\$ 10,643.00
Police		
Parking Officers	See attached detail	\$ 174.00
Police Officers	See attached detail	\$ 8,506.50
Command	See attached detail	\$ 1,687.00
Command Post	See attached detail	\$ 446.16
Total Police Labor		\$ 12,038.41
DPS		
Labor	See attached detail	\$ 2,466.50
Vehicles	See attached detail	\$ 757.03
Equipment	See attached detail	\$ 1,140.00
Total DPS Labor and Vehicles		\$ 4,363.53
EVENT SUBTOTAL		\$ 21,544.94
Administrative Fee (10% Non-Profit)		\$ 1,640.19
Damages	Electrical Post- Riverside Park	\$ 500.00
EVENT GRAND TOTAL		\$ 23,685.13
Upfront Fees		\$ 10,643.00
TOTAL DUE (Minus Upfront Fees)		\$ 13,042.13
		\$4,000
Balance as of April 16, 2015		\$ 9,042.13
2013 Grand Total (minus damages)		\$ 23,456.68
2013 Grand Total (including damages)		\$ 27,756.06

PLEASE ALSO CALL FOR
EXPERT ADVICE & INPUT:

- SCOTT BATES, TESTER
B-AWARE INSPECTIONS, CELL#:

[REDACTED]
- JEREMY DUNN, EMERGENCY
REMEDIAION
MOLD MASTERS OF MICHIGAN.

[REDACTED]
[REDACTED]



YPSILANTI BUILDING DEPARTMENT

One South Huron + Ypsilanti, MI 48197
Phone: (734) 482-1025 + Fax: (734) 483-7444
www.cityofypsilanti.com

Property Maintenance Complaint

Property Location: CHIDESTER PLACE APARTMENTS Apt.# [REDACTED]

Tenant Information: (Proof of residency must be provided – i.e. driver's license, utility bill, lease, etc.)

Name: <u>[REDACTED]</u>	Phone: <u>[REDACTED]</u>
Mailing Address: <u>[REDACTED]</u>	City: <u>YPSILANTI</u> State: <u>MI</u> Zip: <u>48197</u>
Move-in Date: <u>AUGUST 2012</u>	Number of tenants: <u>1</u>

Property Owner/Agent Information:

Name: <u>[REDACTED]</u>	Phone: <u>[REDACTED]</u>
Mailing Address: <u>[REDACTED]</u>	City: <u>[REDACTED]</u> State: <u>[REDACTED]</u> Zip: <u>[REDACTED]</u>

Is there currently a landlord/tenant dispute?

☐ Yes ☒ No

Are you currently paying rent?

☒ Yes ☐ No (If No, when did you stop?) _____

List reasons for complaint below. Before submitting this request, you must inform the owner/agent, in writing, of maintenance problem(s) and allow 10 days to make the corrections. Include date(s) when problem first occurred and if the owner/agent has resolved any issues as of this date. If additional space is needed, please use the back of this form.

**** A copy of the complaint letter sent to the owner/agent must be attached ****

I SPOKE WITH RESIDENTS OF CHIDESTER PLACE APTS, ABOUT POSSIBLE MOLD/MILDEW PROBLEMS AND AIR QUALITY BEFORE ENACTING A CAREFUL PLAN TO REVEAL THE ONGOING PROBLEMS WITH MOLD, HVAC MAINTENANCE, AND UNHEALTHY AIR QUALITY. (JAN 2013 - AUG 2014) I RECEIVED 43 SIGNATURES ON A PETITION TO THE CHIDESTER PLACE RESIDENTS COUNCIL ("CPRC"), TO DISPLAY RESIDENT CONCERN ABOUT AIR QUALITY & TESTING, AND HAD A MOLD AIR TEST PERFORMED BY A CERTIFIED TESTER, SCOTT BATES. (AUG. 28-31, 2014). MANAGEMENT ATTEMPTED TO DISCREDIT MY TEST, AND I WENT TO ATTORNEY, BENJAMIN MUTH, FOR LEGAL REPRESENTATION, AND DAMAGES DUE TO THE LOSS OF MY SUPPORT ANIMAL, ZEUS, MY DECEASED PET COCKATIEL. CONTINUED ON BACK ->

Tenant Signature: [REDACTED]

Date: 2-22-2015

Inspection scheduled for: _____

Date

Time

Inspector: _____

DOCUMENTATION

(EXCLUDING ORIGINAL MOLD TEST PROVIDED TO CITY COUNCIL, PERFORMED AUG. 31, 2014 - RESULTS RECEIVED SEP. 12, 2014)

A) PETITION: AIR QUALITY INSPECTION (3 PAGES)

- DATED AUG. 29, 2014 - 43 SIGNATURES - SELF MADE DOC

B1) MAINTENANCE REQUEST AND WORK ORDER - FROM

CHIDESTER PLACE APARTMENTS - DATED SEP. 3, 2014

- AFTER VERBALLY INFORMING OFFICE MANAGER ABOUT

CONCERNS RE: MOLD BLOWING OUT OF HVAC UNIT

- WORK CONDUCTED WHILE I WAS OUT OF APARTMENT.

B2) UOFM HOSPITAL EMERGENCY ROOM VISIT DOCUMENT

(1 PAGE ONLY) - ADMITTED FOR VOMITING PAST SEVERAL

NIGHTS, FOLLOWING MOLD TEST AND DIRECT EXPOSURE.

- DOCUMENT COPY PROVIDED TO OFFICE MANAGER.

C1-C2) MOLD IN THE AIR - SELF MADE DOC - DISTRIBUTED

TO NEARLY ALL RESIDENTS AT CHIDESTER PLACE (2 PAGES)

- ONE COPY FOR APT. #717 TENANT AND GUESTS WHICH

HAVE NOTED SYMPTOMS AFTER VISITING - DATED SEP. 14, 2014

C3-C4) MOLD IN THE AIR (2 PAGES) - DOCUMENTS PROVIDED

TO ME TO PRESENT TO LEGAL REPRESENTATION (BEN

MUTH, ATTORNEY) - PROVIDED TO THE CITY WITH CONSENT

FROM RESIDENTS, APT. #706 (C3) & #817 (C4).

C5) AFTER DISTRIBUTING THE ABOVE FLIER TO RESIDENTS

OF CHIDESTER PLACE, I RECEIVED THIS NOTICE

FROM OFFICE MANAGER, TERESA SCHMITZ, DATED SEP. 15, 2014

D1-D2) TEST CONDUCTED BY CONTRACTOR TO DISCREDIT

MY OWN TEST RESULTS - BY NOVA ENVIRONMENTAL, INC.

- NO REAL DATA PROVIDED, LETTER WRITTEN TO PROPERTY

MANAGER, MICHELLE ANDERSON - TEST CONDUCTED ON SEP. 17,

2014 "RESULTS" PROVIDED ~~SEP. 23, 2014~~

OVERNIGHT
VISIT, SEP.
3-4 2014

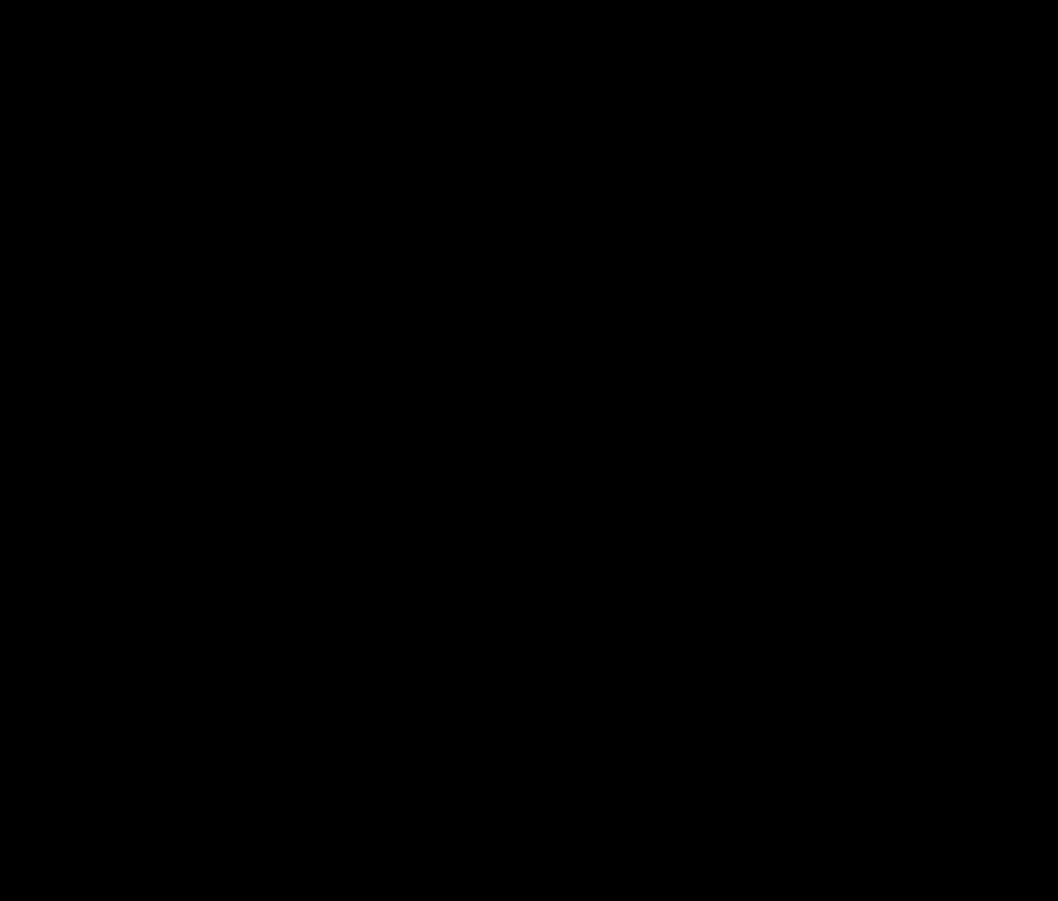
DOCUMENTATION - CONTINUED

(J) CONTINUED = RECEIVED DEC. 19, 2014.

L) ONE OF TWO WRITTEN NOTICES PROVIDED TO OFFICE MANAGEMENT, NOTING MY CONTINUED CONCERNS. COPY DATED JAN. 13, 2015 - ALSO ONE MORE, FEB. 5, 2015 (NO DUPLICATE COPY PROVIDED - OFFICE MANAGER CLAIMS NOT TO HAVE RECEIVED/KEPT IT).

NO PERSONAL OR WRITTEN REPLIES TO DATE (4-14-2015).

AI



A2

Petition: Air Quality Inspection / (Dated: August 29, 2014)

Several residents of Chidester Place Apartments have been noting breathing problems when the HVAC vents have been working, and want to have some of them inspected for mold or other contaminants tested by a professional air quality inspection. There is urgency to have this done, before there is any attempt by management to alter the outcome of these tests. For this reason, we have already requested the test and an estimate. If the council does not approve this measure, other means will be sought.

The following residents request that the Resident Council approve funds up to \$450, to have the inspection run at the earliest possible date on several apartments currently being affected by this concern, as limited by the inspector's suggestions, the required funds necessary, and any discounts the inspector may offer due to the community's circumstances, needs, and previous discussions with residents. We require this to be done without interference from management, and as soon as possible.

B-Aware Home Inspection

Agent: Scott Bates

(248) 651-2614

Referred by: Jeremy Dunn,
statewide master-certified mold
remediation specialist

Air Quality Quoted Prices:

- \$85 to visit/inspection
- \$100 per sample tested
- Average 2 samples per home or apartment

**Recommended Inspection: 2 or
3 affected apartment air ducts**

Name

Apt. #

***Add my apartment for
possible inspection (or leave unchecked)***

[Redacted area containing names and apartment numbers]

A3

1
 2
 3
 4
 5
 6
 7
 8
 9
 10

5113	717 Thompson	Air vents	9:50	9/13/14	9:314	2
WORK ORDER #	APARTMENT OR PROPERTY NUMBER	NAME	REPAIRS NEEDED / INSPECTION REQUIRED	DATE	DATE	COST

MAINTENANCE REQUEST AND WORK ORDER

PERMISSION TO ENTER UNIT:

☒ ANYTIME
☐ BY APPOINTMENT, OCCUPANT PRESENT
 (DATE) 9-3-14 (TIME) 1:15

TELEPHONE NO. _____

UNIT ENTRY NOTICE:

WE WERE IN YOUR APARTMENT TODAY TO PERFORM THE NECESSARY REPAIRS OR INSPECTIONS:

(DATE) 9-3-14 (TIME ENTERED) 1:15
 (TIME DEPARTED) 1:25

JOB STATUS:

- ☒ COMPLETE
- ☐ INCOMPLETE BECAUSE OF _____
- ☐ WILL RETURN TO COMPLETE
(DATE) _____ (TIME) _____
- ☐ OUTSIDE PROFESSIONAL ASSISTANCE
REQUIRED P.O. # _____

MAINTENANCE PERFORMED BY:

Mackus

COST OF REPAIR:

TOTAL HOURS _____
 COST OF LABOR _____
 COST OF MATERIAL _____
 TOTAL REPAIR COST _____

WORK AUTHORIZED BY:

WHA

REQUEST

Remove covers and check for window.

WORK DONE AND MATERIALS USED:

Revised call three
vent covers no window found
cleaned AC coil and had dust
staying in charge acct.

CHIDESTER PLACE APARTMENTS

B1

B2



UH Adult Emergency
Department
1500 E Medical Center
Dr
Ann Arbor MI 48109

Call (734) 936-6666 if you have questions about your visit.

Ralph Thompson

Department: UH Adult Emergency Department

MRN: 100063613

Date of Visit: 9/4/2014

You were seen by Cody Soyk, MD.

Your diagnosis was VOMITING ALONE .

SPECIAL INSTRUCTIONS/RETURN CONCERNS

Return to the ER if you develop recurrent vomiting, abdominal pain, or a fever.

FOLLOW UP INSTRUCTIONS -- If you participate in a managed care plan, please call your primary care physician the next business day to notify him/her you were seen in the Emergency Department and to make arrangement for follow up care.

Follow up With	Details	Comments	Contact Info
Daniel Richard Kaul, MD	In 3 days		1500 E Medical Center Dr SPC 5378 Taubman Center Floor 3 Rm 3116 U of M Internal Medicine Infectious Diseases Ann Arbor MI 48109-5378 734-936-5205

If you had x-rays taken, they have been preliminarily read by the Emergency Physician. This reading will be verified by a Radiologist within 24 hours. If a significant discrepancy arises, you will be called. If you need copies of your x-rays, please call (734) 936-4516 to arrange for pick up. Your laboratory and radiology results will be posted on your personal patient portal, MyUofMHealth.org following the schedule below. If you have any questions or concerns about the results, please contact your Primary Care Provider's office. If you have not signed up for the patient portal, you may do so using the directions attached to this After Visit Summary.

You may send an email to ED-FOLLOWUP@med.umich.edu with comments, questions or feedback. Email will be answered the next business day. **Please DO NOT EMAIL concerns of an emergent nature.** You may also call (734) 936-6666 if you have questions about your visit.

I understand that the treatment and evaluation I received today was rendered on an emergency basis only. I have read and understand the above instructions, received a copy of this form and applicable instruction sheets, and will arrange for follow up care as outlined above. I understand that a copy of my Emergency Department record will be sent to my doctor if I have provided the name of my primary care physician during registration.

Allergies (verified on: 09/04/14)

(No Known Allergies)

Medication Instructions

Take your home medications as directed and take all medication prescribed unless your follow-up medical provider instructs you to do otherwise.

The list of home medications below is correct to the best of our knowledge. If you have any concerns, or if you believe any of this information to be inaccurate, please contact the doctor who prescribed the medication or your primary care provider to discuss further.

Home Medication List

C1

MOLD IN THE AIR

Are you sick? Have you been feeling ill for a while?

Do you think the air in the building is making you feel this way?

You are not alone. Others have been getting ill, and have deep concerns.

If management has improperly handled this situation, and mold is making us sick, it is very important to document our symptoms and concerns.

It is a good idea to do this now, and not to wait.

Symptoms to Note: ~~Headaches, Dizziness, Confusion, Nausea, Vomiting,~~
~~Diarrhea, Skin Rash, Erratic Mood Changes, Muscle Pain, Joint Pain,~~
~~Sinus Congestion, Allergy-Like Symptoms, Coughing, Wheezing, Difficulty~~
~~Breathing, ~~Internal Bleeding~~, Aneurysms, or any others~~
that concern you, or which may be related to the air quality.

Name: [REDACTED]

Symptoms: How Severe? and How Long?: PET COCKATIEL - DECEASED,
NORMAL SYMPTOMS OF NAUSEA/VOMITING
INCREASED AFTER MOVING IN - AUGUST 2012
HEARTBURN, BLOODY NOSE (HEMORRHAGING?)

Were you diagnosed with anything (maybe unrelated), but which may be due to air quality and/or mold exposure?

CONGESTION (POSSIBLE ALLERGIES), VOMITING
(HOSPITALIZED)

Have you informed management? What did they do to fix it? Were you satisfied with the result? Any other notes?

FULLY INFORMED. OFFICE MANAGER & MAINTENANCE
DID NOT TEST/REMEDiate PROPERLY.
AUG-SEPT. 2014

After Completing:

Give this sheet back to Will Thompson in Apt. #717, or speak with your own legal representation about how to proceed with mold exposure.

Will Thompson reserves the right to turn away any resident from legal representation which is pursued for this means. This information is being collected for legal purposes; it will only be used to help inform legal representation about our mold exposure concerns, and will be kept otherwise strictly private and confidential. Will Thompson will not share or sell your personal information to non-legal representation, for any reason.

C2

MOLD IN THE AIR

Are you sick? Have you been feeling ill for a while?

Do you think the air in the building is making you feel this way?

You are not alone. Others have been getting ill, and have deep concerns.

If management has improperly handled this situation, and mold is making us sick, it is very important to document our symptoms and concerns.

It is a good idea to do this now, and not to wait.

Symptoms to Note: Headaches, Dizziness, Confusion, Nausea, Vomiting, Diarrhea, Skin Rash, Erratic Mood Changes, Muscle Pain, Joint Pain, Sinus Congestion, Allergy-Like Symptoms, Coughing, Wheezing, Difficulty Breathing, Hemorrhaging, Internal Bleeding, Aneurysms, or any others that concern you, or which may be related to the mold.

Name: [REDACTED]

Symptoms How Severe and How Long:
ITCHY SKIN, EXPOSURE BETWEEN 1-4 HOURS.

Were you diagnosed with anything (maybe unrelated), but which may be due to air quality and/or mold exposure?
NO

Have you informed management? NO What did they do to fix it? Were you satisfied with the result? Any other notes?

After Completing:

Give this sheet back to Will Thompson in Apt. #717, or speak with your own legal representation about how to proceed with mold exposure.

Will Thompson reserves the right to turn away any resident from legal representation which is pursued for this means. This information is being collected for legal purposes; it will only be used to help inform legal representation about our mold exposure concerns, and will be kept otherwise strictly private and confidential. Will Thompson will not share or sell your personal information to non-legal representation, for any reason.

MOLD IN THE AIR

C3

Are you sick? Have you been feeling ill for a while?

Do you think the air in the building is making you feel this way?

You are not alone. Others have been getting ill, and have deep concerns.

If management has improperly handled this situation, and mold is making us sick, it is very important to document our symptoms and concerns.

It is a good idea to do this now, and not to wait.

Symptoms to Note: Headaches, Dizziness, Confusion, Nausea, Vomiting, Diarrhea, Skin Rash, Erratic Mood Changes, Muscle Pain, Joint Pain, Sinus Congestion, Allergy-Like Symptoms, Coughing, Wheezing, Difficulty Breathing, Hemorrhaging, Internal Bleeding, Aneurysms, or any others that concern you, or which may be related to the air quality.

Name: _____

Symptoms: How Severe? and How Long?:

Head & Chest cold? Started Sat. or Sun., Sept. 6 or 7. Doing better now (9-12-14).

Were you diagnosed with anything (maybe unrelated), but which may be due to air quality and/or mold exposure?

Never went to the doctor

Have you informed management? What did they do to fix it? Were you satisfied with the result? Any other notes?

No

After Completing:

Give this sheet back to Will Thompson in Apt. #717, or speak with your own legal representation about how to proceed with mold exposure.

Will Thompson reserves the right to turn away any resident from legal representation which is pursued for this means. This information is being collected for legal purposes; it will only be used to help inform legal representation about our mold exposure concerns, and will be kept otherwise strictly private and confidential. Will Thompson will not share or sell your personal information to non-legal representation, for any reason.

C4

MOLD IN THE AIR

Are you sick? Have you been feeling ill for a while?

Do you think the air in the building is making you feel this way?

You are not alone. Others have been getting ill, and have deep concerns.

If management has improperly handled this situation, and mold is making us sick, it is very important to document our symptoms and concerns.

It is a good idea to do this now, and not to wait.

Symptoms to Note: Headaches, Dizziness, Confusion, Nausea, Vomiting, Diarrhea, Skin Rash, Erratic Mood Changes, Muscle Pain, Joint Pain, Sinus Congestion, Allergy-Like Symptoms, Coughing, Wheezing, Difficulty Breathing, Hemorrhaging, Internal Bleeding, Aneurysms, or any others that concern you, or which may be related to the air quality.

Name: [REDACTED]

Symptoms: How Severe? and How Long?:

HEADACHES, NAUSEA
DIARRHEA, RASH, SINUS CONGESTION, VARIOUS
GENERAL DISCOMFORT SINCE THE
END OF MAY, 2014

Were you diagnosed with anything (maybe unrelated), but which may be due to air quality and/or mold exposure? I WENT TO MY

DOCTOR IN AUGUST, THOUGHT IT WAS

FOOD POISONING. GIVEN ANTIBIOTICS AND

HAVE IMPROVED SOMEWHAT, STILL UNDER PAR. Have you informed management? What did they do to fix it? Were you

satisfied with the result? Any other notes? HAVE NOT SPOKEN

TO MANAGEMENT AS I THOUGHT IT WAS

DUE TO FOOD POISONING.

After Completing:

Give this sheet back to Will Thompson in Apt. #717, or speak with your own legal representation about how to proceed with mold exposure.

Will Thompson reserves the right to turn away any resident from legal representation which is pursued for this means. This information is being collected for legal purposes; it will only be used to help inform legal representation about our mold exposure concerns, and will be kept otherwise strictly private and confidential. Will Thompson will not share or sell your personal information to non-legal representation, for any reason.

C5

**Chidester Place
Apartments
330 Chidester Street
Ypsilanti, Michigan 48197
Ph 734-487-9400 Fax 734-487-5186**

September 15, 2014

Dear Mr. Ralph Thompson:

All flyers for distribution are to be submitted to management for review and approval.

Please do not distribute flyers and/or information that are not reviewed and approved by management for distribution first.

Thank You for your Anticipated Cooperation,

**[REDACTED]
Chidester Place Apartments**

Management



Equal Housing Opportunity



9-23
PAGE 1 OF 2

D1

Chidester Place Apartments
330 Chidester Street
Ypsilanti, MI 48197

Notice to all Chidester Residents:

Re: Chidester/ Resident Air Quality

Recently there have been resident questions regarding the air.

Chidester Management Team takes all resident concerns seriously and as such, action has been taken to resolve any concerns the residents may have regarding the air quality of the building. An environmental testing firm was contracted by Chidester to test the air quality of the building.

The air quality test was conducted on September 17th and included apartment testing and common area testing. There was nothing unusual identified from the air samples collected. Please see attached report.

If you have any questions or concerns, please feel free to contact the rental office.

Thank You,

Chidester Management Office



RECEIVED
9-23-2014
@ 8:30AM
IN DOORWAY

9-23
PAGE 2 OF 2



ENVIRONMENTAL, INC.

5300 PLYMOUTH ROAD
ANN ARBOR, MICHIGAN 48105
734-930-0995

D2

September 19, 2014

Ms. Michelle Anderson
Property Manager
Independent Management Services
14381 North Road
Fenton, Michigan 48430

RE: Chidester Place Apartments
Fungal Spore Air Sampling - Apartment [REDACTED]
Nova Project #: CI0738/*101

Dear Ms. Anderson,

Please find the enclosed laboratory results for the fungal spore air sampling conducted by Nova Environmental, Inc. on September 17, 2014 at Chidester Place Apartments. Air samples were collected in Apartment [REDACTED], the 7th Floor Elevator Lobby and outside the building.

Overall, the fungal spores identified from the air samples collected within the building were low, contained commonly identified fungal spores, were comparable to each other and lower than the comparison air sample collected outside the building.

All air samples were analyzed at Bureau Veritas North America of Novi, Michigan. This laboratory is accredited by the American Industrial Hygiene Association following the Environmental Microbiology Laboratory Accreditation Program.

Nova Environmental, Inc. thanks you for the opportunity to provide our indoor air quality services to Independent Management Services. If you have any questions, please contact me at (734) 930-0995, office, or (734) 260-3142, mobile, or jlamb@nova-env.com.

Sincerely,

NOVA ENVIRONMENTAL, INC.



Joel H. Lamb, CIE
Environmental Consultant
Council-certified Indoor Environmentalist
Board-awarded by the American Council for Accredited Certification

Enclosures

E

RECEIVED
NOVEMBER 7, 2014
AT 7 PM

October 7th, 2014

Dear Resident,

Please be advised that we will need access to your apartment on Monday, November 10th and Tuesday, November 11th. The access is required for environmental testing of Duct Work. The start time for this project is 9 am. Once we access your apartment, we will need to be in your apartment for no more than a half hour.

We apologize for any inconvenience this may cause.

Sincerely,

Chidester Place Management

Chidester Place
Apartments
330 Chidester Street
Ypsilanti, Michigan 48197
Ph 734-487-9400 Fax 734-487-5186

F

November 10th, 2014

RECEIVED MONDAY,
NOVEMBER 10, 2014
AT 6PM

Dear Resident,

Please be advised that the posted environmental testing will include Wednesday, November 12th. Again, we will need approximately a half an hour in your apartment.

Sincerely,

Chidester Place Management

Ralph
Will
Thompson



Equal Housing Opportunity



Chidester Place Apartments

330 Chidester Street
Ypsilanti Michigan 48197
Ph: 734-487-9400
Fax: 734-487-5186
Email: chidester@imsteam.net



Notification of Intent to Enter

November 19, 2014

Will Thompson

330 Chidester St., Apt 717

Ypsilanti MI 48197

Dear Will Thompson

Please be advised our Maintenance Team will need access to your apartment home on Friday November 21, 2014 at approximately 1:30 pm for preparation of remediation.

There isn't any special preparation needed for this task.

As always we thank you in advance for your anticipated immediate attention and cooperation in this matter.

Sincerely,


Eda Komora

Acting Agent for Chidester Place Apts.

CC: onsite file 717-Thompson



Equal Housing Opportunity



**Chidester Place
Apartments**
330 Chidester Street
Ypsilanti, Michigan 48197
Ph 734-487-9400 Fax 734-487-5186



RECEIVED TUE,
DEC. 16, 2014.
AT 3:15pm.

Dear Resident [REDACTED]

**Our contractors will be doing some work
on our property and may need access to
your unit beginning Wednesday morning
Dec 17, 2014.**

**Thank You for Your Anticipated Cooperation,
Chidester Place Apartments
Management**



Equal Housing Opportunity



**Chidester Place
Apartments
330 Chidester Street
Ypsilanti, Michigan 48197
Ph 734-487-9400 Fax 734-487-5186**



December 17, 2014

Dear Resident [REDACTED]

**Our contractors from ASTI will be at your unit on
Friday December 19, 2014 to complete testing.**

**Thank You for You Anticipated Cooperation,
Chidester Place Apartments
Management**



Equal Housing Opportunity



J1

RECEIPT No. [REDACTED]

DATE 12-17-2014

FROM Chidester to Comfort Inn \$20.00

FOR RENT ☐ FOR ☒ Cab Service [REDACTED] DOLLARS

ACCT.		☒ CASH
PAID	20.00	☒ CHECK
DUE		☐ MONEY ORDER
		☐ CREDIT CARD

FROM 12-17-14 TO 12-17-14

BY [REDACTED]

A-1152
T-3161

RM

RECEIPT No. [REDACTED]

DATE 12/17/2014

FROM Chidester to Ralph Thompson \$50.00

FOR RENT ☐ FOR ☒ lunch/dinner/transport home [REDACTED] DOLLARS

ACCT.		☒ CASH
PAID	50.00	☒ CHECK
DUE		☐ MONEY ORDER
		☐ CREDIT CARD

FROM 12/17/14 TO 12/18/14

BY [REDACTED]

52
51

RM



BY CHOICE HOTELS

Comfort Inn & Suites
2376 Carpenter Road
Ann Arbor, MI 48108
(734) 477-9977
GM.MI356@choicehotels.com

J2

Wednesday, December 17, 2014

Account Number: 374689276

CRS Number:

Dear Ralph William Thompson:

We are delighted that you will be staying with us from Wednesday, December 17, 2014 to Thursday, December 18, 2014. We have reserved a room with 1 King Bed, No Smoking for you. Check in begins at 02:00 AM and check out is by 11:00 AM on Thursday, December 18, 2014. Your rate(s) are as follows:

<u>From</u>	<u>To</u>	<u>Rate</u>
12/17/14	12/17/14	79.99

This rate is eligible for partner rewards. If this rate is changed, you may no longer be entitled to partner rewards.

Rates quoted are per day and may fluctuate dependent upon local tax laws. Where required by law, rates and total package cost may include taxes.

If you are exempt from any of these taxes, please present all required documentation at time of check in.

Your reservation has been guaranteed by CREDIT CARD. If you need to cancel this reservation, you must do so by 4 PM local hotel time, 24 hours before the date of arrival to avoid a cancellation penalty.

If you have any questions, please do not hesitate to call our hotel staff at (734) 477-9977.

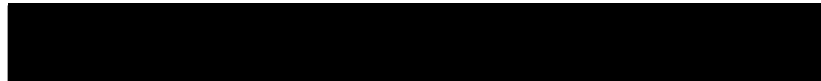
Sincerely,

Edmond Savaya
General Manager

**Chidester Place
Apartments**
330 Chidester Street
Ypsilanti, Michigan 48197
Ph 734-487-9400 Fax 734-487-5186



December 19, 2014



**Please be advised that we will need
access to your unit on Monday
December 22, 2014 between 9:00 am &
10:00 am to inspect your HVAC unit.**

**Thank You for Your Anticipated Cooperation,
[Redacted]
Chidester Place Apartments
Management**



Equal Housing Opportunity



DATED TUESDAY, JAN. 13TH, 2015

TO: IMS MANAGEMENT, CHIDESTER PLACE APTS.
FROM: RALPH WILLIAM (WILL) THOMPSON, [REDACTED]
RE: MOLD EXPOSURE SYMPTOMS & AIR QUALITY

AFTER THE REMEDIATION PROCEDURES DONE ON MY APARTMENT (DEC. 17-19, 2014), I BEGAN RUNNING MY VENT HEATER SYSTEM, WITH LITTLE TO NO SYMPTOMS RELATED TO MY PRIOR MOLD EXPOSURE. I CONTINUED RUNNING THE VENTS ON FULL AUTOMATED HEATING, TO AN AVERAGE TEMPERATURE OF 75°-80°F, WITH CLOSED OR NEARLY-CLOSED WINDOWS, NO ADDITIONAL HUMIDIFICATION, AND ACCORDING TO PROPER CLEANING GUIDELINES.

AS OF SUNDAY, JAN. 4, 2015, I HAVE BEGUN TO EXPERIENCE INCREASED SYMPTOMS WHICH ARE ASSOCIATED WITH MY PREVIOUS MOLD EXPOSURE, INCLUDING CONGESTION, NASAL DRAINAGE, NAUSEA, INCREASED HEARTBURN, VOMITING, AND OCCASIONAL HEADACHES, WEAKNESS, AND ACHES.

IT IS MY BELIEF THAT THESE MOLD PROCEDURES HAVE NOT FULLY REMEDIATED THE PROBLEM, AND THAT THE ISSUE IS QUICKLY RE-EMERGING. I DO NOT, HOWEVER, HAVE THE RESOURCES OR FINANCIAL MEANS TO RUN ADDITIONAL INDEPENDENT AIR TESTS, AND HAVE NOT RECEIVED THE RESULTS OF THE PRIOR TESTS.



3130 Old Farm Lane, Suite 1
Commerce Twp., MI 48390

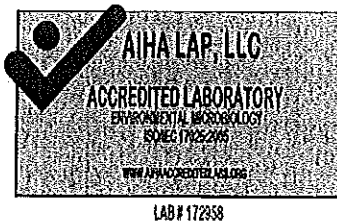
877-665-3373
ims@imslaboratory.com

SAMPLE FROM
SUNDAY, 3-22-2015

Laboratory Report

Prepared Exclusively For:

B - Aware Home Inspections LLC
Scott Bates
227 Romeo Rd
Rochester, MI 48307
248-651-2614
bawarehomeinspection@hotmail.com



Project: William Thompson

Report Date: 03/26/2015

Sampled: N/A

Project # 330 Chidester St, Ypsi, MI 48197 Lab # E72538

Received: 03/25/2015

Analyzed: 03/26/2015



Report Prepared For: B - Aware Home Inspections LLC
Project Name: William Thompson
Project Number: 330 Chidester St, Ypsi, MI 48197
Report Date: 03/26/2015
Lab Number: E72538

Table of Contents

- 1 Laboratory Results**
 - *Laboratory results from the samples collected at the site.*
- 2 Sample Comparison Graph**
 - *Graphical comparison of air samples sorted by organism identified.*
- 3 Sample Identification Definitions**
 - *Information about the organisms identified in the samples analyzed.*
- 4 Glossary of Terms**
 - *Definitions of frequently used terms.*
- 5 Texts and Electronic References**
 - *Literature, websites, and other materials that can provide more in-depth information.*
- 6 Warranties, Legal Disclaimers, and Limitations**



Report Prepared For: B - Aware Home Inspections LLC
Project Name: William Thompson
Project Number: 330 Chidester St, Ypsi, MI 48197
Report Date: 03/26/2015
Lab Number: E72538

1 - Laboratory Results

Location: Outside

Sample # E72538 - 1

Medium Type: Micro5

Serial # 1995251

Exposure: 5.00 l/min. for 5.00 min.

Reporting Limit: 40 Spores/cu. m

Sample Identification	Raw Count	Spores/cu. m	Percent(%)
- Fungi -			
Pen/Asp group	5	200	50.00%
Basidiospores	2	80	20.00%
Cladosporium	2	80	20.00%
Smuts/Periconia/Myxomycetes	1	40	10.00%
TOTALS:	10	400	100.00%

Background Item	Level
Dust / Debris	Low
Hyphal Fragments	Very Low
Opaque Particles	Low

Location: Apt 717

Sample # E72538 - 2

Medium Type: Micro5

Serial # 1995241

Exposure: 5.00 l/min. for 5.00 min.

Reporting Limit: 40 Spores/cu. m

NOTE: Background material interfered with analysis. Spore levels and types may be underestimates.

Sample Identification	Raw Count	Spores/cu. m	Percent(%)
- Fungi -			
Pen/Asp group	19	760	73.08%
Basidiospores	2	80	7.69%
Cladosporium	2	80	7.69%
Epicoccum nigrum	1	40	3.85%
Smuts/Periconia/Myxomycetes	1	40	3.85%
- Other -			
Pollen	1	40	3.85%
TOTALS:	26	1,040	100.00%

Background Item	Level
Dust / Debris	High
Hyphal Fragments	Very Low
Opaque Particles	Low

Location: Apt 103

Sample # E72538 - 3

Medium Type: Micro5

Serial # 1995227

Exposure: 5.00 l/min. for 5.00 min.

Reporting Limit: 40 Spores/cu. m

NOTE: (see next page)

Sample Identification	Raw Count	Spores/cu. m	Percent(%)
- Fungi -			
Pen/Asp group	300	12,000	97.09%
Basidiospores	5	200	1.62%
Ascospores	2	80	0.65%
Cladosporium	1	40	0.32%
Smuts/Periconia/Myxomycetes	1	40	0.32%
TOTALS:	309	12,400	100.00%

- Sample data continued on next page -



Report Prepared For: B - Aware Home Inspections LLC
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NOTE: Background material interfered with analysis. Spore levels and types may be underestimates. Estimated raw count on Pen/Asp group.

Background Item	Level
Dust / Debris	High
Hyphal Fragments	Very Low
Opaque Particles	Low

Analytic Methods and Formulas:

IMS Laboratory Analytical Method: 2.3 (method for analyzing spore trap)

Results are rounded to 3 significant figures per AIHA policy module 2A.5.10.5

Spores per cubic meter is determined by: Total Spore Count x (1000/(sampling rate)x(sampling time))

Note that this report may use mold-specific units, such as Spores/cu. m and CFU/cu. m for Sample Identifications such as pollen, fiberglass fibers, and bacteria, which are not molds.

IMS Laboratory, LLC is accredited through the American Industrial Hygiene Association (AIHA) and participates in Environmental Microbiology Proficiency Testing, EMPAT #172958. Data is provided in compliance with AIHA policy modules and ISO 17025 guidelines.

Analyst

Kathryn C. Langley

03/26/2015

Kathryn C. Langley, Lab Analyst



Reviewer

Bethany Sisco

03/26/2015

Bethany Sisco, Lab Analyst

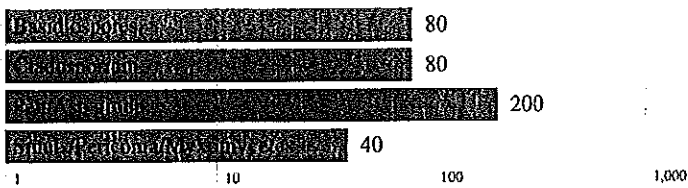


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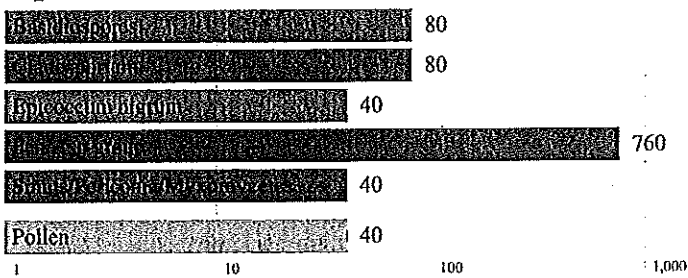
2 - Sample Comparison Graph

Spore Trap Samples - Spores per Cubic Meter

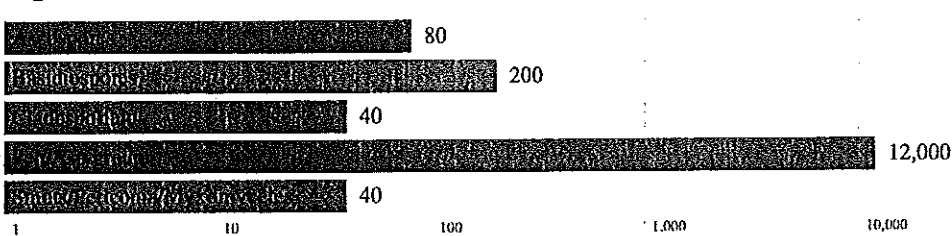
Outside



Apt 717



Apt 103





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3 - Sample Identification Definitions

Ascospores

A large group of spores that are very ubiquitous in nature. They are frequently found in the air after a rain. Most ascospores are plant pathogens; a small portion have been known to cause infection in humans but are identified separately.

Found in these Sample Locations: (3) Apt 103

Basidiospores

A large group of spores that are very ubiquitous in nature. They are released from mushrooms, shelf fungi, puffballs, and a variety of other macro fungi. Basidiospores may be allergenic to those with seasonal allergies.

Found in these Sample Locations: (1) Outside (2) Apt 717 (3) Apt 103

Cladosporium

One of the most commonly identified outdoor fungi. It is often found indoors in numbers less than outdoors. Cladosporium is also found on decaying plants and food, straw, paint, and textiles. It is generally regarded to be allergenic and can be a cause of extrinsic asthma (immediate type hypersensitivity: Type I). Cladosporium has been reported in cases of skin lesions, keratitis, onychomycosis, sinusitis, and pulmonary infections.

Found in these Sample Locations: (1) Outside (2) Apt 717 (3) Apt 103

Epicoccum nigrum

Epicoccum nigrum (also known as Epicoccum purpurascens) is the only species in the genus Epicoccum. It is very commonly isolated from plants, air, animals, foodstuffs, and textiles. Epicoccum nigrum is a known plant pathogen, but is not pathogenic to humans.

Found in these Sample Locations: (2) Apt 717

Pen/Asp group

The spores of the genera Penicillium, Aspergillus, Gliocladium, and Trichoderma are quite similar when viewed under a microscope and are grouped together under the heading Pen/Asp. Penicillium species are among the most common fungi found in indoor environments, particularly basements. Certain species may cause infections of the eye, external ear, respiratory system, and urinary tract. Some species of Aspergillus are parasitic on insects, plants, and animals including humans. All Aspergillus species are allergenic. Various species can cause



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extrinsic asthma, pulmonary emphysema, opportunistic infections of the ears and eyes, and severe pulmonary infections. Many species of *Penicillium* and *Aspergillus* produce mycotoxins which may be associated with diseases in humans and animals. Several toxins are considered potential human carcinogens. The genus *Gliocladium* has not been reported to cause disease in man or animals. The genus *Trichoderma* has been reported to cause infections in immunocompromised individuals, patients undergoing dialysis, and individuals with chronic kidney failure or chronic lung disease.

Found in these Sample Locations: (1) Outside (2) Apt 717 (3) Apt 103

Pollen

Pollen are coarse to fine particles/grains produced by various trees, weeds, and grasses. For individuals with seasonal allergies, pollen is often the causative agent.

Found in these Sample Locations: (2) Apt 717

Smuts/Periconia/Myxomycetes

A group of plant pathogens with similar morphology. They are commonly found in the outdoor environment in soil and on wood, grasses, cereal crops, and flowering plants. Myxomycete spores are considered to cause Type 1 allergies (hay fever and asthma).

Found in these Sample Locations: (1) Outside (2) Apt 717 (3) Apt 103



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4 - Glossary of Terms

Agar ~

A gelatinous medium used for growing microorganisms (e.g. mold, yeast, and bacteria).

Ascospore ~

A sexually produced fungal spore formed within an ascus (sac). Most types are associated with plant fungi, and generally have little relevance to human health problems.

Basidiospore ~

A sexually produced fungal spore produced within the group of fungi known as Basidiomycetes. These spores are produced externally on a structure called a basidium, which is common among mushrooms. Some types can be allergenic to humans.

Colony ~

A group of hyphae (filaments) of the same type of microorganism growing together. A colony can be seen with the naked eye.

Colony Forming Unit (CFU) ~

A unit of measure describing the number of colonies present in or on a surface of a sample.

Detection Limit ~

Detection Limit is the smallest amount or concentration of a particular substance / particle that can be reliably detected in a given type of sample or medium by a specific measurement process.

Fungus (fungi, pl) ~

Fungi are a form of life (eukaryotic) which can range from unicellular to filamentous. Fungi lack chlorophyll and absorb nutrients. Fungi can reproduce by sexual, asexual, or both means. Mold is a type of fungi.

Hypha (hyphae, pl) / hyphal fragment ~

Hypha is the tubular filament which is the vegetative, nutrient absorbing portion of the fungus.

Minimum Reporting Limit (MRL) ~

MRL is the smallest measured concentration of an analyte that can be reliably reported by using a given analytical method. MRL is the "less-than" value reported when an analyte is not detected or is detected at a concentration less than the MRL. MRL is dependent on the time and volume of sampling.



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Mitospore ~

Spore types falling within either the deuteromyces or Fungi Imperfecti.

Mold ~

A very large group of microscopic fungi. Most are filamentous organisms and produce spores that can be air-, water-, or insect-borne. Mold can be a common trigger for allergies. For people who are sensitive to mold, exposure can cause symptoms such as nasal stuffiness, eye irritation, or wheezing. People with serious allergies to mold may have more severe reactions. Severe reactions may occur among workers exposed to large amounts of molds in occupational settings. People with chronic illnesses, such as obstructive lung disease, may develop mold infections in their lungs. Mold growth in the home can be slowed by keeping humidity levels below 50% and ventilating showers and cooking areas.

Mycology ~

Mycology is a general term for the study of fungi.

Mycotoxin ~

A substance produced by fungi which can be toxic to man and/or animals.

Mycelium ~

A mass of hyphae.

Negative for Stachybotrys ~

When IMS Laboratory is requested to only look for Stachybotrys in a sample and no Stachybotrys is detected during analysis of that sample, IMS Laboratory reports the results as "Negative for Stachybotrys."

Opaque particle ~

Opaque particles are dark, non-biological, debris through which light will not pass.

Petri Dish ~

A dish containing agar for the culturing of microorganisms (e.g. fungi or bacteria).

Potato Dextrose Agar (PDA) ~

PDA is a solid growth medium consisting of extract of potato and dextrose (sugar). PDA is used to culture commonly occurring fungi.

Pollen ~

Pollen are coarse to fine particles produced by plants (can be allergenic).



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Raw Count ~

The number of particles counted by an analyst during the examination of specimen.

Sample Medium ~

The sample medium refers to the type of test conducted (e.g. swab, spore trap air test, tape lift, etc.).

Sample Rate ~

The sample rate refers to the quantity of a sample collected for laboratory analysis. With reference to air tests, the sample rate is determined by multiplying the flow rate of the collection device by the time the device was operating. With reference to swab samples, the sample rate is the total area swabbed.

Serial Number ~

A manufacturer's specific identification code on a test medium (e.g. spore trap or tape lift).

Spore ~

A propagule/structure produced by fungi as a means of reproduction, survival, and dissemination. Spores can be single cellular or multicellular.

Spore Trap ~

A Spore trap is a collection device (or media) used to capture airborne spores and other airborne particulates. Spore traps are analyzed by microscopic means and do not distinguish between viable and non-viable cells.

Too Numerous To Count (TNTC) ~

TNTC is used to denote specimens in which a type of organism is present at an extremely high level or has grown together so that individual colonies cannot be distinguished.

Total Spore Count ~

The total spore count is the sum total of all spore types found in a laboratory sample.

Toxigenic fungi ~

Toxigenic fungi are fungi capable of producing toxic substances.

Yeast ~

Yeast are a group of single celled fungi.



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5 - Texts and Electronic References

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6 - Warranties, Legal Disclaimers, and Limitations

IMS's scope of accreditation through the AIHA is for the following FoT(s)/Method(s): Fungal Air - Culturable (SOP 2.4 Cultured Air Sample Reporting); Fungal Bulk - Culturable (SOP 2.5); Fungal Surface - Culturable (SOP 2.5); Fungal Air - Direct Examination (SOP 2.2 and 2.3); Fungal Bulk - Direct Examination (SOP 2.6); and Fungal Surface - Direct Examination (SOP 2.1).

The study and understanding of molds is a progressing science. Because different methods of sampling, collection and analysis exist within the indoor air quality industry, different inspectors or analysts may not always agree on the mold concentrations present in a given environment. Additionally, the airborne levels of mold change frequently and by large amounts due to many factors including activity levels, weather, air exchange rates (indoors), and disturbance of growth sites. It is possible for report interpretations and ranges of accuracy to vary since comprehensive, generally accepted industry standards do not currently exist for indoor air quality inspections of mold in residential indoor environments. This report is intended to provide an analysis based upon samples taken at the site at the time of the inspection. Mold levels can and do change rapidly, especially if home building materials or contents remain wet for more than 24 hours, or if they are wet frequently. This report is not intended to provide medical or healthcare advice. All allergy or medical-related questions and concerns, including health concerns relating to possible mold exposure, should be directed to a qualified physician. If this report indicates indoor mold levels that are higher than in typical indoor living spaces relative to the outdoor environment, or indicates any findings that are of concern to you, further evaluation by a trained mold professional or a Certified Industrial Hygienist (CIH) may be advisable.

Results pertain only to the items tested. Unless otherwise noted in the body of this report, the condition of samples upon receipt was acceptable. Blank samples are reported in the same manner as all other samples. The results are not corrected for contamination.

This report is generated by IMS at the request of, and for the exclusive use of, the IMS client named on this report. The analysis of the test samples is performed by IMS. This report applies only to the samples taken at the time, place and location referenced in the report and received by IMS, and to the property and weather conditions existing at that time only. Please be aware, however, that property conditions, inspection findings and laboratory results can and do change over time relative to the original sampling due to changing conditions, the normal fluctuation of airborne mold, and many other factors. IMS does not furnish, and has no responsibility for, the inspector or inspection service that performs the inspection or collects the test samples. It is the responsibility of the end-user of this report to select a properly trained professional to conduct the inspection and collect appropriate samples for analysis and interpretation. Neither IMS, nor its



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affiliates, subsidiaries, suppliers, employees, agents, contractors and attorneys ("IMS related party") are able to make and do not make any determinations as to the safety or health condition of a property in this report. The client and client's customer are solely responsible for the use of, and any determinations made from, this report, and no IMS related party shall have any liability with respect to decisions or recommendations made or actions taken by either the client or the client's customer based on the report.

Samples analyzed by IMS are disposed the day that they are analyzed. Storage may be available for a fee with written request at the time the samples are submitted for analysis.

IMS hereby expressly disclaims any and all representations and warranties of any kind or nature, whether express, implied or statutory, related to the testing services or this report including, but not limited to, damages for loss of profit or goodwill regardless of the negligence (either sole or concurrent) of IMS and whether IMS has been informed of the possibility of such damages, arising out of or in connection with IMS's services or the delivery, use, reliance upon or interpretation of test results by client or any third party. In no event will IMS be liable for any special, indirect, incidental, punitive, or consequential damages of any kind regardless of the form of action whether in contract, tort (including negligence), strict product liability or otherwise, arising from or related to the testing services or this report.

IMS accepts no legal responsibility for the purposes for which the client uses the test results. IMS will not be held responsible for the improper selection of sampling devices even if we supply the device to the user. The user of the sampling device has the sole responsibility to select the proper sampler and sampling conditions to insure that a valid sample is taken for analysis. Additionally, neither this report nor IMS makes any express or implied warranty or guarantee regarding the inspection or sampling done by the inspector, the qualifications, training or sampling methodology used by the inspector performing the sampling and inspection reported herein, or the accuracy of any information provided to IMS serving as a basis for this report. The total liability of IMS related to or arising from this report to a client or any third party, whether under contract law, tort law, warranty or otherwise, shall be limited to direct damages not to exceed the fees actually received by IMS from the client for the report. The invalidity or unenforceability, in whole or in part, of any provision, term or condition herein shall not invalidate or otherwise affect the enforceability of the remainder of these provisions, terms and conditions. Client shall indemnify IMS and its officers, directors and employees and hold each of them harmless for any liability, expense or cost, including reasonable attorney's fees, incurred by reason of any third party claim in connection with IMS's services, the test result data or its use by client.

- End of Lab Report Number E72538 -

PROPERTY Chidester Place Apartments

DATE 03/25/15

UNIT NO. 717

RESIDENT Ralph Thompson & All Occupants of
ADDRESS 330 Chidester St., Ypsilanti, MI 48197
APT. NO. 717

Please be advised that we have recorded the following incident(s) in your resident file. This incident occurred on the 17th day of March, 2015. The person responsible was:

You ☒ Other Household Member ☐ A guest ☐

Continued violations could result in your lease being terminated, and legal action to recover possession of your unit.

DESCRIPTION OF INCIDENT

- ☐ Destruction or damage to property.
☐ Destruction or damage to apartment.
☐ Disturbing or harassing other tenants.
☐ Excessive noise from your unit.
☐ Activities causing police action on the property.
☐ Failure to maintain apartment in a clean and sanitary condition.
☐ Leaving trash or other obstruction in public area.
☐ Allowing unauthorized persons to live in your apartment.
☐ Alteration or addition to property without authorization.
☐ Parking or storing automobiles, trailers, boats etc. without approval.
☐ Housing a dog, cat, or other animal without approval.
☐ Failure to prepare or allow for extermination services.
☒ Other: Interfering with Management of the project.
Distribution of notice to all residents without
Management permission/approval

In accordance with the lease and/or rules signed by you at time of move-in your account is being charged the following amounts, which must be paid within 30 days of the date of this notice:

Description	Amount	Code
Description	Amount	Code
Description	Amount	Code
Description	Amount	Code
Description	Amount	Code
Description	Amount	Code

Prepared by:

Reviewed by:

Was your apartment air tested for mold? Did you have work done on your apartment vent system? ***Some of your neighbors did.***

Have all of your questions and concerns about mold and air quality been answered or resolved? ***Many people still have huge concerns. Will Thompson will share his answers about what happened to him, even after seeking legal help.***

Have you ever had excess moisture or visible mold/mildew in your apartment? ***Many residents have been worried about this for years.***

Do you want your apartment's air tested for mold? ***We have started a list for people who would like affordable mold air tests in their apartments very soon – and YOU CAN KNOW YOUR RESULTS.***

This problem is not gone or resolved! We must take immediate action as a community, to tackle a very real and potentially life-threatening issue. If you have breathing troubles or mold allergies, you probably know exactly what we mean!

A group of concerned residents is meeting on
Wednesday, March 18th, at 7pm in the Community Room.

We must let the city's building department know about our health concerns and the safety issues related to our possible mold exposure, providing documentation before the upcoming inspection in April. We will have forms available to fill out, so they can be submitted to the city all at once.

Please join other residents who care about this issue, to make a real difference. We will discuss the issues, and take swift action.

***WE CAN MAKE CHANGE HAPPEN – WE CAN FIX THIS ISSUE –
WE CAN PROTECT OURSELVES AND EACH OTHER
THE LAW IS ON OUR SIDE!***

Was your apartment air tested for mold? Did you have work done on your apartment vent system? ***Some of your neighbors did.***

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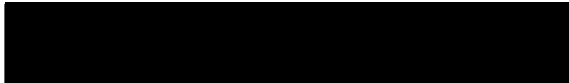
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***WE CAN MAKE CHANGE HAPPEN – WE CAN FIX THIS ISSUE –
WE CAN PROTECT OURSELVES AND EACH OTHER
THE LAW IS ON OUR SIDE!***

**Chidester Place
Apartments
330 Chidester Street
Ypsilanti, Michigan 48197
Ph 734-487-9400 Fax 734-487-5186**

January 13, 2015



Our contractors will be doing maintenance to the HVAC unit in your apartment on FRIDAY January 16, 2015.

Please be sure your unit is prepared.

Thank You for You Anticipated Cooperation,


Chidester Place Apartments

Management



Equal Housing Opportunity

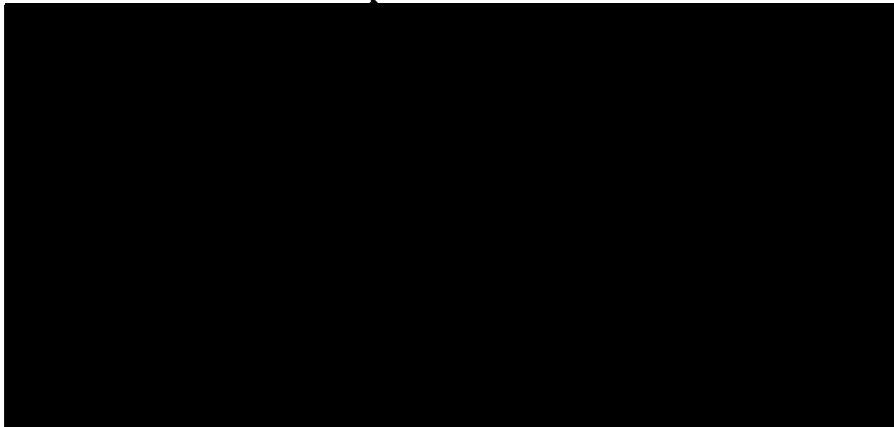


1-13-15

Sorry -

I will not
be ready, with
only two days
notice. Next week
will be okay.

Thank you,



**Chidester Place
Apartments
330 Chidester Street
Ypsilanti, Michigan 48197
Ph 734-487-9400 Fax 734-487-5186**

January 14, 2015

[REDACTED]

In response to the letter from you dropped in our door.

We have given you 3 days notice which should be plenty enough time for the preparation you will need to do, which is to make sure everything is cleared away from vent in living room (which should already be clear) and to vacuume carpets, they will only be in your unit for a short period of time.

Our contractors will be at your unit FRIDAY Jan 16, 2015. Our original letter is attached.

Thank You for You Anticipated Cooperation,

[REDACTED]

Chidester Place Apartments

Management



Equal Housing Opportunity



**Chidester Place
Apartments
330 Chidester Street
Ypsilanti, Michigan 48197
Ph 734-487-9400 Fax 734-487-5186**

April 1, 2015

Re: Service of Heating and Cooling System

On March 30, 2015, we received information regarding your heating and cooling system. As with all residents, we will inspect and service your system, if necessary. On November 17, 2014, we attempted to inspect your system but you refused entry at that time. Please confirm that you request an inspection and will grant Management access to your unit:

☐ **YES: Management may enter to inspect and service my heating and cooling system as soon as possible.**

☒ **NO: Management may not enter my unit.**

Sincerely,

Chidester Place Apartments



Equal Housing Opportunity



**Chidester Place
Apartments
330 Chidester Street
Ypsilanti, Michigan 48197
Ph 734-487-9400 Fax 734-487-5186**

April 1, 2015

Dear Ms. Judith Winter,

Please let this be notice, pursuant to your signed lease, that our contractors will be at your unit on Monday morning April 6, 2015 to due maintenance to your HVAC unit.

Thank You In Advance For Your Anticipated Cooperation,

**[REDACTED]
Chidester Place Apartments
Management**



Equal Housing Opportunity





YPSILANTI BUILDING DEPARTMENT

One South Huron ♦ Ypsilanti, MI 48197
Phone: (734) 482-1025 ♦ Fax: (734) 483-7444
www.cityofypsilanti.com

Property Maintenance Complaint

Property Location: 330 CHIDESTER ST, YPSILANTI, MI Apt.# 817

Tenant Information: (Proof of residency must be provided – i.e. driver's license, utility bill, lease, etc.)

Name: [REDACTED]	Phone: [REDACTED]
Mailing Address: <u>330 CHIDESTER ST, [REDACTED]</u>	City: <u>YPSILANTI</u> State: <u>MI</u> Zip: <u>48198</u>
Move-in Date: <u>APPROX. 10/01/2011</u>	Number of tenants: <u>1 ONE</u>

Property Owner/Agent Information:

Name: <u>I.M.S.</u>	Phone: _____
Mailing Address: _____	City: _____ State: _____ Zip: _____

Is there currently a landlord/tenant dispute?

☐ Yes ☒ No

Are you currently paying rent?

☒ Yes ☐ No (If No, when did you stop?) _____

List reasons for complaint below. Before submitting this request, you must inform the owner/agent, in writing, of maintenance problem(s) and allow 10 days to make the corrections. Include date(s) when problem first occurred and if the owner/agent has resolved any issues as of this date. If additional space is needed, please use the back of this form.

**** A copy of the complaint letter sent to the owner/agent must be attached ****

At the start of spring 2014, May, I think, I became ill with multiple symptoms. Some were nausea, vomiting, diarrhea, headaches and body aches. After visiting my doctor there was little improvement. My own research and instinct indicated there may be a mold contamination in this building. The building management is aware of the problem to my knowledge. They have performed some maintenance on/in building over the last 6 months. I am unsure of the effect as I still have some symptoms.

Tenant Signature: _____

Date: 02/21/2015

Inspection scheduled for: _____

Date

Time

Inspector: _____



YPSILANTI BUILDING DEPARTMENT

One South Huron + Ypsilanti, MI 48197
Phone: (734) 482-1025 + Fax: (734) 483-7444
www.cityofypsilanti.com

Property Maintenance Complaint

Property Location: 330 Chidester Place Apts Apt.# 107

Tenant Information: (Proof of residency must be provided - i.e. driver's license, utility bill, lease, etc.)

Name:				Phone:			
Move-In Date:	<u>330 Chidester St</u>	City:	<u>Ypsilanti MI</u>	State:	<u>MI</u>	Zip:	<u>48197</u>
	<u>2007 Dec 4th</u>	Number of tenants:	<u>1</u>				

Property Owner/Agent Information:

Name:	<u>Ind. Mgt</u>			Phone:			
Mailing Address:				City:	<u>Fenton</u>	State:	<u>MI</u>
				Zip:			

Is there currently a landlord/tenant dispute?

☒ Yes ☐ No

Are you currently paying rent?

☒ Yes ☐ No (If No, when did you stop?) _____

List reasons for complaint below. Before submitting this request, you must inform the owner/agent, in writing, of maintenance problem(s) and allow 10 days to make the corrections. Include date(s) when problem first occurred and if the owner/agent has resolved any issues as of this date. If additional space is needed, please use the back of this form.

**** A copy of the complaint letter sent to the owner/agent must be attached ****

We have constant cooling and heating issues. Heating and cooling unit is not working properly. There are massive drafts underneath the window sills. We also have water issues as well cloudy water when it runs. Barely no hot water in the kitchen sink area is scaldingly hot. And constant threats and harassment from the Management. Threats of eviction if we don't do

Tenant Signature: _____

Date: Feb 26, 2008

Inspection scheduled for: _____

Date

Time

Inspector: _____

over _____

What they want us to do.
Thank - YOU!!!

MOLD IN THE AIR

Are you sick? Have you been feeling ill for a while?

Do you think the air in the building is making you feel this way?

You are not alone. Others have been getting ill, and have deep concerns.

If management has improperly handled this situation, and mold is making us sick, it is very important to document our symptoms and concerns.

It is a good idea to do this now, and not to wait.

Symptoms to Note: Headaches, Dizziness, Confusion, Nausea, Vomiting, Diarrhea, Skin Rash, Erratic Mood Changes, Muscle Pain, Joint Pain, Sinus Congestion, Allergy-Like Symptoms, Coughing, Wheezing, Difficulty Breathing, Hemorrhaging, Internal Bleeding, Aneurysms, or any others that concern you, or which may be related to the air quality.

Name: [REDACTED]

Symptoms: How Severe? and How Long?: have had the ones I answered yes to for 7 days.

Were you diagnosed with anything (maybe unrelated), but which may be due to air quality and/or mold exposure? NO

Have you informed management? What did they do to fix it? Were you satisfied with the result? Any other notes? NO

City of Ypsilanti Park Liaison Report

April 2015

Monthly Meeting held Tuesday, April 14, 2015 at District Library

Guest Presentations:

- Tim Redman, Disc Golf for Waterworks Park Will speak to Stan Kirton on plans
- Teresa Gilotti, Riverside Park Proposal (see attached)

Continuing Business

Adopt a Park Applications Pending

1. Carrie Mattingly Tot Lot
2. Waterworks Park

Parks Capitol Fee/Expenses – A. Brown said she would request and forward to Bob K for distribution

Facilities Update – Partridge Solar Panels Celebration and Senior Center Kitchen remodeling and fundraiser information

Commission Sponsored Events – Friday Night Movies Listed on Facebook page, Ypsi Huron River Days will not happen in May due to lack of a canoe/kayak provider but an opportunity to partner with Ann arbor Livery may be possible for October through the Trail Town DIA Inside Art program.

Commission Newsletter – After many months and several templates later (see attached)

Trail Town Update given by A. Brown

Old Business

Friends Group Updates as previously reported

Park Signage will be discussed with Stan Kirton

Commission members term limits and rotation discussed

Other issues related to programming and fund raising presented by members and guests

Next Meeting, May 12, 2015, invites to Mayor Edmonds and Stan Kirton, DPS.

Submitted by A. Brown

Council Liaison

Proposal: Construct a “playable landscape” in Riverside Park, adding an activity for families that activates the park in a way that fits the history and character of the park.

Inspirations / Examples: For examples, there are several firms specialize in natural playscapes or landscape playgrounds to give an idea of what they can look like.

At left is the Central Park 67th Street Playground: <http://www.learninglandscapesdesign.com/>



Pictured at right is adventure playground in [Norway](#)

Relation to Adopted Plans:

- In 2008, the City collaborated with the Depot Town CDC to develop master plans for Frog Island and Riverside Park through a charrette process. These plans, intended to reinforce the role of Ypsilanti’s central river parks, and their role in creating a sense of place for the surrounding business districts and neighborhoods, have been incorporated into the 2008 and 2014 Parks and Recreation Master Plans. (PRMP)
- The adopted 2014-2019 PRMP identifies “installation of a children’s play area” as a priority project for Riverside Park (page 28, <http://cityofypsilanti.com/Portals/0/docs/Parks%20and%20Events/Parks%20Plan/2014/FINAL-plan-06132014-body.pdf>)
- The concept plans for Riverside Park (PRMP Appendix B - <http://cityofypsilanti.com/Portals/0/docs/Parks%20and%20Events/Parks%20Plan/2014/03-recplanB-03282014.pdf>) discuss the opportunity for a “play sculpture” that “provides an exciting environment for children while enhancing the park’s natural character”, and recommends this be located on the western slope of the park, near the existing picnic areas and dock/gazebo, to reinforce existing activities and support family events in those areas.
- These plans were informed by the long history of Riverside Park as a more “natural” park, dating to the 1913 Huron River Improvement Plan drafted by the Olmstead Brothers landscape architecture firm.

Estimated Budget and Sources:

Design Phase:

Local design firm MAd Studio has offered to provide their services largely pro bono to prepare detailed designs for the play area. A cash match of \$2,000 is required to cover hard costs, and will leverage \$5,000-\$6,000 in donated professional time. Their time would include one public meeting a month during the design period to get input and provide updates as needed. MAd principals Jen Maigret and Maria Arquero were part of the team that developed initial concept plans for the Washtenaw County East Side Recreation Center, and are familiar with the community context and character; they have developed designs for play spaces in Battle Creek, Detroit, and other communities. (<http://www.made-studio.org/>)

Construction Phase:

MAd recommends planning for a construction budget of \$35,000-50,000. Potential sources included:

- MDNR Recreation Passport Grants, \$7,500-\$45,000, with minimum 25% local match (http://www.michigan.gov/dnr/0,4570,7-153-58225_58701---,00.html); a previous 2011 Passport application for a traditional play area at this park was unsuccessful, and could be amended and resubmitted.
- MEDC Public Spaces, Community Places, dollar-for-dollar crowdfunding match program, up to \$100,000 in MEDC funding (<https://www.patronicity.com/puremichigan>); the Friends of the Ypsilanti Freighthouse recently completed a successful campaign through this program.

Next steps:

- Donations are being requested to pay for the reduced cost of \$2,000 in design fees. \$1,000 has been secured to date.
- Once successful, we would like the Parks and Recreation Commission to host a public session around discussion of design for the playground with MAd
- Once designs are made, we would like to work with the Commission and City Council on a Passport or other grant applications, and are willing to do some of the writing, coordinating of the grant application, letters of support, etc., on behalf of the Commission and the City.



Resolution No. 2015-099
April 21, 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 ACTION MINUTES
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
Tuesday, April 21, 2015
7:00 p.m.**

**I. CALL TO ORDER –
Called to order at 7:06 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		
<u>All Present</u>			

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 submitted**

VII. PRESENTATIONS –

VIII. AUDIENCE PARTICIPATION –

IX. REMARKS BY THE MAYOR –

X. MINUTES –

Resolution No. 2015-089, approving the minutes of April 7, 2015.
Minutes approved as amended

Page 30: "Mr. Reid who has been having issues with his rental property he rents..." Should read, "Mr. Reid who has been having issues with his rental property he owns..."

XI. ORDINANCES - FIRST READING –

Ordinance No. 1245

1. An Ordinance to Amend the Zoning Ordinance, Sec 122-8, to Revise "Violations and Penalties" for the Administrative Hearings Bureau (AHB).
 - a. Resolution No. 2015-090, determination
Approved: Yes – 7; No – 0; Absent - 0
 - b. Open public hearing
 - c. Resolution No. 2015-091, close public hearing
Approved: Yes – 7; No – 0; Absent - 0

Ordinance No. 1246

2. An Ordinance to Amend the Zoning Ordinance. Article VI, to Revise Non-conforming Uses.
 - a. Resolution No. 2015-092, determination
Approved: Yes – 6; No – 1 (Robb); Absent - 0
 - b. Open public hearing
 - c. Resolution No. 2015-093, close public hearing
Approved: Yes – 7; No – 0; Absent – 0

Ordinance No. 1247

3. An Ordinance to Amend Ypsilanti City Code Chapter 102 "Traffic and Vehicles" for Permit Parking.
 - a. Resolution No. 2015-094, determination
Approved: Yes – 7; No – 0; Absent - 0
 - b. Open public hearing
 - c. Resolution No. 2015-095, close public hearing
Approved: Yes – 7; No – 0; Absent - 0

XII. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2015-084, adopting engineering standards for the development of projects in the city.
Approved: Yes – 7; No – 0; Absent - 0
2. Resolution No. 2015-096, approving the Memorandum of Understanding (MOU) for a Target Market with the City of Dexter.
Approved: Yes – 6; No – 1 (Robb); Absent - 0
3. Resolution No. 2015-097, approving the contract amount of \$29,400 for professional services rendered by Beckett and Raeder.
Approved as Amended: Yes – 6; No – 1 (Robb); Absent - 0

4. Resolution No. 2015-098, forgiving part of the debt for the Heritage Festival. (Mayor)
Approved as Substituted: 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. COMMUNICATIONS -

- Chidester Place Inspection Documents.
- Parks and Recreation Commission Liaison Report.
- Council Work Session scheduled for April 28, 2015 at 6:00 p.m. in the Council Chambers. Items for discussion are parking, motor pool, and other items.
- Council Budget Sessions are scheduled for May 12th, 14th, and 19th at 6:00 p.m. in the Council Chambers.

XX. ADJOURNMENT -

Resolution No. 2015-099, adjourning the City Council meeting.
The Meeting adjourned at 10:57 p.m.