

1. City Council Regular Meeting Agenda

Documents:

[07-07-15 REVISED AGENDA.PDF](#)

2. City Council Regular Meeting Packet

Documents:

[7-7-15 REVISED 2 COUNCIL MEETING PACKET.PDF](#)

3. City Council Regular Meeting Action Minutes

Documents:

[07-07-15 ACTION MINUTES.PDF](#)



REVISED
7/6/15

CITY OF YPSILANTI
REGULAR MEETING AGENDA
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
Tuesday, July 7, 2015
~~6:00 P.M. – WORK SESSION~~
7:00 P.M. – REGULAR SESSION

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. WORK SESSION: 6:00 – 7:00 p.m. – DDA BOARD OF DIRECTORS~~

VI. INTRODUCTIONS –

VII. AGENDA APPROVAL –

VIII. PRESENTATIONS –

1. Proclamation in recognition of Retirement of Susan Martin, EMU President
2. Introduction of Dr. Ben Edmondson, Ypsilanti Community Schools Superintendent

IX. AUDIENCE PARTICIPATION –

X. REMARKS BY THE MAYOR –

XI. MINUTES –

Resolution No. 2015-145, approving minutes of June 2, June 9, June 16, 2015

XII. CONSENT AGENDA –

Resolution No. 2015-146

1. Resolution No. 2015-147, adopting a FOIA Policy and Record Inspection Policy for the City of Ypsilanti.
2. Resolution No. 2015-148, designating the Washtenaw Legal News as the official newspaper of record.
3. Resolution No. 2015-149, approving contract for professional services by the City of Ypsilanti for the Board of Trustees City of Ypsilanti Fire and Police Retirement System.
4. Resolution No. 2015-150, enrolling the City of Ypsilanti in the "Mayors Challenge" to improve bicyclist and pedestrian safety.

XIII. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. ~~Resolution No. 2015-105, approving Ordinance No. 1244: Adoption, Amendment and Restatement of the Depot Town Development Plan and Tax Increment Financing Plan on Second and Final Reading.~~ **(Moved to 8/4/15)**
2. Resolution No. 2015-151, rejecting bids for Ypsilanti Fire Department roof.

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 –

Nominations:

YDDA

Francisco Garcia (appointment replacing Brienne Willcock, resident)
26 N. Huron St. #1
Ypsilanti, MI 48197
Term Expiration: 7/7/2019

YDDA

Jelani McGadney (appointment replacing James Dauphine)
119 College Place #6
Ypsilanti, MI 48197
Term Expiration: 7/7/2018

SmartZone LDFA

Phil Tepley (appointment replacing Saeed Bilal)
725 E. Grand Blvd.
Ypsilanti, MI 48198
Term Expiration: 12/4/2016

XVI. COMMUNICATIONS FROM THE CITY MANAGER –

XVII. AUDIENCE PARTICIPATION –

XVIII. REMARKS FROM THE MAYOR –

XIX. ADJOURNMENT -

Resolution No. 2015-152, adjourning the City Council meeting.



REVISED
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Mayor Pro-Tem Richardson	P A		

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XVII. AUDIENCE PARTICIPATION –

XVIII. REMARKS FROM THE MAYOR –

XIX. ADJOURNMENT -

Resolution No. 2015-152, adjourning the City Council meeting.



Resolution No. 2015 – 145
July 7, 2015

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Minutes of June 2, June 9 and June 16, 2015 be approved.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



Draft

**CITY OF YPSILANTI
REGULAR/BUDGET WORKING SESSION MINUTES
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
Tuesday, June 2, 2015
7:00 p.m.**

I. CALL TO ORDER –

The meeting was called to order at 7:02 p.m.

II. ROLL CALL –

Council Member Anne Brown	Present	Council Member Robb	Present
Council Member Nicole Brown (7:45)	Present	Council Member Vogt	Present
Council Member Murdock	Present	Mayor Edmonds	Present
Mayor Pro-Tem Richardson	Present		

Mayor Pro-Tem Richardson moved, supported by Council Member Anne Brown to excuse the absence of Council Member Nicole Brown.

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

III. INVOCATION –

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

IV. PLEDGE OF ALLEGIANCE –

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V. INTRODUCTIONS –

Mayor Pro-Tem Richardson introduced the following individuals: The Hope Clinic Staff, Former Director of Hope Clinic Kathy Robinson, Jean Horak, and Matthew Hudson.

VI. AGENDA APPROVAL –

Mayor Pro-Tem Richardson moved to remove Resolution No. 2015-116, designating Ypsilanti, Michigan A Bee City USA, until the June 16th Council Meeting. She stated the resolution states the third week in June is Bee Week, which would be appropriate for the resolution.

Council Member Vogt supported the motion.

Mayor Edmonds stated she knows there are a number of members of the audience who attended to hear this resolution read. She stated Ypsilanti Township became a "Bee City" a couple of weeks ago, and the goal of the advisors were to have the resolutions in hand when the pollinator week begins on June 14th. She stated the members of the audience here for the Bee City resolution may still speak during Audience Participation.

On a roll call, the vote to remove Resolution No. 2015-116 from the agenda was as follows:

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

VOTE:

YES: 4 NO: 2 (Anne Brown, Edmonds) ABSENT: 1 (Nicole Brown) VOTE: Carried

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

VII. PRESENTATIONS –

- Proclamation in honor of Dr. Daniel Hefferman – Mayor Edmonds

Mayor Edmonds stated Hope Clinic is one of the core agencies of support in Ypsilanti. She stated Hope Clinic is a pillar in the community and help those most in need, and the City is excited to honor Dr. Daniel Hefferman.

Dr. Daniel Hefferman thanked the Mayor and Council for recognizing him, and said he feels the work that he has done at Hope Clinic is the Lord's work. He stated he is thankful that he was able to serve for so many years.

- Proclamation in honor of the 100th Birthday of Cordelia Barnes Pitts – Mayor Edmonds

Mayor Edmonds recognized Cordelia Barnes on her 100th birthday.

- ~~– Presentation of Resolution No. 2015-116, designating Ypsilanti, Michigan A Bee City USA – Mayor Edmonds~~ **(Removed to the June 16th meeting)**
- WCA Personal Property Tax Reimbursement Presentation – Doug Shaw and Aaron Powers.

City Manager Lange stated Council has had questions regarding personal property tax, and this presentation should answer those questions.

Managing Director of WCA, Aaron Powers introduced himself, and Co-Managing Director Douglas Shaw, and provided a presentation.

Mayor Edmonds asked if state reimbursements are reported annually.

Mr. Powers replied yes.

Council Member Murdock stated the City's essential services are 59%.

Mr. Powers stated essential services cover police and fire, so 59% is likely.

Council Member Murdock stated Mr. Powers mentioned during the first year of the reimbursement the debt was prioritized in terms of reimbursement.

Mr. Powers replied yes, he added business owners are exempt from personal property taxes, and this allows jurisdictions that function from Tax Increment Financing (TIF) revenue to reclaim part of those funds.

Council Member Murdock asked if the reimbursement was for TIF captures covering a debt.

Mr. Powers responded the reimbursement is for full TIF capture.

Council Member Murdock asked if municipal debt that is not millage-based reimbursable.

Mr. Powers responded it would not be reimbursed, the reimbursement would only be given to debt millage and TIF reimbursement.

City Manager Lange stated Ypsilanti does have a debt millage, and asked if the City would be reimbursed.

Mr. Powers responded yes, if the City has a debt millage it will be reimbursed.

Mr. Lange stated the City does, and he is not certain it has been reimbursed.

Mr. Powers responded the reimbursement comes at different times. He stated the TIF districts receive reimbursement at a separate time than a reimbursement for a debt millage. He added that he will research the reimbursement schedule, and speak with the Finance Director.

VIII. AUDIENCE PARTICIPATION –

1. Bob Krzewinski, Non-Motorized Advisory Committee, stated that the city has allocated \$50,000 in the Major Street Fund for non-motorized transportation for bike lanes. He stated the Committee would request that three bike lanes be installed: on Miles, West Cross, and Forest. He stated other request projects would be sidewalk gaps, pedestrian safety signage, and traffic calming. He stated the Non-Motorized Committee would like to see the projects that make up the Border to Border Trail be completed, but do realize the City must cut costs, and make difficult decisions. He stated from Grove Rd. south to Prospect needs serious attention for non-motorized safety. He asked that Council look at the Heritage Bridge and the mid-block crossing as an investment in the City.

2. Mark Hergott, 111 Miles, stated in one and a half years Ypsilanti will be out of money, and the City will need to contract with the Township for fire service and the County for police services. He stated the City will go into receivership as things are currently trending. He stated if Water Street is developed in the next one and a half years then what he said was incorrect. He asked Council to begin thinking that the City will go into receivership, and begin preparing for it.
3. Jamie Berlin, 201 N. Normal, stated she has been working on the "Bee City USA" for some time, and is very excited for the City to receive this designation. She stated Ypsilanti Township has already received a "Bee City" designation, and she was hoping the City of Ypsilanti would have been first in Michigan. She stated she understands Council has postponed the designation until June 16th. She stated it is disappointing that Ypsilanti will not be able to be awarded its designation during pollinator week.
4. Ashely Fox, 905 Pleasant Dr., stated he recently moved into the City, and wanted to thank Council for their service to the City. He thanked Council for their patience for the many students he has advised to ask Council questions. He stated he appreciates Council's support for non-motorized trails, and asked Council to keep that in mind as it considers budget issues.
5. Larry Deck, 3050 Lorraine St, Ann Arbor, stated he sits on the Washtenaw Board of Biking and Walking Coalition which attempts to prioritize non-motorized projects Countywide. He stated the non-motorized projects in Ypsilanti are seen as countywide priorities. He stated he understands there are financial constraints, but the coalition feels that the Border to Border Trail running through Water Street, the mid-block crossing, and the extension down Grove Rd. to Prospect Rd. are very important. He stated if it is possible the coalition would like to see the completion of Heritage Bridge project. He stated cities across the country have revitalized themselves by investing in trails and riverfronts, and Ypsilanti has the opportunity to do that. He added he hopes Council will do everything it can to invest in these facilities, and continue the continuity of the Border to Border Trail.
6. Dave Heikkinen, business owner 133 Michigan Ave, stated he believes in the Border to Border Trail, but he does not think the plan that is in place is affordable, or the right plan for Ypsilanti. He stated he has heard from a County Commissioner that the Michigan Ave. Bridge is to be replaced in the next five to ten years, and if true the path should run under the new bridge. He stated until the new bridge is built the Border to Border trail should use River St. which is a much more affordable, and realistic plan. He stated he understands the City is going through budgetary issues, and asked if there is any consideration of merging with the Township. He stated there are many great things going on in the region, and if the region starts looking at its situation as a much larger piece, it can begin looking at its future as a more collective Ypsilanti.

7. Kevin Hill, 108 Washtenaw Apt #4, stated he has rented his home in Ypsilanti for 33 years, he is the Chairperson of the Downtown Development Authority and the Downtown Association of Ypsilanti, and he is the owner of Wolverine Grill. He stated on Friday, June 5th there will be a music event held at Ypsilanti Public Library. He urged all to go to the First Friday's Facebook page which lists 20 available venues. He stated Mr. Krzewinski should be applauded for the work he has done for non-motorized transportation in Ypsilanti. He asked what would be the best use of the money to tie the Border to Border Trail together, other than spending all of it. He stated it would be wise to complete some things that need to be done, and save other projects until they are more financially feasible. He stated he asked individuals involved with the Heritage Bridge and mid-block crossing projects what data they have for economic impact projects such as these for towns of Ypsilanti size. He stated it is very important to connect the pieces of the Border to Border Trail, and investments should not always be looked at as upfront costs. He stated the economic impact of tying the Border to Border Trail would be very positive. He stated he supports the Depot Town Tax Increment Financing (TIF) Plan renewal as submitted, however, he stated DDA Director Colbeck has been directed to investigate the cost of the services provided by the DDA against what the City could provide the service for, and balances between the money.
8. Ralph Thompson, 330 Chidester #717, stated he was privy to the letter City Attorney Barr provided Building Manager Daniels regarding state laws for mold levels. He said the law states there are no laws regarding mold in Washtenaw County, or the State unless it is black mold. He stated he performed a mold test which indicated there is mold in the Chideseter Place Building. He stated he would like to know if there is anything that City Council has done, or will do to rectify the situation.

IX. REMARKS BY THE MAYOR –

- Stated she agrees with the statements of the individuals regarding the Border to Border Trail, and during budget discussion she will speak toward the economic value of non-motorized trails.
- She stated she does not have a specific response to Mr. Thompson's remarks regarding mold at Chidester Place.

Mayor Pro-Tem Richardson congratulated Mr. Fox on the fact that 71 out of the graduating seniors at International High School, 29 of them received scholarships totaling \$5 million, and asked that he be given a round of applause.

X. ORDINANCES - SECOND READING –

Ordinance No. 1248

1. An ordinance entitled, "Herman and Kittles Planned Unit Development".
 - A. Resolution No. 2015 – 109A, determination

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled "HERMAN KITTLE PLANNED UNIT DEVELOPMENT" be approved on Second and Final Reading.

OFFERED BY: Mayor Pro-Tem Richardson

SUPPORTED BY: Council Member Nicole Brown

B. Open public hearing

1. Cheryl Farmer, 214 N. Huron, stated when Herman Kittle first came to Ypsilanti with the Water Street Flats proposal it was completely rental, a housing type that the City has an abundance of. The units were 0% market rate, and no PILOT was requested. She stated the plan has been fine-tuned by the Planning Commission, and now has more amenities, better materials, is more attractive, and has a better name, "Riverwalk Commons". She thanked the Planning Commission for the work that they have done to produce these changes. She stated the changes cost money, but will benefit the developer and the community because it will result in a better product. She stated the project is still completely a rental building and at 0% market rate, also the project now includes a PILOT request. She stated PILOT's cost the City money that it does not have, and taxes the City receives from this project will be lower. She asked what the City is receiving in return for awarding the PILOT. She stated there will be a new development in Brush Park in Detroit which will be partly rental, partly owned, and at 80% market rate. She asked why part of the Herman Kittle project cannot be owner occupied, why part of the project can be market rate, and what the planned profit margin of the development is. She stated too much of the future of Ypsilanti rides on the success of Water Street. She stated much of the objections residents have had regarding the project is the lack of market rate housing and the lack of owner occupied units. She asked Council to consider tabling tonight's vote on a PILOT and ask that Herman Kittle go back and crunch the numbers, and come back in two weeks and discuss how much of this development could be offered for homeownership and how much could be market rate. She stated she would also like to know how they arrive at the conclusions they come to.
2. Mark Hergott, 111 Miles, stated the Brownfield TIF will capture any taxes produced by Riverwalk Commons so it does not matter whether it is a PILOT, or another tax structure. He stated the reason that Detroit is able to have a development that is market rate is because it is Detroit, and Ypsilanti is not Detroit. He stated Ypsilanti is 4.5 square miles and 6 miles from Ann Arbor which is a hot real estate market. He stated Ypsilanti has become an affordable housing haven for Washtenaw County, and he is okay with that. He stated other people are not okay with that premise, and have voiced their concerns to Council. He stated it does not matter if it is approved or not because the city will be in receivership by 2017, but keep in mind the objections made by former Mayor Farmer are not very credulous.
3. Dave Heikkinen, business owner 133 Michigan Ave, stated he is not excited about this project, and the City is selling itself short

considering the potential of the City and Eastern Washtenaw County. He stated there have been improvements in the visual aesthetics of the building, but he is concerned with parking. He stated there is not enough parking in the downtown, and this structure will only add to the problem. He stated there is not much financial incentive, and he is not sure why the City is moving forward with the project.

C. Resolution No. 2015 - 117, close public hearing

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the public hearing on an ordinance entitled "HERMAN KITTLE PLANNED UNIT DEVELOPMENT" be Officially Closed.

OFFERED BY: Mayor Pro-Tem Richardson

SUPPORTED BY: Council Member Nicole Brown

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

Council Member Murdock stated the memo that Council was given stated there would be other information provided during Second Reading, and asked what that information was.

City Planner Bonnie Wessler responded the test of the Planned Unit Development (PUD) is all but final, it only requires another set of lawyers to sign off on the agreement. She stated she would forward the agreement to Council but warned that there will be slight edits to the agreement text. She stated the agreement basically reinforces the site plan.

Economic Development Director Beth Ernat reiterated that Herman Kittle has been very responsive to this community, and actively trying to stay engaged within the community which is not the case with all developers. She stated she understands the apprehension regarding the PILOT, but that portion of the agreement was already approved, and tonight Council is being asked to approve the remainder of the project to go with the PILOT. She stated every new development needs a project to start, and the City has selected a very responsible developer to begin the process. She stated she realizes rentals are not what individuals view as a high priority, but it is what works in Ypsilanti. She stated the City needs the momentum for development, and encouraged Council to approve the PUD.

Council Member Murdock stated Ypsilanti does not have a community development agreement other than a PUD.

Ms. Ernat responded correct.

Council Member Murdock asked if there are any wage issues in the agreement.

Ms. Ernat responded no, but because it is a MSHDA project they are required to meet the Davis-Bacon requirements which mirror the City's living wage requirements.

Mayor Pro-Tem Richardson stated meeting with Project Director Ms. Creason made her encouraged that Herman Kittle would hire local contractors to perform a lot of work.

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Ms. Ernat responded that alludes to the local concerns of Herman Kittle.

Mayor Edmonds added she has seen representatives of Herman Kittle at various other community development engagements, and has had positive discussion at those events.

City Manager Lange stated the proposed site for the Herman Kittle development is possibly the most unattractive site on all of Water Street. He stated the infrastructure that will be provided by Herman Kittle is an enormous contribution to entice future development.

Mayor Edmonds stated the annual household income range estimates of future tenants of Riverwalk Commons along with the designs of the development give her hope that this project will be very successful. She added market rate is based off of Ann Arbor's market rate, and the units offered by Herman Kittle would be market rate in Ypsilanti, and would be in high demand.

Mayor Pro-Tem Richardson stated a number of people have told her they are anxious to live at Riverwalk Commons, and added the rental rates for Riverwalk Commons are market rate for Ypsilanti.

Council Member Anne Brown stated she and Council Member Murdock attended several Planning Commission meetings where Herman Kittle representation provided a presentation, and were very willing to work with the Planning Commission. She stated Herman Kittles added bike racks and electric car plug-in stations that were not in the original plan.

Council Member Vogt stated most people know that he opposed this project originally, and now he is only about 45% in favor of it. He explained parking, and some other issues are still unsatisfactory to him, however, if Council votes to end the project it would create an image that the City cannot be relied upon in contracts. He stated that would hinder any future chances for development in the timeframe needed for the City to succeed. He stated because of that he will reluctantly vote to approve the PUD.

On a roll call, the vote to approve Resolution No. 2015-109A from the agenda 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: Yes VOTE: Carried

XI. MINUTES –

Resolution No. 2015-118 approving the minutes of May 12 and May 14, 2015.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Minutes of May 12 and May 14, 2015 be approved.

OFFERED BY: Council Member Vogt

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SUPPORTED BY: Council Member Nicole Brown

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

XII. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2015 - 119, approving reappointment of Rois Saavides to the Ypsilanti Downtown Development Authority.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

<u>NAME</u>	<u>BOARD</u>	<u>TERM EXPIRATION</u>
Rois Savvides 1834 Collegewood Ypsilanti, MI 48197	YDDA	7/7/2019

OFFERED BY: Council Member Robb

SUPPORTED BY: Council Member Murdock

Mayor Edmonds stated this is a reappointment of Mr. Savvides, the owner of Tower Inn, to the Downtown Development Authority (YDDA). She added currently Mr. Savvides is the only member on the YDDA who represents the West Cross district.

Council Member Vogt stated he has met Mr. Savvides, and his family, and stated he has been a solid addition to the Downtown Development Authority.

On a roll call, the vote to remove Resolution No. 2015-119 from the agenda 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: Yes VOTE: Carried

XIV. BUDGET DISCUSSION/WORKING SESSION -

– Revised 2014-2015/2015-2016 Budget Presentation – Marilou Uy

City Manager Lange and Fiscal Services Director Marilou Uy provided a presentation regarding the budget. **(See website)**

Council Member Anne Brown asked what is involved in the process of the State forgiving the Community Development Block Grant (CDBG), and how soon will the City engage in that conversation.

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Mr. Lange replied when he first became City Manager the payment was required next year, and he pleaded with the State to change the interest rate from 4% to 2%, and allow time to recover dropping the amount owed from \$378,000 to \$305,000. He stated he does not mind asking the State for another reduction, but he wants to do it when the City can show what it has accomplished on Water Street.

Council Member Anne Brown asked Mr. Lange's if his plan is to have projects in line for Water Street to demonstrate progress to the State.

Mr. Lange replied yes, and said he also hopes to have a market rate development on Water Street at that time.

Mayor Edmonds asked if the goal is to ask for partial forgiveness of the CDBG debt.

Mr. Lange responded the goal is to get whatever is possible, and the payment or interest rate will go down as a result of the Herman Kittle development.

Council Member Murdock asked if the entire plan depends on the forgiveness of the CDBG debt.

Mr. Lange responded no, it is his goal to show the State the progress of Water Street before he asks for debt forgiveness.

Council Member Murdock stated in the Fiscal Year 2014-15 budget the City was budgeting over \$1 million in debt, and the following year the debt was \$200,000. He asked what happened to make that change, and why the fiscal year's debt is \$1.6 million.

Mr. Lange replied capital projects are driving the excess debt.

Mayor Edmonds asked for a list of projects that are driving up the debt.

Council Member Murdock stated some of the changes occurred as a result of hiring freezes in the City.

Mr. Lange stated yes, positions were budgeted, and they were not filled.

Council Member Murdock asked for a summary of projects.

Mr. Lange responded the Fire Station roof was not repaired last budget year, the carport for the Police Department, all the budgeted positions were not filled, overtime projections were higher than actual hours worked, and there was a sale of a City asset. He said the City also lost \$91,000 worth of revenue from the Forest Health settlement.

Council Member Robb stated the budget lists \$1,350 for parking enforcement for Fiscal Year 2015.

Mr. Lange responded parking enforcement is listed in two separate line items, one before the City used the court and one when the City used the court.

Council Member Murdock stated that neither the Garbage Fund nor the Motorpool are in the General Fund. He stated Mr. Lange's rationale for the deficit is not even included in the General Fund.

Mr. Lange replied the General Fund was putting \$500,000 into the Motorpool.

Council Member Murdock pointed out that it was not for solid waste.

Mayor Edmonds asked what the \$1.2 million in-kind for the recreation center was for.

Mr. Lange responded it is for four acres of land.

Council Member Murdock asked what Ypsilanti Communities Utility Authority's (YCUA) contribution to the Adams Rd. project is.

DPS Director Stan Kirton responded YCUA is renewing the water main.

Council Member Murdock asked if YCUA will be contributing anything to paving.

Mr. Kirton responded he is not certain, and said Mr. Lange has been in discussion with YCUA.

Mr. Lange stated currently there is a \$50,000 difference in dispute between the City and YCUA. He added it is difficult to negotiate when it is unclear what the final cost will be, and that information will not be known until the bid closing which will be Friday, June 5th.

Council Member Murdock stated the Heritage Bridge is \$350,000 over budget.

Mr. Lange responded correct.

Council Member Murdock stated the City did not budget for that.

Mr. Lange responded in the last round the City budgeted funds.

Council Member Murdock asked what round Mr. Lange was referring.

Mr. Lange replied these projects have components that transpire over several years. He stated the project is \$350,000 over budget but the City has budgeted money for that.

Council Member Murdock stated the City never budgeted for that project.

Mr. Lange replied the City did budget for that project.

Council Member Murdock stated up until the time the project was bid, no City money was allocated for this project.

Mr. Lange responded correct.

Council Member Murdock stated if the City is going to do the project it will need to budget \$350,000.

Mr. Lange stated this budget accounts for that.

Council Member Murdock stated a month ago it was \$350,000 over budget, and now it isn't.

Mr. Lange responded it is in this budget.

Fiscal Services Director Marilou Uy added that the Major Street Fund was used to fund this project along with \$25,000 from the Downtown Development Authority; \$100,000 Economic Development Corporation, and \$160,000 from Major Streets.

Mayor Edmonds asked on what document is this reflected, and on what date.

Ms. Uy responded it is reflected in the original budget.

Council Member Nicole Brown responded the \$160,000 is not reflected in the original budget.

Ms. Uy replied that is what was originally budgeted, and when this plan was written it was changed.

Council Member Murdock stated the City has a project that is \$350,000 over budget, and it needs to ask if it should move forward with that project.

Mr. Lange stated that \$100,000 has already been spent on the project between the County and the City, most of it being the County money.

Mayor Edmonds asked for clarification of the Transportation Alternatives Program (TAP) grant used for the mid-block crossing.

Mr. Lange responded the TAP grant covers the mid-block crossing. He stated that grant is still in limbo depending on what City Council decides.

Council Member Murdock asked if there have been any changes to capital projects from the original budget, and the one given to Council tonight.

Mr. Lange responded there have been no changes.

Council Member Murdock asked if all projects are included in both budgets.

Ms. Uy responded no, it includes some but not all projects.

Council Member Murdock asked what capital improvements projects are included in the budget.

Council Member Anne Brown replied Mr. Lange was asked to come back with modifications to the budget, and these are the modifications.

Mr. Lange responded these are the modifications.

Council Member Murdock responded the budget includes exactly what it did before Council asked for modifications.

Mr. Lange stated the spreadsheets illustrate the differences between what was proposed in the original budget, what was reconciled and what staff believes it would cost now to complete these projects.

Council Member Vogt responded what he is hearing is there is confusion about what was discussed two months ago from what was discussed two weeks ago. He asked if what was discussed two weeks ago is no longer being considered.

Mr. Lange responded correct, staff is comparing this budget with the latest data.

Council Member Vogt stated the questions Council had two weeks ago should be disregarded then.

Mr. Lange responded yes, and added that what is important from a decision point is when Council votes on this project what would be the differential cost.

Council Member Murdock stated the narrative that describes the capital projects in a way that suggests Council needs to pick if it wants to do them, or not.

Mr. Lange responded the narrative includes the amount the City would save if it decided not to do a certain project.

Council Member Murdock stated Council and Staff need to concentrate on projects that the City is not locked into for cuts.

Mr. Lange agreed.

Council Member Anne Brown asked for clarification of the progress of the Freighthouse, and asked what the \$220,000 City commitment was.

Council Member Murdock responded the \$220,000 was budgeted last year.

Council Member Murdock asked if the federal aid money has been allocated to the City for Adams St.

Mr. Lange responded yes.

Council Member Murdock stated it was supposed to be reimbursed out of next year's budget, and there is no next year's budget.

Mr. Lange replied there are many projects where funding is on hold, but not Adams St.

Council Member Anne Brown asked if the required task of Council to complete the Adams St. project is to approve a match of \$121,000.

Mr. Lange replied correct, again that is a conservative number as the project has not gone out for bid. He added that \$40,000 has already been spent for design costs.

Mayor Edmonds asked if the \$161,000 is reflected in the budget.

Mr. Lange answered yes and stated Council needs to approve an increase of \$24,000.

Council Member Murdock asked if the City was going to use some Metro Funds for the Prospect Rd. construction.

Mr. Lange replied that is a possibility.

Council Member Vogt asked what are the safety improvements on Prospect.

Mr. Lange responded he would have to clarify with DPS Director Kirton, but from what he understands is the traffic signals and ADA remaps are being improved.

Council Member Murdock added the safety improvements are mostly signalization, striping, and ADA ramps.

Council Member Anne Brown asked what Metro Funds are.

Council Member Robb responded funds developed by the Metro Act, through use of utility easements.

Council Member Anne Brown asked if using it for Prospect Rd. is worth pursuing.

Mr. Lange stated it would be replacing Major Street funds with Metro Act funds, which is also the fund used for the sidewalk program.

Mr. Kirton stated the Prospect intersection project consists of ADA ramps, left turn arrows, and curb radii, but that project won't receive funding until next year.

Council Member Murdock asked if the City could fund that next year.

Mr. Lange replied no.

Mayor Edmonds stated east of that intersection is a major safety concern, and asked if there is anything planned to be done there.

Mr. Kirton responded not as a part of this project, but MDOT may be doing something as a part of a "mill and fill" project on Michigan Ave.

Council Member Vogt asked if the ADA ramps that will be installed during the Prospect intersection project will decrease the City's yearly ADA obligations.

Mr. Kirton responded yes, and all of it must be completed eventually.

Council Member Vogt asked if the \$100,000 allocated for ADA ramps for this project will have to be paid for by the City.

Mr. Kirton responded not those on the state trunk line, and staff is ensuring MDOT meets their ADA obligation on Michigan Ave.

Mr. Lange stated the Heritage Bridge and the mid-block crossing should either both be completed, or not completed. He stated the bridge and the trail were bid together, but the trail can be done without the bridge. He added the TAP grant also covers the mid-block crossing and the trail to Grove, and it isn't very costly.

Council Member Murdock asked if those projects can be separated.

Mr. Lange responded he believes so, and it is his hope to at least complete the trail to Grove so the City can use the TAP grant. He added at minimum the trail can be completed from Michigan Ave. to Prospect St.

Council Member Murdock asked where the money in the Land Revolving Fund comes from.

Ms. Uy responded Visteon made some contributions to the City for future repair of train tracks.

Council Member Murdock stated it was his understanding that the City negotiated out of that.

City Attorney John Barr explained that in 2002 when Water Street was beginning to redevelop there was a railroad spur running through Water Street, and it was decided it was impacting the development. He stated the City negotiated a deal with Visteon who gave up that spur, and the City agreed to reinstall that spur if it was needed by Visteon. He stated in 2004 Visteon wanted tax abatement for personal property. He said the City reached a deal that it would award Visteon a tax abatement if it would share it with the City for the rail. He stated there is nothing in the agreement that requires the fund be placed in a trust, or what the City is allowed to do with the money in the interim. He added if this money is used now if the spur was needed later, it would have to be paid for out of the General Fund.

Mr. Lange stated as of today, June 2nd, St. Joseph's Hospital's President. Michael Miller offered to contribute \$25,000 to the completion of the Heritage Bridge, and another \$25,000 if there is a match for the project. He stated Ken Dobson of Eastern Michigan University (EMU) is working with both the university and Eastern Leaders Group (ELG) for the \$25,000 match. He stated if Mr. Dobson is successful that would produce a total of \$75,000. Mr. Lange stated if EMU contributes it will require some naming rights to the Heritage Bridge (Heritage EMU St. Joe's Bridge).

Mayor Edmonds stated the City needs to seriously consider projects that have already received grant funds for, and what foregoing those project does to the City's future ability to be awarded those grants. She added turning down the grants awarded by the Department of Natural Resources could be detrimental to the City.

Council Member Murdock stated, to be contrary to what Mayor Edmonds stated if by the City moving forward with the projects funded by the grants causes it to go bankrupt there is no value in the grant. He stated the most important issue in the success of the City is Water Street, and the City should focus on the completion of the recreation center and the Border to Border Trail. He stated during that process the City needs to ensure the recreation center honors its commitment, and develops infrastructure on the site.

Council Member Robb added decisions should not be made with the intention of making an agency happy for the possibility for future grants. Mr. Robb stated the funding from the Economic Development Corporation for the bridge can be used for infrastructure development on Water Street. He stated he understands the concern of not upsetting an agency, but spending \$350,000 that the City may not have is not a wise decision.

Council Member Murdock stated initially this project was a Border to Border Trail project initiated by the Washtenaw County Parks and Recreation prior to the recreation center even being considered for Water Street. He stated when the County Parks and Recreation Commission developed this project it provided the match, and knew that the City did not have funds to provide a match. He stated now the project is \$350,000 over budget, and the County does not appear to be coming forward with funding. He stated the County prioritized the Border to Border Trail projects, and the most important is the trail through Water Street, and the Heritage Bridge is the least important. He stated the City has the ability to complete those projects, and should be weary of draining reserves that the City needs for the future.

Council Member Robb stated the City is budgeting money from the Major Street Fund for projects like the Heritage Bridge rather than for crack sealing which it should be used for. He asked Council what is more important, maintaining its infrastructure or building the Heritage Bridge.

Council Member Vogt stated the City should first budget the fundamentals: police, fire, roads, utilities, and regulation. He stated if there is money left over it can be used for the next level of items, and if there is money left over from that it can be used for projects such as the Heritage Bridge. He stated the only aspect of the trail that he sees as fundamental is the Michigan Ave to Grove Rd. section. He stated the Heritage Bridge and the mid-block crossing he has supported since their inception, and he is reluctant to support them now, but there are other ways to cross Michigan Ave. He stated the connection can still be completed, and keep possible future developers satisfied with the trail. He added spending \$1 million for a bridge is far beyond any rational cost, and at this point is a pure luxury.

Council Member Murdock stated if the Heritage Bridge project is not completed the County will save at least \$100,000 which can be used for other items on the Border to Border Trail.

Mr. Lange agreed.

Mayor Edmonds asked if the City decides not to move forward with the mid-block crossing, how will that will affect the City with future TAP would grant applications.

Mr. Lange replied the TAP grant would be used to fund the mid-block crossing and the tail of the trail. He stated if Council decides not to move forward with the bridge or the crosswalk it could still use the one DNR grant and one TAP grant for the other projects. He added if neither of the TAP grants were used it could raise a problem.

Economic Development Director Beth Ernat stated the City needs to do what it can without over taxing itself. She stated the trail absolutely needs to be done, the mid-block crossing could be completed with minimal out of pocket expense, but the bridge may prove to be more difficult.

Council Member Anne Brown asked what will happen to the DNR grant if the City chooses not to move forward with those projects.

Ms. Ernat responded a meeting is scheduled for Thursday, June 4th with a representative from DNR and MDOT, and she will be able to provide a better report on Tuesday, June 9th.

Council Member Murdock stated it is not unusual for communities to not move forward on projects with grants it applied for.

Ms. Ernat stated she does not think it is unusual, but the issue is the grant is 2.5 years old, and relations with DNR are not in the greatest standing. She added as long as the City does something with some of the grant funding it would be helpful in maintaining positive relations with DNR.

Council Member Murdock stated due to the interest in non-motorized transportation and traffic calming initiatives, the funds budgeted in the last budget that went unused should be moved forward for non-motorized initiatives.

Council Member Nicole Brown moved to extend the meeting until 11:00 p.m.

Council Member Vogt supported the motion.

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

Mayor Edmonds asked how essential underground electric is at the Water Street site.

Mr. Lange responded it is absolutely essential to the site. He stated the current electrical on the site runs right through Herman Kittle housing and the recreation center sites.

Mayor Edmonds asked if the underground electrical is essential at this time.

Mr. Lange replied yes, and stated he asked if it is possible to be done in phases, but it would add an additional \$72,000 to the project.

Council Member Robb asked if the underground electric grid which was on the previous budget, was submitted to Council.

Mr. Lange replied it was not, negotiations have taken around six months.

Council Member Murdock asked if the County will still going to do Parsons St.

Mr. Lange replied yes.

Council Member Murdock asked if the underground grid will encompass the entire site.

Mr. Lange replied yes.

Council Member Murdock asked if Herman Kittle will be informing the City soon if it will be able to perform the work for the grid.

Mr. Lange replied yes.

Council Member Murdock asked if this will require another agreement.

Mr. Lange responded he does not think it would be required.

Council Member Murdock asked if Herman Kittle will be adding the electric grid into the brownfields plan.

Mr. Lange responded yes, that is the only way that it will work.

Council Member Murdock stated he thinks the underground electrical grid is important to the Water Street site, however he would prefer not to make that decision today.

Mr. Lange added the grid will be completed in a year after receiving payment.

Mayor Pro-Tem Richardson asked if the part-time police officer positions are cut, will that effect overtime levels.

Mr. Lange responded he thinks overtime levels will stay the same if a 32 officer is hired.

Council Member Murdock asked if the last column in the spreadsheet of the budget included the budget increases and decreases.

Ms. Uy responded yes.

Council Member Murdock stated \$104,000 has been taken out of the budget for contractual services for building maintenance, and \$25,000 for Janitorial service, and asked for an explanation on the impact of the budget cut.

Mr. Kirton responded the City has spent \$2,000 a month for janitorial services, and it has recently bid out the contract, and they came in reasonably.

Mr. Lange stated in the original budget staff forecasted a higher amount for those services.

Mr. Kirton stated it is difficult to meet City ordinances for under \$3,600 a month.

Council Member Murdock asked what department did the \$28,000 in savings come from.

Ms. Uy replied the Planning Department will not be hiring a Planning Manager, and instead will replace it with Planner I.

Mr. Lange added the City really needs this position filled, and if filled the position will not be the entire year.

Council Member Murdock stated the Planning Department is a three position department: Planner I, Planner II, and the Planning Manager, and asked what needs to be done to fill these positions.

Ms. Ernat stated the City has been marketing the Community Development Manager for the better part of the last three months with little success. She stated when the City has had a possible prospect they were lost to another organization. She stated she suggested the City pull the position for the next six months, and increase interns to do daily work, or move forward without that position. She stated currently she would like to pursue a Planner I, Associate Planner as office support staff, and re-evaluate in six months.

Council Member Anne Brown asked if staff worked with either Community Development Advocates of Detroit (CDAD), or Community Economic Development Association of Michigan (CEDAM).

Ms. Ernat responded yes, as well as Michigan Municipal League. She stated the position was not filled because of lack of candidates, but from lack of quality candidates.

Council Member Murdock stated in the Clerk's Office there were additions to the budget, and he assumes that it was from the Presidential Primary election.

Ms. Uy replied correct.

Council Member Murdock stated in the last budget there was a wage increase and bonus for non-union employees, and asked if it is still intact.

Mr. Lange responded yes, there are 22 non-union employees that will receive a 2% raise and a \$1,000 bonus. He added the exception is any employee recently hired, or any employee to receive a recent promotion.

Council Member Murdock asked why the energy efficiency account shows no revenue.

Ms. Uy responded every year during the June audit the savings are calculated, and any savings are added to the fund, and any expenses are subtracted.

Council Member Murdock stated the City's intern stock comes from either University of Michigan or Eastern Michigan University, and asked what the interns cost.

Mr. Lange responded \$10.10 per hour is the base, and if they have gotten their Master's Degree then they are given another \$2 an hour. He stated interns work roughly around 20 hours a week. He added the Historic District Commission Intern, a program in conjunction with EMU, does an exceptional job and they are hired as a permanent intern until they find full-time employment.

Council Member Murdock asked how much is spent on interns a year.

Account II Rheagan Basabica stated interns are paid around \$12,000 to \$15,000 per year.

XV. LIASON REPORTS –

- A. SEMCOG Update – General meeting will be on Thursday, June 25th at the Detroit Zoo, and will include a tour at 2 p.m. followed by the meeting at 3:30 p.m., and a reception at 6:00 p.m.

- B. Washtenaw Area Transportation Study – Nothing to report
- C. Washtenaw Metro Alliance – Nothing to report
- D. Urban County – Nothing to report
- E. Freight House – Nothing to report
- F. Parks and Recreation – Stated she spoke with the Chairperson who will be meeting with DPS Director Kirton to discuss mowing schedule for each park. She stated last week three mowers were inoperable.

DPS Director Kirton stated it is very unusual for DPS not to mow the park, but the equipment is close to being back in operation.

Council Member Anne Brown stated Carrie Mattingly Park was mowed on Saturday.

- G. Millennial Mayors Conference – Working on the Charter
- H. Ypsilanti Downtown Development Authority – Nothing to report
- I. Eastern Washtenaw Safety Alliance – Next meeting is on June 22nd.

Mr. Lange stated the YCAT team received a commendation for a drug bust. Director of Homeland Security for Michigan, Colonel Peter C. Munoz was present during the last meeting.

Mayor Pro-Tem Richardson stated Director Munoz will be present at the July meeting.

XIV. COUNCIL PROPOSED BUSINESS –

Robb

- Stated staff needs to become more organized, if Council was provided with all materials prior to the meeting the meeting could have been half the time.

Vogt

- Stated 1404 Whitter was empty, and the water was shut-off and now it appears to be occupied.

City Attorney Barr responded there is a search warrant for that property which will be executed this week.

Council Member Vogt asked that he be included in any updates.

Nicole Brown

- Stated some of Council attended Ypsilanti Community High School's graduation and her brother graduated. She stated the school was very excited to have Council in attendance, and she would like to see Council attend graduations in the future.

Anne Brown

- Stated Council was invited by EMU's student government to hold a Council Meeting at EMU in October.

- Stated there is a house on Sherman St. that has become dilapidated, and asked that it be looked into.
- Stated the schools have asked for a larger participation from City Council. She stated one of the School Board Members had spoken with Economic Development Director Beth Ernat about a model used in Saginaw, and asked that a trip be planned to observe that model.

Murdock

- Stated he is in agreement with Mr. Robb that staff needs to become more organized with Council packet materials.

Richardson

- Thanked Mr. Kirton for mowing the grass at Parkridge Community Center.
- Stated there is a community meeting at Parkridge Community Center every Monday morning.
- Stated there is a new Social Work student from EMU working at Parkridge who lives at Normal Park. She stated she found it interesting that the individual spoke about how different things are handled on the north side of Michigan and the south side of Michigan Ave.
- Stated she attended a Board of Education meeting recently and stated she is glad Ypsilanti holds Closed Session either before the Regular Meeting or after the Regular Meeting. She reported that Maria Edwards asked that the Board and City Council come together for a meeting.

XV. COMMUNICATIONS FROM THE MAYOR –

- Apologized for her brief absence, and explained she and the Chief needed to secure a building that had been broken into so she would be able to sleep.

XVI. COMMUNICATIONS FROM THE CITY MANAGER –

- Stated correspondence was sent last week regarding Adam's Outdoor that has a lease with the City, and is 9 years in to the lease. He stated he is working with the attorney to move the sign of the business. He stated this would provide an extra revenue stream as well as provide the City the ability to sell the landfill.

XVII. AUDIENCE PARTICIPATION –

1. Mark Hergott, 111 Miles, stated when he moved back to Ypsilanti in 2010 the Municipal Corporation was ending, and now the City is doing everything it can to survive. He stated things are not as bad as they could have been, and that is

a commendation for all the work that Council and staff have accomplished. He stated he wanted Council to hear appreciation for all its work.

2. Rashid Atwater, student at Eastern Michigan University, stated he created the Society of Afroecology who go to Parkridge Community Center weekly to help community kids with reading and writing, and have had a tremendous effect. He stated he also works at SPARK East.

XVIII. REMARKS FROM THE MAYOR –

Nominations:

Ypsilanti Downtown Development Authority
Ben Harrington (appointment) Term Exp. 7/7/19
811 Washtenaw Ave. #4
Ypsilanti, MI 48197

XIX. ADJOURNMENT -

Resolution No. 2015-121, 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 Murdock
SUPPORTED BY: Council Member Nicole Brown

On a voice vote, the motion carried and the meeting adjourned at 10:58 p.m.



Draft

**CITY OF YPSILANTI
REGULAR MEETING MINUTES
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
Tuesday, June 9, 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	(7:12) Present		

III. INVOCATION –

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

IV. PLEDGE OF ALLEGIANCE –

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

V. INTRODUCTIONS –

Mayor Edmonds introduced the following individuals: Economic Development Director Beth Ernat, Assistant to the City Manager Ericka Savage, Fiscal Services Director Marilou Uy, Accountant Generalist II Rheagan Basabica, DPS Director Stan Kirton, Planner Bonnie Wessler, Downtown Development Authority Executive Director Tim Colbeck, Ypsilanti Area Convention and Visitor's Bureau CEO Debbie Lock-Daniels, and Melissa Milton-Pung and Tony Vanderworp, Washtenaw County Office of Economic Development.

VI. AGENDA APPROVAL –

Council Member Anne Brown moved, supported by Council Member Nicole Brown to approve the Agenda.

Council Member Anne Brown moved Resolution No. 2015-127, "Speed Control Policy" before the budget ordinance.

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

VII. PRESENTATIONS –

- Wayfinding – Debbie Locke-Daniels, Ypsilanti Convention and Visitors Bureau

Debbie Locke-Daniels, CVB CEO, introduced the presentation regarding the Ypsilanti Wayfinding program.

Melissa Milton-Pung and Tony VanDerworp, Washtenaw County Office of Community and Economic Development, provided a presentation regarding Wayfinding. **(See Website for presentation)**

Mayor Edmonds asked when will the bidding process begin for sign development.

Ms. Milton-Pung responded around three to four months.

Mayor Edmonds stated there is a local company that would be able to perform that work.

Mr. VanDerworp stated he is hoping to receive City approval and commitment to maintain the signs.

Mayor Edmonds stated Council would need to come back with a formal resolution.

Council Member Anne Brown asked about the color scheme that was chosen for the signs.

Mr. VanDerworp stated it is going to be consistent with both the CVB branding campaign and DOT sign standards.

Ms. Milton-Pung added it is understood that many of the signs will be located in Ypsilanti's Historic District, and the wayfinding project will be respectful of that process.

DPS Director Stan Kirton asked if the City would be responsible to maintain all 32 signs, including those on the state trunk line.

Mr. VanDerworp responded the City would be responsible to maintain the 13 directional signs and the 19 parking signs.

Mr. Kirton asked if the only signs the City would be responsible to maintain are those located within city limits.

Mr. VanDerworp responded it is being recommended that the City to also maintain the signs in the Township.

Mr. Kirton stated there is one employee in the Signs and Signals Department of the DPS, who also maintains the parking meters in the City.

Mr. VanDerworp stated it is understood that it is a great commitment by the City, and that is why the CVB and the Eastern Leaders Group (ELG) have offered to help pay for the wayfinding project.

Mayor Edmonds asked what the logic is for not asking the Township to maintain the signs in the Township, and the City to maintain the signs in the City.

Mr. VanDerworp responded the Township has not been approached at this time, but they may offer to maintain the signs located in the Township.

Mayor Pro-Tem Richardson asked if the City will be asked for a financial commitment.

Mr. VanDerworp replied it is being recommended that the CVG and ELG pay for the development of the signs.

Council Member Anne Brown asked if the CVB and the ELG would be paying to have the signs installed.

Mr. VanDerworp replied yes.

Council Member Murdock asked that staff analyze what the maintenance of the signs entails, as a part of the resolution.

Mayor Edmonds stated giving the City the responsibility to maintain all signs, including the ones located in the Township, can create a difficult situation considering liability. She added it does not seem logical that the City be responsible to maintain the signs in the Township.

Ms. Locke-Daniels replied the committee will be presenting to the Township in the near future, and only three signs are located in the Township. She added the Township might be willing to maintain those three signs, or they might not want their three signs.

- DTE Tree-trimming Program – Beth Ernat, Economic Development Director

Economic Development Director Beth Ernat provided a presentation of the DTE Tree Trimming Program. **(See website)**

Mr. Kirton asked if the program includes City trees, or private trees.

Ms. Ernat replied both are included in the program.

Mr. Kirton stated there is an ordinance regarding City trees.

Ms. Ernat replied any tree protected by ordinance will not be removed but trimmed only.

Mr. Kirton stated the ordinance states only the City Manager must approved the removal of any live City tree, and that is also union work.

Ms. Ernat responded if that is the case, DTE will not be removing any City trees.

Mayor Edmonds stated there needs to be full clarity on what the ordinance states before the program begins.

Council Member Nicole Brown asked if this program will include trees in backyards near electrical lines.

Ms. Ernat replied the program will not include trees located in the rear of properties.

Mayor Edmonds asked if trees located in the rear of a property become an issue will they still be removed.

Ms. Ernat responded yes.

City Manager Lange stated before this program is posted to the public it should be clear on what exactly the program entails.

Mayor Edmonds asked how this program would be applied to commercial properties.

Ms. Ernat responded the only information she has is regarding residential trees, and she will need to follow-up with DTE.

Mr. Kirton stated he is fairly certain DTE has undertaken an initial round of tree removal in the City.

Ms. Ernat replied DTE has, but this will be the largest clearing event.

Mayor Edmonds asked how many trees will the City lose, and will it affect its "Tree City" status.

Ms. Ernat responded the amount of trees removed will not affect Ypsilanti's "Tree City" status.

Council Member Murdock stated DTE can be aggressive in its tree removal programs.

Ms. Ernat stated the removal is aggressive because they do not have the resources to perform another round next year.

Mayor Edmonds asked if the same contractor will be implementing the program in the Township at the same time as the City.

Ms. Ernat replied there will be multiple contractors, in multiple communities.

Mayor Edmonds asked if the process residents take if they wish to keep a tree is clear.

Ms. Ernat stated DTE would need to be contacted as soon as possible.

VIII. AUDIENCE PARTICIPATION –

1. Julie Santinga, 459 Douglas, stated she is here tonight to request the installation of speed bumps to protect neighborhood children. She said there have been a lot of issues on Douglas St., including the destruction of a neighbor's mailbox.

IX. REMARKS BY THE MAYOR –

None

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1. Resolution No.2015-127, approving speed control policy.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Ypsilanti City Council requested staff develop a policy for managing citizen requests for speed control devices such as speed humps; and

WHEREAS, City Council has reviewed policy recommendations in November 2013, again on April 2014, in March 2015, and in June 2015;

NOW, THEREFORE, BE IT RESOLVED THAT the Ypsilanti City Council approves the attached speed control policy and process and implement it effective immediately.

OFFERED BY: Council Member Vogt

SUPPORTED BY: Council Member Nicole Brown

City Planner Bonnie Wessler stated the updated policy incorporates the requested amendments from the original policy to include other traffic calming devices in the policy. She stated the policy was developed by examining neighboring communities' policies, and broadening them to include other traffic calming strategies. She stated when traffic calming methods are requested staff examines what type of street the request is for, what control methods are applicable, what the speed limit is, and how many motorists are speeding to decide what speed control device would be most appropriate. She stated financing methods will also be decided on an individual basis. She stated if there is a clear safety issue Act 51 Funds could be used to install the device, and if the issue is more of a perception of danger a special assessment could be used through the approval of Council.

Council Member Anne Brown asked if the Traffic Review Committee is the recommending body.

Ms. Wessler responded yes.

Mayor Pro-Tem Richardson stated in the past when requests were made for speed bumps, residents would be responsible for the cost.

Ms. Wessler responded in some situations that would be very appropriate.

Mayor Edmonds asked if there should be a policy in place that details the responsible party for costs of installation.

Mayor Pro-Tem Richardson replied there should be a policy.

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Ms. Wessler stated it would be difficult to make that recommendation at this time due to lack of requests, and the balancing of several variables that would need to be examined.

Council Member Murdock stated he prefers this policy over the original because the original ruled out a lot of streets. He stated it will be difficult for anyone to meet the criterion that is established by this policy. He suggested a pamphlet that lists all offered speed control methods be included in the City's policy.

City Manager Lange stated if residents are able to request speed bumps without a financial commitment the City would be writing a blank check.

Mayor Edmonds asked that an informational packet that describe each traffic calming method and the process of having one installed be prepared for residents.

Council Member Robb stated the policy is backwards when the City is determining if the application meets the requirements. He stated the City should have an assessment of what streets meet the requirements. He stated according to what Mr. Murdock stated no streets would meet the requirements for speed controls. He asked why speed controls would be included in the policy if no city streets meet the requirements.

Ms. Wessler responded many requests for speed controls on Hamilton, and most of Hamilton is not under local control. She stated the speed limit item could actually be removed because there is not a street under local control that is over 45 miles per hour, and traffic counts of less than 15,000 will account for 90% of the streets in the City.

Council Member Murdock stated there might be data alluding to streets like Congress or Cross that exceed the 15,000.

Ms. Wessler stated even at the 15,000 level it is possible that there is a traffic calming method that would be appropriate for that street.

Mayor Edmonds asked if there is a communication that could be sent that describes traffic calming projects listed in the capital improvement plan.

Ms. Wessler responded the Capital Improvement Plan has not yet been adopted. She stated as a part of the budget packet OHM has included a Capital Improvement Plan for streets. She said an information packet could be prepared using that data.

Council Member Murdock asked when did OHM complete that plan.

Ms. Wessler responded she has not seen this year's version, and is unaware of the date.

City Manager Lange states staff has been tied up with the budget, but OHM will update this plan.

On a roll call, the vote to approve Resolution No. 2015-127 was as follows:

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

VOTE:

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

X. ORDINANCES - FIRST READING –

Ordinance No. 1249

1. An ordinance entitled, "An Ordinance to Amend Budget Appropriations by Department and major Organizational Unit for FY 2014/15 and FY 2015/16.

- A. Resolution No. 2015 – 122, determination

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled, "An Ordinance to Amend Budget Appropriations by Department and Major Organizational Unit for the Fiscal Years 2014-2015 and 2015-2016", be approved on First Reading.

OFFERED BY: Council Member Anne Brown

SUPPORTED BY: Council Member Nicole Brown

City Manager Lange provided an update on the budget process.

Mayor Edmonds asked if the contribution from St. Joseph's Hospital for the Heritage Bridge is located in the report.

Mr. Lange responded it is located in the narrative. He added he recently spoke with Ken Dobson from EMU, and he feels very positive that EMU will provide the \$25,000 match.

- B. Open public hearing

None

- C. Resolution No. 2015 - 123, close public hearing

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the public hearing on an Ordinance to Amend Budget Appropriations by Department and Major Organizational Unit for FY 2014/15 and 2015/16 be officially closed.

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

On a voice vote the motion carried.

Council Member Murdock asked what are the decision points for the operational budget.

Fiscal Services Director Marilou Uy responded the decision points are listed on page 5 of the narrative.

Council Member Murdock asked if they are included in the budget.

Ms. Uy responded some are included and some are not.

Council Member Murdock moved to amend the budget to increase the line item for election reimbursement and decrease the line item for contractual services.

Council Member Robb supported the motion.

On a roll call, the vote to amend Resolution No. 2015-122 was as follows:

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

VOTE:

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

Council Member Robb moved to amend the budget to not award the new hires the 2% pay increase.

Council Member Nicole Brown supported the motion.

On a roll call, the vote to amend Resolution No. 2015-122 was as follows:

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

VOTE:

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

Mayor Edmonds asked City Clerk McMullan what would be the impact of removing digitizing records from the budget.

City Clerk McMullan responded it will benefit the City in the future by reducing costs for record storage at Iron Mountain. She added when departments were asked what could be cut from the budget this

item was realistic, however, in the future digitizing would both help the department internally, and the public would be able to access certain City records.

Council Member Anne Brown asked what the process would be for digitizing.

Ms. McMullan replied she would work with each department go through records to decide what documents are required to be kept in hard copy by the state record retention policy.

Council Member Anne Brown asked what the \$10,000 would encompass for digitizing.

Ms. McMullan replied scanning, and other tasks required to digitize records. She added it is a rough estimate, and she is uncertain what each department has that could be digitized.

Council Member Robb stated the cost of digitizing does not come from labor. He asked what would be the estimated cost for removing boxes from Iron Mountain to digitize.

Ms. McMullan replied she has not completed a cost analysis, and the \$10,000 is a rough estimate.

Council Member Robb asked how many boxes are currently being stored at Iron Mountain.

Ms. McMullan replied she is uncertain of the exact number, and stated Human Resources is the department responsible for Iron Mountain Storage.

Mayor Edmonds asked if digitizing would be performed internally, or would it be an outside company.

Ms. McMullan stated she has looked into contracting the task, but the City can look how best to maximize its money.

Ms. Uy added the City pays Iron Mountain \$13,000 a year for storage.

Council Member Robb stated he likes the idea to digitize City records, but a plan needs to be in place before the funds are budgeted. He added the City needs to develop a policy for how the City creates documents, and how they are stored.

Mayor Edmonds asked if a firm that would provide this service would complete an assessment of the City records, including what is stored at Iron Mountain.

Ms. McMullan replied she is sure that she could get an estimate, but it will take time.

Council Member Robb stated the first thing that would need to be done is find out how many boxes are in storage at Iron Mountain.

City Attorney Barr added when digitizing the most recent records would be digitized first followed by the next most recent, and so on. He stated records would be digitized as far back as \$10,000 would cover.

Council Member Robb moved to amend the budget, and remove digitizing records.

Council Member Vogt supported the motion.

Mayor Edmonds asked how much staff is paying to retrieve boxes from Iron Mountain.

Ms. McMullan stated in her eight years with Ypsilanti she was only needed to retrieve one box, and stated she will follow-up with other departments to see what they spend yearly on box retrieval.

On a roll call, the vote to amend Resolution No. 2015-122 was as follows:

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

VOTE:

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

Council Member Murdock asked for an explanation of the line item for the Rutherford Pool. He stated he was under the impression that the pool would be given additional funds in the current budget cycle, and not in future budgets.

Mr. Lange responded he supports increase to the budget because the City did impose on the pool an increase in their minimum wage, and this would assist in their operational costs.

Mayor Pro-Tem Richardson moved to add \$10,000 to the budget for the Rutherford Pool.

Council Member Vogt supported the motion.

Mayor Edmonds stated she will support this amendment because of the impact the "Friends" groups have on recreation in the City.

On a roll call, the vote to amend Resolution No. 2015-122 was as follows:

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

VOTE:

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

Council Member Vogt moved to impose a special assessment for street lights of \$400,000.

The motion failed due to lack of support.

Council Member Vogt moved to impose a special assessment for street lights of \$300,000.

Council Member Anne Brown supported the motion.

Mr. Lange stated the original assessment was \$555,000 for two years, and was around \$57 per parcel for each year.

Council Member Murdock stated when Council originally proposed the assessment it was \$100 per parcel for both the capital and operational costs. He stated once the capital costs were paid, after two to three years, the amount would decrease to around \$60.

Mr. Lange replied yes, and added now that the capital costs have been paid if the assessment was for \$200,000 the cost per parcel would be around \$40 to \$50. He added if the assessment was passed for \$300,000 the estimated cost would be \$65 per parcel.

Council Member Vogt stated this proposal allows for a round number for the purpose of budgeting. He stated the exact number, exemptions and how exemptions would be decided is up for discussion. He stated exemptions could possibly be decided in terms of distance from the street light. He stated by setting this criteria residents that don't get a benefit would pay less than those that do benefit. He added this is the only area that Council has to increase revenue for the City, and it must be done for the City to be fiscally responsible.

Mayor Edmonds asked if the assessment of \$300,000 is approved would the deficit be decreased by \$300,000.

Mr. Lange replied yes.

Council Member Vogt stated the assessment would provide the City with more options, and it allows the City the ability to invest more funding into the re-financing of Water Street.

Council Member Robb stated when the original assessment was passed, in order to make it more equitable payments were to be calculated on the basis of lot size. He stated with that metric EMU would have been the largest contributor, but EMU ended up not contributing. He stated there is no fair way to impose this assessment, and if Council votes to do this the City would be challenged in court. He stated the amount of staff time it would take to implement the assessment, considering the other needs the City might have this is a no win situation.

Mayor Edmonds asked City Attorney Barr for the legal ramifications if the assessment was approved.

Mr. Barr replied anyone can sue and it is unclear how this would transpire.

Council Member Murdock stated the appeals process costs \$100, and the original assessment was only two years so it made little financial sense. He stated if the assessment were to not have an end it becomes more likely that property owners would litigate.

Mr. Barr stated there could be a challenge.

Council Member Murdock stated he doesn't think the possibility of a lawsuit should detract Council from approving this. He stated the City Manager has stated that one of the issues with Ypsilanti is

that the taxes are too high, and a special assessment applies more taxes, and he is not ready to do that.

Mr. Lange agreed with Mr. Robb that there is not a completely equitable way to distribute the assessment. He suggested rather than approving an indefinite assessment, approve a three to four year sunset clause, he added over a four year period that would raise \$800,000.

Council Member Murdock stated if Council were to pass an assessment for street lighting it should be for all street lighting in the City. He added this is not the year to pass an assessment, and next year there will be many things Council will need to make a decision, including millage, and that will be the time to possibly add a street light assessment.

Council Member Robb stated approving this assessment will require a lot of thought. He stated when the initial assessment passed it converted street lights to LED at a charge of \$57 per parcel for two years. He stated with this proposed amendment property owners would see no improvements, and that is not appropriate.

Mayor Edmonds stated Council Member Robb makes a good point, and if an assessment is passed possibly the funds could be earmarked for infrastructure on Water Street.

Council Member Vogt responded he understands the comments, and the emotion behind not wanting to pass this assessment, but the point is all funds are fungible. He stated what matters is if the City will have a lower deficit or not. He stated if Council does not agree with the amount it can be amended to a lower amount.

Mayor Pro-Tem Richardson stated she remembers the outcry from residents after the assessment for the LED conversion. She stated the public was not in support of a Water Street millage, and this proposed amendment may be perceived by the public as another way to pay for Water Street.

Council Member Murdock stated the public outcry for the original street light assessment was for the operational cost, and once that was removed the public was more willing to support the conversion. He stated he is not advocating this, but a special assessment could be used to construct the underground electric grid on Water Street. He said that may decrease interest in development because of the increase in taxes.

Mayor Edmonds stated she is in support of tabling this item until Second Reading to allow time to further research.

Council Member Murdock responded that he would like to vote now rather than Second Reading.

On a roll call, the vote to amend Resolution No. 2015-122 was as follows:

Council Member Nicole Brown	No	Council Member Robb	No
Council Member Murdock	No	Mayor Edmonds	Abstain
Mayor Pro-Tem Richardson	No	Council Member Vogt	Yes
Council Member Anne Brown	No		

VOTE:

YES: 1 NO: 5 (Nicole Brown, Anne Brown, Robb, Murdock, Richardson)
ABSENT: 0 ABSTENSION: 1 (Edmonds) VOTE: Failed

Council Member Murdock stated he has had brief discussions with individuals about designating the fund balance for Water Street debt payments. He stated in the past the City has done this to better reflect the reality of the City financial situation. He stated it takes three years for actual action on Water Street to create tax revenue. He stated the City should keep \$3.2 million in reserves to help make those payments. He stated every year this would be reviewed, and adjusted as appropriate.

Council Member Murdock moved to restrict \$3,211,428 for Water Street debt payment.

Mr. Lange stated the number he had thought is around \$4 million to \$4.5 million, so it would be very difficult to attempt 10%. He stated he would not recommend having a restricted fund balance of \$4 million.

Council Member Murdock stated in the future when the City is at the bottom level of a fund balance, the City will either need to balance the budget, or use funds it is not prepared to allocate.

Mr. Lange stated \$3.211 million is a rational restricted fund balance for the Water Street debt.

On a roll call, the vote to amend Resolution No. 2015-122 was as follows:

Council Member Nicole Brown	No	Council Member Robb	Yes
Council Member Murdock	Yes	Mayor Edmonds	No
Mayor Pro-Tem Richardson	No	Council Member Vogt	Yes
Council Member Anne Brown	No		

VOTE:

YES: 3 NO: 4 (Nicole Brown, Anne Brown, Edmonds, Richardson) ABSENT: 0 VOTE: Failed

Council Member Robb proposed adding \$9,000 to fund #101-7-3720-818-00, Contractual Services, in ordinance enforcement increasing the line item to \$64,000. He stated the software to track all action tickets is a built-in module that has many short comings. He stated See. Click. Fix. is a company that offers an amazing program that works with any website and includes a lot of information not included in the current system, such as closure statements. He stated there are about 10 or 12 jurisdictions that use this program in the state of Michigan. He stated the system costs \$7,000 a year, and \$2,000 for the mobile application for the first year. He stated this is an excellent tool to ensure quality of life in Ypsilanti.

Mayor Edmonds asked if this would be a substitute cost of the current software.

Council Member Robb responded it was part of the development cost of the City's current website which cost \$30,000.

Mayor Edmonds asked if there was an annual operating cost.

Council Member Robb responded there is not an annual operating cost, but what we have is a free system that doesn't work.

Council Member Anne Brown asked if the City's system would support this software.

Council Member Robb replied yes.

Council Member Robb moved to amend the budget to add \$9,000 to fund #101-7-3720-818-00, Contractual Services, in Ordinance Enforcement, increasing the line item to \$64,000.

Council Member Vogt supported the motion.

Mayor Edmonds agreed that the City's current system is a source of frustration, and hurts instead of helps the people of this City.

Council Member Nicole Brown stated she likes the idea of the public being able to post pictures, and the ability to have a conversation about what was done to rectify an issue reported to the Action Ticket Center, and she supports this amendment.

Council Member Murdock asked if the public has the ability to view each entry into the Ticket Center.

Council Member Robb replied yes, the system is very transparent. He added it also helps to prioritize issues because it will track the amount of complaints an issue receives.

Mayor Edmonds asked if there could be an issue with an individual that may be in dispute with a neighbor, and continuously puts in tickets against that neighbor.

Council Member Robb replied closing a ticket is based off of staff's ability to close that ticket, and stated there could be abuse of the system.

Mayor Edmonds asked if the system would require a login.

Council Member Robb stated a login could be created, but the individual could also complain anonymously. He added if an individual wants to submit a ticket anonymously that individual would still be able to get updates on the status of the ticket.

Assistant to the City Manager Ericka Savage stated the redesign of the website that is currently budgeted for \$8,000, and the action ticket center was a focal point for the three quotes for website design. She stated the three companies did not include the transparency that See. Click. Fix.

provides, but the selected design will contain the comments in the report, the design does have the ability to upload pictures, and includes a mobile app.

Mayor Edmonds stated it makes sense that the company contracted to design the website would be best to design the website, and See. Click. Fix. would be best suited to handle the Action Ticket Center.

Ms. Savage responded See. Click. Fix. is an impressive program that provides the Code Enforcement Officer the ability to monitor tickets. She stated the City's current maintenance fees are \$2,500 a year for the website.

Mayor Pro-Tem Richardson asked if the contracted website designer would be able to provide the same action ticket functions as See. Click. Fix.

Ms. Savage responded See. Click. Fix. is a more advanced version, but her proposed website is a onetime cost of \$8,000.

Council Member Nicole Brown asked if the cost of the action ticket center could be removed from the \$8,000 total of the website if Council approves the purchase of the See. Click. Fix. software.

Ms. Savage replied the price is all inclusive.

Council Member Nicole Brown asked if both the website design, and See. Click. Fix. are approved the City's website would include two action ticket centers.

Ms. Savage responded if the City purchases See. Click. Fix. it would use that software. She stated the website design is actually a website refresh which simply transfers the data from the current website to a new page, and fixes issues the current website is having. She added it would not change the cost.

Council Member Robb stated the City's website used to be horrible, and then the City switched to Artemis which improved some functions better, and others worse. He added he is not a big fan of website redesign because ultimately it is the same website.

Mayor Pro-Tem Richardson asked what Mr. Robb suggests the City do in place of the website redesign.

Council Member Robb responded he is not making a suggestion. He stated the website proposal has not come to Council, and Council is being told that the redesign is in the budget. He added he is not sure that Council will be given the proposals, and a resolution to approve funding for the redesign.

On a roll call, the vote to amend Resolution No. 2015-122 was as follows:

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

VOTE:

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

Mayor Edmonds asked that the proposals for the website redesign come before Council to ensure that the contracted company is an expert in user experience and navigation.

Ms. Savage responded that all three quotes were supplied to Council during the first budget session.

Council Member Robb stated his fear is that too much of fund allocation happens under the \$25,000 threshold, and out of the purview of Council. He stated the money has been budgeted to complete the project, but the final decision should be Council's.

Ms. Savage stated she would prefer that the website and the City's branding occur at the same time, and staff could bring a mock homepage to Council.

Council Member Anne Brown asked if Debbie Locke-Daniels will be presenting the branding.

Ms. Savage responded yes, but she is not certain how much branding will be incorporated into the website.

Mayor Edmonds stated there are a lot of components involved in a website redesign.

Ms. Savage responded to perform a website redesign, it would cost much more than \$8,000, and what the City has budgeted for is a website refresh; the website will still have the basic structure.

Council Member Vogt stated there were two vehicles budgeted in the Department of Public Services for environmental services a Ford Ranger; and a Ford Escape. He stated he was told that the budget would be amended to a vehicle less expensive than a Ford Escape.

Mr. Lange responded the City could purchase a less expensive vehicle, but it would not be a hybrid. He added it was an environmental issue.

Ms. Ernat stated the building department was able to locate a Ford C-MAX which the Building Department feels will fit its needs, and will test drive the vehicle in the near future. She stated the vehicle gets 45 miles per gallon in-town driving, and is only \$200 more than the Focus.

Mayor Edmonds asked for clarification of the \$43,000 for contractual services, account number 101-7-2651-818-00, for energy efficiency conservation.

Ms. Uy responded \$43,000 is the amount that was amended during this meeting decreasing the line item to \$3,000. She stated the \$3,000 is allocated for the LED street light conversion for all City buildings.

Mr. Lange added \$40,000 was originally allocated for the Freighthouse but it was already budgeted in another line item. He stated the remaining LED conversions are located at the Fire Station.

Mayor Edmonds asked if any City undertakings that could benefit from additional energy efficiency, and if so Council may not want to decrease that line item.

Mr. Lange responded no, not at this time. He added almost all City lights have been converted to LED.

Mayor Edmonds asked if there are any other renovations such as solar power or insulation that would be a benefit to energy efficiency.

Mr. Lange stated insulation was one of the issues Council had with the fire station roof which required it to be re-bid which increased the cost of that project. He added in order to save money the City needs to address the boiler at City Hall. He stated the Attorney's Office and Firefighter Roe have already been working on solving the problem.

Mayor Edmonds asked if there are funds allocated to replace the boiler.

Mr. Lange responded the boiler does not need to be replaced it is almost brand new, but there is money set aside for the boiler.

Council Member Anne Brown asked why the line-item for operating supplies went up \$10,000, and if the \$22,000 for a coin counter is an estimate, or an actual amount.

Mayor Edmonds asked if the operating supplies are associated with the new police officers.

Mr. Lange responded the coin counter was originally listed as \$32,250, and was reduced to \$22,000.

Ms. Uy stated the coin counter is for the police department to count the meter revenue, and she is uncertain if that is an estimate or an actual amount. She added she would have to follow-up with the police department for clarification of those line items.

Council Member Anne Brown moved to extend the meeting until 11:00 p.m.

Council Member Vogt supported the motion.

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

Council Member Murdock moved to approve allocate funds for improvements to Prospect Rd, Adams St., and Freighthouse.

Council Member Robb supported the motion.

On a roll call, the vote to amend Resolution No. 2015-122 was as follows:

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

VOTE:

YES: 7 NO: 0 ABSENT: 1 (Nicole Brown) VOTE: Carried

Council Member Murdock moved to postpone the Water Street Electric Grid until agreements can be made with the Eastern Washtenaw County Recreation Center and Riverwalk Commons.

Council Member Vogt asked if the Water Street Electric Grid was included in the budget.

Mr. Lange replied yes, \$140,000 has been budgeted.

Council Member Murdock stated it was not included in the budget last week.

Mr. Lange added if Council votes for this it would need to increase the line item by \$126,000.

Ms. Uy stated the total would be \$124,043, and it would need to be moved from the Capital Improvement Fund into the General Fund.

Council Member Vogt stated he is not clear why the electric grid should be delayed. He asked what would be the benefit.

Council Member Murdock replied if the City waits until agreements are made the City will know what it will be receiving for the grid from the other partners, and how much the City will need to contribute.

Council Member Vogt asked if it was a negotiating tactic.

Council Member Murdock replied no, there are agreements with both entities that need to be amended to include the electric grid. He added he wants to make sure all the pieces are together before the funds are budgeted.

Council Member Anne Brown asked what the timeline for the electric grid is.

Mr. Lange responded the grid will not be installed for around a year. He stated staff has been working with both Herman Kittle and the County Recreation Commission to negotiate for the project.

Council Member Vogt asked if the grid is postponed will it interfere with negotiations.

Ms. Ernat responded if the City does not show its investment then there is little reason for the other entities to show any investment. She stated if City is not willing to commit to the project than no other partner will show any commitment. She stated Herman Kittle cannot commit to a purchase agreement until the Brownfield Plan is completed. She stated DTE will not do this work until there is a commitment from the City.

Council Member Vogt asked if the contributions from the other entities are verbal commitments.

Ms. Ernat replied yes, they are verbal commitments.

Council Member Vogt stated he does not see an advantage to delaying this, and stated the City should move forward with the grid.

Mayor Edmonds asked if after DTE has a full commitment it would take a year to build.

Mr. Lange replied yes.

Ms. Ernat added DTE wants a check in hand, and then a full payment before construction. She stated if the City does not budget funds it has no leverage to spark the project.

Council Member Vogt moved to increase the line item for the Water Street electric grid by \$124,000.

Mayor Pro-Tem Richardson supported the motion.

On a roll call, the vote to amend Resolution No. 2015-122 was as follows:

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

VOTE:

YES: 6 NO: 0 ABSENT: 1 (Nicole Brown) VOTE: Carried

Council Member Vogt moved to not support option two of the budget which would decrease non-motorized by \$150,000, and drop the tail extension of the Border to Border Trail.

Mayor Pro-Tem Richardson supported the motion.

Mayor Edmonds asked if the plan was to complete these projects in the future.

Mr. Lange responded \$50,000 will be left in the account. He stated the City is stressing the Major Street Fund to provide the match for the Border to Border Trail.

Council Member Murdock stated he is unclear where this will lead. He stated the City should be concentrating on the projects that are most important to the Border to Border Trail to develop the Water Street property. He stated the Grove St. portion of that is minimal and would help connect the trail to Water Street. Mr. Murdock asked what the Border to Border Trail variation B is.

Mr. Lange responded variation B allows the City to connect the trail to the mid-block crossing. He stated that project would be covered by the TAP and DNR grant. He stated the tail of the trail could be added also for minimal cost. He added the problem is the City has a contract out with a 30 day

extension to award the bridge and crossing bid, and it must inform the company if they will be awarded the contract or not.

Council Member Murdock stated he does not support the motion the way it is structured.

Council Member Vogt stated his next intention is to move to adopt option 3B with \$150,000 cap.

Ms. Ernat stated last week she would have informed Council that the Heritage Bridge is not in the City's scope. However, after talking to the granting agencies and the County she learned that this is a onetime shot to complete all of the projects. She stated the tail option is something the City should pursue, but it does not have to be completed immediately. She encouraged Council to approve variation 3B, which is \$150,000 expenditure that will leverage an \$8 million project.

Council Member Robb asked if the \$150,000 was generic or did it include the Economic Development Corporation (EDC) funds.

Council Member Vogt responded the \$150,000 was his number based off of the \$124,600 in variation 3B to allow for contingencies.

Mr. Lange stated the \$150,000 includes \$100,000 from the EDC and \$24,600 from Major Streets Fund.

Council Member Vogt amended his amendment to not support option 2 and add variation 3B.

Mayor Pro-Tem Richardson accepted the amendment.

Council Member Murdock asked if Council adopts that scenario what would it take to add the tail on the trail.

Mr. Lange responded the estimated cost for the mid-block crossing is \$290,000 and the trail cost is \$483,000 so the total cost is a little less than \$800,000. He stated the TAP grant and the \$300,000 equal to be \$817,000. He stated the tail will be added as an alternate and if the bid covers it would be included, and if it doesn't the tail will be dropped out of the plan. He stated the priority is the mid-block crossing and the trail.

On a roll call, the vote to amend Resolution No. 2015-122 was as follows:

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

VOTE:

YES: 6 NO: 0 ABSENT: 1 (Nicole Brown) VOTE: Carried

Council Member Murdock stated \$50,000 was left in the Local Street Fund to perform various project.

Mr. Lange responded yes, for traffic calming projects requested through citizen petition.

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Council Member Murdock stated the Major Street Fund did not include any additional funding.

Mr. Lange replied no.

Council Member Murdock stated last year Council budgeted \$50,000 in the current budget, and an additional \$50,000 in the budget that is being proposed for non-motorized transportation projects. He stated since none of the funds were spent he suggested to roll the \$50,000 into the Major Street Fund, increasing the line item to \$100,000 for non-motorized projects.

Council Member Murdock moved to allocate \$100,000 from the Major Street Fund for non-motorized projects.

Council Member Robb supported the motion.

Council Member Anne Brown asked how non-motorized projects prioritized.

Council Member Murdock stated the projects are listed in the plan, and the Non-Motorized Committee submits projects of priority to Council.

Ms. Ernat added there is not enough official support for non-motorized projects to prioritize. She stated if there are grant opportunities for certain projects, the Non-Motorized Committee will lobby for those projects. She stated all new street designs are complete streets, and will include non-motorized concerns. She said the major issue is with retrofits which the traffic control policy helps to remedy. She stated other priorities are submitted to the City by the Non-Motorized Committee.

Council Member Murdock stated there were three specific bike paths: W. Cross St. from Wallace to Mansfield, E. Forest between Norris and Prospect, and Miles. He stated another concern of the Non-Motorized Committee is sidewalk replacement with focus being at Candy Cane Park and Heffly Park. He stated the funding needs to be available to complete these projects.

Ms. Ernat replied Community Development Block Grants (CDBG) funds could be used for sidewalk replacement.

Council Member Anne Brown stated she does not see sidewalk replacement as a priority for parks when a stretch of Washtenaw needs sidewalks.

Mayor Edmonds stated the Urban County priority projects allocation focuses on completing sidewalks in Pittsfield Township and Ypsilanti Township on Washtenaw Ave. specifically, and including the City in the next round.

Ms. Ernat added that is a part of the ReImagine Washtenaw Plan, and said she will be able to provide an update next week. She added a mid-block crossing will be installed at Michigan and Cross which is being funded by EMU.

Council Member Murdock stated the sidewalk issues on Washtenaw Ave. at Huron St. is a much larger project than 500 feet of walk.

Ms. Ernat stated much of what is being requested by the Non-Motorized Committee will be provided through the completion of Border to Border Trail Projects.

On a roll call, the vote to amend Resolution No. 2015-122 was as follows:

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

VOTE:

YES: 6 NO: 0 ABSENT: 1 (Nicole Brown) VOTE: Carried

Council Member Vogt stated the budget does not reflect any expenditures or revenue related to parks.

Mr. Lange replied the City has been working to complete the tot lots for some time, and they are still in the budget.

Council Member Murdock stated those are not included in the budget.

Council Member Anne Brown responded the Parks and Recreation Commission is discussing creating a public-private partnership to raise funds to perform maintenance and upgrades. She stated hopefully with those partnerships in place the City will avoid finding itself in a situation that it is unable to mow the grass at City parks.

Council Member Murdock stated it was embarrassing to see on Facebook that individuals were cutting the grass on baseball diamonds with their hand mowers. He stated he understands there were issues with equipment but there should have been a contingency plan in place to not allow the City's park system to suffer when there are equipment issues.

Mr. Lange stated as soon as the budget is complete staff will begin formulating a plan to avoid this situation in the future.

Council Member Murdock asked if the City would be funding vehicle depreciation in the Motorpool.

Mr. Lange stated the City is unable to fund vehicle depreciation. He stated if the City does that there would not be a fund balance in the General Fund.

Council Member Murdock stated the Motorpool budget was decreased, and asked if the City will be performing conversions to alternative fuel.

Mr. Lange stated the City did not perform the conversions because of the price of gas, and staff will reanalyze that possibility. He added the City is not big enough to complete the conversion on its own, it will have to be a group effort with neighboring entities, and staff will bring the group suggestions to Council.

Council Member Murdock asked if the list of vehicles the City was set to purchase was reduced.

Mr. Lange responded after some vehicles were purchased staff realized it did not need as much as originally estimated.

Council Member Murdock moved to remove the Downtown Development Authority (DDA) Depot Town Tax Increment Financing (TIF) Plan from the budget until it is approved by Council.

Council Member Vogt supported the motion.

Council Member Anne Brown stated if the budget is adopted would the TIF plan be an amendment to the budget.

City Attorney Barr suggested if Council adopts this budget without the DDA portion, that it be addressed later after the approval of the TIF plan.

Council Member Murdock stated Council could approve the budget at First Reading including the DDA TIF plan and remove it at Second Reading.

Mr. Barr responded correct.

On a roll call, the vote to approve Resolution No. 2015-122 as amended was as follows:

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

VOTE:

YES: 6 NO: 0 ABSENT: 1 (Nicole Brown) VOTE: Carried

Council Member Anne Brown moved to extend the meeting by 15 minutes.

Council Member Vogt supported the motion.

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

Ordinance No. 1250

2. An ordinance entitled, "2015-2016 Tax Levy Ordinance".

A. Resolution No. 2015 – 124, determination

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the proposed ordinance entitled "2015-2016 Tax Levy Ordinance", be approved on First Reading.

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

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B. Open public hearing

None

C. Resolution No. 2015 - 125, close public hearing

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

**That the public hearing on the proposed ordinance entitled
"2015-2016 Tax Levy Ordinance", be officially closed.**

OFFERED BY: Council Member Murdock

SUPPORTED BY: Mayor Pro-Tem Richardson

On a voice vote the motion carried.

On a roll call, the vote to approve Resolution No. 2015-124 was as follows:

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

VOTE:

YES: 6 NO: 0 ABSENT: 1 (Nicole Brown) VOTE: Carried

XI. MINUTES –

Resolution No. 2015-126, approving the minutes of May 19, 2015.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Minutes of May 19, 2015 be approved.

OFFERED BY: Council Member Vogt

SUPPORTED BY: Council Member Anne Brown

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

XII. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. ~~Resolution No. 2015-127, approving speed control policy.~~ **(Moved and heard
before the budget ordinance)**

2. ~~Resolution No. 2015-128, approving fee schedule.~~ **(Postponed until June 16th).**

Council Member Robb moved to postpone Resolution No. 2015-128, approving the fee schedule until the June 16th Council Meeting.

Council Member Anne Brown supported the motion.

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On a voice vote, the motion carried, and Resolution No. 2015-128 was postponed.

3. Resolution No. 2015-129, authorizing the City Treasurer to levy and assess Special Assessments on the July 2015 tax roll.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That, the City Treasurer be authorized to levy and assess on the July 2015 tax roll the attached listing of unpaid bills totaling \$92,627.36

OFFERED BY: Council Member Anne Brown

SUPPORTED BY: Council Member Vogt

Council Member Murdock stated the Thompson Building is included in the tax roll, and asked how that will affect that property's Obsolete Property Rehabilitation Act (OPRA) grant.

Ms. Ernat responded they will commence construction on the Thompson Block on Monday, June 15th, and will be submitting an engineer report that it is safe to perform work on that building.

Council Member Murdock asked if MIOSHA provided a report.

Ms. Ernat responded no, MIOSHA is still completing their investigation, but they have accepted the engineer report that it is safe.

Council Member Robb stated if property taxes are late it loses its OPRA. He stated this is not taxes but it is a fee.

Mr. Barr stated he will review the matter, and report back to Council.

On a roll call, the vote to approve Resolution No. 2015-129 was as follows:

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

VOTE:

YES: 6 NO: 0 ABSENT: 1 (Nicole Brown) VOTE: Carried

4. Resolution No. 2015-130, approving appointment of Ben Harrington to the Ypsilanti Downtown Development Authority.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

<u>NAME</u>	<u>BOARD</u>	<u>TERM EXPIRATION</u>
Ben Harrington (appointment) 811 Washtenaw Ave. #4 Ypsilanti, MI 48197	YDDA	7/7/2019

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

Council Member Murdock asked who Mr. Harrington is replacing.

Mayor Edmonds replied Mr. Harrington would be filling the vacancy she left when she became Mayor. She added there was a recent resignation that will require another appointment.

Council Member Murdock stated Brienne Wilcock will not be reappointed.

Mayor Edmonds responded Ms. Wilcock is not seeking reappointment, but there are several interested residents to fill the vacancy.

Council Member Robb stated the DDA Board has had issues in the past of not being diverse, and it appears to be facing the same problem. He added the DDA Board should also include a mix of business and non-business owners, and property and non-property owner. He asked that nominations all be made at once in order to create a cohesive and diverse board.

Mayor Edmonds replied she has been working to fill vacancies as they become open, and has been trying to balance skills, diversity, and other classifications when selecting board members. She stated Mr. Harrington is an employee of SPARK, and has a strong connection to EMU.

Council Member Murdock asked if there will be additional appointments during the June 16th meeting.

Mayor Edmonds responded it is a possibility.

Council Member Anne Brown asked how many vacancies are remaining.

Mayor Edmonds responded there are two vacancies now, and another will become vacant in a few weeks.

On a roll call, the vote to approve Resolution No. 2015-130 was as follows:

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

VOTE:

YES: 6 NO: 0 ABSENT: 1 (Nicole Brown) VOTE: Carried

XIV. LIASON REPORTS –

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- A. SEMCOG Update – General Assembly will be held next week at the Detroit Zoo.
- B. Washtenaw Area Transportation Study – Meeting will be held next week. He stated he will be attending the DTE consortium.
- C. Washtenaw Metro Alliance - None
- D. Urban County - None
- E. Freight House - None
- F. Parks and Recreation - None
- G. Millennial Mayors Conference - None
- H. Ypsilanti Downtown Development Authority - None
- I. Eastern Washtenaw Safety Alliance - None

XIV. COUNCIL PROPOSED BUSINESS –

Robb

- Asked that the Clerk and City Manager submit their accomplishments to Council by the end of the month for distribution of their evaluations.

Richardson

- Stated when Council agreed to participate in the First Friday's event the agreement was based on there being no damage done to the walls in City Hall. She asked that the damages be repaired.

Mayor Edmonds responded she will work with Clerk McMullan to repair the damages.

Council Member Anne Brown asked how Council Committees are formed.

Mr. Barr responded there have not been many Committees formed but Council decides if it wishes to form a special committee.

XV. COMMUNICATIONS FROM THE MAYOR –

None

XVI. COMMUNICATIONS FROM THE CITY MANAGER –

- Stated staff is moving forward with grants for Council approved projects.
- Staff is moving forward with the sign lease.
- Stated staff is working to close on the Recreation Center.
- Asked Council to schedule a special meeting to discuss the recreation center and for the sign.

XVII. AUDIENCE PARTICIPATION –

None

XVIII. REMARKS FROM THE MAYOR –

None

XIX. ADJOURNMENT -

Resolution No. 2015-131, 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: Mayor Pro-Tem Richardson

SUPPORTED BY: Council Member Vogt

On a voice vote, the motion carried, and the meeting adjourned at 11:15 p.m.



**CITY OF YPSILANTI
REGULAR MEETING MINUTES
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
Tuesday, June 16, 2015
7:00 p.m.**

I. CALL TO ORDER –

The meeting was called to order at 7:15 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 –

Mayor Edmonds introduced the following individuals: Downtown Development Director Tim Colbeck, Non-motorized Chairperson Bob Krzewinski, Assistant to the City Manager Ericka Savage, Marcus McNamara, OHM, DPS Director Stan Kirton, business owner Dave Heikkinen, DDA Chairperson Kevin Hill, Police Chief Tony DeGiusti, Economic Development Director Beth Ernat, Convention and Visitors Bureau Deb Locke-Daniels, and Assistant City Attorney Jesse O'Jack.

VI. AGENDA APPROVAL –

Council Member Anne Brown moved, supported by Council Member Nicole Brown to approve the agenda.

Council Member Nicole Brown moved to remove Resolution No. 2015-128, approving the fee schedule, from the agenda.

Mayor Pro-Tem Richardson supported the motion.

On a roll call, the vote to remove Resolution No. 2015-128 from the agenda was as follows:

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

VOTE:

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

Council Member Murdock moved to remove Resolution No. 2015-135, approving the adoption, amendment and restatement of the Depot Town Development Plan and Tax Increment Financing plan, and Resolution No. 2015-136, approving the City of Ypsilanti pay for the final installment of the Depot Town DDA Debt, from the agenda. He stated his motions are based on the fact that the modifications requested by Council have not been completed.

Council Member Vogt supported the motions.

On a roll call, the vote to remove Resolution Nos. 2015-135 and 2015-136 from the agenda was as follows:

Council Member Nicole Brown	No	Council Member Robb	Yes
Council Member Murdock	Yes	Mayor Edmonds	No
Mayor Pro-Tem Richardson	Yes	Council Member Vogt	Yes
Council Member Anne Brown	No		

VOTE:

YES: 4 NO: 3 (Nicole Brown, Anne Brown, Edmonds) ABSENT: 0 VOTE: Carried

Council Member Murdock moved to move Resolution No. 2015-141, approving the implementation of Simple Recycling in the City of Ypsilanti, to be heard before Section X, "Ordinances".

Council Member Nicole Brown supported the motion.

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

VII. PRESENTATIONS –

- Resolution No. 2015-116, designating Ypsilanti, Michigan A Bee City USA – Mayor Edmonds.

Jamie Berlin stated she has been leading the Bee City campaign for the City of Ypsilanti and Ypsilanti Township. Ms. Berlin provided a presentation regarding Bee City USA.

Mayor Edmonds asked if it's okay for of the audience who came to address the Bee City Resolution to speak before Council votes.

City Attorney Barr responded the resolution would be delayed until after audience participation, audience participation could be moved, or special audience participation could be held, depending on the wishes of Council.

Mayor Edmonds asked Council if members of the audience that wish to speak toward Resolution No. 2015-116 could speak after the presentation rather than during audience participation.

Council Member Murdock moved to allow audience members who wish to speak about Resolution No. 2015-116, Bee City, be allowed to do so after the presentation, and before the vote.

Council Member Vogt supported the motion.

Mayor Pro-Tem Richardson stated there are two other presentations during this meeting, and asked if those presenters mind waiting until after the audience participation for Bee City.

Chief DeGiusti replied he had no issue waiting.

CVB Director Debbie Locke-Daniels responded she had no issue with waiting.

Council Member Vogt requested Ms. Berlin forward the Bee City Power point presentation to Council. He stated that he would like to present it to his condominium board to see if it would consider a planting at Stadium Meadows. He stated during the presentation he did not hear a reference to Africanized bees, and the devastating effect they have on native and European honey bees. He stated he would also note that it is an issue of climate change. He stated as temperature begins to warm the Africanized bee population is spreading and in future generations the Africanized bee population could spread north, and decimate the native bee population.

Ms. Berlin responded that is an issue in places such as Florida, but to date Africanized bees have not adapted to the climate that is seen in Michigan. She stated they are not a threat in Michigan at the moment, but if they are able to adapt it could become a problem.

Council Member Anne Brown stated the resolution states that there needs to be a designated pollinator zones donated from the City, and that there would be a designated municipal department, or liaison. She asked has that been discussed within your organization, and what would the Bee Sub-Committee would consist of.

Ms. Berlin answered coordinating with national pollinator week, her organization would work with the City to develop a small piece of land, her native plants could be developed, and a natural habitat be created. She stated the dedicated municipal department could be any department best suited to implement this kind of work.

Mayor Pro-Tem Richardson stated the resolution reads the Bee City liaison is comprised by a sponsor and a city employee. She stated that with the current workload of City employees she cannot imagine how any employee would have the time for this task. She stated the most likely department to handle this task would be the Department of Public Works, and that department is already stretched thin.

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Ms. Berlin responded she spoke with the head of the program which was designed to be flexible, and it is not required to include a city employee liaison. She stated that she would be allowed to be the primary party responsible for the designation, and a city employee would only be a contact person.

Mayor Pro-Tem Richardson asked that to be included within the resolution.

Mayor Pro-Tem Richardson moved to omit City employee from the resolution, and replace it with volunteer.

Motion accepted as friendly amendment.

RESOLUTION DESIGNATING THE CITY OF YPSILANTI AS A *BEE CITY USA®*

WHEREAS, the goal of *BEE CITY USA* is to promote healthy, sustainable habitats and communities for bees and other pollinators; and

WHEREAS, thanks to the tremendous diversity of wild native bees, along with the honey bees that were brought here from Europe in the 1700s, we have very diverse dietary choices rich in fruits, nuts and vegetables: *"One in every three bites of food we eat is courtesy of insect pollination. Even our meat and milk trace back to insects that pollinate the alfalfa and other feed for beef cattle and cows"* (Mace Vaughan, Pollinator Program Director for the Xerces Society for Invertebrate Conservation); and

WHEREAS, bees and other pollinators around the globe have experienced dramatic declines due to a combination of habitat loss, use of pesticides, and the spread of pests and diseases, with grave implications for the future health of flora and fauna; and

WHEREAS, cities and their residents have the opportunity to support bees and other pollinators on both public and private land; and

WHEREAS, supporting pollinators fosters environmental awareness and sustainability, and increases interactions among community stewards such as commercial and backyard beekeepers, farmers, children, educators, Master Naturalists, Master Gardeners, plant nurseries, municipalities, neighborhoods, and garden suppliers and clubs; and

WHEREAS, the economic benefits of the City of Ypsilanti bee-friendliness are:

- **Healthy ecosystems--insect pollinators are required for pollination and reproduction of about 85% of flowering plants globally, plants that: 1) are vital for clean air and water; 2)**

provide food, fiber and shelter for people and wildlife; and 3) support the very insects that pollinate our crops and form the basis of food webs.

- Increased vegetable and fruit crop yields due to bee pollination.
- Increased habitat for natural enemies of crop pests and therefore reduced need for and costs associated with pesticides.
- Increased demand for pollinator-friendly plant materials from local nurseries and growers.
- Income earned by beekeepers and others through the sale of bee products, beekeeping equipment and supplies, and hive rentals for pollination; and, heightened prestige and premium asking prices for place-based honey, which enhances the visibility and reputation of its community of origin; and

WHEREAS, the City of Ypsilanti should be certified a *BEE CITY USA* community because:

- Michigan is among the leading states in honey production and honey bee assisted agricultural throughout the United States and the world.
- Honey bees are beneficial to mankind and to Michigan in particular, by providing agricultural fruit and vegetable pollination services in tandem with home garden vegetable and fruit production and by furnishing honey, beeswax and other useful products.
- The City of Ypsilanti passed Ordinance No. 1113 on December 1, 2009 to allow for beekeeping in the city.

WHEREAS, ideal pollinator-friendly habitat:

- Provides diverse and abundant nectar and pollen from plants blooming in succession.
- Provides clean water for drinking, nest-building, cooling, diluting stored honey, and butterfly puddling.
- Is pesticide-free or has pesticide use carried out with least ill effects on pollinators.
- Is comprised of mostly, if not all, native species of annual and perennial wildflowers, shrubs, trees, and grasses because many native pollinators prefer or depend on the native plants with which they co-evolved.
- Includes, where possible, designated pollinator zones in public spaces with signage to educate the public and build awareness.
- Provides for safe and humane removal of bees when required.
- Provides undisturbed spaces (leaf and brush piles, un-mowed fields or field margins, fallen trees and other dead wood) for nesting and overwintering for native pollinators; and

WHEREAS, in order to enhance understanding among municipal staff and the public about the vital role that pollinators play and what each

of us can do to sustain them, the City of Ypsilanti agrees to meet the following commitments required of all **BEE CITY USA** communities:

1) Pass this **BEE CITY USA** resolution (which articulates these commitments).

2) Designate a municipal department as the municipality's Bee City USA sponsor and a volunteer as the Bee City USA "liaison;" and assign facilitation of the local Bee City USA program either to a) a new or existing city commission or b) a non-profit organization, to encourage and coordinate local pollinator habitat and awareness activities. This body will serve as the intermediary between the citizenry and the municipality on matters of enhancing pollinator awareness, health and habitat, fulfilling the following commitments:

- Annually celebrate National Pollinator Week (third full week of June) or some other appropriate occasion with educational events, pollinator habitat plantings or restoration, proclamations or promotions that showcase the municipality's commitment to enhancing pollinator health and habitat.
- Annually celebrate our Bee City commitment by developing pollinator habitat, through planting or restoration annually, on city donated property, in order to showcase the municipality's commitment to enhancing pollinator health and habitat, and in partnership with the Bee City Committee, and organized and implemented by the Bee City Committee.
- Annually apply for renewal of the community's designation and submit a report of the previous year's **BEE CITY USA** activities following the format provided.

3) Publicly acknowledge the community's commitment by agreeing to a) install/maintain at least one authorized **BEE CITY USA** street sign in a prominent location, and b) create/maintain links on appropriate pages of the municipal website which includes, at minimum, links to a PDF of this signed Resolution and the national **BEE CITY USA** website, contact information for the municipality's **BEE CITY USA** liaison and designated "facilitator commission or non-profit organization committee," and reports of the pollinator-friendly activities the municipality has accomplished the previous year(s).

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

1. Charlotte Kerson, 109 Woods, encouraged City Council to adopt this resolution because bee populations are under enormous stress across

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the country. She stated bee keepers are mostly small business owners that now need to ship their bees to Florida during the winter because of the health hazard. She asked that Council assist in creating healthy bee habitats in Michigan to assist not only bees but small business owners.

2. Erin Richie, 1065 Maplewood Ave, stated the chance of the Africanized bees coming north is very low.
3. Will Teepen, 424 Madison, Bee City USA Sub-committee, stated he is not a bee keeper, or even all that fond of bees, but as a resident of Ypsilanti he sees this as a positive event for the City.

Council Member Robb stated the representative to the Parks and Recreation Commission is Council Member Anne Brown, and her name should be substituted in the resolution. He stated clause "B" should be stricken from the resolution.

Mayor Edmonds stated the representative would be the Parks and Recreation Commission itself not Council Member Anne Brown.

Council Member Robb responded than Clause "A" and "B" will be omitted from the resolution. He asked if the liaison would need to be named now, or could it be done on a later date.

Mayor Edmonds asked if the liaison would need to be a formal appointment.

Council Member Robb responded it is a requirement of the City to appoint all liaisons.

Council Member Murdock asked if the Parks and Recreation Commission would appoint the Bee City USA Liaison, or would Council.

Mayor Edmonds asked if the resolution could include Jamie Berlin's name in the resolution.

City Attorney Barr stated the amendments can be accepted as friendly amendments.

Council Member Anne Brown replied she accepts the friendly amendments.

Mayor Pro-Tem Richardson accepted the friendly amendments.

On a roll call, the vote to approve Resolution 2015-116 as amended was as follows:

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

VOTE:

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

Resolution No. 2015-116 as adopted reads as follows:

**RESOLUTION DESIGNATING THE CITY OF YPSILANTI AS A *BEE CITY*
USA®**

WHEREAS, the goal of *BEE CITY USA* is to promote healthy, sustainable habitats and communities for bees and other pollinators; and

WHEREAS, thanks to the tremendous diversity of wild native bees, along with the honey bees that were brought here from Europe in the 1700s, we have very diverse dietary choices rich in fruits, nuts and vegetables: "*One in every three bites of food we eat is courtesy of insect pollination. Even our meat and milk trace back to insects that pollinate the alfalfa and other feed for beef cattle and cows*" (Mace Vaughan, Pollinator Program Director for the Xerces Society for Invertebrate Conservation); and

WHEREAS, bees and other pollinators around the globe have experienced dramatic declines due to a combination of habitat loss, use of pesticides, and the spread of pests and diseases, with grave implications for the future health of flora and fauna; and

WHEREAS, cities and their residents have the opportunity to support bees and other pollinators on both public and private land; and

WHEREAS, supporting pollinators fosters environmental awareness and sustainability, and increases interactions among community stewards such as commercial and backyard beekeepers, farmers, children, educators, Master Naturalists, Master Gardeners, plant nurseries, municipalities, neighborhoods, and garden suppliers and clubs; and

WHEREAS, the economic benefits of the City of Ypsilanti bee-friendliness are:

- **Healthy ecosystems--insect pollinators are required for pollination and reproduction of about 85% of flowering plants globally, plants that: 1) are vital for clean air and water; 2) provide food, fiber and shelter for people and wildlife; and 3) support the very insects that pollinate our crops and form the basis of food webs.**
- **Increased vegetable and fruit crop yields due to bee pollination.**
- **Increased habitat for natural enemies of crop pests and therefore reduced need for and costs associated with pesticides.**
- **Increased demand for pollinator-friendly plant materials from local nurseries and growers.**
- **Income earned by beekeepers and others through the sale of bee products, beekeeping equipment and supplies, and hive rentals for pollination; and, heightened prestige and premium asking prices for place-based honey, which enhances the visibility and reputation of its community of origin; and**

WHEREAS, the City of Ypsilanti should be certified a *BEE CITY USA* community because:

- Michigan is among the leading states in honey production and honey bee assisted agricultural throughout the United States and the world.
- Honey bees are beneficial to mankind and to Michigan in particular, by providing agricultural fruit and vegetable pollination services in tandem with home garden vegetable and fruit production and by furnishing honey, beeswax and other useful products.
- The City of Ypsilanti passed Ordinance No. 1113 on December 1, 2009 to allow for beekeeping in the city.

WHEREAS, ideal pollinator-friendly habitat:

- Provides diverse and abundant nectar and pollen from plants blooming in succession.
- Provides clean water for drinking, nest-building, cooling, diluting stored honey, and butterfly puddling.
- Is pesticide-free or has pesticide use carried out with least ill effects on pollinators.
- Is comprised of mostly, if not all, native species of annual and perennial wildflowers, shrubs, trees, and grasses because many native pollinators prefer or depend on the native plants with which they co-evolved.
- Includes, where possible, designated pollinator zones in public spaces with signage to educate the public and build awareness.
- Provides for safe and humane removal of bees when required.
- Provides undisturbed spaces (leaf and brush piles, un-mowed fields or field margins, fallen trees and other dead wood) for nesting and overwintering for native pollinators; and

WHEREAS, in order to enhance understanding among municipal staff and the public about the vital role that pollinators play and what each of us can do to sustain them, the City of Ypsilanti agrees to meet the following commitments required of all *BEE CITY USA* communities.

- 2) Pass this *BEE CITY USA* resolution (which articulates these commitments).
- 3) Designates Bee City USA sponsor, Jamie Berlin or her designee, to coordinate through the Ypsilanti Parks and Recreation Commission (the City's liaison), to encourage and coordinate local pollinator habitat and awareness activities. A Bee Committee will serve as the intermediary between the citizenry and the municipality on matters of enhancing pollinator awareness, health and habitat, fulfilling the following commitments:
 - Annually celebrate National Pollinator Week (third full week of June) or some other appropriate occasion with

educational events, pollinator habitat plantings or restoration, proclamations or promotions that showcase the municipality's commitment to enhancing pollinator health and habitat.

- Annually celebrate our Bee City commitment by developing pollinator habitat, through planting or restoration annually, on city donated property, in order to showcase the municipality's commitment to enhancing pollinator health and habitat, and in partnership with the Bee City Committee, and organized and implemented by the Bee City Committee.
- Annually apply for renewal of the community's designation and submit a report of the previous year's *BEE CITY USA* activities following the format provided.

4) Publicly acknowledge the community's commitment by agreeing to a) install/maintain at least one authorized *BEE CITY USA* street sign in a prominent location, and b) create/maintain links on appropriate pages of the municipal website which includes, at minimum, links to a PDF of this signed Resolution and the national *BEE CITY USA* website, contact information for the municipality's *BEE CITY USA* liaison and designated "facilitator commission or non-profit organization committee," and reports of the pollinator-friendly activities the municipality has accomplished the previous year(s).

- Resolution No. 2015-132, in recognition of Gun Safety Week – Police Chief Tony DeGiusti

RESOLVED BY THE CITY COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti Police Department and the City Council are committed to enhancing the safety and well-being of all the residents of the City of Ypsilanti and public safety can be increased by raising awareness and educating residents about how to keep themselves and their families safe; and

WHEREAS, specifically educating the public and increasing knowledge about gun safety issues and encouraging responsible gun ownership can help protect our community and our families; and provides a public service which benefits everyone, especially our children; and

WHEREAS, though national attention is often drawn only to large scale tragedies, gun violence is a serious local as well as national problem affecting many Americans and Michigan

residents, as gun violence and injuries occur daily throughout too many of our municipalities; and

WHEREAS, guns are the most common weapon used in domestic violence against women and access to firearms increases the risk of homicide by more than 5 times, and individuals suffering from mental illness are at greater risk of being perpetrators or victims of gun violence, especially suicide, recognition of early warning signs and knowledge of how to respond can reduce gun violence and potentially save lives; and

WHEREAS, during the week of June 21, 2015 through June 27, 2015 the Ypsilanti Police Department will join other law enforcement agencies in Washtenaw County in order to increase the safety of our residents will be providing free gun locks and gun safety information to members of the public and collaborating with community organizations to enhance public knowledge and promote gun safety;

NOW THEREFORE BE IT RESOLVED that the City Council of The City of Ypsilanti in order to increase public safety and awareness about gun safety hereby declares the week of June 21, 2015 through June 27, 2015 as Gun Safety Week in The City of Ypsilanti.

OFFERED BY: Mayor Pro-Tem Richardson

SUPPORTED BY: Council Member Nicole Brown

Chief DeGiusti stated there is not a limit on gun locks per individual. He stated a resident who has five guns can receive five locks. He stated there is also literature provided with each lock that lists safety suggestions. He added on June 22nd there will be a press conference in front of the Sherriff Station including all the police agencies in Washtenaw County, and that begins at 11:00 a.m.

Council Member Anne Brown asked if the press conference would be posted on the City website.

Chief DeGiusti responded that is certainly something he could do.

On a roll call, the vote to approve Resolution 2015-132 was as follows:

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

VOTE:

YES: 7

NO: 0

ABSENT: 0

VOTE: Carried

- Presentation on *Branding* – Debbie Locke-Daniels, Ypsilanti Convention and Visitors Bureau

Deb Locke-Daniels, CVB Director, Provided the background for a presentation regarding the CVB branding campaign. She introduced Jim Hume, Phire, who was contracted to work on the branding campaign.

Jim Hume, Phire, provided an overview of the branding campaign.

Mayor Pro-Tem Richardson asked who the individuals were that he spoke with on the street.

Mr. Hume replied, as a part of the study, he spoke to 30 or 40 individuals.

Mayor Pro-Tem Richardson asked where the people that were spoken to were.

Mayor Edmonds responded in the commercial district as a part of First Fridays.

Mayor Pro-Tem Richardson stated First Fridays in the downtown district does not provide a full representation of Ypsilanti. She added also that the pictures for "Ypsi Real" seem chauvinistic.

Ms. Lock-Daniels responded the pictures are only place holders and will not be the pictures used for the actual branding.

Mr. Hume added currently Phire is reaching out to the community for volunteers to be in photos for the branding campaign.

Council Member Robb stated 86% of all place brands fail within a year, and asked why this campaign would be any different.

Mr. Hume responded it will be different because this campaign is relying on the community to help develop the brand, and those will be the individuals who will use the branding.

Council Member Robb asked who was it that said "Ypsilanti is like Austin".

Mr. Hume stated that is what Phire heard from the community. He stated the exact quotes were 20 years ago Austin began a branding strategy called keep Austin weird, and it grew and was embraced by the community.

Council Member Robb stated the City should no longer use "hipsilanti".

Ms. Locke-Daniels responded one downfall to providing this information in a short period of time is that the complete process is unable to be explained. She stated Phire performed several surveys which were used to develop the marketing strategy. She stated several points were made about Ypsilanti several times such as; "authentic", "original", and "real". She stated in her tenure as the CVB director she has been apprehensive about taking on a branding campaign because it is impossible to make everyone happy. She added that tourists were surveyed as well, and they echoed the same characteristics of "real", "original", and "authentic". She stated she is hoping for buy-in because this

will not work if the CVB is the only entity using the branding. She stated she hopes that the branding campaign will roll out as a part of the First Friday's in September.

Mayor Edmonds stated there were four initial concepts, and as a part of that she recommended several key demographic groups that should be reached out to. She stated that if Council has any recommendations of demographic groups that should be reached-out to for additional information, it should be shared with Ms. Locke-Daniels.

Mr. Hume stated if there is an event or any engagement that Council would like Phire to attend, he is completely willing to do so because this process is about community involvement.

Mayor Edmonds stated the photos that Mayor Pro-Tem Richardson alluded to earlier were all men that seemed to be stand-offish, and that was not something that she felt worked for the brand. She stated the brand should reflect the realness of individuals that have lived here their whole life, as well as other demographics within Ypsilanti.

Mr. Hume responded he appreciates the feedback. He stated this is still just high level concepts, and the campaign is dedicated to using Ypsilanti businesses.

Council Member Anne Brown suggested "Keep Ypsi Real" as a possible slogan.

Mayor Pro-Tem Richardson stated this was also her least favorite of the four initial concepts, and her favorite was the "Made Fresh Daily" concept. She thanked Ms. Locke-Daniels for performing the branding campaign, and said she will suggest some groups that should be approached about this campaign.

Ms. Locke-Daniels stated every photo that is used in this campaign will be vetted by her personally, and she will make sure that Council feels comfortable with the pictures.

Council Member Anne Brown stated EMU uses students and faculty for their pole banners so that the people are known.

Ms. Locke-Daniels responded the pole banners will contain community members that are known.

VIII. AUDIENCE PARTICIPATION –

1. Tim Ott asked if Council has ever heard of Ypsi Gypsi Beer, and suggested that it be included in the branding campaign. He stated the main reason he is here tonight is Beal Properties, and how a friend of his was killed while working on the Thompson Block construction. He stated he was at the site working that day, and he almost lost his life as a part of that accident. He stated the shortcuts in safety to save in cost resulted in the loss of his friend's life. He stated once the OSHA report is completed he will bring it to Council, and he asked that they take a good look at it and that something be done about it.

2. Bob Krzewinski, Non-Motorized Committee Chairperson, stated he appreciated the tenacity and hard work by everyone in the City that helped make the Border to Border Trail project a reality. He stated this path is not only great for recreation

but it will act as an economic driver. He stated there is a homestead map in city hall that is over one hundred years old that illustrated the city park system along the river. He asked that Council keep that map and the Border to Border trail in mind when going through their budget deliberations.

3. Janice Anshuetz, 101 E. Forest, supported the Border to Border Trail, and thanked Council for the work done toward the completion of the trail. She stated during the opening of the Dexter segment of the trail she counted over 800 adults crossing it, and the count did not include children. She said the trail was been so well used that it is helping to drive the economy of Dexter. She added her dream is that the trail will extend through Ypsilanti, and that it will produce the same success.

4. Mark Hergott, 111 Miles, stated the City has a \$1.2 million deficit and it is dumping huge amounts of money into capital improvements. He stated the success of the City depends on revenues, and the approval or disapproval of capital improvement plans. He stated City Manager Lange is attempting to add as many capital improvements on or near Water Street in order to better sell Water Street. He stated if the City does not improve Water Street, the City will bankrupt and if Council approves these projects, and Mr. Lange is unable to attract buyers the City will go bankrupt. He stated even if Council approves these projects, and Mr. Lange is able to attract buyers for Water Street the City may still go bankrupt. He stated Mr. Lange feels that these projects are the best way to save the City, and in his opinion the City has nothing to lose.

5. Jamie Berlin, 201 N. Normal, thanked Council for supporting the Bee City USA designation.

6. Sallie Richie, 40 E. Cross, stated after the meeting on May 8th Council Member Murdock posted on social media that City Council moved to extend the Depot Town Tax Increment Financing Plan and Development Plan for the next 25 years with the City recouping a portion of the 74% of the TIF revenue. She stated the calculation of the 100% of TIF revenue captured is 63% would stay with the DDA, and 27% would return to the City. She stated this would reduce DDA administrative and other expenses, and would leave the DDA to maintain the same discretionary funds they have for programming. She stated it is her understanding that the DDA Board is its own authority, and it has to create the change to the TIF for approval by City Council. She stated City Council does not have the authority to generate change in the DDA. She said when she became aware of the council meeting tonight she contacted the Michigan Legislature to clarify City Council's role in approval of a TIF plan and was informed that her understanding was correct. She stated it is not Council's job to make changes to the TIF and Development Plan. She urged everyone to read Section 125.166, Section 14, Sub-section 5 of the Michigan Legislature to see that what City Council is doing is illegal.

7. Rex Richie, 40 E. Cross, stated he is dissatisfied with the politics surrounding this issue. He stated he wanted to see this matter resolved one way or the other, and said he was happy to see at least three Council Members willing to vote on the

TIF plan at this meeting. He stated he is holding off a big building project because he refuses to put any more money into this City until Council makes a decision on the TIF plan.

8. Dave Hiekkinen, business owner 133 W. Michigan, stated he is in support of the approval of the Depot Town TIF renewal, but he would like to address other matters. He stated the major issue the City faces is that it is \$13 million in the negative, and that must be the City's focus. He said the City needs to sell as much property as it's able, and if it is able to sell all City property that would generate \$4 million. He stated the City Manager and Mayor should fundraise for \$1 million, Commissioner Peterson should raise \$1 million, as well as State Representative Dave Rutledge, Congresswoman Dingell and Governor Snyder. He stated he does not understand why Ypsi is not the brand of the City.

9. Erin Richie, 1065 Maplewood Ave, stated Depot Town is a very unique area in Ypsilanti. She stated the area has a great deal of historic value, and is one of the greatest assets the City has. She said there are a number of business owners putting money into Ypsilanti who are very passionate about Depot Town, and she does not understand why Council is trying to take funding out of Depot Town when that is the one thing that the City is doing right.

10. Kevin Hill, 108 Washtenaw #4, stated when he moved here the City was never referred to as "Ypsi", but it seems things have changed. He stated the term "Ypsi" happened organically, and that should be embraced. He stated one of the major attractions in Depot Town was Sallie Richie's establishment "Mother's Ice Cream". He stated that was one of the best businesses that ever operated in Ypsilanti. He stated he is the Chairperson of the Ypsilanti Downtown Development Authority, and at the beginning of the TIF renewal process he knew its importance. He said the revenue would allow the City a chance for some improvement in the park and along the riverfront. He encouraged Council to approve the Depot Town TIF renewal as submitted.

IX. REMARKS BY THE MAYOR –

- Thanked Mr. Hiekkinen for his creative ideas.
- Stated the accident at the Thompson Block was a tragedy, and Council is eagerly awaiting the MIOSHA report, and working to ensure that tragedies such as these do not happen in the future.
- She stated after speaking with the DDA Attorney, City Council can offer amendments to a TIF plan but cannot offer a separate ordinance. She stated it can be a future amendment but not a separate ordinance. She stated she is in favor of approving the Depot Town TIF plan as submitted.

Council Member Murdock stated Council already amended the Depot Town TIF plan during First Reading.

Mayor Edmonds responded the TIF plan was approved as submitted during first reading.

Council Member Murdock stated the act requires Council to approve a TIF plan, and the DDA's budget. He stated nothing of what Council is doing now is illegal.

- Resolution No. 2015-141, approving the implementation of Simple Recycling in the City of Ypsilanti.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The City of Ypsilanti desires to partner with Simple Recycling, a company that collects usable clothing, shoes, textiles and household goods for reuse and recycling; and

WHEREAS, Ypsilanti residents will have the opportunity to set these materials out at the curbside on their normal recycling day and Simple Recycling will provide special bags and tags to residents to set out these items; and

WHEREAS, Simple Recycling will provide this service for free to both the City and residents, as well as pay the City a nominal fee for recyclables collected; and

WHEREAS, and as a component of City-wide initiatives to become more energy efficient and reduce waste, residents are still encouraged to contribute to charitable organizations, thrift stores, and charitable donation options.

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor and City Clerk are authorized to sign a contract with Simple Recycling, subject to the approval by the City Attorney.

OFFERED BY: Council Member Robb

SUPPORTED BY: Council Member Nicole Brown

Scott Brady, Simple Recycling Representative, was present to answer questions from Council.

Mayor Pro-Tem Richardson stated she was sorry she did not invite representatives from the Ypsilanti Thrift Shop, but as a member of the Thrift Shop she will speak on its behalf. She stated the Thrift Shop has been in Ypsilanti since 1942, and has partnered with two other agencies; Dawn Farms and Catholic Social Services. She stated the Thrift Shop has gifted back over \$30,000 to the community such as; former inmates becoming re-acclimated, and helping residents with their utility bills. She stated if Council adopts this resolution it will take away the ability of the Ypsilanti Thrift Shop to assist the community. She stated for those reasons she is opposed to this resolution.

Mr. Brady responded Simple Recycling's program is not competing with charities, it is competing with the landfills. He stated the EPA stated only 15% of unwanted clothing is donated in the traditional fashion, and the remainder ends up in a landfill. He stated Simple Recycling respects all charitable organizations, it is Simple Recycling's goal to make it easy on the residents of Ypsilanti to donate the 85% that is not donated, and at the same time benefit the City and provide an environmentally sustainable service. He stated Assistant to the City Manager Ericka Savage has vetted Simple Recycling, and is in support of the company.

Mayor Edmonds asked if the concern of the effect on local charities was discussed during the vetting.

Ms. Savage responded East Lansing noted during the transition period there were complaints on the effect to local charities, and confusion regarding pick-up. She stated once it was explained to residents those complaints dissipated.

Mr. Brady stated Republic Services, who the City contracts for waste pick-up, also endorses Simple Recycling.

Council Member Anne Brown asked how the pick-ups are scheduled.

Mr. Brady responded pick-ups mirror the waste pick-up schedule to minimize confusion.

Council Member Nicole Brown asked DPS Director Stan Kirton how he felt about this program.

DPS Director Stan Kirton asked if Simple Recycling has a call center.

Mr. Brady replied yes, and the 800 number is listed on all provided literature.

Mr. Kirton stated that sounds good, but more than likely residents will call DPS, and the department only has two clerical employees.

Mr. Brady replied DPS could forward calls to Simple Recycling.

Mr. Kirton stated staff would still have to answer the phones.

Mayor Edmonds asked if the phone number is written on the bag itself.

Mr. Brady replied yes.

Mayor Edmonds asked if Simple Recycling has experience in other communities they provide their service to, and if there was increased call volume.

Mr. Brady responded the only period of higher call volume is during the first week of the program.

On a roll call, the vote to approve Resolution 2015-141 was as follows:

Council Member Nicole Brown	Yes	Council Member Robb	Yes
Council Member Murdock	Yes	Mayor Edmonds	Yes
Mayor Pro-Tem Richardson	No	Council Member Vogt	Yes
Council Member Anne Brown	No		

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VOTE:

YES: 5 NO: 2 (Richardson, Anne Brown) ABSENT: 0 VOTE: Carried

X. ORDINANCES – SECOND READING –

1. Resolution No. 2015-133, approving Ordinance No. 1249, an ordinance entitled, "An Ordinance to Amend Budget Appropriations by Department and major Organizational Unit for FY 2014/15 and FY 2015/16 be approved on Second and Final Reading.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That Ordinance No. 1249 entitled, "An Ordinance to Amend Budget Appropriations by Department and Major Organizational Unit for the Fiscal Years 2014-2015 and 2015-2016", be approved on Second and Final Reading.

OFFERED BY: Council Member Vogt

SUPPORTED BY: Council Member Nicole Brown

City Manager Lange provided an overview of the budget process thus far. He stated there is a very hard decision to make regarding the Border to Border Trail. He added that the Department of Natural Resources grant can no longer act as a match to the Transportation Alternative Program grant. He stated if Council wishes to move forward with the mid-block crossing, the Heritage Bridge, and the Border to Border Trail it will increase the deficit from \$1,211,438 to \$1,317,438. He stated a main requirement is that the deficit be lower than the Water Street debt payment which is \$1,376,342. He stated the second option is to approve the construction of just the Border to Border Trail which would save \$100,000 from the Economic Development Corporation Fund, and the net cost to the Major Street Fund would be \$74,000. He said around \$1 million in grant money would be lost.

Council Member Murdock stated when this project began it was \$500,000 over budget, and through negotiations staff was able to bring the number down to \$145,000. He asked in the current scenario how much over budget will the City pay for the completion of all Border to Border Trail projects.

Mr. Lange responded it would cost around \$231,000. He stated it would not include the tail of the trail. He recommended the City allocate the funds set aside for non-motorized for this project in order to preserve the Major Street Fund.

Council Member Murdock stated the Adams Street project increased slightly.

Mr. Lange responded the cost increased, but then was negotiated back down.

Council Member Murdock stated to complete the project in its entirety it would cost \$231,000, and if Council approves to construct just the trail no additional funds would be needed.

Mr. Lange responded the City would save an additional \$100,000 in EDC funds, and \$34,000 more would be spent from Major Street Fund.

Council Member Murdock asked if this cost would complete the Trail to the Recreation Center, and connect to Ford Lake.

Mr. Lange responded yes.

Council Member Murdock asked when this decision must be made.

Mr. Lange responded it should be made tonight because the City needs to award the contract, or it drops the project.

Mayor Edmonds asked if the mid-block crossing was removed would the City lose around \$1 million in grant funding.

Mr. Lange responded the mid-block crossing and the Heritage Bridge cannot be separated.

Economic Development Director Beth Ernat stated these three projects are vital to the success of Water Street. She stated the connection goes from Water Street to Depot Town, at the same time connecting Depot Town to the Downtown. She stated this project would meet the goals of the non-motorized plan. She stated she understands the impact to the budget, but she recommends moving forward with the plan.

Council Member Murdock pointed out that three weeks ago this was not the opinion of Ms. Ernat. He stated at that time her opinion was that the only project that needed to be completed was the Trail.

Mayor Edmonds recalled last week Ms. Ernat told Council she was in support of all three projects.

Ms. Ernat replied she has been working with the multiple agencies involved in order to leverage more funding. She stated three weeks ago she was for only completing the trail itself, but now she is 98% behind the other projects.

Council Member Anne Brown asked what were the issues with MDOT.

Ms. Ernat responded SEMCOG informed the City that the TAP grant could be used in overlapping projects from Michigan Department of Natural Resources (MDNR), and MDOT stated that was not the case. She stated the project plan could still be implemented to a point if an appropriate narrative was provided.

Mr. Lange stated he wants to award the bid now, before the prices change.

Mayor Edmonds responded Council is making decisions on what are the right investments. She stated she is still willing to go forward with the projects.

Mr. Lange stated if the railroad stop was coming to Ypsilanti in the next two years he would not support this amount of money. He stated this is the only amenity that the City can afford that will help drive development.

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Council Member Vogt stated the final cost will be \$231,000 and there is a possibility of decreasing the cost, and Adams Street is going to be less expensive than originally planned. He stated the decision is difficult but he is leaning toward approval of the projects. He stated this is a decision that will be in place for 50 years, it helps spur economic development and recreation in the City. He also stated the City has made many verbal commitments to the County and other entities and to not follow through would harm those relationships.

Council Member Murdock stated he is torn on this issue. He stated there needs to be a balance between spending and austerity, and he is much more willing to support the three projects if the City follows the City Manager's Plan to maintain a fund balance.

Ms. Ernat replied two things that swayed her opinion over the past three weeks is the barrier free accessibility, and the County's cooperation has been prevalent and that has not always been the case.

Council Member Anne Brown stated St. Joseph's Hospital is offering a pledge of \$25,000, and an additional \$25,000 if the City is able to produce a match, and other organizations are now considering donating funds to the projects.

Ms. Ernat stated there is a good deal of interest in the community for this project, and the City should leverage that in order to raise funds. She stated any community buy-in that the City can produce is something that should be examined.

Mayor Edmonds stated that in the future the City will need the help of these organizations. She stated the City moving forward, and honoring its commitments is crucial to the City's reputation.

Ms. Ernat stated the granting parties for these projects have extended grants for the better part of four years, and it is clear that they are in support of these projects.

Mr. Lange stated he would have liked to have all commitments locked up before approving the projects, but the City cannot postpone the contract any longer.

Council Member Murdock moved to proceed with the three projects as proposed, and reallocate the \$2 million not earmarked, to pay down the debt to the restricted fund balance.

Council Member Vogt supported the motion.

Council Member Anne Brown stated she is not in favor of the amendment to reallocate \$2 million to the restricted fund balance, and asked if the two items could be separated.

City Attorney Barr responded the motion can be bifurcated.

Council Member Anne Brown moved to separate proceeding with the three projects, and the reallocation of \$2 million to the restricted fund balance.

Council Member Nicole Brown supported the motion.

Mayor Edmonds stated she is in support of the bifurcation of the original amendment.

Council Member Robb stated in order to gain the support of Mr. Murdock, Council would need to vote these items together, and budget items should not be separated.

On a roll call, the vote to approve the separation of the amendment to Resolution No. 2015-133 was as follows:

Council Member Nicole Brown	Yes	Council Member Robb	No
Council Member Murdock	No	Mayor Edmonds	Yes
Mayor Pro-Tem Richardson	Yes	Council Member Vogt	No
Council Member Anne Brown	Yes		

VOTE:

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

Council Member Robb stated next year's budget is going to be brutal, and Council may need to lay-off employees. He stated part of the reason is because Council is spending too much money this year. He stated the projects being discussed are described as a 50 year investment, and if it is a 50 year investment it should be completed with a better design. He stated there needs to be some austerity in this budget, and he will not be supporting the approval of these projects. He said if this is so important to be completed this year, the City should postpone hiring the thirty-second Police Officer, and the third employee for the Planning Department. He stated the City does not have the money to do every project, and Council should begin making responsible decisions before it begins to lay people off.

On a roll call, the vote to approve the construction of the three Border to Border Trail projects was as follows:

Council Member Nicole Brown	Yes	Council Member Robb	No
Council Member Murdock	Yes	Mayor Edmonds	Yes
Mayor Pro-Tem Richardson	Yes	Council Member Vogt	Yes
Council Member Anne Brown	Yes		

VOTE:

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

Council Member Murdock stated if Council does not support the restriction of \$2 million it does not support the City Manager's plan, and will leave \$2 million unrestricted which leaves the possibility that the funds could be spent on other City projects. He stated he does not understand why anyone on Council would be against this, and it still leaves the required 10% in the fund balance.

Mayor Pro-Tem Richardson said in the past Council has allocate funds to pay the Water Street debt, and asked if there is \$1.3 million set aside for Water Street.

Ms. Uy stated as of now the City has budgeted \$500,000 for the Water Street debt payment.

Mayor Pro-tem Richardson stated she would certainly support increasing that amount to \$1 million, but not \$2 million.

Council Member Robb stated the point of restricting \$2 million is that is what it will take to refinance the bonds. He stated if a council member is against restricting \$2 million then that council member is against refinancing the bonds in this fiscal year, and at the point the City will be running out of time. He added by not setting that amount aside the City will not be able to receive favorable loan terms.

Ms. Uy responded if Mr. Lange's plan is followed it will require a down payment of \$2 million, and if that money is not set aside, the down payment amount will not be met.

Mr. Lange stated Council can either designate that fund balance now, or when the down payment is to be made, but those funds will need to be designated in order to make the 2017 payment.

Mayor Edmonds asked if Mr. Lange supports restricting \$2 million for the debt payment.

Mr. Lange responded whether the \$2 million is formally designated or not, it will eventually be used to pay the down payment.

Mayor Pro-Tem Richardson stated if the funds are undesignated they could be used for other projects. She asked if it is an imperative that the bonds be renewed, and would it require \$2 million to do so.

Ms. Uy replied the City can pay what it is able to refinance, but in order to cut the annual payment so the City is able to save money, it will need to pay \$2 million.

Mayor Pro-Tem Richardson asked what Ms. Uy's recommendation is for the down payment.

Ms. Uy responded \$2 million is doable.

Council Member Anne Brown stated the \$2 million is a good faith effort to refinance.

Council Member Robb stated the City would pay the \$2 million to lower the principal and in turn lower the interest.

Council Member Murdock stated there is a small window to make this down payment in order to create an effect on payments into the future.

Mr. Lange stated the \$500,000 that is reserved is in the 477 account, the \$2 million would be restricted in the General Fund.

Council Member Murdock responded yes.

Mr. Lange stated the City is acquiring capital in the 477 account with hopes to have \$4 million.

Council Member Murdock stated the budget that is being adopted this year has a \$1.3 million deficit that will come out of the fund balance, and it is also not designated.

Mayor Pro-Tem Richardson stated when the City sells property it is allocated to the 477 account.

Mr. Lange replied correct.

Council Member Murdock stated with the changes made tonight it will leave \$4.1 million in undesignated funds.

On a roll call, the vote to approve the allocation of \$2 million for the restricted fund balance was as follows:

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

VOTE:

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

Council Member Vogt proposed adding a two year, \$200,000 street light assessment to the budget. He stated the specifics would be detailed later, but he suggested a base number that the majority of residents would pay, possibly around \$42, and properties over 200 ft. from a street light would be assessed a lower fee. He stated if several street lights shine on a property it could be assessed a higher fee. He said those details would be examined at a later date. He stated what he is asking is to designate a \$200,000 goal for this fiscal year.

Council Member Vogt moved to adopt the City Manager's proposal to reinstate the street light assessment for a total amount of \$200,000 a year for two years.

Council Member Anne Brown supported the motion.

Council Member Robb stated since this could not be incorporated until December it would only be included on the Winter Tax Bill, and essentially this would raise \$100,000 to this budget.

Mr. Lange stated the previous street light assessment was included in the winter tax bill only, and the City collected the full \$200,000.

Mayor Pro-Tem Richardson stated the original street light assessment created a strong resistance from the public. She stated an assessment is just another word for a new tax, and asked if Council wants to add another tax to the residents. She said the last assessment was especially difficult for senior citizens living in Ypsilanti.

Council Member Vogt stated property tax revenue is \$3 million lower than it was seven to eight years ago, and to replace some of that revenue with this assessment will only increase taxes slightly. He stated there is never going to be an easy solution, but the City needs to fund essential services such as firefighters.

Mayor Edmonds asked for specifics of the reality of what it will take to administer the assessment.

Ms. Ernat responded there has been discussion to create an assessment that the amount is responsive to the size of the property, or a distance a property is from the light itself. She stated that is a logistical nightmare for staff, and the Geographical Information System (GIS) used by the City is very advanced, however the layers produced to create the assessment can be off by 50 feet. She stated

the lot lines produced by GIS are accurate, however issues can arise through lot splits, or inaccurate assessment information. She stated staff would not be able to provide the accuracy needed for the assessment until December. She proposed allowing properties the opportunity to file for a hardship based on financial status, or accessibility to street lights.

Council Member Vogt stated he would rather stay away from that alternative and implement the original system with minor modifications with concretely design exceptions. He stated the concerns about an assessment are manageable issues if explained appropriately. He emphasized that any hardships should have clear definitions and strategies of administration. He added the issue is to get the assessment on the budget, and recognize that only cuts will save the City and additional revenue must be created.

Ms. Ernat stated even if a property does not include a street light on their actual street they will utilize the lights in the community. She stated there will be a program offered by DTE that allows a property owner to request a street light, and DTE will apply an additional assessment to the property for an additional five years.

Mayor Pro-Tem Richardson stated considering when the original assessment was implemented, the public was assured that it would only be for two years. She stated she would feel better if this item were not added to the budget now, and allow the public the opportunity to voice concerns to Council.

Mayor Edmonds asked if tax exempt properties would receive the assessment.

Mr. Lange replied no, he stated one of the issues with the last assessment was EMU was not required to pay the assessment. He stated each parcel would be assessed \$41.66 to raise the \$200,000.

Council Member Murdock stated special assessments are better suited for capital projects, and operational items are difficult to assess fairly. He stated his concern is next year many difficult budgetary decisions are going to be made, and if special assessments are to be created, the intention should be to fix the problem, and the proposed assessment will not fix the problem.

Council Member Robb stated in order to pass this assessment it could be designated to fund the Heritage Bridge, and then tax payers could see that they are getting something for their money.

Mr. Lange stated there is already funding available for that project, but the item that is going to be most difficult to fund will be the new fire engine.

Mayor Edmonds stated the grant to fund the fire engine is still pending, and a special assessment cannot be created as a back-up plan. Mayor Edmonds agreed with Mr. Robb that an assessment is more palatable if it is earmarked for a specific project. She asked Mr. Vogt how he feels about designating the assessment for a specific project.

Council Member Vogt responded he is not opposed to it. He stated these funds are all fungible, or at least the General Fund is.

Council Member Anne Brown asked what the timeline would be for the assessment.

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Council Member Robb stated the process for an assessment is fairly long, and it probably would not begin until the third week of September. He stated this will also require a great deal of staff time to implement this assessment rather than concentrating on other City tasks.

Council Member Vogt stated he feels staff time would be minimal, and if staff time is a concern the original assessment could be modeled for this assessment.

Mayor Edmonds asked how many taxable parcels are located in the City.

Mr. Lange replied 4,812.

Mayor Edmonds stated during the last assessment the \$57 was difficult to swallow by the public. She stated if the amount was three quarters of that number, \$31, it would be more easily accepted, and would generate \$150,000.

City Attorney Barr stated it seems that Council is discussing a principal rather than levying an assessment. He stated Council can create an assessment for street lights, but he is not certain that legally Council could create an assessment for the bridge. He stated Council must decide if it wants to adopt the concept of creating a special assessment. He stated if Council approves an assessment he will work on it, and staff will return with a plan for implementation.

Council Member Vogt stated if the City Attorney informs Council that it is illegal, then the assessment would fall from the budget.

Council Member Murdock stated a special assessment for the bridge would only be for a year.

Council Member Robb clarified he was not specifically recommending the bridge, he was only using it as an example.

Council Member Nicole Brown moved to extend the meeting until 11:00 p.m.

Council Member Vogt supported the motion.

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

Mr. Lange stated Council simply needs to decide if it wishes to approve a special assessment, and the amount of the assessment.

Mayor Edmonds asked how Council feels about approving an assessment.

Mayor Pro-Tem Richardson stated she would want to hear from the public before approving an assessment.

Council Member Vogt stated the City can either pay for this now, or pay a much higher cost in the future.

On a roll call, the vote to amend the budget adding a special assessment in the amount of \$200,000 for two years was as follows:

Council Member Nicole Brown	Yes	Council Member Robb	No
Council Member Murdock	No	Mayor Edmonds	No
Mayor Pro-Tem Richardson	No	Council Member Vogt	Yes
Council Member Anne Brown	Yes		

VOTE:

YES: 3 NO: 4 (Robb, Murdock, Richardson, Edmonds) ABSENT: 0 VOTE: Failed

Council Member Vogt thanked Council for listening to this proposal for the second time. He stated he is not upset with the result and appreciates Council consideration, and as Mr. Robb stated there will be more difficult decisions in the future. He asked Council to keep it in their minds for further consideration.

Council Member Robb stated at the moment it is being claimed that the City will be receiving \$75,000 for the completion of the Heritage Bridge project, and in reality the City has only been promised the \$25,000 from St. Joseph's Hospital. He stated the other \$50,000 is uncommitted, and should be accounted for in the budget.

Council Member Anne Brown moved to dedicate \$50,000 of the \$100,000 budgeted in the Major Streets fund for non-motorized projects be used for the Heritage Bridge.

Mayor Pro-Tem Richardson supported the motion.

On a roll call, the vote to amend the budget to designate \$50,000 in the Major Street fund to the completion of the Heritage Bridge was as follows;

Council Member Nicole Brown	Yes	Council Member Robb	No
Council Member Murdock	No	Mayor Edmonds	Yes
Mayor Pro-Tem Richardson	Yes	Council Member Vogt	Yes
Council Member Anne Brown	Yes		

VOTE:

YES: 5 NO: 2 (Robb, Murdock) ABSENT: 0 VOTE: Carried

Mayor Edmonds moved to add a contribution of \$10,000 to the Senior Center for this fiscal year.

Council Member Nicole Brown supported the motion.

Council Member Vogt stated he assumes this will be a one year contribution, and next year they should be able to cover their budget.

Council Member Anne Brown stated more than likely they will not. She stated they have raised their room rental fee and had additional events to raise money, but they still have fallen short.

Mayor Edmonds stated an ongoing subsidy to an organization providing a City service is a good investment.

Council Member Anne Brown stated she asked Mr. Barr to complete their Memorandum of Understanding (MOU) for their July 9th meeting.

Council Member Murdock asked if the Senior Center has a 501 status.

Council Member Anne Brown replied they do not.

Mayor Edmonds stated the Senior Center would not be a legal entity to enter into an MOU.

Council Member Murdock stated the Senior Center needs one, and Council had the Rutherford Pool obtain a 501 status.

Council Member Anne Brown stated the Senior Center needed clarification on their need to request a 501 status.

Mr. Barr stated the City's policy is if there is an agreement with a "Friends" group they need to be a legal entity. He stated it is not legally necessary, but it is desirable.

Council Member Anne Brown stated they are discussing that, but they do not have the funds at the moment to acquire that classification. She added she would like to discourage that the City limit "Friends" groups because they are soliciting the same individuals for funding.

Council Member Robb stated the City currently pays 50% of the Senior Center's utilities and cleaning costs, and this would provide an additional \$10,000.

Council Member Anne Brown stated the money needs to come from somewhere.

Council Member Murdock stated Council has already started subsidizing the pool, and increased the subsidy to Parkridge. He stated at one time the City was not providing these organizations funding.

Council Member Vogt stated his concern is in a year or two all subsidies to "Friends" will have to stop. He said this organization, and the other organizations need to understand that this will probably be the last, at least for the foreseeable future.

Mayor Pro-Tem Richardson stated the buildings that the "Friends" organizations operate out of are owned by the City, and the City can work with the "Friend's" groups to maintain the buildings, or allow them to deteriorate.

Council Member Robb stated he is against funding this, and at the moment Council is in a disagreement over asking for \$25,000 from the DDA, and the Council has just transferred over \$300,000 out of this budget. He stated it is ironic, and he hopes that Council appreciates the fact that Council is in a dispute with the DDA over \$25,000 and it doesn't bat an eye over spending \$300,000 out of this budget.

Council Member Anne Brown asked from what account the \$10,000 would be allocated.

Council Member Robb stated it would be up to Mayor Edmonds.

Mayor Edmonds responded she would ask the recommendation of staff.

Mr. Barr asked if the motion was for \$10,000.

Mayor Edmonds responded yes for the 2015-16 Fiscal Year from the fund balance.

On a roll call, the vote to amend the budget to designate \$10,000 for operating expenses for the Senior Center was as follows;

Council Member Nicole Brown	Yes	Council Member Robb	No
Council Member Murdock	No	Mayor Edmonds	Yes
Mayor Pro-Tem Richardson	Yes	Council Member Vogt	Yes
Council Member Anne Brown	Yes		

VOTE:

YES: 5 NO: 2 (Robb, Murdock) ABSENT: 0 VOTE: Carried

On a roll call, the vote to approve Resolution No. 2015-133 as amended was as follows;

Council Member Nicole Brown	Yes	Council Member Robb	No
Council Member Murdock	Yes	Mayor Edmonds	Yes
Mayor Pro-Tem Richardson	Yes	Council Member Vogt	Yes
Council Member Anne Brown	Yes		

VOTE:

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

2. Resolution No. 2015-134, approving Ordinance No. 1250, an ordinance entitled, "2015-2016 Tax Levy Ordinance" on Second and Final Reading.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Ordinance No. 1250 entitled "2015-2016 Tax Levy Ordinance", be approved on Second and Final Reading.

OFFERED BY: Council Member Murdock

SUPPORTED BY: Council Member Nicole Brown

On a roll call, the vote to approve Resolution No. 2015-134, approving Ordinance No. 1250 was as follows;

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

VOTE:

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

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3. Resolution No. 2015-135, approving Ordinance No. 1244: Adoption, Amendment and Restatement of the Depot Town Development Plan and Tax Increment Financing Plan. ~~(First Reading held April 7, 2015)~~ (Removed)

XI. MINUTES –

None

XII. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2015-136, approving the City of Ypsilanti pay for the final installment of the Depot Town DDA Debt. ~~(Removed)~~
2. Resolution No. 2015-128, approving fee schedule. ~~(Tabled June 9, 2015)~~ (removed)
3. Resolution No. 2015-137, approving MDOT contract for 2015 Adams Street Project and the allocation of funding for the construction costs and construction engineering services.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Federal Surface Transportation Program - Urban funding has been programmed in the Washtenaw County Transportation Improvement Program for improvements to Adams Street between Pearl Street and Cross Street in the year 2015 construction season; and

WHEREAS, it is necessary to enter into a contract with the Michigan Department of Transportation for the implementation of this project;

NOW, THEREFORE, BE IT RESOLVED THAT the City Council approves the Michigan Department of Transportation Contract No. 15-5243; and

THAT the Mayor and City Clerk are authorized to sign this contract and any change orders, subject to approval by the City Attorney, to facilitate the completion of this work.

OFFERED BY: Mayor Pro-Tem Richardson

SUPPORTED BY: Council Member Anne Brown

DPS Director Stan Kirton was present to answer questions from Council.

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Mayor Pro-Tem Richardson apologized to Mr. Kirton for not moving this item before budget discussion, and said she would keep that in mind for future meetings.

Mr. Lange stated the City had very difficult negotiations with Ypsilanti Community Utilities Authority (YCUA), but a compromise was made that saved the City \$24,000. Mr. Lange thanked Marcus McNamara from OHM for his work on this project.

On a roll call, the vote to approve Resolution No. 2015-137 as amended was as follows;

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

VOTE:

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

4. Resolution No. 2015-138, approving contract with Orchard, Hiltz & McCliment, Inc. (OHM) for the Adams Street Paving and Water Main Improvement Project Construction Engineering Services.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Federal Surface Transportation Program - Urban funding has been programmed for full depth reconstruction, curb/gutter replacement, driveway replacement, ADA Ramp installation, drainage improvements and water main replacement for Adams Street between Pearl Street and Cross Street in the 2015 construction season; and

WHEREAS, Orchard, Hiltz and McCliment has provided an exemplary level of service to the City of Ypsilanti on similar street improvement projects, and posses a depth of experience with the infrastructure in the project area; and

WHEREAS, it is necessary to secure construction engineering services to keep this project on schedule for the 2015 construction year;

NOW, THEREFORE, BE IT RESOLVED THAT the City Council approves the construction engineering and geotechnical testing services contract with Orchard, Hiltz & McCliment, Inc., 34000 Plymouth Road, Livonia, MI at a not to exceed cost of \$80,000.00; 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: Council Member Nicole Brown

DPS Director Kirton was present to answer questions from Council.

Council Member Murdock asked if the storm sewer will be fixed as a part of the construction.

Mr. Kirton replied yes.

On a roll call, the vote to approve Resolution No. 2015-138 was as follows;

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

VOTE:

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

5. Resolution No. 2015-139, awarding contract for construction engineering for the Heritage Bridge and Border to Border Trail.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Mannik and Smith Group have been responsible for the design and engineering of the Heritage Bridge and Trail and the Mid-block HAWK crossing; and

WHEREAS, Mannik and Smith Group have been critical in creating a funding plan and value engineering for the Heritage Bridge and Trail and Mid-block HAWK crossing; and

WHEREAS, the City of Ypsilanti seeks to enter into a contract for the construction engineering and inspections services for the Heritage Bridge and Trail and Mid-block HAWK crossing.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council enter into a contract with Mannik Smith Group in the amount of \$79,790.00 for construction engineering and

inspection services for the Heritage Bridge and Trail and the Mid-block crossing.

OFFERED BY: Council Member Nicole Brown
SUPPORTED BY: Council Member Murdock

On a roll call, the vote to approve Resolution No. 2015-139 was as follows;

Council Member Nicole Brown	Yes	Council Member Robb	No
Council Member Murdock	Yes	Mayor Edmonds	Yes
Mayor Pro-Tem Richardson	Yes	Council Member Vogt	Absent
Council Member Anne Brown	Yes		

VOTE:

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

6. Resolution No. 2015-140, accepting bid for Heritage Bridge and Border to Border Trail.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti desires to extend the Border-to-Border Trail through the Water Street Development area and to connect the Water Street Development area to Riverside Park; and

WHEREAS, the desired connection requires construction of the trail, a mid-block crossing on Michigan Avenue, and a barrier-free pedestrian bridge over the Huron River; and

WHEREAS, the City with its partners, Michigan Natural Resources Trust Fund, Michigan Department of Transportation, Southeast Michigan Council of Government, and Washtenaw County Parks and Recreation, have funded the construction of the Water Street Trail, Pedestrian Bridge, and Mid-Block Crossing.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council accepts the Fisher Contracting Bid in the amount of \$1,394,963.28.

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

On a roll call, the vote to approve Resolution No. 2015-140 was as follows;

Council Member Nicole Brown	Yes	Council Member Robb	No
Council Member Murdock	Yes	Mayor Edmonds	Yes
Mayor Pro-Tem Richardson	Yes	Council Member Vogt	Yes
Council Member Anne Brown	Yes		

VOTE:

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

7. ~~Resolution No. 2015-141, approving the implementation of Simple Recycling in the City of Ypsilanti.~~ **(Moved and heard before Section X, "Ordinances")**
8. Resolution No. 2015-142, approving an extension to the auditing contract with Rehmann-Robson.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the Finance Department is requesting to outsource assistance for a one year extension of Fiscal Year-End Accounting Service and Year-end Report Preparation of the City AND

WHEREAS, this service will help the Finance Department focus on the day-to-day Financial Operations of the City; AND

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

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

NOW BE IT HEREBY RESOLVED that the Ypsilanti City Council approve a one-year extension agreement with Rehmann Robson to perform Year-end accounting services and Year-end Report preparation under the direction of the Fiscal Services Director.

OFFERED BY: Council Member Anne Brown

SUPPORTED BY: Council Member Nicole Brown

Fiscal Services Director Marilou Uy stated she is requesting to extend the contract with Rehmann Robson accounting services in order to prepare a draft for the CAFER. She stated the price of the extension is already included in the budget.

Council Member Robb asked the price of the services.

Ms. Uy replied \$33,830.

Council Member Robb asked what fund the \$33,330 will come from.

Ms. Uy responded it will come out of several accounts.

Mr. Lange stated it will come from any departmental account that needs audit assistance.

Mayor Edmonds asked how often a full audit is completed, and is the contract bid out.

Ms. Uy replied an audit is required to be completed every three years with the possibility of a two year extension. She added next year the City must decide if it wishes to extend, or go through the process.

On a roll call, the vote to approve Resolution No. 2015-142 was as follows;

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

VOTE:

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

9. Resolution 2015-143, against the elimination of local governments' authority to raise local labor market standards above State minimums.

**Resolution against the Elimination of Local Governments'
Authority to Raise Local Labor Market Standards above State
Minimums**

Whereas, House Bill 4052 and Senate Bill 337 would deprive local governments - including all cities, municipalities and counties - in the state of Michigan of the power to set prevailing, living and minimum wage levels, as well as other forms of local labor market regulation (e.g., earned sick leave requirements) for the businesses operating in their communities, not only preventing new regulations of these kinds but invalidating existing policies;

Whereas, The City of Ypsilanti has long had Prevailing Wage and Living Wage Ordinances that have been valuable economic development tools which would be undermined should one of these Bills become law;

Whereas, Economic and social challenges (e.g., cost of living) and the opportunities (e.g., average education and income

levels) vary considerably among Michigan's cities and counties, so that (provided that the state establishes a basic minimum or floor) a "one size fits all" state-level strategy of economic development is likely to be sub-optimal with respect to the kinds of policies covered by HB4052 and SB 337;

Whereas, Allowing local governments in Michigan to experiment with different permutations of such policies advances our understanding of such policies' benefits, costs and limits in the particular context of our state, to the benefit of all citizens of our state; and

Whereas, Political values and priorities vary among communities in Michigan as in every other state, a reality best reconciled with the ideal of democratic decision-making by devolving policy-making power to the most local level that does not give rise to negative (e.g., race to the bottom) dynamics;

RESOLVED, That the City of Ypsilanti opposes HB4052 and SB337 and encourages the members of the Senate's Michigan Competitiveness Committee and, should it come to the floor of the Senate, all Michigan Senators, to vote against these Bills and any others with similar restrictions on local government authority that may be advanced in the future; and

RESOLVED, That should the Michigan Senate pass either of these bills or any others that have the same basic goals, the City of Ypsilanti urges Governor Snyder to stand up for the principles of democratic decision-making by refusing to sign any such proposed legislation into law; and

RESOLVED, That the City Clerk shall send a certified copy of this resolution to the Majority Leader Arlan Meekhof and the Minority Leader Jim Ananich of the Michigan Senate, and to Michigan Senator Rebekah Warren, Michigan Representative Dave Rutledge and Governor Rick Snyder.

OFFERED BY: Council Member Murdock
SUPPORTED BY: Council Member Robb

Council Member Murdock stated this is a resolution that the City has done a version of several times, but this time it appears that it actually may happen.

Council Member Anne Brown stated she thinks that it was voted on today, June 16th.

Council Member Murdock stated the State Senate voted on it last week, and the State House voted on it today, so this resolution needs to get to the Governor as soon as possible.

On a roll call, the vote to approve Resolution No. 2015-143 was as follows;

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

VOTE:

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

XIV. LIASON REPORTS –

- A. SEMCOG Update – Stated the Generally Assembly is next week Thursday, June 25th, and all are invited.
- B. Washtenaw Area Transportation Study – Stated the meeting is tomorrow, June 17th.
- C. Washtenaw Metro Alliance – No meeting.
- D. Urban County – Stated last meeting was canceled.
- E. Freight House – Nothing to report, unless staff wants to report that it went out for bid. He asked Economic Development Director Beth Ernat if she thinks the project should be canceled.

Economic Development Director Beth Ernat responded if Council wishes to cancel the project it can be canceled.

- F. Parks and Recreation – Stated the Regional Trail Town Meeting was today, and the DIA Inside Out is on schedule and is planned to coincide with the August First Friday event. She stated Ypsi Fall River Day is scheduled for October 11, 2015, and will include a canoe livery and tents.
- G. Millennial Mayors Conference – No meeting
- H. Ypsilanti Downtown Development Authority – Meeting is Thursday, June 18th.
- I. Eastern Washtenaw Safety Alliance – No report

XIV. COUNCIL PROPOSED BUSINESS –

Vogt

- Asked City Attorney Barr if the warrant for the property on Whittier has been executed.

City Attorney Barr responded yes, and explained there is a house on Whittier with a swimming pool that was taken to court a year ago, and a successful conclusion was reached. He stated the City was contacted recently that the basement was flooded and water was coming out of the windows. Building Manager Frank Daniels inspected the property about a day ago, and it was discovered that the basement was flooded, possibly the result of a broken pipe.

Council Member Murdock asked if the water was turned off.

Mr. Barr replied the water has not been turned off, and there is still people living in the property.

Council Member Vogt asked if the property Mr. Barr is referring to is 1404 Whittier.

Assistant City Attorney Jesse O'Jack responded the property is 1404 Whittier. He stated Ypsilanti Community Utilities Authority did say that it shut-off the water, but whether it is still off, he is not certain. He stated it is possible that there are individuals living there.

Council Member Anne Brown asked if there was a truck parked in front of the house.

Mr. O'Jack responded he believes so.

Murdock

- Stated Bay Logistics removed their plastic screen around a month ago, and asked if they will be applying for a variance. He reported the fence on River Street is pushed damaged.

Ms. Ernat responded the City has been working with Bay Logistics to replace the screen, and at this point nothing has been done. She said she will follow-up with the company.

Council Member Robb stated this is a violation of their site plan, and asked what the City's recourse is.

Ms. Ernat responded the City can write an Administrative Hearings Bureau ticket.

Council Member Robb stated maybe the City should do that.

Ms. Ernat responded the City might need to do that, but she would like to give them one more opportunity to rectify the problem.

Council Member Murdock asked if Bay Logistics had been notified.

Ms. Ernat responded yes, and stated when she first became employed by the City there was a chain of emails, which eventually tapered off. She took full responsibility for not following-up and said she will make it a priority.

- There is a need for stop signs at two intersections on the eastside, as well as speed bumps.

City Manager Lange asked to have a meeting to discuss that issue.

Council Member Murdock responded there is nothing to meet about.

Ms. Ernat added as a response Council did not approve the traffic control ordinance at the last meeting. She stated it will be brought back to Council during the first meeting in August

Anne Brown

- Asked if Council would consider beginning in August scheduling a working session once a month before a regular meeting.
- Stated on July 17th the Alpha Kappa Alpha Sorority will be hosting a service project at Carrie Mattingly Park. Stated the sorority also has an ice cream social scheduled after the service project and asked that City Council attend. She asked when the new equipment will be installed at the park.
- Stated at some point she would like to form a working group to examine the park system, and the possibility of forming a public/private partnership. She asked the City Attorney if the formation of a working group needs to be a formal working session.

Mr. Barr responded only if there are objections from Council.

XV. COMMUNICATIONS FROM THE MAYOR –

- Stated she followed up with Building Manager Daniels regarding 16 N. Washington. She stated a reminder letter was sent to inform the property owner that the property had been given a six month deadline to open its doors, and that deadline is September 14th.
- Stated she has been sitting on some work groups where they are looking at equity in anchor institutions.

XVI. COMMUNICATIONS FROM THE CITY MANAGER –

- Stated he has been working with the cemetery regarding the solar project.

XVII. AUDIENCE PARTICIPATION –

1. Bob Krzewinski, Non-Motorized Chairperson, thanked Council for supporting non-motorized projects.
2. Tim Ott, stated Stewart Beal informed him that he does not have any more work for him since he is telling the truth about the accident at Thompson Block. He stated Mr. Beal still owes him and many of his friends a good deal of money from a prevailing wage job they performed a couple of years ago. He stated Mr. Beal has a low moral fabric that lies, and many of his properties have become drug dens.

Council Member Robb directed Mr. Ott to the Police Chief, and asked him to inform the Chief of where the drug dens are located.

XVIII. REMARKS FROM THE MAYOR –

None

XIX. ADJOURNMENT -

Resolution No. 2015-144, 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: Mayor Pro-Tem Richardson

SUPPORTED BY: Council Member Nicole Brown

On a voice vote, the motion carried, and the meeting was adjourned at 10:42 p.m.



Resolution No. 2015 – 146
July 7, 2015

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the following items be approved:

1. Resolution No. 2015-147, adopting a FOIA Policy and Record Inspection Policy for the City of Ypsilanti.
2. Resolution No. 2015-148, designating the Washtenaw Legal News as the official newspaper of record.
3. Resolution No. 2015-149, approving contract for professional services by the City of Ypsilanti for the Board of Trustees City of Ypsilanti Fire and Police Retirement System.
4. Resolution No. 2015-150, enrolling the City of Ypsilanti in the "Mayors Challenge" to improve bicyclist and pedestrian safety.

OFFERED BY: _____

SUPPORTED BY: _____

YES:

NO:

ABSENT:

VOTE:



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Karl A. Barr
Daniel J. DuChene

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

REQUEST FOR LEGISLATION

DATE: June 30, 2015

FROM: John M. Barr, Ypsilanti City Attorney

SUBJECT: City FOIA and Request for Inspection Policies

SUMMARY/BACKGROUND

Governor Snyder has signed legislation that amended the Freedom of Information Act (FOIA) effective July 1, 2015. Generally, these amendments limited and specified what a public body may charge as a fee for processing a request and provided for an appeal procedure regarding these fees. In part, the newly effective legislation requires that public bodies establish and make available procedures and guidelines in order to assess these fees when processing a request.

In order to assess fees under the statute and to bring City policy compliant with these amendments, I have drafted two policies for your consideration. One is titled "FOIA Procedures and Guidelines" and the other is titled "Policy for Public Inspection of Records." Companioned with the FOIA policy is a summary for the public and several forms.

ATTACHMENTS: Resolution adopting policies
Draft FOIA Procedure and Guidelines
Draft Public Summary of FOIA Procedures and Guidelines
Draft FOIA Cost Itemization Form
Draft FOIA Form Packet
Draft Policy for Public Inspection of Records

RECOMMENDED ACTION: Adoption of resolution

DATE RECEIVED: _____ AGENDA ITEM NO. _____

CITY MANAGER COMMENTS:

FOR AGENDA OF: _____ FINANCE DIR. APPROVAL _____

COUNCIL ACTION TAKEN:



Resolution No. 2015-147
July 7, 2015

RESOLUTION ADOPTING A FOIA POLICY AND RECORD
INSPECTION POLICY FOR THE CITY OF YPSILANTI

WHEREAS, The State of Michigan adopted the Freedom of Information Act (FOIA) in 1976; and

WHEREAS, the purposes of FOIA, among others, is to provide the public access to certain public records of public bodies, to permit certain fees, and to provide remedies and penalties; and

WHEREAS, the City is a "public body" as defined by FOIA; and

WHEREAS, the State of Michigan has approved certain amendments to FOIA that took effect on July 1, 2015; and

WHEREAS, among other changes to the statute, FOIA requires that public bodies establish and make publicly available policies and guidelines in order to charge a fee for requests made under the Act; and

WHEREAS, the City Attorney has drafted a FOIA policy (titled "Procedures and Guidelines"), a summary of this policy, and forms for the execution of this policy; and

WHEREAS, the policy and forms are in compliance with the newly effective amendments to FOIA; and

WHEREAS, the City Attorney has also drafted a policy for inspection of records for verbal requests of records and other requests not covered under FOIA or the City's FOIA policy.

NOW THEREFOR BE IT RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that:
The attached FOIA Procedures and Guidelines are adopted by the City of Ypsilanti.

BE IT FURTHER RESOLVED, that the attached Policy for Public Inspection of Records is adopted by the City of Ypsilanti.

BE IT FUTHER RESOLVED, that the links to these policies, as well as the attached FOIA policy summary and all forms, are to be placed on the City's website and that all said documents are to be updated to include the location of the relevant policy and summary.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

CITY OF YPSILANTI

Public Summary of FOIA Procedures and Guidelines

It is the public policy of this state that all persons (except those persons incarcerated in state or local correctional facilities) are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and public employees. The people shall be informed so that they may fully participate in the democratic process.

Consistent with the Michigan Freedom of Information Act (FOIA), Public Act 442 of 1976, the following is the Written Public Summary of the City's FOIA Procedures and Guidelines relevant to the general public.

This is only a summary of the City's FOIA Procedures and Guidelines. For more details and information, copies of the City's FOIA Procedures and Guidelines are available at no charge at any City office and on the City's website: www.ypsilanti.org.

1. How do I submit a FOIA request to the City?

- A request must be made in writing.
- Requests to inspect or obtain copies of public records prepared, owned, used, possessed or retained by the City may be submitted on the City's FOIA Request Form or in any other form of writing (letter, fax, email, etc.).
- No specific form to submit a written request is required. However a FOIA Request Form and other FOIA-related forms are available for your use and convenience on the City's website at www.ypsilanti.org, and at the office of the City Clerk.
- A request must sufficiently describe a public record so as to enable the City to find it.
- Please include the words "FOIA" or "FOIA Request" in the request to assist the City in providing a prompt response.
- Written requests may be delivered to the FOIA Coordinator in person or by mail:

John M. Barr
City of Ypsilanti FOIA Coordinator
105 Peal Street
Ypsilanti, MI 48197

- Requests may be faxed to: (734) 483-3871. To ensure a prompt response, faxed requests should contain the term "FOIA" or "FOIA Request" on the first/cover page.
- Requests may be emailed to: info@barrlawfirm. To ensure a prompt response, email requests should contain the term "FOIA" or "FOIA Request" in the subject line.

2. What kind of response can I expect to my request?

- Within 5 business days after receiving a FOIA request, the City will issue a response. If a request is received by fax or email, the request is deemed to have been received on the following business day. The City will respond to your request in one of the following ways:
 - Grant the request,
 - Issue a written notice denying the request,
 - Grant the request in part and issue a written notice denying in part the request,
 - Issue a notice indicating that due to the nature of the request the City needs an additional 10 business days to respond, or
 - Issue a written notice indicating that the public record requested is available at no charge on the City's website
- If the request is granted, or granted in part, the City will ask that payment be made for the allowable fees associated with responding to the request before the public record is made available.
- If the cost of processing the request is expected to exceed \$50, or if you have not paid for a previously granted request, the City will require a deposit before processing the request.

3. What are the City's deposit requirements?

- If the City has made a good faith calculation that the total fee for processing the request will exceed \$50.00, the City will require that you provide a deposit in the amount of 50% of the total estimated fee. When the City requests the deposit, it will provide you a non-binding best efforts estimate of how long it will take to process the request after you have paid your deposit.
- If the City receives a request from a person who has not paid the City for copies of public records made in fulfillment of a previously granted written request, the City will require a deposit of 100% of the estimated processing fee before it

begins to search for the public record for any subsequent written request when **all** of the following conditions exist:

- The final fee for the prior written request is not more than 105% of the estimated fee;
 - The public records made available contained the information sought in the prior written request and remain in the City's possession;
 - The public records were made available to the individual, subject to payment, within the best effort time frame estimated by the City to provide the records;
 - Ninety (90) days have passed since the City notified the individual in writing that the public records were available for pickup or mailing;
 - The individual is unable to show proof of prior payment to the City; and
 - The City has calculated an estimated detailed itemization that is the basis for the current written request's increased fee deposit.
- The City will not require the 100% estimated fee deposit if any of the following apply:
 - The person making the request is able to show proof of prior payment in full to the City;
 - The City is subsequently paid in full for all applicable prior written requests; or
 - Three hundred sixty five (365) days have passed since the person made the request for which full payment was not remitted to the City.

4. How does the City calculate FOIA processing fees?

The Michigan FOIA statute permits the City to charge for the following costs associated with processing a request:

- Labor costs associated with copying or duplication, which includes making paper copies, making digital copies, or transferring digital public records to non-paper physical media or through the Internet.
- Labor costs associated with searching for, locating and examining a requested public record, when failure to charge a fee will result in unreasonably high costs to the City.
- Labor costs associated with a review of a record to separate and delete information exempt from disclosure, when failure to charge a fee will result in unreasonably high costs to the City.

- The cost of copying or duplication, not including labor, of paper copies of public records. This may include the cost for copies of records already on the township's website if you ask for the township to make copies.
- The cost of computer discs, computer tapes or other digital or similar media when the requester asks for records in non-paper physical media. This may include the cost for copies of records already on the City's website if you ask for the City to make copies.
- The cost to mail or send a public record to a requestor.

Labor Costs

- All labor costs will be estimated and charged in 15-minute increments, with all partial time increments rounded down. If the time involved is less than 15 minutes, there will be no charge.
- Labor costs will be charged at the hourly wage of the lowest-paid City employee capable of doing the work in the specific fee category, regardless of who actually performs work.
- Labor costs will also include a charge to cover or partially cover the cost of fringe benefits. The City may add up to 50% to the applicable labor charge amount to cover or partially cover the cost of fringe benefits, but in no case may it exceed the actual cost of fringe benefits.
- Overtime wages will not be included in labor costs unless agreed to by the requestor; overtime costs will not be used to calculate the fringe benefit cost.
- Contracted labor costs will be charged at the hourly rate of \$48.90 (6 times the state minimum hourly wage).

A labor cost will not be charged for the search, examination, review and the deletion and separation of exempt from nonexempt information unless failure to charge a fee would result in unreasonably high costs to the City. Costs are unreasonably high when they are excessive and beyond the normal or usual amount for those services compared to the City's usual FOIA requests, because of the nature of the request in the particular instance. The City must specifically identify the nature of the unreasonably high costs in writing.

Copying and Duplication

The City must use the most economical method for making copies of public records, including using double-sided printing, if cost-saving and available.

Non-paper Copies on Physical Media

- The cost for records provided on non-paper physical media, such as computer discs, computer tapes or other digital or similar media will be at the actual and most reasonably economical cost for the non-paper media.
- This cost will be charged only if the City has the technological capability necessary to provide the public record in the requested non-paper physical media format.

Paper Copies

- Paper copies of public records made on standard letter (8 ½ x 11) or legal (8 ½ x 14) sized paper will not exceed \$.10 per sheet of paper.
- Copies for non-standard sized sheets will paper will reflect the actual cost of reproduction.

Mailing Costs

- The cost to mail public records will use a reasonably economical and justified means.
- The Township may charge for the least expensive form of postal delivery confirmation.
- No cost will be made for expedited shipping or insurance unless you request it.

Waiver of Fees

The cost of the search for and copying of a public record may be waived or reduced if, in the sole judgment of the City Council, a waiver or reduced fee is in the public interest because it can be considered as primarily benefitting the general public. Such requests must me made in writing. For your convenience the City has provided a form to use, which is available at the City Clerk's office and on the City's website:

www._____.

The City Council has 10 business days to consider such a request, beginning on the day of its next regularly scheduled meeting. The City is not obligated to provide the public records requested until:

- The fee is otherwise paid, or
- The City Council has made a determination.

In considering a request for a reduction or waiver of fees for these purposes, the City Council, in its sole discretion, may do any of the following:

- Deny the request
- Reduce the cost of the public record search and/or copying of the public record, or
- Waive the cost of the public record search and/or copying of the public record.

5. How do I qualify for an indigence discount on the fee?

The City will discount the first \$20.00 of fees for a request if you submit an affidavit stating that you are:

- Indigent and receiving specific public assistance; or
- If not receiving public assistance, stating facts demonstrating an inability to pay because of indigence.

You are **not** eligible to receive the \$20.00 discount if you:

- Have previously received discounted copies of public records from the City twice during the calendar year; or
- Are requesting information on behalf of other persons who are offering or providing payment to you to make the request.

An affidavit is a sworn statement. For your convenience, the City has provided a form to use, which is available at the City Clerk's office or on the City's website: www.ann-arbor.mi.gov.

6. May a nonprofit organization receive a discount on the fee?

A nonprofit organization advocating for developmentally disabled or mentally ill individuals that is formally designated by the state to carry out activities under subtitle C of the federal developmental disabilities assistance and bill of rights act of 2000, Public Law 106-402, and the protection and advocacy for individuals with mental illness act, Public Law 99-319, may receive a \$20.00 discount if the request meets all of the following requirements in the Act:

- Is made directly on behalf of the organization or its clients.
- Is made for a reason wholly consistent with the mission and provisions of those laws under section 931 of the mental health code, 1974 PA 258, MCL 330.1931.

- Is accompanied by documentation of its designation by the state, if requested by the public body.

For your convenience the City has provided a form to use, which is available at the City Clerk's office and on the City's website: www._____.

7. How may I challenge the denial of a public record or an excessive fee?

Appeal of a Denial of a Public Record

If you believe that all or a portion of a public record has not been disclosed or has been improperly exempted from disclosure, you may appeal to the City Council by filing a written appeal of the denial with the office of the City Clerk.

The appeal must be in writing, specifically state the word "appeal," and identify the reason or reasons you are seeking a reversal of the denial. You may use the City FOIA Appeal Form (To Appeal a Denial of Records), which is available at the City Clerk's office and on the City's website: www._____.

The City is not considered to have received a written appeal until the first regularly scheduled City Council meeting following submission of the written appeal. Within 10 business days of receiving the appeal the City Council will respond in writing by:

- Reversing the disclosure denial;
- Upholding the disclosure denial; or
- Reverse the disclosure denial in part and uphold the disclosure denial in part.

Whether or not you submitted an appeal of a denial to the City Council, you may file a civil action in Washtenaw County Circuit Court within 180 days after the City's final determination to deny your request. If you prevail in the civil action the court will award you reasonable attorneys' fees, costs and disbursements. If the court determines that the City acted arbitrarily and capriciously in refusing to disclose or provide a public record, the court shall award you damages in the amount of \$1,000.

Appeal of an Excess FOIA Processing Fee

If you believe that the fee charged by the City to process your FOIA request exceeds the amount permitted by state law, you must first appeal to the City Council by filing a written appeal for a fee reduction to the office of the City Clerk.

The appeal must specifically state the word "appeal" and identify how the required fee exceeds the amount permitted. You may use the City FOIA Appeal Form (To Appeal an Excess Fee), which is available at the City Clerk's office and on the City's website: www._____.

The City Council is not considered to have received a written appeal until the first regularly scheduled City Council meeting following submission of the written appeal.

Within 10 business days after receiving the appeal, the City Council will respond in writing by:

- Waiving the fee;
- Reducing the fee and issue a written determination indicating the specific basis that supports the remaining fee;
- Upholding the fee and issue a written determination indicating the specific basis that supports the required fee; or
- Issuing a notice detailing the reason or reasons for extending for not more than 10 business days the period during which the City Council will respond to the written appeal.

Within 45 days after receiving notice of the City Council's determination of the processing fee appeal, you may commence a civil action in Washtenaw County Circuit Court for a fee reduction. If you prevail in the civil action by receiving a reduction of 50% or more of the total fee, the court may award all or appropriate amount of reasonable attorneys' fees, costs and disbursements. If the court determines that the City acted arbitrarily and capriciously by charging an excessive fee, court may also award you punitive damages in the amount of \$500.

Records Located on Website

If the City directly or indirectly administers or maintains an official internet presence, any public records available to the general public on that internet site at the time the request is made are exempt from any labor charges to redact (*separate exempt information from non-exempt information*).

If the FOIA coordinator knows or has reason to know that all or a portion of the requested information is available on its website, the City must notify the requestor in its written response that all or a portion of the requested information is available on its website. The written response, to the degree practicable in the specific instance, must include a specific webpage address where the requested information is available. On the detailed cost itemization form, the City must separate the requested public records that are available on its website from those that are not available on the website and must inform the requestor of the additional charge to receive copies of the public records that are available on its website.

If the City has included the website address for a record in its written response to the requestor and the requestor thereafter stipulates that the public record be provided to him or her in a paper format or other form, including digital media, the City must provide the public records in the specified format (if the City has the technological capability) but may use a fringe benefit multiplier greater than the 50%, not to exceed the actual costs of providing the information in the specified format.

Request for Copies/Duplication of Records on City Website

I hereby stipulate that, even if some or all of the records are located on a City website, I am requesting that the City make copies of those records on the website and deliver them to me in the format I have requested above. I understand that some FOIA fees may apply.

Requestor's Signature

Date

Overtime Labor Costs

Overtime wages shall not be included in the calculation of labor costs unless overtime is specifically stipulated by the requestor and clearly noted on the detailed cost itemization form.

Consent to Overtime Labor Costs

I hereby agree and stipulate to the City using overtime wages in calculating the following labor costs as itemized in the following categories:

1. ☐ Labor to copy/duplicate 2. ☐ Labor to locate 3a. ☐ Labor to redact 3b. ☐ Contract labor to redact
6b. ☐ Labor to copy/duplicate records already on City's website

Requestor's Signature

Date

Request for Discount: Indigence

A public record search must be made and a copy of a public record must be furnished without charge for the first \$20.00 of the fee for each request by an individual who is entitled to information under this act and who:

- 1) Submits an affidavit stating that the individual is indigent and receiving specific public assistance, **OR**
2) If not receiving public assistance, stating facts showing inability to pay the cost because of indigence.

If a requestor is ineligible for the discount, the public body shall inform the requestor specifically of the reason for ineligibility in the public body's written response. An individual is ineligible for this fee reduction if **ANY** of the following apply:

- (i) The individual has previously received discounted copies of public records from the same public body twice during that calendar year,
(ii) The individual requests the information in conjunction with outside parties who are offering or providing payment or other remuneration to the individual to make the request. A public body may require a statement by the requestor in the affidavit that the request is not being made in conjunction with outside parties in exchange for payment or other remuneration.

Office Use: ☐ Affidavit Received ☐ Eligible for Discount ☐ Ineligible for Discount

Request for Discount: Nonprofit Organization

A public record search must be made and a copy of a public record must be furnished without charge for the first \$20.00 of the fee for each request by a nonprofit organization formally designated by the state to carry out activities under subtitle C of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 and the Protection and Advocacy for Individuals with Mental Illness Act, if the request meets **ALL** of the following requirements:

- (i) Is made directly on behalf of the organization or its clients.
(ii) Is made for a reason wholly consistent with the mission and provisions of those laws under section 931 of the Mental Health Code, 1974 PA 258, MCL 330.1931.
(iii) Is accompanied by documentation of its designation by the state, if requested by the City.

Office Use: ☐ Request Form and Documentation Attached ☐ Eligible for Discount ☐ Ineligible for Discount

Request for Reduction or Waiver: Public Interest

The cost of the search for and copying of a public record may be waived or reduced if, in the sole judgment of the City Council, a waiver or reduced fee is in the public interest because searching for or furnishing copies of the public record can be considered as primarily benefiting the general public. The City Council has 10 business days to consider such a request, beginning on the day of its next regularly scheduled meeting. The City is not obligated to provide the public records requested until the fee is otherwise paid or City Council has made a determination. In considering a request for a reduction or waiver of fees for these purposes, the City Council, in its sole discretion, may: (1) deny the request, (2) reduce the cost of the public record search and/or copying of the public record, or (3) waive the cost of the public record search and/or copying of the public record.

Office Use: ☐ Request Form Attached

City: Keep original and provide copy, along with Public Summary, to requestor at no charge.

CITY OF YPSILANTI, WASHTENAW COUNTY
One S. Huron Street
Ypsilanti, MI 48197
734-481-1100

Extension Form

Notice to Extend Response Time for FOIA Request
Michigan Freedom of Information Act, Public Act 442 of 1976, MCL 15.231, et seq.

Request No.: _____ **Date Received:** _____ **Check if received via:** ☐ Email ☐ Fax ☐ Other Electronic Method
Date of This Notice: _____ **Date delivered to junk/spam folder:** _____
(Please Print or Type) **Date discovered in junk/spam folder:** _____

Name	Phone	
Firm/Organization	Fax	
Street	Email	
City	State	Zip

Request for: ☐ Copy ☐ Certified copy ☐ Record inspection ☐ Subscription to record issued on regular basis
Delivery Method: ☐ Will pick up ☐ Will make own copies onsite ☐ Mail to address above ☐ Email to address above
☐ Deliver on digital media provided by the City: _____

Record(s) You Requested: (Listed here or see attached copy of original request) _____

We are extending the date to respond to your FOIA request for no more than 10 business days, until _____ (month, day, year). Only one extension may be taken per FOIA request. If you have any questions regarding this extension, contact John M. Barr, City of Ypsilanti FOIA Coordinator, at: 734-481-1234 (phone); info@barrlawfirm.com (email); 105 Pearl Street, Ypsilanti, MI 48197.

Estimated Time Frame to Provide Records: _____ (days or date)
The time frame estimate is nonbinding upon the City, but the City is providing the estimate in good faith. Providing an estimated time frame does not relieve a public body from any of the other requirements of this act.

Reason for Extension:

☐ **1.** The City needs to search for, collect, or appropriately examine or review a voluminous amount of separate and distinct public records pursuant to your request. Specifically, the City must:

☐ **2.** The City needs to collect the requested public records from numerous field offices, facilities, or other establishments that are located apart from the City office. Specifically, the City must coordinate documents from the following locations:

☐ **3.** Other (describe): _____

Signature of FOIA Coordinator:

Date:

[This page left blank on purpose.]

City: Keep original and provide copy of both sides, along with Public Summary, to requestor at no charge.

CITY OF YPSILANTI, WASHTENAW COUNTY
One S. Huron Street
Ypsilanti, MI 48197
734-481-1100

Denial Form

Notice of Denial of FOIA Request
Michigan Freedom of Information Act, Public Act 442 of 1976, MCL 15.231, et seq.

Request No.: _____ **Date Received:** _____ **Check if received via:** ☐ Email ☐ Fax ☐ Other Electronic Method
Date of This Notice: _____ **Date delivered to junk/spam folder:** _____
(Please Print or Type) **Date discovered in junk/spam folder:** _____

Name	Phone
Firm/Organization	Fax
Street	Email
City	State Zip

Request for: ☐ Copy ☐ Certified copy ☐ Record inspection ☐ Subscription to record issued on regular basis

Delivery Method: ☐ Will pick up ☐ Will make own copies onsite ☐ Mail to address above ☐ Email to address above
☐ Deliver on digital media provided by the City: _____

Record(s) You Requested: (Listed here or see attached copy of original request) _____

☐ **All** OR ☐ **Part** of your request for records has been denied. Please refer to this form for an explanation. If you have any questions regarding this denial, contact John M. Barr, City of Ypsilanti FOIA Coordinator, at: 734-481-1234 (phone); info@barrlawfirm.com (email); 105 Pearl Street, Ypsilanti, MI 48197.

Reason for Denial:

☐ **1. Exempt from Disclosure:** This item is exempt from disclosure under FOIA Section 13, Subsection _____ (insert number), because: _____

☐ **2. Record Does Not Exist:** This item does not exist under the name provided in your request or by another name reasonably known to the City. A certificate that the public record does not exist under the name given is attached. If you believe this record does exist, provide a description that will enable us to locate the record: _____

☐ **3. Redaction:** A portion of the requested record had to be separated or deleted (redacted) as it is exempt under FOIA Section 13, Subsection _____ (insert number), because: _____

A brief description of the information that had to be separated or deleted: _____

Notice of Requestor's Right to Seek Judicial Review

You are entitled under Section 10 of the Michigan Freedom of Information Act, MCL 15.240, to appeal this denial to the City Council or to commence an action in the Washtenaw County Circuit Court to compel disclosure of the requested records if you believe they were wrongfully withheld from disclosure. If, after judicial review, the court determines that the City has not complied with MCL 15.235 in making this denial and orders disclosure of all or a portion of a public record, you have the right to receive attorneys' fees and damages as provided in MCL 15.240. (See back of this form for additional information on your rights.)

Signature of FOIA Coordinator: _____

Date: _____

FREEDOM OF INFORMATION ACT (EXCERPT)

Act 442 of 1976

15.240. Options by requesting person; appeal; actions by public body; receipt of written appeal; judicial review; civil action; venue; de novo proceeding; burden of proof; private view of public record; contempt; assignment of action or appeal for hearing, trial, or argument; attorneys' fees, costs, and disbursements; assessment of award; damages.

Sec. 10.

(1) If a public body makes a final determination to deny all or a portion of a request, the requesting person may do 1 of the following at his or her option:

(a) Submit to the head of the public body a written appeal that specifically states the word "appeal" and identifies the reason or reasons for reversal of the denial.

(b) Commence a civil action in the circuit court, or if the decision of a state public body is at issue, the court of claims, to compel the public body's disclosure of the public records within 180 days after a public body's final determination to deny a request.

(2) Within 10 business days after receiving a written appeal pursuant to subsection (1)(a), the head of a public body shall do 1 of the following:

(a) Reverse the disclosure denial.

(b) Issue a written notice to the requesting person upholding the disclosure denial.

(c) Reverse the disclosure denial in part and issue a written notice to the requesting person upholding the disclosure denial in part.

(d) Under unusual circumstances, issue a notice extending for not more than 10 business days the period during which the head of the public body shall respond to the written appeal. The head of a public body shall not issue more than 1 notice of extension for a particular written appeal.

(3) A board or commission that is the head of a public body is not considered to have received a written appeal under subsection (2) until the first regularly scheduled meeting of that board or commission following submission of the written appeal under subsection (1)(a). If the head of the public body fails to respond to a written appeal pursuant to subsection (2), or if the head of the public body upholds all or a portion of the disclosure denial that is the subject of the written appeal, the requesting person may seek judicial review of the nondisclosure by commencing a civil action under subsection (1)(b).

(4) In an action commenced under subsection (1)(b), a court that determines a public record is not exempt from disclosure shall order the public body to cease withholding or to produce all or a portion of a public record wrongfully withheld, regardless of the location of the public record. Venue for an action against a local public body is proper in the circuit court for the county in which the public record or an office of the public body is located has venue over the action. The court shall determine the matter de novo and the burden is on the public body to sustain its denial. The court, on its own motion, may view the public record in controversy in private before reaching a decision. Failure to comply with an order of the court may be punished as contempt of court.

(5) An action commenced under this section and an appeal from an action commenced under this section shall be assigned for hearing and trial or for argument at the earliest practicable date and expedited in every way.

(6) If a person asserting the right to inspect, copy, or receive a copy of all or a portion of a public record prevails in an action commenced under this section, the court shall award reasonable attorneys' fees, costs, and disbursements. If the person or public body prevails in part, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements. The award shall be assessed against the public body liable for damages under subsection (7).

(7) If the court determines in an action commenced under this section that the public body has arbitrarily and capriciously violated this act by refusal or delay in disclosing or providing copies of a public record, the court shall order the public body to pay a civil fine of \$1,000.00, which shall be deposited into the general fund of the state treasury. The court shall award, in addition to any actual or compensatory damages, punitive damages in the amount of \$1,000.00 to the person seeking the right to inspect or receive a copy of a public record. The damages shall not be assessed against an individual, but shall be assessed against the next succeeding public body that is not an individual and that kept or maintained the public record as part of its public function.

History: 1976, Act 442, Eff. Apr. 13, 1977 ;-- Am. 1978, Act 329, Imd. Eff. July 11, 1978 ;-- Am. 1996, Act 553, Eff. Mar. 31, 1997 ;-- Am. 2014, Act 563, Eff. July 1, 2015

City: Keep original and provide copy of both sides, along with Public Summary, to requestor at no charge.

CITY OF YPSILANTI, WASHTENAW COUNTY
One S. Huron Street
Ypsilanti, MI 48197
734-481-1100

Denial Appeal Form

FOIA Appeal Form—To Appeal a Denial of Records
Michigan Freedom of Information Act, Public Act 442 of 1976, MCL 15.231, et seq.

Request No.: _____ **Date Received:** _____ **Check if received via:** ☐ Email ☐ Fax ☐ Other Electronic Method
Date of This Notice: _____ **Date delivered to junk/spam folder:** _____
(Please Print or Type) **Date discovered in junk/spam folder:** _____

Name	Phone
Firm/Organization	Fax
Street	Email
City	State Zip

Request for: ☐ Copy ☐ Certified copy ☐ Record inspection ☐ Subscription to record issued on regular basis
Delivery Method: ☐ Will pick up ☐ Will make own copies onsite ☐ Mail to address above ☐ Email to address above
☐ Deliver on digital media provided by the City: _____

Record(s) You Requested: (Listed here or see attached copy of original request) _____

Reason(s) for Appeal:

The appeal must identify the reason(s) for the denial. You may use this form or attach additional sheets:

Requestor's Signature: _____ **Date:** _____

City Response:

The City must provide a response within 10 business days after receiving this appeal, including a determination or taking one 10-day extension.

City Extension: We are extending the date to respond to your FOIA fee appeal for no more than 10 business days, until _____
(month, day, year). Only one extension may be taken per FOIA appeal.

Unusual circumstances warranting extension: _____

If you have any questions regarding this extension, contact John M. Barr, City of Ypsilanti FOIA Coordinator, at: 734-481-1234 (phone);
info@barrlawfirm.com (email); 105 Pearl Street, Ypsilanti, MI 48197.

City Determination:

☐ Denial Reversed ☐ Denial Upheld ☐ Denial Reversed in Part and Upheld in Part

Written basis for City determination: _____

Notice of Requestor's Right to Seek Judicial Review

You are entitled under Section 10 of the Michigan Freedom of Information Act, MCL 15.240, to appeal this determination by commencing an action in the Washtenaw County Circuit Court to compel disclosure of the requested records if you believe they were wrongfully withheld from disclosure. If, after judicial review, the court determines that the City has not complied with MCL 15.235 in making this determination and orders disclosure of all or a portion of a public record, you have the right to receive attorneys' fees and damages as provided in MCL 15.240. (See back of this form for additional information on your rights.)

Signature of FOIA Coordinator: _____

Date: _____

FREEDOM OF INFORMATION ACT (EXCERPT)

Act 442 of 1976

15.240. Options by requesting person; appeal; actions by public body; receipt of written appeal; judicial review; civil action; venue; de novo proceeding; burden of proof; private view of public record; contempt; assignment of action or appeal for hearing, trial, or argument; attorneys' fees, costs, and disbursements; assessment of award; damages.

Sec. 10.

(1) If a public body makes a final determination to deny all or a portion of a request, the requesting person may do 1 of the following at his or her option:

(a) Submit to the head of the public body a written appeal that specifically states the word "appeal" and identifies the reason or reasons for reversal of the denial.

(b) Commence a civil action in the circuit court, or if the decision of a state public body is at issue, the court of claims, to compel the public body's disclosure of the public records within 180 days after a public body's final determination to deny a request.

(2) Within 10 business days after receiving a written appeal pursuant to subsection (1)(a), the head of a public body shall do 1 of the following:

(a) Reverse the disclosure denial.

(b) Issue a written notice to the requesting person upholding the disclosure denial.

(c) Reverse the disclosure denial in part and issue a written notice to the requesting person upholding the disclosure denial in part.

(d) Under unusual circumstances, issue a notice extending for not more than 10 business days the period during which the head of the public body shall respond to the written appeal. The head of a public body shall not issue more than 1 notice of extension for a particular written appeal.

(3) A board or commission that is the head of a public body is not considered to have received a written appeal under subsection (2) until the first regularly scheduled meeting of that board or commission following submission of the written appeal under subsection (1)(a). If the head of the public body fails to respond to a written appeal pursuant to subsection (2), or if the head of the public body upholds all or a portion of the disclosure denial that is the subject of the written appeal, the requesting person may seek judicial review of the nondisclosure by commencing a civil action under subsection (1)(b).

(4) In an action commenced under subsection (1)(b), a court that determines a public record is not exempt from disclosure shall order the public body to cease withholding or to produce all or a portion of a public record wrongfully withheld, regardless of the location of the public record. Venue for an action against a local public body is proper in the circuit court for the county in which the public record or an office of the public body is located has venue over the action. The court shall determine the matter de novo and the burden is on the public body to sustain its denial. The court, on its own motion, may view the public record in controversy in private before reaching a decision. Failure to comply with an order of the court may be punished as contempt of court.

(5) An action commenced under this section and an appeal from an action commenced under this section shall be assigned for hearing and trial or for argument at the earliest practicable date and expedited in every way.

(6) If a person asserting the right to inspect, copy, or receive a copy of all or a portion of a public record prevails in an action commenced under this section, the court shall award reasonable attorneys' fees, costs, and disbursements. If the person or public body prevails in part, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements. The award shall be assessed against the public body liable for damages under subsection (7).

(7) If the court determines in an action commenced under this section that the public body has arbitrarily and capriciously violated this act by refusal or delay in disclosing or providing copies of a public record, the court shall order the public body to pay a civil fine of \$1,000.00, which shall be deposited into the general fund of the state treasury. The court shall award, in addition to any actual or compensatory damages, punitive damages in the amount of \$1,000.00 to the person seeking the right to inspect or receive a copy of a public record. The damages shall not be assessed against an individual, but shall be assessed against the next succeeding public body that is not an individual and that kept or maintained the public record as part of its public function.

History: 1976, Act 442, Eff. Apr. 13, 1977 ;-- Am. 1978, Act 329, Imd. Eff. July 11, 1978 ;-- Am. 1996, Act 553, Eff. Mar. 31, 1997 ;-- Am. 2014, Act 563, Eff. July 1, 2015.

City: Keep original and provide copy of both sides, along with Public Summary, to requestor at no charge.

CITY OF YPSILANTI, WASHTENAW COUNTY
One S. Huron Street
Ypsilanti, MI 48197
734-481-1100

Fee Appeal Form

FOIA Appeal Form—To Appeal an Excess Fee
Michigan Freedom of Information Act, Public Act 442 of 1976, MCL 15.231, et seq.

Request No.: _____ **Date Received:** _____ Check if received via: ☐ Email ☐ Fax ☐ Other Electronic Method
Date of This Notice: _____ **Date delivered to junk/spam folder:** _____
(Please Print or Type) **Date discovered in junk/spam folder:** _____

Name	Phone
Firm/Organization	Fax
Street	Email
City	State Zip

Request for: ☐ Copy ☐ Certified copy ☐ Record inspection ☐ Subscription to record issued on regular basis
Delivery Method: ☐ Will pick up ☐ Will make own copies onsite ☐ Mail to address above ☐ Email to address above
☐ Deliver on digital media provided by the City: _____

Record(s) You Requested: (Listed here or see attached copy of original request) _____

Reason(s) for Appeal:

The appeal must specifically identify how the required fee(s) exceed the amount permitted. You may use this form or attach additional sheets:

Requestor's Signature: _____ **Date:** _____

City Response:

The City must provide a response within 10 business days after receiving this appeal, including a determination or taking one 10-day extension.

City Extension: We are extending the date to respond to your FOIA fee appeal for no more than 10 business days, until _____ (month, day, year). Only one extension may be taken per FOIA appeal. Unusual circumstances warranting extension:

If you have any questions regarding this extension, contact John M. Barr, City of Ypsilanti FOIA Coordinator, at: 734-481-1234 (phone); info@barrlawfirm.com (email); 105 Pearl Street, Ypsilanti, MI 48197.

City Determination: ☐ Fee Waived ☐ Fee Reduced ☐ Fee Upheld

Written basis for City determination: _____

Notice of Requestor's Right to Seek Judicial Review

You are entitled under Section 10a of the Michigan Freedom of Information Act, MCL 15.240a, to appeal this determination to the Washtenaw County Circuit Court if you believe the FOIA fee exceeds the amount permitted under the City's written Procedures and Guidelines within 45 days after receiving this notice. If a civil action is commenced in court, the City is not obligated to compete processing the request until the court resolves the fee dispute. If the court determines that the City required a fee that exceeded the permitted amount, the court shall reduce the fee to a permissible amount. (See back of this form for additional information on your rights.)

Signature of FOIA Coordinator: _____

Date: _____

FREEDOM OF INFORMATION ACT (EXCERPT)
Act 442 of 1976

15.240a. Fee in excess of amount permitted under procedures and guidelines or MCL 15.234.

Sec. 10a.

(1) If a public body requires a fee that exceeds the amount permitted under its publicly available procedures and guidelines or section 4, the requesting person may do any of the following:

(a) If the public body provides for fee appeals to the head of the public body in its publicly available procedures and guidelines, submit to the head of the public body a written appeal for a fee reduction that specifically states the word "appeal" and identifies how the required fee exceeds the amount permitted under the public body's available procedures and guidelines or section 4.

(b) Commence a civil action in the circuit court, or if the decision of a state public body is at issue, in the court of claims, for a fee reduction. The action must be filed within 45 days after receiving the notice of the required fee or a determination of an appeal to the head of a public body. If a civil action is commenced against the public body under this subdivision, the public body is not obligated to complete the processing of the written request for the public record at issue until the court resolves the fee dispute. An action shall not be filed under this subdivision unless 1 of the following applies:

(i) The public body does not provide for appeals under subdivision (a).

(ii) The head of the public body failed to respond to a written appeal as required under subsection (2).

(iii) The head of the public body issued a determination to a written appeal as required under subsection (2).

(2) Within 10 business days after receiving a written appeal under subsection (1)(a), the head of a public body shall do 1 of the following:

(a) Waive the fee.

(b) Reduce the fee and issue a written determination to the requesting person indicating the specific basis under section 4 that supports the remaining fee. The determination shall include a certification from the head of the public body that the statements in the determination are accurate and that the reduced fee amount complies with its publicly available procedures and guidelines and section 4.

(c) Uphold the fee and issue a written determination to the requesting person indicating the specific basis under section 4 that supports the required fee. The determination shall include a certification from the head of the public body that the statements in the determination are accurate and that the fee amount complies with the public body's publicly available procedures and guidelines and section 4.

(d) Issue a notice extending for not more than 10 business days the period during which the head of the public body must respond to the written appeal. The notice of extension shall include a detailed reason or reasons why the extension is necessary. The head of a public body shall not issue more than 1 notice of extension for a particular written appeal.

(3) A board or commission that is the head of a public body is not considered to have received a written appeal under subsection (2) until the first regularly scheduled meeting of that board or commission following submission of the written appeal under subsection (1)(a).

(4) In an action commenced under subsection (1)(b), a court that determines the public body required a fee that exceeds the amount permitted under its publicly available procedures and guidelines or section 4 shall reduce the fee to a permissible amount. Venue for an action against a local public body is proper in the circuit court for the county in which the public record or an office of the public body is located. The court shall determine the matter de novo, and the burden is on the public body to establish that the required fee complies with its publicly available procedures and guidelines and section 4. Failure to comply with an order of the court may be punished as contempt of court.

(5) An action commenced under this section and an appeal from an action commenced under this section shall be assigned for hearing and trial or for argument at the earliest practicable date and expedited in every way.

(6) If the requesting person prevails in an action commenced under this section by receiving a reduction of 50% or more of the total fee, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements. The award shall be assessed against the public body liable for damages under subsection (7).

(7) If the court determines in an action commenced under this section that the public body has arbitrarily and capriciously violated this act by charging an excessive fee, the court shall order the public body to pay a civil fine of \$500.00, which shall be deposited in the general fund of the state treasury. The court may also award, in addition to any actual or compensatory damages, punitive damages in the amount of \$500.00 to the person seeking the fee reduction. The fine and any damages shall not be assessed against an individual, but shall be assessed against the next succeeding public body that is not an individual and that kept or maintained the public record as part of its public function.

(8) As used in this section, "fee" means the total fee or any component of the total fee calculated under section 4, including any deposit.

History: Add. 2014, Act 563, Eff. July 1, 2015

City: Keep original and provide copy, along with Public Summary, to requestor at no charge.

CITY OF YPSILANTI, WASHTENAW COUNTY
One S. Huron Street
Ypsilanti, MI 48197
734-481-1100

Request for Fee Discount/Waiver Form
Created by the City of Ypsilanti (July, 2015)

Request for Fee Discount/Waiver for FOIA Request
Michigan Freedom of Information Act, Public Act 442 of 1976, MCL 15.231, et seq.

Name	Phone	
Firm/Organization	Fax	
Street	Email	
City	State	Zip

REQUEST FOR DISCOUNT BECAUSE OF INDIGENCY (NOTARIZATION REQUIRED)

1. ☐ I am an indigent individual and (check one):
a. ☐ I am receiving public assistance in the form of: _____
b. ☐ I am not receiving public assistance, but am unable to pay the cost because: _____

2. ☐ I have not received two discounted copies of public records from the City of Ypsilanti twice within the past calendar year.

3. ☐ This request is not being made in conjunction with outside parties in exchange for payment or other remuneration.

REQUEST FOR DISCOUNT FOR NONPROFIT ORGANIZATION ADVOCATING FOR DEVELOPMENTALLY DISABLED AND MENTALLY ILL (NOTARIZATION NOT REQUIRED)

4. ☐ I represent a nonprofit organization formally designated by the state to carry out activities under subtitle C of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 and the Protection and Advocacy for Individuals with Mental Illness Act, and (check all that apply):
a. ☐ Documentation of said organization designation to carry out such activities is attached to this affidavit.
b. ☐ This request is being made directly on behalf of said organization.
c. ☐ This request is being made for a reason wholly consistent with the mission and provisions of those under section 931 of the Mental Health Code, 1974 PA 258, MCL 330.1931. Particularly, that reason is: _____

REQUEST FOR REDUCTION OR WAIVER OF FEE FOR PUBLIC INTEREST (NOTARIZATION NOT REQUIRED)

5. ☐ A waiver or discount of the fee for this request is in the public interest because: _____
6. ☐ Searching for or furnishing copies of the public record is primarily benefiting the general public because: _____

Requestor's Signature	Date
------------------------------	-------------

Subscribed and sworn to before me, a Notary Public, on this _____ day of _____, 20____ by the above named _____, who has read the foregoing and says it is true to the best of his or her knowledge.

FOR OFFICE USE ONLY

Request No.: _____ **Date Received:** _____
Check if received via: ☐ Email ☐ Fax ☐ Other Electronic Method
Date delivered to junk/spam folder: _____
Date discovered in junk/spam folder: _____

_____, Notary Public
County, Michigan
Acting in the County of _____
My commission expires: _____

City of Ypsilanti

Policy for Public Inspection of Records

REQUESTS MADE PURSUANT TO THE MICHIGAN FREEDOM OF INFORMATION ACT MUST BE MADE PURSUANT TO CITY OF YPSILANTI'S FOIA PROCEDURES AND GUIDELINES AND ARE SUBJECT TO THE STATUTORY REQUIREMENTS OF FOIA.

1. Public Inspection of Records (for non-Freedom of Information Act requests and verbal requests):

(a) Upon receiving a verbal or written request to inspect City records, the City will furnish the requesting person with a reasonable opportunity and reasonable facilities for inspection and examination of its public records. The request may be made to the City official and/or authorized individual responsible for the requested public records. A City employee that receives a request for information that the employee believes is available on the City's website, shall, where practicable and to the best of the employee's knowledge, inform the requestor about the City's pertinent website address.

(b) If the request is verbal, the responding City official and/or authorized individual will prepare a checklist of items/records requested to be inspected. The checklist will be presented to the requesting party on the date set for inspection. The responding City official and/or authorized individual may require the requesting party to counter-sign the checklist to indicate compliance with the verbal request.

(c) A person will be allowed four hours to inspect public records during usual business hours. The responding City official and/or authorized individual will respond to the request in a timely manner, not to exceed 5 business days from the date of the request. The response will indicate the date, time, and place when and where the inspection of the requested public records will take place. The establishment of the date of the inspection is at the reasonable discretion of the responding City official and/or authorized individual. The location will be at the Ypsilanti City Hall. The public does not have unlimited access to City offices and the person may be required to inspect the records at a specified counter or table, and in view of City personnel.

(d) The responding City official and/or authorized individual will be responsible for the production of the requested records. The Clerk is responsible for identifying if records or information requested by the public is stored in digital files or emails even if the public does not specifically request a digital file or email.

(e) City officials, appointees, staff, or consultants assisting with inspection of public records will inform any person inspecting records that only erasable pencils are allowed in their possession for note taking: no pens, ink, or other indelible writing instruments are allowed in their possession. No notes, marks, or writing of any kind may be made on the documents themselves.

(f) A person cannot remove books, records or files from the place the City has provided for the inspection.

(g) No documents may be removed from the office of the custodian of those documents without permission of that custodian, except by court order, subpoena, or for audit purposes. The official must be given a receipt listing the records being removed. Documents may be removed from the office of the custodian of those documents with permission of that custodian to accommodate public inspection of those documents.

(h) The official responsible for the records will determine on a case by case basis when the City will provide copies of original records rather than the original records themselves, to allow for blacking out exempt information, to protect old or delicate original records, or because the original record is a digital file or database not available for public inspection.

2. If the official responsible for the records determines that copies of the originals will be made pursuant to 1(h) above, a fee will be charged for copies made to enable public inspection of records, according to the City's FOIA policy.

CITY OF YPSILANTI

FOIA Procedures and Guidelines

Preamble: Statement of Principles

It is the policy of the City of Ypsilanti that all persons, except those incarcerated, consistent with the Michigan Freedom of Information Act (FOIA), are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and employees. The people shall be informed so that they fully participate in the democratic process.

The City's policy with respect to FOIA requests is to comply with State law in all respects and to respond to FOIA requests in a consistent, fair, and even-handed manner regardless of who makes such a request.

The City acknowledges that it has a legal obligation to disclose all nonexempt public records in its possession pursuant to a FOIA request. The City acknowledges that sometimes it is necessary to invoke the exemptions identified under FOIA in order to ensure the effective operation of government and to protect the privacy of individuals.

The City of Ypsilanti will protect the public's interest in disclosure, while balancing the requirement to withhold or redact portions of certain records. The City's policy is to disclose public records consistent with and in compliance with State law.

The City Council has established the following written procedures and guidelines to implement the FOIA and will create a written public summary of the specific procedures and guidelines relevant to the general public regarding how to submit written requests to the public body and explaining how to understand a public body's written responses, deposit requirements, fee calculations, and avenues for challenge and appeal. The written public summary will be written in a manner so as to be easily understood by the general public.

Section 1: General Policies

The City Council, acting pursuant to the authority at MCL 15.236, designates the City Attorney as the FOIA Coordinator. He or she is authorized to designate other individuals to act on his or her behalf to accept and process written requests for the City's public records and approve denials.

If a request for a public record is received by fax or email, the request is deemed to have been received on the following business day. If a request is sent by email and delivered to a spam or junk-mail folder, the request is not deemed received until one day after the FOIA Coordinator first becomes aware of the request. The FOIA Coordinator shall note in the FOIA log both the date the request was delivered to the spam or junk-mail folder and the date the FOIA Coordinator became aware of the request.

Spam and junk-mail folders are to be reviewed on a regular basis, which shall be no less than once a month.

The FOIA Coordinator may, in his or her discretion, implement administrative rules, consistent with State law and these Procedures and Guidelines to administer the acceptance and processing of FOIA requests.

The City is not obligated to create a new public record or make a compilation or summary of information which does not already exist. Neither the FOIA Coordinator nor other City staff are obligated to provide answers to questions contained in requests for public records or regarding the content of the records themselves.

The FOIA Coordinator shall keep a copy of all written requests for public records received by the City on file for a period of at least one year.

The City will make this Procedures and Guidelines document and the Written Public Summary publicly available without charge. If it does not, the City cannot require deposits or charge fees otherwise permitted under the FOIA until it is in compliance.

A copy of this Procedures and Guidelines document and the City's Written Public Summary must be publicly available on the City's website. A link to the location of these documents will be provided in both the City's response to a written request and upon request by visitors at the City's offices.

Section 2: Requesting a Public Record

Requests to inspect or obtain copies of public records prepared, owned, used, possessed or retained by the City must be submitted in writing. Requests may be submitted on the City's FOIA Request Form, but use of this form is not required. Requests may be in any other form of writing (letter, fax, email, etc.).

A request must sufficiently describe a public record so as to enable City personnel to identify and find the requested public record.

Written requests for public records may be submitted in person or by mail to any City office. Requests may also be submitted electronically by fax and email. Upon their receipt, requests for public records shall be promptly forwarded to the FOIA Coordinator for processing.

A person may request that public records be provided on non-paper physical media, emailed or otherwise provided to him or her in digital form in lieu of paper copies. The City will comply with the request only if it possesses the necessary technological capability to provide records in the requested non-paper physical media format.

A person may subscribe to future issues of public records that are created, issued or disseminated by City on a regular basis. A subscription is valid for up to 6 months and may be renewed by the subscriber.

A person serving a sentence of imprisonment in a local, state or federal correctional facility is not entitled to submit a request for a public record. The FOIA Coordinator will deny all such requests.

Section 3: Processing a Request

Unless otherwise agreed to in writing by the person making the request, the City will issue a response within 5 business days of receipt of a FOIA request. If a request is received by fax, email or other electronic transmission, the request is deemed to have been received on the following business day.

The City will respond to a request in one of the following ways:

- Grant the request.
- Issue a written notice denying the request.
- Grant the request in part and issue a written notice denying in part the request.
- Issue a notice indicating that due to the nature of the request the City needs an additional 10 business days to respond for a total of no more than 15 business days. Only one such extension is permitted.
- Issue a written notice indicating that the public record requested is available at no charge on the City's website.

When a request is granted:

If the request is granted, or granted in part, the FOIA Coordinator will require that payment be made in full for the allowable fees associated with responding to the request before the public record is made available.

The FOIA Coordinator shall provide a detailed itemization of the allowable costs incurred to process the request to the person making the request.

Because these Procedures and Guidelines, and the Written Public Summary are maintained on the City's website, a link to these documents will be provided with the response to a written request for public records in lieu of providing paper copies of those documents.

If the cost of processing a FOIA request is \$50 or less, the requester will be notified of the amount due and where the documents can be obtained.

If the cost of processing a FOIA request is expected to exceed \$50 based on a good-faith calculation, or if the requestor has not paid in full for a previously granted request, the City will require a good-faith deposit pursuant to Section 4 of this policy before processing the request.

In making the request for a good-faith deposit the FOIA Coordinator shall provide the requestor with a detailed itemization of the allowable costs estimated to be incurred by the City to process the request and also provide a best efforts estimate of a time frame it will take the City to provide the records to the requestor. The best efforts estimate shall be nonbinding

on the City, but will be made in good faith and will strive to be reasonably accurate, given the nature of the request in the particular instance, so as to provide the requested records in a manner based on the public policy expressed by Section 1 of the FOIA.

When a request is denied or denied in part:

If the request is denied or denied in part, the FOIA Coordinator will issue a Notice of Denial which shall provide in the applicable circumstance:

- An explanation as to why a requested public record is exempt from disclosure; or
- A certificate that the requested record does not exist under the name or description provided by the requestor, or another name reasonably known by the City; or
- An explanation or description of the public record or information within a public record that is separated or deleted from the public record; and
- An explanation of the person's right to submit an appeal of the denial to either the office of the City Manager or seek judicial review in the Washtenaw County Circuit Court;
- An explanation of the right to receive attorneys' fees, costs, and disbursements as well actual or compensatory damages, and punitive damages of \$1,000, should they prevail in Circuit Court.
- The Notice of Denial shall be signed by the FOIA Coordinator.

Requests to inspect public records:

The City shall provide reasonable facilities and opportunities for persons to examine and inspect public records during normal business hours. The FOIA Coordinator is authorized to promulgate rules regulating the manner in which records may be viewed so as to protect City records from loss, alteration, mutilation or destruction and to prevent excessive interference with normal City operations.

Requests for certified copies:

The FOIA Coordinator shall, upon written request, furnish a certified copy of a public record at no additional cost to the person requesting the public record.

Section 4: Fee Deposits

If the fee estimate is expected to exceed \$50.00 based on a good-faith calculation, the requestor will be asked to provide a deposit not exceeding one-half of the total estimated fee.

If a request for public records is from a person who has not paid the City in full for copies of public records made in fulfillment of a previously granted written request, the FOIA Coordinator will require a deposit of 100% of the estimated processing fee before beginning to search for a public record for any subsequent written request by that person when all of the following conditions exist:

- The final fee for the prior written request is not more than 105% of the estimated fee;

- The public records made available contained the information sought in the prior written request and remain in the City's possession;
- The public records were made available to the individual, subject to payment, within the time frame estimated by the City to provide the records;
- Ninety (90) days have passed since the FOIA Coordinator notified the individual in writing that the public records were available for pickup or mailing;
- The individual is unable to show proof of prior payment to the City; and
- The FOIA Coordinator has calculated a detailed itemization that is the basis for the current written request's increased estimated fee deposit.

The FOIA Coordinator will not require an increased estimated fee deposit if any of the following apply:

- The person making the request is able to show proof of prior payment in full to the City;
- The City is subsequently paid in full for the applicable prior written request; or
- Three hundred sixty five (365) days have passed since the person made the request for which full payment was not remitted to the City.

Section 5: Calculation of Fees

A fee may be charged for the labor cost of copying/duplication.

A fee will not be charged for the labor cost of search, examination, review and the deletion and separation of exempt from nonexempt information unless failure to charge a fee would result in unreasonably high costs to the City because of the nature of the request in the particular instance, and the City specifically identifies the nature of the unreasonably high costs.

Costs for the search, examination review, and deletion and separation of exempt from non-exempt information are "unreasonably high" when they are excessive and beyond the normal or usual amount for those services compared to the costs of the City's usual FOIA requests, not compared to the City's operating budget.

The following factors shall be used to determine an unreasonably high cost to the City:

- Volume of the public record requested
- Amount of time spent to search for, examine, review and separate exempt from non-exempt information in the record requested.
- Whether the public records are from more than one City department or whether various City offices are necessary to respond to the request.
- The available staffing to respond to the request.
- Any other similar factors identified by the FOIA Coordinator in responding to the particular request.

The Michigan FOIA statute permits the City to charge for the following costs associated with processing a request:

- Labor costs associated with copying or duplication, which includes making paper copies, making digital copies, or transferring digital public records to non-paper physical media or through the Internet.
- Labor costs associated with searching for, locating and examining a requested public record, when failure to charge a fee will result in unreasonably high costs to the City.
- Labor costs associated with a review of a record to separate and delete information exempt from disclosure, when failure to charge a fee will result in unreasonably high costs to the City.
- The cost of copying or duplication, not including labor, of paper copies of public records. This may include the cost for copies of records already on the City's website if the City is asked to make such copies.
- The cost of computer discs, computer tapes or other digital or similar media when the requester asks for records in non-paper physical media. This may include the cost for copies of records already on the City's website if the City is asked to make such copies.
- The cost to mail or send a public record to a requestor.

Labor costs will be calculated based on the following requirements:

- All labor costs will be estimated and charged in 15-minute increments, with all partial time increments rounded down. If the time involved is less than 15 minutes, there will be no charge.
- Labor costs will be charged at the hourly wage of the lowest-paid City employee capable of doing the work in the specific fee category, regardless of who actually performs work.
- Labor costs will also include a charge to cover or partially cover the cost of fringe benefits.
- The City may add up to 50% to the applicable labor charge amount to cover or partially cover the cost of fringe benefits, but in no case may it exceed the actual cost of fringe benefits.
- Overtime wages will not be included in labor costs unless agreed to by the requestor; overtime costs will not be used to calculate the fringe benefit cost.
- Contracted labor costs will be charged at the hourly rate of \$48.90 (6 times the state minimum hourly wage).

The cost to provide records on non-paper physical media when so requested will be based on the following requirements:

- Computer disks, computer tapes or other digital or similar media will be at the actual and most reasonably economical cost for the non-paper media.
- This cost will only be assessed if the City has the technological capability necessary to provide the public record in the requested non-paper physical media format.
- The City will procure any non-paper media and will not accept media from the requestor in order to ensure integrity of the City's technology infrastructure.

The cost to provide paper copies of records will be based on the following requirements:

- Paper copies of public records made on standard letter (8 ½ x 11) or legal (8 ½ x 14) sized paper will not exceed \$.10 per sheet of paper. Copies for non-standard sized sheets of paper will reflect the actual cost of reproduction.
- The City will provide records using double-sided printing, if it is cost-saving and available.

The cost to mail records to a requestor will be based on the following requirements:

- The actual cost to mail public records using a reasonably economical and justified means.
- The City may charge for the least expensive form of postal delivery confirmation.
- No cost will be made for expedited shipping or insurance unless specified by the requestor.

If the FOIA Coordinator does not respond to a written request in a timely manner, the City must:

- Reduce the labor costs by 5% for each day the City exceeds the time permitted under FOIA up to a 50% maximum reduction, if **any** of the following applies:
 - The City's late response was willful and intentional,
 - The written request conveyed a request for information within the first 250 words of the body of a letter facsimile, email or email attachment, or
 - The written request included the words, characters, or abbreviations for "freedom of information," "information," "FOIA," "copy" or a recognizable misspelling of such, or legal code reference to MCL 15. 231, et seq. or 1976 Public Act 442 on the front of an envelope or in the subject line of an email, letter or facsimile cover page.
- Fully note the charge reduction in the Detailed Itemization of Costs Form.

Section 6: Waiver of Fees

The cost of the search for and copying of a public record may be waived or reduced if, in the sole judgment of the City Council, a waiver or reduced fee is in the public interest because searching for or furnishing copies of the public record can be considered as primarily

benefiting the general public. Requests under this section must be made in writing. The FOIA Coordinator may make a Fee Waiver Form available for use by the public.

The City Council has 10 business days to consider such a request, beginning on the day of its next regularly scheduled meeting. The City is not obligated to provide the public records requested until the fee is otherwise paid or the City Council has made a determination. In considering a request for a reduction or waiver of fees for these purposes, the City Council, in its sole discretion, may: deny the request, reduce the cost of the public record search and/or copying of the public record, or waive the cost of the public record search and/or copying of the public record.

The City Council may identify specific records or types of records it deems should be made available for no charge or at a reduced cost. If such a determination is made, the FOIA Coordinator may grant a request under this section without prior consideration of the City Council pursuant to the said determination.

Section 7: Discounted Fees

Indigence

The FOIA Coordinator will discount the first \$20.00 of the processing fee for a request if the person requesting a public record submits an affidavit stating that they are:

- Indigent and receiving specific public assistance, or
- If not receiving public assistance, stating facts demonstrating an inability to pay because of indigence.

An individual is not eligible to receive the waiver if:

- The requestor has previously received discounted copies of public records from the City twice during the calendar year; or
- The requestor requests information in connection with other persons who are offering or providing payment to make the request.

An affidavit is a sworn statement. Requests under this section must be notarized. The FOIA Coordinator may make a Fee Waiver Affidavit Form available for use by the public.

Nonprofit organization advocating for developmentally disabled or mentally ill individuals

The FOIA Coordinator will discount the first \$20.00 of the processing fee for a request from:

- A nonprofit organization formally designated by the state to carry out activities under subtitle C of the federal developmental disabilities assistance and bill of rights act of 2000, Public Law 106-402, and the protection and advocacy for individuals with mental illness act, Public Law 99-319, or their successors, if the request meets all of the

following requirements:

- Is made directly on behalf of the organization or its clients.
- Is made for a reason wholly consistent with the mission and provisions of those laws under section 931 of the mental health code, 1974 PA 258, MCL 330.1931.
- Is accompanied by documentation of its designation by the state, if requested by the public body.

Section 8: Appeal of a Denial of a Public Record

When a requestor believes that all or a portion of a public record has not been disclosed or has been improperly exempted from disclosure, he or she may appeal to the City Council by filing an appeal of the denial with the office of the City Clerk.

The appeal must be in writing, specifically state the word "appeal," and identify the reason or reasons the requestor is seeking a reversal of the denial. A City FOIA Appeal Form (To Appeal a Denial of Records), may be used. The City Council is not considered to have received a written appeal until the first regularly scheduled City Council meeting following submission of the written appeal.

Within 10 business days of receiving the appeal the City Council will respond in writing by:

- Reversing the disclosure denial;
- Upholding the disclosure denial; or
- Reverse the disclosure denial in part and uphold the disclosure denial in part; or
- Under unusual circumstances, issue a notice extending for not more than 10 business days the period during which the City Council shall respond to the written appeal. The City Council shall not issue more than 1 notice of extension for a particular written appeal.

If the City Council fails to respond to a written appeal, or if the City Council upholds all or a portion of the disclosure denial that is the subject of the written appeal, the requesting person may seek judicial review of the nondisclosure by commencing a civil action in Circuit Court.

Whether or not a requestor submitted an appeal of a denial to the City Council, he or she may file a civil action in the Washtenaw County Circuit Court within 180 days after the City's final determination to deny the request.

Section 9: Appeal of an Excessive FOIA Processing Fee

"Fee" means the total fee or any component of the total fee calculated under section 4 of the FOIA, including any deposit.

If a requestor believes that the fee charged by the City to process a FOIA request exceeds the amount permitted by state law or under this policy, he or she must first appeal to the City Council by submitting a written appeal for a fee reduction to the office of the City Clerk.

The appeal must be in writing, specifically state the word "appeal" and identify how the required fee exceeds the amount permitted. A City FOIA Appeal Form (To Appeal an Excess Fee) may be used.

The City Council is not considered to have received a written appeal until the first regularly scheduled City Council meeting following submission of the written appeal.

Within 10 business days after receiving the appeal, the City Council will respond in writing by:

- Waiving the fee;
- Reducing the fee and issuing a written determination indicating the specific basis that supports the remaining fee;
- Upholding the fee and issuing a written determination indicating the specific basis that supports the required fee; or
- Issuing a notice detailing the reason or reasons for extending for not more than 10 business days the period during which the City Council will respond to the written appeal. The City Council shall not issue more than 1 notice of extension for a particular written appeal.

Where the City Council reduces or upholds the fee, the determination must include a certification from the City Council that the statements in the determination are accurate and that the reduced fee amount complies with its publicly available procedures and guidelines and Section 4 of the FOIA.

Within 45 days after receiving notice of the City Council's determination of an appeal, the requesting person may commence a civil action in the Washtenaw County Circuit Court for a fee reduction.

If a civil action is commenced against the City for an excess fee, the City is not obligated to complete the processing of the written request for the public record at issue until the court resolves the fee dispute.

An action shall not be filed in circuit court unless one of the following applies:

- The City does not provide for appeals of fees,
- The City Council failed to respond to a written appeal as required, or
- The City Council issued a determination to a written appeal.

Section 10: Conflict with Prior FOIA Policies and Procedures; Effective Date

To the extent that these Procedures and Guidelines conflict with previous FOIA policies promulgated by City Council or the City Administration, these Procedures and Guidelines are controlling. To the extent that any administrative rule promulgated by the FOIA Coordinator subsequent to the adoption of this resolution is found to be in conflict with any previous policy

promulgated by the City Council or the City Administration, the administrative rule promulgated by the FOIA Coordinator is controlling.

To the extent that any provision of these Procedures and Guidelines or any administrative rule promulgated by the FOIA Coordinator pertaining to the release of public records is found to be in conflict with any State statute, the applicable statute shall control. The FOIA Coordinator is authorized to modify this policy and all previous policies adopted by the City Council or the City Administration, and to adopt such administrative rules as he or she may deem necessary, to facilitate the legal review and processing of requests for public records made pursuant to Michigan's FOIA statute, provided that such modifications and rules are consistent with State law. The FOIA Coordinator shall inform the City Council of any change these Policies and Guidelines.

These FOIA Policies and Guidelines become effective July 1, 2015.

Section 11: Appendix of City of Ypsilanti FOIA Forms

- Request for Public Records Form
- Notice to Extend Response Time Form
- Notice of Denial Form
- Detailed Cost Itemization Form
- Appeal of Denial of Records Form
- Appeal of Excess Fee Form
- Request for Fee Discount/Waiver Form

Freedom of Information Act Request Detailed Cost Itemization

Date: _____ Prepared for Request No.: _____ Date Request Received: _____

The following costs are being charged/estimated in compliance with Section 4 of the Michigan Freedom of Information Act, MCL 15.234, according to the City's FOIA Policies and Guidelines. If the City is seeking a 50% deposit prior to providing the public records sought, the estimate is itemized on this form, lines 2-7 below.

1. If all or a portion of the requested information is available on the City's website, the City is required to tell you it is available on the website and, where practicable, include a specific webpage address where the information is available. In this case

- ☐ None
☐ Some
☐ All

of the requested material can be found at the following webpage(s):

If the webpage is all the information you need, it is provided without charge. If, however, you still wish to receive a copy of material from the webpage, please let us know. The usual charge will apply if the City is required to produce copies of material from the webpage.

2. Labor Cost to Locate Records Not on City Website:

This is the cost of labor directly associated with the necessary searching for, locating, and examining public records in conjunction with receiving and fulfilling a granted written request. **This fee is being charged because failure to do so will result in unreasonably high costs to the City because of the nature of the request in this particular instance, specifically:** _____

The City will not charge more than the hourly wage of its lowest-paid employee capable of searching for, locating, and examining the public records in this particular instance, regardless of whether that person is available or who actually performs the labor.

These costs will be estimated and charged in **15 minute time increments**; all partial time increments must be rounded down. *If the number of minutes is less than 15, there is no charge.*

Hourly Wage Charged: \$ _____

Charge per ¼ hour: \$ _____

OR

Hourly Wage with Fringe Benefit Cost: \$ _____

OR

Multiply the hourly wage by the percentage multiplier: _____ %
(up to 50% of the hourly wage) and add to the hourly wage for a total per hour rate.

Charge per ¼ hour: \$ _____

☐ Overtime rate charged as stipulated by Requestor (*overtime is not used to calculate the fringe benefit cost*)

To figure the number of increments, take the *number of minutes*: _____, divide by 15 and round down. Enter below:

Number of increments

x _____ =

2. Labor Cost

\$ _____

3. Labor Cost for Copying / Duplication of Records

This is the cost of labor directly associated with duplication of publications, including making paper copies, making digital copies, or transferring digital public records to be given to the requestor on non-paper physical media or through the Internet or other electronic means as stipulated by the requestor.

This shall not be more than the hourly wage of the City's lowest-paid employee capable of necessary duplication or publication in this particular instance, regardless of whether that person is available or who actually performs the labor.

These costs will be estimated and charged in **15 minute time increments**; all partial time increments must be rounded down. *If the number of minutes is less than one increment, there is no charge.*

Hourly Wage Charged: \$ _____

Charge per ¼ hour: \$ _____

OR

Hourly Wage with Fringe Benefit Cost: \$ _____

OR

Multiply the hourly wage by the percentage multiplier: _____ %
(up to 50% of the hourly wage) and add to the hourly wage for a total per hour rate.

Charge per ¼ hour: \$ _____

☐ Overtime rate charged as stipulated by Requestor (*overtime is not used to calculate the fringe benefit cost*)

4. Labor Cost for Copying/Duplicating Records Already on City's Website:

This shall not be more than the hourly wage of the City's lowest-paid employee capable of necessary duplication or publication in this particular instance, regardless of whether that person is available or who actually performs the labor. These costs will be estimated and charged in **15 minute time increments**; all partial time increments must be rounded down. *If the number of minutes is less than 15, there is no charge.*

Hourly Wage Charged: \$ _____

Charge per increment: \$ _____

OR

Hourly Wage with Fringe Benefit Cost: \$ _____

OR

Multiply the hourly wage by the percentage multiplier: _____ %
and add to the hourly wage for a total per hour rate.

Charge per increment: \$ _____

☐ Requestor has stipulated that some / all of the requested records that are already available on the City's website be provided in a paper or non-paper physical digital medium.

☐ Overtime rate charged as stipulated by Requestor

To figure the number of increments, take the *number of minutes*:

____, divide by 15, and round down.

Enter below:

Number of increments

x _____ =

3. Labor Cost

\$ _____

To figure the number of increments, take the *number of minutes*:

____, divide by 15, and round down.

Enter below:

Number of increments

x _____ =

4. Web Labor Cost

\$ _____

5a. Labor Cost for Separating Exempt from Non-Exempt (Redacting): Material Not on City Website

The City will not charge for labor directly associated with redaction if it knows or has reason to know that it previously redacted the record in question and still has the redacted version in its possession.

This fee is being charged because failure to do so will result in unreasonably high costs to the City that are excessive and beyond the normal or usual amount for those services compared to the City's usual FOIA requests, because of the nature of the request in this particular instance, specifically: _____

This is the cost of labor of a **City employee**, including necessary review, directly associated with separating and deleting exempt from nonexempt information. This shall not be more than the hourly wage of the **City's lowest-paid employee** capable of separating and deleting exempt from nonexempt information in this particular instance, regardless of whether that person is available or who actually performs the labor.

These costs will be estimated and charged in **15 minute time increment**; all partial time increments must be rounded down. *If the number of minutes is less than 15, there is no charge.*

Hourly Wage Charged: \$ _____

Charge per increment: \$ _____

OR

Hourly Wage with Fringe Benefit Cost: \$ _____

OR

Multiply the hourly wage by the percentage multiplier: _____%
(up to 50% of the hourly wage) and add to the hourly wage for a total per hour rate.

Charge per increment: \$ _____

☐ Overtime rate charged as stipulated by Requestor (*overtime is not used to calculate the fringe benefit cost*)

5b. Contracted Labor Cost for Separating Exempt from Non-Exempt (Redacting):

(Fill this out if using a contractor, such as the attorney. If using in-house employee, use No. 3a instead.)

The City will not charge for labor directly associated with redaction if it knows or has reason to know that it previously redacted the record in question and still has the redacted version in its possession.

This fee is being charged because failure to do so will result in unreasonably high costs to the City that are excessive and beyond the normal or usual amount for those services compared to the City's usual FOIA requests, because of the nature of the request in this particular instance, specifically: _____

As this City does not employ a person capable of separating exempt from non-exempt information in this particular instance, as determined by the FOIA Coordinator, this is the cost of labor of a **contractor** (i.e.: outside attorney), including necessary review, directly associated with separating and deleting exempt information from nonexempt information. This shall not exceed an amount equal to 6 times the state minimum hourly wage rate of _____ (currently \$8.15).

Name of contracted person or firm: _____

These costs will be estimated and charged in _____-minute time increments (*must be 15-minutes or more*); all partial time increments must be rounded down. *If the number of minutes is less than 15, there is no charge.*

Hourly Cost Charged: \$ _____

Charge per increment: \$ _____

To figure the number of increments, take the *number of minutes*: _____, divide by 15, and round down.
Enter below:

Number of increments

5a. Labor Cost

x _____ = \$ _____

To figure the number of increments, take the *number of minutes*: _____, divide by _____-minute increments, and round down to: _____ increments.
Enter below:

Number of increments

5b. Labor Cost

x _____ = \$ _____

6. Copying / Duplication Cost:

Copying costs may be charged if a copy of a public record is requested, or for the necessary copying of a record for inspection (for example, to allow for blacking out exempt information, to protect old or delicate original records, or because the original record is a digital file or database not available for public inspection).

No more than the actual cost of a sheet of paper, up to maximum 10 cents per sheet for:

- **Letter** (8 ½ x 11-inch, single and double-sided): _____ cents per sheet
- **Legal** (8 ½ x 14-inch, single and double-sided): _____ cents per sheet

No more than the actual cost of a sheet of paper for other paper sizes:

- **Other paper sizes** (single and double-sided): _____ cents / dollars per sheet

Actual and most reasonably economical cost of non-paper physical digital media:

- **Circle applicable:** Disc / Tape / Drive / Other Digital Medium **Cost per Item:** _____

The cost of paper copies **must** be calculated as a total cost per sheet of paper. The fee **cannot exceed** 10 cents per sheet of paper for copies of public records made on 8-1/2- by 11-inch paper or 8-1/2- by 14-inch paper. A City **must** utilize the most economical means available for making copies of public records, including using double-sided printing, if cost saving and available.

Number of
Sheets:

x _____ = \$ _____
x _____ = \$ _____

x _____ = \$ _____

x _____ = \$ _____

No. of Items:

x _____ = \$ _____

**6. Total Copy
Cost**
\$ _____

7. Mailing Cost:

The City will charge the actual cost of mailing, if any, for sending records in a reasonably economical and justifiable manner. Delivery confirmation is not required.

- The City **may** charge for the least expensive form of postal delivery confirmation.
- The City **cannot** charge more for expedited shipping or insurance unless specifically requested by the requestor.*

Actual Cost of Envelope or Packaging: \$ _____

Actual Cost of Postage: \$ _____ per stamp
\$ _____ per pound
\$ _____ per package

Actual Cost (least expensive) Postal Delivery Confirmation: \$ _____

***Expedited Shipping or Insurance as Requested:** \$ _____

☐ * Requestor has requested expedited shipping or insurance

Number of
Envelopes or
Packages:

x _____ = \$ _____

x _____ = \$ _____

x _____ = \$ _____

x _____ = \$ _____

x _____ = \$ _____

x _____ = \$ _____

Costs:
\$ _____

\$ _____
\$ _____
\$ _____

**7. Total
Mailing Cost**

\$ _____

8. Subtotal Fees Before Waivers, Discounts or Deposits: ☐ Cost estimate ☐ Bill Estimated Time Frame to Provide Records: _____ (days or date) The time frame estimate is nonbinding upon the City, but the City is providing the estimate in good faith. Providing an estimated time frame does not relieve the City from any of the other requirements of this act. 1. Records on City Website: 2. Labor Cost to Locate: 3. Labor Cost for Copying: 4. Labor Cost for Copying Records on Website: 5a. Labor Cost to Redact: 5b. Contract Cost to Redact: 6. Copying/Duplication Cost: 7. Mailing Cost: 8. Subtotal Fees:		No Charge \$ _____ \$ _____ \$ _____ \$ _____ \$ _____ \$ _____ \$ _____ \$ _____
9. Good Faith Deposit: If the estimated cost of responding to this request exceeds \$50.00, the City may collect up to 50% of that estimate (i.e., 50% of the amount on line 8) before responding.	x 50%	9. Good Faith Deposit \$ _____
10. Waiver: Public Interest A search for a public record may be conducted or copies of public records may be furnished without charge or at a reduced charge if the City determines, upon request, that a waiver or reduction of the amount on line 8 above is in the public interest because searching for or furnishing copies of the public record can be considered as primarily benefiting the general public. ☐ All fees are waived <u>OR</u> ☐ All fees are reduced by: _____%	Subtotal from Line 8 Above as Affected by City's Decision Re: Requested Waiver:	\$ _____
11. Discount: Indigence A public record search must be made and a copy of a public record must be furnished without charge for the first \$20.00 of the fee for each request by an individual who is entitled to information under this act and who: 1) Submits an affidavit stating that the individual is indigent and receiving specific public assistance, OR 2) If not receiving public assistance, stating facts showing inability to pay the cost because of indigence. If a requestor is ineligible for the discount, the public body shall inform the requestor specifically of the reason for ineligibility in the public body's written response. An individual is ineligible for this fee reduction if ANY of the following apply: (i) The individual has previously received discounted copies of public records from the same public body twice during that calendar year, OR (ii) The individual requests the information in conjunction with outside parties who are offering or providing payment or other remuneration to the individual to make the request. A public body may require a statement by the requestor in the affidavit that the request is not being made in conjunction with outside parties in exchange for payment or other remuneration. ☐ Eligible for Indigence Discount	Subtotal Fees After Discount (subtract \$20 if eligible, otherwise enter amount from Line 10):	\$ _____

12. Discount: Nonprofit Organization A public record search must be made and a copy of a public record must be furnished without charge for the first \$20.00 of the fee for each request by a nonprofit organization formally designated by the state to carry out activities under subtitle C of the federal Developmental Disabilities Assistance and Bill of Rights Act of 2000 and the federal Protection and Advocacy for Individuals with Mental Illness Act, if the request meets ALL of the following requirements: (i) Is made directly on behalf of the organization or its clients. (ii) Is made for a reason wholly consistent with the mission and provisions of those laws under section 931 of the Michigan Mental Health Code, 1974 PA 258, MCL 330.1931. (iii) Is accompanied by documentation of its designation by the state, if requested by the City. ☐ Eligible for Nonprofit Discount	Subtotal Fees After Discount (subtract \$20 if eligible, otherwise enter amount from Line 11):	\$ _____
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13. Deposit: Previously Paid The City may require a good-faith deposit <u>before providing the public records to the requestor</u> if the entire fee estimate or charge authorized under this section exceeds \$50.00, based on a good-faith calculation of the total fee. The deposit cannot exceed 1/2 of the total estimated fee. Percent of Deposit: 50%	Date paid: _____	13a. \$ _____
---	---------------------------------------	------------------------------------

Deposit: Increased Deposit Due to Previous FOIA Fees Not Paid In Full After a City has granted and fulfilled a written request from an individual under this act, if the City has not been paid in full the total amount of fees for the copies of public records that the City made available to the individual as a result of that written request, the City may require an increased estimated fee deposit of up to 100% of the estimated fee before it begins a full public record search for any subsequent written request from that individual if ALL of the following apply: (a) The final fee for the prior written request was not more than 105% of the estimated fee. (b) The public records made available contained the information being sought in the prior written request and are still in the City's possession. (c) The public records were made available to the individual, subject to payment, within the best effort estimated time frame given for the previous request. (d) Ninety (90) days have passed since the City notified the individual in writing that the public records were available for pickup or mailing. (e) The individual is unable to show proof of prior payment to the City. (f) The City calculates a detailed itemization, as required under MCL 15.234, that is the basis for the current written request's increased estimated fee deposit. A City can no longer require an increased estimated fee deposit from an individual if ANY of the following apply: (a) The individual is able to show proof of prior payment in full to the City, OR (b) The City is subsequently paid in full for the applicable prior written request, OR (c) Three hundred sixty-five (365) days have passed since the individual made the written request for which full payment was not remitted to the City.	Date paid: _____	Percent Deposit Required _____ % 13b Deposit Required \$ _____ 13c Balance from Line 12 after deducting any previously paid deposit. \$ _____
---	---------------------------------------	--

14. Late Response Labor Costs Reduction If the City does not respond to a written request in a timely manner as required under MCL 15.235(2), the City must do the following: (a) Reduce the charges for labor costs otherwise permitted by 5% for each day the City exceeds the time permitted for a response to the request, with a maximum 50% reduction if EITHER of the following applies: (i) The late response was willful and intentional, OR (ii) The written request included language that conveyed a request for information within the first 250 words of the body of a letter, facsimile, electronic mail, or electronic mail attachment, or specifically included the words, characters, or abbreviations for "freedom of information," "information," "FOIA," "copy", or a recognizable misspelling of such, or appropriate legal code reference for this act, on the front of an envelope, or in the subject line of an electronic mail, letter, or facsimile cover page.	Number of Days Over Required Response Time: _____ Multiply by 5% = Total Percent Reduction: _____	Total Labor Costs \$ _____ Minus Reduction \$ _____ Reduced Total Labor Costs \$ _____
15. Balance Due (Deduct amount on Line 14 from amount on Line 13c) The Public Summary of the City's FOIA Procedures and Guidelines is available free of charge from: Website: _____ Email: _____ Phone: 734-483-1100 Address: 1 S. Huron Street, Ypsilanti, MI 48197 Request Will Be Processed, But <u>Balance Must Be Paid Before</u> Copies May Be Picked Up, Delivered or Mailed	Date Paid _____	Total Balance Due: \$ _____

Created by Michigan Townships Association (April, 2015), the City of Livonia (April 2015), and the City of Ypsilanti (July, 2015)



REQUEST FOR LEGISLATION
July 7, 2015

From: City Clerk Frances McMullan

Subject: Selection of Newspaper of Record

SUMMARY & BACKGROUND:

The City's previous newspaper of record, "Washtenaw Now", is no longer in operation. Staff has reviewed several local periodicals and suggests Washtenaw County Legal News as a replacement. Washtenaw County Legal News has been in existence since February 2005 and became an official paper of record February, 2006. The parent company, Detroit Legal News Publishing has been in existence for over 100 years, and is considered an expert in publishing municipal and legal notices.

Currently, Washtenaw County Legal News is the newspaper of record for several municipalities including the City of Ann Arbor, Washtenaw County, Scio Township and Barton Hills Village.

Washtenaw Legal News provides competitive prices: \$3.00 per inch for liner ads and \$4.00 per column/inch for display ads. All notices can be viewed online at www.legalnews.com/washtenaw. The publication increments are Mondays and Thursdays and the purchase price for a single edition is \$.50.

All city notices will be placed on the city's website at www.cityofypsilanti.com. Notices requiring actual newspaper publication will contain a link to the Washtenaw Legal News for official viewing.

The City of Ypsilanti would experience a tremendous cost savings by selecting Washtenaw Legal News as newspaper of record. Samples of ads and costs are included for your review.

RECOMMENDED ACTION: Approval

ATTACHMENTS: Newspaper Comparison/Analysis (Legal Notices)
Samples

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: July 7, 2015

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2015-148
July 7, 2015

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Washtenaw Legal News, a newspaper of general circulation, be designated as the official newspaper of the City of Ypsilanti, for placement of all required publication notices and display advertisements.

OFFERED BY: _____

SUPPORTED BY: _____

YES:

NO:

ABSENT:

VOTE:

Newspaper Comparison/Analysis (Legal Notices)

Newspaper Name	Price per Line (Legal Ad)	Price per Column Inch (Display)	Publication Increment	Affidavit Fee
Detroit Free Press	\$16.95	N/A	Daily	\$25
Detroit News	\$16.95	N/A	6 days/week (not Sunday)	\$25
Ann Arbor News	\$1.25	\$17.00 (Thurs.) \$28.00 (Sun.)	Thursdays and Sundays	included in cost
Washtenaw Legal News	\$3/inch	\$4.00	Mondays and Thursdays	\$15
Sun Times News	N/A	\$10.00	Weekly (Thursday) Deadline: Friday	Free

****N/A - Denotes news source is unable to provide a flat fee.**

SCIO TOWNSHIP
PLANNING COMMISSION

NOTICE IS HEREBY GIVEN that a public meeting of the Scio Township Planning Commission will be held at the Scio Township Hall, 827 N. Zeeb Road, Ann Arbor, Michigan, on **MONDAY, July 13, 2015 at 7:00 PM.** During this meeting the Planning Commission will hold a public hearing on the following matters:

1. Rezoning of approximately 6.44 acres from I-1, (General Agriculture) to C-4 (Composite Commercial) located at 4101 and 4105 Jackson Road. (OA#3425)

Property Codes: H-08-26-205-006
Property Address: 4101 Jackson
Owner on Tax Roll: Braun, Linda R Trust
Petitioner: RCMC Properties II, LLC

Property Codes: H-08-26-205-007
Property Address: 4105 Jackson
Owner on Tax Roll: Braun, Linda R Trust
Petitioner: RCMC Properties II, LLC

Details concerning the aforementioned matters may be examined at the Township Offices, 827 N. Zeeb Road by interested persons during office hours weekdays, between 9:00 AM and 5:00 PM.

Any person having interest in said Township or their duly appointed representatives shall there and then be heard at the above described meetings or adjournment thereof relative to any matters that should come before the Planning Commission.

Scio Township will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting/hearing upon 10 days notice to Scio Township. Individuals with disabilities requiring auxiliary aids or services should contact Scio Township by writing or calling the Scio Township Staff at (734) 369-9400.

Scio Township Clerk
Washtenaw Legal News
2015-06-25

06/25

**NOTICE OF CLOSE OF REGISTRATION FOR THE
CITY PRIMARY ELECTION TUESDAY, AUGUST 4, 2015
City of Ann Arbor**

PLEASE TAKE NOTICE that any qualified elector of the City of Ann Arbor, Washtenaw County, Michigan or any person who will be a qualified elector of said city on the day of the Primary Election to be held on Tuesday, August 4, 2015, may make application in person or by mail for voter registration at the Office of the Ann Arbor City Clerk, City Hall, 301 E. Huron St., Ann Arbor, MI 48104 from 8:00 a.m. until 5:00 p.m., any day except Saturday, Sunday or a legal holiday.

**THE FINAL DAY TO REGISTER TO VOTE OR CHANGE YOUR
ADDRESS FOR THE AUGUST PRIMARY ELECTION IS:
MONDAY, JULY 6, 2015**

On Monday, July 6, the Ann Arbor City Clerk's Office will be open during regular business hours 8:00 a.m. to 5:00 p.m. to receive applications for voter registration. Applications by mail must be postmarked on or before July 6, 2015. A person who registers to vote by mail is required to vote in person the first time he/she votes, unless he/she has previously registered or voted in person in the State of Michigan or is over 60 years old or is physically unable to attend the polls without assistance.

THE AUGUST 4, 2015 PRIMARY ELECTION WILL BE CONDUCTED FOR THE PURPOSE OF NOMINATING CANDIDATES FOR ANN ARBOR CITY COUNCIL IN THE FOLLOWING WARDS:

City Council Ward 1
City Council Ward 3
City Council Ward 4
City Council Ward 5

(No Primary Election in Ward 2.)

Jacqueline Beaudry
Ann Arbor City Clerk
PUBLISH: June 22, 2015

740.00
DISPLAY AD
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ANN ARBOR CITY NOTICE

**NOTICE OF CONTINUED
PUBLIC HEARING
TO REZONE DOWNTOWN BASE
ZONING DISTRICT AND
DOWNTOWN CHARACTER OVERLAY
ZONING DISTRICT
(336 E. ANN ST. AND 211, 219, 301,
331, 337, 341 E. HURON ST.
AND 336 E. ANN ST.)**

The Ann Arbor City Council will continue a public hearing at 7:00 p.m. Monday, July 20, 2015 in the City Hall Council Chamber, 2nd floor of the Guy C. Larcom, Jr. Municipal Building, 301 E. Huron Street, Ann Arbor, to hear all those interested in the proposed Ordinance No. ORD-15-08. This ordinance would rezone 0.34 acre from D1 (Downtown Core Base District) to D2 (Downtown Interface Base District), located at 336 East Ann Street and 3.8 acres from East Huron 2 and Midtown Character Overlay Districts to East Huron 1 Character Overlay District, located at 211, 219, 301, 331, 337, 341 East Huron Street and 336 East Ann Street, a City-Initiated rezoning.

The proposal would amend the City Zoning Map, which is a part of Section 5.4 of Chapter 55, Title V of the Ann Arbor City Code.

The properties proposed to be rezoned are legally described as follows:

336 East Ann Street - W 27 FT LOT 10 ALL LOT 11 AND E 19 FT LOT 12 B1N R6E ORIGINAL PLAT OF ANN ARBOR

In the City of Ann Arbor, Washtenaw County, Michigan as D2 (Downtown Character Overlay District).

336 East Ann Street - W 27 FT LOT 10 ALL LOT 11 AND E 19 FT LOT 12 B1N R6E ORIGINAL PLAT OF ANN ARBOR;

341 East Huron Street - E 1/2 LOT 7 EXC N 4 FT & LOT 8 EXC N 4 FT ALSO EXC BEG INT W L DIVISION ST & N L HURON ST TH W ALG N L HURON ST 6 FT TH NE TO PT W L DIVISION ST 55 FT N OF N L HURON ST TH S ALG W L DIVISION ST 55 FT TO POB B1N R6E ORIGINAL PLAT OF ANN ARBOR;

335 East Huron Street - E 12 FT LOT 6 AND W 33 FT LOT 7 B1N R6E ORIGINAL PLAT OF ANN ARBOR;

331 East Huron Street - W 37.5 FT OF E 49.5 FT LOT 6 B1N R6E ORIGINAL PLAT OF ANN ARBOR;

301 East Huron Street - LOTS 1 THRU 5 W 16.5 FT LOT 6 W 47 FT LOT 12 AND ALL LOTS 13 THRU 16 B1N R6E ORIGINAL PLAT OF ANN ARBOR;

111 North Fifth Avenue / 219 East Huron Street - LOT 1 AND E 76 FT LOTS 7 & 8 B1N R5E ORIGINAL PLAT OF ANN ARBOR; and

220 East Ann Street / 211 East Huron Street - LOT 2, THE E 22 FT OF LOTS 3, 5 & 6 AND THE W 56 FT OF LOTS 7 & 8, B1N, R5E ORIGINAL PLAT OF ANN ARBOR

In the City of Ann Arbor, Washtenaw County, Michigan as East Huron 1 (Character Overlay District).

A copy of the proposal is available for inspection in the Ann Arbor City Clerk's Office, 2nd Floor, 301 E. Huron Street. Questions concerning the proposal may be directed to the Planning and Development Services Area at (734) 794.6265. Questions concerning the public hearing may be directed to the City Clerk's Office at (734) 794.6140.

Written comments can be directed to the City Clerk's Office, 2nd Floor of City Hall, 301 E. Huron Street, Ann Arbor, MI 48107-8647 or emailed to cityclerk@a2gov.org, up until the date of the City Council's final decision on this matter.

Jacqueline Beaudry, City Clerk

Published: 6/25/15 In the Washtenaw Legal News

06/25

0007349145-01

Ad Content Proof

**Public Hearing Notice
City of Ypsilanti
Zoning Board of Appeals
Wednesday, 24 June 2105**

The City of Ypsilanti Zoning Board of Appeals will hold a public hearing on Wednesday, June 24, at 7:00 p.m. in the Council Chambers of the City Hall, One South Huron Street, Ypsilanti, Michigan 48197. The purpose of the hearing will be to receive public comments on the following:

Variance Request:

Dimensional Variance for a ground sign at 111 North Huron.

The Zoning Board of Appeals will hear an application, hold a public hearing, and make a determination regarding a variance application to permit a nonconforming ground sign to be erected in the Center District. Its address, parcel number, and legal description are: 111 N Huron St, 11-11-40-486-027, LOT 107, EXC THAT PART LYING SOUTH OF A LINE DESCRIBED AS; COM AT SE COR LOT 110 ORIGINAL PLAT OF VILLAGE OF YPSILANTI, TH N00-09-10 W 120.55 FT TO A POB, TH S 89-38-00 W TO THE WEST LINE OF LOT 107 AND THE POE. PT OF LOT 107, ORIGINAL PLAT.

The City invites all citizens to attend this meeting or to send written comments to the City of Ypsilanti, Community & Economic Development Department, One South Huron Street, Ypsilanti, Michigan 48197. For further information, please call 734-483-9646 or email wessl erb@cityofypsilanti.com. For a full calendar of City events, please go to our website at cityofypsilanti.com/calendar.

The City of Ypsilanti will provide necessary auxiliary aids and services, such as signers for people with hearing disabilities or audio tapes of printed materials for people with vision disabilities, upon two days' notice to the City of Ypsilanti. Those requiring these aids or services should contact the City of Ypsilanti at:

**City Clerk's Office
One South Huron Street**

Confidentiality Notice: This facsimile is intended only for its addressee and may contain information that is privileged, confidential or otherwise protected from disclosure. Dissemination, distribution or copying of this facsimile or the information by anyone other than the intended recipient is prohibited. If you have received this facsimile in error, please notify us immediately and return the facsimile by mail.

7/1/2015

9:48AM

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**Public Hearing Notice
City of Ypsilanti
Planning Commission
Wednesday, 20 May 2015**

The City of Ypsilanti Planning Commission will hold a public hearing on Wednesday, 20 May 2015, at 7:00 p.m. in the Council Chambers of the City Hall, One South Huron Street, Ypsilanti, Michigan 48197. The purpose of the hearing will be to receive public comments on the following:

Special Use Permit:

130 North Normal Street

An application has been filed for a Special Use Permit for 130 North Normal Street seeking to operate a group residence at this location. The parcel number and legal description of the site are:

- 11-11-40-430-007, Lot 19 except South 6ft Cross & Bagley's Addition.

The City invites all citizens to attend this meeting or to send written comments to the City of Ypsilanti, Community & Economic Development Department, One South Huron Street, Ypsilanti, Michigan 48197. Planning Commission packets, including staff reviews and digital plans when possible, are available at [cityofypsilanti.com/Planning Commission](http://cityofypsilanti.com/PlanningCommission). For further information, please call 734-483-9646 or email wesslerb@cityofypsilanti.com. For a full calendar of City events, please go to our website at cityofypsilanti.com/calendar.

The City of Ypsilanti will provide necessary auxiliary aids and services, such as signers for people with hearing disabilities or audio tapes of printed materials for people with vision disabilities, upon two days' notice to the City of Ypsilanti. Those requiring these aids or services should contact the City of Ypsilanti at:

**City Clerk's Office
One South Huron Street
Ypsilanti, Michigan 48197
(734) 483-1100
Frances McMullan
City Clerk**

A2 News

Cost of
Ad -
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DISPLAY AD

A² NEWS

THURSDAY \$316.00
SUNDAY \$514.00

ELECTION NOTICE

TO: QUALIFIED ELECTORS OF THE CITY OF YPSILANTI

NOTICE IS HEREBY GIVEN THAT A SPECIAL ELECTION
WILL BE HELD IN THE CITY OF YPSILANTI ON

TUESDAY, May 5, 2015
From 7:00 a.m. to 8:00 p.m.

The Special Election is being held to elect candidates for the following:

May 5, 2015 Ballot Proposals include:

- A State Wide proposal to increase the sales tax from 6% to 7% to replace and supplement reduced revenue to the School Aid Fund and local units of government caused by the elimination of the sales/use tax on gasoline and diesel fuel.
- A City Charter Amendment to allow members of City Council to serve on City Boards and Commissions when permitted by law.
- A City Charter Amendment to provide that the Mayor and Council Members maintain their status as qualified electors continuously through their term of office.

POLLING PLACES ARE LOCATED AS FOLLOWS and are accessible to voters with disabilities:

Ward 1, Precinct 1:	Perry School, 550 Perry St. (Harriet St. at Hawkins St.)
Ward 1, Precinct 2:	Senior Citizens Center, 1015 N. Congress St. (at Oakwood St.)
Ward 1, Precinct 3:	Perry School, 550 Perry St.
Ward 2, Precinct 1:	Estabrook Elementary, 1555 W. Cross Street.
Ward 2, Precinct 2:	Estabrook Elementary, 1555 W. Cross Street.
Ward 2, Precinct 3:	Estabrook Elementary, 1555 W. Cross Street
Ward 2, Precinct 4:	Estabrook Elementary, 1555 W. Cross Street.
Ward 3, Precinct 1:	Emmanuel Lutheran Church, 201 N. River St.
Ward 3, Precinct 2:	Adams School, 503 Oak St. (N. Prospect Street at Oak St)
Ward 3, Precinct 3:	Emmanuel Lutheran Church, 201 N. River St.

Absentee Ballots are available at the City Clerk's Office located at 1 South Huron Street, Ypsilanti, Michigan during the hours of 8 a.m. to 5 p.m. Monday - Friday. Please feel free to call us at 734-483-1100 for further information.

In addition to normal hours the Ypsilanti City Clerk's Office will be open on Saturday, May 2, 2015 from 8 a.m. to 2 p.m. for absent voter ballot requests.

Published in compliance with MCL 168.498(3).

Frances McMullan, City Clerk

Published: April 22, 2015



REQUEST FOR LEGISLATION
July 7, 2015

From: Ralph A. Lange, City Manager

Subject: Contract for professional Services by the City of Ypsilanti for the Board of Trustees City of Ypsilanti Fire and Police Retirement System

SUMMARY & BACKGROUND:

Sometime in the past, a Board of Trustees was set up to administer the City of Ypsilanti Fire and Police Retirement System. The primary responsibility for this Board of Trustees is to be responsible for all activities necessary for the maintenance of the City of Ypsilanti Fire and Police Retirement System.

For many years, the City of Ypsilanti Fire and Police Retirement System Board has requested the City of Ypsilanti's Finance Department to provide them with the services as set forth in Exhibit A. These services are provided on an annual basis.

The Board of Trustees of the City of Ypsilanti Fire and Police Retirement System are requesting that the City Manager sign the attached revenue contract in order to allow the City to provide the services the Board of Trustees require.

RECOMMENDED ACTION: Approve the attached revenue contract authorizing the City Manager to sign said contract as long as it is signed by the City Attorney approved as to form.

ATTACHMENTS: The contract (2 pages); Exhibit A (Charges to Fire & Police Department) and an approved motion to approve the contract between the City of Ypsilanti Fire and Police Retirement Board

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: July 7, 2015

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2015 - 149
July 7, 2015

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the Board is vested with the authority and fiduciary responsibility for the administration, management and operation of the City of Ypsilanti Fire and Police Retirement System and may retain such professional and clerical services as are required for the proper administration of the Retirement System; and;

WHEREAS, the Board hereby desires to engage the City of Ypsilanti as an independent contractor to perform certain administrative services; and

WHEREAS, the City has the capacity and desires to provide said services to the Board of Trustees

NOW, THEREFORE, BE IT RESOLVED THAT the City Council approves the City entering into the attached contract between the two parties and authorizes the City Manager to sign on their behalf.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

**BOARD OF TRUSTEES OF THE CITY OF YPSILANTI
FIRE AND POLICE RETIREMENT SYSTEM**

ADMINISTRATIVE SERVICES CONTRACT

THIS CONTRACT made this 15th day of June, 2015, by and between the **BOARD OF TRUSTEES OF THE CITY OF YPSILANTI FIRE AND POLICE RETIREMENT SYSTEM** ("Board") and the **CITY OF YPSILANTI** ("City").

WHEREAS, the Board is vested with the authority and fiduciary responsibility for the administration, management and operation of the City of Ypsilanti Fire and Police Retirement System and may retain such professional and clerical services as are required for the proper administration of the Retirement System

NOW, THEREFORE, for and in consideration of the promises and of the mutual covenants herein contained, the parties agree as follows:

- I. **ENGAGEMENT OF CITY AS INDEPENDENT CONTRACTOR**
 - 1.01 The Board hereby engages the City as an Independent Contractor who agrees to perform administrative services on behalf of the Board
- II. **RELATIONSHIP OF THE PARTIES**
 - 2.01 The relationship of the City to the Board is to be that of an Independent contractor and no liability or benefits such as retirement benefits or liabilities, pension rights or liabilities, holiday pay, sick pay, vacation pay, personal injury or property insurance rights or liabilities or such other rights, provisions or liabilities arising out of a contract of hire or employer-employee relationship, either express or implied, shall arise or accrue to either party as the result of this agreement and undertaking. Employees of the City shall not be, nor shall they represent to be, employees of the Board.
- III. **SCOPE OF SERVICES**
 - 3.01 The City shall perform in a satisfactory and proper manner the services as set forth in Exhibit A. The City shall, during the contract term or any extension thereof, use best efforts and endeavors to promote the interests of the Board and devote such time, attention, skill, knowledge and professional ability as is necessary to most effectively and efficiently carry out and perform the services as described below.
 - 3.02 The services shall be performed at One South Huron, Ypsilanti, Michigan or as otherwise determined by mutual agreement of the parties.

IV. CONTRACT TERM

- 4.01 The City will have no authority to start work, and no payments will be authorized by the Board and the Board will not be liable for any services rendered by the City prior to the signing of the Contract by all parties.
- 4.02 This Contract is effective for a term commencing on July 1, 2015, and shall continue until terminated as provided herein.

V. COMPENSATION

- 5.01 The Board agrees to pay the City \$25,783.63 for services performed hereunder. It is understood and agreed by the parties hereto that the compensation stated above is inclusive of any and all remuneration to which the City may be entitled and includes all fees and expenses incurred by the City on behalf of the Board. The parties will review the compensation to be paid on an annual basis.

VI. TERMINATION

- 6.01 Either party may terminate this contract without cause by giving thirty (30) days notice to the other party of such termination, specifying the effective date thereof and this contract shall terminate in all respects as if such date were the date originally given for the expiration of this contract.
- 6.02 Any compensation due and owing the City at the time of any termination shall be paid as soon thereafter as can be authorized by the Board.

VII. LIABILITY

- 7.01 The Board shall not be liable for, and shall be indemnified by the City against, any and all losses, damages, costs, expenses, liabilities, claims and demands, for any action, omission, information or recommendation in connection with this Agreement.

VIII. CONFIDENTIAL INFORMATION

- 8.01 All information regarding the operations and investments of the Retirement System shall be regarded as confidential by the City.

IN WITNESS WHEREOF, the Board and City have executed this Agreement as of the first date above written.

CITY

BOARD OF TRUSTEES OF THE
CITY OF YPSILANTI FIRE AND
POLICE RETIRMENT SYSTEM

sign

sign

EXHIBIT A
CHARGES TO FIRE & POLICE PENSION
BUDGET 2016-2016

	Finance Director	Accounting Supervisor	Finance Generalist-Payroll
Annual Salary	84,227.62	58,000.00	44,495.38
Fringe Benefits			
Worker's Compensation	842.28	580.00	444.95
Social Security&Medicare	6,443.41	4,437.00	3,403.80
Healthcare Cost			11,054.59
Enroll			4,000.00
Healthcare Welvers	2,000.00	4,000.00	
Dental	1,800.00	1,800.00	1,800.00
Life Insurance	323.67	323.67	323.67
Long Term Disability	466.67	466.67	466.67
Healthcare Savings Plan		1,800.00	
Signing Bonus	1,000.00		1,000.00
Total Salary and Benefits	97,103.63	71,407.33	66,989.13
Divide # of Hours per Year	2,080.00	2,080.00	2,080.00
Average Daily Rate	46.68	34.33	32.21

Employee	Responsibilities	# of Hours/Year	Average Daily Rate	Total per Year
1. Finance Director	Budget Preparation	16.00	46.68	746.95
	Calculate Millage Rate	4.00	46.68	186.74
	Audit Presentation Meeting	2.00	46.68	93.37
	Review AFC & GRS actuarial data	8.00	46.68	373.48
	Quarterly Reports	4.00	46.68	186.74
				<u>1,687.27</u>
2. General Accountant II	Reconciling Investment	96.00	34.33	3,295.72
	Prepare data for Actuarial	20.00	34.33	686.61
	Audit Preparation	45.00	34.33	1,544.87
	Annual contribution letters	8.00	34.33	274.64
	Drop program valuations	34.00	34.33	1,167.24
	Misc. Retirement	54.00	34.33	1,853.84
				<u>8,822.93</u>
3. Finance Generalist-Payroll	Print Envelopes, stuff & Enter Adjustments, prepare	83.00	32.21	2,673.12
	Prepare data for Actuarial	24.00	32.21	772.95
	Record keeping for DROP	28.00	32.21	901.78
	Annual report of retirees bl-	24.00	32.21	772.95
	Keep running total of current employee contributions	3.00	32.21	96.62
	Misc. requests	38.00	32.21	1,223.84
		18.00	32.21	579.71
				<u>7,020.88</u>
4. Other Costs				
Equipment & Software	Incube Software Support	20,032.00	3%	600.96
	Washtenaw Computer Support	78,140.00	3%	2,374.20
Depreciation	F&P Pension Share of Fixed Cost	41,896.01	7.60%	3,184.10
Supplies	1099R			80.00
	1099			0.88
	1099 env			22.11
	Check stock			44.82
	Check envelopes			388.64
	Toner for Printer			338.30
	Postage to mail checks & 1099Rs			1,252.35
	Paper for payroll reports etc			80.00
	CDs for payroll reports etc			8.00
				<u>8,352.46</u>
TOTAL ESTIMATED COST				<u>25,783.63</u>

Account #	Revenue	Amount
101-4-1910-678-04	Revenue	25,783.63
732-7-2741-958-00	Expense	25,783.63

S:\Budget 2016-2016\Fiscal Services\1. Finance Revenue .xlsx\Cost Reim-DDA

City of Ypsilanti
Fire and Police Retirement Board

Adopted: June 15, 2015

CITY ADMINISTRATIVE SERVICES CONTRACT

MOTION: City Treasurer Teamer offered and Trustee Gress supported a motion to accept and approve the City Administrative Services Contract between the Board and the City of Ypsilanti in the amount of \$25,783.63 for fiscal year 2015-2016.

President Donald Pearson and City Manager Ralph A. Lange signed the contract.

Approved.



Resolution No. 2015-150
July 7, 2015

RESOLUTION ENROLLING THE CITY OF YPSILANTI
IN THE "MAYORS CHALLENGE" TO IMPROVE BICYCLIST AND PEDESTRIAN SAFETY

WHEREAS, in response to high pedestrian and bicyclist traffic injuries/deaths across the United States, U.S. Department of Transportation (USDOT) Secretary Anthony Foxx has issued the "Mayor's Challenge" for Mayors and local elected officials to take significant action to improve safety for bicyclists and pedestrians of all ages and abilities; and

WHEREAS, the Mayor Challenge is a no-cost program with participating communities will have the opportunity to participate in peer-to-peer sessions, topical webinars, receive USDOT updates, and other benefits; and

WHEREAS, Mayors Challenge activities that would be required by the City of Ypsilanti participating in the Challenge (a statement through the Mayor on the importance of bicycle and pedestrian safety, the forming of a local action team) will be accomplished by the City's Non-Motorized Advisory Committee which endorses the Mayors Challenge; and

WHEREAS; many of the recommended actions by the Mayors Challenge have either been accomplished by the City (enact a Complete Streets ordinance) or are actively being worked on by the Non-Motorized Advisory Committee (i.e. identify and address barriers to make streets safe and convenient for all road users, gather and track biking and walking data, educate and enforce proper road use behavior by all, etc.).

NOW, THEREFORE, BE IT RESOLVED That the Ypsilanti City Council agrees to sign on to the U.S. Department of Transportations Mayor's Challenge to improve bicycle and pedestrian safety.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

Mayor's Challenge Overview

Overview – In response to high pedestrian and bicyclist traffic injuries/deaths across the country, U.S. Department of Transportation Secretary Anthony Foxx has issued the “Mayor’s Challenge” for Mayors and local elected officials to take significant action to improve safety for bicyclists and pedestrians of all ages and abilities. The Challenge runs through Spring 2016.

Mayors are urged to sign on their Cities to the Challenge and at a minimum they would....

1. Issue a public statement about the importance of bicycle and pedestrian safety
2. Form a local action team to advance safety and accessibility goals (In the case of Ypsilanti this would be the City Non-Motorized Advisory Committee)
3. Take local action through the Challenge activities such as...
 - Take a Complete Streets approach (The City is already doing this).
 - Identify and address barriers to make streets safe and convenient for all road users, including people of all ages and abilities and those using assistive mobility devices.
 - Gather and track biking and walking data (This process starting up now by the Non-Motorized Advisory Committee to support requests in the reapplication for a Bike Friendly Community status).
 - Use designs that are appropriate to the context of the street and its uses.
 - Take advantage of opportunities to create and complete ped-bike networks through maintenance (Steps being taken by the Non-Motorized Advisory Committee to increase the number of bike lanes in the City).
 - Improve walking and biking safety laws and regulations (Possible local ordinances are being studied right now by the Non-Motorized Advisory Committee on vulnerable users ordinances – where the handicapped, cyclists, pedestrians have the same protection as construction workers).
 - Educate and enforce proper road use behavior by all (Being done, and will be increased, by the Non-Motorized Advisory Committee).

Cost/Benefits – There is no cost to sign up for the program. By signing on to the Challenge, throughout the Challenge year, Ypsilanti will also have the opportunity to participate in peer-to-peer sessions, topical webinars, receive USDOT updates, and other benefits. At the conclusion of the Challenge year they will be invited to a capstone event to celebrate accomplishments and share best practices. Challenge cities win by improving walking and biking that contributes to the health, safety, environmental, transportation, and quality of life for its community members.

Sign On Process – A Mayor has or gets approval and support from their city or jurisdiction to join the Challenge. The City or signs up by submitting the name and contact of the designated team leader via the Mayors' Challenge (Team leader for Ypsilanti would be Bob Krzewinski – Chair of the City Non-Motorized Advisory Committee)

Background Data

- Executive summary of Mayor’s Challenge - <http://www.dot.gov/policy-initiatives/ped-bike-safety/mayors-challenge-executive-summary>
- Overview of Mayors Challenge - <http://www.dot.gov/mayors-challenge>
- Question and answer document about the Challenge - <http://www.dot.gov/policy-initiatives/ped-bike-safety/mayors-challenge-qs>



REQUEST FOR LEGISLATION
March 13, 2015

From: Tim Colbeck, Ypsilanti DDA

Subject: Depot Town Amended and Restated Tax Increment Finance (TIF) & Development Plan

SUMMARY & BACKGROUND:

Council approved last amended Depot Town TIF & Development Plan in 2000. The current TIF & Development Plan will expire after December 2015. The Ypsilanti DDA has prepared an Amended and Restated Depot Town TIF & Development Plan that will extend the TIF through December 2040. I will give a detailed presentation of the amended plan and be present to answer questions, and is requesting the council adopt the plan as submitted.

RECOMMENDED ACTION: Request council to approve and adopt the Amended and Restated Depot Town Tax Increment Finance & Development Plan.

ATTACHMENTS: YDDA Resolution to Adopt the Amended and Restated Depot Town Tax Increment Financing & Development Plan and Presentation of the Depot Town TIF history and amended plan summary.

CITY MANAGER APPROVAL:

COUNCIL AGENDA DATE: 3-17-15

CITY MANAGER COMMENTS:



Resolution No. 2015 -105
July 7, 2015

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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 at Second and Final Reading.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



**CITY OF YPSILANTI
NOTICE OF ADOPTED ORDINANCE
Ordinance No. 1244**

An ordinance to provide for the amending and restatement of the Tax Increment Financing and Development Plan for the Depot Town Downtown Development Authority originally adopted in 1992 and restated in 2000, pursuant to Act 197 of the Public Acts of the State of Michigan of 1975 as amended; to establish the legal basis and procedure for the capture and expenditure of tax increment revenues; to implement a variety of capital improvement and other projects and/or programs dedicate to the economic development of the Depot Town Downtown Development area.

1. **THE CITY OF YPSILANTI HEREBY ORDAINS** that the 2000 Tax Increment Financing and Development Plan for the Depot Town Downtown Development Area be amended as outlined in the Amended and Restated plan.

2. **THE CITY OF YPSILANTI FURTHER ORDAINS** that the boundaries of the District within which the Tax Increment Financing and Development Plan will be in effect for are designated as follows:

Beginning at a point on the East line of River Street and the South line of Ferrier Street, said point also known as the Northwest corner of Lot 65, Hunter's Addition, thence East 280' to the Center line of Lincoln Street thence North along the Center line of Lincoln Street to the North line of East Cross Street thence West 166' along the North line of East Cross Street thence South 141' to the Northeasterly line of the Railroad Right-of-Way thence Northwesterly along the Northeasterly line of the Railroad Right-of-Way to the center line of River Street thence North along the Center line of River Street to the North line of Maple Street thence West along the North line of Maple Street to the West line of vacated alley thence North on the West line of vacated alley, extended North, to the Center line of Oak Street to the Northeasterly line of the Railroad Right-of-Way thence Northwesterly along the Northeasterly line of the Railroad Right-of-Way to the Center line of East Forest Street thence Westerly along the Center line of East Forest Street to the Center line of the Huron River to a point where the North line of Lot 1, Assessor's Plat #3, extended Easterly Intersects the Center line the Huron River thence West along said extended North line of Lot 1 to the Northwest corner of said Lot 1 thence South along the West line of said Lot 1 to the Southwest corner of said Lot 1 thence West along the North line of East Cross Street to the Eastern line of North Huron Street, thence South 18-44 East Approximately 204 fee to the Southwest corner of parcel 11-11-40-401-029 thence North 86-26-30 Est 23.95' thence South 3-49 East 80-9' thence East 190.56' thence Southerly along the western boundaries of properties located at 220,214,206,and 130 North Huron Street, (described as of 12/31/83), to a point 49.5' South of the Northeast corner of Lot 185,

Original Plat, thence East 60' thence South 16.5' thence West 60' to the Northeast corner of Lot 184, Original Plat, thence Easterly to a point where the Center line of North Street, extended Westerly, intersects with the Center line of the Huron River thence Northwesterly in the Huron River to the Northwest corner of the property described as 11-11-020-046-00 thence East 269' along the North line of said property thence North to the Northwest corner of Lot 322, Showerman and Compton's Allotment thence East to the West line of Ninde Street thence along the West line of Ninde Street to the South line of Photo Street thence East along the South line of Photo Street to the West line of River Street thence South along the West line of River Street, thence East to the Point of Beginning. Included in this area are the properties and adjacent right-of-ways with the following addresses and parcel identification numbers: 100 East Cross Street, described in tax code parcel numbers 11-09-107-008 and 11-09-107-009, 315 Ninde Street, described in tax code parcel number 11-09-131-009, 24 East Cross Street, described in tax code parcel number 11-09-131-017, 12-20 East Cross Street, described in tax code parcel number 11-09-131-109, 400-412 North River Street, described in tax code parcel numbers 11-04-495-013 and 11-04-495-014.

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. 1244 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: February 12, and March 12, 2015

First Reading: April 7, 2015

Second Reading: April 21, 2015 and July 7, 2015

Published: _____

Effective Date: _____

Depot Town DDA History

Depot Town DDA established June 1984

Established goals, updated the 1976 city Master Plan related to Depot Town & developed program to meet goals in 1988

Funding: 2 mills in January 1990

DTDDA TIF and Development Plan adopted December 1992

Depot Town DDA TIF - 2000



Depot Town TIF and Development Plan 2000

- In January 2000 the Ypsilanti City Council adopted an amended and restated Depot Town Tax Increment and Development Plan:
 - The plan extended the 1992 plan until 2015.
 - The 1992 assessed valuation of real and personal property for the DDA district was \$1,720,000.
 - By 2000 the assessed valuation had increased to \$2,358,477.
 - As of 12-31-14 the assessed valuation is now \$3,352,039.



YDDA investment and programs

□ What has the YDDA done for Depot Town since 2000?

- Maple St. Lot
- Holiday Lighting
- Pedestrian Trash Can Service
- Spring Flowers/Hanging Baskets
- Kiosk repairs and updates
- DDA Police Officer Partnership
- Bike Rack Program



YDDA investment and programs

□ Cross St. Streetscape Enhancements

- The YDDA provided a \$87,500 match to the City's \$170,000 to leverage over \$1,000,000 of improvements/upgrades along Cross St. from River to Normal
 - Approximately \$53,000 of this was specifically earmarked for Depot Town for included improved cross walks & pedestrian ramps, traffic bump outs/rain gardens, and sitting wall
 - The YDDA has agreed to the long term maintenance of the rain gardens

□ E. Cross St. Repaving

- The YDDA provided \$40,000 towards \$211,000 for the repaving of Cross St. between Huron and River St. in 2011



YDDA investment and programs

□ Façade Improvement Grants

- Since the 2010-11 fiscal year the YDDA has awarded 13 Façade Improvement Grants in Depot Town in excess of \$25,000 and leveraging over \$77,000 in estimated improvements

□ Building Rehab Grants

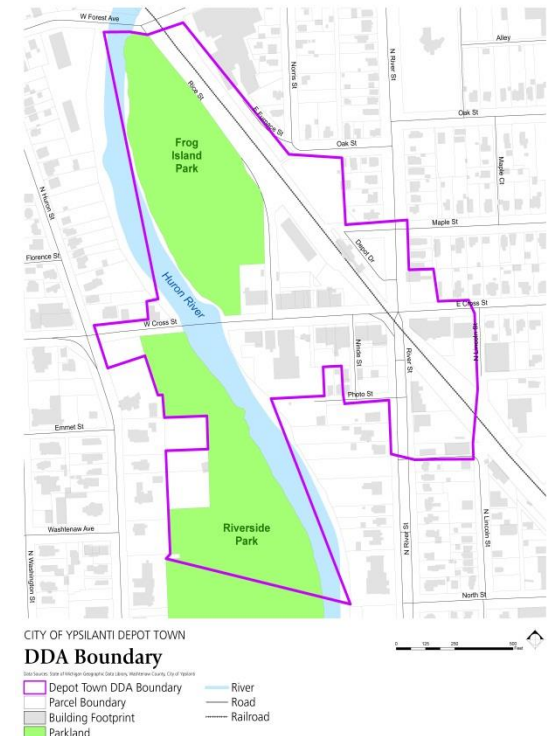
- Since the 2011-12 fiscal year the YDDA has awarded 3 Building Rehab Grants in Depot Town for \$33,000 and leveraging over \$112,000 in estimated improvements

□ Ypsilanti Freighthouse Support

- In 2015 the YDDA awarded a \$35,000 grant towards the completion of the Ypsilanti Freighthouse



- In February 2014 the YDDA hired consultants Beckett & Raeder to prepare a revised Development & TIF Plan for the Depot Town TIF
 - Over the course of the last year YDDA staff and consultants did extensive outreach to community stakeholders to get their goals and vision for Depot Town
 - This included stakeholder interviews, a community visioning session, and YDDA board survey and planning session
 - The consultants also compared the community input for consistency with other existing plans and/or studies including the Shape Ypsilanti Master Plan, Parks and Recreation Master Plan, the YACVB Strategic Destination Plan and the YDDA's Vision, Values, and Outcomes statement



Depot Town Amended and Restated Development and Tax Increment Financing Plan

- Based on the Community Stakeholder's input a list of program priorities were created and designated into 3 zones
 - ▣ River and Parks Area
 - Riverwalk – assist in the development of a continuous riverwalk with improved river access and improvements to the non-motorized pathway system
 - Performance Venue – assist in the refurbishment of the Frog Island amphitheater
 - Frog Island & Rice Street Parking Lot reconfiguration and reconstruction
 - Ypsilanti Recycling Drop-Off Center – assist in finding an alternate location of the drop-off center
 - General Park Improvements



Depot Town Amended and Restated Development and Tax Increment Financing Plan

■ Freighthouse and Depot Area

- Railroad Transit Station – support community efforts with technical and design services to develop Amtrak and commuter train stop
- Freighthouse Plaza & Freighthouse – assist with plaza and building improvements to support activities and events
- Private Investment Opportunities – provide support for adaptive reuse and preservation opportunities



Depot Town Amended and Restated Development and Tax Increment Financing Plan

▣ Depot Town Business Area

- Complete Streets Improvements
- River St. Boulevard Enhancements
- Downtown Living – provide support to actively encourage multi-use development
- Private Investment Opportunities - provide support for adaptive reuse and preservation opportunities



Proposed Projects

Estimated Cost & Implementation Schedule

Near Term Projects (0-5 years)

Proposed Project	Type	Estimated Cost
Performance Venue	Infrastructure	\$500,000
Frog Island & Rice St. Lots	Infrastructure	\$200,000
Railroad Transit Station	Redevelopment	\$250,000
River St. Boulevard Improvements	Infrastructure	\$100,000
Private Investment Opportunities	Redevelopment	\$150,000
Business Retention & Recruitment	Programming	\$25,000
Arts Community Retention & Recruit.	Programming	\$25,000
Design Guidelines	Programming	\$40,000

Proposed Projects

Estimated Cost & Implementation Schedule

Near Term Projects (0-5 years)

Proposed Project	Type	Estimated Cost
Signage Guidelines	Programming	\$25,000
Preservation of Historic Structures	Programming	\$50,000
Façade Improvement Guidelines	Programming	\$10,000
Infrastructure Maintenance	Infrastructure	\$100,000
Programming	Programming	\$25,000
Interior Building Modifications	Redevelopment	\$150,000
Designated Funds	Redevelopment	\$150,000
Total		\$1,800,000

Proposed Projects

Estimated Cost & Implementation Schedule

Mid Term Projects (6-9 years)

Proposed Project	Type	Estimated Cost
Riverwalk	Infrastructure	\$500,000
Recycling Drop-Off Center	Infrastructure	\$100,000
Freighthouse Plaza & Freighthouse	Infrastructure	\$1,500,000
Downtown Living	Redevelopment	\$50,000
District Wayfinding	Signage	\$100,000
Designated Funds	Redevelopment	\$250,000
Total		\$2,500,000

Proposed Projects

Estimated Cost & Implementation Schedule

Long Term Projects (10 or more years)

Proposed Project	Type	Estimated Cost
General Park Improvements	Infrastructure	\$2,000,000
Complete Streets Improvements	Infrastructure	\$2,000,000
Designated Funds	Redevelopment	\$250,000
Multi-Modal Infrastructure Support	Infrastructure	\$400,000
Parking Structure	Infrastructure	\$4,125,000
Cross St. Bridge Repair	Infrastructure	\$500,000
Total		\$9,275,000

Anticipated Captured Taxable Valuation

Plan Year	Fiscal Year	Initial Base Valuation	Annual Taxable Growth	Taxable Valuation Annual Growth	Captured Valuation
	1991-92	\$1,720,000			
	2014-15	\$3,352,039			\$1,632,039
1	2015-16	\$1,632,039	1.00%	\$33,520	\$1,665,559
2	2016-17	\$1,665,559	1.00%	\$33,856	\$1,699,415
3	2017-18	\$1,699,415	1.00%	\$34,194	\$1,733,609
4	2018-19	\$1,733,609	1.00%	\$34,536	\$1,768,145
5	2019-20	\$1,768,145	1.00%	\$34,881	\$1,803,027
6	2020-21	\$1,803,027	2.00%	\$70,461	\$1,873,487
7	2021-22	\$1,873,487	2.00%	\$71,870	\$1,945,357
8	2022-23	\$1,945,357	2.00%	\$73,307	\$2,018,664
9	2023-24	\$2,018,664	2.00%	\$74,773	\$2,093,437
10	2024-25	\$2,093,437	2.00%	\$76,269	\$2,169,706
11	2025-26	\$2,169,706	2.00%	\$77,794	\$2,247,500
12	2026-27	\$2,247,500	2.00%	\$79,350	\$2,326,850

Anticipated Captured Taxable Valuation

Plan Year	Fiscal Year	Initial Base Valuation	Annual Taxable Growth	Taxable Valuation Annual Growth	Captured Valuation
13	2027-28	\$2,326,850	2.00%	\$80,937	\$2,407,787
14	2028-29	\$2,407,787	2.00%	\$82,556	\$2,490,343
15	2029-30	\$2,490,343	2.00%	\$84,207	\$2,574,550
16	2030-31	\$2,574,550	2.00%	\$85,891	\$2,660,441
17	2031-32	\$2,660,441	2.00%	\$87,609	\$2,748,050
18	2032-33	\$2,748,050	2.00%	\$89,361	\$2,837,411
19	2033-34	\$2,837,411	2.00%	\$91,148	\$2,928,559
20	2034-35	\$2,928,559	2.00%	\$92,971	\$3,021,530
21	2035-36	\$3,021,530	2.00%	\$94,831	\$3,116,361
22	2036-37	\$3,116,361	2.00%	\$96,727	\$3,213,088
23	2037-38	\$3,213,088	2.00%	\$98,662	\$3,311,750
24	2038-39	\$3,311,750	2.00%	\$100,635	\$3,412,385
25	2039-40	\$3,412,385	2.00%	\$102,648	\$3,515,648

Anticipated Captured Revenue

Plan Year	Fiscal Year	Ypsilanti 31.0963	Washt. County 4.9916	WCC 3.4576	District Library 1.8874	AAATA 0.7000	Captured Revenue 42.1329
	2014-15	\$50,750	\$8,146	\$5,643	\$3,080	\$1,142	\$64,540
1	2015-16	\$51,793	\$8,314	\$5,759	\$3,144	\$1,166	\$70,175
2	2016-17	\$52,846	\$8,483	\$5,876	\$3,207	\$1,190	\$71,601
3	2017-18	\$53,909	\$8,653	\$5,994	\$3,272	\$1,214	\$73,042
4	2018-19	\$54,983	\$8,826	\$6,114	\$3,337	\$1,238	\$74,497
5	2019-20	\$56,067	\$9,000	\$6,234	\$3,403	\$1,262	\$75,967
6	2020-21	\$58,259	\$9,352	\$6,478	\$3,536	\$1,311	\$78,935
7	2021-22	\$60,493	\$9,710	\$6,726	\$3,672	\$1,362	\$81,964
8	2022-23	\$62,733	\$10,076	\$6,980	\$3,810	\$1,413	\$85,052
9	2023-24	\$65,098	\$10,450	\$7,238	\$3,951	\$1,465	\$88,203
10	2024-25	\$67,470	\$10,830	\$7,502	\$4,095	\$1,519	\$91,416
11	2025-26	\$69,889	\$11,219	\$7,771	\$4,242	\$1,573	\$94,694
12	2026-27	\$72,356	\$11,615	\$8,045	\$4,392	\$1,629	\$98,037
13	2027-28	\$74,873	\$12,019	\$8,325	\$4,544	\$1,685	\$101,447

Anticipated Captured Revenue

Plan Year	Fiscal Year	Ypsilanti 31.0963	Washt. County 4.9916	WCC 3.4576	District Library 1.8874	AAATA 0.7000	Captured Revenue 42.1329
14	2028-29	\$77,440	\$12,431	\$8,611	\$4,700	\$1,743	\$104,925
15	2029-30	\$80,059	\$12,851	\$8,902	\$4,859	\$1,802	\$108,473
16	2030-31	\$82,730	\$13,280	\$9,199	\$5,021	\$1,862	\$112,092
17	2031-32	\$85,454	\$13,717	\$9,502	\$5,187	\$1,924	\$115,783
18	2032-33	\$88,233	\$14,163	\$9,811	\$5,355	\$1,986	\$119,548
19	2033-34	\$91,067	\$14,618	\$10,126	\$5,527	\$2,050	\$123,389
20	2034-35	\$93,958	\$15,082	\$10,447	\$5,703	\$2,115	\$127,306
21	2035-36	\$96,907	\$15,556	\$10,775	\$5,882	\$2,181	\$131,301
22	2036-37	\$99,915	\$16,038	\$11,110	\$6,064	\$2,249	\$135,377
23	2037-38	\$102,983	\$16,531	\$11,451	\$6,251	\$2,318	\$139,534
24	2038-39	\$106,113	\$17,033	\$11,799	\$6,441	\$2,389	\$143,774
25	2039-40	\$109,304	\$17,546	\$12,154	\$6,634	\$2,461	\$148,099
Total		\$1,457,081 73.81%	\$233,891 11.85%	\$162,014 8.21%	\$88,437 4.48%	\$32,799 1.66%	\$1,974,225 100%

Amended and Restated
Development Plan and Tax Increment Financing Plan
Depot Town Downtown Development Authority
District



City of Ypsilanti
Washtenaw County, Michigan
Ypsilanti Downtown Development Authority

Adopted
Month Day, 2015

City of Ypsilanti
Washtenaw County, Michigan
Ypsilanti Depot Town Downtown Development Authority

**AMENDED and RESTATED
DEVELOPMENT PLAN and TAX INCREMENT FINANCING PLAN**

Adopted XX-XX-2015

City Council

Amanda Edmonds, Mayor
Lois Richardson, Mayor Pro Tem
Nicole Brown
Anne Brown
Daniel Vogt
Peter Murdock
Brian Robb

Ralph Lange, City Manager

Ypsilanti Downtown Development Authority

Kevin Hill, Chair
Jessica French-Cossey, Vice Chair
Adam Gainsley, Treasurer
Kenneth Dobson
Amanda Edmonds
James Dauphine
Rois Savvides
Richard Smith
Mark Teachout
Brienne Willcock

Tim Colbeck, DDA Director

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EXHIBITS and ADOPTION DOCUMENTATION

- Notice of Public Hearing Advertisement
- Letters to affected Property Owners regarding the Public Hearing
- City Council Public Hearing Meeting Minutes XX-XX-2014
- City Council Meeting Minutes Adopting Ordinance Amendment XX-XX-2014
- DDA Property Owner Listing

BACKGROUND AND PURPOSE

Purpose of the Downtown Development Authority Act

Act 197 of Public Acts of 1975 of the State of Michigan, commonly referred to as the Downtown Development Authority Act, was created in part to correct and prevent deterioration of business districts; to promote economic growth and revitalization; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation of the authority; to authorize the levy and collection of taxes, the issuance of bonds and the use of tax increment financing in the accomplishment of specific downtown development activities contained in locally-adopted development plans.

The Act seeks to attack problems of urban decline, strengthen existing areas and encourage new private developments in the downtown districts of Michigan communities. It seeks to accomplish this goal by providing communities with the necessary legal, monetary and organizational tools to revitalize downtown districts either through public-initiated projects or in concert with privately motivated development projects. The manner in which downtown development authorities chose to make use of these tools does, of course, depend on the problems and opportunities facing each particular downtown district and the development priorities sought by the community in the revitalization of its business area.

History of the Depot Town Downtown Development Authority

The Depot Town Downtown Development Authority (DTDDA) was established by Ordinance 613 adopted by the Ypsilanti City Council on June 18, 1984. As authorized by P.A. 197 of 1975, a DTDDA District was defined and a Board appointed to carry out the purposes of the enabling legislation. The DTDDA Board began the process of establishing goals, updating the 1976 Master Plan, and developing a program to meet identified needs and goals. The Ypsilanti City Council adopted revisions to the Plan with the updated goals and objectives on October 17, 1988 by Resolution 88-191. Then City Council authorized the DTDDA to levy two mills on real and personal property in the District as authorized by P.A. 197 of 1975, on January 22, 1990 by Resolution 90-10. City Council approved an expanded district on November 16, 1992 pursuant to Ordinance No. 784. The expansion added seven new parcels to the Development District and Area. The parcels added at that time are located on Ninde, N. River, and E. Cross Streets. The DTDDA Board then proceeded with the preparation of a Tax Increment Financing (TIF) and Development Plan to achieve the goals in the amended Master Plan and to undertake other public improvements within the area. City Council approved the original Tax Increment Financing and Development Plan of the DTDDA by Resolution 92-232 and Ordinance No. 787 in December 1992. Then on January 25, 2000, the Ypsilanti City Council approved Ordinance No. 904 and adopted amendments as part of the 2000 TIF and Development Plan of the DTDDA. This plan included an expansion of the District and Development Area to include certain properties and public right-of-ways on S. River, E. Cross, and W. Cross Streets. This plan amendment also included an update of development project priorities and costs, and an allocation of updated TIF revenue projections.

The City and DTDDA then evaluated the opportunity to expand the DTDDA District to include the West Cross Street business district adjacent to Eastern Michigan University's (EMU) main campus to facilitate revitalization initiatives and coordinated planning in this area. With substantial support from EMU, businesses, property owners, and the community, City Council approved Ordinance No. 939 on May 14, 2000 to expand the DTDDA District to include the West Cross Street business district. The expansion offers the opportunity for coordinated planning and improvements along the Cross Street corridor and enhanced linkages between Depot Town, Downtown, and the West Cross Street areas. The district expansion also positioned the DTDDA to capture the future growth in taxes to support streetscape and other public facility improvements in the West Cross Street business district.¹

In June 2009, the Depot Town Downtown Development Authority Board and Ypsilanti Downtown Development Authority were merged establishing one board of directors.. As a result, the Ypsilanti Downtown Development Authority manages four (4) development areas and tax increment financing plans including the downtown Ypsilanti, Depot Town, West Cross Street, and Water Street.

¹ Page 1; West Cross Development Plan and Tax Increment Financing Plan; 2000.

Basis for the Tax Increment Finance Plan and Development Plan

Act 197 of Public Acts of 1975, the Downtown Development Authority Act, provides the legal mechanism for local officials to address the need for economic development in the central business district. In Depot Town, the Downtown Development Authority district incorporates 45 parcels of private and public property along Cross Street from Huron Street to North Lincoln Street and along Rice Street from East Cross Street to West Forest Avenue, including public rights-of-way and alleys. The DDA District is approximately 44 acres in size. The initial Development Plan and Tax Increment Financing Plan was adopted on December 21, 1992, focused on the implementation of its strategic plan which included establishing a distinctive image for the downtown and providing an attractive retail and service mix for the community.

For purposes of designating a development plan district and for establishing a tax increment financing plan, the Act refers to a "downtown district" as being in a business district which is specifically designated by ordinance of the governing body of the municipality and a "business district" as being an area in the downtown of a municipality zoned and used principally for business. Tax increment financing can be used to provide the necessary funds for project implementation. By definition, a tax increment financing plan seeks to capitalize on and make use of the increased tax base created by economic development within the boundaries of a downtown district. The legal basis or support for the Tax Increment Plan and Development Plan are identified in Act 197 of the Public Acts of 1975, as amended. Since 1992, the Depot Town Downtown Development Authority has utilized tax increment financing and other funds to implement a variety of capital improvement and other projects. The map on the following page illustrates the location of projects completed or pending by the DDA in conjunction with other partners and funding sources.

GENERAL DEVELOPMENT PLAN FOR THE DEPOT TOWN DEVELOPMENT AREA DISTRICT

Downtown is a key indicator of a community's economic vitality. Prior to the establishment of the Downtown Development Act (Public Act 179 of 1975) municipalities had very few financial tools to assist with downtown revitalization. As a result, capital projects were deferred or municipalities used general fund monies and special assessment districts to defray the cost of these expenditures. The broader approach to downtown revitalization involving both the public and private sectors was absent and elected officials and administrators could not afford the time to focus personnel or the fiscal resources needed to address the real estate, market, and capital projects required to create a viable business district.

The need for establishing the Depot Town Development District (referred to as "Development Area") is founded on the basis that the future success of Depot Town's current effort to revitalize its commercial area will depend, in large measure, on the readiness and ability of its public corporate entity to initiate public improvements that strengthen the commercial area, and encourage and participate where feasible in the development of new private uses that clearly demonstrate the creation of new jobs, the attraction of new business, and the generation of additional tax revenues. Projects and programs outlined in this Development Plan are consistent with the Community Master Plan: Shape Ypsilanti and the 10-year Vision Statement of the Ypsilanti Downtown Development Authority.

1. Relationship to the City of Ypsilanti Community Master Plan: "Shape Ypsilanti"

The City of Ypsilanti Community Master Plan, known as, Shape Ypsilanti includes several recommendations for the Depot Town area. These include:

A. Maintain Depot Town as a place for the pedestrian first

Depot Town is a safe, walkable place in Ypsilanti. A curbless street is proposed on River Street to ease access for pedestrians, including those in wheelchairs or with baby strollers. Parking lots should be away from the street front, as shown in the concept plan.

B. Build curbless "festival" street on River and Cross

A curbless street on River and Cross Streets adjacent to the train platform would increase pedestrian accessibility and facilitate events.

C. Create a public space at new train station

Improvements and an expansion of the existing Market Plaza is shown in the concept plan as part of the new train station. Public spaces allow a diversity of temporary uses to happen (festivals to farmers' markets) and gives opportunity for people of all types to come together.

D. Locate permanent year-round home for Depot Town Farmer's Market

The market is currently located in Market Plaza of the Freight House in Depot Town. As plans are developed for the train depot, a permanent year-round location for the farmer's market should be included in the design. The concept plan shows preservation of the Freight House and the creation of a plaza where the market could be held during the summer months.²

2. Relationship to the Ypsilanti Downtown Development Authority Vision Statement

The Ypsilanti Downtown Development Authority (YDDA) in 2013 updated its Vision and Values Statement (attached in the Appendix). The Vision Statement includes six (6) position statements on what the YDDA will accomplish by 2023. These vision statements include:

A. A Safe and Well-Kept District

Properties are kept up—both individual businesses, and the space between, behind, and in front of them—and that leads to a perception of being cared for, which greatly influences a perception of safety.

B. Diverse Business, Visitors, Institutions, and Partnerships

There is a mix of businesses and operations in the four districts that both attract visitors and provide for core daily needs of residents. There are both retail and service-oriented businesses. This mix attracts those accustomed to urban living where all of one's needs can be met within a few blocks. The YDDA recognizes the value of partnering with core institutions in and adjacent to our DDA, including (and especially) EMU, the library, health care centers, nonprofits, and museums

C. A Supportive Environment to Start and Grow a Business

Business and property owners recognize the value of working together for shared business and district success. The vibrancy of our DDA districts also attracts development—residential, industrial, commercial—elsewhere in the City; healthy commercial districts are an indicator of a healthy economy in Ypsilanti and place you want to live, work, play, or invest.

D. Model Green Infrastructure.....A River...And a Train!

Major parks sit in the middle of our DDA districts and are the jewels of the community and are highly connected to our nearby residents and businesses. Community and economic activity in and around the parks are fed through an active festival scene and outdoor recreation for visitors and residents. This connectivity extends through bike and walking trails through surrounding neighborhoods. In addition, Green infrastructure also means multi-modal transportation. The train stops in Ypsi.

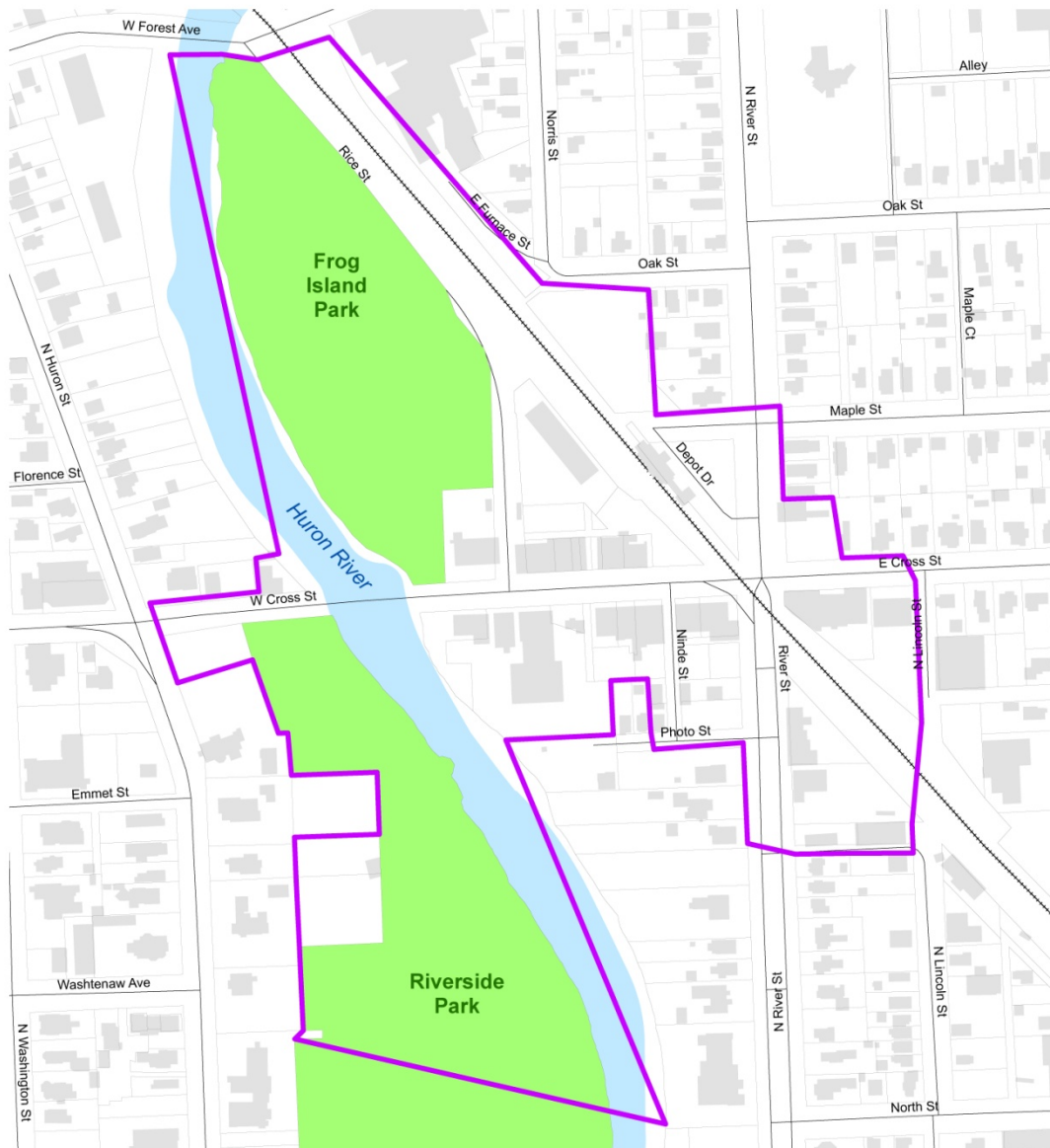
E. A Vibrant and Creative Destination

The YDDA's four districts are the core of our community and of it as a cultural and activity destination.

F. Integrated with the Region

The YDDA as a partner in conversations, initiatives, and organizations within and outside of the district contributes to making Ypsilanti overall a vibrant place to invest, live, work, play, visit, or go to school.

² Page 47; Shape Ypsilanti, City of Ypsilanti Community Master Plan 2013



CITY OF YPSILANTI DEPOT TOWN

DDA Boundary

Data Sources: State of Michigan Geographic Data Library, Washtenaw County, City of Ypsilanti

- | | |
|---|--|
|  Depot Town DDA Boundary |  River |
|  Parcel Boundary |  Road |
|  Building Footprint |  Railroad |
|  Parkland | |

Map1

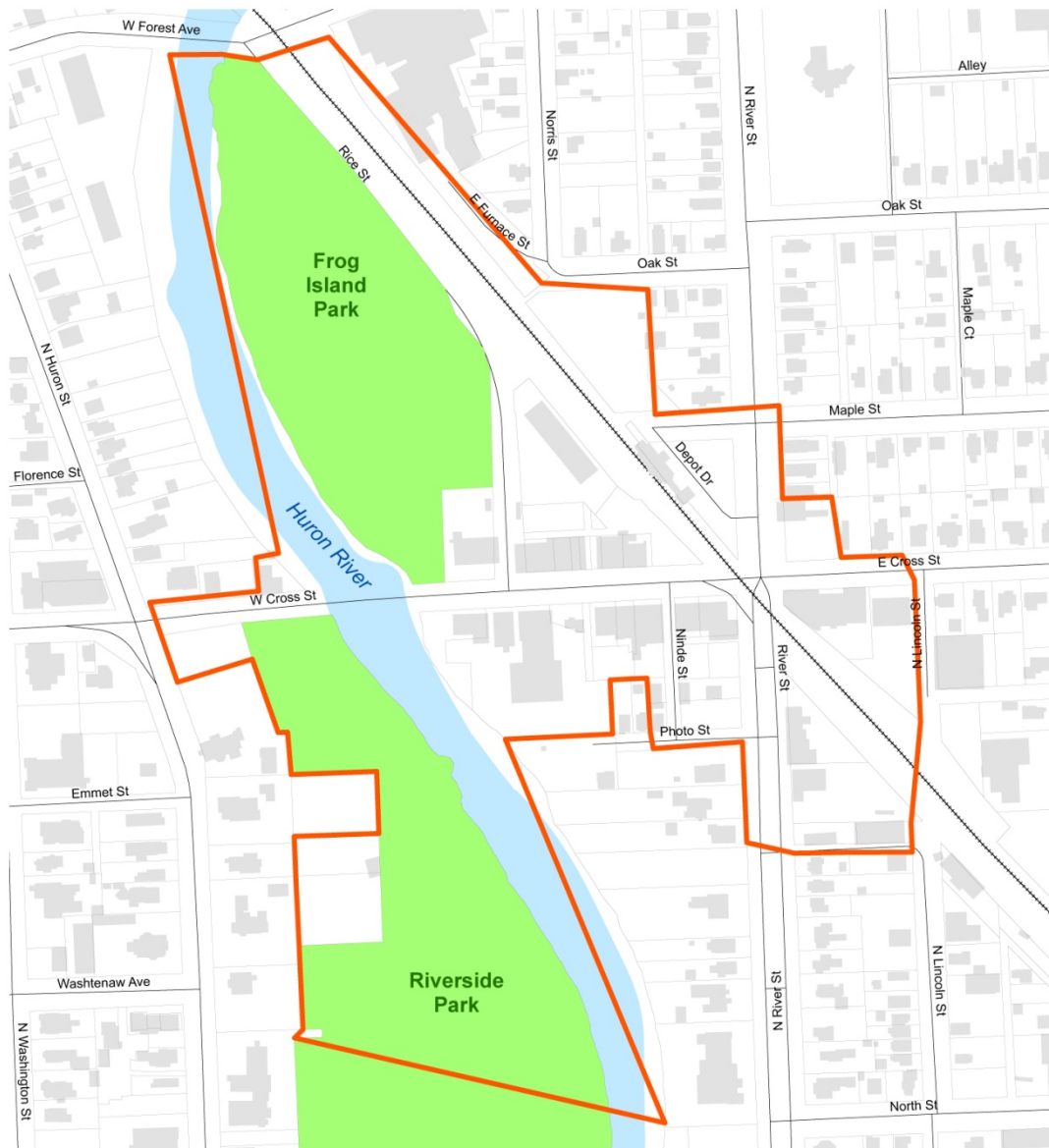
Source: Depot Town Development Authority

Map: Beckett & Raeder, Inc.

DEVELOPMENT PLAN

1. Designation of Boundaries of the Development Area

The Development Area boundary is located within the jurisdictional limits of the City of Ypsilanti and the Depot Town Downtown Development Authority. The Downtown Development Authority district boundary [Map 1] and the Development Area boundary [Map 2] are illustrated and can be generally described as incorporating all public and private real estate along Cross Street from Huron Street to North Lincoln Street and along Rice Street from East Cross Street to West Forest Avenue including public rights-of-way and alleys.



CITY OF YPSILANTI DEPOT TOWN
Development Area

Data Sources: State of Michigan Geographic Data Library, Washtenaw County, City of Ypsilanti

- Development Area
- Parcel Boundary
- Building Footprint
- Parkland
- River
- Road
- Railroad



Map 2

Source: Depot Town Development Authority

Map: Beckett & Raeder, Inc.

2A. Location and Extent of Existing Streets and other Public Facilities within the Development Area; Location, Character and Extent of Existing Public and Private Land Uses.

Existing land uses within the Development Area are comprised of public and private land uses. These land uses include retail businesses, offices, industrial, governmental and institutional uses, parks and open spaces and residential properties. Collectively, these land uses create a mixed-use downtown and business district.

2B. Existing Public and Private Land Uses within the Development Area.

Public and Quasi-Public Land Uses

Public and quasi-public uses within the DDA District and DDA Development Boundary include Riverside Park, Frog Island Park, Freighthouse and Farmers' Market Plaza, Ypsilanti Recycling Drop-off Center, and several public parking lots. Other public uses include street and alley rights-of-way located within the Development Area. The only quasi-public use is Frog Island Community Garden within Frog Island Park.

Private Land Uses

A. Residential – There are 3 single-family homes on North River Street within the Downtown Development Authority district and the Development Area district. Additional dwellings are located on upper floors of mixed use downtown buildings on East Cross Street.

B. Commercial - The majority of property within the Downtown Development Authority district and Development Area consists of commercial property. These commercial uses include professional, retail, restaurants, and service businesses and are primarily located along East Cross Street and North River Street.

C. Warehousing and Industrial – The Ypsilanti Recycling Drop-off Center is the only warehousing and light industrial use currently within the Downtown Development Authority district or Development Area.

Recreational Uses

Recreational uses within the development area consist of Riverside Park, Frog Island Park, the Tridge over the Huron River, the Freighthouse and Farmers' Market Plaza, and Market Alley.

Semi-Public Uses

The Ypsilanti Automotive Heritage Museum is the only semi-public use currently present within the DDA District and DDA Development Boundary.

Educational Uses

There currently are not any public educational facilities within the Development Area district.

3. Location and Extent of Proposed Public and Private Land Uses.

Existing land uses within the Development Area conform to current zoning designations and development patterns outlined in the adopted Master Plan. The City of Ypsilanti Master Plan delineates several land use classifications for the Development Area district including Central Business, Neighborhood Business, Residential-Office, Commercial-Industrial, and Public Land. Proposals for the development area are consistent with existing land use classifications.

4. Legal Description of the Development Area

The downtown district shall consist of the following territory in the city subject to such changes as may hereinafter be made pursuant to this article and Public Act No. 197 of 1975 (MCL 125.1651 et seq.):

Beginning at a point on the East line of River Street and the South line of Ferrier Street, said point also known as the Northwest corner of Lot 65, Hunter's Addition, thence East 280' to the Center line of Lincoln Street thence North along the Center line of Lincoln Street to the North line of East Cross Street thence West 166' along the North line of East Cross Street thence South 141' to the Northeasterly line of the Railroad Right-of-Way thence Northwesterly along the Northeasterly line of the Railroad Right-of-Way to the center line of River Street thence North along the Center line of River Street to the North line of Maple Street thence West along the North line of Maple Street to the West line of vacated alley thence North on the West line of vacated alley, extended North, to the Center line of Oak Street to the Northeasterly line of the Railroad Right-of-Way thence Northwesterly along the Northeasterly line of the Railroad Right-of-Way to the Center line of East Forest Street thence Westerly along the Center line of East Forest Street to the Center line of the Huron River to a point where the North line of Lot 1, Assessor's Plat #3, extended Easterly intersects the Center line the Huron River thence West along said extended North line of Lot 1 to the Northwest corner of said Lot 1 thence South along the West line of said Lot 1 to the Southwest corner of said Lot 1 thence West along the North line of East Cross Street to the Eastern line of North Huron Street, thence South 18-44 East Approximately 204 feet to the Southwest corner of parcel 11-11-40-401-029 thence North 86-26-30 East 23.95' thence South 3-49 East 80-9' thence East 190.56' thence Southerly along the western boundaries of properties located at 220, 214, 206, and 130 North Huron Street, (described as of 12/31/83), to a point 49.5' South of the Northeast corner of Lot 185, Original Plat, thence East 60' thence South 16.5' thence West 60' to the Northeast corner of Lot 184, Original Plat, thence Easterly to a point where the Center line of North Street, extended Westerly, intersects with the Center line of the Huron River thence Northwesterly in the Huron River to the Northwest corner of the property described as 11-11-020-046-00 thence East 269' along the North line of said property thence North to the Northwest corner of Lot 322, Showerman and Compton's Allotment thence East to the West line of Ninde Street thence along the West line of Ninde Street to the South line of Photo Street thence East along the South line of Photo Street to the West line of River Street thence South along the West line of River Street, thence East to the Point of Beginning. Included in this area are the properties and adjacent right-of-ways with the following addresses and parcel identification numbers:

100 East Cross Street, described in tax code parcel numbers 11-09-107-008 and 11-09-107-009,
315 Ninde Street, described in tax code parcel number 11-09-131-009,
24 East Cross Street, described in tax code parcel number 11-09-131-017,
12-20 East Cross Street, described in tax code parcel number 11-09-131-109,
400-412 North River Street, described in tax code parcel numbers 11-04-495-013 and 11-04-495-014.

5. Existing Improvements in the Development Area to be Demolished, Repaired or Altered and Time Required for Completion.

Since the inception of the Depot Town DDA the Authority has prepared plans and undertaken projects within the Development Area District and the location of these previous efforts are illustrated on Map 1.

Community Outreach

In order to assess the expectations of the public the DDA Board sponsored a community vision session on May 7, 2014 at SPARK East attended by business / property owners, local government representatives and residents in and around the Depot Town neighborhood. As a result of this session the following collective priorities were identified by participants on where future DDA efforts should be expended. These include:

1. Pursue, attain, and develop Amtrak and Commuter train transit stops in the District.
2. Increase Huron River recreation opportunities and implement a continuous riverwalk.
3. Develop infrastructure and programming for concerts and performances in Riverside and Frog Island parks.
4. Support repurposing of the Depot property.
5. Encourage additional dining opportunities in the District.
6. Implement maintenance projects and programs to sustain a clean, fresh appearance in the District.

7. Encourage the area as an Arts District.
8. Maintain the District's historic ambiance.
9. Encourage additional office space opportunities in the District.

Stakeholder interviews were held to obtain more focused input on issues and opportunities within the Depot Town development area. The results of the stakeholder interviews were utilized to develop future project and programs for the Development Plan. Stakeholder interviews included local elected officials, property and/or business owners in the Depot Town district, local government administrators, and community volunteers.

DDA Board Process

The DDA Board met on several occasions to identify, discuss, and prioritize projects and program for the Development Plan. These meetings included:

- March 26, 2104: A meeting with the Executive Director to review projects and programs identified in the 2000 Development Plan to determine those completed, partially completed, or not completed at this time, as well as, those projects which should be carried forward in the 2014 Amended and restated Development Plan. The session also included a tour of the Depot Town DDA District to review locations and discuss scope of work for these projects.
- June 17, 2014: Board and Director review of revised projects and programs list.
- July 8, 2014: Board Survey sent to DDA. The Board completed and returned their individual survey for tabulation.
- July 17, 2014: Board meeting to review the results of the projects and programs survey. Outcome of the meeting was a consensus on the timeframes for project and program phasing.
- August 8-15, 2014: Board review of the draft 2014 Amended and Restated Development Plan and Tax Increment Financing Plan.

Based on project and program priorities determined through the survey, each project and program was grouped into three general timeframes: Near Term (0 to 4 Years), Mid Term (5 to 9 years) and Long-Term (10 or more years).

6. The Location, Extent, Character and Estimated Cost of Improvements including Rehabilitation for the Development Area and an Estimate of Time Required for Completion.

General Project Descriptions

The Depot Town Downtown Development Authority can be generally described as including properties along Cross Street from Huron Street to North Lincoln Street and along Rice Street from East Cross Street to West Forest Avenue including public rights-of-way and alleys. For project planning purposes the district is segmented into three zones, the River and Parks Area, Freighthouse and Depot Area, and the Depot Town Business Area.

The River and Parks Area includes West Cross Street between Huron Street and the Depot Town Business Area and serves as the primary western gateway to Depot Town. The River and Parks Area extends along the Huron River and includes adjacent municipal recreation facilities including Riverside Park and Frog Island Park.

The Freighthouse and Depot Area includes the rail corridor north of East Cross Street and includes the Freighthouse, Depot, and public parking.

The Depot Town Business Area contains a mix of uses and is the primary activity center of Depot Town. The Business Area extends along East Cross Street between the Huron River and Lincoln Street and along River Street between Ferrier Street and Maple Street.

River and Parks Area Projects

1. Riverwalk – Assist City with development of a continuous river walk along the Huron River including river access, water recreation opportunities, and maintenance and improvements to the existing non-motorized pathway system in Riverside Park and Frog Island Park.
2. Performance Venue – Assist City with improvement and reconstruction of the Frog Island Park amphitheater.
3. Frog Island Park & Rice Street Parking Lot – Assist City with reconfiguration and reconstruction of poor condition parking lot to improve pedestrian access between Frog Island Park, Farmers' Market Plaza, and East Cross Street.
4. Ypsilanti Recycling Drop-Off Center – Assist City in exploring alternative locations for the recycling drop-off center to maximize recreational use and image of Frog Island Park.
5. General Park Improvements – Assist City with improvements to Riverside Park and Frog Island Park including projects implemented from the 2008 Riverside Park and Frog Island Park Conceptual Site Plans and consistent with the City of Ypsilanti Parks and Recreation Master Plan. Funding emphasis will be placed on projects that support active recreation activities.

Freighthouse and Depot Area Projects

6. Railroad Transit Station – Join with other community partners to support lobby efforts, technical and design services in order to pursue, attain, and develop Amtrak and Commuter train transit stops within the District.
7. Freighthouse Plaza & Freighthouse – Assist City with Freighthouse plaza and building improvements to support activities such as the Farmers' Market, community events, and pedestrian connections to Frog Island Park and East Cross Street. Improvements should include reconfiguration and reconstruction of adjacent public parking to facilitate event and pedestrian uses.
8. Private Investment Opportunities – Provide support for tax incentives, technical and design services to assist with the adaptive reuse and preservation.

Depot Town Business Area Projects

9. Complete Streets Improvements for East Cross Street – Implementation of corridor improvements to enhance user experiences of the Depot Town Business Area. Improvements may include width reduction of drive lanes, sidewalk enlargement, on-street parking optimization, bicycle infrastructure, pedestrian crossing reconfiguration, street tree plantings, and streetscape enhancements. Particular attention should be given to the River Street and railroad intersection in order to improve pedestrian safety and experience.
10. River Street Boulevard Enhancements – Replace concrete boulevard islands with lawn and landscape islands. Enhance existing lawn islands with street tree and landscape plantings.
11. Downtown Living – Provide support, technical and design services to actively encourage multi-use development and redevelopment including residential components.
12. Private Investment Opportunities – Provide support for tax incentives, technical and design services to assist with the adaptive reuse and preservation of properties in Depot Town.

Area Wide Projects and Programs

13. Business Retention and Recruitment – Develop program for the retention and recruitment of businesses within the DDA District. Specific focus should be given to significantly visible opportunities in the Depot Town Business Area.
14. Arts Community Retention and Recruitment – Develop program in cooperation with the YACVB for retention and recruitment of art businesses, studios, galleries, museums, exhibits and other art-centered facilities and activities within the DDA District.
15. Design Guidelines – Develop design criteria to guide new development, redevelopment, and renovations within the DDA District.
16. Signage Guidelines – Develop design and display criteria for various signage types within the DDA District including post/panel, monument, building mounted, sandwich board, temporary banner, etc.
17. District Wayfinding – Implement a district-wide wayfinding system for gateway, directional, regulatory, and facility signage.
18. Preservation of Historic Structures – As opportunities become available, provide support for tax incentives, technical and design services to assist with the adaptive reuse and preservation of historic buildings.
19. Façade and Signage Improvement Grant Guidelines – Establish a review process for the Façade and Signage Improvement Grant Program to ensure proposed project are consistent with Design Guidelines described above.
20. Infrastructure Maintenance – Implement a district-wide maintenance program for sidewalk replacement, sidewalk cleaning, litter clean-up, furnishing updates, flower plantings, snow removal, and other tasks to support a clean, fresh image.
21. Programming – In cooperation with the City, YACVB, and other organizations, develop and support year-round programming of festivals, concerts, car shows.
22. Multi-Modal Infrastructure Support – Provide funding assistance which encourages the development and utilization of multi-modal transportation facilities within Depot Town.
23. Cross Street Bridge – Provide funding assistance for repairs and reconstruction of the Cross Street bridge.
24. Parking Structure – Depending on parking needs provide funding assistance toward the development of a parking structure which includes feasibility studies, design and engineering and construction.
25. Establishment of a Designated Fund - Establish a designated fund; or funds for the following projects, programs and events:
 - a. Public Arts & Murals – for the acquisition, installation, and creation of public art and murals.
 - b. Park Improvement Fund – to fund various programming and enhancement projects for Huron River access, Riverside Park, and Frog Island Park with an emphasis toward active recreation and year-round activities.
 - c. Sustainability Fund – to provide support, technical and design services to actively encourage sustainable design and green technology integration into public and private projects within the district.
 - d. Public Improvement Maintenance Fund – for regular maintenance of sidewalks, parking lots, parks, furnishings and equipment, planting beds, landscaping, signage, and snow removal.

- e. Event & Market Fund – for support of local special events and farmer’s market that are held within or adjacent to the DDA District.
- f. Land and Building Acquisition Fund – for acquisition of land and buildings for public purposes, private redevelopment, business incubators, and locally-owned business ventures.
- g. Façade and Signage Program – for allocation of monies toward the Façade and Signage Improvement Grant Program.
- h. Miscellaneous Parking Lot & Circulation Program – fund set aside for miscellaneous parking and circulation projects which include such items as parking lot resurfacing, reconfiguration, landscaping and lighting.
- i. Interior Building Modifications – provide assistance for interior building modifications that address code compliance issues and increase the functionality of the property.

Table 1 includes both capital improvement projects and DDA initiatives/programs segmented into the three general implementation timeframes; near term, mid-term and long term. Capital costs are based on 2014 construction dollars and estimates for similar scope downtown projects. The capital and programming estimates exceed the forecasted tax increment revenues which is typical of historic business districts. Projects and programs are often funded through a combination of private, state and federal funds leveraged by the tax increment revenues.

In addition to specific projects and programs there are nine (9) designated funds where funds would be committed for general DDA initiatives such as miscellaneous parking lot improvements and assisting where needed with interior building modifications..

Table 1

Estimated Cost of Improvements and Implementation Schedule

Project Name	Type	Estimated Cost
<i>Near Term Projects (0 - 5 years)</i>		
Performance Venue	Infrastructure	\$500,000
Frog Island Park & Rice Street Parking Lot	Infrastructure	\$200,000
Railroad Transit Station	Redevelopment	\$250,000
River Street Boulevard Improvements	Infrastructure	\$100,000
Private Investment Opportunities	Redevelopment	\$150,000
Business Retention and Recruitment	Programming	\$25,000
Arts Community Retention and Recruitment	Programming	\$25,000
Design Guidelines	Programming	\$40,000
Signage Guidelines	Programming	\$25,000
Preservation of Historic Structures	Programming	\$50,000
Façade and Signage Improvement Guidelines	Programming	\$10,000
Infrastructure Maintenance	Infrastructure	\$100,000
Programming	Programming	\$25,000
Interior Building Modifications	Redevelopment	\$150,000
Designated Funds	Redevelopment	\$150,000
		<i>\$1,800,000</i>
<i>Mid Term Projects (6 to 9 years)</i>		
Riverwalk	Infrastructure	\$500,000
Ypsilanti Recycling Drop-Off Center	Infrastructure	\$100,000
Freighthouse Plaza & Freighthouse	Infrastructure	\$1,500,000
Downtown Living	Redevelopment	\$50,000
District Wayfinding	Signage	\$100,000
Designated Funds	Redevelopment	\$250,000
		<i>\$2,500,000</i>
<i>Long Term Projects (10 or more years)</i>		
General Park Improvements	Infrastructure	\$2,000,000
Complete Streets Improvements for East Cross	Infrastructure	\$2,000,000
Designated Funds	Redevelopment	\$250,000
Multi-Modal Infrastructure Support	Infrastructure	\$400,000
Parking Structure (150 cars)	Infrastructure	\$4,125,000
Cross Street Bridge Repair	Infrastructure	\$500,000
		<i>\$9,275,000</i>
		\$13,575,000

Note: The scope and cost of the project may vary depending on the final design of each component. Project descriptions reflect the illustrative plan used to communicate the overall scope of the projects envisioned by the Downtown Development Authority. The Downtown Development Authority recognizes that market forces, private investment, and future public-private partnerships may result in changes to the final design and cost, consistent with overall concepts embodied in this Development Plan and Tax Increment Financing Plan.

The projects and programs identified through the plan process were grouped by type and implementation phase to determine the balance between forecasted revenues and estimated expenditures. Aggregated by “Type of Project” the forecasted tax increment revenues would be expended as enumerated in Table 2. Several large expenditures are noted in the Development Plan including the Freighthouse and Farmers’ Market Plaza. These projects will involve other project funds, including grants, to complete their implementation. Likewise, several projects such as the Riverwalk, Performance Venue, and General Park Improvements involve multiple project partners and potential grant funds. The costs given in this Development Plan represent the DDA’s anticipated contribution, not the total project cost.

Table 2
Allocation of Capital Projects and Initiatives

Expenditure Type	Total Cost
Infrastructure	\$ 12,025,000
Programming	\$ 200,000
Redevelopment	\$ 1,250,000
Signage	\$ 100,000
Total	\$ 13,575,000

Table 3
Allocation of Capital Project and Initiatives by Timeframe

Timeframe	Total Cost
Near Term	\$ 1,800,000
Mid-Term	\$ 2,500,000
Long Term	\$ 9,275,000
Total	\$ 13,575,000

7. A Statement of the Construction or Stages of Construction Planned, and the Estimated Time of Completion.

The time schedule for construction of the public improvement program for the Development Area is outlined in Table 1 based on a prioritization of projects and programs by the DDA Board. The completion timeframe will vary depending on the availability of grants and capital funding. If the DDA elects a pay-as-you-go approach then the timeframe to complete the projects identified will be spread out over many fiscal years. On the other hand, if the DDA elects to utilize significant grants or bonding as available then the timeframe for several projects will be accelerated. Lastly, depending on opportunities presented to the DDA the sequencing of projects and programs in order to channel the funding needed to exercise those opportunities may vary. The success of the development plan is predicated on the DDA’s ability to change funding sequencing and prioritization of funding in order to maximize public and private project opportunities as they materialize.

8. Parts of the Development Area to be Left as Open Space and Contemplated Use.

In reference to the public improvements outlined, open space within the Downtown Development Authority district and Development Area will be confined to right-of-ways, plazas, and parks within the District. Existing park property in the Downtown Development Authority district and Development Area will remain as open space.

9. Portions of the Development Area which the Authority Desires to Sell, Donate, Exchange, or Lease to or From the Municipality and the Proposed Terms.

There are no parcels that the Downtown Development Authority plans to sell, donate, exchange, or lease to the City of Ypsilanti, as part of this Development Plan.

10. Desired Zoning Changes and Changes in Streets, Street Levels, Intersections and Utilities.

The Development Plan proposes no zoning changes proposed within the Development Area. The current zoning accommodates existing and future land uses in the subject area.

11. An Estimate of the Cost of the Development, Proposed Method of Financing and Ability of the Authority to Arrange the Financing.

Financing for the public improvement projects outlined in Section 6 would be provided through funds generated by the Tax Increment Financing Plan induced by annual increases in property valuations within the Development Area. The amount of the funding will be predicated on the stability of the taxable valuation base of the downtown area and the extent of new future redevelopment and rehabilitation projects.

12. Designation of Person or Persons, Natural or Corporate, to whom all or a portion of the Development is to be Leased, Sold, or Conveyed in any manner and for whose benefit the Project is being undertaken if that information is available to the Authority.

The public improvements undertaken pursuant to this Development Plan will remain in public ownership for the public benefit.

13. The Procedures for Bidding for the Leasing, Purchasing, or Conveying of all or a portion of the Development upon its completion, if there is no expressed or implied Agreement between the Authority and Persons, Natural or Corporate, that all or a portion of the Development will be Leased, Sold, or Conveyed to those Persons.

At present there are no agreements for property conveyance between the City of Ypsilanti, Ypsilanti Downtown Development Authority or any person(s), natural or corporation. The Development Plan utilizes a voluntary acquisition strategy to acquire property within the Development Area. Acquisition of such property would be on a negotiated basis between the Downtown Development Authority and the interested party.

Any such sale, lease or exchange conducted by the Downtown Development Authority pursuant to requirements specified in Act 197 of Public Acts of 1975, as amended, shall be with the consent of the City Commission. If needed, more detailed procedures will be developed prior to the transactions, in accordance with applicable city policy and Michigan state law.

14. Estimates of the Number of Persons residing in the Development Area and the Number of Families and Individuals to be Displaced.

Based upon a review of the properties within the Downtown Development Authority district and Development Area in June 2014 it is estimated that less than 100 individuals permanently reside within the Development Area. This assessment was based on data obtained from the City Assessor for properties identified as Principal Residential Exempt (PRE), which is another designation for owner-occupied year-round residence. The Development Plan does not require the acquisition and clearance of occupied residential property or the displacement of individuals and families within the Downtown Development Authority district and Development Area.

15. A Plan for Establishing Priority for the Relocation of Persons Displaced by the Development in any New Housing in the Development Area.

The Development Plan does not require the acquisition and clearance of occupied residential property or the displacement of individuals and families. As a result, a plan for compliance Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 is not addressed.

16. Provision for the Costs of Relocating Persons Displaced by the Development, and Financial Assistance and Reimbursement of Expenses, including Litigation expenses and expenses incident to the Transfer of Title in accordance with the Standards and Provisions of the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

The Development Plan does not require the acquisition and clearance of occupied residential property or the displacement of individuals and families. As a result, a plan for compliance Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 is not addressed.

17. A Plan for compliance with Act 227 of the Public Acts of 1972.

Act 227 of Public Acts of 1972 is an Act to provide financial assistance; advisory services and reimbursement of certain expenses to persons displaced from real property or deprived of certain rights in real property. This Act requires procedures and policies comparable to the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. Because the Development Plan does not require the acquisition of property and displacement of persons a plan for compliance with Act 227 is not addressed.

TAX INCREMENT FINANCING PLAN

1. Definitions as Used in This Plan.

- a. "Captured assessed value" means the amount in any 1 year by which the current assessed value of the project area, including the assessed value of property for which specific local taxes are paid in lieu of property taxes as determined in subdivision (c), exceeds the initial assessed value. The state tax commission shall prescribe the method for calculating captured assessed value.
- b. "Initial assessed value" means the assessed value, as equalized, of all the taxable property within the boundaries of the development area at the time the ordinance establishing the tax increment financing plan is approved, as shown by the most recent assessment roll of the municipality for which equalization has been completed at the time the resolution is adopted. Property exempt from taxation at the time of the determination of the initial assessed value shall be included as zero. For the purpose of determining initial assessed value, property for which a specific local tax is paid in lieu of a property tax shall not be considered to be property that is exempt from taxation. The initial assessed value of property for which a specific local tax was paid in lieu of a property tax shall be determined as provided in subdivision (z). In the case of a municipality having a population of less than 35,000 that established an authority prior to 1985, created a district or districts, and approved a development plan or tax increment financing plan or amendments to a plan, and which plan or tax increment financing plan or amendments to a plan, and which plan expired by its terms December 31, 1991, the initial assessed value for the purpose of any plan or plan amendment adopted as an extension of the expired plan shall be determined as if the plan had not expired December 31, 1991. For a development area designated before 1997 in which a renaissance zone has subsequently been designated pursuant to the Michigan renaissance zone act, 1996 PA 376, MCL 125.2681 to 125.2696, the initial assessed value of the development area otherwise determined under this subdivision shall be reduced by the amount by which the current assessed value of the development area was reduced in 1997 due to the exemption of property under section 7ff of the general property tax act, 1893 PA 206, MCL 211.7ff, but in no case shall the initial assessed value be less than zero.
- c. "Specific local tax" means a tax levied under 1974 PA 198, MCL 207.551 to 207.572, the commercial redevelopment act, 1978 PA 255, MCL 207.651 to 207.668, the technology park development act, 1984 PA 385, MCL 207.701 to 207.718, and 1953 PA 189, MCL 211.181 to 211.182. The initial assessed value or current assessed value of property subject to a specific local tax shall be the quotient of the specific local tax paid divided by the ad valorem millage rate. However, after 1993, the state tax commission shall prescribe the method for calculating the initial assessed value and current assessed value of property for which a specific local tax was paid in lieu of a property tax.
- d. "Tax increment revenues" means the amount of ad valorem property taxes and specific local taxes attributable to the application of the levy of all taxing jurisdictions upon the captured assessed value of real and personal property in the development area, subject to the following requirements:
 - (i) Tax increment revenues include ad valorem property taxes and specific local taxes attributable to the application of the levy of all taxing jurisdictions other than the state pursuant to the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, and local or intermediate school districts upon the captured assessed value of real and personal property in the development area for any purpose authorized by this act.
 - (ii) Tax increment revenues include ad valorem property taxes and specific local taxes attributable to the application of the levy of the state pursuant to the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, and local or intermediate school districts upon the captured assessed value of real and personal property in the development area in an amount equal to the amount necessary, without regard to subparagraph (i), to repay eligible advances, eligible obligations, and other protected obligations.
 - (iii) Tax increment revenues do not include any of the following:

- (A) Ad valorem property taxes attributable either to a portion of the captured assessed value shared with taxing jurisdictions within the jurisdictional area of the authority or to a portion of value of property that may be excluded from captured assessed value or specific local taxes attributable to such ad valorem property taxes.
- (B) Ad valorem property taxes excluded by the tax increment financing plan of the authority from the determination of the amount of tax increment revenues to be transmitted to the authority or specific local taxes attributable to such ad valorem property taxes.
- (C) Ad valorem property taxes exempted from capture under section 3(3) or specific local taxes attributable to such ad valorem property taxes.
- (iv) The amount of tax increment revenues authorized to be included under subparagraph (ii) or (v), and required to be transmitted to the authority under section 14(1), from ad valorem property taxes and specific local taxes attributable to the application of the levy of the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, a local school district or an intermediate school district upon the captured assessed value of real and personal property in a development area shall be determined separately for the levy by the state, each school district, and each intermediate school district as the product of sub-subparagraphs (A) and (B):
 - (A) The percentage that the total ad valorem taxes and specific local taxes available for distribution by law to the state, local school district, or intermediate school district, respectively, bears to the aggregate amount of ad valorem millage taxes and specific taxes available for distribution by law to the state, each local school district, and each intermediate school district.
 - (B) The maximum amount of ad valorem property taxes and specific local taxes considered tax increment revenues under subparagraph (ii) or (v).

2. Purpose of the Tax Increment Financing Plan

The Ypsilanti Depot Town Downtown Development District, was created on June 18, 1984, and was established because the downtown area experienced notable property value deterioration. In order to halt property tax value deterioration, increase property tax valuations and facilitate the overall economic growth of its business district, it is deemed to be beneficial and necessary to create and provide for the operation of a downtown development authority in the City under the provisions of Act 197 Public Acts of Michigan, 1975 as amended (the "Act"). Eight years later, on December 21, 1992, Depot Town DDA Development Plan and Tax Increment Financing Plan were adopted.

The Authority has determined that the extension, or amended and restated tax increment financing plan, is necessary for the achievement of the purposes of the Act and it is authorized to prepare and submit said plan to the governing body. The Tax Increment Financing Plan (the "Plan"), set forth herein includes the Development Plan, a detailed explanation of the tax increment procedure, the maximum amount of bonded indebtedness to be incurred, the duration of the program, the impact of tax increment financing on the assessed values of all taxing jurisdictions in which the development area is located and a statement of the portion of the captured assessed value to be used by the Authority.

3. Explanation of the Tax Increment Procedure

The theory of tax increment financing holds that investment in necessary capital improvements in a designated area within a municipality will result in greater property tax revenues from that area than would otherwise occur if no special development were undertaken. This section is intended to explain the tax increment procedure.

- a. In order to provide a Downtown Development Authority with the means of financing development proposals, the Act affords the opportunity to undertake tax increment financing of development programs. These programs must be identified in a tax increment financing plan, which has been approved by the governing body of a municipality. Tax increment financing permits the Authority to capture incremental tax revenues attributable to increases in value of real and personal property located within an approved development area. The increases in property value may be attributable to new construction, rehabilitation, remodeling, alterations, additions or any other factors that cause growth in value.
- b. At the time the resolution or ordinance establishing a tax increment financing plan is adopted, the sum of the most recently taxable values, as equalized, of those taxable properties located within the development area is established as the "Initial Taxable Value" (the "ITV"). Property exempt from taxation at the time of determination of the Initial Taxable value is included as zero. In each subsequent year, the total real and personal property within the district, including abated property on separate rolls, is established as the "Current Taxable value."
- c. The amount by which the total taxable value exceeds the ITV is the Captured Taxable Value (the "CTV"). During the period in which a tax increment financing plan is in effect, local taxing jurisdictions continue to receive ad valorem taxes based on the ITV. Property taxes paid on a predetermined portion of the CTV in years subsequent to the adoption of tax increment financing plan, however, are payable to an authority for the purposes established in the tax increment financing plan.

4. Taxing Jurisdiction Agreements.

Tax increment revenues for the Downtown Development Authority result from the application of the general tax rates of the incorporated municipalities and all other political subdivisions which levy taxes in the development area to the captured assessed value. Since the Plan may provide for the use of all or part of the captured tax increment revenue, the DDA may enter into agreements with any of the taxing units to share a portion of the revenue of the District. Should the Authority find it necessary to use all of the captured revenue, it shall be clearly stated in this plan.

The Authority intends to utilize all captured revenue as referenced in Table 5, from the District until the projects addressed in the Development Plan are completed and until any bonded indebtedness is paid.

5. Property Valuations and Captured Revenue.

The property valuation on which tax increment revenues will be captured is the difference between the Initial Taxable Valuation and the Current Taxable Valuation. The purpose of this section is to set forth the Initial Taxable Valuation, the projected Captured Taxable Valuation and the anticipated increment revenues to be received by the Authority from the local taxing jurisdictions including the City of Ypsilanti, Washtenaw County, Ypsilanti District Public Library, Washtenaw County Community College, and any other authorities or special tax districts that may be eligible to levy property taxes within the boundaries of the Downtown Development Authority, herein collectively referred to as the "Local Taxing Jurisdictions."

- a. The Initial Taxable Valuation is established based on the 1992 state equalized valuations on real and personal property and on all non-exempt parcels within that portion of the Development Area as of December 31, 1991 finalized in May 1992. The Initial Taxable Valuation of the Authority for the 1992 district is outlined below:

Base Taxable Real and Personal Property Valuations

City of Ypsilanti "DTDDA" TIF	1992 Taxable (12-31-1991)
Base Taxable Valuation Used in Forecast	\$1,720,000

- b. The anticipated Captured Assessed Value is equivalent to the annual total assessed value within the Development Area boundaries less the Initial Assessed Value as described above. The tax increment revenues are then the product of all millages levied by all taxing units in the Development Area on the CAV. The CAV is projected based on a number of factors including historical growth patterns, recent construction trends, economic indicators and the impact of certain development projects anticipated to be undertaken by the Downtown Development Authority. Since the enactment of Proposal A in 1994 the Consumers Price Index (CPI), which is the basis for taxable valuation adjustments, has averaged 2.4%. For projection purposes, an annual taxable valuation factor of 2.00% was used which is less than the average CPI increase of 2.4%. Growth rates do not include taxable valuation resulting from new construction, redevelopment, or the conversion of tax-exempt properties to taxable parcels. In addition, the forecast does not include personal property taxes, however, these revenues unless modified by state legislation are captured by the Authority.

Forecast Taxable Valuation Growth Rate

Fiscal	Year	<i>growth rates</i>
		1992 District
2015	- 16	1.00%
2016	- 17	1.00%
2017	- 18	1.00%
2018	- 19	1.00%
2019	- 20	1.00%
2020	- 39	2.00%

A more detailed depiction of the Captured Taxable Valuations can be found in Table 4.

- c. The Authority will receive that portion of the tax levy of all taxing jurisdictions paid each year on the Captured Assessed Value of the eligible property included in the Development Area. The Authority may use the revenues for any legal purpose as is established under the Act including the payment of principal and interest on bonds.

Table 4

Anticipated Captured Taxable Valuation

	Fiscal Year Jan-Dec	Tax Roll Assessment Date	Initial Base Valuation	Annual Taxable Growth (+ / -)	Taxable Valuation <i>Annual Growth</i>	Captured Valuation
-	1992 - 92	12-31-91	\$ 1,720,000		\$ -	
	2014 15	12-31-13	\$ 3,352,039	0.00%	\$ -	\$ 1,632,039
1	2015 - 16	12-31-14	\$ 3,352,039	1.00%	\$ 3,385,559	\$ 1,665,559
2	2016 - 17	12-31-15	\$ 3,385,559	1.00%	\$ 3,419,415	\$ 1,699,415
3	2017 - 18	12-31-16	\$ 3,419,415	1.00%	\$ 3,453,609	\$ 1,733,609
4	2018 - 19	12-31-17	\$ 3,453,609	1.00%	\$ 3,488,145	\$ 1,768,145
5	2019 - 20	12-31-18	\$ 3,488,145	1.00%	\$ 3,523,027	\$ 1,803,027
6	2020 - 21	12-31-19	\$ 3,523,027	2.00%	\$ 3,593,487	\$ 1,873,487
7	2021 - 22	12-31-20	\$ 3,593,487	2.00%	\$ 3,665,357	\$ 1,945,357
8	2022 - 23	12-31-21	\$ 3,665,357	2.00%	\$ 3,738,664	\$ 2,018,664
9	2023 - 24	12-31-22	\$ 3,738,664	2.00%	\$ 3,813,437	\$ 2,093,437
10	2024 - 25	12-31-23	\$ 3,813,437	2.00%	\$ 3,889,706	\$ 2,169,706
11	2025 - 26	12-31-24	\$ 3,889,706	2.00%	\$ 3,967,500	\$ 2,247,500
12	2026 - 27	12-31-25	\$ 3,967,500	2.00%	\$ 4,046,850	\$ 2,326,850
13	2027 - 28	12-31-26	\$ 4,046,850	2.00%	\$ 4,127,787	\$ 2,407,787
14	2028 - 29	12-31-27	\$ 4,127,787	2.00%	\$ 4,210,343	\$ 2,490,343
15	2029 - 30	12-31-28	\$ 4,210,343	2.00%	\$ 4,294,550	\$ 2,574,550
16	2030 - 31	12-31-29	\$ 4,294,550	2.00%	\$ 4,380,441	\$ 2,660,441
17	2031 - 32	12-31-30	\$ 4,380,441	2.00%	\$ 4,468,050	\$ 2,748,050
18	2032 - 33	12-31-31	\$ 4,468,050	2.00%	\$ 4,557,411	\$ 2,837,411
19	2033 - 34	12-31-32	\$ 4,557,411	2.00%	\$ 4,648,559	\$ 2,928,559
20	2034 - 35	12-31-33	\$ 4,648,559	2.00%	\$ 4,741,530	\$ 3,021,530
21	2035 - 36	12-31-34	\$ 4,741,530	2.00%	\$ 4,836,361	\$ 3,116,361
22	2036 - 37	12-31-35	\$ 4,836,361	2.00%	\$ 4,933,088	\$ 3,213,088
23	2037 - 38	12-31-36	\$ 4,933,088	2.00%	\$ 5,031,750	\$ 3,311,750
24	2038 - 39	12-31-37	\$ 5,031,750	2.00%	\$ 5,132,385	\$ 3,412,385
25	2039 - 40	12-31-38	\$ 5,132,385	2.00%	\$ 5,235,032	\$ 3,515,032

The Treasurer will collect the general property taxes from property owners in the DDA. After taxes are collected, the Treasurer will deduct that portion of the total tax revenues that is derived from captured assessed value of the DDA and distribute them to the DDA to use for purposes outlined in the development plan. Table 6 outlines the 2014 millage rates for all Local Taxing Jurisdictions in the DDA taken from the Washtenaw County Millage Report which are then used to create the revenue forecast enumerated in Table 5 below.

Table 5

Anticipated Captured Revenue

	Fiscal Year Jan-Dec	City of Ypsilanti 31.0963	Washtenaw County 4.9916	Washtenaw Comm College 3.4576	Dsitrit Library 1.8874	Ann Arbor Transit 0.7000	Captured Revenue 42.1329
	2014 15	\$ 50,750	\$ 8,146	\$ 5,643	\$ 3,080	\$ 1,142	\$ 64,540
1	2015 - 16	\$ 51,793	\$ 8,314	\$ 5,759	\$ 3,144	\$ 1,166	\$ 70,175
2	2016 - 17	\$ 52,846	\$ 8,483	\$ 5,876	\$ 3,207	\$ 1,190	\$ 71,601
3	2017 - 18	\$ 53,909	\$ 8,653	\$ 5,994	\$ 3,272	\$ 1,214	\$ 73,042
4	2018 - 19	\$ 54,983	\$ 8,826	\$ 6,114	\$ 3,337	\$ 1,238	\$ 74,497
5	2019 - 20	\$ 56,067	\$ 9,000	\$ 6,234	\$ 3,403	\$ 1,262	\$ 75,967
6	2020 - 21	\$ 58,259	\$ 9,352	\$ 6,478	\$ 3,536	\$ 1,311	\$ 78,935
7	2021 - 22	\$ 60,493	\$ 9,710	\$ 6,726	\$ 3,672	\$ 1,362	\$ 81,964
8	2022 - 23	\$ 62,773	\$ 10,076	\$ 6,980	\$ 3,810	\$ 1,413	\$ 85,052
9	2023 - 24	\$ 65,098	\$ 10,450	\$ 7,238	\$ 3,951	\$ 1,465	\$ 88,203
10	2024 - 25	\$ 67,470	\$ 10,830	\$ 7,502	\$ 4,095	\$ 1,519	\$ 91,416
11	2025 - 26	\$ 69,889	\$ 11,219	\$ 7,771	\$ 4,242	\$ 1,573	\$ 94,694
12	2026 - 27	\$ 72,356	\$ 11,615	\$ 8,045	\$ 4,392	\$ 1,629	\$ 98,037
13	2027 - 28	\$ 74,873	\$ 12,019	\$ 8,325	\$ 4,544	\$ 1,685	\$ 101,447
14	2028 - 29	\$ 77,440	\$ 12,431	\$ 8,611	\$ 4,700	\$ 1,743	\$ 104,925
15	2029 - 30	\$ 80,059	\$ 12,851	\$ 8,902	\$ 4,859	\$ 1,802	\$ 108,473
16	2030 - 31	\$ 82,730	\$ 13,280	\$ 9,199	\$ 5,021	\$ 1,862	\$ 112,092
17	2031 - 32	\$ 85,454	\$ 13,717	\$ 9,502	\$ 5,187	\$ 1,924	\$ 115,783
18	2032 - 33	\$ 88,233	\$ 14,163	\$ 9,811	\$ 5,355	\$ 1,986	\$ 119,548
19	2033 - 34	\$ 91,067	\$ 14,618	\$ 10,126	\$ 5,527	\$ 2,050	\$ 123,389
20	2034 - 35	\$ 93,958	\$ 15,082	\$ 10,447	\$ 5,703	\$ 2,115	\$ 127,306
21	2035 - 36	\$ 96,907	\$ 15,556	\$ 10,775	\$ 5,882	\$ 2,181	\$ 131,301
22	2036 - 37	\$ 99,915	\$ 16,038	\$ 11,110	\$ 6,064	\$ 2,249	\$ 135,377
23	2037 - 38	\$ 102,983	\$ 16,531	\$ 11,451	\$ 6,251	\$ 2,318	\$ 139,534
24	2038 - 39	\$ 106,113	\$ 17,033	\$ 11,799	\$ 6,441	\$ 2,389	\$ 143,774
25	2039 - 40	\$ 109,304	\$ 17,546	\$ 12,154	\$ 6,634	\$ 2,461	\$ 148,099
		\$ 1,856,420 73.93%	\$ 297,994 11.87%	\$ 206,415 8.22%	\$ 112,676 4.49%	\$ 41,789 1.66%	\$ 2,511,071 100%

6. Maximum Indebtedness.

It is anticipated that the maximum amount of indebtedness to be incurred, if any, based on 2014 costs will not exceed \$2,500,000 for projects identified in the Development Plan. A description of the various projects and the actual amounts expected to be financed are as set forth in Section 6 of the Development Plan. Revenues captured will be used to accomplish projects in the Development Area.

7. Use of Captured Revenues

Revenues captured through this Tax Increment Plan will be used to finance those improvements and projects outlined in Table 1 and Table 2 of the Development Plan in accordance with procedures specified in this Plan. Further, captured revenues can be used for the following:

- Finance current financial obligations of DDA;
- Maintenance of streetscape, public parking lots, parks, and pedestrian plazas;
- Pay for costs incurred by the City/DDA in implementing both the Development Plan and the Tax Increment Financing Plan;
- Funding for DDA administrative staff and associated office expenses;
- Marketing, promotions and events costs;
- Special purpose grant and loan programs; and
- Pay for costs associated with the administration and operation of the Development and Tax Increment Plan and its associated projects and programs.

In addition, the Development Plan encourages the use of Tax Increment Financing Plan revenues to support public improvements associated with private redevelopment and new development projects. Table 1 enumerates the forecasted “uses” of the tax increment revenue and the amount available for capital projects.

8. Duration of the Program

The Development Plan and Tax Increment Financing Plan shall extend through December 31, 2039, or the completion of the projects described in the Development Plan, whichever is earlier.

Table 6

Anticipated Millage to Be Captured

Local Unit of Government		
City of Ypsilanti		31.0963
<i>Operating</i>	<i>19.0211</i>	
<i>F&P Pension</i>	<i>8.3149</i>	
<i>Sanitation</i>	<i>2.7814</i>	
<i>Ypsi Transit</i>	<i>0.9789</i>	
Washtenaw County		4.9916
<i>Summer</i>	<i>4.5493</i>	
<i>Winter</i>	<i>0.4423</i>	
Washtenaw Community College		3.4576
<i>Operating</i>	<i>2.42220</i>	
<i>Allocated</i>	<i>1.03540</i>	
AAATA		0.7000
Ypsilanti District Library		1.8874
<i>Operating</i>	<i>1.88740</i>	
		42.1329

9. Plan Impact on Local Taxing Jurisdictions

The Authority recognizes that future development in the City's business district will not be likely in the absence of tax increment financing. The Authority also recognizes that enhancement of the value of nearby property will indirectly benefit all local governmental units included in this plan. It is expected that the effected local taxing jurisdictions will not experience a gain in property tax revenues from the Development Area during the duration of the plan and should realize increased property tax revenues thereafter as a result of activities financed by the plan. Further, tax increment revenues captured from this plan will not be used to offset normal City operations.

10. Release of Captured Revenues

When the Development and Financing Plans have been accomplished, the captured revenue is released and the local taxing jurisdictions receive all the taxes levied on it from that point on.

11. Assumptions of Tax Increment Financing Plan.

The following assumptions were considered in the formulation of the Tax Increment Financing Plan for the Roscommon Downtown Development Authority:

- A. Property valuations are based on the following taxable valuation assumptions:

Fiscal Year	<i>growth rates</i>
	1992 District
2015 - 16	1.00%
2016 - 17	1.00%
2017 - 18	1.00%
2018 - 19	1.00%
2019 - 20	1.00%
2020 - 39	2.00%

- B. Costs provided for the various DDA projects and programs enumerated in Table 2 are estimated costs in 2014 dollars. Final costs are determined after final design and the acceptance of bids at the time of construction. The effects of inflation may also have an undetermined amount of influence on these cost figures.

12. Operating Agreement between Downtown Development Authority and Local Unit of Government Regarding Use of Tax Increment Revenues.

The Downtown Development Authority will not spend any funds outside of those annually approved through the budget process and shall not commit to any loans, leases, or purchases without sufficient evidence of adequate revenue source to support the proposal.

13. Relationship of the Tax Increment Financing Plan with Other Funding Programs.

As discussed in the Development Plan, the revitalization of the downtown business district will include tax increment financing and other forms of intergovernmental financing such as grants, special assessments, and loans. It is strongly recommended that tax increment financing revenues be used to leverage public funds and private financing in order to implement the planned program.

14. Relationship to Community Master Plan

The Development Plan indicates the need to revitalize the business areas of the community, which is an integral component of the community's redevelopment program and master plan. If it is determined that any portions of the Master Plan conflict with the provisions of the Downtown Development Plan, then the Development Plan shall be adopted as a component of the Master Plan pursuant to Section 39 of Act 33 of 2008; the Michigan Planning Enabling Act.

15. Submission of an Annual Report to Governing Body and State Tax Commission.

Annually the Authority shall submit to the City of Ypsilanti and the State Tax Commission a report on the status of the tax increment financing account. The report shall include those items enumerated in Section 15 (3) of Act 197 of 1975 (MCL 125.1665). Further, the report shall be published in a newspaper of general circulation.

January 15, 2015
2015-1

**Downtown Development Authority of the
City of Ypsilanti
County of Washtenaw, State of Michigan
RESOLUTION TO ADOPT THE AMENDED AND RESTATED DEPOT TOWN TAX
INCREMENT FINANCE & DEVELOPMENT PLAN**

The following preamble and resolution were offered by Member K. Hill and supported by Member A. Gainsley.

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, a TIF and Development Plan is required to authorize a DDA to capture tax increment financing revenues to support their goals and ongoing operations; and

WHEREAS, a TIF and Development Plan outlines the expected tax increment finance revenue over a set period of time and dictates the projects and programs that can be funded through this revenue; and

WHEREAS, if the YDDA allows the Depot Town TIF and Development Plan to expire in December 2015, the YDDA will no longer be able to collect tax increment financing funds for the Depot Town district; and

WHEREAS, one of the Ypsilanti DDA Board's guiding principles and primary responsibilities is to support the long term fiscal planning for the YDDA; and

WHEREAS, on February 20, 2014 the YDDA board approved hiring Beckett & Raeder to prepare a new Depot Town TIF and Development Plan to extend the current plan past December 2015; and

WHEREAS, over the course of 2014 the YDDA's consultants, staff, and Board Members participated in an extensive process to review all existing plans that include Depot Town including the existing TIF and Development Plan, Shape Ypsi Master Plan, the City's Parks and Recreation Master Plan to help guide the amended TIF and Development Plan; and

WHEREAS, the consultants met with individual stakeholders and held a public forum for community input into the proposed plan; and

WHEREAS, the YDDA board and staff have worked with our consultant to review several drafts of the amended plan to ensure that it is appropriate and consistent with the DDA's vision, values and goals;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. the YDDA Board approve the amended and restated Depot Town Tax Increment Finance & Development Plan as prepared by Beckett & Raeder.
2. the YDDA will follow all of the steps identified in Public Act 197 of 1975, the Downtown Development Authority Act, required to formally adopt the amended plan and extend the Depot Town Tax Increment Finance and Development Plan through December 2040.
3. all resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are and the same hereby are rescinded.

AYES: K. Dobson, A. Gainsley, K. Hill, R. Savvides, R. Smith, and B. Willcock

NAYS: none

ABSTAINED: none

YES: 6 NO: 0 ABSENT: 4 VOTE: affirmed



REQUEST FOR LEGISLATION
July 7, 2015

To: Mayor and Council

From: Chief Max Anthouard

Subject: Roof bid rejection

Out of six potential bidders The City of Ypsilanti received only one bid to replace the existing roof system of the fire station.

The bid received by VJM Design and Build is for an amount of \$168,339.00. Only \$120,000.00 is budgeted for this project.

There is a better chance to receive competitive bids during the fall when contractors are more actively looking for jobs.

I recommend rejecting the bid received from the VJM Design and Build and to repost the job in September.

RECOMMENDED ACTION: Reject bid and repost

ATTACHMENT: Roof bid report from OHM

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

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2015 - 151
July 7, 2015

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, out of six potential bidders the City of Ypsilanti Fire Department received only one bid for the replacement of the fire station roof system for an amount of \$163,339 and only \$120,000 is budgeted for this project; and

WHEREAS, there is a better opportunities to receive competitive bids during the fall when contractors are more actively looking for jobs.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council reject the \$168,339.00 bid received by VJM Design and Build and to reopen the bid in when contractors are more actively looking for jobs.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

ARCHITECTS. ENGINEERS. PLANNERS.



June 24, 2015

Max Anthouard
Chief
City of Ypsilanti
525 West Michigan Ave.
Ypsilanti, MI 48197

RE: Roofing Bid Report

Dear Mr. Anthouard:

On June 10, 2015 OHM Advisors assisted the City of Ypsilanti in receiving bids associated with the work to replace the existing roofing system at the Fire Station.

The project entailed the removal of the existing roofing system over the administrative area (low roof) and the truck bay areas (high roof). Separate roof assemblies were designed for the low roof and the high roof. Each assembly consisted of at least two layers of rigid roof insulation with staggered joints between each layer, a layer of roof protection board intended to provide long term protection to the insulation, and finally a thermoplastic (TPO) membrane. Each layer required an intervening layer of adhesive. The adhesive is required due to the concrete decking. Most other decking materials will enable the use of a mechanically fastened method.

The high roof is intended to support a future system of roof mounted solar collectors. Thus a flat level assembly was proposed. To accommodate the flat roof two additional drains and associated drain lines were proposed. At the low roof, a pattern of slopes were designed to pitch to the existing drains. The distances between each drain, combined with the $\frac{1}{4}$ inch per 12 inch slope, resulted in a significantly thicker cross section of insulation at the roof's perimeter. Thus the perimeter fascia flashing also needed to increase in height. The overall appearance of the fascia flashing is approximately 12 inches.

During the bid process, there was a mandatory pre-bid meeting held on May 20, 2014. Six potential bidders attended the meeting. Each bidder was a roofing contractor. Subsequent to the mandatory pre-bid meeting, OHM issued an addendum that clarified several questions raised by the attendees. One of these items included the extension of a roof drain previously not required per the bid documents.

On bid day, one bid was received and opened. The bid by VJM Design and Build appeared to be in proper order, and in the amount of \$168,339.00. This exceeded the estimate of \$151,865.

Subsequent to the bid opening, I reviewed VJM Design and Build with the firm's Owner. He claims to have an inclusive bid and after discussing the project with him I had concluded that he does in fact have a reasonably complete bid. The addendum added some cost that would push the estimate to at least \$155,000+/- . The addendum was not reflected in the estimate.

I also reviewed with the contractor how monies can be saved and still provide the City of Ypsilanti with a new long lasting roof system. The most significant areas involve the extent of layering of rigid insulation boards and plumbing work with related demolition. We specified at least two layers with each layer overlapping. This is the recommended practice within the roofing industry. The staggering of layers improves the overall energy efficiency of the roof



assembly. However, the code will allow for a single layer system. Given the existing concrete decking we had no choice but to specify a glue down or adhered system as solid mechanically fastened systems are generally not considered feasible for such decking systems. The cost of the glue between each layer below approximates the cost of membrane alone, then add the labor. A single layer system could be installed over the high bay roof as this is only a partially occupied space. However, I would continue to recommend the staggered layer over the low roof.

Another area where some money could be saved is the deletion of a 1/4 inch thick protection board that was included in the specifications. The purpose of the protection board is to prevent crushing of the rigid insulation caused by foot traffic. We were informed that the cost for such a board is between 10 – 20 cents per SF. We view this as cheap insurance for the long term durability of the overall roof assembly and the fact that a system of solar panels is proposed to be placed on top of this roof system in the near future. It could however be eliminated if the Owner understood the role of the protective board.

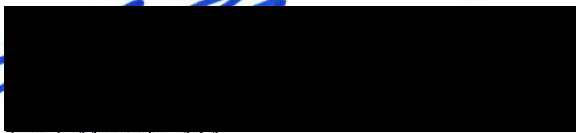
Finally, there was the need to add additional plumbing lines for additional roof drainage. This was done at the high roof. The high roof was level flat. If pitch were added to the high roof, the plumbing lines may be able to be eliminated, however, we would then be adding back cost for the additional layers of insulation required to make the pitch. There is also the cost to cut, patch, and repair certain parts of the exterior soffit and interior ceiling pads to accommodate the new roofing drainage pipes. This required work begins to take the project from a simple pure roofing project to one that now involves other trades. This also explains the limited number of bids received.

In summary, costs can be reduced from the contractor's bid price, but likely only to some value nearer our estimate. Not to the allocated amount of approximately \$70K

The Owner may elect to have the roof redesigned incorporating the items above. The Owner might also consider other capital improvements to the building that would help to move the project from solely a roofing project to more of a general contracting project.

I plan to attend the July 7th Council meeting. I will be preparing a report that formalizes what I describe above.

Sincerely,
OHM Advisors



Lee J. Mamola, AIA
Senior Project Manager

cc: Kent Early
File



Resolution No. 2015-152
July 7, 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
REGULAR MEETING ACTION MINUTES
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
Tuesday, July 7, 2015
~~6:00 P.M. – WORK SESSION~~
7:00 P.M. – REGULAR SESSION**

I. CALL TO ORDER –

The meeting was called to order at 7:02 p.m.

II. ROLL CALL –

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

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. WORK SESSION: 6:00 – 7:00 p.m. – DDA BOARD OF DIRECTORS~~

VI. INTRODUCTIONS –

VII. AGENDA APPROVAL –

The agenda was approved as amended

Changes: Resolutions No. 2015-147 and 2015-148 were removed from the Consent Agenda and heard during Section XIII "Resolutions/Motions/Discussions".

VIII. PRESENTATIONS –

1. Proclamation in recognition of Retirement of Susan Martin, EMU President
2. Introduction of Dr. Ben Edmondson, Ypsilanti Community Schools Superintendent

IX. AUDIENCE PARTICIPATION –

X. REMARKS BY THE MAYOR –

XI. MINUTES –

Resolution No. 2015-145, approving minutes of June 2, June 9, June 16, 2015
The minutes were approved as submitted.

XII. CONSENT AGENDA –

Resolution No. 2015-146

1. ~~Resolution No. 2015-147, adopting a FOIA Policy and Record Inspection Policy for the City of Ypsilanti.~~ ***(Moved and heard under Section XIII "Resolutions/Motions/Discussions")***
2. ~~Resolution No. 2015-148, designating the Washtenaw Legal News as the official newspaper of record.~~ ***(Moved and heard under Section XIII "Resolutions/Motions/Discussions")***
3. Resolution No. 2015-149, approving contract for professional services by the City of Ypsilanti for the Board of Trustees City of Ypsilanti Fire and Police Retirement System.
Approved: Yes – 5; No – 0; Absent – 2 (Richardson, Vogt)
4. Resolution No. 2015-150, enrolling the City of Ypsilanti in the "Mayors Challenge" to improve bicyclist and pedestrian safety.
Approved: Yes – 5; No – 0; Absent – 2 (Richardson, Vogt)

XIII. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. ~~Resolution No. 2015-105, approving Ordinance No. 1244: Adoption, Amendment and Restatement of the Depot Town Development Plan and Tax Increment Financing Plan on Second and Final Reading.~~ ***(Moved to 8/4/15)***
2. Resolution No. 2015-147, adopting a FOIA Policy and Record Inspection Policy for the City of Ypsilanti.
Approved: Yes – 5; No – 0; Absent – 2 (Richardson, Vogt)
3. Resolution No. 2015-148, designating the Washtenaw Legal News as the official newspaper of record.
Approved: Yes – 5; No – 0; Absent – 2 (Richardson, Vogt)
4. Resolution No. 2015-151, rejecting bids for Ypsilanti Fire Department roof.
Approved: Yes – 5; No – 0; Absent – 2 (Richardson, Vogt)

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 –

Nominations:

YDDA

Francisco Garcia (appointment replacing Brienne Willcock, resident)
26 N. Huron St. #1
Ypsilanti, MI 48197
Term Expiration: 7/7/2019

YDDA

Jelani McGadney (appointment replacing James Dauphine)
119 College Place #6
Ypsilanti, MI 48197
Term Expiration: 7/7/2018

SmartZone LDFA

Phil Tepley (appointment replacing Saeed Bilal)
725 E. Grand Blvd.
Ypsilanti, MI 48198
Term Expiration: 12/4/2016

XVI. COMMUNICATIONS FROM THE CITY MANAGER –

XVII. AUDIENCE PARTICIPATION –

XVIII. REMARKS FROM THE MAYOR –

XIX. ADJOURNMENT -

Resolution No. 2015-152, adjourning the City Council meeting.
The meeting adjourned at 10:12 p.m.