

1. Council Agenda

Documents:

[AGENDA 2-7-17.PDF](#)

2. Council Packet

Documents:

[2-2-17COUNCIL PACKET.PDF](#)

3. Council Action Minutes

Documents:

[ACTION MINUTES 2-7-17.PDF](#)



**CITY OF YPSILANTI
REGULAR COUNCIL MEETING
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, FEBRUARY 7, 2017
7:00 p.m.**

I. CALL TO ORDER –

II. ROLL CALL –

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

III. INVOCATION –

IV. PLEDGE OF ALLEGIANCE –

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

V. AGENDA APPROVAL –

VI. INTRODUCTIONS –

VII. AUDIENCE PARTICIPATION –

VIII. REMARKS BY THE MAYOR –

IX. CONSENT AGENDA –

Resolution No.2017 -031

1. Resolution No. 2017 - 032, approving the minutes of December 20, 2016.
2. Resolution No. 2017 - 033, approving nominations to Boards and Commissions.
3. Resolution No. 2017-034, approving the removal of First Court from Harriet St. to Armstrong for Act 51 recertification.

X. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2017- 035, approving Ordinance 1281, an ordinance to amend Ypsilanti City Code by adding Article V. Solicitation of Immigration Status to Chapter 58 Human Relations. **(Second Reading)**
2. Resolution No. 2017-036, approving Ordinance 1282, an ordinance to amend Ypsilanti Zoning Code for PMD, Production, Manufacturing, and Distribution. **(Second Reading)**
3. Resolution No. 2017-037, directing staff to send the Bell/Kramer matter back to the Planning Commission in the event new information, such as if no contamination becomes available.
4. Resolution No. 2017-038, approving the inclusion of the Road Funding spreadsheet as Appendix A to the 2015 Capital Improvement Plan.

5. Resolution No. 2017-039, approving City Goals and Priorities.

XI. LIASON REPORTS –

- A. SEMCOG Update
- B. Washtenaw Area Transportation Study
- C. Urban County
- D. Freight House
- E. Parks and Recreation
- F. Ypsilanti Downtown Development Authority
- G. Eastern Washtenaw Safety Alliance
- H. Police-Community Relations/Black Lives Matter Joint Task Force
- I. Friends of Rutherford Pool

XIII. COUNCIL PROPOSED BUSINESS –

XIV. COMMUNICATIONS FROM THE MAYOR –

XV. COMMUNICATIONS FROM THE CITY MANAGER –

XVI. COMMUNICATIONS –

XVII. AUDIENCE PARTICIPATION –

XVIII. REMARKS FROM THE MAYOR –

XIX. ADJOURNMENT -

Resolution No. 2017 - 040, adjourning the City Council meeting.



**CITY OF YPSILANTI
REGULAR COUNCIL MEETING
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, FEBRUARY 7, 2017
7:00 p.m.**

I. CALL TO ORDER –

II. ROLL CALL –

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

III. INVOCATION –

IV. PLEDGE OF ALLEGIANCE –

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

V. AGENDA APPROVAL –

VI. INTRODUCTIONS –

VII. AUDIENCE PARTICIPATION –

VIII. REMARKS BY THE MAYOR –

IX. CONSENT AGENDA –

Resolution No.2017 -031

1. Resolution No. 2017 - 032, approving the minutes of December 20, 2016.
2. Resolution No. 2017 - 033, approving nominations to Boards and Commissions.
3. Resolution No. 2017-034, approving the removal of First Court from Harriet St. to Armstrong for Act 51 recertification.

X. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2017- 035, approving Ordinance 1281, an ordinance to amend Ypsilanti City Code by adding Article V. Solicitation of Immigration Status to Chapter 58 Human Relations. **(Second Reading)**
2. Resolution No. 2017-036, approving Ordinance 1282, an ordinance to amend Ypsilanti Zoning Code for PMD, Production, Manufacturing, and Distribution. **(Second Reading)**
3. Resolution No. 2017-037, directing staff to send the Bell/Kramer matter back to the Planning Commission in the event new information, such as if no contamination becomes available.
4. Resolution No. 2017-038, approving the inclusion of the Road Funding spreadsheet as Appendix A to the 2015 Capital Improvement Plan.

5. Resolution No. 2017-039, approving City Goals and Priorities.

XI. LIASON REPORTS –

- A. SEMCOG Update
- B. Washtenaw Area Transportation Study
- C. Urban County
- D. Freight House
- E. Parks and Recreation
- F. Ypsilanti Downtown Development Authority
- G. Eastern Washtenaw Safety Alliance
- H. Police-Community Relations/Black Lives Matter Joint Task Force
- I. Friends of Rutherford Pool

XIII. COUNCIL PROPOSED BUSINESS –

XIV. COMMUNICATIONS FROM THE MAYOR –

XV. COMMUNICATIONS FROM THE CITY MANAGER –

XVI. COMMUNICATIONS –

XVII. AUDIENCE PARTICIPATION –

XVIII. REMARKS FROM THE MAYOR –

XIX. ADJOURNMENT -

Resolution No. 2017 - 040, adjourning the City Council meeting.



Resolution No. 2017-031
February 7, 2017

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the following items be approved:

1. Resolution No. 2017 - 032, approving the minutes of December 20, 2016.
2. Resolution No. 2017 - 033, approving nominations to Boards and Commissions.
3. Resolution No. 2017-034, approving the removal of First Court from Harriet St. to Armstrong for Act 51 recertification.

OFFERED BY: _____

SUPPORTED BY: _____

YES:

NO:

ABSENT:

VOTE:



Resolution No. 2017-032
February 7, 2017

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of December 20, 2016 be approved.

OFFERED BY: _____

SUPPORTED BY: _____

YES:

NO:

ABSENT:

VOTE:



Draft

**CITY OF YPSILANTI
REGULAR COUNCIL MEETING
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, DECEMBER 20, 2016
7:00 p.m.**

I. CALL TO ORDER –

The meeting was called to order at 7:04 p.m.

II. ROLL CALL –

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

Council Member Richardson moved, seconded by Council Member Vogt to excuse the absence of Mayor Edmonds.

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

III. INVOCATION –

Mayor Pro-Tem Brown asked all to stand for a moment of silence.

IV. PLEDGE OF ALLEGIANCE –

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

V. AGENDA APPROVAL –

Council Member Vogt moved, seconded by Council Member Bashert to approve the agenda.

Council Member Murdock moved, seconded by Council Member Vogt to amend the agenda and move Resolution No. 2016-203 to the beginning of Section X, Resolutions/Motions/Discussions.

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

VI. INTRODUCTIONS –

Mayor Pro-Tem Brown introduced the following; Interim City Manager Frances McMullan, Economic Development Director Beth Ernat, City Attorney John Barr, and Interim City Clerk Andrew Hellenga.

VII. AUDIENCE PARTICIPATION –

1. Richard Murphy, 406 Florence, stated he and other members of the Riverside Neighborhood were surprised and dismayed to see the Truck Route Ordinance on the agenda. There are still concerns this is an attempt to solve a problem from one part of the City with no guarantee it will

not shift to another. There were no additional materials in the meeting packet to quell these concerns. There have been assertions in the past that trucks would move to other routes outside of the City, but there is no solution suggested that wouldn't simply move the problem from one area to another. The newspaper suggested there is a possibility of a sunset clause, and he is interested in hearing further about the evaluation process to determine if the problem was simply relocated.

2. Marty Klieno, 1314 LeForge, stated Superior Rd. might be a possible alternative to LeForge. Railroad already has several towing businesses which create a significant amount of traffic. He is concerned about the pedestrian safety with four new bus stops added without a crosswalk. The Request for Legislation states increased traffic at this location would result in increased traffic accidents.
3. John McMillin, 504 N. Huron, stated the possibility of truck traffic being diverted to Huron St. is confusing because when Prospect was reconstructed it was designed to handle truck traffic. He asked what will happen to the parking on Huron St. if truck traffic is diverted since there are five homes without driveways on that stretch.
4. Adam Gainsley, 409 N. Adams, stated this has been discussed five times by Council which is a monumental waste of time for a half formed poorly thought out ordinance. If the City cannot afford a study now in two years will the City be able to.
5. Lance Lobbestael, 611 N. Prospect, stated he has lived on Prospect since the 1980's and has never felt comfortable because of the truck traffic. This is a result of how Prospect is designed and would like to see Prospect closed to truck traffic.

VIII. REMARKS BY THE MAYOR –

None

IX. CONSENT AGENDA –

Resolution No. 2016-281

1. Resolution No. 2016-282, approving the minutes of November 15, 2016 and December 1, 2016.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of November 15, 2016 and December 1, 2016 be approved.

OFFERED BY: Council Member Robb

SECONDED BY: Council Member Vogt

2. Resolution No. 2016-283, approving the Michigan Department of Transportation's (MDOT) Performance Resolution for Governmental Agencies.

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT, the GOVERNMENTAL AGENCY agrees that:

Each party to this Agreement shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this Agreement, as provided by law. This Agreement is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.

If any of the work performed for the GOVERNMENTAL AGENCY is performed by a contractor, the GOVERNMENTAL AGENCY shall require its contractor to hold harmless, indemnify and defend in litigation, the State of Michigan, the DEPARTMENT and their agents and employee's, against any claims for damages to public or private property and for injuries to person arising out of the performance of the work, except for claims that result from the sole negligence or willful acts of the DEPARTMENT, until the contractor achieves final acceptance of the GOVERNMENTAL AGENCY. Failure of the GOVERNMENTAL AGENCY to require its contractor to indemnify the DEPARTMENT, as set forth above, shall be considered a breach of its duties to the DEPARTMENT.

Any work performed for the GOVERNMENTAL AGENCY by a contractor or subcontractor will be solely as a contractor for the GOVERNMENTAL AGENCY and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the GOVERNMENTAL AGENCY, or their subcontractors or any other person not a party to the PERMIT without its specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims by any contractor or subcontractor will be the sole responsibility of the GOVERNMENTAL AGENCY.

The GOVERNMENTAL AGENCY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.

The GOVERNMENTAL AGENCY It will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State Highway Right of Way MDOT 2207B (09/16)

OFFERED BY: Council Member Robb

SECONDED BY: Council Member Vogt

3. Resolution No. 2016 - 284, approving contracts with Bankshot and Associates, LLC for snow removal.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the contract between the City of Ypsilanti and Bankshot and Associates LLC be renewed, and that the City Manager is authorized to determine the primary and alternate contractor.

Further, the Mayor and City Clerk are authorized to sign contracts with the Contractors, subject to the approval of the City Attorney.

OFFERED BY: Council Member Robb
SECONDED BY: Council Member Vogt

On a roll call, the vote to approve Resolution No. 2016-281 was as follows:

Council Member Brown	Yes	Council Member Robb	Yes
Council Member Murdock	Yes	Mayor Edmonds	Absent
Council Member Richardson	Yes	Council Member Vogt	Yes
Council Member Bashert	Yes		

VOTE:

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

X. RESOLUTIONS/MOTIONS/DISCUSSIONS –

~~1. Resolution No. 2016-285, approving the contract with TSP in an amount not to exceed \$179,876 for the remediation of soil along the Water Street trail. (Moved and Heard at the end of Section X)~~

1. Resolution No. 2016-203, approving Ordinance 1271, AN ORDINANCE TO AMEND THE YPSILANTI CITY CODE TO ESTABLISH A TRUCK ROUTE AND REGULATE COMMERCIAL VEHICLE TRAFFIC WITHIN THE CITY OF YPSILANTI; TO PROHIBIT TRUCK AND COMMERCIAL VEHICLE TRAFFIC ON OTHER ROADS; AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF, PURSUANT TO ITS AUTHORITY UNDER ARTICLE VII, SECTION 29 OF THE MICHIGAN CONSTITUTION OF 1963 AND SECTION 726 OF THE MICHIGAN VEHICLE CODE, ACT 300 of 1949 (MCL 257.1 ET SEQ)". **(Reconsider)**

Council Member Vogt moved, seconded by Council Member Murdock to reconsider Resolution No. 2016-203.

On a roll call, the vote to reconsider Resolution No. 2016-203 was as follows:

Council Member Brown	Yes	Council Member Robb	Yes
Council Member Murdock	Yes	Mayor Edmonds	Absent
Council Member Richardson	Yes	Council Member Vogt	Yes
Council Member Bashert	Yes		

VOTE:

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

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled "AN ORDINANCE TO AMEND THE YPSILANTI CITY CODE TO ESTABLISH A TRUCK ROUTE AND REGULATE COMMERCIAL VEHICLE TRAFFIC WITHIN THE CITY OF YPSILANTI; TO PROHIBIT TRUCK AND COMMERCIAL VEHICLE TRAFFIC ON OTHER ROADS; AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF, PURSUANT TO ITS AUTHORITY UNDER ARTICLE VII, SECTION 29 OF THE MICHIGAN CONSTITUTION OF 1963

AND SECTION 726 OF THE MICHIGAN VEHICLE CODE, ACT 300 of 1949 (MCL 257.1 ET SEQ)” be approved on Second and Final Reading.

OFFERED BY: Council Member Vogt

SECONDED BY: Council Member Murdock

Council Member Vogt stated there are several reasons to reconsider, and the most significant is to develop a better plan. The purpose of this initiative has always been to improve safety, reduce traffic, reduce noise and air pollution, and reduce deterioration of City streets. He said none of the provisions prevent business deliveries being made on local streets, or to create a truck route that isn't already in effect. His specific concern is to remove both Hewitt and LeForge from the proposed truck routes for purposes of safety. He added there has been strong support in the area shown through signed petition.

Council Member Murdock suggested a change to the Section 102-251 to the Ordinance listing only state highways as possible truck routes. Council Member Vogt asked if Hamilton and Huron south of Michigan Avenue would be included. Mr. Murdock responded those roads are both a part of M17. Council Member Bashert asked if Spring St. would be removed. Mr. Murdock replied in the affirmative. Mr. Vogt stated if this amendment to the proposed ordinance is made Council would prohibit through truck traffic throughout the City except for state highways. Mr. Murdock responded in the affirmative.

Council Member Murdock moved, seconded by Council Member Vogt to amend the proposed ordinance to limit through truck traffic to state highways.

Council Member Richardson stated the amendment would remove Maus and Huron, LeForge and Huron, and Huron to St. Joseph's Hospital. Council Member Murdock replied streets north of Washtenaw would be removed. Ms. Richardson said truck traffic would be removed from Hewitt. Mr. Murdock responded there would be no through truck traffic on Hewitt.

On a roll call, the vote to amend Resolution No. 2016-203 was as follows:

Council Member Brown	Yes	Council Member Robb	Yes
Council Member Murdock	Yes	Mayor Edmonds	Absent
Council Member Richardson	Yes	Council Member Vogt	Yes
Council Member Bashert	Yes		

VOTE:

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

City Attorney John Barr stated there are two truck companies in the City and asked if those companies would be able to leave their facilities and enter the truck routes. Council Member Murdock responded in the affirmative.

Council Member Bashert stated she has several concerns about this ordinance. Ms. Bashert has heard about the truck traffic on Prospect from residents of Ward 3 and has read about this issue but she has heard very little in Council Chambers. Ms. Bashert said this is a problem that address on particular part of the City, which is important, but her concern is this ordinance will move this problem to another part of the City. She said all truck traffic is not addressed in this ordinance, which it can't be. If a development begins on Water Street it will increase truck traffic, which will not be on the described routes. She said because of this the result might not be what residents who have requested this ordinance want. She said this is also the only solution on the table to resolve this issue, and is disappointed that another idea has not been suggested. She said she is not certain this is entirely well thought out but it will not be seen until it is tried. Council Member Vogt asked if Council Member Bashert had a modification to the ordinance. Ms. Bashert responded no, and said the best case scenario is truck traffic will be removed from Prospect and into other parts of the

City. Mr. Vogt responded this will not eliminate much of the truck traffic because most of it is local, but he does not see this ordinance as adding truck traffic but could keep through traffic out of the City. He added he sees only positives with this ordinance. Council Member Murdock stated when Council began examining this issue Council received a great deal of correspondence from community members which were not resubmitted to Council. Ms. Bashert responded she had read some of the correspondence.

Council Member Bashert stated if a sunset clause is added to the ordinance she will be looking for how the downtown and the downtown residents will be affected, and if the problem was simply moved that would not be acceptable. She will be looking to see if the traffic is actually reduced on Prospect because it is not known what trucks are traveling that road. She said those two items will act as her benchmark when examining the success of this ordinance. She cares about how the lives are affected on Prospect but Council must be mindful of the impact on the remainder of the City. Council Member Vogt responded that aspect is not currently part of a motion. Council Member Murdock stated the current ordinance as amended has been reduced to the minimum that it can be reduced, and he does not see a purpose of adding a sunset clause.

Council Member Richardson stated the ordinance as amended would limit the truck routes to the current state highways in the City, and would remove truck traffic from Prospect except for the purpose of deliveries.

Council Member Vogt stated he does not believe a sunset clause is necessary because if the ordinance does not have the desired effect Council can cancel the ordinance.

On a roll call, the vote to approve Resolution No. 2016-203 was as follows:

Council Member Brown	Yes	Council Member Robb	Yes
Council Member Murdock	Yes	Mayor Edmonds	Absent
Council Member Richardson	Yes	Council Member Vogt	Yes
Council Member Bashert	No		

VOTE:

YES: 5 NO: 1 (Bashert) ABSENT: 1 (Edmonds) VOTE: Carried

2. Resolution No. 2016-285, approving the contract with TSP in an amount not to exceed \$179,876 for the remediation of soil along the Water Street trail.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The City has received LSRRF fund grant for the remediation of the Water Street portion of the Border to Border Trail; and

WHEREAS, The City released a bid for the remediation work and received two bids; and

WHEREAS, TSP is the lowest bidder, is a woman-owned business, and has experience working with soil removal on Water Street;

WHEREAS, The City seeks to accept the unit pricing and limit the overall contract scope to \$179,876.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council awards Water Street Remediation bid to TSP, the lowest responsible bidder, and seeks to have its Mayor and City Clerk enter into a contract to

be approved by the City Attorney for an amount not to exceed \$179,876 and allow change orders to be signed by the City Manager.

OFFERED BY: Council Member Murdock

SECONDED BY: Council Member Vogt

Economic Development Director Beth Ernat stated Council has already approved entering into a grant with Washtenaw County Brownfield Authority and this resolution is the result of the bids for this project. She said staff was disappointed in the lack of bidders however, staff is satisfied with TSP. She stated she is concerned with the budget and has asked the Brownfield Authority for additional funding in case of overage which was approved.

Council Member Murdock asked if the project duration is two weeks once it begins. Ms. Ernat responded in the affirmative. Mr. Murdock asked if the project will begin in spring. Ms. Ernat responded in the affirmative.

Council Member Richardson asked for clarification on the amounts provided. Ms. Ernat responded the bid was prepared based on quantities, and the varying amounts were based on those different quantities.

Council Member Bashert asked the difference between hazardous and contaminated soil. Ms. Ernat responded it's based on parts per million of contaminants which determines which facility can house the soil.

Council Member Murdock asked if once this is complete the Border to Border Trail can be reopened. Ms. Ernat responded in the affirmative.

On a roll call, the vote to approve Resolution No. 2016-285 was as follows:

Council Member Brown	Yes	Council Member Robb	Yes
Council Member Murdock	Yes	Mayor Edmonds	Absent
Council Member Richardson	Yes	Council Member Vogt	Yes
Council Member Bashert	Yes		

VOTE:

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

XI. LIASON REPORTS –

- A. SEMCOG Update – Council Member Richardson stated she will be providing Council handouts from SEMCOG.
- B. Washtenaw Area Transportation Study - None
- C. Urban County - None
- D. Freight House – Council Member Murdock stated the emergency lighting will be installed between Christmas and New Years and a temporary certificate of occupancy will be available at that time.
- E. Parks and Recreation – Council Member Murdock stated at the last meeting there was discussion regarding the skate park and the possibility of acquiring more equipment for Edith Hefley Park.
- F. Ypsilanti Downtown Development Authority - None
- G. Eastern Washtenaw Safety Alliance - None
- H. Police-Community Relations/Black Lives Matter Joint Task Force - None
- I. Friends of Rutherford Pool – Mayor Pro-Tem Brown stated she will be receiving an update tomorrow, December 21st.

XII. COUNCIL PROPOSED BUSINESS –

City Council Meeting Minutes
December 20, 2016

Richardson

- Asked for a copy of the permission letter sent to the residents of Bell/Kramer for testing inside homes.

Murdock

- Stated a little over a month ago Council received a communication for MDOT regarding the possibility of installing safety components. MDOT would like the City to submit a formal plan for the Huron and Cross St. intersection and asked if this is something staff would be able to push through the Transportation Committee. He asked that pedestrian crossing signs be added to all non-signal crosswalks. He would also like flexible bollards to help to reduce speeds.

Ms. Ernat will inform Department of Public Services of the request. Mr. Murdock replied it is a state highway and MDOT might be required to install speed calming devices. He said it is a dangerous intersection for both pedestrians and vehicles because of the constant traffic. His hope is MDOT will examine that intersection when it creates its modeling for road dieting. Ms. Ernat replied MDOT has informed the City it needs to complete the modeling. Mr. Murdock stated safety must be increased for people using that crosswalk.

Bashert

- Asked for the status of using sheep to cut grass at Riverside Park and the electronic fencing needed to corral the sheep.

Interim City Manager Frances McMullan responded she believes that project is currently on hold. Ms. Ernat stated the electric fence will be allowable on public property and will have a buffer snow fence between the public and electric fence.

- Stated she has received questions concerning the police stopping D'real Graham. She asked if she should inform her constituents that if a car is stolen in an area where they happen to be walking they could be stopped and frisked.

Ms. McMullan responded it is normal procedure for the police to stop individuals where a crime has occurred. She added it is not an issue of profiling. However, and further detail would need to be given by the Police Chief.

- She was the Fund Development Director for the Ruth Ellis Center in Detroit. The center provides homeless shelter services to LGBT youth. Last week she assisted in a clothing drive and the person delivering the clothing called her crying because of how needed the clothing is. She asked if anyone is interested in making donations please contact her.

Vogt

- Asked about snow removal on LeForge on the westside of Park and said as of today it still has not been removed. There is also concern about the crossing at Railroad up to Huron River, but it might be the responsibility of the railroad.
- There is also a snow clearing issue on Anna St. on the north side of Washtenaw. This become an issue a few years ago but was resolved, now the same problem is occurring.

Council Member Richardson asked where the address is located. Mr. Vogt responded by Dom's Bakery. Council Member Bashert added curb cuts at City Parks also need to be plowed they are an impediment to anyone with mobility issues. Council Member Richardson said it has been a struggle getting curb cuts installed and now have become more inaccessible as a result of the snow. Ms. McMullan responded Department of Public Services and the Ordinance Officer have been informed of the issue.

Robb

- Asked for all list of all tickets and warnings that have been issued for snow violations. There are issues with the Smith Furniture Building and the ally on Washington by Go Ice Cream. There is a process in place and there needs to be a way to make the process work.

XIV. COMMUNICATIONS FROM THE MAYOR PRO-TEM –

- She has received several complaints regarding snow removal of curb cuts.
- Stated she has also received complaints about how residents were spoken to as a result of See. Click. Fix. complaints.

XV. COMMUNICATIONS FROM THE CITY MANAGER –

- Stated the Towne Center is now receiving their mail.

XVI. COMMUNICATIONS –

Nominations:

Human Relations Commission

D'Real Graham

211 N. Washington

Exp: 12/2019 **(New Appointment)**

XVII. AUDIENCE PARTICIPATION –

1. Same Jones-Darling, residing at EMU, stated there might have been consideration done at one point regarding the Truck Route Ordinance, however, no it seems to be very one-sided. He agreed with Council Member Bashert that ordinances of this nature require studies with the assistance of MDOT. He has seen the result in other cities if the needs of all residents are not balanced when making decisions. He encouraged Council that in the future to perform more in depth studies before making decisions.

XVIII. REMARKS FROM THE MAYOR –

- Thanked Mr. Jones-Darling for his comments.

XIX. ADJOURNMENT -

Resolution No. 2016-286, 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 Richardson

SECONDED BY: Council Member Vogt



Resolution No. 2017 - 033
February 7, 2017

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>
Christopher Madigan 223 N River St. Apt 6 Ypsilanti, MI 48198	Planning Commission	Exp: 1/2020
Hank Prebys (Reappointment) 31 N. Grove Ypsilanti, MI 48198	Historic District Commission	Exp: 1/2020

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

Print**Citizen Advisory Boards and Commissions Participation Resume - Submission #214****Date Submitted: 1/18/2017**

The people of Ypsilanti are involved in their City government and are an important part of the community's achievements. Individuals interested in receiving more information in regards to serving on an advisory board or commission are invited to contact the City Clerk's Office at 734-483-1100. Alternatively, citizens who would like to participate can submit their information in the form below.

Name*

Christopher Madigan

Email Address*

cmadigan@emich.edu

Address

223 N River St. Apt 6

City

Ypsilanti

State

MI

Zip Code

48198

Phone Number*

630-947-6670

Fax Number

N/A

Number of Years in the Community

1

Ward You Live In

3

Education

Masters degree in progress

Occupation

Student

Employer

Eastern Michigan University

I would like to be considered and could devote sufficient time to serve on the following board or commission:

- | | | |
|---|--|---|
| ☐ Board of Review | ☐ Economic Development Corporation/Brownfield Redevelopment Authority | ☐ Property Maintenance Construction Board of Appeals |
| ☐ Board of Ethics | ☐ Historic District Commission | ☐ Parks and Recreation Commission |
| ☐ Civil Service Commission | ☐ Housing Commission | ☐ Ann Arbor Transit Authority |
| ☐ YCUA | ☐ Human Relations Commission | ☐ Police and Fire Pension Board |
| ☐ Ypsilanti Downtown Development Authority | ☒ Planning Commission | ☐ Sustainability Commission |

Why are you interested in serving on these boards/commissions?*

As a current urban planning student at EMU, I am excited about the opportunity to get into the nitty-gritty of city planning from a unique perspective. I have greatly enjoyed my time in Ypsilanti and would be more than grateful for the opportunity to make it a better place to live.

Work/volunteer experience related to the board or commission:

I understand that appointment to a City of Ypsilanti board or commission requires regular attendance at board meetings.

☒ Yes

I hereby certify that all of the information above is true.

☒ Yes



REQUEST FOR LEGISLATION
February 7, 2017

From: Stan Kirton, Public Works Director

Subject: Act 51 Decertification of First Court

SUMMARY & BACKGROUND:

The Parkridge Homes Development required the removal of First Court between Harriet Street and Armstrong Drive. The removal of First Court requires 607 feet to be removed from the Act 51 local street mileage certification.

RECOMMENDED ACTION: Approval

ATTACHMENTS: Resolution

CITY MANAGER APPROVAL: _____

AGENDA DATE: February 7, 2017

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2017 - 034
February 7, 2017

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti does wish to decertify First Court from the Act 51 local street mileage certification; and

WHEREAS, this decertification of First Court located between Armstrong Drive and Harriet Street for a total decertification length of 607 feet; and

Now Therefore Be It Resolved That, the City Council approves the decertification of First Court between Armstrong Drive and Harriet Street for a total of 607 feet from the Act 51 local street mileage certification.

OFFERED BY: _____

SUPPORTED BY: _____

YES:

NO:

ABSENT:

VOTE:



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

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

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

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

REQUEST FOR LEGISLATION

DATE: January 10, 2017

FROM: John M. Barr, Ypsilanti City Attorney

SUBJECT: Solicitation of Immigration Information Ordinance

SUMMARY/BACKGROUND

The attached proposed ordinance to regulate and restrict the solicitation of immigration information is modeled on a similar ordinance in the City of Detroit. It is a companion ordinance to the additions to the anti-discrimination ordinance that Council recently approved. The proposed ordinance prohibits solicitation of immigration information unless it is required by law.

RECOMMENDED ACTION:

DATE RECEIVED: _____ AGENDA ITEM NO.

CITY MANAGER COMMENTS:

FOR AGENDA OF: _____ FINANCE DIR. APPROVAL

COUNCIL ACTION TAKEN:



RESOLUTION NO. 2017-035
February 7, 2017

RESOLUTION TO ADOPT AN ORDINANCE TO ADD A NEW ARTICLE V.
TO CHAPTER 58 OF THE YPSILANTI CITY CODE, SOLICITATION OF IMMIGRATION
STATUS

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

An ordinance titled an ordinance to add a new Article V. to Chapter 58 of the Ypsilanti City Code, Solicitation of Immigration Status is hereby adopted, on second and final reading.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



**CITY OF YPSILANTI
NOTICE OF ADOPTED ORDINANCE
Ordinance No. 1281**

An ordinance to add a new Article V. to Chapter 58 of the Ypsilanti City Code, Solicitation of Immigrant Status

1. **THE CITY OF YPSILANTI HEREBY ORDAINS** That
the Ypsilanti City Code is hereby amended by adding Article V. Solicitation of Immigration Status, to Chapter 58 Human Relations, to read as follows:

Chapter 58 HUMAN RELATIONS

ARTICLE V. SOLICITATION OF IMMIGRATION STATUS

Sec.58-200- Statement of purpose.

It is the policy of the City of Ypsilanti to respect the rights of, and provide equal services to, all persons regardless of appearance, ethnicity, immigration status, manner of dress, national origin, physical characteristics, race, religious beliefs, sexual orientation, or gender identity or expression; to ensure the enforcement of rights under the United States Constitution, including due process and equal protection; to promote community safety; to encourage victims of crime and witnesses to cooperate with law enforcement authority without regard to immigration status; to prevent bias-based policing; and to promote acceptance. In order to permit members of immigrant communities to access services that are provided by the City of Ypsilanti government to which they are entitled; and to ensure that city public servants are acting consistent with federal law regarding local governments cooperating with federal immigration authorities, the City of Ypsilanti enacts this article as an effective way to guide city public servants in adhering to rights under the United States Constitution, including due process and equal protection, and under federal law, while protecting the safety and health of all members of the Ypsilanti community.

Sec.58-201- Definitions

- (a) *Public servant* means the mayor, members of the city council, the city clerk, any member of any city agency, board, commission, or other voting body that is established by the Ypsilanti City Charter or by this Code, and any appointee, any employee, or any individual who provides services to the City of Ypsilanti within or outside of its offices or facilities pursuant to a personal services contract

Sec.58-203. - Bias-based policing by public servants, who are police officers, on the basis of appearance, ethnicity, immigration status, manner of dress, national origin, physical characteristics, race, religious beliefs, sexual orientation, or gender identity or expression prohibited;

A public servant, who is a police officer, shall not exercise differential treatment of individuals in rendering police services based on a person's appearance, ethnicity, immigration status, manner of dress, national origin, physical characteristics, race, religious beliefs, or sexual orientation, or gender identity or expression. A public servant, who is a police officer, shall not base reasonable suspicion for an investigative detention, probable cause for an arrest, or any other police action, on a person's appearance, ethnicity, immigration status, manner of dress, national origin, physical characteristics, race, religious beliefs, sexual orientation, or gender identity or expression. A public servant, who is a police officer, may take into account the reported appearance, ethnicity, immigration status, manner of dress, national origin, physical characteristics, race, religious beliefs, sexual orientation, or gender identity or expression for the purpose of identifying a described individual.

Sec. 58-204. - Solicitation of immigration status by public servants, prohibited; exceptions.

(a) Prohibited

A public servant, while acting within the scope of public service employment and/or authority shall not:

- (1) solicit information concerning immigration status for the purpose of ascertaining a person's compliance with federal immigration law; or
- (2) solicit information for the purpose of determining immigration status from a person who is seeking police services, or is a victim, or is a witness; or
- (3) inquire into the immigration status of any person, or engage in activities for the purpose of ascertaining the immigration status of any person.

(b) Exceptions

Notwithstanding the prohibitions set forth in subsection (a) of this section, public servants, are expressly permitted to engage in the following activities, which shall not constitute a violation of this article:

(1)

Solicitation of information concerning immigration status when performing public safety functions while assisting federal law enforcement in the investigation of a criminal or civil offense; or

(2)

Solicitation of information concerning immigration status from the subject of an investigation only when relevant to the investigation or prosecution of a criminal offense, or when processing an arrested person; or

(3)

Solicitation of information concerning immigration status where specifically required by any federal, state, or city law or program as a condition of eligibility for the service sought; or

(4)

Solicitation of information concerning immigration status for the purpose of completing I-9 Forms, and, when relevant, in making hiring and payroll withholding decisions, including, but not limited to, completing I-9 Forms, questioning a person to complete the I-9 Form, obtaining documents that support the I-9 Form, and allowing federal authorities to audit an I-9 Form in accordance with law; or

(5)

Solicitation of information concerning immigration status for a subpoena issued in a criminal proceeding, civil litigation, or an administrative proceeding for the production of City documents or for testimony of a public servant, including where related to immigration issues or other security issues.

Sec.58-205. - Violations and penalties.

Where a public servant is alleged to have violated this article, the matter shall be referred, as appropriate, to the city council or to the department director or agency head, for review, investigation, and disposition. Any disciplinary action shall be carried out in accordance with the provisions of the Ypsilanti City Charter and other laws, city personnel rules, civil service rules, union contracts, or other departmental or agency rules and regulations.

The City Manager shall provide an annual report to City Council of all violation complaints of this ordinance and their disposition.

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

the Ordinance would have been adopted had such invalid or unconstitutional provisions not have been included in this Ordinance.

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

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

5. Copies to be available. Copies of the Ordinance are available at the office of the city clerk for inspection by, and distribution to, the public during normal office hours. A complete copy of the ordinance is also available for inspection on the City's website, www.cityofypsilanti.com.

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

MADE, PASSED AND ADOPTED BY THE YPSILANTI CITY COUNCIL THIS _____
DAY OF _____, 2017.

Andrew Hellenga, Interim City Clerk

Attest

I do hereby confirm that the above Ordinance No. ____ was published in The Washtenaw Legal News on the _____ day of _____, 2017.

Andrew Hellenga, Interim 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 _____, 2017.

Andrew Hellenga, Interim City Clerk

Notice Published: _____

First Reading: _____

Second Reading: _____

Published: _____

Effective Date: _____



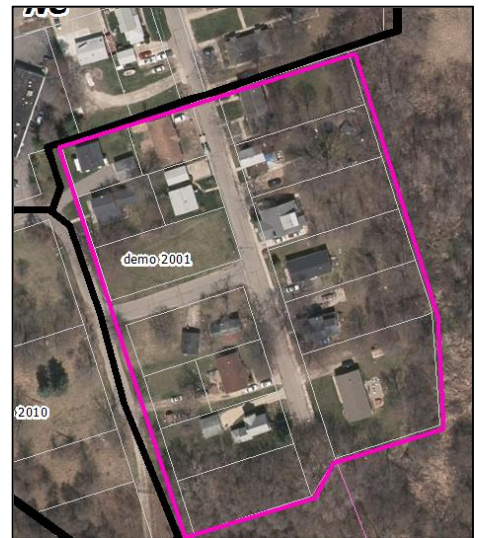
REQUEST FOR LEGISLATION

From: Bonnie Wessler, City Planner
Subject: Bell Kramer Neighborhood Rezoning

Background

In 2014 the Bell-Kramer neighborhood was rezoned industrial as part of the comprehensive, City-wide rezoning that followed the Master Plan update. This had the effect of both preventing new residential construction and making the existing residences nonconforming. The nonconformity has presented significant roadblocks to property sales, as loans on such properties generally cannot be underwritten. Residents have expressed a desire to return to residential zoning; Council has also expressed a desire to remove the nonconformity issue and thus lighten the economic burden on residents/property owners.

In November of 2016, Council directed Planning Commission to examine the possibility of changing the zoning ordinance to allow one and two-family homes in the PMD zoning district to be rebuilt in the event of a casualty.



In December 2016, Planning Commission reviewed this proposal and recommended that Council adopt it as part of the zoning ordinance.

Discussion

At this point in time, neither soil testing nor other subsurface analyses have taken place on the properties north of the former City landfill; air quality testing is taking place in some homes in the neighborhood. Testing could reveal contamination by migration from the landfill, by migration from other adjacent past and present uses, a mixture of both, or nothing at all.

A concern with zoning the properties for residential is that environmental site analyses (ESAs) are not required for the construction of single-family residences. With the current site conditions being unknown, allowing new single-family construction by-right would mislead potential builders, and possibly expose the City to liability.

Conclusion

Maintaining the industrial classification of the land to prevent new construction without ESAs and allowing the existing one- and two-family uses to be rebuilt in the case of a casualty strikes a balance between the immediate need to prevent additional development until more is known

and protecting the investments of existing residents. The Planning Commission recommends that Council proceed with this amendment to the zoning ordinance.

RECOMMENDED ACTION: Approval

ATTACHMENTS: Resolution
 Ordinance
 Memo to Planning Commission (Dec 2016)

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2017 - 036
February 7, 2017

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, the Bell-Kramer neighborhood has a residential character; and

Whereas, the current zoning of PMD does not permit existing residences to be rebuilt in the case of a casualty; and

Whereas, the amendment to the Zoning Ordinance will help to ensure that current owners of residential properties can retain value in those properties;

Now therefore be it resolved that the Ypsilanti City Council approve the amendment to Chapter 122, Article IV, Section 205 of the City's Code of Ordinances on Second and Final Reading.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



**CITY OF YPSILANTI
NOTICE OF ADOPTED ORDINANCE
Ordinance No. 1282**

An ordinance entitled, "RESIDENTIAL REBUILD IN PRODUCTION, MANUFACTURING, AND DISTRIBUTION"

An ordinance to AMEND the Zoning Ordinance of the City of Ypsilanti, Section 122-205(4), to Revise "Class B Nonconforming Uses of Buildings."

THE CITY OF YPSILANTI HEREBY ORDAINS:

- 1. THE CITY OF YPSILANTI ORDAINS** that Section 122-205(4) of the Ypsilanti City Code be amended as follows:

Sec. 122-205. Class B nonconforming uses of buildings.

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

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

- 2. Severability.** If any clause, sentence, section, paragraph, or part of this ordinance, or the application thereof to any person, firm, corporation, legal entity, or circumstances, shall be for any reason adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not effect, impair, or invalidate the remainder of this Ordinance and the application of such provision to other persons, firms, corporations, legal entities, or circumstances by such judgment shall be confined in its operation to the clause, sentence, section, paragraph, or part of this Ordinance directly involved in the case or controversy in which such judgment shall have been rendered and to the person, firm, corporation, legal entity, or circumstances then and there involved. It is hereby declared to be the legislative intent of this body that the Ordinance would have been adopted had such invalid or unconstitutional provisions not have been included in this Ordinance.
- 3. Repeal.** All other Ordinances inconsistent with the provisions of this Ordinance are, to the extent of such inconsistencies, repealed.
- 4. Saving Clause.** The balance of the Code of Ordinances, City of Ypsilanti, Michigan, except as amended, shall remain in full force and effect. The repeal provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective

date of this ordinance.

- 5. Copies to be available.** Copies of the Ordinance are available at the office of the city clerk for inspection by, and distribution to, the public during normal office hours.
- 6. Publication and Effective Date.** The City Clerk shall cause this Ordinance, or a summary of this Ordinance, to be published by printing the same in the newspaper of record. This Ordinance shall become effective after publication at the expiration of 30 days after adoption.

MADE, PASSED, AND ADOPTED BY THE YPSILANTI CITY COUNCIL THIS _____ DAY OF _____, 2016

FRANCES MCMULLAN, City Clerk

Attest

I do hereby confirm that the above Ordinance No. _____ was published in the Ypsilanti Courier on the _____ day of _____, 2016.

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 _____, 2016.

FRANCES MCMULLAN, City Clerk

Notice Published: _____
First Reading: _____
Second Reading: _____
Published: _____
Effective Date: _____



City of Ypsilanti

Community & Economic Development Department

Memo

To: Planning Commission

From: Bonnie Wessler, City Planner
Cynthia Kochanek, Associate Planner

Date: 15 December 2016

Subject: Zoning Text Amendment: PMD Nonconforming A

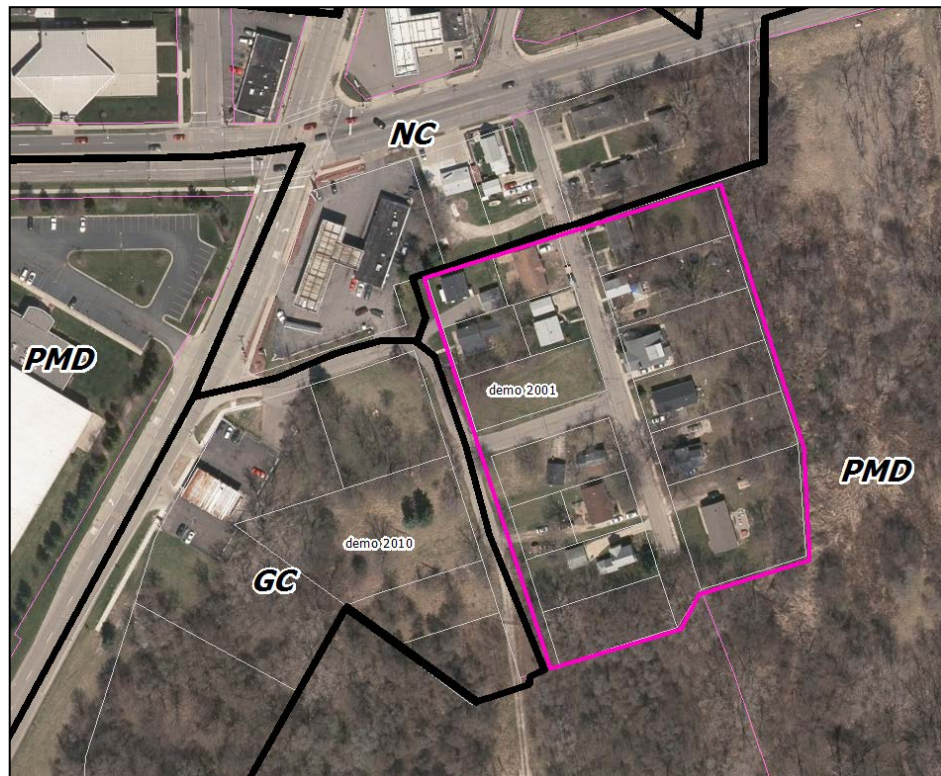
Background

In 2014, in response to new information about potential environmental contamination in the area of the former City landfill, the Bell-Kramer neighborhood was rezoned industrial as part of the comprehensive, City-wide rezoning. This halted new residential construction and made existing residences nonconforming. The nonconformity has presented significant roadblocks to property sales, as loans on such properties generally cannot be underwritten. Residents have expressed a desire to return to residential zoning; Council has also expressed a desire to remove the nonconformity issue and thus lighten the economic burden on residents/property owners.

At the November 14th City Council meeting, Council approved a resolution that directed staff to proceed with an application to rezone the residential Bell-Kramer properties to be more compatible with the current use and character of the neighborhood.

Discussion

The most recent zoning classification prior to PMD for the area was R2, One- and Two-Family Residential, and had been R2 since at least



1967. The most similar modern zoning classification is CN-Mid, which is not a good fit for the character of the neighborhood.

A concern with zoning the properties as residential is that environmental site analyses (ESAs) are not required for the construction of single-family residences. With the current site conditions being unknown, allowing new single-family construction by-right would mislead potential builders, and possibly expose the City to liability.

After discussions with Council, rezoning the area to Neighborhood Corridor was rejected in favor of rezoning all the residences in the PMD district to a special nonconforming (nonconforming A) status which would allow for the residences to be rebuilt as they were prior to a casualty.

It should be noted that the Bell-Kramer neighborhood will not be the only properties affected. This rezoning will also apply to a single family home at 311 Babbitt, just west of Marsh Plating.

Rezoning Considerations

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

- 1) *Is the rezoning consistent with the policies, guiding values and Future Land Use Map in the Master Plan, including any subarea or corridor studies?*

Yes. The Master Plan recommends that the future use of this parcel be a “district” that is dedicated to a single type of activity. While this rezoning will permit a different activity (residential that already exists in PMD), it will not allow the residential to expand. This rezoning meets the Shape Ypsilanti master plan goal of “anyone, no matter what age or income, can find a place to call home in Ypsilanti” (p 6). This rezoning preserves an existing neighborhood.

- 2) *Does the rezoning sustain the site's physical, geological, hydrological and other environmental features with the potential uses allowed in the proposed zoning district?*

Yes. This rezoning allows for the existing structures to remain but does not allow for expansion or any other new uses.

- 3) *Can the property that is proposed to be re-zoned accommodate the requirements of the proposed zoning district?*

Yes. These structures already exist on site.

- 4) *Are all of the potential uses and building types allowed in the proposed zoning district compatible with surrounding uses, buildings, and zoning in terms of land suitability, impacts on the environment, impacts on the transportation network, density, nature of use, aesthetics, infrastructure and potential influence on property values?*

Yes. This allows the current nonconforming structures to remain and/or be rebuilt.

- 5) *Is the capacity of City infrastructure and services sufficient to accommodate the uses permitted in the requested district without compromising the health, safety, sustainability and welfare of the City?*

Yes. As this preserves existing residences, current services and infrastructure will not be affected.

- 6) *Will the rezoning be detrimental to the financial stability and economic welfare of the City?*

No.

7) *Would the rezoning negatively impact the condition of any nearby parcels considering existing vacancy rates, current per-square-foot lease or sale rates, and other impacts?*

No. This rezoning should not have any impact on the existing vacancy rates and may positively impact the sale rates.

8) *Is the rezoning consistent with the trend of development in the neighborhood or surrounding area?*

Yes. The neighborhood and surrounding area has not seen any new construction since 2004, so development trends will not be affected.

9) *Was the property in question improperly zoned or classified when this Chapter was adopted or amended?*

No. The current zoning was in response to new information about potential environmental contamination in the area of the former City landfill. The Bell-Kramer neighborhood was rezoned industrial as part of the comprehensive, City-wide rezoning. This halted new residential construction.

10) *Where a rezoning is reasonable given the above criteria, is the map amendment or rezoning to the proposed zoning district more appropriate than another district or than amending the list of permitted or special land uses within a district?*

Yes. For reasons listed in the discussion area above this rezoning is the best possible solution.

Conclusion

Staff recommends that the Planning Commission recommend ***approval*** of a rezoning that grants a Special Nonconforming Use status for all residences in PMD- Production, Manufacturing, Distribution to City Council with the following findings:

1. This rezoning is consistent with the policies and guiding values in the Master Plan.
2. The properties that are proposed to be re-zoned can accommodate the requirements of the proposed zoning.
3. The rezoning is consistent with the trend of development in the neighborhood and surrounding area.
4. This rezoning is more appropriate than rezoning to another district as it allows for control of new development while permitting the single and two-family homes to be rebuilt or repaired in cases of casualty.

**PLANNING COMMISSION
MEETING MINUTES
December 21, 2016
CITY COUNCIL CHAMBER
7:00 P.M.**

I. CALL TO ORDER

The meeting was called to order at 7:04 p.m.

II. ROLL CALL

Present: H. Jugenitz, A. Bedogne, J. Talaga, M. Dunwoodie,
L. Dahl MacGregor, P. Hollifield

Absent: C. Zuellig (excused) T. Dennis (excused)

Staff: Beth Ernat, Economic Development Director
Bonnie Wessler, City Planner
Cynthia Kochanek, Associate Planner
Nan Schuette, Executive Secretary

III. APPROVAL OF MINUTES

Commissioner Bedogne moved to approve the minutes of November 16, 2016 with recommended changes by Chairperson Jugenitz on pages 1 and 2 (Support: M. Dunwoodie) and the motion carried unanimously.

IV. AUDIENCE PARTICIPATION

None

V. PRESENTATION AND PUBLIC HEARING ITEMS

1. Special Nonconforming Status - 928 Frederick

This is a request for a non-conforming status of 0.15 acres on Frederick St between First and Orchard St, one block north of Parkridge Park. The structure has frontage on the north side of Frederick St. It is a two unit structure in 1,083 sq. ft. with a front porch running the length of the house and a shed to the northwest of the house.

The structure is currently zoned R-1, Single-Family Residential and the two units are nonconforming under the current zoning ordinance. The house was built in 1926 and at that time, the property was Class "B" zoning which allowed for dwellings for one or more families. The property was zoned R-2, for one and two family residential until 2015, when the most recent zoning ordinance went into effect. After research, records indicate there have been two units since at least 1984 and that a Certificate of Compliance/Occupancy (C/O) was issued to the property as far back as 1999. The property has a C/O from the Building that is valid through January 1, 2017 and is currently scheduled for a rental re-inspection on January 5, 2017. No special use permits or variances have previously been approved for this property.

There are no proposed changes to the site, the applicant is only pursuing the special nonconforming status in order to rebuild as a duplex in the event of a casualty.

Ms. Kochanek reviewed the criteria for nonconforming uses and conditions of approval.

Staff is recommending approval for 928 Frederick with a finding and conditions.

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

Patricia Horn-McGee, 925 Frederick – directly across the street from this property – doesn't have particular problems at this time, however, if this property was to burn down, it could be rebuilt as a two family unit and it is a very small lot. She also has concerns about the use and parking is also a problem. Staff stated there had been no enforcement on this property and asked to have it checked.

Lois Richardson, 1055 Jefferson - for years she lived at 926 Frederick and during that time, there were issues with that house. It is very small and agrees right now that particular area should not be rebuilt as a duplex. The rest of the homes in that block are single family. She agrees that parking is a problem. Staff needs to re-check the use and it could create issues.

Commissioner Dahl MacGregor moved to close the public hearing (Support: A. Bedogne) and motion carried unanimously.

Chairperson Jugenitz explained to the audience that regarding the number of residents in the unit – the current use would not be different than now; that is part of code enforcement and the size of the building would have to remain the same.

Commissioner Bedogne noted that in looking at this particular lot layout, it has a longer driveway than others and could accommodate 2-3 cars.

Commissioner Bedogne moved that the Planning Commission approve the Special Nonconforming Use permit for the duplex at 928 Frederick Street with the following finding and conditions:

Finding

1. The applicant substantially complies with Sec 122-206.

Conditions

1. Applicant to maintain the property in accordance with the Ypsilanti Property Maintenance Code in regard to vegetation/weeds at the foundation and in the gutters.
2. When the exterior lights at the sides of the structure are replaced or upgraded, they need to be dark sky compliant and conform with Sec 122-641.
3. If the structure needs to be rebuilt, the yard setbacks cannot be more con-conforming than what is currently on the site.
4. Secure/store the windows that are at the rear of the property.
5. Applicant to create a dedicated, enclosed storage area for the garbage receptacles.
6. The rental Certificate of Compliance & Occupancy must be successfully renewed within 3 months of this approval and maintained as prescribed by law as long as the structure is utilized as a rental/duplex.

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

2. Special Nonconforming Status - 914 N. Congress

Parcel 11-11-40-432-020 is 0.19 acres on Congress St between Elm and Summit Streets in the Normal Park area of the city. The structure has frontage on the north side of Congress St. The structure contains five units in 2,845 square feet with a wrap-around porch at the southeast corner of the house. There is a ~457 square foot, two car garage at the northwest corner of the parcel.

Currently zoned R-1, Single-Family Residential, the five units are nonconforming under the current zoning ordinance. The house was built in the late 1800s, at that time there was no zoning ordinance in effect for the City. When the first zoning ordinance went into effect for the City in 1925, the property was zoned Class A, which allows for one and two family residences. Research into the property history indicates that by 1922 there were at least two different last names listed in directories for this property. The property was already divided into five apartments by 1945 with permits granted from the building department in 1954 for work on a rental unit. In 1988, the planning department sent a letter to the owner of the property that recognized it "as a non-conforming use of six apartments." A file note from the building department states that there are currently 5 units, the basement unit was abandoned in 2000. No special use permits or variances have previously been approved for this property. The property has a Certificate of Compliance & Occupancy from the building department that is valid through March 1, 2018.

There are no proposed changes to the site, the applicant is only pursuing the special nonconforming status in order to rebuild as 5 units in the event of a casualty.

Ms. Kochanek added that there had been one enforcement issues on the property, which had been resolved. A low fence was recently added but could be moved to block the receptacles

from the view on Congress Street. Staff is recommending approval to the Planning Commission for this request with one finding and conditions.

Chairperson Jugenitz asked if it had been confirmed that a shower had been added to the efficiency apartment. Beth Ernat, Economic Development Director responded that she had not been able to confirm this at this point and asked the applicant to supply this information.

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

Michael Gelletly, representing his daughter Christine Gelletly, who is out of the country at the present time. Stated that his only question is regarding the fence by the trash can – that fence is there because of raccoons – no problem screening front from view and asked if they could wait until spring to add it. The efficiency apartment does have a shower – hand sink is to be added.

Commissioner Dunwoodie moved to close the public portion of the hearing (Support: J. Talaga) and the motion carried unanimously.

Commissioner Dahl MacGregor moved that the Planning Commission approve the Special Nonconforming Use permit for the five unit multi-family use at 914 N. Congress St with the following finding and conditions:

Finding

1. The applicant substantially complies with Sec 122-206

Conditions

1. When the exterior lights at the rear are replaced or upgraded, they need to be replaced with fixtures that are dark sky compliant and conform to Sec 122-641.
2. The fence needs to be moved to the front of the garbage receptacle area to block the receptacles from view on Congress Street.
3. If the structure needs to be rebuilt, it cannot be more con-confirming in regards to the yard setbacks.
4. The rental Certificate of Compliance & Occupancy must be successfully renewed as prescribed by law and maintained as long as the structure is utilized as a rental property.

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

3. Special Nonconforming Status – 953 Sheridan

Parcel 11-11-40-137-004 is 0.16 acres on Sheridan St between Oakwood and Elm Streets in the Normal Park area of the city. The structure has frontage on the south side of Sheridan St. The structure contains two units in 1,512 square feet with an enclosed porch running the length of the front of the house. There are two accessory structures on the site. The one just to the southwest of the house is a 225 square foot, 1 ½ car garage and the other at the rear of the

property is a 2 ½ car garage in 452 square feet that is accessed by the public alley at the rear of the property.

Currently zoned R-1, Single-Family Residential, the two units are nonconforming under the current zoning ordinance. The house was built in 1932, at that time the property was Class “B” zoning which allowed for dwellings for one or more families. In 1975, the zoning for the property changed to R-1, Single Family Residential. It is unclear as to exactly when the property was converted to a duplex however it became part of the rental certification program for one and two-family units when the program started in 1997. No special use permits or variances have previously been approved for the property. The property has a Certificate of Compliance & Occupancy from the building department that is valid through September 1, 2017.

There are no proposed changes to the site, the applicant is only pursuing the special nonconforming status in order to rebuild as a duplex in the event of a casualty.

Ms. Kochanek reviewed the criteria and conditions for a nonconforming use. The property in question has been used as a duplex prior to the 1 and 2-family rental certification program 20 years ago. There are several other duplexes in the area and the proximity to EMU means that there are many multi-units in the area and there are no enforcement issues on the record. She added that staff is recommending approval with a finding and conditions.

Commissioner Bedogne asked about garbage cans and Ms. Kochanek responded that there is one garbage can on the west side but that it should be moved and hidden from view.

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

Since there were no public comments, Commissioner Dunwoodie moved to close the public portion of the hearing (Support: A. Bedogne) and the motion carried unanimously.

Commissioner Talaga moved that the Planning Commission approve the Special Nonconforming Use permit for the duplex at 928 Sheridan Street with the following finding and conditions:

Finding

1. The application substantially complies with Sec 122-206.

Conditions

1. When the exterior lights on the structure are replaced or upgraded, they need to be dark sky compliant and conform with Sec 122-641.
2. If the structure needs to be rebuilt, the yard setbacks cannot be more non-conforming than what is currently on the site.
3. Applicant to create a dedicated, enclosed storage area for the garbage receptacles or store them in either accessory structure on site.
4. The rental Certificate of Compliance & Occupancy must be successfully renewed as prescribed by law and maintained as long as the structure is utilized as rental/duplex.

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

4. Zoning Text Amendment – PMD Production, Manufacturing and Distribution

B. Wessler, City Planner, gave some background information on the Bell and Kramer neighborhood. She stated that it is located SE of the intersection of Huron/Spring, one of the oldest neighborhoods in the city. To the west are two former gas stations and on the northwest is another former gas station. To the south is the former city landfill and there are parcels 4 other parcels owned by the city. The landfill was used from 1949 – 1967 for the city. There was a Phase I and Phase II report done in 2013 for the landfill due to the interest in installing a solar array. Phase I and II studies are done to determine if and how a site might be contaminated, usually prior to a sale or construction.

Ms. Wessler listed the various meetings and notifications that were done to communicate the proposed zoning for the city for the update of the city Master Plan – approximately 1600 letters were mailed to notify residents of meetings, although they were mailed first-class, and not registered mail. In 2014, in response to new information about the potential environmental contamination in the area of the former landfill, the Bell-Kramer neighborhood was rezoned industrial as part of the comprehensive, City-wide rezoning. This halted new residential construction and made existing residences nonconforming. This nonconformity has presented significant roadblocks to property sales, as loans on such properties generally cannot be underwritten. Residents have expressed a desire to return to residential zoning. City Council has also expressed a desire to remove the nonconformity issue to lighten the economic burden on residents/property owners, but is not interested in permitting new residential construction.

The most recent zoning classification prior to PMD for the area was R2, One and Two family residential, and had been R2 since at least 1967. The most similar modern zoning classification is CN-Mid, which is not a good fit for the character of the neighborhood.

After discussions with Council, rezoning the area to Neighborhood Corridor was rejected in favor of adding a clause to the nonconformities section of the ordinance that would allow one- and two-family residences to be rebuilt in case of a casualty. It should be noted that the Bell-Kramer neighborhood will not be the only properties affected; it will also be applied to a single family home at 311 Babbitt, west of Marsh Plating.

Ms. Wessler reviewed the various rezoning considerations.

City Council has recently directed staff by resolution to apply to the Planning Commission to amend the text of the zoning ordinance to allow single and two family homes to be built in the event of a fire.

Commissioner Hollifield asked if the houses that were already knocked down can they be rebuilt on these lots. Ms. Wessler responded that they could not.

Chairperson Jugenitz asked for an update on the next step of the environmental review and what we can expect and Ms. Ernat responded that the city is planning to install air quality monitoring points to the homes which analyze vapor and check air quality. Chairperson

Jugenitz asked about the time frame for that and Ms. Ernat responded we are hoping for the second week in January – takes approximately 30 days to analyze and release results at a city council meeting and possibly a follow-up meeting with residents.

Ms. Ernat added that the biggest concern is right now there is nothing to prohibit a sale but mortgage underwriters want to know that properties can be re-built. What we are bringing to the commission this evening is to allow these homes to be rebuilt, so that they can be underwritten. However, there is no statute that allows us to do environmental testing before a single-family residence can be rebuilt; we can only require a Phase I and II on commercial properties. Since we can't require these environmental assessments for single-family homes, and we have reason to suspect some sort of contamination, but don't know for sure whether there is or not, we would be remiss to allow new single-family construction.

Commissioner Bedogne asked which properties along Spring Street are zoned PMD. Ms Wessler replied that there are none; those properties on Spring are zoned NC.

Commissioner Bedogne confirmed that new single family residential could not be built under PMD; however, a rebuild could be done in PMD.

Commissioner Dahl MacGregor moved to open the public portion of the hearing (Support: M. Dunwoodie) and the motion carried unanimously.

Lee Tooson, 107 Middle Drive – stated that this situation reminded him of Water Street. It is his opinion that the residents of the Bell/Kramer are owed restitution for contaminants that were known by the city for many years. He gave background information on the history of the neighborhood when there had been a fire in the area and it was checked at that time for contaminants. There were all kinds of contaminants thrown in the dump at the landfill.

Erin Snyder, 129 Bell – does have a tenant at this time. She has owned the property since 2004 and is unable to sell because of the contamination. She was never been informed that she was living next to an adjacent landfill. It is her opinion that this should be zoned residential in the future. Everyone's property is worth zero. This text amendment would allow people to have value in their real estate again. Glad the city is doing something about the contamination. She hopes that we get back to residential zoning if no contamination is found.

Michael Simmons – 128 Bell – his parents lived on that street for over 40 years. This landfill has always been under discussion. The city has never taken responsibility for the landfill. He is glad of necessary steps being taken to ensure residents living in a safe and healthy environment. He learned of the contaminants from the newspaper and residents relocated. He agrees with the text amendment since it protects the property right now.

Cherissa LaMarr, 123 Bell – stated her parents have lived in the area since the 1960's. They are hardworking taxpayers. She wants PMD zoning taken out and removed completely and wants the city to clean the lot. She built her house in 2004 and should have sovereign control of her property. City has failed to protect residents.

Mr. Johnson, 132 Bell Street – people have health problems from the landfill.

Lee Tooson, 107 Middle – contaminants affected animals in that area.

Dan Carlson – renter – 129 Bell – was completely ignorant of the problems when he rented and moved in. Doesn't understand why the owner should not have correct R2 zoning.

Lois Richardson, 1055 Jefferson – Council Member for Ward 1. This particular area is in her ward. She is asking the commission to put their selves in the same situation. – what could happen to one person could happen anyone. She is asking to make these people whole and put yourself in their position.

Lee Tooson, 107 Middle – gave some final comments.

Commissioners had questions for staff regarding various zoning, to which Ms. Wessler responded explaining the various code requirements regarding the various types of areas where the use might require environmental assessment. PMD would prevent new single family being built in the Bell/Kramer area. The text amendment would not allow expansion of the footprint of the existing building.

Chairperson Jugenitz stated for those in attendance that the proposal that is currently on the table is, that for the time being, residences can stay where they are, be rebuilt as they are in their current footprint, and sheds, garages could also be built on that property as long as they were not used for human beings.

Chairperson Jugenitz summarized her thoughts by stating that her own priorities on making this decision on how to proceed includes the health and wellbeing of residents on Bell/Kramer and future residents; protecting the economic interest to ensure their homes continue to have value and maintain the integrity of the neighborhood. The proposal on the table succeeds in a number of ways, although she is not sure it is a long term solution, but it is a solution based on the information we have right now. She would be reluctant to have new people come in and build new homes, and the proposal on the table does that. She is open to revisiting the zoning in the future once we have a firmer grasp of the situation on contamination.

Commissioner Bedogne stated that what he has heard tonight is that this is a core neighborhood with a long history. He does not feel he can support this since he doesn't like changing text in an ordinance to accommodate a current situation. We designed these districts a few years ago and we never discussed having residential in a commercial zone when we were re-doing the Master Plan and possibly this was a mistake at the time. We never discussed having residential in an industrial zone. He would like it rezoned in a creative way that fixes all the problems and changing the text is not a good idea. We could delay the process – but doing wrong way to do it the quick way is not the right answer.

Chairperson Jugenitz asked how staff arrived at the proposal, which Ms. Wessler explained in detail on the various options they explored, including rezoning to NC, a rezoning to residential with a moratorium on new construction, developing a new zoning district, and other options. Commissioner Jugenitz spoke about the rezoning process of 2014.

Commissioner Dunwoodie stated that based on the history of the area, it might be more appropriate to think about this as industrial zoning on a residential neighborhood, not as

residences that happen to be in an industrial zone. He asked staff about the possibility of rezoning the area to NC, and exploring a “Nonconforming A” status designation for the duplex in the neighborhood. Ms. Wessler said that duplexes in NC would not be eligible for Nonconforming A, and that there would have to be a number of other changes in the ordinance to accommodate this and prevent new builds.

Commissioner Hollifield has issues with building with contaminants in the ground. The more he looks at this, the more it makes sense. It is one way for us to right a wrong; these people are being punished through no fault of their own. He is still in support of this – going in a positive direction.

Commissioner Dahl MacGregor doesn’t feel there isn’t any way to ensure follow-up on this and we should come up with a temporary solution until we have more information. This would start things moving in the right direction but she would like to have some accountability included that we are definitely going to look at this when we have more information. Ms. Wessler responded that we could re-visit the Master Plan, which the Planning Commission has the authority to do. Commissioner Dahl MacGregor added that this could be added as a finding.

Staff had further discussion prior to a motion on some of their concerns agreeing that we should incorporate some language that the Planning Commission work with staff to ensure a safe community, re-visit the Master Plan, and ensure notification to all residents in the Bell and Kramer neighborhood.

Commissioner Dunwoodie moved that the Planning Commission recommend approval of a rezoning that grants a Special Nonconforming Use status for all residences in PMD - Production, Manufacturing, Distribution, to City Council with the following findings:

1. This rezoning is consistent with the policies and guiding values in the Master Plan.
2. The properties that are proposed to be re-zoned can accommodate the requirements of the proposed zoning.
3. This rezoning more appropriate than rezoning to another district as it allows for control of new development while permitting the single and two-family homes to be rebuilt or repaired in cases of casualty.

The motion was supported by Commissioner Hollifield. A roll call vote was taken with a vote of 5:1. Commissioner Bedogne opposed.

Commissioner Dahl MacGregor moved that the Planning Commission direct staff to propose a workplan to create a sub-area plan for Bell/Kramer within 180 days (Support: A. Bedogne) and carried unanimously.

5. Zoning Text Amendments – Citywide

Ms. Wessler presented her staff report and reviewed proposed changes, which had been submitted for review by Giffels-Webster, a planning firm retained by the MEDC on behalf of the City, due to our standing as a Redevelopment Ready Community.

This review noted several areas of improvement. Many proposed changes were either stylistic or easily resolved; others, such as RLUIPA issues, require feedback. Our practice, more or less has been to equate religious uses with schools and private assembly. Giffels-Webster noted that oftentimes, they are tied to schools and/or theaters and/or catering.

See the staff report dated December 16, 2016 included in the Planning Commission packet dated December 21, 2016 on the city website.

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

Since there were no comments, Commissioner Talaga moved to close the public portion of the hearing (Support: L. Dahl MacGregor) and the motion carried unanimously.

Commissioner Bedogne moved to recommend to City Council to accept the proposed changes as recommend by staff (Support: P. Hollifield) and the motion carried unanimously.

VI. NEW BUSINESS

None

VII. OLD BUSINESS

None

VIII. FUTURE BUSINESS DISCUSSION/UPDATES

Ms. Wessler stated that two applications have been received for the January meeting.

IX. COMMITTEE REPORTS

1. Non-motorized Advisory Committee – December minutes

X. ADJOURNMENT

Since there was no further business, Commissioner Hollifield moved to adjourn the meeting (Support: M. Dunwoodie) and the motion carried unanimously. The meeting adjourned at 9:30 p.m.



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

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

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

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

REQUEST FOR LEGISLATION

DATE: January 26, 2017

FROM: John M. Barr, Ypsilanti City Attorney

SUBJECT: Bell and Kramer neighborhood

SUMMARY/BACKGROUND

The Bell and Kramer neighborhood is a distressed area because of the proximity of a former city land fill and a more recent gasoline leak from underground tanks from property on Huron Street.

The Planning Commission and staff have been working on the problem. The Planning Commission recently recommended a zoning change to allow a special non-conforming designation to properties in the area and also directed staff to prepare a "sub-area" plan for the Bell/Kramer area within 180 days.

Several Planning Commission members suggested that staff continue to monitor the situation and bring the matter back to the planning commission upon additional information.

City Council approved the proposed change to the zoning ordinance on first reading. Councilmember Richardson requested that the legislation also require that the matter go back to the Planning Commission if the results of testing show no contamination.

After review of the matter, including review of the Planning Commission minutes of the meeting of December 21, 2016, I recommend that the matter be in two resolutions. One, to decide on the second reading of the motion to approve the change in the zoning ordinance, and the second to require staff to send the matter back to the Planning Commission in the event new information, such as if no contamination becomes available.

RECOMMENDED ACTION: Review and adoption of proposed resolution.



DATE RECEIVED:_____ AGENDA ITEM NO.

CITY MANAGER COMMENTS:

FOR AGENDA OF:_____ FINANCE DIR. APPROVAL

COUNCIL ACTION TAKEN:



RESOLUTION NO. 2017- 037
February 7, 2017

RESOLUTION TO REFER MATTER TO PLANNING COMMISSION UPON
NEW INFORMATION

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

Whereas the Bell-Kramer area of the City of Ypsilanti has experienced the impact of outside circumstances, including the former city land fill and gasoline leaks from underground tanks in the Huron Street area, and

Whereas the zoning ordinance was recently changed to allow for certain non-conforming uses in the area, and

Whereas the Planning Commission can consider new information in making recommendations,

NOW THEREFORE, it is resolved that City staff is directed to bring the matter back to the Planning Commission in the event of discovery of new information, by testing or other means, for further consideration and action.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



REQUEST FOR LEGISLATION
February 7, 2017

To: Mayor and Council

From: Beth Ernat, Director of Community and Economic Development

Subject: Capital Improvement Plan Amendment

SUMMARY & BACKGROUND: The 2015 Capital Improvement Plan (CIP) is a multi-year planning instrument used to identify needs and financing sources for public infrastructure. A CIP facilitates coordinated infrastructure improvements; maintains, preserves, and protects the City's existing infrastructure system and capital assets; and provides for the acquisition or scheduled replacement of equipment to ensure the efficient delivery of services to the community. Capital projects and improvements are major non-recurring tangible assets and projects that are greater or equal to \$10,000. They include equipment and vehicles, roads, bridges, buildings, underground utilities, storm water systems, parklands, parking facilities, and natural areas. The CIP plans for large, physical improvements or purchases that are permanent in nature. The CIP plays an important role by providing the link between planning and budgeting for capital expenditures to ensure that capital improvements are fiscally sound and consistent with City long-range goals and objectives.

The CIP is a living document that should be included in the annual fiscal review. The CIP plan and evaluation system was approved in 2015. The original document did not include roads, parks, and non-motorized plans. Council directed a sub-committee to review current and projected road projects and to create a spreadsheet for inclusion in the CIP.

The CIP is a statement of policy put forth by Council and not a document of compliance. This document allows for staff to seek grant and funding sources matching projects available. Additionally the document is required for consideration by many funding sources. Having and maintaining a CIP is a requirement of our Redevelopment Ready Community status through MEDC.

The road funding spreadsheet will become Appendix A to the 2015 Capital Improvement Plan if approved by Council.

RECOMMENDED ACTION: Staff recommends approval of the Road Funding spreadsheet to be included as Appendix A to the 2015 Capital Improvement Plan.

ATTACHMENTS: Appendix A – Road Funding
 Resolution approving road funding spreadsheet

CITY MANAGER APPROVAL: _____

COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2017 - 038
February 7, 2017

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the Charter of the city of Ypsilanti requires that Council adopt a Capital Improvements program on an annual basis; and

WHEREAS, the Planning Enabling Act requires that Council adopt a Capital Improvements program on an annual basis; and

WHEREAS, the Redevelopment Ready Certification from the MEDC requires that Council adopt a Capital Improvements program on an annual basis; and

WHEREAS, the 2015 Capital Improvement Plan did not include road funding; and

WHEREAS, the Appendix A includes projections for road projects, parks improvements, and nonmotorized enhancements.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council amend the 2015 Capital Improvement Plan with Appendix A Road Funding.

OFFERED BY: _____

SUPPORTED BY: _____

YES:

NO:

ABSENT:

VOTE:

City of Ipswich Capital Transportation Project
Scoring

Updated 11/17/2016

Name: _____

Top 3 Most Desirable Projects (Regardless of Rating)

1
2
3

PLAN

APPENDIX A - Road Funding

Project	Begin	End	PASER	Ward	Description	Notes	Safety ImprovementsMultiple JurisdictionCapacity ImprovementsCoordination with other ProjectsOutside FundingMaster Plan ObjectiveNon-Motorized Plan ObjectiveAsset Management Principles								Total Score
Candy Cane	north	South	n/a	2	Park - Pathway Accessibility and parking	Interior to park	0	0	0	0	0	0	2	0	2
Ainsley	Cornell	800' west	5	2	Sidewalk south sides 800'	ainsley is dead-	1	1	1	0	0	0	1	0	4
Anna	Cross	Washtenaw	5	2	Sidewalk, 700' west side	550'	1	0	1	1	0	1	2	0	6
Ballard	Michigan	Washtenaw	3	1	Federal Eligible Road, Reconstruct - Complete Streets Analysis		2	0	2	0	0	2	2	1	9
Ballard	Washtenaw	Forest	3	3	Federal Eligible Road, Reconstruct - Complete Streets Analysis		2	0	2	0	0	2	2	1	9
Bellvue	Whittier	Collegewood	5	2	Sidewalk, 800' west side	Adjacent to EMU President's house	0	0	0	0	0	1	1	0	2
Bellvue	Whittier	Washtenaw	5	2	Sidewalk 300' E side		2	1	2	0	0	2	3	0	10
Brooks Street	Watling	Jefferson	4	1	Sidewalk, 400'	closer to 600'	1	0	1	0	0	1	1	0	4
Casler	Spring	Huron	4	1	Sidewalk, 1000' both sides	ROW constraints	2	0	2	0	0	1	1	0	6
Catherine	Spring	Hamilton	4	1	Bike lane	park access	3	0	3	1	0	1	3	0	11
Catherine	Spring	Hamilton	4	1	Sidewalk, both sides	north side- grade challenges. Park	3	0	3	0	0	3	3	0	12
Chidester	Spring	Catherine	5	1	Sidewalk, 1500' both sides	900' west side; 325' east	2	0	2	0	0	3	2	0	9
Collegewood	Bellevue	west end	6	2	Sidewalk , 200' both sides	300' N side only - serves 2 houses	0	0	0	0	0	1	1	0	2
Congress	Wallace	N Congress	2	2	Sidewalk , 500' north side	(400', ROW issues. could be part of the congress "major road reconstruct	2	0	2	1	0	1	1	0	7
Congress (N)	Congress	Michigan Ave	3	1,2	Federal Eligible Road, Reconstruct - Complete Streets Analysis		2	0	2	0	1	1	2	2	10
Congress	Mansfield	split/N Congress	3	2	Major Road, Reconstruct - Complete Streets Analysis		3	1	2	1	1	1	2	2	13
Cornell	Mayhew	Huron River Drive	2	2	Federal Eligible Road, Reconstruct - Complete Streets Analysis	b2b	3	2	2	2	3	2	3	2	19
Cornell	Washtenaw	Mayhew	3	2	Federal Eligible Road, Reconstruct - Complete Streets Analysis		3	1	3	3	1	2	3	2	18
Courtland Street	Washtenaw	Cross	6	2	Sidewalk, both sides 600'	more like 1600'	2	1	2	1	0	2	3	0	11
Cross (W)	Normal	Washtenaw	3	3	Bike Lane Connections		3	2	1	1	2	3	3	1	16
Cross (E)	Prospect	east limit	3	3	Federal Eligible Road, Reconstruct - Complete Streets Analysis		2	0	2	1	0	2	3	2	12

could do just one side

could do just one side

could do just one side

Cross (E) bridge rehab	@ Huron River			3	Bridge Rehab		2	2	2	3	3	2	2	3	19	plz also complete streets this-
Cross (W)	N Mansfield	Elbridge	2	2	Federal Eligible Road, Reconstruct - Complete Streets Analysis		2	0	2	2	1	2	2	3	14	
Cross (W)	Courtland/City Li	Mansfield	3	2	Federal Eligible Road, Reconstruct - Complete Streets Analysis	schools complex; sidewalk links N side; Ytown	3	3	3	1	2	3	3	2	20	
Douglas Street	Washtenaw	Cross	6	2	sidewalk, both sides 600'	700' x2 (connex washtenaw to cross/schools)	2	1	2	0	0	2	3	0	10	could do just one side
Emerick	Ecorse		2	1	sidewalk, 600' north both sides	?? Emerick btw tyler and ecorse all good. Emerick N of Ecorse- only 500', severe ROW limitations, would serve 2	0	0	0	0	0	0	1	0	1	
Spring/Factory	Huron	Grove	3	1	Federal Eligible Road, Reconstruct - Complete Streets Analysis		3	1	3	2	2	2	3	1	17	
First Ave	Harriet	Watling	3	1	Federal Eligible Road, Reconstruct - Complete Streets Analysis		2	0	0	0	0	2	2	1	7	
Forest Street Bridge Rehab	@ Huron River				Bridge rehab		3	1	1	1	3	2	2	3	16	
Grove	Spring	Prospect	4	1	Sidewalk, east side 750'	more like 600'	2	0	2	0	0	2	2	0	8	
Hamilton (N)	Washtenaw	Cross	3	3	Major Road, Reconstruct - Complete Streets Analysis		3	2	2	1	1	2	2	2	15	
Hamilton (S)	Harriet	I-94	4	1	Sidewalk, 1000' both sides	850 to "monroe", e side only, potential tie-in w	3	3	3	3	3	3	3	0	21	
Huron (S)	Harriet	I-94	4	1	Sidewalk, 1000' both sides	700' to monroe w side; 400' e side; potential tie-in w	3	3	3	3	3	3	3	0	21	
Hamilton/Huron/Washtenaw road diet				1, 2, 3	Preliminary Engineering / Study		3	3	3	3	3	3	3	0	21	
Harriet	First	Huron	3	1	Federal Eligible Road, Reconstruct - Complete Streets Analysis		3	1	3	1	1	3	2	2	16	
Huron	Huron River Dr	Cross	2	3	Federal Eligible Road, Reconstruct - Complete Streets Analysis		3	0	3	3	1	2	3	3	18	
Huron River Drive	Cornell	Forest	2	2,3	Federal Eligible Road, Reconstruct - Complete Streets Analysis		3	2	3	2	1	2	2	3	18	
Leforge	Huron	Railroad St	2	2,3	Federal Eligible Road, Reconstruct - Complete Streets Analysis		3	1	3	2	1	2	3	3	18	
Leforge	Woburn Dr	Villa Dr	2	2	Federal Eligible Road, Reconstruct - Complete Streets Analysis		2	2	2	1	1	2	3	3	16	
Mansfield (S)	Michigan Ave	South	6	2	Sidewalk (1800' both sides)	more like 3800x1.5: there are parts we can skip with good crossings. No idea where 1800	1	0	2	1	0	2	3	0	9	
Mansfield (N)	Cross	Collegewood	5	2	Major Road, Reconstruct - Complete Streets Analysis		1	1	1	1	1	2	3	1	11	
Marion Street	Washtenaw	Cross	6	2	Sidewalk, both sides 600'	775x2 (connex washtenaw to cross/schools)	2	1	2	1	0	2	2	0	10	could do just one side
Martin Place	Prospect	Miles	5	3	Sidewalk, both sides 1200'	1100 s side; 1000 n side	2	0	2	0	0	2	3	0	9	could do just one side
Maus/Factory	Grove	Emerick	3	1	Federal Eligible Road, Reconstruct - Complete Streets Analysis		1	1	2	1	0	2	2	3	12	
Michigan Ave (W)	N Congress	N Hamilton	2	1	Federal Eligible Road, Reconstruct - Complete Streets Analysis		2	1	1	1	1	2	2	3	13	
Michigan Ave (W)	First	300' east		1	Sidewalk, 300' south side		2	0	2	1	2	2	2	1	12	
Non-Motorized Improvements (annual; includes ADA)				1,2,3	Citywide	this is a roll-up figure/placeholde										(budgeting tool; meets legal ol

Norris St	West Curve	River	6	3	sidewalk, both sides 600'	510 S, 475 N; ROW constraints	1	0	3	1	0	1	2	0	8	
Oak	Charles St tot lot			3	Sidewalk, 400'	?? S side of Oak @ Prospect Park to Charles; 575'	1	0	1	1	0	2	2	0	7	more of a "next time we do so could do just one side
Owendale	Congress	Sherman	6	2	Sidewalk, 800' both sides	800 x2	2	0	2	0	0	2	2	0	8	
Photo - River west to end both sides	River	W. Dead End	4	3		ROW constraints, serves 4	1	0	2	0	0	2	2	1	8	
Washtenaw (Relmagine)	Corridor			3	Sidewalks - ACQUISITION & CONSTRUCTION	*step 1: identify priority areas	3	3	3	3	1	3	3	0	19	
Washtenaw (Relmagine)	Corridor			3	Sidewalks - ENGINEERING		3	3	3	2	1	3	3	0	18	
Rice St	Forest	Cross	5	3	Sidewalk & bike accommodations both sides	mystery water/sewer	3	0	2	1	1	3	3	1	14	
River (N)	Michigan	Cross	5	3	Federal Eligible Road, Reconstruct - Complete Streets Analysis		2	0	1	1	1	2	2	2	11	
River (N)	Cross	Forest	2	3	Federal Eligible Road, Reconstruct - Complete Streets Analysis		2	1	2	1	1	1	2	3	13	
St Johns	Lowell	Jenness	5	3	Sidewalk, 400' both sides	250x2. topography	3	0	2	0	0	2	2	0	9	
N Summit	Michigan	Cross	3	1,2,3	Federal Eligible Road, Reconstruct - Complete Streets Analysis		2	0	1	0	1	1	1	3	9	
Train Platform				3	Train platform to accommodate train service		2	3	3	2	3	3	3	0	19	
Train Platform - Parking and Road Improvements				3	Parking and road improvments associated with the train platform		1	0	3	1	3	3	3	0	14	
Traffic Calming Projects (annual)				1,2,3		this is another roll-up; it's (currently) \$50k/year for										budgeting; no "traffic calming"
Trees in ROW - install/maintain				1,2,3			1	0	0	3	3	3	2	0	12	budgeting
Urgent Road Repairs					Priority segments to be identified each Spring											budgeting
Virginia Place	Charles	Osband	6	3	Sidewalk, 1400' both sides	400 x2	1	0	1	1	0	2	2	0	7	could do just one side
Wallace	N Congress	S Congress			Sidewalk, 150' east side		1	0	2	0	0	2	2	0	7	
Warner	Michigan Ave	Dead end	4	2	Sidewalk, West side	1000', dead end is into Rec park	1	0	1	1	0	2	2	0	7	
Washtenaw	Hamilton	Huron	3	3	Federal Eligible Road, Reconstruct - Complete Streets Analysis		1	0	1	0	1	2	2	2	9	
Washtenaw	Bellevue	Berkley		2	Sidewalk, 1000', north side	Relmagine Washtenaw;	2	2	3	2	2	3	3	0	17	south side seems more doable
Washtenaw	200' west of cour	Courtland		2	Sidewalk, 200', north side	Relmagine Washtenaw;	2	2	3	2	2	3	3	0	17	
Washtenaw	Courtland	Mansfield		2	Sidewalk, 1700', north side	Relmagine Washtenaw;	2	2	3	2	2	3	3	0	17	
Washtenaw	Mansfield	300' east of mansfield		2	Sidewalk, 300', north side	Relmagine Washtenaw;	2	2	3	2	2	3	3	0	17	
Washtenaw	150' west of Cour	Courtland		2	Sidewalk, 150', south side	Relmagine Washtenaw;	3	2	3	2	2	3	3	0	18	
Washtenaw	Courtland	Marion		2	Sidewalk, 300', south side	Relmagine Washtenaw;	3	2	3	2	2	3	3	0	18	
Washtenaw	Marion	Douglas		2	Sidewalk, 300', south side	Relmagine Washtenaw;	3	2	3	2	2	3	3	0	18	
Washtenaw	Douglas	Mansfield		2	Sidewalk, 300', south side	Relmagine Washtenaw;	3	2	3	2	2	3	3	0	18	
Washtenaw	Mansfield	Owendale		2	Sidewalk, 250', south side	Relmagine Washtenaw;	3	2	3	2	2	3	3	0	18	
Washtenaw	Cornell	Anna		2	Sidewalk, 350', south side	Relmagine Washtenaw;	3	2	3	2	2	3	3	0	18	

[illegible]



Resolution No. 2017 - 039
February 7, 2017

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, the City Charter requires that each year in February, City Council provides the City Manager, by resolution the budget priorities for the next fiscal year.

NOW THEREFORE BE IT RESOLVED, in accordance with Section 5.02 of the City Charter, the following direction is hereby given:

That the City Manager shall present City Council with a balanced Resources Allocation Plan for Fiscal Year 2017-2018 using the City's organizational values and the following goals and priorities:

CITY COUNCIL GOALS:

1.

2.

3.

4.

5.

OFFERED BY: _____

SUPPORTED BY: _____

YES:

NO:

ABSENT:

VOTE:

City Council 2017-18 Goals/Priorities:

Mayor Edmonds:

Maximize community and economic development by leveraging community assets and partnerships

- Prioritize Water Street clean up and development
- Seek funding and move forward on bringing train to Depot Town
- Support place-making initiatives throughout commercial districts
- Leverage partnerships for continued support of parks and recreation, including river

Continue to enhance safety of all residents, businesses, and visitors and make them feel safe and welcome.

- More deeply integrate community policing philosophy, training, et al among staff, council, community
- Develop Citizens Police Commission
- Pass and promote policies that ensure Ypsilanti as an inclusive community, including anti-profiling, on-solicitation, non-discrimination

Enhance communication and outreach internally and externally

- Create external communications structure and process (press releases, social media, newsletters, crisis communication, et al)
- Ensure council and public receive information in a timely and consistent way (updates, pre-reading, regular reports on progress towards goals)
- Improve responsiveness and communication around citizen complaints and code enforcement

Improve productivity and functioning of City Council

- Adopt rules that govern communication and behavior at the council table and among staff
- Streamline information sharing to maximize efficiency at council meetings
- Ensure roles of council and staff (legislative versus administrative) are clearly delineated

Develop a sustainable culture in the City of Ypsilanti based on energy efficiency, environmental stewardship, and judicious planning

- Audit and improve energy efficiency in city hall and other facilities (HVAC in particular)
- Support Sustainability Commission in moving goals forward with area partners (recycling in particular)
- Continue to push solar, green infrastructure, and non-motorized transit
- Market Ypsilanti as a sustainability-focused community

Council Member Robb:

- Fix Parking Enforcement / Collections
 - move to a 3rd party contractor
 - develop process to collect late tickets
 - develop process to submit late tickets to SOS
- Fix Communication Issues / Council Information Letter (CIL)
 - redefine the CIL as a method of delivering information requested by Council
 - develop process to ensure information requested by Council is provided in a timely fashion
 - develop a process to ensure equal information is provided to all of Council
- Fix Ordinance Enforcement
 - develop a process for ensuring timely closure of issues
 - develop job instruction sheets
 - determine the reasons for the excessive time frame to close issues
- Correct Pension Deficiencies
 - understand what is needed to get the Fire & Police Pension to 80% funded
 - determine next steps to insure solvency of Fire & Police Pension
 - make recommendation on whether or not to move to defined contribution programs for all employees
 - switch the management of the fund to a more successful fund manager
- Change Health Care Plans
 - align health care benefits with those provided by other industries
 - move to a wellness program insurance that requires health metrics be met in order to reduce deductibles
 - reduce City premiums by 20% in order to more align them with those in other industries
- Determine Contract Demands For Upcoming Negotiations

Council Member Bashert:

- Reducing the expense of Water Street
 - Clean up and/or sale of some of the property is one tactic. Passing the Millage would be another.
- Staff
 - Staff is professional and overworked. Adding staff is not possible at this time. Training in communications with both council and citizens would reduce complaints and smooth over many small issues and complaints that take up staff and council time.
- Budget
 - Many of the budget changes following the millage failure were stop gap measures that just put off an expense rather than cut one. Further cuts are needed, and we need to make those hard decisions.
- Increase ticket revenue

- Do we need to consider going back to an outside vendor?
- EMU
 - How can EMU step up even more in increasing staff residency in our city? Can we get EMU using local businesses for their events and services more than they are (which is minimal). This would increase tax revenue through increased population and strengthen our relationship with that organization.

Council Member Vogt:

- Increase parking fines and institute more aggressive collection efforts
- Balance budget without millage
- Improve Motor Pool fund
- Remove monies needed for the Rail Depot from city budget. Seek all outside fund sources

Council Member Murdock:

- Stabilize pension through contract negotiations
- Increase customer service training
- Establish 5-Year Road Plan
- Develop strategy to improve park system
- Maintain “Welcoming City” status

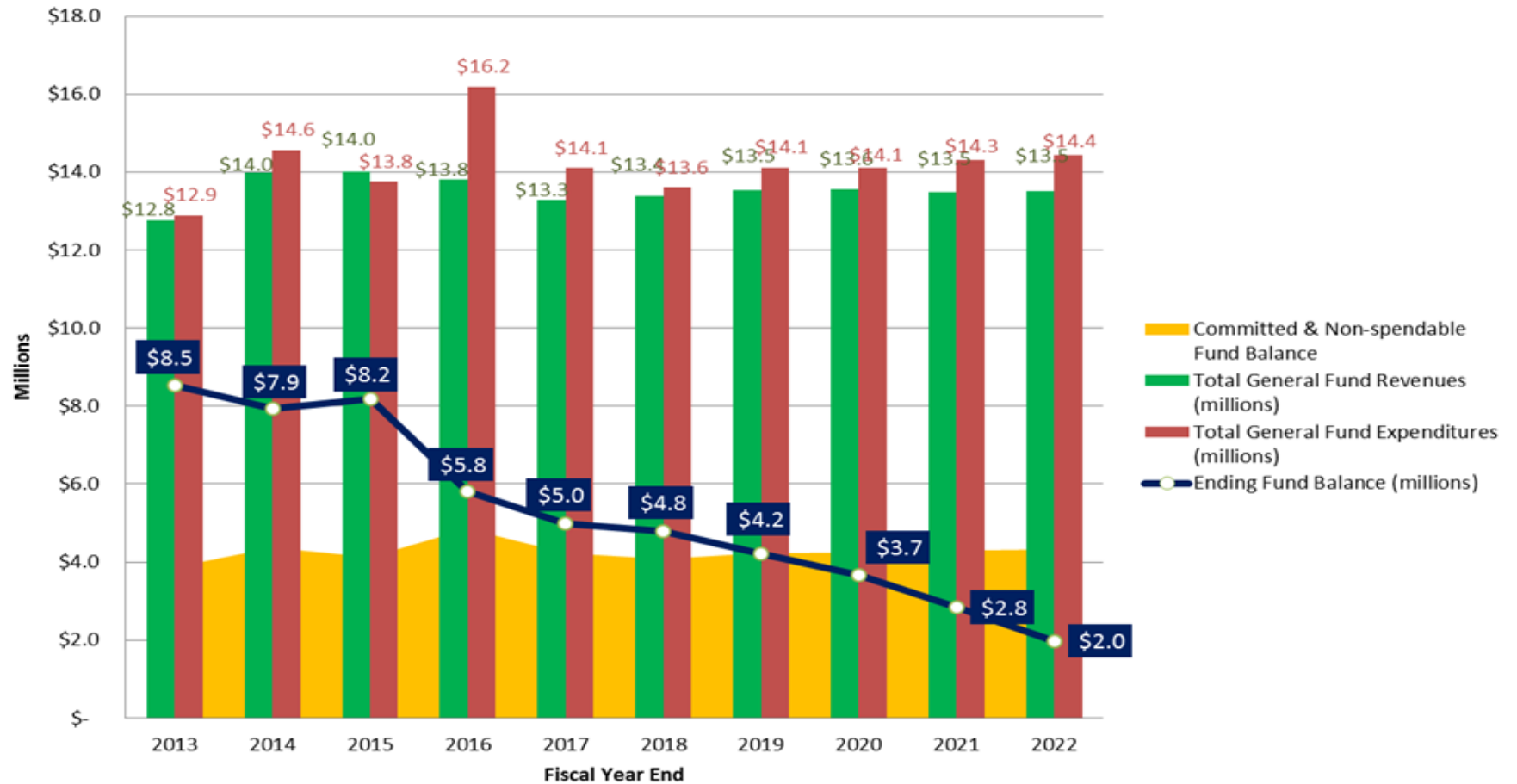
Mayor Pro-Tem Brown:

- Revisit parking fines
- Improve City Council communication
- Develop Community Police Commission
- Strengthen relationship and collaboration efforts with E.M.U.

Council Member Richardson

- Work on ticket revenue
- Enhance Community Policing efforts
- Adopt a Community Policing policy
- Improve City Council communications
- Revisit the Town & Gown concept with E.M.U.

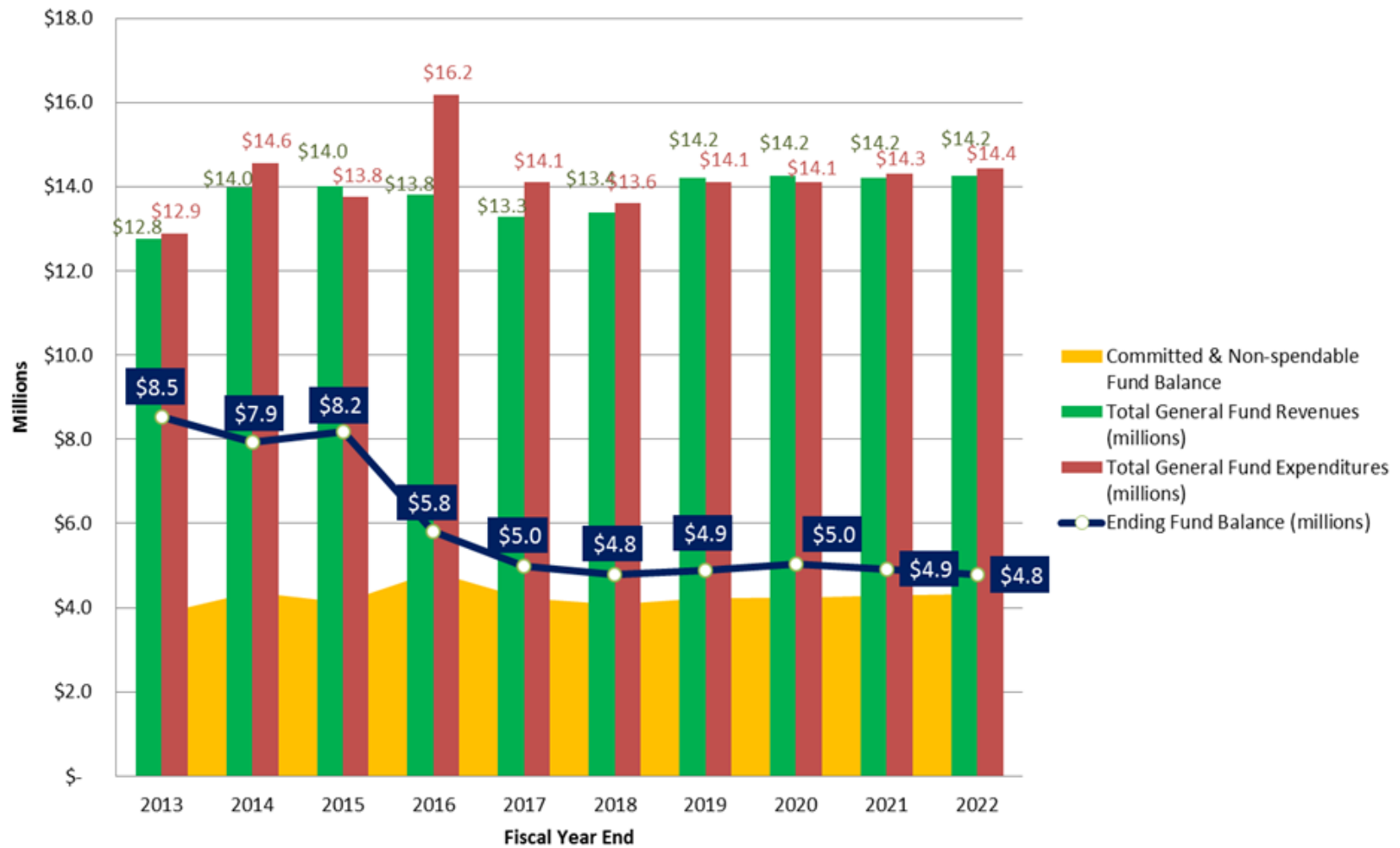
City of Ypsilanti General Fund Revenues, Expenditures and Fund Balance Status Quo



City of Ypsilanti

General Fund Revenues, Expenditures and Fund Balance

2.3 mills Water Street Debt Millage Revenue Included





Resolution No. 2017-040
January 31, 2017

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 COUNCIL MEETING
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, FEBRUARY 7, 2017
7:00 p.m.

I. CALL TO ORDER –

The meeting was called to order at 7:01 p.m.

II. ROLL CALL –

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

III. INVOCATION –

IV. PLEDGE OF ALLEGIANCE –

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

V. AGENDA APPROVAL –

The agenda was approved as amended

Change:

- **Remove Resolution No. 2017-033, nominations to Boards and Commissions, from Section IX, Consent Agenda, and move to Section X, Resolutions/Motions/Discussions.**

VI. INTRODUCTIONS –

VII. AUDIENCE PARTICIPATION –

VIII. REMARKS BY THE MAYOR –

IX. CONSENT AGENDA –

Resolution No.2017 -031

1. Resolution No. 2017 - 032, approving the minutes of December 20, 2016.

Offered By: Council Member Bashert; Seconded By: Council Member Richardson
Approved: Yes – 7; No – 0; Absent – 0

- ~~2. Resolution No. 2017 – 033, approving nominations to Boards and Commissions. (Moved and heard during Section X)~~

3. Resolution No. 2017-034, approving the removal of First Court from Harriet St. to Armstrong for Act 51 recertification.
Offered By: Council Member Bashert; Seconded By: Council Member Richardson
Approved: Yes – 7; No – 0; Absent - 0

X. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2017- 035, approving Ordinance 1281, an ordinance to amend Ypsilanti City Code by adding Article V. Solicitation of Immigration Status to Chapter 58 Human Relations. **(Second Reading)**
Offered By: Council Member Murdock; Seconded By: Mayor Pro-Tem Brown
Approved: Yes – 7; No – 0; Absent - 0
2. Resolution No. 2017-036, approving Ordinance 1282, an ordinance to amend Ypsilanti Zoning Code for PMD, Production, Manufacturing, and Distribution. **(Second Reading)**
Offered By: Mayor Pro-Tem Brown; Seconded By: Council Member Vogt
Approved: Yes – 7; No – 0; Absent - 0
3. Resolution No. 2017-037, directing staff to send the Bell/Kramer matter back to the Planning Commission in the event new information, such as if no contamination becomes available.
Offered By: Council Member Richardson; Seconded By: Mayor Pro-Tem Brown
Tabled: Yes – 5; No – 2 (Brown, Murdock); Absent - 0
4. Resolution No. 2017-038, approving the inclusion of the Road Funding spreadsheet as Appendix A to the 2015 Capital Improvement Plan.
Offered By: Council Member Vogt; Seconded By: Mayor Pro-Tem Brown
Approved: Yes – 5; No – 2 (Robb, Murdock); Absent - 0
5. Resolution No. 2017-039, approving City Goals and Priorities.
Offered By: Mayor Pro-Tem Brown; Seconded By: Council Member Bashert
Approved as Amended: Yes – 7; No – 0; Absent - 0
6. Resolution No. 2017 - 033, approving nominations to Boards and Commissions.
Offered By: Council Member Bashert; Seconded By: Mayor Pro-Tem Brown
Approved as Amended: Yes – 7; No – 0; Absent - 0

XI. LIASON REPORTS –

- A. SEMCOG Update
- B. Washtenaw Area Transportation Study
- C. Urban County
- D. Freight House
- E. Parks and Recreation
- F. Ypsilanti Downtown Development Authority
- G. Eastern Washtenaw Safety Alliance
- H. Police-Community Relations/Black Lives Matter Joint Task Force
- I. Friends of Rutherford Pool

XIII. COUNCIL PROPOSED BUSINESS –

XIV. COMMUNICATIONS FROM THE MAYOR –

XV. COMMUNICATIONS FROM THE CITY MANAGER –

XVI. COMMUNICATIONS –

XVII. AUDIENCE PARTICIPATION –

XVIII. REMARKS FROM THE MAYOR –

XIX. ADJOURNMENT -

Resolution No. 2017 - 040, adjourning the City Council meeting.

The meeting adjourned at 9:29 p.m.