

1. Council Meeting Agenda

Documents:

[AGENDA 3-7-17.PDF](#)

2. Council Meeting Packet

Documents:

[MARCH 7, 2017 COUNCIL PACKET.PDF](#)

3. Council Action Minutes

Documents:

[ACTION MINUTES 3-7-17.PDF](#)



**CITY OF YPSILANTI
REGULAR COUNCIL MEETING
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, MARCH 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. PRESENTATIONS -

- Proclamation – March 8, 2017 as Ypsilanti Women's Health Day
- GFOA 's Certificate of Achievement for Excellence in Financial Reporting for the comprehensive annual financial report (CAFR) for the fiscal year ended June 30, 2015 – Catherine McClary, Washtenaw County Treasurer
- GFOA's Distinguished Budget Presentation Award for the Fiscal Year Beginning July 1, 2016 – Catherine McClary, Washtenaw County Treasurer
- Dumpster and Downtown Trash – DDA Director Joe Meyers

VII. INTRODUCTIONS –

VIII. AUDIENCE PARTICIPATION –

IX. REMARKS BY THE MAYOR –

X. CONSENT AGENDA –

Resolution No. 2017 - 052

1. Resolution No. 2017-053, approving Ordinance No. 1283, rezoning 311 Ballard from C, Center to CN, Core Neighborhood on Second and Final Reading.
2. Resolution No. 2017 -054, approving the minutes of January 17.
3. Resolution No. 2017 – 054A, approving agreement with Orchard, Hiltz & McCliment for 2017 Major Road Resurfacing Project Design Engineering Services.

4. Resolution No. 2017 - 056, approving contract with Saladino Co., for sidewalk ramp replacement program.

XI. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2017 - 057, approving an amendment to the LSSRF Grant.
2. Resolution No. 2017 – 059, approving the settlement agreement between the City and Joseph Golder.

XII. 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 –

NOMINATIONS:

Parks & Recreation Commission

Kurt Kohlmann (vacancy) – term exp. 2020
Ashanti Harris (vacancy) – term exp. 2020
Ben Connor Barrie (vacancy) – term exp. 2020

Sustainability Commission (all new appointments)

Emily Drennan (3 year term) - term exp. 2020
Nancy Heine (3 year term) – term exp. 2020
Natalie Sampson (3 year term) – term exp. 2020

Tom McKee (2 year term) – term exp. 2019
Leah VanLandingham (2 year term) – term exp. 2019
Brett Zeuner (2 year term) – term exp. 2019

Julie Bayha (1 year term) – term exp. 2018
Tom Kovacs (1 year term) – term exp. 2018
Keith Michalowski (1 year term) – term exp. 2018

XV. COMMUNICATIONS FROM THE CITY MANAGER –

XVI. COMMUNICATIONS –

XVII. AUDIENCE PARTICIPATION –

XVIII. REMARKS FROM THE MAYOR –

XIX. ADJOURNMENT -

Resolution No. 2017 - 058, adjourning the City Council meeting.



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Ypsilanti Women's Health Day March 8, 2017

WHEREAS, the health and well-being of women is of primary concern to the City of Ypsilanti; and

WHEREAS, it is the right of every woman to have access to judgement-free, high-quality, affordable health services in Ypsilanti, regardless of their race, ethnicity, identity or immigration status; and

WHEREAS, according to Washtenaw County Public Health, in Ypsilanti:

- 81% of women identified themselves as being in excellent, very good or good health
- 63% of women reported good mental health;
- 90% of women accessed needed mental health services
- 97% of women have health insurance, yet 20% reported not seeking needed medical care; and

WHEREAS, lack of access to healthcare leads to an increase in health disparities; and

WHEREAS, the City of Ypsilanti supports the promotion of wellness through programs, outreach, and community engagement; and

WHEREAS the City of Ypsilanti is committed to partnering with residents by supporting the commitment to healthy, safe, and thriving communities; and

WHEREAS, the City of Ypsilanti is committed to recognizing and honoring organizations that support the healthy and safe communities.

NOW THEREFORE I, Mayor Amanda Edmonds, and the Ypsilanti City Council on this 7th day of March, 2017 proclaim our commitment to the health and safety of the women of Ypsilanti, and do hereby declare March 8, 2017 as

"Women's Health Day"

in the City of Ypsilanti and urge all residents to support initiatives to promote women's health awareness.

Given under my hand and seal of the
City of Ypsilanti, March 7, 2017.

Amanda M. Edmonds, Mayor



Downtown Ypsilanti Dumpster Enclosure Program History

YPSILANTI, MI

Known Dumpster Locations in the DDA



0 360 720 1,440 Feet

- Private Dumpster Locations
- DDA Dumpster Locations

Data from Washtenaw County GIS and Ypsilanti Planning and Development
March 2017

History

2000 - YDDA commissioned Beckett and Raeder to develop a Common Dumpster Plan for Downtown.

2001 - Downtown DDA passed a resolution to approve up to \$150,000 to build the downtown dumpster enclosures.

2006 - YDDA constructed 3 enclosures as part of the Michigan Avenue Streetscape Enhancement Project to help ensure the downtown businesses have Health Department Compliant Dumpsters. The approximate cost of the enclosures were \$190,000. At that time, the plan was to have the businesses using the enclosures pay for the service.

History Continued...

2008 - The DDA signed a five year contract to provide the service for downtown business owners as an incentive to being downtown instead of continuing to allow downtown business owners to put dumpsters in the enclosures. A letter was sent out to the businesses who back up to the N. Adams Parking Lot, N. Huron Parking Lot, S. Huron Parking Lot and the south side of the 200 block of Michigan Avenue (behind the Tap Room & TC's Speakeasy) informing them that the DDA taking over the service, their dumpster contracts would be canceled in place of the new system.

2009- City Manager requested a dumpster enclosure to be built by the DDA in Depot Town.

2010- DDA did outreach to Depot Town Merchants to get their opinion on if a dumpster program could work in the Depot Town TIF District. The Depot Town Merchants were split on if they should construct a dumpster enclosure and the DDA decided not to proceed with a Depot Town Dumpster Program.

History Continued...

2011- DDA cut off service to the 200 block of Michigan Avenue (behind the Tap Room & TC's Speakeasy).

2012 - DDA began investigating how to eliminate its participation in the dumpster program.

August 16, 2012 - DDA passed a resolution requiring participants to pay a yearly user fee based on a sliding scale for use of the dumpsters beginning April 1, 2013. After one year, the DDA was supposed to evaluate the program to see if it was necessary to enact a special assessment or discontinue the program entirely.

The DDA raised \$2,243 in FY 14/15 and \$2,120 in FY 15/16 from voluntary dumpster payments.

December 2015 - DDA board passed a resolution to stop the volunteer payments for a pay for service system.

History Continued...

March 2016 – Staff reached out to the City’s Legal Counsel to get an opinion on the sanitation millage and if curbside pickup could be allowed in the downtown area (see attached email). Legal Council indicated that so long as the business owners complied with the residential trash policy, they would be allowed to use the service.

April 2016 - DDA met with Downtown stakeholders to discuss how to best transition to a pay for service model. The results from that meeting was to have the DDA create a system and the business owners would accept it.

May 2016 - staff created a fee schedule to cover costs based on the type of use. Once a participant paid into the system, a code would be issued to allow access to the enclosure.

restaurants = \$125 per month

commercial business = \$50 per month

residential units = \$25 per unit per month

Challenges

New dumpster enclosures on public property require a license.

All new dumpsters require an enclosure per the zoning ordinance.

Public parking is scarce in downtown and the enclosures take up valuable spaces

Illegal dumping around enclosures makes the program look ineffective.

Budgetary limitations were the driving factor of eliminating the free service.

Current Program

The new system went into place in on July 18, 2016.

After downtown building owners voiced their concerns that the fee was too large, the DDA enacted a dumpster fee appeal program that would allow for fee reductions to be made on a case-by-case basis. To date, no appeal requests have been made.

Currently there are 30 participants in the program.

A total of \$12,880 in fees collected to date.

The cost of the service is \$1,722.85 per month for the service and \$250 per dumpster enclosure cleanout(1-4 times a month).

On the week of 2/27/2017 staff observed approximately 50 trash cans on the street, 35 in Downtown and 15 in Depot Town and West Cross.

What Other Cities Do With Downtown Trash

Frankenmuth – business owners take care of their own trash with no involvement from the city. The city does not have a solid waste millage.

Ann Arbor – the city controls the dumpster enclosures and bills the businesses a specified rate quarterly. The city collects a solid waste millage and charges commercial businesses a specific franchise rate.

Traverse City – businesses are responsible for their own waste management. Some businesses work together. The city's waste management contract excludes commercial waste pickup. The city does not have a solid waste millage.

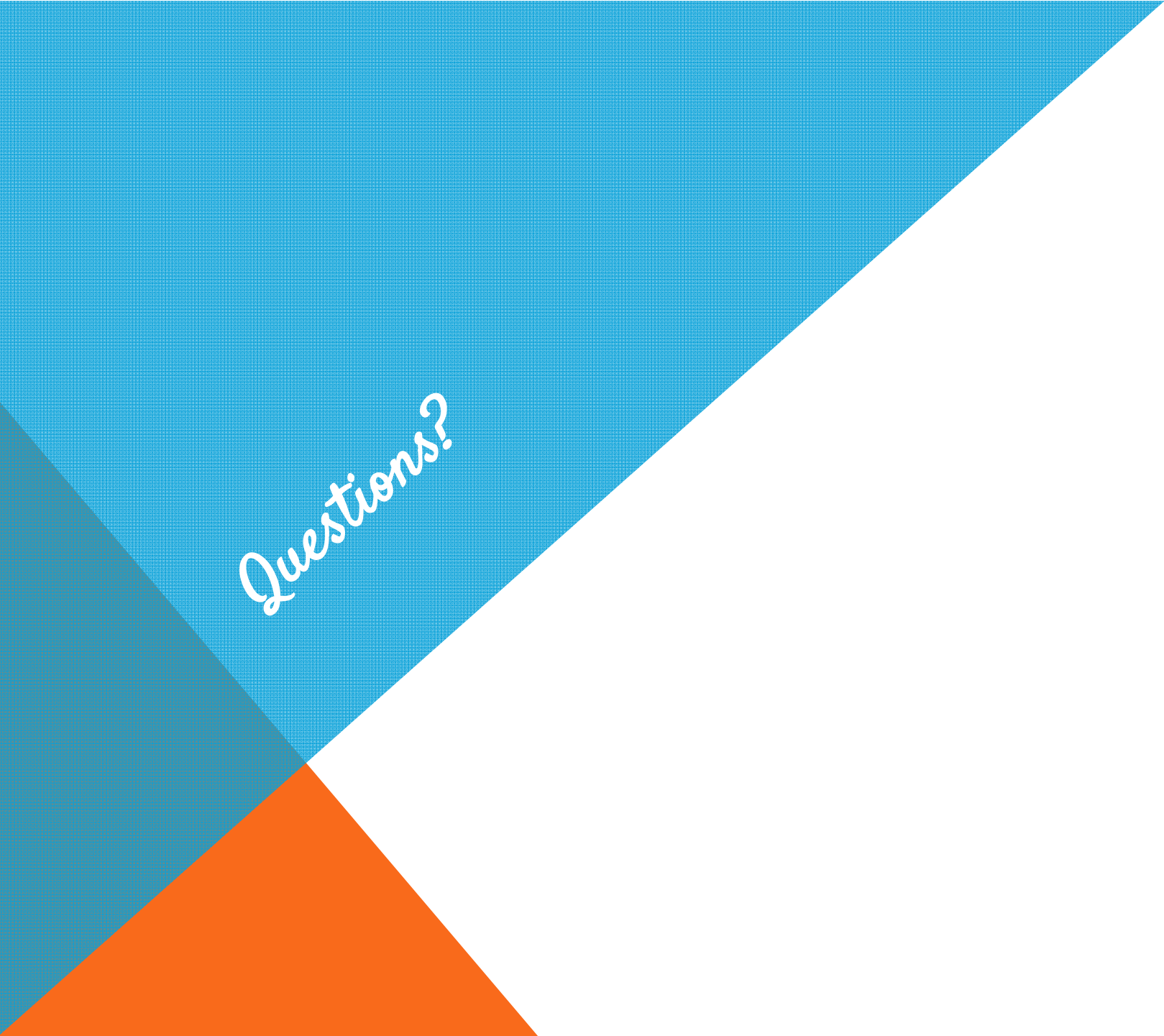
What Other Cities Do With Downtown Trash

Petoskey – businesses are responsible for their own waste pickup. The DDA has helped build enclosures in the past, but does not operate any trash system. The city has a solid waste millage.

Grand Haven – the DDA funds the building of a dumpster enclosure if they have a group of at least 3 businesses that require one. Those businesses are required to pay the city a quarterly assessment. The city does not have a solid waste millage.

Mt. Pleasant – most businesses handle their own trash needs. The DDA has helped facilitate the building two enclosures in the past, but does not manage them or pay for them. The city does not have a solid waste millage.

Manistee –downtown business owners put their trash on the street. The DDA has expressed interest in making this situation better, but has yet to come up with a solution. The city does not have a solid waste millage.



Questions?

Joe Meyers

From: John Barr <JBarr@barrlawfirm.com>
Sent: Tuesday, March 29, 2016 5:24 PM
To: Beth Ernat; Dan Duchene
Cc: Joe Meyers
Subject: RE: Trash Collection

Hi Beth,

The city levies a special millage for solid waste disposal. The contract with Republic, the contractor, provides in part as follows:

CONTRACTOR will be responsible for curbside collection and disposal of refuse and bulky waste, consistent with the requirements of the RFP and the PROPOSAL (hereinafter referred to as "SERVICES"), SERVICES within this scope of this AGREEMENT are for that of the base proposal and do not include any of the alternate proposals, as provided for in the RFP and PROPOSAL.

These SERVICES include all residential homes and commercial store fronts. CONTRACTOR will also be responsible for serving properties larger than three units that abide by the bag limits as follows:

Single Unit: three 32 gallon bags, one bulky item per week.

Double Unit: six 32 gallon bags, two bulky items per week.

Triple unit and larger within this limit: nine 32 gallon bags, three bulky items per week.

Double-limit weeks: Two one-week long periods per year with double trash limits during Eastern Michigan University student move-in and move-out.

Municipal buildings: Provide and service two 6 cubic-yard dumpsters and two 3 cubic-yard, wheeled, movable dumpsters that fit the enclosure for municipal buildings.:

So the contractor will pick up downtown. They do pick up at our office. The problem is that restaurants create a lot of waste grease and food waste that is not included in the pickup. And, some businesses produce a large amount of cardboard and other trash, more than the three 32 gallon bags. In the past several businesses had their own dumpsters and that created a problem with litter, unsightly conditions and a general mess. The DDA agreed to get dumpster service and a structure was built to contain the dumpsters and improve the downtown area. Many downtown residents and businesses then used the DDA dumpsters instead of front door pickup.

The DDA dumpster service was paid for by the DDA millage that is levied on all the property in the DDA area and paid for by the downtown business and owners. The DDA still collects the millage. The DDA agreed to share some of the proceeds with the city. As I understand the situation, the amount shared with the city is the increase in the amount received because of increased values, and the DDA is supposed to get the same amount as before. The question of how the money is spent is a DDA board decision.

Let me know if you need further information.

John

JOHN M. BARR
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105 Pearl Street, Ypsilanti MI 48197

(734) 481-1234; fax 483-3871

jbarr@barrlawfirm.com

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-----Original Message-----

From: Beth Ernat [mailto:BErnat@cityofypsilanti.com]

Sent: Tuesday, March 29, 2016 4:29 PM

To: John Barr <JBarr@barrlawfirm.com>; Dan Duchene <DDuchene@barrlawfirm.com>

Cc: Joe Meyers <JMeyers@cityofypsilanti.com>

Subject: Trash Collection

Mr. Barr/Dan -

We have had a question come up at the DDA which I think is a City issue and I would like to seek your opinion of this. The Downtown DDA for over 10 years has provided solid waste receptacles and pick-up at designated dumpster sites for properties abutting the dumpsters. The DDA is no longer able to provide this service without a fee due to budget reductions.

One business in the district is asserting that since the City collects a solid waste millage that the City is required to collect trash curbside. I do not believe our contract with Republic includes commercial pick-up.

Could you please shed some light of this. Thank you.

Beth

Beth Ernat

Director of Economic Development

City of Ypsilanti

734-482-9774 direct

734-945-9270 cell

bernat@cityofypsilanti.com <mailto:bernat@cityofypsilanti.com>

www.cityofypsilanti.com



Resolution No. 2017- 052
March 7, 2017

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the following items be approved:

1. Resolution No. 2017 - 053, approving Ordinance No. 1283, rezoning 311 Ballard from C, Center to CN, Core Neighborhood on Second and Final Reading.
2. Resolution No. 2017-054, approving the minutes of January 17, 2017.
3. Resolution No. 2017 - 054, approving agreement with Orchard, Hiltz & McCliment for 2017 Major Road Resurfacing Project Design Engineering Services.
4. Resolution No. 2017 - 055, approving contract with Saladino Co., for sidewalk ramp replacement program.

OFFERED BY: _____

SUPPORTED BY: _____

YES:

NO:

ABSENT:

VOTE:



Memo

To: City Council
From: Bonnie Wessler, City Planner
Date: February 16, 2017
Subject: 311 Ballard, front yard parking

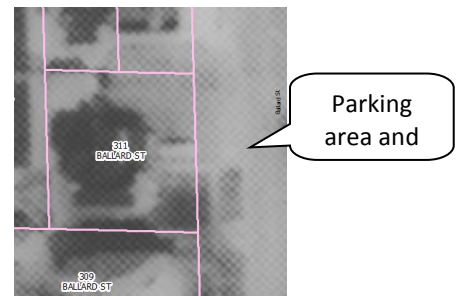
Background

The owner of 311 Ballard has requested a rezoning from C, Center, to CN, Core Neighborhood. Planning Commission has recommended to Council the rezoning and Council has passed it upon first reading; Council has also requested additional information regarding the existence of front-yard parking on the site. Front-yard parking is prohibited under the current ordinance.

History of the Site

A review of the file for 311 Ballard indicates that a variance was applied for to permit front yard parking in March/April 1979. However, staff is unable to determine the outcome of that variance hearing with records on-hand; minutes from the 1979 Zoning Board must be retrieved from Iron Mountain, our offsite file storage site. We know that during this approximate time period, several other such variances were granted; however, of course, variances are heard on a case-by-case basis and the existence of other variances being granted does not have bearing on whether this one was granted.

Regarding the history of the site; aerial photos from 1990 show a paved area in front of the house being used for parking. Aerial photos before that time do not have a detailed enough resolution to make a clear determination as to the existence of parking or paving. Photos taken after 1990, both aerial and street-level, likewise show the existence of the parking area to present. No complaints, enforcement actions, or documentation of an illegally constructed parking area are in the file for either 311 Ballard or 501 W Cross.



Conclusion

Through present day, both 311 Ballard and 501 West Cross have been zoned commercial and held in common ownership. Restrictions against parking areas in the front yard have largely been for residentially-zoned sites, as one can see when driving down Washtenaw. It is entirely possible that such a lot was constructed legally, and can be considered legal nonconforming in absence of proof to the contrary. Parking issues can be addressed with any application to change the use of 311 Ballard.



Resolution No. 2017- 053
March 7, 2017

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the rezoning of 311 Ballard is consistent with the goals of the City Master Plan and

WHEREAS, the proposed rezoning will not affect the physical, geological, hydrological, and other natural features of the parcel; and

WHEREAS, the proposed rezoning will align the zoning and future uses of the parcel with those of the surrounding neighborhood; and

WHEREAS, the proposed rezoning is appropriate for the current character and use of the property;

NOW THEREFORE BE IT RESOLVED that Ordinance No. 1282 to rezone 311 Ballard from Center to Core Neighborhood be approved on Second and Final Reading.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



Ordinance 1283

An Ordinance Entitled "311 Ballard Rezoning"

THE CITY OF YPSILANTI ORDAINS:

That the property addressed as 311 Ballard Street, with the tax code ID#11-11-40-183-017, and a legal description of E 4 RDS OF S 71 FT OF LOTS 5& 6, BLK 3 DAVID F. BALLENTINES & RICHARD E. MORSE'S ALLOTMENT OF THE WESTERN ADDITION.

BE REZONED FROM C,CENTER, TO CN, CORE NEIGHBORHOOD;

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

Frances McMullan, City Clerk

Attest

I do hereby confirm that the above Ordinance No. 1283 was published in the Washtenaw Legal News on the _____ day of _____, 2017.

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 _____, 2017.

Frances McMullan, City Clerk

Notice Published: _____

First Reading: _____

Second Reading: _____

Published: _____

Effective Date: _____



City of Ypsilanti
Community & Economic Development Department

January 10, 2017

**Staff Review of Rezoning Application
311 Ballard Rezoning
311 Ballard**

GENERAL INFORMATION

Applicant: AJAR, LLC

Project: 311 Ballard Rezoning

Application Date: December 7, 2016

Location: Southwest corner of the intersection of W. Cross and Ballard

Zoning: C-Center

Master Plan: Center

Action Requested: Rezone the entire parcel to CN, Core Neighborhood

Staff Recommendation: Approval

PROJECT AND SITE DESCRIPTION

A rezoning is requested for parcel #11-11-40-183-017. The parcel is 0.11 acres with an existing residence on site. The property is currently zoned C-Center. The property owner wishes to have the parcel rezoned to CN- Core Neighborhood in order to be able to utilize the structure as residential. The structure was built in 1900; prior to the existence of the City Zoning Ordinance. Previously the parcel was part of the 501 W. Cross parcel to the north and appears to have been split from that parcel at some point prior to mid-20th century. No variances or special uses have been approved for the property.

Figure 1: Subject Site Location & Zoning



Figure 2: Site Aerial (2015)

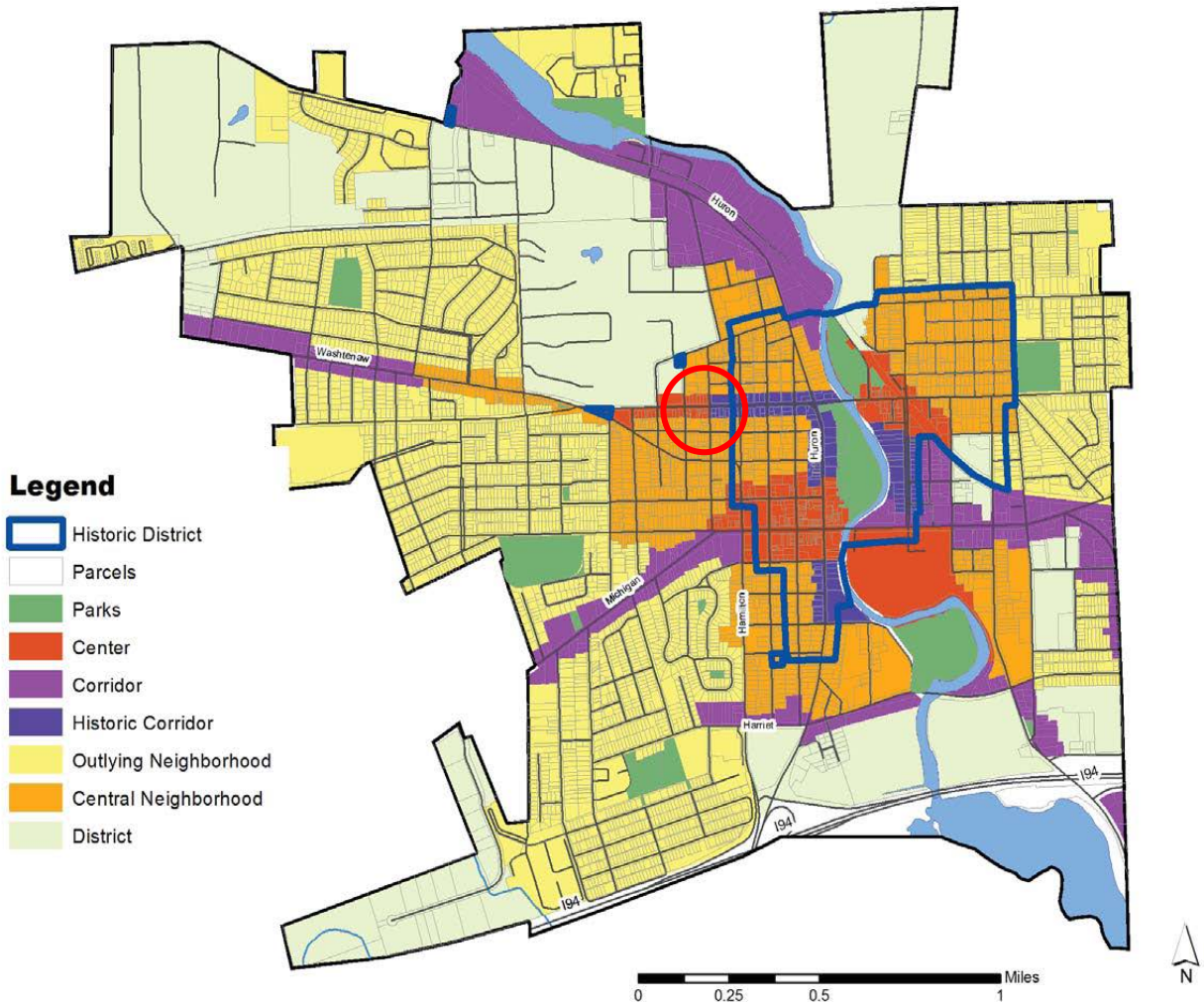


MASTER PLAN

The subject property is within the “Center” future land use. These areas are the heartbeat of the City – downtown, Depot Town and Cross Street adjacent to the EMU campus. Each area has buildings built up to the sidewalk and a variety of uses - retail, restaurants, services, office, civic, and residential. They are places where people walk, gather, shop, exchange and meet.

The future land use map, below, shows the property as Center.

Figure 3: Future Land Use Designations



EXISTING LAND USE AND ZONING

The property is currently used as a single-family rental property. It is just south of W. Cross St on Ballard, one block from Eastern Michigan University.

Figure 4: Surrounding Land Use and Zoning

	LAND USE	ZONING
NORTH	Market and Restaurant	C-Center
EAST	Single Family and Restaurant	HC- Historic Corridor
SOUTH	Multi-family residential	CN-Core Neighborhood
WEST	Multi-family residential and mixed use	CN-Core Neighborhood

REZONING IMPLICATIONS**INTENT**

C-Center district contains mixed-use areas with historic buildings. Center district includes the places where people shop, go to school, live, come to work, visit, drop by City Hall, eat, gather and have fun. They host events that bring thousands of visitors each year and bring the City together as a community. The intent of the zoning district is preserve the urban form, walkable nature and vibrant mix of uses in these areas.

CN-Core Neighborhood is intended to directly border center districts and have a variety of housing types, ranging from cottages to group living to apartment buildings. This district also affords opportunities for accessibly-placed walkable, neighborhood businesses.

Figure 5: Permitted uses in existing and proposed zonings.

P=Principal, A=Accessory, S=Special Land Use

USES	C	CN
RESIDENTIAL		
Single-Family Detached Dwelling	--	P
Accessory Dwelling Unit	--	A
Two-family dwelling units	--	P
Multiple Family Dwellings, maximum of 4 units per building	P*	P
Multiple Family Dwellings, more than 4 units per building	P*	S
Apartments located above ground floor of permitted nonresidential uses	P	P
Home Occupation	A	A
Family Child Care Home	--	A
Adult foster care family homes	--	A
Group Child Care Home	--	S
GROUP LIVING		
Group residence	--	S
Group living with support staff, not licensed by State of	--	S

P=Principal, A=Accessory, S=Special Land Use

USES	C	CN
Michigan		
Roominghouse	--	S
Adult foster care small & group homes, adult congregate facilities	--	S
Adult foster care facilities licensed by a state agency for care and treatment of persons released from or assigned to adult correctional facilities.	--	S
RECREATION, EDUCATION & PUBLIC ASSEMBLY USES		
Museums & libraries	P	--
Park	P	P
Public Art	A	A
Indoor recreation	P	--
Outdoor Recreation	--	A
Performance venues/theaters	P	--
Municipal, county, regional & state service uses	P	S
Primary & Secondary Schools (public & private)	--	S
Post-secondary educational institutions (public & private)	P	S
Religious institution	--	S
Private assembly, banquet hall allowed	--	S
INFRASTRUCTURE		
Essential Services	P	P
Communication Devices	A	A
Alternative Energy	A	A
Stormwater Control	A	A
Public & Private Transportation Passenger Terminals	S	--
SERVICES		
Bed & Breakfast or Inn	--	S
Funeral Homes	--	S
Nursing Homes	--	S
Business and professional offices and services	P	--
Financial services, including banks	P	--
Personal service establishments	P	--
Body Art Facilities	P	--
Printing services, including but not limited to: publishing,	S	--

P=Principal, A=Accessory, S=Special Land Use

USES	C	CN
engraving, photo development, lithographing, silk screening and three-dimensional printing		
Hotels & motels	P	--
Child Care Centers	P	--
Laundromats and dry cleaners	P	--
Medical or dental offices	P	S
Medical or dental clinics (5 or more practitioners)	P	--
Medical Marijuana Dispensary	P	--
Catering services	A	--
Self-storage	S	--
COMMERCIAL		
Retail stores	P	--
Resale stores	P	--
Arts & crafts studios	P	S
Food stores, excluding sale of alcohol, less than 15,000 square feet	P	S
Food stores, excluding sale of alcohol, greater than 15,000 square feet	P	--
Food stores less than 15,000 square feet, with sale of alcohol	S	--
Food stores greater than 15,000 square feet with sale of alcohol	P	--
Farmers' market	P	A
Auction houses	P	--
RESTAURANTS		
Carry-out and/or delivery restaurant	P	S
Café or coffee shop	P	S
Sit-down	P	--
Bar/Lounge	P	--
Tasting room and/or restaurant	A	--
Outdoor cafes	A	--
Fast Food	P	--
AUTO-ORIENTED		
Automobile Filling Station - no repair	--	S
Parking lot (as principal use)	S	--
Parking Garage	S	--
Automobile Share Parking	A	A
PRODUCTION, MANUFACTURING & DISTRIBUTION		
Microbrewer/ small distiller /small wine maker	P	--
TEMPORARY USES		

P=Principal, A=Accessory, S=Special Land Use

USES	C	CN
Temporary permitted use in vacant storefront	P	--
Food concession sales	P	--
PERFORMANCE OR STRUCTURES REQUIRING SPECIAL LAND USE		
Operation between 2 a.m. and 6 a.m. during any 24-hour period	P	--
Sale of alcoholic beverages for consumption off the premises	S	--
GARDENS / COMMUNITY GARDENS		
Community gardens	--	P
Passive solar structure (hoophouse, greenhouse, etc.)	--	A
Toolhouses, sheds and other similar buildings for the storage of domestic supplies	--	A

**Multi-family is only permitted in Center in specific building types or above the ground floor of permitted nonresidential uses.*

Figure 6: Area Regulations

BUILDING TYPE		CN	CN-MID	CN-SF	C	HHS	HC	NC	GC
MA	Mansion	L	L	L	--	--	L	--	--
ES	Estate	P	P	P	--	--	P	P	--
HS	House	P	P	P	--	P	P	P	--
CO	Cottage	P	P	P	--	--	--	--	--
TH	Townhouse	P	P	--	L	--	--	P	--
AH	Apartment House	P	P	--	P	P	P	P	--
CA	Courtyard Apartment	P	--	--	L	--	P	P	P
AB	Apartment Building	P	--	--	L	--	L	P	P
CS	Commercial/Mixed-Use Small	L	--	--	P	--	P	P	P
CM	Commercial/Mixed Use Medium	--	--	--	P	--	P	P	P
CL	Commercial/Mixed Use Large	--	--	--	P	P	--	--	P
SC	Single Story Commercial Building	L	L	L	--	--	L	P	P
LS	Large Single Story Commercial Building	--	--	--	--	P	--	--	P
MB	Multiple Story	--	--	--	P	P	--	--	P
IT	Institutional	P	P	P	P	P	P	P	P

HS

HOUSE

Detached residential buildings built for a single dwelling unit. They are located on lots that accommodate a detached primary building with small side yards and relatively large rear or front yards. They generally have one primary entrance.

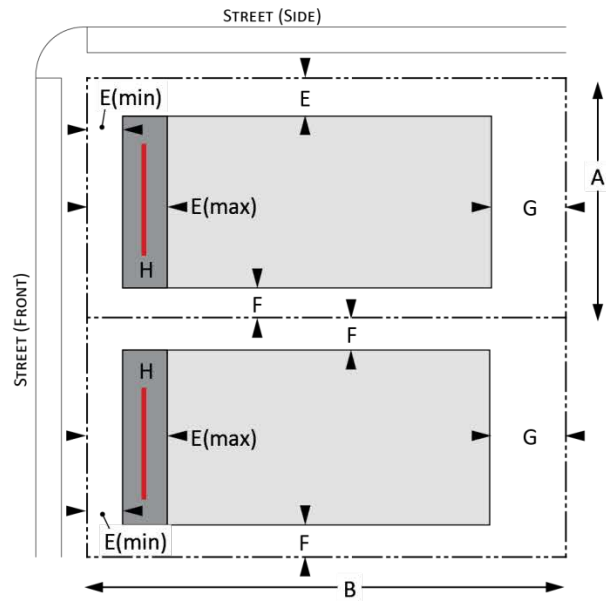
LOT REQUIREMENTS	MIN	MAX
A - Lot Width (ft)	35	80
B - Lot Depth (ft)	100	--
C - Lot Size (sf)	4,000	12,000
D - Lot Coverage (%)	--	60
BUILDING ENVELOPE	MIN	MAX
E - Street Setback (ft)	15 ⁽¹⁾	25
F - Side Setback (ft)	5	--
G - Rear Setback (ft)	20	--
H - Frontage Buildout (%)	60	80
ACCESSORY BUILDING ENVELOPE	MIN	MAX
I - Street Setback (ft)	30	--
J - Side Setback (ft)	5	--
K - Rear Setback (ft)	5	--
L - Building Footprint (sf)	--	800
Note: There is a maximum of two accessory buildings		
BUILDING HEIGHT	MIN	MAX
M - Principal Building (st)	1	3
N - Accessory Structure(s) (ft)	--	15
PARKING PROVISIONS	Location	
	Side, street-side yard, and rear yards	
PRIVATE FRONTAGES	Required:	
	Porch or Stoop	

⁽¹⁾ The street setback will be determined by the average of the front yards of existing buildings on same street side and block in which the new building is being proposed in residential districts only.

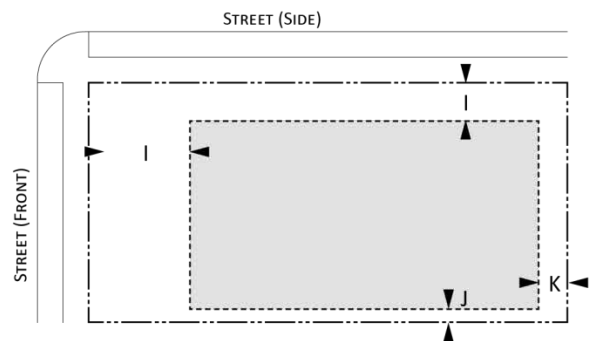


EXAMPLE

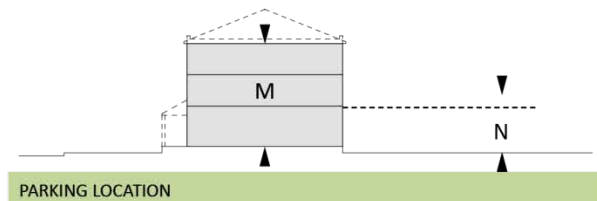
LOT REQUIREMENTS AND BUILDING ENVELOPE



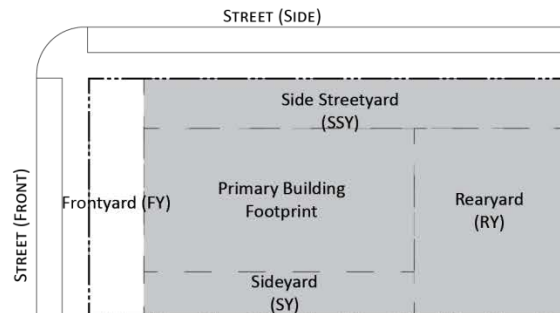
ACCESSORY STRUCTURE ENVELOPE



BUILDING HEIGHT



PARKING LOCATION



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 and No. While the Master Plan recommends that the future use of this parcel be “center” which is what the parcel is currently zoned, this parcel has been a residential home since around 1900 and has consistently been lumped in with the business district to the north on W Cross due to the depth of the rest of the parcels on the south side of W. Cross.

The Shape Ypsilanti master plan states that “Anyone, no matter what age or income, can find a place to call home in Ypsilanti” (p 6). This rezoning will result in the continued maintenance and care of an existing residence and create housing that is always in demand in the EMU area. “Ypsilanti is an asset of Eastern Michigan University, and Eastern Michigan University is an asset of Ypsilanti” (p. 7) is also a goal of the Shape Ypsilanti master plan. As this rezoning is to accommodate an existing residence within a block of EMU, this action helps Ypsilanti be a home for the university and its students, faculty and staff. Form-based code calls for properties to match or relate to that of the surrounding area.

- 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. The uses permitted in CN would not affect the physical, geological, hydrological and other environmental features of the property and residence.

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

Yes. The existing structure is residential in use and building character thus rezoning the parcel from Center to Core Neighborhood will bring the property more into alignment with the neighborhood to the south.

- 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. All potential uses and building types allowed in the proposed zoning district are more compatible with the surrounding uses to the south, east and west than those allowed within the current zoning.

- 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. There is little to no effect expected on the City infrastructure and services with this rezoning.

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

No. This rezoning matches that of the properties to the south, east and west and is not expected to affect the financial stability and economic welfare of the City.

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?*

Unlikely. The potential uses of this structure, if rezoned to CN, closely match the current uses of the structures to the south, east and west.

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

Yes. This area mainly consists of multi-family housing to support the needs EMU students and staff. This rezoning brings the parcel and residence more in line with the uses to the south, east and west.

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

Yes. The zoning classification of Center relies on the previous classification of B3-Central Business, which was inappropriate for the existing character and use.

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. Core Neighborhood is more appropriate than any other district since it is the zoning for the property and neighborhood directly to the south. Core Neighborhood is meant to be a transitional area directly adjacent to the Center district. Amending the list of permitted uses for Center district to include lower density residential uses is not preferred.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission recommend **approval** of the rezoning for 311 Ballard to Core Neighborhood to City Council with the following findings:

1. The rezoning is consistent with the goals in the Shape Ypsilanti master plan of “Anyone, no matter what age or income, can find a place to call home in Ypsilanti” and “Ypsilanti is an asset of Eastern Michigan University, and Eastern Michigan University is an asset of Ypsilanti.”
2. The proposed rezoning would not affect the physical, geological, hydrological and other environmental features of this parcel.
3. Rezoning the parcel to Core Neighborhood will bring the property and any potential uses into alignment with the existing neighborhood to the south.
4. This rezoning is consistent with the trend of development in the neighborhood to the south.
5. The current zoning is inappropriate for the existing character and use.

Cynthia Kochanek

Associate Planner, Community & Economic Development Division

c.c. File
 Applicant

**PLANNING COMMISSION
MEETING MINUTES
January 18, 2017
CITY COUNCIL CHAMBER
7:00 P.M.**

I. CALL TO ORDER

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

II. ROLL CALL

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

Absent: T. Dennis (excused)

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

III. APPROVAL OF MINUTES

Commissioner Hollifield moved to approve the minutes of December 21, 2016 as amended (Support: C. Zuellig) and the motion carried unanimously.

IV. AUDIENCE PARTICIPATION

1002 Washtenaw, Joseph Golder, owner- stated that he shares the main entrance with Eastern Michigan University. Stated that his property was taken by EMU and that he no longer has the ability to enjoy his property. He is frustrated with the situation and he is upset that under the current zoning his property would require a site plan review at the very least. He feels for the residents of the Bell-Kramer area and what they are going through.

V. PRESENTATION AND PUBLIC HEARING ITEMS

1. Rezoning: 311 Ballard St.

Cynthia Kochanek, Associate Planner, presented the staff review of the rezoning request for 311 Ballard. This is a rezoning request for parcel #11-11-40-183-017. The parcel is 0.11 acres with an existing residence on site. The property is currently zoned C-Center. The property owner wishes to have the parcel rezoned to CN- Core Neighborhood in order to be able to utilize the structure as residential. The structure was built in 1900; prior to the existence of the City Zoning Ordinance. Previously the parcel was part of the 501 W. Cross parcel to the north and appears to have been split from that parcel at some point prior to mid-20th century. No variances or special uses have been approved for the property.

Ms. Kochanek reviewed the criteria for a rezoning and findings.

Staff recommended that the Planning Commission recommend approval of the rezoning to City Council.

Chairperson Jugenitz inquired as to what the property can be used for currently and why this rezoning is needed.

Ms. Wessler stated that the house can only be utilized as a single family residential and that the house cannot be subdivided into multiple residential units under the current zoning.

Commissioner Bedogne clarified that if the rezoning was approved that the owner could utilize the structure as a multi-family up to four units by right in the proposed Core Neighborhood zoning but that if the owner want to utilize the structure as more than four units, the owner would need to request a special use approval.

Ms. Wessler confirmed that is the case. That if the owner wanted to utilize the structure as more than four residential units or a roominghouse, the owner would need to obtain a special use permit.

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

There were no comments from the audience.

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

Commissioner Hollifield moved that the Planning Commission recommend approval of the rezoning for 311 Ballard to Core Neighborhood to City Council with the following findings:

1. The rezoning is consistent with the goals in the Shape Ypsilanti master plan of "Anyone, no matter what age or income, can find a place to call home in Ypsilanti" and "Ypsilanti is an asset of Eastern Michigan University, and Eastern Michigan University is an asset of Ypsilanti."
2. The proposed rezoning would not affect the physical, geological, hydrological and other environmental features of this parcel.
3. Rezoning the parcel to Core Neighborhood will bring the property and any potential uses into alignment with the existing neighborhood to the south.
4. This rezoning is consistent with the trend of development in the neighborhood to the south.
5. The current zoning is inappropriate for the existing character and use.

The motion was supported by Commissioner Bedogne. A roll call vote was taken and carried unanimously 7:0.

VI. NEW BUSINESS

2. 2100 Washtenaw Ave



Resolution No. 2017-054
March 7, 2017

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of January 17, 2017 be approved.

OFFERED BY: _____

SUPPORTED BY: _____

YES:

NO:

ABSENT:

VOTE:



Draft

**CITY OF YPSILANTI
COUNCIL MEETING AGENDA
CITY COUNCIL CHAMBERS
ONE SOUTH HURON STREET, YPSILANTI, MI 48197
Tuesday, January 17, 2017
7:00 A.M.**

I. CALL TO ORDER –

The meeting was called to order at 7:09 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 –

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

IV. PLEDGE OF ALLEGIANCE -

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

V. AGENDA APPROVAL -

Mayor Pro-Tem Brown moved, seconded by Council Member Vogt to approve the agenda.

Council Member Robb moved, seconded by Council Member Richardson to remove Resolution No. 2017-016, stating it was provided with little time to review.

Council Member Murdock stated this is a situation that a business has been shut down and he would like to accelerate the process to resolve the issue. Mayor Edmonds stated she learned about this item on the way to the meeting and has not had time to review the material. Council Member Vogt stated he is neutral, and feels that Council could still hear the information regarding the case. Council Member Bashert stated she does not understand the issue completely, but she is understanding the challenge a business faces when it is closed.

On a roll call, the vote to amend the agenda was as follows:

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

VOTE:

YES: 3 NO: 4 ABSENT: 0 VOTE: Failed

On a voice vote, the motion carried, and the agenda was approved as submitted. Council Member Robb voted no.

VI. INTRODUCTIONS -

Mayor Edmonds introduced the following individuals; Interim City Manager Frances McMullan, City Attorney John Barr, Interim City Clerk Andrew Hellenga, Police Chief Tony DeGiusti, Assistant City Attorney Dan DuChene, Building Inspector John Roe, DDA Chair Mark Teachout, and DDA Vice-Chair Jessica French.

VII. AUDIENCE PARTICIPATION -

1. Dennis Hayes, 85 Edison Ave, stated he is the attorney representing Depot Town Alternative Health. The business is currently closed which negatively effects the many patients it services. The evidence that resulted in the closing of the business was acquired through inspection. The discoveries made during the inspection have been rectified. He said there was confusion between the inspector and the current state law. The dispensary was cited for improper display of "medibles" and oils, however, the state law changed on December 20th allowing them to be displayed. There were other objection regarding how the medical marijuana was stored, but the business was in compliance with the new law.
2. Jeffery Cifor, member of the Corporation that runs Depot Town Dispensary, stated once he received the letter from the City all of the electrical issues were fixed. He said storing practices returned to how they were previously. For four years all inspections have been passed and the business has become part of the community. He sees this is a misunderstanding. In most other businesses when infractions are noticed through inspection the business owner is allowed time to correct the issues, and are never closed. He said Depot Town Alternative Health has been closed for over a week. He said the building that houses the dispensary was recently purchased by the corporation, and he would not have done something that would have jeopardizes his standing in this community.
3. Chad Seward, 3522 Linden, Jackson, stated he is the area manager of the dispensary in question. Depot Town Dispensary services 300 to 400 patients per week, with \$60,000 in revenue produced. He said because of the closure many people are unable to get their medicine. He said this dispensary prides itself on testing to make certain patients are getting accurate dosages. It is not about the revenue it is about

people not being able to get the medication they need on a day to day basis. He said he used to work for CVS and on inspection if all items were not passed that business would be allowed time to solve the noticed problems.

4. Jessica French, 23399 South Circle Dr., Ann Arbor, stated she is a business owner in Ypsilanti and to see a successful business shuttered for what could be construed for a misunderstanding. If the City Ordinance does not line up with State Law it is a problem and she sympathizes with Mayor Edmonds when she said she was not given the time to properly think through and address these issues. She said we all have the ability to take what is presented today and make a decision. Keeping a business closed not only is not fair it does not say much for Council being pro-business. This business has worked 24 hours a day to bring their building up to code. Depot Town Dispensary employees are unable to pay bills because of its closure. She said Council has the ability to change this and hopes they do not prove her wrong.
5. Mark Teachout, 974 N. Prospect, stated he is a business owner in Depot Town and asked Council to expedite the process. Every day the business is closed can be very difficult and a decision can be reached based on the information provided. He has never heard of a business being closed for code violations. As a business owner he has had violations and was given two to three weeks to correct those violations. He hopes this is not a case of a business being unfairly singled out based on the nature of the business. Through his experience Mr. Cifor and the Depot Town Dispensary have been model citizens. He hopes Council sees it fit to expedite the process.

VIII. REMARKS BY THE MAYOR -

- Said she hopes Council will be able to digest enough information regarding the closing of the dispensary to make a decision.

IX. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2017 -012, approving the City Manager Contract with Darwin McClary.
(Postponed January 10, 2017)

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

Mr. Darwin D. P. McClary is hereby hired as City Manager of the City of Ypsilanti and that the attached employment contract and its terms and conditions are hereby approved and the Mayor and City Clerk are authorized to sign said contract for and on behalf of the city, subject to satisfactory completion of all pre-employment conditions and approval by the City Attorney.

OFFERED BY: Mayor Pro-Tem Brown
SECONDED BY: Council Member Vogt

City Attorney John Barr stated this matter was first discussed during the January 10th meeting. At that meeting Council had several questions and appointed three Council Members to work with the Attorney's Office to work out the terms of the contract. He said he has spoken with both the sub-committee and Mr. McClary and feels the two parties are close to completing the terms of the contract. Mr. Barr stated Mr. McClary has agreed to 60 day notice before separation of employment. There is still not an agreement on executive leave, Mr. McClary asked what would happen if there was a medical issue that

occurred in the first 90 days of his employment. Mr. Barr suggested beginning the executive leave at 30 days opposed to 90. He said Mr. McClary is agreeable to the housing allowance, using the EMU model. Mr. McClary is not in favor of matching the City's contribution to his pension. Mr. Barr stated Council wanted to have some say in if Mr. McClary could have outside employment, and Mr. McClary agreed. Mr. Barr stated Mr. McClary is not agreeable to statute of limitation clause Council asked to include in the contract. Mr. Barr stated there are a few items that need to be decided upon but Council and Mr. McClary are very close to an agreement.

Mayor Edmonds stated based on her discussions with Michigan Municipal League and comparable throughout the state she sees Mr. McClary as conceding a lot. The City is looking to attract and higher talent, and the majority of Council felt Mr. McClary was the best of the pool of applicants. Ms. Edmonds stated she would like to get this contract finished and get Mr. McClary on board as soon as possible.

Council Member Robb stated Council keeps hearing about how this contract compares to other communities, and asked that Council to be provided with that information. Everything he asked to be provided in the contract he provided examples from other communities. Mr. Robb said the City of Ann Arbor requires an employee to provide a match into their retirement. He said the executive leave time is beginning to spiral out of control. He said Mr. McClary should be given 30 days of executive leave the day he is hired. He said there are a lot of item in the contract that he does not agree with, including not contributing to his retirement plan. Mayor Edmonds stated Mr. McClary's issue is there is no financial benefit to the City whether or not he contributes. Council member Vogt stated years ago he represented unionized attorneys and created their own 401K and it did not require to have employees to contribute to their retirement plans, but it was encouraged. He sees no reason to require the potential City Manager to add to his retirement plan. He does not see a big difference in 120 versus 90 days for severance pay, and cited Mr. McClary has already reduced the time from six months. He also does not see an issue with the vehicle allowance since it is a small monetary difference than him using the City car.

Council Member Richardson stated the contract comes to \$115,000 not including healthcare. She said the candidate is being given the top of the salary range, and if the City agrees to pay him \$100,000 a year the car allowance should be reduced to \$350. She would like to see the severance pay capped at 90 days. She said unless other reductions are made she could not agree with \$100,000 salary. She stated several other employees have not been able to get raises that have been with the City for some time, and to give him \$100,000 does not seem fair. She said on this particular contract her vote will be no.

Council Member Bashert stated she is good with the contract as is, and would support removing the 90 day clause on executive leave. Mayor Edmonds agreed.

Council Member Richardson asked if the Water Street Debt Millage still on the City's agenda. Council Member Bashert responded a citizen's group is working on distributing petitions for an August ballot proposal. She said it will be 90 days until the City sees the petitions. Ms. Richardson responded she is in favor of bringing the millage back, but she has constituents that will reject the millage if this contract is approved.

Mayor Edmonds stated the contract amount of the former City Manager, including all benefits, was \$127,936 and the proposed contract is \$129,530. She said the contracts are fairly similar. Council Member Richardson stated people whom she has spoken with have commented that the former City Manager's salary was \$93,000. Council Member Murdock asked if Council Member Richardson could have the people who would not vote for the millage unless the salary was lowered \$7,000 could come to address Council.

Council Member Murdock stated the manager will probably not take his position until March, leaving ten months until the next calendar year, giving him 30 days for ten months. Moving forward every January 2nd he would get 36 days. He said during contract negotiations for the last City Manager a lot of work was done to reduce the time to 90 days, and he is not interested in what the industry standard is. He said at some point he will offer an amendment to reduce the severance package.

Mayor Pro-Tem Brown stated she will support the contract as written. She said the candidate was willing to reduce the severance to four months, down from six. She stated she took exception to the leave as a lump sum, but that is not something that would prohibit her from approving the contract. The only other issue she had was with the vehicle allowance, but from what she gathers the cost to maintain the current City car would be higher than the allowance. Plus the City's liability would decrease. She said the candidate was Council's first choice, and moves must be made to have him agree to the contract. Mayor Edmonds stated the City Attorney informed Council that to allow the City Manager candidate to use the 2009 Ford Taurus would cost more than providing a vehicle allowance.

Council Member Bashert moved, seconded by Mayor Pro-Tem Brown to strike the executive leave time beginning after 90 days.

On a roll call, the vote to amend Resolution No. 2017-012 was as follows:

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

VOTE:

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

Council Member Murdock asked why Mr. McClary does not agree to shorten the statute of limitations. Mr. Barr responded this item was proposed by Council Member Robb, which shortens the amount of time an employee can file a lawsuit against the City. It was proposed the statute of limitations would be six months, however, Mr. McClary did not agree to the terms. Mr. Murdock asked if he was agreeable to shortening the statute by any amount. Mr. Barr responded he was not. Mr. Murdock asked what the general law is for statute of limitations. Mr. Barr responded he believes two years. Mayor Edmonds stated Mr. McClary's response to the Attorney's Office stated it is in his best interest because facts can present themselves later than six months. Council Member Richardson asked if the last two City Managers had this stipulation in the contract. Mr. Barr responded the former City Manager did not have a statute included in his contract. Council Member Robb interjected that there was a statute of limitation in the former City Manager's contract. Mr. Barr apologized for misspeaking. Council Member Vogt stated as an attorney he would never advise a client to agree to this term, unless there was an extremely large consideration paid in return for that item.

Council Member Murdock moved, seconded by Council Member Robb to amend Section 3, sub-section e, of the contract by changing 120 days of severance pay to 90 days.

Council Member Murdock stated a six, or four month severance package is excessive, and three months is a perfectly adequate. He said most people, when fired, are not given severance pay and are lucky to get notice at all. He said this might be the standard for City Managers, but it is not his. Mayor Edmonds stated she will vote against the amendment and it might be the tipping point of not getting this person. Council Member Bashert stated this is the right Manager for the City and is Council more invested in

being right, or approving a contract in which both sides have compromised. Council Member Richardson replied it might seem like a small change but she agrees the severance should only be for 90 days. She understands Council wants to hire this individual, but is it willing to make all of these concessions. Council Member Vogt asked what the alternative is. Mayor Pro-Tem Brown responded a majority of Council felt Mr. McClary should be Ypsilanti's next City Manager and the other options would command the same contract, or possibly higher. If Council wants to hire him it will need to meet him halfway. She understands some Council Members would like to reduce the severance to 90 days, but is it worth the risk of not being able to hire him. Ms. Bashert stated she is confused by Council Member Richardson's comments because this is such a small change from the former City Manager's contract.

On a roll call, the vote to amend Resolution No. 2017-012 was as follows:

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

VOTE:

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

Council Member Murdock stated overall the contract has changed from how it was originally submitted. He said he still takes issue with providing a parachute of four months because of the work Council did on prior contracts to reduce it to three months. Overall he will support the contract with his issues noted.

On a roll call, the vote to approve Resolution No. 2017-012 as amended was as follows:

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

VOTE:

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

~~2. Resolution No. 2017-014, setting date to consider the appeal of Depot Town Alternative Health. (Removed)~~

3. Resolution No. 2017-016, approving, denying, or take under advisement the appeal of Depot Town Alternative Health.

Mr. Barr stated a Medical Marijuana Dispensary License has been revoked by the City. The ordinance allow for an appeal, and on January 13, 2017 an appeal was filed with the Clerk Department. The Ordinance states Council must consider the issue no more than 30 days after the appeal is filed. He said a resolution to set a date for the appeal was forwarded to the Clerk Department to be included on tonight's agenda. Today he received an email from Council Member Murdock requesting the hearing be held at this meeting. The appellant and his attorney have both agreed to hold the hearing today, so the Attorney's Office drafted the Request for Legislation (RFL) and coinciding resolutions. If the appeal is held today Council will have three choices; approve, deny, or set a time and date for a final decision. The structure of this process will be for the Mayor to announce the appeal then the Attorney's Office

would state its position, followed by the appellant's decision. The City would then respond to the appellant and Council will consider the evidence presented, debate, and provide a decision.

Mayor Edmonds asked if the Ordinance states an appeal should come to Council, or is this process set by State Law. Mr. Barr responded the Ordinance states the City can license these businesses and if licensed the business agrees to inspections, and as a result of the inspection the City Manager can deny a license. If a license is denied the owner of the business has the right to appeal, but the Ordinance does not describe specifically the structure of the appeal. Ms. Edmonds asked if that is based on state law. Mr. Barr responded possession and sale of marijuana was illegal based on federal law and state law. The state legislated exceptions to the law, such as medical marijuana. The City then decided to create an ordinance to allow for medical marijuana dispensaries so that it could regulate them. The State Legislature decided to add to the law making it clearer. There have not been rules created that dictate how medical marijuana businesses may operate. City staff met to discuss possible changes and it was decided to maintain the current ordinance until the changes were finalized by the state.

Council Member Vogt stated the inspection was on December 22, 2016 and the state law went into effect on December 20, 2016. Mr. Barr responded in the affirmative. Mr. Vogt asked if at the time of the inspection the City was two days out of date. Mr. Barr responded the law changed in the state, but the City's ordinance was still in place. The issue raising from that was the display of edibles, but the City's position is not based on edibles.

Mayor Edmonds announced the beginning of the appeal.

Assistant City Attorney Den DuChene provided the City's remarks regarding the case, and that the appeal be denied.

Mayor Edmonds stated one of the issues noted is the product is required to be in enclosed locked facilities and it was not. Mr. DuChene responded in the affirmative. Council Member Vogt asked if the log book is also state law. Mr. DuChene responded it is required by ordinance, and quantities of product and sales.

Mayor Edmonds asked what the main issue of why the appeal should be denied is. Mr. DuChene replied the not keeping a log, not locking and maintaining the marijuana on the premises, and not ensuring customers were registered patients.

Council Member Bashert asked who from the City was present for inspections. Mr. DuChene responded; Police Chief DeGiusti, Economic Development Director Ernat, Building Manager Daniels, and Inspector Roe. Ms. Ernat asked if that was standard procedure for four city officials to take part in the inspections. Chief DeGiusti responded in the affirmative, and explained each member of the inspection has their own area of expertise. Ms. Bashert stated having worked in restaurants for years and has had experience with health inspections. She understands food is not a controlled substance, but alcohol is. She said it only takes a single inspector to complete the inspections. Mr. DuChene responded city buildings are inspected independently of this process through inspection and a health inspector's expertise revolves around food safety.

Mayor Edmonds asked if the same conditions have been applied in the four previous inspections of this business. Mr. DuChene responded to his knowledge yes. Ms. Edmonds asked if in previous inspections was a log book present. Chief DeGiusti responded in the affirmative. Ms. Edmonds asked if in previous inspections storage was in line with the ordinance. Chief DeGiusti responded there have been incidents in the past, but nothing to this degree. He added during this inspection he, and the other inspectors were asked to stay outside, which raises suspicions. He added the security and accountability for the

product because if a caregiver can only have five patients and can have only two and a half ounces per patient. He said the product was being kept in large plastic containers with only the name of the strain on the container. There was no assignment for the marijuana, making it impossible to know how much marijuana a caregiver has. This is why it is critical to have a log in order to know what product belongs to what caregiver. Ms. Edmonds asked if Chief DeGiusti was a part of previous inspections. Chief DeGiusti responded in the affirmative. Ms. Edmonds asked if there was a log in previous inspections. Chief DeGiusti responded in the affirmative.

Council Member Murdock stated the business passed last year's inspection. Chief DeGiusti responded in the affirmative. He added every year minor issues are noticed at each business, and the business is instructed to make the necessary changes. This year the issues found at Depot Town Alternative Health were so egregious further action was required. Mayor Edmonds asked if the electrical issues were present during the last inspection. Inspector Roe replied they were not. Ms. Edmonds asked if all issues are documented even if the business passes inspection. Economic Development Director Beth Ernat responded the Building Manager would have those records.

Council Member Bashert asked how long the inspection team was asked to stand outside before they were allowed to complete the inspection. Ms. Ernat responded after five minutes two customers entered and the inspection team followed, and it was made clear to the manager that if not allowed to complete the inspection the business would be immediately shutdown.

Dennis Hayes, attorney for the appellant stated both the owner and the manager would like to address Council.

Jeffery Cifor, owner, stated there was a change in the way the medicine was stored, but storage was returned to the previous method. He said the business model is to recruit caregivers and patients who would like to become caregivers. And if patients are unable to find caregivers Depot Town Alternative Health assists them in locating a caregiver. He said a POS system is present that includes all data on patients and caregivers, why the manager told the inspectors there was not a log he could not say. He added recently he had two electricians work to complete all necessary changes.

Chad Seward, 3522 Linden, Regional Manager, stated Council is been slightly misinformed, there are POS systems designed to track "seed to sale" and one of them on the market called MJ Freeway, and very few Michigan based dispensaries use them. The systems are designed to abide by each state guideline and Depot Town Alternative Health is one of the few dispensaries using it in Michigan. The reason the POS was not able to be seen the date of the inspection is because MJ Freeway was hacked on December 15th. As recent as today the system is back in place and all data is being tracked. However, all previous data is still not yet in place, which will slowly be replaced over the span of a few weeks. Mayor Edmonds asked if the electronic record was in place in previous years, and if Mr. Seward was a part of previous inspection. Mr. Seward responded he was hired at the end of April, and not a part of previous inspections. Council Member Robb stated the MJ Freeway Facebook Page states the hack took place January 8th not December 15th. Mr. Seward responded he can only report on what he was told by MJ Freeway, and provide backlog data.

Council Member Vogt asked why this explanation not given to the inspectors. Mr. Seward responded he is not certain, but the report stated the manager was asked for "hard cards", which are not kept on site by law. He said these records to exist and can be provided if

requested. Mayor Edmonds asked if he was the manager on duty the day of the inspection. Mr. Seward responded he has not.

Council Member Vogt asked if there is an argument contrary to the City's claim medicine was provided to patients without proper identification requested. Mr. Seward responded he would argue that fact, and said it is protocol to ask for identification before being allowed to receive medicine. Mr. Vogt responded since Mr. Seward was not present he cannot be certain if the practice is adhered to. Mr. Seward responded since he has been employed he has never witnessed an employee not following this protocol.

Council Member Vogt asked for an explanation of the assertion that staff witnessed containers holding product being removed from the building. Mr. Cifor responded that occurred after City officials told his staff to remove the "medibles" from the shelf. After the request his staff was transferring the product to an office in the rear of the building. Mr. Seward added the design of the facility is as follows; the entrance flows into the lobby, once in the lobby there is another door which can only be accessed from the inside. Once verified the individual has a card they are allowed in all of the medicated products are in a locked office, which also contains in safe and that is where the "medibles" were taken.

Council Member Richardson asked what the procedure is if two people enter the facility and only one has a card. Mr. Seward responded the person without a card would be required to stay in the lobby.

Council Member Bashert asked why the inspectors were not allowed access immediately. Mr. Cifor responded patients may have been present in the meds room, and a patient's privacy would come first. Mr. Seward added five minutes to wait for an inspector to wait is not a long time in any industry. However, he cannot not speak to why the manager did not allow the inspectors in immediately. Council Member Robb asked why the manager was not brought to this hearing to answer these questions. Mr. Seward responded the manager was welcome to come, however, he cannot not force the manager to be present. Mayor Edmonds asked if the manager is still employed. Mr. Seward replied he is still employed but has been reprimanded. He added if Council needs further information after this hearing the employee will be made available for questioning.

Mayor Pro-Tem Brown stated the inspection report stated three patients were given access to the area past the lobby without providing identification. Mr. Seward responded he was not present that day, but the policy is to always ask for identification. Ms. Brown asked for clarification of the process. Mr. Cifor responded there are two windows, the first has a receptionist that will check the patient's information on a POS. The patient would hand the receptionist their license and medical marijuana card, which would be checked to ensure the patient was in fact in the system. If the patient was not in the system the receptionist would assist the patient in finding a caregiver. He added every patient's identification is verified before being allowed access. Ms. Brown asked how long it would take to verify a patient. Mr. Seward responded between five and twenty minutes depending if the individual is a new patient.

Council Member Bashert stated this is a "he said, she said" situation. She said the hack of MJ Freeway has not been verified. Mr. Seward responded it is on their Facebook page. Council Member Robb confirmed and said the hack was January 8th. Mr. Robb asked how a hack that occurred in January could effect not being able to produce the log during the inspection. Mr. Seward responded the hack only prevents him from proving the records previous to the hack. He said he finds it interesting that the POS system was not noticed during the inspection. Mayor Edmonds responded Mr. Seward was not present and does not have a frame of reference for what occurred during the inspection.

Council Member Murdock asked if the employee on duty during the inspection was interviewed. Mr. Seward responded in the affirmative, and much with what the employee said is consistent with the report. He said perhaps if the questions regarding the patient log were asked in a different way he would have provided the inspectors with information on the POS system.

Council Member Vogt stated in essence it is being acknowledged that certain things not yet authorized did occur. Mr. Seward responded the attorney representing the dispensary advised him once the state law changed they could abide by the new law. Mr. Vogt asked when the change was made. Mr. Cifor responded the change was made on December 20th. Mr. Vogt asked if on the day of the inspection they were removed from the display. Mr. Cifor responded in the affirmative. Mr. Hayes added the law regarding "medibles" did in fact go into effect on December 20th per House Bill 4210. Mr. DuChene responded the Attorney's Office has conceded that "medibles" were likely legal at the time of the inspection. Mr. Hayes stated the other law House Bill 4209, regarding provisioning centers, will take a year to create the bureaucracy to govern the new law.

Council Member Richardson asked what the major concerns that Council should be reviewing are. Mr. DuChene responded the law limits the amount of marijuana that can be possessed by caregiver for a patient. The law also strictly limits how sales can occur between caregivers and patients. In order to make sure those laws are followed there needs to be a tracking system that links the caregiver to each of their patients. Also, the City Ordinance requires that a logbook, or database be maintained. The other issue is the locking and general storage of the marijuana. Those are the main issues aside from the suspicious actions that took place on the day of the inspection. Mr. Hayes responded locked facilities are only a condition that apply to grow facilities. Mr. Cifor added there is nothing in the law that states the medicine must be locked. Also, there was a recent court case that voided the closed container protocol. Mr. Hayes stated the building code violations should not be an issue that would result in the closure of the business. He said the other violations were a result of an inexperienced manager, and he attempted to do what was appropriate. He said Depot Town Alternative Health is attempting to comply with the law, which it has done since opening. He said Council has three choices; to adjourn the hearing to allow for more evidence, to grant the appeal, or to deny the appeal. He asked that Council allow this business to reopen in order to service its payments. He said this business has passed all of its previous inspections and the observations made by the inspectors are open to more than one interpretation. He said it must be kept in mind this business has patients that desperately need their medicine.

Mr. DuChene stated the question before Council is not whether or not there has been an attempt to comply with the ordinance, it is if a violation has occurred. He said there is also a claim it is not the fault of the respondent the manager was unprepared at the time of the inspection. He said the purpose of the inspection is to ensure the business is complying with the ordinance. The respondent claims to use a seed to sale tracking system, which may be, but the reason it was not available at the time of the inspection is that it was hacked. If it happened on January 8th it was well after the inspection, and why would the log not have been provided the day of the inspection. Mayor Edmonds responded that would be a question for the manager that is not present. Mr. DuChene hypothesized that it was not produced because it was not being used at that time. He said even if a "seed to sale" POS system was being used how it could have been effective if the marijuana was being stored in containers that do not properly identify the caregiver.

Mayor Edmonds asked for clarification of how tracking works. Mr. Seward responded MJ Freeway is designed so that every caregiver must be setup as a vendor. All patients serviced by that caregiver are tracked through that system and those patients would only be given product produced by that vendor. Ms. Edmonds asked if the container would be labeled as belonging to a specific caregiver. Mr. Cifor responded each caregiver is allowed five patients, and allowed to have two and half ounces per patient. If the caregiver was also a patient there would be a possibility of fifteen ounces assigned to that caregiver. Council Member Vogt asked how is it kept track that one patient does not get all of the medicine. Mr. Cifor responded a patient is only allowed to possess two and half ounces at any given time. Mr. Vogt asked how the inspectors, or another third party would, know how much product a patient receives. Mr. Cifor responded the dispensary does not have access to the caretakers product unless they are on the premises. Mayor Pro-Tem Brown asked if the POS tracks "X" product from a caregiver to a patient. Mr. Cifor responded in the affirmative.

Chief DeGiusti stated in each of the other dispensaries every caregiver has a locker that only they are able to access. That is where each caregiver's product is stored unless they are on premises. The logbook should have the exact amount of product recorded for each caregiver.

Council Member Richardson asked if she were a patient her caregiver would need to be present in order for her to access her medication. Chief DeGiusti responded in the affirmative.

Mr. DuChene stated the reason given by the respondent as to why the product was being removed from the store is because they were asked to remove the "medibles". Mr. Cifor responded it was not removed from the store. Mr. DuChene stated the product was removed before the City began its inspection. The other issue is that patients were allowed access without providing proper identification as required by law.

Council Member Richardson stated there needs to be another inspection ensuring everything is in order before she is willing to grant the appeal.

Council Member Murdock asked if the building violations, not including the electrical violations, were simply cleaning the egress and would not have required a contractor. Mr. Roe responded in the affirmative.

Mayor Edmonds stated by the facts presented it sounds like there were errors. She said the appellant informed Council that most, if not all have been corrected. She recommended a conditional reopen until a re-inspection can be completed, and at that time, if the inspection is completed satisfactorily a full license would be rewarded. Also, that staff of Depot Town Alternative Health be given further training. Mr. Cifor interjected staff has already been given additional training. Ms. Edmonds requested proof of the additional training to ensure these issues do not reoccur.

Council Member Robb stated the two issues of this regarding this appeal are the log book, and at the time of the inspection the manager did not show a point of sale system. The appellant's attorney claims it is not the business' fault the manager failed to produce the log, but it actually is the fault of the business. However, once the data is restored in their tracking system this can be verified. The other issue is more egregious, the ordinance states that product is to be stored and locked. The appellant had done that in the past and ceased that practice, until after they failed inspection. That is a violation of the ordinance and Council should set a fine for that violation. Mayor Edmonds asked what the amount should be for the fine. Mr. Robb responded \$2,500.

Council Member Bashert stated it seems the business was poorly run for some time, which is upsetting because it deals with a controlled substance. She agreed that if everything has been corrected, and a fine has been paid the appeal should be granted.

Council Member Murdock asked how long the business has been closed. Mr. Seward responded a week.

Council Member Bashert asked if the entire system of how product has secured had been changed two days prior to inspection. Mr. Cifor responded they were under the impression all the new state laws had taken effect on December 20th. He added the system was mostly the same except the way the medicine was stored. Once the new law does take effect caregivers will no longer play as big of a role with provisioning centers, vendors and commercial growers will be supplying dispensaries. Ms. Bashert stated it appears Depot Town Alternative Health cares a great deal about its patients, and should care about its property to the same degree.

Council Member Murdock stated this is a heavily regulated business, more so than any other business type. If the appeal is denied it would be a death sentence for this business because there are seven issued licenses and the City set a cap of six. The City could provide for conditional approval, on several conditions; a re-inspection, to ensure the business is following practices set by ordinance, adjustments in training, and a re-inspection fee of some sort. A full license would depend on the outcome of the inspection.

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

This resolution concerns the appeal of the City denial of a license renewal of Depot Town Alternative Health Care, Inc., Appellant.

Upon agreement of all parties the matter was considered by Ypsilanti City Council this day.

After review of all the documents, including the Letter of Non-Renewal of Medical Marijuana Dispensary License with attachments of building code violations and Inspection Report, and review of the Appeal request of January 13, 2017 and the letter of attorney Dennis Hayes, and the statements and arguments,

It is determined that the facts set out in the letter of Non-Renewal are accurate, relevant significant and serious and are in violation of the ordinance, and the Appellant has corrected all the violations and there is a question of the application of law, and this is the first violation of the Appellant.

Now therefore, after consideration of all the facts, statements, arguments and materials, City Council is satisfied that since the violations have been corrected and the interests of justice will be served if the Appeal is granted;

THE APPEAL IS GRANTED and the city manager is directed to issue the license renewal.

OFFERED BY: Council Member Robb

SECONDED BY: Council Member Bashert

Council Member Robb moved, seconded by Council Member Bashert to extend the meeting until 11:00 p.m.

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

Council Member Robb stated he would like the business to be able to open tomorrow if the fine is paid. Mr. Barr stated the way the resolution has been read it would require the appellant to complete the listed conditions before being issued a license.

Mayor Edmonds asked when the earliest date staff can do re-inspections is.

Council Member Robb asked what the hack has done to the POS system, and how can the business operate while it is done. Mr. Cifor responded the patient's card and license are requested, copies are made, and the sale is recorded on paper. Mr. Robb asked if the POS system is down how you will track how much product a caregiver has on hand. Mr. Seward everything would need to be recorded by hand. He said MJ Freeway is currently functioning, however it does not include data from before the hack. Mr. Robb stated if the inventory is included he does not see an issue with awarding a conditional license.

Council Member Bashert stated the state law regarding medical marijuana seems dynamic, and it might be time to begin reviewing the City's ordinance. Mr. DuChene responded that process has already begun.

Council Member Murdock asked if the business will be able to open during re-inspection. Mayor Edmonds responded the way the resolution reads the business may reopen once the conditions are met. She asked if staff can let Council know by noon tomorrow when the re-inspection can take place. Chief DeGiusti responded he will be able to give an affirmative response if something will or will not be able to happen this week. Ms. Ernat stated building inspections are scheduled six to twelve months in advance. Council Member Bashert replied this business cannot be expected to wait six to twelve months for another inspection. Ms. Ernat replied the building department is short staffed due to medical leave and training. If Council wants the re-inspection to happen as soon as possible, other scheduled inspections will need to be postponed.

Council Member Murdock stated there must be a way for this business to open while it awaits inspection. He said a conditional license could be awarded while, once it passes re-inspection a full license can be awarded. Council Member Robb added he would prefer the fine be paid before being awarded a conditional license.

Council Member Vogt stated as a result of difficulty in scheduling the re-inspection he would support a conditional license if the fine has been paid. He added the re-inspection does not need to be completed all the same date. Mr. Barr agreed this would be an acceptable process.

Council Member Robb removed his motion on the original resolution.

Substitute Resolution No. 2017-016

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

This resolution concerns the appeal of the City denial of a license renewal of Depot Town Alternative Health Care, Inc., Appellant.

Upon agreement of all parties the matter was considered by Ypsilanti City Council this day.

After review of all the documents, including the Letter of Non-Renewal of Medical Marijuana Dispensary License with attachments of building code violations and Inspection Report, and review of the Appeal request of January 13, 2017 and the letter of attorney Dennis Hayes, and the statements and arguments,

It is determined that the facts set out in the letter of Non-Renewal are accurate, relevant significant and serious and are in violation of the ordinance, and the Appellant has agreed to correct all the violations and there is a question of the application of law, and this is the first violation of the Appellant.

Now therefore, after consideration of all the facts, statements, arguments and materials, City Council is satisfied that when the violations have been corrected and the interests of justice are served, a conditional license will be granted upon payment of \$2500 for fines and costs.

Be it further resolved, the following conditions must be met before full license is restored:

- 1. All violations are corrected**
- 2. The property and premises are re-inspected with no violations**
- 3. Evidence of additional training**

OFFERED BY: Council Member Robb

SECONDED BY: Council Member Murdock

On a roll call, the vote to approve Resolution No. 2017-016 as amended was as follows:

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

VOTE:

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

Council Member Vogt stated he is proud of all involved parties including Council. This is a difficult issue to resolve in one night, and the resolution is a perfect example of public service.

X. AUDIENCE PARTICIPATION –

None

XI. REMARKS FROM THE MAYOR –

Nominations

Historic District Commission

Ann Stevenson (**Reappointment**)
707 Collegewood
Exp. 1/31/2020

XII. ADJOURNMENT –

Council Member Bashert moved, seconded by Council Member Vogt to adjourn the meeting.

On a voice vote, the motion carried, and the meeting adjourned at 10:27 p.m.



Resolution No. 2017-055
March 7, 2017

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Federal Surface Transportation Program - Urban funding has been programmed in the 2017 Washtenaw County Transportation Improvement Program for preventative maintenance projects in the City of Ypsilanti; and

WHEREAS, it is necessary to secure design engineering services to meet MDOT permitting requirements and keep this project on schedule for the 2017 construction year;

WHEREAS, Orchard, Hiltz and McCliment has provided an exemplary level of service to the City of Ypsilanti on similar improvement projects, and they possess a depth of experience with the infrastructure in the project area; and

NOW, THEREFORE, BE IT RESOLVED THAT the City Council approves the proposal for design engineering services with Orchard, Hiltz & McCliment, Inc., 34000 Plymouth Road, Livonia, MI at a lump sum cost of \$46,800; and

THAT, the cost for the design engineering for this project be expended from account # 202-7-9060-975-00 in the FY2016-17 Budget; and

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

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

OFFERED BY: _____

SUPPORTED BY: _____

YES:

NO:

ABSENT:

VOTE:



REQUEST FOR LEGISLATION

From: Stan Kirton, Director of Public Services Date: March 7, 2017

Subject: Agreement with Orchard, Hiltz & McCliment, Inc. for 2017 Major Road Resurfacing Project Design Engineering Services

Summary and Background:

Federal Surface Transportation Program - Urban funding has been programmed in the Washtenaw County Transportation Improvement Program for preventative maintenance projects in the 2017 construction season. Road segments identified for this project include: Congress between Elm to Ballard, mill and overlay; Summit between Washtenaw and Michigan Ave., mill and overlay; Hamilton between Cross and Washtenaw Ave., mill and overlay east lane; Michigan Ave. between Fire Station and the Senior Tower, base repair, mill and overlay. The scope of work for this project includes; 2 inch mill and HMA resurfacing, installation of 84 ADA compliant sidewalk ramps and select curb and sidewalk replacement.

The total project cost is estimated at \$585,000, less \$470,000 Federal Funds, the City's estimated share for construction will be approximately \$115,000.

The FY 2016-2017 budget account #202-7-9060-975-00 allocated funding for design engineering services needed for this project. The construction costs will be allocated in the FY 2017-2018 budget account #202-7-9060-975-03.

The City's estimated share including design and construction engineering and construction costs for this project will be approximately \$248,000.

This project is slated for construction in the fall of 2017 and to keep this project on schedule it is necessary to secure design engineering services.

Orchard, Hiltz and McCliment (OHM) has provided an exemplary level of service to the City of Ypsilanti on similar improvement projects, and possesses a depth of experience with the infrastructure in the project area. Therefore, I recommend hiring OHM to provide design engineering services for this project at a lump sum cost of \$46,800.

Attachments: OHM Proposal

Recommended Action: Approval

Date Received: February 28, 2017 Agenda Item No.: _____

City Manager Comments: _____

For Agenda of March 7, 2017 Finance Director Approval _____

Council Action Taken: _____

February 27, 2017

City of Ypsilanti
One South Huron Street
Ypsilanti, MI 48197

Attention: Mr. Stan Kirton, DPS Director

Regarding: 2017 Major Road Resurfacing

Dear Mr. Kirton:

Orchard, Hiltz & McClimment, Inc. (OHM) is pleased to submit this proposal for design engineering services for major road resurfacing.

PROJECT UNDERSTANDING

The City of Ypsilanti has Surface Transportation Program – Urban (STP-U) funds allocated for 2017. The City wishes to utilize these funds to perform the following work:

Street	From	To	Work	Length (Ft)
Congress	Elm	Ballard	Mill and Overlay	2,200
Summit	Washtenaw	Michigan Avenue	Mill and Overlay	2,650
Hamilton	Cross Street	Washtenaw Avenue	Mill and Overlay East Lane	800
Michigan Avenue (EB)	Fire Station	Senior Tower	Base Repair and Mill and Overlay	250
		Total		5,900

SCOPE OF SERVICES

The project will be prepared in a log style format. The specific tasks to be completed include:

1. The project log and pay items will be prepared using MDOT standard pay items when possible. Special provisions will be written for all work not covered under standard contract pay items.
2. Through traffic may be diverted as required, however access to all properties will be maintained during construction. A detour plan is not anticipated to be necessary.
3. Obtain eight pavement cores.

4. Prepare preliminary plans of the proposed improvements for the City's review. OHM will coordinate a meeting with the DPS to discuss preliminary review comments and construction methods. OHM will also prepare minutes of the meetings and distribute them to all attendees.
5. Gather topographic information as needed to ensure ADA compliance for corner ramps.
6. Send plans to private utility companies for comments on the proposed construction. We do not anticipate the need for any utility relocation.
7. Following the City's preliminary review, OHM will prepare a Grade Inspection (GI) package for submission to MDOT. The GI submission is for plans and specifications approximately 70% complete.
8. MDOT will schedule a meeting to discuss the project following receipt of the GI plans.
9. OHM will attend the GI meeting with MDOT, and submit meeting minutes to all attendees.
10. OHM will prepare final detailed construction plans and specifications, incorporating the City and MDOT comments.
11. Detailed plans will be provided to the City for final review. OHM will coordinate a meeting with the DPS to discuss the final review comments. OHM will also prepare minutes of the meeting and distribute to all attendees.
12. We understand a Sedimentation and Soil Erosion Control permit will be required.
13. The contract documents will be in MDOT format for the front-end documents, bidding forms, contract forms, and technical/general specifications.
14. Project bidding services will be handled by MDOT.

FEE SCHEDULE

OHM proposes to provide the above outlined professional services for a lump sum amount of \$46,800.

OHM will invoice the City of Ypsilanti on a monthly basis in accordance with the continuing services agreement between the City and OHM.

ADDITIONAL SERVICES

OHM will be pleased to provide additional services for this project not specifically described in the scope of work on an hourly basis. OHM will provide a separate proposal for said services.

FURTHER CLARIFICATIONS AND ASSUMPTIONS

- No traffic studies, signal work or access studies are included in this scope.
- No wetland investigation or analysis is included.
- No public involvement component is included. Public meetings, mailers, etc would be the responsibility of the City.

We thank you for this opportunity to provide professional engineering services. If there are any questions, please contact us. Should you find our proposal acceptable, please authorize us to begin the work.

Sincerely,
OHM Advisors



Marcus J. McNamara



REQUEST FOR LEGISLATION
March 7, 2017

From: Stan Kirton, Public Services Director

Subject: Contract with Saladino Construction Co., Inc. for Sidewalk Ramp Replacement Program

SUMMARY & BACKGROUND:

To comply with the consent judgment handed down in the Ann Arbor Center for Independent Living vs. the City of Ypsilanti, the City along with Orchard Hiltz and McCliment, Inc. has developed the Sidewalk Ramp Replacement Program. The program began in September of 2008 and continues annually.

The 2017 Sidewalk Ramp Replacement Program will include the removal and replacement of approximately 1,400 square ft. of ADA sidewalk ramps and associated work throughout the City.

Four (4) sealed bid (see attached bid tabulation) were received by the November 22, 2016 deadline and publicly opened by the Deputy City Clerk. The bid was reviewed for compliance with the City's advertised specifications, including ordinance requirements and bond requirements.

City Staff and OHM recommend that the City Council award the 2017 Sidewalk Ramp Replacement Program Contract to Saladino Construction Co., Inc., 3303 N. territorial Road, Ann Arbor, MI 48106 for the amount of \$48,060.00.

Attachments: Resolution, Bid Tabulation, OHM Letter

Recommended Action: Approval

Date Received: February 28, 2017 Agenda Item No.: 2017-056

For Agenda of March 7, 2017

City Manager Comments: _____

Finance Director Approval: _____

Council Action Taken: _____



Resolution No. 2017 - 056
March 7, 2017

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, bids were duly advertised for The Sidewalk Ramp Replacement Program; and

Whereas, four (4) bid was publicly opened on Tuesday, November 23, 2016 at 2:00 p.m. and reviewed for compliance with bidding qualifications and project specifications; and

WHEREAS, the bid submitted by Saladino Construction Co., Inc., 3303 N. Territorial Road, Ann Arbor, MI 48106, best meets the project specifications and qualifications and is in the best interests of the City; and

WHEREAS, Community Development Block Grant Funds have been allocated for the Sidewalk Ramp Replacement Program;

Now Therefore Be It Resolved That the City awards the bid to Saladino Construction Co., Inc. in the amount of \$48,060.00 for the construction of ADA sidewalk ramps throughout the City during the 2017 construction season; and

THAT the Mayor and City Clerk are authorized to sign the necessary contract documents, subject to approval by the City Attorney, to facilitate the completion of this work.

FURTHER, that the City Manager is authorized to sign change orders for additional ramp repairs subject to the approval by the City Attorney.

OFFERED BY: _____

SUPPORTED BY: _____

YES:

NO:

ABSENT:

VOTE:

Tabulation for Bids Received on 11/22/16
 2016 CDBG Ramps
 City of Ypsilanti, Washtenaw County, State of Michigan
 OHM Job No.: 0094-16-0040

Saladino Construction Co., Inc.
 3303 North Territorial Rd. W.
 Ann Arbor, MI 48105

Century Cement Co., Inc.
 12600 Sibley Rd.
 Riverview, MI 48193

GM and Sons, Inc.
 6784 Whitmore Lake Rd.
 Whitmore Lake, MI 48189

Lacaria Concrete Construction
 P. O. Box 180435
 Utica, MI 48318-0435

Item No.	Description	Estimated Quantity	Phone:		Phone: 734-284-8770		Phone: 734-929-1259		Phone: 586-771-3670	
			Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1)	Mobilization, Max 5%	1 LS	\$1,800.00	\$1,800.00	\$3,000.00	\$3,000.00	\$3,000.00	\$3,000.00	\$4,600.00	\$4,600.00
2)	Traffic Control and Maintenance	1 LS	\$1,500.00	\$1,500.00	\$15,000.00	\$15,000.00	\$11,000.00	\$11,000.00	\$15,000.00	\$15,000.00
3)	Curb and Gutter, Rem	280 Ft	\$10.00	\$2,800.00	\$10.00	\$2,800.00	\$20.00	\$5,600.00	\$30.00	\$8,400.00
4)	Pavt, Rem	32 Syd	\$15.00	\$480.00	\$30.00	\$960.00	\$50.00	\$1,600.00	\$30.00	\$960.00 ¹
5)	Sidewalk, Rem	312 Syd	\$13.50	\$4,212.00	\$9.00	\$2,808.00	\$40.00	\$12,480.00	\$30.00	\$9,360.00
6)	HMA, 13A, Repair	12 Ton	\$150.00	\$1,800.00	\$10.00	\$120.00	\$300.00	\$3,600.00	\$400.00	\$4,800.00
7)	Curb and Gutter, Conc, Det F3	280 Ft	\$34.00	\$9,520.00	\$35.00	\$9,800.00	\$27.50	\$7,700.00	\$30.00	\$8,400.00
8)	Detectable Warning Surface	140 Ft	\$37.00	\$5,180.00	\$60.00	\$8,400.00	\$45.00	\$6,300.00	\$75.00	\$10,500.00 ¹
9)	Sidewalk Ramp, Conc, 6 inch	1400 Sft	\$6.00	\$8,400.00 ¹	\$6.50	\$9,100.00	\$8.50	\$11,900.00	\$8.95	\$12,530.00
10)	Sidewalk, Conc, 4 inch	1400 Sft	\$4.50	\$6,300.00 ¹	\$6.50	\$9,100.00	\$7.50	\$10,500.00	\$8.95	\$12,530.00
11)	Pavt Mrkg, Polyurea, 6 inch, Crosswalk	840 Ft	\$5.00	\$4,200.00	\$3.00	\$2,520.00	\$3.50	\$2,940.00	\$11.00	\$9,240.00
12)	Surface Restoration	467 Syd	\$4.00	\$1,868.00	\$0.01	\$4.67	\$15.00	\$7,005.00	\$14.00	\$6,538.00
TOTAL BID AMOUNT				<u>\$48,060.00</u> ²		<u>\$63,612.67</u>		<u>\$83,625.00</u>		<u>\$102,858.00</u> ²

CORRECTIONS

¹ Bidder's multiplication error has been corrected.

² Bidder's total has been adjusted to refelect corrections.

³

⁴

H:\Municipal_Group Operations\Bid Tabs\Ypsi City\[bidtab 0094-16-0040.xls]Sheet1

ARCHITECTS. ENGINEERS. PLANNERS.



February 27, 2017

City of Ypsilanti
One Huron Street
Ypsilanti MI 48197

Attention: Stan Kirton
Director of Public Services
City of Ypsilanti

Regarding: Bid Results
2016 CDBG Ramps

Dear Mr. Kirton:

Sealed bids for the 2016 CDBG Ramps were received and publicly read aloud at 2:00 pm on Tuesday, November 22, 2016 in the City of Ypsilanti Council Chambers. Proposals were received from four (4) bidders with as-checked results ranging from \$48,060.00 to \$102,858.00. The detailed bid tabulation is attached.

Saladino Construction Company was the low bidder on the project. All required information, including bond surety, statement of qualifications, and subcontractors listing, has been provided.

We have reviewed the documentation submitted by Saladino Construction Company and have found it to be acceptable. We have also reviewed the qualifications submitted by Salidino Construction Company and have found them to be qualified and in good standing.

Upon approval of the contract by City Council, OHM will deliver the contract books to Saladino Construction Company for signature and preparation of the appropriate bonds and insurances. Once the contractor has returned the signed books with the appropriate bonds and insurances, the contract can be executed, and work can begin.

Should there be any questions, please contact this office at (734) 522-6711.

Sincerely,
OHM Advisors
Marcus J. McNamara

CC: Frances McMullan, City Clerk

P:\0000_0100\0094160040_2016_CDBG_Ramps_Construction\100 Administration\100.03 Award Letter\Bid_Results_Ramps.docx\

Attachment: Bid Tab



REQUEST FOR LEGISLATION

March 2, 2017

To: Mayor and Council

From: Beth Ernat, Director of Community and Economic Development

Subject: Local Site Remediation Revolving Fund ("LSRRF") Grant Acceptance

SUMMARY & BACKGROUND: In September city staff with environmental consultants AKT Peerless applied for a grant from the Washtenaw County Brownfield Authority ("WCBRA") for the remediation of the ground contaminants surrounding the new walking trail around Water Street. As part of comprehensive site analysis and Phase II study it was determined that the areas around the trail had PCB, PNC, and arsenic in exceedence of acceptable contact that warrant the closure of the trail until such exceedences could be remediated and other areas of the Water Street site be closed off.

The LSRRF is a fund created from brownfield TIF projects in the County that has been created to grant or loan money for environmental clean-up activities. As this project met the goals of the WCBRA for the LSRRF a grant in the amount of \$200,000 was awarded to the City of Ypsilanti. The Authority awarded the grant of LSRRF funds at the August 16, 2016 meeting, and awarded the Grantee an additional \$40,000 at the December 15, 2016 meeting, for a total of \$240,000. City Council needs to approve the new agreement with the additional funds.

This grant will allow for the removal of contaminants up to two feet in depth, demarcation of the removal areas and a clean soil cap to replace the removed soil. This will be done up to ten feet on either side of the trail. The Water Street fence has been installed except for the portion nearest the trail areas to be remediated. The fence will be completed when remediation is finished. These activities have been updated in our Document of Due Care and Compliance and provided to the MDEQ for their evaluation. In a meeting with MDEQ they expressed their confidence in our plan to move forward. AKT will be submitting a formal document to request a certificate of compliance for the remediation from the MDEQ as part of this grant. Once the certificate is issued the trail will be re-opened for the public to traverse safely.

The bids were let and the lowest qualified bidder, TSP Environmental was approved by Council on December 20, 2016. Due to the mild winter weather, construction is scheduled to start in mid-March and should take less than one month. Opening of the trail is anticipated in April. Legal has reviewed and approved the original grant contract to form.

ATTACHMENTS: WCBRA Contract

RECOMMENDED ACTION: Staff recommends approval of the contract with the WCBRA for the grant of \$240,000 from the LSRRF.

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: 3/7/2017

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The City of Ypsilanti seeks to fully utilize the Border-2-Border Trail at the Water Street site safely without environmental concern; and

WHEREAS, the City has been granted up to \$240,000 from the WCBRA for the remediation of environmental contaminants around the Water Street trail area from the LSRRF the City will receive reimbursement for action funds expended not to exceed \$240,000; and

WHEREAS, the City has entered into a contract with TSP Environmental with the approval of the WCBRA for remediation services as defined in the bid packet; and

WHEREAS, MDEQ has approved the Remediation Action Plan and will certify the activities when they are completed.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council directs it's Mayor and Clerk to enter into a contract with the WCBRA for the acceptance of a \$240,000 grant to remediate the Border-2-Border Trail at Water Street development area.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

WASHTENAW COUNTY BROWNFIELD REDEVELOPMENT AUTHORITY
LOCAL SITE REVOLVING REMEDIATION FUND GRANT AGREEMENT

This Local Site Revolving Remediation Revolving Fund Grant Agreement (the “Agreement”) dated [Month] [Day], 2016 is entered between the WASHTENAW COUNTY BROWNFIELD REDEVELOPMENT AUTHORITY (the “Authority”), an authority established pursuant to Act 381 of 1996, as amended (“Act 381”), whose address is 110 N. Fourth Avenue, P.O. Box 8645, Ann Arbor, Michigan 48107-8645 and the City of Ypsilanti (the “Grantee”), a municipal corporation, whose address is 1 S. Huron, Ypsilanti, MI 48197.

RECITALS

- A. Pursuant to Act 381, as amended, the Authority has established a Local Site Revolving Remediation Fund (the “Fund”) for the purpose of facilitating brownfield redevelopment in the region.
- B. The Authority adopted a policy for awarding loans and grants from the Fund to support eligible activities on eligible brownfield properties.
- C. The Authority awarded the Grantee a \$200,000 grant of LSRRF funds at the August 16, 2016 meeting, and awarded the Grantee an additional \$40,000 at the December 15, 2016 meeting, for a total of \$240,000.
- D. The Authority and Grantee developed a Brownfield Plan to facilitate the redevelopment of the Water Street Brownfield Redevelopment Site, a 38 acre brownfield site in the City of Ypsilanti, located at 1-216 E. Michigan Avenue, which was approved by the Washtenaw County Board of Commissioners on February 18, 2015.
- E. The Grantee wishes to utilize LSRRF grant funds to conduct eligible activities within the Water Street brownfield redevelopment area, and the Authority is willing to do so on the Terms and Conditions herein contained.

TERMS AND CONDITIONS

Pursuant to the Recitals of this Agreement, the parties agree with each other as follows:

1. Grant – The Authority hereby agrees to grant to the City of Ypsilanti up to \$240,000 to conduct eligible brownfield activities, including environmental testing and oversight, additional response, due care, and similar activities in the vicinity of the non-motorized path from E. Michigan Avenue, along the Huron River, to generally the southeast corner of the site. The areas within which grant funds will be utilized are indicated as “proposed excavation areas,” attached as Exhibit A to this

Agreement, entitled "Site Map with Soil Results Exceeding MDEQ RCC-Walking Path Area, Figure 3," dated 6/7/2016.

2. Grant Budget – Prior to conducting any Eligible Activities under this Grant, with the exception of any necessary consulting expenses for planning those Eligible Activities, Grantee shall submit a Grant Budget to the Authority, or designated staff, for approval. The Grant Budget is attached to this Agreement as Exhibit B, and shall include a detailed list of all proposed Eligible Activities to be funded with the grant, including description, amounts, and any planned contingency.
3. Repayment – The funds granted shall not be required to be repaid to the Authority, provided the Grantee complies with all applicable Terms and Conditions.
4. Procurement of Eligible Activities – The Authority is bound to be good stewards of the public funds within the LSRRF Fund. Therefore, the Authority will ensure the grant funds are utilized in the most efficient and effective manner, and shall exercise general oversight of the process by which the Grantee utilizes grant funds through approval of the Grant Budget. In addition, the Grantee shall provide to the Authority, through its designated staff, for review and approval 1) any bid specifications prepared to be included in any Request for Proposals in seeking competitive bids from qualified contractors to perform any of the Eligible Activities to be covered by this Grant, and 2) all bids received from applicable contractors. The Authority, through its designated staff, after full review of all bids in collaboration with the Grantee, shall have sole discretion in awarding the Grant-funded work to the preferred contractor. The Grantee already has an environmental consultant on retainer, and a competitive procurement process is hereby waived for professional services related to grant-related environmental consulting and oversight, subject to approval of the Grant Budget, as stated in subsection #2.
5. Disbursement – The Grant funds will be disbursed to the Grantee as Eligible Activities are or have been completed, upon submittal by Grantee of a statement of costs of such activities paid or incurred from time to time, but not more frequently than monthly. Such a statement shall include a description of Eligible Activities performed, and a copy of invoices for the work described in such statement. Within forty (40) days of a receipt of a complete statement and supporting invoices, the Authority shall review the statement, confirm that the Eligible Activities are consistent with the Grant Budget, and disburse to Grantee the amount set forth in the statement, up to a cumulative disbursement not to exceed \$240,000.
6. Surplus Grant Fund – Should any grant funds remain after all Eligible Activities are completed, the Grantee may request use of the remaining funds for additional Eligible Activities, up to \$240,000 total, with prior approval by the Authority.
7. Compliance with Applicable Environmental Regulations – It shall be the responsibility of the Grantee to comply with all applicable local, state and federal environmental regulations, as it applies to any and all Eligible Activities funded by the LSRRF Grant.

8. Grant Expiration – All Eligible Activities shall be completed within one year of this Agreement, unless the Authority grants an extension.
9. Insurance – The Grantee shall purchase and maintain insurance coverages as indicated, with the exception of d., at limits not less than those set forth below. The Grantee shall also require each and every contractor(s) and/or subcontractor(s) engaged by the Grantee to perform services pursuant to this Agreement to purchase and maintain insurance coverages at the limits set forth below. Grantee and its contractor(s) and/or subcontractor(s) shall name Washtenaw County and Washtenaw County Brownfield Redevelopment Authority as an additional insureds under all coverages listed below except Worker's Compensation. The Grantee shall maintain other insurance as it deems appropriate for its own protection.
 - a. Worker's Disability Compensation and Occupational Disease Insurance including Employers Liability Coverage in accordance with all applicable statutes of the State of Michigan.
 - b. Commercial General Liability Insurance on an "Occurrence Basis" with limits of liability not less than \$1,000,000 per occurrence and \$2,000,000 aggregate combined single limit. Coverage shall include the following:
 - i. Contractual Liability
 - ii. Products and Completed Operations
 - iii. Independent Contractors Coverage
 - iv. Broad Form General Liability Endorsement or Equivalent
 - c. Motor Vehicle Liability Insurance, including Michigan No-Fault Coverage, with limits of liability of not less than \$1,000,000 per occurrence for Bodily Injury and Property Damage. Coverage shall include all owned vehicles, all non-owned vehicles and all hired vehicles.
 - d. Grantee shall ensure that Environmental Impairment Liability Insurance is provided by Contractors, sub-contractors and site work contractors engaging in environmental and/or demolition activities, covering any sudden and non-sudden pollution or environmental impairment, including clean up costs and defense, with limits of liability of not less than \$1,000,000 per occurrence.
 - e. All insurance coverages described above shall remain in effect at all times until completion of all Eligible Activities. The Grantee shall deliver copies of certificates of insurance for each of the policies mentioned above to the Authority. If so requested, certified copies of all policies will be provided. It is understood and agreed that thirty (30) days advanced written notice of cancellation, non-renewal, reduction and/or material change in any coverage shall be sent to the Authority.

10. Indemnification – The Grantee shall indemnify, defend, and hold harmless, the Authority, Washtenaw County, and their officers, board members, commissioners, employees and agents from all claims, damages, lawsuits, costs and expenses, including reasonable attorney fees, incurred as a result of any acts, omissions, negligence, or gross negligence of the Grantee or its employees, agents, consultants, contractors or subcontractors related to the grant-funded activities or its performance under this Agreement. This indemnification includes any damages, costs, and expenses in excess of those covered by any insurance of the Grantee. The Grantee shall indemnify the Authority, Washtenaw County, and any of the listed entities officers, board members, commissioners, employees and agents from all reasonable costs and expenses, including reasonable attorney fees, incurred in the enforcement of any obligation or claim against the Grantee under this Agreement. These indemnification provisions will survive the termination of this Agreement. By entering this Agreement, neither party waives any immunities provided under state or federal law.
11. Freedom of Information Act – Grantee understands that all communications, information, and/or documentation submitted by Grantee may be open to the public under the Freedom of Information Act, Act No. 442 of the Public Acts of 1976, being Sections 15.23 to 15.24 of the Michigan Compiled Laws and no claim of trade secrets or any other privilege or exception to the Freedom of Information Act will be claimed by Petitioners as it relates to this Agreement.
12. Notices – All notices shall be given by registered or certified mail addressed to the parties at their respective addresses as shown above. Either party may change the address by written notice sent by registered or certified mail to the other party.
13. Assignment – The interest of any party under this Agreement shall not be assignable without the other parties' written consent.
14. Entire Agreement – This Agreement supersedes all agreements previously made between the parties relating to the subject matter. There are no other understandings or agreements between them.
15. Non-Waiver – No delay or failure by either party to exercise any right under this Agreement, and no partial or single exercise of that right, shall constitute a waiver of that or any other right, unless otherwise expressly provided herein.
16. Headings – Headings in this Agreement are for convenience only and shall not be used to interpret or construe its provisions.
17. Governing Law – This Agreement shall be construed in accordance with and governed by the laws of the State of Michigan.
18. Compliance with Applicable Law – Grantee agrees to comply all applicable federal, state, and local laws, statutes, rules, regulations, ordinances, and other legal obligations of a similar effect.
19. Counterparts – This Agreement may be executed in two or more counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same instrument.

20. No Third Party Beneficiaries – This Agreement shall not be deemed or construed to create any rights to reimbursement or otherwise in the Consultant, Contractors, Subcontractors, or any third parties. This Agreement shall not be construed to create any third party beneficiary contract or claim, and the parties intend there to be no third party beneficiaries.

21. Binding Effect – The provisions of this Agreement shall be binding upon and inure to the benefit of each of the parties and their respective heirs, legal representatives, successors, and assigns.

The parties have executed this Agreement on the dates set forth below.

WASHTENAW COUNTY BROWNFIELD REDEVELOPMENT AUTHORITY

BY: _____
Doug McClure, Chairman

Date: _____

Attested to:

By: _____
Lawrence Kestenbaum, County Clerk/Register

Date: _____

Approved As to Form:

Approve As to Form:

By: _____
Curtis Hedger, Corporation Counsel

By: _____
John Barr, City of Ypsilanti Attorney

City of Ypsilanti, Grantee

BY: _____

PRINT NAME: _____

ITS: _____

Date: _____

Exhibits

Exhibit A – “Site Map with Soil Results Exceeding MDEQ RCC-Walking Path Area, Figure 3

Exhibit B – Grant Budget

DRAFT

EXHIBIT A - Site Map with Soil Results Exceeding MDEQ RCC-Walking
Path Area, Figure 3

DRAFT

EXHIBIT B – Grant Budget

DRAFT



**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: March 3, 2017

FROM: John M. Barr, Ypsilanti City Attorney

SUBJECT: Joseph Golder – 1002 Washtenaw

SUMMARY/BACKGROUND

At the last City Council meeting, the Mayor brought it to our attention that she and Councilmember Bashert had met with Mr. Golder concerning his ongoing issue regarding his property and the Oakwood right-of-way. We were asked to bring the previous agreement that had been drafted to settle the matter, but change it so that the City would bear the upfront cost of the survey. We were advised that Council would like to review and approve such an agreement as a proposal to the present to Mr. Golder. The newly revised agreement, as well as a "redlined" version of the original, and also a resolution to approve the agreement are attached.

Additionally, City Council had made a couple additional requests concerning bringing the matter before them. First, a couple councilmembers requested that we look into the statute of limitations on this matter and advise. Based on Mr. Golder's purported claim and our research, the statute of limitations in this matter is likely at least 15 years. MCL 600.5821 and MCL 600.5801. To my knowledge, no claim has been brought against either the City or Eastern Michigan University to date.

Council's second request was that this office provide some brief background on the matter. To that end, Mr. Golder lives in his home on the northwest corner of Oakwood and Washtenaw in the City. Sometime between 2011 and 2012, EMU was doing construction work on this intersection, particularly on Oakwood. EMU was performing some final landscaping on the westerly portion of Oakwood, adjacent to Mr. Golder's property, when he objected and claimed that EMU was not in the right-of-way. EMU stopped work at that time and their engineers requested that the City "certify" the right-of-way.

The City Manager at the time, Ed Koryzno, requested that I review the matter and give an opinion as to the right-of-way. In so doing, I visited the property, reviewed

correspondence, examined the original plat and documents of record, reviewed documents received from EMU, information from the City's engineers (OHM) and their review of the survey and area, and a certain mortgage survey. I also discussed the matter with Mr. Golder and reviewed the documents he provided. Based on this review, I advised Mr. Koryzno on May 4, 2012, that my conclusion was the same one reached by both the engineers for EMU and the City: that is that the right-of-way line used in the construction process was the true and correct line.

Mr. Golder has continued to claim that this work was performed by EMU on his property. In an effort to put the matter to bed, then City Manager Ralph Lange and I met with Mr. Golder in 2014 and reached the original settlement agreement attached hereto. However, Mr. Golder never signed this agreement and so the issue persists.

I have attempted to be brief in my summary of the background on this matter. Please let me know if there is any more information that you need.

In addition to the agreements at issue, I have also attached the proposed RFP that was attached to the original settlement agreement.

RECOMMENDED ACTION: Review and consideration.

DATE RECEIVED:_____ AGENDA ITEM NO.

CITY MANAGER COMMENTS:

FOR AGENDA OF:_____ FINANCE DIR. APPROVAL

COUNCIL ACTION TAKEN:



RESOLUTION NO. 2017- 059
March 7, 2017

IT IS RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that the attached Settlement Agreement between the City and Joseph Golder be approved; and

BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized to sign and execute said Settlement Agreement on behalf of the City of Ypsilanti, subject to the approval of the City Attorney.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

SETTLEMENT AGREEMENT

This agreement, made the day and date shown below, by and between:

Parties. The City of Ypsilanti, a Michigan Home Rule City of 1 South Huron Street, Ypsilanti, MI 48197, hereinafter CITY, and Joseph Golder, an individual of 1002 Washtenaw, Ypsilanti, MI 48197, hereinafter GOLDER.

Recitals. This agreement is to settle a certain controversy between the parties. Eastern Michigan University (EMU) did construction work to widen the paved portion and margin of Oakwood Street, in the city of Ypsilanti, just to the East of GOLDER's property at 1002 Washtenaw, corner of Washtenaw and Oakwood. EMU used part of the street right of way (ROW) belonging to the CITY.

Claims. EMU and the CITY maintain that the construction work was within the ROW. GOLDER claims that the work went outside the ROW and encroaches on his property (the claim).

Settlement. In order to settle the dispute, once and for all, and to avoid the cost of litigation, the parties agree that:

1. Hire Surveyor. CITY will hire a certified professional surveyor to conduct a survey to determine the correct Western line of the Oakwood Street ROW abutting GOLDER'S property at 1002 Washtenaw (the survey). CITY will publish a Request for Proposals for the survey and the parties shall jointly pick a surveyor or engineer from the persons submitting bids to do the survey.

2. Pay Surveyor. CITY shall bear initial cost of the survey to ensure its completion. Upon completion of the survey, in the event that the survey supports GOLDER'S position, that the work was outside the ROW, the CITY shall bear the cost of the survey. In the event that the survey supports the CITY position, GOLDER shall reimburse CITY its cost for the survey within 30 days of receiving the results of the survey. If GOLDER does not pay within 30 days, the debt shall be a debt certain and shall be a lien on the land of GOLDER. CITY shall record the lien and foreclose the same unless paid.

3. Survey Results. (a) If the survey favors the position of CITY, then GOLDER shall drop his claim(s) and forever release and discharge CITY from the claim and any demand concerning the claim and promises and agrees to not further pursue the claim with any litigation, law suit, request or demand for mediation or arbitration or any other remedy. This release binds GOLDER'S heirs, executors, administrators, agents, successors, and assigns.

(b) If the survey favors the position of GOLDER, and shows that CITY and/or EMU encroached on GOLDER'S land in the construction of Oakwood Street by going outside the ROW, then GOLDER shall be compensated. In this event the parties shall agree on a ROW appraiser and the said appraiser shall appraise the loss to GOLDER and CITY shall pay the loss.

4. No admission of liability. The parties agree that this Settlement Agreement is not to be construed as an admission of liability on the part of the CITY and that the CITY denies liability for this claim but merely intends to avoid litigation.

5. Final Settlement. This Settlement Agreement constitutes a full and final settlement of the claim of GOLDER and contains the complete agreement of the parties, which shall not be modified except in writing executed by all parties. This Settlement Agreement supersedes all prior negotiations, promises, covenants, agreements, or representations concerning any matters directly, indirectly, or collaterally related to the claim. Neither party shall sue or appeal the terms hereof, and both parties are fully and finally bound by the terms hereof, and of the findings of the survey and the appraisal, if any.

By signing below, the parties acknowledge and agree they have read and understand the foregoing, that they find it to be fair and reasonable, and have had the opportunity to discuss it with their respective attorney.

CITY OF YPSILANTI

Dated: _____

Amanda Edmonds, Mayor

Dated: _____

Frances McMullan, Clerk

JOSEPH GOLDER

Dated: _____

Individually

Approved as to form:

John M. Barr, City Attorney

SETTLEMENT AGREEMENT

This agreement, made the day and date shown below, by and between:

Parties. The City of Ypsilanti, a Michigan Home Rule City of 1 South Huron Street, Ypsilanti, MI 48197, hereinafter CITY, and Joseph Golder, an individual of 1002 Washtenaw, Ypsilanti, MI 48197, hereinafter GOLDER.

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Claims. EMU and the CITY maintain that the construction work was within the ROW. GOLDER claims that the work went outside the ROW and encroaches on his property (the claim).

Settlement. In order to settle the dispute, once and for all, and to avoid the cost of litigation, the parties agree that:

1. Hire Surveyor. CITY will hire a certified professional surveyor to conduct a survey to determine the correct Western line of the Oakwood Street ROW abutting GOLDER'S property at 1002 Washtenaw (the survey). CITY will publish a Request for Proposals for the survey and the parties shall jointly pick a surveyor or engineer from the persons submitting bids to do the survey.

2. Pay Surveyor. CITY shall bear initial cost of the survey to ensure its completion. Each party shall deposit one half of the projected cost of the survey with the CITY Treasurer prior to the CITY signing the survey contract. Upon completion of the survey, ~~CITY shall pay surveyor for the survey from those funds.~~ In the event that the survey supports GOLDER'S position, that the work was outside the ROW, the CITY shall bear the cost of the survey. In the event that the survey supports the CITY position, GOLDER shall reimburse CITY for the balance of the cost of the work its cost for the survey, over his deposit, within 30 days of receiving the results of the survey. If GOLDER does not pay within 30 days, the debt shall be a debt certain and shall be a lien on the land of GOLDER. CITY shall record the lien and foreclose the same unless paid.

3. Survey Results. (a) If the survey favors the position of CITY, then GOLDER shall drop his claim(s) and forever release and discharge CITY from the claim and any demand concerning the claim and promises and agrees to not further pursue the claim with any litigation, law suit, request or demand for

mediation or arbitration or any other remedy. This release binds GOLDER'S heirs, executors, administrators, agents, successors, and assigns.

(b) If the survey favors the position of GOLDER, and shows that CITY and/or EMU encroached on GOLDER'S land in the construction of Oakwood Street by going outside the ROW, then GOLDER shall be compensated. In this event the parties shall agree on a ROW appraiser and the said appraiser shall appraise the loss to GOLDER and CITY shall pay the loss.

4. No admission of liability. The parties agree that this Settlement Agreement is not to be construed as an admission of liability on the part of the CITY and that the CITY denies liability for this claim but merely intends to avoid litigation.

5. Final Settlement. This Settlement Agreement constitutes a full and final settlement of the claim of GOLDER and contains the complete agreement of the parties, which shall not be modified except in writing executed by all parties. This Settlement Agreement supersedes all prior negotiations, promises, covenants, agreements, or representations concerning any matters directly, indirectly, or collaterally related to the claim. Neither party shall sue or appeal the terms hereof, and both parties are fully and finally bound by the terms hereof, and of the findings of the survey and the appraisal, if any.

By signing below, the parties acknowledge and agree they have read and understand the foregoing, that they find it to be fair and reasonable, and have had the opportunity to discuss it with their respective attorney.

CITY OF YPSILANTI

Dated: _____

~~Ralph A. Lange, City Manager~~Amanda

Edmonds, Mayor

Dated: _____

Frances McMullan, Clerk

JOSEPH GOLDER

Dated: _____

Individually

City of Ypsilanti, Michigan
1 South Huron Street
Ypsilanti, MI 48197

REQUEST FOR PROPOSALS
For Certified Surveyor to Survey ROW

The City of Ypsilanti is seeking proposals for a certified surveyor to survey part of Oakwood Street in the City of Ypsilanti, County of Washtenaw, State of Michigan, to determine the westerly boundary of the right-of-way (ROW) adjacent to the property at 1002 Washtenaw, corner of Oakwood, Ypsilanti, MI, 48197.

Please submit a written proposal offering services to:

Ralph A. Lange, Ypsilanti City Manager
1 South Huron Street
Ypsilanti, MI 48197

with a copy to:

John M. Barr, Ypsilanti City Attorney
105 Pearl, Ypsilanti, MI 48197

Joseph Golder
1002 Washtenaw
Ypsilanti, MI 48197.

For additional information, call:

John M. Barr, Ypsilanti City Attorney
105 Pearl Street
Ypsilanti, MI 48197
734-481-1234; jbarr@barrlawfirm.com

Background

Eastern Michigan University widened the paved portion of Oakwood Street in the City of Ypsilanti, MI. The widened road is in front of the property of Joseph Golder at 1002 Washtenaw, NW corner of Oakwood and Washtenaw. Mr. Golder believes that the construction went out of the ROW and encroaches on Mr. Golder's property. The City of Ypsilanti and Mr. Golder desire a survey to determine the location of the west line of the ROW and if the construction work, including landscaping, encroached on Mr. Golder's property. The successful bidder will have access to prior survey, but must independently establish the ROW from examination of the land records and actual on the ground measurements.

Additional information regarding the project is in the attached letter of Rodney C. Nanney, AICP, dated September 23, 2014.

Survey to Include:

Perform a stake survey and find the western line of the Oakwood Street ROW, install two stakes on the property at 1002 Washtenaw memorializing the line, and furnish four (4) copies of a survey sketch.

1. Proposals shall be printed, one side only, 10 size font or larger and include:
 - a. Name, address, telephone number, and email address of the bidder and contact person.
 - b. History and qualifications of the bidder and all persons to be assigned to the work.
 - c. Experience with similar jobs (be specific).
 - d. Three references with name, address, and telephone number.
 - e. Bid amount for survey.
 - f. First date services can be delivered.
2. Proposals may be submitted by mail or hand delivery to Ypsilanti City Clerk, 1 South Huron, Ypsilanti, MI 48197 not later than 4:30 p.m. on June 1, 2015. The city reserves the right to reject late filed bids.
3. Bids shall be opened at 10 a.m. on June 3, 2015 by the City Clerk in the Council Chambers, Ypsilanti City Hall, 1 South Huron Street, Ypsilanti, MI 48197.
4. The city reserves the right to accept or reject any and all bids and to waive or enforce technicalities, and to award the bid to the bidder that best meets the needs of the city.
5. Bids must be valid for 60 days from date submitted.
6. Successful bidder must sign a contract in the form of the draft attached.

CONTRACT FOR PROFESSIONAL SERVICES
FOR SURVEY OF RIGHT-OF-WAY

This Agreement is made this _____ day of _____, 2015, between THE CITY OF YPSILANTI, a Michigan home-rule municipal corporation of One South Huron Street, Ypsilanti, MI 48197, hereinafter referred to as "CITY," and _____ referred to as "CONTRACTOR," agree as follows:

WHEREAS the CITY is desirous of obtaining services to determine the westerly boundary of the right-of-way (ROW) adjacent to the property at 1002 Washtenaw, corner of Oakwood, Ypsilanti, MI, 48197, now therefore:

IT IS AGREED AS FOLLOWS:

1. Contractor warrants that Contractor and all associates have the required skill and training to do the provide services.
2. Contractor shall provide the following servcies:
 - Perform a stake survey and find the western line of the Oakwood Street ROW, install two stakes on the property at 1002 Washtenaw memorlizing the line, and furnish fourt (4) copies of a survey sketch.
 - The successful bidder will have access to prior survey, but must independently establish the ROW from examination of the land records and actual on the ground measurements.
3. Contractor shall be compensated _____
4. All documents, drawings and images prepared by CONTRACTOR pursuant to this Agreement shall be the property of the City. This paragraph survives termination of this contract.
5. The CONTRACTOR shall perform the Contract faithfully and diligently and perform the services in a competent, professional, satisfactory and proper manner and during the Contract term or extensions thereof, use every best effort and endeavor to promote the interests of the CITY and devote such time, attention, skill, knowledge and ability as is necessary to most effectively and efficiently carry out and perform the Contract.
6. The Contractor shall work at the direction of the City. The Contractor retains the sole right to control or direct the manner in which the services described herein are to be performed, so long as the needs of the City are met.
7. Independent Contractor. The relationship of the CONTRACTOR to the CITY is and shall continue to be that of an INDEPENDENT CONTRACTOR and no liability or benefits such as worker's compensation, FICA, pension rights, tax withholding, insurance, vacation, or other rights or liabilities arising out of or related to a contract for hire or employer/employee relationship shall arise or accrue to either party as a result of the performance of this contract.
8. Independent judgment. CONTRACTOR, in the performance of his duties, shall exercise his or her independent judgment concerning the place where services are

to be performed, the hours of his or her furnishing services, and resources utilized by him or her to complete his work. CONTRACTOR will, however, coordinate efforts with those of CITY to successfully fulfill this contract. If requested by the CONTRACTOR, the CITY will make space and records available to CONTRACTOR as required to perform the services.

9. Tax withholding and insurance. CONTRACTOR shall provide all his or her own insurance needs, including healthcare and worker's compensation, and agrees that the CITY will not withhold any taxes from amount paid to CONTRACTOR and contractor shall be solely responsible for the same and indemnify and hold the CITY harmless.

10. Indemnity. To the extent not covered by CITY insurance, The CONTRACTOR agrees to save and hold harmless the CITY against and from all liabilities, obligations, damages, penalties, claims, costs, charges, losses, and expenses which may be imposed, incurred by, or asserted against the CITY by reason of:

A. Any negligent or tortuous act, error or omission of the CONTRACTOR.

B. Any failure by the CONTRACTOR to perform his or her obligations, either implied or expressed, under this contract.

11. Waiver of Liability. The CONTRACTOR hereby waives any claim against the CITY and agrees not to hold the CITY liable for any personal injury or property damage incurred by it, its employees or associates on this project which is not held by a court of competent jurisdiction to be directly attributable to the gross negligence or malicious intentional conduct of any employee of the CITY acting within the scope of their employment. It further agrees to hold the CITY harmless from any such claim by its employees or associates.

For the purpose of the hold harmless, indemnity and insurance provision contained in this contract, the term "CITY" shall be deemed to include the City of Ypsilanti and all other associated, affiliated, allied or subsidiary entities, or commissions, officers, agents, representatives and employees.

12. Conflict of Interest. The CONTRACTOR covenants that neither said contractor, nor any officer, agent, or employee of the contractor has any interest, nor shall they acquire any interest, directly or indirectly, which would conflict in the manner or degree of performance with the contract.

13. Contingent Fees. The CONTRACTOR warrants it has not employed or retained any company or person other than a bonafide employee working solely for the CONTRACTOR, to solicit or secure this contract, and that it has not paid or agreed to pay any company, or person other than a bonafide employee working solely for the CONTRACTOR, any fee, commission percentage, brokerage fee, gift, or any other consideration contingent upon or resulting from the award of making this contract. For breach or violation of this warranty, the CITY shall have the right to annul the contract without liability or, at its discretion, to deduct from the fees due the CONTRACTOR, or otherwise, recover the full amount of such fee, commission, percentage, brokerage fee, gift or contingent fee.

14. No Discrimination. The CONTRACTOR further agrees not to discriminate against any employee or applicant for employment because race, color, religion, sex, sexual orientation, national origin, physical handicap, age, height, weight, or marital status (except insofar as it relates to a bonafide or occupational qualification reasonably necessary to the normal operation of the business). Breach of this provision may be regarded as material breach of the Agreement.

15. The parties understand and agree that the CITY may terminate this Contract at any time with ten days notice. In such event the CONTRACTOR will be compensated for work already completed. This contract is to be performed in Washtenaw County, Michigan, and all legal venue shall exclusively lie therein.

16. Force Majeure. The Contractor shall not be responsible for delays or failures (including any delay by the Consultant to make progress in the prosecution of any Services) if such delay arises out of causes beyond its control. Such causes may include, but are not restricted to, acts of God or of the public enemy, fires, floods, epidemics, riots, quarantine restrictions, strikes, freight embargoes, earthquakes, electrical outages, computer or communications failures, and severe weather, and acts or omissions of subcontractors or third parties."

17. CITY may, with the approval of the CONTRACTOR, issue written directions within the general scope of any Services to be ordered. Such changes (the "Change Order") may be for additional work or the Contractor may be directed to change the direction of the work covered by the scope of services, but no change will be allowed unless agreed to by the Contractor in writing. Additional services requested by the City may be negotiated and agreed upon at any time and are outside the scope of this contract.

18. This Contract and attachments hereto are the sole Contract and Agreement between the parties. Any changes, additions or deletions shall not be effective or actionable unless they are in writing signed by the parties.

IN WITNESS WHEREOF, the undersigned have set their hands this _____ day of _____, 2015.

In the presence of:

BY: _____
CONTRACTOR

THE CITY OF YPSILANTI

BY: _____

Ralph Lange, City Manager

APPROVED AS TO FORM:

JOHN M. BARR P-10475
Ypsilanti City Attorney

DRAFT

Print**Citizen Advisory Boards and Commissions Participation Resume - Submission #217****Date Submitted: 1/19/2017**

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*

Kurt Kohlmann

Email Address*

Kurtkohlmann@gmail.com

Address

326 Maple St.

City

Ypsilanti

State

MI

Zip Code

48198

Phone Number*

419-936-0488

Fax Number**Number of Years in the Community**

3.5

Ward You Live In

3

Education

Masters in Social Work

Occupation

Social Worker

Employer

Starfish Family Services

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?*

I've been interested in community development for most of my adult life, and believe recreational opportunities have the ability to transcend economic barriers in bringing communities together.

Work/volunteer experience related to the board or commission:

I've spent the past 7 years in youth and community development.

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



FORM CENTER

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MAIN

FIELD SETS

LEGACY FORMS

PROPERTIES

BACK

PRINT

Form Center ► Boards & Commissions ► Citizen Advisory Boards and Commissions Participation Resume ► Submission #218

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 *

Ashanti Harris

Email Address *

ashantih@umich.edu

Address

305

City

Ypsilanti

State

MI

Zip Code

48198

Phone Number *

7344762428

Fax Number

Number of Years in the Community

Ward You Live In

[SAVE CHANGES](#)[CANCEL](#)Form
Details

Submitted By:

Ashanti Harris

Submitted On:

January 20, 2017 9:30 AM

IP Address:

141.211.32.5

Referrer:

[http://cityofypsilanti.com/FormCent...](http://cityofypsilanti.com/FormCenter/Commissions-6/Citizen-Advisory-Boards-and-Commissions--45)
Commissions-6/Citizen-Advisory-
Boards-and-Commissions--45

Answered 16 of 18 (88.9%)



HOMEPAGE



DASHBOARD



MODULES



ANDREW H

HELP

Education

In Progress of completing graduate work

Occupation

Meeting and Event Manager

Employer

University of Michigan

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

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

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

I understand the importance of having recreation activities available in our community parks accessible for all residents. I want to take part in being sure the parks have activities that are educational, fun, relevant in a clean and safe environment. The goal would be that residents think of our parks and programming first.

Work/volunteer experience related to the board or commission:



HOMEPAGE



DASHBOARD



MODULES



ANDREW H

HELP

for two years. I have volunteered staffing registration stations for various local running events. I was a volunteer coach for Girls on the Run of Southeastern Michigan for seven years which brought me great joy as I watched girls grow throughout the season as they spent time rain or shine being active and learning. I hold certifications in Meeting Management and am a Certified Tourism Ambassador through the Ann Arbor-Ypsilanti Area Tourism Ambassador Program. My undergraduate degree was in Recreation and Park Management. I am in the process of finishing my graduate degree in Hotel and Restaurant Management.

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

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Print**Citizen Advisory Boards and Commissions Participation Resume - Submission #223****Date Submitted: 1/24/2017**

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*

Benjamin Connor Barrie

Email Address*

ben.connorbarrie@gmail.com

Address

1111 Westmoorland

City

Ypsilanti

State

Mi

Zip Code

48197

Phone Number*

7342559562

Fax Number**Number of Years in the Community**

3

Ward You Live In

2

Education

MS Ecology, University of Michigan

Occupation

Lecturer

Employer

Eastern Michigan

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?*

I am passionate about urban green spaces and the benefits they bring to the community.

Work/volunteer experience related to the board or commission:

For my graduate research I studied natural areas in urban environment and how the urban environment shapes their regeneration. In addition to my research I also work with groups managing urban parks to advise them on how to maximize biodiversity.

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

Print**Citizen Advisory Boards and Commissions Participation Resume - Submission #213****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*

Emily Drennen

Email Address*

redheadresist@gmail.com

Address

309 Middle Drive

City

Ypsilanti

State

MI

Zip Code

48197

Phone Number*

4153749556

Fax Number**Number of Years in the Community**

1

Ward You Live In

3

Education

Master's of Public Administration

Occupation

Sustainability Associate

Employer

City of Ann Arbor

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?*

For my day job, I work hard to make the City of Ann Arbor as "green" as it can be. I very much want to take some of my skills and enthusiasm to greening the wonderful town I live in.

Work/volunteer experience related to the board or commission:

see email sent to the Mayor

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

Print**Citizen Advisory Boards and Commissions Participation Resume - Submission #224****Date Submitted: 1/25/2017**

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*

Nancy Heine

Email Address*

heinen567@gmail.com

Address

214 S. Washington St.

City

Ypsilanti

State

Mich

Zip Code

48197

Phone Number*

734-482-2840 or 734-262-1296 - cell

Fax Number**Number of Years in the Community**

30+

Ward You Live In

1

Education

Bachelors in Human Resource Admin.

Occupation

Office Support Supervisor

Employer

Washtenaw County Community Mental Health

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?*

Vested interest as a long time City of Ypsilanti resident. Am interested in the future of our community to create a vision of environmentally sound policies and cultivate a clearer understanding of why it is so important to sustain them.

Work/volunteer experience related to the board or commission:

Live and work right in the City of Ypsilanti. VP of the Huron Valley Area Labor Federation. As well as a labor official at Washtenaw County. These are issues that are often discussed within these circles and we often weigh in on and offer opinions/recommendations of support. Huron Valley Area Labor Federation (HVALF) encompasses a wide support area.

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

Print**Citizen Advisory Boards and Commissions Participation Resume - Submission #235****Date Submitted: 1/27/2017**

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*

Natalie Sampson

Email Address*

nrsampson@gmail.com

Address

703 Hemphill St

City

Ypsilanti

State

MI

Zip Code

48198

Phone Number*

2487677149

Fax Number**Number of Years in the Community**

6 months

Ward You Live In

3

Education

PhD, MPH

Occupation

Assistant Professor of Public Health

Employer

U of M-Dearborn

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 new residents of Ypsilanti, our family is looking to engage more deeply in our community. I am a scholar that works on issues largely related to the health implications of land use issues. I am engaged nationally and in Detroit but would like to engage in my own hometown. The Sustainability Commission seems like an appropriate way to do so while maximizing my skills.

Work/volunteer experience related to the board or commission:

Some of my most related experience:

- I have served on the Steering Committee & led the Public Health workgroup for the Detroit Climate Action Collaborative: <http://www.detroitclimateaction.org/>
- I do applied research related to green infrastructure in Detroit: <http://graham.umich.edu/water/news/Nassauer>
- I partner with the MDHHS in various ways as they implement their work as a CDC Climate Ready State: http://www.michigan.gov/mdhhs/0,5885,7-339-71548_54783_54784_55975--,00.html

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

Print**Citizen Advisory Boards and Commissions Participation Resume - Submission #227****Date Submitted: 1/26/2017**

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*

Thomas McKee

Email Address*

mckeetho@umich.edu

Address

408 N Huron St

City

Ypsilanti

State

MI

Zip Code

48197

Phone Number*

7345450948

Fax Number**Number of Years in the Community**

2

Ward You Live In

3

Education

Pursuing BS in Architecture

Occupation

Retail Sales

Employer

Plum Market

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?*

I believe strongly that local government can pursue outcomes that increase the sustainability of our communities. I am interested in a broad definition of sustainability, that includes environmental, economic, equity, and aesthetic goals for the future of our city. I believe that addressing sustainability will help with other issues facing the community as well.

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

Print**Citizen Advisory Boards and Commissions Participation Resume - Submission #230****Date Submitted: 1/26/2017**

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*

Leah VanLandingham

Email Address*

Ivanland@emich.edu

Address

113 Downing Hall

City

Ypsilanti

State

MI

Zip Code

48197

Phone Number*

7346242439

Fax Number**Number of Years in the Community**

2

Ward You Live In

3

Education

Eastern Michigan University

Occupation

Director of Sustainability

Employer

Eastern Michigan University Student Government**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?*

I am currently the student Director of Sustainability at Eastern Michigan University. My job is focused around promoting and implementing sustainability related policies and procedures at EMU, as well as being the Director of the Energy and Sustainability Commission here at EMU. My work so far has been only at EMU, but I want to get involved in the Ypsilanti community and aid in promoting sustainability not only at EMU but in the community as a whole. Community collaboration and developing a strong relationship between EMU and Ypsilanti is the most effective way for combating sustainability related issues in our community as well as promoting community wide sustainable practices in the future. I am extremely passionate about sustainability and have committed my studies to learning about how to promote sustainability. I am an Environmental Science major as well as minoring in leadership and sustainability. I also studied sustainability abroad in Peru. These disciplines have aided me in not only learning about the political aspect and importance of sustainability, but as well as the science behind sustainable changes. I feel as though I would be a suitable member on the Ypsilanti Sustainability Commission and would be able to carry out and promote the mission of the commission in an active and meaningful way.

Work/volunteer experience related to the board or commission:

Student Government Director of Sustainability at Eastern Michigan University
Director of the Student Government Energy and Sustainability Commission
Environmental Science major with minors in Leadership and Sustainability

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

Print**Citizen Advisory Boards and Commissions Participation Resume - Submission #242****Date Submitted: 2/1/2017**

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*

Brett Zeuner

Email Address*

bzeuner@emich.edu

Address

318 Oak Street APT #1

City

Ypsilanti

State

Michigan

Zip Code

48198

Phone Number*

7345602436

Fax Number**Number of Years in the Community**

3.5

Ward You Live In

6

Education

Bachelor's of Science, Sociology, Eastern Michigan University (exp. 4/17) and an applicant for Master's of Science in Natural Resources and Environment from University of Michigan 2017

Occupation

Research fellow

Employer

Greater Research Opportunities Fellowship Program, Environmental Protection Agency

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?*

I am interested in serving on the Sustainability Commission to help Ypsilanti solve its pressing sustainability issues while also helping the city to be progressive and proactive in developing solutions to emerging sustainability initiatives. I have wanted to get involved in local government, especially following the most recent election cycle and the perceived breakdown in efficacy of the federal government. Additionally, protecting our resources as a community in Michigan is extremely important to me.

Work/volunteer experience related to the board or commission:

Since becoming a research fellow through the EPA's GRO program I have learned a lot about environmental regulation, specifically in regard to drinking water. My current research project is focused on how residents in a Ypsilanti neighborhood perceive environmental contamination. Additionally, as part of the fellowship I spent a Summer in San Francisco, CA working at a regional EPA headquarters in the office of drinking water management. I have also worked on a soil contamination research project at Wayne State University as a research assistant in the Summer of 2015. My role in that study was to survey and interview community garden managers about their perceptions of soil contamination.

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

Print**Citizen Advisory Boards and Commissions Participation Resume - Submission #250****Date Submitted: 3/1/2017**

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*

Julia Bayha

Email Address*

juliabayha@gmail.com

Address

401 W. Michigan Ave. #614

City

Ypsilanti

State

MI

Zip Code

48197

Phone Number*

734-945-2739

Fax Number**Number of Years in the Community**

off and on for over 30 years

Ward You Live In**Education**

AAHSS from WCC [2000] & B.Sc. Literature, Language & Writing from EMU [2011]

Occupation

Education & Activism

Employer

n/a

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

- | | | |
|--|---|---|
| ☐ Review and Tax Assessment Board | ☐ Historic District Commission | ☐ Property Maintenance Construction Board of Appeals |
| ☐ Board of Ethics | ☐ Ypsilanti Housing Commission | ☐ Parks and Recreation Commission |
| ☐ Fire Civil Service Commission | ☐ Human Relations Commission | ☐ Ann Arbor Area Transit Authority |
| ☐ YCUA | ☐ Sidewalk Review Board | ☐ Police and Fire Pension Board |
| ☐ Ypsilanti Downtown Development Authority | ☐ Planning Commission | ☐ Huron River Watershed Council |
| ☐ Economic Development Corporation/Brownfield Redevelopment Authority | ☐ Non-motorized Advisory Committee | ☒ Sustainability Commission |

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

I am interested in serving on the Sustainability Commission because without sustainability, no other endeavor is even possible to maintain. I am also interested because I believe in thinking global and acting local, while working to create mutually beneficial working relationships among cities and townships across whole regions. I cannot expect someone else to do this and to do nothing myself. I believe that a strong and sustainable community is only possible with a high degree of citizen participation, so here I am!

Work/volunteer experience related to the board or commission:

Over 40 years of learning, living, teaching & being green, working on social justice issues, creating rapport in various diverse communities, and working on projects small and large including fund-raising events and educational efforts.

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

Print**Citizen Advisory Boards and Commissions Participation Resume - Submission #229****Date Submitted: 1/26/2017**

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*

Thomas Kovacs

Email Address*

tkovacs@emich.edu

Address

203 Strong Hall

City

Ypsilanti

State

Michigan

Zip Code

48197

Phone Number*

734-487-8591

Fax Number**Number of Years in the Community**

10

Ward You Live In

Pittsfield Township (not sure of the ward)

Education

PhD Meteorology

Occupation

Professor and Chair of the Environmental Science and Society, Interdisciplinary program

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?*

Sustainability is important to me and to the students in the academic program that I chair. I continually push for Sustainability at Eastern Michigan University including efforts to ban the use of toxic chemicals while finding more economical solutions, participating in dialogue on environmental issues with and seek opportunities for citizens that typically cannot participate in sustainable efforts, but would mostly benefit from them, and supporting sustainability efforts of our students and faculty.

Work/volunteer experience related to the board or commission:

Chair and co-founder of the Environmental Science and Society, Interdisciplinary academic program at Eastern Michigan University, which also includes a Sustainability minor; Advisory committee for a United States Environmental Protection Agency-funded project on water quality research and education at post-secondary academic institutions in the state of Michigan; Planning committee for the Water Quality Day event in Roscommon, MI on October 9, 2015. University Corporation for Atmospheric Research (UCAR) and the United Nations Foundation participant in the Climate Voices Science Speakers Network. I was also awarded the College of Arts and Sciences Dean's Program Development Initiative entitled, "Sustainability contest to develop the IESS program and sustainability at EMU.

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

Print**Citizen Advisory Boards and Commissions Participation Resume - Submission #236****Date Submitted: 1/27/2017**

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*

Keith Michalowski

Email Address*

kmichalowski@gmail.com

Address

410

City

Ypsilanti

State

MI

Zip Code

48198

Phone Number*

7342174554

Fax Number**Number of Years in the Community**

20

Ward You Live In

Ward: 3, Precinct: 3

Education

Some college

Occupation

Hardware Engineer

Employer

Drew Technologies, Inc.

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?*

I have a sincere desire to make the world a better place. I am extremely political. I am a avid supporter of clean energy and preservation of nature. I feel my diverse skill set would be applied well to government. Bottom line, I want to make a difference and feel strongly that this would be a great first step in that direction.

Work/volunteer experience related to the board or commission:

No previous experience

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



Resolution No. 2017-058
March 7, 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, MARCH 7, 2017
7:00 p.m.

I. CALL TO ORDER –

The meeting was called to order at 7:05 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 submitted

VI. PRESENTATIONS -

- Proclamation – March 8, 2017 as Ypsilanti Women's Health Day
- GFOA 's Certificate of Achievement for Excellence in Financial Reporting for the comprehensive annual financial report (CAFR) for the fiscal year ended June 30, 2015 – Catherine McClary, Washtenaw County Treasurer
- GFOA's Distinguished Budget Presentation Award for the Fiscal Year Beginning July 1, 2016 – Catherine McClary, Washtenaw County Treasurer
- Dumpster and Downtown Trash – DDA Director Joe Meyers

VII. INTRODUCTIONS –

VIII. AUDIENCE PARTICIPATION –

IX. REMARKS BY THE MAYOR –

X. CONSENT AGENDA –

Resolution No. 2017 - 052

1. Resolution No. 2017-053, approving Ordinance No. 1283, rezoning 311 Ballard from C, Center to CN, Core Neighborhood on Second and Final Reading.
Offered By: Mayor Pro-Tem Brown; Seconded By: Council Member Vogt
Approved: Yes – 7; No – 0; Absent – 0
2. Resolution No. 2017 -054, approving the minutes of January 17.
Offered By: Mayor Pro-Tem Brown; Seconded By: Council Member Vogt
Approved: Yes – 7; No – 0; Absent – 0
3. Resolution No. 2017 – 054A, approving agreement with Orchard, Hiltz & McCliment for 2017 Major Road Resurfacing Project Design Engineering Services.
Offered By: Mayor Pro-Tem Brown; Seconded By: Council Member Vogt
Approved: Yes – 7; No – 0; Absent – 0
4. Resolution No. 2017 - 056, approving contract with Saladino Co., for sidewalk ramp replacement program.
Offered By: Mayor Pro-Tem Brown; Seconded By: Council Member Vogt
Approved: Yes – 7; No – 0; Absent – 0

XI. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2017 - 057, approving an amendment to the LSSRF Grant.
Offered By: Council Member Vogt; Seconded By: Mayor Pro-Tem Brown
Approved: Yes – 7; No – 0; Absent – 0
2. Resolution No. 2017 – 059, approving the settlement agreement between the City and Joseph Golder.
Offered By: Council Member Bashert; Seconded By: Council Member Richardson
Tabled: Yes – 5; No – 2 (Richardson, Edmonds); Absent – 0

XII. 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 –

NOMINATIONS:

Parks & Recreation Commission

Kurt Kohlmann (vacancy) – term exp. 2020

Ashanti Harris (vacancy) – term exp. 2020

Ben Connor Barrie (vacancy) – term exp. 2020

Sustainability Commission (all new appointments)

Emily Drennan (3 year term) - term exp. 2020

Nancy Heine (3 year term) – term exp. 2020

Natalie Sampson (3 year term) – term exp. 2020

Tom McKee (2 year term) – term exp. 2019

Leah VanLandingham (2 year term) – term exp. 2019

Brett Zeuner (2 year term) – term exp. 2019

Julie Bayha (1 year term) – term exp. 2018

Tom Kovacs (1 year term) – term exp. 2018

Keith Michalowski (1 year term) – term exp. 2018

XV. COMMUNICATIONS FROM THE CITY MANAGER –

XVI. COMMUNICATIONS –

XVII. AUDIENCE PARTICIPATION –

XVIII. REMARKS FROM THE MAYOR –

XIX. ADJOURNMENT -

Resolution No. 2017 - 058, adjourning the City Council meeting.

The meeting adjourned at 10:03 p.m.