

1. Council Meeting Agenda

Documents:

[REVISED DRAFT AGENDA 4-18-17.PDF](#)

2. Council Meeting Packet

Documents:

[APRIL 18TH COUNCIL PACKET.PDF](#)

3. Council Action Minutes

Documents:

[ACTION MINUTES 4-18-17.PDF](#)



(Revised 4/18/17)

**CITY OF YPSILANTI
REGULAR COUNCIL MEETING
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, APRIL 14, 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. INTRODUCTIONS –

VI. AGENDA APPROVAL -

VII. PRESENTATIONS -

Ypsilanti Community Schools' millage proposal – Ben Edmondson, Superintendent

Peninsular Paper Dam Presentation and Dam Removal Study - Laura Reuben, Executive Director Huron River Watershed Council

— Resolution No. 2017-088, authorizing city administration to work with the Huron River Watershed Council to prepare the necessary bid specifications, bid advertisement, and cost sharing agreement

VIII. AUDIENCE PARTICIPATION -

IX. REMARKS BY THE MAYOR –

X. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2017-089, approving minutes of March 7, and March 21, 2017.
2. Resolution No. 2017-090, awarding bid for ordinance abatement services to Premium Lawn Services and Classic Lawn Care and Building Maintenance.

3. Resolution No. 2017-091, approving dispatch services agreement with Washtenaw County.

XI. LIASON REPORTS –

- A. SEMCOG Update
- B. Washtenaw Area Transportation Study
- C. Urban County
- D. Ypsilanti Downtown Development Authority
- E. Eastern Washtenaw Safety Alliance
- F. Police-Community Relations/Black Lives Matter Joint Task Force
- G. Friends of Rutherford Pool
- H. Housing Equity Leadership Team
- I. Economic Development Coordinating Committee

XIII. COUNCIL PROPOSED BUSINESS –

XIV. COMMUNICATIONS FROM THE MAYOR –

XV. COMMUNICATIONS FROM THE CITY MANAGER –

XVI. COMMUNICATIONS –

XVII. AUDIENCE PARTICIPATION –

XVIII. REMARKS FROM THE MAYOR –

Nominations:

Economic Development Corporation

Nathan Vogt (replacing Brett Lenart)
Washtenaw County Brownfield Redevelopment Authority
415 W. Michigan
Ypsilanti, MI 48197

Parks & Recreation Commission

Cathy Thorburn (reappointment)
1212 Sherman
Ypsilanti, MI 48197
Term Expiration: 5/1/2020

Planning Commission

Heidi Jugenitz (reappointment)
33 Photo
Ypsilanti, MI 48198
Term expiration: 5/1/2020

Liz Dahl MacGregor (reappointment)
103 N. Lincoln
Ypsilanti, MI 48198
Term expiration: 5/1/2020

Human Relations Commission

Ka'Ron Gaines (new appointment)
833 Armstrong
Ypsilanti, MI 48197
Term expiration: 5/1/2020

Ypsilanti Housing Commission

Heidi Frankenhauser (Replacing Valerie Brannon)
217 Oak
Ypsilanti, MI 48198
Term Expiration: 12/31/2018

XIX. CLOSED SESSION –

Resolution No. 2017-092, to approve convening into closed session pursuant to Section 8(c) of the Michigan Open Meetings Act, Public Act 267 of 1976, being MCL 15.268(c), for the purpose of strategy sessions connected with the negotiation of the IAFF, COAM, POAM, and AFSCME contracts.

XX. ADJOURNMENT -

Resolution No. 2017-093, adjourning the City Council meeting.



(Revised 4/18/17)

**CITY OF YPSILANTI
REGULAR COUNCIL MEETING
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, APRIL 14, 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. INTRODUCTIONS –

VI. AGENDA APPROVAL -

VII. PRESENTATIONS -

Ypsilanti Community Schools' millage proposal – Ben Edmondson, Superintendent

Peninsular Paper Dam Presentation and Dam Removal Study - Laura Reuben, Executive Director Huron River Watershed Council

— Resolution No. 2017-088, authorizing city administration to work with the Huron River Watershed Council to prepare the necessary bid specifications, bid advertisement, and cost sharing agreement

VIII. AUDIENCE PARTICIPATION -

IX. REMARKS BY THE MAYOR –

X. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2017-089, approving minutes of March 7, and March 21, 2017.
2. Resolution No. 2017-090, awarding bid for ordinance abatement services to Premium Lawn Services and Classic Lawn Care and Building Maintenance.

3. Resolution No. 2017-091, approving dispatch services agreement with Washtenaw County.

XI. LIASON REPORTS –

- A. SEMCOG Update
- B. Washtenaw Area Transportation Study
- C. Urban County
- D. Ypsilanti Downtown Development Authority
- E. Eastern Washtenaw Safety Alliance
- F. Police-Community Relations/Black Lives Matter Joint Task Force
- G. Friends of Rutherford Pool
- H. Housing Equity Leadership Team
- I. Economic Development Coordinating Committee

XIII. COUNCIL PROPOSED BUSINESS –

XIV. COMMUNICATIONS FROM THE MAYOR –

XV. COMMUNICATIONS FROM THE CITY MANAGER –

XVI. COMMUNICATIONS –

XVII. AUDIENCE PARTICIPATION –

XVIII. REMARKS FROM THE MAYOR –

Nominations:

Economic Development Corporation

Nathan Vogt (replacing Brett Lenart)
Washtenaw County Brownfield Redevelopment Authority
415 W. Michigan
Ypsilanti, MI 48197

Parks & Recreation Commission

Cathy Thorburn (reappointment)
1212 Sherman
Ypsilanti, MI 48197
Term Expiration: 5/1/2020

Planning Commission

Heidi Jugenitz (reappointment)
33 Photo
Ypsilanti, MI 48198
Term expiration: 5/1/2020

Liz Dahl MacGregor (reappointment)
103 N. Lincoln
Ypsilanti, MI 48198
Term expiration: 5/1/2020

Human Relations Commission

Ka'Ron Gaines (new appointment)
833 Armstrong
Ypsilanti, MI 48197
Term expiration: 5/1/2020

Ypsilanti Housing Commission

Heidi Frankenhauser (Replacing Valerie Brannon)
217 Oak
Ypsilanti, MI 48198
Term Expiration: 12/31/2018

XIX. CLOSED SESSION –

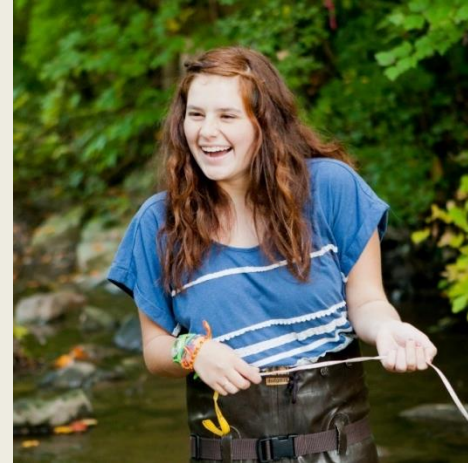
Resolution No. 2017-092, to approve convening into closed session pursuant to Section 8(c) of the Michigan Open Meetings Act, Public Act 267 of 1976, being MCL 15.268(c), for the purpose of strategy sessions connected with the negotiation of the IAFF, COAM, POAM, and AFSCME contracts.

XX. ADJOURNMENT -

Resolution No. 2017-093, adjourning the City Council meeting.



Huron
River
Watershed
Council



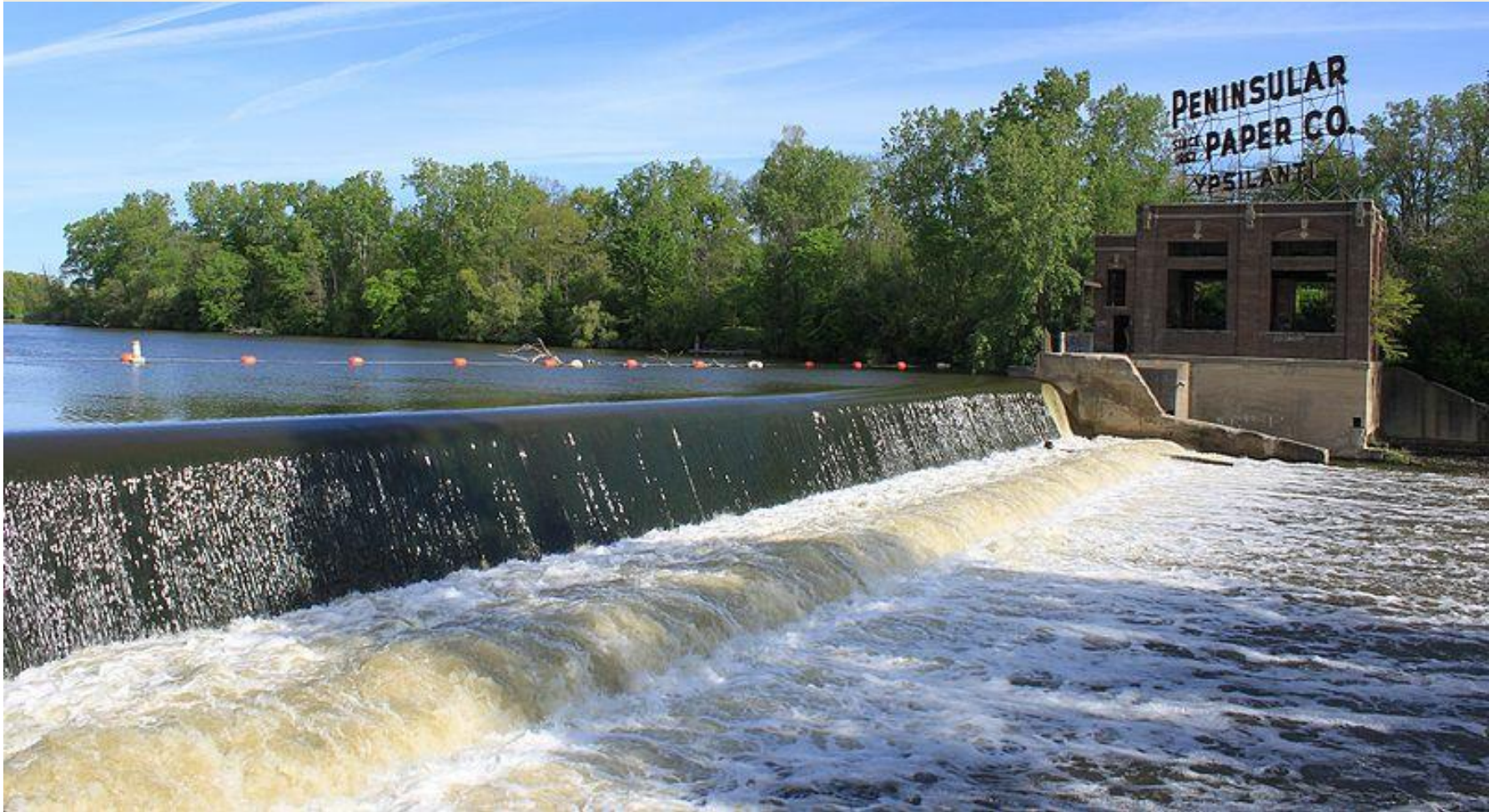
City of Ypsilanti

18 April 2017

Laura Rubin, Executive Director

www.hrwc.org

Peninsular Paper Dam





The Peninsular Paper Dam was originally constructed in 1867 to provide power for paper manufacturing. The dam failed in 1918 and was rebuilt in 1920. The dam no longer generates power, and all electricity-generating equipment has been removed from the powerhouse.

The dam consists of a 250-foot long concrete gravity dam with a 232-foot long fixed crest overflow spillway, and an 8-foot wide stop log section, which formerly contained a radial gate. A 40-foot long powerhouse is located at the left abutment. This powerhouse is abandoned. The spillway is flanked by short earthen embankments.

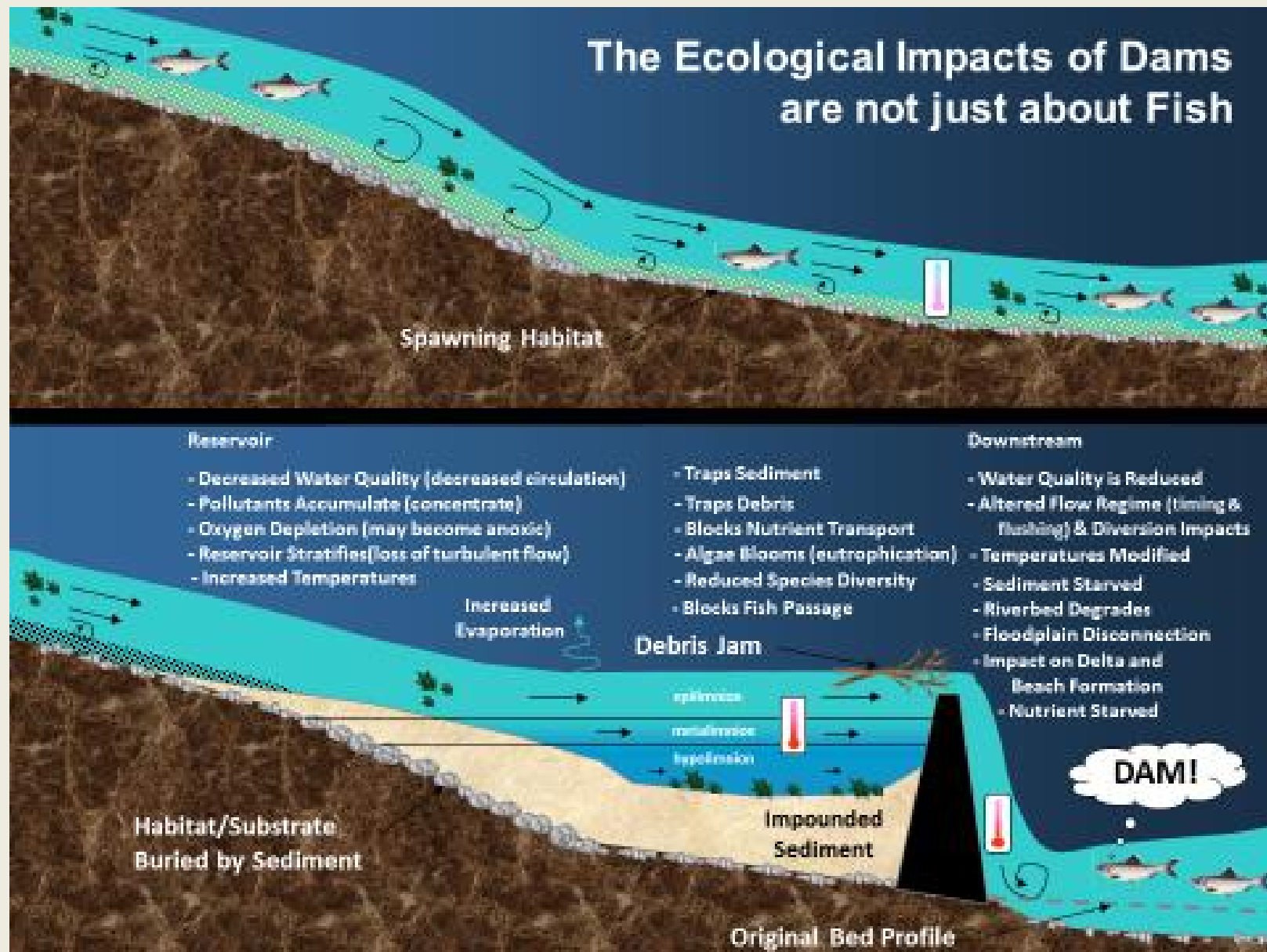
The dam has structural and hydraulic heights of 21 feet and 19.7 feet, respectively. The dam maintains 14 feet of head, and 6.5 feet of freeboard under normal flow conditions. The dam creates an impoundment with a normal surface of area of approximately 66 acres. The dam is ranked “high hazard” by the state.

OHM last inspected the dam in 2014 and reported estimated repairs and maintenance of ~\$660,000. In 2016, MDEQ Dam Safety staff requested a maintenance timeline from the City of Ypsilanti.

- Building a dam is large scale disturbance of a river system
- The dam then requires active maintenance to maintain the impoundment or wetlands created (i.e. economic viability)
- The dam impoundment is constantly infilling and transitioning
- Removing a dam is also a disturbance
- But dam removal allows for partial or full restoration of natural processes
- And leads the system back to a self-sustaining system

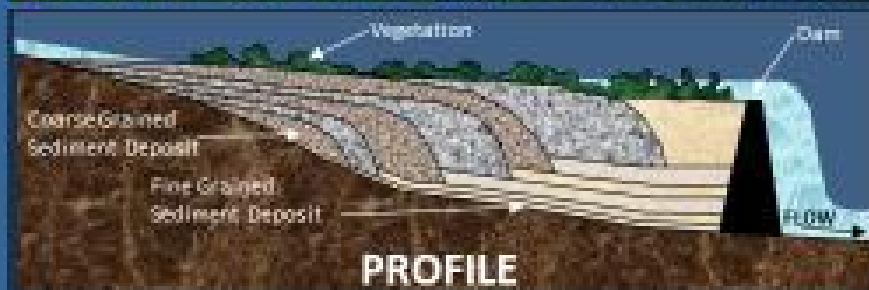
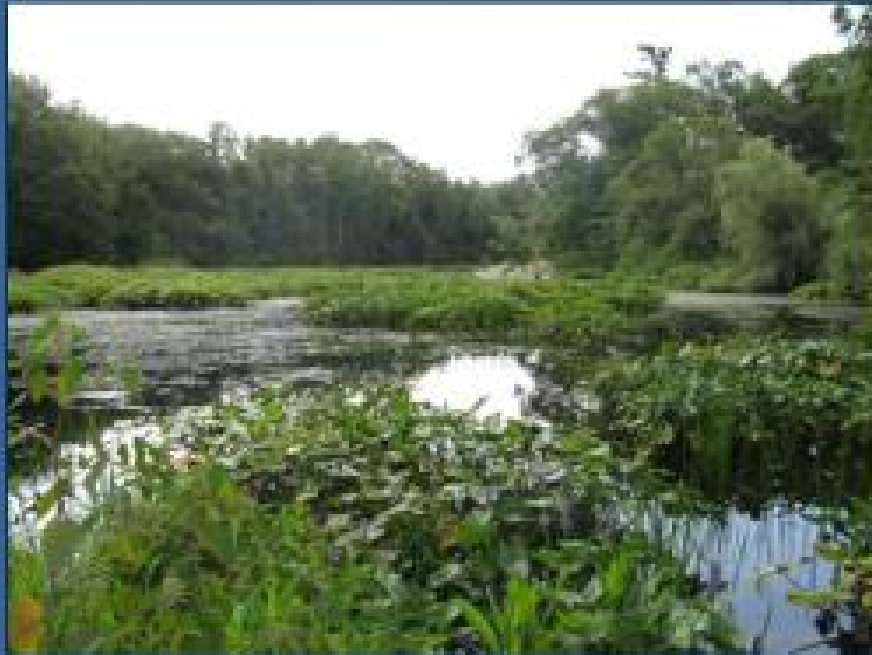
credit: L. Wildman, PrincetonHydro

The Ecological Impacts of Dams are not just about Fish



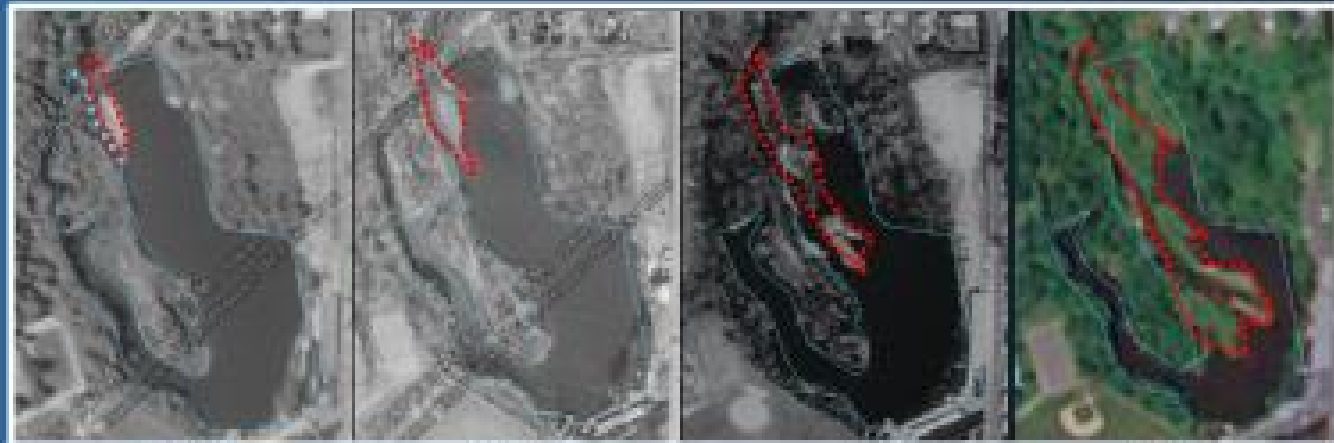
credit: L. Wildman, PrincetonHydro

Impoundment Infilling



credit: L. Wildman, PrincetonHydro

Example of a Mill Pond Infilling - Heminway Pond Transition From 1970 to 2011 Watertown, CT



1970

1972

1990

2005



2004

2006

2008

2011

credit: L. Wildman, PrincetonHydro

Why We Remove Dams

Aging

- dam structure
- reservoir sedimentation

Safety

- breaching
- drowning
- liability

Economics

- loss of original purpose or economic value
- maintenance
- no longer economically justifiable

Environment

- environmental impact of dam is too great
- proactive restoration



Remnants of the Austin, Pennsylvania, dam after its failure on September 30, 1911.

Attractive Nuisance



Underestimating the power of a dam



Fish Passage

Some Reasons Why a Dam Can't Be Removed:

- Dam Serves a Valuable Purpose (flood control, water supply, hydro-electricity, navigation, recreation, etc.)
- Lack of Ownership Permission
- Contaminated Sediment (although leaving the sediment there is not a good option)
- Impacts to a Threatened or Endangered Species
- Community Attachment
- Significant Historic Value
- Cost Prohibitive



credit: L. Wildman, PrincetonHydro

Cost: Dam Removal vs Dam Repair



Source: American Rivers – Median Dam Removal Project Cost Stats from 225 projects nationally in 2010 dollars (60 projects from PA)

- Dam Repair varies widely depending on condition and size of dam
- With Dam repair you need to consider long term maintenance and eventual replacement of the dam
- There are more funding option (i.e. grants) available for dam removal because of the environmental benefits

credit: L. Wildman, PrincetonHydro

Aging

- *Replace dam entirely*
- *Dredge pond*



Rock ramp fishway

What are our Alternatives?

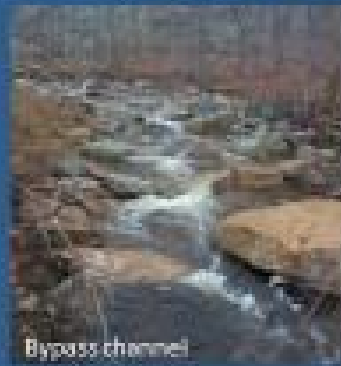
If Dam Removal is not an Option



Dredge

Safety

- *Repair dam*
- *Lower dam*
- *Maintain dam*
- *Get liability insurance*



Bypass channel



Fish ladder

Environment

Partial fixes:

- *Fish passage (ladder, ramp, bypass)*
- *Naturalize flow releases*
- *Alternate low flow release levels*
- *Sediment flushing*
- *Seasonally operate dam*
- *Inflatable hinged spillway*

Economics

- *Find an alternate economic value for dam that covers maintenance*
- *Find an alternate owner who is getting value from the dam (i.e. lake association)*



Mill Creek Dam removal and restoration in Dexter, Michigan

For Your Consideration –

Now: Partner with HRWC on a dam feasibility study.
See Dam Removal Scope of Services Checklist.

1:1 cost share agreement

Later: Join the team in the field during the April visit.
Ask questions. Learn about the creek, surrounding land, and condition and impacts of the dam.



Peninsular Park River Revitalization
and Redevelopment Scenario



Peninsular Park River Revitalization
and Redevelopment Scenario



Huron
River
Watershed
Council



Questions

Laura Rubin, lrubin@hrwc.org



REQUEST FOR LEGISLATION
April 18, 2017

To: Mayor and Council
From: Darwin D. P. McClary, City Manager
Subject: PENINSULAR PAPER DAM PRESENTATION AND DAM REMOVAL STUDY

SUMMARY & BACKGROUND:

City Council is scheduled to receive a presentation from Laura Rubin, Executive Director of the Huron River Watershed Council on the Peninsular Paper Dam and the need to proceed with a study on the scope of work, cost, and impact for the removal of the dam. A similar study was previously completed for the restoration of the dam. MDEQ has informed the city that considerable repairs will be necessary if the city desires to preserve the dam. The findings from both studies will be used to help guide council to a decision on the most beneficial option for the city in addressing the aging and deteriorating dam.

The cost of the dam removal study is estimated at \$40,000. HRWC is offering to provide 50% matching funds to complete this study, and the city has \$25,000 remaining in General Fund reserves for this project.

RECOMMENDED ACTION:

To authorize city administration to work with the Huron River Watershed Council to prepare the necessary bid specifications, bid advertisement, and cost sharing agreement for approval by council to complete a study on the scope of work, cost, and impacts of the removal of the Peninsular Paper Dam.

ATTACHMENTS:

- HRWC PowerPoint Presentation – “Peninsular Paper Dam”

CITY MANAGER APPROVAL: _____ DDPM _____ COUNCIL AGENDA DATE: 04/18/17

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2017 - 088
April 18, 2017

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the Michigan Department of Environmental Quality has informed the city that considerable repairs to the Peninsular Paper Dam are necessary for public health, safety, and welfare and for the preservation of property, if the city desires to maintain the dam; and

WHEREAS, a study has previously been completed outlining the scope of work, costs, and impacts for the repair and preservation of the dam; and

WHEREAS, it is necessary to undertake a similar study to identify the scope of work, costs, and impacts for the removal of the dam to assist the city council in determining the most beneficial option for the city;

NOW THEREFORE BE IT RESOLVED BY THE CITY OF YPSILANTI that the city council does hereby authorize city administration to work with the Huron River Watershed Council to prepare the necessary bid specifications, bid advertisement, and cost sharing agreement for approval by council to complete a study on the scope of work, cost, and impacts of the removal of the Peninsular Paper Dam.

OFFERED BY: _____

SUPPORTED BY: _____

YES:

NO:

ABSENT:

VOTE:



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



C. HEIDI GRETHER
DIRECTOR

September 21, 2016

VIA E-MAIL

Mr. Stan Kirton, Director
Department of Public Works
City of Ypsilanti
14 West Forest Avenue
Ypsilanti, Michigan 48197

Dear Mr. Kirton:

SUBJECT: Peninsular Paper Dam, Dam ID No. 500, Washtenaw County

The enclosed Dam Safety Inspection Report for the Peninsular Paper Dam was prepared by Mr. Lucas A. Trumble, P.E., Dam Safety Program, Water Resources Division, Department of Environmental Quality (DEQ). The visual inspection and report was completed at your request, as provided by Section 31518(4) of Part 315, Dam Safety (Part 315), of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA).

The purpose of this inspection was to evaluate the structural condition and hydraulic capacity of this dam, as required by Part 315 of the NREPA.

The dam is in fair condition overall, however, there are several recommended actions from previous inspection reports that have not been completed. The City should plan and budget to complete all repairs recommended in the 2014 Condition Assessment Report completed by OHM Advisors within 10 years. **Please provide this office a plan and schedule to address these deficiencies by February 1, 2017.**

The dam has been rated as a high hazard potential dam. The Emergency Action Plan (EAP), required by Section 31523(1) of Part 315, should be reviewed, and updated as necessary, in coordination with Washtenaw County Emergency Management. **The results of this review, and any updates, should be provided to the Dam Safety Program by December 31, 2016.**

If you have any questions regarding these recommendations, please Mr. Lucas Trumble, P.E., Dam Safety Program, at 517-420-8923 or trumbllel@michigan.gov, or you may contact me.

Sincerely,

Byron Lane, P.E., Chief
Hydrologic Studies and Dam Safety Unit
Water Resources Division
517-281-6821

Enclosure

Mr. Stan Kirton
Page 2
September 21, 2016

cc: Ms. Frances McMullan, Interim City Manager, City of Ypsilanti
Ms. Beth Ernat, Director of Economic Development, City of Ypsilanti
Mr. Marcus McNamara, OHM Advisors
Mr. John Tanner, OHM Advisors
Mr. Marc Breckenridge, Director, Washtenaw County Emergency Management (electronic)
Mr. Lucas Trumble, DEQ (electronic)
File (electronic)

**DAM CONDITION ASSESSMENT REPORT
FOR THE
PENINSULAR PAPER DAM
IN
YPSILANTI, MICHIGAN**

September 30, 2014
Project No. 0094-13-0051

OHM Advisors
34000 Plymouth Road
Livonia, Michigan 48150
(734) 522-6711
(734) 522-6427 FAX

INTRODUCTION

The purpose of this Assessment is to conduct a detailed condition survey of the existing dam and appurtenant structures, including spillway, embankments and powerhouse. An assessment of the conditions will be made and an opinion rendered as to needed repairs and associated costs. The assessment will address in detail the repair items identified in the 2010 and 2013 MDNRE Dam Safety Inspection Report. This assessment has been conducted at the request of the dam's owner, the City of Ypsilanti (City).

The report is limited to a discussion of observations based on visual observations, (including dewatering of the Spillway face and hammer soundings), a dive investigation, and review of any previous inspection reports, plans, and data that are available. All references to "right" and "left" are based on the observer facing downstream.

CONCLUSIONS AND RECOMMENDATIONS

The Peninsular Paper Dam is in fair condition overall. Several of the concrete abutment walls and the powerhouse are in very poor condition. Based upon observations at the time of the inspection, there were no apparent structural deficiencies that may lead to the dam's immediate failure. However, the powerhouse is a detriment to the overall dam structures safety and stability. The dam has adequate spillway capacity in order to safely convey the design flood. The following recommended actions are listed by priority, with an estimate of costs listed in Appendix C:

1. Consider the removal of the top portion of the powerhouse, place a flowable fill in all voids of the lower portion of the powerhouse, place concrete surface on top of remaining powerhouse and use as park picnic area. Repair/Replace left principal spillway abutment wall. Repair auxiliary spillway and remove vegetation from spillway channel.
2. Investigate possible funding for powerhouse removal and park improvements.
3. Repair concrete divider pier and complete underwater repairs on left retaining wall.
4. Repair area of erosion along left retaining wall. Remove all woody vegetation on both embankments and on right spillway abutment wall.
5. Discourage entrance to the abandoned powerhouse building by installing barriers and signage as soon as reasonably possible.

SITE DESCRIPTION & DAM HISTORY

Peninsular Paper Dam is located on the Huron River in Ypsilanti, Michigan. The dam is classified as a high hazard potential due to the downstream urbanized conditions along the Huron River. Below is an excerpt from the 2013 Dam Inspection Report by Michigan Department of Environmental Quality, Dam Safety Unit:

The Peninsular Paper Dam was originally constructed in 1867 to provide power for paper manufacturing. The dam failed in 1918 and was rebuilt in 1920. The dam no longer generates power, and all electricity-generating equipment has been removed from the powerhouse.

The dam consists of a 250-foot long concrete gravity dam with a 232-foot long fixed crest overflow spillway, and an 8-foot wide stop log section, which formerly contained a radial gate. A 40-foot long powerhouse is located at the left abutment. This powerhouse is abandoned. The spillway is flanked by short earthen embankments.

The dam has structural and hydraulic heights of 21 feet and 19.7 feet, respectively. The dam maintains 14 feet of head, and 6.5 feet of freeboard under normal flow conditions. The dam creates an impoundment with a normal surface of area of approximately 66 acres.

The dam was inspected in 1979 by Ayres, Lewis, Norris & May, Incorporated (ALNM) as part of the National Dam Safety Program. The dam was subsequently inspected by ALNM in 1981 and 2001; by Dam Safety Program staff in 1992, 1995, 1999, 2004, 2010 and 2013; and by Orchard Hiltz & McCliment in 2007. The 2001 ALNM inspection included an underwater video inspection by Great Lakes Diving Company. Engineering sketches of the dam are found in the 1979 report. Copies of these reports, along with engineering plans for the radial gate replacement and redevelopment along the right abutment, are on file with the Dam Safety Program.

FIELD INSPECTION

The following discussion of the dam's physical condition and appurtenances is based on observations and photographs obtained on the dates of this condition assessment. The field investigations were conducted on December 2, 2013, July 28, 2014 and August 6, 2014.

Dive Inspection

The field investigation that occurred on December 2, 2014 was an underwater dive inspection, conducted by Able Diving Company/Gerace Diving Service. The full results of the dive inspection are included in the report as Appendix A and are summarized below.

The upstream underwater section of the main spillway and powerhouse had no visual defects. No undermining was observed. The water depth ranged from 0 feet at the

shoreline to approximately 8 feet in the middle of the river. The bottom consisted of sand and small gravel. At the upstream face on the dam, there is approximately 9 to 10 feet of sediment.

The water depth at the downstream powerhouse tailrace along the north retaining wall ranges from 1 foot deep at the downstream end to approximately 12 feet deep at the downstream face of the powerhouse. The retaining wall has a 3 feet wide apron/foundation that extends out southerly from the north retaining wall. This apron/foundation had no apparent defects. The apron/foundation is buried with debris and river bottom for the first 81 feet downstream of the powerhouse. No undermining of the north retaining wall was observed. There was one concrete spall observed on the North retaining wall located approximately 2 feet below the downstream water surface. The spall area was approximately 12 square feet and was 1 foot deep, with rebar exposed.

The water depth at the bottom of the North and South draft tubes was approximately 12 feet deep. There were no observed concrete defects or undermining. The concrete scour slab was not visible and was evenly covered by sediment and river debris. There were no observed underwater concrete defects on the concrete divider piers.

Principal Spillway, Abutment Walls and Powerhouse Evaluation

A field evaluation was conducted on the Peninsular Paper Dam on July 28, 2014 and August 6, 2014.

The July 28th visit included an evaluation of the condition of the lower portion of the downstream principal spillway, the plunge pool and possible scour downstream of the plunge pool.

A probe rod was used to identify any scour at the downstream side of the plunge pool. The area is covered with large and medium sized rip rap. No scouring or undermining of the plunge pool was observed. The water depth at the downstream base of the plunge pool varied between 3 to 4 feet due to the variability of the rip rap size and distribution.

The concrete pad of the plunge pool was also probed to locate any anomalies or concrete defects. The water level in the plunge pool was approximately 4 feet deep. There were two holes in the concrete pad that were located during the evaluation. The larger hole, (approximately 2 feet wide and 1 foot deep), was located approximately 5 feet south of the north end of the main spillway abutment wall. The smaller hole, (approximately 6 inches wide and 16 to 18 inches deep), was located approximately 55 feet north of the main spillways south abutment wall.

The lower 7 to 8 feet of the spillway face was sounded with a hammer to locate and detect any concrete defects or anomalies. The findings from this work have been combined with the findings from the final field evaluation day and are discussed below.

The August 6th visit included a visual evaluation on the downstream surface of the spillway, as well as audible hammer soundings, to detect any defects or anomalies. Sandbags were used on the crest of the spillway to dewater the surface in sections. Each section was inspected visually and sounded with a masonry hammer. (See Photos

1,2,3,8,12 and 13).

The spillway deficiencies identified included concrete spalling, cracks and sounding anomalies. None of these deficiencies appear to be serious enough deficiencies that may lead to the dam's immediate failure. However, these deficiencies should be repaired. The spillway deficiencies identified are summarized as Appendix B. (See Photos 12 and 13).

The south or right principal spillway abutment wall is in fair condition. However, the concrete surface should be resurfaced and the brush growing out of the wall should be removed. The brush growing on the right embankment, adjacent to the abutment wall, should be removed right away. (See Photo 5). The remainder of the right earthen embankment is in good condition.

The north or left principal spillway abutment wall is in extremely poor condition. The concrete surface should be repaired or replaced. The auxiliary spillway condition, which shares a wall with the left principal spillway abutment wall, is in extremely poor condition and should be repaired or replaced. The brush growing in and around the auxiliary spillway should be removed. The auxiliary spillway is not functionally useable during a flood event. (See Photos 1,3, 4,7,9,12 and 13). There is a concern that the auxiliary spillway could hold up to any use.

The divider pier, between the auxiliary spillway and the abandoned powerhouse tailrace, is in poor condition above the water surface. The divider pier concrete should be repaired or resurfaced. (See Photos 7,9 and 10).

The powerhouse is in poor condition and is an extreme safety hazard to the general public. There are sinkholes in and around the powerhouse. Access to the inside of the powerhouse is limited. However, people are accessing the powerhouse and climbing to the roof. Animal activity is increasing the sinkhole danger. The powerhouse and the immediate surrounding area is jeopardizing the safety and stability of the dam. (See Photos 6,7,10,14,15,16,17,18 and 19).

The north or left retaining wall, located north and adjacent to the powerhouse is in fair condition. The concrete surface at and above the water surface should be resurfaced or repaired. There is erosion immediately adjacent to the left retaining wall that should be remediated. The brush along the left downstream embankment should be removed and the slope stabilized. (See Photo11). The remainder of the left earthen embankment is in fair condition.

STRUCTURAL STABILITY

Our observations indicate that the Principal Spillway and the portions of the dam that are below the water level are in much better condition than the exposed concrete portions of the dam structure. Overall, the dam appears to be in fair condition. However, there are portions of the structure that are in poor condition. The biggest concern for the overall stability of the dam structure is the overall condition of the abandoned powerhouse. It is doubtful that the powerhouse could be reconditioned to be operational.

APPENDICES

Appendix A – Dive Inspection Report and video log.

Appendix B – Inspection Photo Log.

Appendix C – Recommended improvement Cost Estimates.

Appendix D – Spillway Condition log

INSPECTION REPORT

PENINSULAR DAM
YPSILANTI, MICHIGAN
DECEMBER 2, 2013

PREPARED FOR:

G. JOHN TANNER, PE
2520 S. UNIVERSITY PARK DRIVE
SUITE D-200
MT. PLEASANT, MICHIGAN 48858

BY:

DANIEL FELSKÉ
ABLE DIVING CO. GERACE DIVING SERVICE
448 E. MUNGER RD.
MUNGER, MI. 48747

INSPECTION REPORT
PENINSULAR DAM

TABLE OF CONTENTS

- 1.0 INTRODUCTION
- 2.0 VIDEO INSPECTION LOG
- 3.0 FIELD INSPECTION SUMMARY
 - 3.1 UPSTREAM SPILLWAY & POWERHOUSE
 - 3.2 TAILRACE NORTH RETAINING WALL
 - 3.3 NORTH & SOUTH DRAFT TUBES & DIVIDER PIERS
- 4.0 ROUGH DRAWING

1.0 INTRODUCTION

An underwater video inspection was conducted at the Peninsular Dam on December 2, 2013. The purpose was to determine the existing concrete conditions of the Dam structure as well as any undermining of the Dam.

Descriptions of the involved structures at Loud Dam are referred to with North-South, and upstream/downstream designations given for reference during this inspection.
(See 4.0 Rough Drawing)

Surface supplied diving equipment, rigged with two way communication was used for the inspection. The diver utilized a helmet mounted Deep Sea model 2050 underwater video camera. Also attached to the helmet was an adjustable intensity video light.

The Audio/Video record of the inspection was recorded on standard VHS tape then was converted to DVD.

Total tape length	21 min. 05 secs.
Water temp	34 degrees F (approx.)
Air temp	40 degrees F (approx.)
Water depth	0-12 ft
Water visibility	0-10 ft.

Diving crew	Daniel Felske	Supervisor/Diver
	Cade Schafer	Diver
	Jim Hostutler	Tender

2.0

VIDEO INSPECTION LOG PENINSULAR DAM DECEMBER 2, 2013

TAILRACE NORTH RETAINING WALL

TIME	LOCATION	OBSERVATION
11:14:38	120 ft. downstream of powerhouse	No defects, No undermining
11:15:25	81-120 ft. downstream of powerhouse	3 ft. wide horizontal concrete apron, no defects
11:17:29	0-81 ft. downstream of powerhouse	3 ft. wide apron buried by river bottom
11:22:07	0-40 ft. downstream of powerhouse	Bottom debris No undermining
11:23:40	Stop Block Channel 2 ft. below surface	Concrete spall 6 ft. long, 2 ft. wide, 1 ft. deep Re-bar visible

NORTH & SOUTH DRAFT TUBES & DIVIDER PIERS

TIME	LOCATION	OBSERVATION
11:25:30	North draft tube	Debris in tube No undermining or defects 12 ft. deep
11:27:57	Divider pier between draft tubes	No defects, 6 ft. wide
11:29:50	South draft tube	Debris in tube No undermining or defects 12 ft. deep
11:32:50	Divider pier between powerhouse & spillway	No undermining or defects
11:36:04	End inspection	

3.0 FIELD INSPECTION SUMMARY

One diver was utilized for the dive inspection.
Diver Cade Schafer first inspected the upstream spillway & powerhouse structure. This part of the inspection was performed with the diver using a scuba bottle instead of the usual commercial setup because the umbilical hose kept going over the top of the spillway into the tumble bay creating a hazard for the diver.
The inspection was performed without the video system which was attached to the umbilical hose.
The diver performed the inspection from the South upstream concrete wing wall, North across the spillway to the powerhouse and exited on the North upstream river bank.

Inspected next was the downstream tailrace North concrete retaining wall. Starting at the downstream end of the North retaining wall the diver moved upstream to the powerhouse where the North and South draft tubes were inspected. Also inspected were the concrete divider piers between the draft tubes and the powerhouse and spillway.
The inspection ended at the downstream end of the concrete divider pier between the powerhouse and spillway, as the current from the water in the spillway prevented any further inspection.

All inspection results are of the structure underwater only.

Visibility was approximately 10 feet and did not hamper the inspection.

Zebra mussel infestation was not an issue as the diver was able to clearly see all the related structure.

All geographical references used by the diver and topside personnel were given North-South, and upstream downstream designations.

The rough sketch at the end of the report (4.0) is for location purposes only and is not drawn to scale.

3.1

UPSTREAM SPILLWAY & POWERHOUSE

As stated in the summary, the upstream inspection does not have video included.

The upstream section of the Dam was inspected and no underwater defects were observed in the concrete structure.

No undermining of the structure was observed. The river bottom consisted of mostly sand and small rock.

The depth of the water in front of the spillway section of the Dam was from 0-8 ft. deep.

The water depth in front of the powerhouse was approximately 0-2 ft. deep.

3.2

TAILRACE NORTH RETAINING WALL

The water depth at the downstream end of the North concrete retaining wall was approximately 1 ft. deep. The water level at the powerhouse is 12 ft. deep.

There is a 3 ft. wide horizontal concrete apron on the river bottom that extends out to the South from the North retaining wall.

No defects were observed in the 3 ft. wide concrete apron. The apron is no longer visible and is covered by debris and river bottom 81 ft. downstream from the powerhouse.

On concrete spall was observed in the North retaining wall.

Location: Stop Block Channel 2 ft. below surface

Observation: Concrete spall
6 ft. long, 2 ft. wide, 1 ft. deep
Re-bar visible

No undermining of the North concrete retaining wall was observed.

3.3

NORTH & SOUTH DRAFT TUBES & DIVIDER PIERS

The water depth at the bottom of the North and South draft tubes was 12 ft. deep.
No concrete defects were observed.
No undermining was observed.
No concrete scour slab was observed downstream of the draft tubes as the river sediment and debris is even with the bottom of the draft tubes.

The concrete divider piers were observed with no underwater concrete defects.

GERACE CONSTRUCTION CO., INC.

4055 South Saginaw Road

Midland, Michigan 48640

TEL (989) 496-2440

FAX (989) 496-2465

JOB _____

SHEET NO. _____ OF _____

CALCULATED BY _____ DATE _____

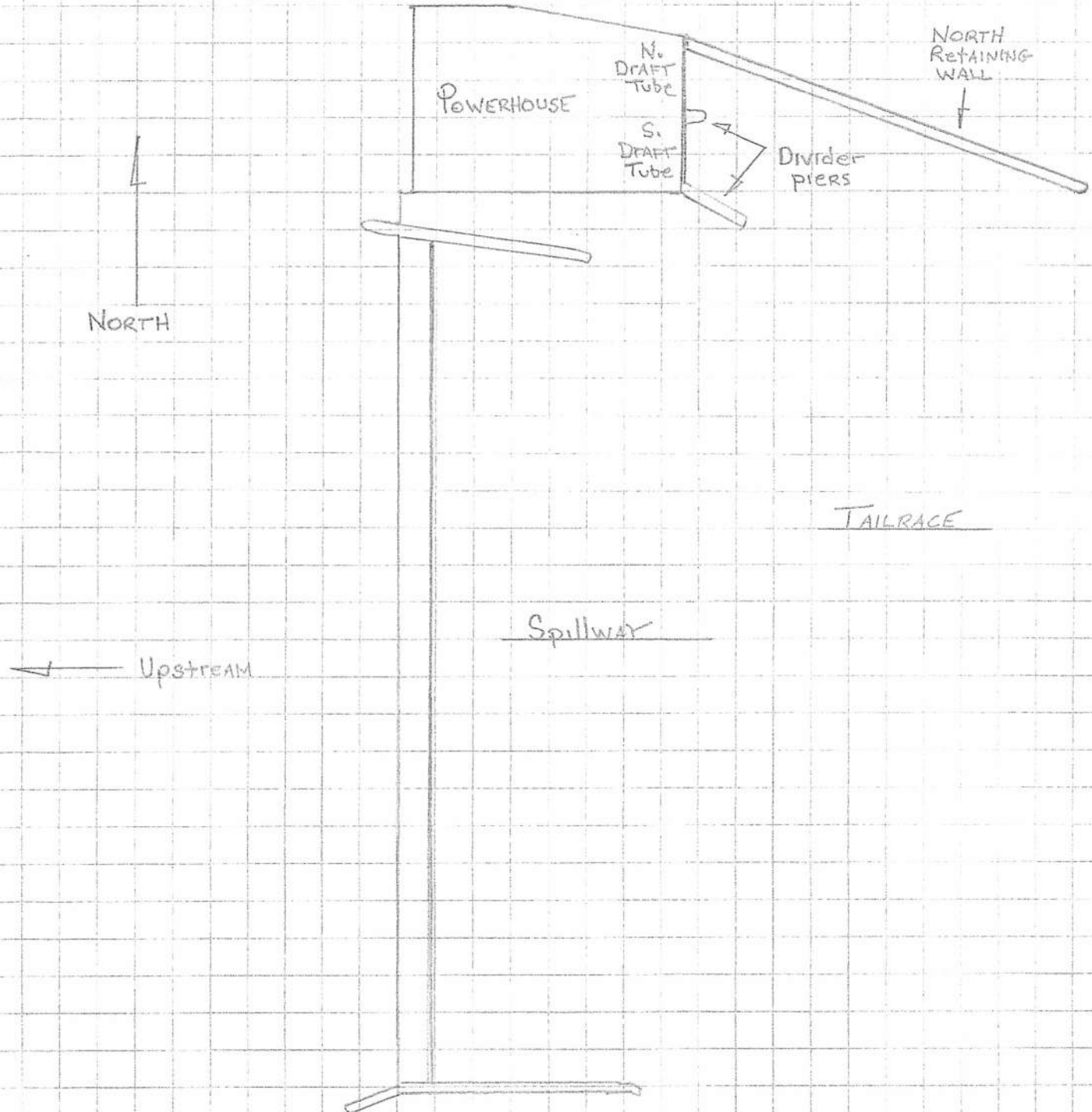
CHECKED BY _____ DATE _____

SCALE _____

4.0 Rough Drawing

Peninsular Dam

*NOT TO SCALE



City of Ypsilanti Peninsular Dam

by OHM-Advisors

9/30/2014



Photo 1



Photo 2



Photo 3



Photo 4



Photo 5



Photo 6



Photo 7



Photo 8

Photo 9





Photo 10



Photo 11

Photo 12





Photo 13



Photo 14

Photo 15





Photo 16

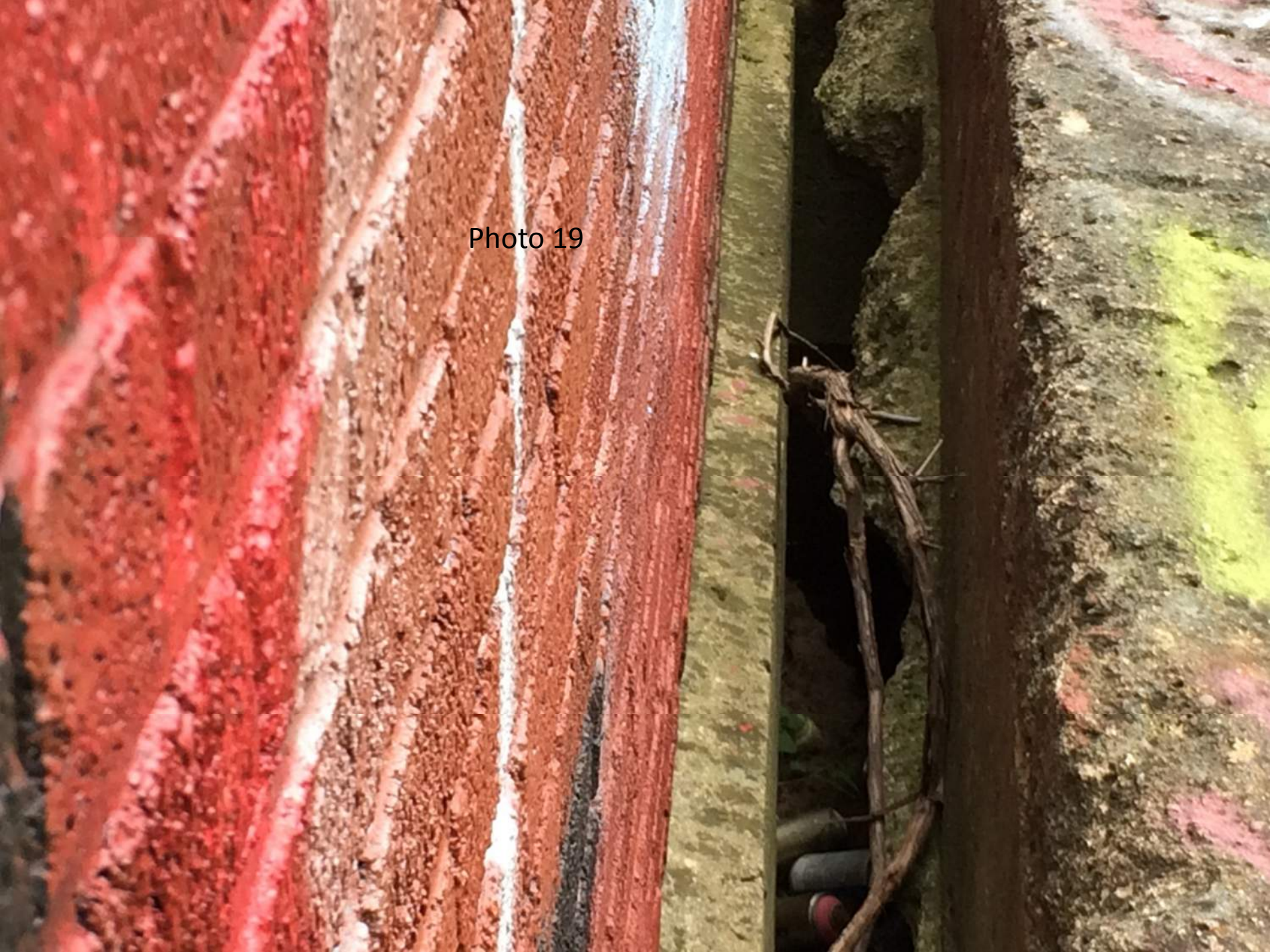


Photo 17



Photo 18

Photo 19





OHM Advisors | ARCHITECTS. ENGINEERS. PLANNERS.

2520 S. University Park Drive, Suite D-200, Mt. Pleasant, MI 48858

OPINION OF PROBABLE CONSTRUCTION COST

Telephone: (989) 956-2020 FAX: (734) 466-4557

PROJECT: Peninsular Dam Condition Assessment Repair Estimate
LOCATION: Ypsilanti Peninsular Dam
WORK: Condition Assessment
Option 1

DATE: 10/03/14
PROJECT #: 0094-13-0051
ESTIMATOR: GJT
CHECKED BY: CJS
CURRENT ENR:

ITEM CODE	DESCRIPTION	UNIT	TOTAL	UNIT PRICE	COST
1	Mobilization	LS	1	\$ 22,400.00	\$ 22,400.00
2	Tree & Brush Removal - Left Embankment	LS	1	\$ 2,500.00	\$ 2,500.00
3	Tree & Brush Removal - Right Embankment/Abutment Wall	LS	1	\$ 1,500.00	\$ 1,500.00
4	Tree & Brush Removal - Auxiliary Spillway	LS	1	\$ 2,000.00	\$ 2,000.00
5	Slope Restoration, Fill & Stabilize Erosion Area	LS	1	\$ 3,500.00	\$ 3,500.00
6	Right Spillway Abutment Wall Repair/Resurfacing	LS	1	\$ 3,000.00	\$ 3,000.00
7	Principal Spillway Repair/Resurfacing	LS	1	\$ 53,000.00	\$ 53,000.00
8	Plunge Pool Pad Repairs	LS	1	\$ 1,500.00	\$ 1,500.00
9	Left Spillway Abutment Wall Reconstruction	LS	1	\$ 65,000.00	\$ 65,000.00
10	Dewatering for Spillway repairs	LS	1	\$ 25,000.00	\$ 25,000.00
11	Coffer Dam for left Spillway Abutment Wall Reconstruction	LS	1	\$ 20,000.00	\$ 20,000.00
12	Auxiliary Spillway Repairs	LS	1	\$ 105,000.00	\$ 105,000.00
13	Coffer Dam for Auxiliary Spillway Repairs	LS	1	\$ 12,000.00	\$ 12,000.00
14	Left Retaining wall repairs (underwater)	LS	1	\$ 4,500.00	\$ 4,500.00
15	Divider Pier Repair (including Dewatering)	LS	1	\$ 15,000.00	\$ 15,000.00
16	Fill all Powerhouse voids with flowable fill	LS	1	\$ 27,000.00	\$ 27,000.00
17	Demolish Powerhouse - above ground	LS	1	\$ 75,000.00	\$ 75,000.00
18	Place concrete surface over demolished Powerhouse	LS	1	\$ 7,500.00	\$ 7,500.00
19	Upgrade concrete surface for safety and use as park area	LS	1	\$ 25,000.00	\$ 25,000.00
				SUB TOTAL	\$ 470,400.00
				Contingency(15%)	\$ 70,560.00
				Permitting (3%)	\$ 14,112.00
				Design Engineering Services (10%)	\$ 47,040.00
				Construction Engineering Services (12%)	\$ 56,448.00
				TOTAL	\$ 658,560.00
Assumptions/Comments:					
ITEM CODE					
1	Assumes 5%				
7	Assumes 400 sf of deep chipping and Epoxy hand patch, 30 feet Poly Crack Injection, 1 cyd of conc. patch				
9	Assumes 160 CYD of Reinforced Concrete Removal & Replacement				
12	Assumes 500 sf deep & 500 sf of shallow chipping and Epoxy hand patch, 50 feet Poly Crack Injection				
16	Assumes 300 CYD of flowable fill and necessary forming to block openings				
18	Assume a 40' x 40' concrete surface cap over demolished building				

City of Ypsilanti - Peninsular Paper Dam Condition Evaluation Summary

DISTANCE (feet)	FROM North or South Abutment Wall	DESCRIPTION
5	North(Left)	2' dia. Hole in plunge pool pad, approx. 12-14 inches deep
36	North (Left)	5' below crest, 1 sf. Conc. Spall
43	North (Left)	3' horizontal crack, approx. 2 feet below crest, w/ some spalling
65	North (Left)	2' horizontal crack, approx. 3' down from crest
68	North (Left)	10' vertical crack with spalling, 3 to 4 inches deep
105	North (Left)	3' below crest, hammer sounding anomole, est. to be 8 sf.
120	North (Left)	Sounding hammer anomole, est. to be 50-60 sf.
125	North (Left)	3' below crest, 2 sf. Conc. Spall, est. at 2 inches deep
125	North (Left)	Sounding hammer anomole, est. to be 25-30 sf.
135	North (Left)	10' below crest, hammer sounding anomole, est. to be 5 sf.
55	South (Right)	6 inch dia. Hole on plunge pool pad, approx. 18 inches deep.
60	South (Right)	2' vertical concrete spall, varies from 6 to 12 inches
65	South (Right)	Downstream side of crest, 2 sf spall, approx. 4 inches deep.
10 to 70	South (Right)	Several hammer sounding anomoles detected at 5 to 8 feet up from splash pad

Peninsular Park Management Plan 2016

produced by PlantWise, LLC on behalf of Huron River Watershed Council



Overview

Peninsular Park is an approximately 7-acre parcel owned by the City of Ypsilanti on the north bank of the Huron River adjacent to Leforge Rd. Located in close proximity to Eastern Michigan University and residential areas, it appears to attract modest numbers of park users. The goals of this document are to develop a plan that will improve scenic views, enhance park user safety, and improve park facilities to attract more users to enjoy the park and adjacent river; and to enhance the ecological functioning and habitat value of the park.

History

The Peninsular Paper Company was formed in 1867 and purchased land on the north and south sides of the Huron River in order to build a dam and paper mill. The dam and impoundment were originally constructed around 1867, and the dam has been rebuilt several times. Initially, paper was produced in a mill on the south side only. The mill on the north side was added around 1876. It was destroyed by fire in 1898 and has been rebuilt since then (Rudisill, 2008). The land was acquired by the city in 1986 and opened as a park in 1992 (Siegfried, 2015).

Surrounding Land Use and the Human Aspect

Peninsular Park exists at the boundary between urban Ypsilanti and rural Superior Township. There are significant areas of woodland, wetland and farmland to the north. The Huron River provides a direct natural corridor, even downstream as it passes through Ypsilanti.

Although Peninsular Park is at the northern edge of Ypsilanti, it is surrounded by relatively dense development. There are large apartment complexes directly adjacent to the north, and within walking distance to the east and south. The park is the closest natural area to Eastern Michigan's campus, across the river to the south. It appears to have relatively low use, despite the large population close by. The most likely users of the park fall into two groups: residents of the adjacent apartment complexes (both students and non-students), or people drawn to the park specifically to access the river for fishing or boating. Enhancing the perceived safety, aesthetics, and uses of the park could draw in more park users from the immediate surroundings.

Soil Conditions and Historical Land Use

The site of the park has been subject to extensive human use and disturbance due to the adjacent paper mill and dam. The two largest ecological impacts are the change in the water level and flow rate of the river behind the dam, and the construction of the dam and paper mill itself with attendant earth-shaping activities. According to the USDA soil survey maps, most of the park area is fill land. Apparently, the northern edge of the park was originally an escarpment with a much steeper slope down to the river or its floodplain, and the south facing slopes of the park were filled to some degree. Despite this massive disturbance, some of these slopes have large native trees on them, due to the length of time since the disturbance. Most of the soils surrounding Peninsular Park are Boyer sandy loams. It seems likely that the fill soil was taken from nearby (possibly the gravel pit at the west end of Clark Rd.) and that in the approximately 150 years since the land was shaped, a relatively mature forest has emerged.

The plant communities on the site reflect these past historical disturbances. The most intact community is in the middle of the north slope, where oaks and hickories are the dominant trees. Further to the east, many more invasive plants exist, and the dominant trees are weedier in nature: black locust, elm, mulberry, box elder, and black cherry. Perhaps this area had different fill soils, or dredged soils from the river were placed here, increasing the nutrient content of the soils.

Threats and Opportunities

Many invasive plants threaten the long-term biodiversity of the site. Left unchecked, various non-native shrubs and the vining Asian bittersweet will eventually choke out most of the site and turn it into an impenetrable thicket (as is well underway in the northeastern portion of the site). The non-native shrub layer is probably the largest threat to the site's biodiversity, with evergreen groundcovers such as wintercreeper and myrtle being secondary threats.

However, remnants of native plant communities persist. Units 1 and 2 are very restorable to a more open condition with relatively little effort and can be managed in the future with prescribed fire. The currently mown areas of the park would be relatively easy to convert to a savanna ecosystem, and are good locations in which to locate more managed pollinator gardens.

The river itself presents many opportunities. Humans have a fascination with water, and enhancing access to and appreciation of water-based recreation is an excellent way to promote an environmental ethic while protecting its natural resources and function. Dam removal would greatly increase the amount of land available for habitat and parkland, as well as having many other benefits for river function and water quality.

Management Units and Action Steps

The park has been divided into six units, with a different suite of recommended actions for each area. The different units generally fall into three categories: Units 1-3 are most suited for passive recreation/nature viewing/habitat. Unit 4 is in poor shape ecologically and would require a considerable amount of long-term effort to be restored, and may be best left alone or considered for restoration or enhancement at a later date. Units 5 and 6 are most suitable for active recreation/river views/picnic/fishing/boating. Specifics of each unit follow. Prices are estimates for budgeting purposes.

Unit 1 consists of forested, south facing slopes. The dominant overstory trees are oaks and hickories. Although there is considerable shrub invasion, this is by far the easiest area to restore.

Size: 1.2 acres

- Cut invasive shrubs, treat stumps, and remove brush from site. \$4,000
- Prescribed burn. \$1,400 (for all areas together)

Unit 2 is also forested, with generally south-facing slopes and some lower-lying, moist areas. Although there are some oaks and hickories here, the majority of the overstory trees are basswood, hackberry, or maple. Invasive shrubs are more dense than in Unit 1, and the herbaceous vegetation is of lower quality. Restoring this area would be a secondary priority compared to Unit 1.

Size: .6 acres

- Cut invasive shrubs, treat stumps, and remove cut brush from site. \$6,000
- Prescribed burn. \$1,400 (for all areas together)

Unit 3 is currently largely mown and includes the river edge, which is heavily shrubby, and varies in degree of slope. There are some scattered picnic benches. This would be a prime area to establish a walking path to enjoy the natural features of this site, and restore the remaining mown area to a natural state. Points that are most suitable for pedestrian access to the river's edge should be selected, and the rest of the bank should be planted with native shrubs to discourage foot traffic that will otherwise lead to more erosion.

Size 1.1 acres

- Delineate path layout.
- Kill cool season turf and sow native seeds in areas beyond designated paths. \$2,500
- Cut invasive shrubs, treat stumps, and remove cut brush from site. \$7,000
- Prescribed burn. \$1,400 (for all areas together)
- Plant native shrubs along riverbank in select areas. \$1,000-\$5,000
- Remove and/or repair select picnic benches.

Unit 4 is very disturbed and heavily invaded with invasive shrubs, overstory trees and groundcover species. There are potentially wonderful views of the river from the northern hilly portion, but considerable expense and effort would be needed to develop a trail and viewing area. Several approaches could be taken here, which vary widely in the amount of expense and effort needed.

Size: 2.5 acres

- Herbicide Japanese knotweed along entrance drive ditch. (This action is of high priority for the park overall, since it's important to stop the spread of this highly pernicious weed.) \$150/yr
- Slowly remove invasive species from southern edges and push toward northern edge of unit.
- Evaluate potential for future recreation/restoration and the establishment of a path and sitting area in the highest elevation if cleared.

Unit 5 is an area of higher park use. It includes the concrete walk along the river, which is used by fisherman and pedestrians alike. The steps at the west end of this walk are in poor shape and need repair or complete replacement. The rest of the area is a south-facing slope dominated by black locust with some scattered native trees and an understory of invasive shrubs. This is a prime area where shrub removal could improve visibility and enhance park user's feelings of safety. At a minimum, shrubs would be removed within 10-15 feet of both sides of the walkway. If all the shrubs are removed, a maintenance plan will be critical for this area. With the black locust overstory and a lack of native plants, intentional plantings will be needed to help prevent a thicket of invasive shrubs growing back within a few years. Several years of invasive shrub control and native grass plantings would help; eventually replacing the black locusts with a several oaks would complete the transformation of this area.

Size: .2 acres

- Repair/replacement of stairs down to river.
- Cut, treat, and remove invasive shrubs to enhance view of river and safety. \$3,000
- Follow up treatments to prevent woody re-invasion. \$300/yr
- Plant warm season grasses in understory. \$200-\$1,000
- Eventually remove and treat black locust for prairie/savannah establishment.

Unit 6 is mostly composed of areas for parking, picnicking, and boating. The vegetation is mostly lawn, with the exception of the river's edge, which is shrubby. Removing non-native shrubs along the riverbank would enhance park users' interaction with the water and views of the river. There is an existing picnic shelter and picnic tables. Both could use some repair work, but seem generally serviceable. This would be an ideal place to install demonstration gardens for pollinators and fruiting plants.

Size: .7 acres

- Repair picnic shelter.
- Rehabilitate picnic tables.
- Investigate feasibility of re-opening bathroom and providing drinking water.
- Install pollinator garden(s). \$750-\$3,000
- Cut, treat, and remove invasive shrubs to enhance view of river. \$3,000
- Plant native fruiting plants in select areas. \$750-\$3,000
- Plant native shrubs/trees along riverbank. \$750-\$3,000

Pricing

Price estimates are for PlantWise or a similar company to do the work; a reduction in cost could be realized by using volunteer labor and/or donated supplies; the most appropriate activities for volunteers have been noted.

Prescribed Fire

Prescribed burns have many benefits and are often a cost-effective method for caring for natural areas. Fire was a key feature of many upper Midwestern landscapes prior to European settlement. Prescribed ecological burns are a way of managing prairies, savannas, oak woodlands, and many wetlands (all fire-dependent ecosystems) in a safe and controlled fashion.

Chemical and Manual Removal

Non-native shrubs including common buckthorn, glossy buckthorn, honeysuckles, privet, autumn olive, and multiflora rose should be cut to within 6" of the ground and painted with a 20% or greater concentration of glyphosate or triclopyr, then removed from the site. This can take place anytime of year except during spring when the sap is rising and herbicide becomes ineffective. Follow up treatments using foliar spray of herbicide and/or prescribed burning will help reduce the population in future years. Start treatment in the priority areas and slowly move outwards as time and money allow. Removing these shrubs will have ecological and aesthetic benefits.

Larger stems of Asian bittersweet can be cut & treated as described above. Followup foliar treatments during late summer will be necessary to control sprouting and smaller plants and seedlings. Ideally, this plant would be removed from the entire park.

Non-native groundcovers including wintercreeper, myrtle, and Japanese honeysuckle can be foliar sprayed with Pathfinder at a time of year when desirable groundcovers are dormant (such as in late fall or early spring).

Japanese knotweed is an extremely persistent and difficult plant to get rid of. There is only one small patch in the park, and it should be dealt with while it's still small. Yearly foliar treatments in August or September with triclopyr will be necessary for 3-5 years to ensure complete eradication.

Garlic mustard & dame's rocket can be hand-pulled in the late spring when flowering, and should be bagged and removed from the site. Neither of these plants are present in large numbers, and it should be relatively easy to sweep the park each spring and remove the small patches that exist.

Black locust and tree-of-heaven are large, suckering trees. Both should be girdled and the girdled area treated with a 20% or greater concentration of triclopyr. After 6 months to a year, the girdled stems can be removed and re-sprouting will be minimized, but several years of consistent treatment of all re-sprouts will be needed to ensure adequate control.

Planting

Areas to be seeded should be killed with herbicide 2-3 times over the growing season before native seed mix is sown sometime between November 1st and December 31st by broadcast sowing. Leaves that fall before seeding should be removed and/or shredded to ensure good seed/soil contact. Native seed is mixed with a bulk agent such as compost, sand, or potting soil and then hand broadcast over the desired area with two passes at right angles to each other. Half the seed should be sown in each direction. Seeding rate should be approximately 5 ounces of native seed per 1000 square feet. The proportion of grasses versus forbs (wildflowers) can be varied according to budget. Seed can be acquired from Michigan Wildflower Farm or Native Connections.

The pollinator garden and edible planting areas can either be sprayed with herbicide to eliminate existing vegetation, or sheet-mulched. Sheet-mulching is a technique where several layers of newspaper or cardboard are laid down, then coarse wood chips on top. Turf grass and most herbaceous weeds will be smothered within 6-8 weeks and then planting can happen. The pollinator garden can be planted with plugs of native plants, which are available from a variety of sources, such as Wildtype in Mason, MI or The Native Plant Nursery in Ann Arbor.

Shrubs and trees are best planted in fall (Sep/Oct) or spring (Apr/May) to minimize drought stress. We recommend purchasing shrubs and trees in 1 or 5 gallon containers from a native plant producer. The small sizes are easier to plant, establish more quickly, and require less watering.

Plugs, shrubs and trees will all require some amount of watering to establish.

Suggested plant species

Seed mix species for naturalizing:

Achillea millefolium
Allium cernuum
Anemone virginiana
Aquilegia canadensis
Aster cordifolius
Aster sagittifolius
Eupatorium rugosum
Geranium maculatum
Helianthus divaricatus
Monarda fistulosa
Penstemon digitalis
Penstemon hirsutus
Rudbeckia hirta
Rudbeckia triloba
Solidago caesia
Solidago speciosa
Thalictrum dioicum
Zizia aurea
Carex vulpinoidea
Elymus canadensis
Elymus hystrix
Elymus virginicus
Schizachyrium scoparius

Pollinator garden species:

Asclepias tuberosa
Aster laevis
Coreopsis lanceolata
Echinacea purpurea

Fragaria virginiana
Monarda fistulosa
Penstemon digitalis
Senna hebecarpa
Solidago rigida
Vernonia missurica
Schizachyrium scoparius

Shrub replacement species at river's edge:

Cornus sericea
Corylus americana
Physocarpus opulifolius
Prunus americana
Sambucus canadensis
Staphylea trifolia
Viburnum lentago

Tree replacements at river's edge:

Carya cordiformis
Celtis occidentalis
Gymnocladus dioica
Liriodendron tulipifera
Nyssa sylvatica
Platanus occidentalis
Quercus bicolor
Quercus macrocarpa
Quercus muehlenbergii

Edible plantings:

Amelanchier spp.
Rubus spp.
Corylus
Sambucus

References

Rudisill, Alvin. Ypsilanti Gleanings. (2008). Retrieved from <http://ypsiganings.aadl.org/ypsiganings/19529>

Siegfried, Matt. (2015). Visit Ypsi Now. Retrieved from <http://visitypsinow.com/history-ypsi-parks/>

**DAM SAFETY INSPECTION REPORT
PENINSULAR PAPER DAM – DAM ID NO. 500
HURON RIVER
WASHTENAW COUNTY – SECTION 5, T3S, R7E**



OWNER/OPERATOR:

City of Ypsilanti
14 West Forest Avenue
Ypsilanti, Michigan 48197
734-483-1421

**HAZARD POTENTIAL
CLASSIFICATION:**

High

INSPECTION DATE:

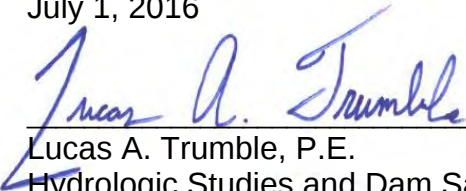
May 17, 2016

REPORT DATE:

July 1, 2016

INSPECTED AND PREPARED BY:





Lucas A. Trumble, P.E.
Hydrologic Studies and Dam Safety Unit
Water Resources Division
Department of Environmental Quality
P.O. Box 30458
Lansing, Michigan 48909
517-420-8923

INTRODUCTION

The purpose of this inspection was to evaluate the structural condition and hydraulic capacity of the Peninsular Paper Dam, as required by Part 315, Dam Safety (Part 315), of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA). The report is limited to a discussion of observations based on a visual investigation and review of any available previous inspection reports, plans, and data. This report should not be considered an in-depth engineering investigation.

This inspection was conducted by the Department of Environmental Quality (DEQ) in response to a request by the dam owner, the City of Ypsilanti (City).

All references to "right" and "left" are based on the observer facing downstream.

CONCLUSIONS AND RECOMMENDATIONS

The Peninsular Paper Dam is in fair condition overall. Based upon observations at the time of the inspection, there were no apparent structural deficiencies that may lead to the dam's immediate failure. The dam has adequate spillway capacity to safely convey the design flood. The following recommended actions are listed by priority:

1. Develop a plan and budget for implementation of repairs and maintenance recommended in the 2014 OHM Condition Assessment Report (OHM Report) within 10 years.
2. Remove all exposed reinforcing steel from the auxiliary spillway structure to eliminate a possible public safety hazard.
3. Implement erosion control measures in the eroded areas along the upstream and downstream slopes of the left embankment. This recommendation is repeated from previous inspection reports and should be completed as soon as reasonably possible.
4. Remove all woody vegetation growing around and from the right principal spillway abutment wall. This recommendation is repeated from previous inspection reports and should be completed as soon as reasonably possible.
5. Continue efforts to remove trees and brush from both earthen embankments. Mow or treat both embankments a minimum of two times per year to prevent further establishment of woody vegetation and to facilitate visual inspection.
6. Determine the cause of the large void along the upstream wall of the powerhouse. Implement repairs, as necessary, to eliminate further loss of embankment materials and stabilize against erosion. This recommendation is repeated from previous inspection reports and should be completed as soon as reasonably possible.

7. Review the dam's emergency action plan to determine whether or not it is up to date. Provide the results of this review, and any updates, to the Dam Safety Program by December 31, 2016.
8. Review and update the Operations and Maintenance Plan (O&M Plan) for the dam as necessary. Provide updated copies to the Dam Safety Program.

The dam's high hazard potential rating remains appropriate.

PROJECT INFORMATION

The Peninsular Paper Dam was originally constructed in 1867 to provide hydropower for paper manufacturing. The dam failed in 1918 and was rebuilt in 1920. The dam no longer generates power, and all electricity-generating equipment has been removed from the powerhouse. Located on the Huron River in Washtenaw County, the dam is owned and operated by the City of Ypsilanti.

The 250-foot long dam consists of a 232-foot long principal spillway, an 8-foot wide auxiliary spillway, and a 40-foot wide powerhouse, flanked by short earthen embankments at each end. The principal spillway structure consists of a single, ogee-crested concrete spillway bay at the right end of the structure. The auxiliary spillway consists of a single, 8-foot wide stoplog bay located between the principal spillway and powerhouse structures. The auxiliary spillway currently contains 8-inch by 8-inch square stoplog timbers that allow for drawdown of the impoundment. It once held a radial tainter gate, which has since been removed.

The powerhouse consists of an abandoned brick and concrete superstructure that rests on a concrete foundation. All generating equipment has been removed, though flow can be observed passing through the structure. The powerhouse intake and outlet structures are submerged, and not visible from the surface.

The dam has a structural height of 21 feet, a hydraulic height of 19.7 feet, and maintains approximately 14 feet of head with 6.5 feet of freeboard, creating a 66-acre impoundment under normal flow conditions.

The dam was initially inspected in 1979 by Ayres, Lewis, Norris & May, Incorporated (ALNM) as part of the National Dam Safety Program. Subsequently, the dam was inspected by ALNM in 1981 and 2001; by Dam Safety Program staff in 1992, 1995, 1999, 2004, 2010, and 2013; and by Orchard Hiltz & McCliment in 2007. The 2001 ALNM inspection included an underwater video inspection by Great Lakes Diving Company. Engineering sketches of the dam are found in the 1979 report. Copies of these reports, along with engineering plans for the radial gate replacement and redevelopment along the right abutment, are on file with the Dam Safety Program.

Following the 2013 inspection of the dam, OHM Advisors completed an in-depth condition assessment of dam, including a dive inspection and structural concrete analysis. A copy of this report is also in file with the Dam Safety Program.

FIELD INSPECTION

The following discussion of the dam's physical condition and appurtenances is based on observations and photographs obtained on the date of this inspection.

Though the dam's condition has not deteriorated significantly since previous inspections, there are several recommended actions in the 2010 and 2013 DEQ Dam Safety Inspection reports and in the OHM Report that have not been completed. It is urged that the City implement a program to address the low-cost/low-effort maintenance and repair items as soon as practical, and also develop a plan and budget to implement repairs recommended in the OHM Report within 10 years.

The dam's earthen embankments, shown in Photographs 1 through 11, are in fair condition. No sloughs, slumps, differential settlement, cracking, or major erosion were observed. However, woody vegetation was present on both embankments. [Trees and brush](#) can provide shortened seepage pathways along their root systems, resulting in [internal erosion \(piping\)](#) of embankment materials and large section losses in the event of a blow down. They can also provide a haven for burrowing animals and obscure underlying deficiencies. Tree roots can also exert large amounts of pressure on the concrete spillway abutments, causing deformation, cracking, or even failure of the walls. The City has done a good job of removing woody vegetation from the right earthen embankment since the 2013 inspection of the dam. However, small trees and brush are present along the upstream face of the right embankment, and brush has begun to reestablish at the left embankment. Efforts should continue to remove all remaining woody vegetation from both embankments. Both embankments should be mowed or treated with herbicide acceptable for use near waterbodies a minimum of two times per year to prevent future establishment of woody vegetation and facilitate visual inspection.

Additionally, a large void exists underneath a concrete barrier along the upstream wall of the powerhouse. This void, shown in Photographs 3 and 4, has increased in size significantly since the 2013 inspection of the dam. Provided its location and that it is partially obscured by the concrete barrier, it is difficult to determine whether the void is the result of burrowing animal activity or the loss of fill material through openings in the powerhouse foundation. The OHM Report echoes these concerns. As such, the source of the void formation should be determined and adequate repairs should be implemented. This recommendation is repeated from the 2013 inspection report and should be completed as soon as reasonably possible.

Lastly, minor foot traffic erosion is present along the upstream and downstream slopes of the left earthen embankment, adjacent to the powerhouse. This erosion, shown in Photographs 2 and 7, respectively, does not currently pose a threat to the stability of the embankment. However, if left uncorrected, further erosion in these areas could develop into a stability concern. As such, backfilling and erosion control measures should be implemented to prevent further erosion of the embankment. This recommendation is repeated from the 2010 and 2013 inspections reports and should be completed as soon as reasonably possible.

The principal spillway, shown in Photographs 12 through 20, is also in fair condition. No differential settlement, misalignment, or major deterioration of the structure was observed. However, moderate spalling and cracking of both abutment walls was apparent. This condition, shown in Photographs 15 through 20, does not currently pose a threat to the structural integrity of the spillway; however, if left uncorrected, the condition of the concrete will continue to deteriorate and eventually result in the structure's instability. The OHM Report details the extent of concrete deterioration both above and below the water surface. The report also offers recommendations and estimates of costs to perform repairs the spillway structure. Follow up conversations with OHM indicate that these repairs should be completed within 10 years.

Additionally, the right upstream principal spillway abutment wall is overgrown with vegetation, and small trees are growing from a crack in the right downstream abutment wall. This condition, shown in Photographs 17 through 20, does not currently pose a threat to the stability of the abutment wall, but they will accelerate the deterioration of the concrete and obscure underlying deficiencies. The 2010 inspection report recommended that this vegetation be removed by the end of 2011. Therefore, it is recommended that all woody vegetation growing around and from the right principal spillway abutment wall be removed as soon as reasonably possible.

The auxiliary spillway, shown in Photographs 21 and 22, is also in fair condition. No deficiencies exist that would cause the structure's immediate failure; however, moderate spalling and cracking of the concrete is present throughout the spillway, exposing reinforcing steel. The OHM Report recommends that any exposed reinforcing steel is removed as soon as possible to eliminate potential public safety hazards. That report also advises against use of the auxiliary spillway for drawdown of the impoundment until rehabilitation of its abutment walls is completed.

The abandoned powerhouse structure, shown in Photographs 23 through 27, is in poor condition overall. The right downstream wing wall and left downstream training wall are severely deteriorated. There were no apparent structural deficiencies that would cause the immediate failure of the powerhouse. However, an evaluation of the powerhouse's interior and foundation was not completed as part of this inspection. It was apparent that openings in the floor of the powerhouse exist that extend to the powerhouse foundation. A thorough structural analysis of the abandoned powerhouse and foundation should also be completed in conjunction with the analyses of the principal and auxiliary spillways. Repair, replacement, or removal of the structure should be implemented as recommended in that analysis.

Since the 2013 inspection of the dam, the City installed additional concrete blocks in the powerhouse window openings that were accessible to the public. This appears to have discouraged most unauthorized entry into the abandoned powerhouse, minimizing the potential public safety concern.

Lastly, City staff indicated that previous discussions of restoring hydropower generation or removing the dam have not progressed since 2010. As such, the plan and schedule for repairs to the dam should assume that the dam will remain in place for the foreseeable future.

STRUCTURAL STABILITY

Based upon this site inspection and review of past inspection reports, including the OHM Report, no conditions were observed that present an immediate threat to the dam's stability. However, several structural deficiencies have been observed and documented that will require remedial action within 10 years as recommended by OHM.

HYDROLOGY AND HYDRAULICS

The contributing drainage area to the Huron River at the Peninsular Paper Dam is approximately 813 square miles. The design discharge for this dam is the 200-year flood (0.5 percent chance), which is still estimated to be 11,000 cubic feet per second (cfs). Assuming that no stoplogs are removed from the auxiliary spillway, the principal spillway has a maximum spillway capacity of approximately 14,940 cfs with no freeboard at the earthen embankments. The principal spillway can pass the design flood with 1.3 feet of freeboard. Removal of stoplogs from the auxiliary spillway would provide additional spillway capacity and freeboard; however, reliable removal of stoplogs during a flood and safety of the spillway abutment walls is questionable. Nonetheless, the dam is considered to have adequate spillway capacity in order to safely convey the design flood without removing stoplogs from the auxiliary spillway.

Copies of the hydraulic calculations used to make this determination are on file with the Dam Safety Program and available for review.

OPERATION AND MAINTENANCE

A written O&M Plan, outlining procedures for the dam's upkeep and operation, has been prepared for this dam. This plan should be periodically reviewed and updated to reflect changes in operation and maintenance procedures. Updates should be submitted to the Dam Safety Program.

EMERGENCY ACTION PLAN

The Peninsular Paper Dam has been assigned a high hazard potential rating. Therefore, the owner is required under Part 315 to prepare an Emergency Action Plan (EAP) for this dam and periodically review the plan to determine if it is up-to-date. An updated EAP was submitted to this office on February 28, 2011. **The owner is required to review the EAP for this dam in coordination with Washtenaw County Emergency Management and submit the findings of this review, including any updates, to the Dam Safety Program by December 31, 2016.**

APPENDICES

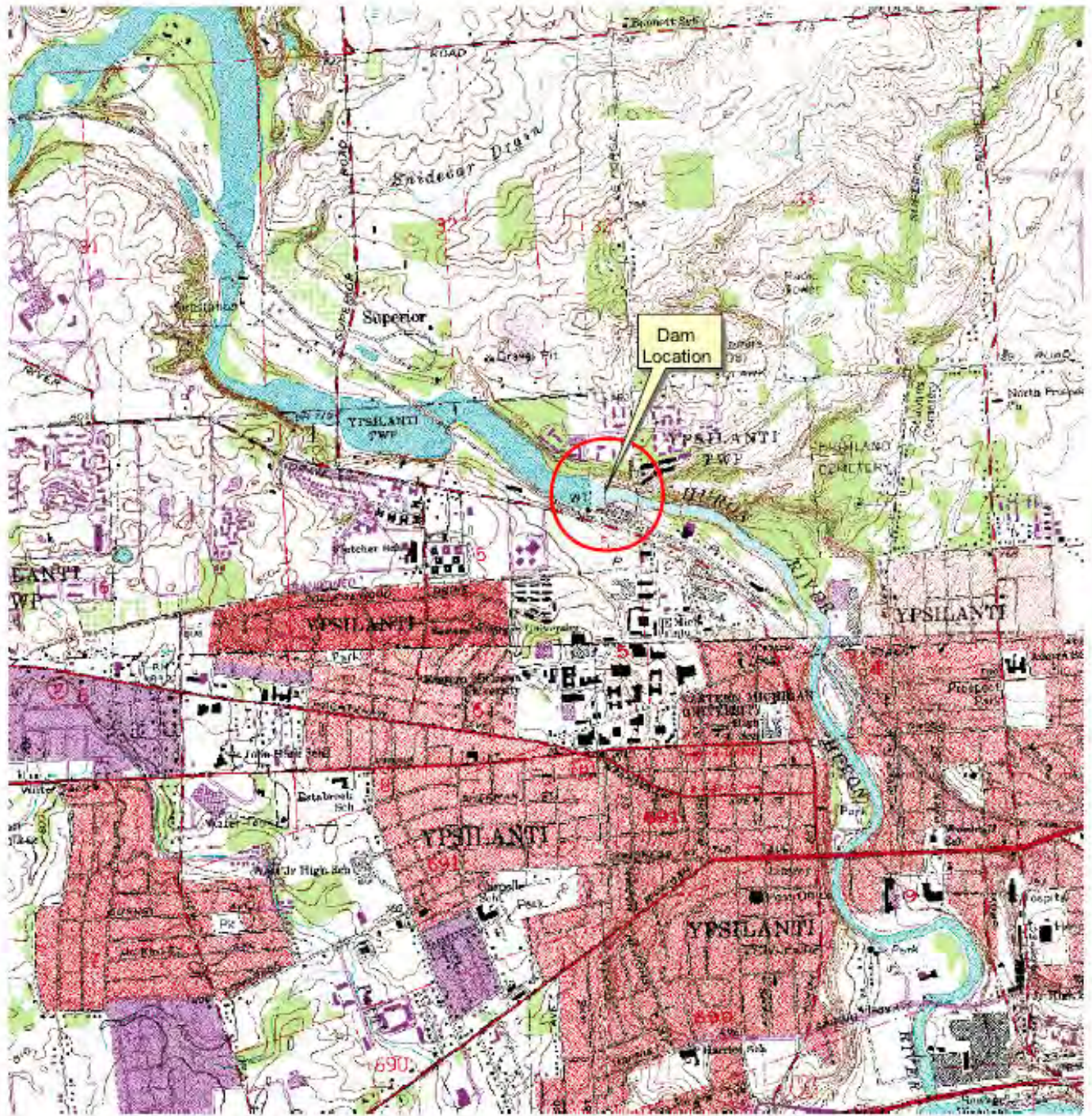
A location map, inspection photographs, and the 2016 HSU estimated flood flows are attached.

Location Map

Peninsular Paper Dam
Washtenaw County
Dam ID 500

Source: Composite of USGS
Topographic Maps

Scale: 1:24,000



**PENINSULAR PAPER DAM
WASHTENAW COUNTY
DAM ID NO. 500**



**Photograph 1 – Upstream face of the left embankment viewed from the right
Note the brush growing along the water line**



Photograph 2 – Foot traffic erosion at the upstream face of the left embankment

**PENINSULAR PAPER DAM
WASHTENAW COUNTY
DAM ID NO. 500**



**Photograph 3 – Large concrete barrier near the upstream wall of the powerhouse
Note the large void under the barrier**



Photograph 4 – Close-up of the void under the barrier.

**PENINSULAR PAPER DAM
WASHTENAW COUNTY
DAM ID NO. 500**



Photograph 5 – Crest of the left embankment viewed from the right



**Photograph 6 – Downstream face of the left embankment viewed from the right
Note the trees and brush**

**PENINSULAR PAPER DAM
WASHTENAW COUNTY
DAM ID NO. 500**



Photograph 7 – Foot traffic erosion at the downstream face of the left embankment



**Photograph 8 – Upstream face of the right embankment viewed from the left
Note the trees and brush**

**PENINSULAR PAPER DAM
WASHTENAW COUNTY
DAM ID NO. 500**



Photograph 9 – Crest of the right embankment viewed from the left



Photograph 10 – Downstream face of the right embankment viewed from the right

**PENINSULAR PAPER DAM
WASHTENAW COUNTY
DAM ID NO. 500**



Photograph 11 – Downstream face of the former mill foundation at the right embankment



Photograph 12 – Principal spillway viewed from downstream

**PENINSULAR PAPER DAM
WASHTENAW COUNTY
DAM ID NO. 500**



Photograph 13 – Principal spillway crest viewed from the right



Photograph 14 – Deteriorated section of the principal spillway viewed from the right

**PENINSULAR PAPER DAM
WASHTENAW COUNTY
DAM ID NO. 500**



**Photograph 15 – Upstream right principal spillway abutment wall
Note the minor cracking and deterioration**



**Photograph 16 – Downstream right principal spillway abutment wall
Note the significant deterioration**

**PENINSULAR PAPER DAM
WASHTENAW COUNTY
DAM ID NO. 500**



Photograph 17 – Upstream left principal spillway abutment wall



**Photograph 18 – Downstream right principal spillway abutment wall
Note the delamination and vegetative growth**

**PENINSULAR PAPER DAM
WASHTENAW COUNTY
DAM ID NO. 500**



Photograph 19 – Close up of delamination and vegetation



Photograph 20 – Delamination and vegetation viewed from downstream

**PENINSULAR PAPER DAM
WASHTENAW COUNTY
DAM ID NO. 500**



**Photograph 21 – Auxiliary spillway viewed from the left
Note the deteriorated concrete**



**Photograph 22 – Auxiliary spillway outlet viewed from the left
Note the deteriorated concrete and exposed reinforcing steel**

**PENINSULAR PAPER DAM
WASHTENAW COUNTY
DAM ID NO. 500**



Photograph 23 – Powerhouse viewed from downstream



**Photograph 24 – Close-up of the deteriorated training wall
Note the vegetation**

**PENINSULAR PAPER DAM
WASHTENAW COUNTY
DAM ID NO. 500**



**Photograph 25 – Close up of the deteriorated pier
Note the vegetation**



Photograph 26 – Downstream left abutment wall of the powerhouse

**PENINSULAR PAPER DAM
WASHTENAW COUNTY
DAM ID NO. 500**



Photograph 27 – Close-up of the deteriorated sections of the abutment wall



**Photograph 28 – Impoundment viewed from the left embankment
Note the cable buoy barrier**

**PENINSULAR PAPER DAM
WASHTENAW COUNTY
DAM ID NO. 500**



Photograph 29 – Downstream Huron River viewed from the left abutment

Thu 3/17/2016 4:03 PM

deq-wrd-qreq deq-wrd-qreq@michigan.gov

RE: flood or low flow discharge request (ContentID - 168812)

To: Trumble, Luke (DEQ) TrumbleL@michigan.gov

This reply is being sent via email only.

We have estimated the flood frequency discharges requested in your email of March 15, 2016 (Process No. 20160158), as follows:

Huron River at Peninsular Paper Dam, Dam ID 500, Section 5, T3S, R7E, City of Ypsilanti, Washtenaw County, has a drainage area of 813 square miles. The design discharge for this dam is the 0.5% chance (200-year) flood. The 0.5% chance peak flow is estimated to be 11000 cubic feet per second. (Watershed Basin No. 15 Huron).

These estimates should be confirmed by our office if an application is not submitted within one year. If you have any questions concerning the discharge estimates, please contact Ms. Susan Greiner, Hydrologic Studies and Dam Safety Unit, at 517-284-5579, or by email at: GreinerS@michigan.gov.

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

From: trumblel@michigan.gov [<mailto:trumblel@michigan.gov>]

Sent: Tuesday, March 15, 2016 4:57 PM

To: deq-wrd-qreq

Subject: flood or low flow discharge request (ContentID - 168812)

Requestor: Luke

Company:

Address: deq

City: Lansing

Zip: 0

Phone: 517-420-8923

Date: 3/15/16

F0.5percent: Yes

ContactAgency: None Selected

ContactPerson:

Watercourse: Huron River

LocalName:

CountyLocation: Washtenaw

CityorTownship: 0

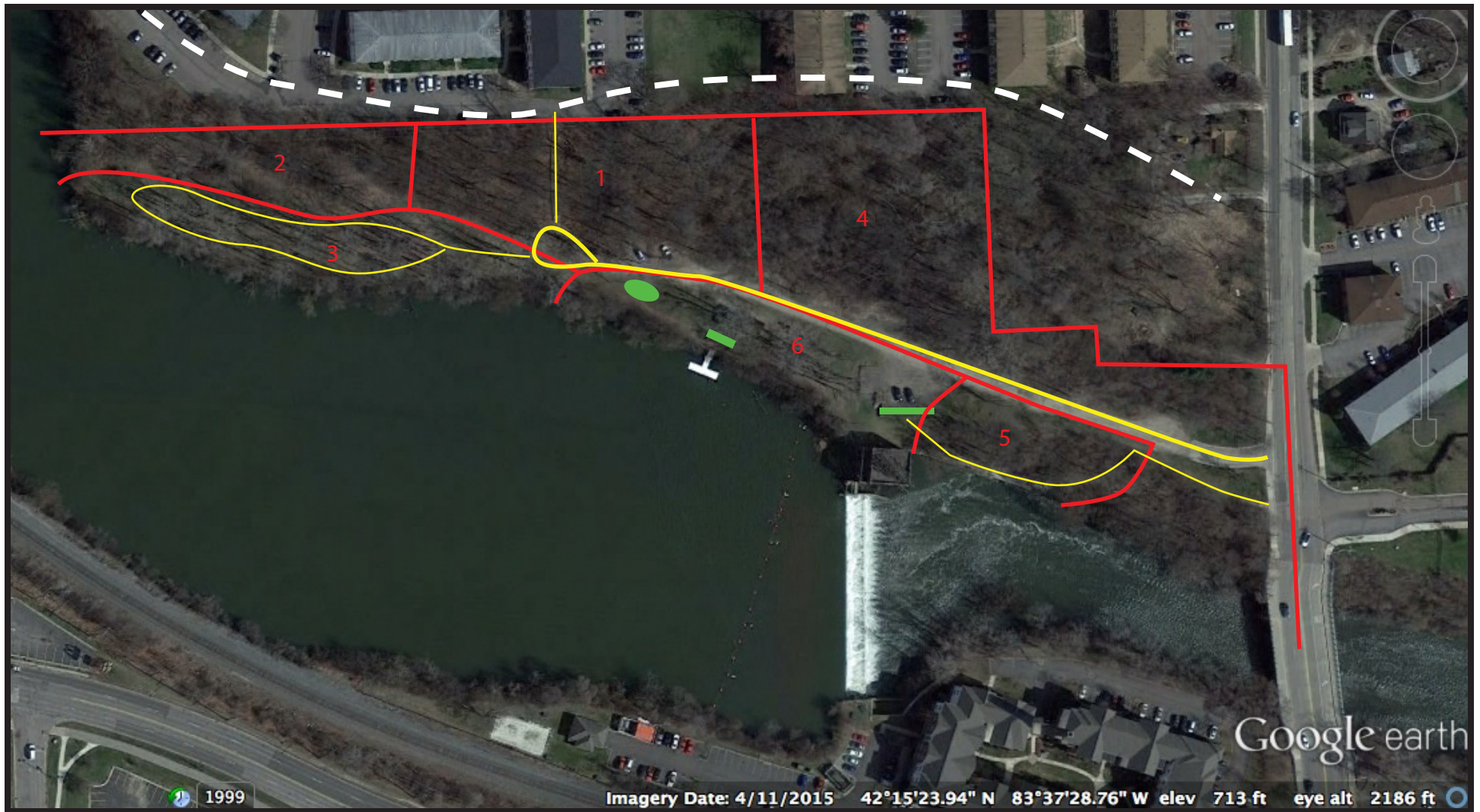
Section: 05

Town: 03S

Range: 07E

Location: Peninsular Paper Dam #500

FFR1: Dam



Peninsular Park Management Plan Map

Leforge Road, Ypsilanti, MI 48198

2016 by PlantWise, LLC for Huron River Watershed Council

- management units
- roads and trails
- proposed planting areas
- previous escarpment



Resolution No. 2017-089
April 18, 2017

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of March 7 and March 21, 2017 be approved.

OFFERED BY: _____

SUPPORTED BY: _____

YES:

NO:

ABSENT:

VOTE:



**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 –

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 –

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

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

VI. INTRODUCTIONS –

Mayor Edmonds introduced City Manager Darwin McClary.

Mr. McClary stated it is his second week working for the City of Ypsilanti and he is very impressed with the Ypsilanti Community. He stated his husband lived in Ypsilanti for fifteen years and their oldest son still lives in the City. He stated the City has an amazing staff that has provided tremendous support as he becomes settled in his new position. He said he looks forward to working with the Mayor and Council.

Mayor Edmonds introduced the following individuals; City Clerk Frances McMullan, City Attorney John Barr, Economic Development Coordinator Beth Ernat, DDA Director Joe Meyers, DPS Director Stan Kirton, Fiscal Services Director Marilou Uy, Accounting Supervisor Rheagan Basabica, OHM Engineer Marcus McNamara, Washtenaw County Commissioner Ricky Jefferson, and County Treasurer Catherine McClary.

VII. PRESENTATIONS -

- Proclamation – March 8, 2017 as Ypsilanti Women’s Health Day

Mayor Edmonds introduced Corner Health Director Nicole Adelman. She explained the Corner Health Center provides healthcare for twelve to twenty-five year olds and their children. She said tomorrow, Wednesday, March 8th is Women’s Health Day and the date is now being declared as Women’s Health Day in Ypsilanti.

Ms. Adelman thanked Council and expressed gratitude to other agencies beyond the Corner Health for healthcare services that are provided to the City.

- 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

Fiscal Services Director Marilou Uy introduced the Current President of the Michigan Government Finance Officer Association and Washtenaw County Treasurer Catherine McClary.

Catherine McClary stated she is pleased to present this distinguished award to Ypsilanti for the second time. She explained the GFOA established budget awards in 1984 to encourage and assist local and state governments to prepare budgets to the very highest quality. This budget award represents significant achievement by the City of Ypsilanti for both elected officials and financial managers.

Ms. McClary presented a Certificate of Achievement for Excellence in Financial Reporting for the Comprehensive Annual Financial Report (CAFR) for the City’s Fiscal Year ending June of 2015’s audit. She added there is also consideration for the City’s most recent CAFR.

Ms. Uy thanked City Council and City Staff for their support through the process and to apply for this award. She thanked Ms. McClary for being here to present the City with this award.

Mayor Edmonds stated this award signifies that even with minimal assets the City is able to budget well to keep the City functioning. She hopes that perhaps in the future these awards can assist in leverage funding from outside sources.

- Dumpster and Downtown Trash – DDA Director Joe Meyers

DDA Director Joe Meyers provided a presentation on the Downtown Dumpster Program.

Mayor Edmonds stated the dumpster program is not for all downtown businesses. Mr. Meyers responded in the affirmative, and explained all business have the option to use them, however it would be difficult for businesses that are not near the dumpsters.

Mayor Edmonds stated the dumpster program started as a voluntary program to providing people the option to participate. Mr. Meyers responded in the affirmative. Council Member Bashert asked why the program was voluntary. Ms. Edmonds responded that was the direction the Ad hoc Dumpster Committee wished to take.

Mayor Edmonds stated the DDA is seeing a budgetary shortfall of around \$17,000 even with the public participation. Mr. Meyers responded the projected participation amount is \$19,000 and the cost is \$24,000. However, with the need for dumpster cleanup the cost can increase.

Council Member Bashert asked why service was cutoff to the 200 Block of Michigan Avenue. Mr. Meyers explained a dumpster enclosure was not present. Council Member Murdock added the dumpster enclosure was on private property and a business wanted to extend the building. With that extension there was no longer room for an additional dumpster.

Council Member Bashert stated the downtown area has redundant services for trash removal. She would like to understand what would happen if street pickup was eliminated from the downtown. She said in each of the communities referenced in the presentation businesses were responsible for their own waste pickup, and sees it as the cost of doing business. Council Member Robb replied it is not unreasonable to say it's the cost of doing business, if the costs are reasonable. He added the costs of the DDA program are unreasonable and arbitrary, and that is where the system is breaking down.

Council Member Vogt stated his concern trash overflowing from a trashcan in the public right-of-way. If downtown residents and business must use a dumpster inside an enclosure would assist in alleviating the issue.

Council Member Bashert agreed with Council Member Robb if the fee is unreasonable it would be problematic for the businesses in the downtown. She said one option is removing the option of DDA enclosures and requiring property owners to manage their own dumpsters. Mayor Edmonds responded there is not room for each property owner to have its own dumpster, which is what caused this issue. She added there is also an equity issue when some businesses do not have access to those enclosures. Council Member Bashert replied she is not certain the current DDA system has been successful, and there are still unsightly garbage cans and dumpsters in the downtown. Plus it is a non-traditional business model when other communities are examined. Ms. Edmonds replied recovering \$19,000 of the \$24,000 over the first year is a positive step, but there are still some hills to climb.

Council Member Bashert asked how many business in the downtown are not using dumpsters. Mr. Meyer responded around 40%. Ms. Bashert replied there are twelve dumpsters in the downtown, and asked how many businesses are using street pickup. Mr. Meyers responded around 30%, but the largest producer of trash in the downtown are using the DDA dumpsters.

Council Member Murdock stated there is an entire block in Depot Town that using trash cans. He said this is a universal problem in all cities, and if each business in the downtown were required to use the same three DDA dumpsters they would need to be emptied several times a week, which would increase cost. Mayor Edmonds asked if before the DDA was requiring paying for the use was at a higher level.

Mayor Edmonds asked if Council action would be to ban trashcans in the street. Mr. Meyers responded none of the entities staff reached out to were able to provide a solution. Council Member Murdock stated Council was given an opinion that it could make changes, however what they would be remains unclear.

City Attorney John Barr stated the entire City levies a sanitary millage of up to three mills and properties in the downtown pay an additional two mills for the DDA levy. So there is an unequal distribution of taxes based on the location of the property. There are trashcans in the open by Go Ice Cream, which Council could pass an ordinance that would not allow garbage cans be stored outside. He added another option would be to structure an ordinance that would make downtown businesses responsible for their own trash. He said it is possible to renegotiate the current contract with the company that

provides the trash service, however, if the company is not willing to renegotiate the contract the City would need to wait until it expires. Mr. Barr added if Council wants to make a change it will need to decide if recycling should be handled in the same manner.

City Manager McClary stated this is an issue each community deals with, small and large. There is not an easy answer in terms of an equitable solution. He said this would be a multipronged approach; first the City would need to negotiate with the waste hauler if they are willing to exclude the central business district from their route. He said staff could devise a formula that makes creates greater equity in how this service is applied.

Council Member Robb stated fifteen years ago the plan was to build only one dumpster enclosure, since then this has been a problem. The enclosures were built in the center of the parking lot, and the downtown lost 35 parking spaces. The zoning ordinance was then changed and now a dumpster enclosure is required, which creates a problem because if a business wants a dumpster there is not room to build an enclosure. He said before Council begins to legislate a pricing scheme needs to be developed that makes sense. He explained the current pricing scheme is incredibly cheap for restaurants and residential is very expensive. He added regardless a restaurant will need additional services for grease so it would be impossible to operate with only use of street pickup. He said the ultimate goal is to pull the detractors into the program rather than deny trash pickup.

Council Member Bashert asked if there is enough information for City staff to make a plan to move forward. Mayor Edmonds responded the DDA has authority over the dumpster enclosures. Ms. Ernat responded she would love the DDA to be concentrating on things other than garbage. She added she would like to see what kind of solution the City could come up with possibly using the sanitation millage.

Council Member Vogt asked what the plan would be if the dumpster program were at its inception. Council Member Robb stated the solution cannot be for the DDA to relinquish its control of the dumpster program for the City to fix.

VIII. AUDIENCE PARTICIPATION –

1. Myron Jenkins, 269 S. Harris Rd., stated he is the President of Faith Management and was one of the contractors that participated in Strong Housing project and several minority contractors are upset they didn't have the opportunity to bid on the Parkridge project. He said his particular company, working through Rhonde Construction, have had invoices that have gone unpaid since 2015. He said he is aware that Ypsilanti City Council oversees to some degree the Ypsilanti Housing Commission which oversees Rhode Construction.
2. Beverly James, 968 Monroe, thanked Council and staff for their assistance with her DTE issue.

Council Member Richardson asked if Mrs. James was able to get the water out of her back yard. Ms. James replied no, but she will keep the City informed of any progress.

3. Washtenaw County Commissioner Ricky Jefferson, 113 Devonshire, stated on October 4, 2016 the Executive Director of the Housing Commission Zach Fosler informed Council that many African American contractors were working on the Strong Housing Project. He said there were many complaints this was not the case, since then he met with Mr. Fosler to ask about the process for hiring African American contractors. He said Mr. Fosler informed him there was not a currently a process in place, and asked how could Mr. Fosler come to the conclusion that the Parkridge project would not have the same problems. He said the Housing Commission also had complaints that Faith Management sub-contractors were not getting to the job site on time. He

said somebody needs to make Rhode accountable and that person is the Mr. Fosler, and Council needs to be sure he is accountable. In October Council suggested an ordinance that would govern how the City would hire minority contractors as well as local contractors. He does not believe the Parkridge project has met the requirement for Section III.

Mayor Edmonds stated there is an open question is the Parkridge project has met Section II guidelines. Many times Council has discussed the possibility of developing an ordinance regarding the hiring of minority contractors.

Mayor Edmonds asked if the complaint process was outlined in the bid award. Commissioner Jefferson responded the complaints were mostly regarding the work performed on the project. Specific to the timely installation of material. He explained Mr. Jenkins counter complaint is the material was not being delivered on time, which delayed its installation.

4. Joseph Golder, 1002 Washtenaw, stated on December 7, 2011 the City Attorney was advised there was a dispute between EMU and himself regarding the taking of his property. The City Attorney asked him to bring any information he had regarding the dispute for review. The City Attorney informed him he would need a copy of the plat book, which he received from the City Assessor Carole Clare. He said in June of 2014 he submitted a FOIA request for the surveys used to certify the right-of-way. The Attorney's Office sent him several documents, but did not include the survey. Two years ago he addressed Council and a meeting was scheduled in which the City Attorney presented the survey performed by EMU, which listed the length of his property at forty feet. He said he is in possession of several legal stake surveys that show the EMU survey to be incorrect. He said there was never a survey completed as a part of the EMU project and his property was illegally taken as a result. He said he should not have to pay for a survey and requested the City finance a survey.
5. Dave Hiekkinen, 133 W. Michigan, stated during the dumpster presentation it was failed to mention the DDA receives \$12,000 a year from the City sanitation millage, and spends around \$25,000 for the downtown dumpster enclosures. Property owners pay into a sanitation millage and have the right to use the curbside trash pick-up. He explained business owners place the trash on the curb after 6:00 p.m. and it is picked-up after 7:30 a.m. He added much of the downtown has their garbage placed in the rear of the building and a dumpster truck is used to gather the garbage. He asked why that same truck can't pick-up the dumpster in the enclosure.
6. John Cool, 2407 Lexington, Canton, stated he has a business at 207 Michigan Ave and have enjoyed being in the downtown for the past five years. He said when his business first came to Ypsilanti there was a dumpster directly behind his building right by his kitchen door, which is why he pushed to have it removed. He said he would be extremely upset if he were charged \$6,000 a year for waste removal. He said he currently uses the DDA dumpster enclosure, which is not very convenient but less of a hassle then having an enclosure in the rear of the building. He explained he did investigate what the cost would be for a business to have its own dumpster and it was nowhere near \$6,000 a year.

IX. REMARKS BY THE MAYOR –

None

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.

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.

2. Resolution No. 2017 -054, approving the minutes of January 17.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of January 17, 2017 be approved.

3. Resolution No. 2017 – 054A, approving agreement with Orchard, Hiltz & McCliment for 2017 Major Road Resurfacing Project Design Engineering Services.

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.

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

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

On a roll call, the vote to approve Resolution No. 2017-052 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

XI. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2017 - 057, approving an amendment to the LSSRF Grant.

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: Council Member Vogt

SECONDED BY: Mayor Pro-Tem Brown

Economic Development Director Beth Ernat stated this item was previously approved by Council for a lower amount. The City put the project out for bid and submitted bids were higher than expected, and instead of using City funds staff returned to the County to increase its grant award. She explained the grant is fully reimbursable and only the funds expended will be reimbursed.

Council Member Murdock asked what the date to begin the project is. Ms. Ernat responded in the next two weeks, and will take two weeks to a month.

On a roll call, the vote to approve Resolution No. 2017-057 was as follows:

Mayor Pro-Tem Brown	Yes	Council Member Robb	Yes
---------------------	-----	---------------------	-----

Council Member Murdock Yes
Council Member Richardson Yes
Council Member Bashert Yes

Mayor Edmonds Yes
Council Member Vogt Yes

VOTE:

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

2. Resolution No. 2017 – 059, approving the settlement agreement between the City and Joseph Golder.

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: Council Member Bashert
SECONDED BY: Council Member Richardson

City Attorney John Barr stated some years ago Eastern Michigan University was involved in a project to widen Oakwood. He said Mr. Golder took issue with the project and claimed it was taking some of his property. EMU asked the City to provide an opinion if the right-of-way was appropriate and the determination was made it was in fact in the City right-of-way. He relayed his opinion to Mr. Golder who was not satisfied with the result, and around a year ago a meeting was held with Ms. Clare and Mr. Golder to work out an agreement. The agreement was signed by the City Manager but not by Mr. Golder. Since then Mayor Edmonds and Council Member Bashert met with Mr. Golder to modify that agreement, which would not require Mr. Golder to pay for the survey until after the results. Mayor Edmonds added Mr. Golder would need to reimburse the cost of the survey if finding is in the favor of the City.

Mayor Edmonds stated it is important for the City to move forward and what has occurred in the past should not matter. She said she would like to move forward with the approval of this agreement, and move forward passed this issue.

Council Member Richardson asked what EMU's responsibility is for this issue. Mr. Barr responded that is an open question at this time. He explained Oakwood is a City road and the issue is involving the City's right-of-way, which is why EMU asked the City to certify that it was in fact the City right-of-way. However, it was a university project.

Council Member Bashert asked if a survey alone would resolve this question. Mr. Barr stated there are several parts to a survey and multiple types of surveys, and some are not accurate. Mr. Barr stated there is a subdivision plat which has some inaccuracies and includes an ally. He explained one survey assumed the ally was part of Mr. Golder's property, and Mr. Golder's position is the ally was vacated. However, there is no evidence the ally was in fact vacated. The survey to resolve this question will be difficult and expensive. Mr. Barr stated he recently reviewed the documents and asked OHM to review the EMU project and all were in the same opinion.

Council Member Vogt asked when Mr. Golder acquired title of the property. Mr. Golder responded in 2006 is when he took full ownership and was part owner beginning in 2001. Mr. Vogt stated there was another construction project at that corner in the 90s. Mr. Golder responded in the affirmative. Mr. Vogt stated there was also construction completed at that intersection in the 70s, and this area is used well beyond the boundaries of the so called ally. He asked what that exact width of the strip that is in question is. Mr. Barr responded that is not a question he is prepared to answer tonight, but he believes Mr. Golder is claiming sixteen feet. Mr. Golder interjected eighteen feet. Mr. Vogt asked what the property length was prior to the construction in the 90s. Mr. Golder responded the construction removed land until about a foot of the right-of-way. Mr. Vogt asked if the 1999 intersection is what Mr. Golder agreed to purchase.

Mr. Golder responded in the affirmative. Mr. Vogt asked how Mr. Golder had been harmed. Mr. Golder responded the corner of his property was taken. Mr. Vogt asked how many feet were taken. Mr. Golder replied 6 X 18 feet.

Council Member Vogt asked if Mr. Barr both looked at previous documentation of the issue as well as an independent study, such as a mortgage survey. Mr. Barr responded no, Mr. Golder's claim is based on a mortgage survey. Mr. Vogt asked if the mortgage survey agreed with the other documents on record. Mr. Barr responded no. Mr. Vogt asked what the difference was between the mortgage survey and the other documents. Mr. Barr responded he would need to further review the documents for that information, but OHM did give the opinion they agreed with the stake survey. Mr. Vogt asked what the difference was from the stake survey to Mr. Golder's information in property length from east to west. Mr. Barr responded no. Mr. Golder replied it should 66 feet but is 53 feet.

Council Member Robb asked what the anticipated cost of the survey is. Mr. Barr responded approximately \$5,000. Mr. Robb stated 18 feet X 191 feet is 3,438 square feet, and this property is valued at \$3.36 a square foot. He suggested giving Mr. Golder \$11,551 and the discussion can end without surveying the property.

Council Member Murdock stated with all due respect to Mayor Edmonds and Council Member Bashert he believes they are being played. Mr. Golder has been searching for Council support for some time but has been disingenuous in some of his demands. He said this was brought to his attention before the CMAT Grant. He said when the grant became available there was an opportunity to layout that intersection differently, however the initial proposal was not agreed to by Mr. Golder. At that time he asked Mr. Golder what he wanted and the response was \$15,000 to \$20,000, but by the time the meeting happened the amount grew to \$80,000, which was rejected by the City Manager. He said there was another time an agreement was made to perform a survey but Mr. Golder only responded on Facebook calling the City Attorney and the County Clerk crooks. Mr. Murdock stated at this point the Attorney's Office, OHM, MDOT, and EMU all say the surveys are reliable. He said he would be willing to entertain what was suggested by Council Member Robb but he doubts Mr. Golder would agree to that.

Mr. Golder disagreed with the comments by the City Attorney.

Council Member Vogt stated he has litigated several cases to this and it is difficult to say a survey is reliable unless it is agreed upon to perform the survey and what would be the survey to be compared to. He said the road was present when the property was purchased and the 2011 construction provided additional room on the east side of his property. Taking that into account this is a dispute of around three feet. He said if a survey is to be completed in order to reach a settlement the 1999 property line should be used as the base.

Council Member Bashert stated the agreement would need to be amended to state what the survey is being compared to.

Mr. Barr stated the issue is the City owns a certain right-of-way which can be defined, and the question is did the City move past the right-of-way. He said the survey should be based on where the City right-of-way is. If there is and it is on Mr. Golder's property he should be compensated and if not he shouldn't. Council Member Vogt asked if the City right-of-way encroach as an easement on Mr. Golder's property. Mr. Barr responded it is more complicated because of the ally. Mr. Vogt stated many times a person purchases a property without the knowledge an easement exists. Mr. Barr responded he is not certain, but from his understanding is when a property is purchased you get a deed which describes the property you purchased.

Mayor Edmonds asked if Council Member Vogt would suggest any amendments to the proposed agreement. Council Member Vogt responded there is nothing in the agreement that provide a description of where the right-of-way is. Ms. Edmonds asked for clarification of his meaning is that there was work completed outside of the right-of-way.

Council Member Robb stated this is being made to difficult, and said the agreement provides a survey be completed and the worst case scenario for Mr. Golder is if he loses he will need to pay the \$5,000 for the survey. The best case

scenario is if he wins he would receive \$11,551. He said he is 100% confident the city will win and sees this as more of a pity suit. He asked if Mr. Golder would be willing to take \$11,551 or would you prefer to eventually need to pay the \$5,000 for the survey. Mr. Golder stated this is the first time the City has made him an offer, and he is fully confident the survey will render in his favor. He added he wants the City to change the dimensions of his property.

Council Member Murdock called to question.

Due to lack of support the motion failed.

Council Member Murdock moved, seconded by Council Member Vogt to table Resolution No. 2017-059.

On a roll call, the vote to table Resolution No. 2017-059 was as follows:

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

VOTE:

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

XII. LIASON REPORTS –

- A. SEMCOG Update - None
- B. Washtenaw Area Transportation Study - None
- C. Urban County – None
- D. Freight House - None
- E. Parks and Recreation - None
- F. Ypsilanti Downtown Development Authority - None
- G. Eastern Washtenaw Safety Alliance - None
- H. Police-Community Relations/Black Lives Matter Joint Task Force – Mayor Pro-Tem Brown stated the meeting is scheduled for Monday, March 13, 2017, at 7:00 p.m.
- I. Friends of Rutherford Pool – None
- J. Economic Development Coordinating Committee – Mayor Edmonds stated the County Board of Commissioners who decided to form a sub-group to establish economic goals for Washtenaw County. There was discussion in equity concerning schools and jobs. Also, examining the skills gap in the county.

XIII. COUNCIL PROPOSED BUSINESS –

Robb

- Stated if the City offers Mr. Golder \$11,551 and he agrees and signs a Non-disclosure Agreement the problem is solved. Which would be a better scenario then directing the Attorney's Office to complete further investigation.

Brown

- Stated she participated in a panel discussion at EMU concerning future women leaders. After the panel discussion she engaged in discussion regarding the City's partnership with EMU.

Richardson

- Stated she is still waiting for an update on Water Street.
- She asked for a Black Lives Matter sign be put up in Council Chambers.
- Stated next week she will be attending the National Week of Cities.
- On April 8th the Michigan Black Caucus of local elected officials will be hosting its second "Race/Police/and Urban Community Forum" at Lawrence Tech from 9:00 a.m. until 3:00 p.m.

Bashert

- There will be a presentation at the Ypsilanti Public Library regarding the 20th anniversary of the passage of the non-discrimination ordinance. It will be a panel presentation including several of the City Council members, former Mayor Cheryl Farmer, and Former Chapter Head of the NAACP Ray Mullins. It will be held on March 15th beginning at 7:00 p.m.
- Asked if there was something that could be done about Parking Enforcement Officers having access to previous tickets written for a vehicle.

Council Member Robb responded he is working with Clerk McMullan to solve that issue.

Vogt

- He said Council Member Robb's suggestion appears to be correct, but would use the 1999 use boundary to set a maximum limit to the damages. He said the damages here are not that great and the settlement should be a very modest amount.

Murdock

- Said he is going to add a road funding allocation to the next agenda.
- There was a house boarded up on Forest and Stanley and was boarded up from the inside, and the board up is not that visible.
- He attended a meeting regarding the railroad crossing which did not go terribly well. The railroad had cleaned the construction material but will not remove the graffiti, pick-up the litter and will not allow the City to complete those tasks. He explained there are structures that will be removed at the crossing, which will alleviate some of the graffiti problem. He suggested having Marsh Platting monitor the graffiti. He added there are obviously people driving over the rails at the closure on Park. Staff and the engineers to not feel additional barriers were needed, and he is sure that it is true. He said he was disappointed in the railroads response.

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

- Mayor Edmonds stated the Sustainability Commission will meet on the first Monday of the Month beginning in April. She stated she is still vetting youth membership to the commission. As allowed by the ordinance Tom Kovacs is not a City resident. She said there is representation from each ward.

Council Member Richardson asked how long Ashanti Harris has been in the community. Mayor Edmonds responded she believes she is fairly new to Ypsilanti, maybe one to two years. She added she has a degree in Parks and Recreation.

Council Member Murdock asked who the assigned staff person is for the Commission. Mayor Edmonds responded Fire Chief Anthouard.

Council Member Murdock stated the Park and Recreation Commission terms all expire in 2020, and asked if they would be taking the place of a resigning commissioner. Mayor Edmonds stated there have been vacancies on this commission.

- Mayor Edmonds stated the EMU seat on the DDA has been vacant since the departure of Russ Orwell. She received a letter from Dr. Smith of EMU recommending Dieter Otto for the vacant seat. She explained Mr. Otto has been active with the DDA as a committee member for some time. She nominated Mr. Otto to fill that seat.
- EMU is planning on splitting the position of Community and Government Relations into two positions. Supposedly, the position will be posted in the very near future. Once filled that person might replace Mr. Otto.
- She stated a Student Affairs position has also be open for some time, which would be important in addressing some of the recent issues occurring on the campus. Recently there were four open interviews for this position.
- Washtenaw County Interfaith Coalition of Immigrant Rights (WICIR) has a training session available for allies of the immigrant community.
- There has been no movement on the County Non-solicitation Ordinance.

Council Member Murdock asked if the City's LDFA member has resigned. Mayor Edmonds responded in the affirmative, and she will be nominating Economic Director Beth Ernat.

Ms. Ernat stated recently the City scheduled a joint Planning, Zoning Board of Appeals, and Historic District Commission meeting on March 16th. On the agenda is a Request for Proposals (RFP) for 220 N. Park, the former Boys and Girls Club. The Goal is to release the RFP by this summer.

Mayor Edmonds asked for a timeline for a Water Street update. Ms. Ernat responded she is planning on having a presentation for the April 7th meeting.

XV. COMMUNICATIONS FROM THE CITY MANAGER –

- Stated he has provided Council with his communications.
- For the next meeting he will be placing some items on the agenda. One to schedule a work session with himself and Council to discuss what Council's expectations and priorities are for him over the next several months. And, as discussed in his employment agreement, formulating a City Manager performance evaluation tool.
- Stated there are budget committee meetings scheduled over the next week to begin that process.
- He is collecting information for contract negotiations, and he has identified eight comparable communities to address this task. He is suggesting Council schedule several Closed Sessions to discuss collective bargaining.
- He provided Council with a summary of his first week.

XVI. COMMUNICATIONS –

None

XVII. AUDIENCE PARTICIPATION –

Council Member Richardson moved, seconded by Council Member Bashert to extend the meeting by ten minutes.

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

1. Joseph Golder, 1002 Washtenaw, stated MDOT's right-of-way survey from 1971 was used to correct the tampered County records. During a meeting at EMU he was getting up to leave he was given a document stating according to the 1911 plat his property is 66 feet in length. He provided documentation to Council. He said he would like to settle this and bring it to an end.

XVIII. REMARKS FROM THE MAYOR –

XIX. ADJOURNMENT -

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

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the City Council Meeting be adjourned, on call, by the Mayor or two (2) members of Council.

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

On a voice vote, the motion carried, and the meeting adjourned at 10:03 p.m.



**CITY OF YPSILANTI
REGULAR COUNCIL MEETING
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, MARCH 21, 2017
7:00 p.m.**

I. CALL TO ORDER –

The meeting was called to order at 7:06 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	Absent		

Mayor Pro-Tem Brown moved, seconded by Council Member Bashert to excuse the absence of Council Member Richardson.

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

III. INVOCATION –

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

IV. PLEDGE OF ALLEGIANCE –

"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.

Mayor Edmonds added the nomination of Economic Development Director Beth Ernat to the Smartzone Local Development Financing Authority (LDFA).

Council Member Murdock moved, seconded by Council Member Bashert to remove Resolution No. 2017-063 from the Consent Agenda and add it to Resolutions/Motions/Discussions.

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

Mayor Edmonds asked for the first Audience Participation be heard prior to presentations.

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

VI. INTRODUCTIONS –

Mayor Edmonds introduced the following individuals; City Manager Darwin McClary, City Clerk Frances McMullan, Assistant City Attorney Dan DuChene, Economic Development Director Beth Ernat, City Planner Bonnie Wessler, and Fiscal Services Director Marilou Uy.

VII. AUDIENCE PARTICIPATION –

1. Michael Anthony, 1360 E. Clark, stated he is an Ypsilanti resident and a graduate of Eastern Michigan University. He said he is a proud transgender man and currently runs a support group for transgender men and a social group for all transgender identities. He said there is a large transgender population in and around the City who are hardworking members of this community. The display of the Transgender Pride Flag is an important symbolic decision that Council now has the power to make. Transgender visibility day is something that is celebrated throughout this country and across the globe. He said he feels members of this community are in support of transgender individuals, and a display of support from City would mean a great deal to transgender people.
2. Shoshanna Wechter, 310 Maple St., stated she has been living in Ypsilanti since 2001 and is a transgender woman. She has always found Ypsilanti to be a truly welcoming place, but when she began to legally and medically transition she felt the support of the community. She said the Ypsilanti District Library has been very accepting and has amended its harassment policy to include transgender. Institutional support really does make a difference to transgender people, and flying the Transgender Flag on Transgender Day of Visibility shows strong solidarity with the transgender community.

VIII. PRESENTATIONS -

Medical Marijuana – City Planner Bonnie Wessler and Assistant City Attorney Dan DuChene

City Planner Bonnie Wessler and Assistant City Attorney Dan DuChene provided a presentation regarding medical marijuana.

Mayor Edmonds asked why Assistant City Attorney DuChene was not using the word “business”. Mr. DuChene responded in the Act they are referred to as “enterprises”.

Mayor Edmonds asked if a provisioning center can also be another business classification. Mr. DuChene responded there are certain licenses that would allow for a second license, however, and applicant would not be allowed to have a transport or testing license if they have an additional license.

Council Member Murdock asked if the new law would eliminate the need for a caregiver. Mr. DuChene responded no, but if a person wants to operate a larger facility it would need a license from the state.

Mayor Edmonds asked if the 3% excise tax is only for the end user, and not on what a grower is selling. Mr. DuChene responded in the affirmative. Council Member Bashert asked if the sale would also include 6% sales tax. Mr. DuChene responded he has been looking into it, but he does not think so.

Council Member Murdock asked if the County would be responsible for distributing the 3% tax. Mr. DuChene responded in the affirmative. Mr. Murdock asked if the City amount would be based off of the

number of enterprises operating in the City. Mr. DuChene responded in the affirmative. Council Member Bashert interjected the state distributes the revenue.

Council Member Murdock asked if the current relationship caregivers have with dispensaries will be eliminated. Mr. DuChene responded if a caregiver becomes a grower and receives a state license it may maintain its relationship with dispensaries/provision centers. Mr. Murdock asked if caregivers would essentially be eliminated if they are not licensed as growers. Mr. DuChene explained the tracking act, which will be administered by LARA, to establish a statewide tracking system from "seed to sale" and a way to check registry ID cards.

Mayor Edmonds asked medibles will interact with Food Safety Monitoring Act, which is a federal guideline regulating all food stuff. Mr. DuChene responded he has not yet examined this issue. Ms. Wessler replied at the process level there would be, but it would not apply to marijuana because you cannot apply a federal standard to something that is federally illegal.

Mayor Edmonds asked if there is a cap on grow facilities. Ms. Wessler responded in the affirmative, and stated the cap is three, and six for dispensaries, although there are seven operating in the City. Council Member Bashert asked where the caps originated. Ms. Edmonds replied an act of Council. Council Member Robb explained the cap was a result of Ward 1 not wanting a dispensary on Harriet, however, that business already began the process and was allowed to establish.

Council Member Robb stated the City should not take any action because it will not need to expand into the other enterprise categories. He said a transport system should be treated like any business and be required to get a business license. He said testing labs are very technical and there are not very many, and the odds of getting a lab in this community are very low, and if it is allowed where would it be located. Ms. Wessler responded in laboratories can currently operate in a PMD designation. He said County Healthcare should be more concerned with processing facilities, and medibles. He said there are grow facilities currently operating in the City, and there is not a big difference between 500 and 1,500 plants. He said dispensaries, or provisioning centers should be kept the same, and the cap should be removed because it would only allow one more dispensary in the City. He suggested making this transition as easy as possible. Mr. DuChene asked there was a consensus on removing the current cap limits and removing zoning requirements that prevent clustering, other than dispensaries. Ms. Wessler stated Council Member Robb stated he doesn't care about the other facilities, and asked if he wanted to enact on ordinance enabling them, or enact an ordinance prohibiting them. Mr. Robb responded he would not enact an ordinance prohibiting because the likelihood of getting a lab is very low. He explained the other two enterprises should be treated like a home business.

Mayor Edmonds stated she feels a processing business might become an issue, especially if individuals use a shared kitchen.

Council Member Bashert agreed the cap could be removed, at least grow facilities. She said language regarding the other business types will need to be included in the ordinance because if a transporter is pulled over by the police it could cause a problem. Mr. DuChene replied the transporter would be licensed by the state, and explained if a transporter is not allowed in the City it would only mean they cannot locate a business in the City. Ms. Bashert replied it still does not harm to have language in the ordinance permitting transportation in the City. She suggested waiting to see what will happen with rule promulgation before making an ordinance amendments for the other enterprises.

Council Member Vogt stated he generally favors decriminalization with in certain limits. He does not believe Council is informed enough to make decisions on an ordinance amendment at this point. This is a potential high growth industry but there are certain aspects that need to be controlled at all levels. He said he is not ready to make these decisions, however, why not allow for processing, transportation, or a

laboratory if a business wishes to locate here. He suggested careful consideration before Council begins to make decisions. Mayor Edmonds asked for any direction Council Member Vogt would have for staff. Mr. Vogt stated anything that would help Council understand where the market is heading, anything from an economic development perspective.

Mayor Pro-Tem Brown echoed the remarks of Council Member Vogt.

Council Member Murdock stated he believes there are pieces that need to be flushed out before making a final decision. He does not have an issue with the cap limits in the current system. He stated in November of 2018 recreational marijuana is more than likely going to be approved. When he and staff met with Kirk Profit there was discussion of how the 3% tax would be distributed. He said if the distribution is based on number of facilities in a jurisdiction, that metric should also consider the size of the jurisdiction. He suggested leaning on the state representative who is also on the Appropriations Committee to make that consideration.

Mayor Edmonds asked if City Manager McClary if he had insight on the topic. Mr. McClary responded he would tend to agree the City should take a cautious approach and gather more information. However, he would recommend limiting the number of businesses that can operate in the City. Economic Development Director Beth Ernat stated staff reached out to EMU to have research students to evaluate the proposal related to the 3% and how it should be divided. She agreed with Council Member Murdock that six retail sale facilities and three grow facilities in 4.4 square miles versus 35 miles should garner greater distribution of the 3%. She stated Ms. Wessler can attest to the number of phone calls the City has received regarding those facility types locating to the City. She does believe the City will be approached by all facility types to locate in Ypsilanti. Staff is asking for policy direction from Council and if they wish to maintain the City's progressive stance on this issue.

Mayor Edmonds asked if there was anything in the Act that regulated the location of the other business types. Mr. DuChene replied there has been hypothetical discussion of business stacking but the City has not received formal guidance. Ms. Edmonds stated considering economic development the colocation of businesses could be an asset.

Mayor Edmonds stated she agrees with expanding the ordinance while looking at where caps might be appropriate.

Resolution No. 2017-055, supporting the display of the Transgender Pride flag.

A RESOLUTION SUPPORTING THE DISPLAY OF THE TRANSGENDER PRIDE FLAG

WHEREAS, no federal or state of Michigan law currently prohibits discrimination based on gender identity in employment, housing, or public accommodations; and,

WHEREAS, the state of Michigan's own Department of Civil Rights has concluded that anti-LGBT discrimination "exists and is significant" and that such discrimination has "direct negative economic effects on Michigan"; and,

WHEREAS, discrimination impedes the city of Ypsilanti and the state of Michigan's ability to attract and retain talented, hard-working, determined people and by extension economic growth and prosperity; and,

WHEREAS, in the absence of state action by Michigan’s legislature forty-two Michigan communities, including the city of Ypsilanti, have enacted local, comprehensive nondiscrimination ordinances; and,

WHEREAS, March 31 has been recognized annually as “Transgender Day of Visibility” since 2009 when Michigan transgender activist Rachel Crandall founded the observance; and,

WHEREAS, recent action by the Trump administration withdrawing federal guidance on the rights of transgender students at school make it more important than ever for communities to speak out in support of these students,

NOW, THEREFORE, BE IT RESOLVED, that in recognition of “Transgender Day of Visibility” and in solidarity with and support of transgender people across the United States, the city of Ypsilanti shall fly the transgender pride flag on Friday, March 31, 2017.

OFFERED BY: Council Member Bashert

SECONDED BY: Council Member Murdock

Mayor Edmonds thanked those who spoke during audience participation, and as most are aware the mental health weight caused by discrimination of the transgender community is great. She said the Transgender Flag will be flown underneath the American Flag at the Police Station.

Council Member Bashert stated she had the pleasure of working with Rachel Crandall around fifteen years ago, and most recently during the 20th anniversary of the Non-Discrimination Ordinance seeing the participation of the transgender community. She is proud to see the City taking the initiative to pass this resolution.

Mayor Edmonds stated this resolution was also sent to the Ypsilanti Community Schools to consider being approved by the school district. YCS Policy Committee is also working toward approving a policy protecting transgender students in its schools. She added this will also be introduced to the Washtenaw County Board of Commissioners.

Council Member Vogt stated not only is this the rational and human thing to do, it is important for governments to take this formal action because most negativity comes from lack of familiarity. Anything that can be done to help spread knowledge helps to break down those problems.

On a roll call, the vote to approve Resolution No. 2017-055 was as follows:

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

VOTE:

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

IX. REMARKS BY THE MAYOR –

None

X. ORDINANCES – FIRST READING –

Ordinance No. 1285

1. An ordinance to amend Section 58-32 of the Ypsilanti City Code to add two youth non-voting members to the Human Relations Commission.

A. Resolution No. 2017-060, determination

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that:
The ordinance entitled: "An ordinance to amend section 58-32 of the Ypsilanti City Code to add two youth non-voting for one year terms to the Human Relations Commission" be adopted on First Reading.**

OFFERED BY: Council Member Murdock

SECONDED BY: Mayor Pro-Tem Brown

Mayor Edmonds stated in speaking with some of the youth organizations in the City to nominate youth membership. She stated Erica Mooney will be playing a role in recruitment and as a mentor.

B. Open public hearing

None

C. Resolution No. 2017-061, close public hearing

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that:
That the Public Hearing for an ordinance entitled: "An ordinance to amend section 58-32 of the Ypsilanti City Code to add two youth non-voting members to the Human Relations Commission" be officially closed.**

OFFERED BY: Council Member Murdock

SECONDED BY: Mayor Pro-Tem Brown

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

Council Member Robb stated if a youth member is appointed at seventeen for a three year term at eighteen the person would be off the Commission. Mr. DuChene replied if a person is appointed to a non-voting seat for three years they would maintain that seat for three years. Mayor Edmonds suggested the youth member's term be shortened to one year. Mr. Robb stated the way the ordinance is written person would not grow into a voting member but would maintain their non-voting status past youth status. Mr. DuChene responded in the affirmative.

Council Member Vogt moved, seconded by Council Member Brown to amend the ordinance to provide for a one year term for youth members.

Council Member Robb stated a cleaner way of doing this is once a person is eighteen they would no longer be eligible to serve as a youth, and could be transitioned into a full member. He said most of the City's Boards and Commission do not have full membership, and he sees it as being a reward.

Mayor Pro-Tem Brown stated she understands the basis of Council Member Robb's argument, but does not necessarily agree with it. She feels if a person turns eighteen during their term they should be permitted to finish their term. If the youth member wishes to apply they can do so through the set practice, however, being given preference because of their youth membership. Council Member Robb stated realistically the City should appoint people that are not going to graduate high school soon because of the transient nature of being a high school graduate. Ms. Brown stated she agrees

with Council Member Robb but if a seventeen year old wishes to be on the commission they can be groomed to serve as a full member at the expiration of their term. Mayor Edmonds agreed.

Council Member Bashert agreed there is a transient nature to juniors and seniors in high school. She said having worked with youth in mentorship roles it is very different than working with an adult. She believes this question is minor.

On a roll call, the vote to amend Resolution No. 2017-055 was as follows:

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

VOTE:

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

Council Member Robb asked if the youth members would be part of the quorum. Mr. DuChene responded he would need to check Robert's Rules, but quorum is applied to voting members.

Mayor Pro-Tem Brown stated she served on both the 2020 Task Force and the Parks and Recreation Commission. Because of her activity she stayed in the community and attended EMU and now she is Mayor Pro-Tem of the City Council.

Mayor Edmonds stated she was on her school board at age sixteen and seventeen and it was important to have a seat at the table.

On a roll call, the vote to approve Resolution No. 2017-060 was as follows:

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

VOTE:

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

XI. CONSENT AGENDA –

Resolution No. 2017 – 062

- ~~1. Resolution No. 2017-063, opposing elimination and reduction of US Department of Housing and Urban Development programs which are vital to Washtenaw County residents.~~

(Moved and heard during Section XII, Resolutions/Motions/Discussions)

2. Resolution No. 2017-064, approving appointments to Boards and Commissions.

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:
THAT, the following individuals be appointed to the City of Ypsilanti Boards
and Commissions as indicated below:**

<u>NAME</u>	<u>BOARD</u>	<u>TERM EXPIRATION</u>
Kurt Kohlmann 326 Maple Ypsilanti, MI 48198	Parks & Recreation Commission	July 1, 2020
Ashanti Harris 305 E. Cross Ypsilanti, MI 48198	Parks & Recreation Commission	July 1, 2020
Ben Connor Barrie 1111 Westmoorland Ypsilanti, MI 48197	Parks & Recreation Commission	July 1, 2020
Emily Drennan 309 Middle Dr. Ypsilanti, MI 48197	Sustainability Commission	May 1, 2020
Nancy Heine 214 S. Washington St. Ypsilanti, MI 48197	Sustainability Commission	May 1, 2020
Natalie Sampson 703 Hemphill St. Ypsilanti, MI 48198	Sustainability Commission	May 1, 2020
Thomas McKee 408 N. Huron St. Ypsilanti, MI 48197	Sustainability Commission	May 1, 2019
Leah VanLandingham 113 Downing Ypsilanti, MI 48197	Sustainability Commission	May 1, 2019
Brett Zeuner 318 Oak St., #1 Ypsilanti, MI 48198	Sustainability Commission	May 1, 2019
Julie Bayha 401 W. Michigan Ave., #614 Ypsilanti, MI 48197	Sustainability Commission	May 1, 2018
Keith Michalowski 410 Maple Ypsilanti, MI 48198(1 year term)	Sustainability Commission	May 1, 2018

3. Resolution No. 2017-065, approving appointments to Boards and Commissions (non-residents).

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:
THAT, the following individuals be appointed to the City of Ypsilanti
Boards and Commissions as indicated below:**

**Thomas Kovacz
4647 Nutmeg Dr.
Ypsilanti, MI 48197**

Sustainability Commission

May 1, 2018

**Deiter Otto, EMU Representatives
EMU Director of Grounds and Custodial
200 Boone Hall
Ypsilanti, MI 48197**

DDA

N/A

4. Resolution No. 2017-066, approving minutes of January 24 and January 31, 2017.

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:
THAT the minutes of January 24 and January 31, 2017 be approved.**

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

On a roll call, the vote to approve Resolution No. 2017-062 was as follows:

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

VOTE:

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

XII. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2017-067, approving budget amendments changing loan to a fund transfer for the uncollected reimbursement from MNRTF of \$328,490.00.

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:
WHEREAS The City requested reimbursement from the Michigan
Department Natural Resources - Grants Management on August 17,
2016 for the River's Edge Linear Park & Trail and Ypsilanti Heritage
Bridge expenditures amounting \$300,000 and \$28,490 respectively;
and**

**WHEREAS To support the Capital Improvement fund's cash shortage,
the General Fund last year loaned \$328,490 with the expectation that
the request for reimbursements will be collected within a reasonable
amount of time; and**

WHEREAS As of this date, the City has not collected these reimbursements. Therefore, I recommend to amend the budget to change the loan to a fund transfer; and

WHEREAS the revenue will be recorded in the General Fund instead of the Capital Improvement Fund; and

NOW BE IT HEREBY RESOLVED that the Ypsilanti City Council approve the recommended budget amendments as follows:

Transfer Out to Capital Imp Fund	101-7-9670-999-13	\$328,490
Transfer in from General Fund	414-4-0000-699-01	\$328,490

Upon receipt of payment from MNRTF, the general Fund will record:

CASH	101-001-01	\$328,490
MNRTF Grant REIMBURSEMENT	101-4-0000-539-00	\$328,490

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

Fiscal Services Director Marilou Uy stated during the audit in October it was noticed there was a negative in the cash balance sheet resulting from the Heritage Bridge and the Border to Border Trail. The reimbursement from MNRTF has not been received because of the issues the City is having with the trail. Staff recommends this transfer from the General Fund until the reimbursement is received.

Council Member Robb asked if the City was penalized on the audit because of the cash shortage. Ms. Uy responded it is not advisable to have a negative cash balance. Mr. Robb asked why this was not mentioned at the time of the audit. Ms. Uy replied this situation is not out of the ordinary, and to correct the issue the City needs to create a loan from the General Fund until it receives the reimbursement.

Council Member Bashert asked for an estimated time of reimbursement. Ms. Ernat responded hopefully within the next three months. She explained the payment has been delayed because the engineering firm used by the City has failed to provide the proper documents to be reimbursed. Ms. Bashert asked that this be considered the next time this particular engineering firm submits a bid.

Council Member Murdock asked if the City received funding due from the County for those projects. Ms. Ernat responded based on the County accounting yes. Ms. Ernat clarified she understands early on in the process the County's contribution was higher, but since she has been involved what was promised has been delivered. Ms. Uy interjected the County Parks and Recreation still owe the City 10% of the invoice amount.

Council Member Robb asked why Council is not making a budget amendment for what is still owed by the County. Ms. Uy responded this was already recorded as a revenue last year, but the City has not yet received the funds.

On a roll call, the vote to approve Resolution No. 2017-067 was as follows:

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

VOTE:

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

City Council Meeting Minutes
March 21, 2017

2. Resolution No. 2017-068, approving Ordinance 1284, to amend Chapter 122 (Zoning Ordinance) of the City's Code of Ordinances. ***(Second Reading)***

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, The City of Ypsilanti has adopted a comprehensive Master Plan, "Shape Ypsi;" and

Whereas, the City of Ypsilanti is desirous of fulfilling the goals of the Master Plan; and

Whereas, the Zoning Ordinance will help to implement those goals of creating a safe, sustainable, and diverse Ypsilanti;

Now therefore be it resolved that the Ypsilanti City Council approve the amendments to Chapter 122 of the City's Code of Ordinances.

OFFERED BY: Council Member Vogt

SECONDED BY: Mayor Pro-Tem Brown

Ms. Wessler stated during first reading more information was requested specifically on the sign ordinance and changes made in the zoning ordinance over the past year. Included in the packet was a log of the changes with six highlighted items, which are errors discovered while logging the changes.

Council Member Robb asked why it would be difficult to enforce neon lighting around the perimeter of a window. Ms. Wessler responded that is based on information received by the Building Department and she does not have additional information. Mr. Robb asked if anyone has ever been cited for that violation. Ms. Ernat responded staff pursued citing Vivid Inks for their neon sign, who in response pointed out neon in five other locations in the downtown. This was at the time the Planning Commission was reviewing the changes and staff decided not to pursue that item. She explained the difficulty in enforcement is based on the existing neon signs in the downtown. Mr. Robb responded staff is confusing the difference between neon and LED, and explained the ordinance states neon cannot be around a window not LED lighting. He said the City prides itself on having the second largest Historic District state, and his concern is that type of signage taking away from that. Council Member Murdock stated the strip LED lighting is not much better than neon. Mr. Robb agreed. Ms. Wessler replied this could be sent back to the Planning Commission, and she would ask that it be divorced from the sign ordinance and be listed under lighting.

Council Member Robb moved, seconded by Council Member Murdock to add the phrase "however neon tubing outlined window or other architectural features is prohibited" back into Section 665 B3iv of the Zoning Ordinance.

Council Member Vogt asked if LED lighting should be prohibited in the Zoning Ordinance. Council Member Robb responded staff can examine that possibility.

Ms. Ernat stated there are two businesses are outlined in LED and one business has neon outline along Michigan Ave. She asked if this would create a non-conforming use, or is the City to enforce no neon. Mr. Robb stated if the city does nothing it could create an environment that is unappealing downtown, and if there is an ordinance it should be enforced. He added to allow the Planning Commission to weigh in on what is non-conforming.

On a roll call, the vote to amend Resolution No. 2017-068 was as follows:

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

VOTE:

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

On a roll call, the vote to approve Resolution No. 2017-068 was as follows:

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

VOTE:

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

3. Resolution No, 2017-069, adopting a five-year road funding plan.

WHEREAS, Maintaining the City's Infrastructure has long suffered from a lack of funding, AND

WHEREAS, Road funding has been particularly hard hit, AND

WHEREAS, the State finally increased road funding in December 2015, AND

WHEREAS, the increased road funding is phased in over five years. AND

WHEREAS, the City has adopted an Asset Management Approach to maintaining our roads and infrastructure, AND

WHEREAS, the City of Ypsilanti is committed to a creating a Walkable community through a Complete Streets approach.

NOW THEREFORE BE IT RESOLVED that the City of Ypsilanti adopt the attached framework for utilizing funding designated for roads including Federal Highway Funds, County Road Millage Funds, existing Act 51 Funds and increased state funding.

AND FURTHER RESOLVED that this framework includes the City's commitment to the I-94 Non-Motorized Crossing, the lane reductions of Huron/Hamilton, the redesign of the Huron/Cross Street intersection, and the replacement of the Cross Street Bridge.

OFFERED BY: Council Member Murdock

SECONDED BY: Mayor Pro-Tem Brown

Council Member Murdock stated this plan is not etched in stone but it does show the City's commitment to do infrastructure in a manner Council thinks is important. This plan suggests \$4 million with of road projects over the next five years, depending if the State Legislature releases the funds.

City Manager McClary stated he and Council Member Murdock discussed this and it is understood that these numbers are preliminary. The plan must be flexible to change with funding levels, and that this is one piece of the road capital improvement plan. There also must be a comprehensive plan that involves all wards in the City must be developed beyond what is being presented tonight.

On a roll call, the vote to approve Resolution No. 2017-069 was as follows:

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

VOTE:

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

4. Resolution No. 2017-070, approving City Manager MERS Defined Compensation Plan.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City Council at its meeting of January 17, 2017, approved an Employment Agreement ("the Agreement") between the City and Mr. Darwin D. P. McClary to serve as City Manager; and

WHEREAS, the Agreement included a provision that requires the City to execute all necessary documents to provide for participation by Mr. McClary in a Defined Contribution Plan ("the Plan") of the Municipal Employees' Retirement System ("MERS") of Michigan; and

WHEREAS, in order to create the subject Plan for Mr. McClary, the City Council must adopt the attached MERS Resolution.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council does hereby approve and adopt the MERS Resolution for Adopting Municipal Employees' Retirement System of Michigan Defined Contribution Program, attached hereto and made a part hereof, and does further authorize and direct the Mayor and City Clerk to execute the subject MERS Resolution on behalf of the City.

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

Mr. DuChene this change would create a permanent change for the position, however it can be changed back if Council wishes.

On a roll call, the vote to approve Resolution No. 2017-070 was as follows:

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

VOTE:

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

5. Resolution No. 2017-071, scheduling a work session for the purpose of discussing and approving a list of priorities and expectations for the City Manager.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti's new City Manager, Darwin McClary, joined the city's management team on February 27, 2017; and

WHEREAS, the City Manager is requesting that the City Council schedule a work session to discuss and establish a list of priorities and expectations for the City Manager for the next several months to ensure that immediate legislative priorities of the council are addressed by administration; and

WHEREAS, the City Council desires to provide clear direction to the City Manager on its immediate legislative priorities;

NOW THEREFORE BE IT RESOLVED BY THE CITY OF YPSILANTI that the City Council does hereby schedule a work session of the council for _____, 2017, at _____ p.m. for the purpose of discussing and approving a list of legislative priorities and expectations for the City Manager for the next several months to ensure that immediate legislative priorities are addressed by administration; and

BE IT FURTHER RESOLVED BY THE CITY OF YPSILANTI that the City Council does hereby request that each council member prepare a list of 3 to 5 legislative priorities or expectations for the council to consider at the work session, with the lists to be submitted to the City Clerk on or before _____, 2017, for inclusion in the agenda packet in advance of the meeting.

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

Mayor Edmonds stated she and the City Manager feel the best opportunity to do this would be during the budget sessions. Mr. McClary stated this would also provide an opportunity for individual Council Members to meet with him to discuss individual priorities.

Mayor Edmonds suggested tabling this meeting until the budget sessions have been scheduled.

Council Member Robb stated Council has already set goals for this year, now they just need to be prioritized. He said the City now is two months into those goals without action, and if action does not happen for two months the set goals might

City Council Meeting Minutes
March 21, 2017

not get accomplished. Mayor Edmonds responded what Mr. McClary is requesting are goals specific to the City Manager that would be set through a performance review. Ms. Edmonds asked for a table, or memo, that lists the set goals and outlines who is working toward its completion and what its progress is. Mr. Robb responded two people work for Council; the Clerk and the City Manager and they are the people who would deliver on those goals. The tasks that go into the completion of those goals is delegated by those two individuals and takes issue if they are not being completed. Mayor Edmonds agreed, however she said Council Member Robb's comments are not synonymous with what is being requested by the City Manager.

Council Member Murdock stated he does not disagree that staff should be working toward achieving those goals, but they are goals for FY 2017-2018. Council Member Robb stated that is not how Council goals have been established. He referenced contract negotiations which take place prior to FY 2017-2018. Mr. Murdock stated Council received a memo from the City Manager that he would be requesting Closed Sessions to begin that discussions.

Mr. McClary stated he will go through the set goals for the next meeting providing information with the work staff is currently doing to achieve those goals. He agreed with Council Member Robb, and informed Council work is being done to achieve those goals.

Mayor Pro-Tem Brown moved, seconded by Council Member Vogt to table Resolution No. 2017-071.

On a voice vote, the motion carried, and Resolution No. 2017-071 was tabled.

6. Resolution No. 2017-073, opposing oil transport through the Enbridge Energy Line 5 pipeline.
(added 3/20/17)

WHEREAS, Line 5 is a set of twin, 64-year-old pipelines owned by Enbridge that carry light crude oil and natural gas under the Straits of Mackinac; and

WHEREAS, the currents in the Straits of Mackinac at peak volumetric transport can be more than 10 times greater than the flow of Niagara Falls and switch bi-directionally from east to west every few days, and according to a 2014 University of Michigan study are the "worst possible place" for an oil spill in the Great Lakes; and

WHEREAS, the Great Lakes contain 20 percent of the world's fresh, available, surface water and are a drinking water source for over 35 million people; and

WHEREAS, one out of every five jobs in Michigan is linked to the high quality and quantity of fresh water in the Great Lakes; and

WHEREAS, tourism is one of Michigan's largest income industries bringing in billions of travelers dollars spent each year; and

WHEREAS, agriculture, fisheries, shipping and industry depend on the health of the Great Lakes; and

WHEREAS, in 2009 the Great Lakes were linked to over 1.5 million jobs, with Michigan accounting for 35 percent of those jobs; and

WHEREAS, Enbridge has a shaky track record that includes 1,244 reportable spills, leaks and releases from 1996 to 2013; and

WHEREAS, Enbridge was in violation for their spacing requirements of its 1953 easement for Line 5 in 2014 and were responsible for a pinhole leak in a section of the pipeline north of the Straits in December 2014; and

WHEREAS, Enbridge was responsible for one of the worst and most expensive oils spills in U.S. history when Line 6b ruptured near Kalamazoo in 2010 allowing almost 1 million gallons of tar sands oil to leak for 17 hours before shutting down the line; and

WHEREAS, corrosion is the number one reason that pipelines fail; and

WHEREAS, Line 5 was built before the Great Lakes Submerged Lands Act was adopted so it didn't have to obtain a permit and ensure that the pipeline wouldn't pose a threat to the waters or the public's use of the waters; and

WHEREAS, Michigan's Attorney General Bill Schuette has stated (in regards to Line 5) that the "pipeline wouldn't be built today" and that "the pipeline's days are numbered"; and

WHEREAS, the Coast Guard Commandant testified before congress in 2015 that the Coast Guard would be unable to respond effectively to an open water oil spill in the heart of the Great Lakes; and

WHEREAS, there is no plan for how to recover oil if there was a leak during the winter when the lakes are covered with ice; and

WHEREAS, as Michiganders we have a responsibility to be wise stewards of the waters of our state for generations to come; and

WHEREAS, protection of Michigan's water supplies and resources is better accomplished by prevention of contamination and environmental degradation, rather than attempting to clean up contamination and restore degraded environments after the fact;

NOW, THEREFORE, BE IT RESOLVED, that on the 21st day of March 2017, the City of Ypsilanti supports stopping the transportation of oil under the Great Lakes; and

BE IT FURTHER RESOLVED, that the City of Ypsilanti supports shutting down Line 5 and the flow of oil under the Great Lakes, and

RESOLVED FURTHER That the Ypsilanti City Council support H.R. 182 and C.R. 15 calling on Governor Snyder and Attorney General Schuette to shut down Line 5's transport of oil through the Straits of Mackinac; and

That the City Council send a letter to Governor Snyder, Attorney General Schutte, State Representative Irwin and Zemke, State Senator Warren and U.S. Senators Peters and Stabenow calling them to take swift action to shut down Line 5.

OFFERED BY: Council Member Bashert
SECONDED BY: Council Member Murdock

Council Member Robb offered a friendly amendment to replace Representative Irwin with Representative Peterson.

Council Member Bashert accepted the amendment.

On a roll call, the vote to approve Resolution No. 2017-073 was as follows:

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

VOTE:

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

7. Resolution No. 2017-063, opposing elimination and reduction of US Department of Housing and Urban Development programs which are vital to Washtenaw County residents.

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:
WHEREAS, On March 8, 2017, the Washington Post reported on proposed budget cuts to the U.S. Department of Housing and Urban Development (HUD); and**

WHEREAS, among other significant cuts, the proposed HUD budget:

- Cuts funding for public housing repairs by \$1.3 billion or 68%.
- Cuts funding for Housing Choice Vouchers by \$300 million, not including the additional resources that would be needed to cover inflationary costs. This is equal to 200,000 vouchers being lost.
- Cuts funding that would result in about 12,000 homes for seniors and 6,000 homes for people with disabilities being lost.
- Eliminates Community Development Block Grant (CDBG).
- Eliminates HOME Investment Partnership Program.

WHEREAS, The Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) programs are operated in Washtenaw County by the Washtenaw County Office of Community and Economic Development; and

WHEREAS, Other programs such as the Emergency Solutions Grant (ESG) program could be at risk of elimination or significant cuts; and

WHEREAS, For FY 2017 alone, Washtenaw County received nearly \$3,000,000 in CDBG, HOME and ESG funding; and

WHEREAS, These federal programs allow Washtenaw County to leverage \$20 million or more annually in additional funds for community projects and programs; and

WHEREAS, CDBG, HOME and ESG programs provide critical community infrastructure, neighborhood stabilization, human services, homelessness prevention, and affordable housing resources for Washtenaw County residents; and their elimination would have disastrous impacts on quality of life for our neighborhoods and residents; and

WHEREAS, The Ypsilanti Public Housing Commission applied for and received approximately \$1 million in Home funds for the Parkridge redevelopment project and the Hamilton Crossing project; and

WHEREAS, The Parkridge redevelopment project and Hamilton Crossing redevelopment would not have happened but for County HOME funds; and

WHEREAS, The loss of public housing capital and operating funds will hasten the deterioration of existing public housing properties and potentially displace residents; and

WHEREAS, These reductions in funding will hurt local businesses, destabilize neighborhoods and limit access to critical human services for residents in need;

NOW THEREFORE BE IT RESOLVED BY THE CITY OF YPSILANTI that the Washtenaw County delegation to the United States Senate and United States House of Representatives should actively oppose this HUD budget unless funding for these vital programs is protected; and

BE IT FURTHER RESOLVED, Copies of this resolution shall be provided to U.S. Senators Debbie Stabenow and Gary Peters, U.S. Representatives Debbie Dingell and Tim Walberg, and Governor Rick Snyder.

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

Council Member Murdock stated these budget cuts would be incredibly detrimental to City beyond what is outlined in the resolution.

Ms. Ernat stated these funds are vital to the state, to Washtenaw County, and to this community. The City needs to protect its community and to lose these funds would be very detrimental to many programs in the City.

On a roll call, the vote to approve Resolution No. 2017-063 was as follows:

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

VOTE:

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

XIII. LIASON REPORTS –

- A. SEMCOG Update - None
- B. Washtenaw Area Transportation Study – Council Member Murdock stated two representative for the Regional Transportation who talked about the firing of Michael Ford. From the discussions it appears something would not be put on a ballot until November 2020, because the AAATA will also have a transportation millage on the ballot in 2018. The Federal Government is also eliminating funding mechanisms to use for rail.
- C. Urban County - None
- D. Ypsilanti Downtown Development Authority – Ms. Ernat stated there was discussion on the budget. Mayor Edmonds stated DDA Director Joe Meyers has made some great strides in stabilizing the Downtown DDA Budget. There has also been some great discussion on grants
- E. Eastern Washtenaw Safety Alliance - None
- F. Police-Community Relations/Black Lives Matter Joint Task Force – Mayor Pro-Tem Brown stated a recommendation for a Police Advisory Committee Ordinance will be on the April 4th meeting.
- G. Friends of Rutherford Pool - None
- H. Housing Equity Leadership Team - None
- I. Economic Development Coordinating Committee – Mayor Edmonds stated the committee is going through the process of developing goals.

XIV. COUNCIL PROPOSED BUSINESS –

Robb

- Stated there are eight to ten credible medicinal marijuana labs in the state of Michigan, and his connection is a little suspect of possible labs calling to open in the City. His connection also stated corporate grow facilities also want to get into secure transport. He said both those comments should be taken into consideration when the ordinance is drafted.

Bashert

- Stated she will be absent from the April 4th Council Meeting.
- Asked for an update on the issue with 1002 Washtenaw.

Mr. DuChene responded there is a Closed Session at the end of this meeting to discuss this issue.

Murdock

- Asked for an update on the police shooting on Lowell.
- Asked if a change has been made to the Police Profiling policy based on the recent ordinance amendments.
- Stated he would like to see additional fencing put on Park Street at the rail crossing closure.

XIV. COMMUNICATIONS FROM THE MAYOR –

- Stated the Attorney’s Office drafted a Facts sheet for the Non-solicitation Ordinance that she needs to review.
- At recent meeting there was discussion about driving if you are not a citizen. She explained a license issued by Mexico allows you to drive in the US.
- A number of local law enforcement agencies, including Ypsilanti, have agreed they will not participate in immigration enforcement.
- Strong recommendation for people to get a Washtenaw County ID and use it wherever you can to raise awareness of its existence.

Council Member Murdock stated Trump Administration released a list of sanctuary cities and not one Michigan City was included. Mr. Murdock stated he was approached about what the County ID could be used for at the City. Council Member Bashert stated business are also being asked to provide incentives for patrons who use the Washtenaw County ID.

XV. COMMUNICATIONS FROM THE CITY MANAGER –

- He submitted a City Manager’s report and is addressing the need for additional fencing.
- City interns are currently working on an electronic newsletter to post on the website. Working on how to distribute it to those who do not have access to the internet.
- Information has been provided regarding special events and peak times in the City for rubbish accumulation enforcement.
- The 2017 Economic Outlook is scheduled for March 29th.
- The Washtenaw County Chief Elected Officials Meeting is scheduled for March 31st.

XVI. COMMUNICATIONS –

- American Red Cross has received a grant from DTE to install smoke alarms to any resident that either doesn’t have one or needs one replaced.

Council Member Bashert added the Red Cross will find the best spot in the home to install the alarm and include a ten year battery.

XVII. AUDIENCE PARTICIPATION –

1. Dave Calkin, 302 Elm, stated he and his wife are both healthcare workers and has been talking to investors about possibly getting into the medical marijuana industry. He and his investors are looking for a place to establish this business and hoping Ypsilanti would be the location.

XVIII. REMARKS FROM THE MAYOR –

None

XIX. CLOSED SESSION –

Closed Session to discuss attorney-client privileged communication - OMA 15.267, Section 8(h)

Council Member Vogt moved, seconded by Mayor Pro-Tem Brown to adjourn to Closed Session.

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

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

VOTE:

YES: 5 NO: 1 (Murdock) ABSENT: 1 (Richardson) VOTE: Carried

The meeting adjourned to Closed Session at 9:38 p.m.

Council Member Bashert moved, seconded by Council Member requesting Joseph Golder submit a claim to the City requesting the City Insurer make a determination and that determination will be the final determination of the City.

On a roll call, the vote to approve the motion was as follows:

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

VOTE:

YES: 5 NO: 1 (Robb) ABSENT: 1 (Richardson) VOTE: Carried

XX. ADJOURNMENT -

Resolution No. 2017-072, adjourning the City Council meeting.

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:
That the City Council Meeting be adjourned, on call, by the Mayor or two (2) members of Council.**

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

On a voice vote, the motion carried, and the meeting adjourned at 10:11 p.m.



REQUEST FOR LEGISLATION
April 13, 2017

To: Mayor and City Council

From: Darwin McClary, City Manager

Subject: Resolution to Award Bid for Ordinance Abatement Services

SUMMARY & BACKGROUND:

The existing contract for grass and weed abatement with Louie's Landscape, located in Brownstown, Michigan has expired. The City is seeking to enter into a one-year contract with option for negotiated renewal.

On March 13, 2017, an invitation to bid was solicited through MITN (Michigan Inter-Governmental Trade Network) and via the city's website. Three sealed bids were received from local companies. The bids were opened on Friday, April 7, 2017 at 2:00 p.m.

Staff recommends that City Council accept the bids submitted by Premium and Classic Lawn Care & Building Maintenance, and requests that the City Manager and City Attorney be authorized to negotiate a contract with said Contractors.

RECOMMENDED ACTION: Approval

ATTACHMENTS: Bid Notice, Invitation to Bid, Bid Sheets, Resolution

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: April 18, 2017

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2017-090
April 18, 2017

Resolution Awarding Bid for Ordinance Abatement Services

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the ordinance abatement services bid for the City of Ypsilanti be awarded to Premium Lawn Solutions and Classic Lawn Care & Building Maintenance, and that the City Manager is authorized to make change orders and determine the primary and alternate contractor.

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

OFFERED BY: _____

SUPPORTED BY: _____

YES:

NO:

ABSENT:

VOTE:



PUBLIC NOTICE
INVITATION TO BID

The City of Ypsilanti is issuing an Invitation to Bid for Abatement Services, including graffiti removal, mowing, cutting weeds and grass, leaf pickup and clean-ups/debris removal. The Invitation to Bid is available in the City Clerk's Office, 1 S. Huron St., Ypsilanti, MI 48197 and at <http://www.govbids.com/scripts/mitn/public/home1.asp> . Click on Bid Opportunities. Sealed bids are due in the City Clerk's Office at 1 S. Huron St., Ypsilanti, MI. 48197 by 2:00 p.m. on April 7, 2017. For additional information contact James Jackson, Code Enforcement Officer at (734) 482-2061.

Frances McMullan
City Clerk

Published:

March 13, 2017 (City website and MITN)
March 16, 2017 (Washtenaw Legal News)



Invitation to Bid

To: Interested Contractors

From: Darwin McClary, City Manager

Date: Monday March 13th, 2017

Subject: Invitation to Bid for Ordinance abatement services

Bid Close Date: April 7th, 2017 at 2:00 p.m.

The City of Ypsilanti desires to receive bid pricing for a number of categories of Ordinance Violation Abatement services. The City reserves the right to contract for any/all/none of the services as the necessity arise. The City is not bound to use all categories of service and will use services entirely at its discretion. The City may contract with separate contractors for any category of services or any combination thereof. Contract will be the City of Ypsilanti's standard contract and will be for a maximum of 1 year with option for negotiated renewal at increases not to exceed 3% per year.

All Bid quotations must be submitted in a sealed envelope marked "Ordinance Abatement Bid" either mailed or hand delivered to the City of Ypsilanti Clerk's Office at 1 South Huron St., Ypsilanti MI by the city Clerk's office prior to the closing date and time. Late submissions will not be accepted. All quotes must be submitted in triplicate including one original and 2 complete copies including all backup and supporting documentation. Bids shall include the following labeled attachments:

- | | |
|--------------|--|
| Attachment 1 | Number of persons employed by the contractor including copies of Drivers Licenses or State ID Cards including hourly billing rates |
| Attachment 2 | A complete list of available equipment with hourly billing rates |
| Attachment 3 | History of similar work experience |
| Attachment 4 | References including names, address, and telephone numbers |
| Attachment 5 | Proof of Insurance, including Liability and Workman's compensation |
| Attachment 6 | Bid Sheet including complete pricing for all bid categories for which the bidder wishes to be considered. |
| Attachment 7 | Compliance with the City of Ypsilanti's Living Wage Ordinance document |

All bid quotations must be submitted on the Request for Quotation Form. All bids must include the number of persons employed by the contractor, a complete list of available equipment, a history of previous similar work experience, and a list of current work and references.

The City reserves the right to refuse any and or all bids and to waive any informalities and technicalities, and to accept the bid which it deems most favorable to the interest of the City.

Proof of insurance is required and must be submitted with the Bid package.

Contracts shall include the standard City of Ypsilanti "Addendum to Agreement to Services".

Contractor must be in compliance with the Ypsilanti Living Wage Ordinance #892 at all times and provide documentation as required to the Ypsilanti Personnel Department throughout the contract period.

General Conditions:

Contractor and contractor's employees must comply with all Local, State and Federal laws, and ordinances.

Contractor shall provide and maintain email and mobile/cellular phone communication service capable of communication with the City during normal business hours. 24 hour/7 day Mobile/cellular phone communication shall be provided for emergency services. Email/computer capability must be sufficient to interface with the City computer system for receiving and submission of Work Authorization and Invoices on a daily basis.

Contractor shall provide a sufficient crew at each job site with all equipment, means and methods necessary to complete the specified work as efficiently and rapidly as possible.

Contractor shall own and be able to operate two (2) digital cameras used to verify "before and after" situations from the same vantage point. Cameras shall have the capability and will be required to record the date and time on all images. Images shall be taken immediately before start and after completion of work. Images shall be correctly identified and emailed with invoices. Images shall be in .jpeg format with minimum 1024x768 resolution and must be accurately named by address and sorted in folders for each individual date. If photos are not submitted, the City reserves the right to refuse payment.

All invoices must list the correct address or parcel identification number of the property. Invoices without correct information will not be paid.

Work may be anywhere within the Ypsilanti City limits. Work on Sundays and National Holidays is prohibited.

Contractor shall comply with all OSHA and MIOSHA requirements and guidelines.

The contractor shall include in the bid the cost and responsibility for all cleanup and removal of site debris, rubbish, and identifiable material. Disposal shall be the contractor's responsibility and must take place in accordance with all State and Federal laws. Contractor's staff shall be trained in estimating volume of trash for removal and disposal category of work.

Response for weather dependent activities such as mowing shall be within 48 weekday hours with weather delays as approved by the Building Department only. Response and completion for all

other work requests shall be within 48 hours of authorization by City representative. The City reserves the right to provide minimum 48 hours advance notice for scheduled work.

Contractor is advised that their employees must act in a polite and professional manner toward the public at all times and refer any questions, complaints or concerns received from the public to a representative designated by the City.

When disputes occur between the contractor and the property owner or City regarding time at the site and/or work done, the City will, through its review process, make a final determination and when required shall adjust payment to the contractor accordingly. Contractor shall have opportunity to present data and/or provide testimony as the basis for a determination.

Billing, except as specifically noted otherwise, shall be submitted a maximum of 5 days following completion of work with all necessary digital photos, receipts and other documentation. Invoices shall be broken down to show unit prices where appropriate and include signed waivers of Lien for any subcontracted work. Payment will be made according to the City of Ypsilanti's standard schedule.

Contractors may submit pricing for any and/or all individual categories of work (Graffiti, Moving, or Clean-up). The City reserves the right to award a contract to any bidder for any or all of the Categories in which a contractor submits a bid.

Category 1. Graffiti Removal

Request quote for graffiti removal and painting services to be provided in the most economical and expedient manner.

Qualified contractors must have a working knowledge of removal of graffiti including but not limited to: power washing, sandblasting, soda blasting, and repainting defaced areas. All work performed on designated historic structures must comply with Historic District Commission approval.

Vendors shall supply all labor, equipment and materials for painting over graffiti and/or removing graffiti through power washing or other means as indicated by the Ypsilanti Building Department.

In Situations where repainting the surface is necessary, only acrylic latex paints shall be used to cover graffiti. Surfaces may include, but are not limited to: wood, concrete, metal and masonry. Previously unpainted surfaces such as brick, signs, decorative block, sidewalks, and streets are also included, but require an accepted method of graffiti removal and/or application of anti-graffiti coating or sealant as directed. Only first quality paint shall be used. Color will be required to match existing. All applications shall be to the area of graffiti only.

Provide pricing per attached Bid Sheet.

Category 2. Mowing/Weed Cutting

Request for quote for mowing and cutting of vacant and developed parcels including removal of all litter and debris from cutting area. Cutting height shall be 4" or less. Trimming along fences, hedges, plantings and structures to similar height.

Weed cutting will include cleanup of miscellaneous debris from properties prior to weed cutting to avoid scattering of same. When the volume of debris is in excess of one 13 gallon trash bag the City, at their discretion, will determine if it is necessary for the contractor to collect the excess debris prior to cutting. The contractor shall properly dispose of any and all collected debris at no additional charge to the City.

Following cutting, all grass clippings, leaves, and other debris shall be cleaned from all sidewalks, drives, porches and streets by blower or sweeping.

Mowing will be allowed during light precipitation but under no circumstances during lightning or medium to heavy rain.

Contractor will be responsible for repair of any damage caused by their equipment to the bark of mature trees, poles, posts, hydrants, guide wires, marker, utility boxes, cubs, signs, drainage structures, building, fences, vehicles or other fixed objects on parcels. Contractor will also be responsible for all damage to contractor's equipment.

Additional charge shall not be allowed for mowing vegetation in excess of 14" except with previous approval of the Building Department. In the event the majority of the vegetation on a parcel exceeds 14" in height, the City may approve payment of the surcharge included in the Bid. This surcharge must be approved in writing prior to start of work.

Provide pricing per attached Bid Sheet.

Category 4. Leaf Pickup

Request for quote for leaf pick up on streets. The City has recently passed a new ordinance that requires that no leaves will be raked into the streets. Contractors will be asked to remove the leaves at the request of the Building Department.

The City will be responsible for the notification to residents, however, the contractor may be asked to take pictures and keep proper documents of the abatements.

Contractor will be responsible for repair of any damage caused by their equipment to the sidewalks or landscaping.

Provide pricing per attached bid sheet.

Category 5. Clean-ups/Debris Removal

Request Quote for trash and debris clean-up, removal and disposal services. This work includes removal of debris, trash, junk, rubbish, litter, yard waste, goods, materials, noxious weeds, vegetation, trees, tree stumps, fences and construction materials from private and public parcels. Junk shall include but not be limited to parts of machinery or motor vehicles, unused stoves or appliances stored in the open, remnants of wood, metal or any other material or other castoff material of any kind, whether or not the same could be put to reasonable use. Construction materials shall include but not be limited to lumber, bricks, concrete or cinder block, blocks, plumbing materials, electrical wiring or equipment, shingles or roofing, mortar and concrete, nails,

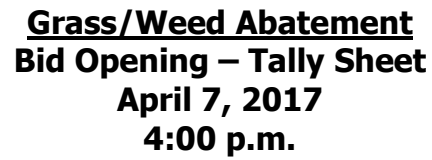
screws or any other construction materials. Scope shall also include removal of recreational vehicles including, but not limited to boats, trailers, or all terrain vehicles as well as removal of structure not attached to foundations.

Contractor shall correctly and safely dispose of all material in a legal and appropriate fashion at minimal cost to the City. Quoted prices for individual pickups shall include disposal at no additional cost to the city.

Following clean-ups mud, dirt, leaves and other debris shall be cleaned from all sidewalks, drives, porches and streets by blower or sweeping. Lawn clean-up areas shall be left rake clean.

Clean-up services will generally either take the form of excess trash and debris on street margins, areas of dumping or extensive clean-ups or entire parcels.

The City reserves the right to require the contractor to provide a "not to exceed" price for clean-up of more than 10 cubic yards or covering large areas prior to start of work.

[illegible]

Bid Sheet - Ordinance Abatement Services - Request for Quotation form

Premium

Mowing

Improved lots < 6,000 sf.	40.00	extra charge for over 14"	40.00	additional
Improved lots > 6,000 sf. And < 12,000 sf.	50.00	extra charge for over 14"	45.00	additional
Improved lots > 12,000 sf.	55.00	extra charge for over 14"	45.00	additional
Unimproved lots < 6,000 sf.	45.00	extra charge for over 14"	45.00	additional
Unimproved lots > 6,000 sf. & < 12,000 sf.	50.00	extra charge for over 14"	45.00	additional
Unimproved lots > 12,000 sf.	65.00	extra charge for over 14"	45.00	additional
Pick-up and disposal of excess trash and debris	25.00	per 13 gal. trash bag (ea)	15.00	

*Mowing notes:

- * Scope includes sweeping and/or blowing of cuttings from paved areas
- * Scope includes cleanup and removal of maximum one (1) 13 gallon trash bag of debris prior to cutting

Trash Removal and Disposal

0 - .25 Cubic yards	30.00
.25 - .50 Cubic yards	35.00
.50 - .75 Cubic yards	40.00
.75 - 1.0 Cubic yards	50.00
Additional Quantities:	
per .5 cubic yards	10.00

*Trash removal and disposal notes:

- * Scope includes raking and/or sweeping as necessary to completely clean pickup and R.O.W. areas to broom clean standard
- * Additional disposal charges allowed for disposal of tires, batteries, televisions, CRT's, auto parts and refrigerant recovery
- * Additional costs required for specialized equipment rental must be approved in writing by the City prior to start of work

Graffiti Abatement

1 - 10 sf.	25.00
10 - 20 sf.	35.00
20 + sf. - price per sf.	5.00

Hourly charge for staff, equipment and supplies for graffiti removal from masonry in accordance with Historic District requirements

Yard Waste Removal			
	Sm. Load (1-2 yds)	Med. Load (3-4 yds)	Lg. Load (5+ yds)
Leaf removal - single width residential lot	25 / yd	25 / yd	25 / yd
Leaf removal - double/corner lot	25 / yd	25 / yd	25 / yd
Brush removal	25 / yd	45 / yd	55 / yd
*Yard waste removal notes: * Scope Includes raking and/or sweeping as necessary to completely clean R.O.W. and gutter areas			

Bid Sheet - Ordinance Abatement Services - Request for Quotation form

Mowing

Improved lots < 6,000 sf.	\$ 35	extra charge for over 14"	\$ 10	additional
Improved lots > 6,000 sf. And < 12,000 sf.	45	extra charge for over 14"	20	additional
Improved lots > 12,000 sf.	55	extra charge for over 14"	30	additional
Unimproved lots < 6,000 sf.	55	extra charge for over 14"	15	additional
Unimproved lots > 6,000 sf. & < 12,000 sf.	65	extra charge for over 14"	25	additional
Unimproved lots > 12,000 sf.	80	extra charge for over 14"	35	additional
Pick-up and disposal of excess trash and debris	\$ 15	per 13 gal. trash bag (ea)	\$ 5	

***Mowing notes:**

- * Scope includes sweeping and/or blowing of cuttings from paved areas
- * Scope includes cleanup and removal of maximum one (1) 13 gallon trash bag of debris prior to cutting

Trash Removal and Disposal

0 - .25 Cubic yards	\$ 10
.25 - .50 Cubic yards	15
.50 - .75 Cubic yards	20
.75 - 1.0 Cubic yards	30
Additional Quantities:	
per .5 cubic yards	\$ 15

***Trash removal and disposal notes:**

- * Scope includes raking and/or sweeping as necessary to completely clean pickup and R.O.W. areas to broom clean standard
- * Additional disposal charges allowed for disposal of tires, batteries, televisions, CRT's, auto parts and refrigerant recovery
- * Additional costs required for specialized equipment rental must be approved in writing by the City prior to start of work

Graffiti Abatement

1 - 10 sf.	35.00
10 - 20 sf.	50.00
20 + sf. - price per sf.	75.00 (3.50 per sq.ft)

Hourly charge for staff, equipment and supplies for graffiti removal from masonry in accordance with Historic District requirements

\$ 50.00

Yard Waste Removal

	Sm. Load (1-2 yds.)	Med. Load (3-4 yds.)	Lg. Load (5+ yds.)
Leaf removal - single width residential lot	75.00	120.00	150.00
Leaf removal - double/corner lot	100.00	145.00	175.00
Brush removal	80.00	130.00	160.00

• Yard waste removal notes:

- Scope includes raking and/or sweeping as necessary to completely clean R.O.W. and gutter areas

Bid Sheet - Ordinance Abatement Services - Request for Quotation form

Teamer

Mowing

Improved lots < 6,000 sf.	<u>30.00</u>	extra charge for over 14"	<u>35.00</u>	additional
Improved lots > 6,000 sf. And < 12,000 sf.	<u>40.00</u>	extra charge for over 14"	<u>25.00</u>	additional
Improved lots > 12,000 sf. Per Acre	<u>75.00</u>	extra charge for over 14"	<u>50.00</u>	additional
Unimproved lots < 6,000 sf.	<u>45.00</u>	extra charge for over 14"	<u>25.00</u>	additional
Unimproved lots > 6,000 sf. & < 12,000 sf. Per Acre	<u>75.00</u>	extra charge for over 14"	<u>50.00</u>	additional
Unimproved lots > 12,000 sf. Per Acre	<u>125.00</u>	extra charge for over 14"	<u>50.00</u>	additional
Pick-up and disposal of excess trash and debris	<u>30.00</u>	per 13 gal. trash bag (ea)	<u>10.00</u>	

*Mowing notes:

- * Scope includes sweeping and/or blowing of cuttings from paved areas
- * Scope includes cleanup and removal of maximum one (1) 13 gallon trash bag of debris prior to cutting

Trash Removal and Disposal

0 - .25 Cubic yards	<u> </u>
.25 - .50 Cubic yards	<u> </u>
.50 - .75 Cubic yards	<u> </u>
.75 - 1.0 Cubic yards	<u> </u>
Additional Quantities:	
per .5 cubic yards	<u> </u>

*Trash removal and disposal notes:

- * Scope includes raking and/or sweeping as necessary to completely clean pickup and R.O.W. areas to broom clean standard
- * Additional disposal charges allowed for disposal of tires, batteries, televisions, CRT's, auto parts and refrigerant recovery
- * Additional costs required for specialized equipment rental must be approved in writing by the City prior to start of work

Graffiti Abatement

1 - 10 sf.	<u> </u>
10 - 20 sf.	<u> </u>
20 + sf. - price per sf.	<u> </u>

Hourly charge for staff, equipment and supplies for graffiti removal from masonry in accordance with Historic District requirements

* Yard Waste Removal

	Sm. Load (1-2 yds)	Med. Load (3-4 yds)	Lg. Load (5+ yds)	
Leaf removal - single width residential lot				\$10.00 per yard
Leaf removal - double/corner lot				\$10.00 per yard
Brush removal				\$10.00 per yard

*Yard waste removal notes:

* Scope includes raking and/or sweeping as necessary to completely clean R.O.W. and gutter areas



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

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

John M. Barr
Karl A. Barr
~~~~~

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

**REQUEST FOR LEGISLATION**

DATE: April 10, 2017

FROM: John M. Barr, Ypsilanti City Attorney

SUBJECT: Amendment of Dispatch Contract Washtenaw County

**SUMMARY/BACKGROUND**

In 2009, the Ypsilanti Police Department out-sourced dispatch services to Washtenaw County. The agreement started January 1, 2010 and was open ended, to continue until either party terminated the contract. The charge for the dispatch service was set at \$73,000 per year, paid monthly.

The County has now requested an increase in cost to \$75,190 per year, an increase of \$2,190 per 12-month year, to start July 1, 2017 and continue four years until June 30, 2021.

The original contract and a letter of February 22, 2017 with the rationale of the County for the increase is attached.

ATTACHMENTS: Proposed resolution and contract amendment

RECOMMENDED ACTION: Approve contract amendment

---

DATE RECEIVED: 4/10 /17 AGENDA ITEM NO. 2017-091

CITY MANAGER COMMENTS: \_\_\_\_\_

FOR AGENDA OF: 4/18/17 FINANCE DIR. APPROVAL: \_\_\_\_\_

COUNCIL ACTION TAKEN: \_\_\_\_\_



Resolution No. 2017- 091  
April 18, 2017

RESOLUTION TO AMEND DISPATCH CONTRACT WITH  
WASHTENAW COUNTY TO ADJUST COST

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that:**

WHEREAS, the City entered into a contract for dispatch services with the County of Washtenaw, starting January 1, 2010, and

WHEREAS, there has been no adjustment of the cost of dispatch service for seven years, since January 1, 2010, and

WHEREAS, the County of Washtenaw has requested a cost increase of \$2,190 per year to \$75,190 per year, beginning July 1, 2017, and

WHEREAS, the service is necessary and City Council determines it in the best interest of the City,

NOW THEREFORE, the contract amendment is approved and the Mayor and City Clerk are authorized to sign the contract amendment for and on behalf of the City of Ypsilanti, subject to the approval of the City Attorney.

OFFERED BY: \_\_\_\_\_

SUPPORTED BY: \_\_\_\_\_

YES:            NO:            ABSENT:            VOTE:



JERRY L. CLAYTON  
SHERIFF

# WASHTENAW COUNTY OFFICE OF THE SHERIFF

2201 Hogback Road ♦ Ann Arbor, Michigan 48105-9732 ♦ OFFICE (734) 971-8400 ♦ FAX (734) 973-4624 ♦ EMAIL [sheriff@ewashtenaw.org](mailto:sheriff@ewashtenaw.org)



MARK A. PTASZEK  
UNDERSHERIFF

February 22, 2017

CV 32630.1

Amanda Edmonds, Mayor  
City of Ypsilanti  
1 South Huron Street  
Ypsilanti, MI 48197

Dear Mayor Edmonds:

Washtenaw County wishes to amend the contract with your agency. Corporation Counsel has indicated that this amendment could be accomplished by a letter signed by both of us. If this amendment is agreeable to you, please sign and return all copies of this letter. You will receive an executed copy of this letter upon completion.

Accordingly, I hereby amend the Dispatch Services Contract between Washtenaw County and City of Ypsilanti dated December 21, 2009 as follows:

Amend ARTICLE II – COMPENSATION to extend the contract as follows:

Beginning July 1, 2017, upon the above Dispatch Services and submission of invoices, the City of Ypsilanti will pay the County an amount not to exceed Seventy Five Thousand One Hundred and Ninety dollars (\$75,190.00) per year. Price will be set until June 30, 2021

ATTEST:

WASHTENAW COUNTY

\_\_\_\_\_  
Lawrence Kestenbaum (DATE)  
County Clerk/Register

\_\_\_\_\_  
Gregory Dill (DATE)  
County Administrator

APPROVED FOR CONTENT:

CONTRACTOR

\_\_\_\_\_  
Jerry. L. Clayton (DATE)  
Washtenaw County Sheriff

Accepted by \_\_\_\_\_  
Amanda Edmonds (DATE)  
Mayor

Original: Clerk  
Vendor  
cc: Sheriff's Office  
Purchasing



SERVICE AGREEMENT  
City of Ypsilanti

AGREEMENT is made this 21<sup>st</sup> day of December, 2009, by the City of Ypsilanti located at One, South Huron Street, Ypsilanti, Michigan 48197 ("City") and the COUNTY OF WASHTENAW, a municipal corporation, with offices located in the County Administration Building, 220 North Main Street, Ann Arbor, Michigan 48107 ("County").

In consideration of the promises below, the parties mutually agree as follows:

ARTICLE I - SCOPE OF SERVICES

The COUNTY, through its Sheriff's Office ("WCSO") will provide dispatch services for the Ypsilanti Police Department ("YPD"). These services will be provided at the same level of quality, timeliness and customer service as any call for service currently handled by the WCSO.

Upon full execution of this Agreement, 9-1-1 emergency calls currently directed to YPD dispatch shall be directed to WCSO Central Dispatch. Other Ypsilanti calls for service will be answered at YPD. Should a call to YPD require a police response, YPD will immediately transfer the call to WCSO Central Dispatch.

ARTICLE II - COMPENSATION

Upon completion of the above services and submission of invoices the City of Ypsilanti will pay the COUNTY an amount not to exceed seventy-three thousand (\$73,000.00) per year, payable in monthly installments of \$6,083.33 per month. In addition, the parties agree that the WCSO shall receive the Public Safety Answering Point ("PSAP") funding previously directed to the YPD. The amount charged by the County to the City of Ypsilanti for services under this Agreement shall not increase or decrease for the first four (4) years of the Agreement. After that time, the amount charged by the County to YPD shall not increase or decrease by more than 5% per year.

ARTICLE III - TERM

This contract begins on January 1, 2010 and continues until terminated by one of the parties pursuant to Article XI below.

ARTICLE IV - PERSONNEL MATTERS

The parties agree that as part of this Agreement, the County shall hire four (4) full-time dispatchers currently employed by YPD. Once retained, these employees shall become Washtenaw County employees. Each person who is hired by the County will be required to pass a background check. In addition, each prospective employee is subject to a one-year probationary employment period and must meet all other job performance requirements of a newly hired County dispatcher. The four YPD dispatchers will be hired by the County in order of their seniority at YPD. No other seniority adjustments for these individuals will be made in

consideration of their YPD service. Upon successfully completing the County's probationary period, these employees' seniority calculations will be based solely on the date of hire by the County. The County will set wages and benefits for these employees consistent with its existing employment practices and collective bargaining agreements without regard to YPD benefit eligibility or pension status.

The County will exercise good faith efforts to hire the YPD dispatchers during the month of January, 2010.

#### ARTICLE V-DISPATCH EQUIPMENT

As soon as the WCSO begins dispatching services under this Agreement, YPD will maintain minimal radio communications capability and will not upgrade its dispatch center with the full dispatch console as originally planned for in the 800 MHz digital upgrade in 2010. Should the County decide at a future date to discontinue the WCSO's dispatch services to the YPD, the County will pay for the restoration of full dispatch capability to YPD, by providing YPD all the necessary equipment equal to the standards of the equipment in use at Washtenaw Central Dispatch at the time of the decision. This includes one communication console, telephony, call recorder and all necessary connectivity.

#### ARTICLE VI-INDEMNITY

To the extent permitted by Michigan law, the County shall indemnify and hold the City of Ypsilanti harmless from and against all actions, liabilities, demands, costs and expenses, including court costs and attorney fees, which may arise due to the County's negligent, grossly negligent and/or intentional acts or omissions under this Agreement.

To the extent permitted by Michigan law, the City shall indemnify and hold Washtenaw County harmless from and against all actions, liabilities, demands, costs and expenses, including court costs and attorney fees, which may arise due to the City's negligent, grossly negligent and/or intentional acts or omissions under this Agreement.

#### ARTICLE VII-INSURANCE

The County will maintain at its own expense during the term of this Contract, the following insurance:

1. Workers' Compensation Insurance with Michigan statutory limits and Employers Liability Insurance with a minimum limit of \$100,000 each accident for any employee.
2. Commercial General Liability Insurance with a combined single limit of \$1,000,000 each occurrence for bodily injury and property damage. The City shall be added as "additional insured" on the general liability policy with respect to the services provided under this contract.
3. Automobile Liability Insurance covering all owned, hired and non-owned vehicles with Personal Protection Insurance and Property Protection Insurance to comply with the provisions of the Michigan No Fault Insurance Law, including

residual liability insurance with a minimum combined single limit of \$1,000,000 each accident for bodily injury and property damage.

#### ARTICLE VIII - EQUAL EMPLOYMENT OPPORTUNITY

The County will not discriminate against any employee or applicant for employment because of race, creed, color, sex, sexual orientation, national origin, physical handicap, age, height, weight, marital status, veteran status, religion and political belief (except as it relates to a bona fide occupational qualification reasonably necessary to the normal operation of the business).

The County will take affirmative action to eliminate discrimination based on sex, race, or a handicap in the hiring of applicant and the treatment of employees. Affirmative action will include, but not be limited to: Employment; upgrading, demotion or transfer; recruitment advertisement; layoff or termination; rates of pay or other forms of compensation; selection for training, including apprenticeship.

The County agrees to post notices containing this policy against discrimination in conspicuous places available to applicants for employment and employees. All solicitations or advertisements for employees, placed by or on the behalf of the County, will state that all qualified applicants will receive consideration for employment without regard to race, creed, color, sex, sexual orientation, national origin, physical handicap, age, height, weight, marital status, veteran status, religion and political belief.

#### ARTICLE IX - EQUAL ACCESS

The County shall provide the services set forth in Article I without discrimination on the basis of race, color, religion, national origin, sex, sexual orientation, marital status, physical handicap, or age.

#### ARTICLE X - ASSIGNS AND SUCCESSORS

This contract is binding on the City and the County, their successors and assigns. Neither the County nor the City will assign or transfer its interest in this contract without the written consent of the other.

#### ARTICLE XI - TERMINATION OF CONTRACT

Section 1 - Termination without cause. Either party may terminate the contract by giving one hundred and eighty (180) days written notice to the other party.

#### ARTICLE XII - CHANGES IN SCOPE OR SCHEDULE OF SERVICES

Changes mutually agreed upon by the City and the County will be incorporated into this contract by written amendments signed by both parties.

#### ARTICLE XIII - CHOICE OF LAW AND FORUM

This contract is to be interpreted by the laws of Michigan. The parties agree that the proper forum for litigation arising out of this contract is in Washtenaw County, Michigan.

ARTICLE XIV - EXTENT OF CONTRACT

This contract represents the entire agreement between the parties and supersedes all prior representations, negotiations or agreements whether written or oral.

ATTESTED TO:

WASHTENAW COUNTY

By:

*Lawrence Kostenbaum*  
Lawrence Kostenbaum  
County Clerk/Register

(DATE)

By:

*Robert E. Guenzel*  
Robert E. Guenzel  
County Administrator

(DATE)

APPROVED AS TO CONTENT:

CITY OF YPSILANTI

By:

*Jerry Clayton*  
Jerry Clayton

(DATE)

By:

*Paul V. Schuler*  
Paul V. Schuler  
City Attorney

(DATE)

APPROVED AS TO FORM BY

Approved as to Form

BY:

*Curtis N. Hedger*  
Curtis N. Hedger  
Office of Corporation Counsel

(DATE)

*Karl Seun*  
City Attorney

H: contracts/upsdispatch

**Print****Citizen Advisory Boards and Commissions Participation Resume - Submission #260****Date Submitted: 4/12/2017**

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\***

Ka'Ron Gaines

**Email Address\***

boomeranggaines911@gmail.com

**Address**

833 Armstrong

**City**

Ypsilanti

**State**

mi

**Zip Code**

48197

**Phone Number\***

586 738 8252

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

30

**Ward You Live In**

1

**Education**

diploma

**Occupation**

business owner

**Employer**

One God Clothing

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

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

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

To help serve my community.

**Work/volunteer experience related to the board or commission:**

I volunteer my time daily to community, going to the schools to talk to the youth, forums ect.

**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 #215****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\***

Heidi Frankenhauser

**Email Address\***

frankenhauser.heidi@gmail.com

**Address**

217 Oak St.

**City**

Ypsilanti

**State**

MI

**Zip Code**

48198

**Phone Number\***

773-807-8074

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

&lt;1

**Ward You Live In****Education**

M.A. Clinical Psychology; B.A. Psychology and Art

**Occupation**

Admin (Volunteer Coordinator for Veteran Peer Support Program)

**Employer**

University of Michigan

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

- |                                                                   |                                                                                              |                                                                             |
|-------------------------------------------------------------------|----------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| <input type="checkbox"/> Board of Review                          | <input type="checkbox"/> Economic Development Corporation/Brownfield Redevelopment Authority | <input type="checkbox"/> Property Maintenance Construction Board of Appeals |
| <input checked="" type="checkbox"/> Board of Ethics               | <input type="checkbox"/> Historic District Commission                                        | <input checked="" type="checkbox"/> Parks and Recreation Commission         |
| <input type="checkbox"/> Civil Service Commission                 | <input checked="" type="checkbox"/> Housing Commission                                       | <input type="checkbox"/> Ann Arbor Transit Authority                        |
| <input type="checkbox"/> YCUA                                     | <input type="checkbox"/> Human Relations Commission                                          | <input type="checkbox"/> Police and Fire Pension Board                      |
| <input type="checkbox"/> Ypsilanti Downtown Development Authority | <input type="checkbox"/> Planning Commission                                                 | <input type="checkbox"/> Sustainability Commission                          |

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

As a native Midwesterner and former resident of Washtenaw county—but also someone who recently returned from a few years of residence in the Pacific Northwest (Seattle specifically)— I have a unique perspective to offer our local county committees/boards.

More so, I am a mother committed to staying in this area and am invested in matters related to its progress.

**Work/volunteer experience related to the board or commission:**

I have experience working within academic, private, and nonprofit sectors, including work within community mental health populations of Washtenaw County, veteran populations, and with incarcerated citizens. In Seattle, I worked with homeless families and on issues related to housing stability, as well as, became involved in anti-racism initiatives. I have a breadth of experience working with many kinds of people and on issues pertaining to health, well-being, social justice, and the environment.

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

☒ Yes

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

☒ Yes



## REQUEST FOR LEGISLATION

April 18, 2017

**To:** Mayor and Council

**From:** Darwin D. P. McClary, City Manager

**Subject:** CLOSED SESSION – COLLECTIVE BARGAINING STRATEGY SESSION

---

### SUMMARY & BACKGROUND:

As council is aware, the collective bargaining agreements for all four of the city's bargaining units expire on June 30, and administration is preparing for collective bargaining with IAFF, COAM, POAM, and AFSCME. Administration is requesting to convene into closed session with council to discuss collective bargaining strategy pursuant to the Michigan Open Meetings Act so that council can provide clear direction regarding the bargaining process and issues.

Administration recommends that council members review the current collective bargaining agreements online at <http://cityofypsilanti.com/Archive.aspx?AMID=40> prior to the meeting. The April 18 meeting will primarily focus on the AFSCME contract.

**RECOMMENDED ACTION:** To convene into closed session for the purpose of considering collective bargaining strategy pursuant to the Michigan Open Meetings Act.

**ATTACHMENTS:** None

---

**CITY MANAGER APPROVAL:** DDPM

**COUNCIL AGENDA DATE:** 04/18/17

**CITY MANAGER COMMENTS:** Please review current AFSCME contract prior to the meeting.

**FISCAL SERVICES DIRECTOR APPROVAL:** \_\_\_\_\_



Resolution No. 2017 - 092  
April 18, 2017

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

WHEREAS, the collective bargaining agreements for all four of the City of Ypsilanti's bargaining units expire on June 30, 2017; and

WHEREAS, it is necessary for the City Council and city administration to meet and confer in closed session on collective bargaining strategy prior to engaging in contract negotiations;

NOW THEREFORE BE IT RESOLVED BY THE CITY OF YPSILANTI that the City Council does hereby approve convening into closed session pursuant to Section 8(c) of the Michigan Open Meetings Act, Public Act 267 of 1976, being MCL 15.268(c), for the purpose of strategy sessions connected with the negotiation of the IAFF, COAM, POAM, and AFSCME contracts.

OFFERED BY: \_\_\_\_\_

SUPPORTED BY: \_\_\_\_\_

YES:

NO:

ABSENT:

VOTE:



Resolution No. 2017-093  
April 18, 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, APRIL 18, 2017  
7:00 p.m.

**I. CALL TO ORDER –**

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

**II. ROLL CALL –**

|                           |         |                     |         |
|---------------------------|---------|---------------------|---------|
| Council Member Bashert    | Present | Council Member Robb | Present |
| Mayor Pro-Tem Brown       | Present | Council Member Vogt | Absent  |
| Council Member Murdock    | Present | Mayor Edmonds       | Absent  |
| 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. INTRODUCTIONS –**

**VI. AGENDA APPROVAL –**  
**The agenda was approved**

**VII. PRESENTATIONS -**

Ypsilanti Community Schools' millage proposal – Ben Edmondson, Superintendent

Peninsular Paper Dam Presentation and Dam Removal Study - Laura Rubin, Executive Director Huron River Watershed Council

- Resolution No. 2017-088, authorizing city administration to work with the Huron River Watershed Council to prepare the necessary bid specifications, bid advertisement, and cost sharing agreement.

**Offered By: Council Member Murdock; Seconded By: Council Member Richardson**

**Approved: Yes – 5; No – 0; Absent – 2 (Edmonds, Vogt)**

**VIII. AUDIENCE PARTICIPATION -**

**IX. REMARKS BY THE MAYOR –**

**X. RESOLUTIONS/MOTIONS/DISCUSSIONS –**

1. Resolution No. 2017-089, approving minutes of March 7, and March 21, 2017.  
**Offered By: Council Member Richardson; Seconded By: Council Member Bashert**  
**Approved: Yes – 5; No – 0; Absent – 2 (Edmonds, Vogt)**
2. Resolution No. 2017-090, awarding bid for ordinance abatement services to Premium Lawn Services and Classic Lawn Care and Building Maintenance.  
**Offered By: Council Member Robb; Seconded By: Council Member Bashert**  
**Approved: Yes – 5; No – 0; Absent – 2 (Edmonds, Vogt)**
3. Resolution No. 2017-091, approving dispatch services agreement with Washtenaw County.  
**Offered By: Council Member Bashert; Seconded By: Council Member Murdock**  
**Approved: Yes – 5; No – 0; Absent – 2 (Edmonds, Vogt)**

**XI. LIASON REPORTS –**

- A. SEMCOG Update
- B. Washtenaw Area Transportation Study
- C. Urban County
- D. Ypsilanti Downtown Development Authority
- E. Eastern Washtenaw Safety Alliance
- F. Police-Community Relations/Black Lives Matter Joint Task Force
- G. Friends of Rutherford Pool
- H. Housing Equity Leadership Team
- I. Economic Development Coordinating Committee

**XIII. COUNCIL PROPOSED BUSINESS –**

**XIV. COMMUNICATIONS FROM THE MAYOR –**

**XV. COMMUNICATIONS FROM THE CITY MANAGER –**

**XVI. COMMUNICATIONS –**

**XVII. AUDIENCE PARTICIPATION –**

**XVIII. REMARKS FROM THE MAYOR –**

Nominations:

**Economic Development Corporation**

Nathan Vogt (replacing Brett Lenart)  
Washtenaw County Brownfield Redevelopment Authority  
415 W. Michigan  
Ypsilanti, MI 48197

**Parks & Recreation Commission**

Cathy Thorburn (reappointment)  
1212 Sherman  
Ypsilanti, MI 48197  
Term Expiration: 5/1/2020

**Planning Commission**

Heidi Jugenitz (reappointment)  
33 Photo  
Ypsilanti, MI 48198  
Term expiration: 5/1/2020

Liz Dahl MacGregor (reappointment)  
103 N. Lincoln  
Ypsilanti, MI 48198  
Term expiration: 5/1/2020

**Human Relations Commission**

Ka'Ron Gaines (new appointment)  
833 Armstrong  
Ypsilanti, MI 48197  
Term expiration: 5/1/2020

**Ypsilanti Housing Commission**

Heidi Frankenhauser (Replacing Valerie Brannon)  
217 Oak  
Ypsilanti, MI 48198  
Term Expiration: 12/31/2018

**XIX. CLOSED SESSION –**

Resolution No. 2017-092, to approve convening into closed session pursuant to Section 8(c) of the Michigan Open Meetings Act, Public Act 267 of 1976, being MCL 15.268(c), for the purpose of strategy sessions connected with the negotiation of the IAFF, COAM, POAM, and AFSCME contracts.

**The meeting adjourned to Closed Session at 9:07 p.m.**

**XX. ADJOURNMENT -**

Resolution No. 2017-093, adjourning the City Council meeting.  
**The meeting adjourned at 9:42 p.m.**