

1. Council Meeting Agenda

Documents:

[05-16-17 AGENDA.PDF](#)

2. Council Meeting Packet

Documents:

[MAY 16TH COUNCIL PACKET.PDF](#)

3. Council Action Minutes

Documents:

[ACTION MINUTES 05-16-17.PDF](#)



(Revised May 15, 2017)

**CITY OF YPSILANTI
COUNCIL BUDGET SESSION AGENDA
COUNCIL CHAMBERS - ONE SOUTH HURON STREET
TUESDAY, MAY 16, 2017
6:00 P.M.**

I. CALL TO ORDER –

II. ROLL CALL –

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

III. INVOCATION –

IV. PLEDGE OF ALLEGIANCE –

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

V. AGENDA APPROVAL-

VI. AUDIENCE PARTICIPATION -

VII. REMARKS FROM THE MAYOR –

VIII. PUBLIC HEARINGS –

Ordinance 1288

1. An Ordinance to Repeal Article II of Chapter 114 "TAXICABS" of the Ypsilanti City Code and Replace with "LIMOUSINE, TAXICAB, AND TRANSPORTATION NETWORK COMPANY."
 - A. Resolution No. 2017-112, determination.
 - B. Open public hearing.
 - C. Resolution No. 2017-113, close public hearing.
2. Resolution approving a Brew Pub License for Cool Holdings Inc., at 207 W. Michigan Ave.
 - A. Resolution No. 2017-113A, determination.
 - B. Open public hearing.
 - C. Resolution No. 2017-113B, close public hearing.

IX. MOTIONS, RESOLUTIONS, DISCUSSIONS -

1. Resolution No. 2017-114, approving minutes of April 4th, April 18th, April 27th, and May 4th, 2017. (Clerk)
2. Resolution No. 2017-115, rescinding Resolution No. 2017-084, the homestead certificate resolution for 705 Franklin, and adopt a new facility certificate resolution, and approving . (Community Development)
3. Resolution No. 2017-116, recognizing July as Park and Recreation Month in the City of Ypsilanti. (Community Development)

X. PRESENTATIONS OF DEPARTMENT BUDGETS –

General Fund Revenues and Non-General Funds Expenditures Review/Questions (FY 2016-2017 and FY 2017-2018)

Marilou Uy, Fiscal Services Director

- Finance – Pages 118-119
- Assessing – Page 123
- Friends Groups (Senior Center, Nutrition Services & Parkridge Community Center, PCC Foundation, Recreation-Swimming Pool) Pages 158-161, 163-164
- Vacation & Sick Payout– Page 171
- MTT and Chargebacks – Page 172
- Transfer and Contributions – Page 173
- General Obligation and Water Sewer Bonds
 - G.O. Bonds – Pages 247 – 259, 300 - 303
 - W&S Bonds – Pages 260 - 261, 292 - 295, 298 - 299, 304 - 324
 - DDA 2004A Bonds (473) Pages 296 - 297
- Economic Development Corporation (415) – Pages 287 -291
- Public Transit Fund (588) – Pages 330 – 332
- Workers’ Compensation Fund (677) – Pages 342 - 348
- Fire & Police Pension Fund (732) – Pages 349 - 354
- Retirees’ Benefits Fund (736) – Pages 355 - 360
- Motorpool Replacement Schedule and Cash Flow (641) – Pages 333 – 341

Darwin D. P. McClary, City Manager

- Administration Pages 116
- Community Services Page 117
- Attorney-Personnel Litigation Page 130
- Human Resources – Page 131
- Unemployment – Page 171
- Wrap-up

John Kaczor, Municipal Analytics, LLC

- Five year projection July 1, 2017 to June 30, 2023

IX. AUDIENCE PARTICIPATION –

XI. REMARKS FROM THE MAYOR –

XII. CLOSED SESSION –

Resolution No. 2017-117, 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.

XI. ADJOURNMENT -

Resolution No. 2017-118, adjourning the City Council Meeting.



(Revised May 15, 2017)

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

**REQUEST FOR LEGISLATION**

DATE: April 20, 2017

FROM: John M. Barr, Ypsilanti City Attorney

SUBJECT: Taxicab Ordinance

**SUMMARY/BACKGROUND**

A new state taxicab law went into effect on March 21, 2017. MCL 257.2101. This new law "pre-empts the field" and gives almost all authority over taxicabs to the state. Local governments are prohibited from regulating taxicabs, except to the extent that the taxicab violates state law.

Thus, the city may no longer license or inspect taxicabs or collect license fees.

Accordingly, I have prepared legislation to repeal the ordinances of the City of Ypsilanti relating to taxicabs. This legislation follows the model established by the City of Grand Rapids.

ATTACHMENTS: Proposed Ordinance

RECOMMENDED ACTION: Adoption of the ordinance

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DATE RECEIVED: \_\_\_\_\_ AGENDA ITEM NO. \_\_\_\_\_

CITY MANAGER COMMENTS:

FOR AGENDA OF: \_\_\_\_\_ FINANCE DIR. APPROVAL \_\_\_\_\_

COUNCIL ACTION TAKEN:

S:\Clerk's Office\CITY COUNCIL MEETINGS\CITY COUNCIL MEETINGS\2017 City Council Meetings\05-16-17\1 - Taxi\1 - RFL repeal taxicab ordinance 030517.doc





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

May 12, 2017  
Page 2

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RESOLUTION NO. 2017-112  
May 16, 2017

RESOLUTION TO APPROVE an ordinance to Repeal Article I and II of Chapter 114 "Vehicles for Hire" of the Ypsilanti City Code and Replace with Limousine, Taxicab, and Transportation Network Company Ordinance

IT IS RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that: An Ordinance entitled: An ordinance to Repeal Article I and II of Chapter 114 "Vehicles for Hire" of the Ypsilanti City Code and Replace with Limousine, Taxicab, and Transportation Network Company Ordinance, Be approved on first reading.

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

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

YES:            NO:            ABSENT:            VOTE:



**CITY OF YPSILANTI  
NOTICE OF ADOPTED ORDINANCE  
Ordinance No. 1288**

An Ordinance to Repeal Article II of Chapter 114 "TAXICABS" of the Ypsilanti City Code and Replace with "LIMOUSINE, TAXICAB, AND TRANSPORTATION NETWORK COMPANY."

**1. THE CITY OF YPSILANTI HEREBY ORDAINS** that Article II of Chapter 114 "TAXICABS," of the Ypsilanti City Code are hereby REPEALED as follows:

~~ARTICLE II. TAXICABS~~

~~DIVISION 1. GENERALLY~~

~~Sec. 114-31. Definitions.~~

~~The following words and phrases shall, for the purpose of this article, have the meanings respectively ascribed to them in this section, except where the context clearly indicates a different meaning.~~

~~Cruising means the movement of a taxicab without passengers over the public streets in search of, or soliciting prospective passengers for hire, except that unoccupied taxicabs proceeding to answer a telephone call for taxicab service from an intending passenger, and taxicabs returning by the most direct route, after having discharged a passenger or passengers, to the garage where such taxicab is housed or to the unoccupied stand nearest to the place of discharge of the passenger or passengers, shall not be considered to be cruising.~~

~~Driver means any person who operates a taxicab.~~

~~Group riding means the situation in which more than one person constitutes a party of passengers who make common use of a taxicab during all or part of a trip.~~

~~Meter control switch means a mechanical or electronic device, switch or mechanism which starts the operation of the taximeter.~~

~~Owner means any person to whom a taxicab is registered by the state department of state.~~

~~Rate card means the card issued by the city manager to a taxicab owner for display within each taxicab for which a license has been issued, describing the schedule of fares charged by such taxicab.~~

~~Taxicab means a licensed public motor vehicle for hire which is designated and constructed to seat not more than ten persons and which is operated as a common carrier on call or demand. The term "taxicab" shall not include vehicles furnishing mass transportation services, vehicles employed solely for transporting school children, chartered buses or vehicles used solely for funerals, weddings, christenings and similar events.~~

~~Taxicab stand means a fixed area in the roadway which is set aside for taxicabs to stand or wait for passengers.~~

~~Taximeter means any mechanical or electrical instrument or device by which the charge for hire for a taxicab is mechanically or electronically calculated, on which such charge is plainly indicated.~~

~~Waiting time means the time when a taxicab is not in motion from the time of acceptance of the passenger or passengers to the time of discharge but shall not include any time that the taxicab is not in motion if such is due to the necessary obedience of traffic signals. Waiting time is to include stopping at traffic lights, train crossings and any other stoppings required by law other than those which require the driver to come to a complete stop and then proceed, such as with stop signs. Waiting time shall not include any time the taxicab is not in motion if such is due to the inefficiency of the taxicab or its driver.~~

~~Sec. 114 32. — Enforcement.~~

~~Any member of the police department shall have the right at any reasonable time, after displaying proper identification, to enter into or upon any taxicab for the purpose of ascertaining whether or not any of the provisions of this article are being violated.~~

~~Sec. 114 33. — Complaints regarding operators, owners or drivers.~~

~~Any person being aggrieved by reason of the conduct or action of any taxicab owner or driver may present his complaint to any police officer. Such complaint shall be promptly investigated by the police department and the license of any person complained of may be suspended by the chief of police or revoked by the city manager after such investigation.~~

~~Sec. 114 34. — Penalties.~~

~~(a) Generally. Any person who shall violate any provision of this article shall be deemed guilty of a misdemeanor and upon conviction thereof, punished as provided in section 1-15. Each day that a violation is permitted to exist shall constitute a separate offense. The imposition of any sentence shall not exempt the offender from compliance with the requirements of this article.~~

~~(b) Additional penalties. The suspension or revocation of a license shall not prohibit the institution of criminal prosecutions for the violations of the provisions of this article or any other law. Neither shall the institution of criminal prosecutions for any such violations or the acquittal or conviction of any person thereunder prevent the suspension or revocation of a license or licenses by the city manager hereunder.~~

~~Sec. 114 35. — Property left or lost in vehicle.~~

~~If a person who was a passenger in any vehicle for hire discovers he is missing any article that was being transported in a taxicab in which he was riding, such person shall first call the company, partnership or person owning such vehicle and inquire as to whether the goods were found. If the owner has no record of finding the materials, then such person shall call the police and report such items missing. Such person shall then comply with all rules relating to lost or stolen goods as promulgated by the city or the state.~~

~~Sec. 114 36. — Passenger to pay fare; intent to defraud.~~

It shall be unlawful for any person to refuse to pay the legal fare after hiring the taxicab. It shall be unlawful for any person to hire any taxicab with intent to defraud the operator or driver of the value of such service.

~~Sec. 114-37. Payment of fares in advance.~~

~~Every driver shall have the right to demand payment of the legal fare in advance, and may refuse employment until so prepaid, but no driver shall otherwise refuse or neglect to convey any orderly person or persons upon request anywhere in the city unless previously engaged or unable to do so.~~

~~Sec. 114-38. Loitering.~~

~~It shall be unlawful for any person other than the driver or owner of a taxicab or motor vehicle for hire to stand upon the public streets, to loiter at, within or near such vehicle.~~

~~Sec. 114-39. Use of taxi stands.~~

~~It shall be unlawful for taxicabs not licensed to operate in the city to occupy or park at areas designated as "taxi stands."~~

## ~~DIVISION 2. LICENSES~~

### ~~Subdivision I. In General~~

### ~~Subdivision II. Owner's License~~

~~Sec. 114-61. Required.~~

~~No person shall operate or permit to be operated any taxicab within the city for the purpose of obtaining fare-paying passengers within the city, without first having obtained a license therefor from the office of the city manager or his designee.~~

~~Sec. 114-62. Issuance to registered owner of vehicle.~~

~~The only person to whom a license can be issued is the person registered as the owner of the vehicle by the state secretary of state.~~

~~Sec. 114-63. Application procedures.~~

~~(a) Any person applying to the city manager's office for a license for the operation of one or more taxicabs shall file with the city manager's office a sworn application thereof, in triplicate, on forms provided by the city manager's office containing as follows:~~

- ~~(1) The name and business address of the applicant. In the event the applicant is a copartner or a corporation, certified copies of the certificate of co-partnership, or articles of incorporation, must accompany the application;~~
- ~~(2) The number of vehicles actually owned and the number of vehicles actually operated as taxicabs by such applicant on the date of such application, if any;~~
- ~~(3) The number of vehicles for which a license is desired;~~
- ~~(4) The make, type, year of manufacture, serial number, engine number and passenger seating capacity of each taxicab for which application for a license is made. A copy of a valid vehicle registration issued by the state secretary of state shall be attached for each vehicle;~~

- (5) Evidence satisfactory to the city manager's office that the applicant, if granted a license required for the operation of a taxicab or taxicabs, will be equipped to, or affiliated with persons equipped to maintain and furnish 24-hour call and dispatching service for seven days per week, 52 weeks per year;
- (6) A copy of the automobile insurance policy covering each vehicle for which a license is requested, providing personal liability coverage and property protection insurance to comply with the provisions of the state no-fault insurance act. All policies shall be accompanied by a commitment from the insurer that such policies will not be cancelled without at least 30 days prior written notice to the city;
- (7) A financial statement of the applicant covering the applicant's last fiscal year immediately preceding the filing of the application, prepared by a certified public accountant;
- (8) The names and addresses of three local business references who have known the applicant for one or more years;
- (9) Whether there are any unpaid or unbonded judgments of record against the applicant, and if so, the title of all actions and the amount of all judgments unpaid or unbonded, and the court in which the judgments were rendered;
- (10) The color scheme insignia which will be used to designate all vehicles of applicant;
- (11) Any other information as the city manager in his discretion, may desire.

(b) The city manager's office shall at all times keep on file a complete list of all such applicants filed which shall be a matter of public record.

#### Sec. 114-64. — Public hearing.

Upon the filing of a complete application, the city manager shall fix a time and place for public hearing upon such application, no later than 30 days following the receipt of all required materials. Notice of such hearing shall be given to the applicant and to all persons who currently hold valid licenses. Reasonable notice shall also be given to the general public by inserting a notice of such hearing at least ten days in advance of such hearing in the official city newspaper. Any interested person may file with the city manager's office a memorandum of support or opposition to the issuance of the license.

#### Sec. 114-65. — Grant or denial of license.

Upon filing of the application for a taxicab license the city manager shall transmit the application to the chief of police who shall cause an investigation to be made of the character, fitness and qualifications of the applicant and the safety and fitness of the vehicle proposed to be licensed. Upon the completion of the investigation, the chief of police shall transmit the application together with his written recommendations and the reasons therefor to the city manager's office. Once the public hearing has been had and the police investigation is completed, then if, in the opinion of the city manager, the applicant is suitable and the vehicle proposed to be licensed is suitable, then the city manager may grant such license or licenses. The decision of the city manager denying the license is subject to review by city council upon a written request filed by the applicant within 30 days of receipt of the notice of denial.

#### Sec. 114-66. — Issuance of licenses.

~~Licenses granted by the city manager shall be issued by the city clerk upon payment of the fees hereinafter required, provided that the applicant has deposited with the city clerk proof of insurance as required in this article.~~

~~Sec. 114-67. License expiration.~~

~~All licenses issued under the provisions of this article, unless sooner revoked as herein provided, shall expire at midnight following April 30 in each calendar year.~~

~~Sec. 114-68. Fee.~~

~~The applicant shall pay to the treasurer annually, the sum as set by resolution of the city council as a license fee.~~

~~Sec. 114-69. Assignment or transfer.~~

~~Licenses issued shall not be assignable or transferable, except, however, in the case of the death of any person owning a vehicle licensed hereunder, the city manager may, upon receipt of satisfactory evidence of such death, at the request of the deceased's personal representative, approve the transfer and validate by appropriate endorsement thereon, such license in the hands of the person in whose name title to such vehicle shall become vested through the deceased's personal representative. Where the licensee is a corporation, transfer of the controlling interest in the corporation shall be deemed to transfer the license issued hereunder and such transfer shall not be permitted.~~

~~Sec. 114-70. Issuance of memorandum certificate.~~

~~A memorandum certificate shall be issued by the city manager for each taxicab for which a license has been granted. Such memorandum certificate shall be displayed in a conspicuous place in the taxicab for which it is issued, at all times of operation, as evidence of the issuance of such license.~~

~~Sec. 114-71. Transfer of certificate vehicle to vehicle.~~

~~In the event the owner of a taxicab shall cease to own the taxicab, or in the event such vehicle shall become unsuitable for operation, an affidavit to such effect must be filed within 30 days with the city manager who shall transfer the certificate to any other taxicab belonging to such owner provided such taxicab is of the same class approved by the city manager. The license shall be transferred to a new vehicle immediately upon the affidavit being received by the city manager and the fee being paid as required herein. For every transfer of a license pursuant to this section, the city clerk shall collect from the applicant a fee as set by resolution of the city council.~~

~~Sec. 114-72. Renewal of license.~~

~~Upon application to the city manager and prior to the termination of each license year, a new license may be issued for the ensuing year provided:~~

- ~~(1) The owner thereof has complied with all the provisions of this article.~~
- ~~(2) The vehicle or vehicles for which the license is to be renewed have been found, after investigation and inspection by the police department to be in strict compliance with this article.~~

~~Sec. 114-73. Revocation of licenses.~~

~~(a) Conditions. Any licenses issued under this article may be suspended or revoked by the city manager whenever:~~

- ~~(1) Nonuse. Any person holding one or more licenses for taxicabs shall for a period of 60 consecutive days, fail to make a reasonable and consistent effort to operate any such taxicabs, except on account of any emergency over which the licensee has no control.~~
- ~~(2) Employment of unlicensed drivers. Any owner of any taxicab permits the taxicab to be driven for hire by anyone who is not a licensed driver, as provided for in subdivision IV of this division.~~
- ~~(3) Unsafe and unsanitary conditions. A taxicab is found not to be in a safe and sanitary operating condition.~~
- ~~(4) Unlawful use. Upon information that any unlawful use has occurred with the knowledge of the person owning the taxicab, or the knowledge of the operator of such taxicab, the city manager shall revoke the certificate for the taxicab involved or the driver's license of the driver involved, or both.~~
- ~~(5) Misrepresentation in obtaining license. It shall appear upon investigation and hearing by the city manager that a license issued hereunder has been obtained by misrepresentation.~~
- ~~(6) Improper or incorrect taximeter. Following a conviction for knowingly operating a taxicab with an improper or incorrect taximeter, it shall be mandatory for the city manager to revoke the license of the taxicab concerned. Providing, however, this provision shall not be considered as requiring the discharge of a passenger other than at his destination where a mechanical failure rendering the taximeter improper or incorrect shall occur during a trip for hire.~~
- ~~(7) Violations of article. The owner fails to operate the taxicab or taxicabs in accordance with the provisions of this article.~~

~~(b) Notice of hearing. No license shall be revoked unless and until due notice of hearing shall have been given to the holder of such license and such hearing is duly had thereon, and an opportunity to appear and be heard in his own defense has been afforded him.~~

~~(c) Change of ownership or title. Change of ownership of, or title to, any taxicab or taxicabs shall automatically revoke any license previously granted for the operation of such taxicab or taxicabs.~~

~~(d) Surrender of license. Any license which has been suspended or revoked by the city manager shall, together with the license bond plate issued for such taxicab, forthwith be surrendered to the city manager together with the corresponding memorandum certificate and rate cards, and the operation of any taxicab covered by such license shall cease.~~

~~Sec. 114-74. Change in ownership.~~

~~(a) In the event of any change of membership of any owner partnership, or change in officers or directors of any owner corporation, the company's license shall be deemed terminated unless within 30 days of such change or event new applications shall have been submitted on behalf of such new members or owners and approved as required herein for an original applicant. In case of death, see section 114-69.~~



~~(b) Any attempted sale or transfer of any company, proprietorship or corporation's license shall operate to revoke the license unless prior to such sale or transfer, the new purchaser or transferee shall have first applied for and been approved for an owner's license as required herein for an original applicant.~~

~~Sec. 114-75. — Penalty.~~

~~Any person operating or permitting to be operated for hire a taxicab without the registered owner having first obtained a license therefor as required in sections 114-61 through 114-71, or for which the license has been suspended or revoked, shall be guilty of a violation of this article and in the event of conviction such person shall, in addition to the penalties provided in section 114-34, not be granted a license for a period of three months for the first conviction and one year for a subsequent conviction.~~

~~Subdivision III. — Bondplate License~~

~~Sec. 114-86. — Required.~~

~~No person shall operate or permit to be operated any taxicab within the city without first having obtained a bondplate license for such taxicab and affixing to the taxicab so licensed a small metal plate, the largest dimension of which shall not be in excess of four inches by 12 inches, which shall bear the city license number of the vehicle licensed and shall show the expiration date of the license bondplate. The plate shall be bolted to the lower left corner of the trunk (deck) lid.~~

~~Sec. 114-87. — Inspection of vehicle.~~

~~Before a license bondplate is issued to any owner, a taxicab for which such bondplate is requested, its equipment and taximeter, shall be thoroughly examined and inspected by the police department to ascertain whether such taxicab, equipment and taximeter complies with this article and such rules and regulations as may be prescribed by the city manager.~~

~~Sec. 114-88. — Time of inspection; reinspection.~~

~~(a) All taxicabs having current bondplate licenses shall be presented for inspection at the city police department annually, between April 1—10. Any taxicab which does not pass the inspection may be presented once for re-inspection within 15 days of its first inspection day. In the event the taxicab fails the second inspection, a third inspection shall be scheduled by the police department for a date three months thereafter, at the convenience of the police department. Taxicabs which are placed into service following the April 1—10 inspection date shall be inspected by the police department upon appointment.~~

~~(b) Any taxicab which does not comply with the established procedure or which does not pass inspection shall be immediately withdrawn from service, and shall not be returned to service until such time as such vehicle has passed inspection.~~

~~(c) The fee for each re-inspection shall be the sum as set by resolution of the city council as a re-inspection fee.~~

~~Sec. 114-89. — Inspection criteria.~~

~~Inspection of vehicles shall include presentation and inspection of the following:~~

- ~~(1) A copy of the vehicle registration and insurance certificate must be in the vehicle to which it applies.~~

- (2) ~~A copy of the current taximeter certification.~~
- (3) ~~Equipment inspection required under this article shall include, but not be limited to:~~
- a. ~~The vehicle inspection number and license number must correspond with the information presented above.~~
  - b. ~~All lights must be operable, including the headlights, taillights, turn signals, high/low beams, back-up lights, inside dome light, dashboard lights, license plate lights and outside roof light.~~
  - c. ~~Tires must be at a proper pressure and have the proper tread.~~
  - d. ~~Footbrake and emergency brake working properly and safely.~~
  - e. ~~Steering working properly and safely.~~
  - f. ~~Rubber pads on all foot pedals.~~
  - g. ~~Defroster working properly.~~
  - h. ~~Heater working properly.~~
  - i. ~~Glass on vehicles may not have any breaks or cracks which may possibly impair visibility.~~
  - j. ~~Each vehicle must have a complete exhaust system and must be below a noise level of 95 decibels in a stationary test.~~
  - k. ~~There must be seat belts accessible for capacity allowed passengers.~~
  - l. ~~All doors operable and can be opened in a normal manner.~~
  - m. ~~The vehicle must be overall clean and sanitary and have no litter and no body damage which interferes with the safe operation of the vehicle.~~
  - n. ~~The colors and insignia must correspond with the information submitted to the city manager in applying for the owners license.~~
  - o. ~~There must be an outside driver's side rearview mirror and inside rearview mirror.~~
  - p. ~~The taximeter must be sealed with no signs that it has been tampered with.~~
  - q. ~~The taxi insignia light located on the outside roof of each vehicle must be directly wired to the taximeter, regardless of whether the taximeter is mechanically or electronically controlled, and the roof light must be lit whenever the meter is in operation.~~
- (4) ~~Any other information or documents or equipment which in the reasonable discretion of the police department is required for the safe operation of the vehicle and passengers or to comply with any provisions of this article must be provided.~~

**Sec. 114 90.— Expiration.**

~~All bondplate licenses issued under the provisions of this article, unless sooner revoked as herein provided, shall expire at midnight following April 30 in each calendar year.~~

**Sec. 114 91.— Fee.**

~~For the issuance of each bond plate license the applicant shall pay to the city clerk the sum as set by resolution of the city council together with a receipt from the police department verifying that the taxicab has passed inspection.~~

**Sec. 114 92.— Duplicate licenses.**

~~Upon paying the sum as set by resolution of the city council and furnishing proof by affidavit of the loss or destruction of a taxicab bondplate issued under the provisions of this article, the licensee shall be entitled to the immediate issuance of duplicates thereof. Such duplicates shall contain appropriate notations thereon that they are duplicates.~~

~~Sec. 114-93.—Transfer vehicle to vehicle.~~

~~(a) In the event the owner of a taxicab shall cease to own the taxicab, or takes the vehicle out of service, or in the event such vehicle shall fail to comply with the requirements of this article, an affidavit to that effect must be filed within 30 days with the city manager, who shall transfer the bondplate to any other taxicab belonging to such owner provided the owner has a current license under the provisions of this article, and the vehicle meets the inspection requirements listed in this article.~~

~~(b) The fee for such transfer of bondplate shall be as set by resolution of the city council if the transfer affidavit is filed prior to January 1, and or if the transfer affidavit is filed between January 2 and April 30.~~

~~Subdivision IV.—Driver's License~~

~~Sec. 114-106.—Required.~~

~~No person shall drive a taxicab within the city without first having obtained a taxicab driver's license from the city clerk, nor shall the owner of any taxicab permit the taxicab to be operated by anyone other than a licensed taxicab driver.~~

~~Sec. 114-107.—Qualifications of drivers.~~

~~Each application for driver's license must meet the following requirements:~~

- ~~(1) Be at least 18 years of age.~~
- ~~(2) Be of sound physique, with good eyesight and not subject to epilepsy, vertigo, heart trouble, or any other infirmity of body or mind which might render him unfit for the safe operation of a taxicab and shall not be addicted to the use of drugs or intoxicating liquors, as evidenced by a doctor's statement issued within three months of application date.~~
- ~~(3) Be able to read, write and speak the English language.~~
- ~~(4) Be clean in dress and person.~~
- ~~(5) Hold a chauffeur's license issued by the state.~~
- ~~(6) Shall furnish written verification of present employment by a taxicab company currently licensed to operate within the City of Ypsilanti.~~

~~Sec. 114-108.—Form of application.~~

~~Each applicant for a taxicab driver's license shall make application on forms to be provided by the chief of police, providing the following information:~~

- ~~(1) Full name.~~
- ~~(2) Current address and all places of residence for five years prior to the date of application.~~
- ~~(3) Date of birth, height, color of hair.~~
- ~~(4) Place of birth.~~
- ~~(5) Places of previous employment for five years.~~
- ~~(6) Whether he has previously been licensed as a taxicab operator. If yes, specify the following:~~
  - ~~a.—Dates.~~
  - ~~b.—Where.~~
  - ~~c.—Whether that license was ever suspended or revoked and for what cause.~~

- ~~(7) Production of valid state chauffeur's license and an indication of whether any state motor vehicle operator's permit or chauffeur's license has ever been suspended or revoked and the reason for such suspension or revocation.~~
- ~~(8) Such application statement shall be signed and sworn to by the applicant.~~
- ~~(9) The form shall have a notation that any false statement made by the applicant in applying for an operator's license shall invalidate the application issued by such applicant and will result in immediate revocation of any license issued subject to such application.~~

~~Sec. 114-109. Refusal of driver's license.~~

~~The chief of police may refuse to approve the application for an operator's license for any person:~~

- ~~(1) Whose state automobile operator's license or taxicab driver's license has been revoked, or has been suspended within two years prior to the date of application.~~
- ~~(2) Who has been convicted of a felony involving a motor vehicle within the last five years.~~
- ~~(3) Who has previously been convicted of driving an automobile resulting in death of any person.~~
- ~~(4) Who has been convicted of driving a motor vehicle while intoxicated.~~
- ~~(5) Who has accumulated from the state secretary of state's office nine or more points for hazardous moving violations.~~
- ~~(6) When, for any reason, including or other than the above, in the opinion of the chief of police, the applicant is unfit to drive a taxicab.~~

~~Sec. 114-110. Examination of driver.~~

~~(a) Should the chief of police find the applicant has satisfactorily complied with all the conditions of this article, he shall notify the city manager, or the manager's designee. Each applicant for a taxicab driver's license may then be examined in writing by a person designated by the city manager as to his knowledge of the provisions of this article, the traffic laws and regulations of the city and state, and the geography of the city.~~

~~(b) Additionally, each applicant may, if required by the police department or city manager, demonstrate his skill and ability to safely handle the vehicle while driving it through a crowded section of the city accompanied by an inspector from the police department.~~

~~(c) If the result of any of these examinations shall be unsatisfactory, the license shall be refused.~~

~~Sec. 114-111. Issuance.~~

~~(a) Upon the successful completion of the application process, the city manager shall authorize the city clerk to grant a taxicab driver's license to the applicant.~~

~~(b) The city manager shall notify the applicant of such approval and that he must supply the city clerk with two recent photographs of himself of a size which may be easily attached to the license, one of which shall be attached to the license when issued and one attached to the master personnel file kept by the city clerk.~~

~~(c) On the driver's license granted to the applicant there shall appear the driver's name, license number and photograph. Such card must at all times be displayed on the taximeter of the taxicab which the operator is driving.~~

~~Sec. 114-112.—Term of license.~~

~~Each driver's license shall expire on April 30 following the issuance thereof.~~

~~Sec. 114-113.—Fees.~~

~~The cost for a new driver's license and a duplicate license shall be as set by resolution of the city council.~~

~~Sec. 114-114.—Revocation and suspension.~~

~~(a) A driver's license may be suspended by the chief of police or revoked by the city manager if such driver shall use a taxicab for any immoral or illegal purpose, or if such driver is convicted of violation of the provisions of this article, or any state or federal law, or his license has been revoked or suspended by the state secretary of state. No suspension or revocation of a driver's license may be ordered until after a hearing is held by the chief of police, or the city manager, as the case may be, and such driver given an opportunity to appear and be heard in his defense. A suspension by the chief of police may be appealed to the city manager.~~

~~(b) Any taxicab operator or licensed taxicab driver who has received written notice from the city clerk that his license has been revoked or suspended and who refuses to surrender the licence, shall be deemed guilty of a violation of this article.~~

### ~~DIVISION 3.—OPERATION~~

~~Sec. 114-131.—Taximeters.~~

~~(a) Required. No person shall operate a taxicab unless such vehicle shall be equipped with a taximeter approved by the city manager, his agent and geared to the drive shaft and the transmission or in the rear of the transmission, and shall be wired directly to the taxi insignia light located on the outside roof of the vehicle. Such taximeter shall be kept in good working order at all times.~~

~~(b) Meter control switch. Every taximeter shall have thereon a meter control switch which shall be used when the vehicle is employed. It shall be the duty of the driver to switch such taximeter into a nonrecording position at the termination of each trip. It shall be the duty of each driver and owner to periodically examine the outside roof light of the vehicle when the taximeter is in the employed position to verify that the outside light is operating.~~

~~(c) Visibility. The taximeter is to be plainly visible. Every taximeter shall be so attached to the taxicab and the amount of fare to be charged shall be plainly visible at all times from the inside of the vehicle to all occupants of the vehicle. Whenever necessary for visibility the dial of the taximeter shall be illuminated.~~

~~(d) Inspection and sealing. The taximeter is to be inspected and sealed. No person owning and operating any taxicab shall offer or let the taxicab for hire unless the taximeter affixed thereto has been inspected and tested by the licensed taximeter repair facility designated by the city manager, or his designee, and found to calculate and register the fare correctly in accordance with the rates established by the city manager and the city council, and posted in the taxicab.~~

~~(e) Testing. The taximeter is to be tested every 12 months. It shall be the duty of the city manager or his designee to designate a licensed taximeter repair facility to inspect, test and seal~~

~~all taximeters used on taxicabs. Before a bondplate license described in section 114-86 is issued to any owner, the taximeter shall be thoroughly inspected, tested and sealed by such facility as provided in subsection (h) of this section, and a copy of the certification sent to the city manager's office or his designee. The city reserves the right to inspect taximeters for accuracy at any time.~~

~~(f) Inspection of complaint. There shall be an immediate inspection in the case of a complaint. In the event a complaint is made to the city manager, the chief of police or designee that any taximeter registered incorrectly or not in accordance with the rate card posted in the taxicab or not in accordance with the rate on file in the office of the city manager, it shall be the duty of the city manager or his designee to inspect the taximeter immediately.~~

~~(g) Inspection upon change of rates. There shall be an immediate inspection in the case of a change in rates. Whenever there is a change in the schedule of rates in which taximeters are altered, taximeters on the taxicab shall be adjusted to the new rates, and the taximeter inspected, tested and sealed by such licensed taximeter facility as provided in subsection (h) of this section, before the new rate becomes effective.~~

~~(h) Inspection facility. Taximeters shall be inspected. Every inspection shall include examination and inspection of the taximeter affixed to the taxicab, and the usual standards of measure possessed shall be used therein by the inspecting facility and it shall be the duty of such inspecting facility to seal all taximeters found correct and accurate within the tolerance of two percent in accordance with taximeter rates established in accordance with the law.~~

~~(i) Inaccurate taximeters. Inaccurate taximeters shall be reported to the city manager's office. If in the course of these inspections, such facility shall discover a taxicab with its taximeter not accurate, correct or not calculating and registering in accordance with the rates filed with the city manager and located in the taxicab, he shall not seal such taximeter.~~

~~(j) Inspection required for use of vehicles. Vehicle shall not be used until the taximeter is inspected. It shall be unlawful for the owner to operate or permit to be operated, any such taxicab until its meter has again been inspected and tested and found accurate and correct and registering in accordance with the rates filed with the city manager and posted in the taxicab and a seal thereto placed on the taximeter.~~

~~(k) Record of inspection. The city manager or his designee shall keep a record of the identification number of every taximeter and the date of inspection thereof on the books of his office.~~

~~(l) Breaking seal prohibited. Any owner, agent, employee, driver or operator maliciously breaking the seal placed by the licensed taximeter facility on the taximeter, or knowingly changing the calculation rate of the taximeter or any person operating a taxicab for hire in which the seal attached to the taximeter by the licensed taximeter facility is broken, shall be deemed guilty of a violation of this article.~~

~~(m) Tampering with rate charge. Any owner, agent, employee, driver or operator who knowingly alters the schedule of rates and/or mileage which is being calculated by the taximeter during the~~

trip, resulting in a higher fee being charged than permitted by the rate schedule for the number of miles or fractions thereof shall be deemed guilty of a violation of this article.

~~(n) License card holder. A license card holder shall be attached to the portion of the meter facing the rear seat of the taxicab.~~

~~(o) Penalties.~~

~~(1) Any owner, agent, employee, driver or operator who knowingly drives or operates a taxicab for hire to which is attached a taximeter which registers improperly, incorrectly, or not in accordance with the rate on file with the city manager and posted in the taxicab, or who knowingly tampers with the data being calculated by the taximeter pursuant to subsection (m) of this section, shall be guilty of a violation of this article. Provided, however, the provisions hereof shall not apply where the taxicab is completing a trip for hire during which a mechanical failure occurred, causing the taximeter to register improperly or incorrectly. Following such conviction it shall be mandatory for the city manager to revoke the license of the offender and/or the certificate of the vehicle concerned.~~

~~(2) Any driver who operates a taxicab for hire in the city with passengers in such taxicab without having activated the meter control switch of the taximeter to the "hired" position, and without having the overhead taxicab light illuminated, shall, upon detection, have his driver's license suspended by the city manager for a period of three days for the first offense; ten days for the second offense, and revocation for the third offense.~~

~~Sec. 114-132. Conduct and duties.~~

~~(a) Appearance. Drivers of taxicabs shall be clean in dress and in person at all times while operating a taxicab.~~

~~(b) Number of passengers. Limited to seating capacity. It shall be unlawful for the owner or driver of a taxicab or motor vehicle for hire to permit such vehicle to be occupied by more persons than the number specified as the seating capacity of such vehicle; provided that children under the age of two years who are held by another passenger shall not be counted in determining the number of occupants.~~

~~(c) Unauthorized passengers prohibited. Whenever any taxicab is occupied by fare-paying passengers, or by members of a party of a fare-paying passenger, the driver of such taxicab shall permit no other person to occupy or ride in such taxicab, except a student driver, to be schooled for a period of one week upon approval in writing on a form provided by the taxicab company signed by the chief of police. A student driver must have a pending application for a driver's license.~~

~~(d) Persons riding with driver. No person other than the paying passengers shall be permitted to occupy the seat with the driver of a taxicab. However, nothing in this section shall be so construed to prohibit a student driver from riding on the front seat with the driver of the taxicab.~~

~~(e) Deception of passengers. No driver shall deceive or attempt to deceive any passenger who may ride in his taxicab, or who may desire to ride in such taxicab as to his destination or the rate of fare to be charged or shall convey any passenger, or cause him to be conveyed, to a place other~~

than one directed by him, and in no event shall any operator take a longer route to the destination than necessary unless so requested by the passenger or passengers.

~~(f) Smoking prohibited. No driver of a taxicab shall have in his possession a lighted cigarette, cigar or pipe while any passenger is being carried therein.~~

~~(g) Property lost or left in vehicles. Every driver of a taxicab, immediately after the termination of any hiring or employment, shall carefully search such taxicab for any property lost or left therein, and any such property, unless sooner claimed or delivered to the owner, must be taken to the police station and deposited with the officer in charge of the station to whom a report shall be made with brief particulars and description of the property. The provisions of this section shall not apply in case a profit corporation or a nonprofit corporation composed of members engaged in the taxicab business shall have a regularly established lost and found department, in which case such property must be kept subject to the call of the owner for at least 30 days, at the end of which time it shall be turned over to the police department to be disposed of in accordance with the law.~~

~~(h) Most direct route. Any taxicab driver employed to transport passengers to a definite point shall take the shortest and most direct route possible that will carry that passenger to his destination safely and expediently.~~

~~(i) Trip sheet. Each driver shall maintain a daily trip sheet upon forms which shall be furnished to the driver by the owner and shall be of a character approved by the city manager. The driver shall record all trips made each day, showing the date, time, place of origin and destination of each trip and the amount of fare and the mileage from the odometer; and all such trip sheets shall be returned to the owner by the driver at the conclusion of his tour of duty. The owner shall be required to retain and preserve all driver's trip sheets in a safe place for at least one full calendar year, which sheets shall be subject to inspection at reasonable times by the city manager, or his duly authorized representatives. Failure to record such information or any false location or misrepresentation of the information required shall be a violation of this article.~~

~~(j) Hours of work. No taxi driver shall drive, or be permitted to drive, or to be on duty for more than 12 hours in any one day or more than 72 hours in any one week.~~

~~(k) Display of licenses. All drivers shall display their taxicab drivers license in the card holder attached to the taximeter. Failure to display such license shall be a violation of this article.~~

~~Sec. 114-133.— Solicitation, acceptance and discharge of passengers.~~

~~(a) Solicitation of passengers by driver. No driver shall solicit passengers for a taxicab except when sitting in the driver's compartment of such taxicab or while standing immediately adjacent to the curb thereof. The driver of any taxicab shall remain in the driver's compartment or immediately adjacent to his vehicle at all times when such vehicle is upon the public street, except that, when necessary, a driver may be absent from his taxicab for not more than ten consecutive minutes, and provided further that nothing herein contained shall be held to prohibit any driver from alighting to the street or sidewalk for the purpose of assisting passengers into or out of such vehicle.~~



~~(b) Prohibited solicitation. No driver shall solicit patronage in a loud or annoying tone of voice or by sign or in any manner annoy any person or obstruct the movement of any persons, or follow any person for the purpose of soliciting patronage.~~

~~(c) Receipt and discharge of passengers on sidewalk only. Drivers of taxicabs must not receive or discharge passengers in the roadway but shall pull up to the right hand sidewalk as nearly as possible or in the absence of a sidewalk, to the extreme righthand side of the road and there receive or discharge passengers except upon one way streets where passengers may be discharged at either the right or left hand sidewalk, or side of the roadway in the absence of a sidewalk.~~

~~(d) Cruising. No taxicab while awaiting employment by passengers shall stand on any public street or place other than that upon a public taxicab stand, designated or established in accordance with this article, nor shall any driver of such taxicab seek employment by repeatedly and persistently driving his taxicab to and fro in a short space before or by otherwise interfering with the proper and orderly access to or egress from of public gathering or in any other manner obstructing or impeding traffic, but any taxicab may solicit employment by driving through any public street or place without stops other than those due to obstruction of traffic and at such speed as not to interfere with or impede traffic and may pass or repass before any theater, hall, hotel, public resort, railway station or other place of public gathering; provided, that after passing such public place he shall not turn and repass until he shall have gone a reasonable distance.~~

~~(e) Solicitation of other common carrier passengers prohibited. No owner, driver or any other person shall solicit patronage or persons assembled at the termini of any other common carrier, when such persons have assembled for the purpose of using the service of such common carrier. Nothing herein contained shall be construed to prohibit or interfere with response to any call for a taxicab made by a signal from a pedestrian.~~

~~(f) Acceptance of additional passengers prohibited. Whenever any taxicab is occupied by a passenger or passengers, the driver shall not permit any other person to occupy or ride in such taxicab, except by specific consent of the original passenger or passengers.~~

~~(g) Operation along route prohibited. No owner or driver of a taxicab shall cause or permit such taxicab or taxicabs to be operated along routes in a manner similar to that of mass transportation vehicle operating along definite routes or between specific termini. Any owner or driver who operates, causes to be operated, or permits to be operated, any taxicab or taxicabs persistently and repeatedly to and fro, round, or in the vicinity of any theater, railroad station, hotel or any other place of public gathering, or repeatedly along a street when there is, nearby, a suitably located taxicab stand or stands shall be construed to be operating such taxicab or taxicabs along routes and such operation is hereby prohibited.~~

~~(h) Refusal to carry orderly passengers prohibited. No driver shall refuse or neglect to convey any orderly person or persons, upon request, unless previously engaged or unable or forbidden by the provisions of this article to do so.~~

~~Sec. 114-134. — Unlicensed driver.~~

It shall be unlawful to permit, and it shall be unlawful for any unlicensed driver or any driver whose license has been suspended or revoked to operate any taxicab in the city while such suspension or revocation exists.

~~Sec. 114-135.—Refusal to carry fare.~~

~~Any owner, taxicab company or driver who willfully declines to carry any person because of race, creed, color or sex and is found guilty of such action shall be guilty of a misdemeanor and punishable as provided in section 1-15. Any party found guilty of a violation of this provision shall be liable for all court costs and attorney fees incurred by the city in prosecuting such violation. Any person suing for violation of this section shall be entitled to two separate causes of action; one against the driver, and another against the company owner. Any person who is successful shall be entitled to a maximum recovery as listed above.~~

~~Sec. 114-136.—Rates of fare.~~

~~No owner or driver of a taxicab shall charge a greater sum for the use of a taxicab than is in accordance with the following rates:~~

~~(1) Individuals:~~

~~a.— Mileage rates: \$1.75 for flag drop and \$0.25 per one seventh mile or fraction thereof (\$1.75 per mile).~~

~~b.— Waiting time: \$0.15 for each 36 seconds of waiting time or fraction thereof.~~

~~(2) Groups. When two or more parties or passengers are transported under group riding from a common point or origin, driver shall first deliver by the most direct route the party whose destination is closest to the point where the trip began. The driver shall then deliver the party whose destination is closest to the point where the first party was discharged, etc. The following rates shall apply on such cases:~~

~~a.— The charge for the first passenger or party to be discharged shall be the meter reading at the point of discharge. The driver then must clear the reading on the meter and reset it for a new trip. The second party to be discharged shall then pay the meter reading at the point where it was discharged. The driver must again clear the reading on the meter and reset it for a new trip for the third party. The same procedure must be followed each time a party is discharged.~~

~~b.— Nothing in this section is to be construed as to permit resetting the meter when individual persons who are part of the same party are discharged or picked up at different destinations.~~

~~(3) Hourly rate. If a taxi is hired by the hour, the rate shall be \$15.00 per hour. A minimum charge shall be \$7.50. All time charged above the first hour shall be charged at one-quarter hour increments.~~

~~(4) Rate card. Each taxicab shall have posted in it in a conspicuous place a card on which shall be printed in legible type the rates of fare provided for herein. Such rate cards shall contain the name of the vehicle owner, the license number on the bondplate, the date of issuance and the date of expiration.~~

~~(5) Fare receipt. The driver of a taxicab or motor vehicle for hire shall, if requested, deliver to the person paying for the hire of a taxicab or motor vehicle at the time of payment, a receipt therefor. Upon this receipt shall be legibly printed or written the name of the~~

owner, a method of identifying the vehicle or its driver, all items for which the charges are made, the total amount paid and the date of payment.

- (6) ~~Changes in amount of fare. The city council may modify the rates herein established. No rate exceeding the schedule established by the city council may be charged. However, if a taxicab board shall be created, it shall set the rates of fare which may be appealed to the city council.~~
- (7) ~~Disputes over fare. All disputes as to the lawful rate of fare shall upon the request of the driver or passenger of a taxicab be determined by the police officer in charge of the city police station at the time of the dispute. The decision of this police officer shall be final and both parties shall comply with this determination.~~

~~Sec. 114 137. Taxicab stands.~~

~~(a) Location. The city manager may, from time to time, designate certain locations on public streets in the city as public taxicab stands and shall specify the number of taxicabs that shall be permitted to stand at any such place. The traffic and transportation department shall cause to be attached to a post or stanchion a metal sign which shall state the number of taxicabs which may be permitted to stand within five feet of any crosswalk or within five feet of any building entrance. The last named limitation shall be determined by measuring five feet on either side of a point at the curb opposite the door of entrance to the building. The city manager may establish additional stands for night use only. Nothing in this article shall be construed as prohibiting the parking or standing of taxicabs where parking is permitted other than authorized taxicab stands when such taxicab is not being used in the soliciting of business. No taxicab shall be permitted to park any nearer than a radius of a block from any taxicab stand except on such stand.~~

~~(b) Standing on private property. Parking or standing on private property for the purpose of soliciting taxicab business within one block of a stand is prohibited excepting that this prohibition shall not apply to the use of land under the control of the New York Central Railroad Company or Great Lakes Greyhound Bus Line.~~

~~(c) Use of stand. Only taxicabs licensed to operate in the city may occupy or park in taxicab stand areas. Only taxicabs in such numbers as are set forth on the metal sign hereinbefore referred to, may remain at such stand while waiting for employment and they must be parked in single file. The taxicab standing at the head of such parked line shall not be permitted to refuse to carry any orderly person who offers to hire such taxicab and agrees to pay the proper rate of fare; provided, however, that the foregoing provisions shall not be construed to prevent any person from selecting any taxicab he may desire on the stand, whether it be at the head of the line or not. As the taxicab leaves the parked line with passengers, those in the rear shall move up and any taxicab seeking space on such stand shall not approach the stand except from the rear thereof and shall move up as closely as possible to the last car on such parked line.~~

~~(d) Call boxes. No call box or telephone, the use of which involves the standing or parking of a taxicab on the public streets, shall be used, except by permission of the city manager.~~

~~Sec. 114 138. Records and reports.~~

~~(a) Records of owner's name, address, etc. Every owner shall maintain on file with the city manager his name, business address, garage address, and all business telephone numbers listed in~~

his name and shall within 48 hours after any change in his business address, garage address or telephone numbers, report such change or changes to the city manager.

~~(b) Records. Every driver shall maintain daily records upon which are recorded such information as shall be required by the city manager. The forms for such records shall be furnished to the driver by the owner and shall be of a character approved by the city manager. Every owner shall retain and preserve all drivers' records in a safe place for at least the calendar year next preceding the current calendar year, and such records shall be available to the city manager or his duly appointed agent.~~

~~(c) Character of records. Every owner shall keep accurate records of receipts from operations, operating, and other expenses, capital expenditures, and such operating information as may be required by the city manager. Every owner shall maintain the records containing such information and other data required by this article at a place readily accessible for examination by a member of the police department, or by a representative of the city manager, appointed for that purpose.~~

~~(d) Reports of operations. Every owner shall submit reports of receipts, expenses and statistics of operation to the city manager in accordance with a uniform system prescribed by the city manager, at the close of his business' fiscal year.~~

~~(e) Reports of accidents. All accidents arising from or the operation of taxicabs which result in death or injury to any person, or in damage to any parked vehicle, or to property which has been damaged in excess of \$200.00, shall be reported forthwith to the city police on a form to be furnished by the police. In the event a taxicab licensed to operate under the laws of the city is involved in an accident outside the city's corporate limits the company shall be required to obtain a copy of the accident report and forward it to the city manager within 72 hours of such accident. Failure to comply with this provision shall be deemed a breach of this article and the company shall be subject to the penalties for breach as outlined in section 114-34.~~

~~(f) Financial statements. Any owner may be requested to file with the city manager's office a financial statement for the then current fiscal year prepared by a certified public accountant if, in the city manager's judgment, there is a valid and substantial need for such documents to determine that the owner is able to serve people in the city as licensed therefor.~~

~~Sec. 114-139.— Advertising on vehicles.~~

~~Subject to the rules and regulations of the city manager, it shall be lawful for any person owning or operating a taxicab or motor vehicle for hire to permit advertising matter to be affixed to or installed on each taxicab.~~

~~Sec. 114-140.— Cleanliness of vehicle.~~

~~Every vehicle licensed under provisions of this article shall be cleaned and kept clean both as to interior and exterior thereof while it is being offered for service. The failure on the part of any owner or driver to keep the interior and exterior or either of them in a clean and presentable condition at all times while in service, or while waiting for service, shall be deemed a violation of this article and shall be the basis for suspending or revoking any licenses issued hereunder.~~

~~Sec. 114-141.— Repair of damage.~~

~~In the event that any licensed vehicle is damaged in any way, if it can be driven and properly controlled, it may be permitted to be driven in service for not more than one week after such damage or injury. If at the end of one week the licensed vehicle is not properly repaired, it must be taken from the street and kept out of service until such vehicle is completely repaired, and passes inspection pursuant to subdivision III of division 2 of this article.~~

and REPLACED with the following:

*ARTICLE II. LIMOUSINE, TAXICAB, AND TRANSPORTATION NETWORK COMPANY*

*Sec. 114-31 Definitions. Words used in this Article shall have the meanings set forth in MCL 257.2101.*

*Sec. 114-32. Compliance with Other Laws. All persons subject to regulation pursuant to MCL 257.2101 et seq. shall comply with all applicable Federal and State laws.*

*Sec. 114-33. A limousine, taxicab or transportation network company driver shall not violate MCL 257.2111, MCL 257.2123(8), MCL 257.2141, or MCL 257.2145 which are hereby incorporated by reference as if fully set out herein. Per the authority granted to the City by MCL 257.2115(1), a violation of any of these sections shall constitute a civil infraction, as provided for in this code.*

*Sec. 114-34 – 114-50. - Reserved*

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

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

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

or prosecution of any right established, occurring prior to the effective date hereof.

**5. Copies to be available.** Copies of the Ordinance are available at the office of the city clerk for inspection by, and distribution to, the public during normal office hours.

**6. Publication and Effective Date.** The City Clerk shall cause this Ordinance, or a summary of this Ordinance, to be published according to Section 11.13 of the City Charter. This Ordinance shall become effective after publication at the expiration of 30 days after adoption.

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

\_\_\_\_\_  
Frances McMullan, City Clerk

Attest

I do hereby confirm that the above Ordinance No. \_\_\_\_\_ was published according to Section 11.13 of the City Charter on the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Frances McMullan, City Clerk

CERTIFICATE OF ADOPTING

I hereby certify that the foregoing is a true copy of the Ordinance passed at the regular meeting of the City Council held on the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Frances McMullan, City Clerk

Notice Published: \_\_\_\_\_

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Published: \_\_\_\_\_

Effective Date: \_\_\_\_\_



RESOLUTION NO. 2017-113  
May 16, 2017

That the public hearing for an ordinance to Repeal Article I and II of Chapter 114 "Vehicles for Hire" of the Ypsilanti City Code and Replace with Limousine, Taxicab, and Transportation Network Company Ordinance be officially closed.

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

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

YES:            NO:            ABSENT:            VOTE:



REQUEST FOR LEGISLATION  
May 16, 2017

FROM: Andrew Hellenga, Deputy City Clerk

SUBJECT: Request Special Designated Merchant Liquor License/Sunday Sales

SUMMARY & BACKGROUND:

Cool Holdings LLC have applied to the City of Ypsilanti and State of Michigan Liquor Control Commission (MLCC) to add a Specially Designated Liquor License and Sunday Sales to their business, Cool Holdings LLC, located at 207 West Michigan.

If approved by the City and MLCC the Specially Designated Merchant License will allow Cool Holdings LLC to sell, at retail, beer and wine in the original package for consumption off the premises. The MLCC cannot consider the approval of the additional license without the approval of City Council.

RECOMMENDED ACTION:

Approval

ATTACHMENTS:      Resolution  
                             Application  
                             Department approval

---

COUNCIL AGENDA DATE: May 16, 2017

CITY MANAGER COMMENTS:

CITY MANAGER APPROVAL: \_\_\_\_\_

FINANCE DIRECTOR APPROVAL: \_\_\_\_\_





Resolution No. 2017 – 113A  
May 16, 2017

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

WHEREAS, Cool Holdings LLC. has applied to the City of Ypsilanti and Michigan Liquor Control Commission requesting the following:

Adding a Specially Designated Merchant Liquor License, as defined by MCL 436.1111(13), is a business licensed to sell, at retail, beer and wine in the original package for consumption off the premises, and Sunday sales at 207 W. Michigan Ave, Ypsilanti, MI 48197, Washtenaw County; and

WHEREAS, a public hearing to consider the proposed Specially Designated Merchant was duly noticed and held on May 16, 2017.

NOW, THEREFORE, BE IT RESOLVED THAT the request of Cool Holdings LLC for the property located at 207 W. Michigan Ave. be approved.

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

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

YES:

NO:

ABSENT:

VOTE:

To: City Of Ypsilanti

April 24, 2017

Atten: City Clerk  
1 S Huron Street  
Ypsilanti, MI 48197

Re: Specially Designated Merchant Liquor License

From: John & Nancy Cool  
(Current Address)



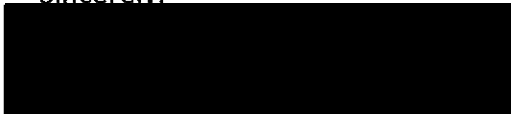
We currently have a Class C Redevelopment Liquor License and are asking for a resolution of support to obtain a Specially Designated Merchant Liquor License (SDM).

This will allow us to sell growlers to our customers and stay competitive with other local restaurants.

We agree to abide by all laws of the State of Michigan or ordinances of the City of Ypsilanti in conducting the business where the liquor license will be used. We understand that a violation on the premises may be cause for the City objecting to renewal of the license or requesting revocation of the license.

We acknowledge that the City of Ypsilanti has an ordinance prohibiting public nudity, and a violation of the ordinance on the premises where the liquor license is used will be caused for objection to renewal of the license, or for requesting revocation of the license.

Sincerely,



John and Nancy Cool  
Cool Restaurant Group LLC  
Dbas: Red Rock Downtown Barbecue  
Attached:  
Application  
Legal Description  
Confirmation from City Treasurer  
Certificate of Occupancy  
Check for License Application



City of Ypsilanti  
Office of the City Clerk

APPLICATION FOR NEW  
OR  
TRANSFER LIQUOR LICENSE

Full Name: JOHN R COOL Date of Birth: 4-2-1946  
Home address: [REDACTED] Apt.#         
City/State/Zip code: [REDACTED]  
Home phone: [REDACTED] Business Phone: [REDACTED]  
Email address (optional): [REDACTED]

NAMES OF ALL PARTNERS OF THE APPLICANT, IF ANY:

NANCY L. COOL  
\_\_\_\_\_  
\_\_\_\_\_

**IF THE APPLICANT IS A CORPORATION:** Supply a copy of the Articles of Incorporation, current corporation records disclosing the identity, address of all Directors, Officers, and Shareholders.

Address of place for a Liquor License: 207 W MICHIGAN AVE  
(Attach legal description of the premises)

Name and Address of Premise Owner: £ Cool Holdings LLC  
(JOHN + NANCY COOL)  
2407 LEXINGTON CIR N. Canton MI 48188  
Address City/State/Zip code

TYPE OF LICENSE APPLIED FOR (Class C, Tavern, B-Hotel, etc.):

SDM - Specially Designated Merchant

SPECIAL PERMITS APPLIED FOR (Dance, Entertainment, etc.):

Sunday (AM) Sales

**SUPPLY WRITTEN EVIDENCE:** That the Applicant has the right to possess the premises from the property owner.

- ☐ I affirm that at least \$75,000 was invested or will be invested in the property by \_\_\_\_\_, and that the liquor license may issue on or after that date.

Signature of Applicant: \_\_\_\_\_

Signature of Applicant: \_\_\_\_\_

Signature of Applicant: \_\_\_\_\_

**IF THIS IS A LIQUOR LICENSE TRANSFER REQUEST, THE SIGNATURE OF THE CURRENT LICENSE HOLDER IS REQUIRED.**

Signature of Current License Holder: \_\_\_\_\_ Date \_\_\_\_\_

.....  
**For the City Clerk's Office Staff only:**

Date application submitted: \_\_\_\_\_ Staff's Initials: \_\_\_\_\_

Routed for approval by the following departments: \_\_\_\_\_ Date: \_\_\_\_\_

**For Department Approval:**

\_\_\_\_ Building      \_\_\_\_ Zoning      \_\_\_\_ Fire Dept.      \_\_\_\_ Police Dept.  
\_\_\_\_ Assessor      \_\_\_\_ Treasurer      \_\_\_\_ City Attorney      \_\_\_\_ DDA/DTDDA

Departments: Please conduct the appropriate review to ensure that the applicant does not have any outstanding issues within your department area. When you have completed your review, please report your findings to the City Clerk's Office, and initial on the line provided for your department.



City of Ypsilanti  
Office of the City Clerk

APPLICATION FOR NEW  
OR  
TRANSFER LIQUOR LICENSE

Full Name: NANCY L. COOL Date of Birth: 6-20-1950  
Home address: [REDACTED] Apt.#         
City/State/Zip code: [REDACTED]  
Home phone: [REDACTED] Business Phone: [REDACTED]  
Email address (optional): [REDACTED]

NAMES OF ALL PARTNERS OF THE APPLICANT, IF ANY:

JOHN R COOL  
\_\_\_\_\_  
\_\_\_\_\_

**IF THE APPLICANT IS A CORPORATION:** Supply a copy of the Articles of Incorporation, current corporation records disclosing the identity, address of all Directors, Officers, and Shareholders.

Address of place for a Liquor License: 207 W. MICHIGAN AVE  
(Attach legal description of the premises)

Ypsilanti MI 48197

Name and Address of Premise Owner: COOL HOLDINGS, LLC (JOHN + NANCY COOL)  
[REDACTED] members

[REDACTED]  
Address City/State/Zip code

**SUPPLY WRITTEN EVIDENCE:** That the Applicant has the right to possess the premises from the property owner.

**SUPPLY ZONING PERMIT OR CLEARANCE FROM THE ZONING ADMINISTRATOR:** That the location is in compliance with the Zoning Ordinance.

**SUPPLY CERTIFICATE OF OCCUPANCY OR SIMILAR CLEARANCE FROM THE BUILDING OFFICIAL:** That the structure and premises is in compliance with local code provisions.

- o I affirm that at least \$75,000 was invested or will be invested in the property by \_\_\_\_\_, and that the liquor license may issue on or after that date.

Signature of Applicant: \_\_\_\_\_

Signature of Applicant: \_\_\_\_\_

Signature of Applicant: \_\_\_\_\_

**IF THIS IS A LIQUOR LICENSE TRANSFER REQUEST, THE SIGNATURE OF THE CURRENT LICENSE HOLDER IS REQUIRED.**

Signature of Current License Holder: \_\_\_\_\_ Date \_\_\_\_\_

.....  
**For the City Clerk's Office Staff only:**

Date application submitted: \_\_\_\_\_

Staff's Initials: \_\_\_\_\_

Routed for approval by the following departments: \_\_\_\_\_

Date: \_\_\_\_\_

**For Department Approval:**

\_\_\_\_\_ Building      \_\_\_\_\_ Zoning      \_\_\_\_\_ Fire Dept.      \_\_\_\_\_ Police Dept.  
\_\_\_\_\_ Assessor      \_\_\_\_\_ Treasurer      \_\_\_\_\_ City Attorney      \_\_\_\_\_ DDA/DTDDA

Departments: Please conduct the appropriate review to ensure that the applicant does not have any outstanding issues within your department area. When you have completed your review, please report your findings to the City Clerk's Office, and initial on the line provided for your department.

# American Title Company of Washtenaw

## Commitment for Title Insurance Issued for Fidelity National Title Insurance Company

### SCHEDULE A

File Number: 99154  
Revision Number: 1

1. Commitment Date: July 15, 2009 at 05:00 PM.
2. Policy (or Policies) to be issued:
  - (a) Owner's Policy  
Proposed Insured:  
John R. Cool on behalf of an LLC to be formed  
Policy Amount [REDACTED]
  - (b) Loan Policy  
Proposed Insured:  
To Be Furnished  
Policy Amount \$N/A
3. Fee Simple interest in the land described in this Commitment is owned, at the Commitment Date, by:  
Bank of Ann Arbor
4. The land referred to in the Commitment is described as follows:  
Land in the City Ypsilanti, County of Washtenaw, Michigan, described as:  
  
Commencing on the South line of Congress Street 66 feet West of the Northeast corner of the Larzelere Block so-called and at the Northeast corner of Lot No. 74 and running thence West along the South line of Congress Street (now called Michigan Avenue) 37 feet 2 inches; thence South 10 rods; thence East 37 feet 2 inches; thence North 10 rods to the PLACE OF BEGINNING, being a part of Lot 74 according to the Original Plat of the Village (now City) of Ypsilanti, in the County of Washtenaw, and State of Michigan. c  
  
Address: 207-209 1/2 W. Michigan Ave

Countersigned

[REDACTED] Washtenaw  
Authorized Signatory  
Examined by: Bill L/kmg

This Commitment is valid for a period of 90  
days from the Commitment Date set forth above

Valid only if Schedule B  
and cover are attached.

COOL HOLDINGS LLC



This is to certify that Cool Restaurant Group LLC dba Red Rock Downtown Barbecue leases the property at 207 W Michigan Ave, Ypsilanti MI 48197 owned by Cool Holdings LLC.



John and Nancy Cool

Members

Cool Holdings LLC





Nancy &amp; John Cool &lt;cool.jn@gmail.com&gt;

---

**207 W Michigan**

1 message

---

**Kimberly Teamer** <KTeamer@cityofypsilanti.com>  
To: "cool.jn@gmail.com" <cool.jn@gmail.com>

Fri, Apr 21, 2017 at 3:22 PM



Ms. Cool,

Per our telephone conversation today this email is to confirm that the property taxes for 207 W Michigan, parcel 11-11-39-102-003 are up to date and paid in full. If you need any further information please call the Treasury Division at 734-483-1103.

Respectfully,

Kimberly D. Teamer

City Treasurer

1 S Huron St

Ypsilanti, MI 48197

# City of Ypsilanti

*Building Department*

One South Huron St.  
Ypsilanti, MI 48197

Ph: (734) 482-1025 Fax: (734) 483-7444

## Final Certificate of Occupancy

Property Address  
**207 W MICHIGAN**

Owner:  
COOL HOLDINGS LLC  
PO BOX 980501  
YPSILANTI MI 48198

Parcel Number:  
11-11-39-102-003  
Permit Number:  
PBLDG-10-0307

Certificate Number: OC-12-0110

Issue Date: 03/02/2012

Construction Type: 5B

Building Type: A-2

Zoning District: B-3

Building Code: 2009 Mich Building Code

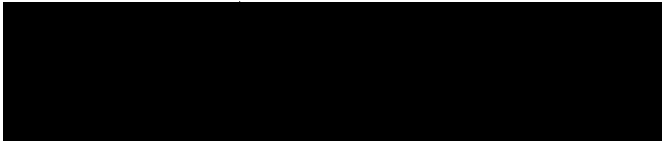
Approved Occupancy Load: 150

Final permission to occupy the above described structure is granted on the express condition that said building is, or shall be, in all respects, and at all times, in conformance with the ordinances of the City of Ypsilanti, regulating the conformance with the ordinances of the City of Ypsilanti, regulating construction, occupancy and use of buildings. This certificate may be revoked at any time upon violation of any provision of said ordinances.

Approved use:

Red Rock Downtown Barbecue

Restaurant with music

  
Kurt Weiland  
Building Official

**STATE OF MICHIGAN  
LIQUOR CONTROL COMMISSION**

THIS PERMIT SUPERSEDES ANY AND ALL PERMITS ISSUED PRIOR TO 7-29-2016 . THIS PERMIT MUST BE RETAINED.  
YOU WILL ONLY RECEIVE A NEW PERMIT SHOULD THE PERMIT STATUS CHANGE.

**BUSINESS ID:**

**223135**

**LICENSE NUMBER:**

**CLASS C**

**210563**

**RED ROCK DOWNTOWN BARBECUE**

**COOL RESTAURANT GROUP LLC**

**207 W MICHIGAN AVE**

**YPSILANTI, MI 48197-5440**

**PO:**

**D-73978**

**WASHTENAW**

**D- 212.0**

The Michigan Liquor Control Commission hereby grants the above licensed establishment a permit or permission to allow the described activities in connection with this licensed business.

The licensee(s) agree to conform with all statutes, ordinances and regulations applicable to the establishment with the indicated permit(s). Unless suspended or revoked by The Michigan Liquor Control Commission, this permit will remain in effect until ownership or location is transferred. Upon discontinuance of any of the indicated permit(s) in this licensed establishment, the permit must be returned to The Michigan Liquor Control Commission for cancellation.

- SUNDAY SALES (PM)
- OUTDOOR SERVICE 1 AREA
- DANCE AND ENTERTAINMENT
- CATERING PERMIT

## **Policy – Liquor License – Ordinance 926**

Purpose: To establish standards and procedures for the review and input of the City of Ypsilanti on the issuance, renewal, transfer, revocation or modification of a Liquor License.

### Process:

- A. Application for a license to sell beer, wine, or spirits shall be made to the City Council by filing with the City Clerk a written application, signed by the applicant, along with the application fee payment.
1. The application shall be completed and filed with the City Clerk's office, and shall include the following:
- Name, age and address of the applicant and all partners of the applicant. If the applicant is a corporation, a copy of the articles of incorporation and current corporation records disclosing the identity and address of all directors, officers, and shareholders.

A zoning permit or similar clearance from the zoning administrator verifying the proposed use of the location at which the liquor license will be utilized is in compliance with the zoning ordinance.

- A certificate of occupancy or similar clearance from the building inspector verifying the structure and premises at which the liquor license will be utilized is in compliance with building, property maintenance, and all other applicable local code provisions.
- Certification or other written evidence from the City Treasurer demonstrating that all real and personal property taxes and City utility bills associated with the premises at which the liquor license will be used are paid to date, and that all real and personal property taxes, City income taxes and City utility bills in the name of the applicant are paid to date.
- Specific personal information on the applicant, partners, directors and shareholders as required by the Ypsilanti Police Department to run a criminal history or similar record check.
- A statement that the applicant will not violate any of the laws of the State of Michigan or the ordinances of the City of Ypsilanti in conducting the business in which the liquor license will be used, and that a violation on the premises may be cause for objecting to renewal of the license, or for requesting revocation of the license.

- A statement that the applicant understands that the City of Ypsilanti has an ordinance prohibiting public nudity, and a violation of the ordinance on the premises where the liquor license is used will be cause for objecting to renewal of the license, or for requesting revocation of the license.
2. Liquor License Transfers. Applications for liquor license transfers shall be submitted to the City Clerk on a form required by the City Clerk and signed by both the current license holder and the proposed license holder. The application shall contain, at a minimum, the information and statements required in an application for a new license.
  3. Restrictions on Licenses. The City Council shall not approve, grant, of recommend the issuance or transfer of a liquor license:
    - a) Without a fully completed application that meets the requirements listed above for the contents of an application for a license and the payment of the requisite fee;
    - b) To an applicant who has had a liquor license revoked under this Ordinance or by the LLC;
    - c) To a corporation with a manager, officer, director, or shareholder who would be ineligible under this Ordinance or LLC regulations to receive a liquor license;
    - d) Where the proposed location is not readily accessible to police, fire and EMS vehicles.
  4. Term of License Approval. The City Council's approval or positive recommendation to the LCC concerning a proposed liquor license shall be for a period of not more than one year. Any required remodeling or new construction for the use of the license shall be completed within six (6) months of the LCC's approval or issuance of the license, unless a specific allowance of up to two (2) additional months is granted by the City for good cause.
  5. Discretion. The City Council shall exercise its discretionary authority in reviewing and acting on applications for liquor licenses, and liquor license transfers.
  6. Public Hearing. The City Council may hold a public hearing on any application for a new liquor license or a transfer of a liquor license.
  7. Applicant's Presentation. The application shall be allowed a reasonable opportunity to make a presentation to the City Council in support of the application for a new liquor license or a transfer of an existing liquor license.
- B. 6-44. Objections to Renewal, Requests for Revocation.

1. Objection to Renewal. The City Council may object to the renewal of a liquor license by filing a resolution describing the basis of the objection with the LCC along with all substantiating documents, not later than March 31<sup>st</sup>, to be considered for a renewal effective April 30.
2. Request for Revocation. The City Council may request revocation of a liquor license at any time by filing a resolution describing the basis of the request, along with all substantiating documents.
3. Procedure. Before filing an objection to a license renewal or a request for revocation of a license with the LCC, the City Council shall conduct a hearing on the subject. The City Council shall serve the license holder with notice of the hearing by first class mail, mailed at least ten (10) days prior to the hearing. The notice of hearing shall contain:
  - a) Notice of proposed action;
  - b) Reasons for the proposed action;
  - c) The date, time and place of the hearing; and
  - d) A statement informing the license holder that he or she may confront adverse witnesses, and may present witnesses, evidence and arguments.
4. At the close of the hearing, while in open session, the City Council shall make factual findings and any determination necessary for a resolution objecting to a license renewal or requesting revocation of a license. The City Council shall submit a written statement of its findings, determinations and resolution to the license holder and the LCC within fifteen (15) days of the hearing.
5. Criteria for Non-renewal or Revocation. The City Council may recommend to the LCC non-renewal or revocation of a liquor license based upon a determination that a preponderance of the evidence presented at the hearing indicated the existence of:
  - a) A failure to meet the conditions or maintain compliance with the standards established by this ordinance in reference to applications for a new license or the transfer of an existing license; or
  - b) One or more violations of state law or local ordinance on the premises; or
  - c) Maintenance of a nuisance on the premises; or
  - d) A demonstrated history of excessive calls for public safety (police, fire, and EMS) services originating from the premises.

City Clerk's Office Procedure

1. Upon receiving notification from the State LCC that the applicant has applied for a Liquor License (transfer, entertainment etc.), the Clerk's Office staff will notify the following departments for investigation/follow-up.
  - Building & Ordinance Enforcement Department
  - Ypsilanti Police Department
  - Ypsilanti Fire Department
  - City Attorney Office
  - Treasurer's Office
  - Assessor's Office
2. Each of the above respective departments will conduct an investigation on the applicant character, building, taxes, licenses, outstanding fire/police issues etc. Upon the completion of their investigations, the department directors will send the City Clerk a memorandum or a copy of the correspondence to the applicant regarding the outcome of the investigation.
3. Once the City Clerk's Office has received notification, the City Clerk will send a letter to the applicant requesting that an "official application" will need to be filed with the Clerk's Office, and any outstanding issues with the respective department be addressed before the application can be taken to City Council for action.
4. The City Clerk will prepare a Request for Legislation describing the type of liquor license that is being request, and whether there are any outstanding issues.
5. The City Clerk will prepare a public hearing notice to inform the public and Council that the applicant has applied for a liquor license (new, transfer or entertainment etc.).
6. The City Clerk will prepare a resolution for determination of Council's action on the application for the next regular City Council Meeting.
7. Once Council approves the application, the applicant is notified by letter and will receive a certified copy of the resolution approving the request. Also, the LCC will receive a certified copy of the resolution as well.
8. Should Council not approve the request, the applicant will be notified by letter from the City Clerk's office of the decision by City Council. A copy of that letter will be sent to the LCC for their file.
9. Communication from the LCC will be routed to the following departments when affected: Building & Ordinance Enforcement, Fire, Police, City Attorney, Treasurer, Assessor, DDA, and Zoning.

Liquor License Procedure  
Page 5

Downtown Depot Town Association Application Process

\*\*Contact the DDA Director for assistance.

Time frame to Process a Liquor License Request

The processing of a liquor license request could possibly range from 30 to 90 days depending on whether the owner(s) have completed the above before the City Clerk brings legislation forward for Council to consider the request.





Michigan Department of Licensing and Regulatory Affairs  
Liquor Control Commission (MLCC)  
Toll Free: 866-813-0011 • [www.michigan.gov/lcc](http://www.michigan.gov/lcc)

Business ID: \_\_\_\_\_  
Request ID: \_\_\_\_\_  
(For MLCC use only)

**Local Government Approval**  
(Authorized by MCL 436.1501)

**Instructions for Applicants:**

- You must obtain a recommendation from the local legislative body for a new on-premises license application, certain types of license classification transfers, and/or a new banquet facility permit.

**Instructions for Local Legislative Body:**

- Complete this resolution or provide a resolution, along with certification from the clerk or adopted minutes from the meeting at which this request was considered.

At a \_\_\_\_\_ meeting of the \_\_\_\_\_ council/board  
(regular or special) (township, city, village)  
called to order by \_\_\_\_\_ on \_\_\_\_\_ at \_\_\_\_\_  
(date) (time)

the following resolution was offered:

Moved by \_\_\_\_\_ and supported by \_\_\_\_\_

that the application from \_\_\_\_\_  
(name of applicant)

for the following license(s): \_\_\_\_\_  
(list specific licenses requested)

to be located at: \_\_\_\_\_

and the following permit, if applied for:

☐ Banquet Facility Permit Address of Banquet Facility: \_\_\_\_\_

It is the consensus of this body that it \_\_\_\_\_ this application be considered for  
(recommends/does not recommend)

approval by the Michigan Liquor Control Commission.

If disapproved, the reasons for disapproval are \_\_\_\_\_

**Vote**

Yeas: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the \_\_\_\_\_  
council/board at a \_\_\_\_\_ meeting held on \_\_\_\_\_ (township, city, village)  
(regular or special) (date)

Print Name of Clerk

Signature of Clerk

Date

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the licensure of businesses and individuals.

Please return this completed form along with any corresponding documents to:

Michigan Liquor Control Commission

Mailing address: P.O. Box 30005, Lansing, MI 48909

Hand deliveries or overnight packages: Constitution Hall - 525 W. Allegan, Lansing, MI 48933

Fax to: 517-763-0059



## Andrew Hellenga

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**From:** Kimberly Teamer  
**Sent:** Tuesday, April 25, 2017 1:01 PM  
**To:** Andrew Hellenga  
**Subject:** RE: RE: Red Rock Liquor License

There are no outstanding taxes for 207 W Michigan parcel(s) 11-11-39-102-003 and 11-99-33-012-020.

Kim

**From:** Andrew Hellenga  
**Sent:** Tuesday, April 25, 2017 11:12 AM  
**To:** Tony DeGiusti <tdegiusti@cityofypsilanti.com>; Courtney Dugger <CDugger@cityofypsilanti.com>; Kimberly Teamer <KTeamer@cityofypsilanti.com>; Bonnie Wessler <bwessler@cityofypsilanti.com>; Frank Daniels, Jr. <FDanielsJr@cityofypsilanti.com>; Max Anthouard <MAnthouard@cityofypsilanti.com>; jbarr@barrlawfirm.com; Joe Meyers <JMeyers@cityofypsilanti.com>  
**Subject:** RE: Red Rock Liquor License

Hello All,

Please see attached liquor license for approval.

Thanks,

Andrew Hellenga  
Deputy City Clerk  
City of Ypsilanti  
1 South Huron  
Phone: (734) 483-1100  
Email: [ahellenga@cityofypsilanti.com](mailto:ahellenga@cityofypsilanti.com)



## Andrew Hellenga

---

**From:** Tony DeGiusti  
**Sent:** Tuesday, April 25, 2017 11:20 AM  
**To:** Andrew Hellenga  
**Subject:** RE: RE: Red Rock Liquor License

Andrew,

No issues.

Tony DeGiusti  
Chief of Police  
City of Ypsilanti Police Department  
505 W. Michigan Avenue  
Ypsilanti, MI 48197  
734-483-8590  
[tdegiusti@cityofypsilanti.com](mailto:tdegiusti@cityofypsilanti.com)



**From:** Andrew Hellenga  
**Sent:** Tuesday, April 25, 2017 11:12 AM  
**To:** Tony DeGiusti; Courtney Dugger; Kimberly Teamer; Bonnie Wessler; Frank Daniels, Jr.; Max Anthouard; [jbarr@barrlawfirm.com](mailto:jbarr@barrlawfirm.com); Joe Meyers  
**Subject:** RE: Red Rock Liquor License

Hello All,

Please see attached liquor license for approval.

Thanks,

Andrew Hellenga  
Deputy City Clerk  
City of Ypsilanti  
1 South Huron  
Phone: (734) 483-1100  
Email: [ahellenga@cityofypsilanti.com](mailto:ahellenga@cityofypsilanti.com)

## Andrew Hellenga

---

**From:** Max Anthouard  
**Sent:** Tuesday, April 25, 2017 1:43 PM  
**To:** Andrew Hellenga  
**Subject:** Re: Red Rock Liquor License

Red Rock Liquor is good with the FD

Max

Sent from my iPhone

On Apr 25, 2017, at 11:11, Andrew Hellenga <[ahellenga@cityofypsilanti.com](mailto:ahellenga@cityofypsilanti.com)> wrote:

Hello All,

Please see attached liquor license for approval.

Thanks,

Andrew Hellenga  
Deputy City Clerk  
City of Ypsilanti  
1 South Huron  
Phone: (734) 483-1100  
Email: [ahellenga@cityofypsilanti.com](mailto:ahellenga@cityofypsilanti.com)  
<image001.jpg>

<RED ROCK APP.pdf>

## Andrew Hellenga

---

**From:** Bonnie Wessler  
**Sent:** Tuesday, April 25, 2017 11:16 AM  
**To:** Andrew Hellenga  
**Cc:** Joe Meyers; Beth Ernat  
**Subject:** RE: RE: Red Rock Liquor License

Cool by zoning.  
Carry-out sales permitted as an accessory use to restaurants/bars, once they have the state permit.

--

Bonnie Wessler  
City Planner  
Community Development Division, City of Ypsilanti  
734/483.9646 (office)  
[bwessler@cityofypsilanti.com](mailto:bwessler@cityofypsilanti.com)

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**From:** Andrew Hellenga  
**Sent:** Tuesday, April 25, 2017 11:12 AM  
**To:** Tony DeGiusti; Courtney Dugger; Kimberly Teamer; Bonnie Wessler; Frank Daniels, Jr.; Max Anthouard; [jbarr@barrlawfirm.com](mailto:jbarr@barrlawfirm.com); Joe Meyers  
**Subject:** RE: Red Rock Liquor License

Hello All,

Please see attached liquor license for approval.

Thanks,

Andrew Hellenga  
Deputy City Clerk  
City of Ypsilanti  
1 South Huron  
Phone: (734) 483-1100  
Email: [ahellenga@cityofypsilanti.com](mailto:ahellenga@cityofypsilanti.com)



## Andrew Hellenga

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**From:** Joe Meyers  
**Sent:** Wednesday, April 26, 2017 9:40 AM  
**To:** Andrew Hellenga  
**Subject:** RE: RE: Red Rock Liquor License

I have no problems with the application.

**From:** Andrew Hellenga  
**Sent:** Tuesday, April 25, 2017 11:12 AM  
**To:** Tony DeGiusti <tdegiusti@cityofypsilanti.com>; Courtney Dugger <CDugger@cityofypsilanti.com>; Kimberly Teamer <KTeamer@cityofypsilanti.com>; Bonnie Wessler <bwessler@cityofypsilanti.com>; Frank Daniels, Jr. <FDanielsJr@cityofypsilanti.com>; Max Anthouard <MAnthouard@cityofypsilanti.com>; jbarr@barrlawfirm.com; Joe Meyers <JMeyers@cityofypsilanti.com>  
**Subject:** RE: Red Rock Liquor License

Hello All,

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Thanks,

Andrew Hellenga  
Deputy City Clerk  
City of Ypsilanti  
1 South Huron  
Phone: (734) 483-1100  
Email: [ahellenga@cityofypsilanti.com](mailto:ahellenga@cityofypsilanti.com)



## Andrew Hellenga

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**From:** Courtney Dugger  
**Sent:** Wednesday, April 26, 2017 9:42 AM  
**To:** Andrew Hellenga  
**Subject:** RE: RE: Red Rock Liquor License

Assessing is good with it.

**From:** Andrew Hellenga  
**Sent:** Tuesday, April 25, 2017 11:12 AM  
**To:** Tony DeGiusti <tdegiusti@cityofypsilanti.com>; Courtney Dugger <CDugger@cityofypsilanti.com>; Kimberly Teamer <KTeamer@cityofypsilanti.com>; Bonnie Wessler <bwessler@cityofypsilanti.com>; Frank Daniels, Jr. <FDanielsJr@cityofypsilanti.com>; Max Anthouard <MAnthouard@cityofypsilanti.com>; jbarr@barrlawfirm.com; Joe Meyers <JMeyers@cityofypsilanti.com>  
**Subject:** RE: Red Rock Liquor License

Hello All,

Please see attached liquor license for approval.

Thanks,

Andrew Hellenga  
Deputy City Clerk  
City of Ypsilanti  
1 South Huron  
Phone: (734) 483-1100  
Email: [ahellenga@cityofypsilanti.com](mailto:ahellenga@cityofypsilanti.com)





## Andrew Hellenga

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**From:** Frank Daniels, Jr.  
**Sent:** Tuesday, April 25, 2017 2:52 PM  
**To:** Andrew Hellenga  
**Subject:** RE: RE: Red Rock Liquor License

No objections from building.

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Frank Daniels  
Building Department Manager  
City of Ypsilanti  
One S. Huron Street  
Ypsilanti, Michigan 48197  
(734) 482-1025 - Office  
(734) 483-7444 - Fax

[fdanielsjr@cityofypsilanti.com](mailto:fdanielsjr@cityofypsilanti.com)  
[www.cityofypsilanti.com](http://www.cityofypsilanti.com)

**From:** Andrew Hellenga  
**Sent:** Tuesday, April 25, 2017 11:12 AM  
**To:** Tony DeGiusti <tdegiusti@cityofypsilanti.com>; Courtney Dugger <CDugger@cityofypsilanti.com>; Kimberly Teamer <KTeamer@cityofypsilanti.com>; Bonnie Wessler <bwessler@cityofypsilanti.com>; Frank Daniels, Jr. <FDanielsJr@cityofypsilanti.com>; Max Anthouard <MAnthouard@cityofypsilanti.com>; jbarr@barrlawfirm.com; Joe Meyers <JMeyers@cityofypsilanti.com>  
**Subject:** RE: Red Rock Liquor License

Hello All,

Please see attached liquor license for approval.

Thanks,

Andrew Hellenga  
Deputy City Clerk  
City of Ypsilanti  
1 South Huron  
Phone: (734) 483-1100  
Email: [ahellenga@cityofypsilanti.com](mailto:ahellenga@cityofypsilanti.com)



**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](mailto:jbarr@barrlawfirm.com)

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

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

## **MEMORANDUM**

**To: Andrew Hellenga, Deputy Ypsilanti Clerk**  
**From: John M. Barr, Ypsilanti City Attorney**  
**Date: April 24, 2017**  
**Re: Cool Holdings SDM liquor license application**

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I have reviewed the license application of Cool Holdings, dba Red Rock Barbeque for an SDM liquor license in addition to the class C liquor license, etc. that they presently own and have no objection to the request.



Resolution No. 2017 – 113B  
May 17, 2017

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

THAT the public hearing to consider the proposed additional classification of "Specially Designated Merchant with Sunday Sales" for Cool Holdings LLC be **officially closed**.

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

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

YES:

NO:

ABSENT:

VOTE:



Resolution No. 2017-114  
May 16, 2017

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

THAT the minutes of April 4<sup>th</sup>, April 18<sup>th</sup>, April 27<sup>th</sup>, and May 4<sup>th</sup>, 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, APRIL 4, 2017  
7:00 p.m.**

**I. CALL TO ORDER –**

The meeting was called to order at 7:09 p.m.

**II. ROLL CALL –**

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

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

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. INTRODUCTIONS –**

Mayor Edmonds introduced the following individuals; City Clerk Frances McMullan, City Attorney John Barr, City Manager Darwin McClary, Economic Development Director Beth Ernat, City Planner Bonnie Wessler, Police Chief Tony DeGiusti, Fire Chief Max Anthouard, Assistant City Attorney Dan DuChene, and Assistant City Attorney Jesse O'Jack

**VI. AGENDA APPROVAL –**

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

Mayor Edmonds requested Resolution No. 2017-081, be moved to after audience participation.

**Council Member Murdock moved, seconded by Council Member Vogt to move Resolution No. 2017-081 to after audience participation.**

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

## **VII. PRESENTATIONS -**

- Medical Marijuana Presentation – Katie Parrish and Alexa Timmreck, EMU Students

EMU students Alexa Timmreck and Katie Parrish provided a presentation regarding the new state law regarding medical marijuana.

Mayor Edmonds asked what the Commission on Law Enforcement Standards is. Chief DeGiusti responded a licensing agency that regulates training and academies for the state.

Mayor Edmonds asked what types of waste were grow facilities creating in Colorado. Ms. Parrish responded the trimmings from the plants.

Council Member Robb stated the presentation quoted newspaper articles, a secondary source, and the minutes or audio of the meeting should have quoted. He said it is interesting because of Ypsilanti's small size and the amount of facilities in the City over the six year life time of the ordinance. He asked why Ypsilanti's data was not used more as a part of the research. Ypsilanti businesses could have been referenced to see how dispensaries have affected business and the police department about crime rates. He mentioned two businesses have purchased buildings that have increased property values, which runs contrary to the presentation. He asked for an explanation of the \$1,800 share per unit for processing facilities. Ms. Timmreck responded processing was one of three types of businesses that shared in the additional 10%. He asked why the 50/40/10 split was developed. Ms. Timmreck replied it was based on a model developed in Oregon, which values dispensaries at 50% and all other business encompassing the other 50%. The additional considerations were based on the impact grow facilities.

Mayor Edmonds asked if scale of business size was reflected in the research. Ms. Timmreck responded not all states are separating the data by business type.

Council Member Murdock stated the 3% excise tax is only charged through dispensaries, and asked why not eliminate grow facilities from the formula. Ms. Parrish responded the process begins at the grow facility which is why it is included. She added in some states they employ a multipoint system in which there is a tax at each level. He replied grow facilities will be increasing their profits but do not pay the 3% tax. He added a grow facility in rural area will not create the same amount of traffic a dispensary would in an urban area.

Council Member Robb stated the formula is dependent on what Ypsilanti wants to do as a community. He explained it was only a few years ago the City wanted to cap the amount of medical marijuana businesses that could operate in the City, and unless zoning is changed only one more facility would be permitted. He asked if the City wants to "de-diversify" the City's business product and operate as an economy based on marijuana. He is not certain many communities are going to completely embrace this change because there is not a great amount of tax revenue this will create.

Council Member Richardson stated Ypsilanti needs to decide what it wants to be known as, not just now but in years to come. She feels if it is medicine it should be dispensed through a pharmacy.

Council Member Vogt thanked Ms. Timmreck and Ms. Parrish for the presentation.

## **VII. AUDIENCE PARTICIPATION –**

1. Libby Hunter, 827 Bruce, Ann Arbor, stated an eighth grade Ypsilanti girl has been pepper sprayed in school by a police officer. The quality of public schools has decreased over the past years, and there needs to be a movement to get schools back to the level they once were. She said for many years she was a middle school teacher and taught a diverse cross section of

students. She stated during her tenure a student was never pepper sprayed, and she could not tell from the MLive article if the student was handcuffed prior to being pepper sprayed.

2. Ruth Cosaby, 2969 W. Clark Rd, spoke in favor of strengthening the Community Policing Action Council (CoPAC). She said incidents involving the police should be evaluated by citizens and held accountable by citizens.
3. Jamie Goldsmith, 180 Rosewood Ave, stated marijuana should be made legal in the City. He explained states that have made marijuana legal have increased revenue and Ypsilanti could do the same.
4. Adam Gainsley, 409 Adams, stated he is speaking on behalf of Citizen's for Ypsilanti to provide an update on the signature drive to place a Water Street Debt Millage on the August ballot. He said signatures have been being collected for 79 days with 70 volunteers working to collect 900 signatures of the 850 goal. He encouraged everyone to continue their efforts collecting signatures.

#### **VIII. REMARKS BY THE MAYOR –**

- Chief DeGiusti stated the pepper spraying of a middle school student was an unfortunate incident. He explained the student was not able to be controlled by the staff who were assaulted by the student. The student was not handcuffed when she was pepper sprayed and it has a compliance technique in order to control the student. He stated there was no lasting damage and was immediately taken for medical treatment. He met with the student's parents who did not take issue with the actions of the officer.
  - Council Member Murdock stated Council was not given a report on the incident. Chief DeGiusti replied generally that type on compliance technique would not be included in the TASER report, but if it is something Council would like he would be happy to include it in subsequent reports. Mr. Murdock responded Council is given a report when an incident is given news coverage.
1. Resolution No. 2017-081, approving the city's medical marijuana revenue sharing proposal. (Economic Development)

Economic Development Director Beth Ernat stated the purpose of the EMU student's presentation purpose was to provide an executive summary essentially create a formula to provide to the City's legislative consultant to the state. The City is not legislating this it is only a recommendation to the state on how the City would like the state to promulgate the rules.

Council Member Robb stated based on the current law not all communities provided zoning for medical marijuana facilities. Ms. Ernat responded in the affirmative. Mr. Robb asked if the previous law was widely accepted throughout the state. Ms. Ernat responded it was widely accepted in southeast and northern Michigan, but not necessarily throughout the state. She added Ypsilanti is the community that sets the tone of the state for this matter. Mr. Robb asked if she foresees Ypsilanti's leadership role changing because more communities are interested in housing this business type within their borders. Ms. Ernat responded she has had conversation with an attorney who represents two communities interested in housing grow facilities based on property tax revenue. In her opinion she believes once the new rules of the law take affect she believes there will be a boom in interest followed by a plateau. Mr. Robb asked what would be the estimated increase. Ms. Ernat replied the boom will be in grow and processing facilities. Mr. Robb asked how additional tax revenue would be created. Ms. Ernat responded through increased property taxes. Mr. Robb responded property taxes will not increase unless a warehouse is built. Ms. Ernat responded someone will build a warehouse with industrial kitchens which would increase personal property taxes.

Council Member Robb asked what the zoning is like in Colorado and what the limitations are. Ms. Ernat responded it is a difficult comparison to make because Colorado has recreational marijuana. Mr. Robb stated he is trying to rationalize why dispensaries are more valuable for tax revenue. Ms. Ernat responded because the greatest impact to a community comes from dispensaries.

Mayor Edmonds asked how many grow facilities currently operate in the City. Ms. Ernat responded the cap is three for grow facilities, which all three have been awarded. Assistant City Attorney Dan DuChene stated currently seven dispensaries and three grow facilities are operating in the City.

Mayor Edmonds stated a grow facility has less of an impact on the community, and the City has relatively few places for those facilities to operate. She sees possibility in the City's industrial complexes to house additional facilities. Ms. Ernat interjected under the new legislation the City would be able to stack facilities. Mr. DuChene further explained the statute allows for certain license holders to hold a license for another business type while others do not. Ms. Ernat stated the City's existing license holders would like to employ the stacked feature provided by the statute. However, it is at the pleasure of Council to allow stacking.

Council Member Vogt stated the size of a facility has a great effect on how much can be created by an excise tax. The recommendation to the legislature is to ensure that communities with facilities that create the greatest sales should capture the most revenue.

Council Member Murdock stated only dispensaries generate the 3% excise tax. Mr. DuChene responded in the affirmative. Mr. Murdock stated a community with twenty-five grow facilities are not providing into the 3% excise tax capture, but will get to share in that revenue. Mr. DuChene replied a recommendation to cut out communities without facilities that generate a tax most likely would not be accepted by the legislature. Mr. Murdock responded he is not suggesting that, but he is suggesting a weighted system that considers business type. Ms. Ernat responded it has been considered because a dispensary would not have anything to supply without a grow facility.

Council Member Robb appreciated the City not wanting to propose something that would be rejected by the state. However, this is direction to the City's lobbyist, and the City lobbyist should be concerned only with the City of Ypsilanti rather than communities across the state. He said it is a good point that rural communities that only have grow facilities would not be generating the 3% excise tax. Mayor Edmonds asked Council Member Robb had a different formula he would like to propose. Mr. Robb responded in the affirmative, but he cannot make a motion because there is not a resolution on the floor. He asked if staff envisions requesting Council lift the moratorium to have more grow facilities. Ms. Ernat responded in a few months she believes she would seek Council if it would like to allow stacking of facilities and processing facilities. At this point staff is trying to be proactive to ensure the City gets its fair share in revenue developed by the 3% excise tax. Mr. Robb stated if the Economic Development Director advises Council the City needs more dispensaries and grow facilities that has an impact on Council's decision. He asked if she is prepared to make that recommendation. Ms. Ernat replied she would need to review the rules from LARA. But currently she would recommend increasing the amount of grow facilities and allow processing facilities. She said Ypsilanti has been progressive regarding this subject, and believes Ypsilanti should continue leading the state and it should continue to support a diversified tax base. She believes eventually recreational marijuana will be legal in Michigan and Ypsilanti should not be behind the curve.

City Attorney John Barr stated when medical marijuana was initially on the ballot 81% of voters in this area were in favor of its passage. At that point the City could have chosen to do nothing or it could regulate it. Council's decision was to regulate medical marijuana and staff took great care and time to develop the current ordinance. During that process the law was unclear and this legislation, while more certain than the previous there are still grey areas because the regulations were not in place.



Council Member Vogt asked what the perceived difference is going to be in law enforcement with an increased amount of grow facilities versus dispensaries. Chief DeGiusti responded the Police Department has had very few issues with any of the marijuana facilities in the City. There have been two attempted break-ins to the same dispensaries and because of a grow facilities non-descript nature there have been no issues. He said the Colorado has created a billion dollars in revenue but school test scores have decreased and marijuana induced accidents have increased by 35%. There are many hidden problems caused by marijuana and some are very costly.

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

**WHEREAS, the State of Michigan has created an excise tax to be placed on medical marijuana of three percent; and**

**WHEREAS, the state statute identifies a distribution to municipalities but does not identify a formula for such distribution; and**

**WHEREAS, the city of Ypsilanti seeks to recommend to the state rule making authority that a higher consideration be made to communities, such as Ypsilanti, that house multiple and end-user operations related to medical marijuana.**

**NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council directs its consultant, GCSI to propose to the state rule making authority to use Ypsilanti's proposed allocation model for recommended revenue distribution; no less than half of all revenue collected via the three percent excise tax be allocated to municipalities based on the number of dispensaries in the municipal boundaries.**

OFFERED BY: Council Member Murdock

SECONDED BY: Mayor Pro-Tem Brown

Council Member Robb stated the rules are coming out in December of 2017 and asked if the rules will include how the five facility types will operate and what the distribution formula is. Mr. DuChene responded when discussions began the City lobbyist held a meeting with staff, and the distribution formula was one of the main topics. The consultant suggest the City provide a recommendation to the state legislature regarding the distribution formula. He said he is uncertain what will be included in the rules but does recommend Council makes its suggestion before the rules are created. Council Member Murdock added the state could evenly distribute revenue to each community, and his intention is for the revenue distribution to reflect the difference is amount of businesses in a community.

Ms. Ernat stated LARA has its administrative team in place and plans to hire 900 employees. Then the rule making body, which is create by governor appointments, has not yet been formed. She said the City should be in the ear of the legislature before that body is in place.

Council Member Robb stated if he would like to be a processor would a commercial kitchen be required. Mayor Edmonds responded it would not fall under the Cottage Industry Food Law. Council Member Murdock added the state could create another set of rules for marijuana. Mr. Robb stated staff is not recommending a 50/40/10 split it is recommending no less than half. Ms. Ernat responded in the affirmative.

Council Member Richardson stated revenue sharing between the state and local governments has all but been eliminated, and what makes everyone certain it would see this money. Council Member Robb replied this would be similar to a sales tax. She asked that Council be realistic in its thinking.

Council Member Murdock stated the state is going to do something whether or not the City makes its recommendation.

Mayor Edmonds stated she will support the resolution, and sees it as a great starting point. She stated there are hundreds of migrant farm workers homes and less than five inspectors and 900 employees are going to be hired for this topic.

On a roll call, the vote to approve Resolution No. 2017-081 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    | Absent |                     |     |

VOTE:

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

**IX. ORDINANCES – FIRST READING –**

Ordinance No. 1286

1. An ordinance to establish the Ypsilanti Community Policing Action Council (Attorney)

A. Resolution No. 2017-074, determination

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

**That an ordinance entitled “An ordinance to establish the Ypsilanti Community Policing Action Council” be approved on First Reading.**

OFFERED BY: Mayor Pro-Tem Brown

SECONDED BY: Council Member Vogt

Mr. DuChene stated he was submitted a draft ordinance from the Task Force and made some edits based on Charter requirements and some other minor edits. He explained he tried to keep as close to the intent of the Task Force as possible.

Mayor Pro-Tem Brown explained the sub-committee of the Task Force reviewed other community’s police oversight boards and made its recommendations. After meeting with the Task Force and having discussions with the Police Chief and examining what would be feasible for Ypsilanti and what was found is the recommendation being formulated looked similar to CoPAC original mission. She said CoPAC could be reenergized to meet the goals outlined in the ordinance rather than create an entirely new body.

B. Open public hearing

None

C. Resolution No. 2017-275, close public hearing

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

**That the public hearing on an ordinance entitled “An ordinance to establish the Ypsilanti Community Policing Action Council” be officially closed.**

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

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

Mr. DuChene stated Council's options are to pass as submitted, pass with amendments, table and send back to the Task Force for further consideration. Mayor Pro-Tem Brown added the Task Force is open to the direction Council is willing to take.

Mayor Edmonds stated she would not be able to vote for this ordinance as is, or even with amendments but she does look forward to hearing what Council's opinion.

Council Member Vogt asked how this ordinance would differ from how CoPAC is currently operating. Chief DeGiusti responded CoPAC was founded in 2008 and was very robust for a period of time, however, since 2013 its attendance has decreased and is basically failing. He said he presented this ordinance during the last CoPAC meeting and the remaining members were enthused about the prospect of engaging in the activities outlined in the ordinance.

Mayor Edmonds stated there are several organizational and dynamic reasons for why CoPAC is where it currently is. Further structure could help the organization and feels it's an interesting approach to utilize that structure. However, Council approved a resolution stating the goals of this organization were to review police misconduct, facilitate two to three police policies per year, promote community policing, and promote the citizen's police academy and she did not feel those requirements were included in the ordinance. This body should provide a level of oversight and that was lost in this ordinance. Also, missing from the ordinance was how this body would affect the creation of policy. She added in her understanding CoPAC was designed to be represented by neighborhood associations and resident's councils as well as the Ypsilanti Housing Commission. She agreed with the City Manager that this body should have term limits and wondered why the term "president" was used rather than "chair". Chief DeGiusti replied during the Task Force meetings and during the Council Goal Session meeting there was discussion of this body reviewing two to three goals per year, however, the Department is moving to an Michigan Association Chiefs of Police accredited which is policy driven. He explained the accreditation process has 108 standards and best practices, which would remove the need for the review of two to three policies a year. Mayor Pro-Tem Brown added the ordinance states CoPAC will advise and recommend procedures to the Chief. Ms. Edmonds responded she would prefer the body would recommend and advise on policy rather than procedures. Chief DeGiusti stated it might be disingenuous to tell be people the can make recommendations on policy when the Department will be following the accreditation. Mayor Edmonds asked if there is a possibility policy recommendations from this body might be over and above the accreditation standards. Chief DeGiusti responded it is a possibility.

Mr. DuChene stated it would be clearer to list the "term limits" as "term length". Mayor Edmonds replied she would like to see this body actually employ term limits.

Council Member Vogt stated he agreed the representation should be spread out across the City evenly to gain different points of view. He added he would not want to see one group gain too much control over a body of this nature. He also agreed with the community organizations making recommendations for its nomination, and by helping to restart CoPAC it might restart those neighborhood associations. Mayor Edmonds stated if the resident high rises were added and examine neighborhoods population to decide representation.

Council Member Murdock stated there are a couple issues with this ordinance; one is its purpose. He explained every other board of this type always included an element of complaint review, and this body would not. He said he likes the CoPAC in principal because it creates a widely based body, however its size could make it dysfunctional. He would prefer the board would be seven or nine members so it could actually get something accomplished.

Council Member Richardson stated she is not in support of this ordinance. This model in no way addresses the issues that led to the development of the Task Force. She explained CoPAC was designed in 1998 to assist with community policing. Before budget concerns overwhelmed the City to goal was to nurture the entire City and the neighborhood associations grew out of that. She stated during the summer the neighborhood associations would gather, which the neighborhoods would come together and get to know other members of the community. She believes nineteen members would be much too large to be effective and the design doesn't provide for the hearing of police complaints. She understands the Police Department does not want community oversight, but a positive can be the result of that oversight. As it stands she would be unwilling to vote to approve the ordinance.

Mayor Edmonds asked what if the larger group was represented by an executive committee. Council Member Richardson suggested revitalizing CoPAC as it stands and creating another body for these purposes. Council Member Murdock stated if this is a mayoral appointed committee there is nothing to prohibit individuals from the neighborhood associations to the body, regardless of size.

Council Member Richardson stated Council is not at a point to vote on this, and suggested tabling the resolution.

Chief DeGiusti stated union contracts play an issue when discussing having citizen oversight on the Department. Also, there are aspects of labor law that keep certain items confidential considering response to a complaint. Mayor Edmonds asked how these issues are considered in other communities with these type of bodies. Council Member Murdock replied there are several ways in which a commission could review complaints; one might perform the investigation, work on the investigation with the department, and one that reviews the police performed investigation. Chief DeGiusti stated he has no problem sharing that information.

Council Member Richardson stated the commission could be a positive tool for the Department. Chief DeGiusti replied he has not recoiled at the idea of this Commission and a number of what is included in the ordinance he suggested. Ms. Richardson replied she has heard both the Chief and other Officers state they were not in favor of an oversight board. Mayor Pro-Tem Richardson stated the review of data and presenting that data is included in the ordinance, however, not in the context of oversight. It is written that way because of limitations to oversight included in the union contracts.

Mayor Edmonds stated when she examines what the purpose of this body would be it is to have a further chance for the community to have a voice. She said what the community wants to know is trends with how people are treated by the Police Department based on their identity. Mayor Pro-Tem Brown stated it was the intention of the Task Force to bring this proposed ordinance to allow Council to make desired changes before its final passage. Ms. Edmonds asked how this structure would or would not facilitate a community voice. Ms. Brown responded her thinking was steered by what would be the legal ramifications of a complaint process, which was discussed with the Chief. If there is a way to add an oversight component she would have issue, except if it would violate any standing contracts.

Mr. DuChene stated the way the ordinance was designed was that the meetings and documents created by CoPAC would be public and subject to FOIA and the Open Meetings Act. If all the meetings of this body are public then it might prohibit the use of an exemption when reviewing confidential materials. His advice would be to make this body subject to both the Open Meetings Act and FOIA.

Mayor Edmonds requested a memo from the Attorney's Office to outline what would be legally permissible in the establishment of this body. Council Member Robb stated before an assignment is given it should be explained what information is being sought. He explained only two bodies in the City have subpoena power, Council and the Zoning Board of Appeals. If this body wanted to investigate complaints subpoena power is required to call witnesses and take testimony. If the desire is to investigate a complaint Council is the body that should perform the investigation. He stated he is not quite certain what it means to provide in voice in this context. He stated this matter was given to the Task Force to complete but if Council wants to do something it should be that body. He said if people want to have a voice they can address Council, possibly holding an event once or twice a year to specifically hear comments from the public. One of the reasons a recommended reenergizing CoPAC is to enhance police and community relations. He asked for a description of what it would mean for this body to investigate complaints and he will design the ordinance in that way.

Council Member Murdock stated the difficulty in created a board in the manner that Council would like are the same difficulties as Council found in the 1980's in attempts to form a similar body. He explained the reason the public wants a review board is because they do not trust the police to complete a proper investigation against themselves. Council Member Robb responded that investigative power should be in the hands of Council because it is the only body with that authority.

Council Member Vogt stated when complaints of this kind are dealt with there is a great deal of volatility and emotion. He said the legal issues surrounding the development of this body make it difficult and it is not constructive if the panel is not composed of highly knowledgeable and trained individuals. He added Ypsilanti is not large enough to produce experts in this area and limits what the City can do. He said a sounding board panel that would bring an issue to Council could be a possibility but a decision making body would not function. Mayor Edmonds agreed. Mr. Vogt stated the City has a need for this body, however, not a daily need like a larger city. Council Member Richardson stated Ypsilanti is not a big City but the greater Ypsilanti area can produce the individuals with the necessary skillsets for this body to be effective.

Council Member Richardson asked for a review of how a complaint is investigated. Chief DeGiusti responded it varies because now there are many mechanism that a complaint can be filed. Depending on who the complaint is filed against the next highest chain of command would investigate. Chief DeGiusti stated he is informed when a complaint is made and the protocol outlined in the contract is followed until a conclusion is made. Ms. Richardson stated the police are policing themselves. Chief DeGiusti responded in the affirmative. Ms. Richardson stated that is one of the reasons the Task Force was formed, and Council needs to develop a body to change it. She said the proposed ordinance dilutes what the Task Force mission was to create. Mayor Pro-Tem Brown disagreed it dilutes the original intention, however, it does not have the bite. She asked for direction on how Council would like this board designed.

Mayor Edmonds asked when the City Manager is informed of a complaint being filed. Chief DeGiusti responded the City Manager would not be informed of anything minor. Ms. Edmonds asked how many complaints the Department receives a year. Chief DeGiusti responded between seven and nine a year.

Council Member Robb stated the idea the police are investigating the police can be extrapolated to not trusting any governmental body you could submit a complaint to. He said if the intention is to truly have a separate body Council should budget \$125,000 to hire on outside independent arbitrator to review complaints. He said everyone wants oversight regardless of actually defining what that oversight would look like. He said Council is attempting to create something without clear understanding of what it is or if it will solve the problem it is intended to solve.

City Manager McClary stated he is not certain this is an issue of just social justice. He believes there is a much deeper issue of feeling powerless, and it needs to be expressed to the community they have more power than they think they have. That power flows from Council, which has investigative powers and an oversight function of this municipality. He said any citizen, or group of citizens, with a concern or complaint can bring it to Council. He explained the City needs to be sensitive to why this discussion is taking place, and why people feel this commission is necessary. The best answer to this question is to establish a process to handle complaints through Council. Mayor Pro-Tem Brown stated there have been several times complaints have been submitted to Council on a number of different mediums. Making the resolutions of those complaints more visible might be helpful to the community. She said it needs to be marketed more to the public that Council is whom they should contact when they do have a complaint. Council Member Murdock asked if Council really finds resolutions to problems that are stated during audience participation. He explained when complaints are made the work to resolve them is given to members of the staff, or another commission. If Council wanted to create a sub-committee to address complaints it could.

Mayor Edmonds suggested greater clarity in the review process and how often complaints be heard by Council. Council Member Richardson responded most of that information was in the sub-committees report. Mayor Pro-Tem Brown disagreed, and explained the sub-committee's report was very general and did not touch on these specific questions. Ms. Richardson asked if Council ever asked the sub-committee to produce more information. Ms. Edmonds stated the Task Force was charged with forming the police advisory body. Ms. Brown replied in the affirmative, and explained the sub-

committee provided its report to the Task Force whom decided to ask Council for direction. Council Member Robb stated the only objective not completed by this ordinance is adopt community policing, which is constrained by budgetary issues.

Mayor Edmonds summarized Council is giving direction to further develop the hearing structure the proposed ordinance allows for the body to be too large. She suggested those items be adjusted in the ordinance. Council Member Richardson suggested Council call a work session to develop this body. Mayor Pro-Tem Brown stated if that is what is decided the Attorney's Office would need to provide information on what this body could legally do. Ms. Richardson replied the Attorney's Office would be present during the work session. Ms. Brown stated there would need to be background work completed before the work session. Ms. Richardson replied not necessarily and some work has already been completed. Mr. DuChene stated not just the Attorney's Office, but staff in general, would need specificity when looking into matters. Ms. Richardson stated the work session would draw out the specifics. Mr. DuChene stated if Council schedules a work session the Attorney's Office could provide it at that time. Council Member Murdock stated the complaint review process seems to be the highest area of contention. He said it has been mentioned several times that other communities have boards that review complaints, however, through his research he has not found any with ordinances that provide that power. He said if there are communities with that power they should be researched to understand how they are able to. He said he looked at Southfield ordinance and it did not provide this power. Ms. Richardson interjected she attended a Southfield meeting and it was totally different then what the City is looking to create. Ms. Edmonds asked for clarification of what Southfield is doing. Ms. Richardson responded Southfield is actively using community policing tactics because of that crime has decreased to very low levels. She added anyone you goes through the police academy is eligible to be on Southfield's Police Advisory Board.

Mayor Edmonds stated during a work session it would be helpful to have examples from other community police advisory boards. Council Member Richardson added the work session should include members of the Human Relations Commission, and other commissioners throughout the City.

Council Member Murdock stated much of what has been discussed can be completed by CoPAC. The issues is how to develop an oversight component of that group. He said Council can codify CoPAC and then try to resolve how to develop the complaint review component.

Council Member Robb stated Detroit has a Police Advisory Board that has discipline power, Michigan State University has an oversight board, which was enacted by the state legislature, Washtenaw County has an advisory board, as does Muskegon, Grand Rapids, and Kalamazoo. He said those municipalities provided the most disciplinary power that is allowed in this state, which is mostly lip service. Council Member Murdock stated if those models do not include what this City wants Council will need to develop a new model. Mr. Robb asked for Council to decide what it wants and an ordinance will be drafted. Council Member Richardson responded that is why she is asking for a work session.

Chief DeGiusti stated every month Council receives a report from the Police Department and suggested sending general information regarding complaints and discipline given as a result with that report. He said that will provide quick Council oversight and then move toward accomplishing other goals.

Mayor Edmonds asked if a Council Member would move to table this item. Council Member Robb replied this item will not be coming back to Council and procedurally it should just be voted down.

**Council Member Richardson moved, seconded by Council Member Murdock to table Resolution No. 2017-074.**



On a roll call, the vote to table Resolution No. 2017-074 was as follows:

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

VOTE:

YES: 3 NO: 3 (Brown, Robb, Vogt) ABSENT: 1 (Bashert) VOTE: Failed

**Council Member Murdock called to question.**

On a roll call, the vote to approve Resolution No. 2017-074 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 | No  |
| Council Member Bashert    | Absent |                     |     |

VOTE:

YES: 3 NO: (Richardson, Edmonds, Vogt) ABSENT: 1 (Bashert) VOTE: Failed

**Council Member Richardson moved, seconded by Council Member Murdock to extend the meeting to 11:00 p.m.**

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

- Ordinance No. 1287
2. An ordinance to amend the Ypsilanti City Code to combine the subsection that makes it illegal for a person to allow occupancy without a valid Certificate of Compliance in a multiple dwelling with the subsection that makes it illegal for a person to allow occupancy without a valid Certificate of Compliance in one- or two-unit rental dwelling. (Attorney)

- A. Resolution No. 2017-076, determination

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

**That an ordinance entitled "An Ordinance to amend Ypsilanti City Code Chapter 18 "Building and Building Regulations", Article VI "Inspection and Control of Certain Buildings", Division 3 "Certificate of Compliance", Section 18-146 "Required" to update and combine subsections (a) and (b)" be approved on First Reading.**

OFFERED BY: Council Member Vogt

SECONDED BY: Mayor Pro-Tem Brown

Assistant City Attorney Jesse O'Jack stated basically this would make no changes it would only simplify the ordinance to avoid confusion.

- B. Open public hearing

None

- C. Resolution No. 2017-077, close public hearing

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

**That the public hearing on an ordinance entitled "An Ordinance to amend Ypsilanti City Code Chapter 18 "Building and Building Regulations", Article VI "Inspection and Control of Certain Buildings", Division 3 "Certificate of Compliance", Section 18-146 "Required" to update and combine subsections (a) and (b)" be officially closed.**

OFFERED BY: Council Member Vogt

SECONDED BY: Mayor Pro-Tem Brown

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

On a roll call, the vote to approve Resolution No. 2017-0076 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    | Absent |                     |     |

VOTE:

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

**X. CONSENT AGENDA –**

Resolution No. 2017-078

1. Resolution No. 2017-079, approving appointments to Boards and Commissions. (Mayor)

**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:**

| <b><u>NAME</u></b>                                                                                                                                                                                                      | <b><u>BOARD</u></b>                               | <b><u>TERM EXPIRATION</u></b> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|-------------------------------|
| <b>Beth Ernat</b><br><b>584 N. Harris Rd.</b><br><b>Ypsilanti, MI 48198</b><br><a href="mailto:bernat@cityofypsilanti.com">bernat@cityofypsilanti.com</a><br><b>734-945-9270 (cell)</b><br><b>734-482-9774 (office)</b> | <b>LDFA SmartZone</b><br><b>(filling vacancy)</b> | <b>June 30, 2020</b>          |

2. Resolution No. 2017-080, approving minutes of February 7 and February 21, 2017. (Clerk)

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

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



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

On a roll call, the vote to approve Resolution No. 2017-078 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    | Absent |                     |     |

VOTE:

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

#### **XI. RESOLUTIONS/MOTIONS/DISCUSSIONS –**

1. ~~Resolution No. 2017-081, approving the city's medical marijuana revenue sharing proposal. (Economic Development)~~ **(Moved and heard during Section VII, Presentations)**
2. Resolution No. 2017-082, approving Ordinance 1285 to amend Section 58-32 of the Ypsilanti City Code to add two youth non-voting members to the Human Relations Commission. **(Second Reading)** (Attorney)

#### **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 members to the Human Relations Commission" be adopted on Second and Final Reading.**

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

Mayor Edmonds stated one of the Human Relations Commissioners and another community member are already working on a strategy to recruit youth members for this commission and others in the City.

On a roll call, the vote to approve Resolution No. 2017-082 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    | Absent |                     |     |

VOTE:

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

3. Resolution No. 2017-083, renewing the dispatch service agreement with Emergency Health Partners, Inc. (EHP). (Fire)

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

**WHEREAS, the Fire Department dispatching agreement needs to be renewed. Effective the 1<sup>st</sup> day of July 2017, between Ypsilanti City, 1 S. Huron, Ypsilanti MI 48197, a**

**municipal corporation ("City"), on behalf of the Ypsilanti Fire Department ("Fire Department"), and EMERGENT HEALTH PARTNERS, INC., 1200 State Circle, Ann Arbor, Michigan 48108, a Michigan nonprofit corporation, ("EHP"); and**

**WHEREAS, the City is contracting with EHP to provide the Fire Department with certain dispatching services according to the terms of this Agreement; and**

**WHEREAS, EHP, is currently operating a secondary public safety answering point and is engaged in the communication and dispatch of fire departments and ambulance services; and**

**WHEREAS, the City and EHP mutually desire and agree that EHP shall provide communications and dispatching services, on behalf of the Fire Department.**

**Now Therefore, the contract with EHP to provide dispatch services be approved and the Mayor and City Clerk are authorized to sign the agreement, for and on behalf of the City of Ypsilanti, subject to the approval of the City Attorney.**

OFFERED BY: Council Member Richardson

SECONDED BY: Council Member Murdock

Council Member Richardson moved a friendly amendment, seconded by Council Member Murdock to add "Now Therefore, the contract with EHP to provide dispatch services be approved and the Mayor and City Clerk are authorized to sign the agreement, for and on behalf of the City of Ypsilanti, subject to the approval of the City Attorney."

Council Member Murdock asked what the amount will be for FY2016-17. Fire Chief Max Anthouard responded it is a \$100 difference.

Council Member Robb asked if there is a contract that currently exists. Chief Anthouard responded in the affirmative. Mr. Robb asked that in the future to provide the contract for future requests. Mr. McClary asked if in the future both the current and proposed contracts be included in the packet provided to Council. Council Member Murdock asked that the numbers be included in the Request for Legislation (RFL).

On a roll call, the vote to approve Resolution No. 2017-084 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    | Absent |                     |     |

VOTE:

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

4. Resolution No. 2017-084, approving a Neighborhood Enterprise Zone (NEZ) certificate for 705 Franklin St. (DDA/Planning)

**RESOLUTION APPROVING AN APPLICATION FOR A NEIGHBORHOOD ENTERPRISE ZONE  
HOMESTEAD FACILITY CERTIFICATE FOR CHARLES RICHMOND LOCATED AT 705  
FRANKLIN ST, YPSILANTI MI**

**WHEREAS, the City Council of the City of Ypsilanti established a Neighborhood Enterprise Homestead Zone on April 16, 2016 as required under PA 147 of 1992 after a public hearing held on April 16, 2016; and**

**WHEREAS, the homeowner Charles Richmond is not delinquent on any taxes related to the home; and**

**NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ypsilanti and hereby is granted a Neighborhood Enterprise Zone Homestead Exemption for property located at 705 Franklin Street, Ypsilanti MI 48197 for a period of 15 years, beginning December 31, 2017, and ending December 30, 2032, pursuant to the provisions of PA 147 of 1992, as amended.**

OFFERED BY: Mayor Pro-Tem Brown

SECONDED BY: Council Member Richardson

Ms. Ernat stated this is the City's first investment since the creation of the City's NEZ. This investment should total \$75,000 and the improvement to the land should total \$150,000.

Mayor Pro-Tem Brown moved a friendly amendment, seconded by Council Member Richardson to change the "307 Franklin" to "705 Franklin".

Mayor Edmonds stated this is a perfect use of the NEZ program.

Council Member Murdock asked for clarification regarding the \$75,000 investment. Ms. Ernat responded the investment is based on the purchase of the modular home, foundation, and garage. Mr. Murdock asked how the property increases to \$150,000 taxable value. Ms. Ernat replied that is the figure provided by the assessing department. Mr. Murdock responded that would be assessed value not taxable.

On a roll call, the vote to approve Resolution No. 2017-084 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    | Absent |                     |     |

VOTE:

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

5. Resolution No. 2017-085, directing staff to release the Request for Proposals (RFP) for the sale and development of 220 N. Park.

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

**WHEREAS, the City of Ypsilanti owns the property at 220 N. Park and the property has been prepared for redevelopment; and**

**WHEREAS, the City Council directs staff to offer the property for sale through a Request for Proposal that has been drafted with the assistance of the Michigan Municipal League; and**

**WHEREAS, the City seeks to redevelop the property to increase the taxable base of the City and provide additional housing options within the City.**

**NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council directs staff to release the Request for Proposals for the sale and development of 220 N. Park.**

OFFERED BY: Council Member Vogt

SECONDED BY: Mayor Pro-Tem Brown

Ms. Ernat stated the Planning Department held three charettes in which the public made it clear what would be acceptable at this property. They wished to not have high density housing, but did agree if something was developed they townhomes would be acceptable. This coupled with the grant the City received in 2015 allowed the City to demolish the structure on 220 N. Park. This property would also be eligible for technical assistance from the Michigan Municipal League. The technical assistance provided came in the form of creating a Request for Qualifications (RFQ) document and contacts to distribute the RFQ with the purpose to solicit qualified and interested developers. Beckett and Raeder has hired be MML to create a proforma to find a valid pricing point and with that analysis a site plan was created.

Mayor Edmonds asked if staff is requesting Council's blessing on the RFQ. Ms. Ernat responded in the affirmative. Ms. Edmonds agreed with some of the thoughts and suggestions made during the joint ZBA, HDC, and Planning Commission meeting, however, she would like to add sustainability aspects to the RFQ. She said there has been conversation to examine what role tiny homes could play at that property, and she would like to further that possibility. There is also interest in co-housing at this location. Council Member Vogt stated he is in support of anything that gets built at this point.

Council Member Robb stated this site is going to create negative reaction from the current residents of that neighborhood. The density is going to be much higher than the block north of the site plus the City recently closed to roads there will funnel traffic through that neighborhood. Ms. Ernat responded on goal to relieve that concern is to extend Locust through the project.

Council Member Robb stated the idea of tiny houses are the modern equivalent to trailer parks it provides no taxable value and is not something the City should be soliciting. He added the minimalist idea to spend \$80,000 to live in 200 square feet is incredibly pretentious. He said anything that does not create property taxes should not be included in an RFP. Mayor Edmonds disagreed when considering affordability and things that people in different generations are looking for as products. The City needs to continue to look at the value in different housing markets and she is concerned that property values could continue to rise such as those in Ann Arbor and she wants this community to stay affordable. Ms. Ernat stated this discussion was held at the joint meeting and her response was there is always a need for affordability but there is also a need to be development that people want to live. She said there can only be so much housing types on four acres of land, but this is an opportunity to address low maintenance housing. She added condos and townhomes Are built modern and are sold before hitting the market and the City is lacking in this type of housing. Ms. Edmonds agreed, but wants Council to continue to thinking about affordable housing. Council Member Murdock agreed tiny homes make little economic sense at this time. Ms. Edmonds responded tiny homes make sense in some parts of the City.

On a roll call, the vote to approve Resolution No. 2017-085 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    | Absent |                     |     |

VOTE:

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

6. Resolution No. 2017-086, approving creation of a combined Assistant City Manager/Human Resources Administrator position and authorizing the City Manager to proceed to recruit and fill the position. (City Manager)

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

**WHEREAS, the City of Ypsilanti human resources management functions are currently being handled on a temporary basis by the city's payroll administrator; and**

**WHEREAS, it is necessary to fill the human resources position; and**

**WHEREAS, due to limited staffing, the City Manager is also in need of assistance with day-to-day organizational management and coordination of special projects; and**

**WHEREAS, the City Manager recommends that the City Council approve the creation of a combined Assistant City Manager/Human Resources Administrator position within the Office of the City Manager to handle general management assistance, coordination of special projects, and human resources management; and**

**WHEREAS, budgetary appropriations are available for this position;**

**NOW THEREFORE BE IT RESOLVED BY THE CITY OF YPSILANTI that the City Council does hereby approve the job description for the Assistant City Manager/Human Resources Administrator position, with the position to be placed in Pay Grade 4 of the city's non-union pay scale; and**

**BE IT FURTHER RESOLVED that the City Council does hereby authorize the City Manager to proceed to recruit for, and fill, the position of Assistant City Manager/Human Resources Administrator.**

OFFERED BY: Council Member Murdock

SECONDED BY: Council Member Richardson

Mr. McClary stated he is requesting Council approve the job description for a combined position that would mainly focus on the Human Resources functions, but would provide assistance to the City Manager's Office for special projects and general management issues. The position would be non-union and FLSA exempt, and appropriations are available as well as additional funding for assistants to that position for the payroll and benefits administrator. He is not certain if those positions will continue to be budgeted through the Human Resources Department, or if they will return to Finance. Mayor Edmonds stated this position will be mostly geared toward an HR professional. Mr. McClary responded in the affirmative.

Council Member Robb stated years ago the City employed an Assistant City Manager who would have been second in command behind the City Manager. After that employee took a City Manager position in another municipality an employee was hired as the Assistant to the City Manager who was not thought of as second to the City Manager. He asked will this position be an Assistant City Manager or an Assistant to the City Manager. Mr. McClary responded the Assistant City Manager position by itself is a pay grade five and the Human Resources Manager position is in a pay grade three which is why it was placed in the middle. Mr. Robb replied he wants to understand the succession plan if this individual is hired and the City Manager leaves his position. Mr. McClary responded this position would be an Assistant City Manager if they possess the experience. Depending on the applicant pool he may want to change the title and job description to make it more of an Assistant to the City Manager in a lower pay grade. He will return to Council with an

amended resolution once he evaluates the applications. Mayor Edmonds asked when the City Manager is away, either on vacation or another reason, will this person be acting City Manager. Mr. McClary responded at this point he is hoping this person will have expertise in both job classifications, if so they would act as City Manager. However, if that is not the case and this person's expertise is more in the realm of Human Resources he would ask for a reclassification of the position, and the City would abide by the Charter. Mr. Robb stated when Council approved the budget amendment this position was added for 2018 this position created a \$92,000 deficit, and he asked if that amount will be increased. Mr. McClary responded no.

On a roll call, the vote to approve Resolution No. 2017-086 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    | Absent |                     |     |

VOTE:

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

## **XII. LIASON REPORTS –**

- A. SEMCOG Update – Council Member Richardson stated the General Assembly was Thursday, March 30<sup>th</sup> and the meeting was held at the GM Heritage Facility in Dearborn Heights. It was an excellent venue and would be a great place for car lovers to visit. There was a demographic report that discussed birth rates and mortality rates both decrease.
- B. Washtenaw Area Transportation Study - None
- C. Urban County - None
- D. Ypsilanti Downtown Development Authority - None
- E. Eastern Washtenaw Safety Alliance - None
- F. Police-Community Relations/Black Lives Matter Joint Task Force - None
- G. Friends of Rutherford Pool - None
- H. Housing Equity Leadership Team - None
- I. Economic Development Coordinating Committee - None

## **XIII. COUNCIL PROPOSED BUSINESS –**

### Richardson

- Stated there is still not a Black Lives Matter sign in Council Chambers and asked to take down the One Human Family sign until a Black Lives Matter banner is complete.

Mayor Edmonds replied she has secured a graphic designer and is working on a final design. Council Member Richardson stated the banner should be removed because the Interfaith Council for Peace and Justice, who developed the banner, agreed with her that all peoples should be included. Ms. Edmonds stated she is currently working on language.

- Still waiting on a Water Street report.
- City Attorney John Barr received the Jim Sinclair award from the Michigan Municipal League.
- In March she was appointed the MML Worker's Compensation Board of Trustees.

#### Murdock

- In December Council approved a truck route ordinance and has asked several times of how that ordinance will be communicated to the public.

Mr. McClary responded Council will be receiving a report this week regarding that matter. Mr. Murdock stated much of the communications needs to come through conversations with various truck companies operating in and around the City.

- Several weeks ago a Resolution was passed directing staff to apply to MDOT for signs on W. Cross Street and to evaluate that intersection.

Mr. McClary responded he will follow up with staff regarding the status of the application process. Ms. Ernat added OHM has been asked to prepare the request and at this time the City is waiting for that request completion.

- Around a year ago a resolution was passed to extend the bike lanes on Forest and Prospect and he wanted to make sure it is scheduled for installation this spring.

#### Vogt

- He is also interested in how the Truck Route Ordinance will be implemented.
- He would like to have an additional streetlight added to Hewitt near the Border to Border Trail.

#### Robb

- Asked if the parking on the front of 311 Ballard is permitted by the Zoning Ordinance.

Ms. Ernat responded the parking is legal.

- Asked for the information regarding the dispute with the downtown dumpsters.

### **XIV. COMMUNICATIONS FROM THE MAYOR –**

- The membership of the Islamic Center in Pittsfield Township mostly are Iraqi Refugees who live in, or around the City. The members are still researching what there next steps are, however, in the meantime she offered City Hall as a drop of center for letters of support. Recently, a box was left in her office filled with many cards written by local children.
- Stated she will be absent the next two meetings while represented the City abroad.
- On Friday Morning she had a chance to have been in a second grade classroom at Ypsilanti International Elementary School that the students made posters that Ypsilanti is welcoming.
- Students want to implement a buddy bench for children to meet other children.

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

- He was provided Council with a written update of the budget preparation.
- He provided Council with a tentative update on the collective bargaining schedule, and there a closed session scheduled for the next regular meeting. The City is employing an aggressive schedule to have contracts complete by June 30<sup>th</sup>.

- A summary of the 2016 - 2017 goals have been forwarded to Council, and a more comprehensive report will be given in the near future.
- The Council Information Letter will be sent out later this week.
- The Michigan Black Caucus and Local Officials is holding a "Race and Law Enforcement Community Forum" will be held on April 8<sup>th</sup> at 9:00 a.m.
- City Administrative Office will be closed on Friday, April 14<sup>th</sup>.
- First Friday's is Friday, April 7, 2017.

**Council Member Robb moved, seconded by Mayor Pro-Tem Brown to extend the meeting until 11:30 p.m.**

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

**XVI. COMMUNICATIONS –**

**XVII. AUDIENCE PARTICIPATION –**

1. Dave Calkin, 302 Elm, stated he and his wife have been residents of the City for 26 years and have a group of people who would like to invest in a medical marijuana facility. He stated he was a little concerned with EMU's presentation related to revenue allocation. He said he assumed the tracking system would be used to tally up transactions between various facilities. He said the state will monitor each of the transaction and a way to encourage success is to reward municipalities based on the volume. He said the EMU report also put medical marijuana facilities in a bad light, when suggesting they would attract crime. We wondered how crime was impacted when the 2008 Medical Marijuana Ordinance and his research showed no increase.

**XVIII. REMARKS FROM THE MAYOR –**

**XIX. ADJOURNMENT –**

Resolution No. 2017-087, 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 11:07 p.m.





Draft

**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 –**

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 |                     |         |

**Council Member Bashert moved, seconded by Council Member Richardson to excuse the absences of Mayor Edmonds and Council Member Vogt.**

On a voice vote, the motion carried, and the absences were excused.

**III. INVOCATION –**

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

**IV. PLEDGE OF ALLEGIANCE –**

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

**V. INTRODUCTIONS –**

Mayor Pro-Tem Brown introduced the following individuals; City Manager Darwin McClary, Economic Development Director Beth Ernat, Police Chief Tony DeGiusti, Ordinance Officer James Jackson, and City Attorney John Barr.

**VI. 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.

## **VII. PRESENTATIONS -**

Ypsilanti Community Schools' millage proposal – Ben Edmondson, Superintendent

Mayor Pro-Tem Brown introduced Ypsilanti Community Schools Superintendent Ben Edmondson.

Superintendent Ben Edmondson provided a presentation regarding the Ypsilanti Community Schools operating millage renewal.

An audience member asked when the school district will meet with realtors. Mr. Edmondson responded he is currently working with a realtor to campaign other companies to stop offering Ann Arbor school of choice as an incentive to sell Ypsilanti properties.

An audience member asked if Ypsilanti Community Schools (YCS) is networking to inform the community of the positive direction YCS is moving. Mr. Edmondson replied he is very accessible to the community and has had 800 information meetings to gain support from the community for the district.

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

Mayor Pro-Tem Brown introduced Huron River Water Council Executive Director Laura Rubin.

Executive Director Laura Rubin provided a presentation regarding the Peninsular Paper Dam and park.

An audience member asked if Ms. Rubin was aware that twenty years ago there was interest in commercializing that area, however, since the City used state funding it is precluded from revitalization attempts. Ms. Rubin replied to her understanding the City is only precluded from selling, but it could be leased.

Council Member Murdock stated he shared various studies that have been completed regarding the dam. He explained the Peninsular Paper Company gave the City the dam and around 7 acres to the north. The City hoped to restore the park, use the dam for power generation, and install a historic structure sign. Over the last three decades there have been several meetings with parties interested in power generation, unfortunately, it became difficult to make the project fiscally solvent. At this point the possibility of power generation on this specific dam seems remote because of natural gas prices. He said there are few options for funding at the state and federal levels for dams, however, mostly for removal. The 2014 inspection of the dam was the first to complete an inspection of the dam below the water line and the estimates were a result of that inspection. The Department of Environmental Quality has since requested a plan and timeline on when the City will fix the dam. He explained he is always skeptical about presentations with designs that show only positive possibilities. Tonight he is interested in gathering information regarding removal of the dam and other possible strategies. He explained nothing has been done to maintain, or improve the park since its installation. He said the Historic District Commission (HDC) has requested both the dam and the power house be included in the historic district, which if the City decides to tear down both structures could cause issue. He asked for a study to be completed to gather information regarding the dam and the ecosystem surrounding it.

Council Member Bashert stated there are at least four really good reasons to consider removing the dam. However, this discussion is for Council to decide if it would like to make a matched investment to find out what are the City's options.

Council Member Richardson asked how much the City's match would be for the study. Council Member Murdock responded the study is estimated to cost is around \$40,000 so that City's portion would not exceed for than \$20,000,

which the City has \$25,000 budget. City Manager McClary responded in the affirmative, and explained there is \$25,000 in the General Fund set aside for Pen Dam which would be used for this study. Ms. Rubin added that amount will suffice because it will be matched by the Water 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.

**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: Council Member Murdock

SECONDED BY: Council Member Richardson

Council Member Murdock asked if the City will need to bid this out because of its professional services contract. Mr. McClary responded the total project would be up to \$40,000 which may require formal competitive bidding. Mr. Murdock stated the Attorney's Office at one time informed Council that professional services were exempt from the competitive bid process. Mr. McClary responded that might be the case but he will need to do further investigation.

On a roll call, the vote to approve Resolution No. 2017-088 was as follows:

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

VOTE:

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

### **VIII. AUDIENCE PARTICIPATION -**

1. Jon Lusk, 1111 W. Clark Rd, stated 28 years ago he purchased land and built a home and he and his wife are active in the community and sit on City Boards and Commissions. If the dam is removed it will remove the view of the river from his property. If that is done he will argue in front of the Tax Assessment Board of Review his property would be worthless. He believes Peninsular Park will also be damaged by removing the dam, as well as any water recreation enjoyed at this location. An Attorney advised him that if the City leases the land the state will require the City to replace the land used for the park.
2. Gail Wolkoff, 1728 Whittier Rd, stated she is now a non-profit business owner with an L3C, she lives in the City, and she works with youth in the community. She stated she is interested in the CoPAC issue taken up during last meeting. She believes CoPAC is used to connect neighborhoods with the police with the intent of creating safer neighborhoods. What has presented during the last meeting was ostensibly that ideal "mashed" together with several other functions. She believes those other functions should be kept separate and offered her services to the formation of a new body.
3. Adam Gainsley, 409 Adams, stated he is representing Citizens for Ypsi and informed Council his group submitted enough signatures to place a Water Street Debt Millage on the August ballot. He thanked everyone who signed the petition and Council for their guidance and support.
4. Sue Melke, 330 Chidester #409, asked if \$25,000 is spent for the Pen Dam study where will the money come from to maintain the dam.

Mr. McClary responded staff will need to examine that issue closely, but the City will continue to maintain its obligations. Council Member Murdock added the DEQ performs its inspections at no cost to the City. Ms. Melke agreed the Black Lives Matter issues and CoPAC should remain separate as Ms. Wolkoff previously stated. She added the Task Force meeting at the High School last summer gives evidence a Community Police Board is definitely needed even if it only improves perception.

5. Steven Lachance, 8 S. Summit, stated when he moved here twelve years ago he and his wife decided Ypsilanti would be their community. He asked if the Pen Dam study would include any potential economic value added to the City without removing the dam, or would that be completely separate. He stated he is looking to become more active in the community and where he can go to see what commissions are active.
6. Michael Simmons, 128 Bell, asked for an update on the Bell/Kramer issue. He commented on the "One Human Family" banner and asked about everyone else in the community. He said if that banner continues to be up there should be another that says black lives matter.

Mr. McClary stated the purpose of the Pen Dam study is purely for the removal of the dam. He explained a previous study has already been completed on how to make improvements to the dam and will share that with the community. He added this study will examine the economic impact of the removal of the dam.

**IX. REMARKS BY THE MAYOR PRO-TEM –**

— Asked City Clerk McMullan where Mr. Lachance could find minutes for past meetings.

Ms. McMullan responded all approved minutes are located on the website and all listed Boards and Commission are currently active. If minutes have not been approved for some time it is possible they do not meet regularly, but Council has not disbanded. Adam Gainsley added there is a vacancy list but it is one month out of date.

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

1. Resolution No. 2017-089, approving minutes of March 7, and March 21, 2017.

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

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

OFFERED BY: Council Member Richardson

SECONDED BY: Council Member Bashert

On a roll call, the vote to approve Resolution No. 2017-089 was as follows:

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

VOTE:

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

2. Resolution No. 2017-090, awarding bid for ordinance abatement services to Premium Lawn Services and Classic Lawn Care and Building Maintenance.

**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: Council Member Robb

SECONDED BY: Council Member Bashert

Ordinance Officer James Jackson stated the previous contract for abatement was headquartered in Brownstown and it was difficult from them to come to Ypsilanti for one job. His intention with the new contract was to solicit services from local companies in order to be more responsive. The two bids are local; one in Ann Arbor and one in Ypsilanti Township and he hopes they will be more responsive.

On a roll call, the vote to approve Resolution No. 2017-090 was as follows:

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

VOTE:

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

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

**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: Council Member Bashert

SECONDED BY: Council Member Murdock

Chief DeGiusti stated the City initially entered into this contract with the Sheriff's Department in 2010. The County was eligible to increase the contract by 5% after four years of the contract, however, the contract was only raised by 3% after seven years. He explained the service is very responsive to the City and it would be very cost prohibitive for the City to provide its own dispatch.

On a roll call, the vote to approve Resolution No. 2017-091 was as follows:

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

VOTE:

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

## **XI. LIASON REPORTS –**

- A. SEMCOG Update – Council Member Richardson stated communications were sent to Council today and the next meeting will be May 4<sup>th</sup>.
- B. Washtenaw Area Transportation Study - None
- C. Urban County - None
- D. Ypsilanti Downtown Development Authority - None
- E. Eastern Washtenaw Safety Alliance - None
- F. Police-Community Relations/Black Lives Matter Joint Task Force – None

Council Member Murdock stated after last meeting he was under the impression Council was going to schedule a work session to develop a Police Board.

- G. Friends of Rutherford Pool - None
- H. Housing Equity Leadership Team - None
- I. Economic Development Coordinating Committee - None

## **XII. COUNCIL PROPOSED BUSINESS –**

### Richardson

- Attended an Inkster City Council meeting and recommended each Council Member visit another Community's Council meeting to see how their meetings are structured to see if Ypsilanti can improve.
- Thanked City Manager McClary and Mayor Pro-Tem Brown for attending the forum last week.

### Murdock

- Thanked staff for the update on the Truck Route Ordinance enforcement.

Chief DeGiusti stated officers have already been given training on how to enforce the Truck Route Ordinance. He is meeting with DPS Director Kirton tomorrow, April 19<sup>th</sup> to discuss sign placement in addition to how to notify local trucking companies.

- Asked if Council will be given the new dangerous buildings list as well as what it means and what the process is.

### Bashert

- Thanked Citizen's for Ypsi for their efforts on the petition drive. She sees it as highly unusual and commended all the citizens who performed the work. She is thankful for the possibility that a large amount of the debt could be available in the near future.
- Asked for an update on Bell/Kramer and suggested that her motion to table the resolution might not have been according to Robert's Rules. From what she understands nothing has changed but the issue needs to come back to Council. She asked what must be done to place that issue on an upcoming agenda.

Council Member Robb asked what action Council would take if it comes back to Council. Council Member Bashert responded she is not exactly sure, but if Robert's Rules were not followed it should come back to Council. Mr. Robb responded Council created policy to have residents take

the tests. If those residents do not wish to have the testing complete there isn't a policy to come to Council for approval. He asked if Council Member Bashert would like to change the policy. Ms. Bashert responded no, and explained without the testing complete there is no information to make a decision. Mr. Robb asked what would come to Council to approve, and what is it that Council Member Bashert does not like about the policy. Ms. Bashert responded he does not like that those citizens could be unsafe. She said the issue is if the item was not properly tabled it should come back to Council. Council Member Richardson replied she does not feel the table motion was done incorrectly, and legal counsel did not object. Ms. Bashert stated she received an email from City Manager McClary that a table motion must include a timeline. Mr. McClary responded a question was posed to him on how an issue could come back to Council. He said the motion that was approved was to table the issue and a motion to table, in his understanding, is to lay on the table an issue until the end of the meeting, or at the latest the next meeting. If a Council Member wishes to postpone an item the motion should be to postpone with an attached time, or to postpone indefinitely. He explained if an item is tabled and is not brought back by the next meeting it dies. City Attorney Barr stated this meeting belongs to Council, and Council may set its own rules. If two Council Members wish something to be added to the agenda it can be added, but strict reading of Robert's Rules if a motion to table is made and approved if it is not brought back by the next meeting it dies. Ms. Ernat stated DEQ offered to meet with residents of Bell/Kramer to discuss the testing, however, a meeting was not set. She explained she had not heard from residents until recently how said he would solicit signatures. That individual informed her that he has up to six signed agreements and will be getting another to get to seven. If she has Council's blessing she will proceed forward with the testing if she can secure that seventh agreement.

Council Member Murdock responded he believed the Planning Commission was going to review the matter regardless of testing. Ms. Ernat replied that review was based on the completion of the testing, she asked for Council blessing to move forward with testing less than 75% of the properties. Council Member Robb stated he would prefer not to change the rules and since this item was not brought back by the next Council meeting it died.

**Council Member Bashert moved, Council Member Richardson seconded to complete testing with seven signed agreements.**

Council Member Robb stated the motion to table was tied to zoning not the amount of signed agreements to complete testing. He explained testing could already have been completed on the properties whose owners have signed the agreement. Council Member Murdock stated the mindset to postpone the testing until 75% of the agreements were signed is to produce accurate results. Mr. Robb responded he doesn't think anyone here can provide clear evidence whether seven of eight testing sites is statistically significant. He asked why testing is not completed as agreements are signed. Ms. Ernat responded because of the mobilization costs.

Council Member Richardson asked how many locations of the eleven would need to be tested to make it cost efficient. Ms. Ernat responded she isn't certain there is a number that could be given, but the number she sees as most efficient would include all properties in direct contact with the landfill. After the testing is complete and a resident of Bell/Kramer request to have testing it would need to come back to Council and more funds allocated. Council Member Robb stated in order for the data to be useful it should include all the properties that touch the landfill. He said because of this Council should not reduce the number to avoid data that cannot be



interpreted properly. Council Member Murdock suggested waiting until the rental property agreed to test and complete it then.

**Council Member Bashert withdrew the motion. Council Member Richardson withdrew her motion.**

Brown

- Stated she is not able to access her City Email and asked in the meantime to add a secondary email to the website.

#### **XIV. COMMUNICATIONS FROM THE CITY MANAGER –**

- Stated he submitted his Manager's Report to Council, which included budget preparation, contract negotiations, truck route ordinance, and a Water Street update.
- He provided an update on the Hewitt streetlight. MDOT has given approval for the installation of that streetlight and should be installed within the next six weeks.
- The City Hall upper parking lot light is still waiting for MDOT approval.
- DPS is working on obtaining a contractor to install the bike path on Forest.

Council Member Richardson asked what the cross street is for the light on Hewitt. Mr. McClary responded he believes it is near Stadium Dr.

Council Member Murdock asked if the budget would be presented to Council on Monday, May 1<sup>st</sup>. Mr. McClary responded in the affirmative, the budget will be sent to Council on that date. Mr. Murdock stated if the millage is approved in August it will not be collected until the following year, and will not impact this year. Mr. McClary responded in the affirmative.

#### **XV. COMMUNICATIONS –**

- Clerk McMullan stated Monday, April 24<sup>th</sup> through Friday, April 28<sup>th</sup> she will be out of the office attending a conference, and in her absence Deputy Clerk Hellenga will be available to assist.

#### **XVI. AUDIENCE PARTICIPATION –**

1. Adam Gainsley, 409 Adams, asked that the millage not be called Mr. Gainsley's millage. He also thanked City Clerk Frances McMullan and Deputy Clerk Andrew Hellenga for all their assistance during the petition drive.
2. Steven Lachance, 8 S. Summit, stated he reviewed the City's website and found all needed materials.
3. Dave Calkin, 302 Elm, stated he is in favor of the Water Street Debt Millage and the Medical Marijuana Facilities Licensing Act. It seems the businesses that have pioneered the industry in Ypsilanti have earned the right of market lead time. The quicker Council approves an ordinance will help the current businesses make additional investments to be able to compete.

**XVII. 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

**XVIII. 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.

**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: Council Member Richardson

SECONDED BY: Council Member Bashert

On a roll call, the vote to approve Resolution No. 2017-092 was as follows:

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

VOTE:

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

The meeting adjourned to closed session 9:07 p.m.

**XIX. ADJOURNMENT -**

Resolution No. 2017-093, 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: Council Member Richardson

On a voice vote the motion carried, and the meeting adjourned at 9:42 p.m.



Draft

**CITY OF YPSILANTI  
COUNCIL MEETING AGENDA  
CITY COUNCIL CHAMBERS  
ONE SOUTH HURON STREET, YPSILANTI, MI 48197  
Thursday, April 27, 2017  
7:30 A.M.**

**I. CALL TO ORDER –**

The meeting was called to order at 7:34 a.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 |                     |         |

**Council Member Murdock moved to excuse the absences of Mayor Edmonds and Council Member Vogt.**

The motion failed due to lack of support.

**III. INVOCATION –**

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

**IV. PLEDGE OF ALLEGIANCE -**

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

**V. AGENDA APPROVAL –**

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

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

**VI. INTRODUCTIONS -**

Mayor Pro-Tem Brown introduced the following; Deputy City Clerk Andrew Hellenga, City Manager Darwin McClary, and City Attorney John Barr.

**VII. AUDIENCE PARTICIPATION -**

None

**VIII. REMARKS BY THE MAYOR -**

None

**IX. RESOLUTIONS/MOTIONS/DISCUSSIONS**

- Resolution No. 2017-094, approving the Memorandum of Understanding (MOU) for Firefighters Grant Proposal.

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

**WHEREAS, The City of Ypsilanti Fire Department applied for a regional FEMA grant under the 2016 Assistance to Firefighters Grant (AFG). This grant will provide funding to the City of Ypsilanti Fire Department and participating fire department agencies to purchase appropriate Cardio Pulmonary Resuscitation equipment to safely provide out of hospital patient care to victims suffering of a cardiac arrest; And,**

**WHEREAS, The Fire Department received communication from FEMA to submit an MOU for final approval to award the Grant.**

**WHEREAS, The total amount of the Grant for is \$496,360 and has a 10% match. The City will be the Fiduciary for the Grant; And,**

**WHEREAS, The City of Ypsilanti Fire Department will receive four Automated External Defibrillators (AEDs), an Automated Chest Compression Device and EMS training equipment for an amount of \$34,149.62. Our 10% match is \$3,104.51 and will be coming from budget # 101-7-3390-775-01. The Grant will provide a \$15,000 savings for fiscal year 2017-2018.**

**NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council approves the MOU and the Mayor Pro-Tem and Deputy City Clerk are authorized to sign the agreement, for and on behalf of the City of Ypsilanti, subject to the approval of the City Attorney.**

OFFERED BY: Council Member Robb

SECONDED BY: Council Member Richardson

Captain Richard Barnabo stated Executive Secretary Sammone Dixon were present to answer questions from Council.

Council Member Murdock asked for an explanation of the Memorandum of Understanding. Captain Barnabo responded the Fire Department wrote a regional EMS Grant involving sixteen local fire departments. He explained CPR has changed over the past several years and equipment is outdated and needs to be replaced. The grant is for the purchase of Automated External Defibrillators (AEDs), an Automated Chest Compression Device, and EMS training for the participating departments. Ypsilanti is acting as the host agency of the grant and will act as its administrator. The new equipment should increase the survivability rate of victims of cardiac arrest. Mr. Murdock asked if all sixteen departments will receive this equipment. Captain Barnabo responded in the affirmative.

Council Member Richardson asked if all Ypsilanti Fire Department will receive is the \$34,000 worth of equipment and training. Captain Barnabo responded in the affirmative. Ms. Richardson asked if the City will be the fiduciary of the entire grant. Captain Barnabo responded in the affirmative, and explained Ypsilanti is managing the contract. However, the City will not distribute the equipment until they are paid in full from each jurisdiction. City Manager McClary added the City will invoice each jurisdiction prior to the ordering of the equipment. Captain Barnabo stated the City has letters of intent from each jurisdiction.

Council Member Bashert asked what the City will see in savings to the budget. Captain Barnabo responded the City is currently in need of new AEDs, and the Fire Department is currently using equipment that is seventeen to eighteen years old. The company who manufactured the equipment in use is no longer in business making it impossible to receive parts or service. He explained Chief Anthouard budgeted to replace the current equipment and this grant would decrease that from the budget.

On a roll call, the vote to approve Resolution No. 2017-094 was as follows:

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

VOTE:

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

**X. AUDIENCE PARTICIPATION -**

None

**XI. ADJOURNMENT –**

Resolution No. 2017-095, adjourning the City Council meeting.

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

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

OFFERED BY: Council Member Murdock

SECONDED BY: Council Member Richardson

On a voice vote, the motion carried, and the meeting adjourned at 7:43 a.m.



Draft

**CITY OF YPSILANTI  
REGULAR COUNCIL MEETING  
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.  
YPSILANTI, MI 48197  
THURSDAY, MAY 4, 2017  
7:00 p.m.**

**1. CALL TO ORDER –**

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

**2. ROLL CALL –**

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

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

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

**3. INVOCATION –**

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

**4. 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."

**5. INTRODUCTIONS –**

Mayor Pro-Tem Brown introduced the following individuals; DDA/Community Development Director Joe Meyers, Economic Development Director Beth Ernat, City Manager Darwin McClary, Assistant City Attorney Dan DuChene, and City Clerk Frances McMullan.

**6. AGENDA APPROVAL –**

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

City Manager McClary requested Resolution No. 2017-109, closed session, to be removed from the agenda.

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

## **VII. AUDIENCE PARTICIPATION –**

1. Jena Edward, 210 W. Cross, stated she and several members of the audience reside at Cross Street Village. She explained without any notification Cross Street Village began raising rent. In the past residents were given a matrix that explained how rent was set by income levels. Suddenly management is no longer able to explain how rent amounts were decided. After several weeks of working with MSHDA and legal aid residents are being given some information. Management has refused to meet with legal aid on several occasions with claims they are not certain who owns the building. Management now claims the building is no longer under the affordable housing program and are able to increase rents. MSHDA told her when Cross Street Village first opened it was under a federal cash credit program which at its inception was a 99 year program. State, Federal, and City dollars are involved in this program and according to MSHDA the increases and notice of increases are not in compliance.

Council Member Richardson stated she has spoken with a resident of Cross Street Village recently and was told the building's condition was deteriorating. She asked if Ms. Edwards would like to discuss any safety issues with the building. Ms. Edwards responded fifteen years ago when the building opened everything was new and little has been done to maintain the building.

2. Patt Woods, 210 W Cross, stated Cross Street Village does not care about their residents and if there is a problem it is rarely resolved. Her understanding is the building is registered as a historic building and the Historic Society would take issue with the building's interior being damaged by water. She said people need to stay together and force the management company to do what is right.
3. Paul Cannaday, 210 W. Cross, stated residents have been given notice their rent is increasing, and attorneys have agreed it is legal. Residents now must decide whether to pay the increase or move. Many have chosen to leave, however, they have no other alternatives for lodging. He explained he has the smallest apartment yet he was told his rent was increased by \$120. Residents have thirty days to either agree to the increased rent or be evicted. He asked Council to contact the owners to discuss the issue.
4. Karen Swan, 210 W. Cross, stated Cross Street Village has owners, however, residents never see them. As far as she knows there is only one manager and maintenance person on the premises. Residents are given direction and have no idea by what authority, and there is no one to contact to ask for information.
5. Debra Mata, 210 W. Cross, stated she is handicapped since rents are increasing she will be forced to move and it is very difficult for a handicapped person to relocated. Cross Street Village also has inclines which make it difficult to move around the building.
6. Marv Crawford, stated his mother is a resident of Cross Street Village and her rent has increased for the past four years. He said he is going to Lansing to see the state representatives in order to make them aware of this issue.
7. Judith McLeod, 210 W. Cross, when she moved into Cross Street Village six years ago she was told her rent would never increase past a certain threshold. The residents of Cross Street Village



are on Social Security and have fixed income, but rents are continuously being raised. Her rent has now increased past that threshold and most likely will continue to increase over the next few years. Residents are being priced out of the building and it is incredibly unfair. She was told the increases would be used to fix the issues of the building, however, she sees it as normal wear and tear of which the owners should be responsible.

8. Rachel Packard, 210 W. Cross, stated 210 W. Cross was, and still is in many ways, a beautiful building. She sees it as an asset to Ypsilanti especially as affordable senior housing. She says her rent will not increase until December 1<sup>st</sup> and she has been there since 2000 when it opened. She said if it wasn't for the residents the building would be in terrible condition because the residents who schedule all of the activities.
9. Kathleen Solomon, 210 W. Cross, stated when she moved in six years ago she felt she would be at Cross Street Village for a while, but because of the rent she might need to move. She said some residents moved out of their homes in order to downsize, and it is sad it has come to this.
10. Elaine Ponce, 210 W. Cross, stated she has been a resident of Cross Street Village for six years. A couple of years ago she fell in the parking lot because they failed to salt and she fell. The building has become very uncomfortable and sees management as very unprofessional.
11. Ann Ball, 210 W. Cross, stated she is 93 years old and has lived at Cross Street Village for sixteen years. She said the residents take care of themselves and anything done in the building is done so by the residents. She said she has loved living there until a few years ago and she does not want to move and would like to finish living her life there.
12. Barbara Johnson, 409 Olive St., stated her respect and appreciation for the elders that have spoken tonight. She a startup company from Ann Arbor called Crib Spot has been soliciting landlords to manage their properties and gained management control over her rental. She asked Crib Spot if there was going to be an increase in rent and was told the rent would increase 15%. She asked if she extends her lease immediately could she be locked in at her current rate and has yet to receive a response. Around a year ago the Mayor was quoted in an article saying Ypsilanti was business ready. She said it is great for businesses but what about the current residents. She said she is 34 and has worked in retail her entire life, she comes from a poor background and is now attending school to improve her economic standing. Currently she cannot afford a car and must live near campus in order to make it to class. She said this area needs to stay affordable.
13. Lee Tooson, 107 Middle, stated he is the President of the local chapter of the NAACP and he feels the Cross Street Village residents are being discriminated. Years ago that building was unsafe and Council was asked to do something and he implored Council to act in the behalf of the residents of Cross Street Village. He said the people of this City will not pass a millage if the City is doing nothing for them. He explained the Southside of the City is not being taken care of by the City. He stated he has cut down branches and swept the streets because he was told the City does not have the staff to perform those tasks. He said if the City doesn't have the staff why does it need supervisors. He said the City needs both the Police and Fire Departments for safety and he does not want Council to do anything to cut those departments.
14. James Day, 210 W. Cross, stated the residents of Cross Street Village are intelligent and management is treating them like they are stupid. The residents understand that rents will

increase but his rent was increased by 30% in one year and that is stretching the boundaries of fairness.

#### **VIII. REMARKS BY THE MAYOR PRO-TEM –**

- Thanked everyone for sharing and asked Economic Development Director Beth Ernat to provide insight on the Cross Street Village issue.

Ms. Ernat stated the City is currently working with the County Office of Economic and Community Development to pair legal services with the residents. Currently Legal Services has an open case file and accepting calls for interviews. She explained this is an unusual situation but not one the City has any control. The property was a MSHDA and a tax credit based development. The property did have a PILOT which includes a tax code that if not met in a certain amount of years the owner must try and sell the property. If the property cannot be sold the owners can make the property market rate rather than affordable. She spoke with MSHDA who informed her the property is currently being listed for approximately \$12 million. The County has reached out to several subsidy developers to purchase, but the sale cannot be forced. After the end of the PILOT of the property the subsidies still must be honored, which is why Legal Service is engaged. The property is up for inspection and that will be taking place over the next few months.

Council Member Bashert asked if the rate increases in compliance with MSHDA. Ms. Ernat responded she does not have a definitive answer at this time. Ms. Edwards added she has been in contact with Legal Services almost every day, and she learned that when this property was opened the IRS had stipulated it was a fifteen year program but it must be carried out for a period of thirty years. However, before the final contract was signed the term length was increased to ninety-nine years. When the initial fifteen year contract expired the ninety-nine year stipulation was changed, the only safeguard remaining is Cross Street Village is in conflict with the three year waiting period. Residents have been told by management the income range had been increased to \$75,000 allowing the owners to charge whatever they want.

Council Member Murdock asked the building still has the original owner. Ms. Ernat responded in the affirmative. Mr. Murdock stated it appears the owner is trying to sell the property. Ms. Ernat replied she is not certain they are trying to sell, but most likely are trying to make the building market rate. Mr. Murdock responded the rents are already being increased beyond market rate. Ms. Ernat replied the attempt has caused staff to request MSHDA review and if that is the case the City will need to take action.

Council Member Bashert asked if the process allows for protection for a less than earnest attempt to sell the property. Ms. Ernat responded no.

An audience member stated there is a goal sheet management has posted that lists where they expect rents to peak, which most residents have not reached that threshold.

Council Member Robb asked if the increase in rent have violated the Average Median Income (AMI) requirement. He said the only thing he is certain of is the PILOT began in 1998 and runs for 35 years. He asked if the PILOT was violated should Council revoke it rather than wait for MSHDA to complete its investigation. Ms. Ernat replied her understanding is first MSHDA must intercede and verify malfeasance. If there is malfeasance the City would move forward to revoke the PILOT. What Council needs to consider is how much rectify time it would like to provide, and

asked if the PILOT is canceled would it also cancel the three year affordability period. Mr. Robb responded if the PILOT is already violating the affordability clause keeping the PILOT would not make rents affordable.

Council Member Murdock asked if there is a timeframe for MSHDA to complete the investigation. Ms. Ernat responded MSHDA is taking this issue very seriously, however, she does not have an exact timeframe. Mr. Murdock asked if the City's contacts in Lansing have been tapped for assistance. Ms. Ernat responded not at this time.

Council Member Vogt asked if Legal Aid is representing everyone involved in this issue. Ms. Ernat responded Legal Aid has opened a case file for any resident living at Cross Street Village. Mr. Vogt asked to what extent has Legal Services contact residents. Ms. Ernat responded at this point Legal Service has released their information to the residents and requested all interested to contract them. Mr. Vogt asked if Legal Aid has tried to contract owners. Ms. Ernat responded Legal Aid is doing their due diligence in fact finding.

Council Member Bashert stated Council has a great deal of concern regarding what is going on at Cross Street Village. She said while the City might not be able to do much in the resolution of this matter she will commit her personal time to solve this issue.

Council Member Richardson asked if a stay could be implemented until MSHDA has resolved the problem. Mr. DuChene responded as discussed the PILOT option is a possibility but there may be other options, however, that is yet to be explored. Ms. Richardson asked the Attorney's Office to examine possibilities. Council Member Robb asked what the Attorney's Office is being asked to do. Ms. Richardson responded she is requested a report on what can be done and is not authorizing the Attorney's Office to do anything other than provide options. Mr. Robb replied until MSHDA issues the report there is little the City can do.

## **IX. PUBLIC HEARINGS –**

1. Resolution approving a Brew Pub License for BKB Tap Inc., at 201 W. Michigan Ave.
  - A. Resolution No. 2017-096, determination.

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

**WHEREAS, BKB Tap Inc. has applied to the City of Ypsilanti and Michigan Liquor Control Commission requesting the following:**

**Adding a Brew Pub License, as defined by MCL 436.1105(12), is a license issued in conjunction with a Class C, Tavern, B-Hotel, or A-Hotel license that authorizes the licensee to brew up to 18,000 barrels of beer per calendar year for sale on the premises and off the premises with a Specially Designated Merchant license., at 201 W. Michigan Ave, Ypsilanti, MI 48197, Washtenaw County; and**

**WHEREAS, a public hearing to consider the proposed Brew Pub License BKB Tap Inc. was duly noticed and held on May 4, 2017.**

**NOW, THEREFORE, BE IT RESOLVED THAT the request of BKB Tap Inc. for the property located at 201 W. Michigan Ave. be approved.**

OFFERED BY: Council Member Bashert

SECONDED BY: Council Member Murdock

B. Open public hearing.

1. Brian Brickley, 201 W. Michigan Ave., stated he is the owner of Tap Room and explained his business will only produce two and half barrels every few weeks. It is his goal to keep things simple and make certain everything is in order with City Ordinance.

C. Resolution No. 2017-097, close public hearing.

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

**THAT the public hearing to consider the proposed additional classification of "Brew Pub" for BKB Tap Inc be officially closed.**

OFFERED BY: Council Member Bashert

SECONDED BY: Council Member Murdock

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

On a roll call, the vote to approve Resolution No. 2017-096 was as follows:

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

VOTE:

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

2. Resolution approving a Redevelopment Class C license with a Dance/Entertainment permit for Ziggy's, located at 206 W. Michigan Ave.

A. Resolution No. 2017-098, determination.

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

**WHEREAS, David Jefferies, owner of Ziggy's, has applied to the Ypsilanti Downtown Development Authority, City of Ypsilanti and Michigan Liquor Control Commission requesting the following:**

**Approval of a Redevelopment Class C license with a Dance/Entertainment permit, A Class C license, as defined by MCL 436.1107(2), is a place licensed to sell, at retail,**

**beer, wine, mixed spirit drink, and spirits for consumption on the premises, at 206 W. Michigan Ave, Ypsilanti, MI 48197, Washtenaw County; and**

**WHEREAS, a public hearing to consider the application to Class C for Ziggy's was duly noticed and held on May 4, 2017**

**NOW, THEREFORE, BE IT RESOLVED THAT the request of David Jefferies for the property located at 206 W. Michigan be approved contingent upon approval by the Washtenaw County Health Department.**

OFFERED BY: Council Member Murdock

SECONDED BY: Council Member Richardson

B. Open public hearing.

1. David Jefferies, 206 W. Michigan Ave, stated he and his spouse are looking to gain approval for a liquor license for an entertainment venue. The business is located at the former Lampshade for live music. The inspection from the Health Department is scheduled for June.

C. Resolution No. 2017-099, close public hearing.

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

**THAT the public hearing to consider the proposed application for a Redevelopment Class C license and Dance/Entertainment License for Ziggy's be officially closed.**

OFFERED BY: Council Member Murdock

SECONDED BY: Council Member Richardson

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

Council Member Robb stated the applicants are required to provide evidence of \$75,000 worth of investment, which was not included in the packet. DDA Director Joe Meyers stated the evidence was submitted with the application to both the DDA and the Clerk's Office. He explained the applicant has completed \$46,000 worth of repairs on the property, and an additional quotes for the remainder of the \$75,000. City Clerk McMullan stated she would distribute that information to Council.

Council Member Bashert stated she is excited to see a live venue on Michigan Ave. She asked if the approval is contingent on the Health Department inspection in June. Mayor Pro-Tem Brown responded in the affirmative.

On a roll call, the vote to approve Resolution No. 2017-098 was as follows:

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

VOTE:

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

3. Resolution to consider a Purchase Agreement with The Original and Only Thompson Block for the sale of City owned right-of-way around 400 N. River Rd.

A. Resolution No. 2017-100, determination.

**RESOLUTION TO APPROVE ENTERING INTO A PURCHASE AGREEMENT FOR THE SALE OF CITY-OWNED RIGHT-OF-WAY**

**WHEREAS, The City of Ypsilanti is interested in conveying its rights-of-way for the purpose of redevelopment of a historic building; and**

**WHEREAS, the subject parcels are located on or about 400 N. River Street, ID#11-11-04-495-024; and**

**WHEREAS, a purchase agreement has been created and outlines an access easement for public sidewalk to be reserved, use restrictions on the property, the sale price of \$1, and the reversion of the property if the development is not completed within five year; and**

**WHEREAS, this redevelopment of the property known as the Thompson Block would not be historically accurate without the additional rights-of-way.**

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that the City Council authorizes the Mayor of the City of Ypsilanti to enter into the purchase agreement with The Original and Only Thompson Block, LLC.**

OFFERED BY: Council Member Robb

SECONDED BY: Council Member Bashert

Ms. Ernat stated John Carlson on of the principals of 2Mission the development firm is working to redevelopment the Thompson Block. Tonight the focus of the conversation will be the City right-of-way along River to create the front porch of the building and the right-of-way inside the property. The developer wishes to purchase those rights-of-way in order to complete the project.

B. Open public hearing.

None

C. Resolution No. 2017-101, close public hearing.

**THAT the public hearing to consider a purchase agreement between the City of Ypsilanti and The Original and Only Thompson Block, LLC. be officially closed.**

OFFERED BY: Council Member Robb

SECONDED BY: Council Member Vogt

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

Council Member Murdock asked if the parking spaces along River will be removed. Ms. Ernat responded in the affirmative.

Council Member Robb asked what will happen to the Michigan sign marker. Ms. Ernat responded it will be relocated within the site. Mr. Robb stated considering the lack of parking in Depot Town this agreement would essentially be selling a parking space for a quarter a spot. He asked what payment in lieu of parking if he were to build an apartment building. Ms. Ernat responded she does not have that information readily available. Council Member Richardson asked how many parking spaces will be lost. Mr. Robb responded two.

Mr. DuChene proposed a friendly amendment to the "Therefore Clause" adding "subject to the review of the City Attorney" at the end of the clause and to authorize that both the Mayor and the City Clerk sign the agreement.

Council Member Robb and Council Member Bashert agree to the friendly amendment.

Council Member Richardson stated the City has been trying to get the Thompson Block redeveloped for several years working with several developers. She hopes this is a valid project and will not have to come back to Council under new ownership.

Jon Carlson, The Original and Only Thompson Black, LLC stated his company has been involved in historical redevelopment for twenty years in Michigan. He said he is a huge fan of Ypsilanti and sees the Thompson Block as a wonderful chance to be a part of this community. He said the Thompson Block is a blight on that corner and bad for all its neighbors and community. He said his company has faced some challenging buildings, however, he sees the Thompson Block as the most challenging but the most rewarding once completed.

Council Member Robb stated there is nothing in the contract stating the property must be returned to the City in any specific state. He explained his concern is half way through the project the company abandons the project and the City is left with a parcel in even more disarray then it currently is. He added the parcel should be returned in the condition the City is selling it, and asked how the City can protect itself. Mr. DuChene replied the deed could contain a reversion clause but he will need to further research the matter. Mr. Carlson responded he is not an attorney, however, he agrees the parcel would need to be returned to its current state. Council Member Bashert asked if this should be postponed.

Council Member Richardson asked if this is delayed would it impede the development of the property. Ms. Ernat replied staff will be returning in June with both a Brownfield Plan. Council Member Robb stated there is a budget meeting on May 11<sup>th</sup> so this could be postponed until next week. Ms. Ernat responded she does not have an issue with the timeline.

Council Meeting Minutes

May 4, 2017

**Council Member Robb moved, seconded by Council Member Vogt to table Resolution No. 2017-100 until May 11<sup>th</sup>.**

On a roll call, the vote to table Resolution No. 2017-100 was as follows:

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

VOTE:

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

4. Resolution to consider purchase agreements, quit claim deeds, leases, or other contracts and documents to effectuate the conveyance of 845 Fredrick and 448 Huron according to the City Property Disposition Policy.

A. Resolution No. 2017-102, determination.

**RESOLUTION APPROVING CITY-OWNED PARCELS FOR CONVEYANCE AND DELEGATING CONTRACT AUTHORITY TO THE CITY MANAGER CONSISTENT WITH AND PURSUANT TO THE CITY PROPERTY DISPOSITION POLICY**

**WHEREAS, The City of Ypsilanti is interested in conveying its excess City-owned property to private owners; and**

**WHEREAS, to further this interest, the City Council for the City of Ypsilanti has approved the City Property Disposition Policy by adopting Resolution No. 2015-273; and**

**WHEREAS, this Policy provides that City Council will annually consider a resolution, after a public hearing, to approve the sale of residential land and authorize the City Manager to enter into purchase agreements, quit claim deeds, leases, or other contracts and documents to effectuate their conveyance.**

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that: The following City-owned property is approved for conveyance consistent with the City Property Disposition Policy:**

**11-11-39-440-007 - 845 Fredrick**

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that: The following City-owned property is removed from the City Property Disposition Policy and allowed to be sold for non-homestead use conditional to City Council approval of a purchase agreement:**

**11-11-39-481-015 – 448 S. Huron St**



**BE IT FURTHER RESOLVED, that the City Manager is authorized to enter into purchase agreements, quit claim deeds, leases, or other contracts and documents to effectuate the conveyance of these properties according to the City Property Disposition Policy, and that the City Manager may sign such documents on behalf of the City of Ypsilanti, subject to the review and approval of the City Attorney.**

OFFERED BY: Council Member Richardson

SECONDED BY: Council Member Vogt

B. Open public hearing.

None

C. Resolution No. 2017-103, close public hearing.

**THAT the public hearing to consider purchase agreements, quit claim deeds, leases, or other contracts and documents to effectuate the conveyance of these properties according to the City Property Disposition Policy be officially closed.**

OFFERED BY: Council Member Richardson

SECONDED BY: Council Member Bashert

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

Mr. Meyers stated each year the City is required to add properties it receives from the County Treasurer's Office to the Property Disposition Policy, and this year only 845 Frederick was included. The City has seen a lot of interest in the properties included in the policy and only three remain to sell. The property at 448 S. Huron is the only standing house the City owns. He explained the home was marketed to real estate agents, however, there was no interested investors. Staff is requesting Council remove 448 S. Huron from the Property Disposition Policy so Council would make the final decision on to whom the property would be sold and it would not be required to be homesteaded.

Council Member Richardson asked what the rental percentage in the City is. Mr. Meyers responded 66%. Ms. Richardson asked if there is any possibility of demolishing the house and selling the property as a part of the NEZ. Ms. Ernat responded it would be unlikely because of the marketability of the home as a homestead.

Council Member Robb stated the property is not maintained by the City and if it is non-homestead how long it would be before it is able to be sold. Ms. Ernat estimated around three months. Mr. Meyers added realtors have contacted him if the property could be used as a rental.

Council Member Murdock stated there would be conditions on the sale that would need to be completed in a certain timeframe. Ms. Ernat responded in the affirmative.

On a roll call, the vote to approve Resolution No. 2017-102 was as follows:

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

VOTE:

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

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

1. Resolution No. 2017- 104, approving Ordinance 1287 to amend the Ypsilanti City Code to combine the subsection that makes it illegal for a person to allow occupancy without a valid Certificate of Compliance in a multiple dwelling with the subsection that makes it illegal for a person to allow occupancy without a valid Certificate of Compliance in one- or two-unit rental dwelling. **(Second Reading)** (Attorney)

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

**That an ordinance entitled "An Ordinance to amend Ypsilanti City Code Chapter 18 "Building and Building Regulations", Article VI "Inspection and Control of Certain Buildings", Division 3 "Certificate of Compliance", Section 18-146 "Required" to update and combine subsections (a) and (b)" be approved on Second and Final Reading.**

OFFERED BY: Council Member Vogt

SECONDED BY: Council Member Murdock

On a roll call, the vote to approve Resolution No. 2017-104 was as follows:

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

VOTE:

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

2. Resolution No. 2017-105, approving appointments to Boards and Commissions. (Mayor)

**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:**

| <b><u>NAME</u></b>                                                                                                                                        | <b><u>BOARD</u></b>               | <b><u>TERM<br/>EXPIRATION</u></b> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|-----------------------------------|
| <b>Nathan Vought<br/>Washtenaw County Brownfield<br/>Redevelopment Authority<br/>415 W. Michigan<br/>Ypsilanti, MI 48197<br/>(Replacing Brett Lenart)</b> | <b>EDC</b>                        | <b>6/30/2017</b>                  |
| <b>Cathy Thorburn<br/>1212 Sherman<br/>Ypsilanti, MI 48197<br/>(Reappointment)</b>                                                                        | <b>Parks &amp; Rec</b>            | <b>5/1/2020</b>                   |
| <b>Heidi Jugenitz<br/>33 Photo<br/>Ypsilanti, MI 48198<br/>(Reappointment)</b>                                                                            | <b>Planning Commission</b>        | <b>5/1/2020</b>                   |
| <b>Liz Dahl MacGregor<br/>103 N. Lincoln<br/>Ypsilanti, MI 48198<br/>(Reappointment)</b>                                                                  | <b>Planning Commission</b>        | <b>5/1/2020</b>                   |
| <b>Ka’Ron Gaines<br/>833 Armstrong<br/>Ypsilanti, MI 48197<br/>(New Appointment)</b>                                                                      | <b>Human Relations Commission</b> | <b>5/1/2020</b>                   |
| <b>Heidi Frankenhauser<br/>217 Oak<br/>Ypsilanti, MI 48198<br/>(Replacing Valerie Brannon)</b>                                                            | <b>Housing Commission</b>         | <b>12/31/2018</b>                 |

OFFERED BY: Council Member Bashert

SECONDED BY: Council Member Richardson

*Council Meeting Minutes*

*May 4, 2017*

Council Member Murdock asked what the reason was for Valeria Brannon leaving the Commission. Ms. McMullan was not certain the reason for her resignation.

Council Member Robb stated the Housing Commission exists to appoint the board to the LDFA Management Company to manage Housing Commission business. He said the City no longer owns any of that property and asked if the City would like oversight or not. He explained the Housing Commission has not provided meeting minutes since at least 2012 and asked if the City can get out of the Housing Commission business. Mr. DuChene responded if the Housing Commission is dissolved would create an issue for the current Housing Commission owned property. Mr. Robb asked who is not providing the job of oversight for the Housing Commission. Mr. DuChene responded Council is the oversight for the Housing Commission.

Council Member Murdock stated the Housing Commission appoints the two boards that oversee the projects, which puts more distance between Council and the Housing Commission projects. Mr. Murdock stated he is unsure what the Housing Commission does. He explained the Commission no longer does Section 8 housing and at this point they have nothing to manage. Mr. DuChene responded the Commission does select the committee to appoint the two boards and hire the Housing Commission Director. Council Member Robb stated at the last Housing Commission meeting they discussed old business and the new business they discussed was the naming of the new Parkridge Community Building and authorization to deliver a development agreement to Strong Housing. He said business is being conducted but they are not informing Council of the business they conduct. Mr. Murdock stated the Commission used to have six to eight employees and now staff levels are down to just the director. Mr. Robb responded that is all they should have and any other employees should work for one of the managing companies. He said it is a very bizarre situation and Council really only has oversight of one employee. He explained YHC fails to pay their PILOT every year and never submit reports to Council meaning Council is doing a very poor job of oversight.

Council Member Richardson stated if the YHC is not paying their PILOT the City should begin to ask for payment. Council Member Robb replied Council should refuse to make any appointments to the Commission until it complies so it can't function. Council Member Vogt responded if they are unable to function they can't make payments to the City. Council Member Bashert suggested requesting the Housing Commission come to Council. Mr. Vogt responded in the affirmative.

Council Member Murdock stated the Commission paid Council for a PILOT a couple of years ago. Council Member Robb stated the bill is an annual fee of \$20,000, and now it has been decreased. He explained the amount owed is 10% of rents and utilities but documentation is never provided. He stated the City agreed to not inspect Commission projects by ordinance and before that Commission units only had a 9% inspection rate and would not pay for those inspections. The Mayor at the time stated the Housing Commission could not use its HUD money to pay for inspections, which is true but they have other money to pay the City. The City then negotiated that it would absolve \$50,000 worth of back inspection fees if it would agree to the schedule, which amounts to approximately \$20,000 a year. He said this year the YHC is going to pay the City around \$2,000, which might be accurate depending on rents and utilities but there is not documentation to prove it. Mr. Murdock asked who would be responsible for the PILOT. Mr. DuChene responded the LDFA would be responsible.

Council Member Vogt stated the Commission should be asked to provide a report to Council, including minutes, and bring back payments owed to the City. Council Member Murdock stated his concern goes beyond money, he isn't certain there is a reason for the Housing Commission to exist.

**Council Member Robb moved, seconded by Council Member Richardson to separate the residents and non-residents.**

On a voice vote, the motion carried, and the vote was split.

Council Member Murdock asked if the seat on the Economic Development Corporation a designated spot for the County. Ms. Ernat responded she does not believe it is a requirement, however, historically the County has had a seat on the EDC.

On a roll call, the vote to approve Resolution No. 2017-105A, "non-resident" was as follows:

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

VOTE:

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

**Council Member Robb moved, seconded by Council Member Bashert to remove Heidi Frankenhauser from the resolution.**

On a roll call, the vote to amend Resolution No. 2017-105 was as follows:

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

VOTE:

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

On a roll call, the vote to approve Resolution No. 2017-105 as amended was as follows:

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

VOTE:

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

3. Resolution No. 2017-106, determining to submit the Water Street Debt Millage Initiatory proposal to the electors of the City. (Attorney)

**RESOLUTION TO AUTHORIZE PLACING WATER STREET  
BOND PAYMENT MILLAGE ON BALLOT IN ACCORDANCE  
WITH ELECTORS' INITIATIVE PETITION**

**WHEREAS, the City of Ypsilanti, Michigan ("City") has previously issued various series of bonds to finance and refinance the costs relating to the land acquisition, environmental cleanup and public infrastructure in an area of the downtown referred to the Water Street Redevelopment Project; and**

**WHEREAS, the City's General Obligation Limited Tax Capital Improvement Refunding Bonds, Series 2016A (Taxable) (the "Bonds" are currently outstanding in the principal of amount of \$7,405,000, payable through 2031; and**

**WHEREAS, the City is currently paying the debt service on the Bonds from its general fund and other sources; and**

**WHEREAS, the City Council has received an initiative petition by electors of the City of Ypsilanti, pursuant to City Charter section 2.15 et seq., requesting City Council to seek voter approval to pledge the City's unlimited tax full faith and credit for payment of the Bonds and to allow a millage to be levied to pay the debt service on the Bonds,**

**NOW THEREFORE BE IT RESOLVED by the City Council of the City of Ypsilanti, Michigan, in honor of said electors' initiative petition, as follows:**

**The following proposal be submitted to the qualified electors of the City at the election to be held August 8, 2017:**

**1.**

***WATER STREET DEBT MILLAGE PROPOSAL***

***Shall the City of Ypsilanti be authorized to pledge its unlimited tax full faith and credit for payment of its Limited Tax General Obligation Refunding Bonds, Series 2016A (Taxable), which are outstanding in the principal amount of \$7,405,000 payable through 2031, which were issued for the purpose of financing and refinancing capital improvement costs relating to the Water Street Redevelopment Project? The estimated millage to be levied in 2017 is 2.30 mills (\$2.30 per \$1,000 of taxable value) and the estimated simple average annual millage rate required to retire the bonds is 2.3 mills (\$2.30 per \$1,000 of taxable value).***

**2. The City Clerk is hereby authorized to cause the above proposal to be placed on the ballot at the election to be held on August 8, 2017.**

**3. The canvass and determination of votes of said question shall be made in accordance with the laws of the State of Michigan and the Charter of the City of Ypsilanti.**

OFFERED BY: Council Member Murdock

SECONDED BY: Council Member Richardson

Mr. DuChene stated as Council is aware there was an initiatory petition circulated amongst the citizens of Ypsilanti, the procedure was followed and this is what was proposed. He explained the ballot language before Council is lightly different then was submitted with a change to the outstanding principal.

Council Member Vogt asked if the outstanding principal would be lower or higher. Mr. Duchene responded it would be lower. Council Member Murdock responded payments would be made by the time taxes would be levied. Mr. Vogt asked when the millage would first be levied. Mr. Murdock responded June 2018. Mr. Vogt asked when the second road millage would expire. Mr. Murdock responded fall of 2019. Mr. Vogt stated if this millage is passed there would be a year overlap, and asked if Council has authority to delay the initial assessment of this millage if its passed. Mr. DuChene responded it would be a substantive change to the resolution proposed by petition. Council Member Murdock asked why council Member Vogt would want to delay the millage from being assessed. Mr. Vogt responded as an argument to the public that taxes are not going to increase. Mr. Murdock stated Council has the authority to put a millage on a ballot when it wishes, however, this ballot proposal was created by an initiatory petition. Mr. Vogt stated the conclusion is the initial assessment date cannot be changed. Mr. DuChene responded in the affirmative, but he will provide a more informed answer at a later date.

Council Member Murdock stated if this is passed the City will still have a budget year with none of this revenue available if it is pushed back another year there will be two years without revenue.

City Manager McClary asked if the ballot language should state "...millage to be levied in 2018" rather than 2017. Mr. DuChene stated bond counsel reviewed this, but he will look into it. Mr. McClary asked if state law requires an estimated dollar amount be included. Mr. DuChene responded in the affirmative, he suggested approving the resolution as is and if adjustments are needed it can come back to Council.

Council Member Richardson asked if the millage rate the same as the street millage that recently ended. Council Member Murdock responded in the affirmative. Mr. McClary added the net reduction in millage for the upcoming year is about 1.5 mills.

Council Member Robb stated the budget lists \$10,140,000 remains on the Water Street Debt. He asked why the ballot language only lists \$7,405,000. Council Member Murdock responded there are three parts to the debt; one of the three was not refinanced, while most of it was paid off there is still a remaining balance and the other part is around \$3,000,000. Mr. McClary added it is his understanding part of the debt could not be refinanced.

On a roll call, the vote to approve Resolution No. 2017-106 was as follows:

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

VOTE:

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

4. Resolution No. 2017-107, approving a City Social Media Policy. (Community Development)

#### **RESOLUTION APPROVING A CITY WIDE SOCIAL MEDIA POLICY**

**WHEREAS, The City of Ypsilanti is interested in adopting a Social Media Policy; and**

**WHEREAS, the City of Ypsilanti currently has social media accounts but does not have a formal policy for the use, distribution, or editing of social media; and**

**WHEREAS, social media has become a dependable means of communication and is an important tool for the City;**

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI adopt the Social Media Policy as presented.**

OFFERED BY: Council Member Robb

SECONDED BY: Council Member Richardson

City Manager Interns Courtney Marshall and Greta Dreyer provided a presentation regarding the social media policy.

Council Member Robb asked how many Facebook pages the City of Ypsilanti has. Ms. Marshall responded one. Mr. Robb asked about the Historic District Commission. Ms. Marshall replied those are different Department pages, but the City of Ypsilanti specifically has one. Mr. Robb asked if the intention is to continue to have different department pages. Ms. Marshall responded if the City wants it can. Mr. Robb asked if that is included in the policy. Mr. DuChene responded in the affirmative. Ms. Dreyer stated she isn't certain the departments are specifically mentioned in the policy. Mr. Robb stated in Section 5.2 it states "tools may be used specific to the need of the department" and he would not say social media is a tool. Mr. DuChene asked if it should say "media site or tool". Mr. Robb stated the reason he requested a policy be created is because an employee congratulated another municipality for passing legislation, which could have been a violation of campaign finance because it was a political statement. Mr. Robb stated the City is not using social media correctly, however, the City purchased a new website and should put everything on the website. Then the City can have an RSS feed to both Twitter and Facebook.

Council Member Robb stated 75% of posts made on Facebook were not made on the City website. He explained the City should be concerned with providing information which can all be done through the City website rather than creating more work. He said the links to the City social media pages from the website do not currently work. He stated there is a section regarding businesses in the City, which is really not the role of the City it is the role of the DDA. He asked that clause "J" should be removed from the policy. He stated the policy includes a copy write section and asked if the City Website will be purged of copy written material. He asked what the plan is once a policy is adopted. He asked was the City Facebook paged audited to see if it matches with the policy. Ms. Dreyer responded that question specifically no, and explained current City practice is in line with the policy. Mr. Robb stated the policy does not include a section governing elected officials' response in the comments section on Facebook. He asked does the City's Facebook page even need the comments option to be enabled. He explained "trolling" can often become an issue in the comments section of social media, and if it is not used regularly is it something the City should have. He said the policy lists a 24 to 48 hour response time which would require an employee to constantly monitor social media.

Council Member Bashert stated she has a different perspective, and in general she found the policy was appropriate for the City. She stated social media should be used to guide people to the City's website, which is not the current practice, however it is built into this policy. She said the number one complaint she hears is people do not know what is going on in the City. She stated most people feel connected through social media rather than other resources. The Facebook page is a necessary tool to connect with the public. She would like to see the policy incorporate the neighborhood

Council Meeting Minutes

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Facebook pages and how to direct those back to the City Website because a great deal of conversation occurs on those pages.

Council Member Richardson asked if an administrator would be hired to monitor the City's social media pages, or would a current employee's time be diverted to this task. Mr. McClary responded the City does have very limited resources and an additional person will not be hired to monitor social media. He explained this is a work in progress, and staff must watch closely what content is provided on Facebook or the website. He said the policy must be practical because the City does not have the resources to have a fulltime social medial administrator.

Mayor Pro-Tem Edmonds stated currently there is not a policy in place that monitors who City representatives interact with the public on social media.

Council Member Vogt stated he supports City staff in carefully watching for inappropriate comments being made on the City's social media page. Mr. McClary responded the purpose of the webpage and Facebook page is to disseminate information, and he would like to not allow comments. They can get unwieldy very quickly and would be very difficult for staff to monitor. Mr. Vogt agreed.

Council Member Robb stated he is not questioning the quality of work put into the policy, but a policy is being created before the City is using the tool properly. The website is not being used correctly and a plan needs to be developed to fix how the website is used. An RSS feed should be used so when something is posted to the website it automatically is posted to the City's social media pages. By posting it separately it creates unnecessary work. He said we would like this item to be tabled and an amended policy brought back including these issues, and more importantly he would like to see a plan on how the City's website will be used. He added people do not know where to find information because the City does not use one central location in which to find that information. Council Member Vogt agreed the policy could be refined. Council Member Bashert stated there are two things being discussed one is a policy and one is a plan, which cannot be blended. Mr. Robb stated there cannot be a policy before there is a plan. Ms. Bashert responded she is not sure if a policy would need to proceed by a plan. Mr. Robb stated the policy should say everything should be posted to the website and RSS feeds to the social media pages. Ms. Bashert responded that is a plan and not a policy. Mr. Robb disagreed.

**Council Member Richardson moved, seconded by Council Member Vogt to postpone Resolution No. 2017-107 until June 6, 2017.**

On a roll call, the vote to postpone Resolution No. 2017-107 until June 6, 2017 was as follows:

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

VOTE:

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

## **XI. LIASON REPORTS –**

- A. SEMCOG Update – Council Member Richardson stated the Executive Committee had a meeting today, but she was unable to attend.
- B. Washtenaw Area Transportation Study – Council Member Murdock stated the June meeting will be held at the U of M Vehicle Site.
- C. Urban County - None
- D. Ypsilanti Downtown Development Authority - None
- E. Eastern Washtenaw Safety Alliance - None
- F. Police-Community Relations/Black Lives Matter Joint Task Force - None
- G. Friends of Rutherford Pool - None
- H. Housing Equity Leadership Team - None
- I. Economic Development Coordinating Committee - None

## **XII. COUNCIL PROPOSED BUSINESS –**

### Murdock

- He has had several inquiries of what can be done about unleashed dogs and if there is anything that could be done.

Mr. DuChene responded there is a leash requirement and the police would issue a citation. Council Member Murdock stated this type of incident will not be easily cited because by the time an officer arrives the dog and its owner will have left.

- He is waiting on the status on the Truck Route Ordinance. The last information he received is signs were being ordered and discussions were held, but he needs information to forward to the public.

Mr. McClary responded he would provide a status to Council tomorrow.

### Bashert

- Asked if the budget meetings on May 9<sup>th</sup>, 11<sup>th</sup>, and 16<sup>th</sup> began at 7:00 p.m.

Ms. McMullan responded they will begin at 6:00 p.m.

- Stated the second meeting of the Sustainability Commission was held and was a great meeting and is exciting to watch a group in its infancy and will be able to contribute a lot to the City. However, the Commission will need FOIA and OMA training.

### Vogt

- He would like Council Members to consider what to do with the budget once it is balanced. He asked how much of the General Fund should be expended to the debt if the millage passes. He would like the public to know the City intends to pay the debt off as quickly as possible.

Council Member Murdock stated there is still \$250,000 in payments out of the General Fund until 2031 if the millage passes. Council Member Vogt responded he would like to increase that amount. Council Member Robb stated the only option for early pay down is on the bond the City did not refinance.

Robb

- Asked in closed session Council be informed about what contract is being discussed.
- Requested how many sick days the Fire Department has used each year over the past five years. He said some communities provide financial incentives to not use sick days, and he would like to see if it makes financial sense.

**XIV. COMMUNICATIONS FROM THE MAYOR –**

None

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

- He said a budget is being submitted to Council with only a \$66,000 budget shortfall. The City needs to continue working to close that gap, with a goal to have a completely balanced budget.
- He said Council will be going into closed session on May 16<sup>th</sup> to discuss collective bargaining strategy.
- He has collective bargaining meetings already scheduled with the police officers and police command later this month.
- Reminded Council a Special Meeting is scheduled for May 23<sup>rd</sup> for a Water Street property update.

**Council Member Richardson moved, seconded by Council Member Vogt to extend the meeting by fifteen minutes.**

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

- The City was approached about a possible timeline for the Depot Town Rail Project, and had to reject the funding for now because it would not be expended before 2020. He said the City will need to apply again once it has a definitive timeline in place.

Council Member Richardson asked what the City did with the money that was already allocated for the rail. Ms. Ernat responded the City does not currently have any committed outside funding.

- The City received fifty applications for the Assistant City Manager/Human Resources Manager and have narrowed it down to eight to interview.

**XVI. COMMUNICATIONS –**

None

**XVII. AUDIENCE PARTICIPATION –**

None

**XVIII. REMARKS FROM THE MAYOR –**

None

**XIX. CLOSED SESSION –**

~~Resolution No. 2017-108, 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.~~**(Removed)**

**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.**

**XX. ADJOURNMENT -**

Resolution No. 2017-109, 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 Vogt

SECONDED BY: Council Member Bashert

On a voice vote, the motion carried, and the meeting adjourned at 10:01 p.m.



REQUEST FOR LEGISLATION  
May 16, 2017

To: Mayor and Council

From: Joe Meyers, Community Development Manager

Subject: Neighborhood Enterprise Zone Application

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**SUMMARY & BACKGROUND:** On April 5, 2017 the city council passes a resolution to approve a NEZ application for 705 Franklin. When preparing the resolution staff used the sample resolution for a homestead application instead of a new facility. In working with the state of Michigan to file the resolution, they have requested that we rescind the homestead certificate resolution and adopt a new facility certificate resolution in its place.

**ATTACHMENTS:** New NEZ facility resolution

**RECOMMENDED ACTION:** Staff recommends city council rescind resolution 2017-084 and adopt the new attached resolution.

CITY MANAGER APPROVAL: \_\_\_\_\_ COUNCIL AGENDA DATE: \_\_\_\_\_

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

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



RESOLUTION NO. 2017-115  
May 16, 2017

RESOLUTION APPROVING AN APPLICATION FOR A NEIGHBORHOOD  
ENTERPRIZE ZONE NEW CERTIFICATE FOR CHARLES RICHMOND LOCATED  
AT 705 FRANKLIN ST, YPSILANTI MI

WHEREAS, the City Council of the City of Ypsilanti established a Neighborhood Enterprise Zone on April 16, 2016 as required under PA 147 of 1992 after a public hearing held on April 16, 2016; and

WHEREAS, the homeowner Charles Richmond is not delinquent on any taxes related to the home, and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ypsilanti  
Be and hereby is granted a Neighborhood Enterprise Zone new facility  
Exemption for property located at 307 Franklin Street, Ypsilanti MI 48197 for a period of  
15 years, beginning December 31, 2017, and ending December 30, 2032, pursuant to the  
provisions of PA 147 of 1992, as amended.

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

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

YES:

NO:

ABSENT:

VOTE:



REQUEST FOR LEGISLATION  
May 16, 2017

To: Mayor and Council

From: Joe Meyers, Community Development Manager

Subject: Resolution Designating July as Park and Recreation Month in the City of Ypsilanti

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**SUMMARY & BACKGROUND:** Since 1985, America has celebrated July as the nation's official Park and Recreation Month. Created by NRPA, Park and Recreation Month specifically highlights the vital and powerful role local parks and recreation play in conservation, health and wellness, and social equity efforts in communities all across the country.

At the April Parks and Recreation Commission meeting, the Commission passed a resolution designating July Park and Recreation Month and requested the City Council consider adopting the resolution as well.

**ATTACHMENTS:** Proposed Resolution

**RECOMMENDED ACTION:** Adoption of the resolution

**CITY MANAGER APPROVAL:** \_\_\_\_\_ **COUNCIL AGENDA DATE:** \_\_\_\_\_

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

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



RESOLUTION NO. 2017- 116  
May 16, 2017

RESOLUTION DESIGNATING JULY AS PARK AND RECREATION MONTH IN  
THE CITY OF YPSILANTI

WHEREAS parks and recreation programs are an integral part of  
communities throughout this country, including the City of Ypsilanti; and

WHEREAS our parks and recreation programs are vitally important to  
establishing and maintaining the quality of life in the Ypsilanti Community and ensuring the  
health of all citizens, and contributing to the economic and environmental well-being of the  
community and region; and

WHEREAS parks and recreation programs build healthy, active communities that aid in the  
prevention of chronic disease, provide therapeutic recreation services for those who are  
mentally or physically disabled, and also improve the mental and emotional health of all  
citizens; and

WHEREAS parks and recreation programs increase the community's economic prosperity  
through increased property values, expansion of the local tax base, increased tourism, the  
attraction and retention of businesses, and crime reduction; and

WHEREAS parks and recreation areas are fundamental to the environmental well-being of our  
community; and

WHEREAS parks and natural recreation areas improve water quality, protect groundwater,  
prevent flooding, improve the quality of the air we breathe, provide vegetative buffers to  
development, and produce habitat for wildlife; and

WHEREAS our parks and natural recreation areas ensure the ecological beauty of our  
community and provide a place for children and adults to connect with nature and recreate  
outdoors; and

WHEREAS the U.S. House of Representatives has designated July as Parks and Recreation  
Month; and

WHEREAS the City of Ypsilanti recognizes the benefits derived from parks and recreation  
resources

NOW THEREFORE, BE IT RESOLVED BY City of Ypsilanti City Council that July is recognized as  
Park and Recreation Month in the City of Ypsilanti.

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

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

YES:

NO:

ABSENT:

VOTE:





# *City of Ypsilanti*

## *Parks & Recreation Commission*

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### **Meeting Minutes**

**Date: April 11, 2017**

1. **Call To Order** – The meeting was called to order at 7:07pm, April 11, 2017 at the Ypsilanti District Library, Downtown Branch 229 W. Michigan Ave, Ypsilanti MI, 48197. Commissioners in attendance were Conan Malmer, Evan Sweet, Cathy Thorburn, Delois Wilson, Ben Connor Barrie, Kurt Kohlmann and Ashanti Harris. Also present was Joe Meyers, City of Ypsilanti Commission Liaison.
2. **Approval of Agenda** - Motion of approval by Commissioner Barrie and seconded by Commissioner Kohlmann.
3. **Approval of the Minutes** – March 14, 2017 Approval of minutes motion by Commissioner Malmer and seconded by Commissioner Barrie.
4. **Introductions / Public Comment** - Guest Dan White from Little League. Mr. White wanted to update the Commission about the work and events planned by the Little League. April 15<sup>th</sup> there will be work completed at both Candy Cane Park and Recreation Park on the ball fields. Dirt will be spread and fences repaired/replaced. Mr. White has asked that the Commission take some sort of active sponsorship of the Little League. The Little League has put thousands of dollars of materials and work into the fields. There are a lot of travel teams popping up into the area and there is a concern that the travel leagues will offer money to the City for use of the fields and then the Little League will have no place to practice and play. The City is also charging the Little League \$500 for the opening day use of the Park. Mr. White does not feel it is an appropriate charge and is looking to have it removed or reduced. Commissioner Malmer stated that if the Little League didn't do the work the fields could not be properly maintained by the City. The City doesn't have the money or manpower. Commissioner Malmer suggested we come back to the idea of support of the Little League at a future meeting.

### **5. Old Business**

- a. **Welcome New Commissioners** - Was done earlier
- b. **Adopt-A-Park Updates**

- i. Candy Cane-Commissioner Sweet and Malmer met with Peter Church who had submitted a Adopt A Park application that had been turned down by the City. Both were under the impression that he was going to submit a new application and was going to be at tonight's meeting. We were not informed of a new proposal and Mr. Church was not at the meeting.
- ii. Peninsular Park-Anne Brown sent an email regarding the progress of the Friends Group.
- iii. Prospect Park-No information. Commissioner Sweet will check with the skateboard group as we thought they were going to start with their work.
- iv. Heritage Neighborhood-Commissioner Wilson did not have anything to report

**c. Friends Group Updates**

- i. Rutherford Pool- Commissioner Thorburn reported that the pool is in the process of getting the pool up and running for the season. She had just attended an event at Perry School to promote the pool. Reminded the Commissioners that the Pool was a recipient of \$10,000 over three years from the Washtenaw County Parks. The Senior Center and Parkridge Community Center also will receive the money.
- ii. Senior Center-Commissioner Sweet stated that they have just finalized the bylaws to form a 5013c. This will help the Center receive funding. The Annual Corn Roast fundraiser was not a success last year and they are not sure if they will hold it again.
- iii. Freighthouse-taking reservations for rentals
- iv. Ypsi Baseball Project-Commissioner Malmer reported that the YMCA will be holding T-ball events/camps on Thursdays in Parkridge Park. There is hopes that the YMCA and Little League can work together in the future and support each other.

**d. City of Ypsilanti Updates-** Mr. Meyers said the website is up to date with Commissioner information. Rutherford Pool will send him information to update the Pool information.

**e. Commission Sponsored Events**

- i. Friday Movie Night-No known information
- ii. Ypsilanti Fall River Day – Confirmed – Sept. 24 EMU Kayak Club will put on a paddling demo. Trip will be from Riverside to Ford Lake. Access site for take out on Ford Lake will need to have permission granted. Mr. Meyers will look into it. The event will take place in Riverside and put in at Frog Island.

**f. Recreation Programming**

- i. Ann Arbor YMCA Partnership – Summer Park Fitness-Flyers are available. Registration is now open.
- ii. EMU Partnerships-The student that Commissioner Sweet worked with for Yoga in the Bark (Park) last year is graduating. He thinks that we can still work something out with EMU.

iii. Free Fishing Weekend-Commissioner Sweet has reached out and at this point nothing is planned.

iv. Washtenaw County Partnerships-Touched on this earlier. Commissioner Sweet attended a meeting to “thank” them for the funds given to Ypsilanti.

g. **Parks & Recreation Month** – July- Commissioner Malmer motioned to and Commissioner Wilson seconded to send the Proclamation for July to be recognized as Parks & Recreation Month in the City of Ypsilanti to be approved by the City Council. After Mr. Meyers receives the minutes he will get the Proclamation on the council’s agenda for a vote.

h. **Ypsi Proud Day** – May 20, 2017-Commissioner Sweet urged other commissioners to sign up and work at a site around the city. Commissioner Sweet will meet with Brad Holman and Amanda Holisinger from the Department of Public Works and city regarding possible projects in the parks.

i. **City Website – Up to date**

j. **Other Old Business**

## **6. New Business**

a. **Little League Representative** Update Already covered

b. **Washtenaw County Funding** Already covered

c. **Meet Me At The Park Grant**-Mayor Edmonds urged the city to look at this grant

d. **YMCA Programs**-Fitness in the Park and T-Ball already covered

e. **Parkridge Park Soccer Field**-A commissioner from the Historical Commission wanted to look into a smaller type of field. Commissioner Sweet could not remember the exact type of field. It was quite involved.

f. **mParks Community Service Awards**-Commissioner Sweet nominated Tyler Weston and Anne Brown for annual mParks Community Service Awards for all the work they have done in Ypsilanti. They are recipients of the award. It will be presented in Lansing. Next year, the whole Commission will get involved in the nomination process.

g. **Church Service Project** – May 7-Rachel Egghermann of Ypsilanti reached out to the Commission for service project for her church for May 7<sup>th</sup>.

Commissioner Sweet spoke with her about projects in Waterworks and Peninsular Park. Commissioner Sweet wondered if Commissioners could meet the groups in the parks.

h. **Big Yellow Chair** – Next park location discussion was held about whether it should be in Recreation Park for the opening of Little League, then moved to the pool area and then to Parkridge for August. Prospect Park was also brought up as that is where Ypsilanti Proud picnic will be. It was decided that the DPS would not want to have to move the chair too many times and that the Commission would like to the chair to be in a visible area of Prospect Park this year.

## **7. Partner Updates**

- a. **Ypsilanti Trail Town** – Reviewing Ypsilanti Plan-Plan is drafted and when done will become an Addendum to the Parks & Recreation Master Plan.
- b. **Bike Ypsi**-Spring Ride is May 7th
- c. **Non-Motorized Commission**-No news

## **8. Other Business**

- a. Commissioner Thorburn brought up the fact that Kohls has grants for 501 non-profits to use their employees as volunteers. \$100 per volunteer-up to five volunteers.
- b. Commissioner Thorburn inquired about the community garden in Frog Island. She noticed that there was a request for a grant that someone from the garden wanted people to support.
- c. Mr. Meyers wondered if there was a new commissioner package that is handed out. The answer is no but we could get them a copy of the Master Plan.

## **9. Commissioner Comments / Announcements - None**

**10. Adjournment** Motion made by Commissioner Barrie and seconded by Commissioner Harris to adjourn the meeting, passing unanimously. The meeting was adjourned at 8:27pm.

The next meeting will be held May 9<sup>th</sup> at the Ypsilanti District Library, Downtown Branch, 229 W. Michigan Ave, Ypsilanti MI, 48197



# **City of Ypsilanti**

## **RESOURCE ALLOCATION PLAN**

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**Amended 2016/2017**

**Amended 2017/2018**

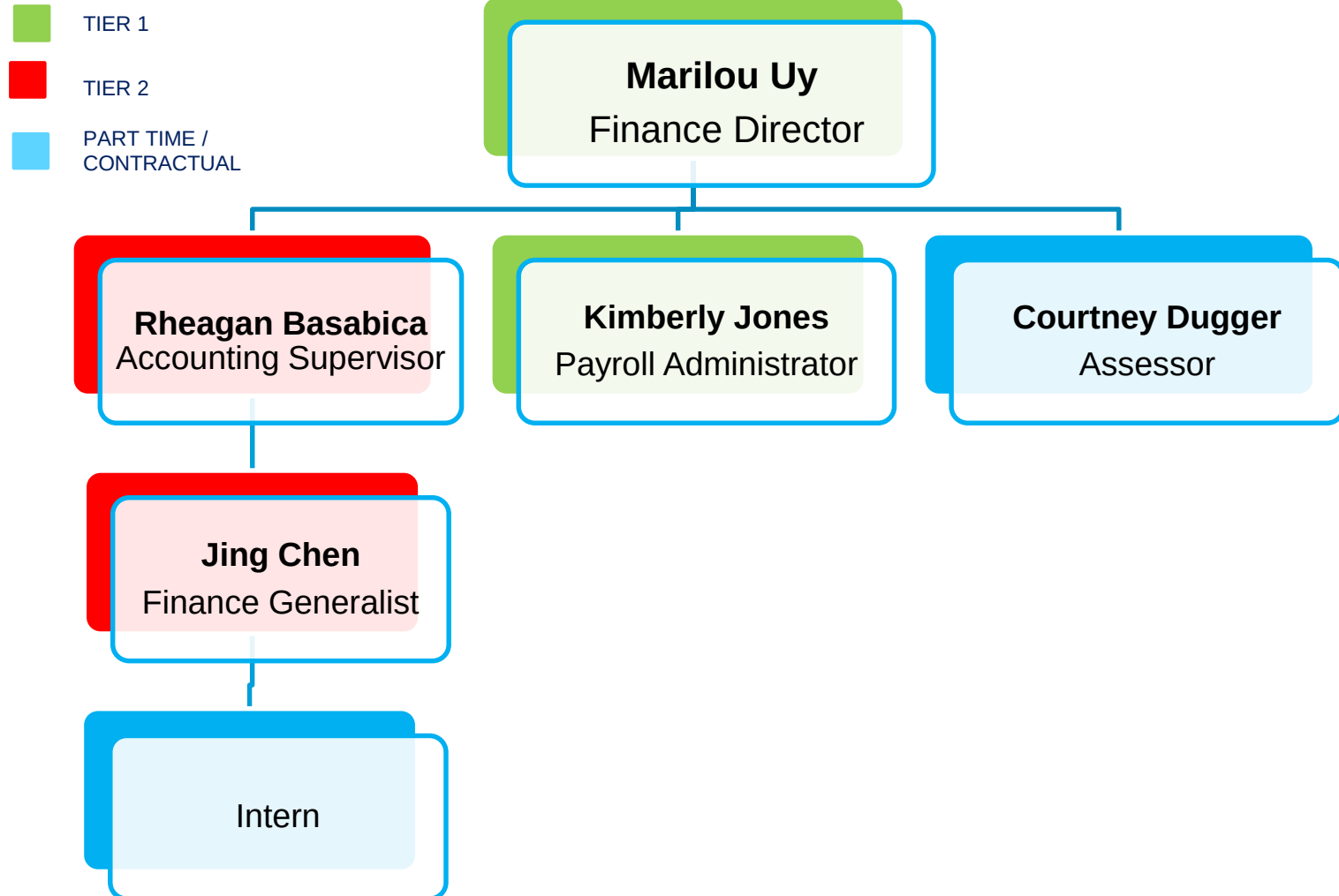
**May 16, 2017**

# **Department of Fiscal Services**

## **Marilou Uy, Fiscal Services Director**



# FISCAL SERVICES ORGANIZATIONAL CHART FY 2017-2018



## **General Accounting Pgs. 118-119**

### **Marilou Uy, Fiscal Services Director**



### **FY2016-17 and FY 2017-18**

- ❑ Interest revenue decreased due to decrease in GF fund balance.
- ❑ Sold the bonds investment in Jan 2017 to reduce further depreciation of bonds' fair market value.
- ❑ Decrease in wages and fringes of interns in FY 2016-17 & FY 2017-18; and delayed hiring of the Accounts Payable Generalist in FY 2016-17.
- ❑ Increased expenses by \$15,045 for the prorated portion of computer software, support, and maintenance.
- ❑ Overall impact – FY 2016-2017 amended budget is \$19,159 lower than original budget. FY 2017-18 amended budget is \$10,353 lower than the original budget.



## **Assessing Pg. 123**

### **Marilou Uy, Fiscal Services Director**



- ❑ The business licenses revenue is moved to the building department revenues.
- ❑ Increased expenses by \$ 4,157 for the prorated portion of computer software, support, and maintenance.
- ❑ Contractual services with WCA increased by 2.5% to \$81,843
- ❑ Overall impact – Expenses for FY 2017-18 increased by \$1,996 compared to FY2016-2017



## **Senior Center Pgs. 158-160**

### **Marilou Uy, Fiscal Services Director**

#### Senior Center

- ❑ Eliminate City subsidy of \$10,000 in FY 2017-18.
- ❑ Contribution from WCPRC \$10,000/yr. beginning FY 2017-18 to FY 2019-20.
- ❑ City pays 50% of utilities and janitorial services (\$7,414).
- ❑ Continuing the Senior Nutrition Program funded by a grant from Washtenaw County (\$7,500) from 10/1/15 to 9/30/16.
- ❑ Received another Senior Nutrition Program funded by Washtenaw County (\$8,000) from 10/1/16 to 9/30/17.



## **Parkridge Center, Pg. 161**

### **Marilou Uy, Fiscal Services Director**

#### **Parkridge Community Center**

- ❑ City operating agreement with Washtenaw Community College to operate the center ends on 12/31/2017.
- ❑ No funding received from Mr. Barfield as of today to pay for PCC FY 2016-17 amended expenses. City pays 100% of the operating expenses (\$48,840).
- ❑ Contribution from WCPRC \$10,000/yr. beginning FY 2017-18 to FY 2019-20.
- ❑ Net operating expenses for FY 2017-18 is \$41,611. Funding source?



# **Recreation-Swimming Pool Pgs. 164**

## **Marilou Uy, Fiscal Services Director**

### **Recreation- Swimming Pool**

- ❑ Contribution from WCPRC \$10,000/yr. beginning FY 2017-18 to FY 2019-20.
- ❑ The agreement between the City and the Friends of Rutherford Pool included hiring, screening and processing of payroll for the Rutherford Pool employees.
- ❑ Rutherford Pool will reimburse the City from the pool revenues \$43,304; net of \$10,000 from WCPRC for FY 2017-18 for personnel & overhead cost



## **Sick & Vacation Payout Pg. 171**

### **Marilou Uy, Fiscal Services Director**

|                                        | <b>FY 2016-17</b> | <b>FY 2017-18</b> |
|----------------------------------------|-------------------|-------------------|
| AFSCME                                 | \$ 22,489         | \$40,000          |
| Police -POAM & COAM                    | \$ 82,000         | \$85,000          |
| Ypsi Fire Assoc.                       | \$ 12,983         | \$13,000          |
| Non-Union                              | \$ 52,396         | \$37,000          |
| Projected pay-out due to<br>retirement | <u>\$158,785</u>  | <u>\$ -0-</u>     |
| Total Est. S&V payouts                 | \$328,653         | \$175,000         |

22 employees have met criteria to retire.

9 Non Union, 5 IAFF, 3 POAM, 4 COAM, 1 AFSCME

**Michigan Tax Tribunal (MTT), Foreclosed Property, and  
Washtenaw County (WC) Charge backs, Pg. 172  
Marilou Uy, Fiscal Services Director**



- ❑ Budgeted \$20,000 for FY 2016-2017 and FY 2017-2018.  
Will Work with Washtenaw County to be current with the  
charge backs.



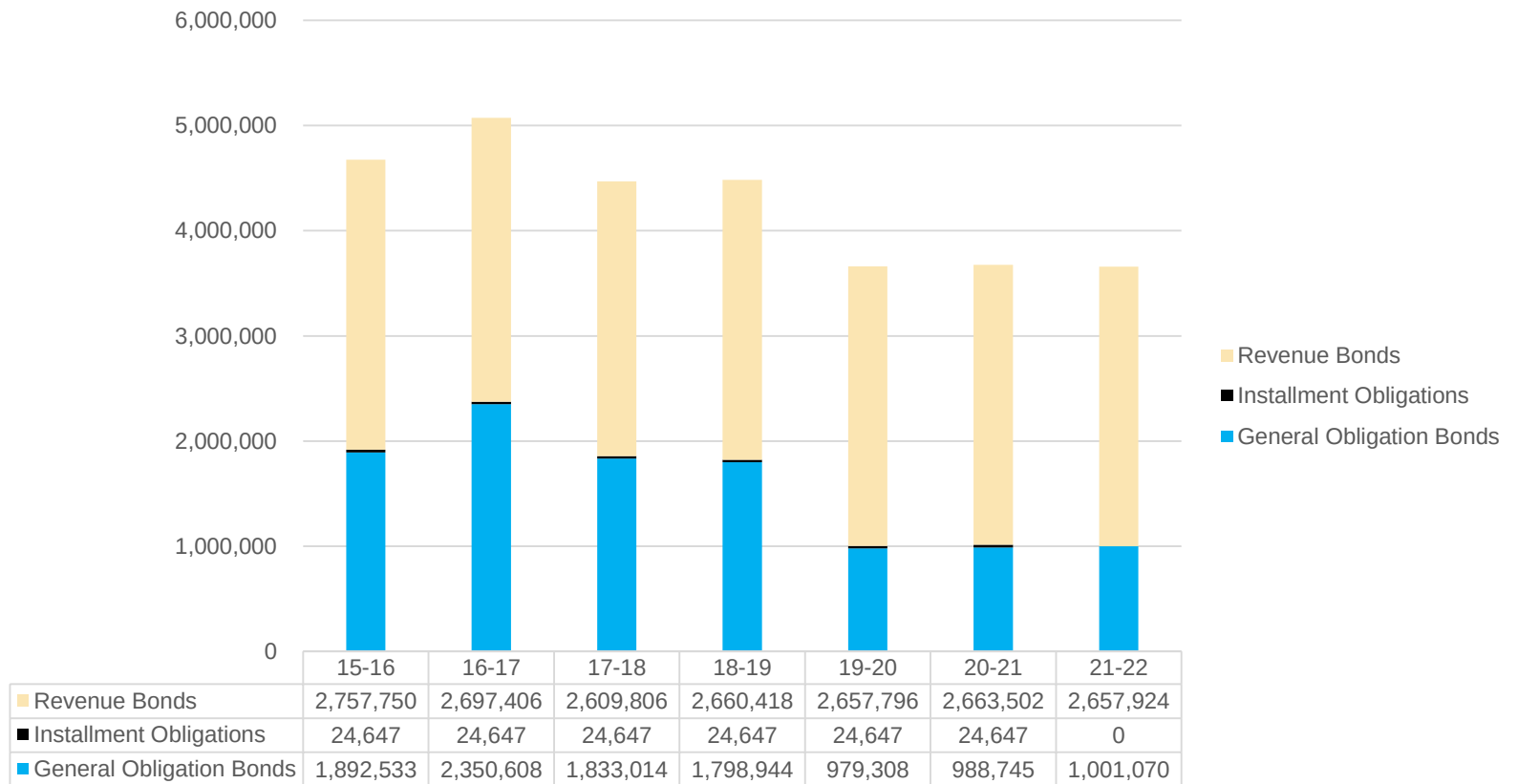
## **Transfers & Contributions – Pg. 173**

### **Marilou Uy, Fiscal Services Director**

| Description                                   | FY 2016-2017       | FY 2017-2018       |
|-----------------------------------------------|--------------------|--------------------|
| Garbage Fund (226)                            | \$92,192           | \$109,425          |
| 2016 GOLT Refunding Bonds                     | \$852,675          | \$858,372          |
| Go Bond (316)                                 | \$38,148           | \$36,555           |
| Capital Improvement (414)                     | \$424,523          | \$77,786           |
| Water Street Bond (477)                       | \$24,083           | \$24,253           |
| General Retiree's Health Care                 | \$453,855          | \$553,957          |
| <b>Total Transfers &amp; Contribution Out</b> | <b>\$1,885,476</b> | <b>\$1,660,348</b> |

**General Obligation Bonds Pgs. 247-259,300-303**  
**Water/Sewer Bonds Pgs.260-261,292-295,298-299,204-324**  
**DDA Bonds Pgs.296-297**  
**Installment Obligation/Biltmore Pgs. 263-266, 333-341**  
**Marilou Uy, Fiscal Services Director**

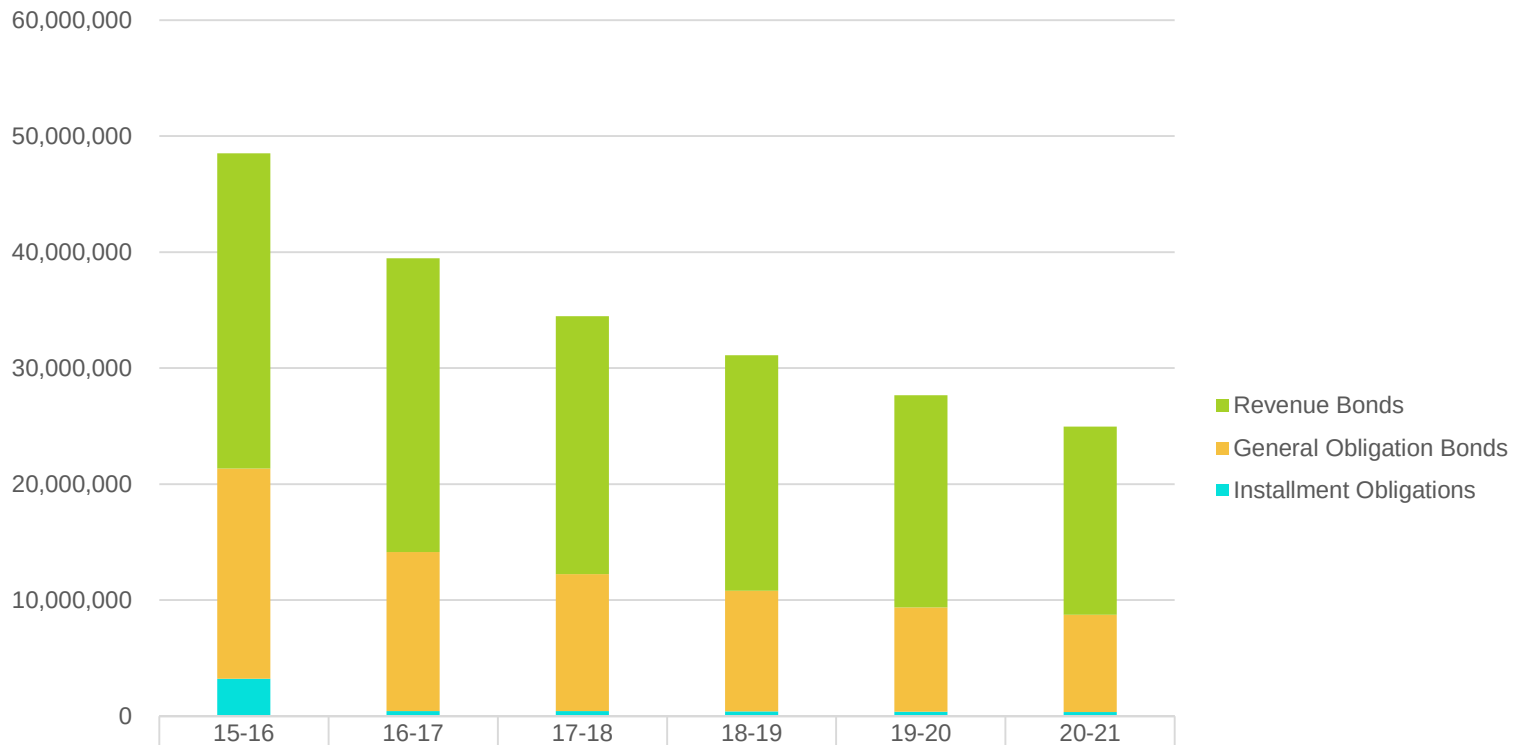
Annual Debt Obligations





**General Obligation Bonds Pgs. 247-259,300-303**  
**Water/Sewer Bonds Pgs.260-261,292-295,298-299,204-324**  
**DDA Bonds Pgs.296-297**  
**Installment Obligation/Biltmore Pgs. 263-266, 333-341**  
**Marilou Uy, Fiscal Services Director**

City of Ypsilanti  
Debt Obligations



|                          |              |            |            |            |            |            |
|--------------------------|--------------|------------|------------|------------|------------|------------|
|                          | Governmental |            |            |            |            |            |
| Revenue Bonds            | 27,173,768   | 25,327,720 | 22,242,720 | 20,327,720 | 18,297,720 | 16,202,720 |
| General Obligation Bonds | 18,125,000   | 13,690,000 | 11,810,000 | 10,390,000 | 8,985,000  | 8,385,000  |
| Installment Obligations  | 3,224,136    | 453,072    | 431,748    | 409,798    | 387,203    | 363,943    |

## **Capital Improvement Fund (414) Pgs. 273-285**

### **Marilou Uy, Fiscal Services Director**

- ❑ The City changed its capitalization threshold to \$5,000 for items that will be used for more than one year.
- ❑ Laptops, printers, equipment and software below \$5,000 were budgeted as operating expenses at the Department level in the General Fund.

**Capital Improvement Fund (414) Pgs. 273-285**  
**Marilou Uy, Fiscal Services Director**

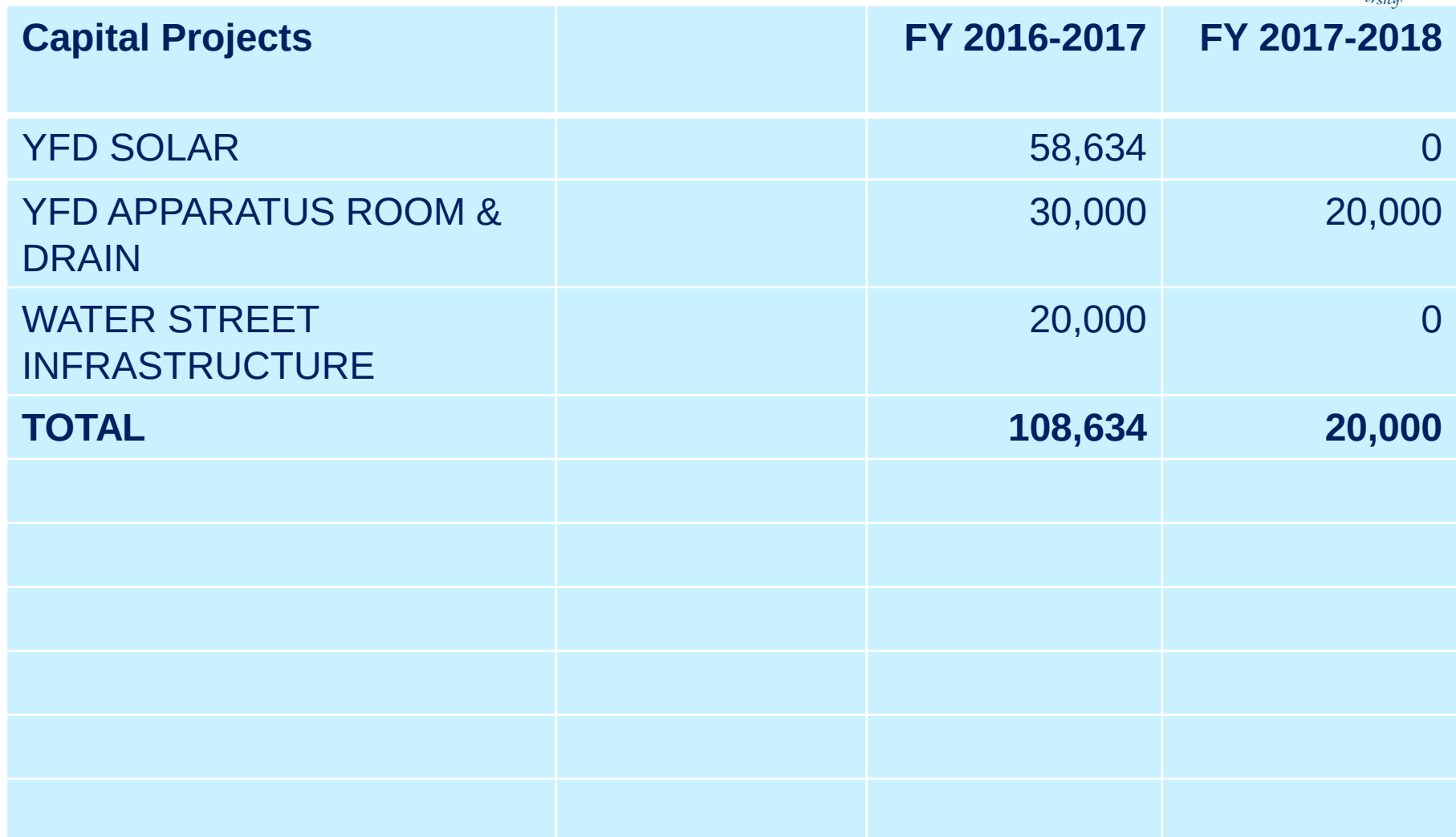


|                                         |  | FY 2016-2017 | FY 2017-2018 |
|-----------------------------------------|--|--------------|--------------|
| <u>Computer Software &amp; Hardware</u> |  |              |              |
| Computer Software                       |  | 15,000       | 15,000       |
| Computer Hardware                       |  | 15,000       | 15,000       |
| Case Management software                |  |              | 28,000       |
| Ballots Tabulator                       |  | 20,000       |              |
| Total                                   |  | 50,000       | 58,000       |
|                                         |  |              |              |
|                                         |  |              |              |
|                                         |  |              |              |
|                                         |  |              |              |

**Capital Improvement Fund (414) Pgs. 273-285**  
**Marilou Uy, Fiscal Services Director**



| <u>Equipment</u>           |  | FY 2016-2017  | FY 2017-2018  |
|----------------------------|--|---------------|---------------|
|                            |  |               |               |
| YPD:                       |  |               |               |
| Body Cameras               |  | 13,344        | 0             |
| Gym Equipment              |  | 10,000        | 0             |
| Riot Helmets               |  | 6,000         | 0             |
| <b>Total YPD Equipment</b> |  | <b>29,344</b> | <b>0</b>      |
|                            |  |               |               |
| YFD:                       |  |               |               |
| AED & Training equipment   |  |               | 15,000        |
| SCBA                       |  | 2,128         | 8,000         |
| <b>Total YFD</b>           |  | <b>2,128</b>  | <b>23,000</b> |



**Economic Development Authority (415) Pgs. 286-291**  
**Marilou Uy, Fiscal Services Director**



**Economic Development Corp. (415) Pgs. 286-291**

- For FY 2017-18, the revenues included a TIF revenue of \$33,147 for the Family Dollar and a transfer out to Washtenaw County BRA for \$33,147.

## **Public Transit Fund (588) Pgs. 330-331**

### **Marilou Uy, Fiscal Services Director**



- ❑ The City levies 0.973 mills and 0.9643 for FY 2016-17 and FY 2017-18. The tax revenues are expected to be \$282,995 and \$287,292 respectively.
- ❑ The collected taxes are remitted to AAATA for City's share of Purchase of Service Agreement (POSA).
- ❑ As part of the agreement, the City receives 1% administrative fees from AAATA

## **Fire & Police Pension Fund (732) pgs. 349-354**

### **Marilou Uy, Fiscal Services Director**



- ❑ The revenue source of this fund is from the investment earnings of the pension fund administered by the Pension Board. Additional tax revenues is derived from the Fire & Police Pension Millage that will flow through from the General Fund and 100% transferred to this pension fund. These revenues will be used to pay for the bi-weekly pensions of Fire & Police Retirees.
- ❑ The tax revenues from the Fire & Police pension Millage are \$1,358,726 and \$1,466,282 for FY 2016-17 and FY 2017-18.
- ❑ Currently, there are 71 police retirees & their beneficiaries, and 43 Fire retirees and their beneficiaries.



# **Fire & Police Pension Fund (732) pgs. 349-354**

## **Marilou Uy, Fiscal Services Director**



| <b>PENSION</b>                                                            | <b>FY 2016-17</b>         | <b>FY 2017-18</b>        |
|---------------------------------------------------------------------------|---------------------------|--------------------------|
| ANNUAL REQUIRED CONTRIBUTION                                              | \$1,350,449               | \$1,466,282              |
| AD VALOREM TAXABLE VALUE<br>LESS TIFA CAPTURED VALUE,<br>MTT LOSSES, OPRA | \$290,848,004             | \$297,927,930            |
| PENSION MILLAGE                                                           | 4.6716 Mills              | 4.9216 Mills             |
| CHANGE COMPARED FR LAST YR                                                | 0.4847 Mills<br>\$140,974 | 0.2500 Mills<br>\$74,482 |

**Retirees' Benefits Fund (736) pgs. 355-360**  
**Marilou Uy, Fiscal Services Director**



- ❑ The revenue source of this fund is also from the Fire & Police Pension Millage, and a fund transfer from the General Fund to pay for the other post employment benefits (OPEB) of F & P and MERS retirees. The FY 2016-17 OPEB millage was part of the Fire and Police Pension Millage and tax revenues that will flow through from the General Fund and 100% transferred to this Retirees Benefit fund.
- ❑ The tax revenues from the Fire & Police OPEB Millage are \$ 921,959 and \$1,025,676 for FY 2016-17 and FY 2017-18.

❑ Participants Data:

|                        | MERS | POLICE | FIRE | TOTAL |
|------------------------|------|--------|------|-------|
| Active employees       | 44   | 27     | 18   | 89    |
| Retirees/beneficiaries | 51   | 67     | 35   | 153   |
| Total                  | 95   | 94     | 53   | 242   |

**Retirees' Benefits Fund (736) pgs. 355-360**  
**Marilou Uy, Fiscal Services Director**



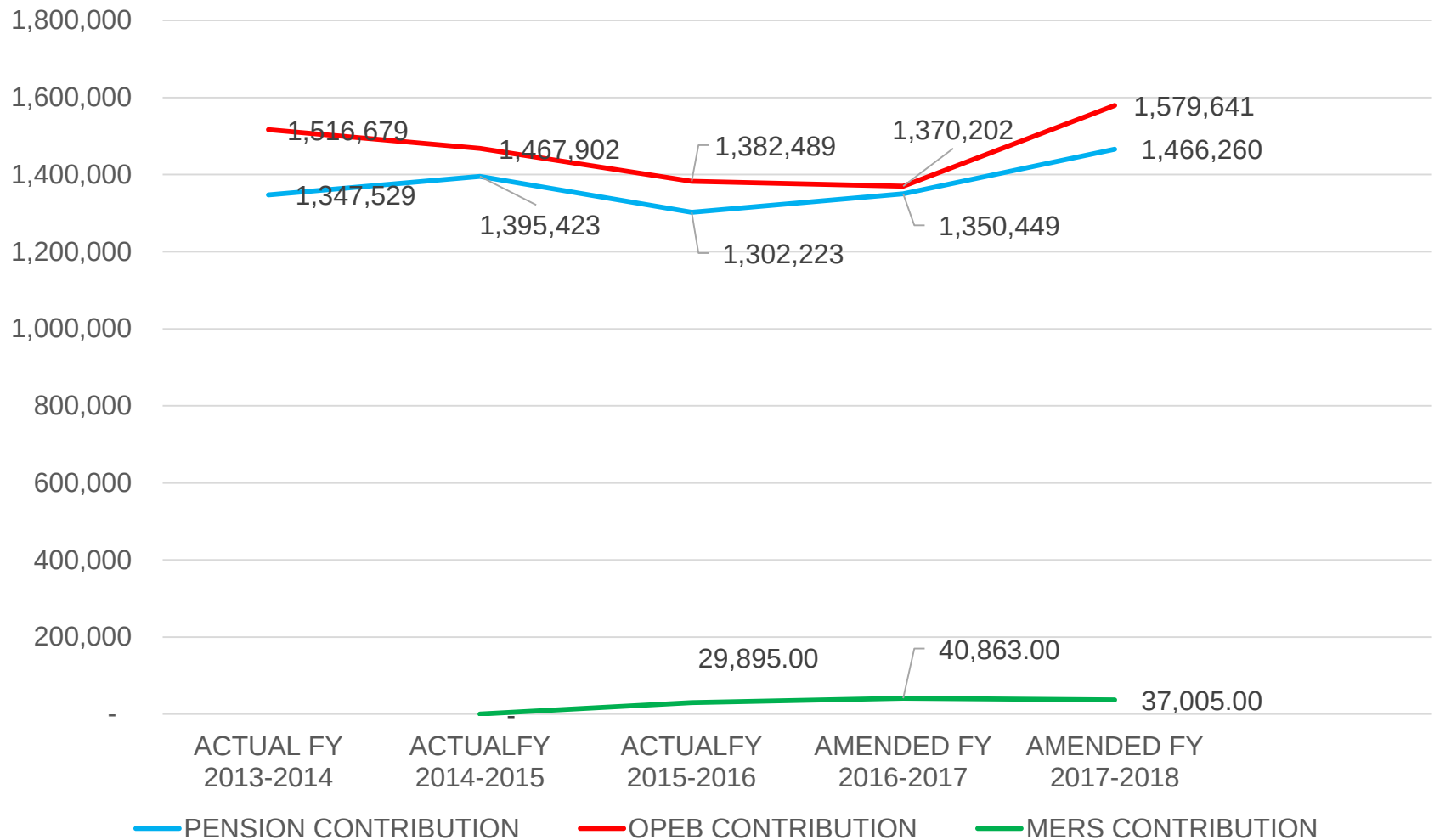
| OPEB                                                                     | FY 2016-17                   | FY 2017-18               |
|--------------------------------------------------------------------------|------------------------------|--------------------------|
| ANNUAL REQUIRED CONTRIBUTION (ARC)                                       | \$916,340                    | \$1,025,676              |
| TOTAL ADVALOREM TAXABLE VALUE LESS TIFA CAPTURED VALUE, MTT LOSSES, OPRA | \$290,848,004                | \$297,927,930            |
| OPEB MILLAGE                                                             | 3.1699 Mills                 | 3.4427 Mills             |
| CHANGE COMPARED FROM LAST YR                                             | (0.1843 Mills)<br>(\$53,603) | 0.2728 Mills<br>\$81,275 |

**Fire & Police Pension (732) & OPEB Fund  
(736) pgs. 349-360**



| PENSION & OPEB               | FY 2016-17                   | FY 2017-18                    |
|------------------------------|------------------------------|-------------------------------|
| ARC - PENSION                | \$1,350,449                  | \$1,466,282                   |
| ARC – OPEB (F & P)           | \$916,340                    | \$1,025,676                   |
| TOTAL PENSION & OPEB         | \$2,266,789                  | \$2,491,958                   |
| AD VALOREM TAXABLE VALUE     | \$290,848,004                | \$297,927,930                 |
| PENSION MILLAGE              | 4.6716 Mills                 | 4.9216 Mills                  |
| OPEB MILLAGE                 | 3.1699 Mills                 | 3.4427 Mills                  |
| TOTAL PENSION & OPEB MILLAGE | 7.8415 Mills                 | 8.3643 Mills                  |
| CHANGE COMPARED FROM LAST YR | (0.3004 Mills)<br>(\$87,371) | (0.5228 Mills)<br>(\$155,757) |
|                              |                              |                               |
|                              |                              |                               |

**MERS, Fire & Police Pension (732), and OPEB Fund (736) pgs. 349-360**  
**Annual Required Contributions (ARC)**  
**Marilou Uy, Fiscal Services Director**



# Motor Pool Fund (641) Pgs. 333-340

## Marilou Uy, Fiscal Services Director



Motorpool revenues are derived from equipment rentals to major streets, local streets, parks, parking lots, special events, police, fire, building, and administration. The Motorpool rental revenues and expenses are amended as follows:

| Department Revenues          | Actual Rental 15-16 | Amended Rental 16-17 | Amended Rental 17-18 |
|------------------------------|---------------------|----------------------|----------------------|
| Building                     | \$1,500             | \$1,500              | \$1,500              |
| Public Infrastructure Maint. | \$18,755            | \$10,000             | \$10,000             |
| Police                       | \$100,000           | \$100,000            | \$100,000            |
| Fire                         | \$150,000           | \$150,000            | \$150,000            |
| Parks                        | \$40,043            | \$68,000             | \$60,000             |
| Major Street                 | \$126,540           | \$180,100            | \$177,100            |
| Local Street                 | \$117,721           | \$159,300            | \$157,000            |
| Garbage Fund                 | \$34,303            | \$121,500            | \$124,500            |
| Sidewalk                     | \$752               | \$800                | \$800                |
| Total                        | \$589,614           | \$791,200            | \$780,900            |



## **Motor Pool Fund (641) Pgs. 333-340**

### **Marilou Uy, Fiscal Services Director**

Motorpool revenues are derived from equipment rentals to major streets, local streets, parks, parking lots, special events, police, fire, building, and administration. The Motorpool rental revenues and expenses are amended as follows:

| <b>Motorpool Amended<br/>FY 2016-17</b> | <b>Revenues</b>  | <b>Expenses</b>  | <b>Surplus<br/>(Deficit)</b> |
|-----------------------------------------|------------------|------------------|------------------------------|
| DPS- Motor Pool                         | \$455,700        | \$294,916        | 160,748                      |
| Police Motor Pool                       | \$100,000        | \$129,350        | (\$29,350)                   |
| Fire Motor Pool                         | \$150,000        | \$515,059        | (\$365,059)                  |
| Environmental Motor Pool                | \$121,500        | \$152,107        | (\$30,607)                   |
| Building-Motor Pool                     | \$5,000          | \$5,346          | (\$346)                      |
| Gain (loss) on Disp. of<br>assets       | \$32,603         | 0                | \$32,603                     |
| Miscellaneous                           | \$15,821         | 0                | \$15,821                     |
| <b>Totals</b>                           | <b>\$880,624</b> | <b>1,096,778</b> | <b>(\$216,154)</b>           |

**Motor Pool Fund (641) Pgs. 333-340**  
**Marilou Uy, Fiscal Services Director**

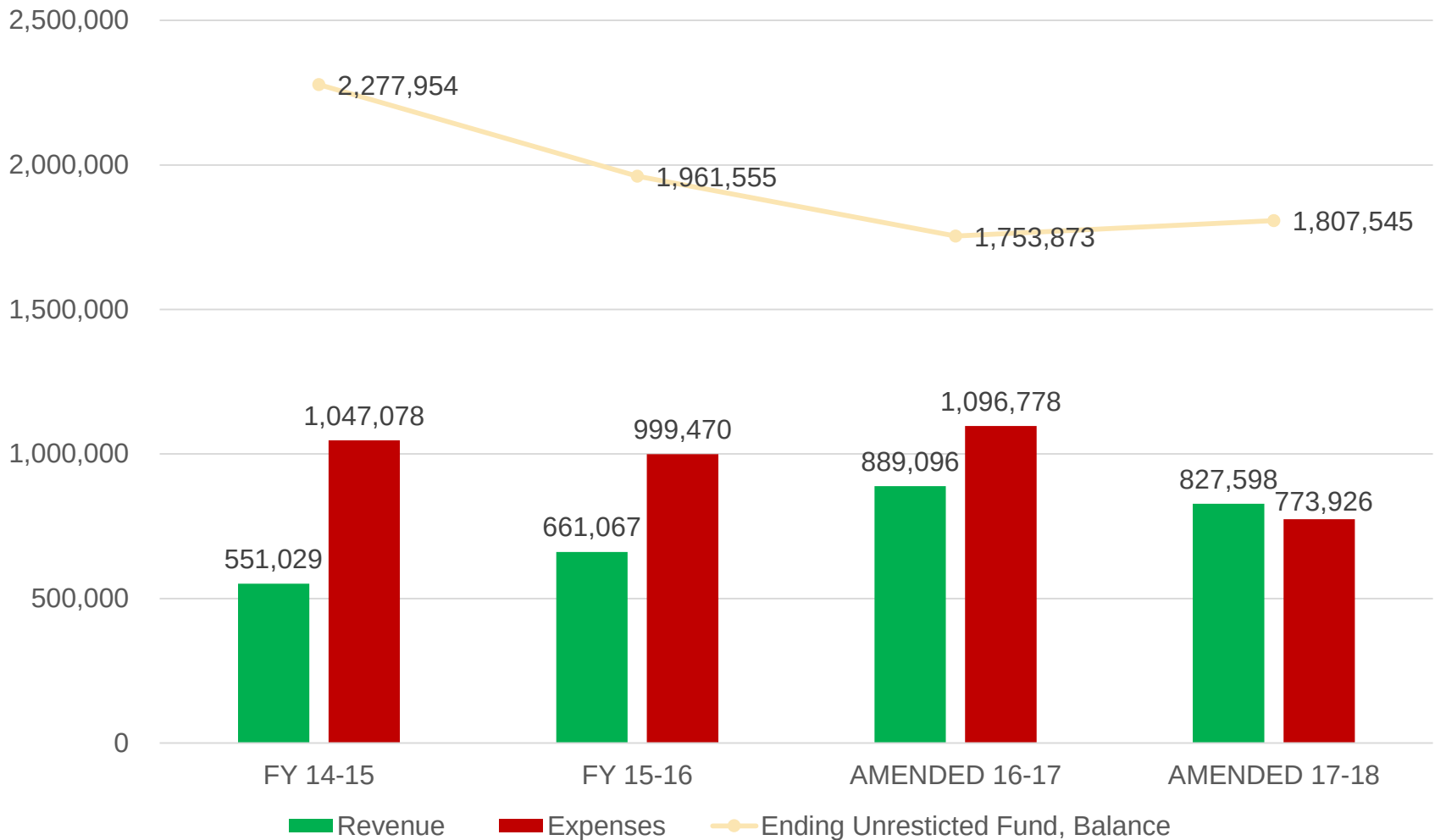


| Motorpool Amended<br>FY 2017-18 | Revenues         | Expenses       | Surplus<br>(Deficit) |
|---------------------------------|------------------|----------------|----------------------|
| DPS- Motor Pool                 | \$440,400        | \$360,271      | 80,129               |
| Police Motor Pool               | \$100,000        | \$212,637      | (\$112,637)          |
| Fire Motor Pool                 | \$150,000        | \$67,545       | 82,455               |
| Environmental Motor Pool        | \$124,500        | \$127,998      | (3,498)              |
| Building-Motor Pool             | \$5,000          | \$5,475        | (475)                |
| Miscellaneous                   | \$7,698          | 0              | 7,698                |
| Totals                          | <b>\$827,598</b> | <b>773,926</b> | 53,672               |



# Motorpool Rev, Exp & Changes in Unrestricted Fund Balance, Pgs. 333-340

## Marilou Uy, Fiscal Services Director





# **Motor Pool Fund (641) Pgs. 330-340** **Marilou Uy, Fiscal Services Director**

| DEPARTMENTS                      | Vehicles<br>Inventory<br>6/30/2015 | Vehicles<br>inventory<br>6/30/2016 | Vehicles<br>Inventory<br>6/30/2017 |
|----------------------------------|------------------------------------|------------------------------------|------------------------------------|
| Building Department              | 2                                  | 2                                  | 3                                  |
| Department of Public<br>Services | 28                                 | 28                                 | 29                                 |
| Fire Department                  | 6                                  | 6                                  | 6                                  |
| Police Department                | 21                                 | 22                                 | 22                                 |
| Environmental Services           | 7                                  | 7                                  | 4                                  |
| General                          | 2                                  | 2                                  | 2                                  |
| Total                            | 66                                 | 67                                 | 66                                 |

## Workers Compensation Fund (677) Pgs.343-348

### Marilou Uy, Fiscal Services Director

| Workers Compensation                  | FY 2016-17      | FY 2017-18       |
|---------------------------------------|-----------------|------------------|
| <b>REVENUES:</b>                      |                 |                  |
| WC Charges for Services 1.5% of Wages | 84,086          | 82,122           |
| Interest Earnings net of appreciation | 8,530           | 9,156            |
| <b>Total Revenues</b>                 | <b>92,616</b>   | <b>91,278</b>    |
| <b>Expenditures:</b>                  |                 |                  |
| Administrative Charges                | 2,276           | 2,293            |
| Payroll Claims                        | 35,000          | 35,000           |
| Medical Claims                        | 26,033          | 25,000           |
| WC Premium                            | 126,542         | 190,000          |
| <b>Total Expenditures</b>             | <b>189,851</b>  | <b>252,293</b>   |
| <b>WC Shortfall</b>                   | <b>(97,235)</b> | <b>(161,015)</b> |

# CITY MANAGER AND HUMAN RESOURCES BUDGET PRESENTATION

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City of Ypsilanti, Michigan  
Amended FY 2016-17  
Amended FY 2017-18

***May 16, 2017***

# OFFICE OF THE CITY MANAGER



## • MISSION

- The mission of the Office of the City Manager is to ensure efficient, cost effective, high quality core municipal services for the residents and businesses of the City of Ypsilanti through the application of sound and innovative municipal management principles in cooperation and collaboration with the city council, staff, community, other governmental units, and civic, charitable, and non-profit organizations.

## • VISION

- The Office of the City Manager will be a leading edge, trend setting, best practice department that will help to guide the Ypsilanti community to long-term financial, economic, environmental, historical, and cultural sustainability and serve as a management model for other comparable communities to emulate.

# OFFICE OF THE CITY MANAGER



## • VALUES

- Trust. *Our actions will build public trust.*
- Quality. *We strive for excellence, professionalism, and pride in our work.*
- Innovation. *We encourage creative thinking and reasonable risk taking and utilize the latest technology and techniques to achieve our purpose.*
- Individualism. *We respect individuals and their uniqueness, embrace diversity, and treat everyone fairly.*
- Teamwork. *We recognize the need to work as a team, understand the impact of our individual actions on the rest of the team, work cooperatively to accomplish our mission and goals, and promote open communication.*

# OFFICE OF THE CITY MANAGER



## • VALUES (cont'd)

- Efficient and Effective Service. We strive for efficient and effective public service by being trendsetters and leaders, practice sound financial management, take pride in conserving public resources, and promote collaboration in service delivery.
- Future Orientation. We make decisions that stand the test of time, allow us to control our own destiny, promote the interests of the community for the long term, and provide a sense of place and home for all.

# OFFICE OF THE CITY MANAGER



## • GOALS AND OBJECTIVES

- **Goal #1 - Promote Sound and Prudent Financial Management**
  - **Objective #1:** Budget as Planning Tool – Prepare new budget format that supports long-term financial planning for the city, including a comprehensive capital plan
  - **Objective #2:** Grant Opportunities - Identify and actively pursue new grant opportunities to assist in the funding of city operations
  - **Objective #3:** Revenue Sources – Identify and recommend to council options for new revenue sources to assist in funding city operations
  - **Objective #4:** Establish Reasonable and Competitive Employee Compensation System – Through collective bargaining and collaboration with non-union employees, establish a compensation system that is reasonable, sustainable, and competitive with comparable communities



# OFFICE OF THE CITY MANAGER



## • GOALS AND OBJECTIVES (cont'd)

- **Goal #2 – Promote Efficient and Effective Municipal Operations**
  - **Objective #1:** Utilize Technology – Identify and implement new, affordable technology (e.g., computer hardware and software, internet, telecommunications systems) to improve city operations
  - **Objective #2:** Improve Workflows – Analyze existing workflows within and between departments and implement reorganization initiatives and processes that optimize work and achieve efficiencies
  - **Objective #3:** Update Job Descriptions – Review job descriptions, analyze job requirements, and update job descriptions to reflect current needs of the organization with an emphasis on cross-training and job flexibility

# OFFICE OF THE CITY MANAGER



## • GOALS AND OBJECTIVES (cont'd)

- ***Goal #3 – Promote Proper Management of Capital Assets and Infrastructure***
  - **Objective #1:** IT Plan – Prepare a comprehensive information technology (IT) plan for the city
  - **Objective #2:** Capital Improvement Plan – Formulate a comprehensive capital improvement program, including identification of funding sources, to address the short-term and long-term capital needs (streets, bridges, sidewalks, facilities, buildings, grounds, equipment, vehicles, and parking lots) of the of the city

# OFFICE OF THE CITY MANAGER



## • GOALS AND OBJECTIVES (cont'd)

- **Goal #4 - Promote Beneficial and Effective Board, Commission, and Staff Relations and Professional Development**
  - **Objective #1:** Employee Recognition Program - Prepare and implement an effective and meaningful annual employee recognition program
  - **Objective #2:** Employee Compensation – Within budget constraints, prepare and maintain an employee compensation system that is competitive with comparable municipalities and that is based on merit
  - **Objective #3:** Employee Professional Development – Within budget constraints, identify the training and professional development needs of employees to help them effectively and successfully perform their jobs and invest in necessary training and development
  - **Objective #4:** Board and Commission Training – Within budget constraints, work with city council to identify the training needs of boards and commissions to help them effectively and successfully perform their duties and invest in necessary training; establish a mandatory training program as needed
  - **Objective #5:** Human Resources Administration – Re-establish comprehensive, fully functional human resources management division

# OFFICE OF THE CITY MANAGER



## • GOALS AND OBJECTIVES (cont'd)

- **Goal #5: Promote Open, Transparent, Inclusive, and Collaborative Governance**
  - **Objective #1: Public Communication** – Fully utilize the city's web site, Twitter account, other social media, and traditional media to communicate with the public on important issues affecting the community; encourage citizens to register on the city's web site for the "NOTIFY ME" service
  - **Objective #2: Public Document Access** – Fully utilize the city's web site as a repository for financial documents, permit and application forms, and other important documents for accessibility by the public
  - **Objective #3: Public Participation in Decision Making** – Actively seek the participation of, and input by, the public in important decisions affecting the community
  - **Objective #4: Partnership and Collaboration** – Actively seek partnerships and other collaborative opportunities with private, non-profit, charitable, and civic organizations and other governmental units to provide quality core municipal services and to achieve community goals

# OFFICE OF THE CITY MANAGER



## • GOALS AND OBJECTIVES (cont'd)

- **Goal #6: Promote a Positive Community Image**
  - **Objective #1:** Public Relations – Utilize the city's web site, social media, and traditional media to effectively communicate positive accomplishments in the city on a regular basis
  - **Objective #2:** Public Art – Establish public spaces to highlight artwork from local artists
  - **Objective #3:** Community Promotion – Utilize branding media, placemaking, and other promotional tools to promote the city as a premier place to live, work, shop, dine, and recreate

# **CITY MANAGER BUDGET – 101-172**

## **HUMAN RESOURCES BUDGET – 101-270**



### **• HIGHLIGHTS**

#### **• Staffing**

- Unchanged at 2.6 FTE positions
  - City Manager
  - Assistant City Manager/Human Resources Administration
  - Executive Secretary – 0.6 FTE

#### **• Salaries**

- Assume no salary or wage increases for FY 2017-18

#### **• Benefits**

- Assume 15% increase in health care premiums; will re-evaluate and adjust when consultants provide projections
- City Manager opts out of health insurance coverage
- Assume family coverage for new ACM/HR position
- Signing bonus eliminated
- Housing allowance eliminated
- MERS pension contribution eliminated; DC contribution added
- Car allowance added
- 77% of department staffing in Tier 2 benefit program

# **CITY MANAGER BUDGET – 101-172**

## **HUMAN RESOURCES BUDGET – 101-270**



### **• HIGHLIGHTS (cont'd)**

#### **• Operating Expenses**

- Contractual Services in City Manager department provides for independent budget analysis and other services
- Professional Development provides for the City Manager's attendance at the ICMA annual conference, MME winter and summer institutes, MML annual convention, MPELRA workshops, and other workshops and seminars
- Equipment Rental provides for departmental contribution to Motor Pool Fund
- Memberships and Dues provides for the City Manager's membership in ICMA, MME, and MPELRA

#### **• Net Change from Current Year**

- City Manager's budget has decreased from \$304,331 to \$210,718 (31%)
- Human Resources budget has decreased from \$153,528 to \$131,589 (14%)

# QUESTIONS?





# **John Kaczor – 5-Year Projection**

## **July 1, 2017 to June 30, 2023**

# FIVE-YEAR BUDGET FORECAST

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City of Ypsilanti

Presented by Municipal Analytics

# Primary Assumptions

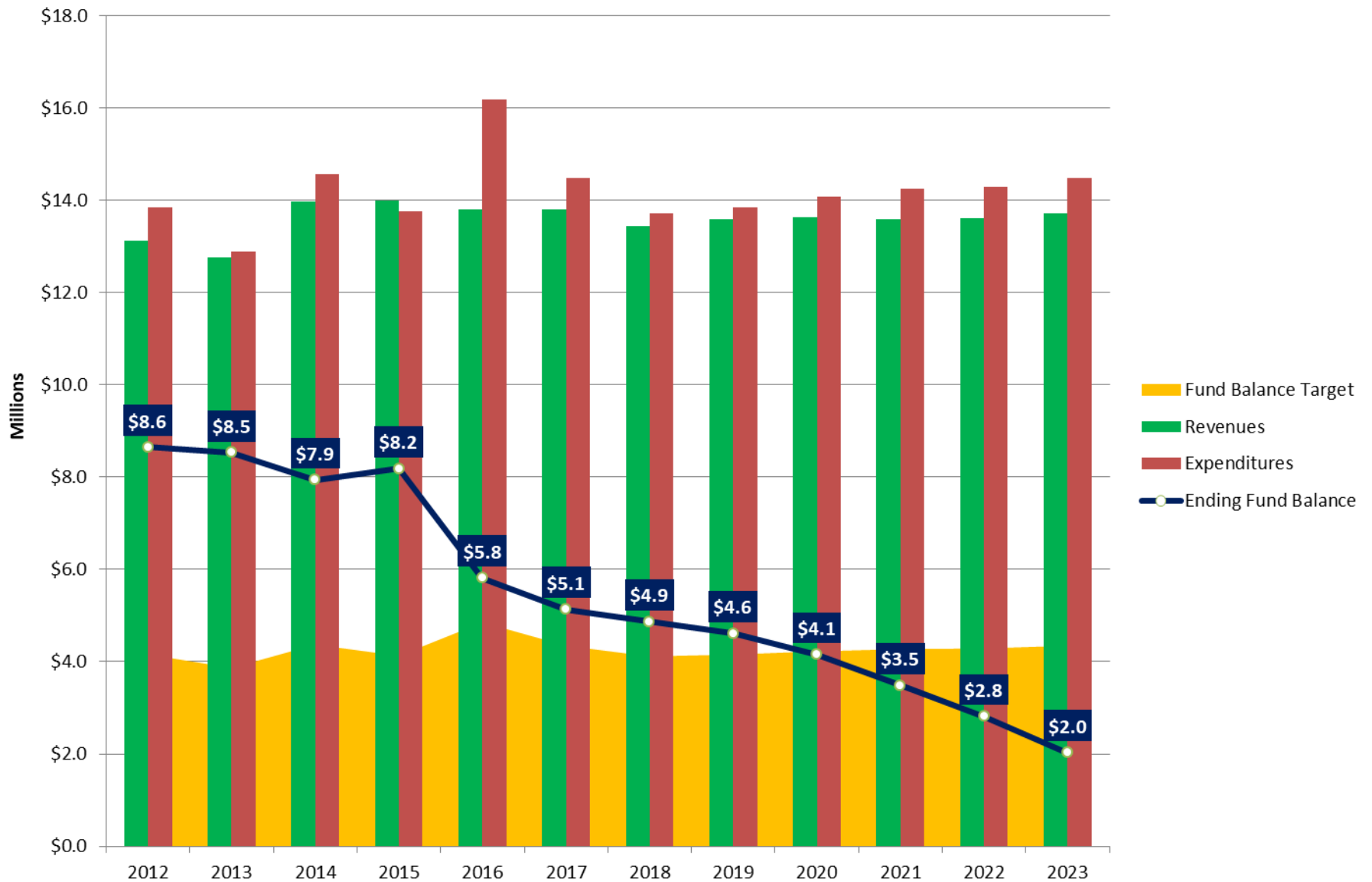
- Property tax revenues: 1.0% per year increase
- State Revenue Sharing: 1.0% per year increase
- All other revenues unchanged
- No wage increase, except step increases
- Healthcare costs: 10% increase per year
- Dental & Optical insurance: 3.5% increase per year
- EHIM Claims & Fees: 3.5% annual increase
- EHIM Scripts: 10% increase per year
- General operating costs: 2.0% annual increase

# Additional Assumptions

- All Temporary Wages omitted from budget, except for 5 departments which rely heavily on interns or other temporary employees
- No increase in P&F Overtime, other than that related to step increases
- Most recent CIP and Facility Operating estimates are included in the forecast model
- Police equipment rental charge: increase from \$100,000 to average \$250,000 annually
- Fire equipment rental charge: increase from \$150,000 to average \$200,000 per year
- 3-year SAFER grant included in forecast
- GF transfer to Garbage Fund averages \$120,000 per year

# City of Ypsilanti

## General Fund Revenues, Expenditures and Fund Balance



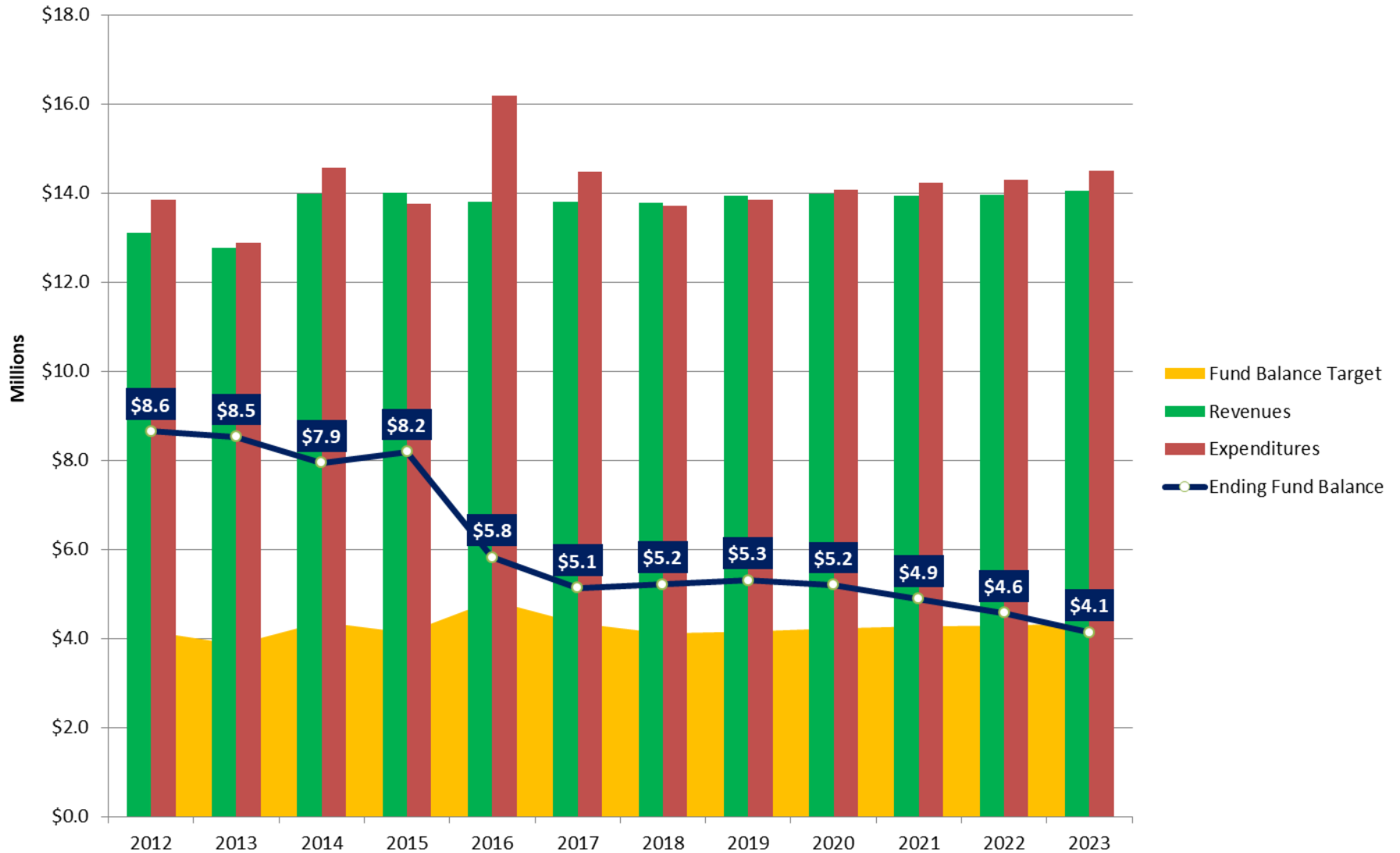
# Additional Revenue Option 1: Street Lighting Special Assessment

- Assumes \$350,000 revenue per year, beginning FY 2018
  - Could go as \$405,000 in 2018
  - Could go lower as well
- Outlook improves, but service levels would remain low

# City of Ypsilanti

## General Fund Revenues, Expenditures and Fund Balance

Including \$350,000/yr Additional Revenue (begin FY 2018)



# Additional Revenue Option 2: Water Street Debt Relief

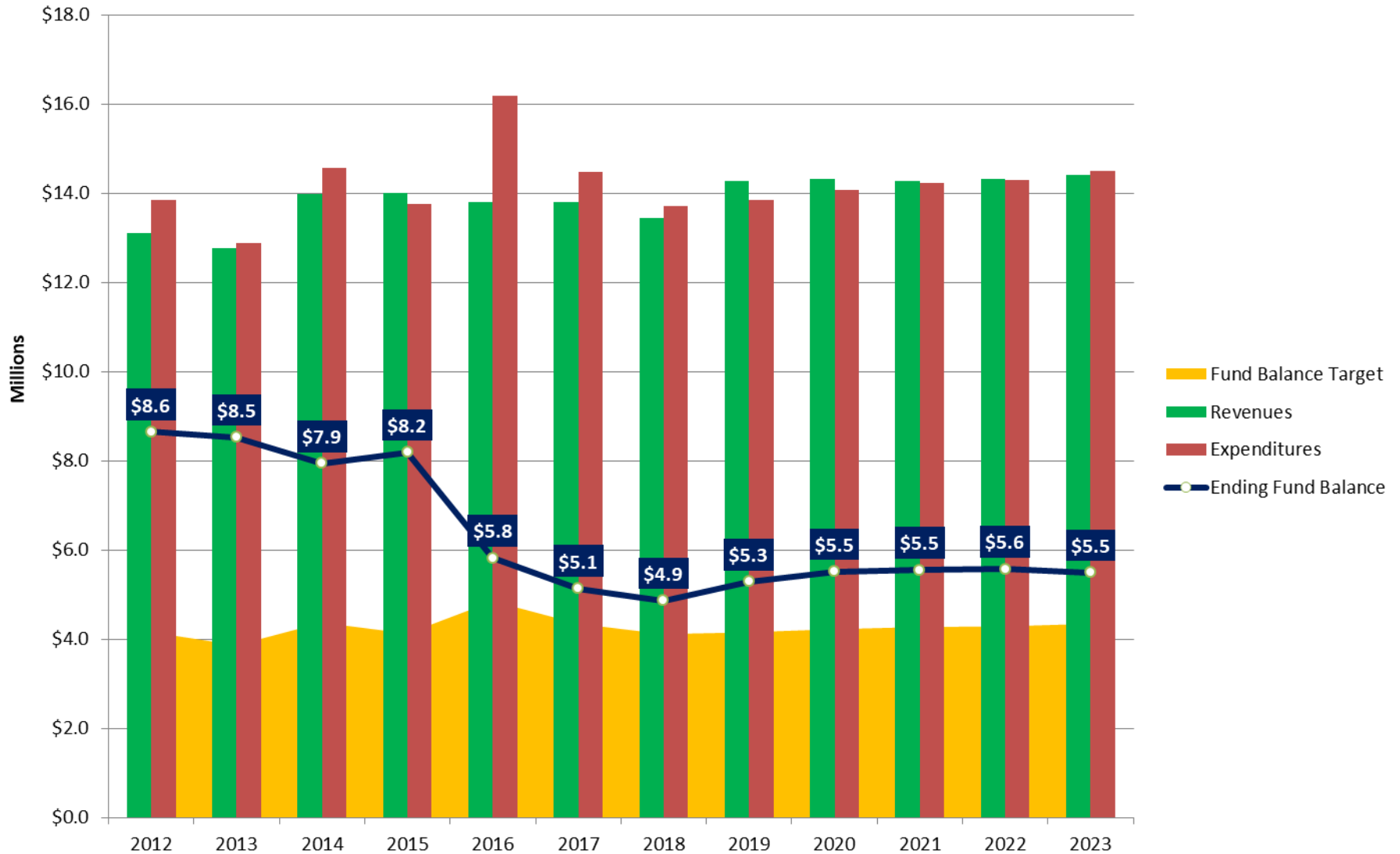
- Series A debt service: \$671,000/year
- Could be paid with 2.3 mill debt levy
- Sale proceeds from Water Street property could also eliminate this expense from the General Fund
- Full relief of this debt obligation would resolve budget imbalance



# City of Ypsilanti

## General Fund Revenues, Expenditures and Fund Balance

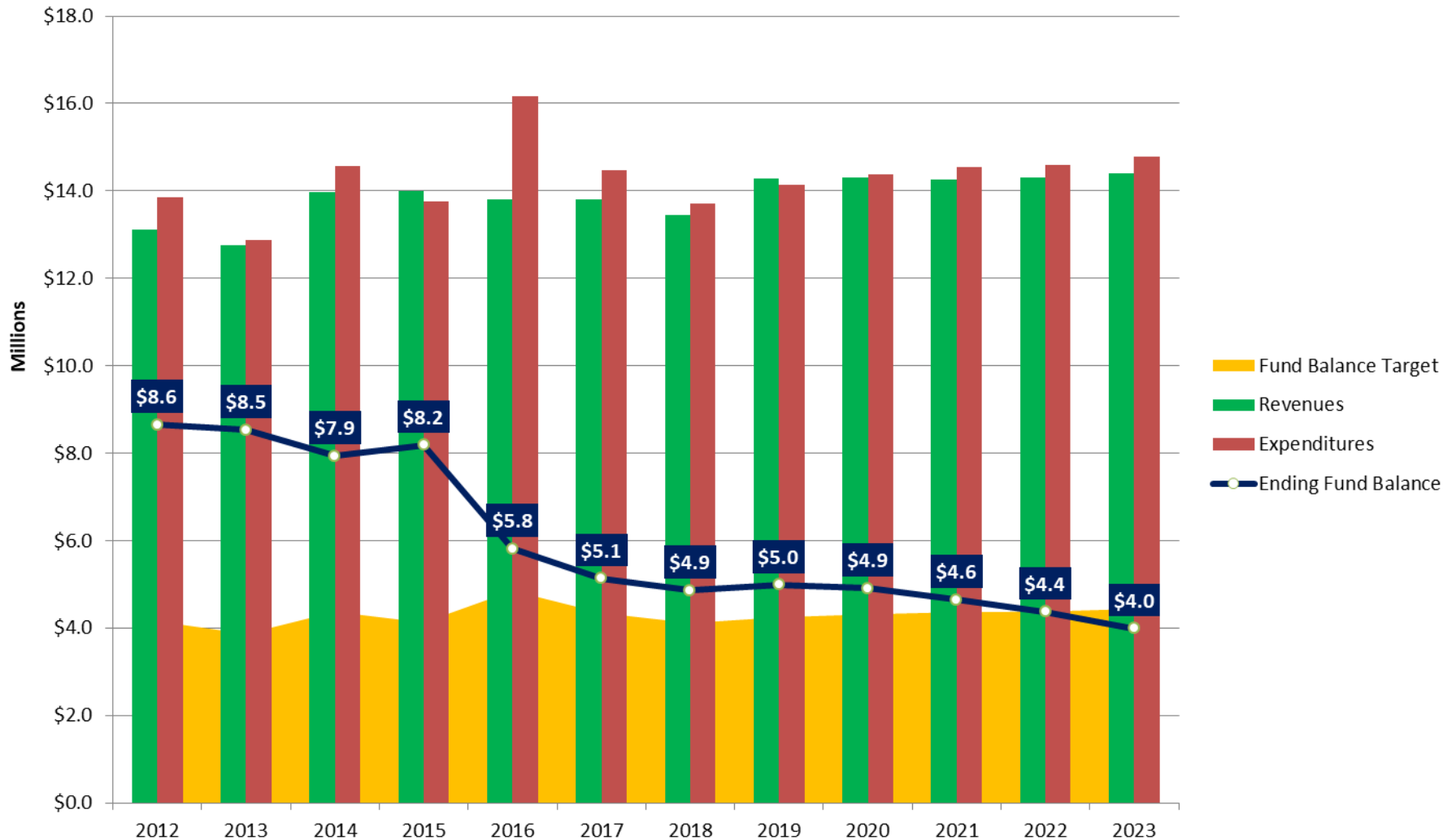
**Assumes Water Street Series A Bonds not Paid from GF (begin FY 2019)**



# Service Level Impacts

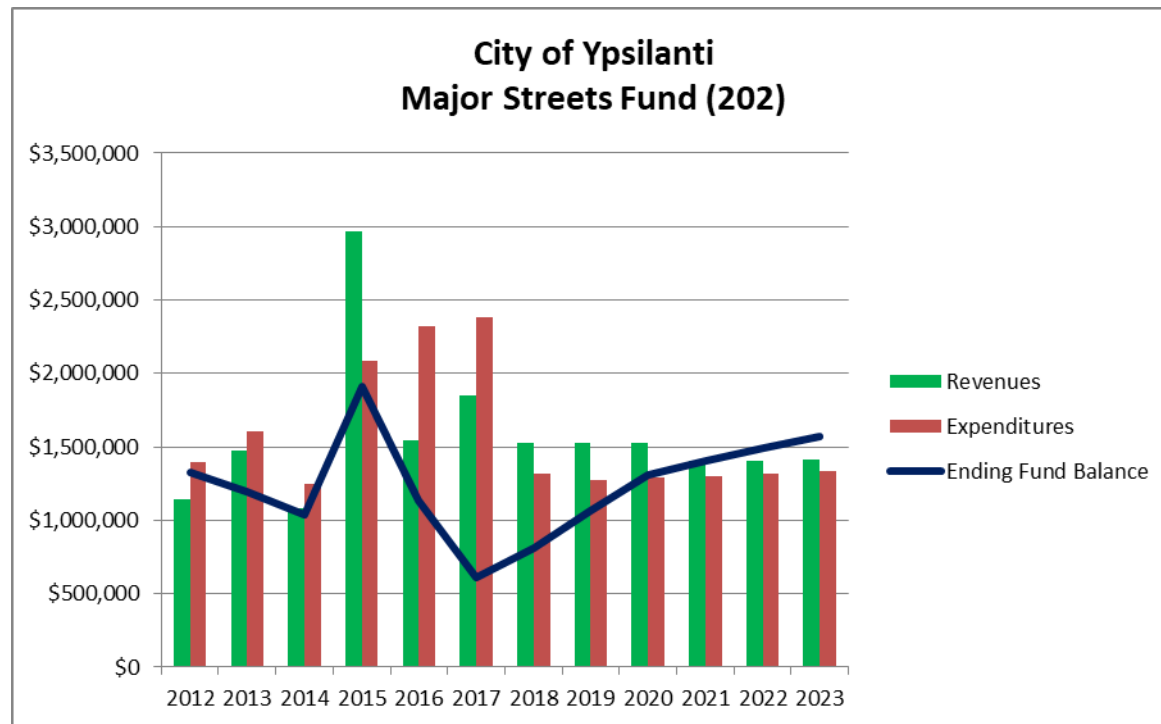
- Reduction in service levels planned in 2018 budget
- Savings are not sufficient to resolve imbalance
- Efficiencies will need to be identified to keep costs at levels in 2018 budget
- Street light special assessment revenue would stabilize service levels, but not increase them
- Water Street debt relief would allow service levels to increase (\$300,000/year available)

**City of Ypsilanti**  
**General Fund Revenues, Expenditures and Fund Balance**  
**Assumes Water Street Series A Bonds not Paid from GF (begin FY 2019)**  
**AND Additional \$300,000 in Expenditures to Expand Service Levels**



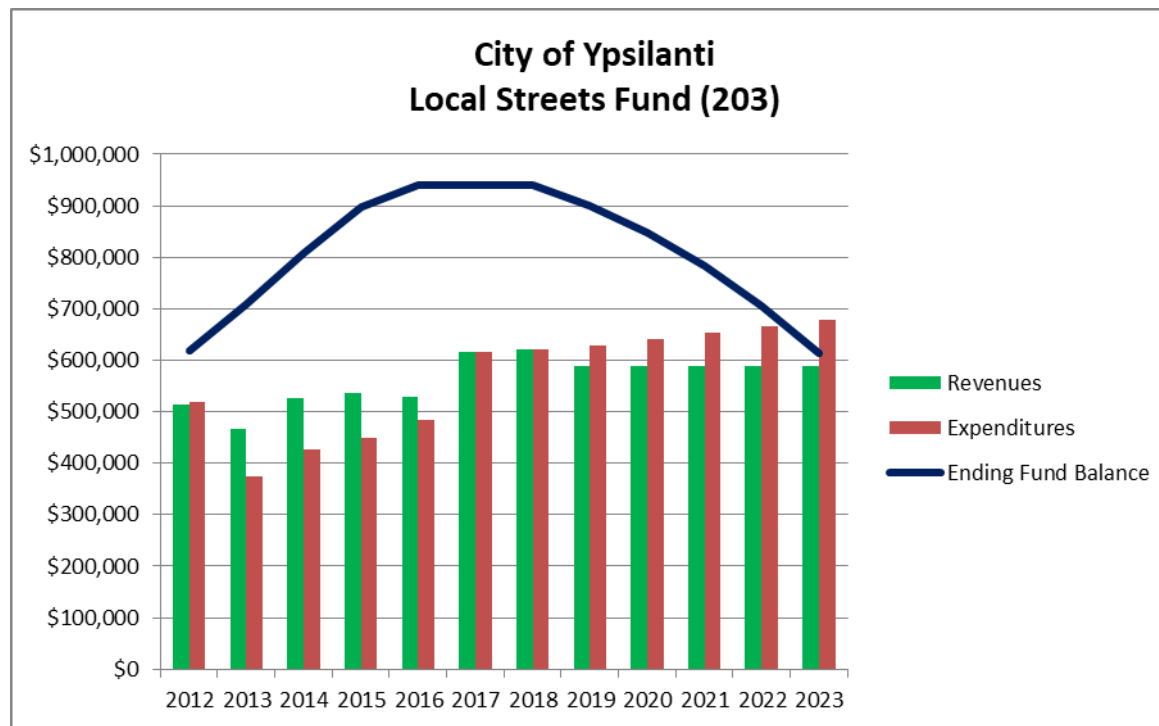
# Major Streets Fund

- 10% of Major Streets Act 51 revenue is assumed to be transferred to Local Streets
- \$300,000 per year Major Streets construction funding
- \$50,000 per year non-motorized funding
- \$122,000 County road millage revenue, through FY 2020



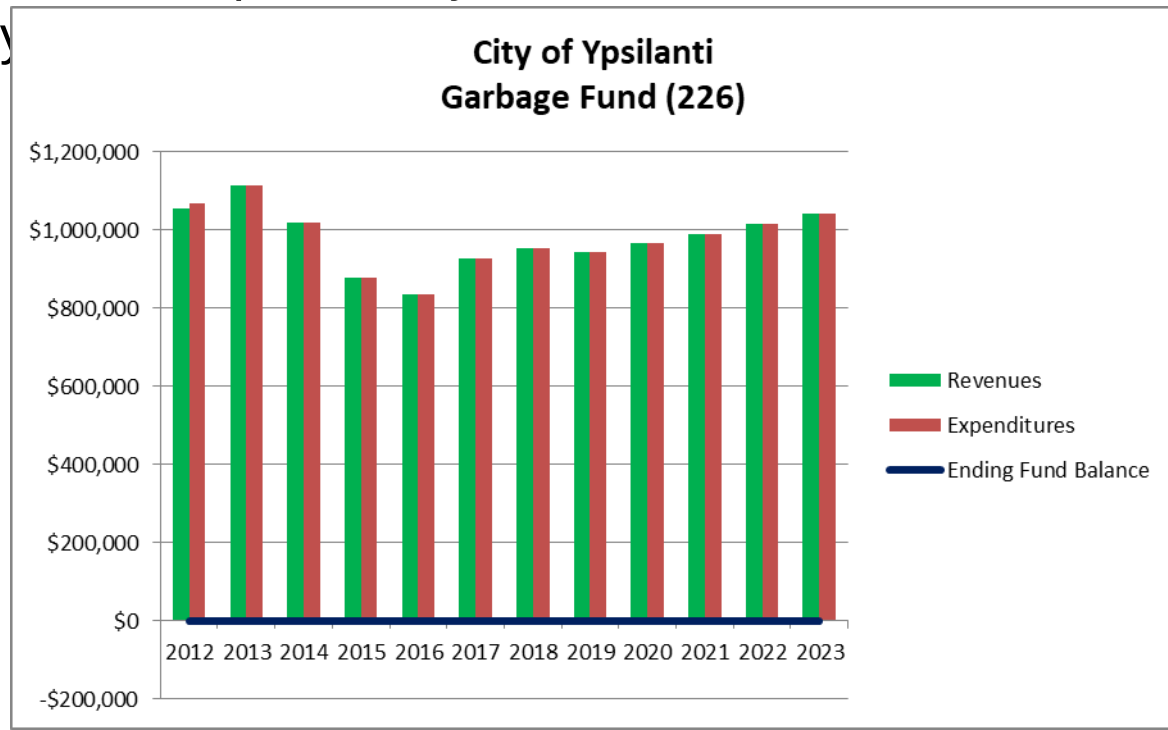
# Local Streets Fund

- Future Local Streets funding assumed similar to FY 2018- may be overstated



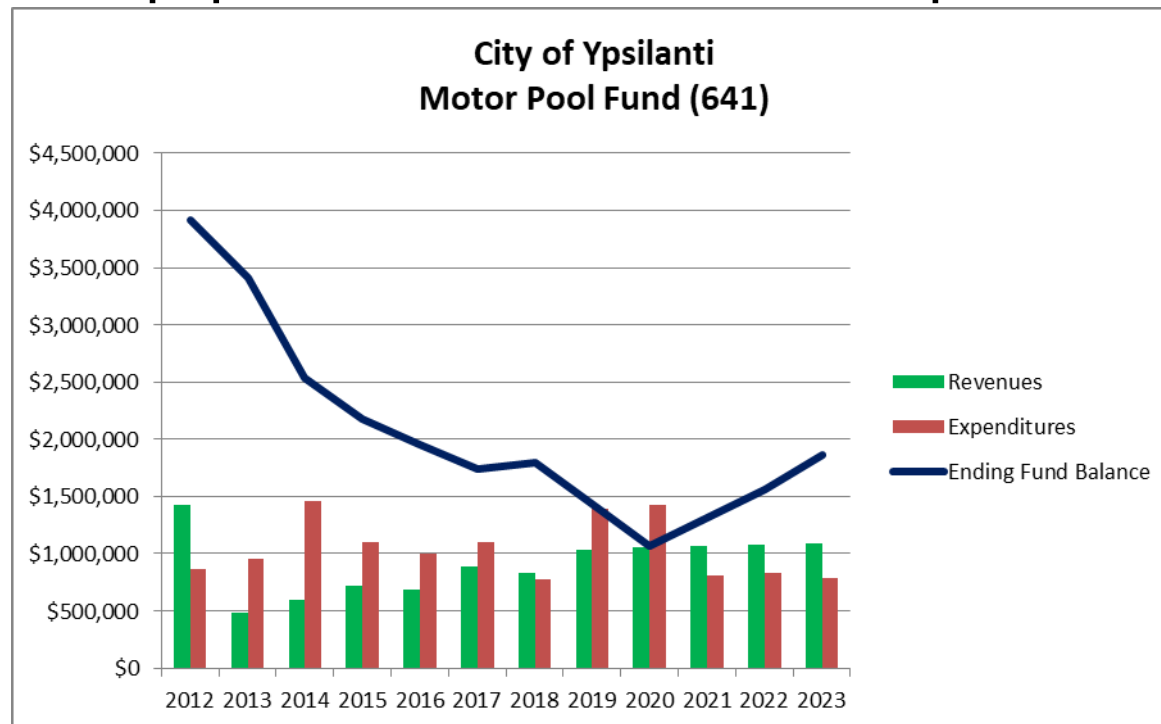
# Garbage Fund

- Reliance on subsidies from other funds persists
- \$120,000 average GF subsidy for next 5 years
- \$132,000 average expense for Motor Pool equipment
- Outsourcing Recycling may be more cost effective
  - Can it reduce expenses by \$120,000 or more? – Eliminate GF subsidy



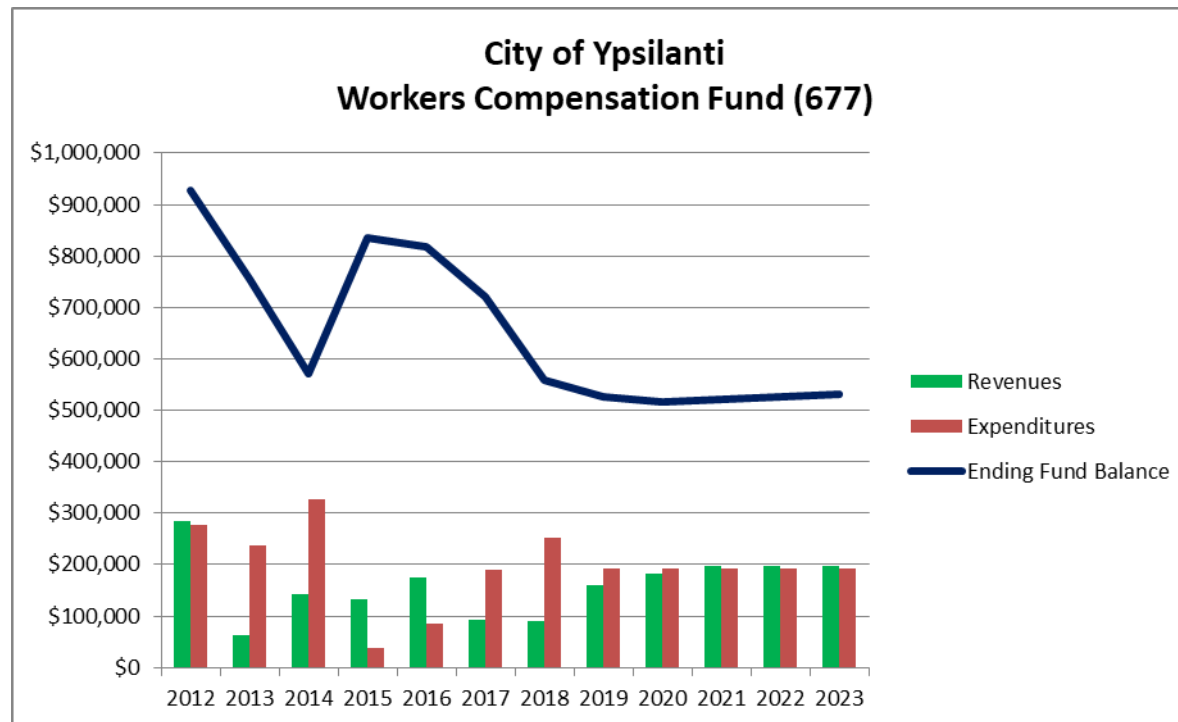
# Motor Pool Fund

- Important to maintain adequate reserves
  - At least \$1.5 million, based on high expense years
- Funding strategy should focus on O&M cost recovery and amortized equipment costs, based on replacement cycle



# Workers Compensation Fund

- Switch to MML pool insurance will stabilize costs
- No need to carry large fund balance
- To achieve full cost recovery, charges to departments will need to increase
  - Could be moderated by using available cash reserves





# Conclusions/Suggestions

- Non-General Funds appear to be generally stable, with the exception of Garbage
- General Fund cannot be balanced with cost cutting alone, without further major reductions in services
- New revenue should be integral part of strategy to resolve structural imbalance
  - Consider blending lower mill for debt + street lighting special assessment, if that is more appealing and/or equitable
- Pay off remaining portion of original WS debt
  - \$220,000 remaining principal
  - Saves \$123,000 interest over 14 years



## REQUEST FOR LEGISLATION

May 16, 2017

**To:** Mayor and Council

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

**Subject:** CLOSED SESSION – COLLECTIVE BARGAINING STRATEGY SESSION FOR  
AFSCME, POAM, AND COAM

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### 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 related to three of the bargaining units: AFSCME, POAM, and COAM.

Administration recommends that council members review the current collective bargaining agreements online at <http://cityofypsilanti.com/Archive.aspx?AMID=40> prior to the meeting.

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

**ATTACHMENTS:** None

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**CITY MANAGER APPROVAL:** \_\_\_\_\_ DDPM

**COUNCIL AGENDA DATE:** 05/16/17

**CITY MANAGER COMMENTS:** Please review current AFSCME, POAM, and COAM contracts prior to the meeting.

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



Resolution No. 2017 - 117  
May 16, 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 AFSCME, POAM, and COAM contracts.

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

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

YES:

NO:

ABSENT:

VOTE:



Resolution No. 2017-118  
May 16, 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  
COUNCIL BUDGET SESSION ACTION MINUTES  
COUNCIL CHAMBERS - ONE SOUTH HURON STREET  
TUESDAY, MAY 16, 2017  
6:00 P.M.

**I. CALL TO ORDER –**

**The meeting was called to order at 6:09 p.m.**

**II. ROLL CALL –**

|                           |                |                     |        |         |
|---------------------------|----------------|---------------------|--------|---------|
| Council Member Bashert    | Present        | Council Member Robb | (6:46) | Present |
| Mayor Pro-Tem Brown       | Present        | Council Member Vogt |        | Present |
| Council Member Murdock    | (7:54) Present | Mayor Edmonds       |        | Present |
| Council Member Richardson | (7:54) Present |                     |        |         |

**III. INVOCATION –**

**IV. PLEDGE OF ALLEGIANCE –**

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

**V. AGENDA APPROVAL-**

**VI. AUDIENCE PARTICIPATION -**

**VII. REMARKS FROM THE MAYOR –**

**VIII. PUBLIC HEARINGS –**

*Ordinance 1288*

1. An Ordinance to Repeal Article II of Chapter 114 "TAXICABS" of the Ypsilanti City Code and Replace with "LIMOUSINE, TAXICAB, AND TRANSPORTATION NETWORK COMPANY."
  - A. Resolution No. 2017-112, determination.  
**Offered By: Mayor Pro-Tem Brown; Seconded By: Council Member Vogt**  
**Approved: Yes – 4; No – 0; Absent – 3 (Murdock, Richardson, Robb)**
  - B. Open public hearing.
  - C. Resolution No. 2017-113, close public hearing.  
**Offered By: Mayor Pro-Tem Brown; Seconded By: Council Member Vogt**  
**Approved: Yes – 4; No – 0; Absent – 3 (Murdock, Richardson, Robb)**

2. Resolution approving a Brew Pub License for Cool Holdings Inc., at 207 W. Michigan Ave.
  - A. Resolution No. 2017-113A, determination.  
**Offered By: Council Member Bashert; Seconded By: Mayor Pro-Tem Brown**  
**Approved: Yes – 4; No – 0; Absent – 3 (Murdock, Richardson, Robb)**
  - B. Open public hearing.
  - C. Resolution No. 2017-113B, close public hearing.  
**Offered By: Council Member Bashert; Seconded By: Mayor Pro-Tem Brown**  
**Approved: Yes – 4; No – 0; Absent – 3 (Murdock, Richardson, Robb)**

**IX. MOTIONS, RESOLUTIONS, DISCUSSIONS -**

1. Resolution No. 2017-114, approving minutes of April 4<sup>th</sup>, April 18<sup>th</sup>, April 27<sup>th</sup>, and May 4<sup>th</sup>, 2017. (Clerk)  
**Offered By: Council Member Vogt; Seconded By: Mayor Pro-Tem Brown**  
**Approved: Yes – 4; No – 0; Absent – 3 (Murdock, Richardson, Robb)**
2. Resolution No. 2017-115, rescinding Resolution No. 2017-084, the homestead certificate resolution for 705 Franklin, and adopt a new facility certificate resolution, and approving . (Community Development)  
**Offered By: Council Member Bashert; Seconded By: Mayor Pro-Tem Brown**  
**Approved: Yes – 4; No – 0; Absent – 3 (Murdock, Richardson, Robb)**
3. Resolution No. 2017-116, recognizing July as Park and Recreation Month in the City of Ypsilanti. (Community Development)  
**Offered By: Mayor Pro-Tem Brown; Seconded By: Council Member Vogt**  
**Approved: Yes – 6; No – 0; Absent – 1 (Murdock)**

**X. PRESENTATIONS OF DEPARTMENT BUDGETS –**

General Fund Revenues and Non-General Funds Expenditures Review/Questions (FY 2016-2017 and FY 2017-2018)

Marilou Uy, Fiscal Services Director

- Finance – Pages 118-119
- Assessing – Page 123
- Friends Groups (Senior Center, Nutrition Services & Parkridge Community Center, PCC Foundation, Recreation-Swimming Pool) Pages 158-161, 163-164
- Vacation & Sick Payout– Page 171
- MTT and Chargebacks – Page 172
- Transfer and Contributions – Page 173
- General Obligation and Water Sewer Bonds
  - G.O. Bonds – Pages 247 – 259, 300 - 303
  - W&S Bonds – Pages 260 - 261, 292 - 295, 298 - 299, 304 - 324
  - DDA 2004A Bonds (473) Pages 296 - 297
- Economic Development Corporation (415) – Pages 287 -291
- Public Transit Fund (588) – Pages 330 – 332
- Workers’ Compensation Fund (677) – Pages 342 - 348
- Fire & Police Pension Fund (732) – Pages 349 - 354
- Retirees’ Benefits Fund (736) – Pages 355 - 360
- Motorpool Replacement Schedule and Cash Flow (641) – Pages 333 – 341

Darwin D. P. McClary, City Manager

- Administration Pages 116
- Community Services Page 117
- Attorney-Personnel Litigation Page 130
- Human Resources – Page 131
- Unemployment – Page 171
- Wrap-up

John Kaczor, Municipal Analytics, LLC

- Five year projection July 1, 2017 to June 30, 2023

**IX. AUDIENCE PARTICIPATION –**

**XI. REMARKS FROM THE MAYOR –**

**XII. CLOSED SESSION –**

Resolution No. 2017-117, 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.

**Offered By: Council Member Robb; Seconded By: Council Member Bashert**

**Approved: Yes – 6; No – 0; Absent – 1 (Murdock)**

**XI. ADJOURNMENT -**

Resolution No. 2017-118, adjourning the City Council Meeting.

**The meeting adjourned to Closed Session at 8:00 p.m.**