1. City Council Agenda

   Documents: DRAFT AGENDA 1-19-16.PDF

2. City Council Meeting Packet

   Documents: COUNCIL PACKET 1-19-16.PDF

CITY OF YPSILANTI
COUNCIL MEETING AGENDA
CITY COUNCIL CHAMBERS, 1 S. HURON
YPSILANTI, MI 48197
TUESDAY, JANUARY 19, 2016
7:00 P.M.

I. CALL TO ORDER –

II. ROLL CALL –

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

III. INVOCATION –

IV. PLEDGE OF ALLEGIANCE –

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

V. AGENDA APPROVAL –

VI. INTRODUCTIONS –

VII. PRESENTATIONS –

VIII. AUDIENCE PARTICIPATION –

IX. REMARKS BY THE MAYOR –

X. PUBLIC HEARINGS –

1. Property Disposition Policy to convey city-owned parcels
   A. Resolution No. 2016-007, determination
   B. Open public hearing
   C. Resolution No. 2016-008, close public hearing

XI. ORDINANCES – FIRST READING –

Ordinance No. 1259

1. An ordinance to amend the City of Ypsilanti Dumping/Litter Ordinance (Chapter 42 "Environment", and Chapter 71 "Administrative Hearings Bureau").

   A. Resolution No. 2016-009, determination
   B. Open public hearing
   C. Resolution No. 2016-010, close public hearing

Ordinance No.1260

2. An ordinance to amend Chapter 70, "Municipal Civil Infractions" of the Ypsilanti City Code, Article II "Municipal Ordinance Violations Bureau," Section 70-38 "Schedule of Civil Fines Established".

A. Resolution No. 2016-011, determination
B. Open public hearing
C. Resolution No. 2016-012, close public hearing

XII. CONSENT AGENDA – Resolution No. 2016-013

1. Resolution No. 2016-014, approving minutes of January 5, 2016.

2. Resolution No. 2016-015, recognizing the Towner House Foundation as a non-profit organization operating in the City of Ypsilanti for the purpose of obtaining a charitable gaming license.

3. Resolution No. 2016-016, authorizing Finance Director to open bank account with Talmer Bank and Trust in Troy, Michigan.

4. Resolution No. 2016-017, supporting State Fire Funding.

XIII. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2016-018, approving the creation of a Neighborhood Enterprise Zone (NEZ), pursuant to the Neighborhood Enterprise Zone Act (MCL 207.771 et seq), within the City of Ypsilanti.

XIV. LIASON REPORTS –

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

XV. COUNCIL PROPOSED BUSINESS –

- 4th Goal Setting Meeting – Tues. January 26th at 7:00 p.m. at SPARK East, 215 W. Michigan Avenue

XVI. COMMUNICATIONS FROM THE MAYOR –

XVII. COMMUNICATIONS FROM THE CITY MANAGER –

XVIII. COMMUNICATIONS –

XIX. AUDIENCE PARTICIPATION –

XX. REMARKS FROM THE MAYOR -

XXI. ADJOURNMENT –

Resolution No. 2016-019, adjourning the Council meeting.

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I. Police-Community Relations/Black Lives Matter Joint Task Force

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XVIII. COMMUNICATIONS –

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XX. REMARKS FROM THE MAYOR -

XXI. ADJOURNMENT –

Resolution No. 2016-019, adjourning the Council meeting.

REQUEST FOR LEGISLATION
January 12, 2016

To: Mayor and Council

From: Beth Ernat, Director of Community and Economic Development

Subject: 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

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SUMMARY & BACKGROUND: At its last meeting, City Council considered the proposed City Property Disposition Policy. After discussion, City Council decided the table the matter in order that staff could make some requested changes for clarification purposes. The revised Policy is being put before City Council for consideration at this meeting.

Assuming the Policy was adopted, the next step would be hold a public hearing and approve the list of residential properties that are to be conveyed and delegate authority to the City Manager to convey them in accordance with the Policy. This is the purpose of the attached resolution.

In summary, by City Council approving the attached resolution, they have approved that the listed properties be conveyed and that the City Manager may enter into the necessary contracts or documents, on behalf of the City, to effect such a conveyance. This authority is limited to be in conformance with the newly adopted Policy.

ATTACHMENTS: Proposed Resolution

RECOMMENDED ACTION: Adoption of the resolution

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: 1/14/2016

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____

Resolution No. 2016-007
January 19, 2016

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. 2016-007; 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 THEREFOR BE IT RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that: The following City-owned properties are approved for conveyance consistent with the City Property Disposition Policy:

11-11-37-131-015	888 MADISON ST
11-11-39-465-026	530 FIRST AVE
11-11-39-301-014	540 SECOND AVE
11-11-37-151-001	439 MADISON ST
11-11-37-204-011	1042 WATLING BLVD
11-11-39-481-015	448 S HURON ST
11-11-39-165-017	431 FIRST AVE
11-11-39-431-020	ORCHARD ST GAP PARCEL
11-11-39-440-027	810 HARRIET ST
11-11-39-432-006	822 SHORT ST
11-11-37-202-007	1074 MADISON ST
11-11-37-202-006	1086 MADISON ST
11-11-37-128-003	818 MONROE ST
11-11-39-403-015	91 CATHERINE ST
11-11-39-168-001	829 HILL ST
11-11-39-301-015	536 SECOND AVE
11-11-37-152-011	893 MADISON ST
11-11-37-156-001	465 JEFFERSON ST
11-11-39-468-007	761 HARRIET ST
11-11-03-371-003	HELEN ST GAP PARCEL

11-11-09-191-008	314 PARSONS ST
11-11-09-192-002	322 PARSONS ST
11-11-39-165-008	361 FIRST AVE

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: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

Resolution No. 2016-008
January 19, 2016

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the public hearing approving city-owned parcels for conveyance and delegating contract authority to the City Manager consistent with and pursuant to the City Property Disposition Policy be officially closed.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

CITY POLICY AND PROCEDURES REGARDING DISPOSITION OF CITY OWNED PROPERTIES

A. Eligibility

Under the Charter of the City of Ypsilanti, when the City of Ypsilanti is a property owner the City may sell and dispose of property as it sees fit and in order to increase the number of taxable properties within the City.

B. Reason for Sale

The City owns both residential and commercial properties. The vast majority of the properties have been transferred to the City from Washtenaw County after the property has been seized due to tax foreclosure. The City continues to receive tax delinquent properties annually. When the City becomes the owner, the parcels become tax exempt and the City is required to maintain the properties in terms of security, grass, and snow maintenance. The cost to the City is increasing and straining City manpower to secure and maintain the properties.

C. Authority to Dispose of City Owned Property

To streamline the process of selling residential land and returning property to active tax rolls, the City shall annually hold a public hearing and consider a resolution to authorize the sale of subject parcels and delegate the authority to the City Manager to enter into purchase agreements selling city owned lots as seen in the legal notice. This process will be repeated as the City comes into ownership of additional residential properties.

Due to commercial properties having higher value and more public visibility, all such sales will require approval by City Council after a public hearing and notice has been made.

D. Residential Properties

All City-owned residential parcels are available for sale.

Sidelots for the purposes of this policy are a parcel of land with no structures that is zoned for residential use and that is abutted on no less than one side by a residential lot with a habitable structure.

(Sidelotting) Preference for sale shall be given to adjoining property owners that (1) own and have Homestead status on an adjoining parcel; (2) are current and have a record of staying current on all property taxes; and (3) have no outstanding tickets or property violations within the City of Ypsilanti.

If more than one adjoining parcels meets the above criteria, the City shall split the City-owned parcel 50/50 between the adjoining parcels.

Adjoining property owners shall be able to purchase sidelots for the amount of $1 plus the cost of closing due prior to the closing of the property.

(Non-sidelots) After options for sidelot sales have been explored, parcels may be sold to any interested party meeting the following conditions (1) Purchaser agrees if property is to be developed it will be maintained as a homestead use; (2) Purchaser is current on all

property taxes and shall have no outstanding tickets or property violations in the City of Ypsilanti; (3) Purchaser agrees to repair or restore to any structure to habitable condition within 1 year of purchase. Should the purchaser fail to meet these requirements, the City would be able to reclaim the property within the first year at the expense of the purchaser.

The purchase price of the property shall be the value of the land as determined by the City Assessor plus closing costs and legal fees for preparation of the contract.

The City shall hold the proceeds in escrow for the first year. These funds would be used to reclaim the property if necessary. After the first year the proceeds would be released to the general fund to be earmarked for vacant property maintenance.

E. Commercial Properties (excluding Water Street Development Parcel)

Commercial Properties are assessed at a higher rate than residential property and are generally in higher traffic and public locations. The standard for selling commercial property is higher than residential and requires more screening and review.

An internal committee consisting of The Director of Community and Economic Development, the Community Development Manager, the Fiscal Services Director and the City Manager shall be created as a reviewing committee for any property sale request.

Interested parties shall provide the City a letter of interest outlining their intent for the use of the property, a proforma showing their capital planning for the use of the property, and two letters of reference regarding past business experience.

Should the review committee seek to recommend the request to City Council, a purchase agreement shall be created to be reviewed by City Council. A public hearing and notice shall be scheduled and the City Council would review and approve or deny the purchase agreement.

The purchase price shall not be less than $1,000 plus legal and closing costs. However, higher offers will be considered.

F. Unclaimed Land

Should vacant property remain unsold after one year, the City Manager should have the authority to negotiate interim use/lease agreements for parcels by residents for public gardens, public art, and other cultural uses. Residents seeking to use publicly owned property will be required to enter into an agreement with the City and have no less than a 90-day "out" clause for the sale or public use of the property.

Barr,
Anhut &
Associates, P.C.
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e-mail: jbarr@barrlawfirm.com

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: January 8, 2014

FROM: John M. Barr, Ypsilanti City Attorney

SUBJECT: Amendments to Dumping, Litter ordinance

SUMMARY/BACKGROUND

The city has a present litter ordinance and low violation fines set by resolution. Mr. Lange has requested that we review the ordinance and prepare legislation to bring the city ordinance more in line with the State law and surrounding townships. The request was prompted by suggestions from the DDA and several council members.

Mr. O'Jack has prepared the attached draft legislation that revises the city ordinance to allow for categories of the amount of litter and to improve definitions and add legal presumptions.

It is our intent that Council would set the fines for violation to monitor the schedule of Ypsilanti Township.

ATTACHMENTS: Proposed Ordinance

RECOMMENDED ACTION: Adoption of the ordinance

DATE RECEIVED:_____ AGENDA ITEM NO.____Res. No. 2016-009____

CITY MANAGER COMMENTS: _____

FOR AGENDA OF:_____ FINANCE DIR. APPROVAL: _____

COUNCIL ACTION TAKEN:_____
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Resolution No. 2016-009
January 19, 2016

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That a ordinance entitled "AN ORDINANCE TO AMEND THE YPSILANTI CODE TO SECURE THE PUBLIC SAFETY, HEALTH, AND WELFARE OF THE RESIDENTS AND PROPERTY OWNERS OF THE CITY OF YPSILANTI BY PROVIDING FOR THE REGULATION OF LITTER AND UNAUTHORIZED USE OF RECEPTACLES BY ADDING DEFINITIONS AND PROVISIONS SIMILAR TO MCL 324.8901 ET SEQ. AND MAKING THOSE VIOLATIONS MUNICIPAL CIVIL INFRACTIONS, BY AMENDING CHAPTER 42 "ENVIRONMENT," ARTICLE II "NUISANCES," DIVISION 3 "LITTER," SECTION 42-66 "DEFINITIONS," SECTION 42-68 "BLIGHT VIOLATION" TO "BLIGHT VIOLATION UNLESS SPECIFIED AS A MUNICIPAL CIVIL INFRACTION," AND SECTION 42-72 "LITTER THROWN BY PERSONS IN VEHICLES" TO "LITTERING ON PUBLIC OR PRIVATE PROPERTY OR WATER AND UNAUTHORIZED USE OF RECEPTACLES PROHIBITED; REMOVAL OF INURIOUS SUBSTANCES DROPPED ON HIGHWAY AS A RESULT OF ACCIDENT;" AND BY DELETING SECTION 71-72 "SPECIFIC VIOLATIONS," SUBSECTION (3) "LITTERING" OF CHAPTER 71 "ADMINISTRATIVE HEARINGS BUREAU," ARTICLE III "VIOLATIONS;" AND BY DELETING SECTION 86-4 "UNAUTHORIZED USE OF RECEPTACLES" OF CHAPTER 86 "SOLID WASTE," ARTICLE I "IN GENERAL;" AND, FOR CONSISTENCY, TO AMEND VIOLATIONS OF CHAPTER 42 "ENVIRONMENT," ARTICLE II "NUISANCES," DIVISION 3 "LITTER," SECTIONS 42-72, 42-73, 42-76, 42-77, 42-78, 42-79, 42-80, AND 42-81FROM BLIGHT VIOLATIONS TO MUNICIPAL CIVIL INFRACTIONS" be approved on first reading.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

Resolution No. 2016-010
January 19, 2016

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the public hearing on a ordinance entitled "AN ORDINANCE TO AMEND THE YPSILANTI CODE TO SECURE THE PUBLIC SAFETY, HEALTH, AND WELFARE OF THE RESIDENTS AND PROPERTY OWNERS OF THE CITY OF YPSILANTI BY PROVIDING FOR THE REGULATION OF LITTER AND UNAUTHORIZED USE OF RECEPTACLES BY ADDING DEFINITIONS AND PROVISIONS SIMILAR TO MCL 324.8901 ET SEQ. AND MAKING THOSE VIOLATIONS MUNICIPAL CIVIL INFRACTIONS, BY AMENDING CHAPTER 42 "ENVIRONMENT," ARTICLE II "NUISANCES," DIVISION 3 "LITTER," SECTION 42-66 "DEFINITIONS," SECTION 42-68 "BLIGHT VIOLATION" TO "BLIGHT VIOLATION UNLESS SPECIFIED AS A MUNICIPAL CIVIL INFRACTION," AND SECTION 42-72 "LITTER THROWN BY PERSONS IN VEHICLES" TO "LITTERING ON PUBLIC OR PRIVATE PROPERTY OR WATER AND UNAUTHORIZED USE OF RECEPTACLES PROHIBITED; REMOVAL OF INURIOUS SUBSTANCES DROPPED ON HIGHWAY AS A RESULT OF ACCIDENT;" AND BY DELETING SECTION 71-72 "SPECIFIC VIOLATIONS," SUBSECTION (3) "LITTERING" OF CHAPTER 71 "ADMINISTRATIVE HEARINGS BUREAU," ARTICLE III "VIOLATIONS;" AND BY DELETING SECTION 86-4 "UNAUTHORIZED USE OF RECEPTACLES" OF CHAPTER 86 "SOLID WASTE," ARTICLE I "IN GENERAL;" AND, FOR CONSISTENCY, TO AMEND VIOLATIONS OF CHAPTER 42 "ENVIRONMENT," ARTICLE II "NUISANCES," DIVISION 3 "LITTER," SECTIONS 42-72, 42-73, 42-76, 42-77, 42-78, 42-79, 42-80, AND 42-81FROM BLIGHT VIOLATIONS TO MUNICIPAL CIVIL INFRACTIONS" be officially closed.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

The City of Ypsilanti

Ordinance No. 1259

.

AN ORDINANCE TO AMEND THE YPSILANTI CODE TO SECURE THE PUBLIC SAFETY, HEALTH, AND WELFARE OF THE RESIDENTS AND PROPERTY OWNERS OF THE CITY OF YPSILANTI BY PROVIDING FOR THE REGULATION OF LITTER AND UNAUTHORIZED USE OF RECEPTACLES BY ADDING DEFINITIONS AND PROVISIONS SIMILAR TO MCL 324.8901 ET SEQ. AND MAKING THOSE VIOLATIONS MUNICIPAL CIVIL INFRACTIONS, BY AMENDING CHAPTER 42 "ENVIRONMENT," ARTICLE II "NUISANCES," DIVISION 3 "LITTER," SECTION 42-66 "DEFINITIONS," SECTION 42-68 "BLIGHT VIOLATION" TO "BLIGHT VIOLATION UNLESS SPECIFIED AS A MUNICIPAL CIVIL INFRACTION," AND SECTION 42-72 "LITTER THROWN BY PERSONS IN VEHICLES" TO "LITTERING ON PUBLIC OR PRIVATE PROPERTY OR WATER AND UNAUTHORIZED USE OF RECEPTACLES PROHIBITED; REMOVAL OF INURIOUS SUBSTANCES DROPPED ON HIGHWAY AS A RESULT OF ACCIDENT;" AND BY DELETING SECTION 71-72 "SPECIFIC VIOLATIONS," SUBSECTION (3) "LITTERING" OF CHAPTER 71 "ADMINISTRATIVE HEARINGS BUREAU," ARTICLE III "VIOLATIONS;" AND BY DELETING SECTION 86-4 "UNAUTHORIZED USE OF RECEPTACLES" OF CHAPTER 86 "SOLID WASTE," ARTICLE I "IN GENERAL;" AND, FOR CONSISTENCY, TO AMEND VIOLATIONS OF CHAPTER 42 "ENVIRONMENT," ARTICLE II "NUISANCES," DIVISION 3 "LITTER," SECTIONS 42-72, 42-73, 42-76, 42-77, 42-78, 42-79, 42-80, AND 42-81FROM BLIGHT VIOLATIONS TO MUNICIPAL CIVIL INFRACTIONS.

THE CITY OF YPSILANTI HEREBY ORDAINS:

Section 1: Amendments, additions, and deletions to the Code of Ordinances, City of Ypsilanti, Michigan.

That Chapter 42 of the Code of Ordinances, City of Ypsilanti, Michigan, entitled “Environment,” Article II "Nuisances," Division 3 "Litter," Section 42-66 "Definitions," is hereby amended as follows:

Sec. 42-66. Definitions.

The following words, terms and phrases when used in this division shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Compost means a mixture of decaying vegetable matter used to fertilize and condition soil.

Exterior means any area of property outside a fully enclosed and covered building, including yard, grounds, walk, driveway, porch, steps, vestibule, except in refuse containers.

Garbage means putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

Handbill means any printed or written matter, any sample, dodger, circular, leaflet, pamphlet, paper, booklet or other type of written or printed matter, except a newspaper, a utility company notice, a legal notice, a traffic citation or a business card having an area smaller than three square inches.

Litter means all rubbish, refuse, waste material, garbage, offal, paper, glass, cans, bottles, trash, debris, wrecked, scrapped or abandoned vehicles, rags, scrap metal, scrap plumbing parts; broken and/or used indoor appliances, furniture, overstuffed furniture when not fully enclosed in a structure; or parts of any of the foregoing or similar property. Furniture designed and manufactured as outdoor furniture is excluded as "litter" so long as it is in good condition.

Newspaper means any periodical of general circulation published at least quarterly and which contains not more than 85 percent advertising.

Private premises means any dwelling, house, building or other structure, designed or used either wholly or in part for private residential purposes, whether inhabited or vacant and shall include any yard, grounds, walk, driveway, porch, steps, vestibule or mailbox belonging to or appurtenant to such dwelling, house, building or other structure, and any private commercial establishments.

Public or private property or water includes, but is not limited to, any of the following:

(a) The right-of-way of a road or highway, a body of water or watercourse, or the shore or beach of water or watercourse, including the ice above the water.

(b) A park, playground, building, refuge, or conservation area or recreation area.

(c) Residential or farm properties or timberlands.

Refuse means all putrescible and nonputrescible solid wastes except body wastes, including garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles and solid market and industrial wastes.

Rubbish means nonputrescible solid wastes consisting of both combustible and noncombustible wastes, such as paper, wrappings, cigarettes, cardboard, tin cans, yard clippings, glass, bedding, crockery and similar materials.

Vehicle means a motor vehicle registered or required to be registered under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923.

Vessel means a motor vehicle registered or required to be registered under the Part 801 of 1994 PA 451, MCL 324.80101 et seq.

That Chapter 42 of the Code of Ordinances, City of Ypsilanti, Michigan, entitled "Environment," Article II "Nuisances," Division 3 "Litter," Section 42-68 "Blight violation," is hereby amended as follows:

Sec. 42-68. - Blight violation unless specified as a municipal civil infraction.

A person who violates section 42-72, 42-73, 42-76, 42-77, 42-78, 42-79, 42-80, or 42-81of this division is responsible for a municipal civil infraction, subject to payment of a civil fine as set forth in section 70-38. Repeat municipal civil infraction offenses under this division shall be subject to increased fines as set forth in section 70-38.

A person who violates any other section ~~provision~~ of this division is responsible for a blight violation, subject to payment of a civil fine as set forth in section 71-73. Repeat blight violation offenses under this division shall be subject to increased fines as set forth in section 71-73.

That Chapter 42 of the Code of Ordinances, City of Ypsilanti, Michigan, entitled "Environment," Article II "Nuisances," Division 3 "Litter," Section 42-6 "Definitions," is hereby amended as follows:

Sec. 42-72. ~~Litter thrown by persons in vehicles~~. Littering on public or private property or water and unauthorized use of receptacles prohibited; removal of injurious substances dropped on highway as a result of accident.

~~No person shall throw litter from a vehicle.~~

(a) Where the amount of litter is less than 1 cubic foot in volume a person shall not knowingly, without the consent of the public authority having supervision of public property or the owner of private property, dump, deposit, place, throw, or leave, or cause or permit the dumping, depositing, placing, throwing, or leaving of, litter on public or private property or water other than property designated and set aside for such purposes or place any garbage or rubbish in any receptacle unless the garbage or rubbish is from the premises at which the receptacle is located, or unless the owner of the premises permits such use.

(b) Where the amount of the litter is 1 cubic foot or more but less than 3 cubic feet in volume a person shall not knowingly, without the consent of the public authority having supervision of public property or the owner of private property, dump, deposit, place, throw, or leave, or cause or permit the dumping, depositing, placing, throwing, or leaving of, litter on public or private property or water other than property designated and set aside for such purposes or place any garbage or rubbish in any receptacle unless the garbage or rubbish is from the premises at which the receptacle is located, or unless the owner of the premises permits such use.

(c) Where the amount of the litter is 3 cubic feet or more in volume, excepting where the litter consists of an abandoned vehicle, a person shall not knowingly, without the consent of the public authority having supervision of public property or the owner of private property, dump, deposit, place, throw, or leave, or cause or permit the dumping, depositing, placing, throwing, or leaving of, litter on public or private property or water other than property designated and set aside for such purposes or place any garbage or rubbish in any receptacle unless the garbage or rubbish is from the premises at which the receptacle is located, or unless the owner of the premises permits such use.

(d) Where the litter consists of an abandoned vehicle , a person shall not knowingly, without the consent of the public authority having supervision of public property or the owner of private property, dump, deposit, place, throw, or leave, or cause or permit the dumping, depositing, placing, throwing, or leaving of, litter on public or private property or water other than property designated and set aside for such purposes.

However, the court shall not order the payment of a fine unless the vehicle has been disposed of under section 252g of the Michigan vehicle code, 1949 PA 300, MCL 257.252g.

(e) A person who removes a vehicle that is wrecked or damaged in an accident on a highway, road, or street shall remove all glass and other injurious substances dropped on the highway, road, or street as a result of the accident.

(f) Presumptions.

(1) Except as provided in subsection (3) involving litter from a leased vehicle or leased vessel, in a proceeding for a violation of this section involving litter from a motor vehicle or vessel, proof that the particular vehicle or vessel described in the municipal civil infraction citation was used in the violation, together with proof that the defendant named in the citation, complaint, or warrant was the registered owner of the vehicle or vessel at the time of the violation, gives rise to a rebuttable presumption that the registered owner of the vehicle or vessel was the driver of the vehicle or vessel at the time of the violation.

(2) There is a rebuttable presumption that the driver of a vehicle or vessel is responsible for litter that is thrown, dumped, deposited, placed, or left from the vehicle or vessel on public or private property or water or placed in a receptacle.

(3) In a proceeding for a violation of this section involving litter from a leased motor vehicle or leased vessel, proof that the particular vehicle or vessel described in the municipal civil infraction citation was used in the violation, together with proof that the defendant named in the citation, complaint, or warrant was the lessee of the vehicle or vessel at the time of the violation, gives rise to a rebuttable presumption that the lessee of the vehicle or vessel was the driver of the vehicle or vessel at the time of the violation.

(4) In a proceeding for a violation of this section involving litter consisting of an abandoned vehicle, proof that the particular vehicle described in the municipal civil infraction citation was abandoned, and that the defendant

named in the municipal civil infraction citation was the titled owner or lessee of the vehicle at the time it was abandoned, gives rise to a rebuttable presumption that the defendant abandoned the vehicle.

That Chapter 71 of the Code of Ordinances, City of Ypsilanti, Michigan, entitled "Administrative Hearings Bureau," Article III "Violations," Section 71-72 "Specific violations," is hereby amended as follows:

Sec. 71-72. Specific violations.

In addition to Section 71-71, the following violations are blight violations subject to the procedures and penalties outlined in this chapter:

(1) *Raw building materials.* Except as may be permitted by a specific business license or other city ordinance, it is a blight violation for any person to store raw building materials on any property unless there is a valid building permit issued according to this Code, and these materials are intended for use in connection with the construction occurring on the property.

(2) *Junk waste.* It is a blight violation for any person to store, accumulate, or permit the storage or accumulation of any junk or waste on property owned, leased, rented, or occupied by him.

(3) ~~*Littering.* It is a blight violation for any person to knowingly, without the consent of the public authority having supervision of public property or the owner of private property, dump, deposit, place, throw, or leave, or cause or permit the dumping, depositing, placing, throwing, or leaving of litter on public or private property other than property designated and set aside for such purposes.~~

~~(4)~~ *Abandoned refrigerators.*

a. It is a blight violation for any person to leave outside of any building or dwelling in a place accessible to children, any abandoned, unattended, available or discarded icebox, refrigerator or any other container of any kind which has an airtight door or lock which may not be easily released for opening from the inside of such icebox, refrigerator, container, or compartment.

b. It is a blight violation for any person to leave outside of any building or dwelling in a place accessible to children, any abandoned, unattended or discarded icebox, refrigerator or any container of any kind, or compartment of any kind, which has a snap lock or other device thereon, without first removing the snap lock or the doors of such icebox,

refrigerator, container or compartment, unless the doors thereto are securely fastened by the use of chains, locks or other devices adequate to prevent the opening of such doors.

That Chapter 86 of the Code of Ordinances, City of Ypsilanti, Michigan, entitled “Solid Waste,” Article I "In General," Section 86-4, "Unauthorized use of receptacles," is hereby amended as follows:

~~Sec. 86-4. Unauthorized use of receptacles.~~

~~No person shall place any garbage or rubbish in any receptacle unless the garbage or rubbish is from the premises at which the receptacle is located, or unless the owner of the premises permits such use.~~

Section 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, is for any reason adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment will not affect, 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 will 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 has 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.

Section 3. Repeal.

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

Section 4. Savings Clause.

The balance of the Code of Ordinances, City of Ypsilanti, Michigan, except as herein or heretofore amended, shall remain in full force and effect. The repeal provided herein will 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.

Section 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.

Section 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 _____, 2016.

_____
Amanda Edmonds, Mayor

_____
Frances McMullan, City Clerk

Attest

I do hereby confirm that the above Ordinance No. 1259 was published was published according to Section 11.13 of the City Charter on the _____ day of _____, 2016.

_____
Frances McMullan, City Clerk

CERTIFICATE OF ADOPTING

I hereby certify that the foregoing is a true copy of the Ordinance passed at the regular meeting of the City Council held on the ___ day of _____, 2016.

_____
Frances McMullan, City Clerk

Notice Published _____

First Reading _____

Second Reading _____

Published _____

Effective Date _____

Resolution No. 2016-011
January 19, 2016

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That a ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 70 "MUNICIPAL CIVIL INFRACTIONS" OF THE YPSILANTI CITY CODE, ARTICLE II "MUNICIPAL ORDINANCE VIOLATIONS BUREAU," SECTION 70-38 "SCHEDULE OF CIVIL FINES ESTABLISHED," SO THAT THE SCHEDULE OF CIVIL FINES IS SET BY CITY COUNCIL RESOLUTION" be approved on First Reading.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

Resolution No. 2016-012
January 19, 2016

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the public hearing on an ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 70 "MUNICIPAL CIVIL INFRACTIONS" OF THE YPSILANTI CITY CODE, ARTICLE II "MUNICIPAL ORDINANCE VIOLATIONS BUREAU," SECTION 70-38 "SCHEDULE OF CIVIL FINES ESTABLISHED," SO THAT THE SCHEDULE OF CIVIL FINES IS SET BY CITY COUNCIL RESOLUTION" be officially closed.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

The City of Ypsilanti

Ordinance No. 1260

AN ORDINANCE TO AMEND CHAPTER 70 "MUNICIPAL CIVIL INFRACTIONS" OF THE YPSILANTI CITY CODE, ARTICLE II "MUNICIPAL ORDINANCE VIOLATIONS BUREAU," SECTION 70-38 "SCHEDULE OF CIVIL FINES ESTABLISHED," SO THAT THE SCHEDULE OF CIVIL FINES IS SET BY CITY COUNCIL RESOLUTION.

THE CITY OF YPSILANTI HEREBY ORDAINS:

Section 1: Amendments, additions, and deletions to the Code of Ordinances, City of Ypsilanti, Michigan.

That Chapter 70 of the Code of Ordinances, City of Ypsilanti, Michigan, entitled "Municipal Civil Infractions," Article II "Municipal Ordinance Violations Bureau," Section 70-38 "Schedule of civil fines established," is hereby amended as follows:

Sec. 70-38. General penalties and costs.

All municipal civil infraction citations and violation notices under this Code are subject to enforcement by the procedures and penalties outlined in this Chapter, Section 1-15 of the Ypsilanti City Code, and the Ypsilanti City Code in general. The city council will establish a schedule for the civil fines by resolution, and as amended from time to time.

~~**Sec. 70-38. Schedule of civil fines established.**~~

~~A schedule of civil fines payable to the bureau for admissions of responsibility by persons served with municipal ordinance violation notices is hereby established. The fines for the violations listed in this section shall be as follows:~~

~~Code Section~~	~~Municipal Civil Infraction~~	~~First Violation~~	~~First Repeat Violation~~	~~Second or Subsequent Repeat Violation~~
~~10-46~~	~~Amusement arcade license~~	~~$ 50.00~~	~~$150.00~~	~~$300.00~~

~~10-71~~	~~Coin-operated amusement device license~~	~~50.00~~	~~150.00~~	~~300.00~~
~~10-136~~	~~Billiard parlor or poolroom license~~	~~50.00~~	~~150.00~~	~~300.00~~
~~10-196~~	~~Dancehall or cabaret license~~	~~50.00~~	~~150.00~~	~~300.00~~
~~10-223~~	~~Entertainment booths~~	~~50.00~~	~~150.00~~	~~300.00~~
~~10-266~~	~~Special event and festival permits~~	~~50.00~~	~~150.00~~	~~300.00~~
~~14-7~~	~~Restrictions on keeping certain animals~~	~~50.00~~	~~150.00~~	~~300.00~~
~~14-8~~	~~Restraint of animals~~	~~50.00~~	~~150.00~~	~~300.00~~
~~14-9~~	~~Removal of animal waste~~	~~50.00~~	~~150.00~~	~~300.00~~
~~14-31~~	~~Animal licenses~~	~~50.00~~	~~150.00~~	~~300.00~~
~~14-82~~	~~Animal permits~~	~~50.00~~	~~150.00~~	~~300.00~~
~~22-32~~	~~New business registration~~	~~50.00~~	~~150.00~~	~~300.00~~
~~22-61~~	~~Bed and breakfast lodgings and inns~~	~~50.00~~	~~150.00~~	~~300.00~~
~~26-48~~	~~Noise or improper conduct in cemetery~~	~~50.00~~	~~150.00~~	~~300.00~~
~~26-49~~	~~Entering and/or disturbing cemetery lot without consent~~	~~50.00~~	~~150.00~~	~~300.00~~

~~26-116~~	~~Health club license~~	~~50.00~~	~~150.00~~	~~300.00~~
~~38-33~~	~~Police alarm permit~~	~~50.00~~	~~150.00~~	~~300.00~~
~~38-34~~	~~Fire alarm permit~~	~~50.00~~	~~150.00~~	~~300.00~~
~~42-68~~	~~Litter~~	~~50.00~~	~~150.00~~	~~300.00~~
~~42-98~~	~~Noise~~	~~50.00~~	~~150.00~~	~~300.00~~
~~54-36~~	~~Historic district regulations~~	~~up to 5,000.00~~	~~up to 5,000.00~~	~~up to 5,000.00~~
~~58-73~~	~~Discrimination~~	~~50.00~~	~~150.00~~	~~300.00~~
~~66-1~~	~~Failure to return overdue book to library~~	~~50.00~~	~~150.00~~	~~300.00~~
~~66-2~~	~~Returning damaged items to library~~	~~50.00~~	~~150.00~~	~~300.00~~
~~78-122~~	~~Permit for use of public building or structure~~	~~50.00~~	~~150.00~~	~~300.00~~
~~86-32~~	~~Disposal arrangements~~	~~50.00~~	~~100.00~~	~~200.00~~
~~86-33~~	~~Commercial properties~~	~~50.00~~	~~100.00~~	~~200.00~~
~~86-34~~	~~Residential properties~~	~~50.00~~	~~100.00~~	~~200.00~~
~~86-35~~	~~Multiple dwellings~~	~~50.00~~	~~100.00~~	~~200.00~~

~~86-54~~	~~Residential properties—peak times~~	~~50.00~~	~~100.00~~	~~200.00~~
~~94-137~~	~~Snow removal from sidewalk adjacent to residential premises~~	~~15.00~~		
~~94-137~~	~~Snow removal from sidewalk adjacent to commercial premises~~	~~25.00~~		
~~94-137~~	~~Snow removal from parking lot serving less than 10 dwelling units~~	~~50.00~~		
~~94-137~~	~~Snow removal from parking lot serving 10 or more dwelling units~~	~~100.00~~		
~~106-96~~	~~Water use restrictions~~	~~50.00 plus costs~~	~~100.00 plus costs~~	~~500.00 plus costs~~
~~110-34~~	~~Trees and shrubs~~	~~100.00~~		
~~110-81~~	~~Grass and weed control~~	~~100.00~~		
~~122-8~~	~~Zoning~~	~~100.00~~		

Section 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, is for any reason adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment will not affect, 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 will 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 has 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.

Section 3. Repeal.

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

Section 4. Savings Clause.

The balance of the Code of Ordinances, City of Ypsilanti, Michigan, except as herein or heretofore amended, shall remain in full force and effect. The repeal provided herein will 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.

Section 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.

Section 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 _____, 2016.

_____
Amanda Edmonds, Mayor

_____
Frances McMullan, City Clerk

Attest

I do hereby confirm that the above Ordinance No. 1259 was published was published according to Section 11.13 of the City Charter on the _____ day of _____, 2016.

_____
Frances McMullan, City Clerk

CERTIFICATE OF ADOPTING

I hereby certify that the foregoing is a true copy of the Ordinance passed at the regular meeting of the City Council held on the ___ day of _____, 2016.

_____
Frances McMullan, City Clerk

Notice Published _____

First Reading _____

Second Reading _____

Published _____

Effective Date _____

Resolution No. 2016-013
January 19, 2016

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the following items be approved:

1. Resolution No. 2016-014, approving minutes of January 5, 2016.

2. Resolution No. 2016-015, recognizing the Towner House Foundation as a non-profit organization operating in the City of Ypsilanti for the purpose of obtaining a charitable gaming license.

3. Resolution No. 2016-016, authorizing Finance Director to open bank account with Talmer Bank and Trust in Troy, Michigan.

4. Resolution No. 2016-017, supporting State Fire Funding.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

Resolution No. 2016 – 014
January 19, 2016

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of January 5, 2016 be approved.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

Draft

CITY OF YPSILANTI
COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS, 1 S. HURON
YPSILANTI, MI 48197
TUESDAY, JANUARY 5, 2016
7:00 P.M.

I. CALL TO ORDER –

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

II. ROLL CALL –

Council Member Anne Brown	Present	Council Member Robb	(7:10)	Present
Council Member Nicole Brown	Present	Council Member Vogt		Present
Council Member Murdock	Present	Mayor Edmonds		Absent
Mayor Pro-Tem Richardson	Absent			

Council Member Anne Brown moved, seconded by Council Member Vogt, to excuse the absences of Mayor Edmonds, Mayor Pro-Tem Richardson, and Council Member Robb.

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

III. INVOCATION –

Acting Mayor Pro-Tem Murdock 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 Anne Brown moved, seconded by Council Member Nicole Brown, to approve the agenda.

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

VI. INTRODUCTIONS –

Acting Mayor Pro-Tem Murdock introduced the following individuals: Miller Canfield Attorney Pat McGow, Assistant City Attorney Dan DuChene, Community Development Intern Rasheed Atwater, and Emmanuel Jones.

VII. PRESENTATIONS –

VIII. AUDIENCE PARTICIPATION –

1. Emmanuel Jones, 6906 Plainview St., stated he appreciated Mayor Edmonds and Council Member Anne Brown for attending the Mentor Youth Annual Gala. He stated the annual bowling tournament will be held in April and invited Council to attend. He added Mentor Youth is a part of a coalition titled Communities that Care (CTC) which has been in existence for around two years and is now under the wing of Eastern Michigan University. He said a summit was held recently to understand what Ypsilanti youth needs and what is already being undertook to understand what services should be provided. He said a follow-up meeting of that summit will be held at the Corner Health Center on Wednesday, January 13th at 10:00 A.M. to 11:00 A.M. and invited all to attend.

2. Melvin Parson, stated he started "We the People Growers Association" which mission is to create a sustainable social enterprise to create a bridge for people returning home from incarceration. He said he is also the co-director of a mentor program titled "A Brighter Way" which is working with the Sheriff's Department to begin a pilot program to mentor individuals returning home being incarcerated. He stated his intention tonight is to introduce himself and how his organizations could partner with the City possibly leasing land in order to grow food on that land and hire people returning from incarceration to help reduce crime and lower recidivism.

3. Darius Simpson, 900 Oakwood, stated he believes why he has been attending these meetings has been clear. He said there has been a critique that he and the local Black Lives Matter movement is missing the response from Council and he asked Council to inform him of what has been accomplished so far regarding his organizations requests. He stated he is tired and screaming for freedom will cause that.

   Council Member Anne Brown interjected that as an activist you cannot afford to be tired and you have to fight all day every day. Ms. Anne Brown stated Council has attempted to make comments but have been unable to respond because after Audience Participation those who comment from the Black Lives Matter Movement leave. Mr. Simpson responded he is here tonight to hear the response from Council. Ms. Anne Brown stated collectively Council has around 60 to 70 years of fighting for the struggle in one way or another. Ms. Anne Brown stated when she graduated from Eastern Michigan University it was the anniversary of the Martin Luther King Jr. march in Washington D.C. Ms. Anne Brown stated she called her father to tell him that they should attend and her father responded that he was there in the 60's and this is her time. Ms. Anne Brown stated each week that local Black Lives Matter movement comes makes their comments and leaves and bangs on their drums and beeps their horns not expecting Council to stand up and say that they have been in this fight and Black Lives Matter is important to every member of Council. Mr. Simpson thanked Council and stated the protests will continue indefinitely.

4. Lee Tooson, 107 Middle, stated from what he understands is the local Black Lives Matter Movement has been requesting to meet with Council since October and Council should give them that opportunity. He stated he has received several calls over the last few months complaining about how their garbage is being picked up. He said taxpayers are not getting much in the terms of services for their taxes and asked that at least the garbage be picked up properly. He said

services that are less expensive do not mean they are better but the City will have to deal with Republic until the contract expires. He stated he hopes the City will not hire any more African American Policeman until it can be assured they will receive the same treatment and opportunity as white male officers. He said he knows that black officers are not being treated equally as white officers and if they do not it means the City Manager and Police Chief have failed.

5. Nathan Phillips, 509 N. Washington, stated the Native American community supports the Black Lives Matter movement but do not seem to get reciprocation when the Native American Community needs support. He stated Ypsilanti needs something for Native Americans and not just renaming Columbus Day Indigenous Peoples Day, which still has not happened. He thanked the City Council for the change that has occurred and hopes it continues.

IX. REMARKS BY THE ACTING MAYOR PRO-TEM –

— Thanked everyone for speaking and asked Council Member Nicole Brown for an update on the Police-Community Relations/Black Lives Matter Joint Task Force.

Council Member Nicole Brown stated the next meeting of the Task Force is January 11th at 7:00 p.m. in Council chambers. Ms. Nicole Brown said during the meeting a letter will be drafted including the recommendations developed by the Task Force which will be forwarded to the Human Relations Commission for approval and then to Council for ultimate approval. Council Member Robb added the letter will include recommendations on the complaint process and procedures as well as training recommendations. Council Member Anne Brown stated the process has been very informative and there are processes of the Police Department that the Task Force does question and appreciates the local Black Lives Matter Movement for encouraging Council to make changes and Council will not let up until every policy is in line. Council Member Nicole Brown added she understands that part of the demand is to see action immediately but government cannot always function that quickly. Ms. Nicole Brown asked that the Black Lives Matter Movement not be frustrated and Council is working as diligently as possible to make these changes. Darius Simpson responded it is not that his organization wants change now what they want is there to be momentum and urgency for change. Ms. Anne Brown replied Council does have a since of urgency and Council Member Murdock brought his concerns to Council over the summer.

Council Member Nicole Brown stated she agrees with Mr. Tooson's criticism about the trash services of Republic. Ms. Nicole Brown stated it is the goal to make the City clean and safe and this is not acceptable. Council Member Anne Brown added there have also been several complaints on Facebook regarding this issue. Acting Mayor Pro-Tem Murdock echoed the statements of Council Member Nicole Brown and said he has received several complaints from residents regarding service.

— Acting Mayor Pro-Tem Murdock stated the Police-Community Relations/Black Lives Matter Joint Task Force is very close to making several recommendations for policy change. He added there are also a couple of vacancies on the Human Relations Commission that need to be filled as soon as possible and if there is anyone interested in those positions they should contact Mayor Edmonds and the City Clerk.

XI. **CONSENT AGENDA –** Resolution No. 2016-001

1. Resolution No. 2016-002, approving minutes of December 7, and December 15, 2015.

   RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

   THAT the minutes of December 7 and December 15, 2015 be approved.

2. Resolution No. 2016-003, approving appointments to Boards and Commissions.

   RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

NAME	BOARD	TERM EXPIRATION
John Shuler (reappointment) **316 E. Forest** **Ypsilanti, MI 48197**	**Human Relations Commission**	**11/1/2018**
Nicole Putala (new appointment) **914 Pearl Street** **Ypsilanti, MI 48197**	**Parks and Recreation Commission**	**11/1/2018**

OFFERED BY: Council Member Anne Brown
SECONDED BY: Council Member Nicole Brown

Council Member Anne Brown stated Ms. Putala would be the fourth representative from Ward 2 and the bylaws of the Parks and Recreation Commission require three representatives from each Ward. Acting Mayor Pro-Tem Murdock responded it was his understanding that one member of the Commission from Ward 2 does not attend regularly and the Mayor was going to ask if he wanted to continue to serve.

On a voice vote, the motion carried, and Resolution No. 2016-001, Consent Agenda was approved.

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

1. Resolution No. 2016-004, authorizing issuance of Limited Tax General Refunding Bonds, Series 2016 (Taxable).

   WHEREAS, Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), authorizes the City of Ypsilanti, County of Washtenaw, Michigan (the "City") to refund or advance refund all or any part of its outstanding securities; and

   WHEREAS, the City has previously issued its 2006 General Obligation Limited Tax Capital Improvement Refunding Bonds (Taxable), dated June 8, 2006, in the original principal amount of $15,740,000 (the "Prior Bonds") which were issued for the purpose of refunding the City's 2003 General Obligation Taxable Capital Improvement Bonds, General

Obligation Taxable Capital Improvement Bonds, Series 2003B, General Obligation Limited Tax Capital Improvement Refunding Bonds, Series 2004A, and General Obligation Limited Tax Capital Improvement Refunding Bonds, Series 2004B (Taxable) relating to the City's Water Street redevelopment project; and

WHEREAS, the City intends to pay a portion of the principal amount of the Prior Bonds with a contribution from available funds and the City has also been advised that it may be able to accomplish a net savings of debt service costs by refunding all or a portion of the outstanding Prior Bonds through the issuance of refunding bonds by the City; and

WHEREAS, the City desires to issue refunding bonds pursuant to Act 34 in an aggregate principal amount of not to exceed Eight Million Two Hundred Fifty Thousand Dollars ($8,250,000) for the purpose of paying all or part of the cost of refunding all or part of the Prior Bonds in order to achieve interest cost savings for the benefit of the City and its taxpayers; and

WHEREAS, the City desires to negotiate the sale of the Bonds to Hutchinson, Shockey, Erley & Co. (the "Underwriter") within the parameters established by this Resolution.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. <u>Authorization of Bonds; Bond Details</u>. Bonds of the City shall be issued in the aggregate principal amount of not to exceed Eight Million Two Hundred Fifty Thousand Dollars ($8,250,000), as finally determined upon sale thereof, to be designated LIMITED TAX GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016 (TAXABLE) (the "Bonds"), for the purpose of paying the cost of refunding all or a portion of the Prior Bonds and issuance costs of the Bonds.

The Bonds shall consist of bonds registered as to principal and interest of the denomination of $5,000 or multiples thereof not exceeding for each maturity the aggregate principal amount of such maturity. The Bonds will be dated as of the date of delivery, or such other date as determined by the City Manager or Fiscal Services Director (each, an "Authorized Officer"), be payable on May 1 (or such other date as determined at the time of sale thereof) in the years and in the annual amounts determined at the time of sale, provided that the final maturity date of the Bonds shall not exceed the final maturity date of the Prior Bonds. The Bonds shall bear interest at a rate or rates to be determined upon negotiated sale thereof, payable semi-annually on May 1 and November 1, first payable as determined by an Authorized Officer at the time of sale, *provided that* the true interest cost on the Bonds shall not exceed 4.50% per annum. The underwriter's discount shall not exceed 0.75% of the par amount of the Bonds. The Bonds may be issued as serial or term bonds or both and may be subject to redemption prior to maturity as determined at the time of sale.

Interest on the Bonds shall be paid by check drawn on the Transfer Agent mailed to the registered owner of the Bonds at the registered address, as shown on the registration books of the City maintained by the Transfer

Agent. Interest shall be payable to the registered owner of record as of the fifteenth day of the month prior to the payment date for each interest payment. The date of determination of registered owner for purposes of payment of interest as provided in this paragraph may be changed by the City to conform to market practice in the future. The principal of the Bonds shall be payable at The Bank of New York Mellon Trust Company, N.A., Detroit, Michigan who is hereby selected to act as the transfer agent for the bonds (the "Transfer Agent").

Unless waived by any registered owner of Bonds to be redeemed, official notice of redemption shall be given by the Transfer Agent on behalf of the City. Such notice shall be dated and shall contain at a minimum the following information: original issue date; maturity dates; interest rates; CUSIP numbers, if any; certificate numbers (and in the case of partial redemption) the called amounts of each certificate; the redemption date; the redemption price or premium; the place where Bonds called for redemption are to be surrendered for payment; and that interest on Bonds or portions thereof called for redemption shall cease to accrue from and after the redemption date.

In addition, further notice shall be given by the Transfer Agent in such manner as may be required or suggested by regulations or market practice at the applicable time, but no defect in such further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if notice thereof is given as prescribed herein.

2. <u>Execution of Bonds; Book-Entry Only Form</u>. The Bonds shall be signed by the facsimile signatures of the Mayor and the City Clerk and shall have the facsimile seal of the City printed on the Bonds. No Bond shall be valid until authenticated by an authorized representative of the Transfer Agent. The Bonds shall be delivered to the Transfer Agent for authentication and be delivered by it to the purchaser in accordance with instructions from the Fiscal Services Director upon payment of the purchase price for the Bonds in accordance with the offer therefor when accepted. Executed blank certificates for registration and issuance to transferees shall simultaneously, and from time to time thereafter as necessary, be delivered to the Transfer Agent for safekeeping.

The Bonds may be issued in book-entry-only form through The Depository Trust Company in New York, New York ("DTC") and the Authorized Officers are authorized to execute such custodial or other agreements with DTC as may be necessary to accomplish the issuance of the Bonds in book entry only form and to make such change in the Bond Form within the parameters of this Resolution as may be required to accomplish the foregoing.

3. <u>Transfer of Bonds</u>. The Transfer Agent shall keep the books of registration for this issue on behalf of the City. Any Bond may be transferred upon such registration books by the registered owner of record, in person or by the registered owner's duly authorized attorney, upon surrender of the Bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the

Transfer Agent. Whenever any Bond or Bonds shall be surrendered for transfer, the City shall execute and the Transfer Agent shall authenticate and deliver a new Bond or Bonds, for like aggregate principal amount. The Transfer Agent shall require the payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer.

4. <u>Security for Bonds; Limited Tax Pledge of City; Defeasance of Bonds.</u> The City hereby pledges its limited tax full faith and credit for the prompt payment of the principal and interest on the Bonds. The City shall, each year budget the amount of the debt service coming due in the next fiscal year on the principal of and interest on the Bonds and shall advance as a first budget obligation from its general funds available therefor, or, if necessary levy taxes upon all taxable property in the City subject to applicable constitutional, statutory and charter tax rate limitations, such sums as may be necessary to pay such debt service in said fiscal year. The City Treasurer is authorized and directed to open a separate fund with a bank or trust company designated by the City Council to be known as the LIMITED TAX GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016 (TAXABLE) DEBT RETIREMENT FUND (the "Debt Retirement Fund"), the moneys to be deposited into the Debt Retirement Fund to be specifically earmarked and used solely for the purpose of paying principal of and interest on the Bonds as they mature. Into said fund there shall be placed the accrued interest, if any, received at the time of delivery of the Bonds.

In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay the principal of and interest on the Bonds when due, shall be deposited in trust, this Resolution shall be defeased and the owners of the Bonds shall have no further rights under this Resolution except to receive payment of the principal of and interest on the Bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange Bonds as provided herein.

5. <u>Issuance Fund; Escrow Account; Proceeds of Bond Sale</u>. Proceeds of the Bonds shall be used to pay the costs of issuance of the Bonds and to secure payment of the Prior Bonds to be refunded (the "Refunded Bonds") as provided in this paragraph. Upon receipt of the proceeds of sale of the Bonds, the accrued interest and premium, if any, shall be deposited in the Debt Retirement Fund for the Bonds. From the proceeds of the Bonds there shall next be set aside a sum sufficient to pay the costs of issuance of the Bonds in a fund designated LIMITED TAX GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016 (TAXABLE) BOND ISSUANCE FUND (the "Bond Issuance Fund"), which may be established by the City or an escrow agent. The moneys in the Bond Issuance Fund shall be used solely to pay the costs of issuance of the Bonds. Any amounts remaining in the Bond Issuance Fund after payment of issuance expenses shall be transferred to the Debt Retirement Fund for the Bonds. The balance of the proceeds of the Bonds, together with other available funds of the City, if any, shall be deposited in an escrow fund (the "Escrow Fund") consisting of cash or cash and investments in direct

obligations of or obligations the principal of and interest on where are unconditionally guaranteed by the United States of America or other obligations the principal of and interest on which are fully secured by the foregoing (the "Escrow Securities") and used to pay the principal of and interest on all or a portion of the Refunded Bonds as determined by an Authorized Officer at the time of sale. Each of the Authorized Officers is hereby authorized to select and appoint a bank or trust company qualified to serve as Escrow Agent (the "Escrow Agent") and to negotiate the terms of and execute and deliver an Escrow Agreement (the "Escrow Agreement") on behalf of the City. The Escrow Fund shall be held by pursuant to the Escrow Agreement which shall irrevocably direct the Escrow Agent to take all necessary steps to call the Refunded Bonds for redemption on the first date such Refunded Bonds may be called for redemption. Each Authorized Officer is authorized and directed to appoint an Escrow Agent and execute the Escrow Agreement on behalf of the City. The amounts held in the Escrow Fund shall be such that the cash and investments and income received thereon will be sufficient without reinvestment to pay the principal of and interest on the Refunded Bonds when due at maturity or call for redemption as required by this section. Each Authorized Officer is authorized and directed to purchase or cause to be purchased, Escrow Securities, including but not limited to, United States Treasury Obligations – State and Local Government Series (SLGS), in an amount sufficient to fund the Escrow Fund.

6. Bond Form. The Bonds shall be in substantially the following form with such changes as may be required to conform to the final terms of the Bonds established by the Sale Order:

LIMITED TAX GENERAL OBLIGATION REFUNDING BOND, SERIES 2016 (TAXABLE)

Interest Rate	Maturity Date	Date of Original Issue	CUSIP
	May 1, ____	_____, 2016	

Registered Owner:

Principal Amount:
Dollars

The City of Ypsilanti, County of Washtenaw, State of Michigan (the "City"), acknowledges itself to owe and for value received hereby promises to pay to the Registered Owner specified above, or registered assigns, the Principal Amount specified above, in lawful money of the United States of America, on the Maturity Date specified above, unless prepaid prior thereto as hereinafter provided, with interest thereon (computed on the basis of a 360 day year consisting of twelve 30-day months) from the Date of Original Issue specified above or such later date to which interest has been paid, at the Interest Rate per annum specified above, payable on November 1, 2016 and semiannually thereafter. Principal of this bond is

payable upon presentation and surrender of this bond at the corporate trust office of The Bank of New York Mellon Trust Company, N.A., Detroit, Michigan, as registrar and transfer agent for the Bonds or such other transfer agent as the City may hereafter designate (the "Transfer Agent") by notice mailed to the registered owner not less than sixty (60) days prior to an interest payment date. Interest on this bond is payable to the person or entity which is the registered owner of record as of the 15th day of the month preceding the interest payment date as shown on the registration books of the City kept by the Transfer Agent, by check or draft mailed by the Transfer Agent to the registered owner of record at the registered address.

This bond is one of a series of bonds of even date of original issue aggregating the principal sum of $_____, issued pursuant to Act 34, Public Acts of Michigan, 2001, as amended, and a resolution duly adopted by the City Council of the City for the purpose of paying all or part of the cost of refunding certain outstanding securities of the City.

This bond, including the interest thereon, is payable as a first budget obligation from the general funds of the City, and the City is required, if necessary, to levy ad valorem taxes on all taxable property in the City for the payment thereof, subject to applicable constitutional, statutory, and charter tax rate limitations. For prompt payment of this bond, both principal and interest, the full faith, credit and resources of the City are hereby irrevocably pledged.

Bonds maturing in the years 2017 through 20__, inclusive, shall not be subject to redemption prior to maturity. Bonds or portions of bonds in multiples of $5,000 maturing in the year 20__ and thereafter shall be subject to redemption prior to maturity, at the option of the City, in any order of maturity and by lot within any maturity, on any date on or after May 1, 20__, at par and accrued interest to the date fixed for redemption.

In case less than the full amount of an outstanding bond is called for redemption, the Transfer Agent, upon presentation of the bond called for redemption, shall register, authenticate and deliver to the registered owner of record a new bond in the principal amount of the portion of the original bond not called for redemption.

Notice of redemption shall be given to the registered owner of any bond or portion thereof called for redemption by mailing of such notice not less than thirty (30) days prior to the date fixed for redemption to the registered address of the registered owner of record. A bond or portion thereof so called for redemption shall not bear interest after the date fixed for redemption provided funds are on hand with the Transfer Agent to redeem said bond or portion thereof.

This bond is transferable only upon the registration books of the City kept by the Transfer Agent by the registered owner of record in person, or by the registered owner's attorney duly authorized in writing. Upon the surrender of this bond together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or the registered owner's attorney duly authorized in writing and upon the

payment of the charges, if any, prescribed in the resolution authorizing this bond, a new registered bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the resolution authorizing this bond. Neither the City nor the Transfer Agent shall be required to transfer or exchange this bond or portion of this bond either during the period of fifteen (15) days immediately preceding the date of the mailing of any notice of redemption or (except as to the unredeemed portion, if any, of this bond) after this bond or any portion of this bond has been selected for redemption.

It is hereby certified and recited that all acts, conditions and things required by law to be done, precedent to and in the issuance of this bond and the series of bonds of which this is one, exist and have been done and performed in regular and due form and time as required by law, and that the total indebtedness of the City, including this bond and the series of bonds of which this is one, does not exceed any constitutional, statutory or charter debt limitation.

This bond is not valid or obligatory for any purpose until the Transfer Agent's Certificate of Authentication on this bond has been executed by the Transfer Agent.

IN WITNESS WHEREOF, the City of Ypsilanti, County of Washtenaw, State of Michigan, by its City Council, has caused this bond to be signed in the name of the City by the facsimile signatures of its Mayor and City Clerk and a facsimile of its corporate seal to be printed hereon, all as of the Date of Original Issue.

OFFERED BY: Council Member Vogt
SECONDED BY: Council Member Nicole Brown

City Manager Lange introduced Pat McGow of Miller and Canfield to answer any questions that Council might have.

Par McGow, Miller and Canfield, stated after he spoke with Council during Goal Setting a number of options were discussed, and from the discussion the City's Finance Department was directed to put together documents requesting that part of the outstanding Water Street bond which will provide the flexibility for the remaining amount to either be paid down on that May 1st date or at a later time. Mr. McGow stated this resolution will authorize the refinancing of $8 million of the outstanding bonds which would lead to a significant reduction in interest. Mr. McGow said in order to do this the City must save 5% of the net present value of the debt services.

Council Member Anne Brown asked what the timeline is. Mr. McGow responded the timeline is if approved tonight the proposed sale of the bonds could occur by late February and this would be the day that the interest rate would be set. Mr. McGow stated the actual closing would occur in late March because the City needs to provide a 30 day notice in order to call the bonds by May 1st.

Council Member Vogt asked if the new bonds will also hold a time limit after which they could be refinanced. Mr. McGow responded in the affirmative but would not be callable for the first 10 years. Mr. Vogt asked if the bonds are refinanced, it would not result in 15 more years in interest. Mr. McGow responded in the affirmative.

Acting Mayor Pro-Tem Murdock asked if the interest rates would be locked in for the span of the 15 years. Mr. McGow responded in the affirmative. Mr. Murdock stated this resolution specifies to not refinance more than $8,250,000. Mr. McGow responded in the affirmative and said it would be used to pay down principal, issuance cost and other related items. Mr. Murdock stated there is some flexibility. Mr. McGow responded in the affirmative but a decision must be made before the late February date.

Mr. Lange stated the reason behind this schedule is that it will not create any penalty. Mr. Lange stated the federal government for the first time in eight years will raise interest rates which might actually help the bond market. Mr. Lange added the timing is critical to carrying the 6.1% interest and the longer that is carried the more it can add to the debt and the paying down of the debt will also help to decrease the interest.

Council Member Vogt stated this block of bonds will be refinanced to lower the interest rate and hopefully when the 10 years end the City will be able to pay them down. Mr. Vogt said in the meantime there is hope to sell property to pay off another set of bonds over the next two to three years. Mr. McGow stated that is generally correct, the remaining $5 million will still incur interest at 6.1% but the City will have the ability to pay those off any time after the May 1st date. Council Member Murdock stated it is not a onetime option. Mr. McGow responded correct and said the point of this option is to provide flexibility.

Council Member Vogt asked how much is the fair market value for the remaining property on Water Street. Mr. Lange responded a conservative number would be around $3 million. Mr. Vogt asked if that estimate accounts for infrastructure construction. Mr. Lange responded the infrastructure will be parceled out with each development so it is difficult to provide hard data on the amounts required for funding. Mr. Lange added the City also has other commercial properties that are for sale and if things become too dire the City could refinance additional funds. Mr. Vogt asked what would be able to be applied to the debt if all Water Street property is sold. Mr. Lange responded somewhere between $2 million and $3 million. Mr. Vogt asked what the projected sale price per acre is. Mr. Lange responded it varies but on average $300,000. Mr. Vogt replied $300,000 with the City's commitment for infrastructure subtracted. Mr. Lange responded it depends on the development and location. Council Member Murdock added it should be understood that revenue created by the sale of property will take time to get to the City.

On a roll call, the vote to approve Resolution No. 2016-006 was as follows:

Council Member N. Brown	Yes	Council Member Robb	Yes
Council Member Murdock	Yes	Mayor Edmonds	Absent
Mayor Pro-Tem Richardson	Absent	Council Member Vogt	Yes
Council Member A. Brown	Yes		

VOTE:

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

2. Resolution No. 2016-005, approving Rules and Regulations of the Parking Violations Bureau.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that:

WHEREAS, the Ypsilanti City Council amended Ypsilanti City Code Section 102-81 to establish a Parking Violations Bureau for the purpose of handling all alleged parking violations within the City of Ypsilanti pursuant to the Revised Judicature Act, Public Act 154 of 1968, as amended (MCL 600.8395); and

WHEREAS, Section 102-81(b) of the Ypsilanti City Code provides that "[t]he City Manager or the City Manager's designee will, subject to the approval of the City Council, establish a convenient location for the Parking Violations Bureau, appoint qualified City employees to administer the Bureau and adopt rules and regulations for the operation thereof;" and

WHEREAS, the Ypsilanti City Council has approved the City Clerk/Treasurer's office as the location of the Parking Violations Bureau and the staff of the City Clerk/Treasurer's office to administer the Bureau, by adopting Resolution No. 2015-263; and

WHEREAS, the duly appointed and approved Parking Violations Bureau has promulgated the attached Rules and Regulations; and

WHEREAS these Rules and Regulations are consistent with the Ypsilanti City Code, resolutions adopted by this City Council, the rules and procedures of the 14A2 District Court, and the laws of the State of Michigan;

NOW THEREFORE BE IT RESOLVED that Ypsilanti City Council approves the attached Rules and Regulations of the Parking Violations Bureau.

OFFERED BY: Council Member Nicole Brown
SECONDED BY: Council Member Anne Brown

Assistant City Attorney Dan DuChene stated this will be the last step in finalizing the Parking Violations Bureau and this essentially lays out the rules on procedures of how the Parking Violations Bureau will operate. Mr. DuChene stated this resolution outlines payment options and what will happen if fines are not paid.

Council Member Robb stated the resolution does not mention online payments. Mr. DuChene responded the reason that was not included is because the online payment option is not yet available. Mr. Robb asked how payments will be stopped after midnight at the drop box. Ms. McMullan responded when payments are made by drop box they are posted as the day they are removed. Mr. Robb asked how can staff know when payments are made if they are put in the drop box. Ms. McMullan stated it would be posted the next day. Council Member Vogt added it seems that if it is not received during business hours it will be posted received the next business day. Council Member Murdock stated that should be made clear. Mr. DuChene responded the resolution reads once received.

Council Member Anne Brown asked why Visa is not accepted as a form of payment. Mr. DuChene responded that is the rule of the credit card company. Ms. McMullan added the merchant the City uses in the Treasury does not accept Visa but once the online payment method is operational Visa will be able to be used online.

On a roll call, the vote to approve Resolution No. 2016-005 was as follows:

Council Member N. Brown	Yes	Council Member Robb	Yes
Council Member Murdock	Yes	Mayor Edmonds	Absent
Mayor Pro-Tem Richardson	Absent	Council Member Vogt	Yes
Council Member A. Brown	Yes		

VOTE:

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

XI. LIAISON REPORTS –

A. SEMCOG Update – City Manager Lange stated he attends the Transportation Coordinating Committee which has changed its meeting schedule. He assured Council he will clear his schedule in order to continue attending that meeting.
B. Washtenaw Area Transportation Study – No report
C. Urban County – No report
D. Freight House – Council Member Murdock stated construction is continuing to connect the waterline and building the bathroom. He said he was told the work should be completed by March 1st.
E. Parks and Recreation – Council Member Anne Brown stated the Trail Town Subcommittee met today January 5th and the development of blueprint for activities for the next 12 to 18 months is being discussed. She said the Commission also discussed recruiting volunteers to operate the canoe locker and to remove debris and tree trimming.
F. Millennial Mayors Conference – No meeting
G. Ypsilanti Downtown Development Authority – Council Member Murdock stated the Downtown Development Authority Director Tim Colbeck resigned.
H. Eastern Washtenaw Safety Alliance – No meeting
I. Police-Community Relations/Black Lives Matter Joint Task Force – Council Member Nicole Brown stated the next meeting of the Commission is on Monday, January 11th.

XII. COUNCIL PROPOSED BUSINESS –

Nicole Brown

- Stated again that she would like a solution to how Republic picks-up garbage.

Anne Brown

- Stated she and Council Member Nicole Brown met with the African American Association of Contractors who meets every third Monday of the month at the Parkridge Community Center. She said that organization has a pre-bid meeting this week at Parkridge. She said a meeting has been scheduled with Bill Kinley.

XIII. COMMUNICATIONS FROM THE MAYOR –

None

XIV. COMMUNICATIONS FROM THE CITY MANAGER –

- Stated almost $3 million worth of work has been completed on Adams St. and Prospect and the project combined came in $100,000 under budget. He added the funding from the Washtenaw Road Commission should be given to the City in the near future.

- Asked that the fourth goal setting meeting be scheduled once the Mayor returns.

- Said the Parkridge Chess Club is ready to move forward with a tournament in January or February.

- Stated his record in race relations can go all the way back to his time in high school and on through his career he has been trying to endure that minority and

female employees have opportunities in the organizations that he has been in charge.

XV. <u>COMMUNICATIONS</u> –

XVI. <u>AUDIENCE PARTICIPATION</u> –

1. Darius Simpson, 900 Oakwood, stated he is not concerned with the City Manager's record. He said he is not speaking for minorities or for females, he is here for African Americans and to make sure that the list of demands that were presented to Council are followed through. He expressed further displeasure with the City Manager's comments and said he would like that the City Manager begin to make the changes asked for in the present.

2. Richard Smith, Downtown Development Authority Board Member, stated things need to be accomplished in the proper manner and just continue to make positive steps until goals are met. He added when you approach an individual in a negative manner it is more likely that you will receive a negative response.

XVII. <u>REMARKS FROM THE ACTING MAYOR PRO-TEM</u> -

XVIII. <u>ADJOURNMENT</u> –

Resolution No. 2016-006, adjourning the 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 Nicole Brown
SECONDED BY: Council Member Vogt

On a voice vote, the motion carried, and the meeting adjourned at 8:08 p.m.

REQUEST FOR LEGISLATION
January 19, 2016

From: Frances McMullan, City Clerk

Subject: Charitable Gaming License – Towner House Foundation

SUMMARY & BACKGROUND:

The Towner House Foundation was established for the purpose of saving the Towner House in Ypsilanti, in order to make it a useful structure for the community.

The Towner House was built in 1837 and is the oldest structure in Ypsilanti on its original foundation and stands inside the boundaries of the Ypsilanti Historic District.

The organization would like to host (4) fundraising events at the Roundtree Bar and Grill, 2203 Ellsworth Road, Ypsilanti, MI 48197 on the following tentative dates:

April 20-23, 2016
June 22-25, 2016
September 21-24, 2016
November 16-19, 2016

Please contact John Harrington, President, at (734) 482-4209 for further information.

RECOMMENDED ACTION: Approval

ATTACHMENTS: Resolution
(3) Letters from John Harrington, President
Tax Exempt documents

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: 1/19/16

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____

Resolution No. 2016 - 015
January 19, 2016

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council recognizes the Towner House Foundation as a nonprofit organization operating in the City of Ypsilanti for the purpose of obtaining a charitable gaming license.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

TOWNER 1837

Towner House Foundation

January 8, 2016

City of Ypsilanti
1 South Huron Street
Ypsilanti, MI 48197

Subject: Gaming License Approval

We would like the Ypsilanti City Council to give approval for a Millionaire Party License through the State of Michigan. We are planning to participate in 4 events this year at the Roundtree Bar and Grill, with dates to be determined.

Thank you for your time and consideration,

[redacted]

John Harrington
Towner House Foundation
President

209 North Huron Street | Ypsilanti, Michigan 48197 | 734.482.4209
email | townerhousefoundation@gmail.com

TOWNER 1837

Towner House Foundation

January 8, 2016

City of Ypsilanti
1 South Huron Street
Ypsilanti, MI 48197

Tentative dates for using our Millionaires License

April 20-23
June 22-25
September 21-24
November 16-19

[redacted]

John Harrington
Towner House Foundation
President

209 North Huron Street | Ypsilanti, Michigan 48197 | 734.482.4209
email | townerhousefoundation@gmail.com

TOWNER 1837

Towner House Foundation

January 8, 2016

City of Ypsilanti
1 South Huron Street
Ypsilanti, MI 48197

The Towner House Foundation was established for the purpose of saving the Towner House in Ypsilanti, in order to make it a useful structure for the community. The Towner House, built ca. 1837, is the oldest structure in Ypsilanti on its original foundation and stands inside the boundaries of the Ypsilanti Historic District.

[redacted]
Towner House Foundation
President

209 North Huron Street | Ypsilanti, Michigan 48197 | 734.482.4209
email | townerhousefoundation@gmail.com

Michigan Department of Treasury
Form 3372 (Rev. 7-08)

Michigan Sales and Use Tax Certificate of Exemption

DO NOT send to the Department of Treasury. Certificate must be retained in the Seller's Records.

This certificate is invalid unless all four sections are completed by the purchaser.

SECTION 1: TYPE OF PURCHASE

☐ One-time purchase.
Order or Invoice Number: _____

☒ Blanket certificate.
Expiration Date (maximum of four years): 11/5/19

The purchaser hereby claims exemption on the purchase of tangible personal property and selected services made from the vendor listed below. This certifies that this claim is based upon the purchaser's proposed use of the items or services, OR the status of the purchaser.

Vendor's Name and Address
Towner House Foundation

SECTION 2: ITEMS COVERED BY THIS CERTIFICATE

Check one of the following:

1. ☒ All items purchased
2. ☐ Limited to the following items: _____

SECTION 3: BASIS FOR EXEMPTION CLAIM

Check one of the following:

1. ☐ For Resale at Retailer. Enter Sales Tax License Number: _____
2. ☐ For Lease. Enter Use Tax Registration Number: _____

The following exemptions DO NOT require the purchaser to provide a number:

1. ☐ For Resale at wholesale
2. ☐ Agricultural Production. Enter percentage: _____%
3. ☐ Industrial Processing. Enter percentage: _____%
4. ☐ Church, Government Entity, Nonprofit School, or Nonprofit Hospital (Circle type of organization)
5. ☒ Nonprofit Internal Revenue Code Section 501(c)(3) or 501(c)(4) Exempt Organization (must provide IRS authorized letter with this form)
6. ☐ Nonprofit Organization with an authorized letter issued by the Michigan Department of Treasury prior to June 1994 (must provide copy of letter with this form)
7. ☐ Rolling Stock purchased by an Interstate Motor Carrier
8. ☐ Direct Mail (delivered to multiple taxing jurisdictions - purchases assumes tax payment obligation)
9. ☐ Other (explain): _____

SECTION 4: CERTIFICATION

I declare, under penalty of perjury, that the information on this certificate is true, that I have consulted the statutes, administrative rules and other sources of law applicable to my exemption, and that I have exercised reasonable care in assuring that my claim of exemption is valid under Michigan law. In the event this claim is disallowed, I accept full responsibility for the payment of tax, penalty and any accrued interest, including, if necessary, reimbursement to the vendor for tax and accrued interest.

Type of Business (see codes on page 2) NON-PROFIT 501(c)(3)	Business Name TOWNER HOUSE FOUNDATION
Business Address 209 N. Huron Street	City, State, ZIP Code Ypsilanti, MI 48197
Business Telephone Number (include area code) 734-482-4209	Name (Print or Type) JOHN HARRINGTON
Signature and Title [redacted]	Date Signed NOV 5, 2015

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: MAY 22 2014

TOWNER HOUSE FOUNDATION
209 N HURON ST STE 4
YPSILANTI, MI 48197-2515

Employer Identification Number:
38-3556918
DLN:
17053247310023
Contact Person:
JEFFREY GAUNCE ID# 31614
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Public Charity Status:
170(b)(1)(A)(vi)
Form 990 Required:
Yes
Effective Date of Exemption:
May 15, 2010
Contribution Deductibility:
Yes
Addendum Applies:
Yes

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. We determined that you are a public charity under the Code section(s) listed in the heading of this letter.

Please see enclosed Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, for some helpful information about your responsibilities as an exempt organization.

Sincerely,

Director, Exempt Organizations

Enclosure: Publication 4221-PC

Letter 947

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

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

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

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

REQUEST FOR LEGISLATION

Open Bank Account with Talmer Bank

DATE: January 7, 2016

FROM: John M. Barr, Ypsilanti City Attorney

SUBJECT: Bank account authorization

SUMMARY/BACKGROUND

The Finance Department desires to open an account with Talmer Bank and Trust in Troy, Michigan to invest funds in interest bearing certificates of deposit. Talmer Bank has a 5 star rating and is offering very completive rates.

RECOMMENDED ACTION: Review and approval by resolution

DATE RECEIVED:_____ AGENDA ITEM NO.__Resolution No. 2016-016___

CITY MANAGER COMMENTS: _____

FOR AGENDA OF:_____ FINANCE DIR. APPROVAL: _____

COUNCIL ACTION TAKEN:_____

Resolution No. 2016-016
January 19, 2016

RESOLUTION TO OPEN BANK ACCOUNT

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that:

The City Finance Director is hereby authorized to open bank accounts, deposit and withdraw funds, open a checking account to deposit and withdraw funds, and purchase and redeem certificates of deposits.

Persons authorized to sign for and on behalf of the City of Ypsilanti are: Finance Director (Marilou Uy); City Clerk (Frances McMullan) and City Treasurer (Kimberly Teamer). Two signatures are required on all checks, withdrawals and redemption of certificates of deposit.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

Marilou Uy

To: John Barr
Subject: RE: Talmer Bank & Trust Docs.

Thanks!

-----Original Message-----
From: John Barr [mailto:JBarr@barrlawfirm.com]
Sent: Thursday, January 07, 2016 3:10 PM
To: Marilou Uy
Cc: Frances McMullan
Subject: RE: Talmer Bank & Trust Docs.

Hi Marilou,

I have no objection to using this bank. The documents are approved as to legal form. Note that the bank is requesting a corporate resolution.

John

JOHN M. BARR
BARR, ANHUT & ASSOCIATES, P.C.
Attorneys at Law
105 Pearl Street, Ypsilanti MI 48197
(734) 481-1234; fax 483-3871
jbarr@barrlawfirm.com

SEE: http://www.barrlawfirm.com/ FAQs - Disclaimer

-----Original Message-----
From: Marilou Uy [mailto:MUy@cityofypsilanti.com]
Sent: Wednesday, January 06, 2016 4:40 PM
To: John Barr <JBarr@barrlawfirm.com>
Subject: FW: Talmer Bank & Trust Docs.

Re send

From: Marilou Uy
Sent: Wednesday, January 06, 2016 3:37 PM
To: John M. Barr
Subject: Talmer Bank & Trust Docs.

Hi John,

We are planning to open an CD account with Talmer Bank. Please review the documents and make recommendation if we can open an account with them.

Thanks you.

Marilou T. Uy
Fiscal Services Director
City of Ypsilanti
One South Huron Street
Ypsilanti, MI 48197
Office: 734.482.9832
Fax: 734.482.7784
muy@cityofypsilanti.com
www.cityofypsilanti.com

TALMER
BANK AND TRUST

Certificate of Deposit Signature Card

2301 W. Big Beaver Rd., Suite 525 Troy, MI 48084

ACCOUNT OWNER(S) NAME & ADDRESS
CITY OF YPSILANTI

1 S HURON ST.
YPSILANTI, MI 48197

PORTFOLIO NUMBER	ACCOUNT NUMBER
83340	MASTER CD SIGN CARD

☐ Account Modified Date: _____
☐ Name Change
☐ Add Owner/Signer
☐ Other: _____

Modified by: _____

DATE OPENED: 1.6.16 **BY:** J.SMITH

TYPE OF ACCOUNT ☒ NEW ☐ EXISTING

Term _____
Maturity Date _____
Interest Rate Type ☒ Fixed ☐ Variable
Interest Rate _____ %
Annual Percentage Yield _____ %
Maturity Type SINGLE MATURITY
Renewal Term _____
Initial Deposit: _____

PRODUCT OFFERING
ALL PUBLIC FUND CD'S

OWNERSHIP OF ACCOUNT
MUNICIPAL FUNDS

☐ **Revocable Trust designated as defined in this agreement**

Name of Beneficiaries:

The undersigned authorize the financial institution to verify credit and employment history and/or have credit reporting agency prepare a credit report on the undersigned, as individuals. The undersigned also acknowledges the receipt of a copy and agree to the terms of the following disclosures:

☒ Deposit Agreement and Terms and Disclosures

(1): [X]
MARILOU UY - FINANCE DIRECTOR
S.S # _____ D.O.B. _____

(2): [X]
FRANCES MCMULLAN - CITY CLERK
S.S # _____ D.O.B. _____

(3): [X]
KIMBERLY TEAMER - CITY TREASURER
S.S # _____ D.O.B. _____

(4): [X]
S.S # _____ D.O.B. _____

(5): [X]
S.S # _____ D.O.B. _____

BACKUP WITHHOLDING CERTIFICATIONS

TIN: _____

☒ **TAXPAYER I.D. NUMBER** - The Taxpayer Identification Number shown above (TIN) is my correct taxpayer identification number.

☒ **BACKUP WITHHOLDING** - I am not subject to backup withholding either because I have not been notified that I am subject to backup withholding as a result of a failure to report all interest or dividends, or the Internal Revenue Service has notified me that I am no longer subject to backup withholding.

☐ **EXEMPT RECIPIENTS** - I am an exempt recipient under the Internal Revenue Service Regulations.

FATCA Code. The FATCA code entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.- **N/A**

SIGNATURE: I certify under penalties of perjury the statements checked in this section and that I am a U.S. person (including a U.S. resident alien).

X _____ 01/06/2016
MARILOU UY - FINANCE DIRECTOR (Date)

☐ **SPECIAL TERMS AND CONDITIONS:**
The following conditions apply to the above Certificate and may be different from our Deposit Agreement and Terms and Disclosures.

_____
_____
_____
_____

Rev. 1/4/16

CORPORATE AUTHORIZATION RESOLUTION

Talmer Bank and Trust
2301 Big Beaver Rd. Ste. 525
Troy MI 48084

Referred to in this document as "Financial Institution"

By: CITY OF YPSILANTI

1 S HURON ST.
YPSILANTI, MI 48197

Referred to in this document as "Corporation"

I, FRANCES MCMULLAN, certify that I am Secretary (clerk) of the above named corporation organized under the laws of MICHIGAN, Federal Employer I.D. Number 38-6004750, engaged in business under the trade name of CITY OF YPSILANTI, and that the resolutions on this document are a correct copy of the resolutions adopted at a meeting of the Board of Directors of the Corporation duly and properly called and held on 1.6.15 (date). These resolutions appear in the minutes of this meeting and have not been rescinded or modified.

AGENTS Any Agent listed below, subject to any written limitations, is authorized to exercise the powers granted as indicated below:

Name and Title or Position	Signature	Facsimile Signature (if used)
A. MARILOU UY - FINANCE DIRECTOR	X	X
B. FRANCES MCMULLAN - CITY CLERK	X	X
C. KIMBERLY TEAMER - CITY TREASURER	X	X
D.	X	X
E.	X	X
F.	X	X

POWERS GRANTED (Attach one or more Agents to each power by placing the letter corresponding to their name in the area before each power. Following each power indicate the number of Agent signatures required to exercise the power.)

Indicate A, B, C, D, E, and/or F	Description of Power	Indicate number of signatures required
	(1) Exercise all of the powers listed in this resolution.	
A,B,C	(2) Open any deposit or share account(s) in the name of the Corporation.	2 (TWO)
A,B,C	(3) Endorse checks and orders for the payment of money or otherwise withdraw or transfer funds on deposit with this Financial Institution.	2 (TWO)
	(4) Borrow money on behalf and in the name of the Corporation, sign, execute and deliver promissory notes or other evidences of indebtedness.	
	(5) Endorse, assign, transfer, mortgage or pledge bills receivable, warehouse receipts, bills of lading, stocks, bonds, real estate or other property now owned or hereafter owned or acquired by the Corporation as security for sums borrowed, and to discount the same, unconditionally guarantee payment of all bills received, negotiated or discounted and to waive demand, presentment, protest, notice of protest and notice of non-payment.	
	(6) Enter into a written lease for the purpose of renting, maintaining, accessing and terminating a Safe Deposit Box in this Financial Institution.	
	(7) Other Execute a Treasury Management Services Master Agreement contract; manage services, perform transactions, manage accounts, and designate authorized individuals in connection with the TMSMA.	

LIMITATIONS ON POWERS The following are the Corporation's express limitations on the powers granted under this resolution.

EFFECT ON PREVIOUS RESOLUTIONS This resolution supersedes resolution dated _____. If not completed, all resolutions remain in effect.

CERTIFICATION OF AUTHORITY
I further certify that the Board of Directors of the Corporation has, and at the time of adoption of this resolution had, full power and lawful authority to adopt the resolutions on page 2 and to confer the powers granted above to the persons named who have full power and lawful authority to exercise the same. (Apply seal below where appropriate.)

☐ If checked, the Corporation is a non-profit corporation.

In Witness Whereof, I have subscribed my name to this document and affixed the seal of the Corporation on 1.6.15 (date).

X _____ Attest by One Other Officer

X _____ Clerk Secretary

Frances McMullan

RESOLUTIONS

The Corporation named on this resolution resolves that,

(1) The Financial Institution is designated as a depository for the funds of the Corporation and to provide other financial accommodations indicated in this resolution.

(2) This resolution shall continue to have effect until express written notice of its rescission or modification has been received and recorded by the Financial Institution. Any and all prior resolutions adopted by the Board of Directors of the Corporation and certified to the Financial Institution as governing the operation of this corporation's account(s), are in full force and effect, until the Financial Institution receives and acknowledges an express written notice of its revocation, modification or replacement. Any revocation, modification or replacement of a resolution must be accompanied by documentation, satisfactory to the Financial Institution, establishing the authority for the changes.

(3) The signature of an Agent on this resolution is conclusive evidence of their authority to act on behalf of the Corporation. Any Agent, so long as they act in a representative capacity as an Agent of the Corporation, is authorized to make any and all other contracts, agreements, stipulations and orders which they may deem advisable for the effective exercise of the powers indicated on page one, from time to time with the Financial Institution, subject to any restrictions on this resolution or otherwise agreed to in writing.

(4) All transactions, if any, with respect to any deposits, withdrawals, rediscounts and borrowings by or on behalf of the Corporation with the Financial Institution prior to the adoption of this resolution are hereby ratified, approved and confirmed.

(5) The Corporation agrees to the terms and conditions of any account agreement, properly opened by any Agent of the Corporation. The Corporation authorizes the Financial Institution, at any time, to charge the Corporation for all checks, drafts, or other orders, for the payment of money, that are drawn on the Financial Institution, so long as they contain the required number of signatures for this purpose.

(6) The Corporation acknowledges and agrees that the Financial Institution may furnish at its discretion automated access devices to Agents of the Corporation to facilitate those powers authorized by this resolution or other resolutions in effect at the time of issuance. The term "automated access device" includes, but is not limited to, credit cards, automated teller machines (ATM), and debit cards.

(7) The Corporation acknowledges and agrees that the Financial Institution may rely on alternative signature and verification codes issued to or obtained from the Agent named on this resolution. The term "alternative signature and verification codes" includes, but is not limited to, facsimile signatures on file with the Financial Institution, personal identification numbers (PIN), and digital signatures. If a facsimile signature specimen has been provided on this resolution, (or that are filed separately by the Corporation with the Financial Institution from time to time) the Financial Institution is authorized to treat the facsimile signature as the signature of the Agent(s) regardless of by whom or by what means the facsimile signature may have been affixed so long as it resembles the facsimile signature specimen on file. The Corporation authorizes each Agent to have custody of the Corporation's private key used to create a digital signature and to request issuance of a certificate listing the corresponding public key. The Financial Institution shall have no responsibility or liability for unauthorized use of alternative signature and verification codes unless otherwise agreed in writing.

Pennsylvania. The designation of an Agent does not create a power of attorney; therefore, Agents are not subject to the provisions of 20 Pa.C.S.A. Section 5601 et seq. (Chapter 56; Decedents, Estates and Fiduciaries Code) unless the agency was created by a separate power of attorney. Any provision that assigns Financial Institution rights to act on behalf of any person or entity is not subject to the provisions of 20 Pa.C.S.A. Section 5601 et seq. (Chapter 56; Decedents, Estates and Fiduciaries Code).

FOR FINANCIAL INSTITUTION USE ONLY

Acknowledged and received on _____ (date) by _____ (initials) ☐ This resolution is superseded by resolution dated _____ .

Comments:

.707.

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Public Fund Interest Rates

Certificates of Deposit			
30 days	0.40%	180 days	0.70%
60 days	0.40%	270 days	0.70%
90 days	0.40%	12 months	0.70%
120 days	0.45%	18 months	0.75%
150 days	0.45%	24 months	0.80%

Interest Checking	
$0 < $50k	0.10%
$50k < $250k	0.10%
$250k < $1mm	0.10%
$1mm < $5mm	0.10%
$5mm+	0.10%

Money Market	
$0 < $50k	0.05%
$50k < $250k	0.15%
$250k < $1mm	0.15%
$1mm < $5mm	0.25%
$5mm+	0.25%

Wire Instructions
Talmer Bank and Trust
ABA/Routing Number 072414255
2301 W. Big Beaver Road | Troy, MI 48084
For Benefit of: Your Account Name & Account #

Julie Gust
Managing Director
jgust@talmerbank.com
248.498.2882

Roberta Fisher
Associate Managing Director
bfisher@talmerbank.com
810.989.2604

Stephanie Griffin
Associate Managing Director
sgriffin@talmerbank.com
616.464.0308

Julie Scott
Client Support Specialist
jscott@talmerbank.com
810.990.1827

Interest on Certificates of Deposit is calculated on simple actual/360 basis. Interest on NOW, and Money Market is calculated on simple, actual/365 basis. Minimum Balance to open Certificate of Deposit is $100,000. Other restrictions may apply. Penalty for Early Withdrawal. Rates subject to change without notice. FDIC Insurance applies.

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Public Funds

Public Fund Clients by County

Allegan County

Douglas, City of
Fillmore Township
Manlius Township

Alpena County

Alpena, City of

Antrim County

Central Lake, Village of

Arenac County

Mason Township

Barry County

Hastings, City of

Chippewa County

Chippewa County Treasurer

Clinton County

Clinton County
DeWitt, City of

Genesee County

Davison, City of
Davison Township
Flint, City of
Flint Charter Township
Flint District Library
Flushing, City of
Flushing Township
Genesee Charter Township
Genesee County Drain Commission
Genesee County Road Commission
Genesee County Treasurer
Grand Blanc Fire Commission
Grand Blanc, City of
Greater Heights Academy
Karagnondi Water Authority
Montrose Charter Township
Mundy Charter Township
Richfield Township
Thetford Township
Vienna Township

Gratiot County

Alma, City of

Hillsdale County

Litchfield, City of

Huron County

Bad Axe Area Fire
Bad Axe, City of
Bad Axe District Library
Bad Axe Public Schools
Bloomfield Township
Caseville Township
Central Huron Ambulance Service
Colfax School District
Colfax Township
Fairhaven Township
Gore Township
Harbor Beach District Library
Harbor Beach Fire
Harbor Beach, City of
Huron County District Court
Huron County Health Department
Huron County Medical Care
Huron County Road Commission
Huron County Sheriff

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Public Funds

Public Fund Clients by County

Huron County Treasurer
Huron Regional Water Authority
Huron Soil Conservation
Huron Township
Meade Township
Pigeon River Intercounty Drain
Port Hope Community Schools
Port Hope Gore Rubicon Utilities
Port Hope, Village of
Rubicon Township
Sand Beach Township
Sebewaing Light and Water
Sebewaing Township
Sebewaing, Village of
Sigel Township
Sigel Township Schools
Ubly, Village of
Unionville Sebewaing School District
Verona Township

Ingham County

Ingham County Treasurer
Michigan Economic Development
Michigan State Bar
Michigan State University
Michigan Strategic Fund
State of Michigan

Iosco County

East Tawas, City of

Jackson County

Blackman Charter Township
East Jackson Community Schools
Jackson County Treasurer

Isabella County

Isabella County Treasurer
Mt. Pleasant, City of

Kalamazoo County

Kalamazoo County Treasurer
Kalamazoo Charter Township
Oshtemo Charter Township
Pavilion Township
Texas Township
Vicksburg District Library

Kent County

Cascade Charter Township
East Grand Rapids, City of
Gaines Charter Township
Grand Rapids, City of
Kent County Treasurer

Lapeer County

Dryden Township
Goodland Township
Greater Lapeer Transportation Authority
Hadley Township
Imlay City, City of
Imlay Township
Lapeer, City of
Mayfield Township
Oregon Township
Ruth Hughes Memorial Library

Lenawee County

Lenawee County Treasurer

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Public Funds

Public Fund Clients by County

Livingston County

Brighton, City of
Brighton Area Fire Authority
Brighton Charter Township
Brighton Area Schools
Genoa Township
Hartland Township
Huron Clinton Metropark Authority
Livingston County Treasurer
Pinckney, Village of
Putnam Township Fire

Macomb County

41A District Court
41B District Court
42nd District Court
Armada Free Public Library
Chesterfield Township
Clinton Charter Township
Clinton Macomb Public Library
Eastpointe, City of
Fraser, City of
Mt. Clemens, City of
Mt. Clemens Public Library
Ray Township
Roseville, City of
Shelby Charter Township
St. Clair Shores, City of
Sterling Heights, City of
Utica, City of
Warren, City of

Monroe County

Monroe County Treasurer
Monroe County Road Commission

Muskegon County

Blue Lake Township
Cedar Creek Township
Egelston Township
Fruitport Charter Township
Fruitport, Village of
Mona Shores Public Schools
Montague, City of
Muskegon County Treasurer
North Muskegon, City of
Ravenna Township
Whitehall, City of

Newaygo County

Fremont, City of
Fremont Township
Newaygo County Treasurer

Oakland County

47th District Court
Auburn Hills, City of
Birmingham, City of
Birmingham Public Schools
Bloomfield Hills School District
Bloomfield Charter Township
Farmington, City of
Farmington Library, City of
Farmington Hills, City of
Hazel Park, City of
Highland Charter Township
Huntington Woods, City of
Independence Charter Township
Madison Heights, City of
Milford Charter Township
Milford, Village of
Momentum Academy
Novi Community School District
Oakland Community College
Oakland Charter Township

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Public Funds

Public Fund Clients by County

Oakland County Treasurer
Orion Charter Township
Pontiac, City of
Rochester Avon Recreation Authority
Rochester, City of
Rochester Hills, City of
Royal Oak, City of
Sarah Webber Academy
South Lyon School District
Southfield Township
Southfield, City of
Sylvan Lake, City of
Troy, City of
Waterford Charter Township
West Bloomfield Charter Township
Wixom, City of

Ottawa County

Ferrysburg, City of
Grand Haven, City of
Grand Haven Charter Township
Grandville, City of
Holland Public Schools
Hudsonville, City of
Olive Township
Ottawa County Treasurer
Ottawa County Central Dispatch Authority
Spring Lake, Village of
West Ottawa Public Schools

Saginaw County

Birch Run, Village of
Blumfield Township
Frankenmuth, City of

St. Clair County

Algonac Community Schools
Algonac Housing Commission
Algonac, City of
Blue Water Area Transportation
Blue Water Learning Academy
Blue Water Middle College Academy
Burtchville Township
Casco Township
China Charter Township
Clyde Township
Cottrellville Township
Croswell Lexington Community Schools
Croswell, City of
East China Charter Township
East China School District
Fort Gratiot Charter Township
Kenockee Township
Kimball Township
LEARN Academy
Landmark Academy
Lexington, Village of
Marine City
Marine City Fire
Marysville, City of
Marysville Public Schools
Marysville Housing Commission
McMorran Civic Center Authority
Mussey Township
North Branch, Village of
Port Huron, City of
Port Huron Area School District
Port Huron Charter Township
Port Huron Housing Commission
St. Clair County Academy of Style
St. Clair County Career Prep Academy
St. Clair County Community Mental Health
St. Clair County DPW
St. Clair County Extension
St. Clair County Intervention Academy
St. Clair County Land Bank Authority
St. Clair County Learning Academy

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Public Funds

Public Fund Clients by County

St. Clair County RESA
St. Clair County Road Commission
St. Clair County Treasurer
St. Clair County Virtual Learning
St. Clair County Housing Commission
St. Clair Township
St. Clair, City of
Wales Township

Sanilac County

Buel Township
Deckerville Community Schools
Deckerville, Village of
Elk Township
Forestor Township
Forestville Village
Lamotte Township
Marion Township
Moore Township
Sandusky Community Schools
Sandusky District Library
Sanilac County Economic Alliance
Sanilac County Treasurer
Sanilac County Transportation
Sanilac County Community Mental Health
Sanilac Township
Watertown Township
Worth Township

Tuscola County

Caro, City of
Caro Community Schools
Indianfields Township
Kingston, Village of
Tuscola Area Airport Authority
Tuscola County ISD
Tuscola County Treasurer

VanBuren County

Hartford Public Schools
South Haven, City of

Washtenaw County

Ann Arbor, City of
Ann Arbor Charter Township
Ann Arbor Public Schools
Barton Hills Village
Chelsea Area Fire Authority
Dexter Township
Lodi Township
Lyndon Township
Superior Township
Washtenaw County Treasurer

Wayne County

31st District Court
Canton Charter Township
Garden City, City of
Grosse Pointe Farms
Grosse Pointe Shores
Grosse Pointe Woods
Grosse Pointe Public Schools
Hamtramck, City of
Hamtramck Housing Commission
Hamtramck Public Schools
Huron Charter Township
Northville, City of
Schoolcraft College
Tipton Academy
Trenton, City of
Wayne County Treasurer

REQUEST FOR LEGISLATION
January 19, 2016

To: Mayor and Council

From: Chief Max Anthouard

Subject: Act 289 Funding

The City has been significantly financing the cost of Eastern Michigan fire protection due to the lack of appropriation to Act 289. According to this Act, the State of Michigan shall provide funding to communities bearing the cost of providing such service. The State had routinely not funded this Act. and we have lost over $10,000,000 since its conception.

It is a tremendous burden on the City and the Fire Department who is forced to find alternate sources of funding to subsidize this lack of appropriation.

Section 6 of the Act reads "*If the amount appropriated in a fiscal year is not sufficient to make the payments required by this act, the director shall prorate the amount appropriated to each municipality.*"

RECOMMENDED ACTION: Support resolution
Attached: Resolution
Six year history

CITY MANAGER APPROVAL:_____COUNCIL AGENDA DATE: __1/19/2016_

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____

Resolution No. 2016-017
January 19, 2016

Resolution Supporting Full Funding for the State Fire Protection Mandate

Whereas, Public Act 289 provide for payments to municipalities for fire protection services received by state facilities, and

Whereas, The City of Ypsilanti provides 100% of the funding and resources for the required training, education, and apparatus to provide fire protection and fire education for Eastern Michigan University and its population; and

Whereas, The amount due to municipalities shall be determined by dividing the estimated equalized value of the state facilities located in the municipality by the sum of the state equalized valuation of the municipality and the estimated equalized value of the facilities, and multiplying the result by the fire protection expenditures of the municipality; and

Whereas, The average funding received under this Act over the past 6 years equates to 53.55%, for a total loss of $ 2,631,268 over this period; and

Whereas; The intent of this Act has never been met since its conception in 1977, and

Whereas, Eastern Michigan University occupies 25% of Ypsilanti and its student population exceeds the City's population; and

Whereas, Eastern Michigan asset and the expense of protecting that asset should be fully borne by the State.

Now, therefore be it resolved, that the Ypsilanti City Council appeals to the State Legislature to levy the taxes necessary to fully fund P.A. 289, thus finally honoring the solemn promise made by the state of Michigan to its communities.

OFFERED BY:_____

SUPPORTED BY:_____

YES: NO: ABSENT: VOTE:

Year	EMU EEV	Ypsi SEV	FD expenditures	100% fundging	Amount recieved	$ Loss	% Funded
2009-2010	$ 165,212,631	$ 411,096,718	$ 2,994,584	$ 858,468	$ 484,061	$ 374,407	56.39%
2010-2011	$ 166,518,888	$ 353,250,595	$ 2,812,666	$ 901,096	$ 501,621	$ 399,475	55.67%
2011-2012	$ 166,853,981	$ 328,345,355	$ 2,858,805	$ 963,255	$ 510,731	$ 452,524	53.02%
2012-2013	$ 165,143,796	$ 300,697,181	$ 2,531,435	$ 897,411	$ 698,338	$ 199,073	77.82%
2013-2014	$ 161,342,750	$ 311,592,468	$ 2,900,019	$ 989,347	$ 371,840	$ 617,507	37.58%
2014-2015	$ 159,429,334	$ 330,802,539	$ 3,057,853	$ 994,451	$ 406,168	$ 588,283	40.84%
2015-2016				#DIV/0!		#DIV/0!	#DIV/0!
2016-2017				#DIV/0!		#DIV/0!	#DIV/0!
2017-2018				#DIV/0!		#DIV/0!	#DIV/0!
2018-2019				#DIV/0!		#DIV/0!	#DIV/0!
2019-2020				#DIV/0!		#DIV/0!	#DIV/0!
2020-2021				#DIV/0!		#DIV/0!	#DIV/0!
						$ 2,631,268	53.55%

REQUEST FOR LEGISLATION
January 12, 2016

To: Mayor and Council

From: Beth Ernat, Director of Community and Economic Development
Joe Meyers, Community Development Manager

Subject: Neighborhood Enterprise Zone

SUMMARY & BACKGROUND: On August 20, 2015, City Council adopted a resolution to proceed with the creation of a Neighborhood Enterprise Zone (NEZ) for the Southwest Gateway Area. Creating a NEZ provides a tax incentive for the development and rehabilitation of residential housing similar to an OPRA for commercial properties. Certificates may be issued for up to 17 years but cannot be less than 6 years. Improvements must be completed within two years of issuing the certificate and may be transferred within the first 12 years. The certificate may be revoked if taxes are not kept current.

Once the NEZ is established, individuals will need to apply for certificates. Certificates may be issued for rehabilitation or new facilities. Rehabilitation is defined as an existing structure with a true cash value of $80,000 or less and its primary purpose is or will be residential housing with 8 units or less. Improvements must exceed $5,000 if a contractor is used and at least $3,000 if completed by the owner. Improvements must bring structure into compliance with building code standards. New facilities will be limited to owner occupied principal residential structures.

Attached is the proposed new NEZ Boundary. After City Council's feedback, we are proposing to expand the boundary to include more parcels in the gateway area. The legislation states that the total boundary shall not exceed 15% of the total acreage contained with the boundaries of the local unit of government and must be contiguous. The proposed boundary is roughly 9% of the total acreage of the city.

In order to create the district, the City Clerk will need to give written notice to the City Assessor and the governing body of each taxing unit that levies property taxes within the proposed NEZ. Within 45 days of sending out the notice, the City will need to hold a public hearing. Prior to the City Council officially creating the NEZ, the City Assessor should provide City Council with the amount of true cash value of the property located within the proposed NEZ and other information that is necessary. At least 60 days after the notice to the taxing units that levies property taxes, the city makes a decision to pass a resolution to create the NEZ.

The timeline we propose would be as follows:

- City Council passes a resolution establishing when and how notice will be sent out, requesting information from the City Assessor, setting a hearing date, and setting a date for the ultimate determination – January 19, 2015
- Hold a public hearing on the proposed NEZ – February 16, 2016

- Determination on resolution creating the NEZ – April 5, 2016

In addition to the NEZ, we will be utilizing $25,000 of the MEDC grant to rebate all building permit fees for rehabilitation for new facilities within the NEZ district. Rebates would be limited to owner occupied dwellings or construction of a new owner occupied unit.

RECOMMENDED ACTION: Staff recommends approval of the attached resolution.

ATTACHMENTS: Proposed NEZ district map and resolution.

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _1/19/2016___

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____

Resolution No. 2016 - 018
January 19, 2016

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The City of Ypsilanti is a qualified local unit of government and wishes to create a Neighborhood Enterprise Zone (NEZ) for the Southwest Gateway Area; and

WHEREAS, the resolution passed by the city council on August 18, 2015 stated that an NEZ was consistent with the City's master plan, that the city had a housing inspection ordinance which covers the requirements of the NEZ legislation, and stated the City's goals, objectives, and policies relative to the maintenance, preservation, improvement and development of housing for all persons, regardless of income level living within the proposed NEZ; and

WHEREAS, the City Clerk is required to give written notice to the City Assessor and the governing body of each taxing unit that levies property taxes within the proposed NEZ (see attached map); and

WHEREAS, the City Council is required to hold a public hearing on the proposed NEZ within 45 days of sending out the notice; and

WHEREAS, the City Council will need to make a decision at least 60 days after notice is given.

NOW THEREFORE BE IT RESOLVED THAT City Council proposes to create a Neighborhood Enterprise Zone, pursuant to the Neighborhood Enterprise Zone Act (MCL 207.771 et seq), the "Act," within the City of Ypsilanti with the district boundaries as described on the attached map.

BE IT FURTHER RESOLVED THAT the Ypsilanti City Council directs the City Clerk, in compliance with and according to the Act, to give written notice to the City Assessor and the governing body of each taxing unit that levies property taxes within the proposed NEZ by January 26, 2016 and set a public hearing on the proposed NEZ on February 16, 2016.

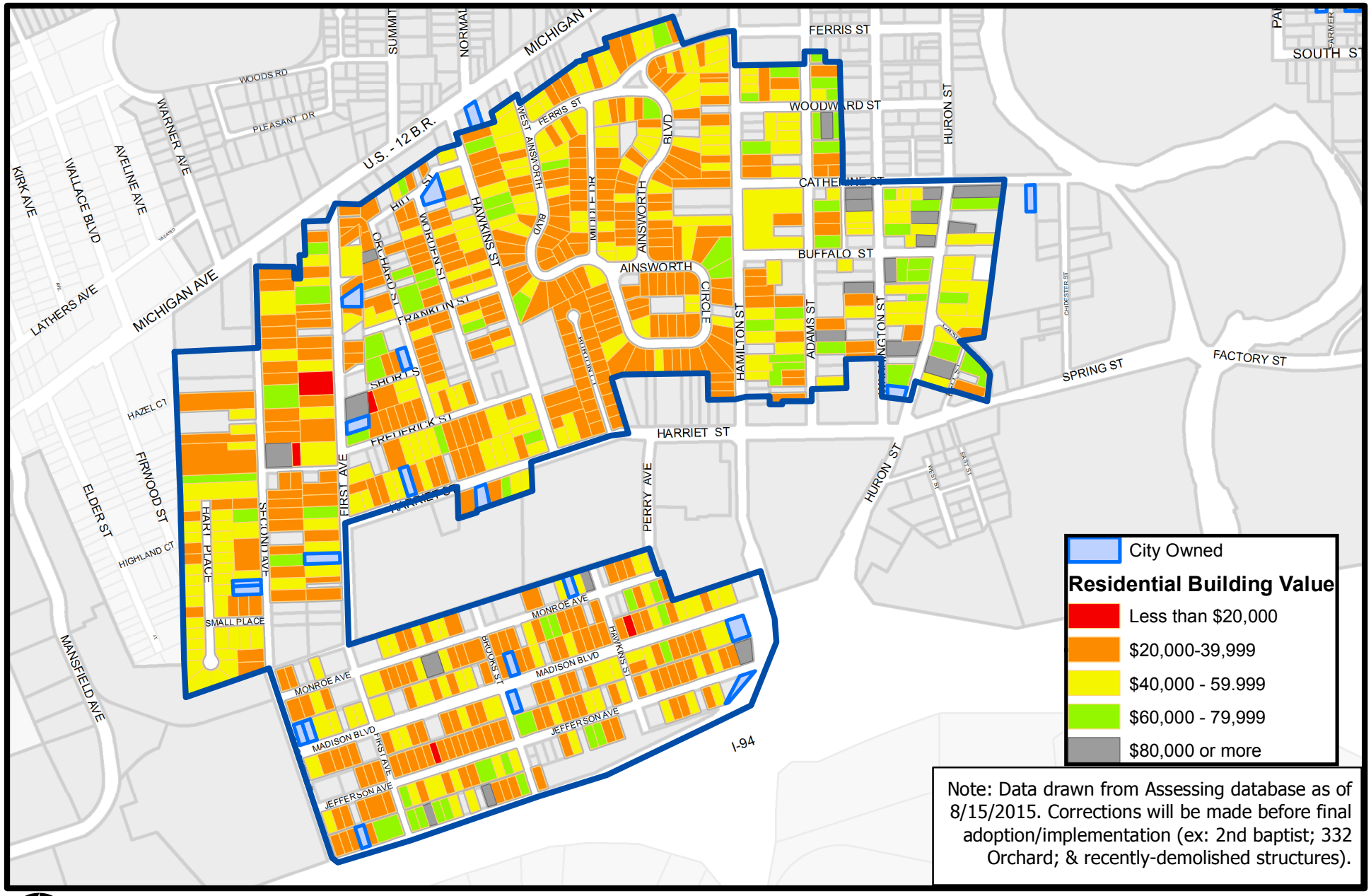
BE IT FURTHER RESOLVED THAT after receiving public input on the proposed NEZ, City Council will make ultimate determination on a resolution creating the NEZ at its meeting on April 15, 2016, or a meeting subsequent thereto as determined by City Council.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

Proposed NEZ 1-06-2016



Data from Washtenaw County GIS and Ypsilanti Planning and Development
For illustrative purposes only
January 2016

Resolution No. 2016-019
January 19, 2016

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: