



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

I. CALL TO ORDER –

II. ROLL CALL –

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

III. INVOCATION –

IV. PLEDGE OF ALLEGIANCE –

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

V. INTRODUCTIONS –

VI. AGENDA APPROVAL -

VII. PRESENTATIONS -

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

VIII. AUDIENCE PARTICIPATION -

IX. REMARKS BY THE MAYOR –

X. ORDINANCES – FIRST READING –

Ordinance No. 1286

1. An ordinance to establish the Ypsilanti Community Policing Action Council (Attorney)
 - A. Resolution No. 2017-074, determination
 - B. Open public hearing
 - C. Resolution No. 2017-275, close public hearing

Ordinance No. 1287

2. An ordinance to amend the Ypsilanti City Code to combine the subsection that makes it illegal for a person to allow occupancy without a valid Certificate of Compliance in a multiple dwelling with the subsection that makes it illegal for a person to allow occupancy without a valid Certificate of Compliance in one- or two-unit rental dwelling. (Attorney)
 - A. Resolution No. 2017-076, determination
 - B. Open public hearing
 - C. Resolution No. 2017-077, close public hearing

XI. CONSENT AGENDA –

Resolution No. 2017–078

1. Resolution No. 2017-079, approving appointments to Boards and Commissions. (Mayor)
2. Resolution No. 2017-080, approving minutes of February 7 and February 21, 2017. (Clerk)

XII. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2017-081, approving the city’s medical marijuana revenue sharing proposal. (Economic Development)
2. Resolution No. 2017-082, approving Ordinance 1285 to amend Section 58-32 of the Ypsilanti City Code to add two youth non-voting members to the Human Relations Commission. **(Second Reading)** (Attorney)
3. Resolution No. 2017-083, renewing the dispatch service agreement with Emergency Health Partners, Inc. (EHP). (Fire)
4. Resolution No. 2017-084, approving a Neighborhood Enterprise Zone (NEZ) certificate for 705 Franklin St. (DDA/Planning)
5. Resolution No. 2017-085, directing staff to release the Request for Proposals (RFP) for the sale and development of 220 N. Park.
6. Resolution No. 2017-086, approving creation of a combined Assistant City Manager/Human Resources Administrator position and authorizing the City Manager to proceed to recruit and fill the position. (City Manager)

XIII. LIASON REPORTS –

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

XIII. COUNCIL PROPOSED BUSINESS –

XIV. COMMUNICATIONS FROM THE MAYOR –

XV. COMMUNICATIONS FROM THE CITY MANAGER –

XVI. COMMUNICATIONS –

XVII. AUDIENCE PARTICIPATION –

XVIII. REMARKS FROM THE MAYOR –

XIX. ADJOURNMENT -

Resolution No. 2017-087, adjourning the City Council meeting.

RECOMMENDED MEDICAL MARIJUANA REVENUE DISTRIBUTION FORMULA FOR MUNICIPALITIES

KATIE PARRISH & ALEXA TIMMRECK

OUTLINE

- Overview of our research approach
 - About the revenue available to municipalities
 - Recommended formula for municipal revenue distribution
 - Rationale for the recommendation
- 

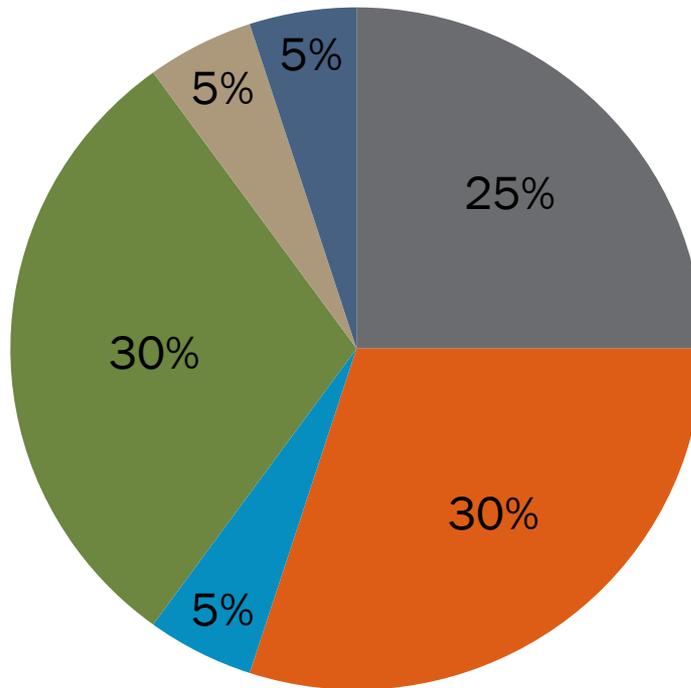
RESEARCH APPROACH

- Reviewed Michigan's new medical marijuana acts
 - Reviewed other state's revenue distribution models, with a focus on states that impose an excise tax.
 - Research on the impacts of various the different medical marijuana facilities on a community
 - Crime
 - Property values
 - Economic development.
 - Designed and tested a model that accommodates for true impact of the type and volume of facilities in a municipality and considers the source of the tax revenue
- 

THE FUNDING AVAILABLE TO MUNICIPALITIES

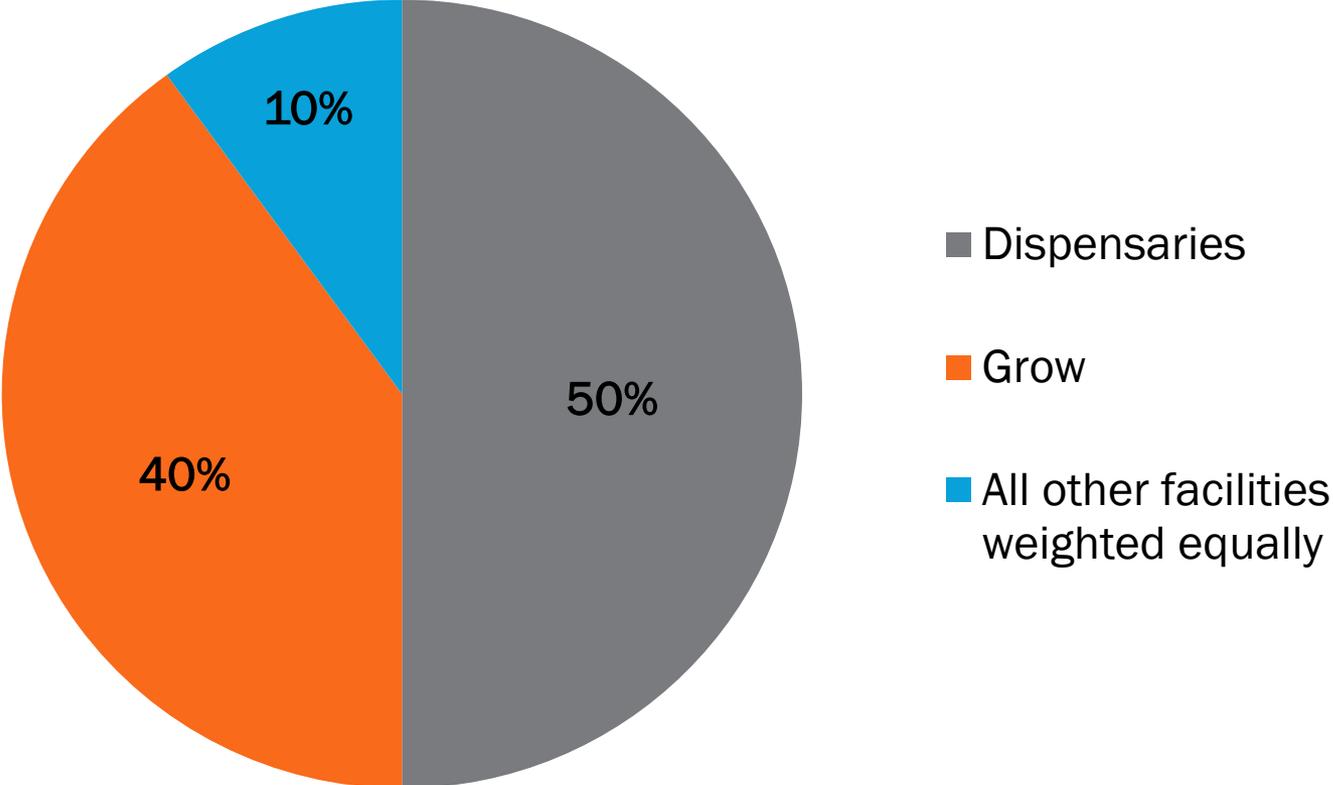
- 3% excise tax on medical marijuana sales
- House Fiscal Agency expects the tax to generate \$24 million annually
- Act 281 outlines a formula for medical marijuana tax revenue sharing:
 - 25% (\$6M) to municipalities based on the number of facilities therein.
 - Makes no distinction between the five different types of facilities (grow, processing, test, transportation, dispensaries)

ACT 281'S EXCISE TAX DISTRIBUTION MODEL



- Municipalities
- Counties
- County Sheriffs
- First responder workman's compensation fund
- Commission on law enforcement standards
- Michigan State Police

RECOMMENDED MUNICIPAL REVENUE DISTRIBUTION FORMULA



RATIONALE

- Revenue should stay within the community it is collected from to support the municipal governments who have chosen to provide this medical product to patients.
 - Revenue should be proportional to the number of facilities in a community.
 - “Weight of Impact” – not all facilities are equal, must accommodate for the impacts of each type.
- 

SUMMARY OF FACILITY IMPACTS

Dispensaries are most impactful – 50%

- Attractors of Crime
- Perception of Crime
- Considered an undesirable land use
 - Consequences for property values
 - Economic development

Grow operations come second - 40%

- Cluster in lower-income industrial areas
- Odor and waste issues in Colorado
- Considered an undesirable land use
 - Discourages other businesses from placing nearby

QUESTIONS?





REQUEST FOR LEGISLATION
April 4, 2017

To: Mayor and Council

From: Andrew Hellenga, Deputy City Clerk

Subject: CoPAC Ordinance

SUMMARY & BACKGROUND: The Community-Policing and Black Lives Matter Task Force was created in 2015 to examine Police Policy to better serve the City of Ypsilanti. Through that pursuit the Task Force was charged with the development of a police review/advisory body. In order to undertake this task a sub-committee was formed to develop the structure of said body.

Upon completion of the sub-committee the Task Force asked for Council to approve a resolution during the January 24, 2017 Meeting authorizing the Task Force to develop a Police Commission to review accusations of police misconduct, facilitate review of two to three policies per year, promote community policing, and promote the Citizen's Police Academy. The resolution was amended to set the date of April 4, 2017 for first reading.

A proposed ordinance was approved at the March Task Force meeting that instead of creating a new body would reenergize the Community Policing Action Council (CoPAC). CoPAC would hold eighteen seats, one for each neighborhood association, EMU, and both the Depot Town Association and the Downtown Association of Ypsilanti (DAY). The proposed ordinance provided the existing neighborhood associations with the authority to appoint its representative. If the neighborhood association is not active the Mayor would appoint its representation.

Once submitted to the Attorney's Office for review some general language and layout changes were made to neaten up the ordinance. The term "Chief of Police" was added as to whom CoPAC would "consult and advise" in section 2.201(f).

The biggest changes to the proposed ordinance are located in proposed Section 2.202. The Charter provides that all members to boards and commissions must be appointed by the mayor upon confirmation by City Council. The proposed membership criteria was kept as similar to the draft language as possible while keeping within the requirements of the City Charter. Additionally, the proposed language did not provide for a term length.

RECOMMENDED ACTION: Approval.

ATTACHMENTS: Resolution, proposed ordinance, and draft ordinance.

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: 4/4/2017

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



**CITY OF YPSILANTI
NOTICE OF ADOPTED ORDINANCE
Ordinance No. 1286**

An ordinance to establish the Ypsilanti Community Policing Action Council

1. THE CITY OF YPSILANTI HEREBY ORDAINS that Chapter 2, Article IV of the Ypsilanti City Code of Ordinances is hereby amended to add a new Division 6, as follows:

DIVISION 6. COMMUNITY POLICING ACTION COUNCIL

Section 2.200. Created.

Pursuant to Ypsilanti City Charter section 9.03, there is hereby created a commission known as the "Ypsilanti Community Policing Action Council."

Section 2.201. Purpose.

The purpose of the Ypsilanti Community Policing Action Council is:

- a. To strengthen the relationship between the citizens of the City of Ypsilanti and the Ypsilanti Police Department.
- b. To make recommendations to the Chief of Police with regard to organizational matters and procedures.
- c. To serve as a liaison to enhance community and police relations and serve as an advocate for programs, ideas, and methods to improve the relations between the police and the community.
- d. To participate in annual review of the Ypsilanti Police Department's Citizen Police Academy.
- e. To collect, review, and audit summary data and compile aggregate statistics relating to individual or community complaints and other issues of importance.
- f. To consult and advise the Chief of Police on the Ypsilanti Police Department's strategic plan.

Section 2.202. Appointment and Terms.

The Ypsilanti Community Policing Action Council shall consist of 18 members. All members to the Ypsilanti Community Policing Action Council shall be appointed by the Mayor, with the approval and confirmation of a majority of City Council. The following organizations and neighborhood associations may make a recommendation to the Mayor for appointment to the Ypsilanti Community Policing

Action Council from within its membership if the organization or neighborhood association is active and has membership in good standing:

1. Stadium Meadows Condominium Association.
2. Gerganoff Neighborhood Association.
3. College Heights Neighborhood Association.
4. Normal Park Neighborhood Association.
5. Woods Road Neighborhood Association.
6. Worden Gardens Neighborhood Association.
7. Heritage Park Neighborhood Association.
8. Historic South Side Neighborhood Association.
9. Downtown Association of Ypsilanti.
10. Midtown Neighborhood Association.
11. Riverside Neighborhood Association.
12. Depot Town Association.
13. Prospect Park Neighborhood Association.
14. East Prospect Park Neighborhood Association.
15. Historic East Side Neighborhood Association.
16. Miles Neighborhood Association.
17. Prospect Gardens Neighborhood Association.
18. Eastern Michigan University.

The term of members of the Ypsilanti Community Policing Action Council shall be three years, except that of the members first appointed. Terms shall be staggered so that as far as practicable at least six member's terms expire each year.

There shall be no more than three non-resident members of the Ypsilanti Community Policing Action Council. Such non-resident members may only serve upon the recommendation of the Depot Town Association, the Downtown Association of Ypsilanti, and Eastern Michigan University. Non-resident members shall require a finding of the best interest of the city and approval and confirmation of not less than five affirmative votes of city council members.

Section 2.203. Duties.

The duties of the Ypsilanti Community Policing Action Council shall be to:

- a. Establish and update rules by-laws for the transaction of its business, subject to the approval of the City Council. Such rules and by-laws shall be in a manner not inconsistent with this Article, other City ordinances, the City Charter, or laws of the state and federal government.
- b. Elect officers, including a president.
- c. Establish and maintain a meeting schedule and meet at least quarterly.
- d. Take all necessary action to fulfill the purpose for the Ypsilanti Community Policing Action Council, as stated in this Division.

- e. To file a written report of its activities, findings, and recommendations, if any, to City Council at least annually.

Section 2.204. Procedure.

Procedure for the operation of the Ypsilanti Community Policing Action Council shall be as follows:

- a. A majority of the Ypsilanti Community Policing Action Council members appointed shall constitute a quorum.
- b. No meeting of the Ypsilanti Community Policing Action Council shall commence or continue in the absence of a quorum.
- c. A majority vote of those forming a quorum shall be required for any action by the Ypsilanti Community Policing Action Council, except where otherwise specified in this Article, other City ordinances, or the City Charter.
- d. Regular meetings of the Ypsilanti Community Policing Action Council shall be held no less than quarterly. Any scheduled meeting may be rescheduled at the preceding regular meeting.
- e. The records of the Ypsilanti Community Policing Action Council shall be public and subject to the Freedom of Information Act, Act No. 442 of the Public Acts of Michigan of 1976 (MCL 15.231 et seq.), as amended.
- f. All meetings of the Ypsilanti Community Policing Action Council shall be public and subject to the Open Meetings Act, Act No. 267 of the Public Acts of Michigan of 1967 (MCL 15.261 et seq.), as amended.
- g. The Ypsilanti Community Policing Action Council shall provide an opportunity for public comment as to the business being conducted by the Ypsilanti Community Policing Action Council, pursuant to its established rules and by-laws.

Sections 2.205 – 2.225 - Reserved.

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

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

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

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

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

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

Frances McMullan, City Clerk

Attest

I do hereby confirm that the above Ordinance No. 1286 was published according to Section 11.13 of the City Charter on the _____ day of _____, 2017.

Frances McMullan, City Clerk

CERTIFICATE OF ADOPTING

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

Frances McMullan, City Clerk

Notice Published: March 16, 2017

First Reading: April 4, 2017

Second Reading: _____

Published: _____

Effective Date: _____



Resolution No. 2017-074
April 4, 2017

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

1. THE CITY OF YPSILANTI HEREBY ORDAINS That

The Ypsilanti City Code is hereby amended by adding a new Division XX Ypsilanti Community Policing Action Council (CoPAC), to Chapter 2 Administration, Article IV Boards and Commissions, as follows:

Division XX. YPSILANTI COMMUNITY POLICING ACTION COUNCIL

Section XX.XXX. YPSILANTI COMMUNITY POLICING ACTION COUNCIL Rationale

City Council by resolution 2017-XXX, dated APRIL 4, 2017 set forth the reasons for an Ypsilanti Community Policing Action Council, including:

- a. To strengthen the relationship between the citizens of the City of Ypsilanti and the Ypsilanti Police Department.
- b. To make recommendations to the Chief of Police with regard to organizational matters and procedures.
- c. To serve as a liaison to enhance community and police relations and serves as an advocate for programs, ideas, and methods to improve the relationship between the police and community.
- d. To participate in annual review of the Department's Citizen Police Academy.
- e. To collect, review and audit summary data & compile aggregate statistics relating to individual or community complaints and other issues of importance.
- f. To consult and advise on the Police Department's strategic plan.

Section X.XXX. Created

Pursuant to Ypsilanti City Charter section 9.03, a commission is hereby created known as the Ypsilanti Community Policing Action Council,

- a. To consist of 18 regular members, serving from the following neighborhood associations:
 - 1) Stadium Meadows Condominium Association
 - 2) Gerganoff Neighborhood Association
 - 3) College Heights Neighborhood Association
 - 4) Normal Park Neighborhood Association
 - 5) Woods Road Neighborhood Association
 - 6) Worden Gardens Neighborhood Association
 - 7) Heritage Park Neighborhood Association
 - 8) Historic South Side Neighborhood Association
 - 9) Downtown Association of Ypsilanti
 - 10) Midtown Neighborhood Association
 - 11) Riverside Neighborhood Association
 - 12) Depot Town Association
 - 13) Prospect Park Neighborhood Association
 - 14) East Prospect Park Neighborhood Association
 - 15) Historic East Side Neighborhood Association
 - 16) Miles Neighborhood Association
 - 17) Prospect Gardens Neighborhood Association

- 18) Eastern Michigan University
- b. Terms of office shall be determined by the individual neighborhood associations in good standing. Should a neighborhood association not be in good standing or dormant, Mayor-appointed terms shall be for staggered two-year terms.
 - c. The staff person assigned to the Ypsilanti Community Policing Action Council shall be the Ypsilanti Police Department Liaison Officer.
 - d. There shall be a Council liaison appointed to the Commission by City Council.
 - e. Commissioners shall be city residents and qualified elector, except for those representing the Depot Town Association, the Downtown Association of Ypsilanti, and Eastern Michigan University.
 - f. No member of CoPAC shall receive compensation for services performed.

Section X.XXX. Appointment

Commissioners shall be appointed by the existing neighborhood associations whose membership is in good standing. In the event that a neighborhood association is not in good standing or is dormant, the Mayor, with the approval and confirmation of a majority of city council shall appoint the remaining open seats. Non-resident members may only serve from the Depot Town Association, the Downtown Association of Ypsilanti, and Eastern Michigan University. Non-resident members shall require a finding of the best interest of the city and approval and confirmation of not less than five affirmative votes of city council members.

Section X.XXX. Duties

Duties of the Ypsilanti Community Policing Action Council shall be to:

- a. Update by-laws, subject to the approval of the City Council.
- b. Elect officers including a Ypsilanti Community Policing Action Council chairperson.
- c. Establish a meeting schedule and meet at least quarterly.
- d. Take action to fulfill the reasons and rationale for the Ypsilanti Community Police Action Council set out in Section X.XXX, above.
- e. To report Council actions and findings and make recommendations to City Council at least annually.

Section X.XXX. Procedure

Procedure for the operation of the Ypsilanti Community Policing Action Council shall be as follows:

- a. CoPAC shall update by-laws for the transaction of Council business not inconsistent with the letter and intent of this article.
- b. A majority of the members of CoPAC seated shall constitute a quorum. No meeting of CoPAC shall commence or continue in the absence of a quorum, and a majority vote of those forming a quorum shall be required for any action by CoPAC except where otherwise specified in this article.
- c. Regular meetings of CoPAC shall be held no less than quarterly. Any scheduled meeting may be rescheduled at the preceding regular meeting.
- d. Council meetings and records shall be open to the public, and CoPAC shall conduct its meetings in accordance with the Michigan Open Meetings Act. CoPAC shall provide an opportunity for

public comment as to business being conducted by CoPAC pursuant to rules and regulations established by CoPAC.

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

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

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

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

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

BLM/HR Task Force Sub Committee Recommendations

1. Establish a Community and Police Commission

- a. To give residents an integral platform and role in public safety.
- b. Establish through a City of Ypsilanti ordinance.
- c. Address Collective Bargaining Agreements if needed

2. Ensure Procedural Justice through;

- Readopting Community Policing
- Reestablish Citizen Police Academy with current curriculum
 - Update Curriculum
- Establish Application for Process for commission
 - Update Application
- Align Resources for support recommendations

3. Composition

Be comprised of nine individuals who have completed the 4-8 week Citizens Police Academy and submitted application for consideration.

4. Length of Term

City Council to approve nine individuals for 2-3 year staggered terms. The nine individuals should be representative of two people from each ward and three at large.

5. Responsibilities

- a. Facilitate implementation of City of Ypsilanti Police Reform to address accountability, transparency, data collection and reporting and investigations of police misconduct.
 - i. Review accusations of police misconduct
 - ii. Facilitate review of 2-3 policies per year
 - iii. Promote Community Policing
 - iv. Promote Citizens Police Academy



Memorandum

To: Honorable Mayor Edmonds and City Council

From: Darwin D. P. McClary, City Manager

cc: John Barr, City Attorney
Tony DeGiusti, Chief of Police
Frances McMullan, City Clerk

Date: April 4, 2017

Re: PROPOSED ORDINANCE CREATING YPSILANTI COMMUNITY POLICING ACTION COUNCIL

I have had an opportunity to review the proposed ordinance creating the Ypsilanti Community Policing Action Council and offer my comments and suggestions as follows:

1. I would suggest changing the name to Ypsilanti Community Policing Action Commission. Using the term "Council" may cause some to confuse the body with the City Council.
2. I would suggest that Section b. of the RATIONALE section be revised to read as follows: "b. To make recommendations to the ~~Chief of Police~~ City Council with regard to organizational matters and procedures." I would also suggest that the City Attorney reviewed the provisions of the city charter to determine if the ordinance, as currently written, complies with the division of authority between the City Council and City Manager. Also, the phrase "organizational matters and procedures" needs to be better defined.
3. I would suggest that Section d. be revised to read as follows: "d. To participate in the annual review of the Police Department's Citizen Police Academy, with recommendations on changes to be submitted to the City Council for consideration."
4. I would suggest that Section e. be revised to read as follows: "e. To collect, review, and audit summary data & and compile aggregate statistics relating to individual or community complaints and other issues of importance relating to the purposes of the Commission with a report of findings to be submitted to the City Council for consideration."

5. I would suggest that Section f. be revised to read as follows: “f. To consult with, and advise, the City Council on the Police Department’s strategic plan.”
6. I would suggest changing the heading of the next section to read: “Commission Created”.
7. I would suggest that the first sentence of the CREATED section be revised to read as follows: “Pursant to Ypsilanti City Charter section 9.03, a commission is hereby created to be known as the Ypsilanti Community Policing Action Council Commission.”
8. I would suggest that Section a. be revised to read in part as follows: “a. ~~To~~ The commission shall consist of ~~48~~ 19 regular voting members ~~servng from,~~ with one member appointed by each of the following to serve two-year terms commencing on July 1 of each odd-numbered year: 19. City Council liaison appointed by the City Council.” Delete sections b. and d.
9. Correct typographical error in Section e. to “electors”.
10. I would suggest that the first sentence in the APPOINTMENT section be revised to read as follows: “One commissioners, other than the City Council representative, shall be appointed by each of the existing neighborhood associations whose membership is in good standing, and Eastern Michigan University shall also appoint one member.” The terms “good standing” and “dormant” as used in this section should be defined.
11. I would suggest that Section b. of the PROCEDURE section be revised to permit the body to call a meeting to order and to adjourn in accordance with parliamentary procedure if a quorum is not present.
12. Section b., as currently written, potentially allows a minimum of 6 members out of 19 to make decisions for the commission. Is this the intent?
13. I would suggest that Section c. be revised to read as follows: “c. Regular meetings of CoPAC shall be held no less than quarterly. Any scheduled meeting may be rescheduled at the preceding regular meeting with proper notice.”

I hope these suggestions are helpful.



Resolution No. 2017-075
April 4, 2017

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



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

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

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

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

REQUEST FOR LEGISLATION

DATE: March 9, 2017

FROM: Jesse O'Jack, Assistant Ypsilanti City Attorney

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

SUMMARY/BACKGROUND:

Section 18-146 is the section that makes it illegal for a person to allow occupancy in a rental dwelling without having a valid certificate of compliance. The current subsection (a) imposes the requirement on multiple dwellings. The current subsection (b) imposes the requirement on one- or two-unit rental dwellings. The reason for combining the two subsections is to simplify the code and make the enforcement less subject to error and confusion. The proposed ordinance amendment does not make substantive changes to the law.

ATTACHMENTS: Proposed Ordinance

RECOMMENDED ACTION: Adoption of the ordinance

DATE RECEIVED: 3/19/17 AGENDA ITEM NO. Resolution No. 2017-076

CITY MANAGER COMMENTS: _____

FOR AGENDA OF: _____ FINANCE DIR. APPROVAL: _____

COUNCIL ACTION TAKEN: _____



**CITY OF YPSILANTI
NOTICE OF ADOPTED ORDINANCE
Ordinance No. 1287**

AN ORDINANCE TO AMEND YPSILANTI CITY CODE CHAPTER 18 "BUILDING AND BUILDING REGULATIONS", ARTICLE VI "INSPECTION AND CONTROL OF CERTAIN BUILDINGS", DIVISION 3 "CERTIFICATE OF COMPLIANCE", SECTION 18-146 "REQUIRED" TO UPDATE AND COMBINE SUBSECTIONS (A) AND (B).

THE CITY OF YPSILANTI HEREBY ORDAINS:

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

That Chapter 18 of the Code of Ordinances, City of Ypsilanti, Michigan, entitled "Buildings and Building Regulations", Article VI "Inspection and Control of Certain Buildings", Division 3 "Certificate of Compliance", Section 18-146 "Required", is hereby amended as follows:

Sec. 18-146. - Required.

~~(a) — No person, either the owner or owner's agent shall rent, lease, or allow occupancy of a dwelling unit or sleeping unit after September 1, 1986, in a multiple dwelling, to any person unless that owner or owner's agent has first obtained a valid certificate of compliance from the city building inspection department covering that unit.~~

~~(b) — No person, either the owner or owner's agent shall allow occupancy of a dwelling unit or sleeping unit after September 1, 1999, in a one- or two-unit rental dwelling, unless that owner or owner's agent has first obtained a valid certificate of compliance from the city building inspection department covering that unit.~~

No person, including but not limited to the owner, the owner/agent, and the owner's agent, shall rent, lease, or allow occupancy of a dwelling unit or sleeping unit after September 1, 1986, in a multiple dwelling or after September 1, 1999, in a one- or two-unit rental dwelling, unless that owner, owner/agent, or owner's agent has first obtained a valid certificate of compliance from the city building inspection department covering that unit.

2. Severability. If any clause, sentence, section, paragraph, or part of this ordinance, or the application thereof to any person, firm, corporation, legal entity, or circumstances, shall be for any reason adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not effect, impair, or invalidate the

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

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

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

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

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

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

Frances McMullan, City Clerk

Attest

I do hereby confirm that the above Ordinance No. 1287 was published according to Section 11.13 of the City Charter on the _____ day of _____, 2017.

Frances McMullan, City Clerk

CERTIFICATE OF ADOPTING

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

Frances McMullan, City Clerk

Notice Published: March 16, 2017

First Reading: April 4, 2017

Second Reading: _____

Published: _____

Effective Date: _____



Resolution No. 2017-076
April 4, 2017

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



Resolution No. 2017-077
April 4, 2017

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



Resolution No. 2017- 078
April 4, 2017

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the following items be approved:

1. Resolution No. 2017-079, approving appointment to Boards and Commissions.
2. Resolution No. 2017-080, approving minutes of February 7 and February 21, 2017.

OFFERED BY: _____

SUPPORTED BY: _____

YES:

NO:

ABSENT:

VOTE:



Resolution No. 2017 - 079
April 4, 2017

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

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

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



Resolution No. 2017-080
April 4, 2017

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

OFFERED BY: _____

SUPPORTED BY: _____

YES:

NO:

ABSENT:

VOTE:



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

I. CALL TO ORDER –

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

II. ROLL CALL –

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

III. INVOCATION –

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

IV. PLEDGE OF ALLEGIANCE –

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

V. AGENDA APPROVAL –

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

Council Member Murdock moved to remove Resolution No. 2017-033 from Section IX, Consent Agenda, to Section X, Resolutions/Motions/Discussions.

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

VI. INTRODUCTIONS –

Mayor Edmonds introduced the following individuals; Economic Development Director Beth Ernat, Interim City Clerk Andrew Hellenga, Assistant City Attorney Dan DuChene, City Planner Bonnie Wessler, and DDA Board Member Adam Gainsley.

VII. AUDIENCE PARTICIPATION –

1. Jim Mogensen, 2422 Packard, Ann Arbor, stated he supports the passage of non-solicitation of immigration status ordinance. He as a white male he would never have to worry about being asked his immigration status if pulled over. In order to be non-discriminatory if an officer were to ask that question it would need to be asked at each traffic stop.
2. Melanie Harner, 218 N. Adams, stated she is here representing both the First Congregational Church of Ypsilanti and Washtenaw interfaith Coalition for Immigrant Rights (WICIR). She stated Ypsilanti Community Schools is following the lead of the City and forming a "Safe School" policy for immigrant students. She hopes other communities in Southeast Michigan will follow the lead of Ypsilanti and adopt similar policies. She said she has been asked for her immigration papers, even though she is a citizen.
3. Adam Giansley, 409 N. Adams, thanked Council, staff, and the members of the audience for their efforts and comments about the non-solicitation ordinance. He is currently working with a group of citizens to get the Water Street Debt Millage on the August ballot. An Event will be held on February 25th at the Frieghthouse to provide information.
4. Tim Hunter, 1835 George Ave, stated he has been a resident of Ypsilanti and Ypsilanti Township for over twelve years. He teaches Spanish at Ypsilanti High School, and there are roughly 75 students are immigrants, or refugees. These students could possibly fall victim to ICE raids, and he wanted to thank Council for trying to make these students safer.
5. Daniel VanStrien, 730 N. Redwood Ave, thanked Council for taking initiatives to protect the immigrant population of the City. He hopes that more will be done to protect immigrant students in the school system.
6. Cherissa Lamarr, 123 Bell St., stated her deep concern for the Bell/Kramer Neighborhood, and restoring its residential zoning designation. She said all the residents are healthy and well in the neighborhood, and do not want anything built around them that would not fit the character of the neighborhood. She added the Planning Commission minutes of the December 21st meeting regarding the Bell/Kramer are inaccurate.
7. Jan Pready, Ann Arbor resident, expressed gratitude for the passage of the Non-Solicitation Ordinance.

VIII. REMARKS BY THE MAYOR –

- Expressed thanks for the individuals that spoke this evening.
- She said she and other Council Members attended the last School Board meeting who discussed a "Safe Schools" draft resolution. Also, at that meeting a resolution was passed opposing the confirmation of Betsy DeVos as Secretary of Education.

IX. CONSENT AGENDA –

Resolution No.2017 -031

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

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of December 20, 2016 be approved.

2. Resolution No. 2017-033, approving nominations to Boards and Commissions. **(Moved and Heard during Section X)**
3. Resolution No. 2017-034, approving the removal of First Court from Harriet St. to Armstrong for Act 51 recertification.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

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

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

OFFERED BY: Council Member Bashert
 SECONDED BY: Council Member Richardson

On a roll call, the vote to approve Resolution No. 2017-031 was as follows:

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

VOTE:

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

X. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2017- 035, approving Ordinance 1281, an ordinance to amend Ypsilanti City Code by adding Article V. Solicitation of Immigration Status to Chapter 58 Human Relations. **(Second Reading)**

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

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

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

Mayor Pro-Tem Brown stated she is very excited to vote to approve this resolution.

Council Member Murdock stated it has been gratifying to see all the support from the public regarding these issues. He is glad to see other jurisdictions getting behind these same initiatives. He added there is much more work to be done, and will bring forth other issues during Council proposed business.

Council Member Bashert stated she has been struck by the universal support for this ordinance. It is clear the values of the country and the values of this community are under attack, and the City will continue to protect its residents.

Council Member Richardson stated all the years she has been on Council she has witnessed the forward thinking of this community. She stated on many occasions Ypsilanti has led the way throughout the state. She added she hopes the City will consider being a part of the lawsuit against the state regarding revenue sharing. Mayor Edmonds agreed, and suggested discussing it further later in the meeting.

Council Member Vogt stated this ordinance is a statement of moral principal, and he has not seen, heard, or read on word of opposition.

Mayor Edmonds stated through government policy and visibility of those policies the City's values will be made clear to community members. She has directed the Attorney's Office to draft a fact sheet regarding this ordinance, and others recently passed. Ms. Edmonds stated if approved tonight this ordinance the ordinance will take effect in thirty days.

On a roll call, the vote to approve Resolution No. 2017-035 was as follows:

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

VOTE:

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

2. Resolution No. 2017-036, approving Ordinance 1282, an ordinance to amend Ypsilanti Zoning Code for PMD, Production, Manufacturing, and Distribution. **(Second Reading)**

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

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

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

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

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

On a roll call, the vote to approve Resolution No. 2017-036 was as follows:

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

VOTE:

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

3. Resolution No. 2017-037, directing staff to send the Bell/Kramer matter back to the Planning Commission in the event new information, such as if no contamination becomes available.

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

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

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

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

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

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

Council Member Bashert asked for the status of the testing. Economic Development Director Beth Ernat responded at this point the City has received only three signed agreements allowing for testing. She explained the City will not begin testing until it receives at least five. Ms. Bashert asked how many agreements needed to be signed to have 100% participation. Ms. Ernat responded nine.

Mayor Edmonds asked if residents of that neighborhood are more interested in external testing. Ms. Ernat responded some have expressed higher interest in external testing, but the City is hesitant because it does not provide the appropriate data.

Assistant City Attorney Dan DuChene stated this resolution is a result of discussion during first reading, and essentially the operative language is once testing is complete the matter be brought to the Planning Commission for further consideration.

City Council Meeting
February 7, 2017

Council Member Murdock stated it appears by the minutes of the Planning Commission that questions Council had during the last meeting have been answered. He said according to the minutes the Planning Commission directed staff to complete a work plan within 180 days. What the Planning Commission directed staff to do is stronger than the resolution before Council, and is unnecessary. Ms. Ernat responded the direction of the Planning Commission was based off of the idea the City would have received more than three signed agreements for testing. As a result staff will be requesting the Planning Commission for an extension because a work plan does take both time and funding. Council Member Bashert asked if the Planning Commission directive has no funding to back it. Ms. Ernat responded in the affirmative. Council Member Robb added the Planning Commission does not have a budget. Mr. Murdock stated this resolution also does not include a budget. Mr. Robb responded in the affirmative. Ms. Ernat added without any empirical data she would not want to move forward with the development with a work plan. Mr. Murdock responded the resolution passed by the Planning Commission did not mention testing. Ms. Ernat replied she understands the Planning Commission directed staff to create a plan, but a plan would not function without data.

Council Member Bashert stated she is hesitant to approve this resolution because it appears the residents are resistant to testing. The testing is crucial, the City needs to know what is happening in that neighborhood, and with only three agreements signed an accurate assessment cannot be made.

Mayor Edmonds stated the Planning Commission resolution states "in discovery of new information...", and without new information there is no direction.

Council Member Richardson agreed with Council Member Murdock that the resolution approved by the Planning Commission is much stronger than the one before Council. She agreed it is important the testing be completed, but once completed staff should follow the direction of the Planning Commission. She encouraged residents in the audience to speak with their neighbors about participating in the test.

Council Member Bashert moved, seconded by Council Member Robb to table this Resolution until two-thirds of the agreements are signed.

On a roll call, the vote to table Resolution No. 2017-037 was as follows:

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

VOTE:

YES: 5 NO: 2 (Brown, Murdock) ABSENT: 0 VOTE: Carried

4. Resolution No. 2017-038, approving the inclusion of the Road Funding spreadsheet as Appendix A to the 2015 Capital Improvement Plan.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

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

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

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

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

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

OFFERED BY: Council Member Vogt

SECONDED BY: Mayor Pro-Tem Brown

Ms. Ernat stated at this time staff is seeking to make this an official appendix of the Capital Improvements Plan.

Council Member Robb stated Council is the body that should have created this plan rather than creating a road committee with only one Council Member. Mayor Edmonds disagreed, stating she likes the process in place because it allows Council the ability to make amendments.

Council Member Murdock objected to the resolution. He said the City has had a deficit in road funding, and now the state has increased revenue allocated to road projects. He said the City needs to develop a plan on how it will allocate that money for the next five years. He said he will be bringing a resolution to the next meeting to create a plan for the allocation of those funds. He said the plan should include road maintenance projects rather than possible larger infrastructure projects. Ms. Ernat replied she does not disagree, however, this document only identifies project priorities when grant opportunities become available. Mayor Edmonds stated she agrees Council should develop an allocation plan, but this document is a different function. She asked if Council Member Murdock feels the two pieces would conflict. Mr. Murdock responded they conflict somewhat, but the City needs to plan what to do with the additional state revenue.

Mayor Edmonds stated she is going to support this resolution because of the value the CIP has for a redevelopment ready community.

Council Member Vogt agreed with all comments made, and sees this document as a place holder until other plans are developed. The other plans need to be developed quickly, especially once the new City Manager takes his position. He added as the contributing Council Member to the list he already sees items he would change. He added he supports this document as only an interim measure.

Council Member Richardson stated she understands the comments on both sides of this argument. She agrees with Council should move forward with a plan to allocate the state revenue.

Council Member Robb stated if a plan will be brought to the next meeting Council should wait to approve this. Council Member Vogt stated this plan provides a starting point.

On a roll call, the vote to approve Resolution No. 2017-038 was as follows:

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

VOTE:

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

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

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

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

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

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

Mayor Edmonds stated while working on her own prioritization, she developed a two page document that incorporates all goals that were stated during the goal session meeting.

Council Member Robb stated it is imperative to remove staff training from the list of goals because it could be detrimental to a possible debt millage. Council Member Vogt agreed, but would prefer to remove the rail platform from the budget and that project would be funded by a third party. Mayor Edmonds disagreed, and said the City continues to look for external funding mechanism to finance that project. If that process is stopped it could endanger the project, and it is very important it stay on the City's radar. Mr. Vogt replied he could support it if, the goal states it would seek all outside funding sources.

Council Member Bashert stated she would like to add a goal stating Council Members work to pass the millage.

Council Member Murdock stated with the failure of the Regional Transit Authority (RTA) millage in November funding for projects such as the rail stop are uncertain. He said he would like to keep the possibility of the rail platform open, but the City does not have the funding to finance the project. He stated if there is not a commuter rail using that stop it is not very beneficial.

Council Member Bashert respectfully disagreed with Council Member Vogt's interpretation of "seek funding", and would like to see the train stop and transit in future plans. She further explained the City does not have the funds to complete this project on its own so it is inevitable outside funding is required.

Council Member Robb stated Council has already committed \$2 million out of the City's General Fund for this project, which amounts to a third of the General Fund. His concern is the perception the City is not being spend thrift with City funds. Council Member Bashert asked if the City moves forward with this project it will need to use that \$2 million. Council Member Murdock responded no, and explained the \$2 million is not there and the commitment was by resolution.

Council Member Vogt stated he would support the goal if it stated "seeking outside funding..."

Mayor Edmonds asked if there is objection to add a goal that Council would work toward the passage of a Water Street Debt Millage. Council Member Robb objected, and explained it is not currently a project of the City. Council Member Bashert asked if he had questions about the millage. Council Member Robb responded Council was only given a brief synopsis of the millage during audience participation. If this was a Council goal it should have been discussed during goal sessions. Ms. Edmonds stated during goal sessions Mr. Kaczor's presentation discussed the general budget position the debt millage was a factor. Council Member Vogt stated it is critically important to create a budget without including a millage proposal and approve it. If a millage is passed, or proposed to Council then the specifics can be outlined. Until that time a budget not assuming the millage needs to be passed, or the public will not believe what cuts need to be made in order to balance the budget. Ms. Edmonds responded that is included in the presented goals. Council Member Murdock stated during goal sessions the preparation of two budgets, one with the millage and one without was discussed.

Council Member Bashert stated a representative of the citizen's group attempting to get a millage on the ballot is present, and he could answer questions of Council. She said the proposed ballot language is the same as that of the proposal from August that failed by 39 votes. Ms. Edmonds responded she would support that and asked if Council has any questions for Mr. Gainsley. Adam Gainsley circulated a petition that includes the ballot language, and said he would be happy to answer any questions. Council Member Robb stated the reason the original millage failed is it did not have a very good message, and no one worked for it. He said his concern is if this is not well organized it could kill any opportunity in the future. He said community sponsored proposals, especially in Michigan, so not have a great success rate.

Mayor Edmonds asked about the approach the community organization is taking in this initiative. Mr. Gainsley responded while he appreciates the hard work Council of Council in the last campaign, it was still a weak campaign. There was little to no funding, very little mailing or door to door effort, all the pieces of a successful campaign were absent until the last weeks before the election. The petition drive will constitute the beginning of the outreach, which will be followed by an informational outreach. During the last meeting twelve, or more individuals attended to assist on the campaign. There is a lot of expertise involved and a lot of smart individuals that understand how to get this millage passed. He added he has great confidence in the success of this campaign. Council Member Murdock stated clearly the campaign is much further ahead of the previous, but he is not sure it is necessary to do this now and confuse it with other Council goals. He said once Council begins to prepare to approve the budget it will accent the need for this millage. Council Member Bashert stated it is in the best interest of the City to support this effort, but she is happy to withdraw the suggestion. Ms. Edmonds added it does not mean Council cannot bring this forward as a part of another resolution.

Council Member Robb moved, seconded by Council Member Bashert to remove “the City’s Organizational values and the following goals and priorities, City Council’s Goals 1, 2, 3, and 4” and replace it with using Appendix “A” as goals and priorities.

On a roll call, the vote to amend Resolution No. 2017-038 was as follows:

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

VOTE:

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

On a roll call, the vote to approve Resolution No. 2017-038 was as follows:

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

VOTE:

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

6. Resolution No. 2017 - 033, approving nominations to Boards and Commissions.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

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

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

Council Member Murdock moved, seconded by Council Member Robb to divide the question.

On a roll call, the vote to divide the question was as follows:

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

VOTE:

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

Council Member Murdock stated Mr. Madigan is not a registered voter in Ypsilanti. The requirement to serve on a board or commission is to be a qualified elector in Ypsilanti. If they are a qualified elector in the City they should be a registered voter. Mayor Edmonds stated if the person were a non-citizen they would not be able to register to vote. Ms. Murdock responded a non-citizen would not be eligible to sit on a board or commission.

Council Member Murdock moved, seconded by Council Member Robb to table the appointment of Chris Madigan to the Planning Commission.

Ms. Ernat stated the Planning Commission has set a specific goal, and staff has been trying to have a student representative, and college students are often registered elsewhere. Council Member Murdock responded the Planning Commission has statutory guidelines on its membership, and he believes are required to be registered electors. Mayor Edmonds stated she supports Council Member Murdock in general, but there could be reasons a student wishes to not register in Ypsilanti.

Ms. Ernat asked if this would violate the City's Non-Solicitation Ordinance. She explained to be a registered voter citizenship is required. Council Member Murdock responded a non-citizen is not eligible to sit on a board or commission. Ms. Ernat asked if the City should change its policy. Mr. Murdock replied the City Attorney would need to change his opinion requiring a member of a board or commission be a qualified elector, or the state law to change. Mayor Edmonds stated registration status is part of an in house database. Interim Clerk Hellenga responded law requires citizenship to apply for voter registration, and is included in the application. Assistant City Attorney DuChene added because it is required by law it would not violate the ordinance.

On a roll call, the vote to table the appointment of Christopher Madigan to the Planning Commission was as follows:

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

VOTE:

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

Mayor Edmonds stated she would speak with Mr. Madigan regarding his registration status. Council Member Richardson asked if Mr. Madigan is a U.S. Citizen. Ms. Edmonds responded she does not know, and the ordinance forbids she ask that question. She stated a person can be asked for the citizenship status to register to vote, and asked if they could be

asked their citizenship status to sit on a board and commission. Ms. DuChene responded no. He explained a person is only required to be a qualified elector to sit on a board or commission, and said the Attorney’s Office will look into this ordinance question.

On a roll call, the vote to reappointment of Henry Prebys to the HDC was as follows:

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

VOTE:

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

XI. LIASON REPORTS –

- A. SEMCOG Update – Council Member Richardson stated she forwarded the SEMCOG report to Council.
- B. Washtenaw Area Transportation Study - None
- C. Urban County - None
- D. Freight House – Ms. Ernat stated staff has decided to apply for a preservation award for the Freight House. Council Member Richardson stated every year the Michigan Municipal League (MML) has an award provided to cities that take part in great projects. She said when the City redeveloped its pool she felt the City should have applied for this award.
- E. Parks and Recreation - None
- F. Ypsilanti Downtown Development Authority – Mayor Edmonds stated staff know provides the DDA Board with updates on the businesses operating in the district.
- G. Eastern Washtenaw Safety Alliance - None
- H. Police-Community Relations/Black Lives Matter Joint Task Force – Mayor Pro-Tem Brown stated the next meeting is on Monday, February 13th. Council Member Richardson asked if the Task Force going to begin to come to a close. She sees the formation of the Police Commission is out of the purview of the Task Force. Ms. Brown responded the resolution approved by Council charged the Task Force with developing a Police Commission, and provided the Task Force with a timeframe. Ms. Richardson stated it is not her intention for the Task Force to dissolve immediately, but to begin to wind down. Ms. Brown replied that decision will need to be made after the work is complete. Council Member Robb stated the way the Task Force was established did not provide a sunset date, and suggested Council Member Richardson submit a resolution to disband the Task Force.
- I. Friends of Rutherford Pool – Mayor Pro-Tem Brown stated the strategic plan presentation for the pool will be held at Corner Brewery on Sunday, February 12th from 2 to 3:30 pm.

XII. COUNCIL PROPOSED BUSINESS –

Vogt

— Stated he will be forwarding a communication regarding the DTE rates.

Bashert

— Asked for an update on the barn in College Heights.

Ms. Ernat responded the zoning ordinance updates are being brought to Council at the next meeting. The updates have been vetted by a Planning Commission Sub-committee, the Planning Commission itself, and through a technical assistance grant from the MEDC, a Zoning

Program. After these are approved staff will begin on the next year's updates, or the residents can file a zoning text amendment, and pay the application fee. Either way a non-conforming study needs to be completed, which can take time. Council Member Bashert asked if it would be a safe assumption to tell the residents their concerns have been heard. Ms. Ernat responded in the affirmative.

- Stated she would like to investigate the downtown garbage situation, and what could be done to end redundancy. She proposed removing City Trash removal from the Downtown DDA District.

Council Member Vogt stated the proposition is to force people to take care of the problem rather than let it sit in alley. Council Member Bashert responded in the affirmative. Mayor Edmonds suggested reviewing DDA minutes to understand the many hours, and stakeholders have spent on this issue. Ms. Bashert asked if the discussions were regarding this particular solution. Ms. Edmonds responded no. Ms. Ernat stated the City Attorney's opinion is the downtown pays into the millage so the City is required to pick-up curbside trash. Ms. Bashert asked how it is done in other Cities that have a millage. Council Member Robb responded they have different attorneys. Ms. Bashert asked if that opinion could be further examined. Ms. Ernat responded if that is the will of Council. Council Member Robb suggested asking for a presentation about this issue, and said there might be several unintended consequences to removing City trash pick-up.

Richardson

- Stated if the City is going to hang a "One Human Family" banner she would like to see a "Black Lives Matter" banner hung as well.

Mayor Edmonds asked for Council opinion of have the banner outside versus inside. Council Member Richardson responded she would be satisfied with either. Council Member Murdock stated this banner is inside because it would take an act of Congress to hang it on the outside. Ms. Richardson asked why. Mr. Murdock responded MDOT would not allow signs to be hung across a state road. Ms. Edmonds responded it would be on the building not across the road.

- Asked for an update on the gas link from the closed station at Hewitt and Spring.

Ms. Bashert respond it is totally rectified, and said the Department of Environmental Quality (DEQ) closed the file. Ms. Richardson stated there was a gasoline leak migrating toward the river not methane, and asked for an update. Ms. Ernat responded there are no active DEQ cases. Ms. Richardson asked for a report on what happened to the gasoline.

- She said she is still waiting for a Water Street update.
- Stated Parkridge will be holding its annual black history program on Friday, February 24th beginning at 10:00 a.m. She asked Council to support that program and adopt a resolution in support of Black History Month.

Murdock

- Stated Ann Arbor and Ypsilanti Community Schools are moving forward with their versions of the Non-Solicitation Ordinance.
- He suggested Council approve a resolution objecting to the anti-sanctuary bill by the state, or any other mandates that require City police act as immigration police.
- Stated the City Attorney should be teaming up with other local communities and immigration groups to defend City Ordinance, and other possible initiatives.

- He said the ordinances past regarding Non-Solicitation and Non-Discrimination will require police policy amendments, as well as other staff.
- Stated Aubrey’s dumpster was blocked in again, and it appears to happening each Monday.
Ms. Ernat responded a Traffic Control Order is being issued for signage allowing for towing.
- Stated he would like to send information to trucking companies regarding the new truck route ordinance.
- He would like to bring a resolution to Council requesting MDOT to allow the City to install pedestrian signs on W. Cross and bollards to increase safety. Also, a possible redesign of the Huron and Cross intersection.

Mayor Edmonds supporting adding that resolution to the next agenda. Ms. Ernat stated Council Member Murdock is welcome to bring a resolution, but the Traffic Review Committee has reviewed the matter, and does not support it. Council Member Murdock stated MDOT informed him they would look into it.
- He suggested speaking to MDOT on what it intends to do with the curb cuts on M-17 and U.S. 12.

Robb

- Asked if the building in N. Washington that had the fire has insurance.

Ms. Ernat responded it does not. Council Member Robb asked if the City should begin its dangerous-vacant building protocol. Ms. Ernat responded staff will have recommendations shortly, and it is more complicated than initially thought.
- He said in 2010 a report regarding the BP Gas Station was issued by the Michigan Department of Environmental Resources, and asked for it to be forwarded to Council.

XIV. COMMUNICATIONS FROM THE MAYOR –

- Stated Monday, February 13th in African American Parent Involvement Day at the schools.
- Stated the City is among the partners in “Pitch Ypsi” program. She said as of last night there were 28 entries.

XV. COMMUNICATIONS FROM THE CITY MANAGER –

- Stated a Brazilian Delegation of exchange students will be visiting City Hall on February 16th at 12:00 p.m.
- Stated there have been several interns hired for the City Manager’s Office.
- Stated the Wayfinding Program installation has begun throughout the County.
- Stated the City will be applying for a CTAP Grant.

— Staff has begun looking into several options to move the recycling center.

XVI. COMMUNICATIONS –

None

XVII. AUDIENCE PARTICIPATION –

1. Jim Mogensen, 2422 Packard, Ann Arbor, stated transit is a long time passion of his, and said the AAATA is in the process of its governance model. He said there are different groupings; transit dependent and choice riders, and the terms are not unintentional. He said often transit authorities often try to cater to the choice riders because they have other means to travel.

XVIII. REMARKS FROM THE MAYOR –

XIX. ADJOURNMENT -

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

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

OFFERED BY: Council Member Richardson

SECONDED BY: Council Member Bashert

On a voice vote, the motion carried, and the meeting adjourned at 9:29 p.m.



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

I. CALL TO ORDER –

The meeting was called to order at 7:02 p.m.

II. ROLL CALL –

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

III. INVOCATION –

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

IV. PLEDGE OF ALLEGIANCE –

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

V. AGENDA APPROVAL –

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

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

VI. INTRODUCTIONS –

Mayor Edmonds introduced the following; Interim City Manager Frances McMullan, Interim City Clerk Andrew Hellenga, Assistant City Attorney Dan Duchene, City Planner Bonnie Wessler, OHM Kent Early, and DPS Director Stan Kirton.

VII. AUDIENCE PARTICIPATION –

1. Libby Hunter, 827 Bruce, Ann Arbor, stated she is representing Radical Washtenaw (RAW), and asked when a plaque would be added to recognize the artist who completed the mural on the south side of City Hall. She asked when answers would be provided regarding the sixteen questions from the bench warrant report.

VIII. REMARKS BY THE MAYOR –

- Thanked Ms. Hunter reminding Council about the plan to install a plaque to recognize the mural artist. She said she would follow-up with the Convention and Visitor’s Bureau about its status.
- She asked Mayor Pro-Tem Brown would ask Chief DeGiusti about the status of the bench warrant report questions.

Mayor Pro-Tem Brown responded she believes the Chief has already responded. Ms. Hunter replied in the affirmative, and said the response is an intern was working on compiling that data, but the final report did not provide accurate results. Ms. Brown stated she would contact the Chief to inquire about the status.

IX. ORDINANCE – FIRST READING –

Ordinance No. 1283

1. An Ordinance rezoning 311 Ballard from C, Center to CN, Core Neighborhood.

A. Resolution No. 2017-041, determination

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

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

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

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

NOW THEREFORE BE IT RESOLVED that an Ordinance to rezone 311 Ballard from Center to Core Neighborhood be approved.

OFFERED BY: Mayor Pro-Tem Brown

SECONDED BY: Council Member Vogt

City Planner Bonnie Wessler stated 311 Ballard is currently zoned C, Center, and historically had been a part of the parcels to the north of it which led to its current zoning. The neighborhood to the south are all zoned CN, Core Neighborhood, which fits more closely with the character and use of 311 Ballard. Staff is recommending this parcel be rezoned as Core Neighborhood.

B. Open public hearing

None

C. Resolution No. 2017-042, close public hearing

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

That the public hearing for an ordinance to rezone 311 Ballard from Center to Core Neighborhood be officially closed.

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

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

Council Member Robb stated currently the front of this address is paved, which is against the City’s Code of Ordinances. He said the Planning Commission did not make the rezoning conditional on the removing of the front parking, and asked what thoughts are on that condition. Ms. Wessler responded that is not the type of condition normally not placed on a rezoning, but it can be for any future action. Mr. Robb asked if the Planning Department going to enforce the Code of Ordinances, and said the property should be written a ticket. Ms. Wessler replied staff can look at the history of the properties because at one time it was allowed for several properties.

On a roll call, the vote to approve Resolution No. 2017-041 was as follows:

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

VOTE:

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

Ordinance No. 1284

- 2. An Ordinance to amend Chapter 122 of the City’s Code of Ordinances.
 - C. Resolution No. 2017-042A, determination

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

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

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

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

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

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Ms. Wessler stated this is a complete overhaul of structure of the existing zoning. She explained after the zoning code was adopted in 2014, and took effect in 2015 staff had been monitoring the code to fix any possible issues. One issue discovered organizational issues and also a Supreme Court ruling regarding signs created a need to update the existing code. She added approval of this ordinance would repeal the existing Chapter 122 of the code and replace it with the presented code.

B. Open public hearing

None

C. Resolution No. 2017-042B, close public hearing

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

That an ordinance to amend to Chapter 122 of the City's Code of Ordinances officially closed.

OFFERED BY: Council Member Bashert

SECONDED BY: Mayor Pro-Tem Brown

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

Council Member Robb stated when submitting a large document it should be submitted along with an index explaining the changes, and links to those changes. He said the changes are not as easy as they have been explained because substantive changes were made to the ordinance. He said the sign ordinance has been changed, and now certain signs previously forbidden are now permitted. Those changes should not be a part of this update because it is being done without clear explanation. He warned Council they are changes to section in the code that would be changed only on good faith.

Mayor Edmonds stated the memo provided by staff outlines a Supreme Court case, which changed how sign ordinances can be written. Ms. Wessler responded in the affirmative, and said the changes were substantial. She explained the current sign ordinance was based on content, however, the Supreme Court ruling no longer permits regulations to be based on content. Generally, the rule is if the sign needs to be read in order to regulate it, the regulation is invalid. She said it was not her intent to "back" items into the code. Council Member Robb stated the Supreme Court ruling is about content of the sign, but the change he is most particularly interested in is the current code does not allow for neon window signs and this change would. He added when he finds one example of a change not outlined he will assume there are other changes not explained. He said he will not support this ordinance because the process of submission was not adhered to.

Council Member Richardson asked if there was any other information provided to Council besides the summary and background. Mayor Edmonds replied Clerk Hellenga sent a link to several other documents that were too large to print.

Mayor Edmonds asked if other sign changes need to be made in relation to the Historic District Commission. Ms. Wessler responded no.

Council Member Vogt stated he has similar concerns presented by Council Member Robb, however, he is not suspicious of ill intent but it was difficult to decipher what would be revised. He is reluctant to vote on this until he has had time to review the proposed adjustments to the code.

Mayor Edmonds asked if this is tabled could a summary be provided at a future meeting. Ms. Wessler responded in the affirmative.

Council Member Murdock stated this is only the first reading of this ordinance, and a summary could be provided on second reading. If Council does not agree with the changes it could vote to not approve the amendments.

Mayor Edmonds stated she is interested in seeing more detail regarding the changes to the sign ordinance.

On a roll call, the vote to approve Resolution No. 2017-042A was as follows:

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

VOTE:

YES: 5 NO: 1 (Robb) ABSENT: 0 VOTE: Carried ABSTAIN: 1 (Richardson)

X. CONSENT AGENDA –

Resolution No.2017 - 043

1. Resolution No. 2017 - 044, approving the minutes of January 10, 2017.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of January 10, 2017 be approved.

2. Resolution No. 2017 - 045, approving nominations to Boards and Commissions.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

<u>NAME</u>	<u>BOARD</u>	<u>TERM</u> <u>EXPIRATION</u>
Christopher Madigan 223 N River St. Apt 6 Ypsilanti, MI 48198	Planning Commission	Exp: 1/2020

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

On a roll call, the vote to approve Resolution No. 2017-043 was as follows:

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

VOTE:

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

XI. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2017 - 046, revoking the Obsolete Property Rehabilitation Act (OPRA) Grant for the Thompson Block, 400 N. River.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The City of Ypsilanti considers requests for tax abatement to encourage further growth and development in the city; and

WHEREAS, the City previously granted an OPRA to Thompson Block Partners, LLC for the Thompson Block project in 2014 (Resolution Number 2014-060); and

WHEREAS, work was not completed during the time-frame allotted by the approval, and the Thompson Block Partners have since sold the Property on January 5, 2017) it is requested that the City revoke said 2014 OPRA tax abatement agreement.

NOW THEREFORE BE IT RESOLVED that the City of Ypsilanti revokes the 2014 OPRA tax abatement exemption for 400 North River Street issued to Thompson Block Partners, LLC by Resolution Number 2014-060.

OFFERED BY: Council Member Richardson

SECONDED BY: Council Member Murdock

Economic Development Director Beth Ernat stated the Thompson Block has been sold in January. The new ownership is putting together a development plan, which includes a new OPRA and Brownfield Plan. Since the previous OPRA and Brownfield Plan were filed with the state notification needs to be provided the City is no longer proceeding with Thompson Block Partners. She explained the revocation of both the OPRA and Brownfield Plan will begin that process. She hopes in April to bring to Council updated certificates reflecting new ownership.

Council Member Murdock asked if the new owners would be reapplying for MEDC and Historic Tax Credits awarded to the previous owner. Ms. Ernat responded the tax credits have all been preserved, but in order to move forward the new owners will need to ask the City that a new OPRA be granted. She added the tax credits were able to transfer namesake between owners.

On a roll call, the vote to approve Resolution No. 2017-046 was as follows:

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

VOTE:

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

- Resolution No. 2017 – 047, recommending that the Washtenaw County Board of Commissioners terminate the 2014 Brownfield Plan for the Historic Thompson Block.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The City of Ypsilanti considers requests for tax abatement to encourage further growth and development in the city; and

WHEREAS, the City previously recommended approval of a Brownfield Plan by Resolution Number 2017-069 to the Washtenaw County Brownfield Development Authority for a Brownfield Plan for the Historic Thompson Block created by Thompson Block Partners, LLC for the Thompson Block project in 2014; and

WHEREAS, the Brownfield Plan was approved by the City of Ypsilanti, the Washtenaw County Brownfield Redevelopment Authority, and the Washtenaw County Board of Commissioners based on a development plan by Thompson Block Partners, LLC;

WHEREAS, the Thompson Block project and any associated eligible activities have not occurred for more than two (2) years, and therefore may be terminated in accordance with Section 13a, (8) Act 381; and

WHEREAS, the property was sold to a new development entity on January 5, 2017 and the new entity does not wish to carry out the development plan; and

WHEREAS, the previous Brownfield Plan must be terminated by the Governing Body (Washtenaw County) before considering a new Brownfield Plan.

NOW THEREFORE BE IT RESOLVED that the City of Ypsilanti recommends to the Washtenaw County Board of Commissioners that the 2014 Brownfield Plan for the Historic Thompson Block be terminated.

OFFERED BY: Council Member Richardson

SECONDED BY: Council Member Bashert

Ms. Ernat stated the City acts as a recommending body to the Washtenaw Board of Commissioners. This will not appear on a County agenda until after April 1st because the Brownfield Legislation, Act 381, change is effective April 5th. Mayor

Edmonds asked if Ms. Ernat would be attending the Board of Commissioners meeting with this item on its agenda. Ms. Ernat responded Nathan Vought represents the City on the Brownfield Authority.

On a roll call, the vote to approve Resolution No. 2017-051 was as follows:

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

VOTE:

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

3. Discussion regarding possible road funding mechanisms.

Council Member Murdock stated the City has had a lack of funding for roads for the past few decades, and the state has not been very responsive to increasing revenue sharing for roads until late 2015. The state plan is to gradually allocate funding over the next four to five years, which eventually will be a significant increase to road funding through Act 51. He suggested developing parameters of what the City would do with those funds over the next four to five years. He explained all available funds for roads amount to around \$3.5 million for road projects and \$350,000 in non-motorized and traffic calming projects. The proposal from OHM for 2017 road programs could be continued into 2018 and in 2019 slightly more funding is available through the Federal Highway Fund. However, the decisions on what projects these funds will be allocated does not need to be decided at this meeting.

Mayor Edmonds asked how bridge construction is funded. Council Member Murdock responded the name used to be Critical Bridge Program. Kent Early, OHM, stated the name has been changed to Michigan Bridge Program, which operates at a 95% to a 5% match. Mr. Murdock asked if the City would need to provide the engineering for that project. Mr. Early responded in the affirmative. Mr. Murdock referenced the bridge in Depot Town. Mr. Early stated OHM recommends the reconstruction of this bridge as a capital project. Mr. Murdock stated the original bridge lasted for 90 years, while the current bridge, an MDOT project, only lasted 25 years.

Mayor Edmonds asked what a transfer of jurisdiction means. Council Member Murdock responded the state would provide a road to the City, but it would be the City's responsibility to maintain the road. Mr. Early elaborated every road that MDOT is responsible for, or has jurisdiction over, can be transferred to a municipality if the municipality willing to do the upgrades and maintenance of the road. After a transfer of jurisdiction all improvements would be done at 100% local cost.

Council Member Robb stated Council is not being asked to take action on a road program. Council Member Murdock responded he is asking for several things. One is to adopt the 2017 paving plan, using the OHM chart as a parameter and to seek Michigan Bridge Program funds. However, there is not currently a resolution on the table. Mr. Early stated the 2017 Plan is similar to the Plan completed in 2015, of what was called "Urgent Road Repairs". Typically to apply for the Michigan Bridge Program costs would need to be provided, and would require Council resolution. Mr. Early recommended not passing a bridge resolution until further study is complete.

Council Member Robb stated fundamentally he likes the concept, but he feels there is too much funding dedicated to non-motorized projects. He said \$50,000 was put in the budget to install bike lanes on Forest, which hasn't been completed. He asked if the speed bumps were purchased. DPS Director Stan Kirton responded in the affirmative. Mr. Robb stated he believes in traffic calming but the City should move in the direction that new roads are designed with traffic calming, especially with a Traffic Control Committee that refuses to traffic improvements. He said he would like to remove non-motorized projects from the budget, and simply budget for them as they are presented. Council Member

Murdock responded this concept has been discussed before, and agreed to by Council Member Robb, that if something isn't budgeted for it doesn't exist. Mr. Robb asked for a rationalization for the increase from \$50,000 to \$80,000 for non-motorized projects. Mr. Murdock responded he was assuming the Act 51 funds and increasing it by \$10,000 per year because once traffic calming projects begin there will be more requests.

Mr. Kirton stated the non-motorized funds can be used to complete City sidewalks. Council Member Murdock responded in the affirmative.

Council Member Bashert stated she is favorable to this in concept but she would like to take a closer examination of the numbers before adopting this plan. Council Member Murdock stated his recommendations are not etched in stone, he just wants a plan in place once these funds become available.

Mayor Edmonds asked if there are any issues with the 2017 Road Program. Mr. Early stated if this is approved fairly soon the City will be able to hit the states August letting, if not and these projects are pushed to 2018 a problem might arise with the Federal Highway Administration. Ms. Edmonds asked if Council would like to move forward with approving the 2017 Road Program.

Council Member Richardson stated a previous list of projects provided to Council was prioritized, and asked how this projects fit into those priorities. Mr. Early responded the initial list is essentially the entire inventory of City streets that are federal aid eligible. The list before you today are not full reconstruction that fit within the current budget.

Council Member Murdock stated the City is currently trying to manage its assets, which this program would do. The only issue he has with the design is regarding traffic calming, especially on Congress St. He asked if there is anything that could be done to slow down traffic on that road, and recommended radar controlled speed limit signs. Mr. Early responded that is a possibility, and quoted the price at around \$10,000 per sign. Mayor Edmonds stated if the City is moving toward long term solutions, as Council Member Robb stated traffic calming should be included in reconstruction designs. Mr. Early agreed bump outs can decrease speed, but creates a more substantial construction and drives cost. Ms. Edmonds asked if a raised crosswalk would add a substantial cost.

Council Member Robb didn't think it would hurt to wait until the next Council meeting to adopt the 2017 Road Program, allowing time to codify the data. Council Member Richardson asked what would be the difference if this was adopted tonight, or at the next Council meeting. Mr. Early responded it probably would not be a big issue, but if it goes beyond early to the middle of March would create a possibility of getting into the 2018 season. Mr. Robb stated this is not included in the budget, and asked if the budget would need to be amended. He said from a process standpoint if the City is going to commit money it needs to be budgeted for, and what budget do these funds need to be allocated. Council Member Murdock responded the money for 2017 is Federal Highway Money and County Road Money, and the City is aware of those amounts.

Council Member Vogt moved, seconded by Council Member Bashert to adopt the 2017 Road Program as presented in the OHM letter.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the 2017 Road Program listed in the OHM letter be approved.

OFFERED BY: Council Member Murdock

SECONDED BY: Council Member Richardson

On a roll call, the vote to approve Resolution No. 2017-050 was as follows:

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

VOTE:

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

4. Resolution No. 2017-049, Directing City Staff and MDOT to review the signalization, configuration and markings of the Huron-Cross intersection to see if there are possibilities to make it safer for pedestrians and drivers.

Whereas the City of Ypsilanti strives to be a walkable community, and

Whereas W, Cross Street (M17) between Huron and Oakwood bisects a mostly residential neighborhood containing EMU, several churches and a senior housing facility, and

Whereas W. Cross is the main access to EMU, and

Whereas W. Cross is the main vehicle connection from NE Ypsilanti and Depot Town to downtown, EMU and Ann Arbor, and

Whereas there are significant conflicts and impediments to pedestrian crossings and vehicle operation

Now therefore be it be resolved that the City Council direct staff to put a plan together per Kari Martin's email of November 10, 2016 to install "Yield for Pedestrians in Crosswalk" signs that meet MDOT's specifications on the centerline of West Cross at the non-signalized intersections – Washington, Adams, Perrin and Normal. And in addition to place flexible bumpers between the two merging lanes at N Huron to keep vehicles in their respective lanes until they are through the intersection.

And further be it resolved that the City and MDOT review the signalization, configuration and markings of the Huron-Cross intersection to see if there are possibilities to make it safer for pedestrians and drivers.

OFFERED BY: Council Member Murdock

SECONDED BY: Council Member Richardson

Council Member Murdock stated this issue is a concern for many of the residents of this area of the City. Through conversations with representatives from MDOT there seems to be some interest in submitting a request to install these safety measures. He suggested the City apply to have the study complete, and see if MDOT approves the application. Mr. Kirton stated this was reviewed by the Traffic Review Committee and was not approved. Mayor Edmonds asked why it was not approved. Mr. Kirton responded because signs in between lanes on a one way street could be dangerous and

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the posted speed. He added MDOT will always say to submit a plan, but he is not certain the chances of it being approved.

Mayor Edmonds recently heard of a community that asked its voters to increase the mills above the Headlee cap, and it was approved. The community now collects that extra tax even though it is against state law. She suggested the City install signs even if MDOT rejects the application. Council Member Robb asked if the community is in the state of Michigan. Ms. Edmonds responded in the affirmative. Mr. Robb stated he does not believe any other jurisdiction is at the full 20 mills other than Ypsilanti. Council Member Murdock stated if the City does not apply it definitely cannot be approved. Mr. Kirton stated if this is approved the City would be required to remove it during the winter months.

Council Member Vogt stated he is in favor of putting the bumpers between the lanes to prevent merging at the lane at the turn. Pedestrian crossing signs at that intersection may create a greater safety risk, and explained the only way to protect pedestrians is a stop sign, or signal. He suggested an incremental approach; first dividing the two lanes followed by stop signals. Mayor Edmonds responded people cross that road countless times throughout a day. Mr. Vogt responded pedestrian crossing signs would do little to protect those pedestrians, only a signal could make those crossings safer. Ms. Edmonds asked if the suggestion is a stop sign on every corner. Mr. Vogt responded at least at Washington.

Council Member Robb stated MDOT does not have design specifications on its website, and his concern is having a stop for pedestrian sign with a 30 mile per hour posted speed. Mr. Robb stated the crash data provided is evidence that bollards is not the solution to that problem. He said there are concerns for pedestrian crossings along cross and he doesn't deny that, but those issues can be solved if MDOT allows it.

Council Member Bashert asked if the speed limit could be lowered on Cross St. Council Member Murdock responded no. Council Member Robb replied the City could petition to have the speed limit reduced. Mr. Murdock stated if the City installs signs and it reduces speed, it would be easier to get MDOT to reduce the speed limit. Mr. Early explained the City can petition MDOT to perform a speed study, and speed limits are set at the 80 percentile of what traffic is moving. Ms. Bashert asked if the study would disregard Cross abutting a college campus. Mr. Murdock responded yes, the study would disregard that fact.

Mayor Edmond stated some communities are changing speeds to strange numbers to raise a driver's awareness about their speed, and asked if it is effective. Mr. Early responded yes. Council Member Robb replied the City can only change speeds on street it controls. If the state is petitioned to change a speed they will change it to whatever the study dictates.

Council Member Murdock stated some drivers do not obey traffic signs and some do, and the more that obey them the safer it will make residents. He said he believes the signs will slow down traffic as the sign on Congress last summer did, or like the ones in Ann Arbor, and Chelsea. The Huron and Cross intersection left turn lane is dangerous for both pedestrians and motorists, and bollards could have the potential to make the crossing safer.

Council Member Bashert stated she is okay with installing signs that people will not pay 100% attention to, and with a three season bollard. Council Member Murdock stated he is not certain the bollards would need to be removed. Ms. Bashert responded for the purpose of plowing in the winter. Mr. Kirton stated it is possible the bollards would need to be removed during the winter.

Council Member Robb asked if there is any data to support bollards will do anything to remedy the problem. Mr. Early responded no, when it has worked it was on roads with low speed. Mr. Robb stated he would like to remove the bollard because the data does not support it will be effective. Council Member Murdock replied the facts support bollards effectiveness. Mr. Robb responded the data he is referencing was sent out by Mr. Murdock, and it does not support his claim.

On a roll call, the vote to approve Resolution No. 2017-049 was as follows:

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

VOTE:

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

XII. LIASON REPORTS –

- A. SEMCOG Update – Meeting on Friday, February 24th.
- B. Washtenaw Area Transportation Study – Council Member Murdock stated there was an interesting discussion on how to allocate additional state funding. He said there was some interest in installing a mid-block crossing on Washtenaw by Glencoe Hills Apartments. Usually construction on a state trunk line would be paid for by the state, and might use some of the state highway funds to complete the project. The Technical Committee strategized what to if funding becomes available in the future. The question was asked why is there discussion on a mid-block crossing on Washtenaw when the pedestrian crossing on I-94 has been waiting for funding for years.
- C. Urban County - None
- D. Freight House – Council Member Murdock stated a part-time manager was just hired last week.
- E. Parks and Recreation - None
- F. Ypsilanti Downtown Development Authority – Mayor Edmond stated the last meeting there was discussion on
- G. Eastern Washtenaw Safety Alliance - None
- H. Police-Community Relations/Black Lives Matter Joint Task Force – Mayor Pro-Tem Brown continues to work toward the formation of a police review/advisory committee and will submit a suggestion in April.
- I. Friends of Rutherford Pool – Council Member Bashert stated the pool is looking at some future capital improvements in updating the bath house and some additional equipment.

XIII. COUNCIL PROPOSED BUSINESS –

Richardson

- Stated she appreciates all that the Community and Economic Development Department does, but she has asked for an update on Water Street twice and is yet to be provided one.
- On Friday, February 24th from 4 pm to 6 pm the Parkridge Community Center will be holding its African American Annual Program.
- At 6 pm on Friday, February 24th the Brown Chapel AME Church will be holding its 63rd Annual Brotherhood Banquet.

- The construction being complete at Parkridge is supposed to have Section III workers, and there are none.

Mayor Edmonds stated the report provided by YHC Director Zach Fosler listing contractors and sub-contractors that are Section III workers. Council Member Richardson responded she is referring to what is happening now, and said she drives past the location every day. Ms. Edmonds asked if it is the same contract. Ms. Richardson stated she drives past each day and does not see any African American workers. She explained most of the workers are from the Grand Rapids area, and there are people in Ypsilanti that need jobs. Ms. Edmonds asked if Mr. Fosler should provide an additional report. Ms. Richardson responded Council needs a different report for this specific project.

Robb

- The Birdcolor, LLC OPRA will be expiring at the end of the year and have been working very slowly. He asked if staff could remind them of the upcoming expiration.

Ms. Ernat responded in the affirmative.

- Strongly suggested the City needs a social media policy and is willing to draft one for approval.

Bashert

- The committee working on the Water Street Debt Millage Petition Drive is having a kick-off Saturday, February 25th at the Freight House.
- The American Center for Mobility Facility at the former Willow Run plant will be bringing around 200 employees to the area, and the City might want to do an outreach to get them to move to Ypsilanti.
- She and Mayor Edmonds met with Joseph Golder who has agreed to have a survey of his property completed. If he is right the City would pay for the survey, and work through a settlement. If he is wrong he would be responsible to pay for the survey, and drop his pursuit of a settlement.

Assistant City Attorney Dan DuChene stated this agreement would be similar to one that was made in the past, but in that case no settlement was signed. Council Member Murdock explained an agreement was made similar to the proposed agreement. However, the past agreement required Mr. Golder to pay for half of the survey up front, which Mr. Golder did not agree to. Mayor Edmonds stated this agreement states the City would pay for the survey and would be reimbursed. Council Member Vogt stated he would not approve that agreement. He asked alternate language be drafted, and said if the survey is not does not rule in favor of Mr. Golder he will not pay. He asked will the City or will the surveyor try and collect from Mr. Golder. Mr. DuChene responded the way he understands it is the City would pay for the survey, and if the survey rules in the City's favor it would collect form Mr. Golder.

Council Member Vogt stated he has never seen a survey that could clarify this issue. Another issue is what the survey will be compared to in order to see if Mr. Golder is correct. Council Member Bashert responded language could be built into the agreement if the survey states "X" or "Y". She explained Mr. Golder has a pretty clear idea of where he believes his property line is. Mr. DuChene stated the process is to provide the surveyor with any materials, then complete the survey and compare it to what is currently on record. It might be a very unique survey, in that the surveyor would be given two sets of documentation. Mr. Vogt stated the core of his

question is what the correct title history is. Mr. DuChene asked if he is recommending an independent title search and survey. Mr. DuChene responded no, and he believes there have been several title searches completed the question is which one would be used.

Mayor Edmonds stated Mr. Golder's claim is that a proper survey was not complete at the time of construction. She said Mr. Golder also claims that County records over time have changed. Mr. DuChene responded he believes that is Council Member Vogt's point of what title search should be used in the survey, and if there is a dispute of which is the correct title search then the survey will not answer the question.

Council Member Murdock stated several construction projects occurred on that street including the widening of Washtenaw, which occurred decades ago. He explained Mr. Golder met with him, the City Attorney, former City Assessor Carol Clare, and Mr. Golder's attorney. An agreement was made that the City would do a survey if Mr. Golder would abide by the results of the survey. Mr. Golder was agreeable until he saw the ten page document from the Attorney's Office. Then he found objections in the document and refused to sign. Mr. Murdock added Mr. Golder has been given multiple chances to speak his case, and now he should get an attorney to settle this matter in court.

Council Member Vogt stated he isn't certain of the statute of limitations, but it has been years since this came up and should have done something before construction started, and at this point he has waived his rights. He said he believes his rights were waved in the 1970's when Washtenaw was extended by a previous owner, and he does not believe there is a basis for his claim. He said he is fundamentally opposed to paying anything under any circumstances. Council Member Richardson stated if that is the case she would be against paying money for a survey.

- She asked for a status update with the storefront on Congress. Ms. Ernat responded the owners have had family issues and have not raised the estimated funds they had hoped. The building had more issue than was expected and progress has slower than expected.

Council Member Murdock asked for a status update of the former Pub 13. Ms. Ernat responded the owners have gone through several maladies in funding. One is a result of how the corporation is setup and the second is the SVA loan they applied and were approved for informed them it would no longer be eligible. The owners had to essentially restart the process, and are currently working with a bank and have a letter of intent for financing. Staff met with the owners last week and discussed the project with the MEDC. She stated there are bricks falling of the rear of the building, which will require more emergency repair. However, because an OPRA has been approved construction cannot begin until the loan goes through. The outside repairs are outside the jurisdiction of an OPRA and will have to be fixed immediately. Ms. Ernat added the project is still very promising. Mayor Edmonds added the owners have been caught up in several bureaucracies and have had to restart the process.

Council Member Murdock asked status of 16 N. Washington. Ms. Ernat replied there has been no progress. Staff has attempted to make contact with the owner and has been unsuccessful. Mr. Murdock responded it is his understanding the building is for sale. Council Member Robb replied the equipment is for sale, not the building. Ms. Ernat stated the equipment is for sale and the building, at one time, was for lease. However, the phone number provided has since been disconnected. The taxes have not been paid for almost three years, and if not paid by March the building will go to auction. She added the City might want to discuss its options to claim that property. Mr. Robb stated that building has numerous structural issues and the City

should not claim that property. Ms. Ernat replied the reason she thinks the City should claim the property is when buildings go to auction they sell for very little and become very easy for the purchaser to walk away from the investment.

Council Member Murdock stated 169 Washington had a fire around two years ago and little has been done in repairs. He added no permits have been taken out for repairs, yet the taxes have been paid. Ms. Ernat responded the building is on the Dangerous Buildings List, and recently she and the Building Manager toured three-quarters of the City and there are sixteen buildings on that list.

Ms. Ernat stated the owner of 210 N. Washington, which had a recent fire, has been in contact with the City and has submitted drawings and will be applying to the Planning Commission for a Non-conforming Use. Council Member Robb stated during the last meeting Council has informed that building was uninsured. Ms. Ernat responded the building is uninsured, however, the owner does have capital to make the necessary repairs.

— Asked if there were any updates on the Bell/Kramer neighborhood.

Ms. Ernat responded no, but the City's representative from the Department of Environmental Equality is going to reach out individually to every home.

Council Member Murdock asked for an update on the former Elbow Room. Ms. Ernat responded progress is moving slowly but work does not continue.

Mayor Edmonds asked for an update on Ma Lou's restaurant. Ms. Ernat responded their Facebook page lists March 3rd as the opening date.

Council Member Murdock stated the Downtown Development Authority has several projects that are coming up for funding. One building is the "Green Room" which is now going to be opened as "Ziggy's". Ms. Ernat responded in the affirmative. Mr. Murdock stated the DDA's Finance Committee's minutes stated much of the construction completed by the former owners were not up to code and need to be redone, which is why the owners of Ziggy's were applying for a DDA grant. He asked why construction was completed by the former owner that was not up to code, and said the last owner used as a coffee house and wasn't permitted by the Health Department. Ms. Ernat responded the previous use was not a coffee house, it was approved as an assembly. Mr. Murdock replied when he went to that business it was selling coffee. Ms. Ernat stated the work that was completed by permit was all inspected and approved. If work was completed without a permit and the City was unaware it cannot make claim to the quality of the work.

Murdock

— Asked if it were possible to begin using polycarbonate for building board-ups.

Ms. Ernat responded a sheet of four by eight polycarbonate costs around \$142 versus \$29 for a board up shell. Council Member Murdock responded he understands there will be an additional cost to the City, but the current methods are a detriment to the neighborhood. Ms. Ernat stated other issues that should be considered are cutting the material is more difficult and when patching it can leave air gaps. Mayor Edmonds responded self-tapping tech screws should be used when patching. Mr. Murdock asked if the City's contractor is Belfore, and would imagine they are aware of this material. He stated he wouldn't expect a person who had damage done to their window to use this material if it is for a short amount of time. Mayor Edmonds stated there are other options; such as murals being painted on the board-up plywood. Ms. Edmonds asked if board up material is clear and the building is filled with junk

perhaps the material should be blacked out. Ms. Ernat replied staff would not use clear material. Mr. Murdock stated the ordinance already requires the window to be taped.

Vogt

— Stated he would like to know what the standards would be if the City lost the Golder issue.

XIV. COMMUNICATIONS FROM THE MAYOR –

- She and Mayor Pro-Tem Brown attended Ashely Fox’s class at Ypsilanti Community Schools it Ypsilanti High School. They answered questions regarding City government and it was a great experience.
- She and Council Members Bashert and Murdock held an information session with the applicants to the Sustainability Commission. Currently she is awaiting on what department will provide the staff liaison.
- Applications have been closed for “Pitch Ypsi”. The event received sixty applications of business that would operate in zip codes 48197 and 48198. She said venues needed to be changed because of the demand for tickets. She was overwhelmed by the amount of Ypsilanti Area residents who are excited to start a business in the City.
- Ann Arbor is considering mirroring the City’s Non-discrimination Ordinance (NDO).
- The Attorney’s Office is drafting a guide for the NDO.
- There is a push in the State House to eliminate state income tax, and if this Council is against it should make the lobbyist aware.

Council Member Bashert stated she is strongly against the elimination of the state income tax. Council Member Vogt agreed.

Council Member Richardson moved, Seconded by Council Member Bashert That the City Council of the City of Ypsilanti strongly opposes the elimination, or reduction of the State of Michigan Income Tax, and that if eliminated it would be severely detrimental to the State and the municipalities in the State.

On a roll call, the vote to approve Resolution No. 2017-051 was as follows:

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

VOTE:

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

XV. COMMUNICATIONS FROM THE CITY MANAGER –

- Interim City Manager Frances McMullan thanked Council and staff for their support as she served as City Manager.
- On Friday, February 24th the new City Manager will be sworn in, and invited all to attend.

XVI. COMMUNICATIONS –

- Planning Commission 2016 Annual Report.
- Historic District Commission 2016 Annual Report.

XVII. AUDIENCE PARTICIPATION –

1. Reza Rajabi, 110 N. Summit, stated he is displeased with the water bond that was placed on his property.

XVIII. REMARKS FROM THE MAYOR –

XIX. ADJOURNMENT -

Resolution No. 2017 - 048, adjourning the City Council meeting.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

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

On a voice vote, the motion carried, and the meeting adjourned at 9:45 p.m.



REQUEST FOR LEGISLATION
April 4, 2017

To: Mayor and Council

From: Beth Ernat, Community and Economic Development

Subject: Medical Marijuana Revenue Sharing Proposal

SUMMARY & BACKGROUND: In 2016, the State of Michigan approved three new laws regarding the medical marijuana industry. The new laws outline the beginnings of a funding distribution formula which allocates the tax revenue generated from medical marijuana sales. An excise tax of three percent will be placed on the end-user at the point of sale. The revenue will go to the state to be distributed to state agencies, county sheriffs, municipalities and counties. Municipalities that have chosen to permit medical marijuana facilities are slated to get 25% of the revenue generated based upon the number of facilities in the community. The new law does not make a clear distinction between the five different types of facilities: growing, processing, testing, transportation, and storefront dispensaries.

As there has been no formula proposed at this time for distribution to municipalities it was suggested from our lobby consultants that the City create a formula to be proposed and have our lobby consultants use that for a basis of lobbying the new Board created by the State to oversee medical marijuana.

The City solicited interested graduate students from the MPA program at EMU to help research and create a formula to be brought forward for consideration. As a semester project, two students, Katie Parrish and Alexa Timmreck provided the research and recommendation with the assistance and supervision of Dan DuChene, Assistant City Attorney, Bonnie Wessler, City Planner, and myself.

Please see the attached research paper. A presentation will be made to Council during the meeting. Staff is seeking direction from Council to provide this information to our lobby consultant with direction to lobby on our behalf for a formula that will be most beneficial to us and the communities that took the risk of allowing dispensaries in the community.

ATTACHMENTS: Student Research paper, Presentation, and resolution directing GCSI.

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: 4/4/2017

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2017 - 081
April 4, 2017

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

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

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

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council directs its consultant, GCSI to propose to the state rule making authority to use Ypsilanti's proposed allocation model for recommended revenue distribution; half of all revenue collected via the three percent excise tax be allocated to municipalities based on the number of dispensaries in the municipal boundaries.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

**Medical Marijuana Revenue Sharing to Municipal Governments in Michigan:
An Analysis and Distribution Recommendation**

Katie Parrish and Alexa Timmreck

April 4, 2017

Executive Summary

In late 2016, Michigan's state legislature approved three new laws regulating medical marijuana. In 2008, a ballot measure legalizing medical marijuana was approved by voters, but the law contained many regulatory ambiguities. The 2016 laws provide greater clarity for the medical marijuana industry and units of local government.

The new laws outline the beginnings of a funding distribution formula which allocates the tax revenue generated from medical marijuana sales. An excise tax of three percent will be placed on medical marijuana at the point-of-sale. This revenue will go to the state to be distributed to state agencies, county sheriffs, municipalities, and counties. Municipalities that have chosen to permit medical marijuana facilities are slated to get 25% of the revenue generated based upon the number of facilities in the community. The new law does not make a clear distinction between the five different types of facilities: growing, processing, testing, transportation, and storefront dispensaries.

The municipalities and counties that have chosen to act in the spirit of the voters and permit medical marijuana facilities should receive funding proportional to the number of facilities in their community, with revenue amounts weighted based upon the impact of the facility-type(s) on their community.

Our evaluation of impacts demonstrates that dispensaries have the greatest impact on a community, followed closely by grow operations. Dispensaries are visible, attractive targets of crime that are often placed in retail areas which are already predisposed to crime. Dispensary and grow facilities might also have an adverse impact on property values. Reports out of Colorado demonstrate that grow facilities take over abandoned industrial areas, creating odor issues and discouraging further commercial development.

We recommend that Michigan follow a weighted funding distribution model for the municipality allocation that account for the differing impacts and risks each facility presents, not simply the number of facilities in a municipality. The recommendation is that 50% of the municipalities' revenue share is distributed based on the number of dispensaries. 40% is distributed based on the number of grow facilities in a municipality. The remaining 10% based on the number of other facilities (processing, testing and transport) which have less of an impact on the community. This model provides municipalities the resources necessary to mitigate the risks associated with facility placement based upon level of risk.

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History of Medical Marijuana in Michigan and the City of Ypsilanti

In November 2008, 63% of Michigan voters approved the Michigan Medical Marijuana Initiative, a ballot proposal which legalized the use of marijuana for debilitating medical conditions. The initiative required patients and caregivers¹, to acquire permits to use, grow, and distribute marijuana (House Fiscal Agency 2008).

As part of the ballot initiative process, the proponents of Michigan's medical marijuana ballot measure were required to submit a draft of the legislation. After voters had approved the ballot measure, the state legislature was required to approve or reject the legislation without any changes. In December 2008, the state legislature approved the legislation which became known as Michigan Medical Marijuana Act (MMMA) in December 2008.

MMMA outlined how many plants a licensed patient or caregiver could produce, provided a system to register and provide identification cards to medical marijuana patients and caregivers, and provided some protections from criminal prosecution at the local and state level for the medical use of marijuana. Marijuana is still considered illegal under the Federal Controlled Substance Act in Title 21 of the United States Code. Despite Michigan's 2008 medical marijuana law, patients and caregivers can still be prosecuted and charged criminally at the federal level even if they are legally permitted to use or grow marijuana in Michigan (Arnold et al. 2016).

Ambiguity in the 2008 Law. MMMA of 2008 served as a first step in the legalization of medical marijuana in Michigan, but gave rise to several issues stemming from confusion over the intent of the law. The law did not explicitly allow any method for acquiring the seeds to grow marijuana. The law also required that the product be stored in an "enclosed, locked facility" but did not describe what constitutes such a facility. The law created confusion regarding the legality of dispensaries. The law was also vague regarding caregiver payment and what was an appropriate amount of compensation for the risks associated with cultivating medical marijuana, as federal law recognizes the product as illegal (Wolfe 2012).

While some municipalities outlawed medical marijuana facilities, the City of Ypsilanti was one of the first municipalities to permit a medical marijuana (MMJ) facility. The City of Ypsilanti's first dispensary opened in the city's downtown in 2009. Due to the ambiguity regarding the legal status of dispensaries, there was no requirement to be licensed as per state law, but Ypsilanti's local ordinance did require it (Perkins 2011).

¹ The licensed individuals who grow and supply medical marijuana to patients.

In July 2010, the Ypsilanti City Council approved a three-month moratorium on licenses but approved a medical marijuana zoning ordinance. The ordinance allowed dispensaries in three city business districts. The facilities cannot be within 1,000 feet of a school and marijuana cannot be grown or consumed on the premises. The City allows grow facilities in industrial areas. All facilities must be at least 500 feet apart from one another (Keeping 2010). In 2013, the City of Ypsilanti approved a cap on the number of facilities that can operate in city limits (Perkins 2013).

Overview of Michigan's New Medical Marijuana Law

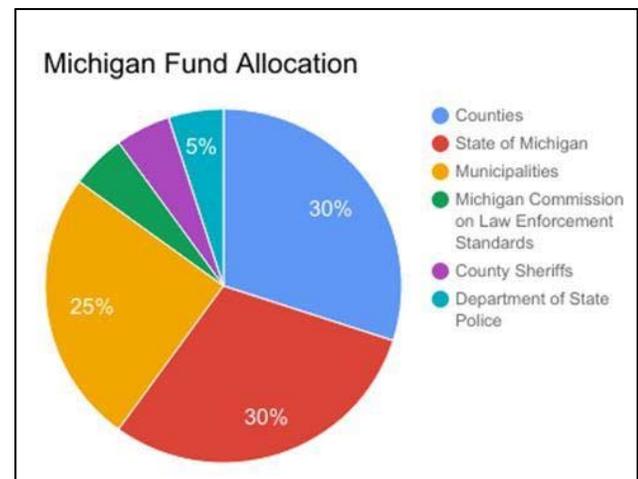
In 2016, the Michigan State Legislature approved Public Act 281 to alleviate the ambiguities that resulted from voter-approved MMMA of 2008. The new act establishes statewide standards for regulation and taxation of medical marijuana.

Act 281. Act 281, known as the Michigan Medical Facilities Licensing Act (MMFLA), sets statewide standards for medical marijuana regulation and a process for facilities to receive state approval and certification. The Act sets guidelines for local autonomy. Municipalities have the option to authorize all, any, or none of the five facility types through the passage of a local ordinance and zoning. Following local approval, the state will approve or deny each facility's permit. Full moratoriums are acceptable.

This Act also establishes the Medical Marijuana Licensing Board (MMLB), an entity created to establish rules and review business license applications. The MMLB will also participate in administrative rule-making for Act 281. As a part of this rulemaking, the MMLB will be tasked with outlining the specifics of medical marijuana tax revenue distribution.

Act 281 outlines a formula for revenue sharing. Medical marijuana is subject to a three percent excise tax at the point of sale, collected by the state. The revenue is then disbursed according to the following formula:

- 25% to municipalities, based on the number of facilities therein.
- 30% to counties, based on the number of facilities therein.
- 5% to counties exclusively to support county sheriffs.
- 30% to the State of Michigan's first responder's workman's compensation fund.
- 5% to Michigan Commission on Law Enforcement Standards.
- 5% to the Michigan State Police.



Medical Marijuana Facility Types. The new medical marijuana law establishes five categories of medical marijuana facilities. There are also classes within some of these categories which require different types of licenses. Facilities can only operate within an area that is appropriately zoned by a local ordinance, which provides local control over approval and placement of medical marijuana facilities. The categories are growers, testing, processing, transportation, and distribution.

Growers. Marijuana is grown at these facilities and is later sold and transported to processors and

distributors. There are three license classes for growers, based on size:

- Class A licenses allow up to 500 plants
- Class B licenses allow up to 1,000 plants
- Class C licenses allow up to 1,500 plants

Testing. Testing facilities test product compliance with established safety standards. These facilities conduct state-mandated tests of marijuana to provide quality control and confirm the potency. Testing looks for contaminants such as mold, fungus, and other pesticides which could adversely impact patients' health.

Processing. Processing facilities serve as the middle man between the growers and the dispensaries which sell the product to patients. In processing, the medical marijuana could be merely trimmed, dried, and packaged, or it could be processed to produce edibles and other marijuana-laced products.

Transportation. Marijuana must travel between facilities as it moves through the chain of production. State law regulates this transportation. Legal transportation of medical marijuana products requires close adherence to state standards.

Provisioning. Medical marijuana is sold to medical marijuana patients at provisioning facilities. These distribution facilities are commonly referred to as dispensaries and are the most visible form of medical marijuana facilities.

Michigan's Taxation & Revenue Distribution Models Compared to Other States

Twenty-nine states and the District of Columbia have legalized medical marijuana in some form. No two states follow the same exact revenue collection and distribution model. States employ different systems of taxation and distribute funds to state agencies, programs, and/or municipalities in different ways. These different revenue collection and distribution models provide useful considerations in determining the specifics of Michigan's model, as the state must still determine the sub-categorized distribution of the excise tax revenue based upon facility type.

The Case in Michigan. The State of Michigan levies a three percent excise tax on medical marijuana sales. The excise tax revenue will be municipalities' only dedicated source of funding to address the needs and services related to medical marijuana legalization. Michigan's municipalities and counties primarily rely on property taxes to fund services. Property taxes cannot be tailored specifically to medical marijuana facilities and sales (CRC 2011).

Taxation Models for Medical Marijuana. States that have legalized medical marijuana employ four different taxation models. The first model is no taxation. Massachusetts does not tax medical marijuana because it considers marijuana to be a medical prescription and is thus exempt from taxation. In Massachusetts, all distribution facilities are nonprofits, further removing medical marijuana from the tax structure (Massachusetts Department of Revenue 2015).

The second category of taxation includes states that impose only their general sales tax and local sales taxes on medical marijuana products at the point of sale; no additional excise taxes are applied. An example is Arizona, where medical marijuana is subject to the 5.6 percent sales tax to which all consumer goods are subject (Horne 2011).

In the third category are states that have enacted an excise tax in addition to existing state and/or local sales taxes. In New York, a seven percent excise tax is placed on medical marijuana end-user retail purchases (New York State Department of Taxation and Finance 2016). New York's local governments are permitted to collect a local-option sales tax in addition to the state's sales tax.

In the fourth category is a multi-point excise tax collection. In the previous categories, tax is levied at the point of sale. With multi-point taxation, the product is taxed at multiple stages in the production process. Nevada imposes a two percent excise tax at the cultivation facility, again at the production facility, and again at the dispensary. At the point of sale, the final product is also subject to state and local sales taxes (Nevada Department of Taxation 2016). Multi-point tax revenue collection is less popular and more difficult to collect than simple point-of-sale tax collection (Henchmen and Scarboro 2016).

Overview of State Revenue Distribution Models. As we saw with taxation models, revenue distribution models differ from state to state. Some states, including Michigan, share medical marijuana revenues with counties and municipalities. There are two categories of revenue distribution: states that exclusively allocate revenue to state programs, and states that allocate some part of funds to localities according to the number of facilities in a community.

The first approach to revenue distribution allocates funds to state programs dedicated to offsetting the negative impacts of medical marijuana facilities. Nevada employs this approach. Nevada's excise tax is earmarked for distribution to schools and health programs. 75 percent of funds are allocated to a state school account and 25 percent is allocated to the health division of the Department of Health and Human Services (Nevada Department of Taxation 2016).

Pennsylvania follows a similar model, allocating the revenue generated through their five percent excise tax to programs specifically linked medical marijuana impacts. The state allocates 55 percent to the Department of Health, 30 percent to research related to the safety and use of marijuana, 10 percent to the Department of Drug and Alcohol Programs for drug abuse prevention, counseling, and treatment. The remaining five percent is allocated to local police departments.

Michigan's new law allocates five percent of the total excise tax to county law enforcement agencies, but does not specify how revenue should be allocated to offset the non-criminal impacts of medical marijuana, as seen in Nevada and Pennsylvania. As a result, the responsibility for addressing MMJ's potential impacts is passed on to the local levels of government where marijuana use and impact is more immediate. This operational reality makes the municipal and county funding formulas a critical element of the MMJ revenue distribution model.

States employ different methods for distributing MMJ tax revenue to municipalities. One approach is the distribution of funds based upon gross excise or sales tax receipts. Another model is revenue distribution based upon the number of facilities in a locality. Michigan law specifies that funds be allocated based on the number of facilities, but does not outline the percentage of funding that should be distributed based on the type(s) of facilities in a municipality. Michigan has five different types of medical marijuana facilities, each with differing impacts on a community.

Oregon serves as an example of what a funding model that accommodates for facility impact could look like. In Oregon, different funding mechanisms have been utilized at different points in medical legalization and recreational legalization process. Although Oregon does not levy an excise tax on medical marijuana, the state did levy a tax on recreational marijuana sold at medical dispensaries as a part

of an “Early Start” program.² Although the revenue was collected from a retail product, not a medical product, the revenue distribution formula was similar to what Michigan’s new law has outlined.

In Oregon’s model, revenue is collected through an excise tax and the state sales tax at the point-of-sale. The funds are then distributed to a variety of state sources, cities and counties. The amount distributed to cities is dependent upon the number of facilities in the city, through a formula that weighs facilities differently based upon their impacts to a community (Oregon Department of Revenue Research 2016).

The revenue that Oregon collected under the “Early Start” program was distributed as follows: 40 percent to Mental Health Alcoholism and Drug Services, 20 percent to Oregon State Police, and 20 percent split between city and county governments, with 10 percent of marijuana tax revenues allocated to cities and 10 percent of revenues allocated to counties. Of the ten percent allocated to cities, fifty percent of revenue is distributed to the city based on the number of retail (dispensary) licenses. The remaining fifty percent is distributed to cities based on the number of all other facilities in a locality (Oregon Department of Revenue Research 2016).

In Oregon, the revenue received by municipalities is intended for law enforcement and therefore, the model is not a perfect match. Michigan has already outlined funding for law enforcement efforts, both state and local. However, Oregon’s model does acknowledge concerns regarding the differing impacts of medical marijuana facilities in a municipality. Oregon’s formula provides more revenue based upon the number of dispensaries in a community, acknowledging that dispensaries have a greater impact on a community than other types of facilities. This model keeps MMJ tax revenue concentrated where the facilities are located based on their impact. The potential negative impact of other types of MMJ facilities is not disregarded, as every type of facility qualifies a local government for some revenue sharing.

² Before the licensing and establishment of recreational marijuana facilities, Oregon’s recreational users purchased marijuana from medical dispensaries under the state’s “Early Start” program. Medical marijuana was subject to the state’s sales tax until Oregon’s 2016 Senate Bill 1601 removed this taxation. The collected revenue during this period of time was allocated to specific sources, providing a model for other states with intentions of eventually transitioning to legalized recreational marijuana use (Oregon Department of Revenue Research 2016).

The Impacts of MMJ Facilities on a Community

MMJ facilities will have differing impacts on a municipality depending on the facility type, number of facilities, and where the facilities are placed in a community. This analysis focuses on how MMJ facilities may impact safety, the welfare of residents, and economic vibrancy of communities. While all five types of facilities were considered, this section focuses on the impacts of storefront medical marijuana dispensaries, as dispensaries have been the focus of a comparatively high number of studies to date. The impact of grow operations is also explored. Grow facilities appears to be the facility most likely to impact a community, second to dispensaries.

Throughout this analysis, readers should remain mindful of the adage that “perception is reality.” Marijuana has been socially constructed as dangerous and immoral since the 1930s when fears of “reefer madness” framed users as criminals prone to violence. The “gateway drug” hypothesis furthered this notion – implying that marijuana users tend to use other illicit drugs which make them more likely to engage in violent, criminal behavior (Anderson et al. 2013). This stigma around marijuana users is likely to carry over into the public’s perception of MMJ facilities, making them a less desirable use of land and a magnet for crime, thus potentially impacting property values (Boggess et al. 2014, 317).

Impacts on Crime. We explored whether medical marijuana facilities, specifically storefront dispensaries, encourage crime, and if so, what types of crime. Research on the direct relationship between medical marijuana facilities and crime is scarce. Where we do find studies, data is often anecdotal - aggregating news clippings and specific stories of crime, or regionally-specific examinations of a single city or state which makes it difficult to generalize findings.

Where some researchers found increases in crime, others found no correlation, and some found a correlation with a decrease in crime once MMJ dispensaries were built. In the following sections, the existing research on crime is presented along with two theories that explain when crime is likely to occur and what types of facilities appear most likely to cause crime.

Summary of Findings Regarding Crime. Medical marijuana dispensaries appear more at risk for property crimes, such as burglaries. This trend is attributable to a dispensary’s cash operations³ and the valuable amount of marijuana located inside the facility. The patients who visit storefront facilities to purchase the product might also be targets for robberies as they approach or leave MMJ facilities (California Police Chiefs Association 2009; Kepple & Freishler 2012).

In 2009, the California Police Chiefs Association published a widely cited, but not peer-reviewed, white paper regarding the impact of marijuana dispensaries on California cities. The report made claims

³ Federal law prohibits banks and credit unions from taking marijuana money.

of increases in crime, DUIs, and robberies in the vicinity of dispensaries. The report also noted the criminal element that takes shape in a community after a facility is constructed; that purchasers sell and smoke the product on the streets and that organized crime gangs use dispensaries as a storefront for money laundering (California Police Chiefs Association 2009). Academic inquiries have also demonstrated that marijuana use (legal or not) is associated with higher levels of illicit drug use and an increased risk of violence, known as the “gateway drug” hypothesis (Cleveland & Wiebe 2008).

Where some studies find evidence of a positive correlation between marijuana dispensaries and crime, others present evidence to the contrary. As outlined in *Planning for Marijuana: The Cannabis Conundrum*, “the only two peer-reviewed studies on [MMJ facility] impacts—both cross-sectional in design—find no significant association between dispensary density and local crime in several California cities” (Nemeth & Ross 2014, 7).

When you look at marijuana crime and legalization broadly – not the specific impacts of a certain type of facility – marijuana legalization appears to reduce certain violent crimes, such as homicide and assault. The decrease in violent crimes might be related to a correlational reduction in alcohol consumption associated with marijuana use (Morris et al. 2014). In states that have legalized medical or recreational marijuana, the reduction of alcohol consumption amongst young adults is pronounced (Anderson et al. 2013).

The Effect of Medical Marijuana Laws on Crime: Evidence of State Panel Data 1990-2006 was the most broadly applicable inquiry into the relationship between medical marijuana facilities and crime. Examining crime data from all 50 states, researchers found that overall robbery and burglary rates were unaffected by medical marijuana legalization. It is important to note that this study examined the broader impacts of medical marijuana legalization, not specifically the impacts of a MMJ facility in a locality. Regardless, the study joins the body of research that provides sound evidence that crime rates in a community are unaffected by medical marijuana legalization (Morris et al. 2014).

Reported vs. Unreported Crime Rates. The studies cited in this inquiry examine the rates of reported crimes. The number of reported crimes may not reflect the true number of crimes committed at marijuana dispensaries. In California, law enforcement officials noted that store-front dispensaries, their employees and patrons were often victims of robberies and burglaries, but did not report the crimes due to the fear of being arrested themselves (California Police Chiefs Association 2009, 26).

Crime Theory. In the face of limited data and a lack of true applicability of case studies to our situation Michigan, two theories help paint a picture of when and where crime is more likely to occur-- routine activity theory and the criminology of the unpopular. Both theories encourage us to think beyond

the MMJ facilities themselves and instead consider a municipality's demographic characteristics, use of land, and the economic condition of the neighborhoods where MMJ facilities tend to be built.

Based upon routine activity theory, MMJ facilities are contributors to crime if they meet three conditions: (1) presence of a motivated offender, (2) a suitable target defined by value, and (3) inadequate security and/or low levels of guardianship⁴ in the community which helps deter crime. When marijuana facilities and/or the surrounding community have strong guardianship, such as security and monitoring systems or a neighborhood watch, crime is less likely to occur because not all three criteria have been met (Kepple & Freishler 2012).

The criminology of the unpopular theory posits that some establishments are perceived to generate crime, or are associated with other facilities that are generators of crime. These establishments are unpopular on political, social, and/or moral grounds. Examples include payday lenders, liquor stores, drug abuse treatment centers, bars, liquor stores, and marijuana dispensaries. Research indicates that these unpopular facilities tend to cluster together, amplifying the negative impacts on safety and economic development. Additionally, the clustering of these facilities creates a "busy context" which may be a larger contributor to crime than any one undesirable facility (Wilcox & Eck 2011).

While research findings tell us that facilities have minimal to no direct impact on crime, the theories presented indicate that MMJ facilities may create crime when the conditions are right. They also tell us that MMJ facilities can create the perception of crime, which can impact the quality of life in a community. The consequence of residents' perceptions of crime is not to be understated. When people feel unsafe it shapes their behaviors, regardless of whether the fear of crime is perception or reality. People may change their routines, stay indoors and withdraw from civic life. As community life deteriorates, researchers have found a decline in a neighborhood's ability to deal with crime (Grohe et al. 2012, 198).

Beyond the Criminal: The Impacts of Facilities on Communities. Beyond crime, municipalities must also contend with the broader impacts when an MMJ facility is placed in their community. We want to underscore that there are many unknowns: ~~There is~~ minimal data exists on MMJ facilities and crime, ~~but even fewer and even less studies~~ data demonstrates the impact of ~~on~~ MMJ facility's sies ~~impacts~~ on property values and economic development.

In planning, a locally unwanted land use (LULU) is a use of land that has a real or perceived

⁴ Guardianship in a geographic area is related to the individuals or systems that monitor and regulate behavior that protects against crime. The presence of a neighborhood watch group would represent guardianship (Kepple & Freishler 2012, 524).

negative impact on those who live or work in the area, but often also a positive impact on the greater community. These negative impacts on a neighborhood include health hazards, depressed property values, and minimal economic development. Examples of LULUs include power plants, factories, and waste facilities. As a result of zoning ordinances, and relatedly, the strong opposition of affluent communities. LULUs tend to cluster in low-income communities of color (Nemeth & Ross 2014, 7). While MMJ facilities do not cause a direct environmental health concern for nearby residents and patrons, like many traditional LULUs, they may still serve as an undesirable use of land.

In *Do Medical Marijuana Centers behave like Locally Undesirably Land Uses*, researchers examined data from Colorado and found that MMJ facilities do not operate like LULUs. MMJ facilities were not disproportionately placed in economically disadvantaged areas in, but they were placed in areas with higher crime rates and higher proportions of non-white residents. This trend may be attributed to the fact that MMJ facilities are often placed in retail areas and because crime tends to follow retail concentrations (Bogges et al. 2013; Yuyan et al. 2016). Boggs et al. (2013) further state that, “the social construction of marijuana is likely to contribute to the view that medical marijuana centers are LULUs” (329).

The perception of MMJ facilities as undesirable might shape reality, particularly in the arena of property values and economic development. While the public is steadily viewing marijuana more positively, polling demonstrates that they do not want the facilities in their neighborhoods. The Pew Research Center found that 73% of Americans were in favor of their state legalizing medical marijuana, but 59% of people surveyed would oppose a medical marijuana store being opened in their area (PEW 2010). Other reports demonstrate that people fear MMJ facilities will reduce their property value, increase crime and lead to a decline in a neighborhood’s quality of life. In *Planning for Marijuana: The Cannabis Conundrum*, researchers state that MMJ facilities as “prototypical LULUs, or facilities that provide some recognized public benefit, even though virtually no one wants them in their neighborhood” (Nemeth & Ross 2014, 7).

There may be value in conceptualizing MMJ facilities as if they *might* be a LULU, depending on their placement in a high or low-socioeconomic status area. MMJ facilities are often LULUs because they tend to be built in locations with more LULUs (Yuyan et al. 2016). The public perceives MMJ facilities as an undesirable uses of land, likely due to the social construction of marijuana and its users. This lack of desirability might impact whether people invest in a community. Undesirable land uses pose an amenity risk to surrounding communities, which typically translates into negative economic effects on property values (Farber 1998).

~~There is a~~One study ~~found that~~ examined the impact of MMJ facilities on property values in

Colorado. After controlling for environmental variables, the study provided ~~tentative~~~~informal~~ evidence that legalizing retail marijuana leads to a six percent appreciation on housing. This study was not peer-reviewed, but was presented at a conference held by the American Real Estate and Urban Economics Association (Cheng et al. 2017).

A neighborhood's socioeconomic status may play a role in whether the impact of a MMJ facility is positive, negative or neutral. Due to the minimal amount of research regarding MMJ facilities, we looked at comparable facilities which face opposition on criminal or moral grounds to gain further insights on an MMJ facility's impact to a community. Liquor stores appear to be a fair comparison because they can serve as a congregation area for people involved in illicit activities. As B. Teh describes in *Do Liquor Stores Increase Crime & Urban Decay*:

“While some outlets may potentially increase crime and urban decay in their neighborhoods, others may be an important source of tax revenue, create jobs for residents and may also provide residents with services that they value.” (Teh 2008)

~~It We believe that it~~ might be too soon to assess MMJ facilities' impacts on property values. When examining property value impacts, it is difficult to isolate the impact of a single type of facility on local property values (Nemeth & Ross 2014). We know that LULUs may contribute to negative changes in a community, but it does take time for those impacts to manifest (Smith & Easterlow 2005).

Perception matters when it comes to property values and economic development. People need to believe that a neighborhood is on the rise, or that it has potential to rise, to feel confident making an investment. The presence of LULUs creates a risk which may inhibit investment in a community and cause property values to decrease (McCluskey et al. 2001). Developers are especially attuned to potential losses in revenue from commercial businesses that do not want to locate near an MMJ facility (Nemeth & Ross 2014).

Recent data from Colorado suggests that marijuana dispensaries act like LULUs because they tend to cluster in lower income neighborhoods with higher populations of minorities (Yuyan et al. 2016). Colorado authorized recreational marijuana in 2012. Prior to legalization, the state had authorized medical marijuana in 2000. While legalization has led to explosive growth in facilities that Michigan is unlikely to mirror, the story of where Colorado's facilities have been built, and the impacts of facility placement on marginalized communities should be noted.

While the community impacts of medical marijuana facilities remain an understudied field, some academics and journalists have begun to document the impacts of facility placement in Denver. What we can glean from Colorado's experience ~~complements our~~~~reinforces the~~ theory that socioeconomic status

plays a large role in community impacts, and may explain the discrepancies seen in crime data.

In Colorado, marijuana stores are more likely to locate in neighborhoods with high crime rates (Yuyan et al. 2016). In Denver, marijuana facilities are more likely to be located in lower income communities. Low-income, minority communities are home to most of Denver's marijuana grow operations, which have cropped up in vacated manufacturing areas outside Denver (Migoya & Baca 2016; Murray 2016).

Elyria-Swansea, a predominantly Hispanic, industrial neighborhood in Denver has roughly one marijuana business for every 91 residents. This is an example of clustering, commonly see with LULUs. Grow facilities are common in Elyria-Swansea and have claimed tracts of real estate that could have been developed for other purposes (Murray 2016). The neighborhood's grow facilities have led to odor issues which prompted the city to approve an odor ordinance. As described by *The Denver Post*:

“Odors from the pot grows and fears of rising crime and youth marijuana usage top the neighborhood concerns. There have been persistent complaints about unlocked trash bins — by law they are supposed to be padlocked when not in use — and vagrants picking through them for marijuana remnants.” (Migoya & Baca 2016)

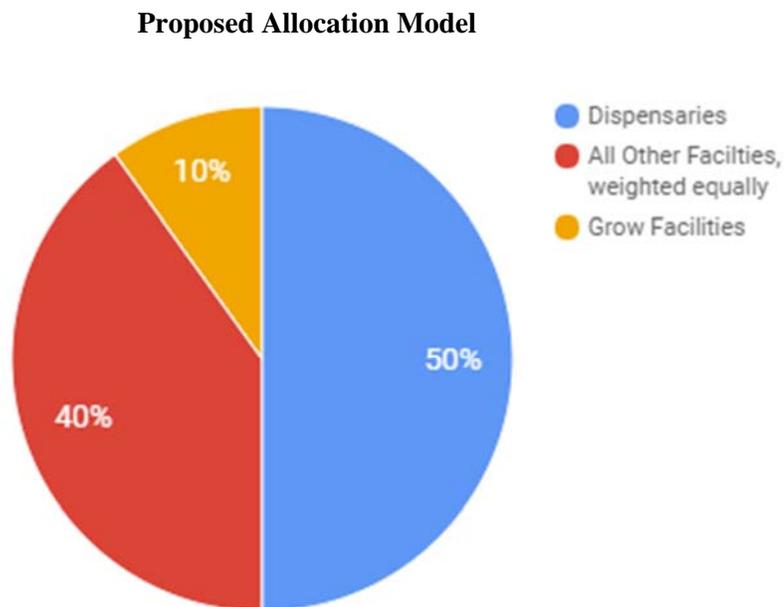
Perhaps†The disproportional placement of MMJ grow facilities in low-income areas is [likely](#) attributable to zoning ordinances, which are typically designed by localities – not the state or federal government, [and land values](#). In Denver, 46% of the land in poor areas was available for facility placement, versus 29% in wealthier areas. 35% of available land was in neighborhoods where less than 50% of the population was white. In majority-white neighborhoods, only 29% was available for the placement of a marijuana facility (Nemeth & Ross 2014).

Recommendations for a Revenue Distribution Formula

In 2008, the people of Michigan voted in favor of providing medical marijuana to qualifying patients with debilitating medical conditions. While some Michigan municipalities have prohibited MMJ facilities in their communities, other cities such as Ypsilanti have acted in the spirit of the law and are providing patients with a legalized medical product.

A portion of Michigan’s medical marijuana tax revenue has been earmarked for both state and local law enforcement. When examining crime data from all 50 states, researchers found that robbery and burglary rates were unaffected in states that legalized medical marijuana (Morris et al. 2014). The existing allocation of funding to law enforcement is likely sufficient. The responsibility to respond to impacts beyond crime, such as protecting property values and encouraging economic development, will fall to local governments and require financial resources.

For the municipalities that have chosen to provide this public service, we recommend the following funding formula which distributes revenue based upon the number of facilities in a municipality and the “weight of impact” that a facility type has on a community. In this model, money stays within the community it is collected from, the real and potential impacts of facilities are considered, and every municipality that agrees to house a medical marijuana facility receives a portion of funding to support their decision.



Under the recommended revenue distribution model, half of the revenue collected via the three percent excise tax is allocated to municipalities based on the number of dispensaries in the municipality. This arrangement reflects the tax collection relationship and accommodates for the impact that

dispensaries will have on the surrounding community.

Dispensaries are the most visible of all MMJ facilities. They are often storefronts, located in busy retail areas which are already predisposed to crime. Due to federal law, dispensaries are a cash-only operation. Dispensaries also store a valuable amount of marijuana. Both these factors make dispensaries, their employees, and [their](#) patients a target for crime.

Dispensaries are also likely to face resistance from communities due to perception that marijuana use is criminal and its facilities are attractors of crime. While there is no research on the direct relationship between dispensary placement and property values, property values do decline when there is an increase in perceived risk due to the placement of an undesirable facility in a community. There is evidence that MMJ facilities, particularly dispensaries and grow operations, serve as an undesirable use of land. Municipalities will require resources to support neighborhoods with dispensaries and encourage continued commercial activity and economic growth.

If Michigan follows a similar ratio of facility types as seen in Colorado, [where grows outnumber dispensaries 8:5](#), dispensaries will be the second most abundant type of facility, [outnumbered only by grow facilities](#). By allocating 50 percent of ~~the~~ revenue generated to municipalities based upon the number of dispensaries within their borders, the formula will hold true to its intention of distributing the most revenue to communities with dispensaries due to the [potential for](#) adverse impact and ~~potential~~ economic risks of the storefront facilities (See Appendix A).

Grow facilities will receive 40 ~~percent~~% of the revenue, distributed to municipalities based upon the number of grow facilities within their boundaries. While grow operations do not provide a direct contribution to the MMJ point-of-sale revenue, they do have a greater impact on a community when compared to the other three types of facilities (processing, testing, and transport).

Grow facilities tend to cluster in lower income, industrial areas –taking up real estate that could have been developed for other commercial purposes. In Colorado, zoning laws have pushed grow facilities into poorer, predominantly minority areas and discouraged other businesses from locating in the area.

To subsist, medical marijuana economies require a sellable product which originates at the grow facilities. Grow facilities are the most prevalent type of MMJ facilities in Colorado, [outnumbering dispensaries at a ratio of approximately 8:5](#). Michigan should expect a higher number of grow facilities [and dispensaries](#) compared to processing, testing, and transportation facilities. In order to account for the high number of grow facilities, and to acknowledge their impact, the total percentage allocation to municipalities with grow operations must be higher than other three facilities (processing, testing and

transport) to ensure the intended weighted distribution based on impact.

The remaining three facilities are less abundant and have minimal impact on communities compared to dispensary and grow operations. Under the recommended model, the remaining 10 percent of MMJ tax revenue is distributed to municipalities based on the number of these the less prevalent processing, testing and transportation facilities. This allocation amount ensures that communities are compensating for allowing facilities, but acknowledges that said facilities have less impact and risk to the community and do not require the same degree of municipal resources.

Lastly, medical marijuana legalization is a new phenomenon and there are many unknowns. We can use existing research to make assumptions of what might occur as these facilities become mainstays in a community, but the available research may only tell us of the initial effects of MMJ legalization, not the long-term impacts on a community. When municipalities receive this funding, they should have flexibility in its use to accommodate for any adverse impacts now and in the future, adapting and responding to needs as they emerge.

Appendix A: Estimated Revenue per Facility in Michigan

Michigan’s House Fiscal Agency expects to generate \$24 million per year from the three percent excise tax on medical marijuana (House Fiscal Analysis 2016, 3). Act 281 states that municipalities will get 25% of this revenue, which totals \$6 million annually.

Plugging \$6 million into the recommended revenue distribution formula would yield the following annual amounts for distribution to municipalities based on the number of facilities in their boundaries:

- Dispensaries - \$3 million
- Grow - \$2.4 million
- Processing/Testing/Transport - \$600,000

To project what a specific municipality would receive, we must establish a total number of each facility type. To make our projection, we assume the same ratio of medical dispensaries in Michigan as seen in Colorado. As of March 1, 2017 Colorado had⁵:

- 523 dispensaries – rounded to 500
- 781 grow operations – rounded to 800
- 249 processors – rounded to 250
- 42 testing – rounded to 40

Based on these figures, the revenue received by municipalities per facility annually would be:

Facility Type	Annual Revenue per Facility
Dispensary	\$6,000
Grow	\$3,000
Testing/Processing/Misc.	\$1,800

⁵ Colorado does not have transportation as a facility type. For the purposes of our analysis we assume 40 transportation facilities (similar to the number of testing facilities).

Appendix B: Revenue Distribution Scenarios

Below are three scenarios of revenue allocated to a municipality under the recommended formula based on the figures calculated in Appendix A.

City of Ypsilanti

Facility Type	Number of Facility Type	Total Received
Dispensaries	7	\$42,000
Grow	3	\$9,000
Processing	1	\$1,800
Total	11	\$52,800

Rural Township

Facility Type	Number of Facility Type	Total Received
Grow	10	\$30,000

No Dispensary or Grow

Facility Type	Number of Facility Type	Total Received
Testing	1	\$1,800
Processing	3	\$5,400
Total revenue dispersed		\$7,200

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Resolution No. 2017-082
April 4, 2017

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI THAT:

The ordinance entitled: "An ordinance to amend section 58-32 of the Ypsilanti City Code to add two youth non-voting members to the Human Relations Commission" be adopted on Second and Final Reading.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



**CITY OF YPSILANTI
NOTICE OF ADOPTED ORDINANCE
Ordinance No. 1285**

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

- 1. THE CITY OF YPSILANTI HEREBY ORDAINS** That section 58-32 of the Ypsilanti City Code is hereby amended to add the following language to the section:
"Two additional, youth non-voting-members, may also be appointed, in addition to the nine regular voting members."

The section as amended shall read as follow:

a)

There is hereby created a *human relations commission* to be appointed by the mayor with the approval of the city council. The *human relations commission* shall be composed of nine members, all city residents, one of whom shall be designated as chair to be selected by the mayor to serve until a new chair is elected by a majority of the *human relations commission*. Term of chair shall be one year. The term of members shall be three years. The first members shall be appointed in groups of three for terms of one, two and three years, and thereafter the terms of three members shall expire each year. Two additional, youth non-voting-members may also be appointed, in addition to the nine regular voting members. The terms of the youth non-voting-members shall be one year.

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

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

4. Savings Clause. The balance of the Code of Ordinances, City of Ypsilanti,

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

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

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

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

Frances McMullan, City Clerk

Attest

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

Frances McMullan, City Clerk

CERTIFICATE OF ADOPTING

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

Frances McMullan, City Clerk

Notice Published: _____

First Reading: _____

Second Reading: _____

Published: _____

Effective Date: _____



REQUEST FOR LEGISLATION
March 22, 2017

To: Mayor and Council

From: Chief Anthouard

Subject: Dispatch Contract Agreement

Our current 911 dispatch agreement needs to be renewed effective the 1st day of July 2017 with Emergency Health Partners, INC as stipulated by the attached service agreement. The Agreement will be effective July 1, 2017 through June 30, 2019.

For the initial period of July 1, 2017 through June 30, 2018, the monthly fee is \$2,984.24 for a total fee of \$35,810.88 for this period. The second period, July 1, 2018 through June 30, 2019, the monthly fee is \$3,043.86 for a total fee of \$36,526.28. The fee will come out of account 101-7-3390-818-00.

We are satisfied with the service provided by Emergency Health Partners, INC. Therefore we would like to renew this agreement.

RECOMMENDED ACTION: (Approval/Denial)

ATTACHMENTS: (contract)

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: 4/4/17

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2017 - 083
April 4, 2017

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the Fire Department dispatching agreement needs to be renewed. Effective the 1st day of July 2017, between Ypsilanti City, 1 S. Huron, Ypsilanti MI 48197, a municipal corporation ("City"), on behalf of the Ypsilanti Fire Department ("Fire Department"), and EMERGENT HEALTH PARTNERS, INC., 1200 State Circle, Ann Arbor, Michigan 48108, a Michigan nonprofit corporation, ("EHP"); and

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

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

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

OFFERED BY: _____

SUPPORTED BY: _____

YES:

NO:

ABSENT:

VOTE:



1200 State Circle
Ann Arbor, MI 48108-1691
734.302.3100

February 28, 2017

Please sign both copies and return to:

Dianne Caswell, Executive Assistant to the President/CEO
Emergent Health Partners
1200 State Circle
Ann Arbor, MI 48108

Once copies are signed by the President/CEO a fully executed copy will be returned to you.
Thank you!

Dianne Caswell



1200 State Circle
Ann Arbor, MI 48108-1691
734.302.3100

FIRE DISPATCHING SERVICE AGREEMENT

BETWEEN

EMERGENT HEALTH PARTNERS, INC.

AND

YPSILANTI CITY

This Fire Dispatching Service Agreement, effective the 1st day of July, 2017, between the **YPSILANTI CITY**, 1 S. Huron, Ypsilanti MI 48197, a municipal corporation ("**City**"), on behalf of the Ypsilanti Fire Department ("**Fire Department**"), and **EMERGENT HEALTH PARTNERS, INC.**, 1200 State Circle, Ann Arbor, Michigan 48108, a Michigan nonprofit corporation, ("**EHP**").

WITNESSETH:

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

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

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

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein, the parties agree as follows:

SECTION 1

SERVICES, EQUIPMENT AND PERSONNEL TO BE PROVIDED BY EHP

1.1 General Statement. EHP shall provide the following fire dispatching and communications services, including equipment and personnel on behalf of the Fire Department on an exclusive, "as needed" basis, twenty-four (24) hours a day, three hundred sixty-five (365) days a year, pursuant to the terms of this Agreement.

1.2 Dispatching and Communications Services ("**Services**").

1.2.1. **Services**. EHP shall provide the following services to the Fire Department:

a. Answer 9-1-1 calls, other telephone lines, and radio channels for the purpose of receiving, documenting, and recording requests for Fire Department services.

b. Promptly notify the Fire Department of valid requests for Fire Department services ("**Service Request**") pursuant to guidelines, policies, procedures, and protocols established by EHP and approved by the Fire Department.

c. Maintain radio coordination of service requests. Monitor, document, and record Fire Department communications activity.

d. Cooperate fully with the Fire Department in any individual review of a Service Request.

e. Cooperate fully in an annual review and in the development, preparation, and filing of administrative reports as may be reasonably required by the Fire Department for its appropriate operation.

f. Make available such records as may be reasonably necessary and relevant to verify the number of Fire Department Service Requests made by EHP, and to verify EHP's actual dispatching costs, for purposes of establishing the annual fixed fee per dispatch to be paid by the City to EHP pursuant to Section 3 of this Agreement.

g. Neither EHP nor any of its personnel, in their capacity as providing Services pursuant to this Agreement, shall in any way be involved in the fire suppression or other direct activities of the Fire Department,

1.2.2. **Exceptions to Services**. EHP's obligations for Services pursuant to this Agreement are limited, however, by EHP's technical ability to adequately receive telephone information, as well as receive and transmit radio transmissions. The parties acknowledge that callers reporting emergencies are often difficult to understand and locate. The parties further acknowledge that EHP and the Fire Department utilize communications systems that neither party owns or maintains. EHP shall not be obligated to provide services pursuant to this Agreement if it is unable to do so for any reasons beyond its reasonable control.

1.3 **Telecommunications Equipment**. EHP agrees to provide Services using appropriate telecommunications equipment, including radio control consoles, radio base stations, telephone answering equipment, computer aided dispatch software, and telephone recording equipment. For the equipment that EHP owns and controls, EHP shall be responsible for the maintenance and repair of the above-mentioned telecommunications equipment.

1.4 **Personnel**. EHP shall provide qualified personnel to provide communications and dispatch service pursuant to this Agreement.

1.5 **Performance Standards**. EHP shall provide Services in good faith, in a timely manner, and accordance with industry standards.

1.6 Compliance with Law, Rules, and Regulations. In its performance of this Agreement, EHP shall comply with all laws, rules, regulations, ordinances and permits relevant to the provision of Services.

1.7 Non-Discrimination. EHP will not discriminate against any individual that requests Services, nor any employee or applicant for employment because of race, creed, color, sex, sexual preference, national origin, physical handicap, age, height, weight, marital status, veteran status, religion or political belief (except as it relates to a bona fide occupational qualification reasonably necessary to the normal operation of EHP's business).

SECTION 2

SERVICES, EQUIPMENT AND PERSONNEL TO BE PROVIDED BY THE YPSILANTI CITY FIRE DEPARTMENT

2.1 General Statement. The Fire Department shall retain ultimate authority and control over its own governance and operations.

2.2 Communications and Computer Equipment. The Fire Department shall provide and be responsible for its own radio communications and computer equipment for its individual stations, trucks and personnel.

2.3 Specialized Communications and Computer Equipment. It will be the responsibility of the Fire Department to provide to EHP any specialized communications or computer equipment, which is unique to its specific needs, and not used by EHP or the other fire departments that it provides Services for.

2.3 Compliance with Laws, Rules and Regulations. The Fire Department shall comply with all necessary laws, rules, regulations, ordinances, licenses or permits relevant to the provision of its responsibilities pursuant to this Agreement.

SECTION 3

PAYMENTS TO EHP FOR SERVICES, EQUIPMENT AND PERSONNEL

3.1 Basic Provision. In consideration of receiving Services, equipment and personnel provided by EHP to the Fire Department, the City agrees to pay EHP monthly fee, which is recalculated annually. The fee, which is further described in **Appendix "A"**, is determined by dividing EHP's total cost of providing ambulance and fire department dispatching services by the activity of all of the individual agencies dispatched ("**Dispatched Agencies**").

3.2 Initial Fee. For the initial period of July 1, 2017 through June 30, 2018, the monthly fee is \$2,984.24 for a total fee of \$35,810.88 for this period. The second period, July 1, 2018 through June 30, 2019, the monthly fee is \$3,043.86 for a total fee of \$36,526.28.

3.3 Payment. The City shall pay EHP within sixty (60) days of receipt of invoice.

3.4 Subsequent Bi-Annual Fees. Each January, EHP will determine the cost and volume of activity for all of its Dispatched Agencies for the previous calendar year. This calculation will be used in determine the rate for the subsequent period beginning on July 1st. EHP shall notify the City of the fee for the following period no later than February 28th.

SECTION 4

TERM AND TERMINATION

4.1 Term. This Agreement shall commence on July 1, 2017 and continue through June 30, 2019. Thereafter, this Agreement shall be automatically renewed for additional, successive one (1) year terms unless terminated by either party by giving the other at least sixty (60) days advance written notice.

In the event that either party provides notice of termination under this Section, EHP shall continue to provide Services to the Fire Department for up to three (3) months after the termination date, until September 30th, under the prevailing current fee while the City makes other arrangements for dispatching services.

4.2 Termination. This Agreement may be sooner terminated as set forth below.

4.2.1. Termination During Annual Renewal. The agreement may be terminated by either party in accordance with Section 4.1.

4.2.2. Event of Substantial Default. In the event that either party has substantially defaulted in the performance of any obligation under this Agreement, the objecting party shall provide the defaulting party with written notice of the substantial default. If the default has not been cured within thirty (30) days, the objecting party shall have the option to terminate this Agreement.

4.2.3. Mutual Agreement. This Agreement may be sooner terminated by mutual written agreement of the parties.

4.2.4. Loss or Reduction of Insurance Coverage. In the event either EHP or the City shall receive notice of a prospective change in the scope of insurance carried by either party pursuant to this Agreement; or with respect to an unreasonable increase in premiums charged for such insurance; or with respect to any other change in such insurance that is adverse to the insured or adverse to the party paying premiums, then, if such change would be a material change in such premiums, coverage, or other terms, the party receiving such notice shall at once give written notice of such change to the other party to this Agreement.

Either party to this Agreement, if adversely affected by such change, may terminate this Agreement on grounds of such change by giving at least thirty (30) calendar day's written notice of termination to the other party. In no event shall such termination be effective prior to the date when the insurance change goes into effect.

Either party to this Agreement, upon receiving notice of termination under this Section 4.2.4., may elect to prevent termination by curing the change. For purposes of the prior sentence: (a) with respect to a premium increase, "cure" means paying the increased premium for the balance of the Agreement's term; (b) with respect to termination, reduction in coverage, or other changes, "cure" means providing substitute coverage or substitute insurance.

4.3 Post-Termination Obligations. Upon termination of this Agreement, the parties shall cooperate with each other in the orderly transfer of obligations under this Agreement. Following the effective date of termination, each party shall remain liable for their own obligations or liabilities arising from activities carried on prior to the effective date of termination.

SECTION 5

GENERAL PROVISIONS

5.1 Insurance.

5.1.1. EHP.

a. Errors and Omissions Insurance. EHP shall provide commercial insurance to cover errors and omissions for Services, equipment and personnel provided to the City pursuant to this Agreement. Insurance shall be in the amount of \$1,000,000 per occurrence/\$2, 000,000 aggregate, covering the activities of EHP, the City, and their employees, elected officials, directors, officers and agents in connection with the obligations performed by each party pursuant to this Agreement.

b. Comprehensive General Liability Insurance. EHP shall provide commercial comprehensive general liability insurance in the amount of at least \$1,000,000 per occurrence/ \$2,000,000 aggregate, covering the respective activities of EHP, its employees, directors, officers and agents in connection with its obligations performed pursuant to this Agreement.

5.1.2. Notice of Claim. In the event any claim is asserted against either party to this Agreement, or both of them, or against one or more of them, and one or more other persons, the parties of this Agreement shall give prompt notice of such claim to one another and shall cooperate in the defense of such claim, to the extent their separate interests permit.

5.2 Independent Contractor Relationship. It is expressly understood and agreed by the parties that EHP is acting as an independent contractor with respect to the provision of Services, equipment and personnel to the City and Fire Department pursuant to this Agreement. Nothing in this Agreement is intended to create an employer/employee or joint venture relationship or allows the City to exercise control or direction over the manner or method by which EHP performs Services which are the subject matter of this Agreement; provided always that the Services to be provided by EHP shall be provided in a manner consistent with the provisions of this Agreement.

5.3 Compliance with Laws and Regulations. EHP shall comply with all federal, state and local regulations, including, but not limited to all applicable OSHA/MIOSHA requirements and the Americans With Disabilities Act.

5.4 Interpretation of Agreement. This Agreement shall be governed by and interpreted under the laws of the State of Michigan.

5.5 Amendments. This Agreement contains the entire agreement between the parties hereto, and no representations or agreements, oral or otherwise, between the parties not embodied herein shall be of any force or effect. Any additions or amendments to this Agreement subsequent hereto shall be of no force and effect unless in writing and signed by both parties.

5.6 Non-Assumption of Liabilities. Neither party hereto, by entering into and performing this Agreement, shall become liable for any of the existing or future liabilities of the other party or of anyone affiliated with the other party, except as expressly provided herein. It is not the intent of the parties that either party assume the risks of anyone else or become guarantor, insurer, or indemnitor for anyone else, except as expressly provided herein. In no event shall either party be liable to the other for special, incidental or consequential damages, even if the other party has been advised of the possibility of such damages.

5.7 Limited Enforcement. This Agreement is intended solely for the benefit of the parties hereto, and there is no intention, express or otherwise, to create rights or interest for any party or persons other than the City and EHP.

5.8 No Assignment. Neither party shall have the right to assign their rights and obligations under this Agreement without advance, written consent of the other party.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed of the ___ day of _____, 20__:

YPSILANTI CITY
("CITY")

EMERGENT HEALTH PARTNERS INC.
("EHP")

By: _____

By: _____

Its: City Mayor

Its: President and CEO

By: _____

Its: City Clerk

APPENDIX "A"

EHP shall maintain an accounting of expenses for dispatching services in a separate and distinct cost center. The cost center shall include all expenses which are incurred in jointly dispatching all fire departments and ambulance services, including but not limited to facility depreciation, leasehold improvements, building maintenance, property taxes (if any), utilities including gas, electric, water and sewer, common radio equipment, common computer equipment software and other technology, back up electrical generators or supplies, telecommunications maintenance agreements, software licenses and support, personnel including wages and benefits and allocated costs for administrative support.

EHP and individual fire departments shall be responsible for their own mobile and portable radio equipment, mobile data terminals, station communications equipment, as well as specialized telecommunications connectivity such as ISDN, T1, microwave, fiber or other similar technologies.

Each January, EHP will determine the total expense of providing shared dispatching services (the cost) for the preceding 12-month fiscal year ending June 30th.

EHP will also determine the number of dispatched alarms (the activity) provided to each fire department and ambulance service. As used here, a "dispatched alarm" refers to an incident in which fire department or ambulance service is dispatched, without respect to whether a communication to or from EHP played a role in its dispatching. Each incident shall constitute a single "dispatched alarm", whether one or several pieces of equipment/vehicles were dispatched, and whether there is or is not ultimately a need for the agency's services at the scene.

The annual Cost will then be divided by the annual Activity to determine the "per dispatch" cost. The per dispatch cost and the individual agency's activity will be used to determine the amount to be charged for the next 12-month period beginning July 1st.



REQUEST FOR LEGISLATION
APRIL 4, 2017

To: Mayor and Council

From: Beth Ernat, Director of Community and Economic Development

Subject: Neighborhood Enterprise Zone Application – 705 Franklin Street

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 (attached). A NEZ provides a tax incentive for the development. The new construction incentive will set the tax rate on the buildings at half (1/2) the average state homestead rate, currently 17.275 Mills. The land will be taxed at the current city homestead tax rate of approximately 66 mills.

The City Council enacted the NEZ at their April 16, 2016 meeting and set a policy on how to approve and award each certificate (attached). The policy states that any investment over \$11,501 should be given a 15 year incentive.

On March 23, 2017 the Community Development Department received the first application from Mr. Charles Richmond. Mr. Richmond plans to construct a foundation and garage, and order a prefabricated home at 705 Franklin Street. The total investment will be approximately \$75,000 which will equal a taxable value of the structures is estimated by Assessing at \$113,000 and the taxable value including the land will be approximately \$150,000.

Mr. Richmond has met the conditions to qualify for a NEZ Certificate at 705 Franklin Street and is requesting a certificate of 15 years be granted.

The approximate savings over the 15 years for the property owner is \$48,000.

ATTACHMENTS: NEZ District Map and Resolution

RECOMMENDED ACTION: Staff recommends approval of the resolution to award the NEZ Certificate to 705 Franklin.

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: 4/4/2017

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2017-084
April 4, 2017

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

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

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

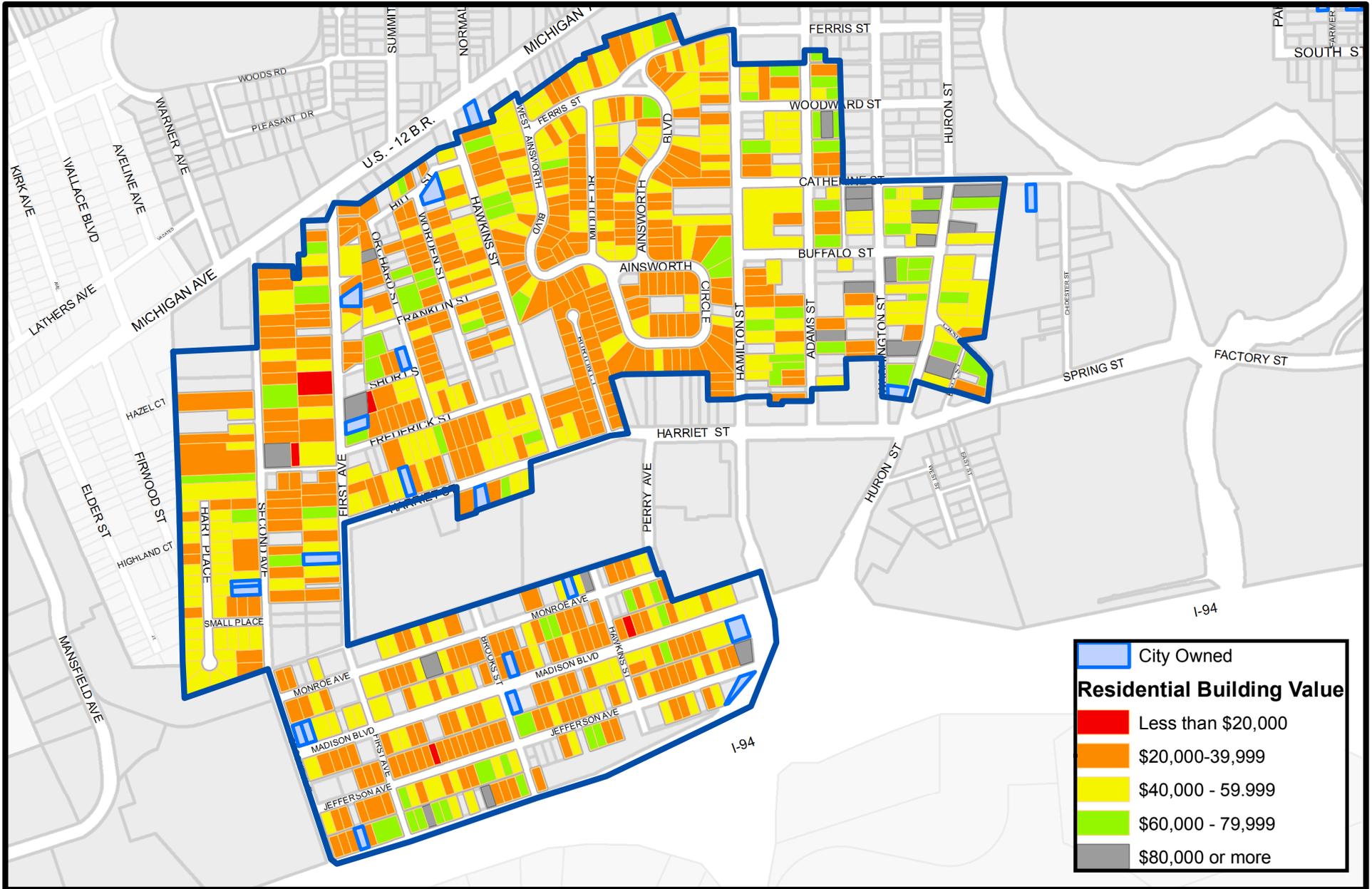
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ypsilanti and hereby is granted a Neighborhood Enterprise Zone Homestead Exemption for property located at 307 Franklin Street, Ypsilanti MI 48197 for a period of 15 years, beginning December 31, 2017, and ending December 30, 2032, pursuant to the provisions of PA 147 of 1992, as amended.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

Ypsilanti Neighborhood Enterprise Zone Boundary 4/19/2016



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

CITY POLICY AND PROCEDURES REGARDING APPROVAL OF NEIGHBORHOOD ENTERPRISE ZONE CERTIFICATES

A. Eligibility

Under the Neighborhood Enterprise Zone (NEZ) Act, Public Act 147 of 1992, the city has identified an area South of Michigan Avenue Area (SOMA) as a NEZ (see attached map). Under this Act, the city may grant NEZ exemption certificates to “new” and/or “rehabilitated” structures.

B. Reason for NEZ

In 2011 a community needs assessment for the SOMA area was completed identifying the need for increased investment in this area. Currently home ownership is around 47% and only 2% of all houses in the zone have a true cash value over \$80,000. In order to increase home ownership, increase the quality of life in the neighborhood, and increase home values, the NEZ tax incentive is essential.

C. Homestead Properties

The city council will consider NEZ Certificates for property owners within the zone who are making significant home improvements that increase the value of the home or property owners constructing new homes that hold or will be obtaining a Principal Residence Exemption certificate.

D. Conditions to Qualify for a NEZ Certificate

Property owners looking to apply for a NEZ Certificate will need to meet the following conditions:

1. The property must be located in the SOMA NEZ area (attached).
2. The property is vacant or the structure has a true cash value less than \$80,000.
3. The primary use of the property is owner occupied residential (PRE Exemption).
4. No building permits for the improvements may be pulled prior to the time for which the certificate being applied.
5. All property taxes must be current and stay current throughout the length of the certificate.
6. Home improvement projects for homestead properties that are adding assessable value to the property need to exceed \$3,500 if being completed by the property owner or \$5,000 if being completed by a contractor.
7. Home must be brought into conformance with minimum local building code standards for occupancy.
8. The certificate is approved by the Ypsilanti City Council.

E. NEZ Certificate Terms for Homestead Properties

Each certificate requires approval of the City Council and has to be submitted to the State of Michigan to be filed with the City Tax Assessor. Each certificate is approved and evaluated independently. Mitigating circumstances may apply and impact the

recommendation based on the location of the property, the impact of the improvements on the surrounding properties, and the history of the property.

New owner-occupied structures that will hold a homestead exemption will receive the highest consideration and will be eligible for the full 15 year NEZ certificate. New structure certificates will be considered if the unit is an owner occupied duplex.

Improvements to existing structures that hold a homestead exemption will be considered by the following criteria:

\$3,500 - \$7,500 in new investment –	6 YEAR NEZ CERTIFICATE
\$7,501 - \$11,500 in new investment –	12 YEAR NEZ CERTIFICATE
\$11,501 and above in new investment –	15 YEAR NEZ CERTIFICATE

F. Historic District Structures

Public Act 147 of 1992 has different standards for issuing NEZ Improvement Certificates in Historic Districts. The time frame to issue certificates for Qualified Historic Buildings range from 11 years to 17 years and improvements to the existing structures will be considered by the following criteria:

\$3,500 - \$7,500 in new investment –	11 YEAR NEZ CERTIFICATE
\$7,501 - \$11,500 in new investment –	14 YEAR NEZ CERTIFICATE
\$11,501 and above in new investment –	17 YEAR NEZ CERTIFICATE

Changes to the exterior of the structure must be made in compliance with the Ypsilanti Historic District Commission (HDC) ordinance and with the approval of the HDC.

Mitigating circumstances may apply and impact the recommendation based on the location of the property, the impact of the improvements on the surrounding properties, and the history of the property.

G. Land Value vs. Structure Value for NEZ Certificates

Property taxes are made up of two parts; land value and structure value. Land value is a set price based on size and location. The structure value is based on the size of the home, number of bathrooms, decks, garages, decks, etc. A home with a NEZ certificate will have two separate assessments; one for land value which will be assessed at the annual set tax rate, and one with the special NEZ assessment for the house value.

H. Starting Date of NEZ Certificate

The NEZ certificate starts on December 31 of the year in which the new or rehabilitated structure is substantially completed. In some circumstances, a new home can request the NEZ start in the following year when it becomes a principal residence.

I. Calculating NEZ Tax for New Home

The NEZ tax for a new home is determined by multiplying one-half (1/2) of the average state homestead mileage rate levied in the state in the immediately preceding calendar

year by the taxable value of the new home, until three years before the certificate expires.

During the last three years of the term of the extended certificate, the tax calculation changes to the following:

In the tax year, two years before the certificate expires, the NEZ tax is the sum of the current taxable value of the home, excluding land, multiplied by five-eighths ($5/8$) the number of mills levied by the city and the county for operating purposes (excluding debt).

In the tax year one year before the certificate expires, the NEZ tax is the sum of the current taxable value of the home, excluding land, multiplied by three-fourths ($3/4$) the number of mills levied by the city and the county for operating purposes (excluding debt).

In the tax year the certificate expires, the NEZ tax is the sum of the current taxable value of the home, excluding land, multiplied by seven-eighths ($7/8$) the number of mills levied by the city and the county for operating purposes (excluding debt).

J. Calculating NEZ Tax for Rehabilitated Structure

The NEZ tax for a rehabilitated structure is the sum of the current taxable value of the new and/or rehabilitated structure, excluding land, multiplied by $1/2$ the number of mills levied by the city and the county for operating purposes (excluding debt) and the current taxable value of the existing structure multiplied by the total number of mills levied by the city except for the last three years in which the certificate is in effect.

During the last three years of the certificate, the tax calculation changes to the following:

In the tax year, two years before the certificate expires, the NEZ tax is the sum of the current taxable value of the structure, excluding land, multiplied by five-eighths ($5/8$) the number of mills levied by the city and the county for operating purposes (excluding debt), plus the taxable value of the existing structure, excluding land, multiplied by the remaining total mills levied as ad valorem taxes.

In the tax year, one year before the certificate expires, the NEZ tax is the sum of the current taxable value of the structure, excluding land, multiplied by three-fourths ($3/4$) the number of mills levied by the city and the county for operating purposes (excluding debt), plus the taxable value of the existing structure, excluding land, multiplied by the remaining total mills levied as ad valorem taxes.

In the tax year the certificate expires, the NEZ tax is the sum of the current taxable value of the structure, excluding land, multiplied by seven-eighths ($7/8$) the number of mills levied by the city and the county for operating purposes (excluding debt), plus the taxable value of the existing structure, excluding land, multiplied by the remaining total mills levied as ad valorem taxes.

**For More Information Contact:
Community Development Department
City of Ypsilanti**

1 S. Huron St
Ypsilanti, MI 48197
Phone: 734-483-1100
jmeyers@cityofypsianti.com
www.cityofypsilanti.com/NEZ



REQUEST FOR LEGISLATION
April 4, 2017

To: Mayor and Council

From: Beth Ernat, Community and Economic Development

Subject: Request for Proposals – 220 N. Park

SUMMARY & BACKGROUND: In August of 2016, the former Boys and Girls Club property at 220 N. Park was demolished with funds from the Michigan State Land Bank. When the city received the money for the demolition, there were several discussions with Council of selling the four acre parcel for development.

As Council is aware, there are very few lots over 2 acres available for development in Ypsilanti. There is also a shortage of townhouse and single family attached housing options within the City. The City's Target Market Analysis also from 2016, shows a shortage in townhouse/condo options and the opportunity to provide units in a high-end retail market. With the location of the Boys and Girls Club property being within the Depot Town market area, the walkability of the property, the recent closures of Park and Grove, it creates a perfect opportunity for the product.

As the City is a certified Redevelopment Ready Community, we are favored for receiving technical assistance from the MEDC. The MEDC has provided funding to MML to work with communities on targeted marketing. The MML is working with Beckett and Raeder (BRI) to create the request for proposals for target sites in the 1-5 acre range. The City's site was a great opportunity and we were approved for technical assistance.

BRI provided the market study and created a pro forma to ensure the desired options were feasible. The sample pro forma is included in the packet. The pro forma will not be part of the RFP packet as it is the developer's job to create and provide feasibility for their project. Additional BRI create three options that would be feasible for development. The preferred option will be included in the RFP packet to encourage developers to envision the site compatible with the surrounding neighborhood. BRI and MML reviewed the neighborhood charrette, current zoning ordinance and worked with staff to develop a document that embodies the Ypsilanti character and design.

As part of the City's commitment to the Redevelopment Ready Community program, a joint meeting of the Planning Commission, Zone Board of Appeals, and the Historic District Commission was held March 16, 2017. The commissioners

The plan to move forward is to release the Request for Proposals by May 1st. The RFP will be posted by MML and will be sent to target developers that work within range desired by the RFP. The review process will be done by a team including, Economic Development, Community Development, Planning, HDC staff plus a member from each the Planning Commission, Zone

Board of Appeals, Historic District Commission, and a City Council representative appointed by the Mayor. The team will review any submission, remove any submission that do not meet the criteria and will appropriate rant the responses for consideration by City Council.

The proposed sale price for the land is \$250,000. Staff recommends that the amount be negotiable based on the quality of the proposal and the pro forma developed.

RECOMMENDED ACTION: Staff is seeking Council approval to move forward with the letting of the RFP for the Sale and Development of the property at 220 N. Park.

ATTACHMENTS: BRI proforma and development concepts, resolution for approval, and draft minutes of the joint PC, ZBA, and HDC meeting.

CITY MANAGER APPROVAL: _____

COUNCIL AGENDA DATE: 4/4/2017

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

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

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

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

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

Date: 3.13.2017

From: Beckett & Raeder & MML Team
To: City of Ypsilanti
One South Huron Street
Ypsilanti, MI 48197

Project: 220 North Park Street

Remarks:

The following is a program assessment focused on the proposed redevelopment of 220 North Park Street for a residential development. As a result of the December 5, 2016 meeting it was decided that the B&R / MML Team would evaluate the subject property for a residential development targeted for an owner-occupied townhome market.

The TMA indicates an annual market potential for 10 owner-occupied townhouses and similar side-by-side or stacked condos, rowhouses, or similar formats.

Our assessment of the site included the following:

1. Review of townhome / condo unit comparable properties within the greater Ypsilanti market.
2. Pricing for new construction based on regional adjusted constructed costs for a 1,400-square foot townhome built on slab with a one car garage.
3. Pricing for site and infrastructure improvements including utility connection fees and permits.
4. Pro forma for the project
5. Assessment of income ranges required to meet targeted pricing.
6. Conceptual layout for the property to accommodate 44 dwelling units.

Comparable Properties

Address	Year-Built	Beds	Baths	Sq.Ft.	Price	Price/Sq.Ft.	Location
5586 Hamshire Lane	2004	2 Bed	2+ Bath	1,316	\$ 188,000	\$ 142.86	Outside
3338 Endsleigh	2004	3 beds	3 Bath	1,975	\$ 269,000	\$ 136.20	Outside
3200 Primrose Lane	2003	2 Bed	2 Bath	1,690	\$ 193,900	\$ 114.73	Outside
2292 Touchdown Ct #7	2000	2 Beds	2 Bath	1069	\$ 109,000	\$ 101.96	Inside
2994 Roundtree	1974	2 Bed	1+ Bath	1,063	\$ 99,500	\$ 93.60	Outside
9641 Harbour Cove	1974	2 Bed	2+ Bath	1,426	\$ 129,900	\$ 91.09	Outside
1605 Wingate #39	1973	2 Bed	1 Bath	882	\$ 70,000	\$ 79.37	Outside
207 Ballard #201	1968	2 Bed	1.5 Bath	983	\$ 55,000	\$ 55.95	Inside

Construction Cost Estimate

This is an estimate for a single family residence built under competitive conditions in or near Detroit, Michigan in January 2017, adjusted for the Washtenaw County market. This estimate includes a foundation as required for normal soil conditions, excavation for foundation and piers on a prepared building pad, floor, wall, interior and exterior finishes, roof cover, interior partitions, doors, windows, trim, electric wiring and fixtures, rough and finish plumbing, built-in appliances, supervision, design fees, permits, utility hook-ups, the contractor's contingency, overhead and profit. Estimate does include the cost of the land, government-mandated site development fees and the cost of bringing utility lines to the site.

Total Living Area	1,400 square feet
Number of Corners	Average Quality
Foundation Quality Class	Average Quality
Exterior Walls Quality Class	Average Quality
Exterior Finish Quality Class	Average Quality
Windows & Doors Quality Class	Average Quality
Roofing Quality Class	Average Quality
Interior Finish Quality Class	Average Quality
Flooring Quality Class	Average Quality
Bathroom Quality Class	Average Quality
Kitchen Quality Class	Average Quality
Plumbing Quality Class	Average Quality

The locational adjustment was based on a comparative assessment of COL and housing costs in Canton, Michigan.

Pricing

Direct Job Costs

Description	Material	Labor	Equipment	Total
Excavation	\$ -	\$ 2,350	\$ 540	\$ 2,890
Foundation, Piers and Flatwork	\$ 4,387	\$ 6,417	\$ 1,097	\$ 11,901
Rough Hardware	\$ 428	\$ 628	\$ 108	\$ 1,164
Rough Carpentry	\$ 14,186	\$ 19,474	\$ -	\$ 33,660
Insulation	\$ 2,657	\$ 1,689	\$ -	\$ 4,346
Exterior Finishes	\$ 8,164	\$ 4,426	\$ 567	\$ 13,157
Exterior Trim	\$ 512	\$ 746	\$ 129	\$ 1,387
Doors	\$ 1,297	\$ 1,012	\$ 129	\$ 2,438
Windows	\$ 2,233	\$ 1,412	\$ -	\$ 3,645
Finish Hardware	\$ 216	\$ 350	\$ -	\$ 566
Roofing, Flashings, Fascia	\$ 5,932	\$ 4,627	\$ -	\$ 10,559
Finish Carpentry	\$ 787	\$ 4,275	\$ -	\$ 5,062
Interior Wall Finish	\$ 3,779	\$ 5,427	\$ -	\$ 9,206
Painting	\$ 2,258	\$ 4,902	\$ -	\$ 7,160
Wiring	\$ 2,292	\$ 4,025	\$ -	\$ 6,317
Lighting Fixtures	\$ 1,719	\$ 1,550	\$ -	\$ 3,269
Flooring	\$ 1,689	\$ 2,228	\$ -	\$ 3,917
Carpeting	\$ 3,360	\$ 1,115	\$ -	\$ 4,475
Bath Accessories	\$ 832	\$ 477	\$ -	\$ 1,309
Shower & Tub Enclosure	\$ 1,400	\$ 2,625	\$ -	\$ 4,025
Countertops	\$ 1,607	\$ 1,252	\$ -	\$ 2,859
Cabinets	\$ 6,750	\$ 1,545	\$ -	\$ 8,295
Built-In Appliances	\$ 2,571	\$ 334	\$ -	\$ 2,905
Plumbing Rough-In	\$ 2,412	\$ 5,448	\$ 355	\$ 8,215
Plumbing Fixtures	\$ 4,900	\$ 1,444	\$ -	\$ 6,344
Heating & Cooling Systems	\$ 3,820	\$ 5,730	\$ -	\$ 9,550
Fireplace and Chimney	\$ 1,064	\$ 1,596	\$ -	\$ 2,660
 Subtotal - Direct Job Costs	 \$ 81,252	 \$ 87,104	 \$ 2,925	 \$ 171,281

Indirect Job Costs

Final Clean Up	\$ 720
Insurance	\$ 5,041
Water Meter Charge	\$ 450
Trunkline and Transmission Fee	\$ 200
Permits & Utilities	\$ 2,750
Plans & Specs	\$ 720

Contractor Mark-Up

\$ 22,506

Building Unit Costs

Cost per Square Foot	\$ 145	\$ 145
Locational Adjustment (1.5%)	\$ 148	\$ 148
Total Site Cost per Dwelling Unit		\$ 51,000

44 Units

Land Acquisition Cost (\$250,000)

\$ 5,682

Dwelling Unit Cost

\$ 260,350

Total Dwelling Unit Price Point

\$ 260,000

\$ 186

Purchase Profile

	44 Units
Purchase Price	\$ 260,000
Down Payment	\$ 26,000
Mortgage (30 Year Term / 4.15%)	\$ 234,000
P+I (30-Year Loan)	\$ 1,148
Taxes (Monthly / 67.6631)	\$ 733
Total P&I + Taxes	\$ 1,881
Monthly Gross (based on 30% monthly gross)	\$ 6,270
Annual Gross	\$ 75,241

Potential Build-Out Concepts

The build out concept reflects a 44-unit townhome development. Each unit is three stories with a one car garage and bonus room on the first floor. The second floor accommodates the living room, dining room, kitchen, and ½ bath, and the third level has 2 bedrooms each served by an attached bath.

Summary

Comparable properties were built approximately 12-14 years ago, and have a market square foot sale price of \$115 to \$143. The project pro forma indicates a per foot cost of \$186 which is comparable to units for sale in Pittsfield Township adjacent to the City of Ann Arbor and units in Ann Arbor but outside the city’s core neighborhoods. However, the forecasted purchase price is comparable to the average market sale price noted in the Washtenaw County Affordability and Economic Equity – Analysis (pg. 19; 2014).

A suitability analysis which correlated home values with disposable income indicated that potential buyers within the Ann Arbor / Ypsilanti zip codes would likely come from west Ann Arbor and Ypsilanti Township.

Areas with Homes Values between \$200,000 and \$399,000 and Disposable Incomes between \$75,000 to \$199,000

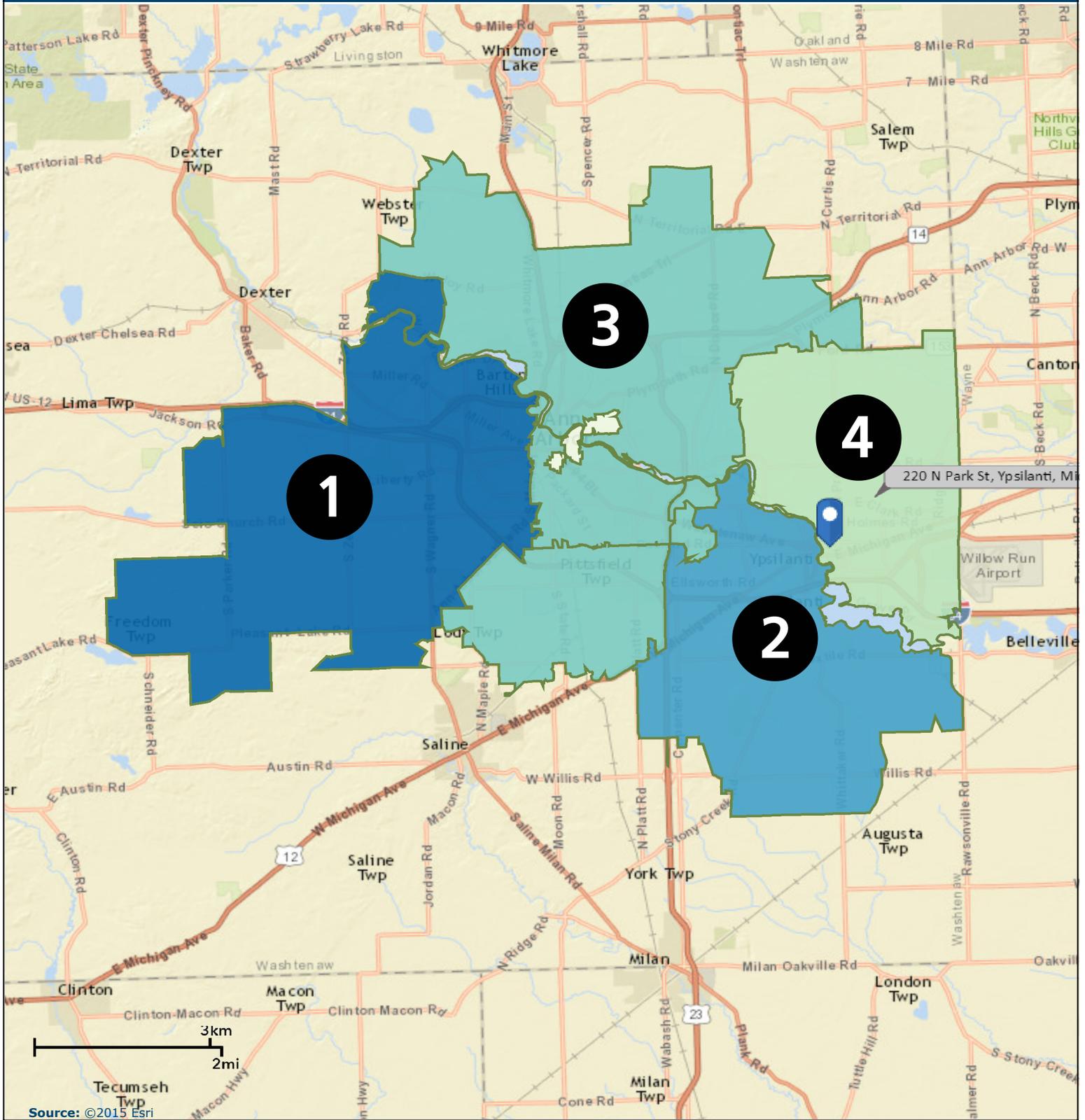


Table 18 shows how the contract rents and home values can have a wide range within each city. Similarly owner-occupied home values are detailed in Sections I and J. The Cities of Dexter and Saline have the most similar ranges of tolerance for contract rents and home values; Chelsea is a bit more moderate; and Ypsilanti’s prices should be the lowest. Unit sizes should be designed in alignment with these prices.

Table 19
Summary of Market Potential by Contract Rent and Value
The Cities of Dexter, Saline, Chelsea, and Ypsilanti, Michigan

Attached Units Only	Renter-Occupied (Contract Rents)		Owner-Occupied (Home Values)	
	Low Rent	High Rent	Low Value	High Value
The City of Dexter				
Moderate Targets	\$450	\$1,000	\$125,000	\$300,000
Upscale Targets	\$600	\$1,600	\$160,000	\$430,000
The City of Saline				
Moderate Targets	\$450	\$1,000	\$125,000	\$300,000
Upscale Targets	\$600	\$1,600	\$160,000	\$430,000
The City of Chelsea				
Moderate Targets	\$400	\$850	\$100,000	\$250,000
Upscale Targets	\$550	\$1,300	\$125,000	\$360,000
The City of Ypsilanti				
Moderate Targets	\$350	\$800	\$75,000	\$200,000
Upscale Targets	\$650	\$1,100	\$100,000	\$300,000

To hone-in on the contract rents, developers should refer to the tables in Sections G and H. For example, the City of Dexter has an annual market potential of 47 units among the moderate target markets, and 5 of the migrating households will tolerate contract rents of \$1,000 or more per month (see Table 19 on the next page). Similarly, Dexter has an annual market potential for 50 units among the upscale target markets, and 14 of those migrating households can tolerate contract rents of at least \$1,000 per month. For Ypsilanti, the market potential for units with high contract rents is driven by the markets large size relative to the smaller cities.

Minutes
Joint Meeting of the Planning Commission, Historic District Commission, and Zoning Board of Appeals
Riverside Arts Center, N. Huron
Thursday, 16 March 2017 – 7:00 p.m.

I. Call to Order

The meeting was called to order by Beth Ernat, Economic Development Director.

II. Roll Call

The following members were in attendance from each commission:

Planning Commission– Heidi Jugenitz, Chair, Liz Dahl MacGregor, Chris Madigan, Toi Dennis, Matt Dunwoodie, Jared Talaga.

Historic District Commission – Anne Stevenson, Chair, Hank Prebys, Vice Chair, Mike Davis Jr, Ron Rupert, Jane Schmiedeke

Zoning Board of Appeals – John Bailey, Chair, Jake Albers Vice Chair, Heather Khan, Tom Roach, Cisco Garcia (alternate)

Staff – Beth Ernat, Economic Development Director, Joe Meyers, Community Development Director & DDA Director, Bonnie Wessler, Planner II, Cynthia Kochanek Planner I, Nan Schuette, Executive Secretary.

Presenters – Richard Murphy, Michigan Municipal League; Christy Summers, Beckett & Raeder

III. Election of Chair

Heidi Jugentiz nominated Liz Dahl MacGregor, supported by John Bailey, Liz accepted.

IV. Audience Participation

None

V. Presentations:

Beth Ernat, Economic Development Director, gave background on the City's status as a Redevelopment Ready Community, and stated that as part of that, the city has received assistance from the MEDC and the MML to prepare an RFP for the property located at 220 N. Park (the former Boys/Girls Club). To fully develop the RFP, she would like input from the various commissioners.

Joe Meyers, Community Development Manager, gave a short presentation on Redevelopment Ready Community explaining that the City of Ypsilanti is certified and one of only six in the state. This allows us to be more streamlined, making it easier for developers to go through the process; it also makes us eligible for certain types of assistance from the Michigan Economic Development Corporation (MEDC).

Richard Murphy, Michigan Municipal League (MML), stated that they assist Redevelopment Ready Communities on behalf of the MEDC with visioning, Target Market Analyses (TMAs), etc. He stated that the MML is working on drafting the RFP for the City. As part of the process of drafting that RFP, they hired Beckett & Raeder. Together they have looked at the current market, the recent TMA, and developing trends. This research showed that there is a potential for owner-occupied townhouses in that area and explained how they arrive at potential costs involved.

Christy Summers, Beckett & Raeder, presented the three housing concepts developed as part of the market research.

Option 1: Proposed 4 unit and 2 unit row houses, two story, pricing for construction is based on regional adjusted costs for a 1,400 sq. ft townhome built on a slab with a one car garage with a purchase price of approximately \$260,000 each for a total of 44 units.

Option 2: Proposed stacked flats – 4 units per building– two on each floor for a total of 54 units.

Option 3: duplex arrangement – 2 units per building, this would be the least dense of all with 25 units.

After review of the various options, Ms. Summers opened up the meeting for comments by the commissioners. Comments included:

- Property taxes would be a deterrent –approximately \$9,000/yr
- Potential buyers would also have maintenance/HOA dues
- Cost of \$260,000 seems high for a 1,400 sq. ft townhouse in current market
- Don't like stacked with garage in front, with the garage being the primary face to the street
- Interested in ensuring that any extension of Locust/alley would be open to the public- no gated communities.
- Lighting along non-motorized path a must
- Interested in one-story/accessible units
- Concerns about gentrification/changing neighborhood character
- There's a lot of value/interest in new housing so close to Depot Town

The general consensus was that Option 1 was most favored by those present.

T. Dennis asked what the next step would be – taking comments and go back to drawing board? Beth Ernat responded that they will take site costs, actual final costs, information gathered at this meeting, and all other pertinent information and incorporate it into the final RFP to ensure that developers are looking at this project with the City's interests in mind.

H. Jugenitz asked if the Park & Grove railroad closure could be re-opened since it was her opinion that it could affect the project and have an impact on the neighborhood if re-opened. Ms. Ernat responded it is permanent, and the RFP and general financials were prepared with those closures in mind.

H. Prebys asked why staff feels this development would work at 220 N Park, but we're not pursuing it for Water Street. Ms. Ernat responded that the difference is the scale of

the project. At Water Street, you have to build in the cost of removal of contamination, building all the infrastructure, electric, gas, streets, curb cuts, sidewalks, sewers, etc; this would not be a consideration at this particular location.

A. Stevenson suggested to look at scale and size and style of homes in district – smaller fits better with neighborhood, but liked townhouses.

Ms. Ernat led an group participation exercise regarding likes and dislikes of the proposed plans. Over all consensus was comfort with the Option 1, an open public right-of-way, sidewalks, non-stacked housing options, hidden garages, and building materials to complement the neighborhood.

Ms. Ernat thanked everyone for their input adding that she would like to make this an annual event to better inform all the members some of the items that each board is working on.

A five minute recess was called.

After the meeting was recalled to order, each chair (or vice-chair) was called upon to give a summary of what their board or commission generally did, what their big projects have been in the past year or so, and what they were looking forward to in the future.

A conversation ensued among all members regarding good developments and working with the City to continue to provide quality services to residents.

Ron Rupert moved to adjourn the meeting (Support H. Prebys) and the motion carried unanimously. The meeting adjourned at 9:00 p.m.



REQUEST FOR LEGISLATION
April 4, 2017

To: Mayor and Council
From: Darwin D. P. McClary, City Manager
Subject: ASSISTANT CITY MANAGER/HUMAN RESOURCES ADMINISTRATOR POSITION

SUMMARY & BACKGROUND:

City Council is being requested to approve the job description for a combined Assistant City Manager/Human Resources Administrator position and to authorize the City Manager to proceed to recruit for, and fill, the position. This position is non-union and FLSA exempt. The city is currently utilizing the services of Payroll Administrator Kimberly Jones to serve as Acting Human Resources Manager until a permanent appointment is made.

Appropriations are currently available in the FY 2016-17 Amended and 2017-18 Original General Fund budgets for this position. The position will initially be advertised with a starting salary of \$50,000 to \$62,500 (midpoint) depending on qualifications and experience. The position will be placed in the city's existing Pay Grade 4 (\$50,000 - \$75,000). Attached is a copy of the city's non-union pay scale for council's information. Advertisements will be placed with the Michigan Municipal League and other appropriate professional and minority organizations and publications, as well as on the city's web site, to invite and encourage a diverse applicant pool, and applications will be accepted through May 5, 2017. Review of applications, conduct of interviews, and selection will occur through the second week of May. The anticipated start date is on or before June 1, 2017.

RECOMMENDED ACTION: Approve the job description for the Assistant City Manager/Human Resources Administrator position and authorize the City Manager to proceed to recruit for, and fill, the position.

ATTACHMENTS: Resolution
Assistant City Manager/Human Resources Administrator Job Description
City of Ypsilanti Non-Union Pay Scale

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

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

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

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

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

WHEREAS, budgetary appropriations are available for this position;

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

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

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

ASSISTANT CITY MANAGER/HUMAN RESOURCES ADMINISTRATOR

PAY GRADE: 4

FLSA STATUS: Exempt

DEPARTMENT: City Manager

GENERAL SUMMARY

This is an executive team and professional human resources position that is responsible for assisting the City Manager in the overall management of the city, coordinating special projects, and performing a variety of duties in managing city-wide human resources programs. Reporting to the City Manager, the employee exercises considerable independent discretion and judgment within statutory requirements, City policies and procedures, union contract provisions, and direction from the City Manager.

PRINCIPAL DUTIES AND RESPONSIBILITIES

Assistant City Manager Functions:

- ❑ Provides professional advice, support, and assistance to the City Manager
- ❑ Plans, organizes, and directs workloads and staff assignments; trains, motivates, and evaluates assigned staff; resolves grievances; reviews progress and directs changes as needed
- ❑ Assists in the development of short and long range plans; gathers, interprets, and prepares data for studies, reports, and recommendations; coordinates activities with other departments and agencies as needed
- ❑ Assists with purchasing and procurement programs and procedures
- ❑ Communicates official plans, policies, and procedures to staff and the general public
- ❑ Makes presentations to department directors, boards, commissions, civic groups, other public agencies, and the general public as assigned
- ❑ Ensures that assigned areas of responsibility are performed within budget; performs cost control activities; monitors revenues and expenditures in assigned area to assure sound fiscal control; assists in the preparation of the annual budget
- ❑ Participates with community, state, and federal agencies to coordinate community initiatives; conducts meetings and workshops
- ❑ Evaluates work procedures, schedules, and workflows; studies and recommends policies and procedures to improve efficiency and effectiveness of operations
- ❑ Prepares a variety of studies, reports, and related information for decision making purposes; conducts research and analysis and prepares recommendations regarding proposals for programs, grants, services, budget, equipment, and other matters
- ❑ Prepares drafts of speeches, presentations, resolutions, ordinances, contracts, administrative policies, and other documents as assigned
- ❑ Investigates, coordinates, and responds to citizen requests for service, complaints, and requests for information
- ❑ Assists in the development of notices, flyers, brochures, newsletters, media releases, news articles, and other informational materials about programs and services
- ❑ Serves on relevant local, county, regional, and other boards and commissions
- ❑ Performs related duties as assigned by the City Manager

Human Resources Administrator Functions:

- ❑ Maintains the human resources system in accordance with federal and state statutes, city charter, ordinances, policies, and employment contracts or collective bargaining agreements
- ❑ Provides personnel and human resources advice and assistance to the City Manager, department directors, and employees
- ❑ Assists in the planning, implementation, and management of related employee benefit programs; insures compliance and processing of payments and employee changes as set forth in the benefit contract
- ❑ Maintains the human resources web pages, voice mail, and bulletin board for current job postings
- ❑ Plans and directs all recruitment and selection activities; prepares advertisements; reviews applications; schedules and conducts interviews; mails correspondence to applicants interviewed; monitors testing; schedules applicants for all testing; interprets results; recommends action
- ❑ Prepares and implements orientation programs and training for new employees; prepares and maintains employee personnel files; insures the completion of all related benefit forms
- ❑ Completes statistical analyses and reports on personnel issues and makes appropriate presentations
- ❑ Maintains departmental records and files in accordance with federal, state, and local law; prepares files and maintains log for offsite storage of human resources files
- ❑ Plans and directs the unemployment compensation program
- ❑ Coordinates the Employee Assistance Program (EAP) for employees
- ❑ Oversees the payment of invoices and departmental purchases in accordance with purchasing policies
- ❑ Oversees the maintenance of the compensation program; completes job/desk audits and analyses, prepares job descriptions, and completes wage and benefit analyses and surveys
- ❑ Assists in the creation, maintenance, review, and monitoring of employee performance appraisal systems
- ❑ Regularly develops, reviews, and updates personnel policies regularly for consideration by the City Manager
- ❑ Conducts Municipal Employees Retirement System (MERS) elections each spring and submits the necessary forms for elected personnel to attend the MERS conferences
- ❑ Prepares exit interviews and provides employee wage and separation information
- ❑ Conducts verification of vendor compliance with the city's living wage ordinance
- ❑ Coordinates civil service promotional examinations for police and fire personnel every two years and assists in all other promotions of current employees as needed
- ❑ Notifies employees and retirees of insurance open enrollment opportunities each year and sends out notification to retirees of rate changes for health, life, and other applicable insurances
- ❑ Assists the City Manager with collective bargaining, including but not limited to preparing reports and contract language where appropriate and attending collective bargaining sessions; assists the City Manager with interest and grievance arbitration

processes

- ❑ Investigates, responds to, and resolves employee complaints, including serving as a step in employee grievances processes
- ❑ Serves as the City's Title VI Coordinator and EEO/Affirmative Action Officer; investigates claims of discrimination, wrongful employment practices, and related claims
- ❑ Coordinates city-wide training programs
- ❑ Assists in preparing and submitting the human resources, legal, unemployment insurance, and workers' compensation insurance budgets to the city's budget committee
- ❑ Serves as liaison to retirees in addressing health insurance issues
- ❑ Prepares and submits retirees' Medicare Part D prescription drug eligibility each year
- ❑ Serves as advisor to the Civil Service Commission
- ❑ Performs related work within general knowledge, skills, and abilities as set forth
- ❑ Responds to general public and employee inquires
- ❑ Supervises part-time employees and interns when applicable
- ❑ Prepares garnishment and verification of employment for employees and retirees as needed
- ❑ Provides relevant input for the city's staff planning priorities and participates in planning processes
- ❑ Prepares census reports for health care and life insurance providers, collective bargaining and arbitration processes, and other needs
- ❑ Prepares seniority lists for unions each year
- ❑ Enrolls the Housing Commission for all health care benefits and COBRA notifications
- ❑ Prepares all new hire, changes and termination paperwork for the Housing Commission, Parkridge Community Center, Senior Center, and Rutherford Pool employees
- ❑ Makes presentations to City Council as directed by the City Manager
- ❑ Evaluates and prepares recommendations for the City Manager and City Council related to human resources functions
- ❑ Performs all other human resources management work as assigned
- ❑ Oversees the Worker's Compensation program ; coordinates program activities with employees, insurance companies, and doctors; maintains system in accordance with state law
- ❑ Participates in city's Safety Committee; identifies and presents potential safety hazards to appropriate personnel for elimination or correction
- ❑ Prepares and submits the budget for the Workers' Compensation Fund
- ❑ Annually submits an application to the Workers' Compensation carrier
- ❑ Organizes the Flu Shot Fair and other wellness activities as required for active employees
- ❑ Prepares the annual OSHA injury report each year for posting from February 1 to April 30
- ❑ File all Report of Injury Forms for the Housing Commission, Senior Center, Rutherford Pool, and Parkridge Center for any injuries that occur on the job

KNOWLEDGE, SKILLS AND ABILITIES

A Bachelor's degree from an accredited four-year college or university with a major in public administration, human resources, business administration, or closely related field and three years of experience in city management or human resources administration or any combination of experience and training to provide for the following knowledge, skills, and abilities:

- ❑ Knowledge of the principles and practices of modern public administration
- ❑ Knowledge of municipal government structure and operations
- ❑ Knowledge of personnel policies, practices, procedures, federal and state labor laws, and union contracts
- ❑ Knowledge of personnel selection methods, laws, and policies
- ❑ Knowledge of employee benefit contracts
- ❑ Knowledge of the fundamentals of public sector general human resources management regarding recruitment, selection, training, employee relations, and records management
- ❑ Ability to gather and analyze data and prepare reports
- ❑ Ability to communicate effectively orally and in writing
- ❑ Ability to establish and maintain confidential and effective working relationships with supervisor, coworkers, boards and commissions, and the public
- ❑ Ability to identify and assist in resolving employee problems
- ❑ Ability to multi-task
- ❑ Ability to effectively negotiate, mediate, and resolve employee conflicts
- ❑ Skills in financial analysis, negotiations, project management, and proposal or grant writing
- ❑ Skill and ability to use routine office technology, including but not limited to personal computer, calculator, telephone, copy machine, and facsimile machine; proficiency in use of office computer software applications, including but not limited to word processing, spreadsheets, E-mail, presentations, and databases

PHYSICAL DEMANDS

The physical demands characterized here epitomize those that must be met by an employee to properly perform the integral functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

In order to properly perform the integral functions of this job, the employee is occasionally required to: stand or walk and stoop or kneel. Frequently, the employee is required to sit. It is crucial to the outcome of job tasks that the employee is able to: talk or hear; use hands to finger, handle, or feel; and reach with hands and arms extensively.

The employee in this classification will be required to frequently lift objects of up to 10 pounds in weight. Occasionally the employee will have to lift/move objects of up to 25 pounds in weight. Vision requirements for this position include close vision and the ability to adjust focus.

WORKING CONDITIONS

The employee performs job duties in a climate controlled office environment with a moderate noise level.

AUTHORIZATIONS

Kimberly Jones, Acting Human Resources Manager

Date

Darwin D. P. McClary, City Manager

Date

ADOPTED: 00/00/2017

REVISED:

Non-Union Pay Scale - Revised 11/06/2014 (revised)

Position	Grade	Annual	Annual	Annual	Biweekly	Biweekly	Biweekly	Hourly	Hourly	Hourly
		Minimum	Midpoint	Maximum	Minimum	Midpoint	Maximum	Minimum	Midpoint	Maximum
Deputy Clerk I	1	\$ 25,000	\$ 37,500	\$ 50,000	\$ 962	\$ 1,442	\$ 1,923	\$12.0192	\$ 18.0288	\$ 24.0385
Ordinance Officer	1	\$ 25,000	\$ 37,500	\$ 50,000	\$ 962	\$ 1,442	\$ 1,923	\$12.0192	\$ 18.0288	\$ 24.0385
Planner I	1	\$ 25,000	\$ 37,500	\$ 50,000	\$ 962	\$ 1,442	\$ 1,923	\$12.0192	\$ 18.0288	\$ 24.0385
Deputy Clerk II	2	\$ 30,000	\$ 42,500	\$ 55,000	\$ 1,154	\$ 1,635	\$ 2,115	\$14.4231	\$ 20.4327	\$ 26.4423
Executive Secretary	2	\$ 30,000	\$ 42,500	\$ 55,000	\$ 1,154	\$ 1,635	\$ 2,115	\$14.4231	\$ 20.4327	\$ 26.4423
General Accountant I	2	\$ 30,000	\$ 42,500	\$ 55,000	\$ 1,154	\$ 1,635	\$ 2,115	\$14.4231	\$ 20.4327	\$ 26.4423
General Foreman	2	\$ 30,000	\$ 42,500	\$ 55,000	\$ 1,154	\$ 1,635	\$ 2,115	\$14.4231	\$ 20.4327	\$ 26.4423
Housing Inspector	2	\$ 30,000	\$ 42,500	\$ 55,000	\$ 1,154	\$ 1,635	\$ 2,115	\$14.4231	\$ 20.4327	\$ 26.4423
HR Generalist	2	\$ 30,000	\$ 42,500	\$ 55,000	\$ 1,154	\$ 1,635	\$ 2,115	\$14.4231	\$ 20.4327	\$ 26.4423
Office Manager	2	\$ 30,000	\$ 42,500	\$ 55,000	\$ 1,154	\$ 1,635	\$ 2,115	\$14.4231	\$ 20.4327	\$ 26.4423
Police Admin. Services Manager	2	\$ 30,000	\$ 42,500	\$ 55,000	\$ 1,154	\$ 1,635	\$ 2,115	\$14.4231	\$ 20.4327	\$ 26.4423
Accounting Supervisor	3	\$ 40,000	\$ 52,500	\$ 65,000	\$ 1,538	\$ 2,019	\$ 2,500	\$19.2308	\$ 25.2404	\$ 31.2500
Assessor	3	\$ 40,000	\$ 52,500	\$ 65,000	\$ 1,538	\$ 2,019	\$ 2,500	\$19.2308	\$ 25.2404	\$ 31.2500
Asst. to the City Manager	3	\$ 40,000	\$ 52,500	\$ 65,000	\$ 1,538	\$ 2,019	\$ 2,500	\$19.2308	\$ 25.2404	\$ 31.2500
Deputy Comm. Development Dir.	3	\$ 40,000	\$ 52,500	\$ 65,000	\$ 1,538	\$ 2,019	\$ 2,500	\$19.2308	\$ 25.2404	\$ 31.2500
General Accountant II	3	\$ 40,000	\$ 52,500	\$ 65,000	\$ 1,538	\$ 2,019	\$ 2,500	\$19.2308	\$ 25.2404	\$ 31.2500
General Superintendent	3	\$ 40,000	\$ 52,500	\$ 65,000	\$ 1,538	\$ 2,019	\$ 2,500	\$19.2308	\$ 25.2404	\$ 31.2500
Human Resources Manager	3	\$ 40,000	\$ 52,500	\$ 65,000	\$ 1,538	\$ 2,019	\$ 2,500	\$19.2308	\$ 25.2404	\$ 31.2500
Planner II	3	\$ 40,000	\$ 52,500	\$ 65,000	\$ 1,538	\$ 2,019	\$ 2,500	\$19.2308	\$ 25.2404	\$ 31.2500
Treasurer	3	\$ 40,000	\$ 52,500	\$ 65,000	\$ 1,538	\$ 2,019	\$ 2,500	\$19.2308	\$ 25.2404	\$ 31.2500
Building Director	4	\$ 50,000	\$ 62,500	\$ 75,000	\$ 1,923	\$ 2,404	\$ 2,885	\$24.0385	\$ 30.0481	\$ 36.0577
City Clerk	4	\$ 50,000	\$ 62,500	\$ 75,000	\$ 1,923	\$ 2,404	\$ 2,885	\$24.0385	\$ 30.0481	\$ 36.0577
Deputy Fire Chief	5	\$ 60,000	\$ 72,500	\$ 85,000	\$ 2,308	\$ 2,788	\$ 3,269	\$28.8462	\$ 34.8558	\$ 40.8654
Deputy Police Chief	5	\$ 60,000	\$ 72,500	\$ 85,000	\$ 2,308	\$ 2,788	\$ 3,269	\$28.8462	\$ 34.8558	\$ 40.8654
Economic Development Dir.	5	\$ 60,000	\$ 72,500	\$ 85,000	\$ 2,308	\$ 2,788	\$ 3,269	\$28.8462	\$ 34.8558	\$ 40.8654
Finance Director	5	\$ 60,000	\$ 72,500	\$ 85,000	\$ 2,308	\$ 2,788	\$ 3,269	\$28.8462	\$ 34.8558	\$ 40.8654
Community Development Dir.	5	\$ 60,000	\$ 72,500	\$ 85,000	\$ 2,308	\$ 2,788	\$ 3,269	\$28.8462	\$ 34.8558	\$ 40.8654
Public Works Director	5	\$ 60,000	\$ 72,500	\$ 85,000	\$ 2,308	\$ 2,788	\$ 3,269	\$28.8462	\$ 34.8558	\$ 40.8654
Assistant City Manager	5	\$ 60,000	\$ 72,500	\$ 85,000	\$ 2,308	\$ 2,788	\$ 3,269	\$28.8462	\$ 34.8558	\$ 40.8654
Deputy City Manager	6	\$ 70,000	\$ 82,500	\$ 95,000	\$ 2,692	\$ 3,173	\$ 3,654	\$33.6538	\$ 39.6635	\$ 45.6731
Fire Chief	6	\$ 70,000	\$ 82,500	\$ 95,000	\$ 2,692	\$ 3,173	\$ 3,654	\$33.6538	\$ 39.6635	\$ 45.6731
Police Chief	6	\$ 70,000	\$ 82,500	\$ 95,000	\$ 2,692	\$ 3,173	\$ 3,654	\$33.6538	\$ 39.6635	\$ 45.6731
Public Safety Director	6	\$ 70,000	\$ 82,500	\$ 95,000	\$ 2,692	\$ 3,173	\$ 3,654	\$33.6538	\$ 39.6635	\$ 45.6731
City Manager	7	\$ 80,000	\$ 95,000	\$ 110,000	\$ 3,077	\$ 3,654	\$ 4,231	\$38.4615	\$ 45.6731	\$ 52.8846



Resolution No. 2017-087
April 4, 2017

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE: