

1. City Council Meeting Agenda

Documents:

[REGULAR COUNCIL - 04 FEB 2020 - AGENDA.PDF](#)

2. City Council Meeting Packet

Documents:

[REGULAR COUNCIL - 04 FEB 2020 - PACKET.PDF](#)



**CITY OF YPSILANTI
REGULAR CITY COUNCIL MEETING
FEBRUARY @ 7:00 PM
CITY HALL
One South Huron, Ypsilanti, MI 48197**

REVISED 2-4-2020

Page

I. CALL TO ORDER

II. ROLL CALL

III. INVOCATION

IV. PLEDGE OF ALLEGIANCE

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

V. AGENDA APPROVAL

VI. INTRODUCTIONS

VII. PRESENTATIONS

- A. Proclamation in honor of Marcy Davy Haywood.
- B. Truck Route Practices Synopsis - R and L Carriers. (added)

VIII. PUBLIC COMMENT (3 MINUTES)

IX. ORDINANCES FIRST READING

- A. *Ordinance No. 1355* - To amend Chapter 99, Ordinance 1345, to allow utility pole height depending on conditions.
1. Resolution No. 2020-025, determination.

X. CONSENT AGENDA

- A. Resolution No. 2020-026, approving the Consent Agenda.
- B. Resolution No. 2020, approving the minutes of January 21, 2020.
- C. Resolution No. 2020-028, approving appointments to boards and commissions.

XI. RESOLUTIONS/MOTIONS/DISCUSSIONS

- A. Resolution No. 2020-029, celebrating Black History Month.
- B. Resolution No. 2020-030, approving letter initiation the sixty day termination of the Freighthouse Operation and Management Agreement.
- C. Resolution No. 2020-031, approving the Freighthouse Transition Committee and Plan.
- D. Resolution No. 2020-032, directing the City Attorney and City Clerk to prepare ballot language for Charter Amendments to be placed on the August 4, 2020 Primary Election.
- E. Resolution No. 2020-033, approving public participation plan.
- F. Resolution No. 2020-034, approving City Council 2020 Goals.
- G. Discussion regarding a revised snow removal plan.
- H. Discussion regarding road construction prioritization.

XII. BOARDS AND COMMISSION - REAPPOINTMENT - ADDED

- A. **Police Advisory Commission - EXP 2/1/2023**
Gail Wolkoff - **Reappointment**
1728 Whittier Rd
Ypsilanti, MI 48197
- B. **Police Advisory Commission - EXP 2/1/2023**
Heather Berkovitz - **Reappointment**
422 S Huron St.
Ypsilanti, MI 48197
- C. **Ypsilanti Community Utility Authority - EXP 2/16/2025**
Michael Bodary - **Reappointment**
1206 Westmoorland St.
Ypsilanti, MI 48197
- D. **Board of Review - EXP 12/31/2021**
Roberta Wojcik-Andrews - **Reappointment**
7 N Normal St.
Ypsilanti, MI 48197

XIII. LIAISON REPORTS

1. SEMCOG Update
2. Washtenaw Area Transportation Study
3. Urban County
4. Ypsilanti Downtown Development Authority

5. Friends of Rutherford Pool
6. Housing Equity Leadership Team
7. Youth Community Connection

XIV. COUNCIL PROPOSED BUSINESS

XV. COMMUNICATIONS FROM THE MAYOR

XVI. COMMUNICATIONS FROM THE CITY MANAGER

XVII. COMMUNICATIONS

XVIII. PUBLIC COMMENT (3 MINUTES)

XIX. REMARKS FROM THE MAYOR

XX. ADJOURNMENT

- A. Resolution No. 2020-035, adjourning the City Council Meeting.
- B. Please click [here](#) to access the City Council Contact Form. This form can be used to submit any comments/concerns you might have about this agenda.



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PROCLAMATION

Marcy Davy Haywood

The City of Ypsilanti is honored to acknowledge and pay tribute to Marcy Davy Haywood, an exceptional individual who achieved great accomplishments during her life; and

WHEREAS, Marcy was born in St. Johns, Michigan in 1980; and

WHEREAS, in 2000, while studying at Central Michigan University she met her now husband, Chris Haywood, marrying in 2014; and

WHEREAS, Marcy was one of the most creative and passionate artists in the City of Ypsilanti; and

WHEREAS, Marcy was a full-time artist at Trader Joe’s in Ann Arbor, describing it as one of the best things that ever happened to her, however, with great courage she left the position to pursue her own projects; and

WHEREAS, in 2008 she launched the screen printing studio ‘All Things Grow’ from her apartment kitchen; and

WHEREAS, she was an integral pillar in the foundation of DIYpsi indie art fair a decade ago; and

WHEREAS, without Marcy’s passion and drive in the initial year of DIYpsi the event might not have ever materialized; and

WHEREAS, over the past ten years Marcy’s drive assisted in making the DIYpsi Art Fair a true asset to the community, helping artists throughout the region to showcase their talents; and

WHEREAS, while Marcy has passed, she will live on through the vibrancy and artistic inspiration she has brought to this community.

NOW, THEREFORE, I, ANNIE SOMERVILLE, COUNCIL MEMBER, WARD 3 of the City of Ypsilanti on behalf of the City Council, in a debt of gratitude, thank Marcy Davy Haywood for her many years of dedicated service to Ypsilanti, and the region, and proclaim our deepest condolences to her family in your time of mourning.

Given under my hand and seal of the
City of Ypsilanti, February 4, 2020.

Annie Somerville, Council Member, Ward 3



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: John Barr
DATE: February 4, 2020
SUBJECT: Small Cell Wireless Facilities Ordinance Amendment

DESCRIPTION:
Small Cell Wireless Facilities Ordinance Amendment

SUMMARY:

The Small Cell Wireless Facility Ordinance limits utility poles to 33 or 40 feet. Staff now finds that a better solution is to allow utility pole height depending on conditions. Existing poles differ in configuration and one size does not fit all. Staff recommends that the ordinance be changed to allow utility height depending on existing conditions.

ATTACHMENTS: Proposed Ordinance amendment

RECOMMENDED ACTION: Adoption of the ordinance amendment

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



**CITY OF YPSILANTI
NOTICE OF ADOPTED ORDINANCE
Ordinance No. 1355**

An Ordinance to amend Ordinance 1345 to allow utility pole height depending on conditions

- 1. THE CITY OF YPSILANTI HEREBY ORDAINS** That the Ypsilanti City Code is hereby amended by amending Chapter 99 to read as follows:

CHAPTER 99. - SMALL CELL WIRELESS FACILITIES

Sec. 99-1. - Definitions.

Act means the Small Wireless Communications Facilities Deployment Act, Act 365 of 2018.

Authorization means permission from the city to do work in the public rights-of-way, maintain facilities in the public rights-of-way, or deploy a small cell wireless facility in the city, and includes but is not limited to a franchise, a license, a permit, a letter, or construction drawing approval. Multiple authorizations may be required for certain activities.

Colocate means to install, mount, maintain, modify, operate, or replace wireless facilities on or adjacent to a wireless support structure or utility pole. Colocate does not include make-ready work or the installation of a new utility pole or new wireless support structure.

Contractor means and includes any of the following licensed entities performing work on an owner's behalf: contractor; subcontractor; or any employee or agent of a contractor, subcontractor, or owner.

Department means the city department of public service.

Emergency means a condition that poses a clear and immediate danger to life or health, or a significant loss of property, or requires immediate repair to restore service to a group of users of a utility service.

Emergency work means the replacement or repair of damage to active facilities, including main lines and services, where all 811 dig requirements are met.

Excavate means without limitation any cutting, digging, grading, tunneling, boring, or other alteration of the surface or subsurface material or earth in the public way.

Facilities means poles, pipes, culverts, conduits, ducts, cables, wires, fiber, amplifiers, pedestals, antennas, transmission or receiving equipment, other electronic equipment, electrical conductors, manholes, appliances, signs, pavement structures, irrigation systems, landscaping, monument signs, monument mailboxes and any other similar equipment, for public or private use.

Owner means any property owner, company owner, or any entity by which work within the public rights-of-way has been ordered, or any entity on behalf of which any work within the public rights-of-way is caused to be performed, or any agent thereof.

Person means an individual, association, firm, partnership, limited liability company, joint venture, corporation, government, utility, or other organized entity able to contract for the activities described in this ordinance, whether for profit or not for profit. The term does not include the city.

Public rights-of-way means the area on, below, or above a public roadway, highway, street, alley, easement or waterway. The term "public rights-of-way" does not include a federal, state, or private rights-of-way.

Small cell wireless facility means a wireless facility that meets both of the following requirements:

- (i) Each antenna is located inside an enclosure of not more than six cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements would fit within an imaginary enclosure of not more than six cubic feet.
- (ii) All other wireless equipment associated with the facility is cumulatively not more than 25 cubic feet in volume. The following types of associated ancillary equipment are not included in the calculation of equipment volume: electric meters, concealment elements, telecommunications demarcation boxes, grounding equipment, power transfer switches, cut-off switches, and vertical cable runs for the connection of power and other services.

Utility pole means a pole or similar structure that is or may be used in whole or in part for cable or wireline communications service, electric distribution, lighting, traffic control, signage, or a similar function, or a pole or similar structure that meets the height requirements in section 13(5) of the Act and is designed to support small cell wireless facilities. Utility pole does not include a sign pole less than 15 feet in height above ground.

Wireless facility means equipment at a fixed location that enables the provision of wireless services between user equipment and a communications network, including, but not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration. Wireless facility includes a small cell wireless facility. Wireless facility does not include (i) the structure or improvements on, under, or within which the equipment is collocated, (ii) a wireline backhaul facility, or (iii) coaxial or fiber-optic cable between utility poles or wireless support structures or that otherwise is not immediately adjacent to or directly associated with a particular antenna.

Wireless infrastructure provider : Any person, including a person authorized to provide telecommunications services in this state but not including a wireless services provider, that builds or installs wireless communication transmission equipment, wireless facilities, or small cell wireless support structures and who, when filing an application with the city under the Small Wireless Facilities Deployment Act, Act 365 of 2018, provides written authorization to perform the work on behalf of a wireless services provider.

Wireless provider means a wireless infrastructure provider or a wireless services provider. Wireless provider does not include an investor-owned utility whose rates are regulated by the Michigan Public Service Commission ("MPSC").

Wireless services means any services, provided using licensed or unlicensed spectrum, including the use of Wi-Fi, whether at a fixed location or mobile location.

Wireless services provider means a person that provides wireless services.

Wireless support structure means a freestanding structure designed to support, or capable of supporting, small cell wireless facilities. Wireless support structure does not include a utility pole.

Sec. 99-2. - General requirements.

- (a) No wireless providers shall occupy, wholly or in part, the streets, alleys, or public rights-of-way within the city without first receiving a franchise and consent and permit for that purpose. No wireless provider shall install, collocate, or construct a facility outside the streets, alleys or public rights-of-way within the city without receiving a franchise and permit for that purpose.

- (b) No wireless providers shall attach, alter, or modify a city-owned pole or wireless support structure without entering into a license agreement with the city.
- (c) The city may establish appropriate requirements for new franchises, licenses, and ordinance requirements consistent with state and federal law, and may modify the requirements of this article from time to time to reflect changes in the industry. The city further retains the right to make any modifications based on court rules, injunctions, or statutory amendments addressing the federal and state law mandates requiring the city to provide this process under its current regulations. The city further reserves any constitutional or statutory challenges it may have under federal and state law to the process mandated by the Act and federal law, despite its efforts to comply with the law. If any changes to state or federal law allows the city to take a more restrictive approach, the city reserves the right to alter current franchises, consent, permits and licenses.
- (d) Notwithstanding any other provisions of this article to the contrary, a wireless provider shall at all times comply with all laws and regulations of the state and federal government or any administrative agencies thereof. Provided, however, if any such state or federal law or regulation shall require a wireless provider to perform any service, or shall permit a provider to perform any service, or shall prohibit a wireless provider from performing any service, in conflict with the terms of this article or resulting franchise or of any law or regulation of the city, then as soon as possible following knowledge thereof, a wireless provider shall notify the city of the point of conflict believed to exist between such regulation or law and the laws or regulations of the city or any applicable franchise. If after review by the city, or notice of such conflict, the city council may waive the requirements of this article for any individual franchising consent, permit, or license during review and approval of an application for a permit.
- (e) Subject to this article, wireless providers may occupy and use the public rights-of-way to collocate small cell wireless facilities to provide wireless services upon, along, over and under the public rights-of-way in the city such that such collocations do not inhibit other utility installations within the public rights-of-way.
- (f) The city retains its right to impose fees and compensation consistent with federal and state law.
- (g) Wireless providers shall pay taxes for telecommunications services that are subject to taxation.
- (h) Use of the public rights-of-way is allowed only to the extent the City itself possesses such rights.
- (i) Wireless providers shall obtain approvals legally necessary to use the public rights-of-way from owners, other than the city, of property interests in the public rights-of-way or adjacent to the roadway system located within the city. To the extent any wireless provider obtains approval through a statutory authorization, as opposed to review and approval by the city, the wireless provider's placement or location of any small cell wireless facility, wireless facility, and utility pole within the city's public rights-of-way shall comply with the general and specific design and location requirements of this article, or any relevant zoning requirements.
- (j) No wireless provider shall have the exclusive right or privilege to occupy or use the public rights-of-way for delivery of wireless services or any other purpose.
- (k) The city reserves all rights to use the public rights-of-way for any purpose not prohibited by law, including the provision of wireless services, and all rights to grant authorizations to any other person(s), including any wireless provider, to use the public rights-of-way.
- (l) Wireless providers shall have no right, title, or interest in the public rights-of-way, and any franchise, consent, permit, or license provided by the city provides no right, title or interest to occupy any space outside of the public rights-of-way or any private property not owned by the city.
- (m) Wireless providers' use of the public rights-of-way shall not divest the city of any interest in the public rights-of-way.
- (n) The city does not warrant its legal interest in the public rights-of-way.
- (o) Nothing in this section shall be deemed or construed to stop or limit the city from exercising any regulatory, police, governmental, or legislative function pursuant to applicable law, which powers include, but are not limited to, the authority to enact regulations, ordinances, rules, and orders not

prohibited by state or federal law that affect the public rights-of-way or a wireless provider's use of the public rights-of-way.

- (p) The terms of this section do not permit the wireless provider to operate a cable system or to provide cable service, as those terms are defined by Section 602 of the Cable Communications Policy Act of 1984, as amended (47 U.S.C. Section 522), or install any wires or facilities that are required to be permitted under the METRO Act, Public Act 48 of 2002, MCL 484.310, without satisfying any additional legal requirements.
- (q) This article only permits the wireless provider, upon obtaining required approvals and permits, to place its small cell wireless facilities in those portions of the public rights-of-way, or in other locations outside the public rights-of-way, approved by the city.
- (r) Under no circumstances shall any wireless provider be permitted to place small cell wireless facilities on any building that is on the National Register of Historic Places, pursuant to 47 C.F.R. § 1.1307(a)(4) without a permit from the Ypsilanti Historic Commission.
- (s) Collocation of small cell wireless facilities shall commence within six months of permit issuance and shall be activated for use no later than one year from the permit issuance date. Failure to commence collocation within six months of permit issuance shall void said permit. A small cell wireless facility located in the public rights-of-way that is not activated within one year of permit issuance shall be considered abandoned and shall be removed from the public rights-of-way at the wireless provider's sole expense.
- (t) A wireless provider shall notify the city in writing of the location and date that any wireless facility located in the city whose use will be discontinued. If the use of the facility is discontinued for 180 days without notice from the owner/operator or the owner of the property or other information indicates that the facility is not in use, the city may declare the facility abandoned. The city will provide notice and provide the wireless provider an opportunity to show cause before the city manager as to why the wireless facility should not be removed. Following determination of the city manager, the city may take the necessary steps to remove the facilities from the city's public rights-of-way.

Sec. 99-3. - Permit required.

- (a) *Permit requirement* . Except as otherwise provided in the Act, a wireless provider seeking to use public rights-of-way in the city for its small cell wireless facilities (including collocation, or installing or replace a utility pole), to colocate small cell wireless facilities outside the public rights-of-way, or to install new wireless support structures or modify existing wireless support structures shall apply for and obtain a permit pursuant to this article.
- (b) *Limitations on facilities in application*. No more than 20 small cell wireless facilities may be included in a single permit application.
- (c) *Application* . A wireless provider shall apply for a permit on an application form made available by the Department of Public Service. A wireless provider shall file four copies of the application with the Director of Public Services, who shall distribute one copy to the city manager, one copy to the City Planner, and one copy to the City Attorney. Applications shall be complete and include all required information. An application is not considered complete until all required materials have been submitted and accepted by the city. At a minimum, the applications shall require submission of the following:
 - (1) Applicant's contact information, including an address, phone contact, twenty-four-hour emergency contact information, e-mail address (which shall be used to receive application updates from the city), and any applicable license numbers;
 - (2) Applicant's contractor and subcontractor information, including the names, addresses, phone contact, e-mail addresses, emergency contact numbers, and name of the supervisor(s) assigned to any facility project of all contractors or subcontractors that will work within the city's public rights-of-way under a permit;
 - (3) Number of wireless facilities that will be deployed;

- (4) The scope of the deployment, including whether the deployment is modification of a current facility or utility pole, collocation on an existing utility pole or wireless support structure, or installation of a new or replacement wireless support structure or utility pole;
- (5) GIS maps and coordinates detailing locations for each proposed small cell wireless facility and related facilities associated with each facility;
- (6) Site plan at a scale not smaller than one-inch equals twenty feet with dimensions showing the following:
 - a. Proposed location, including nearest cross street intersection;
 - b. Parcel identification number and property ownership for parcels where the small cell wireless facility is located and parcels located within 75 feet of the proposed facility;
 - c. Height of the proposed facility;
 - d. The distance of the proposed facilities and the nearest property line, roadways, rights-of-way, and utilities within the rights-of-way; and
 - e. Any other proposed improvements that are part of the deployment;
- (7) An application fee as established by the city council;
- (8) Executed franchise, license and consent agreement for access to and use of the city's public rights-of-way, if applicable;
- (9) Specification sheets for all attachments and equipment that will be located within the city, including the dimensional size of the small cell wireless facility and all other wireless equipment;
- (10) Attachment drawings and demonstrations of each type of installation, including photograph simulations showing collocations, new or replacement utility poles, wireless support structures and concealment and design characteristics satisfying this article;
- (11) Pole loading analysis if being collocated on a city utility pole or wireless support structure;
- (12) Attestation that the small cell wireless facilities will be operational for use by a wireless services provider within one year after the permit issuance date;
- (13) Work plan describing the location of the proposed work, the work to be performed, the limits of disturbance to the public rights-of-way and the method and materials to be used;
- (14) Landscape plans for ground-mounted facilities, if applicable;
- (15) Site/structure remediation plans for restoring any public property after removal of the wireless facilities, if applicable;
- (16) Certificate of compliance with FCC radio frequency emission regulations;
- (17) For all new utility poles, replacement utility poles, and wireless support structures, demonstration of compliance with ANSI/TIA 222-G-2 standards;
- (18) For all new utility poles, replacement utility poles, and wireless support structures, a certification by the wireless provider and a structural analysis sealed by a licensed engineer attesting that the utility poles and wireless support structures will accommodate collocation of additional antennas, including the extent of such collocation space;
- (19) For all new utility poles, replacement utility poles, and wireless support structures, a statement from a licensed engineer why no current existing utility poles or wireless support structures are adequate to provide the services planned with the wireless facility;
- (20) An inventory of any existing and approved small cell wireless facilities, utility poles, and wireless support structures that are within the jurisdiction of the city;
- (21) Copy of all other permits related to the deployment, including any applicable METRO Act application and permit;

- (22) For deployments in downtown or residential districts, documentation of compliance with design and location requirements;
 - (23) For deployments in the public rights-of-way, documentation showing adequate insurance, including the city named as an additional insured;
 - (24) A performance bond meeting the requirements of this article; and
 - (25) Any additional information requested by the city.
- (d) *Confidential information*. If a wireless provider claims that any portion of the information submitted by it as part of its application contains trade secret, proprietary, or confidential information, which is exempt from the Freedom of Information Act (MCL 15.231 et seq.), the wireless provider shall prominently so indicate on the application.
- (e) *Application fee*. Except as otherwise provided by the Act, the application shall be accompanied by a one-time nonrefundable application fee in the amount as established by city council.
- (f) *Permit approval process*. Permit applications shall comply with the following process.
- (1) *Pre-meeting*. Prior to submission of an application, the city strongly prefers a wireless provider meet with the city to discuss the application process, a wireless provider's intended deployment, and the requirements of this article.
 - (2) *Submission*. After the pre-meeting is conducted, the wireless provider may file the application, including all required documents, fees and information.
 - (3) *Initial review for completeness*. Submitted applications will first be reviewed for completeness to ensure that all required information is included. If an application is deemed incomplete, the city will provide written notice to the wireless provider which clearly delineates all missing documents or information. Any applicable statutory review times will be tolled from the time the wireless provider receives notice from the city that the application is incomplete until the city receives a supplemental submission.
 - (4) *Review by city staff*. Once an application is deemed complete, it will be reviewed by the city manager, the city department of public works, the city building official, the DDA director, the city attorney and any other designees of the city manager.
 - (5) *Post-application meeting*. If review by the city raises any issues or concerns, meetings with the wireless provider and relevant members of the city staff may be requested.
 - (6) *Final approval*. Upon the conclusion of the city's review, the city council will review the application and any recommendations from city staff. If the city council is satisfied that all the requirements of this article are satisfied, it will approve the application. The wireless provider is requested to attend this meeting.
 - (7) *Issuance of permit*. Once an application is approved by the city council, the city department of public works shall issue a permit granting the wireless provider authority to deploy the small cell wireless facility, utility pole, or relocated wireless support structures within the city, including use of the public rights-of-way, if applicable.
 - (8) *Notice of completion*. Wireless provider will notify the city within 48 hours after completing the work allowed by the permit.
 - (9) *Final inspection*. Within 30 days after receiving notice that the wireless provider has completed the work under the permit, the city will inspect the wireless provider's facilities and make a written report as to the satisfaction of the permit, the City Code, any applicable agreements and state and federal law.
- (g) *Timeline for review*. Applications will be processed consistent with the following timelines:
- (1) *Collocation requests*. Applications requesting to collocate small cell wireless facilities on utility poles or wireless support structures located within the public rights-of-way will be approved or denied within 60 days after the date the application is submitted, subject to the following:

- a. The city will determine whether the application is complete within 25 days after the application is submitted. The city will provide written notice to the wireless provider if the application is deemed incomplete and a supplemental response is required.
 - b. If a supplemental response is required, the city's deadline for approving or denying the application will be tolled by however many days it takes for the wireless provider to submit a supplemental response to the city after receiving notice that the wireless provider's application was incomplete. The city will notify the wireless provider whether the application remains incomplete within ten days of receiving a supplemental response. If more than one supplemental response is required, the deadline for approving or denying the application will continue to be tolled by the number of days from when the wireless provider receives notice of incompleteness from the city to when the city receives a supplemental submission from the wireless provider.
 - c. The city may add 15 days to the deadline for approving or denying the application if another wireless provider also submitted an application within seven days of the date of the submission of the application in question.
 - d. The city may extend the deadline for approving or denying the application by an additional 15 days if the city notifies the wireless provider in writing that an extension is needed and the reasons for the extension.
 - e. If the city denies a completed application, it will provide written notice explaining the reason for denial. The wireless provider may cure the identified deficiencies and resubmit its application within 30 days after the denial without paying an additional fee. The city will approve or deny the revised application within 30 days after receiving the revised application.
 - f. The deadline for approving or denying the application may be extended by mutual agreement between the city and the wireless provider.
- (2) *Requests to install a new or replacement utility pole* : Applications requesting to install a new or replacement utility pole and associated small cell wireless facility within the public right of way will be approved or denied within 90 days after the date the application is submitted. The city will determine whether the application is complete, deny the application, and review and consider a revised application as provided for collocation requests.
- (3) *Requests to install facilities outside the ROW or to modify wireless support structures* . Applications to install or modify small cell wireless facilities outside of the public rights-of-way and applications to modify wireless support structures to be used for small cell wireless facilities will be approved or denied within 90 days after the date the application is submitted, subject to the following:
- a. The city will determine whether the application is complete within 30 days after the application is submitted. The city will provide written notice to the wireless provider if the application is deemed incomplete and a supplemental response is required.
 - b. If a supplemental response is required, the city's deadline for approving or denying the application will be tolled by however many days it takes for the wireless provider to submit a supplemental response to the city after receiving notice that the wireless provider's application was incomplete. The city will notify the wireless provider whether the application remains incomplete within ten days of receiving a supplemental response. If more than one supplemental response is required, the deadline for approving or denying the application will continue to be tolled by the number of days from when the wireless provider receives notice of incompleteness from the city to when the city receives a supplemental submission from the wireless provider.
 - c. The deadline for approving or denying the application may be extended by mutual agreement between the city and the wireless provider.

- (4) *Requests to install new wireless support structures* . Applications to install or construct new wireless support structures to be used for small cell wireless facilities will be approved or denied within 150 days after the date the application is submitted, subject to the following:
- a. The city will determine whether the application is complete within 30 days after the application is submitted. The city will provide written notice to the wireless provider if the application is deemed incomplete and a supplemental response is required.
 - b. If a supplemental response is required, the city's deadline for approving or denying the application will be tolled by however many days it takes for the wireless provider to submit a supplemental response to the city after receiving notice that the wireless provider's application was incomplete. The city will notify the wireless provider whether the application remains incomplete within ten days of receiving a supplemental response. If more than one supplemental response is required, the deadline for approving or denying the application will continue to be tolled by the number of days from when the wireless provider receives notice of incompleteness from the city to when the city receives a supplemental submission from the wireless provider.
 - c. The deadline for approving or denying the application may be extended by mutual agreement between the city and the wireless provider.
- (h) *Standards for review for deployments within the public rights-of-way* . The city may grant or deny the location and installation of any small cell wireless facility, utility pole, or wireless support structure to be installed within the public rights-of-way, if installation would:
- (1) Materially interfere with the safe operation of traffic control equipment.
 - (2) Materially interfere with sight lines or clear zones for transportation or pedestrians.
 - (3) Materially interfere with compliance with the Americans with Disabilities Act of 1990, Public Law 101-336, or similar federal, state, or local standards regarding pedestrian access or movement.
 - (4) Materially interfere with or endanger the use of city bike paths, walkways, parks, or recreational areas used by city residents.
 - (5) Materially interfere with maintenance or full unobstructed use of the city's public utility infrastructure.
 - (6) Materially interfere with maintenance or full unobstructed use of the city's drainage infrastructure as it was originally designed, or not be located a reasonable distance from the drainage infrastructure to ensure maintenance.
 - (7) Fail to comply with spacing requirements as set forth in this article.
 - (8) Fail to comply with applicable codes.
 - (9) Fail to comply with design and concealment requirements as set forth in this article.
- (i) *Standards of review for collocations outside the public rights-of-way* . The city may grant or deny the collocation of any small cell wireless facility outside the public rights-of-way, if installation would:
- (1) Be conducted without the consent of the legal owner of the property upon which the small cell wireless facility is to be collocated.
 - (2) Materially interfere with or endanger the use of city bike paths, walkways, parks, or recreational areas used by city residents.
 - (3) Fail to comply with spacing requirements as set forth in this article.
 - (4) Fail to comply with applicable codes.
 - (5) Fail to comply with design and concealment requirements as set forth in this article.
 - (6) Fail to meet zoning requirements.

Sec. 99-4. - General design and location requirements.

Small cell wireless facilities, related equipment and accessories, utility poles and wireless support structures shall comply with the following design and concealment standards:

- (a) *Compatible design* . All small cell wireless facilities and related equipment must use materials, colors, textures, and screening so as to be aesthetically and architecturally compatible with the surrounding environment, including:
 - (1) Be compatible in design to match existing street lights, traffic control devices, utility poles, infrastructure, outside furniture, garbage receptacles, and adjacent buildings.
 - (2) Be aesthetically pleasing based on review and comparison of existing utility poles.
 - (3) Be similar in color to existing architecture and adjacent infrastructure.
- (b) *Lighting*. Facilities, utility poles or wireless support structures shall not be artificially lighted. If lighting is required, the lighting fixtures and installation must cause the least disturbance to surrounding properties and comply with Ypsilanti City Code section 122-609(b).
- (c) *Collocation* . Unless physically or technically infeasible, all wireless facilities shall be constructed to accommodate two or more users. Any wireless provider must openly allow another provider to collocate upon its wireless facility under rates and conditions that are acceptable within the industry to promote collocation. Collocation of small cell wireless facilities is strongly encouraged.
- (d) *Ancillary Facility Equipment* . All other wireless equipment with the facility shall be designed and painted to satisfy this section. The equipment will be required by the city to be located underground in any locations where the equipment will be visible from adjacent roadways and lots and public electrical utility lines are already placed underground. Where underground placement of equipment is not required or would impair service, aboveground placement is permitted upon the city's approval. Ground-mounted equipment shall comply with the following requirements:
 - (1) All equipment shall be completely concealed from view within an enclosed cabinet. Cabinets must be compatible in color and design to match existing infrastructure and architecture.
 - (2) So as not to impede or impair public safety or the legal use of the public rights-of-way by the traveling public, in no case shall ground-mounted equipment be located closer than two feet from the public rights-of-way, edge line, face of curb, sidewalk, bike lane or shared-use path.
 - (3) Ground-mounted equipment shall be located a minimum of 12 feet from any permanent object or existing lawful encroachment in the public rights-of-way to allow for access.
 - (4) Ground-mounted equipment must be secured to a concrete foundation or slab with a breakaway design in the event of collisions.
 - (5) Ground-mounted equipment must either be screened with plant material that is consistent with the characteristics of the surrounding area, be integrated into the base of an existing utility pole, wireless support structure or other infrastructure, or be otherwise camouflaged so as to be aesthetically and architecturally compatible with surrounding environment, without detracting from the streetscape. The City and the wireless provider shall agree on mutually acceptable design criteria prior to any aboveground deployment.
- (e) *Separation distances* . New utility poles, wireless support structures and ground-mounted equipment shall be installed at least 300 feet from any existing or proposed utility pole, wireless support structures or ground-mounted equipment. Any wireless provider desiring to install utility poles less than 300 feet apart shall demonstrate to the City's satisfaction that the wireless provider could not serve a location without the desired placement.
- (f) *Marking and signage* . No small cell wireless facility, utility pole, wireless support structure or any portion thereof shall have any signage except as expressly permitted by this article or as required by state or federal law. Aerial portions of small cell wireless facilities shall be marked

with a marker which shall state wireless provider's name and provide a toll-free number to call for assistance. Underground portions of small cell wireless facilities shall have a stake or other appropriate above ground markers with wireless provider's name and a toll-free number indicating that there is buried equipment below. Any marking required by this section shall not be used for advertising purposes and shall not exceed one square foot in area unless approved by the city.

Sec. 99-5. - Design and location requirements for deployments on existing poles.

Small cell wireless facilities installed on existing utility, street light, traffic signal poles, or wireless support structures located in residential and downtown districts shall comply with the following design and concealment standards:

- (a) They shall be aesthetically pleasing, similar in design to existing infrastructure and architecture, consistent with the local character of the area and shall not detract from the streetscape.
- (b) To the extent practicable, all accessory cables and equipment shall be installed underground.
 - (1) If any equipment cannot be installed underground, then it shall be installed at the base of the pole and concealed with skirting compatible in design and color to the pole.
- (c) Antennae shall be installed within the utility pole and not visible. If any antenna cannot be installed within the utility pole and made not visible, then it shall extend vertically from the utility pole or be flush-mounted to the side of the utility pole and shall be designed to be an architecturally compatible extension of the utility pole. The diameter of the antenna shall be consistent with the diameter of the utility pole, not including other appurtenances or extensions from the utility pole, or the base to which the utility pole is mounted. The antenna shall not extend more than ten feet above the top of the utility pole.

Sec. 99-6. - Design and location requirements for deployments requiring new utility poles or wireless support structures.

Small cell wireless facilities requiring the installation of a new utility pole or wireless support structure in residential, historic, and downtown districts shall comply with the following design and concealment standards:

- (a) If possible, utility poles and wireless support structures shall be designed to accommodate small cell wireless facilities for multiple wireless services providers.
- (b) Utility poles shall be located a minimum of 15 feet from any tree, measured to the tree-trunk center. Additionally, 80 percent of the root protection zone shall remain undisturbed. The root protection zone shall either be a six-foot radius around the tree or a one-foot radius for every inch of tree diameter at breast height, whichever is greater. This minimum separation shall not apply for a new utility pole that replaces an existing utility pole, where the new utility pole is installed in the same place as, or immediate vicinity of, the existing utility pole.
- (c) Utility poles shall be designed pursuant to city standards or the applicable utility's standard, and function as street light poles, utility poles, or traffic signal poles in consultation with the city or the applicable utility and shall be incorporated into the applicable utility or signaling system.
- (d) Utility poles or wireless support structures shall comply with the following height regulations:
 - (1) In residential districts, the height shall not exceed 40 feet in height from ground level.
 - (2) In downtown districts, the height shall not exceed ten percent of an adjacent building or exceed 40 feet in height from ground level, whichever is less.
 - (3) In all other districts, the height shall not exceed 40 feet in height from ground level.
 - (4) If the applicant proposes to replace an existing utility pole in the exact same location, in order to accommodate a small cell wireless facility, the height of the replacement pole may exceed 40 feet in height in the event all of the following criteria apply:

- a. The utility pole shall not exceed the minimum height required to avoid conflicts with existing overhead utilities.
- b. The applicant shall provide documentation which demonstrates the minimum separation distance required by the overhead utility.
- (e) Utility poles shall be designed and installed with materials and appearance consistent with existing utility poles in the adjacent public way, unless materials and appearance are prescribed by other ordinance, law, or city requirements. Utility poles shall be aesthetically pleasing, consistent with the local character of the area and shall not detract from the streetscape.
- (f) Antennae shall be installed within the utility pole and not visible. If any antenna cannot be installed within the utility pole and made not visible, then it shall extend vertically from the utility pole or be flush-mounted to the side of the utility pole and shall be designed to be an architecturally compatible extension of the utility pole. The diameter of the antenna shall be consistent with the diameter of the utility pole, not including other appurtenances or extensions from the utility pole, or the base to which the utility pole is mounted. The antenna shall not extend more than five feet above the top of the utility pole.
- (g) To the extent practicable, all accessory cables and equipment shall be installed within the pole or placed underground as required by this article, unless waived by city council.

Sec. 99-7. - Insurance and bonding requirements for deployments in the public rights-of-way.

- (a) *Insurance* . For deployments in the public rights-of-way, the wireless provider shall furnish proof of insurance in an amount and form satisfactory to the city, naming the city as an additional insured. Such insurance shall cover a period of not less than the term of this permit and shall provide that it cannot be cancelled without 30 days advance written notice to the city.
- (b) *Bonding*. Before any work in the public rights-of-way under a permit issued pursuant to this article may commence, a wireless provider shall furnish to the city a performance bond in the form of an irrevocable bank letter of credit form or surety bond form approved by city, in the amount of \$1,000.00 per small cell wireless facility included in the application for a permit, to provide for the reasonable costs of removal of abandoned or improperly maintained small cell wireless facilities, to repair the ROW or to recoup unpaid rates or fees.

Sec. 99-8. - Assignment; speculation.

- (a) *Assignment; transfer* . No permit may be transferred or assigned by a wireless provider without the city's express written permission until the construction and installation of all permitted small cell wireless facilities is completed. After completion of such construction, a wireless provider must provide notice to the city no later than thirty days after any assignment or transfer, provided that the transferee or assignee:
 - (1) Is qualified to perform under the terms of this article, the permit issued by the city and any applicable agreement with the city, and shall be subject to the obligations set forth in the same;
 - (2) Supplies the city with all relevant information required by this Article, the permit issued by the city and any applicable agreement with the city; and
 - (3) Complies with any updated insurance and bond requirements deemed reasonably necessary by the city.
- (b) *Speculation* . Any permit obtained pursuant to this article shall not be held for speculative purposes.

Sec. 99-9. - Revocation of permit; removal.

- (a) *Revocation of permit* . A permit to install small cell wireless facilities issued pursuant to this article shall be revoked upon the occurrence of any of the following events:
 - (1) The wireless provider does not commence construction of the permitted small cell wireless facilities six months after the date of issuance;

- (2) The permitted small cell wireless facilities are not operational within one year after the date of issuance;
- (3) The wireless provider or the permitted small cell wireless facilities violate the terms or conditions of this article, any applicable agreement with the city, any permit issued by the city, applicable codes or any relevant provision of state or federal law, and such violations are not corrected within 30 days after receiving written notice from the city;
- (4) After the permitted small cell wireless facilities become operational, the wireless provider discontinues the use of the small cell wireless facilities for a period of 180 consecutive days;
- (5) The wireless provider fails to renew the permit, or the permit otherwise expires by its own terms; or
- (6) The wireless provider voluntarily requests that a permit be terminated.

These deadlines may be extended only with express written permission from the city. If small cell wireless facilities, utility poles or wireless support structures are installed prior to the revocation of a permit, the wireless provider shall comply with the procedures for removal in the following section.

(b) *Removal of facilities; restoration .*

- (1) A wireless provider shall remove all small cell wireless facilities, utility poles and wireless support structures, and shall restore the site to its preinstallation condition within forty-five (45) days after receiving written notice from the city that a permit issued pursuant to this article has been revoked.
- (2) If the wireless provider does not complete removal and restoration within 45 days after receiving such notice, the city shall have the right, but not the obligation, to complete the removal and restoration and assess the costs and expenses against the wireless provider, including, without limitation, any administrative costs.
- (3) If the city exercises its right to effectuate removal and restoration, the wireless provider shall pay to the city the costs and expenses incurred by the city in performing any removal work and any storage of the wireless provider's property after removal (including any portion of the small cell wireless facilities) within 15 business days of the date of a written demand for this payment from the city. The city may, in its discretion, obtain reimbursement for the above by making a claim under the wireless provider's performance bond. After the city receives the reimbursement payment from the wireless provider for the removal work performed by the city, the wireless provider may obtain the property belonging to the wireless provider and removed by the city pursuant to this section at no liability to the city within ten business days at the City Hall. If the city does not receive the reimbursement payment from the wireless provider within such 15 business days, or if city does not elect to remove such items at the city's cost after the wireless provider's failure to so remove prior to forty-five (45) days subsequent to the issuance of notice pursuant to this section, any items of the wireless provider's property, including without limitation the small cell wireless facilities, remaining on or about the public rights-of-way or stored by the city after the city's removal thereof may, at the city's option, be deemed abandoned and the city may dispose of such property in any manner allowed by law, and in accordance with any legal rights of persons other than the city who own utility poles located in the public rights-of-way and used by the wireless provider. Alternatively, the city may elect to take title to such abandoned property, regardless of whether the city is provided an instrument satisfactory to the city transferring to the city the ownership of such property.
- (4) The deadline for removal and restoration may be extended only with express written permission from the city.

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 _____, 2020.

Andrew Hellenga, City Clerk

Attest

I do hereby confirm that the above Ordinance No. 1355 was published in The Washtenaw Legal News on the ____ day of _____, 2020.

Andrew Hellenga, 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 _____, 2020.

Andrew Hellenga, City Clerk

Notice Published: _____

First Reading: _____

Second Reading: _____

Published: _____

Effective Date: _____



MINUTES REGULAR COUNCIL Meeting

7:00 PM - Tuesday, January 21, 2020
Council Chambers

The REGULAR COUNCIL of the City of Ypsilanti was called to order on Tuesday, January 21, 2020, at 7:00 PM, in the Council Chambers, with the following members present:

PRESENT: Mayor Beth Bashert, Council Member Jennifer Symanns, Council Member Steven Wilcoxon, Council Member Nicole Brown, Mayor Pro-Tem Lois Richardson, Council Member Anthony Morgan, and Council Member Annie Somerville

I. CALL TO ORDER

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

II. ROLL CALL

III. INVOCATION

IV. PLEDGE OF ALLEGIANCE

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

V. AGENDA APPROVAL

The agenda was approved as submitted.

VI. INTRODUCTIONS

The Mayor introduced the following people; City Manager Frances McMullan, City Clerk Andrew Hellenga, Economic Development Director Joe Meyers, Project Manager Bonnie Wessler, Community Development Manager Christopher Jacobs, City Planner Andy Aamodt, and Non-Motorized Commission Chair Bob Krzewinski.

VII. PUBLIC COMMENT (3 MINUTES)

Twenty-six people spoke.

VIII. CONSENT AGENDA

- a) Resolution No. 2020-012, approving the Consent Agenda

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the following items be approved:

1. Resolution No. 2020-013, approving the minutes of January 14, 2020

2. **Resolution No. 2020-014, approving appointments to Boards and Commissions.**
3. **Resolution No. 2020-015, approving the non-resident appointment to Boards and Commissions.**

Council Member Anthony Morgan moved, seconded by Council Member Jennifer Symanns, to approve Resolution No. 2020-012

RESULT:	CARRIED.
MOVER:	Council Member Anthony Morgan
SECONDER:	Council Member Jennifer Symanns
AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville

- b) Resolution No. 2020-013, approval of the minutes of January 14, 2020.

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:
THAT the minutes of January 14, 2020 be approved.**

- c) Resolution No. 2020-014, approving appointments to Boards and Commissions.

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

<u>NAME</u>	<u>BOARD</u>	<u>EXPIRATION</u>
Anne Stevenson Reappointment 707 Collegewood Ypsilanti, MI 48197	HDC	12/31/2023
Madeleine Baier New Appointment 330 Chidester St. #418 Ypsilanti, MI 48197	Police Advisory Commission	2/1/2023
Kimmie Wolfe New Appointment 808 Young St. Ypsilanti, MI 48197	Arts Commission	2/1/2022
Michael McAtee New Appointment 703 Virginia Pl. Ypsilanti, MI 48198	Arts Commission	2/1/2021
Garret Schumann New Appointment 1726 Collegewood St. Ypsilanti, MI 48197	Arts Commission	2/1/2021

Jennifer Goulet New Appointment 2136 Collegewood St. Ypsilanti, MI 48197	Arts Commission	2/1/2023
Jakara Ventour New Appointment 515 Perry St. Ypsilanti, MI 48197	Arts Commission	2/1/2023
Aaron Seagraves New Appointment 913 N. Congress St. Ypsilanti, MI 48197	Arts Commission	2/1/2023
Matthew Kirkpatrick New Appointment 109 Catherine St. Ypsilanti, MI 48197	Arts Commission	2/1/2022
Gina Thompson New Appointment 1011 W. Cross St. Ypsilanti, MI 48197	Arts Commission	2/1/2021

- d) Resolution No. 2020-015, approving the non-resident appointment to Boards and Commissions.

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

<u>NAME</u>	<u>BOARD</u>	<u>EXPIRATION</u>
Lynne Settles New Member 7388 Natalie Drive Ypsilanti, MI 48197	Arts Commission	2/1/2022

IX. RESOLUTIONS/MOTIONS/DISCUSSIONS

- a) Resolution No. 2020-016, approving the Huron/Hamilton lane reduction plan.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The City of Ypsilanti has the health, safety, and welfare of Ypsilanti's residents, workers, and guests as their driving concern;

WHEREAS, the current design of Washtenaw from Normal to Hamilton; Hamilton from Washtenaw to Harriet; and Huron from Harriet to Cross encourages drivers to travel at speeds unsafe for an urban area;

WHEREAS, these streets are under the jurisdiction of the Michigan Department of Transportation (MDOT);

WHEREAS, the City of Ypsilanti has engaged a consulting engineering firm, Hubbell, Roth, and Clark Inc, to review and analyze options to determine whether a reconfiguration of the travel lanes of these streets, including transitions to/from this area, is feasible;

WHEREAS, the report and traffic model prepared by said firm also reviewed other applicable considerations as set forth in the MDOT "Road Diet Checklist" such that all relevant items have been reasonably addressed or can be further refined in consultation with MDOT personnel in the context of their review of said report and traffic model, and

WHEREAS, the report and traffic model predicts that the peak hour Level of Service in 2038 at all intersections within study area will be "D" or better, with the exceptions as noted below;

The following intersections, per 2038 projections in the 2019 feasibility study, will see excessive delays regardless of the lane reduction:

- **Hamilton/Washtenaw (eastbound right movement, PM peak),**
- **Hamilton/Pearl (westbound movement, Off and PM peaks),**
- **Hamilton/Michigan (southbound left movement, PM peak),**
- **Hamilton /Harriet (southbound through/right movement, PM peak),**
- **Huron/Michigan (westbound movement, AM peak).**

The following intersections, per 2038 projections in the 2019 feasibility study, will see excessive delays due to the lane reduction:

- **Hamilton/Michigan (southbound through/right movement, PM peak),**
- **Hamilton/Ferris (eastbound and westbound movements, PM peak),**
- **Hamilton/Harriet (westbound left movement, PM peak),**

WHEREAS, the 2018 Road Safety Audit noted that a road diet would likely improve the safety of these roads for all users, and

WHEREAS, the proposed lane reduction would provide bicycle lanes on Hamilton and Huron and safer pedestrian crossings, both goals of the Non-Motorized Transportation Plan (2010);

WHEREAS, the proposed lane reduction would coordinate with the planned non-motorized connection over I-94;

WHEREAS, the public were invited to a public meeting on 19 December 2019 and responses were positive;

WHEREAS, the Ypsilanti Downtown Development Authority passed a resolution of support on 16 January 2020;

NOW THEREFORE BE IT RESOLVED THAT the City of Ypsilanti City Council hereby requests that MDOT consider the report and traffic model prepared by HRC and to allow for the lane configuration proposed therein, and in the future consider additional pedestrian safety interventions such as RRFBs and gateway

treatments at Hamilton/Pearl, Hamilton/Ferris, and Hamilton/Catherine; with cost participation between the City and MDOT for these changes consistent with present MDOT policies and applicable State law, said participation to be set forth in subsequent contract documents.

Project Manager Bonnie Wessler provided a presentation of the Huron/Hamilton lane reduction plan.

Council Member Jennifer Symanns moved, seconded by Council Member Nicole Brown, to approve Resolution No. 2020-016

RESULT:	CARRIED.
MOVER:	Council Member Jennifer Symanns
SECONDER:	Council Member Nicole Brown
AYES:	Jennifer Symanns, Nicole Brown, Beth Bashert, Steven Wilcoxon, Lois Richardson, Anthony Morgan, and Annie Somerville

- b) Resolution No. 2020-017, approving the project agreement for \$60,000 from the Washtenaw County Parks and Recreation Connecting Communities Program.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City strongly supports safe nonmotorized transportation; and

WHEREAS, the Huron Street at I-94 lacks a safe pathway for pedestrians; and

WHEREAS, the need for a safe crossing is incorporated in the City's Master Plan and Nonmotorized Plan; and

WHEREAS, the City has applied for and been awarded a \$60,000 Washtenaw County Parks and Recreation Connecting Communities grant to use as match for a State TAP grant, administered by Washtenaw County Road Commission and MDOT; and

NOW THEREFORE BE IT RESOLVED, THAT the City Council hereby approves the project agreement for \$60,000 from the Washtenaw County Parks and Recreation Connecting Communities Program to assist in the engineering for a safe pathway across 1-94 on Huron St.

Project Manager Bonnie Wessler provided an overview of the project agreement to match funds for the redesign phase of the 1-94 crossing.

Mayor Pro-Tem Lois Richardson moved, seconded by Council Member Steven Wilcoxon, to approve Resolution No. 2020-017

RESULT:	CARRIED.
MOVER:	Mayor Pro-Tem Lois Richardson
SECONDER:	Council Member Steven Wilcoxon
AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville

- c) Resolution No. 2020-018, approving *Ordinance 1354* - Michigan Regulation and Taxation of Marihuana Act Zoning Update.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City has an interest in protecting the economic diversity and image of the community; and

WHEREAS, the City has an interest in promoting and supporting local businesses and their growth; and

WHEREAS, the Planning Commission has recommended the City Council adopt the proposed ordinance change;

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council approve the ordinance entitled Michigan Regulation and Taxation of Marihuana Act Zoning Update on Second and Final Reading.

City Planner Andy Aamodt provided an overview of the updates of the Michigan Regulation and Taxation of Marihuana Act Zoning Update.

Council Member Steven Wilcoxon moved, seconded by Council Member Annie Somerville, to approve Resolution No. 2020-018

RESULT:	CARRIED.
MOVER:	Council Member Steven Wilcoxon
SECONDER:	Council Member Annie Somerville
AYES:	Steven Wilcoxon, Annie Somerville, Beth Bashert, Jennifer Symanns, Nicole Brown, Lois Richardson, and Anthony Morgan

- d) Resolution No. 2020-019, approving updates to the Fee Schedule.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the attached fee schedule is adopted pursuant to the Ypsilanti City Code, and the following fees relating to various sections of the City Code and activities of the City are hereby established, and the various City Departments are authorized to charge and collect such fees effective January 22, 2020.

Economic Development Director Joe Meyers provided an explanation of the fee schedule updates.

Council Member Anthony Morgan moved, seconded by Council Member Jennifer Symanns, to approve Resolution No, 2020-019

RESULT:	CARRIED.
MOVER:	Council Member Anthony Morgan
SECONDER:	Council Member Jennifer Symanns
AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville

- e) Discussion regarding the Redevelopment Ready Communities Public Participation Plan.

Community Development Manager presented the Redevelopment Ready Communities Public Participation Plan.

X. BOARDS AND COMMISSION - NOMINATIONS

- a) **YPSILANTI DOWNTOWN DEVELOPMENT AUTHORITY - NEW MEMBER**
 Brian Jones-Chance - Exp. 7/1/2023
 107 Ferris St.
 Ypsilanti, MI 48197
- b) **PLANNING COMMISSION - NEW MEMBER**
 Michael Borellino - Exp. 5/1/2023
 200 W. Michigan Ave #2F
 Ypsilanti, MI 48197

XI. BOARD AND COMMISSIONS - RECOMMENDATIONS

- a) Human Relations Commission Resolution No. 2019-013

Mayor Pro-Tem Lois Richardson moved, seconded by Council Member Nicole Brown, to add the Human Relations Commission Resolution No. 2019-013 to the next agenda.

RESULT:	CARRIED.
MOVER:	Mayor Pro-Tem Lois Richardson
SECONDER:	Council Member Nicole Brown
AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville

XII. LIAISON REPORTS

1. SEMCOG Update
2. Washtenaw Area Transportation Study
3. Urban County
4. Ypsilanti Downtown Development Authority - RAC and DDA have come to an agreement for RAC to own their own building. Council Member Brown asked about Project Green light. Mr. Jacobs stated that there are no current plans to move it forward
5. Friends of Rutherford Pool
6. Housing Equity Leadership Team

Council Member Morgan asked to include the Youth Committee Connection in future agendas.

XIII. COUNCIL PROPOSED BUSINESS

Morgan

- Spoke with manager at RNL about the truck routes. Manager stated that there is a lack of visible signage and new drivers do not know the correct protocol. He will schedule a meeting for them to present to Council.

Richardson

- Would like to see the subject of the resolution in the minutes. Mayor Bashert asked for the entire resolution added in the minutes.
- Responded to public comment that Ypsilanti used to have dance recitals.

Somerville

- Stated that there needs to be a conversation about snow removal prioritization.

- Asked for Emmet and Adams intersection to be a four-way stop.
- Asked about tree removal across the street. City Manager McMullan stated that it is part of DPS's plan.
- Current medical marijuana facilities are not weighed against new applicants.

Brown

- Added that there needs are to prioritize safety in snow removal.
- Four Council Members attended the MLK event at EMU and looks forward to continued partnership with EMU.
- Asked about the vacant seat of the Huron River Watershed Council and suggested reaching out to Anne Brown. Mayor Bashert stated that she is not planning to reach out to Anne Brown for reappointment.

XIV. COMMUNICATIONS FROM THE MAYOR

- Mayor Bashert clarified that the City is not asking for the Friends of the Freighthouse to dissolve, but to take a more traditional role as a friends group. She added that the City is capable of managing the facility.

XV. COMMUNICATIONS FROM THE CITY MANAGER

- a) Council Goals for 2020.
- b) Freighthouse transition plan.

City Manager McMullan provided some background regarding the Freighthouse from April 2019, when she became City Manager, to the present.

Council Member Wilcoxon stated that it is unfortunate that it the situation has come to this point because everyone cares about the facility and wants the facility to benefit the community. Mr. Wilcoxon asked for clarification about parts of the transition plan. Mr. Wilcoxon stated that the improvements made by the Friends of the Freighthouse (FRIENDS) group were small so they may not have been reported. He expressed concern about the conflict of interest in construction contracts. He asked for documentation stating there is a non-disclosure agreement in place and if the liability insurance is up to date. He asked for clarification if grants were applied to or not. He stated that there is a key policy, but it does not require the City to have a key. Mr. Wilcoxon added that neither party tried to fill the liaison position and he was not aware that there was such a position until recently. He added that the City had difficulty fulfilling the RFP to perform the audit, possibly due to staff transition. Mr. Wilcoxon added if there were financial records available and if the calendar of scheduled events still needs to be produced. He asked if there was any information about communication between the FRIENDS and former staff regarding the audits. He added that applying for city permits is a routine process and there should not be an issue in obtaining them. He stated that the Treasurer of the FRIENDS group is a finance professional and would know that documents need to be submitted. He asked what the additional information section about the funding sources. Mr. Meyers stated that it was a requirement of the grant received from the Michigan Economic Development Corporation, because it is a City-sponsored grant; the FRIENDS were required to live up to these obligations which they have not.

Mr. Wilcoxon asked about the \$24,000 that is owed to the City. City Manager McMullan stated that the City has contributed \$250,000 in 2016, with a total of \$800,000 throughout the years. Mr. Wilcoxon stated that there has been no mention by the

FRIENDS that the City contributed that money. City Manager McMullan stated that there was an email from the FRIENDS to the former City Manager asking for that amount to be forgiven, but the request was denied.

Mr. Wilcoxon stated that the parking plan should not be up to the renters and the Project Manager should develop a plan to keep this from being a continuing issue. He asked about the realism of the current staff to manage the facility. Ms. McMullan explained the plan for which staff that would handle it. Ms. McMullan added that she is seeking direction from Council about how to move forward.

Council Member Somerville expressed concern that the current board could not answer her financial questions. Ms. Somerville added that Ward 3 council member have not been involved and there has not been an effort to fill the vacancy. She added that the board has changed a lot and the original intent of the FRIENDS was to fix the building and give it back. She stated that the FRIENDS group attempted to give ownership back in 2017, but the current administration did not want it. She added that it is important that the people who have booked events at the Freighthouse should be honored.

Mayor Pro-Tem Richardson stated that former Council Member Murdock began going to FRIENDS meetings and would report to Council, but the position did not start as an official position. Ms. Richardson recommend that they form a committee that would include members of the original board.

Council Member Morgan stated that the City and the FRIENDS group are doing well and thanked them for their work. He expressed concern about the lack of diversity on the board and would like to make it a more inclusive building. He added that he thinks that the City will be in great shape to take over management by the time the MOU has ended.

Council Member Brown thanked the FRIENDS group for their work. Ms. Brown added that she is in support of City management, but the process has moved faster than expected. She expressed disappointment that the FRIENDS may not continue the partnership but trusts the City Manager's opinion and the competency of staff.

Council Member Symanns stated that she did not think the process would go this fast and that it is unfortunate that this happened. She would like to mend the relationship, if possible.

Mayor Bashert stated that the speed of this transition plan was due to the possibility of the FRIENDS group disbanding. Ms. Bashert stated that there are many more issues with the FRIENDS than any other friends group.

City Manager McMullan stated that she recommends using the 60-day termination clause because of the uncertainty of dissolution of the FRIENDS. She wants to honor the existing contracts in a smooth transition. Ms. McMullan added that there are some requested items that have not been received which they may not be obligated to give if they are still in control.

Lois Richardson moved, seconded by Council Member Wilcoxon to form a special focus committee to address relationship with the Friends of the Freight House Group.

Council Member Wilcoxon stated that he supports this motion because there are long-term ramifications to move forward with the animosity. He would like to see a committee

happen to resolve some discrepancies and promote healing. Ms. Richardson asked if the FRIENDS group stated that they will not be fulfilling the contracts. Ms. Somerville stated that there is some concern that the FRIENDS group will not be able to fulfill obligations because they will run out of money without the ability to book more events.

Council Member Nicole Brown moved, seconded by Council Member Jennifer Symanns, to Call the Question

RESULT:	CARRIED.
MOVER:	Council Member Nicole Brown
SECONDER:	Council Member Jennifer Symanns
AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxen, Nicole Brown, Lois Richardson, and Annie Somerville
NAYS:	Anthony Morgan

Mayor Pro-Tem Lois Richardson moved, seconded by Council Member Steven Wilcoxen, to form a special focus committee to address the relationship with the Friends of the Freight House Group.

RESULT:	CARRIED.
MOVER:	Mayor Pro-Tem Lois Richardson
SECONDER:	Council Member Steven Wilcoxen
AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxen, Lois Richardson, and Annie Somerville
NAYS:	Nicole Brown and Anthony Morgan

Council Member Nicole Brown moved, seconded by Council Member Jennifer Symanns, to limit the length of the Committee to 60 days

RESULT:	CARRIED.
MOVER:	Council Member Nicole Brown
SECONDER:	Council Member Jennifer Symanns
AYES:	Beth Bashert, Jennifer Symanns, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville
NAYS:	Steven Wilcoxen

Council Member Annie Somerville moved, seconded by Council Member Anthony Morgan, to include Council Members representing each Ward on the Committee

RESULT:	CARRIED.
MOVER:	Council Member Annie Somerville
SECONDER:	Council Member Anthony Morgan
AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxen, Nicole Brown, Anthony Morgan, and Annie Somerville
NAYS:	Lois Richardson

Council Member Annie Somerville moved, seconded by Council Member Nicole Brown, to include implementation of the transition plan to the focus of the committee.

City Manager McMullan asked for clarification about the purpose of the committee. Ms. Richardson stated that it would be to look at the history of the Freighthouse and original intent of the FRIENDS and bring about healing between the two groups.

Council Member Somerville asked about the next steps for formation of the committee. Ms. Somerville volunteered to be the representative for Ward 3. Council Member Brown volunteered for Ward 1. Council Member Wilcoxon volunteered for Ward 2. Mayor Bashert stated that we will get names from Mayor Pro-Tem Richardson and someone from development department will help to put it together and meet in the next couple weeks.

RESULT:	CARRIED.
MOVER:	Council Member Annie Somerville
SECONDER:	Council Member Nicole Brown
AYES:	Beth Bashert, Nicole Brown, Anthony Morgan, and Annie Somerville
NAYS:	Jennifer Symanns, Steven Wilcoxon, and Lois Richardson

XVI. COMMUNICATIONS

- a) 2020 Taskforce Presentation

Mayor Pro-Tem Lois Richardson moved, seconded by Council Member Anthony Morgan, to include a presentation of the 2020 Task force on a future agenda

RESULT:	CARRIED.
MOVER:	Mayor Pro-Tem Lois Richardson
SECONDER:	Council Member Anthony Morgan
AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville

XVII. PUBLIC COMMENT (3 MINUTES)

Six people spoke.

XVIII. REMARKS FROM THE MAYOR

Mayor Bashert stated that the article she wrote after the goal setting session and conversations about changing the management at Council. Ms. Bashert wanted to avoid some of blaming and pointing out some of the flaws and mistakes. She added that she should not have written that article, although her intentions were honorable. Ms. Bashert stated that it is important to support the asset.

XIX. ADJOURNMENT

- a) Resolution No. 2020-020, adjourning the City Council Meeting.

The meeting adjourned at 10:41 p.m.



Resolution No. 2020-029
February 4, 2020

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, in 1926 President Woodrow Wilson and the Association for the Study of African American Life and History, or ASALH launched "Negro History Week"; and

WHEREAS, President Wilson chose the second week in February, as it encompassed both the Birthdays of Frederick Douglas and Abraham Lincoln; and

WHEREAS, President Gerald Ford decreed Black History Month a national observance in 1976, on both the fiftieth anniversary of the first iteration and America's bicentennial year; and

WHEREAS, the intent of Black History month, at its inception, was to honor the too-often neglected accomplishments of black Americans in every area of endeavor throughout our history; and

WHEREAS, The City of Ypsilanti has a rich African American History; and

WHEREAS, Ypsilanti held safe houses along the Underground Railroad, is the resting place of African American Civil War veterans from the 102nd Troop of the Union Army, and home to Elijah McCoy's, or "The Real McCoy" machine shop, where he developed the Improvement in Lubrications for Stream-Engines, also known as the "lubricating cup".

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council implore residents of the City of Ypsilanti, Washtenaw County, the State of Michigan, and Country as a whole to celebrate the contribution of African Americans to the fabric of the American Experience, not just in February, but throughout the year.

BE IT FURTHER RESOLVED THAT the Ypsilanti City Council encourage all people to educate themselves on the vast contributions of African Americans to the advancement of this country and all its people.

OFFERED BY: _____

#Resolution No. 2020-029

SECONDED BY: _____

YES:

NO:

ABSENT:

VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this
4 day of February 2020

#Resolution No. 2020-029



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: John Barr
DATE: February 4, 2020
SUBJECT: Freighthouse 60 Day Termination Clause

DESCRIPTION:
Freighthouse 60 Day Termination Clause

SUMMARY:

At the last meeting City Council discussed the Freighthouse situation. I reviewed the meeting notes and I am not entirely clear on what Council decided, so I would like clear direction.

For my direction I have prepared a resolutions to activate the 60-day termination clause in the contract.

ATTACHMENTS: Proposed Resolution

RECOMMENDED ACTION: Adoption of the resolution if the will of Council

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: Frances McMullan
DATE: February 4, 2020
SUBJECT: Freighthouse Transition Committee

DESCRIPTION:

Freighthouse Transition Committee

SUMMARY:

At the Council meeting of January 21, 2020, Council voted to form a Freighthouse Transition Committee comprised of past and current FOYF members and city officials. The purpose of this committee is to facilitate healing, oversee the management transition, and resolve the outstanding commitments to events scheduled in 2020. The Committee will seek to lay the ground work for the long term operation of the Freighthouse as a community space and determine the role and membership of the FOYF.

Staff met on January 24th to discuss potential committee members and recommends the following members:

Frances McMullan- City Manager
Ron Bluhm - Current FOYF Board Member
Corrine Sikorski - Current FOYF Board Chair
Andy French - Business Owner and Vice-Chair of YDDA
Linda French - Former FOYF Chair
Kim Ion - Former FOYF Chair
Gary McKeever - Former FOYF Member
Annie Somerville - Council Member
Steve Wilcoxon - Council Member
Lois Richardson - Mayor Pro-Tem
Beth Bashert - Mayor

The Freighthouse Transition Committee will meet three times over the next 60 days with the goal of each meeting lasting no longer than two hours. These meetings will be facilitated by a third party moderator to be hired by the City and staffed by Community Development Manager, Christopher Jacobs. We are asking City Council to approve the membership and purpose of this committee as provided here. I have also provided a rough outline of the agenda for each meeting for your consideration on the following page.

1st Meeting

- Introductions
- History, then and now.
- Draft Vision
- Identify current financial information and resolve outstanding issues.
- Determine timeline for transition

2nd Meeting

- How we would implement the vision? Who will be the staff and what are their roles?
- identify current financial information and resolve outstanding issues.
- Determine timeline for transition.

3rd Meeting

- Discuss Inventory, ie. tables and chairs, etc.
- Discuss any outstanding building issues; utilities.
- Discuss new role of FOYF: advocacy, fundraising, grant writing.
- Discuss how many board members are interested in maintaining membership or if there is a need to reformulate.

More work remains to be done in order to determine the right long-term balance of events and revenue projections. This committee will not explore these longer term priorities but instead focus on matters concerning the next 60-90 days of transition to ensure the building is properly staffed and secured, the commitments to events are honored, and the relationship between the FOYF and the City of Ypsilanti begins healing and is appropriately redefined. I am happy to answer any questions and look forward to working on this exciting new chapter for the Freighthouse.

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2020-031
February 4, 2020

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, during the January 21, 2020 City Council Meeting staff was directed to form a Freighthouse Transition Committee; and

WHEREAS, it was established the Committee would exist for a maximum of sixty days and include members from each Ward and the Mayor; and

WHEREAS, the City Manager, Economic Development Director, and Community Development Manager met Friday, January 24, 2020 to formulate a list of members, as outlined in the memo. Committee members were then contacted and confirmed their willingness to participate; and

WHEREAS, the intent of the Committee is to facilitate healing with the current Friends of the Freighthouse Group, and implement the transition plan developed by the City Manager; and

WHEREAS, the Committee will seek to lay the ground work for the long term operation of the Freighthouse as a community space, and determine the role and membership of the Friends of the Freighthouse; and

WHEREAS; The Committee will be facilitated by a third party moderator and meet three times during the sixty day timeframe.

NOW THEREFORE BE IT RESOLVED BY THE CITY OF YPSILANTI that the Ypsilanti city council approve the membership provided in the attached memo, and direct the City Manager to hire a facilitator to moderate the process.

BE IT FURTHER RESOLVED THAT the Ypsilanti City Council direct the City Manager to determine location of the meetings and establish the meeting schedule. Also, to direct the City Clerk to notice the meetings in accordance with the Open Meetings Act.

#Resolution No. 2020-031

OFFERED BY: _____

SECONDED BY: _____

YES:

NO:

ABSENT:

VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this
4 day of February 2020

#Resolution No. 2020-031



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: Andrew Hellenga
DATE: February 4, 2020
SUBJECT: Human Relations Commission Proposed Charter Amendments

DESCRIPTION:

Human Relations Commission Proposed Charter Amendments

SUMMARY:

During the Human Relations Commission meeting on November 13, 2019 a resolution was approved requesting amendments to three sections of the City Charter. Any amendments to City Charter must be submitted to the electorate for vote.

The proposed amendments would expand the power of nominations of boards and commission members to all members of City Council and public.

The documentation provided by the Human Relations Commission indicates three changes:

9.01 (c) Conflicts of Interest; Board of Ethics

"... The Board shall consist of five distinguished citizens nominated by the Mayor and approved by the Council and appointed according to Article IX Section 9.03 of this Charter..."

9.03 Boards

"... shall be appointed by the Mayor, subject to the approval and confirmation by a majority vote of the City Council; may be nominated for office by the Mayor, any member of City Council, or any resident in the City of Ypsilanti; youth members may be nominated by residents under voting age. The Council may establish a method for accepting nominations online, which may require multiple nominators, and shall not alter

any other nominating procedure. The Council shall vote on all nominees. All members of City boards and commissions shall be appointed by a majority vote of City Council...

9.04 Recruitment of Boards

“The City Clerk shall publish quarterly notice of anticipated openings on boards or commissions. The notice will state the general duties of the office, the qualifications for the office, the nominating procedures, and the fact that letters of intent from candidates listing qualifications shall be accepted by the Mayor, Council Members, and the City Clerk. Boards and commissions will actively recruit and publicize anticipated openings among minoritized communities that are underrepresented.”

If City Council approves this resolution the Clerk’s Office and City Attorney will develop ballot language for Council approval. This item may appear on either the August Primary or November General Election. The submission of ballot language is due to the Washtenaw Clerk’s Office May 12, 2020 by 4:00 pm for the August Primary and August 11, 2020 by 4:00 pm for the November General.

ATTACHMENTS: Resolution, HRC Resolution, HRC Proposed Recommendations

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2019-014
November 13, 2019

**RESOLVED BY THE HUMAN RELATIONS COMMISSION OF THE
CITY OF YPSILANTI:**

THAT the Human Relations Commission will forward suggestions for new nominating procedures to the Mayor and City Council for consideration.

OFFERED BY: Commissioner Choudhuri

SUPPORTED BY: Commissioner Hunter

YES: 7 NO: 0 ABSENT: 1 (Hicks) VOTE: Carried

I do hereby certify that the above resolution is a true and correct copy of Resolution 2019-014 as passed by the Ypsilanti Human Relations Commission, at their meeting held on November 13, 2019.

Sarah Stachnik, Deputy City Clerk

9.01. Conflicts of interest; Board of Ethics.

(a) Conflicts of Interest. The use of public office for private gain is prohibited. The City Council shall implement this prohibition by ordinance. Regulations to this end shall include but not be limited to: acting in an official capacity on matters in which the official has a private financial interest clearly separate from that of the general public; the acceptance of gifts and other things of value; acting in a private capacity on matters dealt with as a public official; the use of confidential information; and appearances by the City official before other City agencies on behalf of private interests. This ordinance shall provide for reasonable public disclosure of finances by officials with major decision-making authority over monetary expenditures and contractual matters and, insofar as permissible under State law, shall provide for fines and imprisonment for violations.

(b) Standards of Conduct. The City Council shall, within six months of the effective date of this Charter, adopt ordinances which will put into effect the ethical standards of conduct described in the Preamble of this Charter and described in (a) Conflicts of Interest.

(c) Board of Ethics. The City Council shall, within six months of the effective date of this Charter, establish an independent Board of Ethics to administer and enforce the standards of conduct ordinances adopted under Subsection (b) above. The Board shall consist of five distinguished citizens ~~nominated by the Mayor and approved by the Council~~ and appointed according to Article IX Section 9.03 of this Charter. The ordinance creating the Board shall provide for one term of five years staggered so that one term expires each year. No member of the Board may hold elective or appointed office under the City or any other government, and no more than three members of the Board may be members of the same political party. The ordinance shall authorize the Board to issue advisory opinions, conduct investigations on its own initiative and on referral or complaint, and refer cases for prosecution. The City Council shall appropriate sufficient funds to the Board of Ethics to enable it to perform the duties assigned to it and designate a staff person to assist the Board. The Board shall be entitled to advice from the City Attorney when it shall request such advice and may seek advice elsewhere whenever it resolves to do so. The Board shall file an annual report at the conclusion of each calendar year with the City Clerk including recommendations for changes in ordinances to increase the effectiveness of the Board. State law references: Conflicts of interest as contracts, MCL 15.321 et seq.; standards of conduct and ethics, MCL 15.341 et seq.

9.03. Boards.

The Council may create, by ordinance, boards and commissions which the Council deems necessary or of benefit to the City of Ypsilanti and provide for their duties and functions subject to law. The boards and commissions shall not administer any activity, department, or agency of the City government unless specifically required to do so by State statute, but shall serve solely in an advisory capacity or in the capacity of a quasi-judicial appeal board.

All members of the City boards and commissions established under this Charter, by statute or otherwise, ~~shall be appointed by the Mayor, subject to the approval and confirmation by a majority vote of the City Council~~ may be nominated for office by the Mayor, any member of City Council, or any resident in the City of Ypsilanti; youth members may be nominated by residents under voting age. The Council may establish a method for accepting nominations online, which may require multiple nominators, and shall not alter any other nominating procedure. The

Council shall vote on all nominees. All members of City boards and commissions shall be appointed by a majority vote of City Council.

Council Members may be appointed by the Council to serve on a board or commission only when the service is required by State law. Whenever any statute or law requires that the appointment of members of a board or a commission established under this Charter, by statute or otherwise, be by the chief executive or administrative officer of the City, such chief executive or administrative officer, for the purposes of such appointment, shall be deemed to be the Mayor, and an appointment in such cases shall be subject to the approval and confirmation by a majority vote of the City Council.

9.04. Recruitment of boards.

The City Clerk shall publish quarterly notice of anticipated openings on boards or commissions. The notice will state the general duties of the office, the qualifications for the office, the nominating procedures, and the fact that letters of intent from candidates listing qualifications shall be accepted by the Mayor, Council Members, and the City Clerk. Boards and commissions will actively recruit and publicize anticipated openings among minoritized communities that are underrepresented.



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: Christopher Jacobs
DATE: February 4, 2020
SUBJECT: Public Participation Plan

DESCRIPTION:
Public Participation Plan

SUMMARY:

As the economy picks up and more development proposals are reviewed, the lack of a local newspaper is being keenly felt. It has become apparent that the City needs to perform more outreach generally, and specifically when a change is proposed or made. The following public participation policy provides methods and best practices for effectively engaging the public. These best practices and adoption of a public participation plan are requirements for the Michigan Economic Development Corporation (MEDC) Redevelopment Ready Communities Program. Currently, due to staff and funding constraints, the City generally does slightly more than the minimum required by law; however, the law primarily requires proactive communications. In this memo, we will discuss routine vs special noticing, what the legal minimum is, what improvements could be made, the pros and cons of the various mechanisms available to us, and go into some depth on both new and existing mechanisms and how they work.

Routine Notification and Engagement

Routine notification happens when something is proposed, often by a private entity, and the authority to make a determination on that proposal is held by City Council or a Board or Commission. These determinations are made based upon criteria that are set forth in the ordinance and, in many cases, state law and case law. The deciding or recommending body may have discretion to make a determination based on the adopted policies and goals of the City and the anticipated effect of the proposal upon the community's health, safety, and welfare, they may have to make the decision based on precise criteria spelled out in the ordinance, or, most frequently, some combination of the two.

Routine noticing may also take place when there is a change in scheduling, such as when a meeting of a board or commission or City Council is cancelled, rescheduled, or a special meeting is called. In some cases, such as a site plan application, this is a true notification, not a call for engagement, due to the legal requirements inherent. In others, such as right-of-way requests, variance requests, planned unit developments, and special uses, the public is invited to give feedback and provide information on the expected effects of the specific proposal.

Special Notification and Engagement

Special notification is generally done in the course of setting or changing policy that guides the above decisions. Generally this is done as part of the creation of the master plan or a sub-plan, such as the parks & recreation or non-motorized transportation plan. This can also be done during the development of specific policies, such as those for liquor license applications, tax incentive applications and revocations, property disposition policies, or any other policy which is intended to guide decisions in many instances and for several years. As these policy proposals and changes can affect the community very broadly and significantly, this type of notification- and engagement- is rarer, but should be more exhaustive.

Special noticing work has two sides: what is provided to the public, and what is expected from the public. The public participation policy adopted by the City as part of the Redevelopment Ready certification work, paraphrased, states that the City should provide the following as part of the foundation for engagement:

- Clear understanding of the scope
- Full range of objective information about the issue
- Clear understanding of the criteria by which the issue will be evaluated
- Balanced alternatives that include stakeholder issues and concerns
- Clear comparison of alternatives

As a follow-up to the process, the City should also be transparent with who made the policy decision, why the decision was made, and how stakeholder issues were considered.

The specific methods of engagement can, and should, be made on a case-by-case basis depending upon the policy change being sought. Minimum standards are often set by state law or our ordinance for certain types of policies, but a committee could be formed to examine these and recommend improvements.

Border Cases

There are some types of government action that require a combination of special and routine engagement. Annual Council goal-setting, for example, is performed annually and guides the development of the year's budget. This requires routine noticing, in that it is a specific action performed every year; it also requires special noticing, in that it affects the implementation of the City's goals via budget expenditures. The biennial budget process is another that requires both routine and special engagement due to both its regularity and its long reach. The Capital Improvements Plan is effectively a part of the budget that is updated annually, but it also serves to capture many implementation steps of adopted plans and policies.

Attached is a comprehensive policy and matrix showing current methods of engagement and recommended methods of engagement for both special and routine instances, as well as brief

descriptions of the recommended changes. By adopting this public participation plan we hope to improve resident engagement in the decision making process and discover better outcomes collaboratively. Staff and Council both recognize that the way we communicate is evolving and requires a great deal of investment in best practices

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Public Participation Plan

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1. Purpose, Goals and Objectives
2. Legally required noticing (from Zoning Ordinance)
3. Methods of Communication
4. Types of Communication
5. Community Benefits Ordinance
6. Conclusion

1. Purpose, Goals, and Objectives (Community Engagement Statement)

As the economy picks up and more development proposals are reviewed, the lack of a local newspaper is being keenly felt. City Council and staff recognize the need to communicate effectively and engage residents in the decision making process. The City of Ypsilanti strives to prioritize public participation in planning and development processes to meet the following goals:

- The participants in public participation activities reflect the diversity of the City of Ypsilanti. Seek broad identification and representative involvement of all residents of the community. The diverse characteristics and needs of residents require different communication and outreach techniques.
- All public participation activities are conducted in open manner with equal access for all interested persons.
- Those most affected by a proposed planning, land use, or development project are invited and able to share their views and knowledge with decision makers.
- Seek out public participation in each phase of the master planning process.
- Information shall be made available in a timely and accessible manner to enable citizens to be involved in important decisions at various stages of the process.
- The results of public participation activities are communicated to decision makers and the public in a timely and accessible manner.
- Effectively use all forms of communication for distributing information and receiving comments and feedback.
- Support and encourage continuous improvement in the methods used to meet the public need for information and involvement. Public information and involvement methods are continually evolving. The City is committed to seek new and innovative ways to engage and keep the public involved throughout the process.
- Facilitate community participation meetings as a condition of significant public support for development in the form of subsidies, tax abatements, below-market priced land, or other enhanced public resources.
- Grow the ways the City connects and interacts with stakeholders digitally through social media, the website, and Newsflash notification system.
- The City will seek to update this public participation plan every three years to include new best practices as the way we communicate evolves.
- Staff will track the success of each method and public engagement process using qualitative and quantitative metrics and provide that information to Council.

2. Legally required

Our most basic responsibility is to meet the legally required noticing for certain decisions up for consideration by City Council, Planning Commission, or Zoning Board of Appeals. A number of laws dictate specific requirements for noticing, including:

- Home Rule City Act (1909)
- City Charter
- City Code of Ordinances
- The Michigan Open Meetings Act (PA 267 of 1976)
- The Michigan Planning Enabling Act (PA 33 of 2008)
- Brownfield Redevelopment Financing Act (PA 381 of 1996)
- Downtown Development Authority Act (PA 197 of 1975)
- The Personal Property Exemption Act (PA 328 of 1998)
- The Corridor Improvement Act (PA 280 of 2005)
- The Land Division Act (PA 288 of 1967)
- The Local Historic Districts Act (PA 169 of 1970)
- Other relevant local and state legislation

Generally, per the City Charter, the zoning ordinance, and other local ordinances, we currently follow the following process.

Zoning (122-323, 122-361, 122-397, 122-705)

For zoning amendments or zoning issues that involve eleven or more properties, such as a text amendment or large rezoning:

- A notice is placed in the paper of record (*Washtenaw Legal News* as of 5/2019) 15 days prior to the first meeting at which the item is discussed.
- If the issue goes to Council, then a notice is placed in the paper of record 10 days prior to the first Council meeting at which the item is discussed.
- If the item is an ordinance (rezonings, text amendments, PUDs), if it has been adopted by Council, a notice is placed on the City website and in the newspaper of record announcing its adoption.

For zoning amendments or other zoning issues that involve one to ten properties, such as a variance, special use permit, or small rezoning:

- Those who own or reside in property within 300' of the involved property are sent a mailed notice at least 15 days prior to the first meeting at which the item is discussed, a notice is placed in the paper of record, notices are mailed to utilities, newspapers, and other registered agencies; and notices are placed in the City Hall mailboxes of Councilmembers and Department Heads.
- If the zoning issue goes to Council, then the same process is followed prior to the first Council meeting at which the item is discussed.
- If the item is an ordinance (rezonings, text amendments, PUDs), if it has been adopted by Council, a notice is placed on the website and in the newspaper of record announcing its adoption.

Alley and Street closures or vacations (94-272, 94-352)

- Those who own or reside in property within 300' of the street or alley are mailed a notice at least 15 days prior to the first meeting at which the item is discussed, a notice is placed in the paper of record, notices are mailed to utilities, newspapers, and other registered agencies; and notices are placed in the City Hall mailboxes of Councilmembers and Department Heads.
- When the issue goes to Council, it is noticed as an ordinance; a notice is placed in the newspaper of record, and mailed to utilities, newspapers, and other registered agencies; and notices are placed in the City Hall mailboxes of Councilmembers and Department Heads.

For Master Plan, Parks Plan, and other plans, there are generally several Council public hearings, several Planning Commission &/or Parks & Recreation Commission public hearings, and many public input sessions and stakeholder sessions, all of which may be advertised in many different ways. At a legal minimum, a notice is placed in the newspaper of record and sent to neighboring jurisdictions. Practice has been more extensive, including public input sessions advertised in many different ways, stakeholder sessions, public surveys, social media posts, and press releases/media coverage.

3. Methods of communication

The City of Ypsilanti utilizes both tangible and digital methods of communication in order to effectively engage the public in the planning and development process. These methods consider staff capacity, cost, and scope when deciding which methods are best for which notifications.

Tangible Communication

- **Newspaper Notice:** Only those notices legally requiring publication are published. Staff strongly recommends switching to *Ann Arbor News* which is more widely available and known to the public than the current *Washtenaw Legal News*, however, this costs significantly more. This may take place at the Council organizational meeting immediately after elections. The City will seek to utilize local news outlets such as the Eastern Echo or WCC to reach people concerning special notices.
- **Mailbox notice:** The same notices that are mailed are placed in staff & CM mailboxes.
- **Mailing – chairs:** Related commission chairs are mailed a copy of a required public notice.
- **Mailing – letter:** These mailings are legally prescribed, sent in envelopes via first-class mail. Prior to 2018, these were sent trifolded, which caused issues with delivery. Mid 2018, staff shifted to envelopes, which appears to have a higher delivery rate. These are sent when public input is legally able to be directly considered, such as special uses, Planned Unit Developments, rezonings, etc.
- **Mailing – postcards:** For non-legally-required development proposals, such as a site plan reviewed by PC, or a site plan for new construction after approval by staff. This would be a notification, not so much an invitation; approvals are per the ordinance and public comment generally cannot be considered. *(proposed)*
- **Site Signage:** Required for applications reviewed by Planning Commission or Zoning Board of Appeals or HDC when public hearing is required. Staff will provide signage template to be placed by applicant. Required for Applications reviewed by Council with PC recommendation. Required for commercial incentive applications to Council. *(proposed)*
- **Neighborhood meeting:** Required for non-multifamily commercial special use and rezoning applications, applications reviewed by Council with PC recommendation, and commercial incentive applications to Council. These applicants are required to hold a neighborhood meeting and provide 300⁺ notices, CMs, etc; provided by staff prior to the public hearing. *(proposed)*
- **Public School System Mailers-** City staff will offer the public school system both digital and paper notices for distribution electronically and by mail wherever possible for special notifications. *(proposed)*

Digital Communication

The City of Ypsilanti increasingly relies upon digital platforms to communicate with stakeholders. Considerable staff time goes into stakeholder analysis identifying those impacted, affected, and interested, including traditionally underrepresented groups. Our digital presence is one of the few ways to truly engage in conversations with the public beyond route noticing and emphasis should be placed in its special noticing value.

- **Website newsflash:** When a newsflash is posted, an email/text is also sent to subscribers to that “interest” (newsflashes, planning, etc). We wish to grow this outreach through a “Keep up with Ypsi Notices” flyer that can be distributed in public places or events and digitally through our social media channels. This Newsflash is a key component of providing current and relevant notices without saturating our digital medium channels.
- **Agenda posting:** Subscribers to the website newsflash receive an email/text when an agenda is posted if they indicate an interest in that area.
- **Emailing Commission members:** Staff currently emails commission members regarding meeting cancellations. Staff will also email about applications received.
- **Facebook (Ypsi.Michigan):** When a newsflash is posted, a post is created on Facebook with a link back to the website. Growth in our following through targeted cross promotion, social media campaigns, and boosted posts could help us connect with additional stakeholders in a cost effective way. This digital medium is particularly useful in special noticing to engage stakeholders in the planning process. Often these digital mediums are the best way to connect people to real world events such as community workshops, charrettes, walking tours, and town hall meetings.
- **Nextdoor:** Staff will duplicate the Facebook posting to Nextdoor, a social media platform specifically geared for neighborhood communities. This could help us focus our target audience messaging and reach additional residents digitally. Over 1700 residents currently participate in Next Door. *(proposed)*
- **Youtube:** Staff will create a YouTube channel for special notices to ensure that all affected groups are informed about as well as invited and able to participate. Examples include a master planning process, proposed zoning changes beyond an individual property rezoning, town halls for major planning decisions such as parking strategy or Amtrak Train developments, and large-scale private development projects. *(proposed)*

- **Twitter:** Staff could manage a Twitter presence for time sensitive alerts like road closures, special meeting notices, office closures, meeting cancellations, and other routine communications. Linking our digital platforms such as Facebook, Nextdoor, Youtube, and Twitter would help us grow our social media following. *(proposed)*

4. Types of Communication

Opportunities for Public Participation

The Planning and Development Department separates public participation opportunities into two categories: routine and special. Routine processes occur on a weekly, monthly or annual basis as part of the standard business of official meetings and development reviews, but have a limited impact. Special processes occur at infrequent intervals and have the potential to impact a substantial portion of the community or the City as a whole.

Routine Public Participation Opportunities

Routine public participation opportunities include all meetings of the Planning Commission, Zoning Board of Appeals, and Historic District Commission, as well as any City Council meeting where a development review is on the agenda.

The Community Development Department tracks and shares public input for these instances with the elected or appointed body deciding the matter. If the deciding body requests additional public input, the Community Development Department will gather input and use special noticing methods for focus group meetings, walking tours in the neighborhood affected, or town hall meetings.

Development reviews requiring notice by state law- rezonings, special land uses, and variances – are included in this category. Annual required activities for the Planning Commission, Zoning Board of Appeals and Historic District Commission, such as the Planning Commissions yearly work plan, are routine public participation opportunities.

Routine noticing may also take place when there is a change in scheduling, such as when a meeting of a board or commission or City Council is cancelled, rescheduled, or a special meeting is called. In some cases, such as a site plan application, this is a true notification, not a call for engagement, due to the legal requirements inherent. In others, such as right-of-way requests, variance requests, planned unit developments, and special uses, the public is invited to give feedback and provide information on the expected effects of the specific proposal. Routine noticing may take place when:

- A variance is requested
- A site plan is submitted (for new construction, expansion, or change of use)
- A Special Use is proposed
- A right-of-way is requested to be closed or vacated
- A zoning ordinance change is requested
- A tax incentive is applied for
- A new liquor license is applied for
- Applications reviewed by PC, discretionary (special use permit, nonconformities)
- Applications reviewed by ZBA (variances, appeals)
- Applications reviewed by HDC when public hearing required (demolition)
- Applications reviewed by Council with PC recommendations (PUD, rezonings, ROW closures/vacations)
- Commercial incentive applications to Council (redevelopment liquor license, OPRA, IFT, PILOT, BF)
- Applications reviewed by PC, non-discretionary (site plans)
- Packet postings
- Special meetings
- Meeting cancellations

Reactive Public Notification and/or Participation Methods

Currently do	Change to existing proposed	New proposal

	Physical							Digital						
	Newspaper Notice	Mailbox notice (department heads, Council)	Mailing – 300'	Mailing – related committee chairs	Mailing – 300' (postcard)	Site Signage (placed by applicant)	Posting of agenda in City Hall entryway	Neighborhood meeting	Website newsflash (with email push)	Facebook	Nextdoor	Emailing - related commission	Youtube	Twitter
Applications reviewed by PC, non-discretionary														
Packet postings									Subject area					
Special meetings														
Meeting cancellations														
Applications reviewed by PC, discretionary														
Applications reviewed by ZBA								Variations only						
Applications reviewed by HDC when public hearing required														
Applications reviewed by Council with PC recommendation														

A Community Benefits Agreement is required between the City of Ypsilanti and a developer prior to Ypsilanti City Council's final approval of Public Support. City Council may grant preliminary approval of public support subject to the execution of a Community Benefits Agreement. Public support means a financial incentive of \$50,000 or more or the sale or lease of City or publicly-owned land for a price of at least \$10,000 below market value, as determined by the City Assessor. Section. 30-527 of the Community Benefits Ordinance lays out the following procedure required for the development of Community Benefits Agreements for all Projects:

- The Department shall coordinate with the developer and interested Councilmembers to call and hold a community participation meeting, which shall be chaired by an interested Councilmember. The purpose of this meeting shall be to inform the community about the project and to allow the community to discuss potential community benefits. Particularly, the scope of the request for public support, the information discussed in Section 30-526 of this Division, and the provisions and procedures of this Article shall be shared with the Community.
- There shall be time at this meeting for those present to ask questions, discuss and identify among themselves potential community benefits, and recommend resident members for the ad-hoc committee discussed in Section 30-527(B) of this Division. Applications for appointment shall be made available for resident members of the ad-hoc committee discussed in Section 30-527(B) of this Division.
- The developer shall be present at this meeting to present information and answer questions. Notice of this meeting shall be provided as required by this Division no less than 30 days in advance. This meeting shall be subject to the Open Meetings Act and its records subject to the Freedom of Information Act. If this meeting is held on a weekday, it shall not begin prior to 6 p.m.

After the committee described in Section 30-527(B) of this Division is established, it shall meet at least twice within 60 days. The purpose of these meetings is to identify community benefits mutually agreed upon with the developer and make a recommendation to City Council. Within these 60 days, the committee shall provide a recommended Community Benefits Agreement for consideration by City Council. The developer may produce and deliver a response for consideration by City Council within 15 days of the issuance of the recommendation.

Upon the request of the committee or the developer, respectively, City Council may grant an extension to the deadlines described herein. The City Manager, in his or her sole discretion, may direct employees and departments of the City to review and report to the committee concerning specific aspects of a proposed Community Benefits Agreement. Likewise, the City Manager, in his or her sole discretion, may direct employees and departments of the City to review a recommended Community Benefits Agreement issued by the committee and report to City Council. Notice for meetings of the committee shall be provided as required by this Division no less than seven days in advance.

Sec. 30-528. After the procedures discussed in this Division, City Council shall hold a public hearing regarding the proposed Community Benefits Agreement no less than 15 days prior to its consideration by City Council.

Sec. 30-529. Notice of all meetings discussed in this Division shall be published according to Section 11.13 of the City Charter. In addition, such notice shall be sent by mail or personal delivery to all Registered Groups; the Developer; to all persons to whom real property is assessed within 300 feet of the property boundary of where the Project is located; and to the occupants of all structures within 300 feet of where the Project is located. If the name of an occupant is not known, the term "occupant" may be used in making notification. Notification need not be given to more than one occupant of a structure, except that if a structure contains more than one dwelling unit or spatial area owned or leased by different individuals, partnerships, businesses, or organizations, one occupant of each unit or special area shall receive notice. Such notice shall include the following:

- Description of the nature of the meeting. This description shall include a brief summary of the project and the public support requested, the relevant requirements and procedures of this Article, and the purpose for which the particular meeting is being held.
- A legal description or address of the property which the project is located.
- Statement of when and where the meeting will be held.
- Statement of when and where comments will be received.

6. Conclusion

The City of Ypsilanti is committed to the regular assessment of how well we identify stakeholders and engage them, not only during the master planning process, but on a continual basis. A public participation strategy is essential to formalize those efforts and outline how the public will be engaged throughout planning and development processes. Public participation is the process by which a community consults with interested or affected stakeholders before making a decision. It is two-way communication and collaborative problem solving with the objective of being intentionally inclusive, and the goal of achieving better and more acceptable decisions. Public participation aims to prevent or minimize disputes by creating a process for resolving issues before they become an obstacle. The best plans and proposals have the support of many stakeholders from businesses, residents, community groups and elected and appointed

community officials. Public engagement should be more frequent and interactive than only soliciting input during the master plan update and public hearings.

DRAFT



Resolution No. 2020-034
February 4, 2020

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, during December of 2019, the city council engaged in goal setting and budget prioritization exercises with the valuable assistance from facilitator Dr. Morgan Milner and city administration; and

WHEREAS, Dr. Milner prepared a report titled *Ypsilanti City Council 2020 + Goal-Setting Report* which outlines the results of the city council's goal setting sessions; and

WHEREAS, the City Manager has reviewed the presented report, and with City Council direction, developed four umbrella goals that incorporate priorities set during goal session process. The goals are as follows:

1. **Focus on Community Engagement**
 - a. **Communication and Engagement**
 - i. **Develop and implement comprehensive communication plan including updated website.**
 - ii. **Provide community entertainment – Amphitheater in Frog Island**
 - iii. **Utilize Freighthouse as community asset.**
 - b. **Public Safety**
 - i. **Implement Community Policing Philosophy to enhance safety of all residents, business, and visitors.**
 - ii. **Create Mental Health Response Team which includes the addition of a YPD social worker to provide support and crisis intervention.**
2. **Become a Sustainable City**
 - a. **Increase recycling efforts.**
 - b. **Elimination or reduction of Iron Mountain usage.**
 - c. **Digitize financial records.**
 - d. **Utilize alternative fuel vehicles where possible and reduce greenhouse gas emissions.**
 - e. **Redevelop vacant sites (i.e. Water St.) and buildings (i.e. Angstrom), etc.**
 - f. **Attain Carbon Neutrality status.**
3. **Improve Internal and External Workflow**

#Resolution No. 2020-034

ORGANIZATIONAL VALUES

Three fundamental values continue to underlie our work together on behalf of the citizens of and visitors to the City of Ypsilanti.

1. Open, transparent and accessible decision-making

We are committed to openness and transparency in our decision-making to ensure that information is available and accessible to the public utilizing technology in order to provide opportunities for public engagement and participation.

2. Fiscal solvency and sustainability

We are committed to ensuring the long-term financial stability and sustainability of the City, and maximizing economic development while maintaining effective city services and sound infrastructure.

3. Customer Friendly Service

We are committed to providing customer friendly services to residents and visitors to ensure that service processes are effective and efficient.

PROPOSED FY 2020-2021 GOALS

1. Focus on Community Engagement

A. Communication and Engagement

- Develop and implement comprehensive communication plan including updated website
- Provide community entertainment - Amphitheater in Frog Island
- Utilize Freighthouse as community asset

B. Public Safety

- Implement Community Policing Philosophy to enhance safety of all residents, businesses, and visitors
- Create Mental Health Response Team which includes the addition of a YPD social worker to provide support and crisis intervention

2. Become a Sustainable City

- Increase recycling efforts
- Elimination or reduction of Iron Mountain usage
- Digitize financial records
- Utilize alternative fuel vehicles where possible and reduce greenhouse gas emissions
- Redevelop vacant sites (i.e. Water St.) and buildings (i.e. Angstrom), etc.
- Attain Carbon Neutrality status

3. Improve Internal and External Workflow

4. Promote Diversity and Inclusion in policies, staffing and recruitment



Memo

To: Honorable Mayor & City Council
From: Ron Akers, AICP – Director of Public Services
Date: January 28, 2020
Subject: Snow Removal Policy

Based on concerns regarding snow removal of city maintained sidewalks, I have put together a summary of our current snow removal operations and a revised policy which addresses some of the council concerns regarding timely snow removal on city maintained sidewalks. Please consider the following:

Current Policy

Roads & Parking Lots

The following is the current snow removal priority list:

- Priority 1: State Trunklines
- Priority 2: Major Streets
- Priority 3: Local Streets
- Priority 4: City Owned Parking Lots
- Priority 5: City Alleys

Under our current policy DPS will remove snow from the roads within twenty-four (24) hours of the first accumulated inch on the ground. For snow events where less than three (3) inches of snow fall, DPS staff will come in on overtime and clear the state trunklines and major streets, but will not clear local streets on overtime. For snow events greater than three (3) inches of snowfall, DPS staff will continue clearing the local roads until the snow event has concluded and all city streets have been plowed.

If snowfall exceeds three (3) inches parking lots will be cleared within forty-eight (48) hours after the snow event has ended. If necessary a crew will be brought in between 3:00 a.m. and 6:00 a.m. to clear snow from city parking lots. DPS staff also generally clears the access lanes within the parking lots after plowing state trunkline and major streets.

Sidewalks

The current policy of DPS is to clear sidewalks only during normal business hours of Monday – Friday from 7:30 a.m. to 4:00 p.m. The reason for this is primarily that there is no funding budgeted for overtime for staff to come in after hours or on weekends to address this.

Proposed Changes

The following are proposed changes to our policy which is intended to give DPS the ability to address sidewalks in a timelier fashion. The primary goal of the proposed change is be able to clear city maintained sidewalks within twenty four (24) hours after the end of a snow event.

Propose snow removal priority list:

- Priority 1: State Trunklines
- Priority 2: Major Streets
- Priority 3: Local Streets – City Maintained Sidewalks
- Priority 4: City Owned Parking Lots
- Priority 5: City Alleys

For snow events less than three (3) inches

- State Trunklines and Major Streets will be cleared on overtime if road conditions warrant
- Local Streets will be cleared within twenty four (24) hours
- City Maintained sidewalks will begin to be cleared within (24) hours or next business day

For snow events greater than three (3) inches

- State Trunklines, Major Streets, and Local Streets will be cleared on overtime if necessary
- A crew will be called in after snow event ends and State Trunklines and Major Streets are cleared, to begin snow removal on City maintained sidewalks. Sidewalk snow removal will be completed during the same time as Local Street clearing.

Parking Lots

Staff is still evaluating our solution for clearing parking lots and needs some additional time to coordinate with the City's Downtown Development Authority (DDA). It is our hope that we can collaborate with the DDA to identify a solution which makes sense for all parties. Information will be forth coming.

Financial Considerations

We are anticipating the additional funds necessary to call someone in on overtime for sidewalk removal to be approximately \$10,000 - \$12,000. This number can vary based on the number of snow events that occur per year. Overtime can be estimated at approximately \$1,200 per snow event of three (3) inches or greater. The budget adjustment for this year will be lower, due to our starting at the halfway point of the year, but if we move forward we can annually expect this level increase. The funds for sidewalk removal do not come from our street funds, they have historically come from the city's general fund.



Memo

To: Honorable Mayor & City Council
From: Ron Akers, AICP – Director of Public Services
Date: July 18, 2017
Subject: Washtenaw County Millage Project Prioritization

At the December 10, 2019 City Council meeting a work session regarding road infrastructure was held and future road projects were discussed for the proposed extension of the Washtenaw County road millage. At this meeting City Council directed staff to refine the proposed list of roads to those which had more vehicle volume to make it easier for City Council to decide on which projects to select. Based on that discussion I have attached a revised list of road projects and estimated cost for your consideration. The four (4) primary criteria used to identify these projects are as follows:

- A. Only City Major roads were considered for road projects. (Larger Traffic Volume)
- B. Only non-federal aide eligible roads were considered.
- C. Only those projects which would fit within the funding constraints (approximately \$125,000 per year)
- D. Adjacency to other planned projects

Based on this we have selected five (5) potential projects from each ward. The estimates and the associated maps have been attached to this memo. As many of the projects exceed the revenue associated with the millage we will need to set aside some additional funds from our Major Streets fund to complete these projects. I will evaluate cost options and bring them to the City Council meeting. I look forward to City Council's discussion on the matter.

2021 - 2024 County Millage Projects

WARD 1

PASER Rating	Road Name	From	To	LENGTH (MILES)	Road Treatment*	Probable Construction Cost	Probable Engineering Cost	Total Probable Project Cost	Comments
4/5	Hawkins St	W Michigan	Harriet	0.38	2" Mill & Overlay	\$ 345,000.00	\$ 96,600.00	\$ 441,600.00	
2/5	S Adams St	Michigan	Catherine	0.24	2" Mill & Overlay / HMA Reconstruction	\$ 340,500.00	\$ 95,340.00	\$ 435,840.00	Segment requires further evaluation to determine optimal rehabilitation method
					2" Mill & Overlay	\$ 230,000.00	\$ 64,400.00	\$ 294,400.00	
4	S Adams St	Harriet	Catherine	0.25	2" Mill & Overlay	\$ 240,000.00	\$ 67,200.00	\$ 307,200.00	
4/5	Ferris St	Hamilton	Huron	0.21	2" Mill & Overlay	\$ 220,000.00	\$ 61,600.00	\$ 281,600.00	
4/5	Emerick St	Maus	Tyler	0.21	2" Mill & Overlay	\$ 165,000.00	\$ 46,200.00	\$ 211,200.00	Shared Jurisdictional / Includes paved parking lane

WARD 2

PASER Rating	Road Name	From	To	LENGTH (MILES)	Road Treatment*	Probable Construction Cost	Probable Engineering Cost	Total Probable Project Cost	Comments
5	N Congress St	Wallace	S Congress	0.08	2" Mill & Overlay	\$ 75,000.00	\$ 21,000.00	\$ 96,000.00	
4	N Wallace Blvd	W Cross	Sherman St	0.11	2" Mill & Overlay	\$ 122,000.00	\$ 34,160.00	\$ 156,160.00	
4	Oakwood St	W Cross	Sherman St	0.12	2" Mill & Overlay	\$ 125,000.00	\$ 35,000.00	\$ 160,000.00	
3	Anna Ave	Washtenaw	W Cross	0.10	2" Mill & Overlay	\$ 75,000.00	\$ 21,000.00	\$ 96,000.00	
3/4	Oakwood St	Sherman St	Congress	0.19	2" Mill & Overlay	\$ 165,000.00	\$ 46,200.00	\$ 211,200.00	

WARD 3

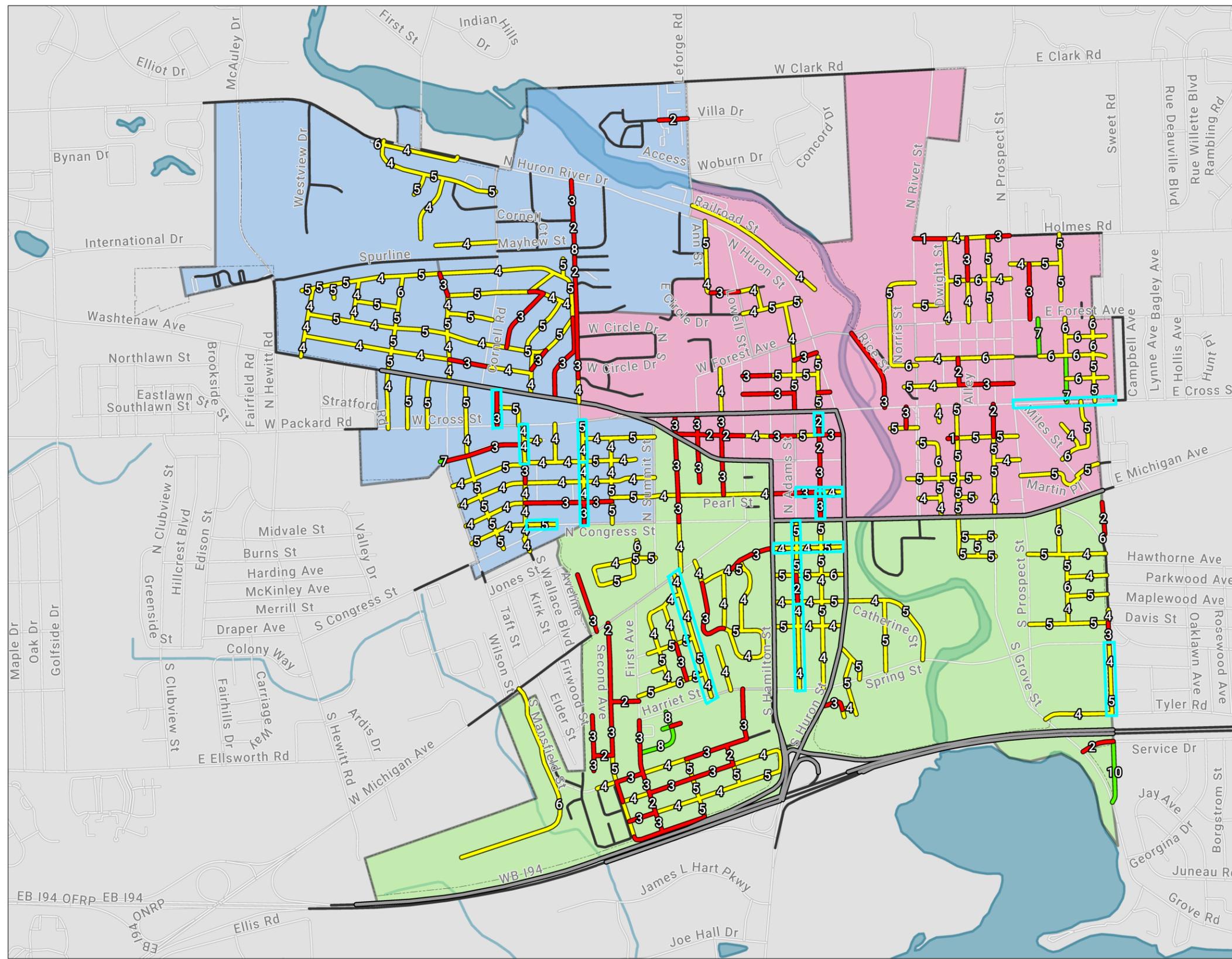
PASER Rating	Road Name	From	To	LENGTH (MILES)	Road Treatment*	Probable Construction Cost	Probable Engineering Cost	Total Probable Project Cost	Comments
2	E Cross St	Prospect	City Limit	0.28	HMA Reconstruction	\$ 611,100.00	\$ 171,108.00	\$ 782,208.00	FAC Eligible / Segment requires further evaluation to determine optimal rehabilitation method
					2" Mill & Overlay	\$ 242,500.00	\$ 67,900.00	\$ 310,400.00	
3	N Washington St	Michigan	Pearl	0.07	2" Mill & Overlay	\$ 88,200.00	\$ 24,696.00	\$ 112,896.00	
4	Pearl St	Huron	Washington	0.07	2" Mill & Overlay	\$ 73,000.00	\$ 20,440.00	\$ 93,440.00	
3	Pearl St	Washington	Adams	0.07	Concrete Full Slab Replacement	\$ 229,900.00	\$ 64,372.00	\$ 294,272.00	Coordination with AAATA
2	N Washington St	W Cross	Emmet	0.07	HMA Reconstruction	\$ 195,300.00	\$ 54,684.00	\$ 249,984.00	Segment requires further evaluation to determine optimal rehabilitation method
					2" Mill & Overlay	\$ 77,500.00	\$ 21,700.00	\$ 99,200.00	

*Pavement cores will be required on each road to determine final mill and overlay depth

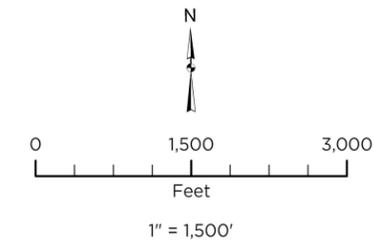


2020 PASER Ratings

City of Ypsilanti



- 2020 Ypsilanti Roads
(City Owned)
City Local
- Last Rating
- Poor (1 - 3)
 - Fair (4 - 6)
 - Good (7 - 10)
 - MDOT Roads
 - Not Applicable
- City of Ypsilanti
- Wards/Precincts
- Ward 1
 - Ward 2
 - Ward 3



Source: Data provided by Washtenaw County and the City of Ypsilanti. OHM Advisors does not warrant the accuracy of the data and/or the map. This document is intended to depict the approximate spatial location of the mapped features within the Community and all use is strictly at the user's own risk.

Coordinate System: NAD 1983 StatePlane Michigan South FIPS 2113 IntlFeet
Map Published: January 22, 2020



