APPROVED

CITY OF YPSILANTI
REGULAR COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, SEPTEMBER 5, 2017
7:00 p.m.

I. CALL TO ORDER –

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

II. ROLL CALL –

Council Member Bashert	Present	Council Member Robb	Present
Mayor Pro-Tem Brown	Present	Council Member Vogt	Present
Council Member Murdock	Present	Mayor Edmonds	Present
Council Member Richardson	Present (7:30)		

III. INVOCATION –

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

IV. PLEDGE OF ALLEGIANCE –

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

V. AGENDA APPROVAL –

Council Member Vogt moved, seconded by Mayor Pro-Tem Brown, to approve the agenda.

Council Member Murdock moved, seconded by Council Member Bashert, to add Resolution No. 2017-204, a request by the Human Relations Commission for a special meeting regarding housing affordability for the International Village Development and to move the Consent Agenda following the approval of the agenda.

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

VI. INTRODUCTIONS –

Mayor Edmonds introduced the following individuals; City Manager Darwin McClary, City Clerk Frances McMullan, Assistant City Attorney Dan DuChene, Economic Development Director Beth Ernat, DDA Director Joe Meyers, DPS Director Stan Kirton, OHM Engineer Marcus McNamara, County Commissioner Rickey Jefferson, and Zoning Board of Appeals Member Jennifer Symanns.

VII. CONSENT AGENDA – Resolution No. 2017-197

1. Resolution No. 2017–198, approving Ordinance No. 1291 to amend Chapter 106, Article V, Section 106-454(b) of the Code of Ordinances to increase water rates within the City of Ypsilanti. ***(Second Reading)***

   RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

   That Ordinance No. 1291 to amend Chapter 106, Article V, Section 106-454(b) of the Code of Ordinances to increase water rates within the City of Ypsilanti be approved on Second and Final Reading.

2. Resolution No. 2017-199, approving Ordinance No. 1292 to amend Chapter 106, Article V, Section 106-455(a) of the Code of Ordinances, City of Ypsilanti, to increase sewage disposal service rates. ***(Second Reading)***

   RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

   THAT Ordinance No. 1292 to amend Chapter 106, Article V, Section 106-455(a) of the Code of Ordinances to increase sewage disposal service rates by 5% within the City of Ypsilanti be approved and Second and Final Reading.

3. Resolution No. 2017-200, approving Ordinance No. 1293 to amend Chapter 106, Article V, Section 106-499 of the Code of Ordinances to decrease the restricted debt retirement and capital improvement fund surcharge on water and sewer service bills. ***(Second Reading)***

   RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

   THAT Ordinance No. 1293 to amend Chapter 106, Article V, Section 106-499 to decrease the restricted debt retirement and capital improvement fund surcharge on water and sewer service bills be approved on Second and Final Reading.

4. Resolution No. 2017-201, approving voting delegate and alternate to the MERS Annual Meeting.

   RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

   WHEREAS, the Municipal Employees' Retirement System of Michigan covers all full-time City employees excluding Fire and Police Pension system Members; and

   WHEREAS, the Municipal Employees' Retirement System is holding its annual meeting

   September 21-22, 2017 in Detroit, MI; and

   WHEREAS, the Municipal Employees' Retirement System allows an employee delegate to be elected by secret ballot to attend the conference; and

   WHEREAS, the employees have elected Kimberly Jones from Fiscal Services as delegate.

   NOW THEREFORE BE IT RESOLVED, that Kimberly Jones be appointed as employee delegate and John Bogoski be appointed as alternate.

5. Resolution No. 2017-202, approving minutes of August 15, 2017.

   RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of August 15, 2017 be approved.

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

On a roll call, the vote to approve Resolution No. 2017-197 was as follows:

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

VOTE:

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

VIII. PRESENTATIONS –

Riverside Park Update – Beth Ernat, Director of Community and Economic Development

Economic Development Director gave a presentation regarding a play area in Riverside Park.

Mayor Edmonds asked if the initial naturalistic scheme still going to be a part of the play structure. Ms. Ernat responded it is now focused on universal accessibility.

Council Member Murdock asked if this grant will assist in fixing the bathrooms at the park. Mayor Edmonds stated she would like to see this as a priority moving forward.

Mayor Edmonds asked how the Parks and Recreation Commission is being engaged in the next steps of this program. Ms. Ernat responded the plan is for installation in the spring with focus groups held in the fall. Ms. Edmonds asked if the Department of Public Services would install the equipment. Ms. Ernat responded that is unknown at this time.

High Scope - Amen Hratchian, Chief Financial Officer

IX. AUDIENCE PARTICIPATION –

1. Merton Hershberger, 952 Sherman, stated he would like to seek the peace of the City.

2. Nathanael Romero, 413 W. Cross, stated he has found coming to public meetings very empowered. He said it is often difficult to understand what is happing in a municipality without coming to public meetings. He thanked Council Member Murdock for reintroducing the Human Relations Commission resolution to the agenda. A reoccurring theme that developments become more public after they have been discussed for some time. He would like to incorporate a way for the public to have greater input regarding developments, and increase public outreach. He believes developments affect the entire community and he is concerned that it will increase rents in the community pushing current residents out of the City.

3. Jason Branham, 36 E. Cross, owner of Maize Cantina, stated he would like to ensure city streets stay open. The street was closed during the Heritage Festival on a Friday night which hindered business. Yet, those same businesses in Depot Town provided bathrooms to those that

intended the event because there aren't any located in the park. He does not see City leaders offering a lot of solutions, what he sees is only finger pointing. He offered his support to develop a better solution.

4. Shane McFarland, 12 N. Wallace, stated he is a home owner speaking in favor of the resolution put forward by the Human Relations Commission. It is a privilege to have fixed cost as a homeowner that is not enjoyed by renters. He wants to ensure no one is pushed out of the City.

5. Helena Solano, Ypsilanti Township, spoke in favor of the International Village. Stated she believes in diversity and a development that would both be a benefit for the City and the region. She asked for Council to be thoughtful of the environmental impact.

6. Amber Fellows, 300 Jarvis, stated she is on the Human Relations Commission and thanked Council Members Murdock and Bashert for adding the HRC agenda item. She stated the HRC in conjunction with the Washtenaw Interfaith Coalition for Immigrant Rights (WICIR) will be holding a forum to discuss immigration enforcement. Much work has gone into the preparation of this forum which has been all volunteer because the HRC does not have a budget. She requested funds for the acknowledgement and appreciation for the work done to make this forum a reality. She requested $60 in order to provide $10 gift certificates to those providing translation services, notary services, and individuals recording the forum.

7. Devin Leatherman, 300 Jarvis, supported the HRC resolution requesting a special meeting be held concerning affordable housing and the International Village Development. He wants Council decision to be based on all residents of the City.

8. Liz Dahl MacGregoer, 103 N Lincoln, asked Council to put together a cohesive plan to protect housing affordability in Ypsilanti. The city's master plan theme is to have a safe, diverse, and sustainable city. If the city does not increase its stock of housing it is danger of losing its diversity. She urged Council to adopt an inclusionary zoning model, or community benefit ordinance, which would require any developer given any incentive have a percentage of affordable housing. She asked for greater transparency in what happens in the City.

9. Michael Simmons, 128 Bell St., does not understand how a conversation about the installation of play equipment in Riverside Park before the bathrooms are in workable order. Also, dogs are being allowed to roam around the park without leashes with owners not cleaning up after the animals.

X. <u>REMARKS BY THE MAYOR</u> –

— At the closing of the meeting she will propose the development of an affordable housing task force. The task force would include representation from the Ypsilanti Housing Commission, Planning Commission, Human Relations Commission, a city business owner, a landlord, and two other at large members. If Council decides to move forward with this task force it would begin meeting in October for three months to research best practices in maintaining housing affordability. The task force would present to Council after three months their findings with a recommendation to Council.

Council Member Murdock stated he hopes he was helpful in resolving Mr. Branham's issue. He was not aware the Cross St. was closing for Heritage Festival, but he was happy a fair resolution could be found.

XI. PUBLIC HEARING –

220 N. Park Street

A. Resolution No. 2017-195, approving purchase and sale agreement with Norfolk Group, LLC for the property located at 220 N. Park Street.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The City of Ypsilanti issued a Request for Qualification (RFP) for developers to redevelop the 4+ acres of property located at 220 N. Park; and

WHEREAS, five proposals were submitted on June 1, 2017 and a review committee of City officials reviewed qualified proposals and has recommended the proposal submitted by Norfolk Group, LLC; and

WHEREAS, in order to proceed with site design and development plans, a Purchase and Sale Agreement has been submitted and signed by Norfolk Group, LLC; and

WHEREAS, Norfolk Group, LLC, has shown sufficient experience in development and provided thoughtful and consideration to the RFQ and offered a purchase price of $1,000 per unit built or a minimum of $25,000 and has shown the financial wherewithal to complete a residential development; and

WHEREAS, the property at 220 N. Park is currently City Owned, vacant, and tax-exempt, the sale of the property will cause for the property to return to an active privately owned taxable property.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council directs the Mayor and City Clerk to enter into a Purchase and Sale Agreement for the property located at 220 N. Park with Norfolk Group, LLC.

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

Ms. Ernat provide an overview of the property located at 220 N. Park and proposals staff has received regarding the property. She explained why Norfolk Group, LLC was decided among the five submitted proposals.

Norfolk Group LLC CFO Mark Johnson and Co-owner Jim Franke provided an overview of their company and past developments.

Ms. Ernat stated there will be a due diligence period of ninety days followed by a twelve month site plan review process.

B. Open public hearing

1. Hank Prebys, 301 N. Grove, stated he lives across the street from the proposed site. The potential for sixty additional units would also add vehicles to the road and the access to Michigan Ave. has been closed on Park and Grove. This would cause greater traffic and the additional density is a concern among neighbors of the area.
2. Brian Foley, 425 Ainsworth Cir, likes the proposed project and the conceptual design but he would like local contractors to be used for the project. If the City adopts this proposal he would like local contractors and subcontractors to be eligible to bid.

3. Michael Simmons, 128 Bell St., asked if the minimum price for purchase would be $25,000.

   Council Member Bashert responded in the affirmative.

4. William Simmons, resident, asked if the developer has checked into using local contractors to complete the project.

   Mr. Franke responded the project is not at that point yet.

5. Merton Hershberger, 952 Sherman, supported people occupying the City.

6. Rod Johnson, 310 N. Grove, stated there are only thirty-five homes in the neighborhood and this development would change the nature of the neighborhood. We would like additional input from the neighborhood and for the development to continue the character of the homes currently there.

7. Mary Ellen Hagenauer, 309 N. Grove, stated the City must be careful not to change the character of the neighborhood. She explained the only issue she has with the development is the proposed density. She asked if the RFQ was completed prior to Park and Grove St. closures because this is going to create a traffic issue. Linking them to Locust will not solve the issue because it is basically an alley.

8. Patricia Deboer, 309 N. Park, stated a train passes through that area quite frequently and the design has homes placed close to the track. Her concern is not only for current neighbors but for those that will live in the development. She hopes noise calming methods will be used to control the sound.

9. Sue Melke, 330 Chidester #409, asked for the single story units be accessible.

   Mr. Franke responded the process has not at the architectural phase of the development.

10. Nathanael Romero, 413 W. Cross St., asked what a charrette is and when they occur.

11. Jill Dieterle, 321 High St., stated she is concerned that an RFQ was sent stating a minimum of twenty-five when that seems far too dense for that area.

12. Amber Fellows, 300 Jarvis, stated the HRC passed a resolution requesting a special meeting be held after the due diligence period and prior to approval of a purchase agreement. She would like to add a special meeting specific to this development. She said she is excited about the possibility of a housing affordability task force but she does not want that future work to take away from the engagement of current proposed

development. From what she has learned by the time the public is made aware of a development it is too late in the process to make meaningful comment. Transparency and accessibility are the ways to hold governments accountable and it is important for city governments to include the public in important decisions.

13. Liz Dahl MacGregor, 103 N. Lincoln, stated this neighborhood will change as will the city. Ypsilanti is going to see a population explosion and it is behind in policy to protect the accessibility to affordable housing, which is why she advocates for higher density. She asked if Council will have another opportunity to place requirements on the development for affordable housing.

14. Jason Branham, business owner 36 E. Cross, asked if a property could be homesteaded in order to keep rents from increasing.

C. Resolution No. 2017-196, close public hearing

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That a public hearing on the purchase and sale agreement with Norfolk Group, LLC for the property located at 220 N. Park Street be officially closed.

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

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

Ms. Ernat stated a charrette is a body that looks at low level areas with respect to design. It is a smaller community meeting driven by neighborhood and is very interactive.

Council Member Bashert stated she has examined a variety of developments performed by Norfolk and was happy with what she saw. She asked why it is thought there will not be environmental clean-up associated with this project. Ms. Ernat responded when the property was demolished both a Phase 1 and 2 studies were completed. However, there are pockets of the site that were not tested and the developer wants to protect themselves from any potential issues. Council Member Murdock stated the packet did not state if a phase two study was completed. Ms. Ernat responded in the affirmative. Mr. Murdock asked what was on that property prior to demolition. Ms. Ernat responded the only areas of concern held railroad tracks. Mr. Murdock asked if that site was always empty other than track. Ms. Ernat responded she believes Marsh Plating access to the site. Council Member Richardson stated if a need for environmental remediation is found who will be responsible. Ms. Ernat responded the developer would be responsible, with the possibility of being reimbursed through taxes. Ms. Bashert asked what percentage of the brownfields is the city responsible. Ms. Ernat responded around 40 mils. Ms. Bashert stated the increase traffic flow of the proposed development is a cause for concern. Ms. Ernat responded the developer is aware of the circulation and asked if there is a possibility to acquire the right-of-way to help mitigate the problem. Ms. Bashert asked if the approvals were going to take twelve months. Ms. Ernat responded it will take twelve months to complete approvals, which will include at several more meetings. Ms. Bashert stated it is unfortunate that those who requested additional public meetings have left prior to hearing there are many more meetings for this development.

Council Member Richardson stated she is concerned about the density, and said 60 units is too many. She would also like Ypsilanti contractors used in the construction of this development. The people of Ypsilanti need jobs, and every time she drives by the Parkridge development the individuals she sees making significant money are from Grand Rapids. She is developing a community benefit agreement (CBA) to insure the people of Ypsilanti find work in private-public developments. Mayor Edmonds stated in meetings with Norfolk strategies on the use of local contractors. Ms. Ernat clarified Norfolk is looking for contractors and have worked with the listed contractors in past projects. Mr. Franke responded in the affirmative. She added if the purchase agreement is approved tonight anything created in the future would not apply to this agreement. Ms. Richardson responded she has concerns about the approval if the community benefit ordinance could not be applied. Council Member Murdock stated the city does not need a community benefit ordinance because Council can set what should be included in the agreement. Council is being asked to approve a purchase agreement without a firm understanding of what the development will look like. If this is approved there is no way to for Council to ensure affordability, use of local contractors, and other stipulations will be included in the contract. Ms. Ernat responded those items were not included in the RFQ, and would be unfair to include it in the purchase agreement. Mr. Murdock replied it is not fair to expect Council to approve a purchase agreement that does not include any real detail about the project. Mr. Murdock stated there is a minimum cost of purchase but there is not a minimum of what will be built, what the taxable value, and the assessed value will be. Assistant City Attorney Dan DuChene responded the purchase agreement incorporates the bid fully stated wherein. If a site plan is submitted for a single home it would be nowhere near what the development was proposed to be there would be serious issue. Ms. Richardson stated it appears staff has not been listening, or hearing what Council has been saying because Council has been discussing these issues for some time. She said the city must take care of its people and development of city owned land must give preference to local contractors. Ms. Edmonds stated Council is waiting for the procurement policy to return to Council for approval, which will address some of these issues. Mr. DuChene responded it will be coming very shortly.

Council Member Bashert agreed with Council Member Richardson, but in a city with a population of 21,000 all trades needed for construction will not be present. This is an ongoing issue and to Council it seems staff does not have the enthusiastic support of hiring local contractors. She asked why solar power is not included in every unit included in this contract. Ms. Ernat responded because it is not always financially feasible. Ms. Bashert asked if solar power and other green alternatives be added to this package. Ms. Ernat responded it has been offered and was included in the RFQ, but it is not feasible to demand solar power on every unit. Ms. Bashert responded this development is beginning as a blank slate and the design could provide most units southern exposure to make solar power effective. She would like to see that in this and future proposals as well as hiring local.

Council Member Vogt stated the main concern with this development is density, with the main aspect of that concern is increased traffic volume. He asked is anything known at this time about increased traffic flow. Ms. Ernat responded no, but the Planning Commission is charged with answering those questions. Mr. Vogt stated through forty years of traveling on Park, Grove, and High streets he does not recall seeing any traffic so there must be room for development. However, he is not certain at what level to increase the density of the development.

Council Member Robb stated the argument of increased traffic is a red hearing. In the past 1,200 cars used Park St and 600 cars that used Grove St so maximum density will have little impact. There will be greater traffic than the very limited amount there is today but not to a degree that would call for limiting the density. He does not like development projects that Council is being asked to approve something without solid detail, and he has concerns about this. He also does not like that this came before Council the day after Labor Day. He will vote no on the purchase agreement because he does not believe it is the right time, however, it might be the right project but it does not include enough detail to make a decision. Mayor Edmonds asked what detail would be needed to make a design and at what time. Mr. Robb stated there would be a very different footprint between twenty-five and sixty units. Ms. Edmonds responded a development would not create these designs without an initial go ahead from Council. Mr. Robb stated if Council Members were allowed to sit on the Planning Commission concerns could be expressed through that process. Council Member Murdock agreed with Council Member Robb in being against making a decision with little input in what the development will actually be. Also, there will be a huge discrepancy in cost between twenty-five and sixty units, and no timeframe is listed for completion of the development. He does not want to vote against this but would like to table it to gather more information. Mr. Franke stated the project would be completed as quickly as the market allows. Ms. Edmonds asked the developer would build as it sells units. Mr. Franke responded essentially yes.

Council Member Murdock stated the car museum has a long term lease with the city for the proposed land this development would use for the path to Depot Town. Also, all the wild animals living on the site will need to be live trapped so they are not chased into the surrounding neighborhood.

Council Member Richardson stated she is not opposed to this development but there is detail of the project she would need before making a decision. Ms. Ernat stated Council could move to amend the purchase agreement and ask the petitioner if they agree to allow final site plan approval at City Council. Mayor Edmonds asked if there is an openness to making that concession. Mr. Franke responded Norfolk would not have an issue if the city attorney agrees. Mr. DuChene stated his concern for the wording of the amendment. He would prefer "development plan" to "site plan". Ms. Richardson stated she would prefer not to make the amendment on the floor. Ms. Edmonds responded the amendment would only add another approval step. Council Member Murdock stated he would be doubtful the Planning Commission would review several topics being discussed here tonight. Mr. Franke asked if the City has a development agreement process. Mr. DuChene responded no. Mr. Franke suggested entering a development agreement before planning on expending funds for this development. Ms. Edmonds asked if this is postponed until the first meeting in October would the purchase agreement still be honored. Mr. Franke recommended that Norfolk and the City's attorney's with the assistance of staff develop a new purchase agreement, which would extend the time and require a development agreement.

Council Member Murdock moved, seconded by Council Member Richardson to postpone Resolution No. 2017-195 until the October 17th Council Meeting.

On a roll call, the vote to postpone Resolution No. 2017-195 was as follows:

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

VOTE:

YES: 6 NO: 1 ABSENT: 0 VOTE: Carried

~~XII. CONSENT AGENDA – Resolution No. 2017-197~~

6. ~~Resolution No. 2017-198, approving Ordinance No. 1291 to amend Chapter 106, Article V, Section 106-454(b) of the Code of Ordinances to increase water rates within the City of Ypsilanti.~~ ~~***(Second Reading)***~~

7. ~~Resolution No. 2017-199, approving Ordinance No. 1292 to amend Chapter 106, Article V, Section 106-455(a) of the Code of Ordinances, City of Ypsilanti, to increase sewage disposal service rates.~~ ~~***(Second Reading)***~~

8. ~~Resolution No. 2017-200, approving Ordinance No. 1293 to amend Chapter 106, Article V, Section 106-499 of the Code of Ordinances to decrease the restricted debt retirement and capital improvement fund surcharge on water and sewer service bills.~~ ~~***(Second Reading)***~~

9. ~~Resolution No. 2017-201, approving voting delegate and alternate to the MERS Annual Meeting.~~

10. ~~Resolution No. 2017-202, approving minutes of August 15, 2017.~~
    (Moved and Heard following agenda approval)

XII. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2017-203, supporting local medical marijuana dispensaries.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the Medical Marihuana Licensing Board is considering action that would close existing dispensaries; and

WHEREAS, the City of Ypsilanti has seven (7) dispensaries serving medical marihuana patients; and

WHEREAS, all City dispensaries have indicated their desire to continue providing service under new regulations in December, 2017; and

WHEREAS, the closing of these dispensaries would have an adverse effect on medical marihuana patients, possibly forcing them to the black market; and

WHEREAS, the closing of these dispensaries in the City of Ypsilanti would prevent an orderly transition to the new regulations.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council opposes action from the Medical Marihuana Licensing Board that would shut down dispensaries before the new system goes in to effect; and

FURTHER RESOLVED that a process for the orderly transition to the new regulations be established that does not require gaps in service provisions.

FURTHER RESOLVED that this resolution be sent to members of the Medical Marijuana Licensing Board (Rick Johnson - Chair, Nichole Cover, David LaMontaine, Donald Bailey, Vivian Pickard), Andrew Brisbo, Director of the Bureau of Medical Marijuana Regulation, Governor Rick Snyder, Representatives Ronnie Peterson, Adam Zemke, Yousef Rabhi, Senator Rebecca Warren and Kirk Profit.

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

Council Member Bashert moved a friendly amendment to change "present" to "prevent". Agreed by Council Member Murdock.

Mayor Edmonds stated this was brought forward to make the public aware the city was against the closing of medical marijuana dispensaries.

On a roll call, the vote to approve Resolution No. 2017-203 was as follows:

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

VOTE:

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

2. Resolution No. 2017-205, approving contract with Orchard, Hiltz & McCliment, Inc. (OHM) for construction engineering services for the 2017 Major Road Resurfacing Program.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Federal Surface Transportation Program - Urban funding has been programmed in the Washtenaw County Transportation Improvement Program for the 2017 Major Street Resurfacing Program; and

WHEREAS, Orchard, Hiltz and McCliment has provided an exemplary level of service to the City of Ypsilanti on similar street improvement projects, and posses a depth of experience with the infrastructure in the project area; and

WHEREAS, it is necessary to secure construction engineering services to expedite this project for the 2017 construction season;

NOW, THEREFORE, BE IT RESOLVED THAT the City Council approves the construction engineering services proposal with Orchard, Hiltz & McCliment, Inc., 34000 Plymouth Road, Livonia, MI at a not to exceed cost of $88,300, and that the construction engineering costs be expended from account #202-7-975-9060-975-02.

BE IT FURTHER RESOLVED THAT the City Manager and City Clerk are authorized to sign this contract, subject to review and approval by the City Attorney.

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

On a roll call, the vote to approve Resolution No. 2017-205 was as follows:

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

Council Member Bashert Yes

VOTE:

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

3. Resolution No. 2017-204, approving the request of the Human Relations Commission to hold a special meeting specific to the International Village Development. **(Added)**

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI

WHEREAS, The Human Relations Commission of the City of Ypsilanti recommends City Council hold a public meeting specific to the International Village Development and affordable housing upon completion of the due diligence period and prior to the approval of a purchase agreement.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council agrees to schedule a special meeting specific to affordable housing and the International Village Development.

OFFERED BY: Council Member Murdock
SECONDED BY: Council Member Richardson

Council Member Murdock stated there was just an example at this meeting why a special meeting should be held for developments that Council isn't being pressured to make a decision on the same night. This meeting could include the detail of the development including community benefit stipulations as well as affordable housing. This meeting should not interfere with anything that will be voted on at the October 19th meeting regarding this development.

Council Member Bashert stated she is unwilling to include language "specific to affordable housing" but she supports holding a special meeting regarding this development. To her knowledge the International Village does not include an affordable housing element nor does she believe it belongs in the development. However, she agrees with the justifiable demand for greater governmental transparency and community engagement.

Council Member Richardson stated this meeting is definitely necessary, and has had several inquiries regarding the development. In addition she is not against the affordable housing aspect and would like further information on renting practices.

Mayor Edmonds stated she spoke with Fair Housing who confirmed housing laws do not allow restrictions on rents for any reason. Council Member Richardson stated that might be the standard but it happens all the time.

Council Member Vogt supported the idea of holding a special meeting and has received many questions regarding Water Street and potential developments. He is sympathetic to the need for low cost housing, but it does not need to be included in every single development. He does not want to see damage done to this development because of an affordable housing requirement. In his opinion there are other developments, inside and outside the city, other than the International Village to address affordable housing.

Council Member Robb stated if the Council ignores affordable housing in this development, which could add approximately 3,000 people to the population than Council does not care about affordable housing. Council Member Bashert stated this city is carrying the majority of affordable housing in this county. Secondly, Council Member Murdock and her spent two months trying to save affordable housing at Cross Street Village at the risk of losing tax revenue for the city. No one the city is more committed to saving affordable housing in this city than her, but Ypsilanti is doing its share.

Council Member Bashert moved, seconded by Council Member Vogt to strike affordable housing from the resolution.

Council Member Bashert stated Ypsilanti is carrying 21% of affordable housing through the entire county. The City of Ann Arbor is carrying 5%. Ypsilanti is carrying the burden of affordable housing for this community, and she is proud the city has a wealth of affordable housing, but its time Ypsilanti's neighbor.

Council Member Murdock stated there are two pieces of property the City controls; one is the former Boys and Girls Club and the other is Water Street. If Council is not going to try to influence developers with this city's core values it would be a mistake. At this point Council has no idea what the International Village Development will be, other than a brief presentation. Council Member Bashert stated if the city continues to carry the burden of affordable housing then it becomes a participant in enabling the rest of the county to avoid addressing affordable housing. She does not support an affordable housing discussion for the International Village Development.

Council Member Vogt stated he is not opposed to staff negotiating with the developer about the possibility of affordable housing being part of the development. However, he cautions the public stance to kill this development if it does not have affordable housing.

Council Member Murdock stated his interest is to have a meeting specific to the International Village Development, and if removing the affordable housing stipulation from the resolution gets to that point he would be for it. Council Member Richardson stated she would agree to remove "specific" from the resolution but not affordable housing.

City Manager McClary stated before affordable housing can be addressed first what affordable housing must be defined, and what level is appropriate for this community. How affordability can be measured and 100% of this community cannot be affordable for everyone. He welcomes the Human Relations Commission prompting a community discussion of housing affordability and what that means. However, it should not be tied to a specific development. The City should develop a benchmark of housing affordability and apply that moving forward. Council Member Murdock stated the discussion of affordability does not have to be specific to a development it was only how this resolution was written.

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

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

On a roll call, the vote to amend Resolution No. 2017-204 was as follows:

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

VOTE:

YES: 3 NO: 4 (Brown, Murdock, Richardson, Robb) ABSENT: 0 VOTE: Failed

Council Member Richardson called the question.

On a roll call, the vote to approve Resolution No. 2017-204 was as follows:

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

VOTE:

YES: 4 NO: 3 (Edmonds, Vogt, Bashert) ABSENT: 0 VOTE: Carried

XIII. <u>LIASON REPORTS</u> –

A. SEMCOG Update – Council Member Richardson stated the last meeting involved a tour of the national parks located downriver. Near Gibraltar there is a wildlife sanctuary being built and what has already been done is fantastic. She said a mayor she spoke with discussed about telling the story of the Wyandotte tribe correctly, which is something needing to be done countrywide.

B. Washtenaw Area Transportation Study – Council Member Murdock stated the last meeting a report indicated there is information the city is supposed to gather regarding the lane reduction on Hamilton, Huron, and Washtenaw in 2012 and again in 2016. These projects are on hold because MDOT needs the completed analysis.

   Mr. McClary asked who MDOT is communicating with because his office has not been contacted. He said and DPS Director Kirton will speak with MDOT.

C. Urban County - None
D. Ypsilanti Downtown Development Authority - None
E. Eastern Washtenaw Safety Alliance - None
F. Police-Community Relations/Black Lives Matter Joint Task Force - None
G. Friends of Rutherford Pool - None
H. Housing Equity Leadership Team – Mayor Edmonds stated conversation has been tied to fair housing.
I. Economic Development Coordinating Committee – None

XIII. <u>COUNCIL PROPOSED BUSINESS</u> –

<u>Robb</u>

— Asked when Council will receive a resolution to update rental inspection fees. He said the city is subsidizing the rental agencies.

  Ms. Ernat responded an amount was asked for, however, due to certain variables that an accurate analysis could not be completed. Council Member Robb stated if staff cannot calculate the fees that work should be contracted. Too much money is being left on the table. Mr. McClary his understanding of the original request was to calculate what a rental inspection costs. If Council wants a fee schedule for rental inspections staff will provide that, however, it will not be based on an individual inspection it will be based on a macro formula. Mr. Robb asked if the City Manager is comfortable charging $166 and if so a resolution should be brought to Council. If he is not comfortable with charging $166 then the analysis was not completed.

Mr. McClary stated staff will look at it further. Council Member Murdock stated an audit preformed a few years ago found the inspection fees were low. During budget staff explained to Council the fees were close to being accurate.

<u>Bashert</u>

- Cross Street Village has run out of options, and MSHDA appears to be more developer friendly than resident friendly. The Ypsilanti Housing Commission sent an offer to purchase the building but were denied because the offer was too low. A private individual tried to purchase the building but again was unsuccessful. Essentially the PILOT program has ended as of August 31st and the building becomes taxable.

  Mr. McClary clarified the building becomes taxable on July 1, 2018. Council Member Bashert stated the market rate of that building should be $12.5 million as determined by the owner.

- Have staff been assigned to the Sustainability Commission.

  Mr. McClary responded he is the staff liaison for the Sustainability Commission. Council Member Bashert asked if that includes doing minutes. Mr. McClary responded in the affirmative, until a recording secretary is hired.

- Ypsilanti passed a resolution against Line 5 which passes oil through the great lakes and Mackinaw Straights. There have been numerous protests resulting from this pipeline.

- Asked about the 507 Fairview tree removal.

- Asked about the sewage smell at 954 W. Cross.

- She asked if there is a staff person assigned to see.click.fix.

  Mr. McClary responded that will be discussed tomorrow during the Department Head meeting but he is fairly certain he will be the point staff person.

<u>Richardson</u>

- Stated the Summerfest at Parkridge was fantastic, and commended the committee for their work.

XIV. <u>COMMUNICATIONS FROM THE MAYOR</u> –

- She has been working with a number of local teens included Dequan Harrison who is implementing a "Casket Crusade". This will involve a partnership with the police department, sheriff's department, and multiple other organizations. It will consist of a series of marches to bring awareness to violence and the school to prison pipeline. Each march, starting Saturday, September 16th, will end in a community resource fair.

- Asked for Council feedback regarding the housing affordability task force.

  Council Member Bashert stated a member of the Sustainability Commission should be a member.

- The evaluation of the City Manager and Clerk is slightly behind and the evaluation tool for the City Manager has been update.

XV. COMMUNICATIONS FROM THE CITY MANAGER –

— The City Manager Report was distributed to Council.

Mayor Edmonds asked if the Police Chief should begin recruiting an additional officer a process that takes around seven months. That officer would not be through the hiring process until the next budget.

Council Member Murdock stated everyone has an idea of how the money freed up by the passage of the debt millage. He prefers to move through the budget process as normal because things can change.

Council Member Bashert stated she would have appreciated an update on the Cross Street Village. Mr. McClary stated the administration met with a representative of Cross Street Village to reiterate the PILOT is expiring, and there was discussion with the attorney regarding the PILOT agreement. The discussion also touched on the potential to maintain at least some of the units as affordable. Ms. Bashert asked that Council be kept informed on what is happening with Cross Street Village.

Council Member Richardson asked who the alley on Huron and Michigan belongs to. Mr. McClary responded the alley is a sixteen foot behind the commercial buildings. The alley then comes down to a parking lot half of the lot is owned privately the other half is part of the City owned alley. The owner's complaint is the city allowed fire escapes to be installed on a portion of the alley, which is owned by the city. The complaint also lists a private owner installing a fence on their property coupled with the fire escapes inhibits trucks from servicing his property. This is more of a dispute between two property owners and the city is being asked to assist in finding a resolution. Ms. Ernat stated if the city gets involved it will hurt all parties that use that ally. Council Member Robb asked if people are parking in a city alley why are they not told to move, or be towed. Mr. McClary stated if action is taken with one owner action will need to be taken on all property owners. Council Member Murdock stated he does not understand how the city allowed the alley to be encroached on without vacating the alley. Ms. Ernat responded this took place in the 1020s. Mr. McClary stated permits should have been written for the fire escapes but they were not.

XVI. COMMUNICATIONS –

XVII. AUDIENCE PARTICIPATION –

1. Amen Hratchian, Chief Financial Officer high Scope, apologized for missing the presentation. High Scope has been in the area for fifty years and deeply cares about children and equity. He thanked city staff for assisting in looking into expansion for High Scope. He hopes to return to Council to share plans for expansion of High Scope.

2. Nathan Phillips, 509 Washington, stated a lawyer tried to take his daughter away. He and his daughter left Ypsilanti until she turned eighteen. She turned eighteen on Monday which is why he returned to the City. He is not happy with the lawyer.

XVIII. REMARKS FROM THE MAYOR –

XIX. CLOSED SESSION -

Closed session to discuss Attorney Opinion and Collective Bargaining Strategy

OMA 15.268(h) and 15.268(c)

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

On a roll call, the vote to adjourn to closed session was as follows:

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

VOTE:

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

Council Member Bashert moved, seconded Council member Vogt by to extend the meeting until 11:30 p.m.

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

XX. <u>ADJOURNMENT</u> –

Resolution No. 2017-206, adjourning the City Council meeting.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

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

On a voice vote, the motion carried, and the meeting adjourned at 11:55 p.m.