APPROVED

CITY OF YPSILANTI
REGULAR COUNCIL MEETING
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, OCTOBER 3, 2017
7:00 p.m.

I. CALL TO ORDER –

The meeting was called to order at 7:07 p.m.

II. ROLL CALL –

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

III. INVOCATION –

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

IV. PLEDGE OF ALLEGIANCE –

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

V. AGENDA APPROVAL –

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

Council Member Vogt moved to remove Resolution No. 2017-221, "Minutes" from the Consent Agenda.

Council Member Richardson moved to add Resolution No. 2017-229, "authorizing the City Manager and City Attorney to circulate a Request for Proposals for an independent law firm to investigate China trip"

Council Member Bashert moved to removed Resolution No. 2017-222, "appointment of Board and Commissions" from the Consent Agenda.

Council Member Murdock moved to move Section XVI, "Communications from the City Manager", following Section VIII, "Remarks by the Mayor".

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 Attorney John Barr, Deputy City Clerk Andrew Hellenga, Community Development Manager Joe Meyers, Assistant City Attorney Dan DuChene, Washtenaw County Commissioner Ricky Jefferson, and DPS Director Stan Kirton.

VII. **AUDIENCE PARTICIPATION** –

1. Van Loggins, 115 Hawkins, thanked the city for installing speed limit signs on Hawkins but it will mean nothing without enforcement.

2. John Lusk, 1111 W. Clark, he took issue with the company awarded the contract for the study regarding Pen Dam was the company that wrote the contract.

3. Mariah Zeisberg, 1220 Sherman, stated the International Village will certainly lead to gentrification. She moved to Ypsilanti because of its diversity and the sense of engagement of the community. The millage created a cushion for the financial burden of the city and time should be taken to ensure to secure the right development.

4. Shane McPharland, 12 N. Wallace, stated he is against the International Village development and is concerned for the renters of the city. He also takes issue with the EB-5 funding mechanism for the development because it provides visas for wealthy individuals while poor immigrants are deported.

5. Brian Attley, 6180 First St., Superior Township, stated the study is needed for the Pen Dam and the Friends of Pen Dam would like to be an asset for that study. The study should be more comprehensive than outlined and should be unbiased.

6. Luke May, 211 N Washington, understood why many are speaking out against the International Village development.

7. Reza Rajabi, 110 N. Summit, stated his properties will be foreclosed in February if he is not able to generate income from his rentals. Staff will not remove the water bond on his property in order for him to get a certificate of occupancy and was told it was for the safety of residents. He took issue that the problems with his property are safety hazards.

8. Keiser Soze, 430 Emmet, stated the City did its residents a favor when it purchased Water Street. Most brownfields are not in city control and will have little say what can be developed. However, Ypsilanti has that ability and should wait for a development that fits this city.

9. Alex Husted, 430 S. Adams, stated just because International Village units are affordable in China does not mean they will be affordable in China. She takes issue with the remediation efforts because it will simply move contaminated soil to another location and affect the residents of that site. Also, the financing of the recent trip to China for four city officials seems suspect.

10. Isaac Levine, 600 S. Hamilton, stated the recent trip city officials took was unethical and illegal.

11. Katie Clark, 430 S. Adams #2, stated she is very disappointed with city officials and does not understand how a student organization would have the funds available to finance this trip. She also does not understand how two Council Members abstained in a vote that important to the community.

12. Quinn Phillips, 414 Emmet, stated the trip is both unethical and illegal. It appears the trip was nothing more than a bribe to pass the purchase agreement.

13. Kyle Hunter, 109 Ferris, stated because of recent information regarding the financing of the city officials trip to China it is clear the city should kill this development.

14. Amber Fellows, 300 Jarvis, urged Council to vote to set aside the approval of the purchase agreement. She has received nothing but obstruction when trying to make this process more transparent, and now has realized the corruption revolving this development.

15. Lisa Voelker, 117 Pearl St., concerned about the International Village development and how the trip to China was funded.

16. Ashley Fox, 905 Pleasant Dr., voiced conditional support for the International Village development depending on how the development agreement is negotiated. He hopes no ethics violations were committed and this does not result in scandal. However, it is not in the best interest of the city to leave Water Street vacant.

17. Anne Brown, 2125 Collegewood, stated Friends of Penn Park have a vested interest in the dam. She asked for the group to be a part of the process and asked for accountable development.

18. Erica Mooney stated if a group has existed for years in a city, such as Friends of Penn Park, they should be a part of a process that will effect something they have a vested interest in. The city needs to have a community benefits agreement and ordinance. Simply because a person is against one thing does not mean they will be against everything.

19. Lee Tooson, 107 Middle, stated if Council did not know about the funding of the trip they should be ashamed. The City Attorney advised city officials to not go on this trip and they should have taken that advice.

20. Devan Leatherman, 300 Jarvis, stated he has no faith in Council; both members of Ward 3 abstained to vote on the purchase agreement and essentially Ward 2 voted for a development in Ward 1.

21. Ka'Ron Gaines, 833 Armstrong, stated leaders are supposed to represent the people. This is not an issue of black and white this is a people issue and Council should have empathy.

22. Heather Charles, N. Washington, stated servants of the public should not follow their own course, they should follow that of the community. She added this entire process lacked transparency.

23. James Greggs stated he grew up in low income neighborhoods and providing the youth in those neighborhoods with positive activities can assist in keeping them out of trouble.

24. Emory (no last name) stated the EB-5 system has more to do with wealth than diversity. He echoed the China trip was a bribe for city officials.

25. Julia Bayha stated she lived with gentrification all her life and the International Village is wrong for this community.

26. Audience Member stated the fact the leadership of this city did not do its due diligence regarding the city officials trip to China is an issue.

VIII. REMARKS BY THE MAYOR –

- Council Member Richardson stated she has spoken with DPS Director Stan Kirton about installing "Children at Play' signs on Hawkins St.

  Mr. Loggins thanked Council Member Richardson but said enforcement is necessary in order for the problem to be solved.

- Council Member Bashert stated many comments and questions regarding city officials trip to China will be discussed later on the agenda. She will hold her comments until that point in the meeting.

IX. COMMUNICATIONS FROM THE CITY MANAGER –

Nomination

Administrative Hearings Bureau Officer

Jack Gilbreath

- He will be in San Antonio from October 20th through October 27th for the City Managers Annual Conference.

- As Council is aware information from a Metro Times reporter regarding the possibility the city officials trip to China might have been funded by the developer. The article sites an unnamed individual from the Wayne State Chinese Students and Scholars Association (CSSA) as saying CSSA received the funding from International Village. The city takes these allegations seriously and he has asked the Attorney's Office to perform an ethics review when the trip was first offered, and direction was given to city staff based on that opinion. Since these allegations have been made he requested the City Attorney's Office to investigate. After initial investigation the City Attorney recommends an outside counsel perform an independent investigation, which he agrees.

- He has attended two meetings this past month regarding the rail platform project in Depot Town. The first meeting was with the AAATA CEO Matt Carpenter at which the authority offered assistance in project coordination even though the AAATA cannot commit any funds at this time. The seconded meeting was with State Representative Ronnie Peterson, County Commissioners Jefferson and Smith, Vickie Reume of EMU, and Amtrak and MDOT officials. Amtrak completed an analysis that should a need for a train stop in Ypsilanti, which would include up to six stops a day. It is also possible Ypsilanti could receive dedicated Amtrak bus services to the Toledo station for travel to the east coast. The city would need to perform an alternatives analysis, environmental review, and facilities design and construction. The city will need to be aware of proposed double tracks in its design.

- He and Council Member Bashert attended the Medical Marijuana workshop in Novi and was pleased to find the information heard there has already been provided to the city.

- He is working with the Fiscal Services Director Uy to review the adequacy of the current financial software.
- The city is undertaking a services technology review because the County is looking to discontinue IT services to Ypsilanti after June 30, 2018. He will return to Council for the approval of a comprehensive IT audit.

— The city is in the process with establishing email addresses for all board members and commissioners.

Council Member Murdock stated he spoke with some of the attendees of the train platform meeting. Those individuals raised concerns with designs not being available and in his memory OHM Engineering had already completed that design. He was troubled to find that OHM was not involved in this project, and they have not been since the previous City Manager left the city. The OHM designs are a good source of information and asked if the City Manager is aware of that design. Mr. McClary responded in the affirmative, but the discussion has not gotten to the stage of reviewing designs. Mayor Edmonds recommending including Congresswoman Dingell and Senator Peters in discussions. Mr. Murdock responded he believes they are already involved.

X. PUBLIC HEARING –

Easement Agreement with Michigan Advocacy Program on 15 S. Washington.

A. Resolution No. 2017-218, determination.

RESOLUTION APPROVING EASEMENT AGREEMENT WITH MICHIGAN ADVOCACY PROGRAM

IT IS RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that: the certain easement agreement with the Michigan Advocacy Program, a Michigan non-profit corporation, copy attached, is hereby approved and the mayor and city clerk are authorized to sign the same, subject to the approval of the city attorney.

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

Community Development Manager Joe Meyers this location is at the former Smith's Furniture and the request is for a twenty foot easement to install windows.

B. Open public hearing

1. Adam Gainsley, 409 N. Adams, asked how rents would work for both non-profit and for profit tenants of that building, and how that will affect city tax revenue.

C. Resolution No. 2017-219, close public hearing

That the public hearing for easement agreement with the Michigan Advocacy Program, a Michigan non-profit corporation be officially closed.

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

Mr. Meyers responded the city is still working with the Assessing Department to calculate tax revenue. Council Member Bashert asked if Michigan Advocacy has voiced any concerns about that particular question. Michigan Advocacy Representative Bob Gillett responded there has been a fair amount of conversation about this issue and are not fighting taxes, nut do see for their particular use it would be tax free.

Council Member Robb asked why the proposed easement is for twenty feet. Mr. Meyers responded that was the request of Michigan Legal Services in order to remove the risk of any future construction impeding light into the building. Mr. Robb stated twenty feet seems arbitrary and asked why ten feet would not be sufficient. His concern is only related to the northern side of the building because it is valuable real estate. He asked if the city will lose the eleven parking spaces until 2020 at the conclusion of construction. Mr. Meyers responded that parking will be able to be used, and explained the easement will only keep new construction from occurring in perpetuity. Mr. Robb asked why this easement cannot be reviewed in twenty-five years rather than in perpetuity. Mr. Meyers responded the Building Official informed staff an easement was one way the installation of the windows could be approved. Mr. DuChene stated an easement is recording against the property and are easily tracked. Council Member Richardson agreed with Council Member Robb the easement should be able to be reviewed. Mr. Meyers reiterated easements run with the land instead of a set number of years.

Council Member Murdock asked if the Building Official recommended ten feet why not set the easement at ten feet. Mr. Meyers responded this was the request of the developer, but it is up to Council.

Mayor Edmonds stated it makes sense to have a twenty foot easement on the east side, and said it is a reasonable request to get this property back on line.

Council Member Bashert stated a twenty foot easement is a reasonable request and does not find it comfortable to drive through a ten foot alley.

Mr. Meyers stated the purchaser has placed restrictions on how the property can be used and if in five years the project is not complete the easement will be returned to the city.

Council Member Murdock asked if the easement on the north side was reduced to ten feet would that make a difference. Mr. Gillette responded it would not cause the developer to cease the project, but twenty feet is preferred. Mr. Murdock does not see the reduced easement being an issue anytime soon but will provide for a possibility for infill development. On a voice vote, the motion carried, and the public hearing was closed.

Council Member Murdock moved, seconded by Council Member Robb to reduce the easement on the north side from twenty feet to ten feet.

Council Member Robb stated Ypsilanti refers to itself as an urban community and in an urban community buildings are close to each other, and buildings in the city have windows on sides with six foot alleys. He believes ten feet is an excellent compromise and it will not derail the project.

On a roll call, the vote to amend Resolution No. 2017-218 was as follows:

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

VOTE:

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

On a roll call, the vote to approve Resolution No. 2017-218 as amended was as follows:

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

VOTE:

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

XI. <u>CONSENT AGENDA</u> – Resolution No. 2017-220

1. ~~Resolution No. 2017–221, approving minutes of September 18, 2017 and September 19, 2017.~~ **(Moved and heard during Section XI)**

2. ~~Resolution No. 2017-222, approving nominations to Boards and Commissions.~~ **(Moved and heard during Section XI)**

3. Resolution No. 2017-223, approving the contract award to Saladino Construction for the 2017 ramp program.

   RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

   Whereas, bids were duly advertised for The Sidewalk Ramp Replacement Program; and

   Whereas, six (6) bid was publicly opened on Thursday, September 21, 2017 at 2:00 p.m. and reviewed for compliance with bidding qualifications and project specifications; and

   WHEREAS, the bid submitted by Saladino Construction Co., Inc., 3303 N. Territorial Road, Ann Arbor, MI 48106, best meets the project specifications and qualifications and is in the best interests of the City; and

   WHEREAS, Metro Act Funds have been allocated for the 2017 Ramp Program;

   Now Therefore Be It Resolved That the City awards the bid to Saladino Construction Co., Inc. in the amount of $59,000.00 for the construction of ADA sidewalk ramps throughout the City during the 2017 -2018 construction seasons; and

   THAT the Mayor and City Clerk are authorized to sign the necessary contract documents, subject to approval by the City Attorney, to facilitate the completion of this work.

   FURTHER, that the City Manager is authorized to sign change orders for additional ramp repairs subject to the approval by the City Attorney.

4. Resolution No. 2017- 224, approving the bid award to Parks Installation & Excavating to Install UST fuel tanks at Fire Station.

   RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

   WHEREAS, Funds have been programmed in the 2017-18 FY-Budget; and

   WHEREAS, bids were duly solicited by direct mail; and

WHEREAS, three bids were received and opened ranging from $160,000.00 to 239,961.00; and

WHEREAS, Staff recommends accepting the bid submitted by Parks Installation & Excavating Inc. for the amount of $160,000.00; and

WHEREAS, the construction cost for this project will be expended from account number 101-7-2650-818-04 in the FY 2017-18 budget; and

NOW, THEREFORE, BE IT RESOLVED THAT the City Council approves the proposal submitted by Parks Installation & Excavating Inc.in the amount of $160,000.00; and

THAT the Mayor and City Clerk are authorized to sign this contract, subject to review and approval by the City Attorney; and

THAT the City Manager is authorized to sign any change orders that may be needed to maintain the project's schedule, subject to review and approval by the City Attorney.

5. Resolution No. 2017-225, rescinding Resolution No. 2017-098 and approving New Class C License with a Dance/Entertainment permit for DJ Jefferies Management LLC.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, David Jeffries, owner of DJ Jeffries Management LLC, has applied to the Ypsilanti Downtown Development Authority, City of Ypsilanti and Michigan Liquor Control Commission requesting the following:

Approval of a New Class C license with a Dance/Entertainment permit, A New Class C license, as defined by MCL 436.1521(a)(1)(b), is a place licensed to sell, at retail, beer, wine, mixed spirit drink, and spirits for consumption on the premises, at 206 W. Michigan Ave, Ypsilanti, MI 48197, Washtenaw County; and

WHEREAS, a public hearing to consider the application to New Class C for DJ Jeffries LLC was duly noticed and held on May 4, 2107

NOW, THEREFORE, BE IT RESOLVED THAT the request of David Jeffries owner of DJ Jefferies Management LLC for the property located at 206 W. Michigan be approved.

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

On a roll call, the vote to approve Resolution No. 2017-220 was as follows:

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

VOTE:

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

XII. <u>RESOLUTIONS/MOTIONS/DISCUSSIONS</u> –

1. Resolution No. 2017-226, approving Ordinance No. 1294 to rezone 75 Catherine from Core Neighborhood to Production, Manufacturing & Distribution. **(Second Reading)**

   RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

   WHEREAS, the rezoning of 75 Catherine is consistent with the goals of the City Master Plan and

   WHEREAS, the size of the parcel will prohibit the development of this property to many of the larger industrial uses that are allowed in the Production, Manufacturing & Distribution district; and

   WHEREAS, the proposed rezoning will align the past zoning and history of the parcel; and

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

   NOW THEREFORE BE IT RESOLVED that an Ordinance to rezone 75 Catherine from Core Neighborhood to Production, Manufacturing & Distribution be approved on Second and Final Reading.

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

Council Member Bashert stated the inception of the new medical marijuana laws will allow grow facilities to be larger, and asked if the rezoning will allow for that. Mr. Meyers responded the rezoning is in response to the new law and will allow them to continue to conduct business. Mayor Edmonds asked if the parcel that houses this business allows for room to expand. Mr. Meyers responded in the affirmative, nut is uncertain if they have plans to expand. Council Member Robb interjected Council would have to adopt changes to the ordinances governing medical marijuana in order for this business to expand.

On a roll call, the vote to approve Resolution No. 2017-226 was as follows:

Mayor Pro-Tem Brown	Absent	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: 6 NO: 0 ABSENT: 1 (Brown) VOTE: Carried

2. Resolution No. 2017-227, approving cooperative agreement between Huron Watershed Council and the City of Ypsilanti for Peninsular Dam Removal Study.

   RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

   WHEREAS, the City of Ypsilanti owns the Peninsular Dam crossing the Huron River and adjacent to Peninsular Park; and

   WHEREAS, the Michigan Department of Environmental Quality (MDEQ) has informed the city that a plan for necessary repairs to the dam must be submitted in the near future

and that repairs must be completed within a certain amount of time if the city opts to restore the dam; and

WHEREAS, a Dam Condition Assessment Report for the Peninsular Dam was completed in September 2014 by the city's engineers, OHM Advisors, identifying the deficiencies of the dam and estimating the costs to make necessary repairs to the dam at $659,000; and

WHEREAS, the Ypsilanti city council desires to partner with the Huron River Watershed Council (HRWC) to study the feasibility and cost effectiveness of removing the Peninsular Dam, together with the associated environmental, financial, logistical, legal, and recreational impacts of removal, including such impacts on affected adjacent properties; and

WHEREAS, the city council intends to use the results of the dam removal study and the results of the 2014 dam condition assessment report to assist the council in making an informed determination as to whether restoration of the dam or its removal is most beneficial to the community;

NOW THEREFORE BE IT RESOLVED BY THE CITY OF YPSILANTI that the Ypsilanti city council does hereby approve the Cooperative Agreement for Peninsular Dam Removal Study between the City of Ypsilanti and the Huron River Watershed Council as presented at a cost to the city not to exceed $20,000.00 and to authorize the City Manager to execute the agreement on behalf of the city after approval of the agreement by the City Attorney as to form; and

BE IT FURTHER RESOLVED that the city council hereby directs administration to cause to have a detailed scope of work for the study prepared and presented to the city council for review, public input, and approval, with work on the study to commence only after the scope of work is approved by the council.

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

Mr. McClary provided an overview of the request of staff and an explanation of the agreement. He said he is not opposed to postponing this resolution until the October 17th meeting.

Mayor Edmonds stated her concern with this is item is around the public process and would rather wait to vote until a draft of the scope of work can be presented to Council. She would also like to include Friends of Penn Park in a formal way as requested. She asked why the city is not the entity that is engaging the contract with the Huron River Watershed Council. Mr. McClary responded because the level of the HRWC's expertise.

Council Member Bashert asked when the city received a request from the Friends of Penn Park to be a part of the cooperative agreement. Mr. McClary responded when he met with them Friday, September 29th he was informed they wanted to be partners in the agreement and might have funding available to participate as a partner. Ms. Bashert was frustrated that request is only being relayed to Council at this meeting causing another reason to delay. She is frustrated it has taken this long to get this far and is conscious of those who live on the river wanting to have this resolved.

Council Member Richardson stated she is not opposed to postponing this vote but is concerned the contract was created by Princeton Hydro and are being awarded the contract. These concerns are the same she had prior to the city switching its workers compensation insurance provider.

Council Member Murdock stated the reason why the HRWC approached the city is several dams were set to be removed and Ypsilanti was going to be added to reduce cost of the removal. He shared Council Member Bashert's frustration with the length of this process. This arrangement was approved in April which should have allowed ample time to have input from the residents. Initially his plan was to table this item because he does not agree with separating the three items; the memorandum of understanding, financing, and the scope of work of the study. He would prefer to vote for all three aspects of this study.

Council Member Murdock moved, seconded by Mayor Pro-Tem Brown to postpone Resolution No. 2017-227.

Council Member Bashert asked if the motion to postpone includes this being brought back with all three items as previously stated. Council Member Murdock responded in the affirmative.

Council Member Bashert asked what the timeframe is to execute the study. HRWC Executive Director Laura Rubin responded the study will take three months but winter weather might impede its completion within the timeframe. Ms. Bashert asked if the study begins at the end of October it might not be completed until the spring. Ms. Rubin responded it might not be complete but samples would have begun to be taken. Ms. Bashert asked for an opinion on Friends of Penn Park being part of the agreement. Ms. Rubin responded she isn't against it, and is happy to have more people involved, but she doesn't know what it would mean legally.

Council Member Vogt asked that all of Mr. Lusk's concerns be discussed with staff prior to that meeting and provide that information to Council.
Council Member Bashert asked if this is tabled can the Attorney's Office provide legal opinion of what it would mean to include Friends of Penn Park in the agreement. City Attorney John Barr responded Friends groups support an organization but do not have a vote in what that organization does. He cautioned about bringing a partner in without the assets or vote. He could bless a contract between the city and the Friends of Penn Park but City Council should be careful about giving its power away. Council Member Richardson asked if they are a part of the conversation, without voting right, do they have any authority. Mr. Barr responded he does not recommend Friends of Penn Park sign the agreement, but it would be appropriate they provide input. Mayor Edmonds stated the Friends group also provides another opportunity for financing. Ms. Bashert responded funds can mean many different things, and this is a big project.

Council Member Murdock offered a friendly amendment that this be postponed no later than the first meeting in November.

Mayor Pro-Tem Brown agreed with the friendly amendment.

Council Member Bashert asked if the next meeting would include the three areas of concern; financing, MOU, and scope of the study. Council Member Murdock responded in the affirmative. Mayor Edmonds stated for Council to approve that it would require a public hearing. Mr. Murdock responded the City Manager has already said a public hearing is scheduled for the October 17th meeting. Mr. McClary stated it would be difficult to have everything completed by the October 17th meeting. Mr. Murdock replied a public hearing is already scheduled for the October 17th meeting with the plan to bring it to Council at the first meeting in November. Mr. McClary responded he placed this on the agenda for action tonight on the cooperative agreement. He believes staff can have everything prepared for the first meeting in November, and public hearings can be scheduled regarding the scope of work. Mr. Murdock asked if a general discussion has been scheduled regarding the scope of work, which could constitute a public hearing. Mr. McClary responded in the affirmative, but we will not have the cost analysis for the scope of work. Mr. Murdock understood, and the meeting following the October 17th meeting that information should be available. Mr. McClary responded if the city is going to provide adequate information for public input the time needed might go beyond the first meeting in November. Ms. Bashert responded the cost has already been provided and a loose description of scope of work, and is not sure why a public hearing cannot be scheduled. Mr. McClary responded on October 17th staff should be prepared to do that, but what he is hearing is the motion is to bring all three pieces at one time. A definitive cost cannot be calculated until a complete scope of work is identified.

Council Member Bashert asked if a budget has been completed. Ms. Rubin responded in the affirmative and it is available to the public. The scope of work could be presented at the next meeting and a budget range could be applied to varying scopes of work. If Friends of Penn Park is made apart of this process their input can be gathered prior to the October 17th meeting. However, it would be difficult to approve a final budget at that meeting.

Mayor Edmonds stated it seems Council is not comfortable with voting on this resolution. Mr. Murdock stated as proposed this process is endless.

Council Member Bashert stated she would like to hold a public hearing on the draft scope of work on the October 17th agenda and allow Friends of Penn Park time on that agenda to make a presentation. However, she is not open to Friends of Penn Park being a member of the cooperative agreement.

Council Member Murdock stated Council's agenda is to try and develop options for the Penn Dam. The focus of the Friends of Penn Park is not the dam. A member of the Friends of Penn Park interjected their interest is to ensure the study is done correctly.

On a roll call, the vote to postpone Resolution No. 2017-227 until the first meeting in November was as follows:

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

VOTE:

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

3. Discussion regarding the development of a community benefit ordinance.

Mr. DuChene provided a synopsis of research he has completed regarding a community benefit ordinance.

Mayor Edmonds asked what other municipalities, beyond the Detroit ordinance, are engaged in this process. Mr. DuChene responded this process involving municipalities is relatively uncharted. The City of Detroit currently has an ordinance and there has been discussion in other communities regarding possible implementation around this state, but nothing has been developed as a result. Ms. Edmonds stated she would like to understand what communities, both in the state and outside, that have considered this. Mr. DuChene responded from his understanding there is very little information regarding municipalities creating legislation. Council Member Richardson stated community benefits agreements are not isolated, they are throughout the country with greater participation in the west. It is important to state this discussion is about a community benefit ordinance and not an agreement. If the city adopts a community benefits ordinance it provides a base to speak from rather than trying to negotiate. Ms. Edmonds asked that research be completed regarding enacted legislation.

Mayor Edmonds asked if Council adopts legislation how many properties would it apply to. Mr. DuChene responded it is dependent on the triggers established by Council.

Council Member Vogt read from the Council packet, "the double edged sword is the competing interests to ensuring the base elements are met, but also allowing flexibility to provide for unique developments that might present themselves and the creativity needed to handle these". In other words great care must be taken in developing an ordinance like this. Requirements should be very minimal, with much welcome public input, to avoid pushing away potential developers prior to having a chance to speak with them. Mr. DuChene responded the main reason to enact an ordinance is for it to act as a triggering mechanism, and what that triggers is in the detail.

Council Member Vogt stated the memo suggest Council should create a commission to engage the community with the developer. Mayor Edmonds added the ordinance would outline the process not the requirements.

Council Member Bashert stated a conversation needs to be had with the Community Development Department who in the past has expressed concern about adopting a community benefit ordinance. She added the city has several plans that outline goals of the city, which are not included in developments interested in the city. It is clear the information in those documents are not presented to potential developers and are unaware of what they include. She likes the idea of a board or commission, wither permanent or ad hoc, because the more the community can be involved is a benefit. Council Member Richardson stated the city needs to stop giving away its assets.

Mayor Edmonds asked if staff has seen any standards in measurement of impact, or analysis tool. Mr. DuChene responded in his interaction he does not recall an analysis tool in his research. His concern is drafting an ordinance in a way that could restrict the creativity of a development, but this is something the Attorney's Office will look into.

Council Member Robb stated Council and staff need to be careful about being fearful of a developer walking away because of restrictions. The city puts restrictions on developments all the time; such as site plans or storm water management. Council Member Vogt responded while he agrees, the majority of what was listed is universal across the state and the country. Adding greater restriction might drive a development to a competing community.

Council Member Richardson stated in her experience on Council she has witnessed Ypsilanti being on the cutting edge of policy, and this is another way to take that role. She is not afraid of bullies or ultimatums, thinks until the city is not afraid of those thing and begin to understand what is right for the city.

Mayor Pro-Tem Brown moved, seconded by Council Member Vogt to extend the meeting until 11:00 p.m.

On a voice vote, the motion carried, and the meeting was extended until 11:00 p.m.

Mayor Pro-Tem Brown agreed with Council Member Richardson that Ypsilanti is a trailblazer for many initiatives. Creating a community benefits ordinance would be a really great step for the city, and likes the recommendation to create an Ad hoc board so many voices can be heard for different developments. She supports moving forward with the creation of a community benefits ordinance.

Council Member Bashert asked if a sunset clause can be built into the ordinance to provide for an opportunity to strengthen or modify.

Council Member Richardson asked that appointments to an ad hoc board to review developments have an interest in that area. Mr. DuChene stated the ordinance can include guiding language on who should be appointed to these boards and have it be flexible on a case by case basis. Council Member Bashert stated if a board is used to review these matters its membership will be vital. Mr. DuChene added there will need to be a mechanism that will enforce the provisions of the CBA, but that will be laid out through negotiations. Council Member Murdock suggested the ad hoc boards should include representation from Council. Mr. DuChene responded he would need to review that because the Charter prohibits a Council Member sit on a board or commission. Mayor Edmonds stated an ad hoc committee is different than a board or commission, such as the Black Lives Matter Task Force. Mr. DuChene responded a committee is of the body, a board or commission is not.

4. Resolution No. 2017–221, approving minutes of September 18, 2017 and September 19, 2017.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of September 18, 2017 and September 19, 2017 be approved.

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

Council Member Vogt stated he would like a correction made to the minutes of September 19th on the tenth page, fourth paragraph. It currently reads "…the first viable project for Water Street…" that is not exactly what was said and was not his intent. He asked it read "… which may be the first viable project for Water Street…" He was not judging the viability of the project because that is not known. Council Member Richardson asked if this was taken directly for the recording. Deputy Clerk Hellenga responded in the affirmative.
Council Member Murdock pointed out several of the votes list Council Member Robb as absent.

Council Member Vogt moved, seconded by Mayor Pro-Tem Brown to add "which may be…" prior to "the first viable project".

Council Member Richardson asked if the rules of order allow minutes to be edited in this manner. Mr. Barr responded the minutes are the record of what Council intended to say and can be amended.

On a roll call, the vote to amend Resolution No. 2017-221 was as follows:

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

VOTE:

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

On a roll call, the vote to approve Resolution No. 2017-221 as amended was as follows:

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

VOTE:

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

Mayor Edmonds recused herself and passed the gavel to Council Member Richardson.

Mayor Pro-Tem Brown recused herself.

5. Resolution No. 2017-229, authorizing the City Manager and City Attorney to circulate a Request for Proposals for an independent law firm to investigate China trip.

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

Whereas the City has been in negotiation for the sale of Water Street land the development of the land, commonly referred to as International Village with developer Amy Foster, and

Whereas Amy Foster at a public meeting volunteered to host City Council members and City staff to a trip to China to gain information on the matter, and

Whereas the Ypsilanti City Attorney provided an opinion that it would be unethical for City Council or staff to accept such a trip from the developer, and

Whereas, the Mayor, Mayor Pro-Tem, Economic Development Director and Police Chief recently went to China on a paid trip, and

Whereas, the source of the funding of the trip and other questions have been raised, and

Whereas, the questions are pertinent and of vital importance, and

Whereas, Ypsilanti City Council, by City Charter, Section 207 has the power to conduct investigations and subpoena and require the production of evidence, and

Whereas, Ypsilanti City Council desires that the circumstances surrounding the China trip be transparent and subject to scrutiny,

Now, Therefore, the Ypsilanti City Council authorizes and directs the Ypsilanti City Manager, with the help and aid of the Ypsilanti City Attorney, publicize a request for proposal for investigation among Michigan law firms, and select and hire an appropriate law firm to conduct a full and complete investigation of the China trip and to report to City Council with all convenient speed.

OFFERED BY: Council Member Bashert
SECONDED BY: Council Member Robb

Council Member Robb asked why the city needs to hire an outside firm. He asked what Council doesn't know about the financing of this trip. Council Member Bashert responded her understanding is funds never were received by the Wayne State student organization. Mr. Robb stated Council was provided an email that explains the Chinese Consulate to International Village to purchase the tickets, which as stated by the Attorney's Office in the May 23rd memo is unethical. He asked what more is needed to be investigated. Council Member Murdock agreed with Council Member Robb, but it is possible information was withheld, or not known at the time. However, it is clear funding for the trip was either a direct or indirect contribution from the developer. The question is how can this be resolved and what are the next steps, and he is not sure the investigation gets to that point, which would be a waste of time and money. Mr. Robb stated Council has subpoena power and there are four people Council should question. Council needs to understand if the four people that went on this trip paid for anything. He said the city does not have the information on what needs to be paid back and who needs to be paid back for this trip. The Attorney's Office needs to explain what needs to happen after this information is gathered, and if there was an ethical violation would that void the vote. Mr. Barr responded there are some facts that appear to be clear, and it is his opinion that it would be improper for staff to take money. There are a number of unanswered questions he would like to understand. Council needs to decide if it would like to do anything about this and if it does what it wants to do.

Council Member Bashert asked how much money was used to finance this trip. Mr. Barr responded he is not certain of an amount. Mr. McClary responded he believes it was between $16,200 and $16,800.

Council Member Richardson stated there are lots of questions Council does not have the answers, and given the interest of the community an independent investigation should be performed.

Council Member Vogt asked what would the scope of the investigation be, and what would the limit of cost for the investigation. There are many questions specific to the circumstances that are unknown he would like the answers to, and he does not think any decisions should be made based on hearsay. There is some narrowing down and defining what needs to be done in order to investigate effectively and efficiently. Council Member Richardson stated the Attorney's Office quoted the price around $5,000 to $6,000. Mr. Barr responded that is a ballpark figure but the amount can be limited in the Request for Proposals. Mr. Vogt responded setting that limit would focus the investigation on only what is essential, which is all that is needed. Council Member Robb asked what exactly does Council Member Vogt want to know. Mr. Vogt responded who are the students and what did they really say, who wrote the check, what is the opinion of the Chinese Consulate. Council Member Murdock asked if Council Member Vogt believes what has already told to Council. Mr. Vogt replied there are a lot of gaps, specifically what the Mayor and Mayor Pro-Tem know and when they knew it. There are unidentified people providing information which is all hearsay. Mr. Murdock asked if Council Member Vogt trusted the City Manager and the Economic Development Director. Mr. Vogt responded he does not trust sources until he has examined the information. Mr. Robb responded the City Manager and Economic Development Director are the sources. Mr. Vogt disagreed and said the contact at Wayne State and the Chinese government are the sources. Mr. Robb stated there is an email from Mr. McClary explaining a conversation he had with the Economic Development Director. Mr. Vogt stated he agrees an investigation needs to be completed be an appropriate party and needs to be focused on critical subjects of this investigation.

Council Member Bashert stated she is open to any process that can find a conclusion to this issue and repair some of the damage it caused. She is open to both hiring an outside firm, or Council completing the investigation. She is not certain an outside firm needs to be hired in order to subpoena people. Her concern is those who took the trip to China knew more about its funding than Council when they took that trip, which is extremely disturbing to the city. The community has a trust and credibility issue with Council and that must be repaired. She does not know it Council completes the investigation if the public will trust it was done properly. However, with time she does feel Council can rebuild that credibility.

Council Member Richardson stated she is not certain how Council could complete the investigation itself without outside assistance. Mr. Barr responded Council could complete the investigation through a hearings process. Generally, investigation such as this, Councils would not have the time or inclination for an investigation and an outside firm is hired. Once the investigation is completed Council can make a decision on what to do as a result of the findings.

Mr. McClary stated a comment was made that some city officials knew more about the trip than others. Council Member Bashert responded she made that comment but it is hearsay so she will not name names. Mr. McClary stated he has not heard those claims. Ms. Bashert stated if it is true it is very disturbing. Mr. McClary agreed. Council Member Murdock stated the City Manager's memo that referenced Community Development Director Beth Ernat. In that memo discussed finding out about the source of the funding, he asked if she was asked when she knew that information. Mr. McClary responded he did not. Mr. Murdock asked if the City Manager felt that information was important. Mr. McClary replied that information was available on Monday morning and when he spoke with Ms. Ernat she told him she would find out more information. He added when she spoke with her again she said funding was through a grant provided by the Chinese Consulate, paid to International Village, who was then supposed to pay it to CSSA. Ms. Bashert stated Council was not aware of that information. Mr. McClary replied no one was. Ms. Bashert responded Ms. Ernat was aware. Mr. McClary replied it is not known when Ms. Ernat became aware of funding. Ms. Bashert stated regardless of that it is extremely disturbing. Mr. McClary stated Council and staff need to be careful with what they say because it is not known when that knowledge was available. Mr. Murdock stated the city should not need an investigation to find out when Ms. Ernat became aware of the source of funding. Council Member Richardson disagreed. Council Member Robb responded Council can simply ask the Economic Development Director when she was aware of the source of the trip funding.

Council Member Richardson stated at this point it is clear there was little transparency regarding this trip. She would like an outside firm to investigate for full transparency through the investigation so it does not appear the city is trying to hide anything. The investigation could assist in removing any about the employees and Council Members who went on the trip. She added she needs to have more information in order to make a decision, and feels it would better Council's position with the residents of the city. Council Member Vogt agreed and said most of what he has seen has been speculation and hearsay, and does not feel he has enough information to make a decision. He said the investigation should be done professionally, however, it should focus on the core issue in order to keep down the cost. Council Member Bashert stated the International Village is one of the biggest decisions to ever come to Council, which has seen issues with transparency causing a decrease in credibility. She wants Council to regain that credibility and the best way to show the city it is credible is to do everything it can to find out exactly what happened.

Council Member Robb stated he does not believe any member of Council is against having an investigation. The differences of opinion are involving how that investigation is designed. His concern is the time it will take to hire outside counsel and complete the investigation. Council needs to decide what it wants to know and then decide on how to find that information, and if Council holds hearings itself they will be done in open meetings. He wants a timeline of the trip and its funding, which is simple and do not need an investigator to find that information. He asked when the investigation would begin if an outside firm is hired. Mr. Barr responded the Request for Proposals could be released tomorrow October 4th with authority given to the City Manager to approve of the contract, but this investigation could take time.
Council Member Richardson asked if Council has sufficient time to put into an investigation.

Council Member Murdock stated the information that is lacking can be gotten through the Economic Development Director. The staff members and elected officials can be asked to prepare a narrative and timeline of the planning of the trip and Council can move forward from there. Council Member Robb stated the RFP could be issued tonight but that does not mean Council cannot conduct its own investigation. Council Member Vogt stated Council could conduct a preliminary hearing that could help to narrow the questions. The critical information is when and what did the travelers know.

Council Member Richardson stated this shatters any trust she might have had in the developers.

Council Member Bashert, seconded by Council Member Vogt to extend the meeting until 1:00 a.m.

On a voice vote, the motion carried, and the meeting was extended. Council Member Richardson voted no.

Council Member Richardson stated information other than funding needs to be included on the timeline, and this investigation could determine whether the city should continue to do business with the International Village.

Council Member Vogt stated a special session could be scheduled and statements could be submitted to Council from the four travelers. Parallel to that an RFP could be released in order to contract special counsel.

Council Member Murdock stated if Council approves the resolution on the floor two clauses should be added; one directing the City Manager to provide Council with as much information available regarding timeline and source of the funding and secondly request the Mayor and Mayor Pro-Tem to provide the same information. Mr. McClary suggested rather than he collected this information it go through the City Attorney's Office because some of the communications would be from him. Mr. Murdock responded the reason he suggested the City Manager collect this information is because he is in charge.

Council Member Bashert asked if Council can schedule hearings for next Tuesday. Council Member Robb replied before a meeting is scheduled Council should develop the questions for the travelers to answer.

Council developed the following questions;

- *What was timeline, specific to how and by whom, city officials were put in touch with the Chinese Consulate?*
- *What is the timeline of the funding for the trip beginning with notification of availability to receiving funding?*
- *When and how the travel was booked, tickets purchased, and how were the travel vouchers provided to city officials?*
- *What was paid for by the grant and what was paid for by the travelers, conversations involving the four travelers, SPARK East, the Chinese Consulate, and anyone else included in discussions regarding funding?*
- *Why was the money never received by the Wayne State student group and when the travelers aware it hadn't?*
- *When did the travelers receive their visas?*
- *Documentation of receipts or communications regarding cash flow?*

Council Member Vogt stated he wants to be certain the questions asked will pin down the money trail. He also has questions regarding the grant, specifically why the city did not apply for the grant. Council Member Robb responded he believes the term "grant" was used but he does not believe that is what it was.

Council Member Bashert stated travel is common among governmental officials, and asked if there is a way this trip could have taken place without possible ethics violations. Mr. Barr responded in the affirmative, and explained a trip to China could be considered "due diligence". However, the issue is not with the trip itself, rather how it financed and represented. Ms. Bashert asked if it was publicly known that the Chinese Consulate was funding the trip would there be a possible ethics violation. Mr. Barr responded that question would be up to Council, but could be considered ethical.

On a roll call, the vote to approve Resolution No. 2017-229 was as follows:

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

VOTE:

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

Council Member Vogt moved, seconded by Council Member Bashert to hold an investigative hearing be scheduled for October 10, 2017 at 7:00 p.m. and directing those that traveled to China and the City Manager submit, in writing, answers to the questions developed by Council no later than the close of business on Friday, October 6, 2017 to the City Attorney who will then forward written answers to City Council.

Council Member Robb asked if the meeting will only be held by the Council Members not under investigation. Council Member Richardson responded in the affirmative. Mr. Robb asked if the information will be distributed to the Council Members under investigation. Council Member Bashert responded the information would be subject to FOIA. Mr. Robb asked if Council would need to issue subpoenas for Tuesday. Mr. Barr responded the individuals do not have to be subpoenaed, but if Council wishes to do so it can. If Council subpoenas a witness and they do not appear Council may file an action with the circuit court and the court can than subpoena the witness. Council Member Richardson asked Council requests these individuals to appear for the hearing and they do not appear Council will still have the option to subpoena. Mr. Barr responded in the affirmative. Council Member Vogt stated for example Amy Foster of the International Village Development. Mr. Robb stated the scope of the October 10^{th} hearing should only involve those representing the city.

Council Member Murdock asked if this motion only includes the four individuals that went on the trip. Council Member Robb asked how many others Council Member Murdock would like to investigate. Mr. Murdock responded at least the City Manager. Mr. Barr asked if the City Manager was being added to the motion.

On a roll call, the vote to approve Resolution No. 2017-229A was as follows:

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

VOTE:

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

6. Resolution No. 2017-222, approving nominations to Boards and Commissions.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

NAME	**BOARD**	**TERM EXPIRATION**
Amanda Marshall **413 S Hamilton** **Ypsilanti, MI 48197**	**Parks and Recreation Commission**	**October 3, 2020**

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

Council Member Bashert stated the Parks and Recreation Commission does not include many senior citizens. As she looked through the rosters of other boards and commission it became clear that demographic is underrepresented. She has nothing against this nomination but she represents the imbalance of people under forty serving on boards and commissions. The city is losing a lot of experience by not involving the senior citizens of this community.

Council Member Bashert moved, seconded by Council Member Murdock to table Resolution No. 2017-222.

On a roll call, the vote to table Resolution No. 2017-222 was as follows:

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

VOTE:

YES: 5 NO: 0 ABSENT: 1 (Edmonds, Brown) VOTE: Carried

XIII. LIAISON REPORTS –

A. SEMCOG Update - None
B. Washtenaw Area Transportation Study - None
C. Urban County - None
D. Ypsilanti Downtown Development Authority - None
E. Eastern Washtenaw Safety Alliance - None
F. Police-Community Relations/Black Lives Matter Joint Task Force - None
G. Friends of Rutherford Pool - None
H. Housing Equity Leadership Team - None

I. Economic Development Coordinating Committee – None

XIV. COUNCIL PROPOSED BUSINESS –

Robb

- The development agreement for the International Village Development will be coming to Council in two months. He requested staff performer their best estimation regarding the impact of adding 3,000 new residents to the city would have on city services. This would include all costs for employees including legacy.

  Council Member Bashert stated it takes time for police and fire to hire, and the process would need to begin earlier than completion of the development.

- There is every indication the International Village development will be requesting a brownfield TIF. He said the last Brownfield Plan is from 2013 and would like to know what amount that plan would include for 2020. Also, he would like to know how that plan would be funded and in what increments.

- He asked how the brownfield will play into any revenue the city expects to generate as a result of the development.

- If the development generates $9 million in revenue surely the city would begin to roll back the millage. He would like information on how a roll back would be designed.

  Council Member Murdock stated if the development creates $75 million in taxable value it would end the millage. Council Member Robb agreed. Mr. Murdock asked how to guarantee the assessed value. Mr. Robb stated he has no doubt the Spence Brothers and International Village have an idea of this information, which should be given to the Assessor.

Vogt

- Stated he will not be seeking reelection once his term expires. He is giving this information to allow for individuals interested in seeking office to prepare a campaign.

  Council Member Richardson thanked Council Member Vogt for the service he has given the city.

Bashert

- Appreciates the progress on the bump outs being installed at Summit and Congress. She stated it will be a big help in reducing driving speed along that stretch of road.

Murdock

- Asked when the Border to Border Trail will be open on Water Street.

  Mr. McClary responded the city was waiting for a final report from the Department of Environmental Quality. He will follow up with the Economic Development Director and will forward that information to Council.

- Asked for an update on the progress of the Thompson Block development.

- He asked for clarification of the appointment of Lisa Wozniack on the Huron River Watershed Council (HRWC).

Mr. McClary responded there is a question if the city is required to use the 2010 Census figures, or if it can use current pollution. If the city is required to use 2010 data it would only be allowed one council member. The HRWC needs to provide final clarification on what Census data should be used.

Richardson

- Inquired about the investigation, or vetting of the International Village developer and for all future developments. The city did not perform any background on the development and would like to have a system in place, and would like information on the International Village.

  Council Member Murdock asked if a vetting process has begun on the International Village. Mr. Barr stated he has asked Miller-Canfield to come back on board to investigate the International Village project. He explained Miller-Canfield has experience with the EB-5 program, which could be helpful.

- If the investigation of the China trip produces information regarding ethics violation what could terminate the purchase agreement with the International Village.

  Mr. Barr responded that would be possible. Council Member Bashert stated the purchase agreement is not binding. Mr. Barr stated the purchase agreement is subject to the development agreement, and in any agreement there is an implication of fair dealing and ethical conduct. If it turns out there were ethical violations on the trip they could trigger significant events that could occur as a result. Council Member Murdock stated if the city and the developer do not enter into a development agreement by December 31st the purchase agreement is void.

XV. COMMUNICATIONS FROM THE MAYOR –

None

~~XVI. COMMUNICATIONS FROM THE CITY MANAGER~~ – (Moved and Heard Following Section VII, "Remarks by Mayor")

~~Nomination~~

~~Administrative Hearings Bureau Officer~~

~~Jack Gilbreath~~

XVI. COMMUNICATIONS –

None

XVII. AUDIENCE PARTICIPATION –

1. Keiser Soze, 430 Emmet, thanked Council for investigating this issue. She is concerned there is discussion regarding the purchase agreement because the vote should not be valid because of a conflict of interest. She asked the vote to be recalled.

2. Sue Melke, 330 Chidester, stated she hopes Council will remember the loudest voices at these meetings do not necessarily represent the entire community.

3. Brett Zuener, Oak St, stated no one knows what the constituents of this city thinks about this development because an empirical survey has not been completed. Everything said here tonight is simply opinion not backed by any data. Stated Miller-Canfield does a lot of work in Ypsilanti but were also the Attorneys Office that wrote the fraudulent ACO for Flint and pressured the city to switch to Flint water. Glad the Council supports the development of a community benefits ordinance and the development agreement should be delayed in order to incorporate that ordinance.

4. Van Loggins, 115 Hawkins, stated he does not blame the Chinese Consulate or the developers. His question is why the city has to participate in it. If a person were to offer him a trip that could be questioned he would simply say no, the city needs to be ethical.

5. Heather Charles, Washington St., stated multiple triggers can be created for a CBOs, which would than dictate the appropriate CBA. CBAs should not be decisive to Council because it alleviates pressure to Council. She asked a community coalition be formed in order to develop a CBO.

6. Amy Shrodes, River St., asked why the Mayor is not here to make a statement regarding the China trip. It seems strange to be discussing a development agreement at the same time as an ethics investigation. It is very difficult to find any other development the International Village has been a part of with little digital footprint.

7. Ashley Taylor stated there is a huge disconnect between the community and what is happening in city government. It sounds like Council is corrupt.

8. Amber Fellows, Jarvis St., stated Council has not employed due diligence with this project, or this trip. She said the City Manager does not appear to be doing his job, and since neither the City Manager nor Council haven't been doing their due diligence, but the community has. The community has found that a second trip to China funded by Eastern Michigan University, and the Community Development Director has offered this trip to other city officials to get them on her side.

9. Reza Rajabi, 110 N. Summit, stated the Michigan Department of Transportation is performing work on Summit St. and have done a few things wrong. A sixty year old tree was removed and he was told the tree did not belong to him by the DPS Director. Sometimes city officials forget talking to taxpayers is part of their work. The road workers also washed the cement truck into the sewer.

10. Erica Mooney, River St., stated she is glad this is happening and echoed that a community coalition be formed to assist in developing the community benefits agreement.

XVIII. REMARKS FROM THE MAYOR –

XIX. ADJOURNMENT –

Resolution No. 2017-228, adjourning the City Council meeting.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

OFFERED BY: Council Member Vogt
SECONDED BY: Council Member Bashert

On a voice vote, the motion carried, and the meeting adjourned at 12:31 a.m.