Approved

CITY OF YPSILANTI
REGULAR COUNCIL MEETING
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, NOVEMBER 28, 2017
7:00 p.m.

I. CALL TO ORDER –

The meeting was called to order at 7:05 p.m.

II. ROLL CALL –

Council Member Bashert	Present	Council Member Robb		Present
Mayor Pro-Tem Brown	Present	Council Member Vogt	(7:49)	Present
Council Member Murdock	Present	Mayor Edmonds		Present
Council Member Richardson	Present			

III. INVOCATION –

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

IV. PLEDGE OF ALLEGIANCE –

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

V. AGENDA APPROVAL –

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

Mayor Edmonds stated there will be a presentation regarding 800 Lowell and the Employee Benefits Contribution presentation will occur at the time of that item on the agenda. Council Member Murdock asked if the Mayor was adding a presentation that was not noticed on the agenda. Economic Development Director Beth Ernat stated the 800 Lowell presentation was on the November 14th agenda but postponed until tonight's agenda. However, it was not included on this agenda. Council Member Murdock asked if the presentation could be made during the December 5th meeting. Ms. Ernat informed Council the individuals are here to present tonight.

Council Member Murdock removed Resolution No. 2017-272, approving purchase of two (2) 2018 Ford Police Interceptors from the Consent Agenda and as the ninth item under Resolutions/Motions/Discussions.

On a roll call, the vote to add a presentation regarding 800 Lowell was as follows:

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

VOTE:

YES: 1 NO: 5 (Edmonds, Richardson, Murdock, Robb, Bashert) ABSENT: 1 (Vogt) VOTE: Failed

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, City Attorney John Barr, Assistant City Attorney Dan DuChene, Police Chief Tony DeGiusti, Human Resources Manager Rebecca Craigmile, Economic Development Director Beth Ernat, Washtenaw County Community and Economic Development Director Andrea Plevek, Washtenaw County Housing and Community Infrastructure Manager Teresa Gillotti, and Fiscal Services Director Marilou Uy.

VII. PRESENTATIONS –

- Affirmatively Furthering Fair Housing Report – Teresa Gillotti, Housing and Community Infrastructure Manager

Economic Development Director Andrea Plevek and Washtenaw County Housing and Community Infrastructure Manager Teresa Gillotti provided a presentation on fair housing.

Mayor Edmonds asked if the data could be differentiated by City and Township. Ms. Gillotti responded the data is categorized using zip codes and would be difficult to make that distinction.

Mayor Edmonds asked if some of the higher density buildings were removed as a variable how it would affect the data. Ms. Gillotti responded the data used for this analysis was provided by HUD and it would be difficult to remove those variables.

Mayor Edmonds asked if employment includes self-employment. Ms. Gillotti responded in the affirmative if is reported as such.

Council Member Bashert asked if the diagram includes where the jobs are located, or where the employee is located. Ms. Gillotti responded where the jobs are located.

Council Member Richardson commented that the hour commute to and from work does not include time spent waiting for the bus.

Mayor Edmonds asked if the training the Convention and Visitors Bureau is giving in the hospitality industry is factored into this data, and if this is considered possible upward economic mobility. Ms. Gillotti responded it is important to know if those taking that training are getting higher paid jobs, prior making that assumption.

Mayor Edmonds asked for recommendations for the Master Plan revision regarding housing. Ms. Gillotti responded possible park improvements in the Leforge neighborhood, or after school programs. Pedestrian linkages at Leforge and Huron River across from Eastern Michigan University, and integrate commercial retail.

Council Member Bashert stated there is greater poverty on the eastside of the county while greater employment opportunities on the westside of the county. People choose to live here because of affordable housing, which accelerates the economic imbalance in the county. She asked how it can shift so that there is a greater mix of affordable housing and economic opportunities. Ms. Gillotti responded the City of Ann Arbor should be increasing its affordable housing stock by 140 units each year for twenty years and Ypsilanti should have more college educated households. Ms. Gillotti stated many would think this is supporting gentrification, but her organization sees it as maintaining college graduates from EMU. There are not many large businesses moving into the eastern part of the county, however, there are small business moving to this area.

Council Member Murdock stated affordability in Ann Arbor is different than affordability in Ypsilanti. Ms. Gillotti responded her organization defines affordable as 60% of the median average income of the county. Mr. Murdock replied 60% of the median average income is around $80,000. Ms. Gillotti stated it is not that high. Council Member Robb stated it is $80,000 for a family of four and $54,000 for a single person. Ms. Gillotti responded it is up to that amount but it does not need to be at that threshold, and explained it is a balancing act. Mr. Murdock stated the way the system is designed is the areas that accept vouchers are in the economically depressed areas rather than spread throughout the county.

Council Member Murdock stated there are two census tracts, or neighborhoods, in Ypsilanti that are considered in the poverty threshold. Starting in 1960 there were policy which created the current racial demographic composition of those neighborhoods. He asked what these neighborhoods will look like if the county's recommendations are implemented. Ms. Gillotti responded it would be great to ask that neighborhood what they would want it to look like, but the intention is to have higher household incomes, not change the racial composition of neighborhoods.

Council Member Richardson asked if Section 8 Vouchers can be used for home purchase. Ms. Gillotti responded in the affirmative. She explained there is a voucher to purchase program provided by the Ann Arbor Housing Commission. The purchaser still needs to qualify for a loan but they can use their voucher to pay their mortgage payment. Ms. Richardson asked if there is assistance available for people who have purchased a home and are unable to make mortgage payments. Ms. Plevek responded it depends on income level for what options are available, the best point of contact for those options is the county treasurer.

Council Member Robb stated he sees this as an observational report that makes recommendations, but does not provide insight into how to accomplish those recommendations. He asked how to use these tools outlined to increase owner occupied homes. Mayor Edmonds responded Ypsilanti Township works closely with Habitat for Humanity to stabilize neighborhoods. Mr. Robb responded the city has been using its Community Development Block Grant funds for twelve years to install ADA ramps, with no plans to commit that money to other things. He asked if Ypsilanti Township is using its CDBG funds for their neighborhood stabilization program, or are they applying for funds through this county program. He asked what the city is not doing to take advantage of these programs. Ms. Edmonds responded the city could implemented the same tax foreclosure-Habitat for Humanity strategy. Mr. Robb stated it was his understanding Habitat wanted to concentrate on new construction, rather than rehab projects. Ms. Gillotti replied Habitat will do a rehab project as long as it makes economic sense. She added Ypsilanti Township has used General Fund dollars to subsidize Habitat in acquisition development-rehab program. In turn Habitat will apply for county home dollars and use those funds in Ypsilanti Township. Mr. Robb asked who manages the metrics of this strategies for effectiveness. Ms. Gillotti responded the County Office of Community and Economic Development and Urban County. Mr. Robb asked how Ypsilanti would be rated on any of these strategies. Ms. Gillotti replied analysis will begin in 2018 when reports are made regarding these goals.

- ~~Employee Benefits Contributions – Rebecca Craigmile, HR Manager~~ **(Moved to Section XII)**

- Roadside Marijuana Testing – Tony DeGuisti, Police Chief

Police Chief Tony DeGiusti provided a presentation regarding roadside marijuana testing.

Mayor Pro-Tem Brown asked for what five drugs are being tested. Chief DeGiusti responded he does not have the list but will forward that information to Council.

Council Member Bashert asked how the long is the pilot. Chief DeGiusti responded one year. Ms. Bashert asked how it will be decided to continue the program. Chief DeGiusti responded the program is being run by the state police, and they will decide the metrics. Mayor Pro-Tem Brown asked when the test year begins. Chief DeGiusti responded the test begin at the beginning of November.

Mayor Edmonds stated only Sargent Anderson is able to perform this test. Chief DeGiusti responded in the affirmative. Ms. Edmonds asked if a person can refuse the test. Chief DeGiusti responded in the affirmative, but like the preliminary breath test it is a civil infraction to refuse. He added when a person is given their driver's license they give implied consent to alcohol and drug testing.

Mayor Pro-Tem Brown asked if the program works well and it is implemented statewide will every officer need to go through training. Chief DeGiusti responded he does not have the answer to that question.

Mayor Edmonds asked how this will affect a person with a medical marijuana card.   Chief DeGiusti responded a medical marijuana card does not give you the right to drive while intoxicated.

Mayor Edmonds asked how the results will be categorized. Chief DeGiusti responded there will be a range. Ms. Edmonds asked are there legally acceptable levels. Chief DeGiusti responded in the State of Michigan there are not acceptable levels.

Council Member Murdock stated with minimal staff levels he can think of better uses of staff time. He is worried about potential abuse of this program, in terms of profiling. Chief DeGiusti responded this will not take any time away from other duties, the test only takes minutes to perform. He said this could in fact save time because rather than needing to administer a blood test for drugs, which needs to be complete in a hospital, this can be done on the road. Mr. Murdock stated several years ago a charter amendment was passed which directed the police department to not actively seek out those abusing marijuana, and asked what this test would do to the application of that amendment. Chief DeGiusti responded a person does not have a medical marijuana card it is still illegal to possess. He added there is nowhere to look to see if a person has a medical marijuana card in order to profile. Mayor Edmonds asked if Council Member Murdock was referencing racial profiling. Mr. Murdock responded in the affirmative, and said he understands it is the behavior is what gets a person pulled over, but a person can be pulled over for a taillight being out and tested for this. Chief DeGiusti replied a person being pulled over for a taillight would not necessarily be tested. What is important is what the officer observes during that traffic stop, there must be some indication the driver is intoxicated. Mr. Murdock asked if other officers would be trained. Chief DeGiusti responded not at this time.

Mayor Edmonds asked if there are datasets for this testing that could be reviewed by the newly approved Police Advisory Commission. Chief DeGiusti responded the department doesn't really collect traffic stop data, but since this is a pilot program there will be reports Sgt. Anderson is create.

Council Member Murdock asked if there is a test for texting and driving. Chief DeGiusti responded he wishes there was.

Council Member Robb asked how many times this equipment has been used since its implementation twenty-eight days ago. Chief DeGiusti responded once.

Council Member Bashert is concerned that a person with a medical marijuana card is pulled over for an unrelated incident and a police officer feels a need to administer the test. They are a number of drugs in the cannabis plant, some that cause intoxication and some that do not. She asked if this machine will differentiate between those different substances.

Chief DeGiusti responded the instrument reads levels of THC, which is the intoxicant in the cannabis plant. Ms. Bashert replied she is not certain if that answers her concern because she is not an expert on the matter.

- Police Recruiting – Tony DeGuisti, Police Chief

Chief DeGiusti presented on police recruiting tactics, and possible strategy alternatives.

Mayor Edmonds asked what other departments in the state have are allowing individuals to apply without having graduated from the police academy. Chief DeGiusti responded Grand Rapids.

Council Member Bashert asked if a goal could be made to hire from within the city. Chief DeGiusti responded the department would like to attract the best applicants as possible, and currently the department recruits EMU students. Ms. Bashert stated she isn't recommending this because of loyalty to the residents of the city, but to increase longevity in officer's time with the city. Also, there is a high level of unemployment in the city and a need for jobs. Chief DeGiusti replied a person with familiarity to the city would have an edge on applicants the do not. He added the department could employee similar point structure as it does with veterans for local applicants. Ms. Bashert stated hiring local would assist in keeping money in the city, and help a family in the city. Chief DeGiusti stated he is not opposed to the suggestion, however, it is more common for a younger hire to not stay with that organization for the tenure of their career.

Council Member Robb stated if the city funds a person to attend the academy they will need to work with the Ypsilanti Police Department for a certain number of years. Chief DeGiusti responded the Attorney's Office is already looking into what can be legally done in that scenario.

VIII. <u>AUDIENCE PARTICIPATION</u> –

1. David Blakley, President of AFSCME Local 623 and employee of the Department of Public Services, stated the city is currently engaged in contract negotiations and have been told there is no way Council would approve of a wage increase for its members. The bargaining unit has not seen a wage increase in the past several years even while other bargaining units have seen an increase. He said DPS currently has five supervisors for sixteen workers, the Clerk/Treasury has three supervisors to one worker, Fiscal Services ratio is one to one, and the Police Department has eleven supervisors to thirteen road patrol. The DPS has been paying a contracted employee $20,000 a year for eight years. He was told recently the city is considering a $125,000 software purchase, and if there is funding for this access he asked Council to grant a wage increase for the bargaining unit.

2. Greg Swafford, Contract Negotiator and Union Steward for AFSCME and Parking Enforcement Officer, stated he recognizes and is understanding of the city's financial condition. The healthcare aspect of the contract has helped to justify not receiving wage increases, and now the city is proposing to reduce these benefits. He asked Council to take careful consideration when making decisions on healthcare later on this agenda.

3. Quinn Phillips, Ypsilanti Resident, concerned with testing methods for marijuana. It is historically not accurate that Millennials are loyal. She explained it is difficult to recruit because of the racism found in police departments. Supported moving forward with the community benefits ordinance and providing affordable housing. Encouraged using funds created by the passage of the recent millage for mental health and public safety for a warming center. Opposed working with Amy Foster and a large scale development for Water Street. Asked when the public will be updated regarding the investigation of funding for the China trip.

4. Rae stated LED lights disrupts melatonin and can cause issues with sleep. Stated the Fair Housing Report states it is illegal to discriminate people based on race and disability, but it is legal to

discriminate based on income. Landlords require a person make three to four times the amount of rent, which is especially difficult for people with disability.

5. Lee Tooson, 107 Middle, stated the city cut down a tree at 317 E. Ainsworth and damaged her fence, and has since been trying to get the city to repair her fence. The individual living at 459 E. Ainsworth has requested a tree limb protruding over her home that is rotting her roof. These are the same individuals he had to convince to vote for a millage, and are not being provide services. The people should know how city funds are used. Years ago a City Manager left Council Chambers because allegations, however, he did return, but Council dealt with him. Last meeting the City Manager left a meeting and there were things on the agenda that concerned him. He expects Council to treat him just like the City Manager was treated years ago. He said he voted for the Non-Discrimination Ordinance and fought to have it approved, and the City Manager needs to have thicker skin. The same can be said for elected officials.

6. Amy Shrodes, Ypsilanti Resident, stated she would like to see the funds created by the recent millage for mental health and public safety for a warming center. The investigation into the funding of city official's trip to China is still ongoing, and asked why the Police Chief's salary was not questioned because he was paid while on this trip.

7. Liz Dahl-MacGregor, 103 N. Lincoln, thanked Council for moving forward with the community benefits ordinance. She stated commissions should be able to select their own delegate to represent that commission for the CBO. She added the city should put that into regular practice.

8. Kyle Hunter, Ypsilanti Resident, stated the former Farmer Jacks building at Golfside and Washtenaw has been abandoned for more than a decade. He asked Council to reach out to the township in order for that building to be used again as a grocery store.

9. Nathanael Romero expressed support for the community benefits ordinance. Stated boards and commissions need to be empowered, and applauded the mayor for appointing a number of great individuals to those bodies.

IX. REMARKS BY THE MAYOR –

- Informed Mr. Hunter she would be happy to discuss the need for grocery store in the Ypsilanti area.

- Appreciated comments about warming centers and the community benefits ordinance.

  Council Member Bashert stated there are eight warming centers either in, or on the edges of the City of Ypsilanti. However, none of the centers are overnight which is a massive gap. She informed Mr. Tooson she was the chair of the Non-discrimination Ordinance Campaign twenty years ago and remembers exactly what he did twenty years ago. She said both the yes and no sides thought Mr. Tooson supported them. However, she appreciates his support now.

X. PUBLIC HEARINGS -

1. Approving a request for a new Class C License with a Dance/Entertainment permit for Harmony Lane, LLC located at 17 N. Washington.

   A. Resolution No. 2017-264, determination.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Melinda Ann O'Neill, owner of Harmony Lane, 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 17 North Washington St, Ypsilanti, MI 48197, Washtenaw County; and

WHEREAS, a public hearing to consider the application to New Class C for Harmony Lane, LLC was duly noticed and held on November 28, 2107

NOW, THEREFORE, BE IT RESOLVED THAT the request of Melinda Ann O'Neill owner of Harmony Lane, LLC for the property located at 17 North Washington, be approved contingent upon approval by the Washtenaw County Health Department, Building Department and Fire Department Review.

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

Ms. Ernat introduced Melinda O'Neill, and stated staff is excited to have a business moving into 17 N. Washington in the downtown.

Ms. O'Neill stated she is very familiar with the city and was children in the Ypsilanti School Soon. She explained her business plan for the former club divine space.

Mayor Edmonds was pleased to see the business plan includes using local suppliers and hiring locally.

B. Open public hearing.

1. Amy Shordes, Ypsilanti Resident, asked if a night could be sent aside in which alcohol is not served to be used as a community space.

C. Resolution No. 2017-265, close public hearing.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the public hearing to consider the proposed Redevelopment Liquor License for Harmony Lane, LLC located at 17 North Washington be officially closed.

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

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

Council Member Murdock asked if a redevelopment liquor license must stay with the building. Ms. Ernat responded in the affirmative, and explained if the license holder were to leave this location it would be available to another tenant. Mr. Murdock asked if the Downtown Development Authority would need to reapprove the license. Ms. Ernat responded in the affirmative. Mr. Murdock asked if a redevelopment liquor license could be sold. Ms. Ernat responded no. Mr. Murdock asked if the building owner would have any control over the license. Mr. Ernat responded no.

On a roll call, the vote to approve Resolution No. 2017-264 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. 2017-266*

1. Resolution No. 2017-267, approving Ordinance 1296, an ordinance to amend Ypsilanti City Code Chapter 6, "Alcoholic Liquor" to be consistent with State Law and setting forth the penalties. ***(Second Reading)***

   RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

   That an ordinance entitled " AN ORDINANCE TO AMEND YPSILANTI CITY CODE CHAPTER 6 "ALCOHOLIC LIQUOR" TO BE CONSISTENT WITH STATE LAW AND SETTING FORTH THE PENALTIES" be approved Second and Final Reading.

2. Resolution No. 2017-268, approving Ordinance 1297, an ordinance to amend Chapters 14 "Animals"; Chapter 22 "Businesses", and Chapter 102 "Traffic and Vehicles" of the Ypsilanti City Code relating to internal references to Chapter 122 "Zoning". ***(Second Reading)***

   RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

   That an ordinance entitled "An ordinance to amend Chapters 14 "Animals", 22 "Business," and 102 "Traffic and Vehicles" of the Ypsilanti City Code relating to internal references to Chapter 122, "Zoning" of the Ypsilanti City Code" be approved on Second and Final Reading.

3. Resolution No. 2017-269, approving Ordinance 1298, an ordinance to amend Chapter 7, "Medical Marijuana" of the Ypsilanti City Code. ***(Second Reading)***

   RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

   That an ordinance entitled "An ordinance to amend Chapter 7 "Medical Marijuana" of the Code of Ordinances of the City of Ypsilanti" be approved on Second and Final Reading.

4. Resolution No. 2017-270, approving the minutes of November 13th and November 14th, 2017.

   RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

   THAT the minutes of November 13th and November 14th, 2017 be approved.

5. Resolution No. 2017-271, authorizing the Finance Department to proceed in processing payments to cover the Ypsilanti Fire Department's YFD Engine-3 equipment damages.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The City of Ypsilanti Fire Department Engine-3 damages have all been repaired from the accident that occurred on May 29, 2017; And,

WHEREAS, The City of Ypsilanti received an insurance reimbursement check on August 7, 2017 from the Michigan Municipal League in the amount of $190, 344.48 for the damages and towing of the Ypsilanti Fire Department Engine-3; And,

WHEREAS, The total amount of $190,344.48 was deposited in account # 641-4-9340-682-00; And,

WHEREAS, The total amount of $185,850 will be paid to Spartan Motors USA, Inc. DBA Spartan ER to cover Engine-3's complete body replacement from 641-4-9340-682-00; And,

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council authorizes the Finance
Department to proceed in processing payments to cover the Ypsilanti Fire Department's YFD Engine-3 equipment damages.

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

On a voice vote, the motion carried, and the Consent Agenda was approved.

6. ~~Resolution No. 2017-272, approving purchase of two (2) 2018 Ford Police Interceptor.~~ **(Moved and Heard During Section XII)**

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

1. Resolution No. 2017-276, approving an extension to the purchase agreement for 400 N. River (Thompson Block).

RESOLUTION TO APPROVE ENTERING INTO AN AMENDMENT TO PURCHASE AGREEMENT FOR THE SALE OF CITY-OWNED RIGHT-OF-WAY

WHEREAS, The City of Ypsilanti approved a Real Estate Purchase Agreement dated May 17, 2017 for the purpose of conveying its rights-of-way for the redevelopment of a historic building; and

WHEREAS, the subject parcels are located on or about 400 N. River Street, ID#11-11-04-495-024; and

WHEREAS, a purchase agreement has been approved and outlines an access easement for public sidewalk to be reserved, use restrictions on the property, the sale price of $1, and the reversion of the property if the development is not completed within five year; and

WHEREAS, the amendment to the purchase agreement extends no later than December 31, 2017; and

WHEREAS, this redevelopment of the property known as the Thompson Block would not be historically accurate without the additional rights-of-way.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that the City Council authorizes the Mayor of the City of Ypsilanti to enter into the amendment to the purchase agreement with The Original and Only Thompson Block, LLC.

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

Ms. Ernat provided a synopsis of the reason for the request.

Council Member Murdock asked what will happen to the parking spaces along River St. Ms. Ernat responded those spaces will be removed. Mr. Murdock stated the parking requirements were waived for this project, and now two additional spaces will be removed.

On a roll call, the vote to approve Resolution No. 2017-276 was as follows:

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

VOTE:

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

2. Resolution No. 2017-277, directing staff to install speed bumps on Ferris Street between W. Ainsworth and S. Hamilton.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas residents have complained about cut through and speeding traffic on Ferris Street between W. Ainsworth and S. Hamilton; and

Resolved by the City Council of the City of Ypsilanti that speed bumps be placed on Ferris Street between W. Ainsworth and S. Hamilton.

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

Mayor Edmonds asked what the reasoning was behind selecting speed bumps over a stop sign. Council Member Richardson stated the Department of Public Services felt a stop sign was not necessary, however she disagreed. She said Chief DeGiusti informed her speed bumps would be more effective for speed control at that location.

On a roll call, the vote to approve Resolution No. 2017-277 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. 2017-278, approving Request for Proposal (RFP) for parking support and infrastructure.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI THAT:

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

WHEREAS, the Ypsilanti City Council adopted resolution No. 2016-005, approving the rules of the Parking Violations Bureau; and

WHEREAS, since its inception, the Parking Violations Bureau and enforcement officers have been utilizing Courts and Law Enforcement Management Information System ("CLEMIS") for its hardware and software needs; and

WHEREAS, CLEMIS has advised that they are phasing out its hardware for parking violations and has encouraged agencies to find other solutions to the parking needs; and

WHEREAS, the City is interested in contracting with a third-party capable of supporting the Parking Violations Bureau's need for hardware and software support, particularly to provide handheld devices and printers; software to track, find, store and share data between devices and agencies within the City, Courts and State of Michigan; and for increased efficiency, including the issuance of notices for payment of outstanding violations;

NOW THEREFORE BE IT RESOLVED that staff of the City and the Parking Violations Bureau is directed to issue the attached request for proposals to locate a third-party to provide such services, with a proposed contract from the successful bidder to be approved by City Council.

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

Council Member Robb stated he wants this RFP to written that is clear the fee they receive will not come out of the city's money. Assistant City Attorney Dan DuChene responded the fee schedule will need to be amended. Mr. Robb understood, but the RFP needs to be drafted so it is clear what the city wants. Mr. DuChene responded he will make the amendments to the RFP, but cannot dictate how companies will submit their proposals. Mr. Robb responded what will happen if none of the proposals fit what the intended process. Mr. DuChene asked if Council wanted a per ticket fee schedule. Mr. Robb stated the majority of companies want a percentage of the fine collected, and he wants to make sure that does not come from the city's revenue. Council Member Vogt stated that intention should be expressed to potential bidding companies.

Mayor Edmonds asked if the city changes parking meter technology would this system link. Mr. DuChene responded the process should be the same regardless of technology. Parking Enforcement Officer Sandi Rogala suggested the handhelds include a camera to assist in recording evidence for ticket appeals.

Council Member Bashert asked that parking enforcement have a backup handheld device in case one is damaged. Mr. DuChene stated he would make that change. Ms. Bashert stated there is a problem with broken meters in the city. Mr. DuChene relied that would be a different issue.

On a roll call, the vote to approve Resolution No. 2017-278 was as follows:

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

VOTE:

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

4. Resolution No. 2017-279, approving proposed 2018 Council meeting schedule.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

The Ypsilanti City Council will hold Regular Meetings at 7:00 p.m. in the City Council Chambers, located at One South Huron Street, Ypsilanti, Michigan 48197, for the year 2018 on the following dates:

January 9	**July 17**
January 23	**August 14**
February 6	**August 28**
February 20	**September 11**
March 6	**September 25**
March 20	**October 2**
April 3	**October 16**
April 17	**November 12 (Organizational)**
May 1	**November 13**
May 15	**November 27**
June 5	**December 4**
June 19	**December 18**

The City of Ypsilanti encourages persons with disabilities to participate and will provide necessary reasonable auxiliary aids and services, such as signed for the hearing impaired, Limited English Proficiency (LEP) services, and audios of printed materials being considered at the meeting to individuals with disabilities upon two

(2) days notice to the City. Individuals with disabilities requiring auxiliary aids or services should contact the City by writing or calling the following:

City Clerk's Office
One South Huron Street
Ypsilanti, Michigan 48197-5420
(734) 483-1100

All persons are welcome to attend. Additional information may be obtained at the City Clerk's Office and written comments may be sent to the City Clerk's Office at the above listed address.

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

City Clerk Frances McMullan noted the August dates were moved to the second and fourth Tuesdays because of an election and carried it on through October. Ms. McMullan suggested either moving the November meeting from the 6th to the 8th or the 13th.

Mayor Edmonds asked when the Council Organizational Meeting would be held. Ms. McMullan responded it is not a part of this approval it would be scheduled at a later date. Ms. Edmonds suggested scheduling the meeting as a part of this approval.

Council Member Richardson preferred to meet on the first and third Tuesdays except when it is necessary hold meetings on different dates. Ms. McMullan responded in the affirmative. Mayor Edmonds suggested keeping the second and fourth Tuesdays in September because of Labor Day.

Mayor Edmonds suggested striking the July 3rd meeting.

On a roll call, the vote to approve Resolution No. 2017-279 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

5. Resolution No. 2017-280, approving FY 2018-19 Budget Preparation Calendar.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti FY 2018-19 budget preparation process will commence in December 2017; and

WHEREAS, it is necessary to adopt a budget preparation schedule to assist in maintaining an appropriate schedule to ensure that all tasks related to the preparation and adoption of the budget are completed timely and in compliance with city charter and state law;

NOW THEREFORE BE IT RESOLVED BY THE CITY OF YPSILANTI that the city council does hereby adopt the FY 2018-19 Budget Preparation Calendar as prepared and presented by the City Manager.

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

On a roll call, the vote to approve Resolution No. 2017-280 was as follows:

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

VOTE:

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

6. Resolution No. 2017-282, granting The Plato Law Firm City Council's power to issue subpoenas, administer oaths, take testimony, and require production of documents and other evidence as part of the investigation of the China trip.

RESOLUTION TO DELEGATE SUBPOENA POWER TO THE PLATO LAW FIRM FOR INVESTIGATION OF THE TRIP TO CHINA BY CERTAIN CITY COUNCIL MEMBERS AND EMPLOYEES

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

WHEREAS, the City Council has the authority to issue subpoenas, administer oaths, take testimony, and require the production of documents and other evidence pursuant to MCL 117.4j(3) and sections 2.06 and 2.07 of the Charter of the City of Ypsilanti; and

WHEREAS, the City Council has retained The Plato Law Firm to investigate the trip to China taken by Mayor Amanda Edmonds, Mayor Pro-Tem Nicole Brown, Police Chief Tony Deguisti, and Economic Development Director Beth Ernat in late-September through early-October 2017 ("the China trip"); and

WHEREFORE, IT IS RESOLVED THAT the City Council hereby grants and delegates to The Plato Law Firm the City Council's power to issue subpoenas, administer oaths, take testimony, and require the production of documents and other evidence on the Council's behalf as part of its investigation of the China trip. The Plato Law Firm is also hereby directed and granted permission to use the attached subpoena form while investigating the China Trip on behalf of the City Council.

BE IT FURTHER RESOLVED THAT, subpoenas are to include, but are not limited to:

1) Deposits and expenditures regarding China trip from Michigan First Credit Union including, but not limited to the Chinese Student and Scholars Association of Wayne State and Youngs Travel and the Chinese Student and Scholars Association of Wayne State and Global Capital Group, LLC.

2) Receipts from Youngs Travel between, but not limited to the Chinese Students and Scholars Association of Wayne State and Global Capital Group, LLC

3) Deposits and expenditures regarding China trip between, but not limited to Global Capital Group, LLC and the Chinese Consulate.

4) Email or any communications relative to the transactions previously mentioned sent or received by Youngs Travel, the Chinese Students and Scholars Association of Wayne State (and their representatives), Ms. Amy Xue Foster, and Wayne Hoffman.

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

Council Member Murdock asked when Council will receive an update on the investigation, and when will it become involved in the process. City Attorney John Barr responded he received a communication requesting the firm be granted subpoena power, for non-city employees. Interviews are being scheduled for the beginning of December for city employees. He added special counsel, at this point, has reviewed written material. Council Member Robb stated Council takes action through resolution, and has approved no resolution directing the investigation. He asked what is Plato Law Firm investigating and when does Council get involved and provide direction. He is reluctant to provide blanket subpoena power without providing direction for the investigation. He asked should Council submit a resolution during the December 5th meeting approving that direction. Mr. Barr replied Council could approve a resolution, but the direction at this time is to investigate funding of city officials trip to China.

Council Member Murdock stated the Mayor and Mayor Pro-Tem could not participate in discussion regarding discussion on this investigation. He asked why they are allowed to participate in discussion regarding approving subpoena power for special counsel. Mr. Barr replied if Council is concerned he recommends the Mayor and Mayor Pro-Tem recuse themselves from the vote. Mr. Murdock stated he was hoping the Mayor and Mayor Pro-Tem would have offered to do that prior to discussion. Mayor Edmonds responded she asked prior to the beginning of discussion. Mayor Pro-Tem Brown interjected she already informed Council she would abstain from the vote. Ms. Edmonds agreed.

Council Member Robb stated this is Council's investigation and he has no idea the status and Council has not been involved.

Council Member Richardson stated when Council first discussed hiring an outside firm to perform this investigation prior to the releasing of a Request for Proposals (RFP) Council outlined what it wanted special counsel to do. Her understanding was Council would have subpoena power and it could extend that power to special counsel. She does not understand why Council Members Murdock and Robb do not know what special counsel will investigate. Council Member Bashert agreed. Council Member Robb stated the specifics of the investigation were never codified.

Council Member Bashert stated she is also confused by Council Members Robb and Murdock's questions regarding the investigation. Council performed hearings on the city officials who went on the trip and the City Manager and an outside law firm was hired to complete the investigation. She said it should be clear what special counsel is investigating and it should be moved forward. Council Member Robb stated a resolution was only passed to release an RFP. Ms. Bashert stated Council would have had more input into the process of the law firm had it voted to select a law firm, however, the resolution failed to be approved. That failure took City Council out of the process and now the investigation is staff generated.

Council Member Richardson reiterated Council wanted an outside counsel to investigate.

City Manager McClary stated during the October 3rd Council meeting a resolution was adopted directing the RFP to be prepared and issued, and the City Manager be charged to hire an outside law firm. After its approval he expressed he had concerns selecting the law firm because he was being investigated. Because of that he submitted a resolution to select a law firm for Council's approval, however, Council subsequently took no action. Since no action was taken he was subject to the previously approved resolution and he moved forward with special counsel selection.

Council Member Vogt asked if language could be added to this resolution that would satisfy the Council Members who take issue with this resolution.

Council Member Richardson Called the Question.

On a roll call, the Call the Question for Resolution No. 2017-282 was as follows:

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

VOTE:

YES: 3 NO: 2 (Robb, Murdock) ABSENT: 0 ABSTAIN: 2 (Edmonds, Brown) VOTE: Failed

Council Member Robb agreed with Council Member Vogt he could be satisfied if language were added to this resolution. He said what he cares about are the financial transaction, who knew what and when doesn't matter because Council only has power is if there was an ethical violation. He said he would be willing to being a resolution during the December 5th meeting granting Plato Law Firm specific subpoena power.

Council Member Richardson proposed to draft a resolution now so this doesn't lengthen the investigation.

Council Member Vogt moved, seconded by Council Member Bashert to extend the meeting to midnight.

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

Council Member Robb suggesting adding the following to the resolution; "*BE IT FURTHER RESOLVED THAT, subpoenas are to include, but are not limited to: 1) Deposits and expenditures regarding China trip from Michigan First Credit Union including, but not limited to the Chinese Student and Scholars Association of Wayne State and Youngs Travel and the Chinese Student and Scholars Association of Wayne State and Global Capital Group, LLC. 2) Receipts from Youngs Travel between, but not limited to the Chinese Students and Scholars Association of Wayne State and Global Capital Group, LLC 3) Deposits and expenditures regarding China trip between, but not limited to Global Capital Group, LLC and the Chinese Consulate."* He asked if there is any other information that should be added to resolution. Council Member Murdock suggested adding emails and other communication from the already listed organizations.

Council Member Vogt stated what is decided now does not limit authority given to Plato Law Firm for this investigation. Council can approve additional subpoena authority if needed for the investigation.

Council Member Richardson suggested adding "any other pertinent information pertaining to the China Trip" as language to the resolution. Council Member Vogt stated he is concerned that addition would be undefinable, it is broad and the subpoenas should be limited to financial transactions. Ms. Richardson responded she does not want to narrow the investigation, which could cause some evidence to go unfound.

Council Member Robb moved, seconded by Council Member Murdock to add the following language to the resolution "BE IT FURTHER RESOLVED THAT, subpoenas are to include, but are not limited to: 1) Deposits and expenditures regarding China trip from Michigan First Credit Union including, but not limited to the Chinese Student and Scholars Association of Wayne State and Youngs Travel and the Chinese Student and Scholars Association of Wayne State and Global Capital Group, LLC. 2) Receipts from Youngs Travel between, but not limited to the Chinese Students and Scholars Association of Wayne State and Global Capital Group, LLC. 3) Deposits and expenditures regarding China trip between, but not limited to Global Capital Group, LLC and the Chinese Consulate. 4) Email or any communications relative to the transactions previously mentioned sent or received by Youngs Travel, the Chinese Students and Scholars Association of Wayne State (and their representatives), Ms. Amy Xue Foster, and Wayne Hoffman.

Mr. McClary stated he is confused to why Council wishes to limit the scope of special counsel's investigation. He asked if Council has made a determination as to whether there was any impropriety on the part of city staff or the two Council Members because the integrity of those individuals have been called into question. He does not feel the scope of special counsel should be limited because he wants to know who knew what and when they knew it and who funded the trip. He believes this investigation will show no one within the City of Ypsilanti did anything improper. He believes a complete investigation would assist in repairing the public trust of city officials.

Council Member Vogt proposed to include any emails or communications from the five city officials. Council Member Robb replied Council has already been given those communications. Mr. Vogt responded he suggested that to allow special counsel the ability to subpoena anything it feels is missing. Mr. Robb responded his amendment does not limit the investigation, he just wants to be certain these specifics are answered.

Council Member Bashert stated she finds the amendment redundant and a waste of time, however, she will vote for it to move the process forward.

Council Member Murdock stated there is nothing in the amendment that limits Plato Law Firms subpoena power, it just provides direction to find answers to these particular issues.

On a roll call, the vote to amend Resolution No. 2017-282 was as follows:

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

VOTE:

YES: 4 NO: 1 (Richardson) ABSENT: 0 ABSTAIN: 2 (Edmonds, Brown) VOTE: Carried

Council Member Richardson moved amendment to allow special counsel freedom to investigate what is needed and not impose a limit.

There was no support for the amendment.

Council Member Richardson stated she is disappointed in Council. Council claims to want answers to this issue but just voted to limit the investigation. She stated to let special counsel do its job. Council Member Vogt responded this is one step in a process and not the only step, nor necessarily the final step.

On a roll call, the vote to approve Resolution No. 2017-282 was as follows:

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

VOTE:

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

7. Discussion - Community Benefits Ordinance.

Mr. DuChene provided a brief synopsis regarding the community benefits ordinance.

Mayor Edmonds stated the CBO would cover city owned property plus other developments asking for incentives. She asked if it would cover property not asking for incentives. Mr. DuChene responded no, and explained if a purchaser is paying market rates the CBO would not apply. Ms. Edmonds stated she would like to see Water Street be added explicitly to the ordinance. Mr. DuChene responded in the affirmative, but if a fair market rate is given for Water Street it would be difficult to ask for additional benefits.

Council Member Murdock asked if the city will have community benefits agreements for all the projects awarded Obsolete Property Rehabilitation Act (OPRA) grants in the downtown. Council Member Robb responded he hopes this ordinance could be written and Council could waive the CBA.

Mayor Edmonds stated the scale of some of the rehabilitation projects occurring in the downtown require a decent amount of investment. She hopes the ordinance would be scaled appropriately.

Council Member Murdock stated a lot of research he has completed CBOs are based on investment not incentives. Mr. DuChene responded the triggering mechanism he researched was based on incentives requested. Mr. Murdock suggested a CBO based on a combination of both investment and incentives. Ms. Ernat stated she has a list of incentives that could be awarded by Council.

Mayor Edmonds stated the next step is to provide Council the list of incentives and what the city can legally do. Then provide some examples for each scenario.

Council Member Murdock stated the Downtown Development Authority can award $15,000 grants to complete a project. Ms. Ernat responded that is not an incentive from the city. Mr. DuChene the city has no authority of approval for that grant.

Council Member Bashert asked if a ratio between the investment and incentive could be used as a trigger. Ms. Ernat responded it would be difficult to quantify. Mayor Edmonds stated she is concerned in getting in that type of valuation. Ms. Ernat stated the best mechanism they have found is a sliding scale. The request should match the incentives. Ms. Bashert asked how much of an investment is being made for the Thompson Block project. Council Member Robb responded around $1 million. Ms. Bashert stated a CBO could have been a great project to use this. Ms. Ernat responded the city's incentive for that project was relatively low. She explained a brownfield TIF is an incentive but it is reimbursement only, so it must include an eligible project. It essentially reimburse the developer for investment into the cleanup of the site.

Mayor Edmonds suggested the representation should be specifically specified, including geographical neighbors to the project. Ms. Ernat responded representation would need to come from that district.

Council Member Bashert felt it would be too confusing to focus on both incentives and investment. She suggested consider only incentives act as triggers for the CBO. Mr. DuChene responded he does not disagree, but Council will need to provide direction on the incentive amount. Mayor Edmonds replied Council would need to see a list of examples in order to provide the direction. Ms. Bashert added a clause could be added that would provide Council could not apply the ordinance if it is not appropriate.

Ms. Ernat provided a synopsis of what possible triggers there could be for a CBA.

Council Member Robb stated the $75,000 in investment for a redevelopment liquor license is in a span of five years not necessarily an upfront cost. The investment could have been completed by the previous owner.

Council Member Murdock stated if the city requires hiring local there must be a way to monitor that.

Mayor Edmonds asked if the city has any influence over free market tax credits. Ms. Ernat responded, no the state has authority.

Council Member Bashert stated it would be up to the CBA Committee to build in systems of reporting. Mr. DuChene responded in the affirmative, and said it would be included in the CBA how that would function.

Council Member Bashert stated she does not have a sense in how large incentives need to be in order to trigger a CBA. Ms. Ernat responded triggers would vary from project to project. Ms. Bashert asked if the city had a bottom level and then on an individual basis decided by Council. Mr. DuChene responded not every triggering event will initially come to Council. Secondly it could increase the timeframe for a project. Thirdly, he is concerned about an arbitrary application of the ordinance. Mayor Edmonds stated if the ordinance does not function as intended it can always be amended. Ms. Ernat stated if a bottom level is created the bar could easily be lifted to $25,000. There is not many projects that would fall into the $10,000 range.

Council Member Bashert stated she likes the idea of creating an Ad Hoc board by project. Mayor Pro-Tem Brown agreed.

Council Member Richardson asked why a representative of the Housing Commission is on the committee. Mr. DuChene responded it was an idea, but ultimately it is Council to create the structure. Ms. Richardson replied she would not recommend that because of the divide between the city and the Housing Commission. Instead add an additional community member. Mr. DuChene asked if that is agreeable to Council. Mayor Edmonds stated the Housing Commission is a smaller body, but the commission is one of the best tools for affordable housing, and could be an asset. Ms. Richardson responded this needs to be more community centered. Ms. Edmonds responded the members of the YHC are all community members. Council Member Bashert added they YHC Board works and represents a segment of the Ypsilanti community. Council Member Murdock added the YHC could be a potential beneficiary of a CBO. Mr. DuChene responded they would not see a personnel benefit, however, the organization might receive a benefit. Ms. Ernat responded that is one of the reason for the recommendation. Ms. Edmonds stated she is okay if they are not a part of the committee, but would like to see them as a part of the process. Ms. Richardson stated it is a community benefits agreement and it needs more community representation than input from city staff. She added the committee can be more than seven, and does not need to be limited.

Council Member Richardson suggested changing the notice timeline be changed from fourteen days to seven to enable the committee to move quicker. Mr. DuChene responded in the affirmative, he asked what medium should be used from noticing. Mayor Edmonds responded a mailing, similar to for Planning Commission issues.

Mr. DuChene asked for insight on a timeline in which the Ad hoc committee would need to provide direction to Council. Council Member Richardson suggested a thirty day deadline. Mr. DuChene asked how long the ordinance would allow a developer to respond to that recommendation. Mayor Edmonds responded this seems like there might be a great deal of compromise in-between the city and possible developers. Mr. DuChene understood but the purpose of this is to provide a structure of the ordinance.

Council Member Richardson stated the ad hoc committee is subject to the Open Meetings Act, and would like to see that meetings be held when it is the most convenient for the community to provide input. Mr. DuChene agreed, and asked if the suggestion is that meetings be held in the evening. Ms. Richardson responded in the affirmative. Mayor Edmonds stated she would not that specified in the ordinance. Council Member Bashert agreed. Ms. Richardson stated she is not suggested the ordinance read meetings must be held in the evening, but that they are held at a time when it is convenient for the public to attend.

Mr. DuChene asked if Council would like a public hearing when approving a CBA for a development. Mayor Edmonds responded she would like a public hearing.

Ms. Ernat asked if Council wants staff to bring forward a final draft, or another draft of the ordinance. Council Member Bashert responded she does not believe this is at the final draft stage.

8. ~~Discussion regarding the allocation of funds that will be created by the Washtenaw County Community Mental Health and Public Safety Preservation millage approved during the November 7th Special Election.~~ **~~(Added)~~ (Postponed until December 5, 2017)**

9. Resolution No. 2017-272, approving purchase of two (2) 2018 Ford Police Interceptors.

RESOLVED BY THE CITY COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti Police Department desires to replace two (2) Patrol Vehicles with 2018 Ford Police Interceptors, and

WHEREAS, the City of Ypsilanti Police Department has been allocated funds in the FY 2017-18 budget for the purpose of purchasing these vehicles, and

WHEREAS, Gorno Ford of Woodhaven, Michigan has provided State of Michigan bid pricing in the amount of $50,410.00.

THEREFORE BE IT RESOLVED, that the Chief of Police be authorized to sign all necessary documents needed to execute the vehicle purchase.

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

Council Member Murdock asked if hybrid vehicles were available. Chief DeGiusti responded there are however, they will not be available until the summer, and a bid prices have not been released. Also, hybrid Interceptors will not be available.

Council Member Robb stated Police Interceptors is not a vehicle it is a classification of a vehicle.

On a roll call, the vote to approve Resolution No. 2017-272 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

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. Friends of Rutherford Pool - None
G. Housing Equity Leadership Team - None
H. Economic Development Coordinating Committee - None

XIV. COUNCIL PROPOSED BUSINESS –

Murdock

- During the next meeting he would like to submit a resolution in support of a prevailing wage.

- Asked if there was anything to report regarding the Department of Environmental Quality's inspection of the Border to Border Trail.

  Ms. Ernat responded not at this time.

Bashert

- She will be submitting a resolution regarding the Nexus Pipeline during the next meeting.

Richardson

- She would like to see a letter of support for the people of Puerto Rico and the Virgin Islands written.

  Ms. Ernat stated she requested to schedule a work session on Thursday, November 30th and has only received only one no response. Council Member Bashert replied she will clear her schedule for that meeting. Council Members Richardson and Murdock stated they would be unable to attend that night. Ms. Ernat suggested Monday, December 11th. Mayor Pro-Tem Brown stated Mondays are usually difficult to schedule meetings.

  Council Member Murdock stated there was discussion regarding a neighborhood meeting and asked if this would be that meeting. Ms. Ernat responded no, this meeting is to discuss options.

  Council Member Bashert suggested Wednesday, December 13th. Council Members Murdock and Robb relied they are holding a town hall on that night. Ms. Ernat replied the presentation could be done at the town hall, adding the project would occur in Ward 3. Mr. Robb and Mr. Murdock stated they would have an answer on Wednesday, November 29th.

XV. COMMUNICATIONS FROM THE MAYOR –

- The Clerk's Office will be working on a press release and website page for the Police Advisory Commission.

- She will be out of town for the December 5th Council Meeting.

Nominations:

Sustainability Commission
Sam Stroud
210 Oak St.
Ypsilanti, MI 48198

Human Relations Commission
Devika Chourhuri
2116 Roosevelt
Ypsilanti, MI 48197

Huron Watershed
Anne Brown
2125 Collegewood
Ypsilanti, MI 48197

Ethics
Patricia Berry
616 Collegewood
Ypsilanti, MI 48197

Tax Review Board
Andy Fanta
1221 Westmoorland
Ypsilanti, MI 48197

Roberta Andrews
7 N. Normal
Ypsilanti, MI 48197

Historic District Commission
Ron Rupert
421 N Huron
Ypsilanti, MI 48197

Erika Lindsay
317 Prospect
Ypsilanti, MI 48197

LDFA
Phil Tepley **(non-resident)**
752 E. Grand Blvd
Ypsilanti, MI 48198

Housing Commission
Ariel Moore
1 Oakwood
Ypsilanti, MI 48197

XVI COMMUNICATIONS FROM THE CITY MANAGER –

- City staff is meeting with MDOT on December 8th to discuss possible street projects.
- Council should have received an invitation to Amtrak's Experience the Rails event.
- He provided background on the County Public Safety and Mental Health Millage funding.
- He highlighted his recommendation for excess parking revenues, possibly used for parking related needs.
- The cooperative agreement and scope of work for the Peninsular Park Dam will be on next week's meeting. The Friends Group has offered to fund 50% of the excess cost.
- He apologized to Council for leaving after a comment was made during Audience Participation at meeting in November. He explained disparaging remarks were made about the LGBT Community, and while he does have thick skin when his family is attacked it makes him emotional. The comments made were comments that caused him to not be able to sit through the meeting.

XVII. COMMUNICATIONS –

- Police Department Bench Warrant Report *(distributed)*

XVIII. AUDIENCE PARTICIPATION –

1. Desiree Simmons, 407 Charles, stated meetings this long make it difficult for community members to participate and stay informed. If Council Members could improve how they work together it would assist in the meetings running more efficiently. Community members can bring more of a community voice to discussions of CBA Committee regarding the community benefits agreement.

2. Heather Charles, N. Washington, requested drafts of the Community Benefits Ordinance be shared with the Human Relations Commission, Sustainability Commission, and Planning Commission. Stated she is doing a report on CBOs and will share that information with Council and city staff.

3. Cheryl Farmer, 214 N. Huron, stated Mayor Edmonds asked if she should recuse herself prior to discussion of Resolution No. 2017-282, regarding Plato Law Firm subpoena power. The Attorney responded it would not be necessary as it is just a house keeping matter. Mayor Edmonds and Mayor Pro-Tem Brown voluntarily recused themselves even though the City Attorney did not think it was necessary. This made it difficult even for Council to vote even to call to question. It deserves mentioning Council Member Murdock also has a conflict of interest in this matter, and should recuse himself especially if it is necessary to censure Mayor Edmonds. Council Member Murdock wants to be Mayor, and has ran against former Mayor Schreiber in 2010 and Mayor Edmonds in 2014 and lost both times. Shortly after winning his primary in August of 2017 he began his campaign for Mayor in 2018, by posting on social media sites at every opportunity. Anything that makes Mayor Edmonds look bad will assist him in this pursuit. He has a conflict of interest because he would benefit from making her look bad. Three decades ago Council Member Murdock was Mayor, and because of the job he did when he ran for reelection a republican was elected mayor instead of him. That was the last republican ever elected in Ypsilanti.

4. Kim Jones, representing Local 623, stated the city has 24 members and 21 of those members are fulltime employees and benefit eligible. The average salary is $42,000 a year, which is $10,000 less than the average salary of POAM. She asked Council to consider a raise for AFSCME membership.

5. Amy Shordes, Ypsilanti Resident, asked why meetings run so late when considering community centered issues. She asked why the community benefits ordinance was not discussed at the top of the agenda. She asked that members of Ward 3 be able to respect the opinions of Council Member Richardson.

   Council Member Murdock stated he would like to speak with Ms. Charles regarding the community benefits ordinance.

XIX. REMARKS FROM THE MAYOR –

XX. CLOSED SESSION -

Closed Session for the purpose of discussing collective bargaining strategy, pursuant to MCL 15.268(c)

Mayor Pro-Tem Brown moved, seconded by Council Member Bashert to adjourn to Closed Session.

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

The meeting adjourned to Closed Session at 11:37 p.m.

XXI. RESOLUTIONS/MOTIONS/DISCUSSIONS –

10. Resolution No. 2017-273, approving Health Care Employee Contribution Limits – PA 152 of 2011.

Council Member Robb stated in October of each year Council selects healthcare plans. Staff has selected healthcare this time and essentially has created policy. It is up to Council to select a healthcare plan.

Council Member Murdock moved, seconded by Council Member Mayor Pro-Tem Brown to select 80/20 healthcare option.

Council Member Richardson stated it seems like this resolution is opposite of what was just discussed.

Council Member Murdock stated the numbers for the hardcopy do not seem to jive correctly. The 80/20 is what the city has been doing since the inception of the law, and it is what people are used to.

Council Member Bashert asked what employees are paying now for healthcare per month. Mr. McClary responded he does not have the 2017 numbers at the moment. Ms. Bashert stated the city saves money either by the hard cap or the 80/20. The hard cap would cost the city more and the 80/20 would cost the employee more. Ms. Bashert stated she is not feeling comfortable making a decision at this point in the night. She would be willing to return for an early meeting sometime this week once complete information is provided. Council Member Robb asked what additional information is needed in order to make a decision.

Council Member Bashert moved, seconded by Council Member Vogt to table this item until Friday, December 1st at 7:30 a.m.

On a roll call, the vote to Table Resolution No. 2017-273 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 Bashert moved, seconded by Mayor Pro-Tem Brown to extend the meeting until 1:00 a.m.

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

Council Member Robb stated last year's numbers are $114.62 for a single, $269.37 for a two person, and $335.76 for a family. Mayor Edmonds responded it would be a marginal decrease in cost.

Council Member Murdock asked how restrictive the hard cap is. He suggested if the city wanted to decrease its cost it could reduce what it pays and have the employees pick up the difference. It would not be as drastic as the 80/20 in terms of the change. Employees would still see a reduction in cost.

Mayor Edmonds asked if there would still be an option to change the share of the hard cap. Human Resource Director Rebecca Craigmile stated that would be the option to opt out. Council Member Robb stated that could put the city at risk for state shared revenue. Mr. McClary replied according to the labor attorney there is no penalty for opting out. Council Member Murdock stated if the city choses to opt out the union contracts prevail in their current state.

Mayor Edmonds asked if the hard cap is going to be better than initially forecasted. Mr. McClary responded in the affirmative. Council Member Murdock stated the city's costs are going up either way.

On a roll call, the vote to approve Resolution No. 2017-273, 80/20, was as follows:

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

VOTE:

YES: 2 NO: 4 (Brown, Vogt, Edmonds, Bashert) ABSENT: 0 ABSTAIN: 1 (Richardson) VOTE: Failed

11. Resolution No. 2017-274, approving amendment to Employee Handbook.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti provides health insurance plans for city employees; and

WHEREAS, the premium costs for the city's existing health insurance plan, Blue Cross/Blue Shield Community Blue PPO, are expected to increase by 32% on average for all employee for benefit plan year 2018; and

WHEREAS, the city cannot afford to remain in the current health insurance program and must begin transitioning employees to a more cost effective plan; and

WHEREAS, it is necessary to amend the City of Ypsilanti Employee Handbook to approve the switch to the city's new Blue Care Network HMO plan with Health Savings Account contribution by the city effective January 1, 2018;

NOW THEREFORE BE IT RESOLVED BY THE CITY OF YPSILANTI that the city council does hereby amending Section 3.16 – HEALTH INSURANCE – of the City of Ypsilanti Employee Handbook to add the following paragraph:

"Effective January 1, 2018, all eligible current and future non-union employees shall participate in the Blue Care Network HMO health insurance plan with $3,000/$6,000 deductibles and a Health Savings Account into which the city shall contribute $2,000/$4,000 annually. Prescription drug coverage shall be provided through the plan with $10/$60/$80 copays for generic, preferred, and non-preferred brands respectively. As an alternative, employees may opt to participate in the Blue Cross/Blue Shield Simply Blue PPO plan with the employee to pay 100% of the difference in cost from the HMO plan. The complete details of both plans shall be outlined in the benefits summary booklets available through the Human Resources Department."

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

Council Member Robb stated in the current handbook healthcare is not specified, and asked why Council is being asked to approve this.

On a roll call, the vote to approve Resolution No. 2017-274 was as follows:

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

VOTE:

YES: 4 NO: 1 (Robb) ABSENT: 0 ABSTAIN: 2 (Murdock, Richardson) VOTE: Carried

XXII. <u>ADJOURNMENT</u> –

Resolution No. 2017-281, adjourning the City Council meeting.

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

On a voice vote, the motion carried, and the meeting adjourned at 1:00 a.m.