



**CITY OF YPSILANTI
REGULAR COUNCIL MEETING
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, DECEMBER 19, 2017
7:00 p.m.**

I. CALL TO ORDER –

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

II. ROLL CALL –

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

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

Council Member Richardson moved to add a presentation by the Fire Union under presentation.

Council Member Bashert moved to move Resolution No. 2017-296, waiving penalties for the failure to file Property Transfer Affidavits and Resolution No. 2017-297 supporting the reinstatement of the Michigan Historic Preservation Tax Credit from Section XII and add both to Section XIII.

Mayor Pro-Tem Brown moved, seconded by Council Member Richardson to waive Council rules and reconsider the 80/20 healthcare option.

On a roll call, the vote to waive Council rules and reconsider the 80/20 healthcare option was as follows:

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

VOTE:

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

The resolution to reconsider will occur immediately following Closed Session.

Mayor Edmonds added only the AFSCME contract will be considered during this meeting the others can be removed from the agenda.

Council Member Murdock moved to move Resolution No. 2017-282, approving cooperative agreement between the City of Ypsilanti and the Huron River Watershed prior to Section XII, Consent Agenda.

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

VI. INTRODUCTIONS –

None

VII. PRESENTATIONS –

- Ypsilanti Housing Commission – Executive Director Zachary Fosler

YHC Executive Director Zachary Fosler provided an update regarding Housing Commission operations.

Council Member Murdock stated the video created by Ypsilanti youth was very well done. The YHC is said to be the agency for affordable housing in Ypsilanti and asked what exactly does that mean in terms of new projects. Mr. Fosler responded he hopes that when affordable housing, or housing in general is being discussed the YHC is a part of those discussions. The YHC is not interested in created concentrated poverty and he hopes future developments YHC hopes to provide affordable units and market value units. This objective would create mixed income developments, which is good for sustainability and social benefits. Mr. Murdock asked if the YHC is restricted to the borders of the city. Mr. Fosler responded the YHC received an opinion from its general counsel that it is not. However, it would need the blessing of the jurisdiction of the YHC development. Mr. Murdock asked since the YHC is looking to spread out affordable housing is it intending on developing single family, townhouses, and duplexes. Mr. Fosler responded it depends on the availability of the site and financing. He explained it is more difficult to finance that style of development. Mr. Murdock asked if much thought has been given to the impact of the recently approved federal tax bill. Mr. Fosler responded it is terrifying to think of what that could do to the available tax credits.

Council Member Richardson stated the YHC is interested in developing mixed housing. Mr. Fosler responded the YHC is interested in developments with units designated for individuals with 30% average median income (AMI) mixed with units for individuals with 60% AMI. Ms. Richardson stated affordable housing has taken on a new connotation, and said affordable housing does not mean people are not employed, it means their income would not meet market rate. Affordable housing does not necessarily mean individuals would need services such as discussed during the presentation. Mr. Fosler responded the services are not a requirement, but the YHC would like to see them available if needed by residents.

- STAR Communities – Keith Michalowski and Emily Drennen

Sustainability Commissioners Keith Michalowski and Emily Drennen provided a presentation regarding STAR Communities.

Mayor Edmonds asked if the Commission is still involved in the Michigan Green Communities assessment. Commissioner Brett Zeuner responded the Commission wants this to be a synergistic and collaborative process, and this would not replace that initiative. This would be able to provide the city a wealth of resources. Ms. Edmonds asked if STAR has an in house gas tracking system. Mr. Michalowski responded STAR does have metrics which would be allowed for use if the city is a member.

Council Member Bashert stated the STAR system will be a great tool for the city to complete many goals of the Sustainability Commission.

- Fire Union Presentation **(Added)**

Ypsilanti Fire Department Lt. Ken Hobbs and Capt. Jameson Shultz provided a presentation regarding healthcare on behalf of all city employees.

City Manager Darwin McClary asked if the data provided takes into account the EHIM Wrap for prescription drugs. Lt. Hobbs responded the data is based off of the 2017 projections and it does include those cost.

VIII. AUDIENCE PARTICIPATION –

1. Sarah Borgstadt, 1668 Savannah, voiced support to the passage of a charitable gaming license for the Ypsilanti International Elementary School PTO. She thanked Council and the city for its support.
2. David Calkin, 302 Elm, He stated he has become a nationally validated software company in the industry, yet it cannot be seen be Michiganders.
3. Anthony Morgan, 210 N. River, stated issue with the state proposed concealed weapons permits and overall gun safety. He asked how many of the 342 Housing Commission units are used by minorities. He asked if the property values have increased or decreased on the Southside based on the removal of the bars. Based on the Community Impact Comprehensive Report crime and arrests have decreased in Ypsilanti and he understands the Police Department budget has been capped. He wonders if those funds could be used for the city's youth because they are largely overlooked in this city.
4. Jameson Shultz, Ypsilanti Fire Department, asked Council to select the 80/20 healthcare option. The perception of city employees is Council does not respect, and perception is reality. He has seven spreadsheets both from the city and Michigan Planners. The spreadsheets all have different data that contradict each other. Because of this he has lost faith the city will present reliable and accurate information. He doesn't know how anyone can be confident in the numbers that have been presented. The 80/20 has always been the more affordable option for the employee. Like every other employee he has to make a selection by Friday, December 22nd by 9:00 a.m. It is completely unfair to ask an employee to select a healthcare in two days.
5. Annette Coppock, Ypsilanti Police Department, thanked Council for reconsidering the 80/20 healthcare option. The frustration of the union is caused by the strong armed tactic the City

Manager is using for healthcare. She said there would have never been issues with numbers under the previous City Manager. She contacted EHIM regarding prescription coverage who informed her they provided numbers to the city that would have lowered cost, but they were not shared with the union. The City Manager is the leader of the city and if he cannot explain the numbers how can an employee make an educated decision. The City Manager's way of conduction business reflects on the integrity of City Council and the city as a whole.

6. Robert Peto, Ypsilanti Police Department Retiree, stated he has participated in many negotiations and there is a good faith issue in the negotiations. Thankfully at the last Council meeting he attended Council Member Robb pointed out inconsistencies in the data provided. However, Council still voted using the data provided, which was upsetting. Healthcare is being proposed to the unions without detail to make a decision. There are other plans available and other ways to save money.
7. Angela Brown, Ypsilanti Police Department Retiree, thanked the Police Officer and Firefighters for their services to the city. Stated she is very concerned about the healthcare and there is a feeling of coerciveness in this process. Stated she has never seen the use of a gag order during union contract negotiations. A Facebook post by the City Manager was completely inappropriate during contract negotiations. She has gotten the feeling Council is not aware of what the proposal was. She is not sure this City Manager fits the community.
8. Laura Rubin, Huron River Watershed Council, stated Council has been given a scope of work for approval of Penn Dam. The Watershed is contributing a great deal of funds for this study and asked Council for approval.
9. David Blakely, Ypsilanti Department of Public Services, stated he is confused why the approval of AFSCME's contract is still on the agenda. The collective bargaining unit has not agreed to a contract. During negotiations the union was told Council could change the retirement plan. The current plan is 131% funded, and to his understanding it has not cost the city any money in the last twenty-one years. Changing the plan to a defined contribution will cost the city \$148,000 over the next ten years. AFSCME is in full support of switching back to the 80/20 healthcare option. Pursuant to the Open Meetings Act AFSCME requests a Closed Session meeting with Council be scheduled to discuss collective bargaining as soon as possible. He requested Council maintain the current healthcare.
10. Greg Swafford, AFSCME employee, stated the goal of a compensation package is to attract and maintain quality talent. The union cannot accept the contract as written it is not in the best interest of union members.
11. Brian Athey, 6167 1st, Superior Township, stated the Friends of Penn Park is delighted to be a part of the study for Penn Dam. The group's mission is to make the park safer and cleaner for the community. The dam's removal has a real impact on the ecosystem and the residents downstream from the dam.
12. Dave Hiekkinen, business owner 133 W. Michigan, stated his support for the Downtown Development Director and the intergovernmental agreement between the DDA and the City. He said Joe Meyers has been the best DDA Director since he has been in the downtown. While he is not always happy with the DDA he is always happy with Mr. Meyers because of his presence in the downtown, and the business community.

13. Adam Gainsly, 409 Adams, agreed with Mr. Hiekkinen and requested Mr. Meyers continue as the DDA Director and extend the intergovernmental agreement with the city. He listed several projects the DDA is undertaking. Thanks Council for its continued support.
14. Lee Tooson, 107 Middle, thanked Council for reconsidering the 80/20 health care option. He supports the Fire and Police Departments because they are the ones you protect the residents of the city. The City Manager does not protect the residents of the city, he is only serving himself. He has never heard of a City Manager making union negotiators sign a gag order, which only indicates he is up to something less than honorable. He asked Council to follow the City Manager's record, and does not know why he was hired. He wants to retain the talent the city has in the Police and Fire Departments.
15. Anne Brown, 2125 Collegewood, stated she is here representing Friends of Penn Park and here to support the approval of Resolution No. 2017-282.

IX. REMARKS BY THE MAYOR –

None

X. PUBLIC HEARINGS –

XI. CONSENT AGENDA –

Resolution No. 2017-292A

1. Resolution No. 2017-292, approving minutes of November 28, December 5, and December 8, 2017.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of November 28th, December 5th, and December 8th, 2017 be approved.

2. Resolution No. 2017-293, approving amended 734 Brewery application for liquor license.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, 734 Brewing Company Inc. has applied to the City of Ypsilanti and Michigan Liquor Control Commission requesting the following:

A Microbrewery/Small Wine Maker Liquor License, and Special Permits for Outdoor Service and Sunday sales at 15 E. Cross, Ypsilanti, MI 48198, Washtenaw County; and

WHEREAS, a public hearing to consider the proposed Microbrewery/ Small Wine Maker License was duly noticed and held on November 14, 2017.

NOW, THEREFORE, BE IT RESOLVED THAT the request of 734 Brewing Company Inc. for the property located at 15 E. Cross be approved.

3. Resolution No. 2017-294, approving the appointment of Patricia Berry to the Ethics Board.

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**

4. Resolution No. 2017-295, recognizing the Ypsilanti International Elementary School Parent Teacher Organization (YIES) PTO as a non-profit organization operating in the City of Ypsilanti.

WHEREAS, the Ypsilanti International Elementary School (YIES) develops the youngest students to be inquisitive, thoughtful learners with a global perspective; and

WHEREAS, parent involvement is crucial to the success of our schools and our students; and

WHEREAS, the YIES Parent-Teacher Organization (YIES PTO) is a certified 501(c)3 charity that may accept tax-deductible donations subject to all relevant laws; and

WHEREAS, the mission of the YIES PTO is to strengthen, enhance, and encourage the educational environment at Ypsilanti International Elementary School, with a key goal of establishing and reinforcing the communication between the student families, teachers, and community; and

WHEREAS, the YIES PTO is planning to hold a raffle as part of their "Blooming YIES" fundraising gala on February 24, 2018 at the Ypsilanti Freighthouse; and

WHEREAS, community support and fundraising is an essential tool for helping our schools be successful and serve the students and families of Ypsilanti.

THEREFORE, BE IT RESOLVED THAT the City Council of the City of Ypsilanti recognizes the Ypsilanti International Elementary School Parent Teacher Organization (YIES PTO) as a nonprofit organization operating in the community, and that their application for the purpose of obtaining a charitable gaming license be approved.

OFFERED BY: Council Member Richardson

SECONDED BY: Council Member Vogt

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

- ~~5. Resolution No. 2017-296, waiving penalties for failure to file Property Transfer Affidavits. (Moved and Heard)~~
- ~~6. Resolution No. 2017-297, supporting the reinstatement of the Michigan Historic Preservation Tax Credit. (Moved and Heard)~~

RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2017-282, approving cooperative agreement between the City of Ypsilanti and the Huron River Watershed.

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) is requiring that the city submit a plan for necessary repairs to the dam and that repairs must be completed within a reasonable 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, and legal 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 hereby approves 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 \$47,324, with HRWC to be responsible for all remaining costs, 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 approves the Scope of Work and Fee Estimate for the Huron River Watershed River Restoration Services - Peninsular Dam prepared by Princeton Hydro Engineering, PC, and dated November 2017, with an estimated cost of \$122,648; and

BE IT FURTHER RESOLVED that the city council hereby authorizes city administration to proceed with the project.

OFFERED BY: Council Member Robb

SECONDED BY: Council Member Bashert

Council Member Murdock stated on December 5th he sent the City Manager an email with several issues, which some have been corrected. However, there are other that need to be addressed; such as who the other representative from the city is for the work group. Mr. McClary explained the work group would consist of a representative of the HRWC, the city, one representative selected by the Friends of Penn Park, and one representative from each of the townships selected to participate. The work group is tasked with reviewing each of the deliverables outlined in the scope of work. The group can suggest any changes because the understanding is while the dam is owned by the city the work completed on the dam will have an effect on surrounding jurisdictions. Mr. Murdock stated there is no reference to this group in the agreement, nor is there any reference to the Friends of Penn Park. Mr. McClary responded the agreement is between the city and the Huron River Watershed Council, and the work group is separate from that agreement.

Council Murdock stated the agreement states the HRWC should commission feasibility studies subject to approval of the City Council prior to the commencement of the study. He asked if that is being approved now, or will it be returning to Council. Mr. McClary responded the resolution is to approve a cooperative agreement and a scope of work.

Council Member Murdock stated the contract also makes reference to an appendix, and asked if the Princeton Hydro proposal was appendix A, and is the Friends of Penn Park part of the attachments. Mr. McClary responded the Friends of Penn Park letter is not part of the appendix. Huron River Watershed Executive Director Laura Rubin responded she

assumes the appendix is the scope of work. Mr. McClary added Addendum A of the agreement is to ensure the city's ordinances are followed. Mr. Murdock asked if it is possible to add the Princeton Hydro study as part of the agreement as another addendum. Mayor Edmonds asked if that could be handled as a clerical issue. Mr. Murdock responded in the affirmative. Ms. Rubin responded she takes no issue with adding that as an addendum.

Council Member Murdock stated this contract says the city will complete the Princeton Hydro study and contribute \$47,324. Ms. Rubin responded in the affirmative, and added the Friends of Penn Park will also be contributing to the study. Mr. Murdock asked if the HRWC has applied for a brownfield grant. Ms. Rubin responded in the affirmative. Mr. Murdock asked if the study will begin once all funding sources have contributed. Ms. Rubin responded no, and explained the HRWC is already working with the contractor. Mr. Murdock asked what happens if the funding is insufficient. Ms. Rubin stated she believes the city's commitment is sound as is the HRWC's. Prior to the signing of the contract they will solicit the commitment of the Friends of Penn Park.

Council Member Vogt asked where the Friends of Penn Park received their funding. A Friends of Penn Park representative responded through donations. Mr. Vogt asked if that is money in hand. The representative responded in the affirmative.

City Attorney John Barr stated the County is going to contribute \$10,000 for this project. The county has requested a copy of the report and to be included in any in paragraph six. Mayor Edmonds asked if this would require an amendment. Mr. Barr responded no.

Council Member Bashert asked what the city's liability is in the event of the removal of the dam. Mr. McClary responded that discussion will occur once the study has been completed.

On a roll call, the vote to approve Resolution No. 2017-283 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. ORDINANCES – FIRST READING –

Ordinance 1299

1. An ordinance to Amend Chapter 2, "Administration", Article VI, Contracts and Purchasing, of the Ypsilanti City Code.

- A. Resolution No. 2017-298, determination

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled "An ordinance to Amend Chapter 2 "Administration," Article VI "Contracts and Purchasing" of the Ypsilanti City Code" be approved on first reading.

OFFERED BY: Mayor Pro-Tem Brown

SECONDED BY: Council Member Vogt

Mr. Barr provided an overview regarding changes made to this policy since previously passed.

Council Member Bashert asked if the language is changed to prevailing wage from living wage it would cancel the ordinance. Mr. Barr responded it would terminate the prevailing wage section of the ordinance. Ms. Bashert asked why the protected classes not match the non-discrimination ordinance. Mr. Barr responded they are two separate ordinance and the Non-Discrimination Ordinance will always apply. Ms. Bashert asked if the list should be included in the procurement policy. Mr. Barr responded if that is the will of Council, but the Non-Discrimination Ordinance stands on its own. Ms. Bashert asked that it be included.

B. Open public hearing

None

C. Resolution No. 2017-299, close public hearing

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the public hearing for an ordinance entitled "An ordinance to Amend Chapter 2 "Administration," Article VI "Contracts and Purchasing" of the Ypsilanti City Code" 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.

Mayor Edmonds stated she appreciates the work that went into this ordinance, and it is one of the best things a municipality can do to support the community.

Council Member Bashert stated overall she liked the policy other than wanting to see the Non-Discrimination Ordinance protected classes included in this ordinance. Mayor Edmonds responded if the list is not included if the Non-Discrimination Ordinance is updated it would automatically be updated in this ordinance. Ms. Bashert responded she is satisfied.

Council Member Bashert stated she likes the idea of giving local businesses an edge. She suggested to increase the amount in the first category to \$2,000, the second category to \$8,000, and the third category to \$12,000.

Council Member Bashert moved, seconded by Mayor Pro-Tem Brown, to increase the amount in the first category to \$2,000, the second category to \$8,000, and the third category to \$12,000.

Council Member Vogt asked if it would be a benefit to the city to pay that much more in that price range. Council Member Robb stated he feels the way the ordinance was originally written, at 4%, is very generous. This motion, if approved, would make it 8% and would create a situation in which contracts would not be approved to benefit the city. Council Member Murdock stated it might be useful to use a percentage range instead bid amounts. Mr. Robb stated the current amount range is 4%.

Council Member Murdock asked what the difference is between a contract and a purchase. Mr. Barr responded they are essentially the same. Mr. Murdock stated the Charter refers to contracts, and the authority Council has to enter into contracts. Mr. Barr responded a purchase is a contract.

Mayor Edmonds asked if Council Member Robb would prefer a higher percentage for contracts at a greater amount and a lower percentage at a lower amount. Council Member Robb responded he thinks 4% is too high, he would drop the percentage to 2.5%. Council Member Vogt stated he would prefer a flat percentage. Council Member Bashert stated her intent was to increase the edge for businesses operating in the city.

Council Member Bashert withdrew her motion.

Mayor Pro-Tem Brown withdrew her second.

Council Member Bashert moved, seconded by Council Member Murdock to amend the amount for local preferences to 5%.

Council Member Robb stated the point of this ordinance is to provide local preference to local contractors for city contracts not to give away money. The city should be fiscally responsible. Mayor Edmonds stated dollars spent in the community circulate in the community.

On a roll call, the vote to amend Resolution No. 2017-298 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	No
Council Member Bashert	Yes		

VOTE:

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

Council Member Bashert suggested replacing the list of protected characteristics in Section 2.316 with "based on any of the protected characteristics as stated in the Non-Discrimination Ordinance". Mr. Barr stated he would make that edit for Second Reading.

On a roll call, the vote to approve Resolution No. 2017-298 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

Council Member Vogt stated he is curious to know what the change in cost would be for the amendment. Mr. McClary responded he would provide that analysis.

Ordinance 1300

2. An ordinance to Amend Chapter 30, Article VI, and "Tax Exempt Housing" of the Ypsilanti City Code to repeal Divisions 2, 4, 5, 6, 11 and 12 renumber the remaining Divisions and Sections of the Article; and other changes.

- A. Resolution No. 2017- 300, determination

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled "An ordinance to amend Chapter 30, Article VI "Tax Exempt Housing" of the Ypsilanti City Code to repeal Divisions 2, 4, 5, 6, 7, 11, and 12; renumber the remaining Divisions and Sections of the Article; and other changes" be approved on first reading.

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

Assistant City Attorney Dan DuChene stated there was a change to the exempt status of a PILOT property located in the city. In looking through the code to remove that property there were several other provisions of the code that could also be removed. Essentially this would repeal those issues.

- B. Open public hearing
- None
- C. Resolution No. 2017-301, close public hearing

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the public hearing for an ordinance entitled "An ordinance to amend Chapter 30, Article VI "Tax Exempt Housing" of the Ypsilanti City Code to repeal Divisions 2, 4, 5, 6, 7, 11, and 12; renumber the remaining Divisions and Sections of the Article be officially closed.

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

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

Council Member Murdock stated the PILOT for Cross Street Village has expired. Mr. DuChene responded in the affirmative. Mr. Murdock stated Cross Street Village disagrees with this expiration. Mr. DuChene responded in the affirmative. Mr. Murdock stated his concern is if it is removed from the ordinance it will affect its expiration. Mr. DuChene responded it would not affect its expiration.

Council Member Murdock stated Chidester Place has two tax exemptions. He asked if the eliminated section would have an effect on those exemptions. Mr. DuChene responded he spoke with Fiscal Services who informed him it would not have an effect. However, he will review that before Second Reading.

On a roll call, the vote to approve Resolution No. 2017-300 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. RESOLUTIONS/MOTIONS/DISCUSSIONS –

- 2. Resolution No. 2017-302, approving STAR Communities Annual Subscription and Certification.

WHEREAS, City Council charged the Sustainability Commission with the task of; developing a Sustainability Plan for the City of Ypsilanti; and

WHEREAS, the STAR Community Rating System is the nation's leading comprehensive framework and certification program for measuring local sustainability; and

WHEREAS, the Sustainability Commission and city staff can use the STAR Community Rating System to measure and report on Leading Indicators and perhaps eventually pursue STAR certification which would meet the Commission's mandate for developing a Sustainability Plan.

THEREFORE BE IT RESOLVED THAT The Ypsilanti City Council allocates \$1,000 annually to pay for a full subscription to the STAR Communities Rating System.

OFFERED BY: Council Member Bashert

SECONDED BY: Council Member Richardson

Mayor Edmonds stated she is surprised with the amount of work the Sustainability Commission has completed since its creation. Council Member Bashert stated it is a very energetic commission that is finding very powerful tools.

On a roll call, the vote to approve Resolution No. 2017-302 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. 2017-282, approving cooperative agreement between the City of Ypsilanti and the Huron River Watershed. (Moved and Heard Prior to Section XII)~~

4. Resolution No. 2017-303, approving Downtown Development Association (DDA) staffing contract.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The Community and Economic Development Department seeks to provide Executive Director and administrative services to the Ypsilanti DDA; and

WHEREAS, the Ypsilanti DDA seeks to enter into an Administrative Services Contract for the services of the Community and Economic Development Department; and

WHEREAS, The City of Ypsilanti approves of the use of City staff for a 24 month contract for services to the Ypsilanti DDA with compensation.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council directs the Mayor and City Clerk to enter into an Administrative Services Contract for 24 months for the Community and Economic Development Department to be employed by the Ypsilanti DDA as the Executive Director and administrative services.

OFFERED BY: Mayor Pro-Tem Brown

SECONDED BY: Council Member Vogt

Economic Development Director Beth Ernat provided a synopsis of DDA operations and the staffing contract.

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Mayor Edmonds stated she had skepticism at the beginning of this contract, but has been pleased with its success.

Council Member Robb stated he agrees with renewing this contract because it makes sense. However, he takes issue with the compensation of staff because of the overlap between DDA and City operations. He does not take issue with additional compensation for the DDA Director, or Mr. Atwater because that is his primary position. Other staff in the Economic Development Department that see increased compensation does not make sense. The optics this creates while negotiating union contracts makes the city look bad. Mayor Edmonds stated she does not share the opinion of Council Member Robb. Mr. Robb responded last month an employee worked four hours and essentially was paid \$83 an hour. He asked how the Mayor sees those numbers differently. Ms. Edmonds asked Ms. Ernat to describe how staff time is allocated. Ms. Ernat responded all staff included in this program is not overtime eligible, and staff is being asked to perform over and beyond their scope of work. It is possible that a couple of months out of the year four hours is the contribution of a staff member, but more realistically it is twelve hours. These are employees that do not anticipate a raise, or change in their salary in a couple of years. To ask them to go above and beyond their typical work without compensation would not be something to ask her staff to do. Mr. Robb responded these numbers were not brought to Council when this contract was first approved. He said he appreciates the work completed by employees, but an employee that makes \$17 an hour should be compensated at that level. Ms. Ernat responded the employees are salary and do not break down their work by hour. Mr. Robb replied the amount of time staff commits to DDA projects is reported through the DDA monthly report should be accurate.

Council Member Murdock stated he supported this contract when originally approved, however, he shares some of the concerns of Council Member Robb. Council will examine staffing issues during the budget process, including those of the Economic Development Department. He would like these decisions to be made as a part of that process, and suggested approving this contract until the end of the year to address these issues.

Council Member Vogt stated he would like staff to keep a record of actual time spent on DDA projects.

Council Member Richardson asked if Council Member Murdock was suggested waiting until Council Budget sessions to approve this contract. Council Member Murdock stated if Council wishes to wait until Budget sessions the contract could be extended until July 1st.

Council Member Bashert stated it seems staff is not tracking their time accurately, but if staff is taking time to accurately track hours spent on DDA tasks it takes away from other projects. She agreed with Council Member Robb regarding the negative optics and suggested staff gives an accurate representation of staff time on DDA tasks for two to three months. Ms. Ernat responded when the contract first began staff kept a more accurate record, and it is very difficult to quantify. Ms. Bashert responded accurate data will be helpful for future discussions. Council Member Robb stated the data that matters is time spent on DDA specific projects. Ms. Bashert stated it is possible some time spent on DDA tasks might not be tracked, and staff wants to spend time working not tracking work. Mayor Edmonds stated as a part of the contract the city takes 30% of the DDA budget. The city is seeing a net gain, and the concern should be the net value the city is seeing from this contract. Ms. Bashert stated the powerful work the DDA staff is doing is apparent whether or not the hours are being tracked accurately.

Council Member Vogt stated attorneys keep very accurate records of what the bill, but there are times when something is forgotten. However, pure time is not the only measure of a contract, the quality of the work put in must be measured. Mayor Edmonds agreed the metric that should be used for value is the outcome of the work.

Council Member Richardson stated she is not opposed to continue with the contract, but does agree there is an issue with the compensation, which should be discussed during the Budget sessions.

Council Member Bashert 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.

Council Member Bashert stated it is not necessary to bring this forward during the budget process. The contract has had a positive impact on the city, and it should be voted for as currently proposed.

Council Member Murdock moved, seconded by Council Member Robb to amend the contract and extend it until June 30, 2018.

Mayor Edmonds stated she thinks this needs to be moved forward, and there are a lot of other things to discuss during the budget process.

Council Member Richardson stated there are many things to discuss as a part of the budget process, but this is a budget item. Mayor Edmonds stated she does not feel it necessary to discuss during a broader budget context.

On a roll call, the vote to amend Resolution No. 2017-303 was as follows:

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

VOTE:

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

On a roll call, the vote to approve Resolution No. 2017-303 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. 2017-296, waiving penalties for failure to file Property Transfer Affidavits.

**CITY OF YPSILANTI
WASHTENAW COUNTY, MICHIGAN
RESOLUTION
WAIVER OF PENALTIES FOR FAILURE TO FILE
PROPERTY TRANSFER AFFIDAVITS**

Whereas, the City of Ypsilanti is aware that Michigan statute, MCL 211.27a(10) requires the buyer, grantee or other transferee of a property to notify the appropriate assessing office within 45 days when a transfer of ownership occurs, and

Whereas, MCL 211.27a(10) further requires that such notification be made on a form prescribed by the State Tax Commission, commonly known as a Property Transfer Affidavit (form 2766 or L-4260), and

Whereas, the City is aware that MCL 211.27b(1)(c) and (d) provides for specific penalties to be levied if the appropriate assessing office is not notified within 45 days, and

Whereas, MCL 211.27b(5) allows the governing body to waive, by resolution, the penalty levied under subsection (1)(c) or (d), and

Whereas, the City of Ypsilanti Assessing Office has procedures in place to notify the buyer, grantee or transferee of a property when the Property Transfer Affidavit has not been filed, and

Whereas, the City of Ypsilanti has determined the cost to administer and collect the penalty, then share collected penalties with other taxing jurisdictions outweighs the benefit, and

Whereas, the City finds the collection of penalties is unnecessary.

Now Therefore Be it Resolved the City Council of the City of Ypsilanti , as provided in MCL 211.27b(5), waives the collection of penalties under subsections (1)(c) or (d), and

Also Therefore Be it Resolved that any resolution, policy or directive in conflict with this Resolution is hereby repealed.

OFFERED BY: Council Member Bashert

SECONDED BY: Mayor Pro-Tem Brown

Council Member Bashert asked why the fees out way the cost to collect the penalties. Doug Shaw, WCA, responded the fees are mandated by the state. What occurs is the majority of transfers that fail to be filed are simply a result of property owners not knowing the process.

On a roll call, the vote to approve Resolution No. 2017-296 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. 2017-297, supporting the reinstatement of the Michigan Historic Preservation Tax Credit.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the historic buildings, neighborhoods and places in the City of Ypsilanti provide character and a sense of place that contributes significantly to the quality of life and the economic benefits enjoyed in the community; and

WHEREAS, the preservation and rehabilitation of the historic buildings, places and neighborhoods contribute to the beauty, character, and economic vitality of our community; and

WHEREAS, the labor-intensive nature of historic rehabilitation creates jobs and investment in local businesses and has been proven to generate more economic activity than equivalent investment in new construction; and

WHEREAS, demolition or destruction of historic buildings creates costs to Michigan and the City of Ypsilanti by destroying the embodied energy present in each structure and adding significantly to landfills, whose makeup is estimated to be more than 40 percent building materials and waste; and

WHEREAS, Michigan has measured the economic impacts of the state historic tax credit programs and seen significant positive direct impacts on neighborhood and community revitalization, affordable and market-rate housing preservation and creation, local skilled jobs creation; and

WHEREAS, the former Michigan Historic Tax Credit has leveraged \$1.46 billion in direct rehabilitation activity and created 36,000 jobs in the state from its enactment in 1999 through its elimination in 2011; and

WHEREAS, the Michigan legislature is presently considering Senate Bill 469 and House Bills 5117 and 5178 that would reinstate an up-to-25 percent investment tax credit for owners of historic residential and commercial properties who substantially rehabilitate their properties.

NOW, THEREFORE, BE IT RESOLVED that the Ypsilanti City Council endorses and supports Senate Bill 469 (and House bills 5117 and 5178) and calls upon the Michigan Legislature to pass this important legislation and Governor Snyder to sign it, in order to stimulate appropriate development and redevelopment and protect the historic character and quality of life of our communities.

OFFERED BY: Council Member Bashert

SECONDED BY: Mayor Pro-Tem Brown

Council Member Bashert stated the resolution does not dictate who the resolution will be sent to. She asked for this resolution to be sent to the entire state legislature and the governor.

On a roll call, the vote to approve Resolution No. 2017-297 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

XIV. 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

- Asked the status of the Frog Island Community Garden.
- Stated the Attorney General Schuette opined there is no deadline for responding to the FOIA request.

Mr. Barr responded in the affirmative. Council Member Murdock stated the ordinance needs to be amended to include deadlines. Mayor Edmonds asked if the city has the authority to do that. Mr. Barr responded in the affirmative, but advised against moving in that direction. Mr. Murdock replied he understands the issue, but he does not like having an open ended request.

- He asked what the status is of the evaluations of the City Clerk and the City Manager.

Mayor Edmonds apologized and will try to them in the next few days.

Bashert

- Stated the Freight House is booked with weddings each weekend through the year. Initially valet parking was going to be provided, which the rules have been changed causing parking issues in Depot Town. She asked what can be done to reinstate valet parking for weekend events.

XV. COMMUNICATIONS FROM THE MAYOR –

None

XVI. COMMUNICATIONS FROM THE CITY MANAGER –

- Schedule Work Sessions for Mandatory Recycling Ordinance and Relocation of Recycling Drop-off Center
- Schedule Goal Setting Sessions

XVII. COMMUNICATIONS –

- Memo from Beth Ernat regarding the sidewalk gap on Washtenaw Ave. near Dom's Bakery
- Road Diet Project Status Report
- Report on Recommendations on Use of Parking Fine Revenue
- Report on Status of Marketing Plan for Water Street
- Report on Heritage Bridge Status
- Report on Status of Replacement or Repair of Depot Town Clock

XVIII. AUDIENCE PARTICIPATION –

1. Sue Melke, 330 Chidester #409, stated snow on sidewalks and curb cuts have become an issue. She does not understand why the city does not take more ownership and have a better plan.
2. Dave Calkin, 302 Elm, stated he has reached out to Emu to being a data warehouse and asked for Council's support. There is a huge amount of data going to be produced by the Medical Marijuana industry.

3. Lt. Ken Hobbs, Ypsilanti Fire Department, stated MI Planners provided the incorrect data to the city. That error needs to be addressed prior to making a decision on union healthcare.
4. Adam Gainsley, 409 Adams, thanked Council for the passage of the DDA intergovernmental agreement. In particular for not approving the contract for only six months. He reminded Council the DDA undertakes long scale projects that could be hindered by only a six month extension.
5. David Blakely, AFSCME, asked for two of the bargaining unit members present for the Closed Session.
6. Valory Brown, 107 Middle, stated public servants lives matter because we are one human family. It is amazing how topics change, only a few weeks ago there was discussion on city officials taking a trip to China regarding a trip to China. Upon returning those officials were scrutinized and now there is discussion on reducing public servants benefits. She asked how fair and safe is it for employees to have their benefits reduced. If employees leave the city because of decrease of benefits how can the city attracted more employees. She asked where a gesture of appreciation for the employees of this city is.

XIX. REMARKS FROM THE MAYOR –

— Stated she will continue to seek answers for snow removal.

XXII. CLOSED SESSION –

Closed Session to discuss collective bargaining pursuant to MCL 15.268(c).

Mayor Pro-Tem Brown moved, seconded by Council Member Vogt 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 10:29 p.m.

The meeting reconvened to Open Session at 12:10 a.m.

Mayor Pro-Tem Brown moved, seconded by Council Member Vogt to extend the meeting until 12:30 a.m.

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

XXIII. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution to reconsider the 80/20 healthcare option.

Mayor Pro-Tem Brown moved, seconded by Council Member Richardson to reconsider the 80/20 Healthcare Option.

Council Member Vogt stated there is no legitimate choice, the city must go to the HMO option. It is by far the benefit for the city and its employees. The difference between a PPO and an HMO is no longer much of a difference. He is in favor of staying with the Hard Cap option.

On a roll call, the vote to reconsider the 80/20 healthcare option was as follows:

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

VOTE:

YES: 3 NO: 4 (Robb, Vogt, Bashert, Murdock) ABSENT: 0 VOTE: Failed

~~2. Resolution No. 2017-304, approving COAM 2017-19 Collective Bargaining Agreement.~~

~~3. Resolution No. 2017-305, approving POAM 2017-19 Collective Bargaining Agreement.~~

4. Resolution No. 2017-306, approving AFSCME 2017-19 Collective Bargaining Agreement.
(No action taken)

~~5. Resolution No. 2017-307, approving IAFF 2017-20 Collective Bargaining Agreement.~~

XXIV. ADJOURNMENT_–

Resolution No. 2017-308, 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 Murdock

SECONDED BY: Council Member Bashert

On a voice vote, the motion carried, and the meeting adjourned at 12:15 a.m.