1. Council Meeting Agenda

   Documents:

   REVISED 12-4-18 DRAFT AGENDA.PDF

2. Council Meeting Packet

   Documents:

   DECEMBER 3RD COUNCIL PACKET.PDF

Revised 12-4-18

CITY OF YPSILANTI
CITY COUNCIL REGULAR MEETING
CITY COUNCIL CHAMBERS - ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, DECEMBER 4, 2018
7:00 p.m.

I. CALL TO ORDER –

II. ROLL CALL –

Council Member Brown	P A	Council Member Symanns	P A
Council Member Morgan	P A	Mayor Bashert	P A
Council Member Murdock	P A	Vacancy (Ward 2)	
Mayor Pro-Tem Richardson	P A		

III. INVOCATION –

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 –

VI. INTRODUCTIONS –

VII. WARD 2 APPOINTMENT –

- Final deliberation and appointment to the vacant seat in Ward 2. Term to expire in November 2020.
- Resolution No. 2018-304A, appointing Council Member to the vacant seat in Ward 2.
- Oath of Office

VIII. PRESENTATIONS –

- Amtrak Train Rail Platform Feasibility Study Final Report
- Peninsular Dam Removal Study Report

IX. AUDIENCE PARTICIPATION –

X. REMARKS BY THE MAYOR –

XI. CONSENT AGENDA – Resolution No. 2018-304

1. Resolution No. 2018-305, approving minutes of November 13, and November 27, 2018.

2. Resolution No. 2018-306, approving appointment to Boards and Commissions.

3. Resolution No. 2018-307, approving Ordinance No. 1330, to Amend Section 7-4 of the Ypsilanti City Code to require state pre-qualification of any application for a city marijuana permit". ***(Second Reading)***

XII. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2018-301, establishing a Town Hall meeting for December 20, 2018 at the Riverside Arts Center for a presentation of the Rail Feasibility Study. ***(Motion to Reconsider)***

2. Resolution No. 2018-308, approving Washtenaw County IT Services Contract for 2018-2019.

3. Resolution No. 2018-309, approving Budget Amendment – Fire Department SAFER Grant Revenue and Expenditures.

4. Resolution No. 2018-310, approving 314 Parsons Street property disposition request.

XIII. LIAISON REPORTS –

A. SEMCOG Update
B. Washtenaw Area Transportation Study
C. Urban County
D. Ypsilanti Downtown Development Authority
E. Ypsilanti Youth Safety Collaboration
F. Friends of Rutherford Pool
G. Housing Equity Leadership Team

XIV. COUNCIL PROPOSED BUSINESS –

XV. COMMUNICATIONS FROM THE MAYOR –

- Nomination:

  Zoning Board of Appeals
  Jason Ringholz
  1219 Westmoorland
  Ypsilanti, MI 48197

XVI. COMMUNICATIONS FROM THE CITY MANAGER –

XVII. COMMUNICATIONS –

XIX. AUDIENCE PARTICIPATION –

XX. REMARKS FROM THE MAYOR –

XXI. ADJOURNMENT –

Resolution No. 2018-311, adjourning the City Council meeting.

Revised 12-4-18

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Resolution No. 2018-311, adjourning the City Council meeting.

Resolution No. 2018 – 304A
December 4, 2018

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT _________________ be appointed to fill the seat vacated by Mayor Bashert upon her election as Mayor, and fulfill the remainder of the term to expire in November of 2020.

OFFERED BY: ____

SUPPORTED BY:____

YES: NO: ABSENT: VOTE:

PENINSULAR PAPER DAM: DAM REMOVAL ASSESSMENT AND FEASIBILITY REPORT

Huron River, Washtenaw County, Michigan

Princeton Hydro, 10/14/2018

The Huron River Watershed Council (HRWC) and the City of Ypsilanti are exploring the options for the future of Peninsular Paper Dam, the revitalization of the Peninsular Park, and the long-term restoration of the Huron River.

Goal: The goal of this study is to assist the dam owner in the decision-making process, by completing the initial preliminary studies to determine if dam removal is a feasible option.

Developed a ***Working Group to ensure community & stakeholder involvement***

- *Ypsilanti Township*
- *City of Ypsilanti*
- *Superior Township*
- *Friends of Peninsular Park*
- *HRWC*
- *with guidance from MI DEQ*

This Initial Study Assess 3 Critical Issues:

1. Sediment Quality And Quantity
2. Potential Infrastructure/Utilities Impacts, and
3. Riverfront Land Ownership

Includes initial conceptual design and an estimate of construction cost for dam removal.

Deferred to a Later Phase, pending the outcome of this assessment:

- Alternatives Analysis of different options
- Detailed Survey, Resource Delineation & Hydrologic & Hydraulic Modeling,
- Subsurface investigation of the bridge
- Assessment of Hydropower Generation

Peninsular Paper Dam

Dam Owner: City of Ypsilanti

Location: Huron River in Ypsilanti, Michigan within Peninsular Park

Built in: 1867 to provide power for paper manufacturing

Failed in: 1918 and rebuilt 2 yrs later

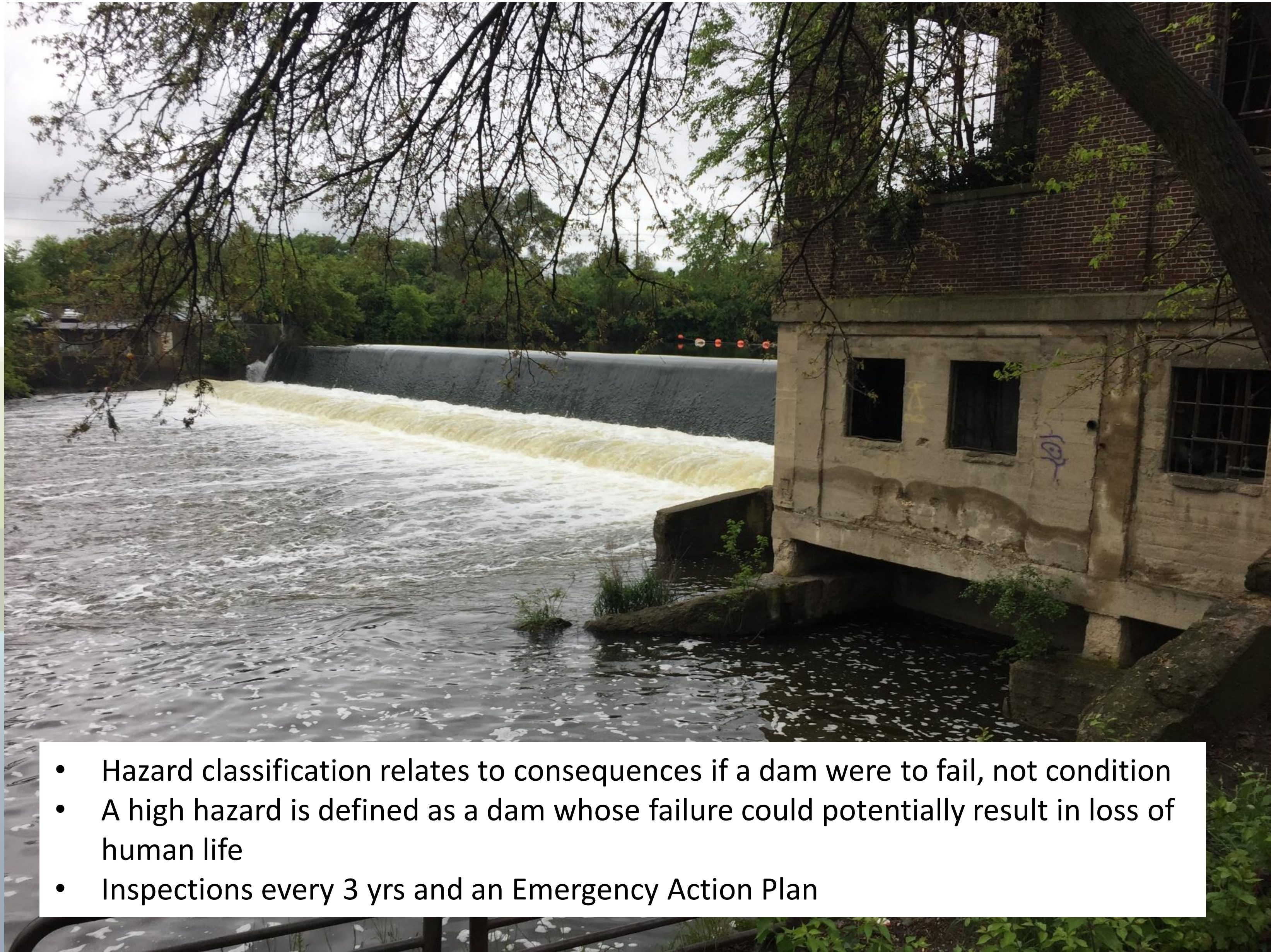
Condition: High hazard dam in fair condition (2016 inspection). Dam no longer generates power. Powerhouse is abandoned and all electricity-generating equipment has been removed.

Type of Dam: Concrete gravity dam: 16 ft. high, crest length of 290 ft. with low-level stoplog outlet structure, extending to base of dam

Impoundment: 177 ac extending ~6,575 ft. upstream; lies within the City of Ypsilanti; Ypsilanti Township; and Superior Township, with ~37 abutting properties

Next Dam Upstream: Superior Dam (~1,722 ft upstream of impoundment)

Infrastructure within Impoundment: Connrail Railroad Bridge & Superior Road Bridge



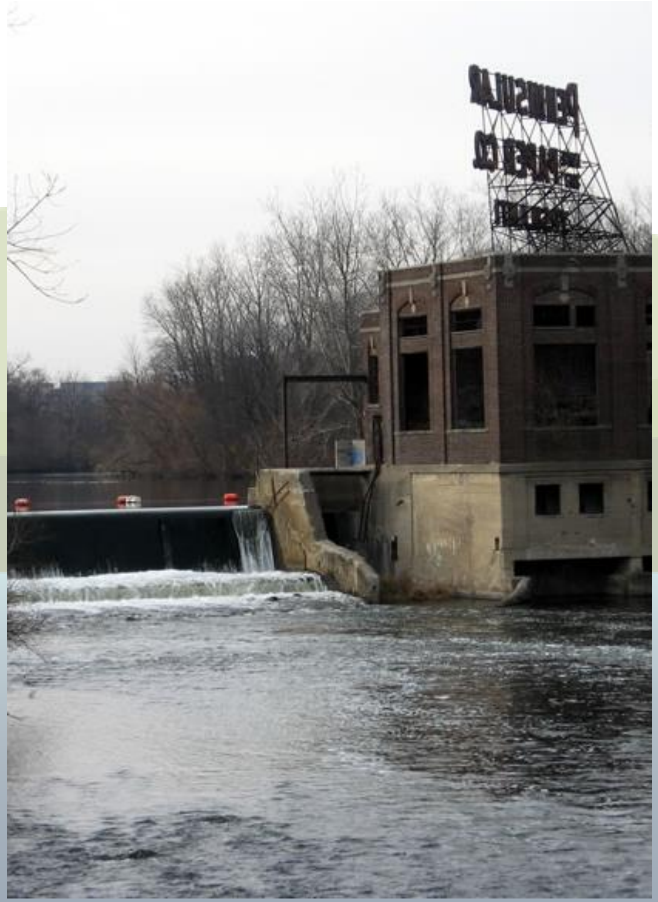
- Hazard classification relates to consequences if a dam were to fail, not condition
- A high hazard is defined as a dam whose failure could potentially result in loss of human life
- Inspections every 3 yrs and an Emergency Action Plan

The Option of Dam Removal Is Being Considered For A Variety Of Reasons

The dam no longer generates power or serves an economic purpose to offset the required immediate repairs and ongoing maintenance.

The removal of the dam's spillway would:

- Deregulate the dam
- Remove owner obligation for repair & ongoing dam safety inspections/maintenance (~$850K for repairs and demo of the powerhouse, plus all future inspections, repairs, and EAP/updates)
- Eliminate the public safety hazard and legal liability to the dam owner
- Improved water quality for this reach of Huron River (i.e. temperature & dissolve oxygen)
- Restore over 1-mile of free-flowing river and associated fishery, with adjacent vegetated floodplain
- Reconnect over 2 miles of river that have been isolated for over 100 yrs



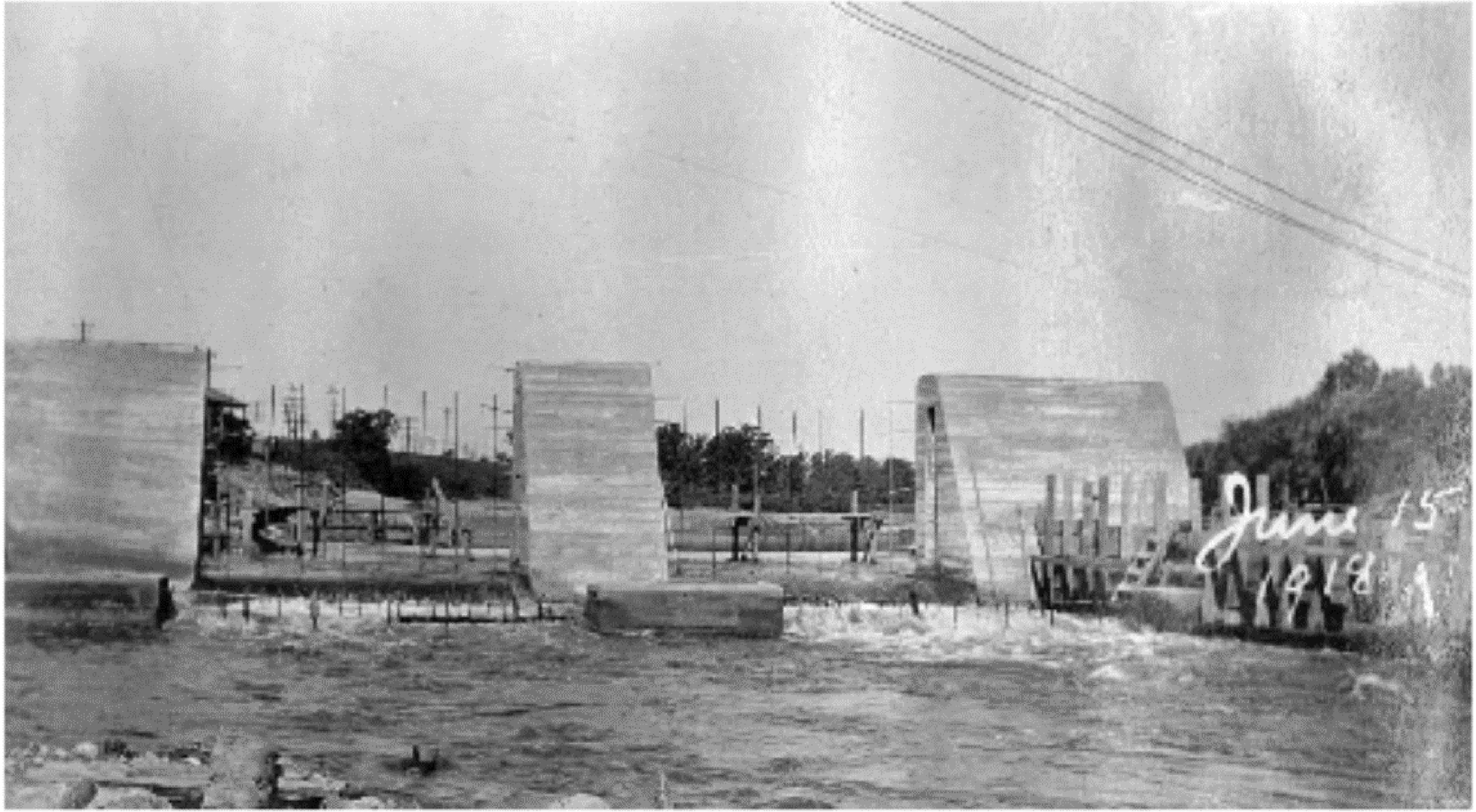
Photograph 1: View of Dam site

Photograph 2: View of construction of Dam

Photograph 4: Full dam breach

Photograph 3: View of Dam spillway

Photograph 5: Rebuilding dam after breach – dated June 15, 1918



Photograph 6: Spillway after reconstruction

Photograph 6: Spillway after reconstruction

Field Investigation, Survey, and Observations

- Site Investigation (including identification of streambank slope failures ~4K ft upstream of dam on river left)
- Selected Survey of Dam, Riverbed Profile, and Bridges
- Impounded Sediment Probes
  - ✓ Identification of sediment distribution, depth and general grain size class
  - ✓ 16ft high dam with only 4ft to 5 ft of sediment typically, max. of 7ft depth diminishing to 0ft at ~6K feet upstream
  - ✓ No sediment under bridges
- 10 Vibracores with Sediment Sample Collection
- Upstream and Downstream Sediment Samples

Sediment Quality

1. Majority of samples were below ecological and human health criteria for Metals, PNAs, and PCBs.
2. Exceedances of ecological criteria for Polynuclear Aromatic Hydrocarbons, PNAs, were infrequent (3 of 10) and low magnitude.
3. Exceedances of human health criteria for PNAs were infrequent (1 of 10) and low magnitude
4. Exceedances of ecological criteria for Metals were infrequent (2 of 10) and low magnitude
5. Exceedances of human health criteria for Metals were infrequent (3 of 10) and low magnitude

Results:

- Support dam full removal and passive, in-stream, sediment management
- Likely do not necessitate excavation and off-site disposal of impounded sediments
- Provide reasonable assurance that no further sediment investigation is necessary
- Management approach requires discussion with regulatory agencies

Sediment Quantity

- Total impounded sediment volume ~ 1 million CY
- Mobile sediment ~60,000 CY
- Extends over ~6,000 feet, with average depth of 2.5 feet in center of channel
- Requires discussion with regulatory agencies, and consideration of potential sediment management measures, such as dredging of a portion of the sediment, relocation of sediment on site, and natural sediment transport

Potential Impacts to Infrastructure and Utilities

Utilities:

- No underground utilities crossing the impoundment
- Overhead powerlines cross the impoundment in two locations – no anticipated impacts

Infrastructure:

Conrail Railroad Embankment

- Potential for sediment erosion; Scour protection will be required
- Does not preclude the feasibility of dam removal; Requires more analysis

Conrail Railroad Bridge

- Current scour under bridge
- Masonry abutments and two-central piers founded on timber piles that extend to an unknown depth (1899 engineering plans) encased in sheet-piling and riprap below water surface elevation
- Potential for increased scour and possible exposure of timber piles; Scour protection will be required
- Channel under bridge is lower than base of the dam
- Does not preclude the feasibility of dam removal; Requires more analysis

Superior Road Bridge

- Current scour under bridge
- Steel I-beam span with concrete abutments and two central concrete piers (1977 engineering plans)
- Potential for increased scour and potential to undermine piers ; Scour protection will be required
- Channel under bridge is 1 foot above base of the dam
- Does not preclude the feasibility of dam removal; Requires more analysis

Riverfront Landownership

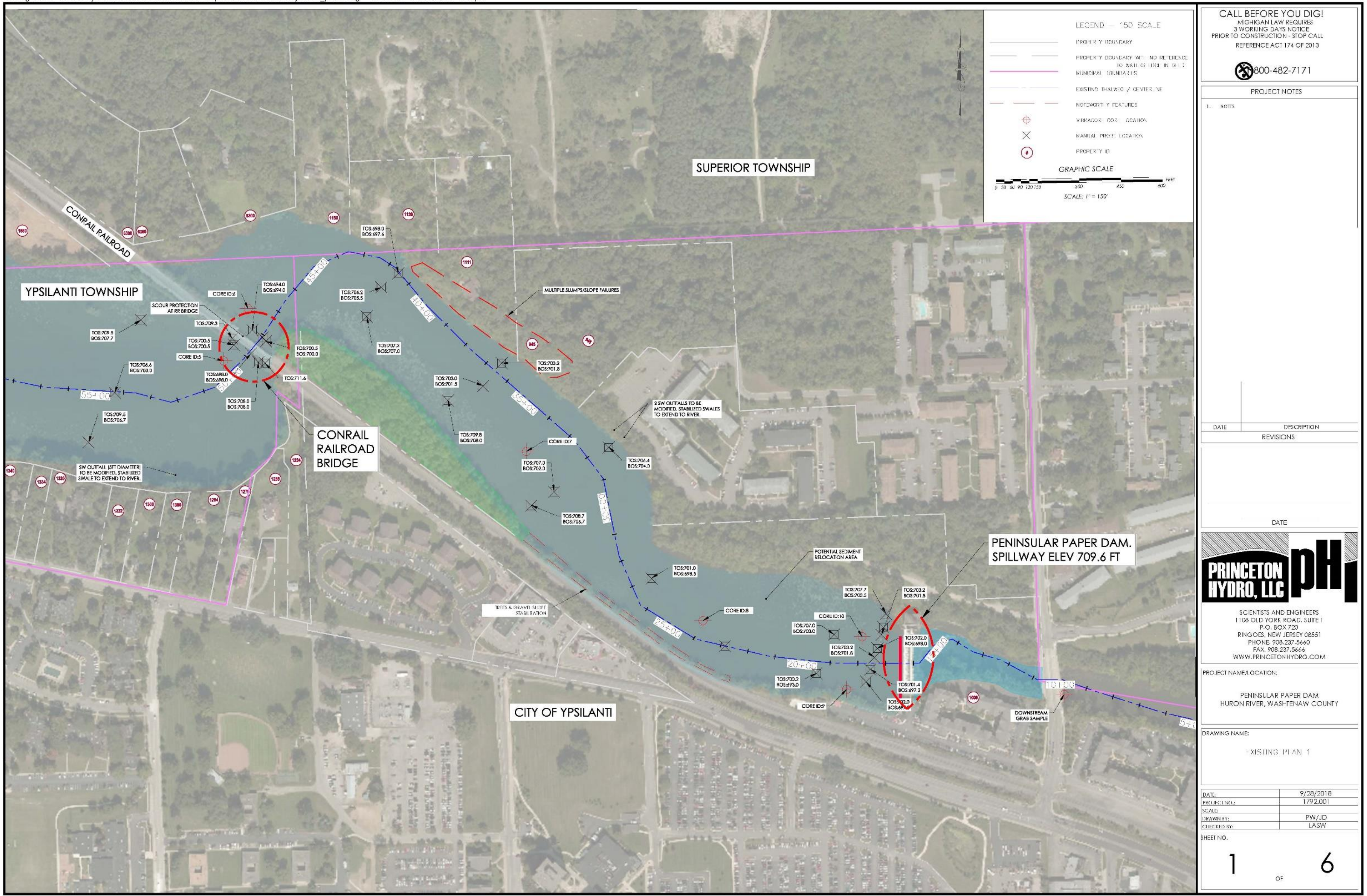
- **River's Edge Plots:** For most properties, the deed clearly references the edge of water as a parcel boundary. These properties would expand in area towards the river with the laterally shifting edge of normal water.
- **Fixed Boundary Plots:** Subset of properties with fixed boundaries. These properties will not change in area.
- **No Reference to River's Edge:** One area where the deeds do not reference the river's edge, along North Huron River Drive along the R. A. Nicholl's Huron River Hills Plat. Many of the property owners have been using the land from the top of bank to the edge of water for some time (i.e. staircases, sitting areas, and docks), some with 20ft bank heights. It may be necessary to locate the monuments to determine if the lots go to the top of bank or extend down to the water.
- **Some Properties Would Be Extended Across Municipal Boundaries** which could complicate taxation
- **No Properties would be Reduced in Area**
- **Recovered Land will be within the Regulated Floodplain**
- **Exposed Land will Revegetate Rapidly**
- **View Will Transition to a River Meandering through a Floodplain Meadow**
- **Sediment Erosion will be Limited and Predictable**
- **Neither the Dam Owner, nor the HRWC, is Interested in Acquiring the Land that Emerges**
- **Pending Legal Guidance Pertaining to Real Estate:** it seems reasonable that individual riverfront landowners will have a choice regarding their properties expansion and that unclaimed land may revert to the municipality, county, or state.
- **Shifting edge of water and expansion of properties does not preclude dam removal**

Conceptual Dam Removal Design and Sediment Management Approach

In concept, the design for this dam removal includes the following aspects:

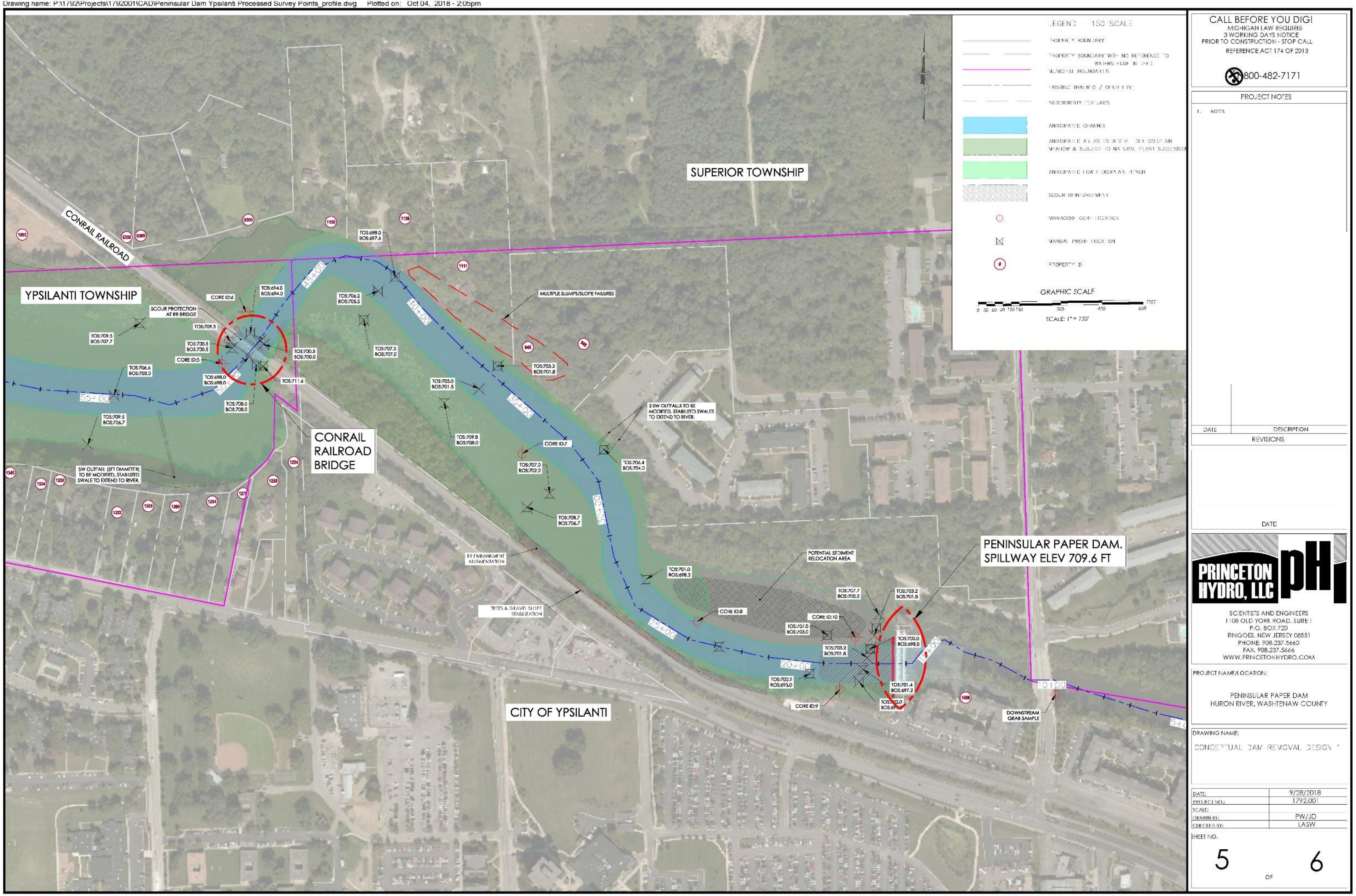
- Removal spillway.
- Preservation of the Peninsular Paper Dam Powerhouse
- Active management of sediment near dam
- Passive management of sediment in the majority of the impoundment
- Placement of excavated impounded sediment along the Conrail Railroad embankment & Park
- Creation / stabilization of banks in the vicinity of the Dam and Peninsular Park
- Active planting and landscaping to extend Peninsular Park
- Passive revegetation of large swaths of the impoundment that will revert to floodplain meadow, wetland or ultimately wooded areas
- Stabilization of stormwater outfalls
- Scour protection / structural reinforcement of Conrail Railroad Bridge and Superior Road Bridge.

Drawing name: P:\1792\Projects\1792001\CAD\Peninsular Dam Ypsilanti Processed Survey Points_profile.dwg Plotted on: Oct 04, 2018 - 2:05pm



Existing Conditions Plan

Proposed Conditions Plan



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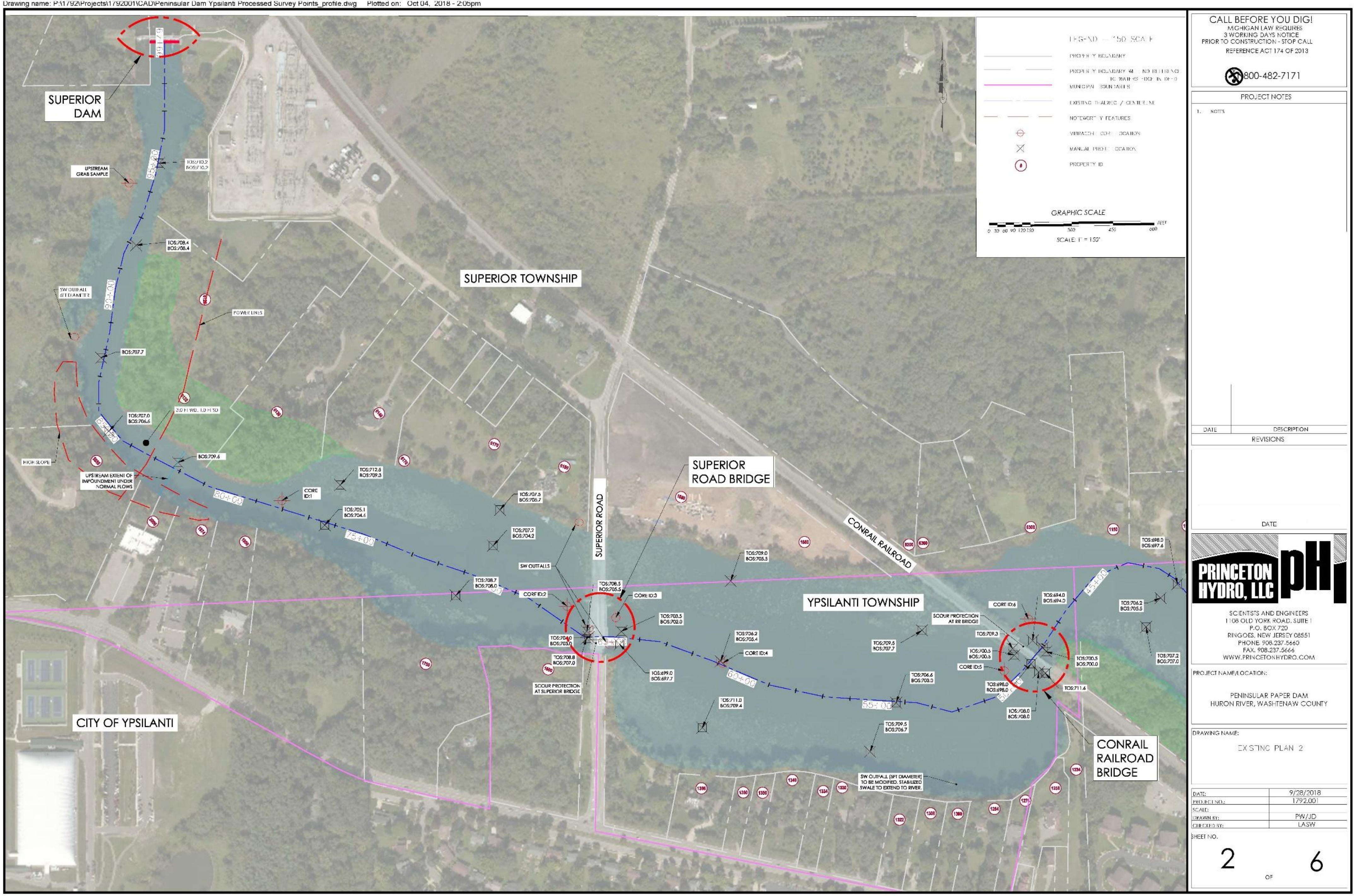

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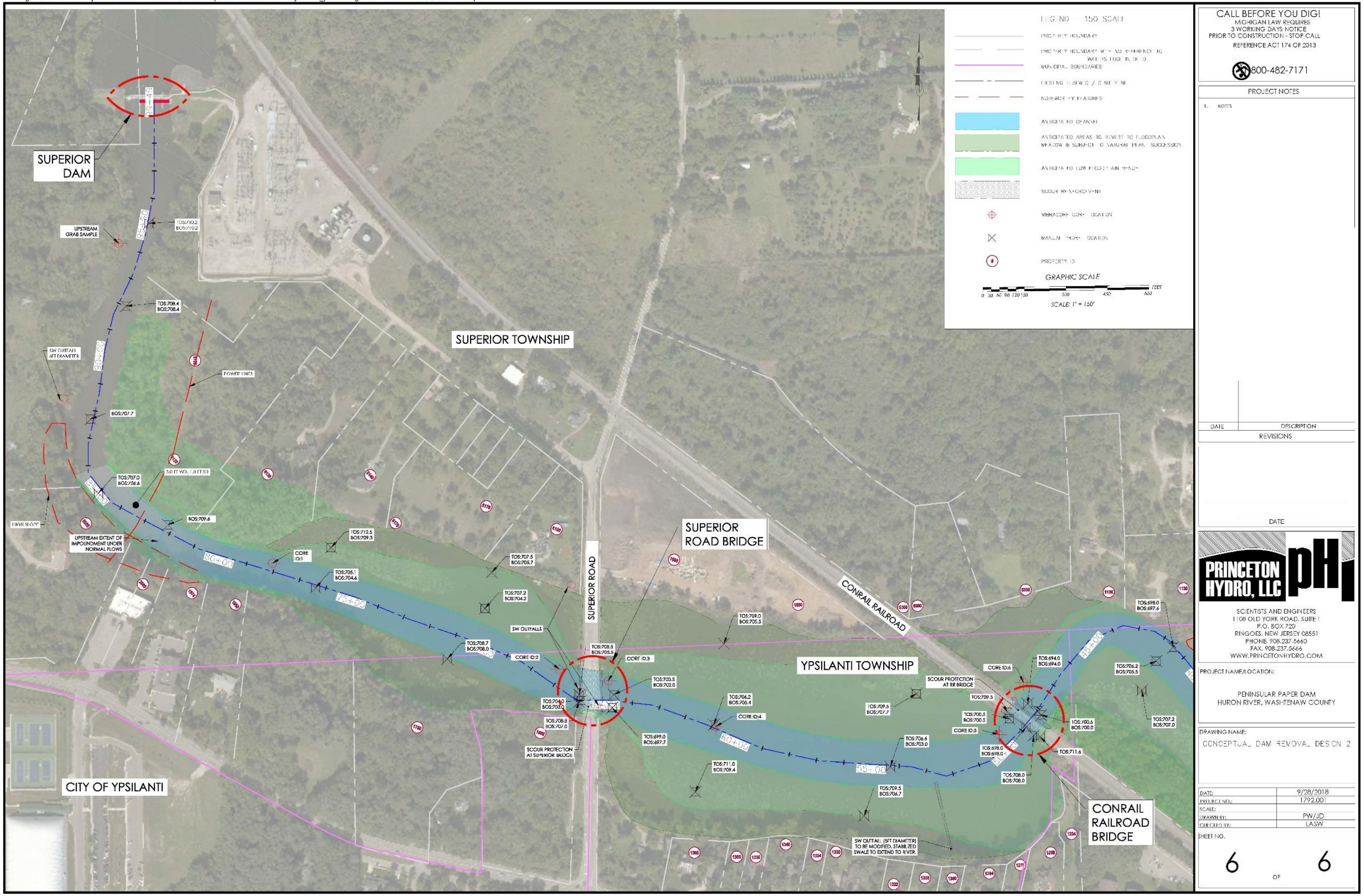


Proposed Conditions Plan

Conceptual Level Cost Estimate

Peninsular Paper Dam Removal
~$1,734,000

Railroad Bridge Scour Protection/Reinforcement
~$705,000

Superior Road Bridge Scour Protection
~$225,000

Concept Level* Cost Estimate

Peninsular Paper Dam Removal

*Estimated costs are rounded, and based on broad-estimate lump sums, or quantities and unit costs from similar projects
Princeton Hydro Project Number: 1792.001
Prepared by: PMW on 9/27/2018
Reviewed by: RiverLogic Solutions

Activity	*Estimated Cost*	
Dam Removal		
Mobilization / Demobilization	$	100,000
Traffic Control	$	1,000
Erosion & Sedimentation Controls	$	3,000
Construction Entrance & Staging Area	$	10,000
Drawdown (assumes using existing low level outlet)	$	5,000
Access ramp / Construction Accessway	$	100,000
Hydraulic Sediment Dredging	$	300,000
Water Control (Materials, Installation, Maintenance & Modification)	$	110,000
Spillway Demolition / Excavation	$	105,000
Loading / Hauling of Concrete	$	35,000
Disposal of Concrete	$	105,000
Abutment Stabilization / Scour Protection	$	25,000
Bank creation / stabilization	$	360,000
Site Landscaping / Planting / Site Stabilization (not final site vision)	$	50,000
Stormwater Outlets Stabilization	$	25,000
Contingencies (30%)	$	400,000
Subtotal	$	1,734,000

RailRoad Bridge Scour Protection / Reinforcement		
Mobilization / Demobilization	$	75,000
Traffic Control	$	1,000
Turbidity Barrier / Erosion & Sedimentation Controls	$	2,000
Construction Access and Staging	$	15,000
Water Control (Materials, Installation, Maintenance & Modification)	$	75,000
Structural Reinforcement (Optional)	$	250,000
Scour Protection Stone (e.g. D50=24")	$	76,000
Scour Protection Placement	$	8,000
Stormwater Pipe Outlet Modification and Swale	$	40,000
Contingencies (30%)	$	163,000
Subtotal	$	705,000

Superior Road Bridge Scour Protection		
Mobilization / Demobilization	$	50,000
Traffic Control	$	3,000
Turbidity Barrier / Erosion & Sedimentation Controls	$	2,000
Construction Access and Staging	$	10,000
Water Control (Materials, Installation, Maintenance & Modification)	$	30,000
Scour Protection Stone (e.g. D50=24")	$	70,000
Scour Protection Placement	$	8,000
Contingencies (30%)	$	52,000
Subtotal	$	225,000

Vision for Peninsular Park

- Redevelop, revitalize and expand Peninsular Park and the former Powerhouse into a vibrant hub of recreation, dining, and community activity (i.e. riverside restaurant with outdoor dining, a canoe/kayak/bicycle livery or other ventures).
- Enhancement of the Huron River Water Trail (HRWT) by removing a difficult portage and providing a four-mile long, free-flowing paddling experience through Ypsilanti between the Superior Dam and Belleville Lake.

Artistic renderings, completed by design firm SmithGroup

Conclusion of Dam Removal Feasibility

Sediment Quantity & Quality

- Quality: generally within human health and ecological criteria and thus, supportive of the feasibility of dam removal
- Quantity: relatively low compared to dam height; can be addressed with a combination of passive and active approaches.

Potential Impacts to Infrastructure & Utilities

- Probing reveals little potential for significant channel downcutting
- Is a potential for impact to the two bridges
- Bridges will need further analysis and stabilization

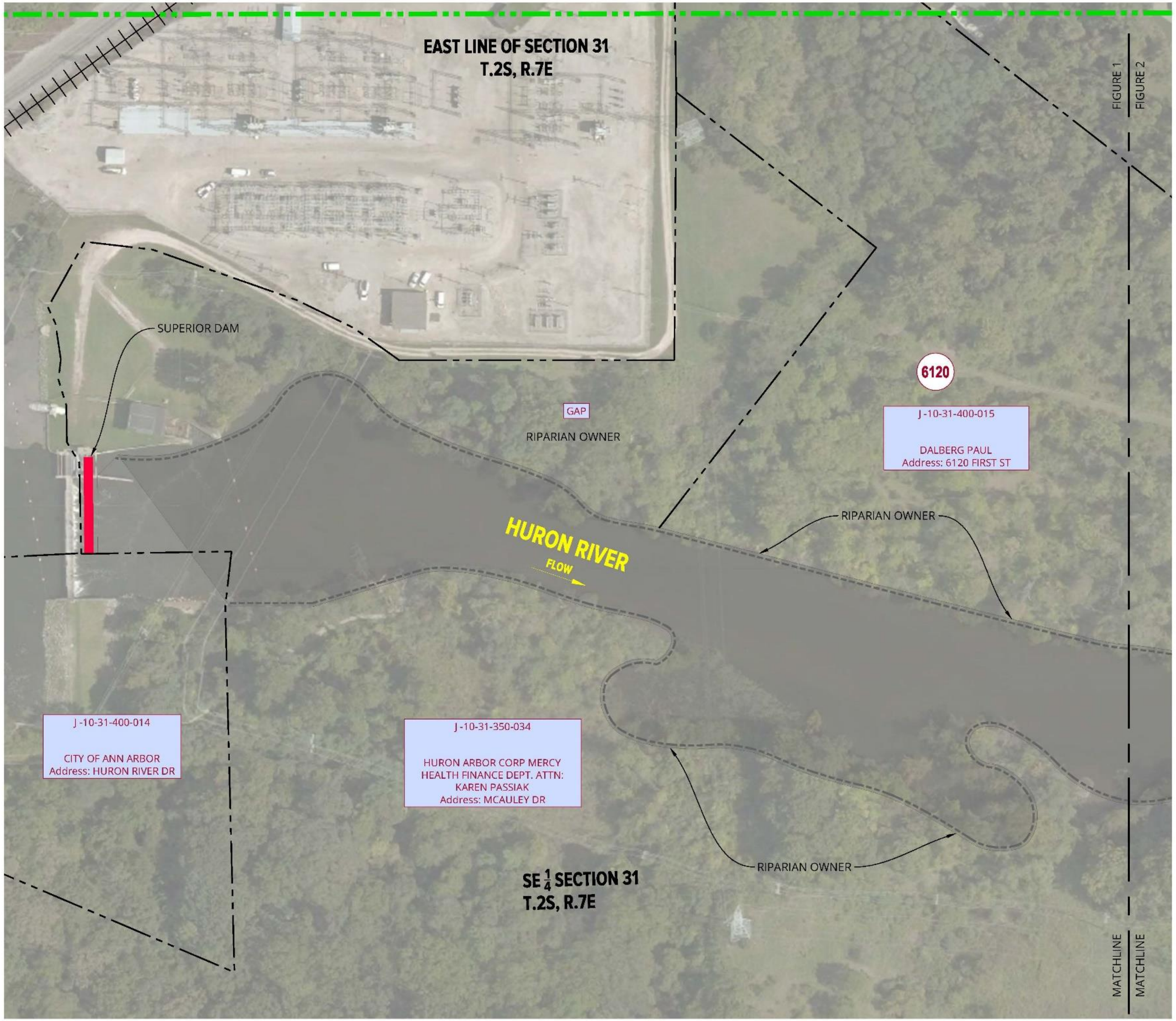
Riverfront Landowners

- Riverfront landowners will for the most part gain land
- No property owners will loose land area
- View will transition to a river meandering through a floodplain meadow
- Mapping in the Appendix can help address individual property owner concerns

Results of the Initial Study Concludes that Dam Removal is Feasible.

PRINCETON HYDRO

Riverfront Landownership Maps



LOCATION MAP
NOT TO SCALE

KEY MAP
NOT TO SCALE

LEGEND

- ORIGINAL HURON RIVER LIMITS
- ANTICIPATED HURON RIVER LIMITS
- DEEDS REFERENCE CALL TO OR ALONG EDGE OF WATER
- SECTION LINE
- PROPOSED PROPERTY LINE
- PROPERTY LINE
- NO REFERENCE TO WATERS EDGE

NOTES

1. THE DEPICTED RIPARIAN OWNERSHIP BOUNDARIES ARE DERIVED FROM THE MOST RECENT RECORDED DEEDS.
2. SOUTHEAST 1/4 SECTION 31, T.2S, R.7E
3. NO STATEMENT OR REFERENCE TO WATERS EDGE IN THE RECORDED PLAT OR DEEDS.
4. THE PARCEL LINES EXTENDED TO THE WATER'S EDGE ARE SHOWN FOR CONCEPTUAL VIEWING ONLY. THESE PARCEL LINES DO NOT REFLECT LEGAL BOUNDARIES OR RIPARIAN RIGHTS AND ARE DISPLAYED FOR THEORETICAL PURPOSES.

DRAFT

SME
www.sme-usa.com

Orientation: NORTH

Scale: 0' 50' 100'
GRAPHIC SCALE: 1" = 50'

Project
PENINSULAR PAPER DAM

Project Location
HURON RIVER
YPSILANTI, MI

Sheet Name
RIPARIAN OWNERSHIP

Surveyor's Seal

Revisions

REV	ISSUED FOR	DATE	BY
01	ANTICIPATED WATERLINE	10-04-2018	FRZ

Date: 09-13-18

SME Project No.: 079107.00

Project Manager: JAS

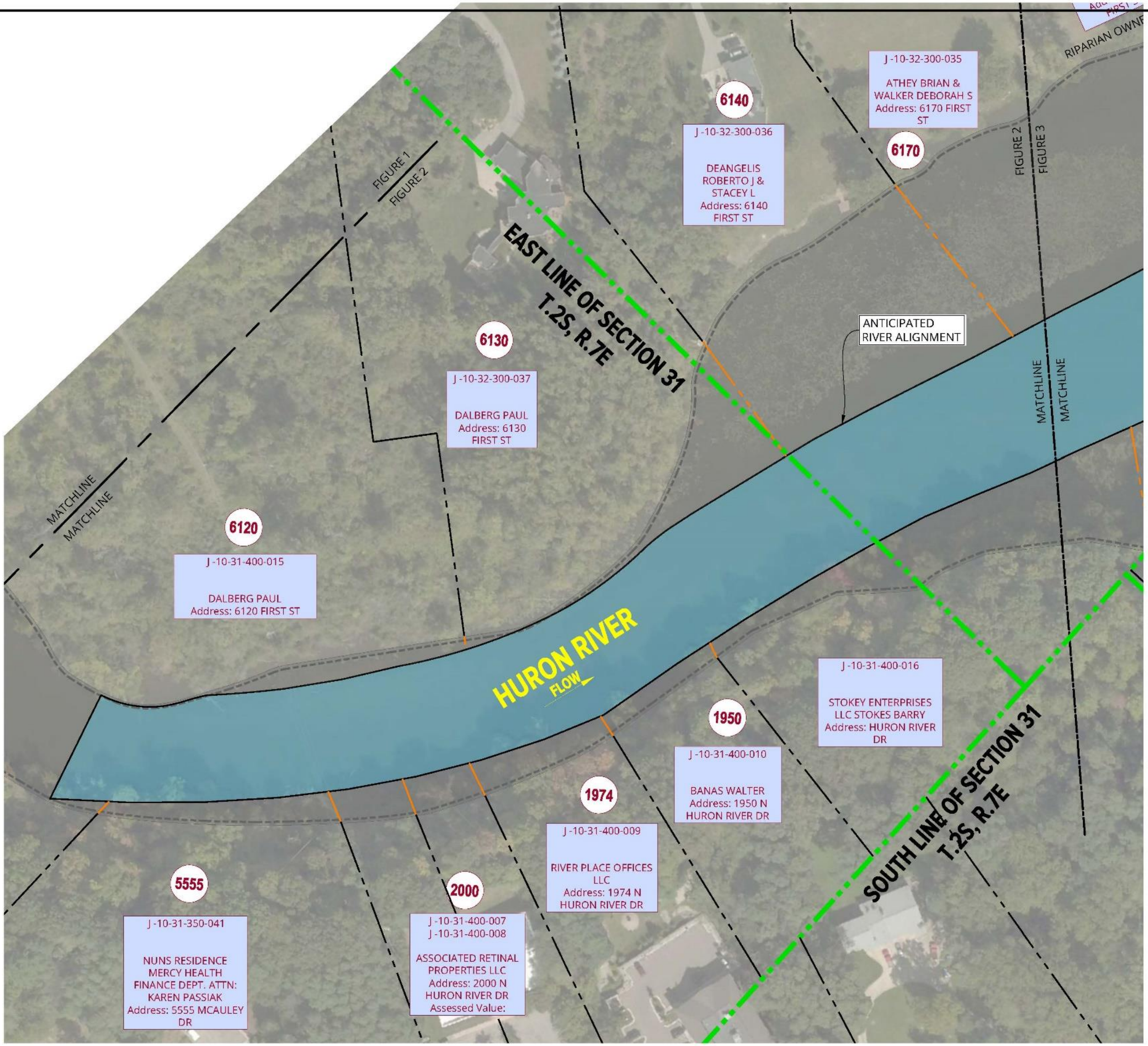
Designer: FRZ

CADD: SRP

Checked By: FRZ

Sheet No.
FIGURE 1

PLOT DATE: Oct 09, 2018 - 9:40am - paradise FILE LOCATION: \\Sme-inc\pz\MP\079107.00\CAD\DWGS\Survey\Rev5\079107.00-PDD-Hydro Survey.dwg



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PENINSULAR PAPER DAM

Project Location
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Project Manager: JAS

Designer: FRZ

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Sheet No.: FIGURE 2

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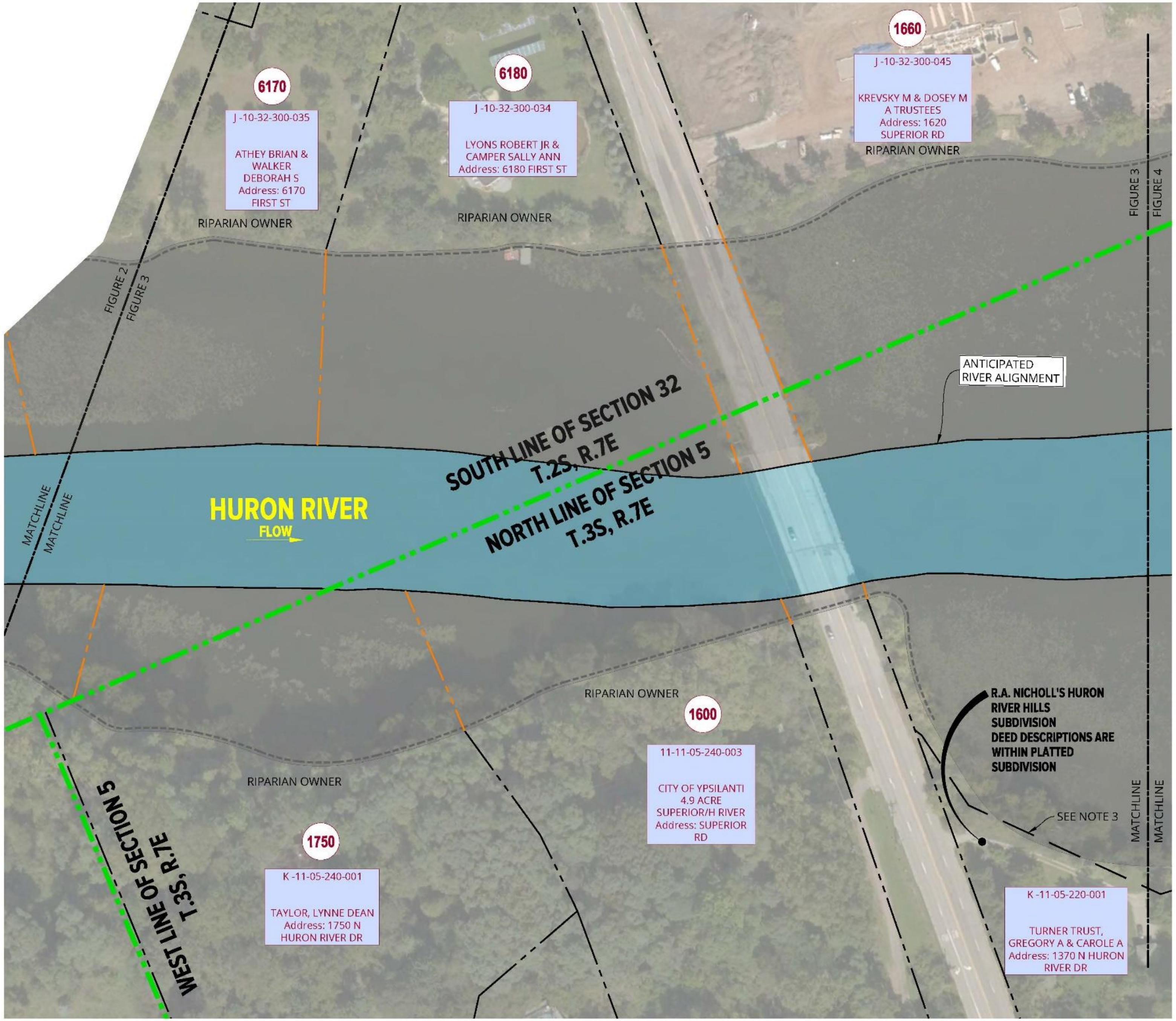

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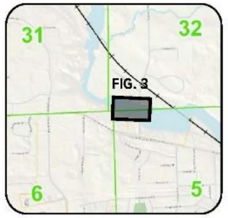

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DRAFT

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www.sme-usa.com

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PENINSULAR PAPER DAM

Project Location
HURON RIVER
YPSILANTI, MI

Sheet Name
RIPARIAN OWNERSHIP

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Revisions

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Designer: FRZ

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Sheet No.
FIGURE 3

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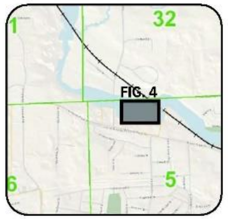

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NOTES

1. THE DEPICTED RIPARIAN OWNERSHIP BOUNDARIES ARE DERIVED FROM THE MOST RECENT RECORDED DEEDS.
2. SOUTHEAST ¼ SECTION 31, T.2S, R.7E
3. NO STATEMENT OR REFERENCE TO WATERS EDGE IN THE RECORDED PLAT OR DEEDS.
4. THE PARCEL LINES EXTENDED TO THE WATER'S EDGE ARE SHOWN FOR CONCEPTUAL VIEWING ONLY. THESE PARCEL LINES DO NOT REFLECT LEGAL BOUNDARIES OR RIPARIAN RIGHTS AND ARE DISPLAYED FOR THEORETICAL PURPOSES.

DRAFT

SME
www.sme-usa.com

Orientation

Scale
0' 50' 100'
GRAPHIC SCALE: 1" = 50'

Project
PENINSULAR PAPER DAM

Project Location
HURON RIVER
YPSILANTI, MI

Sheet Name
RIPARIAN OWNERSHIP

Surveyor's Seal

Revisions

REV	ISSUED FOR	DATE	BY
01	ANTICIPATED WATERLINE	10-04-2018	FRZ

Date: 09-13-18

SME Project No.: 079107.00

Project Manager: JAS

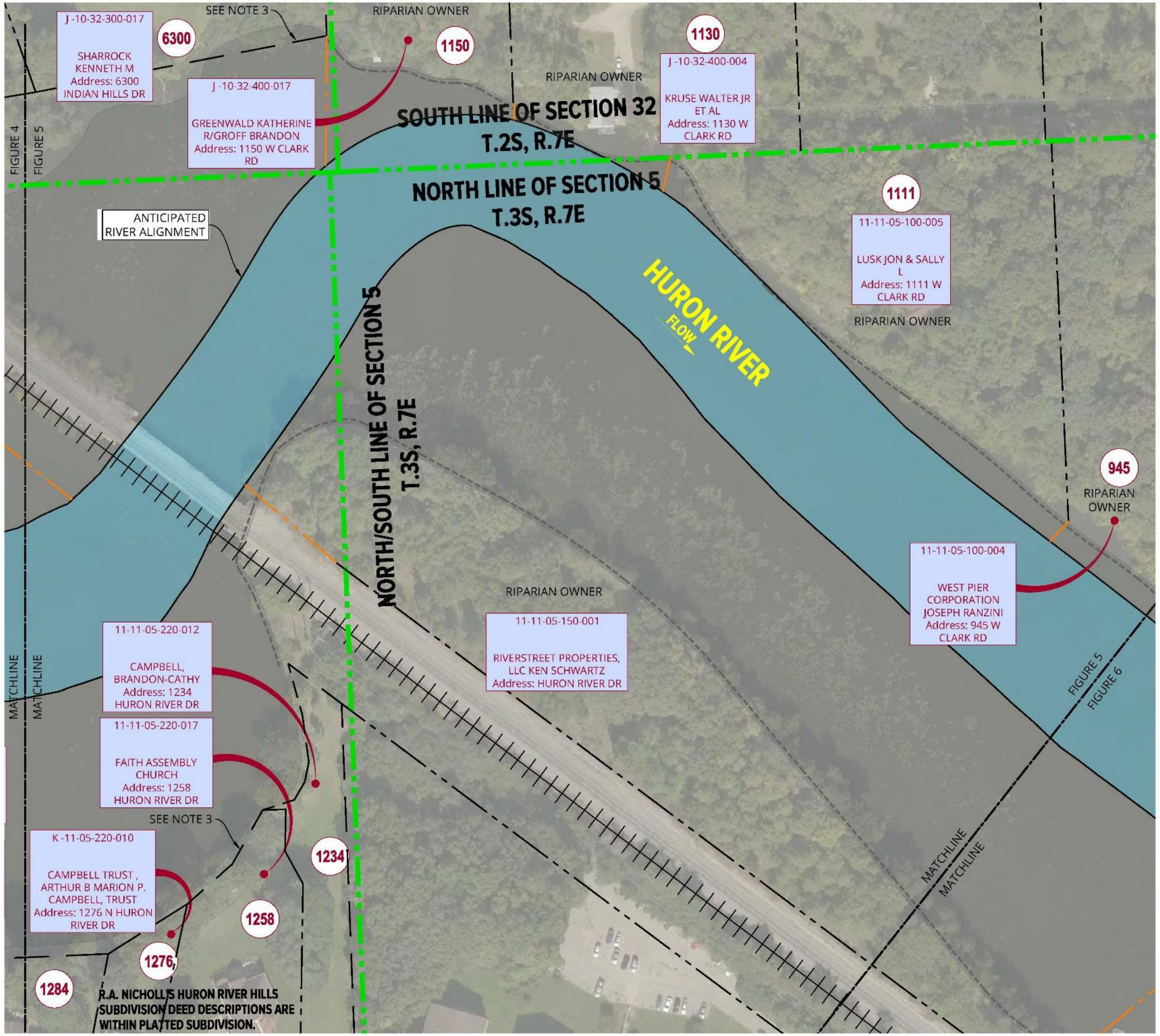
Designer: FRZ

CADD: SRP

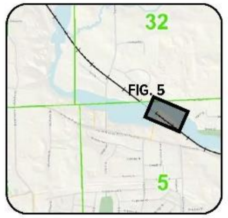
Checked By: FRZ

Sheet No.: FIGURE 4

PLOT DATE: Oct 09, 2018 - 9:46am - paradise FILE LOCATION: \\Sme-inc\pc\WIP\079107.00\CAD\DWGS\Survey\Rev5\079107.00-PDD-Hydro Survey.dwg



LOCATION MAP
NOT TO SCALE



KEY MAP
NOT TO SCALE

LEGEND

- ORIGINAL HURON RIVER LIMITS
- ANTICIPATED HURON RIVER LIMITS
- DEEDS REFERENCE CALL TO OR ALONG EDGE OF WATER
- SECTION LINE
- PROPOSED PROPERTY LINE
- PROPERTY LINE
- NO REFERENCE TO WATERS EDGE

NOTES

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3. NO STATEMENT OR REFERENCE TO WATERS EDGE IN THE RECORDED PLAT OR DEEDS.
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DRAFT

SME
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Orientation

Scale
0' 50' 100'
GRAPHIC SCALE: 1" = 50'

Project
PENINSULAR PAPER DAM

Project Location
HURON RIVER
YPSILANTI, MI

Sheet Name
RIPARIAN OWNERSHIP

Surveyor's Seal

Revisions

REV	ISSUED FOR	DATE	BY
01	ANTICIPATED WATERLINE	10-04-2018	FRZ

Date: 09-13-18

SME Project No.: 079107.00

Project Manager: JAS

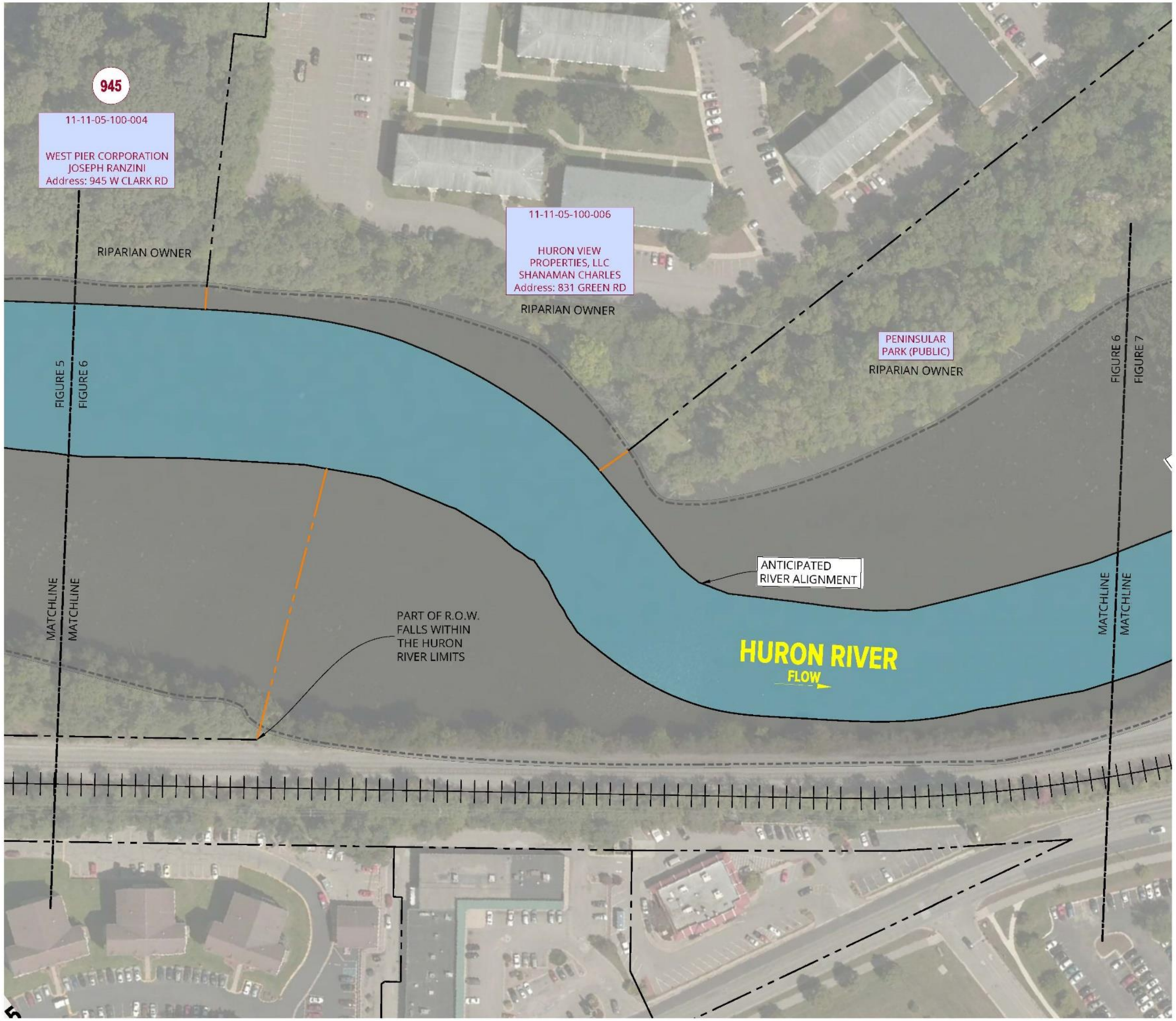
Designer: FRZ

CADD: SRP

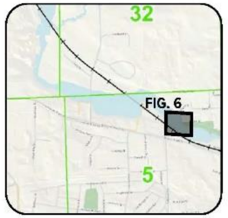
Checked By: FRZ

Sheet No.
FIGURE 5

PLOT DATE: Oct 09, 2018 - 9:48am - paradise FILE LOCATION: \\Sme-Inc\pz\WIP\079107.00\CADD\DWGS\Survey\Rev5\079107.00-PDD-Hydro Survey.dwg



LOCATION MAP
NOT TO SCALE



KEY MAP
NOT TO SCALE

LEGEND

- ORIGINAL HURON RIVER LIMITS
- ANTICIPATED HURON RIVER LIMITS
- DEEDS REFERENCE CALL TO OR ALONG EDGE OF WATER
- SECTION LINE
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- PROPERTY LINE
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DRAFT

SME
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Orientation

Scale
0' 50' 100'
GRAPHIC SCALE: 1" = 50'

Project
PENINSULAR PAPER DAM

Project Location
HURON RIVER
YPSILANTI, MI

Sheet Name
RIPARIAN OWNERSHIP

Surveyor's Seal

Revisions

REV	ISSUED FOR	DATE	BY
01	ANTICIPATED WATERLINE	10-04-2018	FRZ

Date: 09-13-18

SME Project No.: 079107.00

Project Manager: JAS

Designer: FRZ

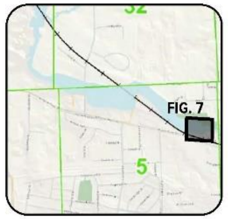
CADD: SRP

Checked By: FRZ

Sheet No.
FIGURE 6

PLOT DATE: Oct 09, 2018 - 9:50am - pamdisc FILE LOCATION: \\Sme-inc\pz\WIP\079107.00\CAD\DWGS\Survey\Rev5\079107.00-PDD-Hydro Survey.dwg

LOCATION MAP
NOT TO SCALE



KEY MAP
NOT TO SCALE

LEGEND

- ORIGINAL HURON RIVER LIMITS
- ANTICIPATED HURON RIVER LIMITS
- DEEDS REFERENCE CALL TO OR ALONG EDGE OF WATER
- SECTION LINE
- PROPOSED PROPERTY LINE
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NOTES

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DRAFT

SME
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Orientation: NORTH

Scale: 0' 50' 100'
GRAPHIC SCALE: 1" = 50'

Project
PENINSULAR PAPER DAM

Project Location
HURON RIVER
YPSILANTI, MI

Sheet Name
RIPARIAN OWNERSHIP

Surveyor's Seal

Revisions

REV	ISSUED FOR	DATE	BY
01	ANTICIPATED WATERLINE	10-04-2018	FRZ

Date: 09-13-18

SME Project No.: 079107.00

Project Manager: JAS

Designer: FRZ

CADD: SRP

Checked By: FRZ

Sheet No.: **FIGURE 7**

PLOT DATE: Oct 09, 2018 - 9:52am - paradise FILE LOCATION: \\Sme-inc\pz\WIP\079107.00\CAD\DWGS\Survey\Rev5\079107.00-PDD-Hydro Survey.dwg

Resolution No. 2018-304
December 4, 2018

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the following items be approved:

1. Resolution No. 2018-305, approving minutes of November 13, and November 27, 2018.

2. Resolution No. 2018-306, approving appointment to Boards and Commissions.

3. Resolution No. 2018-307, approving Ordinance No. 1330, to Amend Section 7-4 of the Ypsilanti City Code to require state pre-qualification of any application for a city marijuana permit". ***(Second Reading)***

OFFERED BY: ____

SUPPORTED BY: ____

YES: NO: ABSENT: VOTE:

Resolution No. 2018 - 305
December 4, 2018

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of November 13 and November 27, 2018 be approved.

OFFERED BY: ______________________________

SUPPORTED BY: ______________________________

YES: NO: ABSENT: VOTE:

CITY OF YPSILANTI
CITY COUNCIL REGULAR MEETING
CITY COUNCIL CHAMBERS - ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, NOVEMBER 13, 2018
7:00 p.m.

I. CALL TO ORDER –

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

II. ROLL CALL –

Council Member Brown (7:55)	Present	Council Member Symanns	Present
Council Member Morgan	Present	Mayor Bashert	Present
Council Member Murdock	Present	Vacancy (Ward 2)	
Council Member Richardson	Present		

Council Member Richardson moved, seconded by Symanns to excuse the absence of Council Member Brown.

On a voice vote, the motion carried, and the absence was excused.

III. INVOCATION –

Mayor Bashert 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 Murdock moved, seconded by Council Member Morgan to approve the agenda.

Council Member requested Resolution No. 2018-288, approving Recycle Ann Arbor's Proposal for drop-off recycling services, be moved to second under Section XI, Resolutions/Motions/Discussions.

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

VI. INTRODUCTIONS

Mayor Bashert introduced the following individuals; Fiscal Services Director Marilou Uy, Economic Development Director Joe Meyers, City Manager Darwin McClary, City Attorney John Barr, City Clerk Frances McMullan, and those present from the Fire Department.

VII. PRESENTATIONS –

VIII. AUDIENCE PARTICIPATION –

1. Nan Schuette, 1877 Sheffield, stated her concern regarding switching from the hard cap insurance to the 80/20 Insurance. She stated non-union and AFSCME are satisfied with the hard cap, and the only bargaining unit that wishes to switch to the 80/20 program is the IAFF, Fire Department Union. She asked Council to maintain the current hard cap program.
2. David Blakley, President of AFSCME Local 623, stated AFSCME is also opposed to switching back to the 80/20 program. The change would reflect an increase of five times what is currently being paid.
3. Kim Jones, AFSCME Local 623, stated she is against changing back to the 80/20 program. She asked Council to continue the hard cap program.
4. Ken Hobbs, President of the IAFF Local 401, stated this is one of the first time he has addressed Council and been divided from other city employees. He stated the department wants to keep their current PPO health plan. The cost is roughly $700 a month for a family, and will increase to $1,100 next month. The IAFF is the only bargaining unit that has not reached an agreement because it believes a better plan can be selected. The IAFF doesn't just want cheap healthcare it wants quality healthcare, and hopes to find something in the middle. He suggested forming a committee to select a healthcare that works for all employees, and not wait until November to discuss healthcare.
5. Monica Williams, Ypsilanti Township Resident, welcomed the new members of Council.
6. Desirae Simmons, Ward 3, asked for clarification to who the verified households are for the recycling contract. Voters voted yes for recreational marijuana and to make it illegal to carry paraphernalia, which would run contrary to that vote. She stated the majority of assessments are on the south side of the city, and is not sure if they are elderly and need assistance. She encouraged Council to use their city email addresses for Council business.
7. Amber Fellows, Ward 3, asked for clarification to how a board or commission is to bring an issue to another board or commission. She stated the process is that a commission or board would forward a resolution to Council to be submitted under communications of the next Council meeting. This is problematic because it is likely nothing will result from this process. She asked what the point of a board or commission if it is unable to place items on the agenda. This creates limitations on communications between boards and commissions between themselves and with Council. Concerning the conduct of an HRC member, she believes in protecting freedom of speech regardless if she agrees with what is being said.
8. William Simmons congratulated the new Council and encouraged equitable creation in policy.

IX. REMARKS BY THE MAYOR –

- All residents, that wish, will be given a pass to use Recycle Ann Arbor on an unlimited basis.
- The ordinance regarding paraphernalia separates medical marijuana and other narcotic paraphernalia. This would limit prosecution for marijuana paraphernalia.
- There will be training for board and commission members, which should create better clarification regarding processes.

Council Member Murdock stated there should greater clarification regarding recycling during the presentation of that resolution. He asked for the email Ms. Fellows received from the City Manager. Ms. Fellows replied she would forward the email.

Mayor Pro-Tem Richardson stated she has tried to use her city email provided by the county, and her personal email is on her business card. Council Member Murdock agreed the city email has never worked.

X. ORDINANCES – FIRST READING –

Ordinance No. 1329

Ordinance to amend the Ypsilanti City Code to add a New Division 9 to Chapter 2 - Administration, Article VII – Departments of The City of Ypsilanti to create the Department of Community Services, Create the Position of Director of Community Services, Establish the functions of the Department, provide for the prescription of Departmental Rules and Regulations, and permit the Appointment of a Deputy and Designation of an Acting Director.

A. Resolution No. 2018-282, determination

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Section 4.05(a) of the Ypsilanti city charter grants the authority to the city council to establish, alter, or abolish departments of the city; and

WHEREAS, Section 2.09(a) of the city charter requires that the establishment, alteration, or abolishment of any city department be accomplished through ordinance by the city council; and

WHEREAS, the City Manager is recommending that the city council consider an ordinance to establish the Department of Community Services, create the administrative officer position of Community Services Director, establish the functions of the department, provide for the prescription of department rules and regulations, and permit the appointment of a deputy director and acting director; and

WHEREAS, the city council desires to consider such an ordinance;

NOW THEREFORE BE IT RESOLVED BY THE CITY OF YPSILANTI that the city council does hereby introduce and give first reading to the proposed ordinance establishing the Department of Community Services, creating the administrative officer position of Community Services Director, establishing the functions of the department, providing for the prescription of department rules and regulations, and permitting the appointment of a deputy director and acting director; and

BE IT FURTHER RESOLVED THAT the city council does hereby approve the ordinance at First Reading and schedules the proposed ordinance for Second Reading and consideration for adoption at its November 27, 2018, regular meeting.

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

City Manager McClary provided an overview to why this has been submitted to Council for approval.

B. Open public hearing

1. Desirae Simmons, Ward 3, asked if there will be an increase in staff to address additional responsibilities.

C. Resolution No. 2018-283, close public hearing

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That a public hearing on an ordinance entitled, " AN ORDINANCE TO ADD A NEW DIVISION 9 TO CHAPTER 2 – ADMINISTRATION, ARTICLE VII – DEPARTMENTS OF THE CITY OF THE CITY OF YPSILANTI CODE OF ORDINANCES TO CREATE THE DEPARTMENT OF COMMUNITY SERVICES, CREATE THE POSITION OF DIRECTOR OF COMMUNITY SERVICES, ESTABLISH THE FUNCTIONS OF THE DEPARTMENT, PROVIDE FOR THE PRESCRIPTION OF DEPARTMENTAL RULES AND REGULATIONS, AND PERMIT THE APPOINTMENT OF A DEPUTY AND DESIGNATION OF AN ACTING DIRECTOR be officially closed.

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

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

Mr. McClary stated this ordinance is a restructuring of city departments. Assessing functions are currently housed in Fiscal Services, and this would move that function to this new department. Parks and Recreation currently does not fall under the purview of any department, and this would create oversight for that activity. There is no change in staffing levels.

Council Member Morgan asked if the models of the past department going to be transferred to this new department. He asked if analysis has been completed regarding what has worked well and what needs to be improved. Mr. McClary responded for the most part functions will be the same. The reason for this formality is the City Charter requires any creation of a new department must be done by ordinance. Mr. Morgan asked if staff will be given training for any new tasks they would be required to perform. Mr. McClary responded there will not be formal training.

Mayor Pro-Tem Richardson stated since parks and recreation has been removed from the budget she is not certain why there needs to be departmental oversight. Mayor Bashert clarified $100,000 was allocated for parks during last budget approval.

Council Member Symanns asked how staff is receiving this proposed change to department. She isn't sure if it is correct to combine departments whose functions might not necessarily fit. Mr. McClary replied staff has not expressed concerns regarding this change. Economic Development Director Joe Meyers stated staff has no concern. He explained currently his department acts as the de facto parks and recreation department. Ms. Symanns asked if it is essentially formalizing current practice. Mr. Meyers responded in the affirmative.

Council Member Morgan asked what the timeline is creating the new department. Mr. Meyers responded it would take effect thirty days after approval at Second Reading.

Council Member Murdock stated he is going to oppose this ordinance for several reasons. This ordinance would essentially build a large bureaucracy on the fourth floor of City Hall. There is no reason this department should be involved in parks and recreation to the degree it is. Parks and Recreation should be a function of the Department of Public Services, and hiring a director who is competent in these areas should be a priority. Additionally, the department spends too much time servicing the Downtown Development Authority (DDA). Perhaps it is time for the DDA to hire an independent director, and this department can concentrate on city functions. Mayor Pro-Tem Richardson agreed, and doesn't see a need to add to the bureaucracy of the fourth floor. She explained she will also vote no on this ordinance.

There needs to be a closer look at if the Economic and Community Development Department is functioning the way it should rather than create a new department.

Council Member Symanns stated she is hearing the Department of Public Service maintains the park system, but she is also hearing this ordinance simply formalizes current practice. She asked where the connections are and where are the divisions. Mayor Bashert responded there is a difference between park maintenance and managing the parks and recreation. Ms. Symanns asked how maintenance and park management would change if the ordinance is approved. Mr. McClary responded there would not be a change in function.

Council Member Symanns stated economic development is very important to this city, and she wants to ensure those hired to perform that task are performing that task. She asked if current practices are appropriate, and asked why the practice shouldn't change. Mr. McClary replied that is why he is changing the title of the department. The functions go beyond economic development.

Mayor Bashert asked what other communities, similar to Ypsilanti, are functioning in similar fashion. Mr. McClary responded Ypsilanti eliminated the department and outsourced parks and recreation functions to private groups, but have not formally made a department responsible for coordinating the private groups.

Mayor Pro-Tem Richardson stated there is history that the City Manager might not be aware. Removing the parks and rec budget line was done because of financial issues facing the city. The residents stepped up and did what was needed to continue park and rec functions in the city. The city has come a long way, and should be grateful for the residents that kept those facilities running. She mentioned the city has budgeted $100,000 for parks, but that does not mean the city will continuously have the money to allocate to the park and rec. Also, the funds will primarily going into park maintenance and not recreation. From working with communities through the Michigan Municipal League she has learned that communities facing similar financial constraints have followed the same practice as Ypsilanti. The city does not have the financial capacity to warrant the creation of another department. Mr. McClary clarified this ordinance, if adopted, would not add any cost to the city.

On a roll call, the vote to approved Resolution No. 2018-282 was as follows:

Council Member Brown	No	Council Member Symanns	Yes
Council Member Morgan	No	Mayor Bashert	Yes
Council Member Murdock	No	Ward 2 Vacancy	
Mayor Pro-Tem Richardson	No		

VOTE:

YES: 2 NO: 4 (Brown, Murdock, Richardson, Morgan) ABSENT: 0 VACANCY: 1 (Ward 2) \
VOTE: Failed

XI. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2018-284, approving minutes of October 16, 2018.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of October 16, 2018 be approved.

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

On a roll call, the vote to approved Resolution No. 2018-284 was as follows:

Council Member Brown	Yes	Council Member Symanns	Yes
Council Member Morgan	Yes	Mayor Bashert	Yes
Council Member Murdock	Yes	Ward 2 Vacancy	
Mayor Pro-Tem Richardson	Yes		

VOTE:

YES: 6 NO: 0 ABSENT: 0 VACANCY: 1 (Ward 2) VOTE: Carried

2. Resolution No. 2018-285, approving appointment to Boards and Commissions.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

NAME	**BOARD**	**EXPIRATION**
Christian Cannon (Replacing Natalie Sampson) **418 Burton Ct** **Ypsilanti, MI 48197**	**Sustainability**	**5/1/2020**

OFFERED BY: Council Member Morgan
SECONDED BY: Council Member Brown

On a roll call, the vote to approved Resolution No. 2018-285 was as follows:

Council Member Brown	Yes	Council Member Symanns	Yes
Council Member Morgan	Yes	Mayor Bashert	Yes
Council Member Murdock	Yes	Ward 2 Vacancy	
Mayor Pro-Tem Richardson	Yes		

VOTE:

YES: 6 NO: 0 ABSENT: 0 VACANCY: 1 (Ward 2) VOTE: Carried

3. Resolution No. 2018-288, approving Recycle Ann Arbor Proposal for Drop-Off Recycling Services for the City of Ypsilanti Households and Businesses.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that:

The proposal for drop-off recycling services to be provided to the City of Ypsilanti from Recycle Ann Arbor dated November 7, 2018, for the sum of $26,000 per year is approved and accepted.

The Mayor and City Clerk are authorized to sign the attached contract, subject to the approval of the City Attorney.

OFFERED BY: Council Member Murdock
SECONDED BY: Council Member Symanns

Recycle Ann Arbor CEO Bryan Ukena provided an overview of the services provided to Ypsilanti.

Mayor Bashert thanked Mr. Ukena for allowing Ypsilanti to use the services.

Council Member Murdock believes this is a positive proposal for the city, far better than what could have been negotiated with Ypsilanti Township. He is anxious to know the timeline for implementation. Economic Development Director Meyers replied if the contract is approved staff can begin distributing recycling cards on Monday, November 19th. He will be emailing a link to request a card, and mentioned only city residents are eligible. Residents with a card will be allowed to visit the site once per day, and cards will expire a year.

Mayor Pro-Tem Richardson asked the cost of the cards. Mr. Meyers responded they are free to city residents.

Council Member Murdock asked for clarification regarding when residents can begin using the services. Mr. Meyers responded residents may begin applying for cards as early as Wednesday, November 14th and pick them up on Monday, November 19th. Mr. Murdock asked if there is a link to the application on the city website. Mr. Meyers responded in the affirmative.

Mayor Bashert asked if the cards will be available through the Economic and Community Development Department. Mr. Meyers responded in the affirmative. Ms. Bashert asked if the department is staffed appropriately to address requests for cards. Mr. Meyers responded in the affirmative.

Council Member Morgan asked if there is a weight limit to what residents can bring to the center. Mr. Ukena responded no.

Council Member Symanns responded she uses the services currently, and sees it as a positive for residents.

Mayor Pro-Tem Richardson thanked Council Member Murdock for all he is done concerning recycling.

On a roll call, the vote to approved Resolution No. 2018-288 was as follows:

Council Member Brown	Yes	Council Member Symanns	Yes
Council Member Morgan	Yes	Mayor Bashert	Yes
Council Member Murdock	Yes	Ward 2 Vacancy	
Mayor Pro-Tem Richardson	Yes		

VOTE:

YES: 6 NO: 0 ABSENT: 0 VACANCY: 1 (Ward 2) VOTE: Carried

4. Resolution No. 2018-286, approving Ordinance No. 1327 to amend Chapter 74 of the Ypsilanti City Code, entitled "MISDEMEANOR OFFENSES," by amending the title to the Chapter and to Article VI, and to amend Section 74-212 "POSSESSION" to make the possession of Marihuana Paraphernalia a Municipal Civil Infraction, and to amend Sections 74-212, 74-213, AND 74-214 so that those provisions only are violations where the underlying controlled substance violates State Law, and to amend Section 74-216 to add to the exceptions Marihuana Facilities Operating in Compliance with Chapter 7 of the City Code. ***(Second Reading)***

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Public Hearing for an ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 74 OF THE YPSILANTI CITY CODE, ENTITLED "MISDEMEANOR OFFENSES," BY AMENDING THE TITLE TO THE CHAPTER AND TO ARTICLE VI, AND TO AMEND SECTION

74-212 "POSSESSION" TO MAKE THE POSSESSION OF MARIHUANA PARAPHERNALIA A MUNICIPAL CIVIL INFRACTION, AND TO AMEND SECTIONS 74-212, 74-213, AND 74-214 SO THAT THOSE PROVISIONS ONLY ARE VIOLATIONS WHERE THE UNDERLYING CONTROLLED SUBSTANCE VIOLATES STATE LAW, AND TO AMEND SECTION 74-216 TO ADD TO THE EXCEPTIONS MARIHUANA FACILITIES OPERATING IN COMPLIANCE WITH CHAPTER 7 OF THE CITY CODE" be approved on Second and Final Reading.

OFFERED BY: Council Member Symanns
SECONDED BY: Council Member Brown

Council Member Symanns stated this would make marihuana paraphernalia possession a civil infraction. She asked why since voters just approved a proposal making recreational marihuana legal. Mr. Barr responded recreational marihuana has been made legal through a ballot initiative. The Charter and Code of Ordinances try to stay in line with state law, and Assistant City Attorney Jess O'Jack drafted into this ordinance the possibility voters would approve the proposal. In this ordinance marihuana paraphernalia would be removed, but other paraphernalia would still be subject to civil infraction. Ms. Symanns questioned why it is even being kept as a civil infraction. Mr. Barr responded there more than likely be another reorganization of the ordinances once recreational takes effect, but until that time this is a stop gap measure.

Council Member Murdock stated he opposed this during first reading, and when it was originally passed. This ordinance provides far too much discretion for the police department. Virtually any legal item can be classified as paraphernalia; such as pins, pens, rolling paper, razor blades, etc… He will be opposing this on second reading.

Mayor Pro-Tem Richardson asked if there is a way to define paraphernalia to provide parameters for enforcement. Mr. Barr responded it depends on the intent. He explained an item could be used both for a lawful activity and an illegal activity. He agrees there is police discretion involved, but the test is what the intent for the item was. Council Member Symanns stated as a former police officer it is the context of how the item is used. The fact of the matter is common items are often used as drug paraphernalia.

Council Member Morgan asked if this ordinance would criminalize paraphernalia, while the recent vote decriminalized marihuana. Council Member Symanns responded no, the amendment would make paraphernalia a civil infraction. According to the City Attorney once the state law is settled this ordinance would be amended.

Council Member Murdock interjected the ordinance allows for too much discretion. The discretion could possibly lead to harassment.

Mayor Pro-Tem Richardson stated she will vote yes, but agrees the ordinance allows for too much police discretion. However, the ordinance amendment would make paraphernalia a civil infraction, which is better for the African American community.

On a roll call, the vote to approved Resolution No. 2018-286 was as follows:

Council Member Brown	Yes	Council Member Symanns	Yes
Council Member Morgan	Abstain	Mayor Bashert	Yes
Council Member Murdock	No	Ward 2 Vacancy	
Mayor Pro-Tem Richardson	Yes		

VOTE:

YES: 4 NO: 1 (Murdock) ABSTAIN: 1 (Morgan) ABSENT: 0 VACANCY: 1 (Ward 2) VOTE: Carried

5. Resolution No. 2018-287, approving Ordinance No. 1328 to add a New Article VII to Chapter 2 – Administration of the City of Ypsilanti Code of Ordinances, entitled "DEPARTMENTS OF THE CITY" and to add New Divisions thereto; and to create the Department of Finance and Treasury; create the Position of Finance Director; Establish the functions of the Department, Provide for the prescription of Departmental Rules and Regulations, and Permit the appointment of a Deputy and Designation of an Acting Director. ***(Second Reading)***

   RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

   WHEREAS, Section 4.05(a) of the Ypsilanti city charter grants the authority to the city council to establish, alter, or abolish departments of the city; and

   WHEREAS, Section 2.09(a) of the city charter requires that the establishment, alteration, or abolishment of any city department be accomplished through ordinance by the city council; and

   WHEREAS, the City Manager is recommending that the city council consider an ordinance to establish the Department of Finance and Treasury, create the administrative officer position of Finance Director, establish the functions of the department, provide for the prescription of department rules and regulations, and permit the appointment of a deputy director and acting director; and

   WHEREAS, the city council desires to consider such an ordinance;

   NOW THEREFORE BE IT RESOLVED BY THE CITY OF YPSILANTI that the city council does hereby introduce and give first reading to the proposed ordinance establishing the Department of Finance and Treasury, creating the administrative officer position of Finance Director, establishing the functions of the department, providing for the prescription of department rules and regulations, and permitting the appointment of a deputy director and acting director; and

   BE IT FURTHER RESOLVED THAT the city council does hereby schedule the proposed ordinance for second reading and consideration for adoption at its November 13, 2018, regular meeting.

OFFERED BY: Council Member Symanns
SECONDED BY: Council Member Brown

On a roll call, the vote to approved Resolution No. 2018-287 was as follows:

Council Member Brown	Yes	Council Member Symanns	Yes
Council Member Morgan	Yes	Mayor Bashert	Yes
Council Member Murdock	Yes	Ward 2 Vacancy	
Mayor Pro-Tem Richardson	Yes		

VOTE:

YES: 6 NO: 0 ABSENT: 0 VACANCY: 1 (Ward 2) VOTE: Carried

6. ~~Resolution No. 2018-288, approving Recycle Ann Arbor Proposal for Drop-Off Recycling Services for the City of Ypsilanti Households and Businesses.~~ **(Moved)**

7. Resolution No. 2018-290, approving bid received from RNA Facilities Management, authorizing the expenditure and the City Manager to sign contract documents subject to approval by the City Attorney.

   RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

   WHEREAS, proposals were duly solicited for janitorial services for City Hall, Ypsilanti Police Station, Parkridge Community Center and the Ypsilanti Public Services Office; and

   WHEREAS, the bid of $44,544 annually submitted by RNA Facilities Management of Ann Arbor, MI meets the specifications, and would best serve the interests of the City; and

   WHEREAS, RNA is successfully performing other janitorial contacts in the public realm.

   NOW, THEREFORE, BE IT RESOLVED THAT the Ypsilanti City Council approves the proposal from RNA Facilities Management, 4722 S. State Rd. Ann Arbor, MI 48108 in the amount of $3,712 per month.

   FURTHER, that $44,544 annually be authorized for expenditure from account 101-7-2650-932-00; and that the City Manager is authorized to sign the contract documents and any change orders, subject to approval by the City Attorney, to complete the award of this contract.

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

Council Member Morgan asked what was previously budgeted to clean these buildings. Department of Public Services Interim Director Brad Holman responded he is not certain of the previous budget.

Council Member Murdock asked how much is budgeted currently for janitorial contract. Fiscal Services Director Marilou Uy responded she will provide that to Council tomorrow. Mr. Murdock asked if any Ypsilanti firms capable for executing this contract. Mr. Holman responded he believes there was outreach to local businesses. Mayor Pro-Tem Richardson asked if this process was prior to Mr. Homan becoming interim director. Mr. Holman responded in the affirmative. Mr. Murdock asked if the city was provided data regarding employees living within the city, or if that could be provided. Mr. Holman responded if the city does not have that data he can ask RNA, but it is the same company currently under contract. Ms. Richardson stated she would like to see the breakdown of employees living in the city prior to voting on this resolution, also including other demographics. Council Member Symanns asked what criteria is used to compare demographics and residency. Ms. Richardson responded if the demographics mirror the demographics of the city.

Council Member Morgan stated it appears the selected company had the second to lowest bid, and asked if price is comparable to service. He noticed one of the company had a negative rating from the county, and asked if there are any evaluations of this company. Mayor Bashert responded they are the current company.

Mayor Bashert directed the City Manager that staff be prepared to answer questions regarding the bidding process when submitted for approval. Council Member Symanns added comparable data should also be provided to Council. She asked if the city is satisfied with the services provided by RNA. City Clerk McMullan responded staff were not asked if services were adequate. Mr. McClary replied staff using SEMCOG data when comparing population demographic.

Mr. Holman stated it is a practice of the Department of Public Services to award contracts to local businesses, and increase the sphere if needed to award the contract. He said if there are issues with service this company is open to dialog and correcting those problems.

On a roll call, the vote to approved Resolution No. 2018-290 was as follows:

Council Member Brown	Yes	Council Member Symanns	Abstain
Council Member Morgan	Yes	Mayor Bashert	Yes
Council Member Murdock	Yes	Ward 2 Vacancy	
Mayor Pro-Tem Richardson	Yes		

VOTE:

YES: 5 NO: 0 ABSTAIN: 1 (Symanns) ABSENT: 0 VACANCY: 1 (Ward 2) VOTE: Carried

1. Resolution No. 2018-289, authorizing the Finance Director/Treasurer to levy and assess unpaid bills and special assessments on the December 2018 tax roll.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That, the City Treasurer be authorized to levy and assess on the December 2018 tax roll the attached listing of unpaid bills totaling $45,867.64.

OFFERED BY: Council Member Brown
SECONDED BY: Council Member Symanns

Council Member Murdock stated there are certain properties that appear on this list, and asked if they have been awarded certificates of occupancy. Mr. Meyers responded he has not thoroughly reviewed the list, but at first glance he would say no.

On a roll call, the vote to approved Resolution No. 2018-289 was as follows:

Council Member Brown	Yes	Council Member Symanns	Yes
Council Member Morgan	Yes	Mayor Bashert	Yes
Council Member Murdock	Yes	Ward 2 Vacancy	
Mayor Pro-Tem Richardson	Yes		

VOTE:

YES: 6 NO: 0 ABSENT: 0 VACANCY: 1 (Ward 2) VOTE: Carried

XII. CLOSED SESSION –

Resolution No. 2018-291, convening into Closed Session to discuss collective bargaining strategies pursuant to Section 8(c) of the Michigan Open Meetings Act, Public Act 267 of 1976, being MCL 15.268(c), for the purpose of strategy session connected with the negotiation of the IAFF contract.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the collective bargaining agreement for the city's IAFF bargaining unit expired on June 30, 2017; and

WHEREAS, it is necessary for the City Council and city administration to meet and confer periodically in closed session on collective bargaining strategy;

NOW THEREFORE BE IT RESOLVED BY THE CITY OF YPSILANTI that the City Council does hereby approve convening into closed session pursuant to Section 8(c) of the Michigan Open Meetings Act, Public Act 267 of 1976, being MCL 15.268(c), for the purpose of strategy session connected with the negotiation of the IAFF contract.

OFFERED BY: Council Member Morgan
SECONDED BY: Council Member Symanns

On a roll call, the vote to approved Resolution No. 2018-291 was as follows:

Council Member Brown	Yes	Council Member Symanns	Yes
Council Member Morgan	Yes	Mayor Bashert	Yes
Council Member Murdock	Yes	Ward 2 Vacancy	
Mayor Pro-Tem Richardson	Yes		

VOTE:

YES: 6 NO: 0 ABSENT: 0 VACANCY: 1 (Ward 2) VOTE: Carried

The meeting adjourned to Closed Session at 8:35 p.m.

The meeting reconvened at 9:21 p.m.

XIII. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2018-292, approving a cost sharing amount of 20% (80/20 Option) by each employee enrolled in its publically funded health care program.

   RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

   Whereas, the City Council of the City of Ypsilanti deems it necessary to comply with Public Act 15 of 2012, as amended by Public Act 270 of 2013; and

   Whereas, Public Act 152 places dollar limits on medical benefits paid by the City on behalf of the employee; and

   Whereas, the City has three options; including to allow the hard cap limits to remain, by majority vote to place a requirement for each employee to pay 20% of the total cost of health insurance, or to opt out of Public Act 152 completely; and

   Whereas, in previous years, the City Council has voted to approve a 20% cost share for employees.

   NOW THEREFORE BE IT RESOLVED THAT, the Council of the City of Ypsilanti chooses to comply with Public Act 152, by adopting the hard cap option for employees enrolled in its publically funded health care program.

OFFERED BY: Council Member Brown
SECONDED BY: Council Member Symanns

Council Member Murdock moved, seconded by Council Member Brown to amend the resolution to select the hard cap.

On a roll call, the vote to amend Resolution No. 2018-292 was as follows:

Council Member Brown	Yes	Council Member Symanns	Yes
Council Member Morgan	Yes	Mayor Bashert	Yes
Council Member Murdock	Yes	Ward 2 Vacancy	
Mayor Pro-Tem Richardson	Abstain		

VOTE:

YES: 5 NO: 0 ABSTAIN: 1 (Richardson) ABSENT: 0 VACANCY: 1 (Ward 2) VOTE: Carried

On a roll call, the vote to approved Resolution No. 2018-292 as amended was as follows:

Council Member Brown	Yes	Council Member Symanns	Yes
Council Member Morgan	Yes	Mayor Bashert	Yes
Council Member Murdock	Yes	Ward 2 Vacancy	
Mayor Pro-Tem Richardson	Abstain		

VOTE:

YES: 5 NO: 0 ABSTAIN: 1 (Richardson) ABSENT: 0 VACANCY: 1 (Ward 2) VOTE: Carried

2. Resolution No. 2018-293, directing the City Manager to present a minimum of four to six health care plan options with costs to the City and employee at the November 27, 2018 Council meeting.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, a health care plan has been negotiated and approved by COAM, POAM, and AFSCME Collective Bargaining Units; and

Whereas, the IFFA is in the process of negotiations; and

Whereas, it is the goal of the City to provide employees with the best health care coverage at an affordable price; and

Whereas, there are health care plan options offered by Blue Cross Blue Shield that may be more beneficial for city employees.

Whereas, City Council was not afforded any presentations or given an opportunity to review any other health plan option.

Therefore be it resolved that City Council directs the City Manager to present a minimum of four to six plan options with costs to the City and employee at the November 27, 2018 Council meeting.

OFFERED BY: Council Member Richardson
SECONDED BY: Council Member Morgan

Mr. McClary recommended Council vote no on the resolution. He explained it is a collective bargaining issue and belongs at the bargaining table.

Council Member Murdock stated the 80/20 and the hard cap options are not negotiable, it is a decision of City Council. Healthcare benefits are negotiable and should be discussed during collective bargaining. If the union has ideas regarding healthcare they should present them during negotiations, and not stall meetings.

On a roll call, the vote to approved Resolution No. 2018-293 was as follows:

Council Member Brown	No	Council Member Symanns	No
Council Member Morgan	No	Mayor Bashert	No
Council Member Murdock	No	Ward 2 Vacancy	
Mayor Pro-Tem Richardson	Abstain		

VOTE:

YES: 0 NO: 5 (Morgan, Symanns, Bashert, Brown, Murdock) ABSTAIN: 1 (Richardson) ABSENT: 0
VACANCY: 1 (Ward 2) VOTE: Failed

XIV. <u>LIAISON REPORTS</u> –

Mayor Bashert stated assignments need to be made regarding which Council Member will be acting as liaison for these entities.

A. SEMCOG Update – Mayor Pro-Tem Richardson stated SEMCOG is holding three workshops and transportation, roads, and bridges. The closest is located in Westland.
B. Washtenaw Area Transportation Study – Council Member Murdock stated during the last meeting the 2023 TIF plan was adopted. The allocation for the city is $2,063,000.
C. Urban County - None
D. Ypsilanti Downtown Development Authority - None
E. Ypsilanti Youth Safety Collaboration - None
F. Friends of Rutherford Pool - None
G. Housing Equity Leadership Team - None

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

<u>Richardson</u>

- Asked for a report, or discussion regarding the train stop. She stated this has been moving awfully slow and Council needs an update. If the city does not do something it is going to lose this possibility.
- At either the November 27th or December 4th she would like a discussion about the snow removal ordinance. Mayor Bashert agreed a discussion needs to be scheduled, and has a couple of ideas for changes.

Mr. McClary stated the Amtrak Rail Platform is coming before Council on December 4th.

<u>Morgan</u>

- He is interested in finding ways to engage the youth of this community. He has an idea for a program called 'Democracy I Do', which would assist young people becoming more civically engaged. Also create mechanisms to track community engagement around their own issues. Possibly creating a youth council and become understudies of City Council.

- He believes a water conference is necessary, and mentioned by 2019 most conflicts will be produced by lack of fresh water.
- He would like to examine how the city can better support its senior citizens.

Brown

- Supports Council Member Morgan's comments regarding engaging the youth of this community. In her first term there was an attempt to create a youth council, however, due to lack of staff it was not.

  Mayor Bashert agreed, and stated there are very few activities available for the youth of this city.

Murdock

- He still has not received an update he requested in October; a scope in projected for the HRC contract for the Huron/Hamilton Road Diet project, if the city has applied for the clean diesel grant, copy of the communication sent to MDOT regarding the review of the timing of the Michigan/Huron traffic signal, and pedestrian crossing intervals on Michigan Ave.

  Mr. McClary stated the contract is currently in process of their work. Staff has run into complications in submitting for a clean diesel grant. Staff believes the technology is not beneficial at this point, but staff is monitoring it. The propane vehicles are working well for the city, with some limitations. The clean diesel vehicle the city has is experiencing problems. He explained much of the communications staff has made with MDOT were verbal, but is searching for any written communications. Council Member Murdock stated he asked because putting things in writing gets more accomplished.

- Asked when Council would be receiving the Penn Dam report. He is concerned town halls are being scheduled by an entity with separate agendas, and Council has not received the report.

  Mr. McClary stated the purpose of the report is to examine objectively at the option of removing the dam. This does not provide a position of City Council, that directive is to be determined later. He will speak with the Huron River Watershed Council.

- He holds town hall meetings frequently because he feels it creates a better space for dialog between himself and the community. He specifically has tried to schedule a town hall meeting to discuss the train stop report. When he asked the City Manager for the report he was denied on the basis Council needs to approve that. He explained this town hall would be his and not Council's, or the city manager's. Council needs more feedback about the train stop then could accessed during a council meeting, and he would appreciate more cooperation from the city manager.

  Mr. McClary responded OHM is working on updating the feasibility study for the train stop. The report is very close to completion, but will go to Council prior to being released to the community. He hopes Council will provide the directive to hold community informational meetings. This is the way he intends on handling all similar issues, it is very important Council receives this information first. This is done to ensure Council is not caught off guard by information. He was not trying to tell a Council Member not to hold a town hall that is up to the individual member. However, he will not allocate resources based on the request of one Council Member. Council Member Murdock responded that was not what he was told. He was told Council would be given the report and would need to take action on it during that meeting.

Council Member Brown moved, seconded by Mayor Pro-Tem Richardson to extend the meeting until 10:15 p.m.

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

- He asked if there plans of what to do with the land currently occupied by the closed recycling center.

  Mr. McClary responded not at this time. Mayor Pro-Tem Richardson asked if the city is current with the timeline to avoid any disruptions in Department of Natural Resources Grants. Mr. McClary responded in the affirmative.

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

- It is a high priority to have a Council and staff retreat. This would be an opportunity for new members to learn systems and old members to refresh themselves. Also, a way to create a clear way of communicating.

  Mayor Pro-Tem Richardson asked if the retreat will be the one required by resolution, or is this is something different. She explained the retreat times have become budget sessions in recent years. Mayor Bashert responded that is not the retreat she is referencing, but would like to incorporate some of what was mentioned into this retreat.

- Asked for an update for rental inspections, she would like to know where the city is with its backlog for rental inspections.
- Commended Mr. Meyers and his department for the construction of the accessible play structure, and the dedication of the playground to Liz Dahl MacGregor.
- She will be providing a weekly newsletter, and the first will be going out on Friday.

XVII. <u>COMMUNICATIONS FROM THE CITY MANAGER</u> –

- Administration is reaching out to retirees about switching to Medicare Advantage.
- Provided an update regarding the demolition of the former recycling center.
- The Amtrak Rail Feasibility Study will be one the December 4th Agenda.
- The city still has not received the report regarding the pedestrian crossing at W. Cross. The city is relying on the report to see if MDOT will fund the improvements.
- He provided an update on Live Streaming, which will tie into the release of the legislative management software.

XVIII. <u>COMMUNICATIONS</u> –

Council Member Murdock provided the following statement;

> "You all may have noticed my increasing hoarseness. There is a reason for that. I have recently been diagnosed with lung cancer. And have started aggressive chemo and radiation treatment yesterday. I will be spending a lot of time at St Joseph Mercy Hospital for the next few months I intend to continuing serving on City Council as I battle the cancer. This will probably slow me down but as a quote from an injured football player in Remember the Titans said 'I ain't dead yet' I will be just as ornery as ever just a little slower. Thanks for everybody understanding."

Mayor Bashert thanked Council Member Murdock and commended his performance during last night's meeting after having spent several hours in the hospital for treatment.

Mayor Pro-Tem Richardson thanked Council Member Murdock for sharing that, and she would say a prayer for him. Council Member Brown thanked him for his willingness to share that with Council and would keep him in her prayers. Council Member Morgan stated it is admirable to serve while he is going through this.

- Draft Minutes – October 23 and November 8, 2018 Traffic Review Commission

- Memo from City Manager McClary to the Human Relations Commission regarding discrimination complaint

- Letter from Human Relations Commission Chair regarding member dismissal

XIX. AUDIENCE PARTICIPATION –

1. Noah Rucker, Ypsilanti Township, congratulated those who recently won election and appreciates the positive energy in the room. He is concerned with putting a playground in Riverside Park. There should be more investment in the restrooms at the park. He appreciates a newsletter and that Council has taken his comments regarding pedestrian safety seriously.
2. Stacy Davis, 530 Hart Pl, had questions about the bid process, and if there is a sustainability process in place for parks and recreation. She would like to see more commerce brought to this city, possibly on Water Street.
3. Sam Jones-Darling, 210 Brown Hall, welcomed the new Council. He noted paraphernalia is very broad and it concerns him the state act will only provide ten days for cities to become into compliance. He believes the city should be in compliance prior to the law taking effect. He encouraged the city to examine its festival rules for marihuana consumption. He encouraged Council to appoint a Council Liaison to the Human Relations Commission. The southeast corner of Summit and Washtenaw is an issue and asked that it be fixed. He requested Council direct the Ethics Board to review the Ethics Ordinance to ensure it is in compliance with state law.

XX. REMARKS FROM THE MAYOR –

XXI. ADJOURNMENT –

Resolution No. 2018-294, 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 three (3) members of Council.

OFFERED BY: Council Member Brown
SECONDED BY: Council Member Morgan

On a voice vote, the motion carried, and the meeting adjourned at 10:20 p.m.

CITY OF YPSILANTI
CITY COUNCIL REGULAR MEETING
CITY COUNCIL CHAMBERS - ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, NOVEMBER 27, 2018
7:00 p.m.

I. CALL TO ORDER –

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

II. ROLL CALL –

Council Member Brown	Absent	Council Member Symanns	Present
Council Member Morgan	Present	Mayor Bashert	Present
Council Member Murdock	Present	Vacancy (Ward 2)	
Mayor Pro-Tem Richardson	Present		

III. INVOCATION –

Mayor Bashert 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 Murdock moved, seconded by Council Member Symanns to approve the agenda.

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

VI. INTRODUCTIONS

VII. PRESENTATIONS –

OHM Park Restrooms Evaluation Report

Kent Early, OHM Advisors, provided an overview of the evaluation.

Council Member Morgan asked if this resolution is adopted what is the estimated timeline for completion. Mr. Early responded no, and explained much of it would depend on prioritization of facilities. However, to complete all six parks at once would only take roughly a month.

Council Member Symanns stated the city could decide to complete some of the work listed at each park without completing the project in its entirety. Mr. Early responded in the affirmative.

Mayor Pro-Tem Richardson asked if the parks should be prioritized based on frequency of use. Council Member Morgan suggested prioritizing parks used the least in order to make them more appealing.

Mayor Bashert stated the Orangeburg Sewer Lead is not listed in the cost. Mr. Early responded the estimate did not include the full length of the lead. Ms. Bashert stated he likes that there is a fireplace at Parkridge Park, and asked why it was included in the pricing. Mr. Early responded because it was present at the park and wanted to provide that option. Ms. Bashert stated it is noted that Prospect Park needs a pave path running to the pavilion. She asked why that park needs a path while the others do not. Mr. Early replied that was the park first analyzed, as the analysis continued it was decided to begin focusing on only the structure. Ms. Bashert stated any decision made about Penn Dam will have a direct effect on the facilities at Penn Park. She is not willing to say Recreation Park is in need of a bathroom because it hasn't needed one in years. Mayor Pro-Tem Richardson disagreed that Recreation Park does not need a bathroom because it has a high frequency of use in the community.

Council Member Symanns asked how much funding is available for these projects, and explained it is difficult to identify priorities without that knowledge. City Manager McClary responded $125,000 has been allocated for park improvements, which is created through the County Safety Millage. It is possible to continue that allocation through the next six years to complete that project.

Mayor Bashert stated it was her understanding that the bathrooms renovations would not be funded by the $125,000 that would be used for other capital improvements in the park. She proposed a two to three year plan to address park bathrooms.

Council Member Murdock stated when the $125,000 was allocated for the parks it was intended for differed maintenance projects. There is a joint meeting with the Parks and Recreation Commission scheduled for December 11th to discuss projects to allocate those funds. At some point there is going to be a need for major capital improvements at many city parks, which could be funded by grants. The renovations could possible by funded by that grant, but he does not want to see the funds for differed maintenance used for this project.

Council Member Morgan stated based on the years of neglect of the city's parks, how long would these improvements last the city. Mr. Early responded ten to fifteen years. Mr. Morgan agreed with the proposal to space the project out over a few years.

Mayor Bashert asked what would direction does staff need at this point. Mr. McClary responded Council needs to begin thinking about the proposed resolution, and what Council's priorities are.

> Resolution No. 2018-299, directing administration to proceed with planning and implementation of a comprehensive park restroom repair or replacement program; and that the City Manager include appropriations from the appropriate funding sources in the appropriate fiscal year budgets.
>
> > **RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**
> >
> > **WHEREAS, the city council requested an evaluation of the conditions of the existing park restroom facilities and a cost estimate on repairs or replacement of the facilities; and**
> >
> > **WHEREAS, OHM Advisors has completed a report on the conditions of the restrooms and cost estimates for repairs or replacement, with the total cost estimated to be $645,900; and**
> >
> > **WHEREAS, the city council received a presentation on the report at its November 27, 2018, regular meeting**

NOW THEREFORE BE IT RESOLVED BY THE CITY OF YPSILANTI that the city council does hereby receive and approve the City of Ypsilanti Park Restroom Evaluation Study Report prepared by OHM Advisors on October 10, 2018; and

BE IT FURTHER RESOLVED that the city council does hereby direct administration to proceed with the planning and implementation of a comprehensive park restroom repair or replacement program in accordance with the recommendations of the Park Restroom Evaluation Study Report; and

BE IT FUREHER RESOLVED that the city council does hereby direct that the project implementation be phased according to the following schedule:

____; and

BE IT FURTHER RESOLVED that the city council does hereby direct the City Manager to include appropriations from the following funding sources and amounts in the appropriate fiscal year budgets of the city to complete this project:

____.

OFFERED BY: Council Member Morgan
SECONDED BY: Council Member Symanns

Council Member Murdock suggested this go to the Parks and Recreation Commission prior to Council taking action. However, if Council does approve this now he suggested beginning in Fiscal Year 2019-2020 and funds being appropriated from the General Fund.

Council Member Murdock moved, seconded by Council Member Symanns the project begin in Fiscal Year 2019-2020 and funds being appropriated from the General Fund.

Mayor Pro-Tem Richardson asked if the city has the funding available in the General Fund for this project. Mayor Bashert responded no. Ms. Richardson stated the reason the parks are in the condition they are is because the city has not had the funding to properly maintain them. She does not believe the city should continue to use the County Safety Millage Funds for the park system. Ms. Bashert requested discussion be in line with the current topic. Ms. Richardson disagreed explaining where the funding is flowing from is relevant to this topic. Ms. Bashert responded the question is regarding the timeline of the project.

Mayor Bashert asked if Council Member Murdock if his motion was to complete the project within one fiscal year. Council Member Murdock responded he assumed this project would not all be completed at the same time. It would only begin next fiscal year, and explained all projects will be funded through the General Fund. He interjected what is missing is maintenance and operation costs to keep the facilities functioning. Council Member Symanns shared the concern that the city being able to maintain the facilities. She is also concerned where funding will flow from for this project, and shares Mayor Pro-Tem Richardson's concern of funding these improvement through the safety millage. Ms. Bashert cautioned Council to stick to the topic of restroom facilities. Ms. Symanns replied it is difficult to make a decision without understanding how the project will be funded. Mayor Pro-Tem Richardson added the motion included the funding would come from the General Fund, and funding mechanisms is linked to every project. She added Council should meet with the Parks and Recreation Commission to make these decisions prior to voting on this resolutions. Ms. Bashert stated Council's job today is to inform staff is this is going to be a priority for the next budget.

Council Member Murdock stated Council might be premature in approving this. Council Goal Setting Meetings are held in January, and that should be the time this should be prioritized. He suggested not voting on this resolution and discuss it during Goal Setting. Council Member Symanns agreed, and asked that the Parks and Recreation Commission review this report prior to Goal Setting. Mayor Bashert stated Council is currently scheduled to hold a meeting on December 11th with the Parks and Recreation Commission and this could be added as an agenda item.

Council Member Morgan stated this is definitely a priority and the city should do all it can to fund this project.

Mayor Bashert stated the general consensus of Council is to set this aside until Goal Setting.

Council Member Murdock withdrew his motion to amend.

Council Member Symanns withdrew her second.

Council Member Morgan withdrew the original motion.

Council Member Symanns withdrew her second.

VIII. <u>AUDIENCE PARTICIPATION</u> –

1. Robert Squires, 1895 Emerson Dr., Representative of Cornerstone Construction Company, stated the city has sold some twenty lots, with one left with no deed restrictions on it. Only two properties have new construction. The last property is not within the grant area and is located on Parsons and would have to run all new sewer lines. The problem is the property is multifamily and the owner must live on the property. His client would like to build a three apartment structure with her daughter living on the top unit. If the client's daughter were to change jobs and need to move the property would need to be sold. It is not fair to force a person to sell their property after investing several thousand dollars. He requested Council to approve the purchase without deed restrictions.
2. Jill Cloke, 10320 Endicott, stated she is the co-owner of Sugar Leaf Brands she started with another pastry chef. She would like to open a processing marihuana facility in Ypsilanti. The facility would not be open to the public and would provide internet sells to provisioning centers. She requested Council separate processing permits from cultivation and potentially open opportunity.
3. Amber Fellows, Ward 3 resident, stated she is curious what is going on with the Washington St. Lot purchase from Eastern Michigan University, and would have liked to see more public outreach. She supports public input and is in favor of holding a town hall to discuss the Amtrak Feasibility Study for a potential train stop in Ypsilanti. She has noticed a tight facilitation style of Mayor Bashert and encouraged her to respect Council Members are informed.
4. Desirae Simmons, Ward 3 resident, stated she felt she was given misinformation regarding the paraphernalia ordinance. Since marihuana has been made legal for recreational use it does not make sense for this to be an ordinance. She encouraged Council not to approve fines for the civil infraction. She encouraged Council to hold a town hall for the Amtrak Feasibility Study. It is important to realize the improvements to the facilities in city parks also include pavilions, not just restrooms.
5. Brian Geiringer, Ward 1 resident, agreed with Ms. Simmons regarding the town hall for the feasibility study. He tends to be skeptical of anyone that does not support transparency. He commented on a presentation the City Attorney gave during a Human Relations Commission meeting. He learned the City Manager has tremendous power in this city, and if the public doesn't like the way the city is being run it is up to Council to intervene. If the Council does not intervene the public can vote for a Council that will. He congratulated Mayor Bashert and Council Members Symanns and Morgan on their recent elections.

IX. REMARKS BY THE MAYOR –

- She understands she has a tight style for running a meeting, and after years of attending Council meetings and being a member of Council for the past two she has heard Council express that they would like to leave on time. She prefers a tight meeting and that is how she is going to run them. Any guidance is always welcome, however, arguments are not.

X. ORDINANCES – FIRST READING –

Ordinance No. 1330

An ordinance entitled "An ordinance to Amend Section 7-4 of the Ypsilanti City Code to require state pre-qualification of any application for a city marijuana permit".

A. Resolution No. 2018-295, determination

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT an ordinance entitled "An ordinance to Amend Section 7-4 of the Ypsilanti City Code to require state pre-qualification of any application for a city marijuana permit." be adopted on First Reading.

OFFERED BY: Council Member Symanns
SECONDED BY: Council Member Morgan

B. Open public hearing

1. Ben Joffe, 106 N Fourth, Ann Arbor, stated his client waited in line for three days and has been paying rent for ten months and is first in the queue of application on the 2018 wait list. This ordinance the way it is written would require his client to again wait in line to ensure he will remain first in the queue. This seems unfair to both he and his client, who has already been prequalified and believes his client could open his shop within a month.
2. Adam Tasselmyer, 124 Michigan Ave, stated he is the owner of Herbal Solutions and is concerned regarding changing the application process to include prequalification. He explained only one of the seven temporary operators have prequalification. This amendment would open the city to litigation, based on rule 19. He added he is also on the queue and none of the people in line waited three days, it was one day. He has been paying property taxes on a property he has owned since 2016, but that is how this industry goes. He encouraged Council as a caveat to allow the existing facilities operating under Rule 19 to continue to do so.

C. Resolution No. 2018-296, close public hearing

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

That the public hearing for an ordinance entitled "An ordinance to Amend Section 7-4 of the Ypsilanti City Code to require state pre-qualification of any application for a city marijuana permit" Be officially closed.

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

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

City Planner Bonnie Wessler provided an overview to why this ordinance amendment has been submitted for approval.

Mayor Bashert asked how the queue will play out into this ordinance. City Attorney Barr responded quite honestly the state is not full filling their timeline, and the city is trying to figure out how to solve the issues caused by the state. He explained the current ordinance requires a state license application be submitted as a part of the city's permit application. The application is quite large and does the city little good to review the application. This amendment would no longer require an applicant submit that application, instead it would simply need to submit proof of prequalification. This amendment doesn't state the city cannot consider applications that have already been filed.

Council Member Morgan asked for clarification regarding the state license application. Ms. Wessler responded when Ypsilanti opted into the MMFLA the application process required a copy of the state license application. This document is incredible large in size and encompasses things the city is equipped to review, so it is of little value. The prequalification is a much smaller document and much more valuable to staff in terms of the application. Mr. Morgan stated if the state application contains information regarding the applicant cannot that be useful to the city. Ms. Wessler responded the city does not need to know the information if the state is already aware.

Mayor Pro-Tem Brown asked if the prequalification provides all the information the city needs to know regarding the state application. Ms. Wessler responded in the affirmative.

Council Member Murdock asked if anyone who is prequalified by the state can submit an application to the city. Ms. Wessler responded in the affirmative. Mr. Murdock asked the status of the currently operating businesses in the city. Ms. Wessler responded there are currently seven provisioning centers and three cultivation facilities have permits. One of the provisioning centers has received full state licensure, and is not certain of the status of the other six. However, all facilities are operating legally under state law, but the state has not communicated well with jurisdictions with marihuana facilities. Mr. Murdock stated he heard facilities would be first in the application process. Ms. Wessler responded the Clerk's Office and she have been operating under the assumption that as of December 31st the queue would expire. Mr. Barr stated that issue is not before Council at this meeting. Unfortunately, he cannot provide a definite answer but will review the matter.

Council Member Symanns stated regardless of approval of this amendment the queue will expire at the end of the calendar year. Mr. Barr responded the permits expire December 31st, and he would need to review the application process. Ms. Symanns asked if the queue is a separate issue. Mr. Barr responded in the affirmative.

On a roll call, the vote to approved Resolution No. 2018-296 was as follows:

Council Member Brown	Absent	Council Member Symanns	Yes
Council Member Morgan	Yes	Mayor Bashert	Yes
Council Member Murdock	Yes	Ward 2 Vacancy	
Council Member Richardson	Yes		

VOTE:

YES: 5 NO: 0 ABSENT: 1 (Brown) VACANCY: 1 (Ward 2) VOTE: Carried

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

1. Resolution No. 2018-297, approving minutes of November 12, 2018.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of November 12, 2018 be approved.

OFFERED BY: Council Member Murdock
SECONDED BY: Council Member Morgan

On a roll call, the vote to approved Resolution No. 2018-297 was as follows:

Council Member Brown	Absent	Council Member Symanns	Yes
Council Member Morgan	Yes	Mayor Bashert	Yes
Council Member Murdock	Yes	Ward 2 Vacancy	
Council Member Richardson	Yes		

VOTE:

YES: 5 NO: 0 ABSENT: 1 (Brown) VACANCY: 1 (Ward 2) VOTE: Carried

2. Resolution No. 2018-298, approving the Huron River Watershed Council Professional Services Contract – Middle Huron Partnership.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that:

A 5 year contract, not to exceed $44,073,00 payable in installments over 5 years with the Huron River Watershed Council for professional services to assist the City of Ypsilanti in cooperation with other municipalities and agencies in reducing Huron River pollution and meeting state and federal requirements and securing stormwater permits,

Be and hereby is approved, and the Mayor and City Clerk are authorized to sign the contract for and on behalf of the City of Ypsilanti, subject to the approval of the City Attorney.

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

Council Member Murdock asked if this amount in addition to the dues already paid by the city. Mr. McClary responded in the affirmative.

Mayor Edmonds asked when the funds will be due. Mr. McClary responded the annual payments are to be sue in January of each year. Watershed Planner Rick Lawson stated the rates are increasing from what the city has been previously paying.

Council Member Symanns asked why Eastern Michigan University is not included in the list, do they not have land that abut the river. Mr. Lawson responded Eastern Michigan has made arrangements with the city to essentially cover their share. If the city wants to change that it can be negotiated. Council Member Morgan asked how long the city has been paying EMU's dues. Mr. Lawson responded a calculation has never been performed for EMU separate from the city. Ypsilanti has been participating since the beginning of the partnership which goes back to 1995, and EMU joined some years later. Mr. Early interjected Ypsilanti's Department of Public Services has worked out service agreements with the university in exchange to cover the costs. Ms. Symanns asked if the city should reconsider what it is receiving from the university since the costs are increasing.

Council Member Murdock asked if this is just a renewal. Mr. Lawson responded in the affirmative. Mr. Murdock stated the city has made several arrangements with EMU regarding storm water, and asked if the city will be submitting a grant. Mr. Early responded he is not certain.

Council Member Morgan asked if all partner's costs have increased. Mr. Lawson responded in the affirmative. Mr. Morgan asked if the increases were even. Mr. Morgan responded no, and explained the calculations changed based on certain variables.

Mayor Bashert stated the Huron River Watershed Council has been a fantastic partner to Ypsilanti, and the city is incredibly lucky to have the river. She has noticed more storm water events in her neighborhood and throughout the city, and expects them to increase as climate change affects the planet. Mr. Lawson stated the partnership has been successful, and tremendous progress has been made.

Council Member Murdock asked if the watershed council will be looking at fabs. Mr. Lawson responded in the affirmative. On a roll call, the vote to approved Resolution No. 2018-298 was as follows:

Council Member Brown	Absent	Council Member Symanns	Yes
Council Member Morgan	Yes	Mayor Bashert	Yes
Council Member Murdock	Yes	Ward 2 Vacancy	
Council Member Richardson	Yes		

VOTE:

YES: 5 NO: 0 ABSENT: 1 (Brown) VACANCY: 1 (Ward 2) VOTE: Carried

3. Resolution No.-2018-300, adopting schedule of civil fines for Municipal Civil Infractions: Section 74-212(a) Possession of marihuana paraphernalia.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the Ypsilanti City Council has passed Ordinance No. 1327 which amends Section 74-212 of the City Code to make the possession of marihuana paraphernalia under Section 74-212(a) a municipal civil infraction,

Whereas, the Ypsilanti City Council desires to establish civil fines for the infraction which will become effective 30 days after publication of the adopted ordinance.

NOW THEREFORE BE IT RESOLVED that the City of Ypsilanti hereby adds the following to its schedule of civil fines for Municipal Civil Infractions:

Section 74-212(a) Possession of marihuana paraphernalia

First Violation: $50.00
First Repeat Violation: $100.00
Second or Subsequent Repeat Violation: $200.00

OFFERED BY: Council Member Symanns
SECONDED BY: Council Member Morgan

Mayor Pro-Tem Richardson asked if the ordinance currently has set fines for paraphernalia. Mr. Barr responded the ordinance Council passed during the last meeting made paraphernalia a civil infraction. When approved it did not provide for violation fines.

Council Member Symanns asked if there likely will be a change in ordinance based on the approval of recreational marihuana.

Council Member Morgan asked if paraphernalia is based on its proximity to illegal marihuana. Mr. Barr responded medical marihuana does not make it legal, it only provides a card to provide a defense to the crime of possession. Mr. Morgan asked what the state defines as paraphernalia. Mr. Barr responded the state does not have a paraphernalia ordinance.

Council Member Murdock stated he will not support this resolution. He did not support the passage of the ordinance based on the discretion it provides police.

Council Member Symanns stated she will support the ordinance in keep the city in line with state law, knowing that in the future the city will remove this.

Mayor Pro-Tem Richardson asked when the city will be removing the paraphernalia ordinance from the code. Mr. Barr responded he cannot provide a definite time, it will depend on how the new initiative is implemented. Ms. Richardson understands and agrees with the comments of Council Member Murdock, however, she will support this because she feels it is better than ninety days in jail.

On a roll call, the vote to approved Resolution No. 2018-300 was as follows:

Council Member Brown	Absent	Council Member Symanns	Yes
Council Member Morgan	No	Mayor Bashert	Yes
Council Member Murdock	No	Ward 2 Vacancy	
Council Member Richardson	Yes		

VOTE:

YES: 3 NO: 2 (Morgan, Murdock) ABSENT: 1 (Brown) VACANCY: 1 (Ward 2) VOTE: Failed

Mayor Bashert asked because of the failure of this resolution does it make paraphernalia a misdemeanor. Mr. Barr responded it is still a civil infraction without fines.

4. Resolution No. 2018-301, establishing a Town Hall meeting for December 12, 2018 at the Riverside Arts Center for a presentation of the Rail Feasibility Study.

   RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

   WHEREAS there is great interest in a train stop in Ypsilanti; and

   WHEREAS the City has received the train stop feasibility study; and

   WHEREAS the City is at a decision point; and

   WHEREAS our decision based on certain assumptions will impact our City development, neighborhoods and budget; and

   WHEREAS there is need for transparency and community input.

   NOW THEREFORE BE IT RESOLVED that the City Council establish a Town Hall meeting for December 20, 2018 at the Riverside Arts Center; and

FURTHER RESOLVED that staff arrange for the consultants and other relevant persons to give a presentation of the feasibility study and answer questions from Town Hall participants.

OFFERED BY: Council Member Murdock
SECONDED BY: Council Member Morgan

Council Member Murdock stated after the issues with the International Village Council told the public it would become more transparent and provide a mechanism for more community input. This is an opportunity to do just that and he changed the date so that OHM would be able to be present. There is currently not a location, but that can be filled in closed to the date of the meeting. This resolution is a result of denying him access to the consultants based on Council did not provide that directive. This resolution would provide that directive. There has been discussion regarding additional costs OHM would charge, and this meeting would not result in any additional costs. Mr. Early added one to two meetings there would be no cost, however, if Council wished to hold a higher frequency there would be an increase in cost.

Mayor Pro-Tem Richardson supports a town hall meeting, and agreed Council did make a commitment to become more transparent. She added Council recently passed a community benefits ordinance, which is historic with the premise that there is increased community involvement. The more transparent the city is the more support it will receive from its residents. She is excited to the see the study, although she believes the city is behind on this report.

Council Member Symanns stated she complete supports being transparent, but wants to ensure it is at the right times in order to make the correct decision. She would like to have more detail prior to deciding on a date to hold a town hall. She asked if there was already a plan to hold a town hall. Mr. McClary responded in the affirmative, and possibly more than one meeting. The timing of the meeting would be determined by Council, which is why he intended to share the report with Council first. He is in favor of transparency, however, he feels a report should be formally submitted to Council prior to holding a town hall. Council Member Murdock interjected Council will be formally provided the report on December 4th. Ms. Symanns asked why is Council voting for this now, instead of during the December 4th meeting following the presentation. She asked why a town hall meeting is not being held for the removal of Penn Dam. Mr. Murdock responded Council will hold a town hall meeting for the Penn Dam. Ms. Symanns replied why Council is not voting to hold that meeting now as it is for the feasibility study, and why is that not urgent. Mr. Murdock responded because Council has not yet been given the report. Ms. Symanns responded she received a report on the Penn Dam. Mayor Pro-Tem Richardson replied not the full report. Ms. Symanns asked why one report is more important than the other report. It seems premature to vote prior to receiving the presentation regarding what would be included in the town hall meeting.

Council Member Morgan how many more decision points will be before Council prior to the implementation of the project, and what is a priority. He asked if the citizen's should be involved in every decision point faced by Council. Mr. McClary responded that is a policy decision set by Council, and there will be many decision points prior to construction.

Mayor Pro-Tem Richardson stated the city has been working on this since 2016, and there hasn't been a time Council has shared with residents what is happening. Last February the state and MDOT have put this on the city to continue moving forward with this project. The train stop is going to do a lot for not only this city but this region, and this is a step moving toward this goal.

Council Member Symanns she does not need to be convinced to have an informational meeting with the residents because she believes in that 100%. Her question is more about timing and procedure, it does not make sense to be voting on this prior to receiving a presentation. She wants to make good use of city resources and tax payer dollars, but also the time of citizens. To respect the time of citizens means to provide them with quality information in order to get the right feedback to make decisions. She asked if it makes sense to ask the public if they approve a design prior to getting the Federal Rail Administration (FRA) acceptance of that design. Mr. Early responded part of the process is they FRA will inquire if the Council has accepted the report and preferences Council has from the report. He explained what the FRA would ask procedurally.

Council Member Morgan asked if the categorical exclusion study is requested by an agency. Mr. Early responded it is a part of the permitting process. Mr. Morgan asked if the study could be completed now if construction would not commence for six years. Mr. Early responded in the affirmative. Mr. Morgan asked if it is an expensive process. Mr. Early responded a categorical exclusion study is not, but it can become very expensive. Mr. Morgan asked if this study has ever come up through the years of discussion regarding the train stop. Mr. Early responded no because usually no analysis has been completed for feasibility of location.

Council Member Symanns asked if this is something that could be tabled until the December 4th meeting. Mayor Edmonds stated Council Member Symanns could make that motion.

Council Member Murdock stated he doesn't understand why there is any push back against holding a town hall.

Mayor Bashert stated transparency is key to the city and it has been made abundantly clear. Without a prominent news media in the city and the outcry for greater citizen engagement is vitally important. It was her decision to post the Amtrak Feasibility Study prior to going to Council. I know the city is eager for this information, but reminded Council Ann Arbor, whose budget is vastly larger than Ypsilanti has been working on its train station for five years. She believes this resolution as written is inaccurate, Council is not at a decision point regarding the train stop. This resolution is early, and does not include enough public engagement.

On a roll call, the vote to approved Resolution No. 2018-301 was as follows:

Council Member Brown	Absent	Council Member Symanns	No
Council Member Morgan	No	Mayor Bashert	No
Council Member Murdock	No	Ward 2 Vacancy	
Council Member Richardson	No		

VOTE:

YES: 0 NO: 5 (Bashert, Richardson, Symanns, Morgan, Murdock) ABSENT: 1 (Brown) VACANCY: 1 (Ward 2)
VOTE: Failed

Council Member Murdock informed Council he is going to move to reconsider during the December 4th meeting.

5. Resolution No. 2018-303, approving the purchase of the Washington Street Parking Lot from Eastern Michigan University.

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

WHEREAS, Eastern Michigan University owns a parking lot in the City of Ypsilanti on the corner of Washington Street and Pearl Street with common address of 114 N. Adams Street and 137 N. Washington Street, and

WHEREAS, EMU is willing to sell the parking lot to the City of Ypsilanti for the sum of $1, and the purchase is in the best interest of the City of Ypsilanti, and

WHEREAS, the City Attorney has reviewed the proposed purchase agreement, attached hereto and approve it as to legal form,

NOW THEREFORE, the purchase agreement is approved and the City of Ypsilanti agrees to the terms thereof and the said purchase and the payment to EMU of the $1 purchase price, and the closing of the purchase within 10 days, and the Mayor and City Clerk are authorized and directed to sign the purchase agreement, subject to the approval of the City Attorney,

for and on behalf of the City of Ypsilanti and to close the transaction within 10 days of this date.

AND FURTHER, the Mayor is authorized to sign an affidavit that the City of Ypsilanti is not a "foreign person" as defined in section 1445 of the IRS code of 1986 as amended,

AND FURTHER, IT IS CERTIFIED that the City of Ypsilanti, the purchaser, has full power to enter into the purchase agreement and authority to perform its obligations under the agreement.

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

Council Member Murdock stated during the discussion regarding the approval of a bond to finance their parking, contact was made to discuss this issue. The parking lot became Eastern's during the College of Business, and might have even been given to the university by the city. He believes it to benefit the city.

Mayor Bashert stated she has an issue with having to keep the lot for parking for at least ten years. Her issue is based on current parking needs and the possibility of the AAATA Transit Center potentially moving location. She has spoken with the university and has been assured it can be removed. The city needs the freedom to do with the lot what it wishes. She suggested a motion be made to that affect. Council Member Murdock agreed, and explained he has had some communication with Leigh Greden about it.

Council Member Murdock moved, seconded by Mayor Pro-Tem Richardson to strike the section requiring the city maintain the lot for parking for ten years.

On a roll call, the vote to amend Resolution No. 2018-303 was as follows:

Council Member Brown	Absent	Council Member Symanns	Yes
Council Member Morgan	Yes	Mayor Bashert	Yes
Council Member Murdock	Yes	Ward 2 Vacancy	
Council Member Richardson	Yes		

VOTE:

YES: 5 NO: 0 ABSENT: 1 (Brown) VACANCY: 1 (Ward 2) VOTE: Carried

Council Member Symanns asked how the amendment would impact the agreement. Mayor Bashert responded if EMU cannot accept the new terms of the agreement a new agreement can be drafted. Mr. Barr recommended that he print a new agreement without that provision, and forward it to EMU.

On a roll call, the vote to approved Resolution No. 2018-303 as amended was as follows:

Council Member Brown	Absent	Council Member Symanns	Yes
Council Member Morgan	Yes	Mayor Bashert	Yes
Council Member Murdock	Yes	Ward 2 Vacancy	
Council Member Richardson	Yes		

VOTE:

YES: 5 NO: 0 ABSENT: 1 (Brown) VACANCY: 1 (Ward 2) VOTE: Carried

XII. LIAISON REPORTS –

A. SEMCOG Update - None
B. Washtenaw Area Transportation Study - None
C. Urban County - None
D. Ypsilanti Downtown Development Authority – Mayor Bashert stated she attended her first meeting and felt it was a good meeting. The DDA is planning some open houses and is currently performing outreach to the community. The DDA is discussing how to correct the city not honoring all of its obligations.
E. Ypsilanti Youth Safety Collaboration – Council Member Morgan stated he would like to be this group's liaison. Mayor Edmonds appointed Council Member Morgan as liaison.
F. Friends of Rutherford Pool - None
G. Housing Equity Leadership Team - None

XIII. COUNCIL PROPOSED BUSINESS –

Murdock

- He asked if regulations on electric scooters need to be adopted.

  Mr. Barr responded he has prepared a draft ordinance, but has asked Assistant City Attorney Jesse O'Jack to review the legislation prior to being submitted for approval.

- Council received a memo that MDOT was going to perform a signal study at the Huron and Michigan intersection. However, the resolution was to examine pedestrian intervals on Michigan Ave.

  Mr. McClary responded he needs to review the report, but have received an answer on the timing of the signal at Michigan Ave and Huron. However, it did not address the pedestrian crossing issue. Mayor Bashert stated there were two specific issues raised regarding pedestrian crossing. She asked how MDOT cam to perform a study and not address those requests. Ms. Wessler responded it is all bundled together. She explained MDOT will not examine only pedestrian crossing as the mandate of MDOT by the legislature is to examine traffic. The Road Safety Audit (RSA) examines the entirety of the corridor. Mayor Bashert asked what the timeline of the RSA is. Ms. Wessler responded MDOT just received the RSA and are going through the recommendations. Council Member Richardson stated there is also a problem with the timing of the pedestrian crossing at Michigan and Hamilton. She asked that be addressed as a part of this.

- He asked for the status of the ordinance for noticing for subsidized housing, right of first refusal, and relocation expenses.

  Mr. Barr responded this item should be on an upcoming agenda.

- He asked why the city website is listed as not secure.

  Mr. McClary responded he would follow up with Civicplus. Economic Development Director Joe Meyers added he has asked the website developer how to handle this issue and have not heard a response.

Richardson

- Stated the DDA used to provide some fun activities throughout the city. She asked what the DDA is currently doing for the city.
- She is appreciated that there is activity regarding the pedestrian crossing along Michigan Ave. She stated the entire structure of the Michigan Ave and Huron intersection needs to be repaired.
- She asked for a full report regarding the Neighborhood Empowerment Zone Properties.

Morgan

- He wants to involve the youth more in government, and he had a role in developing the Youth Activist Network in Washtenaw County. He would like to continue those efforts by going to schools in the community and teach young people how to organize around their issues.
- He would like to build a coalition regarding the safety and security of fresh drinking water.

XIV. COMMUNICATIONS FROM THE MAYOR –

- Nomination:

  Parks and Recreation Commission
  Evan Sweet (reappointment)
  731 Charles St.
  Ypsilanti, MI 48198

- Discuss date for Council/Staff Retreat

- She is excited that Board and Commission training has begun, and thanked Mr. Barr and Commission Chairs for their role in the training.
- Her weekly newsletter is open to submissions.

  Council Member Morgan asked when submissions are due, the Tuesday prior to the Friday publication.

- Encouraged Council to get on their city email.
- She asked what dates are conducive for the Council/Staff Retreat.

  Council deliberated on potential times and dates for the retreat.

  Mayor Bashert stated December 15th at 9:00 am until 3:00 p.m. as the date. The retreat will be held in the lower level of the Riverside Arts Center.

XV. COMMUNICATIONS FROM THE CITY MANAGER –

- The city has received the MDOT Road Safety Audit.
- He provided a collective bargaining update.
- The City Attorney has provided a pending litigation report.
- Email accounts for Council Members is in process. He suggested downloading the dual mobile app prior to even meeting with him.
- He noted the Fire Chief is retiring at the end of December. His retirement party is scheduled for December 11th at the Freight House.
- He congratulated Depot Town on their tree lighting ceremony.

Mayor Pro-Tem Richardson moved, seconded by Council Member to extend the meeting until 10:15 p.m.

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

XVI. COMMUNICATIONS –

XIX. AUDIENCE PARTICIPATION –

1. Amber Fellows, Ward 3, stated she doesn't have too much invested in the train stop. She is confused why Council pushes back against public input. It is possible the City Manager is trying to strong arm when Council can release information. She encouraged Council to pushback against that type control. Tying fines to a paraphernalia ordinance would only incentivize the enforcement of that ordinance.
2. Ben Joffe, 106 N Fourth, Ann Arbor, encouraged Council to allow the applications on queue to rollover for 2019 permits.
3. Desirae Simmons, Ward 3 resident, asked what stress does EMU purchasing property puts on this community.
4. Brian Geiringer, Ward 1 resident, stated he does not understand why Council is pushing back against a town hall for the Amtrak Feasibility Study. He hopes Council will stay true to their word regarding transparency.

XX. REMARKS FROM THE MAYOR –

XXI. ADJOURNMENT –

Resolution No. 2018-302, adjourning the City Council meeting.

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

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the City Council Meeting be adjourned, on call, by the Mayor or three (3) members of Council.

On a voice vote, the motion carried, and the meeting adjourned at 10:04 p.m.

Resolution No. 2018 – 306
December 3, 2018

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**	**EXPIRATION**
Evan Sweet (reappointment) 731 Charles St. Ypsilanti, MI 48198	Parks and Recreation	7/1/2022

OFFERED BY: ____

SUPPORTED BY: ____

YES: NO: ABSENT: VOTE:

Barr,
Anhut &
Associates, P.C.
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John M. Barr
Karl A. Barr
~~~~~~~

Jesse O'Jack ~ Of Counsel
William F. Anhut ~ Of Counsel – Retired
Jane A. Slider ~ Legal Assistant

R E Q U E S T F O R L E G I S L A T I O N

DATE: October 24, 2018

FROM: John M. Barr

SUBJECT: Amend Medical Marijuana Ordinance to require state pre-qualification

SUMMARY/BACKGROUND

Staff is working to stay in step with the actions of the State regarding marijuana. Current marijuana permits will expire December 31, 2018. Applications for new permits or renewal will be received after January 1, 2019. Staff wants to make sure that all applicants have state pre-qualification before accepting or processing applications.

The attached amendment to the marijuana ordinance requires pre-qualification. It also removes the requirement that applicants submit a copy of their State application as part of the City application; that is made unnecessary with the requirement for prequalification.

ATTACHMENTS: Proposed Ordinance

RECOMMENDED ACTION: Adoption of the ordinance to amend the marijuana ordinance to require prior state pre-qualification

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DATE RECEIVED:_______________ AGENDA ITEM NO.

CITY MANAGER COMMENTS:
~~~~~~~

Resolution No. 2018-307
December 4, 2018

Resolution to amend Section 7-4 of the Ypsilanti City Code to
Require state pre-qualification for any city marijuana permit application

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT an ordinance entitled "An ordinance to Amend Section 7-4 of the Ypsilanti City Code to require state pre-qualification of any application for a city marijuana permit." be adopted on Second and Final Reading.

OFFERED BY: ____

SUPPORTED BY: ____

YES: NO: ABSENT: VOTE:

CITY OF YPSILANTI
NOTICE OF ADOPTED ORDINANCE
Ordinance No. 1330

An ordinance to amend Chapter 7 "Medical Marijuana" of the Code of Ordinances of the City of Ypsilanti with an update pursuant to State licensing practices.

1. **THE CITY OF YPSILANTI HEREBY ORDAINS** That section 7-5 of the Ypsilanti City Code is hereby amended as follows:

   a. to remove the following sub-section 7-4(1)(h):

      ~~h. A copy of the application for the State Operating License.~~

   b. to add the following sub-section (12):

      (12) A copy of the letter of prequalification from the state of Michigan, issued to the applicant. The valid prequalification from the State is required before a permit for the Marihuana Facility can be granted.

2. Severability. If any clause, sentence, section, paragraph, or part of this ordinance, or the application thereof to any person, firm, corporation, legal entity, or circumstances, shall be for any reason adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not effect, impair, or invalidate the remainder of this Ordinance and the application of such provision to other persons, firms, corporations, legal entities, or circumstances by such judgment shall be confined in its operation to the clause, sentence, section, paragraph, or part of this Ordinance thereof directly involved in the case or controversy in which such judgment shall have been rendered and to the person, firm, corporation, legal entity, or circumstances then and there involved. It is hereby declared to be the legislative intent of this body that the Ordinance would have been adopted had such invalid or unconstitutional provisions not have been included in this Ordinance.

3. Repeal. All other Ordinances inconsistent with the provisions of this Ordinance are, to the extent of such inconsistencies, hereby repealed.

4. Savings Clause. The balance of the Code of Ordinances, City of Ypsilanti, Michigan, except as herein or previously amended, shall remain in full force and effect. The repeal provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

5. Copies to be available. Copies of the Ordinance are available at the office of the city clerk for inspection by, and distribution to, the public during normal office hours. A complete copy of the ordinance is also available for inspection on the City's website, www.cityofypsilanti.com.

6. Publication and Effective Date. The City Clerk shall cause this Ordinance, or a summary of this Ordinance, to be published by printing the same in the publication of record. This Ordinance shall become effective after publication at the expiration of 30 days after adoption.

MADE, PASSED AND ADOPTED BY THE YPSILANTI CITY COUNCIL THIS ________ DAY OF ____________________, 2018.

____
Frances McMullan, City Clerk

Attest

I do hereby confirm that the above Ordinance No. ___ was published in The Ypsilanti Courier on the ___________ day of ________________________, 2018.

____
Frances McMullan, City Clerk

CERTIFICATE OF ADOPTING

I hereby certify that the foregoing is a true copy of the Ordinance passed at the regular meeting of the City Council held on the _____ day of _________________, 2018.

____
Frances McMullan, City Clerk

Notice Published: _____________________________

First Reading: _______________________________

Second Reading: _____________________________

Published: __________________________________

Effective Date: _______________________________

Reconsider
Resolution No. 2018-301
November 27, 2018
December 4, 2018

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS there is great interest in a train stop in Ypsilanti; and

WHEREAS the City has received the train stop feasibility study; and

WHEREAS the City is at a decision point; and

WHEREAS our decision based on certain assumptions will impact our City development, neighborhoods and budget; and

WHEREAS there is need for transparency and community input.

NOW THEREFORE BE IT RESOLVED that the City Council establish a Town Hall meeting for December 12, 2018 at the Riverside Arts Center; and

FURTHER RESOLVED that staff arrange for the consultants and other relevant persons to give a presentation of the feasibility study and answer questions from Town Hall participants.

OFFERED BY: ____

SUPPORTED BY: ____

YES: NO: ABSENT: VOTE:

REQUEST FOR LEGISLATION
December 4, 2018

To: Honorable Mayor and Ypsilanti City Council

From: Darwin D. P. McClary, City Manager

Subject: **WASHTENAW COUNTY 2018-19 IT SERVICES CONTRACT**

SUMMARY & BACKGROUND:

City council is being requested to consider approving the Washtenaw County 2018-19 IT Services Contract. The county has been providing information technology services for a number of years at city hall, police department, fire department, and DPS facility, including the following:

- Desktop and Computer Support
- Network Support
- Data Center Support (servers, data backup, and restore)
- E-mail and E-mail Archiving
- Help Desk Support
- Microsoft Windows and Office Licensing
- Enterprise Content Management Infrastructure (document storage)
- Application Support
- Telephone System Support

Administration is in the process of evaluating options for migrating to other platforms and service providers for some or all of these services depending on feasibility and cost effectiveness. However, the evaluation and implementation process will take several more months to complete, and administration may recommend remaining with the county for some services. It is anticipated that recommendations to city council will be forthcoming during the FY 2019-20 budget preparation process. For these reasons, it is necessary to continue the current county IT services contract for the remainder of this fiscal year.

Andy Brush from Washtenaw County will be in attendance at Tuesday's meeting to answer any questions council may have regarding this contract.

PREVIOUS COUNCIL ACTION:

None

FINANCIAL IMPACT:

The base contract cost for FY 2018-19 will be $153,260.35, resulting in a 12.7% increase. The previous year's contract base price was $136,025.72.

RECOMMENDED ACTION:

Approve the Washtenaw County IT Services contract as presented in the total base price of $153,260.35 and authorize the City Manager to execute the contract on behalf of the city.

ATTACHMENTS:

Washtenaw County 2018-19 IT Services Contract
Ypsilanti City Cost Methodology Worksheet prepared by Washtenaw County

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CITY MANAGER APPROVAL: DDPM **COUNCIL AGENDA DATE:** 12/04/18

CITY MANAGER COMMENTS: Approve the Washtenaw County 2018-19 IT Services contract as presented and authorize the City Manager to execute the contract on behalf of the city.

FISCAL SERVICES DIRECTOR APPROVAL: ___________________________________

Resolution No. 2018 - 308
December 4, 2018

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti relies on Washtenaw county to provide information technology services to the city, including computer hardware, software, network systems and security, E-mail, telephony, and other services; and

WHEREAS, it is necessary for the city to execute a contract with the county to continue to provide IT services to the city for FY 2018-19 while the city completes its IT services migration plan and implementation;

NOW THEREFORE BE IT RESOLVED BY THE CITY OF YPSILANTI that the city council does hereby approve a supplemental appropriation to the appropriate accounts of the FY 2018-19 Budget as determined by the Finance Director in the total amount of $18,000 utilizing General Fund reserves for the 2018-19 IT services contract with Washtenaw county; and

BE IT FURTHER RESOLVED that the city council does hereby approve the 2018-19 IT technical support, consulting, and networking services contract with Washtenaw County at a base cost of $153,260.35 and authorize the City Manager to execute the contract after approval by the City Attorney as to form.

OFFERED BY: ________________________________

SUPPORTED BY: ______________________________

YES: NO: ABSENT: VOTE:

CONTRACT
City of Ypsilanti

AGREEMENT is made this 1st day of July, 2018, by the City of Ypsilanti located at One South Huron Street, Ypsilanti, Michigan, 48197, and the COUNTY OF WASHTENAW, a municipal corporation, with offices located in the County Administration Building, 220 North Main Street, Ann Arbor, Michigan 48107("County").

In consideration of the promises below, the parties mutually agree as follows:

ARTICLE I - SCOPE OF SERVICES

The COUNTY and the City of Ypsilanti are engaged in a strategic partnership in which the County will provide technical support, consultant services and network IT support services (IT Services) to the City of Ypsilanti. The goal of the project is to share resources in order to reduce costs and improve services both to internal and external customers of the City of Ypsilanti in the area of technology.

The following are deliverables and outcomes of the strategic partnership.

- **General Technical Support**
  The County will provide desktop technology and network infrastructure support (IT Services).

  Washtenaw County will provide:
  1. Desktop and Computer Support-Safe and secure computing including operating system, productivity suite, virus protection and regular automated updates.
  2. Network Support-Appropriately configured and secured date connections between City buildings and to the County's network via a connection between the County's Eastern County Government Center and the Ypsilanti Police Department. LAN/WAN support including firewall upgrades and network maintenance.
  3. Data Center Support-Servers, data backup and restore.
  4. Email-Email addresses, spam filtering, desktop email software, web-based email.
  5. Email Archiving
     Archive email in conformity with County's email retention schedule.
  6. Help Desk Support
     Email, web or telephone support for all technology issues covered in this agreement.
  7. Microsoft Windows and Office licensing
     Licensing included for each computer covered in this agreement.
  8. Enterprise Content Management (ECM) Infrastructure – access to and use of the ECM infrastructure for storage of City documents.
  9. Application Support
     See asset list (attached for application support model).
  10. Telephone System Support
      Services provided through County-owned phone system and services through County staff and the County's existing contract with Suntel Services Inc. Telecom Reconfiguration Costs (Moves, Adds, Changes).

  City of Ypsilanti Responsibilities:
  1. Fund replacement and upgrades of equipment on a scheduled basis as required by the County.
  2. Fund acquisition of new equipment.
  3. Make all technology purchases through County IT.

4. Use County Help Desk to make all requests for service including break-fix, new services, and new equipment. Helpdesk can be contacted at 734.222.3737 or helpdesk@ewashtenaw.org.
5. Follow County IT standards for desktop computing (standard PC's and Office applications).
6. Assist with technology asset tracking.
7. Identify technology liaison(s) as onsite technology resource or point of contact for technology-related issues.
8. Manage communications vendors including telecom and internet for remote locations (Windstream, Comcast, AT&T, etc…).
9. Be responsible for all records stored, including, but not limited to, responding to all Freedom of Information requests (FOIA) relating to City of Ypsilanti's data.
10. Immediately notify County of any unauthorized use of the system and any breach of security of any network system.
11. Cooperate with County in all investigations involving the potential misuse of County's system or data.
12. Establish a cyber-liability coverage independent of the County.

Exclusions
1. City of Ypsilanti-specific application support.
2. Mobile computers in police vehicles.
3. Coverage under Washtenaw County's cyber insurance policy.

Performance Expectations:
1. County will use commercially reasonable efforts to ensure system availability during normal business hours.
2. Any major planned service outages will be discussed with the City of Ypsilanti at a minimum 10 business days prior planned service outages.
3. Major planned service outages will be scheduled to occur during non- core operating hours where possible.
4. County Helpdesk will be staffed during core operating hours.
5. County Helpdesk tickets will be responded to within 24 hours (one business day).
6. Core operating hours are defined as Monday – Friday 8:00am 5:00pm; excluding holidays
7. After hours support will be available for emergency public safety issues – requests made through County help desk.

Communications Protocol
1. The County Helpdesk is the main point of contact for all service-related issues.
2. Main point of contact for County business/administrative issues is the County Innovations and Process Improvement Manager, the alternate contact is the IT Operations Manager.
3. Main point of contact for City of Ypsilanti business/administrative issues is the Finance Director, Marilou Uy and the alternate contact is Payroll Technician, Kimberly Jones.
4. Scheduling of planned service outages will be communicated through email addressed to City of Ypsilanti point of contact no later than 10 business days prior to planned service outages.
5. Planned outages and system outages will be communicated via email list of City of Ypsilanti key contacts.

Locations Served
1. Ypsilanti City Hall
2. Ypsilanti Police Department
3. Ypsilanti Fire Department
4. Ypsilanti DPW

Role of Contractors
The City of Ypsilanti will obtain approval from the County for any work done by third party contractors in support of systems that use the County infrastructure. At least 10 business days' notice is required and access will be jointly supervised by County and City of Ypsilanti.

ARTICLE II - COMPENSATION

Upon completion of the above services and submission of invoices the City of Ypsilanti will pay the COUNTY for services rendered as outlined below:

Item	Type	Amount
Annual Technology Support – based on 70 PC's $2017.99 per PC. Subject to annual adjustment based on annual number of PC's.	Annual	$141,259
Enterprise Content Management (ECM) infrastructure and licenses	Annual	$3,757.43
Telephone System Support	Annual	$8,243.92
Telephone System Reconfiguration – 30 hours included	Hourly	$62.50/hour
Replacement Hardware Purchases	As Needed	Billed at Cost
New Software or Hardware Purchases	As Needed	Billed at Cost
Special Projects outside of scope	As Needed	TBD

If County is legally obligated for any reason, e.g. subpoena, Court Order, or Freedom of Information Request, to search for, identify, produce or testify regarding City of Ypsilanti data or information that is electronically stored by County under this Agreement, then City of Ypsilanti shall reimburse County for all reasonable costs the County incurs in searching for, identifying, producing or testifying regarding such data or information. County may waive this requirement in its sole discretion.

ARTICLE III - TERM

This contract begins on July 1, 2018 and ends on June 30, 2019.

ARTICLE IV – CYBER INSURANCE

The County and the City of Ypsilanti shall maintain, at their own expense during the term of this Contract, their own cyber insurance.

ARTICLE V - DISCLAIMER OR WARRANTIES

The IT Services are provided on an "as is" and "as available" basis. County expressly disclaims all warranties of any kind, whether express or implied, including, but not limited to, the implied warranties of merchantability, fitness for a particular purpose and non- infringement.

County makes no warranty that (i) the IT Services will meet Public Body's requirements; (ii) the IT Services will be uninterrupted, timely, secure or error-free; nor (iii) the results that may be obtained by the IT Services will be accurate or reliable.

Any material or data downloaded or otherwise obtained through the use of the IT Services is accessed at Public Body's discretion and risk. Public Body will be solely responsible for any damage to its computer system or loss of data that results from downloading of any material.

ARTICLE VI - LIMITATION OF LIABILITY

In no event shall either Party be liable to the other Party or any other person, for any consequential, incidental, direct, indirect, special, and punitive or other damages arising out of this Agreement.

ARTICLE VII - EQUAL EMPLOYMENT OPPORTUNITY

The County will not discriminate against any employee or applicant for employment because of race, creed, color, sex, sexual orientation, national origin, physical handicap, age, height, weight, marital status, veteran status, religion and political belief (except as it relates to a bona fide occupational qualification reasonably necessary to the normal operation of the business).

The County will take affirmative action to eliminate discrimination based on sex, race, or a handicap in the hiring of applicant and the treatment of employees. Affirmative action will include, but not be limited to: Employment; upgrading, demotion or transfer; recruitment advertisement; layoff or termination; rates of pay or other forms of compensation; selection for training, including apprenticeship.

The County agrees to post notices containing this policy against discrimination in conspicuous places available to applicants for employment and employees. All solicitations or advertisements for employees, placed by or on the behalf of the County, will state that all qualified applicants will receive consideration for employment without regard to race, creed, color, sex, sexual orientation, national origin, physical handicap, age, height, weight, marital status, veteran status, religion and political belief.

ARTICLE VIII - EQUAL ACCESS

The County shall provide the services set forth in Article I without discrimination on the basis of race, color, religion, national origin, sex, sexual orientation, marital status, physical handicap, or age.

ARTICLE IX - ASSIGNS AND SUCCESSORS

This contract is binding on the City of Ypsilanti and the County, their successors and assigns. Neither the County nor the City of Ypsilanti will assign or transfer its interest in this contract without the written consent of the other.

ARTICLE X TERMINATION OF CONTRACT

Either party may choose to terminate this Agreement with or without cause by giving one hundred eighty (180) days written notice to the other party of its intent to terminate with the following conditions being met prior to termination: Payment of any remaining costs owed County.

ARTICLE XI CHANGES IN SCOPE OR SCHEDULE OF SERVICES

Changes mutually agreed upon by the City Of Ypsilanti and the County will be incorporated into this contract by written amendments signed by both parties.

ARTICLE XII - CHOICE OF LAW AND FORUM

This contract is to be interpreted by the laws of Michigan. The parties agree that the proper forum for litigation arising out of this contract is in Washtenaw County, Michigan.

ARTICLE XIII EXTENT OF CONTRACT

This contract represents the entire agreement between the parties and supersedes all prior representations, negotiations or agreements whether written or oral.

ARTICLE XIV – ELECTRONIC SIGNATURES

All parties to this contract agree that either electronic or handwritten signatures are acceptable to execute this agreement.

ATTESTED TO:	**WASHTENAW COUNTY:**
By:____	**By:**____
Lawrence Kestenbaum, Clerk/Register (DATE)	Gregory Dill, Administrator (DATE)
APPROVED AS TO CONTENT:	**APPROVED AS TO CONTENT:**
By:____	**By:**____
Dave Shirley, Director (DATE)	Kathy Tanner, IT Manager (DATE)
APPROVED AS TO CONTENT:	**APPROVED AS TO FORM:**
By:____	**By:**____
Jason Fee, Infrastructure Manager (DATE)	Curtis N. Hedger (DATE) Office of Corporation Counsel
CITY OF YPSILANTI:	**APPROVED AS TO FORM:**
By:____	**By:**____
Darwin McClary (DATE) City Manager	John Barr (DATE) City of Ypsilanti Attorney

Ypsilanti City Cost Methodology

Maintenance		Total Cost	Per PC
Amerinet - Palo Alto - Firewall	$	137,103.38	66.46
Amerinet - Palo Alto - Desktop Traps	$	6,440.00	3.12
Barracuda Email archive	$	12,000.00	5.82
CDWG (Microsoft Enterprise)	$	350,806.21	170.05
CDWG (MS Enterprise True up)			-
CDWG (VMWare)	$	38,000.00	18.42
Citrix	$	22,000.00	10.66
Dell Server lease	$	63,905.00	30.98
Dell Storage and Backup	$	208,347.00	100.99
Duo Security	$	86,112.00	41.74
ESRI/GIS	$	53,000.00	25.69
Lyris ListServer	$	1,400.00	0.68
Microsoft Advanced Threat Protection and Skype 4 Biz Dial in	$	30,491.00	14.78
Microsoft Premier Support	$	65,680.00	31.84
OnBase			-
Oracle	$	-	-
SolarWinds - server monitoring	$	2,800.00	1.36
Suntel (Juniper Switch Maintenance)	$	43,005.00	20.85
Suntel (Juniper wireless maintenance)	$	40,355.49	19.56
Tririga	$	33,473.00	16.23
TOTAL MAINTENANCE	$	1,194,918	
			2.31
Other IT GF Costs			-
Internet Access		4,760	2.31
CAP - Office Space			-
Fiber Payment		350,000	169.66
Data Center Lease		45,445	22.03
Total Other Costs	$	400,205	

Ypsi Computers		70
Total Computers in County		2063
Ypsi %		3.39%
Total Staff		2,567,994
Total Maintenance		1,194,918
Total Other Costs		400,205
Total Computer Support		4,163,117
Ypsi Portion of Costs		
Total Support * Ypsi %	$	141,259
Ypsi Maintenance Per PC		
Total Support/Ypsi Computers	**$**	**2,017.99**
Annual PC/Net/Staff Support	$	141,259
Monthly Support	$	11,771.62
	$	1,739.82
	$	(278.17)

$	1,327	2014-2017
$	1,789.74	2017-2018
$	2,017.99	2018-2019

Future

NOTES:

New items for 2018-2019

Ypsilanti has 40 users on Duo

Last fiber bond payment is 2018

Up for replacement in next 1-4 years: wired and wireless networks

REQUEST FOR LEGISLATION
December 4, 2018

To: Mayor and Council

From: Fire Chief Max Anthouard

Subject: 2018-2019 and 2019-2020 Fire Department Budget Adjustment to Fund 2017 SAFER Match

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SUMMARY & BACKGROUND:

The City of Ypsilanti Fire Department received the FEMA grant under the 2017 Staffing for Adequate Fire & Emergency Response (SAFER) Grants.

The total amount to fund the four requested positions is $1,082,314. There is a 25% match for the 1st and 2nd year and a 65% match for the 3rd year. The yearly cost per firefighter at the time of the grant application was $90,193. Due to the last increase in healthcare cost and workers comp the yearly cost per firefighter increased to $92,610. The attached spreadsheets reflect the increased cost per firefighter and is based on an anticipated grant Period of Performance (POP) starting January 1st, 2019 and ending Dec 31, 2021.

ATTACHMENTS:

- SAFER Grant EMW-2017-FH212: Surplus or shortfall / cost per fiscal years.
- FY 2018-2019 budget adjustment request
- FY 2019-2020 budget adjustment request

The grant POP covers the last six months of the 2018-2019 FY. The difference between the six month match and saving realized results in a $12,751 surplus.
For fiscal year 2019-2020, the difference between the yearly match and saving realized results in a $43,173 shortfall.

The required yearly matches for the grant are not included in the fire department current and next fiscal year Budget. The Fire Department is requesting authorization to adjust its 2018-2019 and 2019-2020 budgets to fund the 2017 SAFER match.

RECOMMENDED ACTION: (Approval/Denial)

CITY MANAGER APPROVAL:______________________ COUNCIL AGENDA DATE: _________

CITY MANAGER COMMENTS: __________________________

FISCAL SERVICES DIRECTOR APPROVAL: _____________________________________

Resolution No. 2018 - 309
December 4, 2018

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The City of Ypsilanti Fire Department received the FEMA grant under the 2017 Staffing for Adequate Fire & Emergency Response (SAFER) Grants; And,

WHEREAS, the total amount awarded to the City of Ypsilanti Fire Department for 4 firefighters is $1,082,314. This calculation is based on an anticipated Period Of Performance starting January 1st, 2019 and ending Dec 31, 2021; And,

WHEREAS, there is a 25% or $92,610 match for the first and second years and a 65% or $240,786 match for the third year; And,

WHEREAS, the grant Period Of Performance covers the last six months of the 2018-2019 FY and the difference between the six month match and savings realized result in a $12,751 surplus; And,

WHEREAS, the difference between the yearly match and savings realized for fiscal year 2019-2020 results in a $43,173 shortfall; And,

WHEREAS, the grant yearly matches are not included in the Fire Department current and next fiscal year. The Fire Department is requesting authorization to adjust its 2018-2019 and 2019-2020 budgets to fund the 2017 SAFER match.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council authorizes the City Manager to adjust the Fire Department budget to fund the 2017 SAFER match.

OFFERED BY: ____

SUPPORTED BY: ____

YES: NO: ABSENT: VOTE:

SAFER GRANT EMW-2017-FH212

ACCOUNT #	DESCRIPTION	COST OF 1 EMPLOYEE	# OF EMPLOYEES	% INCREASE	Year 1 1/1/2019-6/30/2019	Year 2 7/1/2019 - 6/30/2020	Year 3 7/1/2020-6/30/2021	Year 4 7/1/2021 - 12/31/2021	TOTAL
	GRANT				75.00%	75.00%	35.00%	35.00%	55.00%
	CITY SHARE				25.00%	25.00%	65.00%	65.00%	45.00%
	DURATION FOR THE YEAR				6 MO	1 YEAR	1 YEAR	6 MO	3 YEARS
	STEP 1 HRLY RATE				$ 12.93	$ 13.32	$ 14.51	$ 15.82	
	# OF HOURS				2,808.00	2,808.00	2,808.00	2,808.00	
EXPENDITURE									
101-7-3380-706-00	ANNUAL SALARY	36,307.44	4		72,615	149,610	162,976	88,845	474,047
101-7-3380-714-02	WORKERS COMPENSATION	544.61	4	2%	1,452	2,992	3,260	1,777	9,481
101-7-3380-714-05	SOCIAL SECURITY	-	4	0.00%	-	-	-		-
101-7-3380-714-05	MEDICARE	526.46	4	1.45%	1,053	2,169	2,363	1,288	6,874
101-7-3380-714-07	EMPLOYEE HEALTHCARE HARD CAP	18,232.31	4	2.00%	36,465	74,388	75,876	38,697	225,425
101-7-3380-714-17	DENTAL	1,000.00	4		2,000	4,000	4,000	2,000	12,000
101-7-3380-714-19	LIFE INSURANCE	345.60	4		691	1,382	1,382	691	4,147
101-7-3380-714-20	PENSION	27,008.98	4	7%	54,018	108,036	108,036	54,018	324,108
101-7-3380-714-24	HCSV	1,800.00	4		3,600	7,200	7,200	3,600	21,600
101-7-3380-716-00	EMT CERT	1,500.00	4		3,000	6,000	6,000	3,000	18,000
101-7-3380-717-00	HOLIDAY PAY	3,514.46	4		7,029	14,058	14,058	7,029	42,174
101-7-3380-720-00	FOOD ALLOWANCE	1,107.16	4		2,214	4,429	4,429	2,214	13,286
101-7-3380-721-00	UNIFORM ALLOWANCE	723.00	4		1,446	2,892	2,892	1,446	8,676
					-	-	-		-
	TOTAL EXPENDITURE	**92,610.02**	**3**		**185,583**	**377,156**	**392,471**	**204,605**	**1,159,816**
REVENUE									
101-4-3380-505-00	SAFER GRANT				135,289	270,578.75	198,424	63,135	667,428
APPROPRIATION	CITY SHARE				45,096	90,192	162,347	117,251	414,887
	TOTAL REVENUE AND APPROPRIATION				**180,386**	**360,771**	**360,772**	**180,386**	**1,082,314**

APPROPRIATION	**CITY SHARE-BASED ON GRANT**				45,096	90,192	162,347	117,251	414,887
	CITY SHARE-EXCESS COST				**5,197**	**16,386**	**31,700**	**24,219**	**77,502**
101-7-3390-707-00	PERMANENT WAGES				**(67,645)**				
101-7-3390-707-00	TEMPORARY WAGES				(23,400)	(23,400)			
101-7-3390-709-02	EXTRA DUTY PAY				35,000	(40,000)			
101-7-3390-716-00	EMT CERT				(7,000)				
	NET APPROPRIATION (Surplus) Shortfall				**(12,751)**	**43,178**	**194,047**	**141,470**	**492,389**

CITY OF YPSILANTI, MICHIGAN
BUDGET ADJUSTMENT WORKSHEET

FISCAL YEAR:	**2018-19**
FUND:	**101**
DEPT:	**3380**
REQUESTED BY:	**Max Anthouard**
DATE:	**12/4/2018**
AMENDMENT#:	**1**

ACCT#	ACCT NAME	ADOPTED	AMENDED	REVENUE CHANGE	EXPENDITURE CHANGE	NEW AMENDED REVENUE BUDGET	NEW AMENDED EXPENDITURE BUDGET	REASON
EXPENDITURE FOR FOUR (4) FIREFIGHTERS FROM JAN TO JUNE 2019								
101-7-3380-706-00	ANNUAL SALARY				72,615	0	72,615	EMW-2017-FH212 - 4 additional employees
101-7-3380-714-02	WORKERS COMPENSATION				1,452	0	1,452	
101-7-3380-714-05	SOCIAL SECURITY				-	0	0	
101-7-3380-714-05	MEDICARE				1,053	0	1,053	
101-7-3380-714-07	EMPLOYEE HEALTHCARE HARD CAP				36,465	0	36,465	
101-7-3380-714-17	DENTAL				2,000	0	2,000	
101-7-3380-714-19	LIFE INSURANCE				691	0	691	
101-7-3380-714-20	PENSION				54,018	0	54,018	
101-7-3380-714-24	HCSV				3,600	0	3,600	
101-7-3380-716-00	EMT CERT				3,000	0	3,000	
101-7-3380-717-00	HOLIDAY PAY				7,029	0	7,029	
101-7-3380-720-00	FOOD ALLOWANCE				2,214	0	2,214	
101-7-3380-721-00	UNIFORM ALLOWANCE				1,446	0	1,446	
	TOTAL EXPENDITURE	-	-	-	**185,583**	-	**185,583**	
REVENUES FROM JANUARY TO JUNE 2019								
101-4-3380-505-00	SAFER GRANT EMW-2017-FH212			135,289		135,289		
	TOTAL REVENUE	-	-	**135,289**	-	**135,289**	-	**Budget shortfall ($185,583 less $135,289) = $50,294**
SHORTFALL FUNDING SOURCES:								
101-7-3390-707-00	PERMANENT WAGES	938,425			(67,645)		870,780	Savings from delay of hiring 4 firefighters
101-7-3390-707-00	TEMPORARY WAGES	23,400			(23,400)		0	Savings for not filling the fire inspector position
101-7-3390-709-02	EXTRA DUTY PAY	50,000			35,000		85,000	Increased in extra duty pay due to short staff
101-7-3390-716-00	EMT CERT	25,500			(7,000)	0	18,500	Savings for not filling the vacant position
	TOTAL SHORTFALL FUNDING SOURCES	**1,037,325**			**(63,045)**	**0**	**974,280**	
NET CHANGE IN BUDGET:		**1,037,325**	-	**135,289**	**122,538**	**135,289**	**1,159,863**	**Budget surplus ($135,289 less $122,538) of $12,751 for FY 2018-2019**

Approved by City Manager: ______________________ Date: __________

Approved by City Council (if required): ______________________ Date: 12/4/2018

CITY OF YPSILANTI, MICHIGAN
BUDGET ADJUSTMENT WORKSHEET

FISCAL YEAR:	**2019-20**
FUND:	**101**
DEPT:	**3380**
REQUESTED BY:	**Max Anthouard**
DATE:	**12/4/2018**
AMENDMENT#:	**2**

ACCT#	ACCT NAME	ADOPTED	AMENDED	REVENUE CHANGE	EXPENDITURE CHANGE	NEW AMENDED REVENUE BUDGET	NEW AMENDED EXPENDITURE BUDGET	REASON
EXPENDITURE FOR FOUR (4) FIREFIGHTERS								
101-7-3380-706-00	ANNUAL SALARY				149,610	0	149,610	EMW-2017-FH212 - 4 additional employees
101-7-3380-714-02	WORKERS COMPENSATION				2,992	0	2,992	
101-7-3380-714-05	SOCIAL SECURITY				-	0	0	
101-7-3380-714-05	MEDICARE				2,169	0	2,169	
101-7-3380-714-07	EMPLOYEE HEALTHCARE HARD CAP				74,388	0	74,388	
101-7-3380-714-17	DENTAL				4,000	0	4,000	
101-7-3380-714-19	LIFE INSURANCE				1,382	0	1,382	
101-7-3380-714-20	PENSION				108,036	0	108,036	
101-7-3380-714-24	HCSV				7,200	0	7,200	
101-7-3380-716-00	EMT CERT				6,000	0	6,000	
101-7-3380-717-00	HOLIDAY PAY				14,058	0	14,058	
101-7-3380-720-00	FOOD ALLOWANCE				4,429	0	4,429	
101-7-3380-721-00	UNIFORM ALLOWANCE				2,892	0	2,892	
					-			
	TOTAL EXPENDITURE	-	-	-	**377,156**	-	**377,156**	
REVENUES								
101-4-3380-505-00	SAFER GRANT EMW-2017-FH212			270,578		270,578		
	TOTAL REVENUE	-	-	**270,578**	-	**270,578**	-	**Budget shortfall ($377,156 less $270,578) = $106,578**
SHORTFALL FUNDING SOURCES:								
101-7-3390-707-00	TEMPORARY WAGES	23,400			(23,400)		0	Savings for not filling the fire inspector position
101-7-3390-709-02	EXTRA DUTY PAY	50,000			(40,000)		10,000	decreased in extra duty pay due to full staff
	TOTAL SHORTFALL FUNDING SOURCES	**73,400**			**(63,400)**	**0**	**10,000**	
NET CHANGE IN BUDGET:		**73,400**	-	**270,578**	**313,756**	**270,578**	**387,156**	**Budget shortfall ($106,578 less $63,400) of $43,178 for FY 2019-2020**

Approved by City Manager: ______________________ Date: __________

Approved by City Council (if required): ______________________ Date: 12/4/2018

REQUEST FOR LEGISLATION
December 4, 2018

To: Mayor and Council

From: Joe Meyers, Director of Economic Development
Christopher Jacobs, Community Development Manager

Subject: Resolution to Amend the City's Property Disposition Policy

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SUMMARY & BACKGROUND: At its January 6, 2016 meeting, City Council adopted a Property Disposition Policy. Through the program, staff sold eighteen (18) lots to people from in and out of the city. The program has been very successful and the city has a total of three (1) vacant lots and two (2) gap parcels that have not sold.

The last vacant parcel is 314 Parsons Street. The lot is a small lot (60' by 66') there has been many applications that have come for this property by they typically fall through though due to the size of the property or location. The current applicant is requesting the city remove the deed restriction to allow for rental housing. The current applicant intends to occupy one of the units but would like the flexibility to rent the unit in the future. The policy stats that the property must maintain homestead status on the property. 16 of the 19 buildable lots were located in the R-1 District. Three lots were located in the Core Neighborhood (CN) District. The CN District allows for up to 4 units by right where R-1 allows for only single family homes.

In summary, by City Council approving the attached resolution, they will approve the removal of 314 Parsons from the policy. This would allow staff to sell 314 Parsons St. with the homestead requirement not on the need.

ATTACHMENTS: Proposed Resolution, email requesting the change and map.

RECOMMENDED ACTION: For City Council to review the request by Kathy Dew to remove the Homestead requirement from the Property Disposition Policy for 314 Parsons Street.

CITY MANAGER APPROVAL: ________________________ COUNCIL AGENDA DATE: _________

CITY MANAGER COMMENTS: __________________________

FISCAL SERVICES DIRECTOR APPROVAL: _____________________________________

RESOLUTION NO. 2018-310
December 4, 2018

RESOLUTION APPROVING CITY-OWNED PARCELS FOR CONVEYANCE AND DELEGATING CONTRACT AUTHORITY TO THE CITY MANAGER CONSISTENT WITH AND PURSUANT TO THE CITY PROPERTY DISPOSITION POLICY

WHEREAS, The City of Ypsilanti is interested in conveying its excess City-owned property to private owners; and

WHEREAS, to further this interest, the City Council for the City of Ypsilanti has approved the City Property Disposition Policy by adopting Resolution No. 2015-273; and

WHEREAS, this Policy provides that City Council will annually consider a resolution, after a public hearing, to approve the sale of residential land and authorize the City Manager to enter into purchase agreements, quit claim deeds, leases, or other contracts and documents to effectuate their conveyance.

NOW THEREFOR BE IT RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that: The following City-owned properties are removed from the City Property Disposition Policy and allowed to be sold for non-homestead use:

11-11-09-191-008– 314 Parsons St

BE IT FURTHER RESOLVED, that the City Manager is authorized to enter into purchase agreements, quit claim deeds, leases, or other contracts and documents to effectuate the conveyance of these properties according to the City Property Disposition Policy, and that the City Manager may sign such documents on behalf of the City of Ypsilanti, subject to the review and approval of the City Attorney.

OFFERED BY: ________________________

SUPPORTED BY: _____________________

YES: NO: ABSENT: VOTE:

Joseph Meyers

From: [redacted]
Sent: Thursday, November 15, 2018 12:53 PM
To: Joseph Meyers
Subject: Parsons property

Hi Joe

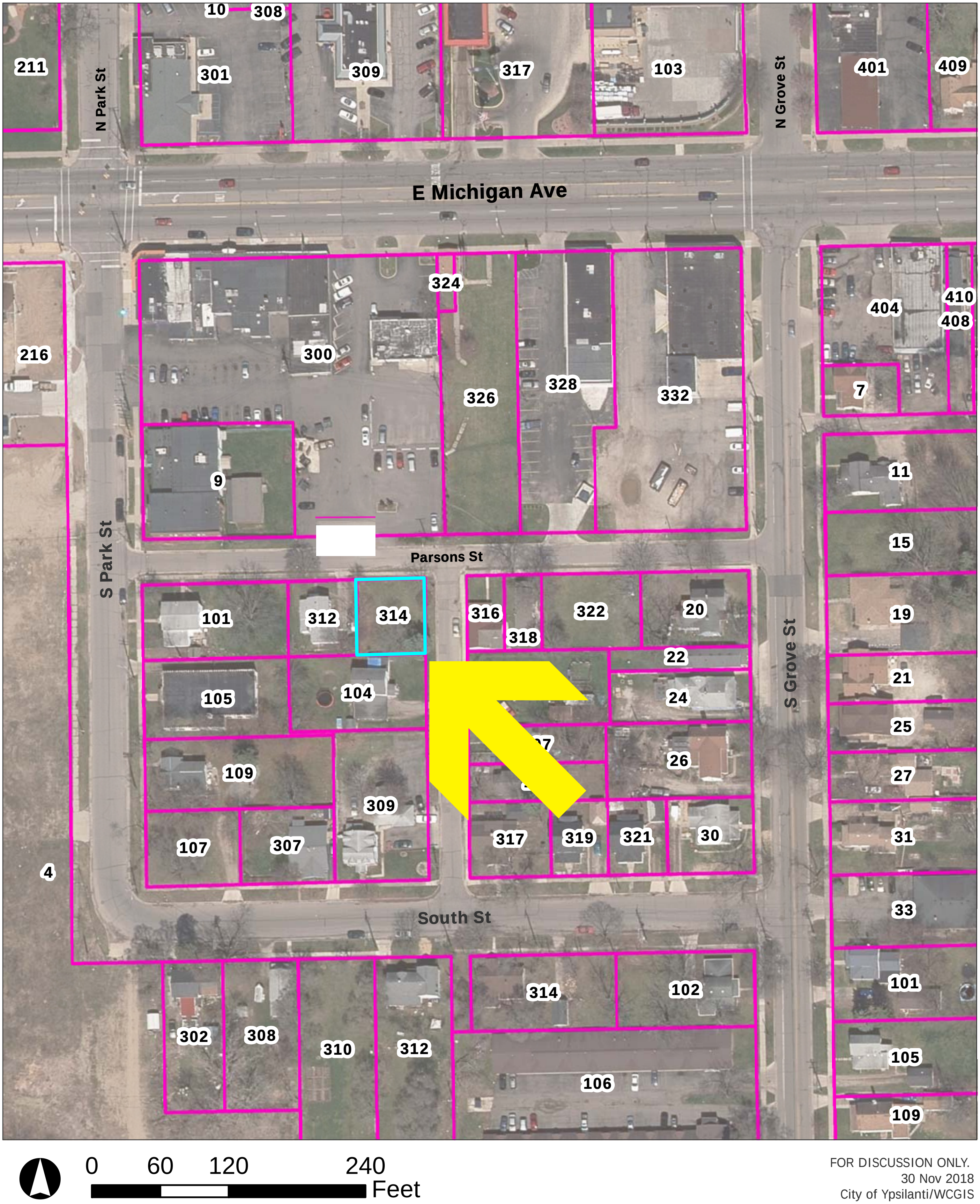
This is Kathy Dew, please put us on the list for the meeting with City Council. We would ask that there be no deed restriction placed on the property for owner occupancy. There are some concerns that we would like cleared up prior to the purchase of the land.

Thank you for your time and we look forward to attending this meeting and meeting you as well. Please respond with the time and dates.

Kathy and Rachel Dew

Sent from my Verizon, Samsung Galaxy smartphone

314 Parsons St



FOR DISCUSSION ONLY.
30 Nov 2018
City of Ypsilanti/WCGIS

Citizen Advisory Boards and Commissions Participation Resume

The people of Ypsilanti are involved in their City government and are an important part of the community's achievements. Individuals interested in receiving more information in regards to serving on an advisory board or commission are invited to contact the City Clerk's Office at 734-483-1100. Alternatively, citizens who would like to participate can submit their information in the form below.

Name	Jason Ringholz
Email Address	[redacted]
Address	[redacted]
City	Ypsilanti
State	MI
Zip Code	48197
Phone Number	[redacted]
Fax Number	*Field not completed.*
Number of Years in the Community	3
Ward You Live In	2
Education	Associate in Science - ITT Technical Institute - Computer Network Systems
Occupation	IT Specialist
Employer	Pro-face America - Schneider Electric
Are you applying for youth membership?	No
I would like to be considered and could devote sufficient time to serve on the following board or commission:	Zoning Board of Appeals
Party Affiliation	*Field not completed.*

	Field not completed.
Why are you interested in serving on these boards/commissions?	I have lived in the Ypsilanti area for a several years now. I just recently moved into the city of Ypsilanti about 6 months ago. I have been interested in helping out where I can for the community and city and would like the opportunity to be apart of this board. I'm a calm and level minded person and I take in to account all options and information before acting or going through with a decision. I know the Zoning Board of Appeals can have tough decisions put in front of them, but having the right people and good information can help with the final resolution and providing a good solution for the future of the city and community. I feel like with my career background and personality, I would be a good addition to this board.
Work/volunteer experience related to the board or commission:	I work in an Information Technology position and feel that my job and role have some similarities to how the Zoning Board of Appeals works. In my role, I have to take into account multiple issues on a daily basis and prioritize them to best help our clients. Whether these issues are small or large, I still take the same amount of time to review these issues fully and do the needed research to best help our clients. Even if that means that I have to go against what the client is wanting. Sometime I have to provide a different solution to the client to best support them going forward.
I understand that appointment to a City of Ypsilanti board or commission requires regular attendance at board meetings.	Yes
I hereby certify that all of the information above is true.	Yes

Resolution No. 2018-311
December 4, 2018

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the City Council Meeting be adjourned, on call, by the Mayor or three (3) members of Council.

OFFERED BY: ____

SUPPORTED BY: ____

YES: NO: ABSENT: VOTE: