



MINUTES

REGULAR COUNCIL Meeting

7:00 PM - Tuesday, June 18, 2019

Council Chambers

The REGULAR COUNCIL of the City of Ypsilanti was called to order on Tuesday, June 18, 2019, at 7:00 PM, in the Council Chambers, with the following members present:

PRESENT: Mayor Beth Bashert, Council Member Jennifer Symanns, Council Member Steven Wilcoxon, Council Member Nicole Brown, Mayor Pro-Tem Lois Richardson, Council Member Anthony Morgan, and Council Member Annie Somerville

ABSENT:

I CALL TO ORDER

II INVOCATION

III PLEDGE OF ALLEGIANCE

- a) 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.

IV AGENDA APPROVAL

Council Member Brown moved, seconded by Council Member Symanns to approve the agenda.

Council Member Brown moved to move Ordinance No. 1339 to the next council meeting.

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

V INTRODUCTIONS

Mayor Bashert introduced the following individuals; Huron River Watershed Council Watershed Planner Dan Brown, Parks and Recreation Commissioner Evan Sweet, Assistant to the City Manager Ryan Hunter, City Planner Bonnie Wessler, Economic Director Joe Meyers, Finance Director Rheagan Basabica, Interim Public Services Director Brad Holman, Clerk Andrew Hellenga, and City Manager Frances McMullan.

VI PRESENTATIONS

- a) Pen Dam and PFAS Presentation - Dan Brown, HRWC Watershed Planner

Planner Dan Brown provided a presentation about PFAS in the Huron River.

Council Member Wilcoxon asked what historical data is available for the Willow Run site. Mr. Brown responded that most places have data from the past 3-5 years. PFAS was phased out by most manufacturers in 2015. Mayor Pro-Tem asked about the safety level for people who have wells along the river. Mr. Brown responded that there are no regulatory pathways for private wells. The state is testing all public water for PFAS. Private wells must be tested by the owner. They are not seeing contamination from the Huron reach groundwater, but there has not been much testing. Unless there is a concern about a specific site, there is not much risk for those within the watershed. PFAS testing is prohibitively expensive at this point for many homeowners. Council Member Morgan asked if there is information available about where PFAS is coming from and how to reduce them. Mr. Brown responded that PFAS was used widely to make things waterproof or create smooth surfaces. PFAS are easy to track because prior to safety concerns, manufacturers were proud to use them to protect their workers from other chemicals and other practical uses. Mr. Morgan stated that he has been pushing for a regional water council to help with the misinformation about water safety and security. The city could be a leader in increasing information to the public.

- b)** Parks and Recreation Annual Report - Evan Sweet, Parks and Recreation Commission Chair

Parks and Recreation Commission Chair Evan Sweet presented the 2018 Parks & Recreation Commission Annual Report. Mayor Bashert noted that there has been a staff absence and that is a conversation that is happening about how to fill that gap.

- c)** Proclamation dedicating the days during Elvisfest as Elvisfest Days

VII PUBLIC COMMENT (3 MINUTES)

1. The Cream Incorporated, 301 W Michigan Ave, is a 501(c)(3) non-profit offers business services and corporate development including marketing media and web design. They are currently offering a performing arts and theater expression program for males age 5-12. Cream Inc. is in talks with the police department for a firearm buyback initiative to get guns off the street using cash incentives; they will be responsible for raising the funds. They are also in talks with the 14th District Courts for an amnesty day for minor offenses. Cream Inc. is looking for fundraising partners for these initiatives.
2. Jim Fink, 206 S Washington, wanted to address the traffic calming on S Washington. He stated that he appreciates the staff attention, but disagrees with some of the recommendations. There was a period of time when there were no stop signs on Washington. When they were installed, by resident request, they changed the neighborhood for the better. He asked council for speed bumps at the stop signs. He also encouraged the approval of the Barr Law Firm.

3. Kristine Johnson, 119 S Washington, stated that her 7-year-old son did his own traffic study after the last council meeting. He counted how many cars rolled through the stop sign without stopping and was excited to be involved in his community.
4. Aaron Johnson, 119 S Washington, stated that his son observed 23 out of 300 cars completely blow through the stop signs. There are 19 kids under the age of 10 living on that stretch of Washington. The worst behavior is in the morning when cars use the route as a cut through to avoid traffic.
5. Anthony Williamson, 591 Armstrong, stated that he supports efforts to provide a safe environment for young children throughout the city. He asked council to establish a commission for Parkridge. There is a lot that still needs to be done. Council, police, and the court system have to be involved to address this issue.
6. Rick Thompson, 2527 Redwood Dr, Flint, represented the National Organization for the Reform of Marijuana Laws. He stated that recreational marijuana will bring people and revenue to the city. Recreational marijuana is regulated by the state and under heavy control. The city still has control over inspection as it currently has with medical.
7. Allison Ireton, 117 N 1st St, Ann Arbor, wanted to address subsection (d) on the proposed ordinance. The current ordinance caps medical provisioning centers at 7. If there are caps for recreational, there must be a competitive process for the licenses. If a lottery is used for recreational it could lead to a lawsuit. Some communities have decided to limit based on zoning to create a natural cap, eliminating the need for a lottery system and potential lawsuits. She also stated that most secure transport and testing businesses are discreet and do not have storage.
8. Jason Atkins, 1371 Skyway Dr, is the president of Ypsilanti Youth Athletic Association, a 501(c)(3) non-profit that runs the Ypsilanti Braves. Their organization works with 120 youth annually mainly through football, but also mentors youth about the importance of school and ways to be successful in their community. He is interested in learning about any resources that may be available and work together to support the youth.
9. Steve Pierce, 118 S Washington, stated that he is not in disagreement with staff but encourages the installation of speed bumps. Painting stripes on the street and signage should happen during the normal course of business and should not come from this special fund. 50% of cars do not stop at the stop signs or look for pedestrians. He would like to see speed bumps at the stop signs.

In response to public comment, Mayor Pro-Tem Richardson commented that the people need to be given what they are asking for and what is needed. People are always speeding through New Parkridge and Washington Street; traffic control is especially important now that children are out of school. There was another shooting at New Parkridge over the weekend, and something has to be done. Council Member Brown stated that she would like to support these youth efforts as much as possible and recommended that these organizations work together and partner with the City to impact youth in a holistic way. Mayor Bashert will reach out to Mr. Williamson about this issue.

VIII ORDINANCES FIRST READING

- a) ~~Ordinance No. 1339 – An Ordinance entitled, "An ordinance to amend Ypsilanti City Code, Chapter 7, Medical Marijuana, to allow for the Transfer of Local Permits for~~

Medical Marijuana"

1. Resolution No. 2019-126, determination
2. Open public hearing
3. Resolution No. 2019-127, close public hearing- **(Removed)**

IX CONSENT AGENDA

- a) Resolution No. 2019-128, approving the Consent Agenda.

Council Member Steven Wilcoxen moved, seconded by Council Member Anthony Morgan, to approve Resolution No. 2019-128

RESULT:	CARRIED.
MOVER:	Council Member Steven Wilcoxen
SECONDER:	Council Member Anthony Morgan
AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxen, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville

- b) Resolution No. 2019-129, approving the minutes of May 21 & May 28, 2019.
- c) Resolution No. 2019-130, approving appointments to Boards and Commissions.
- d) Resolution No. 2019-131, approving the use of a receiving board of the August 6, 2019 WISD Special Election.

X RESOLUTIONS/MOTIONS/DISCUSSIONS

- a) Resolution No. 2019-132, approving assessing contract with WCA

Council Member Morgan asked if the prices are comparable to the past contract and if the same services will be provided. Doug Shaw, WCA Assessing, stated that it is 4% higher than the end of the last contract to cover the increasing costs of services. The services provided will remain the same.

Council Member Annie Somerville moved, seconded by Council Member Lois Richardson, to approve Resolution No. 2019-132

RESULT:	CARRIED.
MOVER:	Council Member Annie Somerville
SECONDER:	Council Member Lois Richardson
AYES:	Lois Richardson, Annie Somerville, Beth Bashert, Jennifer Symanns, Nicole Brown, and Anthony Morgan
NAYS:	Steven Wilcoxen

- b) Resolution No. 2019-133, approving the Fire and Police Pension Administrative Contract for FY 2019-2020.

Mayor Pro-Tem Richardson asked if this amount covers the cost of the services. Finance Director Basabica responded in the affirmative.

Council Member Lois Richardson moved, seconded by Council Member Nicole Brown, to approve Resolution No. 2019-133

RESULT:	CARRIED.
MOVER:	Council Member Lois Richardson
SECONDER:	Council Member Nicole Brown
AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville

- c) Resolution No. 2019-134, approving traffic calming strategies for Washington St.

City Planner Wessler provided an overview of traffic calming strategies for Washington St. Mayor Bashert asked for clarification about the costs of these strategies. Mayor Pro-Tem Richardson asked what the cost would be to just put in speed bumps on Washington and Armstrong. Ms. Wessler stated that the cost would be \$22,000 which is within the available funds. Ms. Richardson suggested that council approve the speed bumps and move everything else into next year's budget. Council Member Morgan suggested that the funds be split equally between the two neighborhoods to address the base level safety concerns. Council Member Wilcoxon asked if the other provisions were required under other statutes. Ms. Wessler responded that they are considered general maintenance; however, there is no comprehensive restriping plan because of budget concerns. It has been practice in the past to address the deferred maintenance when these safety concerns arise. Council Member Brown agreed that they should install speed bumps and see what money is available to address the other strategies. Council Member Somerville agreed that the speed bumps should be implemented.

Mr. Wilcoxon asked about the annual removal and replacement costs. Ms. Wessler responded that the cost of removal is \$500 per speed bump. Ms. Bashert agreed that they should put in speed bumps, but also look for opportunities for restriping and speed enforcement. Council Member Symanns asked staff what the logic is for placing speed bumps 10-20 feet behind each crosswalk rather than at the intersection. Ms. Wessler responded that this is to allow cars to come to a complete stop prior to the intersection.

Council Member Nicole Brown moved, seconded by Council Member Lois Richardson, to approve Resolution No. 2019-134 as amended

RESULT:	CARRIED.
MOVER:	Council Member Nicole Brown
SECONDER:	Council Member Lois Richardson
AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville

Council Member Lois Richardson moved, seconded by Council Member Steven Wilcoxon, to amend Resolution No. 2019-134

RESULT:	CARRIED.
MOVER:	Council Member Lois Richardson
SECONDER:	Council Member Steven Wilcoxon

AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville
--------------	--

- d) Resolution No. 2019-135, approving traffic calming strategies for Armstrong.

Council Member Morgan asked why the cost was not to exceed \$10,000 rather than \$15,000 as with the Washington St resolution. City Planner Wessler responded that is a smaller project with fewer speed bumps.

Council Member Lois Richardson moved, seconded by Council Member Steven Wilcoxon, to approve Resolution No. 2019-135

RESULT:	CARRIED.
MOVER:	Council Member Lois Richardson
SECONDER:	Council Member Steven Wilcoxon
AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville

- e) Resolution No. 2019-136, approving a second extension of the Memorandum of Understanding between Washtenaw Community College and the City of Ypsilanti Regarding Parkridge Center.

Mr. Anthony Williamson provided an overview of recent Parkridge events, programming, and partnerships. Council Member Morgan stated that Parkridge Center has proved that every bit of the center are used by all wards. The extension should be extended because one year is not enough to determine the impact of the community center. City Manager McMullan stated that staff is pleased with the work Mr. Williamson has done, and pledged full support as a partner to keep the center open. Ms. McMullan asked if Parkridge has any other partnerships aside from the City. Mr. Williamson replied that there are no other financial partners, but they have 30 partners that use the facility to provide programming for community residents for all ages. Mayor Pro-Tem Richardson stated that she has worked to maintain Parkridge since 2003 when the City removed recreation from its budget, and commended Mr. Williamson and Washtenaw Community College for their programming.

Ms. Richardson asked Ms. McMullan what is included in the FY19-20 budget for Parkridge. Ms. McMullan responded that the budget includes part-time wages for two staff members, office and operating supplies, public utilities, and custodial services. Ms. Bashert echoed that Parkridge is a great anchor in the community, and the we are lucky to have it.

Council Member Jennifer Symanns moved, seconded by Council Member Nicole Brown, to approve Resolution No. 2019-136

RESULT:	CARRIED.
MOVER:	Council Member Jennifer Symanns
SECONDER:	Council Member Nicole Brown
AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville

- f) Resolution No. 2019-137, approving the contract for legal services with Barr, Anhut & Associates, P.C.

City Manager McMullan highly recommended that council approve the contract considering the historical knowledge the firm has of the City, and the education they provide. This contract was budgeted for in the approved budget. Mayor Bashert and Mayor Pro-Tem Richardson expressed their gratitude for Mr. Barr's services.

Council Member Jennifer Symanns moved, seconded by Council Member Nicole Brown, to approve Resolution 2019-137

RESULT:	CARRIED.
MOVER:	Council Member Jennifer Symanns
SECONDER:	Council Member Nicole Brown
AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville

- g) Resolution No. 2019-138, approving a contract with Washtenaw County to provide IT services to the City of Ypsilanti.

City Manager McMullan stated that they are currently in the process of determining a new IT provider for next year. Further infrastructure costs were not in the CIP because they were not know. Ms. McMullan asked council to be aware of these necessary budget amendments for the next fiscal year.

Council Member Jennifer Symanns moved, seconded by Council Member Nicole Brown, to approve Resolution No. 2019-138

RESULT:	CARRIED.
MOVER:	Council Member Jennifer Symanns
SECONDER:	Council Member Nicole Brown
AYES:	Jennifer Symanns, Nicole Brown, Beth Bashert, Steven Wilcoxon, Lois Richardson, Anthony Morgan, and Annie Somerville

- h) Resolution No. 2019-139, adopting the Michigan Local Agency Pavement Warranty Program.

Council Member Annie Somerville moved, seconded by Council Member Steven Wilcoxon, to approve Resolution No. 2019-139

RESULT:	CARRIED.
MOVER:	Council Member Annie Somerville
SECONDER:	Council Member Steven Wilcoxon
AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville

- i) Resolution No. 2019-140, approving the implementation of the Local Agency

Pavement Warranty Program.

Council Member Annie Somerville moved, seconded by Council Member Lois Richardson, to approve Resolution No. 2019-140

RESULT:	CARRIED.
MOVER:	Council Member Annie Somerville
SECONDER:	Council Member Lois Richardson
AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville

- j) Resolution No. 2019-141, authorizing the budget adjustment for road repairs for Congress, Harriet, and N. Huron.

Council Member Wilcoxon commented that it was strange that the line items are so disparate between the two bids. Mr. Early responded that this process goes through the MDOT bidding process, and the cost estimate when in three years ago. The difference in price depends on the contractor's specialty. If council rejects the bid they would have to substantially change the project before it goes out again. If council accepts the bid there may be opportunities to reduce the cost. Costs have also increased due to the cost of asphalt and concrete, likely due to the amount of road construction happening throughout the state.

Council Member Jennifer Symanns moved, seconded by Council Member Nicole Brown, to approve Resolution No. 2019-141

RESULT:	CARRIED.
MOVER:	Council Member Jennifer Symanns
SECONDER:	Council Member Nicole Brown
AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, and Annie Somerville
NAYS:	Anthony Morgan

- k) Resolution No. 2019-142, approving joining the amicus brief supporting the concept that gender is a protected class under Title VII.

Mayor Bashert stated that the brief is in compliance and support of our ordinance and values as a city. Council Member Morgan stated that gender, class, and race are elastic and not clearly defined. Council Member Somerville stated that gender issues are intersectional and deal with race, class, and sexual identity.

Council Member Anthony Morgan moved, seconded by Council Member Annie Somerville, to approve Resolution No. 2019-142

RESULT:	CARRIED.
MOVER:	Council Member Anthony Morgan
SECONDER:	Council Member Annie Somerville
AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, and Annie Somerville
NAYS:	Anthony Morgan

XI BOARDS AND COMMISSIONS

XII LIAISON REPORTS

1. SEMCOG Update - none
2. Washtenaw Area Transportation Study - none
3. Urban County - none
4. Ypsilanti Downtown Development Authority - none
5. Friends of Rutherford Pool - Update from Parks Commission
6. Housing Equity Leadership Team - none

XIII COUNCIL PROPOSED BUSINESS

Wilcoxon

1. He met with the two new Sustainability Commissioners and had a great discussion. Some Commissioners are still bristling about Pen Dam. It is an issue that needs to be continually addressed. They are looking at funding sources, getting community input, and will be meeting with state agencies about how the project will progress.
2. He stated that Ward 2 residents have asked if alleyways are public and if there is a regrading schedule. Mr. Holman stated that alleys do not operate like roads. Money needs to be allocated to maintain. N/S Congress is part of the rotation of maintenance. They will probably be graded twice during the summer.

Morgan

1. He clarified a comment he made last week about recreational marijuana. He did not mean that existing dispensaries are parasitic. The recreational businesses involved in recreational marijuana could be potentially parasitic.
2. Y-Town SWAG is a summer without guns to create a gun-safe community and promote peace. SWAG houses are places that citizens can visit if they feel unsafe or need assistance. They will have two field days and have youth videos. The City could potentially be a partner.

Symanns

1. She had communications with Ward 2 residents about sewer, traffic, speed bump, and zoning ordinance issues, and thanked staff for their assistance

Bashert

1. She asked about the status of the N/S Congress intersection. Planner Wessler responded that it will be part of the Local Area Paving Project.

Richardson

1. She stated that it was disturbing to hear about the passing of Sue Melke. She hopes there will be a nice showing at her services.
2. She asked about the house on Prospect. Mr. Meyers responded that they are working to get someone appointed as a Dangerous Building Officer so they can remove it.
3. There were so many things happening on June 8th. The Fire and Police had their open house and the Interrupters had their annual gathering. It would be good for Council to support the Interrupters.

XIV COMMUNICATIONS FROM THE MAYOR

Mayor Bashert will be at the gathering for Sue Melke on Thursday and will deliver a proclamation in her honor.

XV COMMUNICATIONS FROM THE CITY MANAGER

XVI COMMUNICATIONS

- a) Reschedule/Cancel the August 6, 2019 Council Meeting - as a result of the WISD Special Election

Council decided to cancel the August 6th Council Meeting.

- b) **Nominations - Downtown Development Authority**

Ben Harrington
A2 SPARK 330 E Liberty
Ann Arbor, MI 48104

Andy French
6238 Vineyard Ave
Ann Arbor, MI 48108

Andy O'Neal
1423 Henry St.
Ann Arbor, MI 48104

XVII PUBLIC COMMENT (3 MINUTES)

1. Cary Burton stated that she is a transgender person naval pilot, combat wounded veteran, and Delta Pilot for 20 years and can be legally discriminated.
2. John Barr, 105 Pearl, stated the Sue Melke was a dedicated citizen who attended most council meetings and always spoke her mind very concisely.

XVIII REMARKS FROM THE MAYOR

XIX CLOSED SESSION

- a) Closed session to discuss labor negotiations. *OMA 15-268(c)*

**Council Member Steven Wilcoxen moved, seconded by Council Member Anthony Morgan, to adjourn to Closed Session at 10:14 p.m.
the meeting reconvened to Open Session at 10:28 p.m.**

RESULT:	CARRIED.
MOVER:	Council Member Steven Wilcoxen
SECONDER:	Council Member Anthony Morgan
AYES:	Beth Bashert, Jennifer Symanns, Steven Wilcoxen, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville

- b) Resolution No. 2019-144, approving the POAM 2019-2022 Collective Bargaining Agreement **(Postponed June 4, 2019)**

Council Member Nicole Brown moved, seconded by Council Member Steven Wilcoxon, to approve Resolution No. 2019-144

RESULT:	CARRIED.
MOVER:	Council Member Nicole Brown
SECONDER:	Council Member Steven Wilcoxon
AYES:	Steven Wilcoxon, Nicole Brown, Beth Bashert, Jennifer Symanns, Lois Richardson, Anthony Morgan, and Annie Somerville

XX ADJOURNMENT

- a) Resolution No. 2019-143, adjourning the City Council Meeting.

Council Member Wilcoxon moved, seconded by Mayor Pro-Tem Richardson to adjourn the meeting.

On a voice vote, the motion carried and the meeting adjourned at 10:30 p.m.