



APPROVED

**CITY OF YPSILANTI
COUNCIL MEETING AGENDA
CITY COUNCIL CHAMBERS - ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, February 21, 2012
CLOSED SESSION- 6:00 P.M.
OPEN SESSION- 7:00 P.M.**

I. CALL TO ORDER –

The meeting was called to order at 6:04 p.m.

II. ROLL CALL –

Council Member Bodary	Absent	Council Member Robb	Present
Council Member Jefferson	Present	Council Member Vogt	Present
Council Member Murdock	Present	Mayor Schreiber	Present
Mayor Pro-Tem Richardson	Present		

Council Member Vogt moved, supported by Council Member Murdock to excuse the absence of Council Member Bodary.

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

III. INVOCATION –

The Mayor 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. CLOSED SESSION- (6:00-7:00 p.m.)

Closed Session to discuss union negotiations. (OMA 15.268, Section 8(c)).

On a roll call, the vote to adjourn to closed session was as follows:

Council Member Bodary	Absent	Council Member Robb	Yes
Council Member Jefferson	Absent	Council Member Vogt	Yes
Council Member Murdock	Yes	Mayor Schreiber	Yes
Mayor Pro Tem Richardson	Yes		

VOTE:

Yes: 5 No: 0 Absent: 2 (Jefferson, Bodary) Vote: Carried

The meeting adjourned to close session at: 6:04 p.m.

The open meeting reconvened at 7:14 p.m.

VI. INTRODUCTIONS –

Mayor Schreiber introduced Housing Commission Executive Director Walter Norris, Finance Manager Eric Temple, Former Mayor Cheryl Farmer, Police Chief Amy Walker, and Mr. John Kaczor of Municipal Analytics.

VII. AGENDA APPROVAL –

On a voice vote, the agenda was approved.

VIII. PRESENTATIONS –

1. Income Tax Feasibility Study- John Kaczor, Municipal Analytics

John Kaczor of Municipal Analytics gave an overview of how to determine the feasibility of a city income tax and how to meet revenue requirements. The presentation also highlighted estimated revenue potential and resources for maintaining municipal services with minimal administrative cuts. In addition, an assessment of the potential tax burden was also presented.(see Clerk's Office for: City Income Tax Study PowerPoint presentation.)

Council Member Robb commented that it was difficult to check the math. In the past, Plante and Moran provided all five years forecasted.

Council Member Robb asked if the population decline on page 1.5 thru 2015 appendix D, is 1.34%?

John Kaczor answered, it is the 1.34%.

Council Member Robb asked if the 1.34% population decline was from the 2010 census.

John Kaczor replied yes, the 1.34% population loss is from the 2010 census.

Council Member Robb questioned is it safe to assume the number of jobs in the city of Ypsilanti remained constant, even though the population declined?

John Kaczor replied, yes that is correct, and said the number of jobs stay the same even with a population decline.

Council Member Robb commented that we see a 2.2% senior citizen increase each year, and questioned if people retiring were taken into account in the study.

John Kaczor answered that the SEMCOG data did not predict out that far.

Council Member Robb commented that his biggest concern is for a worker who lives in the city of Ypsilanti that makes \$19,361.00 a year on average paying more than a worker who does not live in the city making \$44,000.00 a year.

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John Kaczor, commented, a significant amount of the population that live in the city is students and are not making money and there are a number of part time workers in the city.

Council Member Robb asked how we will track corporations.

John Kaczor replied that the requirement is to keep track of sales and net income paid to the city.

Mayor Schreiber asked is it possible to implement the city income tax two months after the election?

John Kaczor responded, it can be done but a lot of measures will have to be put in place. He said a January 1, 2013 effective date makes it a lot easier.

Council Member Murdock commented it would be very difficult to set up the city income tax in six weeks.

Mayor Schreiber commented that Mr. Kaczor's was very readable.

Mayor Pro-Tem Richardson complimented she thought the report was well written.

IX. AUDIENCE PARTICIPATION –

Mayor Schreiber read the rules for audience participation.

1. Mark Hergott, 111 Miles, commented that he looked at other cities and the only city that compared to Ypsilanti was Jackson. He said cities that have a city income tax risk residents moving into townships and surrounding cities that. He additionally stated that the city should try and combine services with Ypsilanti Township and said he does not support the city income tax but he supports the Water Street proposal.
2. Bridges stated his disapproval for the actions of Council Member Jefferson at a Human Relations Commission meeting. He suggested that Council Member Jefferson and Mayor Pro-Tem Richardson have stop signs installed at Middle and Ferris. In addition, he asked for Mayor Schreiber to move the public comment portion of the agenda before presentations so that residents who have children at home don't have to wait a long time.
2. Chad Crabtree, 206 S. Adams, requested to relinquish his time to Tyrone Bridges. Mayor Schreiber re-read the rules for audience participation, which does not allow time to be transferred to another speaker.
3. Robert Hunter, 515 Ferris, asked that he be granted a time of 6 minutes to speak during audience participation

Mayor Schreiber stated that a motion is needed to accommodate that request.

Council Member Jefferson moved, supported by Mayor Pro-Tem Richardson to grant Robert Hunter 6 minutes to speak.

On a roll call vote, the vote was as follows:

VOTE:

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Council Member Bodary	Absent	Council Member Robb	Yes
Council Member Jefferson	Yes	Council Member Vogt	Yes
Council Member Murdock	No	Mayor Schreiber	No
Mayor Pro Tem Richardson	Yes		

Yes: 4 No: 2 Absent: 1 (Bodary) Motion Carried

Robert Hunter, alleged, that the Housing Commission employee Eric Temple was said to be a convicted felon and advocated for the public to know about his May 2009 jail conviction. He said the Housing commission should take responsibility and let the public know that they have a known felon working in finance. He also questioned if Mayor Schreiber and the Housing Commission Director knew of these convictions and he further stated that he took no pleasure in bringing this information before city council.

4. Lee Tooson, commented, about his concern for the city income tax. His city council to be honest and upfront with the residents. He further stated he is concerned about the protection services and suggested public forums so that tax payers can hear from Chief Walker, Fire Chief Inchesco, and Public Services Director Stan Kirton. He commented that 2 years ago residents asked for stop signs on Middle and Ferris streets but have not gotten those signs yet.
5. Beth Bashert, 909 Grant, stated that she supports the plan for the Water Street proposal and the city income tax. She was also glad to see the city council united in their support for both efforts.
6. Frank Wright, said that he supports the city income tax but would like the city to explore bankruptcy and a financial manager.

X. REMARKS BY THE MAYOR –

Mayor Schreiber commented about Emergency managers and stated that the city should not file bankruptcy. However, he said if a financial manager was brought in, they could break contracts but a financial manager would not be able to do any better than what the city is doing right now.

Mayor Schreiber explained that presentations come before audience participation because presenters are on the clock and it is a cost saving measure to have them present before the audience participation. He further stated that the audience likes to hear the presentations.

Mayor Schreiber commented that combining fire and police had been discussed. He said a box alarm system is now in place and four fire departments work together and whichever municipality is the closest responds to the call.

Council Member Murdock commented the city has a full functional fire department and that is why we participate in the box alarm system.

The city plans to hold 4 city income tax forums to discuss and give information. He also said that no member of city council has ever received health care and whoever is spreading misinformation is not being truthful. He had additional comments on financial managers, and the city's avoidance of having a financial manager.

Council Member Vogt commented announced on the difference between an emergency manager and filing bankruptcy. He further commented about the loss of property taxes and revenue sharing and he is in support of passing both the city income tax and the Water Street proposals.

ORDINANCES-SECOND READING

1. Resolution 2012-030 to add Chapter 3, as amended to the Ypsilanti City Code entitled "Uniform Income Tax" (Ordinance# 1169)

Ordinance NO. 1169

An ordinance to add Chapter 3 to the Ypsilanti City Code entitled "Uniform City Income Tax."

1. **THE CITY OF YPSILANTI ORDAINS** That, pursuant to the authority of Section 3c of Chapter 1 of Act 284 of the Public Acts of 1964, as amended, with Alternate Provisions in Section 60 (MCL 141.770) and Section 61 (MCL 141.761) (The City Income Tax Act, MCL 141.501 et seq), a new Chapter 3 of the Code of the City of Ypsilanti entitled "Uniform City Income Tax" Ordinance is hereby added to read as follows:

Chapter 3. Uniform City Income Tax

Section 3-1. Adoption

The Uniform City Income Tax Ordinance as prescribed by Act 284 of the Michigan Public Acts of 1964, as amended, with Alternate Provisions in Section 60 (MCL 141.770) and Section 61 (MCL 141.761) is hereby adopted as the City of Ypsilanti Uniform City Income Tax Ordinance and all the terms, provisions, and conditions as found therein are hereby incorporated by reference.

Section 3-2. Rate of Taxation

Subject to the exclusions, adjustments, exemptions, and deductions herein provided, and in accordance with Section 11 of Chapter 2 of the uniform city income tax ordinance, MCL 141.611, an annual tax of one percent (1%) on corporations and resident individuals and of one half of one percent (.5%) on non-resident individuals for general revenue purposes is hereby imposed as an excise on income earned and received on and after the effective date of this ordinance.

Section 3-3 Effective Date

This Ordinance is effective on January 1, 2013, pursuant to the authority of Section 3 of Chapter 1 of Act 284 of the Public Acts of 1964, as amended (the City Income Tax Act MCL 141.405); provided, however, that this Ordinance shall not be effective unless approved by a majority of the qualified electors voting on the question at an election to be held May 8, 2012.

Section 3-4 Individual deduction

An individual taxpayer, in computing his taxable income, is allowed a deduction of One Thousand Dollars (\$1,000) for each personal and dependency exemption under the rules for determining exemptions and dependents as provided in the Federal Internal Revenue Code. An individual taxpayer, claimed as a dependant by another taxpayer is also allowed an individual deduction on their taxable income.

Section 3-5 Additional deductions

An additional deduction is allowed under section 3-4 for a taxpayer who is sixty- five (65) years of age or older, or who is blind as defined in Section 504 of the Income Tax Act of 1967, Act 281 of the Public Acts of 1967, being Section 206.504 of the Michigan Compiled Laws. If the taxpayer is both sixty-five (65) years of age or older and blind, two (2) additional exemptions are allowed under this section.

Section 3-6 Additional deductions

An additional deduction is allowed under section 3-4 for a taxpayer who is a paraplegic, quadriplegic, hemiplegic or totally and permanently disabled or deaf, as those terms are defined in state law.

**Resolution 2012-030
February 21, 2012**

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled "Uniform City Income Tax" be approved on second and final reading.

OFFERED BY: Council Member Vogt
SUPPORTED BY: Council Member Jefferson

Administrative Services Director David Kowal commented on two changes that had been made to ordinance#1169; one being the filing of personal exemptions and the other is the adoption of alternative sections in Michigan Compiled Laws, (MCL) Annotated; Sections 141.760 and 141.761.

On a roll call, the vote to approve Resolution 2012-030 was as follows:

Council Member Jefferson	Yes	Council Member Vogt	Yes
Council Member Murdock	Yes	Mayor Schreiber	Yes
Mayor Pro Tem Richardson	Yes	Council Member Bodary	Yes
Council Member Robb	Yes		

VOTE:

APPROVED

Yes: 6 No: 0 Absent: 1 (Bodary) Vote: Carried

XI. MINUTES –

Resolution No. 2012-031 to approve the minutes of January 25th and February 7th, 2012

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI

That the Minutes of January 25th, 2012 and February 7, 2012 be approved

OFFERED BY: Council Member Murdock

SUPPORTED BY: Council Member Vogt

On a voice vote, the vote to approve Resolution 2012-031 was approved unanimously.

XII. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution 2012-027, approving city income tax ballot language. *(Tabled 2-7-2012)*

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

RESOLVED by the Council of the City of Ypsilanti that the following ballot question be placed before the electorate for their adoption or rejection at the special election on Tuesday, May 8, 2012:

ADOPTION OF UNIFORM CITY INCOMETAX

Shall Ordinance No. 2012-1169 adopting the Uniform City Income Tax Ordinance, which imposes an annual rate of tax on corporations and resident individuals of 1 %, and on non-resident individuals of .5%, effective January 1, 2013, be approved?

Yes ()

No ()

IT IS FURTHER RESOLVED that the City Clerk shall do and perform all acts required by the Charter and the laws of the state relative to the giving of notice of such election and of the registration of electors therefore; make all necessary arrangements for the registration of electors for said election and the holding of elections and obtain the approval of all required persons or bodies as to the form in which said ballot question shall be presented to the electors.

IT IS FURTHER RESOLVED that, as part of the Notice of Registration and Notice of Election, the proposed ballot question be published in full by printing the same in the publication of record.

IT IS FURTHER RESOLVED that the canvass and determination of the votes upon the ballot question be made in accordance with the Charter and the state laws applicable thereto.

OFFERED BY: Council Member Vogt

SUPPORTED BY: Council Member Jefferson

On a roll call vote, the vote to approve Resolution 2012-027 was as follows:

Council Member Murdock	Yes	Mayor Schreiber	Yes
Mayor Pro Tem Richardson	Yes	Council Member Bodary	Yes
Council Member Robb	Yes	Council Member Jefferson	Yes
Council Member Vogt	Yes		

VOTE:

Yes: 6 No: 0 Absent: 1 (Bodary) Vote: Carried

2. Resolution 2012-026, approving financing and other related request for Hamilton Crossing Phase II. (***Tabled 2-7-2012***)

BE IT RESOLVED THAT, the City of Ypsilanti approves the actions described below with respect to the development of a multifamily residential housing complex formerly known as Parkview Apartments (Phase 1) on the property located in Ypsilanti, Michigan described on Exhibit "A-1" (the "Project"). WHEREAS, Ypsilanti Housing Commission (YHC) acquired the Project for nominal consideration from the U.S. Department of Housing and Urban Development ("HUD") as part of a foreclosure sale, which was deeded to Revision Parkview LLC ("Parkview"), a wholly owned subsidiary of YHC, to redevelop the Project in two separate phases;

AND WHEREAS, Michigan State Housing Development Agency ("MSHDA") has asked the City, Parkview and YHC to clarify certain provisions in various agreements prior to approval of its financing to Hamilton Crossing Limited Dividend Housing Association Phase 1 Limited Partnership, a Michigan limited partnership ("Partnership");

THEREFORE BE IT RESOLVED, that the City of Ypsilanti finds the Project, which is included in the Agreement for Approval of Purchase of Parkview Apartments between the City of Ypsilanti and the Ypsilanti Housing Commission dated June 15, 2010 ("Purchase Agreement"), is subject to the City's right of first refusal provided in Section 3 of the Purchase Agreement ("First Refusal"). The City of Ypsilanti subordinates its First Refusal Right to the interests of the Partnership and MSHDA so long as MSHDA has any interest in the Project and further agrees that the First Refusal Right shall be subject to MSHDA's *Procedures and Requirements for Transfers Involving Authority-Financed Developments* dated June 27, 2007, incorporated herein as Exhibit A-4, as may be amended from time to time;

FURTHER RESOLVED, the Project is benefited by the Planned Unit Development Agreement dated June 7, 2011, a copy of which is attached hereto as Exhibit "A-2" and made a part hereof ("PUD Agreement"). The PUD Agreement relates to a "Phase 1 Property" and separate "Phase 2 Property", as such terms are defined therein. The Project is the Phase 1 Property described in the PUD Agreement. Parkview is the "Phase 1 Developer" as defined in the PUD Agreement. Parkview is conveying the Project to the Partnership. The terms, provisions and conditions of the PUD Agreement applicable to the Phase 1 Property shall be deemed a restrictive covenant which shall run with the land and be binding upon and inure to the benefit of the Partnership; provided, however, that the Partnership shall not be bound by or subject to the obligations, terms or conditions set forth in Section 1.8.1 of the PUD Agreement. The obligation to complete development of the Phase 1 Property and the Phase 2 Property belongs to both Parkview and the YHC, not the Partnership;

FURTHER RESOLVED, that financing relative to the Phase 1 Property and Phase 2 Property, as each are defined in the PUD Agreement, a summary of which is attached hereto as Exhibit "A-3" is approved by the City in accordance with its rules and regulations; and

FURTHER RESOLVED, that all actions taken to date in furtherance of the foregoing resolutions are hereby ratified and approved.

OFFERED BY: Council Member Jefferson
SUPPORTED BY: Mayor Pro Tem Richardson

Teresa Gillotti Senior Planner commented about additional clarifications with the MSHDA purchase agreement. She apologized for the confusion at the February 21, 2012 city council meeting.

Mayor Pro-Tem Richardson asked multiple requests be accompanied by separate resolutions rather than being jammed into one resolution.

Council Member Robb asked if Resolution 2012-026 is defeated does the city loss the right of first refusal?

Ms. Gillotti answered yes.

Council Member Robb asked if the city would have to find their own financing.

Ms. Gillotti replied if the city wanted to use their right of first refusal they would have to find their own financing because the city cannot use MSHDA financing.

Council Member Robb asked by subordinating the right of first refusal can MSHDA sell to anyone.

Attorney John Barr commented the right of first refusal is a protection for the city. MSHDA is putting in money and MSHDA says if they do not get paid or if someone forecloses, the city has the right of first refusal.

Council Member Robb commented he wants the right of first refusal to go away so council never assumes this debt.

Attorney John Barr commented that by passing Resolution 2012-026 some pressure is taken off of city council in terms of the rights of first refusal.

Mr. Etheridge, Hamilton Crossing Representative commented Hamilton Crossing has made great progress by moving five families into the units and they look forward to starting phase II.

Mayor Schreiber commented Attorney Barr made reference to money and asked how much money are we talking about?

Mr. Etheridge answered the current loan is 4.2 million and will be paid down to 2.8 million through tax credits.

Mayor Schreiber commented in exchange for that money the city is being asked to pass this Resolution 2012-026 which doesn't change our rights.

Mr. Etheridge commented the city's rights are the same and the loan is prohibited by law to change.

Mayor Pro-Tem Richardson commented it has been a pattern in the past for the Housing Commission to ask council to act upon a resolution quickly without council members having a chance to study. She further stated that she would like for the Housing Commission to give council greater consideration when they need to act upon a resolution of this magnitude. She said that she has spoken with MSHDA representatives and had her questions answered, and she will be voting yes.

On a roll call vote, the vote to approve Resolution 2012-026 was as follows:

Mayor Pro Tem Richardson	Yes	Council Member Bodary	Absent
Council Member Robb	Yes	Council Member Jefferson	Yes
Council Member Vogt	Yes	Council Member Murdock	Yes
Mayor Schreiber	Yes		

VOTE:

Yes: 6 No: 0 Absent: 1 (Bodary) Vote: Carried

3. Resolution 2012-032, approving the amended 5 Year Financial Plan; FY 2013-FY 2017.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, financial plans set forth strategies that the organization will pursue for financial health over a multi-year period and keep everyone's eye on long-term financial health; and

WHEREAS, long term financial plans are a combination of technical analysis and strategizing; and

WHEREAS, plans do not just forecast the status quo into the future; they consider different possible futures; and

WHEREAS, as an anchor of financial sustainability, financial planning encourages big-picture and long-term thinking among elected and appointed officials; and

WHEREAS, the attached City of Ypsilanti Amended 5-Year Financial Plan, dated February 21, 2012, and the newly created Water Street Debt Service 5-Year Plan, and the Amended Assumptions Summary document reflect a culmination of many months of planning and strategy meetings by elected and appointed officials; and

WHEREAS, the financial plans incorporate a conservative series of assumptions, conservative revenue forecasts, realistic expenditure projections, and two major new sources of potential revenue – a city income tax and a special Water Street debt service millage – both of which will require voter approval and are scheduled for consideration by the electorate on the May 8, 2012 special election.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council does hereby adopt the City of Ypsilanti Amended 5-Year Financial Plan, dated February 21, 2012, for the period Fiscal Year 2012/13 through Fiscal Year 2016/17; and, the Water Street Debt Service 5-Year Financial Plan dated February 21, 2012, for the period Fiscal Year 2012/13 through Fiscal Year 2016/17.

OFFERED BY: Mayor Pro Tem Richardson
SUPPORTED BY: Council Member Murdock

Administrative Services Director David Kowal commented about receiving the city income tax study Friday before the meeting and the adjusted five year plan based on the city income tax study.

Council Member Murdock commented that council is working on a comprehensive plan and wanted to come up with a balanced approach to Water Street, stabilize reduced expenditures and reduce the impact if we could commit to pay half the tax out of city funds. Thus, in the 5 years we would only have to levy ½ mills.

Council Member Vogt, commented, about the numbers from the city income tax study being an optimistic overview. He said if we end up with a surplus, we should be able to provide some relief to residents.

Council Member Robb commented on the Water Street debt payment he said that if city council decides to pay half of the water street debt millage, we are looking at ending up in the same situation that the city is in now.

Mayor Schreiber agreed with Council Members Vogt and Murdock and said the city should provide some relief with the Water Street debt payment. If possible, he believes this shows good faith to residents and will help the city income tax millage to pass on May 8th.

Mayor Pro-Tem Richardson commented she does not agree with designating what we do with funds when we have a surplus.

Council Member Murdock commented what the city is designating is 2.6 million that we have already designated for this purpose.

Mr. Kowal, said a little under 1.3 million is not currently designated.

Mayor Schreiber said about millage rates have changed because property taxes went down.

Council Member Murdock commented that 2.6 million has been set aside for Water Street already and we should use those funds to pay half the debt.

Council Member Murdock moved supported by Council Member Vogt to pay half of the debt millage with the fund balance.

On a roll call vote, the vote was as follows:

OFFERED BY: Council Member Murdock
SUPPORTED BY: Council Member Vogt

Council Member Robb	No	Council Member Bodary	Absent
Council Member Vogt	Yes	Council Member Jefferson	Yes
Mayor Schreiber	Yes	Mayor Pro Tem Richardson	Yes

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Council Member Murdock Yes

Yes: 5 No: 1 (Robb) Absent: 1 (Bodary) Vote: Carried

Council Member Vogt said we are starting out by offering a little bit of a break on the millage rate and show tax payers our good faith.

On a roll call vote, the vote to approve the amended Resolution 2012-032 was as follows:

Council Member Vogt	Yes	Mayor Schreiber	Yes
Council Member Bodary	Absent	Council Member Robb	No
Council Member Murdock	Yes	Council Member Jefferson	Yes
Mayor Pro Tem Richardson	Yes		

VOTE:

Yes: 5 No: 1(Robb) Absent: 1 (Bodary) Vote: Carried

4. Resolution 2012-033, approving the Block Grant Work Plan.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The City is a member of the Urban County, through Washtenaw County and receives an annual Community Development Block Grant (CDBG) allocation through this body for eligible projects

NOW, THEREFORE, BE IT RESOLVED THAT the Ypsilanti City Council approves the proposed work plan as prepared by staff for the 2012-2013 and 2013-2014 program years.

OFFERED BY: Council Member Robb
SUPPORTED BY: Council Member Vogt

Teresa Gillotti Senior Planner said the CDBG block grant went down by \$40,000 this year, Urban County increased membership, and HUD decreased allocations based on a population decline for the city of Ypsilanti. Ypsilanti still receives the 3rd highest allocation. Funding from the CDBG is used for ADA ramp compliance, funds for rehabilitation and repairs for lower income home owners as well as for loans.

On a roll call vote, the vote to approve Resolution 2012-033 was as follows:

Mayor Schreiber	Yes	Mayor Pro Tem Richardson	Yes
Council Member Bodary	Absent	Council Member Robb	Yes
Council Member Jefferson	Yes	Council Member Vogt	Yes
Council Member Murdock	Yes		

VOTE:

Yes: 6 No: 0 Absent: 1 (Bodary) Vote: Carried

5. Resolution 2012-034, approving the Tax Revocation Policy.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City relies on prompt payment of taxes for efficient operation of the City and the public good; and

WHEREAS, certain properties receive tax preferential treatment with the approval of Tax Abatement Certificates; and

WHEREAS, the enabling Act 146 of 2000 provides that certificates may be revoked for lack of good faith; and

WHEREAS, the City Council finds that non-payment or late payment of taxes due either in September or February of any given year is lack of good faith and if taxes are late or not paid twice the lack of good faith is sufficient cause for revocation of the tax abatement certificate.

IT IS RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that City Staff is directed to include this in the City Policy.

OFFERED BY: Council Member Vogt

SUPPORTED BY: Council Member Murdock

Attorney John Barr commented about OPRA's and the benefit of paying taxes on time. He added that the resolution is a housekeeping measure.

Attorney John Barr said council has the ultimate decision when taxes are not paid on time and the expectations are taxes will be paid on time. In addition he said the ultimate decision is up to council in the matter.

Council Member Schreiber, commented would council have any objections to changes in this policy?

Council Member Robb commented why would we have a policy if it is not going to be followed. He said this is a benefit and it should come with strict rules.

Mayor Schreiber commented he does not disagree with Council Member Robb's statement but would like to give a chance to OPRA recipients in the case of being one day late on taxes.

Council Member Vogt commented he agrees with Council Member Robb, we should tighten up due dates for taxes.

Council Member Murdock commented the city has a policy and taxes are late when they are late.

Mayor Pro-Tem Richardson questioned why would we want to change the policy.

Mayor Schreiber commented in some cases taxes are only a day late.

On a roll call vote, the vote to approve Resolution 2012-034 was as follows:

Council Member Bodary	Absent	Council Member Robb	Yes
Council Member Jefferson	Yes	Council Member Vogt	Yes
Council Member Murdock	Yes	Mayor Schreiber	Yes
Mayor Pro Tem Richardson	Yes		

VOTE:

Yes: 6 No: 0 Absent: 1 (Bodary) Vote: Carried

6. Resolution 2012-035 approving Appointments 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:**

<u>NAME</u>	<u>BOARD</u>	<u>Term To Expire</u>
Dan Lautenbach (reappointment) 106 Oakwood Ypsilanti, MI. 48197	Planning Commission	05/01/2015
Richard Murphy (reappointment) 406 Florence Ypsilanti, MI. 48198	Planning Commission	05/01/2015
Andrew Cameron (new appointment) 1313 W. Cross Ypsilanti, MI. 48197	YCUA	12/01/2012

OFFERED BY: Council Member Vogt

SUPPORTED BY: Council Member Jefferson

Council Member Murdock commented he will be voting no on Resolution 2012-034 because the YCUA board is a very important board to be appointed to and he was not notified about the vacancy

Mayor Schreiber commented that the normal procedure is to include the nomination in the council packet and about recent staff changes in the Clerk's office.

Council Member Murdock clarified that he is voting no not because of a staff change, but because he had no knowledge there was a vacancy.

Council Member Robb commented he will not be supporting Resolution 2012-034 because the YCUA board is a very important board to be placed on and the nominee's goals did not align with goals for the YCUA board.

Mayor Pro -Tem Richardson, commented she found out about the vacancy from an outsider. She said she will vote for the appointment but would like the procedure to be followed when there are nominations to boards and commissions.

Mayor Schreiber commented that the YCUA resignation was submitted to the Clerk's office.

On a roll call vote, Resolution 2012-35 was as follows:

Council Member Jefferson	Yes	Council Member Vogt	Yes
Council Member Murdock	No	Mayor Schreiber	Yes
Mayor Pro Tem Richardson	Yes	Council Member Bodary	Absent
Council Member Robb	No		

VOTE:

Yes: 4 No: 2 (Murdock, Robb) Absent: 1 (Bodary) Vote: Carried

XIII. LIASON REPORTS -

- A. SEMCOG Update – Mayor Pro-Tem Richardson commented about a meeting in February.
- B. Washtenaw Area Transportation Study- Council Member Murdock commented about roads and transportation.
- C. Washtenaw Metro Alliance – Council Member Robb commented the next meeting is in March.
- D. Urban Counties- None.
- E. Freight House- Council Member Murdock commented that the Freight House has been approved for modifications to add bathrooms, heat and a café.

IXV. COUNCIL PROPOSED BUSINESS –

Mayor Pro- Tem Richardson commented about stop signs being placed at Middle and Ferris. She inquired about a stop sign being placed on Hawkins Street where a number of children are always playing outside. In addition she has forwarded a couple of e-mails from Bryce Kelly with the Aerotropolis Project.

Council Member Murdock commented that he would like to receive a staff report in terms of vacancies. He questioned if we should have a hiring freeze until the outcome of the May 8th election.

Council Member Robb, asked to receive updates on trees being removed at the Boys and Girls Club, Boggs gas station and 206 E. Cross Street.

Council Member Vogt asked for an update on Washtenaw Ave.

Council Member Jefferson commented about receiving information he requested from the Ypsilanti Housing Commission. In addition he would like information in regards to comments made by Mr. Hunter during audience participation about Housing Commission employee Mr. Temple having a 2009 felony conviction. He has asked several times for stop signs to be placed on Ferris and Middle streets. Also commented about was heavy speeding on Hawkins Street.

Mayor Pro-Tem Richardson reminded city council of the Brotherhood Banquet and suggested that more than one person from council be present at the banquet.

XV. COMMUNICATIONS FROM THE MAYOR –

Mayor Schreiber commented about the nomination of Claudia Pettit to the Human Relations Commission and it took two years for her bosses to realize she would not be in violation of the Hatch Act.

Nominations

Human Relations Commission

Claudia Pettit (new appointment)
945 Sheridan St.
Ypsilanti, Michigan 48197
Expires: 2/6/2013

XVI. COMMUNICATIONS FROM THE CITY MANAGER –

Interim City Manager McMullan apologized about the nominations for boards and commissions not being forwarded to city council members. In addition she commented that each month council will see reports under communications from the city manager that they have requested. She asked that calendars be marked for either the first or second meeting in March for a Water Street update.

Mayor Schreiber commented on providing a report for employee vacancies.

Interim City Manager McMullan commented she would provide a report to council members on employee vacancies.

David Kowal commented about a number of employee retirements.

XVII. AUDIENCE PARTICIPATION -

Mark Hergott, 111 Milles, said no matter what the outcome of the Water Street proposal or the city income tax millage, the city will still have a ballooning with the police and fire retirements.

XVIII. REMARKS FROM THE MAYOR –

Mayor Pro-Tem Richardson commented to Mr. Mark Hergott about collaborative efforts the city has made.

XIX. ADJOURNMENT –

1. Resolution No. 2012-036, adjourning the City Council Meeting.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

OFFERED BY: Council Member Jefferson
SUPPORTED BY: Council Member Vogt

On a voice vote, the vote to adjourn the city council meeting carried unanimously and the meeting was adjourned at 10:13 p.m.