



**CITY OF YPSILANTI
COUNCIL MEETING AGENDA
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, MARCH 20, 2012
6:00 P.M. –WORK SESSION
7:00 P.M. – OPEN SESSION**

I. CALL TO ORDER –

The meeting was called to order 6:05 p.m.

II. ROLL CALL –

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

Council Member Murdock moved, supported by Council Member Bodary, to excuse the absence of Mayor Pro-Tem Richardson.

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

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. WORK SESSION (6:00 p.m.-7:00 p.m.)

1. Water Street Update- Teresa Gillotti, Senior Planner

Senior Planner, Teresa Gillotti gave a brief overview of the Water Street listing contract with CBRE Listing Agent. She said in 2008 the City of Ypsilanti altered the direction of marketing efforts for the Water Street redevelopment area, opening up the potential to sell smaller portions of the site in addition to the potential to sell the 38 acre parcel as a whole. To further inform this process, the City entered into a contract with CB Richard Ellis, (CBRE) to develop a market study for the site, create a plan for parcelization that included developing specific pricing, listing the property on MLS services, and ongoing marketing at events and through their networks.

That contract had stipulated a monthly payment, which was to be applied to potential commission. The amount related to this "pre-paid" commission is \$72,000. The new contract stipulates that CBRE will not be entitled to any additional consulting fees, and that CBRE waives the right to any additional consulting fees related to activities since the end of the prior

agreement, through the proposed contract. In addition Ms. Gilliotti commented that the updated contract includes these provisions of note: The city will expend no additional funds for the services provided by CBRE, in the case of a donation or transfer of land, rather than a sale, CBRE cannot claim any commission. CBRE will also be under contract for additional services that are to include an updated Analysis and Brochures, and they shall prepare new comparable analysis and updated brochures for the Property at least every six (6) months during the term and feature the Property at the International Council of Shopping Centers' regional and national annual meetings

Ms. Gilliotti further stated that the City has been in conversation with three developers in addition to Washtenaw County Parks and Recreation Commission. Projects under consideration include active senior housing, family affordable housing, and small retail development. Staff is providing interested developers with site information, zoning guidelines, and general location on the proposed location for the County's Recreation facility. Staff will be working with CBRE to move these parties toward a Letter of Intent in upcoming weeks.

Staff would like Council to select either the Mayor or a Council Member to serve on the Steering Committee, as well as the funding committee. Staff would also like approval to work with the Planning Commission and Recreation Commission to select members for the building, site, and trail committees.

Council Member Bodary asked what has CBRE accomplished while being the listing agent for the Water Street property?

Arthur Itkis, CBRE Representative, commented that no contract was in place but that he had been performing marketing on his own without a contract.

Council Member Bodary asked what happened to the contract.

Mr. Itkis responded the contract had expired.

Ms. Gillotti commented that she was trying to get a few items worked out before bringing the contract before city council.

Council Member Bodary commented that he knows Interim City Manager McMullan will do a better job of relaying information to city council about CBRE than had been done in the past. Additionally he said he can't believe that the signs in front of Water Street had not been pulled due to the listing company not having a contract for 12 months.

Council Member Vogt asked what efforts had been made by CBRE for publicizing the Water Street property.

Mr. Itkis responded he publicized to a list of potential occupants, which included student housing, affordable housing and senior housing.

Mayor Schreiber thanked Mr. Itkis and Mr. Fazio for attending the City Council meeting and commented about the challenges of negotiating the contract and that City Council wants to show the public that they are acting in good faith with the Water Street property.

Council Member Murdock asked if lending has still been an issue for financing commercial properties.

Mr. Itkis responded that lending is still an issue but has loosened a bit.

Council Member Murdock commented that the city is working with Washtenaw County Parks and Recreation to build a facility and that will improve the value of the Water Street property.

Mayor Schreiber asked Ms. Gillotti to explain affordable housing.

Ms. Gillotti explained there are different tax credits and qualifying limits for affordable housing versus senior housing. She said a lot of senior housing will apply for a PILOT program which consists of payments in lieu of taxes.

Mayor Schreiber commented Hamilton Crossing has a taxable base.

Washtenaw County Parks and Recreation Deputy Director Coy Vaughn commented on a recreation center being built on the Water Street property.

VI. INTRODUCTIONS –

Mayor Schreiber introduced Washtenaw County Commissioner, Rolland Sizemore, Ypsilanti Library Committee Members, Donna Debutts, Kay Williams, Linda Gurka, Fran Doe, and Joe Murry, CBRE Representative, Arthur Itkis and Miller Canfield Representative, Joe Fazio, and Administrative Services Director, David Kowal.

VII. AGENDA APPROVAL –

Mayor Schreiber amended the agenda to add three Resolutions:

1. Resolution to appoint Staff recommendations to non-council positions.
2. Resolution to appoint a city council liason to the Steering committee.
3. Resolution to appoint a city council liason to the partnership funding committee.

Mayor Schreiber amended the agenda to go thru each "Consent Agenda" Resolution separately.

On a voice vote the agenda was approved as amended.

VIII. PRESENTATIONS –

1. Ypsilanti Library Annual Report- Donna DeButts, Community Relations Coordinator

Ypsilanti Library Representative Donna DeButts gave an overview of the 2011 Annual Ypsilanti Library Report. Ms. DeButts commented that renovation of the YDL- Teen Zone had been completed. She also said forty computers have been added throughout the library system, YDL now has downloadable e-books, 5,000 new library cards have been issued, and the library has collaborated with community organizations to present several reading programs. (Please see the Clerk's office for a copy of the 2011 YDL Community Report)

Mayor Schreiber commented that it is nice to see the Book Mobile out in the neighborhoods.

Donna Debutts, commented that the Book Mobile goes to the area schools during the day and the neighborhoods in the evenings.

Mayor Schreiber commented that he appreciates the fact that the library has meeting rooms.

IX. PUBLIC HEARINGS-

1. Creation of DDA-Wide OPRA District
 - A. Resolution No. 2012-048, determination.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Tax abatements further encourage economic development through providing support to development or redevelopment projects that otherwise may not have occurred; and

WHEREAS, the Obsolete Property Rehabilitation Act, Public Act 146 of 2000, as amended, provides for a tax incentive to encourage the redevelopment of obsolete buildings; and

WHEREAS, some parcels within the proposed district are characterized by obsolete commercial or commercial housing property as required in the Act; and

WHEREAS, the City of Ypsilanti, a qualified local governmental unit, sets forth a finding and determination that the district meets the requirements set forth in section 3(1) of Public Act 146 of 2000; and

WHEREAS, written notice has been given by mail to all owners of real property located within the proposed district, and to the public by newspaper advertisement and public posting of the hearing on the establishment of the proposed district; and

WHEREAS, on March 20, 2012 a public hearing was held and all residents and taxpayers of the City of Ypsilanti were afforded an opportunity to be heard thereon; and

WHEREAS, the Ypsilanti City Council deems it to be in the public interest of the City of Ypsilanti to establish the Obsolete Property Rehabilitation Act District as proposed;

NOW, THEREFORE, BE IT RESOLVED THAT the Ypsilanti City Council establishes the Obsolete Property Rehabilitation District consisting of parcel in the West Cross, Downtown and Depot Town DDA districts, as shown on the attached map.

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

Moved by Council Member Vogt, Supported by Council Member Jefferson to delay Resolution 2012-048 until April 17, 2012.

Mayor Schreiber asked Ms. Gillotti to explain why the public hearing was being delayed until April 17, 2012.

Ms. Gillotti commented that the notice for the public hearing was published in the paper, but that proper notice by planning had not been done to residents within a specific radius of the OPRA.

Council Member Murdock questioned why the item was just not taken off the agenda.

Ms. Gillotti said she thought that since the notice had been published in the newspaper, that the public hearing needed to be held.

Attorney John Barr commented that the public hearing could be adjourned.

Moved by Council Member Vogt, Supported by Council Member Jefferson to delay Resolution 2012-048 and the public hearing until April 17, 2012.

On a voice vote, the motion to delay the public hearing for Resolution 2012-048 was unanimous.

- B. Open Public Hearing.
- C. Resolution No. 2012-049, close public hearing.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the public hearing to consider the proposed resolution entitled "CREATION OF DDA-WIDE OPRA" be officially closed.

- 2. NRTF Application for Water Street Trail
 - A. Resolution No. 2012-050, determination.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, certain funding is available through the Michigan Natural Resources Trust Fund that may be used for recreation improvements;

WHEREAS, The creation of a non-motorized pathway along the western edge of the Water Street Redevelopment Area, along the Huron River, has been identified as "River's Edge Linear Park" in the Parks and Recreation Master Plan (2008) and the Master Plan (1998) as a project that will promote access to and enjoyment of the river and the parkland along it;

WHEREAS, The Washtenaw County Parks and Recreation Commission has generously agreed to provide up to \$292,000 for the implementation of this project;

WHEREAS, The MNRTF funding available, when combined with existing funding, would be sufficient for the construction of this non-motorized path; and

WHEREAS, The construction of this amenity, in coordination with the surrounding Water Street redevelopment, will advance local and

regional goals of increasing access between neighborhoods, parks, and regional non-motorized facilities;

NOW THEREFORE BE IT RESOLVED, that the Ypsilanti City Council hereby approve the application for FY 2012 MNRTF funding to construct a non-motorized path connection between Michigan Avenue and Grove Road area.

FURTHER, that should the grant be awarded, the Mayor and City Clerk are authorized to sign all documents relating to this grant.

OFFERED BY: Council Member Bodary

SUPPORTED BY: Council Member Vogt

On a roll call vote, the motion to approve Resolution 2012-050 was as follows:

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

VOTE:

Yes: 5 No: 0 Absent: 1 (Mayor Pro-Tem Richardson) Vote: Carried

B. Open Public Hearing.

Mayor Schreiber read the rules for audience participation.

Commissioner Sizemore commented Good Luck and he supports.

Mark Hergott, 111 Miles, commented the crossing on Michigan Ave, suggest you don't go with a HAWK, he suggest a pedestrian refuge. He said that a pedestrian refuge is safer in his opinion.

Richard Ellis, 1473 Wild Wood Trail in Saline, commented about bicycle safety and his support of this resolution.

C. Resolution No. 2012-051, close public hearing.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the public hearing to consider the 2012 Natural Resources Trust Fund Grant Application for River's Edge Linear Park and Trail be officially closed.

OFFERED BY: Council Member Bodary

SUPPORTED BY: Council Member Vogt

On a voice vote the motion for Resolution 2012-051 to close the public hearing was unanimous.

3. Creation of an Industrial Development District- 715 Norris St.

A. Resolution No. 2012-052, determination.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Tax abatements further encourage economic development through providing support to development or redevelopment projects that otherwise may not have occurred; and

WHEREAS, the Plant Rehabilitation and Industrial Development Districts Act 198 of 1974 as amended, provides for a tax incentive to encourage rehabilitation or expansion of existing facilities, and other related incentives; and

WHEREAS, the City of Ypsilanti is a qualified local government unit under the Act, and

WHEREAS, written notice has been given by mail to all owners of real property located within the proposed district, and to the public by newspaper advertisement in the and public posting of the hearing on the establishment of the proposed district; and

WHEREAS, on March 20, 2012 a public hearing was held and owners and other residents or taxpayers of the local governmental unit were provided the opportunity to appear and be heard; and

WHEREAS, the City Council finds that more than 50% of the state equalized valuation of the industrial property of parcel #11-11-04-425-001 (715 Norris St.), the property commonly known as the former Motor Wheel Property, is obsolete; and

WHEREAS, the Ypsilanti City Council deems it to be in the public interest of the City of Ypsilanti to establish the Industrial Development District as proposed;

NOW, THEREFORE, BE IT RESOLVED THAT the Ypsilanti City Council establishes an Industrial Development District for parcel #11-11-04-425-001 (715 Norris St).

OFFERED BY: Council Member Robb

SUPPORTED BY: Council Member Murdock

Ms. Gillotti commented that the goal here is to take proactive steps for properties that the city has had a hard time redeveloping. The Motor Wheels site is already in an IDD and can apply for tax incentives per the state Act. She said the goal here is to advertise the fact that this property is in an Industrial Development District. (IDD)

Council Member Murdock asked does this include the entire parcel up to Highland Cemetery.

Ms. Gillotti answered no it is a single parcel.

Council Member Bodary asked what the current taxable value is.

Council Member Robb answered the property is assessed at \$851,000.00 for real property.

Council Member Bodary commented he supports moving forward with making this an Industrial Development District.

Council Member Robb asked how far this parcel from an R-1 district is.

Ms. Gillotti commented there is little bit of residential on the north street separated by the river on Forest Street.

Council Member Robb commented he is concerned about truck traffic in this area.

Ms. Gillotti commented that there is a possibility of truck and employee traffic but that traffic could go Forest and then onto River.

Ms. Gillotti commented that the area is already zoned industrial.

Council Member Robb asked if we do make industrial, how this affects the master plan.

Ms. Gillotti commented it would be a non-conforming use for the specific area.

Council Member Robb commented he does not support an IDD on Norris Street

Ms. Gillotti suggested a traffic study be performed prior to City Council approving any potential purchaser.

Council Member Murdock commented that environmentally the site is a mess. He said he use to work there and he thinks the impact of a 1000 jobs would be great for the community.

Council Member Robb commented that 40 years ago the community was not thrilled that a plant was in a residential area. He said that he is not sure if the young urban community that the city is trying to attract would be in favor of an industrial plant.

On a roll call vote, the motion to approve Resolution 2012-052 was as follows:

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

VOTE:

Yes: 5 No: 1 (Robb) Absent: 1 (Mayor Pro-Tem Richardson) Vote: Carried

B. Open Public Hearing.

Mayor Schreiber read the rules for public comments.

Mark Hergott, 111 Miles, commented he supports making the parcel located at 715 an Industrial Development District.

Washtenaw County Commissioner, Rolland Sizemore, commented he sits on the Aerotropolis Board and offered his support.

Ted Mull, 704 Dwight Street, commented he supports seeing development at that site.

Mayor Schreiber asked Ms. Gillotti why we are creating the Industrial Development District now.

Ms. Gillotti responded that she had this on a list of task to complete.

- C. Resolution No. 2012-053, close public hearing.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the public hearing to consider the proposed resolution entitled "CREATION OF INDUSTRIAL DEVELOPMENT DISTRICT AT 715 NORRIS STREET" be officially closed.

OFFERED BY: Council Member Robb

SUPPORTED BY: Council Member Jefferson

On a voice vote, the motion to approve Resolution 2012-053 to close the public hearing carried unanimously.

X. ORDINANCES- FIRST READING-

Ordinance No. 1172

1. Adding Subsection 9 of Section 2-298 to the Ypsilanti Code of Ordinances: Construction Unity Board (CUB)

- A. Resolution No. 2012-054, determination.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS Subsection 9 of Section 2-298 of the Ypsilanti City code required a Construction Unity Board (CUB) agreement in certain city contracts; and

WHEREAS this requirement was deleted by reason of Public Act 98 of 2011 which prohibits such ordinance requirement; and

WHEREAS the said law has been declared unconstitutional, NOW THEREFORE:

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled "An ordinance to add Subsection 9 of Section 2-298 of the Ypsilanti City Code to add Construction Unity Board Requirements" be approved on first reading.

**CITY OF YPSILANTI
Ordinance No. 1172**

An ordinance to add Subsection 9 of Section 2-298 of the Ypsilanti City Code to add Construction Unity Board Requirements to the Ypsilanti City Code.

1. THE CITY OF YPSILANTI ORDAINS That Section 2-298, Subparagraph 9, of the Ypsilanti City Code is hereby added and adopted:

Any bid for new construction or renovation work for capital facilities or improvement projects shall contain a requirement that the winning bidder agree to sign a construction unity board ("CUB") memorandum of understanding as a condition of receiving the contract. Accordingly, any RFP for this type of contract shall include the requirement that the winning bidder sign a CUB agreement.

- 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.**

OFFERED BY: Council Member Murdock
SUPPORTED BY: Council Member Bodary

Council Member Murdock commented the CUB agreement was adopted a couple years ago the state banned the agreement and the courts overturned the ban.

Mayor Schreiber commented the CUB agreement fosters local employment.

Council Member Murdock commented the CUB Agreement fosters local employment and wages to stay in the community.

On a roll call vote, the motion to approve Resolution 2012-054 was as follows:

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

VOTE:

Yes: 6 No: 0 Absent: 1 (Mayor Pro-Tem Richardson) Vote: Carried

B. Open Public Hearing.

Mayor Schreiber read the rules for public comment.

Dave Alber, 308 Maple Street, commented he supports reinstating the CUB Ordinance.

C. Resolution No. 2012-055, close public hearing.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the public hearing to consider the proposed Ordinance entitled "ADDING THE CONSTRUCTION UNITY BOARD (CUB) TO THE YPSILANTI CODE OF ORDINANCES" be officially closed.

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

On a voice vote, the motion to approve Resolution 2012-055 to close the public hearing carried unanimously.

XI. AUDIENCE PARTICIPATION-

Mark Hergott, 111 Miles, commented he will not be attending the meetings for awhile. He said the city has to find new ways to work with the regional government to expand the tax base. He said he opposes putting both tax measures on the same ballot proposal.

XII. REMARKS BY THE MAYOR –

Mayor Schreiber commented he -appreciated Mr. Hergott attending meetings and wishes the best for him and his family.

XIII. MINUTES –

Resolution No. 2012-056, approving the minutes of March 6, 2012.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Minutes of March 6, 2012 be approved.

OFFERED BY: Council Member Bodary
SUPPORTED BY: Council Member Vogt

On a voice vote, the motion to approve Resolution 2012-056 carried unanimously.

XIV. CONSENT AGENDA-

Resolution No. 2012-057

1. Resolution No. 2012-058, for the appointment of Hershey Ballard to the Ypsilanti Housing Commission.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT, the following individual be appointed to the Ypsilanti Housing Commission as indicated below:

<u>NAME</u>	<u>BOARD</u>	<u>TERM TO EXPIRE</u>
Hershey Ballard 715 Towner #1 Ypsilanti, Michigan 48198	Ypsilanti Housing Commission (YHC resident appointment)	03/20/2016

OFFERED BY: Council Member Robb
SUPPORTED BY: Council Member Jefferson

Council Member Murdock commented he does not agree with making any appointments to the housing commission. He said he does not have confidence with their management practices and they have not been forth coming with Council Member Jefferson in regards to providing information that he has requested. In addition he said he suspects they may be abusing the Open Meetings Act. He will not support appointing a member to the housing commission unless it is to replace a member.

Mayor Schreiber commented that by state statute the position being filled is a free position, being a resident appointee.

Council Member Murdock asked is the appointment for a specific slot?

Council Member Bodary commented if no resident had been on this long why would we make an appointment to that commission now.

Mayor Schreiber commented that the previous resident appointee resigned and he consulted Council Member Jefferson and Mayor Pro tem Richardson for a recommendation.

Council Member Murdock commented that he would make a motion to table an appointee to the housing commission indefinitely.

Council Member Murdock moved, supported by Council Member Robb, to table a resident appointment to the Housing Commission indefinitely.

On a roll call vote, the vote to approve delaying an appointment to the Ypsilanti Housing Commission indefinitely was as follows:

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

VOTE:

Yes: 5 No: 1 (Mayor Schreiber) Absent:1 (Mayor Pro-Tem Richardson) Vote: Carried

- Resolution No. 2012-059, approving an ordinance to adopt the FEMA Flood Insurance Rate Map. **(Ordinance No. 1170.) (Second Reading)**

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the proposed Ordinance entitled "FEMA FLOOD DAMAGE PREVENTION ORDINANCE UPDATE" be adopted on Second Reading.

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

On a roll call vote, the vote to approve Resolution 2012-059 was as follows:

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

VOTE:

Yes: 6 No: Absent: 1 (Mayor Pro-Tem Richardson) Vote: Carried

3. Resolution No. 2012-060, approving the CBRE marketing agreement.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti desires to continue marketing the Water Street Redevelopment Area; and

WHEREAS, the City of Ypsilanti previously entered into a contract with CB Richard Ellis on June 15 2008 to provide a series of services including a market study, development of a pricing scheme for parcels on the site, and ongoing marketing of the property; and

WHEREAS, the contract was extended until June 14, 2010 but had not been formally extended, and

WHEREAS, the new contract would allow CBRE to more actively market the property including updating sales materials, develop a new marketing plan and update the previous market study without any additional cost to the City of Ypsilanti,

NOW, THEREFORE, BE IT RESOLVED THAT the Ypsilanti City Council approves the attached contract with CBRE; and

FURTHER, that the Mayor and City Clerk are authorized to sign the contract to approval by the City Attorney.

OFFERED BY: Council Member Bodary
SUPPORTED BY: Council Member Jefferson

Council Member Bodary commented the reason he wanted it pulled from the agenda was because there has been nothing current going on with the property. He said maybe CBRE is too big and is wondering if it is better to solicit a smaller or local firm to do a better job.

Ms. Gillotti commented when the bid went out previously, there was only one responder and that was CBRE. She said CBRE has committed for the length of the contract and she is not sure if we would get a different perspective from local realtors.

Council Member Robb commented that Gary Lilly's firm also submitted bid info but their bid was received late. He said he does not support delaying the signing of the contract with CBRE.

Council Member Vogt commented that he had the same concerns as Council Member Bodary and the fact that we didn't have a contract explains a lot. He said he thinks it is a good time to take a fresh look at other companies

Mr. Fazio commented if you do use another company you will lose the \$72,000.00 credit. He said the agreement does include co-brokering with local agents.

Council Member Jefferson commented that he appreciates the continued work that had been done, even without a contract. He said he supports the contract with CBRE.

Council Member Vogt asked Ms. Gillotti what area the city would solicit local companies if bids were solicited out.

Ms. Gillotti commented southeast Michigan, mainly in Ann Arbor.

Council Member Murdock commented about the inactivity on the Water Street property and said he would support renewing CBRE's contract for the reason CBRE has familiarity with the property and if the city solicited out for bid contracts, that would mean another 3-6 months of inactivity.

Mayor Schreiber commented he supports the CBRE contract.

On a roll call vote, the motion to approve Resolution 2012-060 was as follows:

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

VOTE:

Yes: 4 No: 2 Absent: 1 (Mayor Pro-Tem Richardson) Vote: Carried

XV. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2012-061, approving an investigation of an Ypsilanti Housing Commission employee.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the Ypsilanti Housing Commission provides the Ypsilanti City Council the following documents

- 1. Employment Application**
- 2. Time Sheets from March 1, 2009 through the end of July 31, 2009**
- 3. The Check registry for year ending 2009**
- 4. YHC Personnel Manual**
- 5. The Resolution passed stating that the YHC adopted the City Employee Handbook and the minutes of the meeting at which the resolution was adopted and to include all findings and actions including the investigation of the allegations of YHC employee felony convictions no later than April 1, 2012.**

OFFERED BY: Council Member Jefferson
SUPPORTED BY: Council Member Murdock

Council Member Jefferson commented this is a resolution to officially take action and holding the Ypsilanti Housing Commission accountable for management issues and the allegation of a felony record by Ypsilanti Housing Commission employee Eric Temple.

Council Member Robb commented about the wording of the Resolution. He said he supports Council Member Jefferson's intent, but the issue here is about management at the Ypsilanti Housing Commission and not who has a felony record. He stated he would like to see the line taken out about investigating a felony record.

Council Member Jefferson commented about changing the language.

Council Member Murdock commented about the lack of confidence in the housing commission administration and the hiring of Mr. Temple.

Mayor Schreiber commented that he communicated with Council Member Jefferson about the investigation when it was printed in annarbor.com. He said his focus is on how the Ypsilanti Housing Commission is being managed. He suggested that city council wait until the Ypsilanti Housing Commission has done its investigation into the felony conviction and the HUD assessment before council proceeds with actions. Additionally he asked that city council consider a liaison.

Council Member Jefferson stated he believes we need to have this resolution even if the wording is changed. He said he has no problem with an individual being hired that has a felony, given they have paid their debt to society. He said he is concerned about the handling of Mr. Temple's felony conviction with regards to his employment at the Ypsilanti Housing Commission. He said he does not support a liaison because it does not give an individual the right to be in a closed meeting or the right to make decisions.

Mayor Schreiber commented he was present when Mr. Norris introduced Mr. Temple to City Council but he personally had no knowledge that Mr. Temple had an alledged felony conviction. He said his first time hearing of an alledged felony conviction was when it was brought to City Council's attention by a resident and was confirmed in annarbor.com.

Council Member Jefferson commented he is not sure about the Ypsilanti Housing Commission investigating themselves. He said he has sent several e-mails requesting information and has not received any to date. No one has notified council of any investigation, either.

Council Member Robb commented that he does not support having a liaison. He again stated he does not care about Mr. Temple's resume and this is more about the Ypsilanti Housing Commission's oversight. He said 8 days should be plenty time to provide documents to council.

Council Member Bodary commented about a lack of openness in Eric Temple's resume.

Council Member Robb commented that, as a working individual, he does not keep arrest or convictions on his resume as most people would not provide that information on a resume. He said if a person has a felony, they wouldn't publicize it.

Council Member Jefferson commented the resume is there because the resume would show what period of time Mr. Temple worked at the Galveston Housing Commission.

Council Member Robb commented he does not support asking for Eric Temple's resume.

Meeting adjourned at 8:40 p.m.

Meeting reconvened at 8:50 p.m.

Council Member Jefferson read a substitution Resolution No. 2012-061

Mayor Schreiber commented on a meeting that Council Member Jefferson attended with the Ypsilanti Housing Commission. He asked did Council Member Jefferson request any information from the YHC.

Council Member Jefferson commented he did attend a meeting with the Ypsilanti Housing Commission but did not request any information at that meeting.

Mayor Schreiber commented that Council Member Jefferson should have requested information from the YHC and that communication should go both ways.

Council Member Jefferson commented that to document the actions of the investigation of the Ypsilanti Housing Commission Resolution 2012-061 is needed. He said if Ypsilanti Housing Commission continues to not provide information, he will begin to speak publicly on these issues.

Council Member Bodary commented that he understands the frustration of Council Member Jefferson. He said the Housing Commission needs to realize City Council wants accountability because council makes appointments to the Ypsilanti Housing Commission.

Council Member Jefferson commented that since the HUD assessment came down in December he called two commissioners personally and opened his door for the lines of communication to begin. He said, to date, he still has not received a call or any information.

Council Member Vogt asked when the next meeting is.

Mayor Schreiber commented he believed they meet the 3rd week of the Month.

Mayor Schreiber commented, to be clear, we are seeking documents from the Ypsilanti Housing Commission and not an investigation.

Council Member Jefferson commented that, correct, he is seeking documents and not an investigation.

Council Member Vogt commented this is not an investigation of Eric Temple but of the management practices of the Ypsilanti Housing Commission.

Council Member Jefferson commented that seeing as we are not investigating Eric Temple, we can remove his resume.

Mayor Schreiber asked, to be accurate, we are striking the resume, correct?

Council Member Jefferson responded that is correct, since we are not investigating Eric Temple.

On a roll call vote, the motion to approve Resolution 2012-061 was as follows:

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

VOTE:

Yes: 5 No: 1 (Mayor Schreiber) Absent: 1 (Mayor Pro-Tem Richardson) Vote: Carried

2. **MOTION TO APPOINT CITY .COUNCIL MEMBERS TO COMMITTEES**

Mayor Schreiber asked for nominations to the Water Street Steering Committee.

Council Member Murdock volunteered if no other Council Member wanted to.

Moved by Council Member Bodary, supported by Council Member Vogt to nominate Council Member Murdock to the Water Street Steering Committee.

On a voice vote, the motion carried unanimously.

Mayor Schrieber asked for nominations to the Partnership Funding Committee

Council Member Robb commented that the Mayor should be on the Partnership and Funding Committee.

Moved by Council Member Jefferson, supported by Council Member Vogt to nominate Mayor Schreiber to the Partnership and Funding Committee.

On a voice vote, the motion carried unanimously.

XVI. LIASON REPORTS -

- A. SEMCOG Update –Council Member Jefferson said a General Assembly meeting is scheduled for the 22nd of March at Schoolcraft College.
- B. Washtenaw Area Transportation Study- Council Member Murdock said a meeting is on March 21, 2012.
- C. Washtenaw Metro Alliance – Council Member Robb said nothing to report.
- D. Urban Counties- Mayor Schreiber said nothing to report
- E. Freight House-Council Member Murdock reported a meeting will be held Thursday March 22nd.

XVII. COUNCIL PROPOSED BUSINESS –

Council Member Murdock commented that a lot of no parking signs are going up and when that happens there are a multitude of calls that come thru. He asked for Stan Kirton to please give council a heads up when this happens.

Council Member Murdock commented he had complaints about the Digarnos Bar and wanted DPS to monitor.

Council Member Robb would like a decription the process for issuing recycle bins. He said a resident in a seven member home asked for recycle bins but was told by the Department of Public Works they could not provide them with that amount of recycle bins.

Council Member Bodary wanted to thank Interim City Manager McMullan for cleaning up the Former Sunshine Market on Washtenaw Ave where residents were parking, leaving their cars in the parking lot, and commuting to other destitanations. He said signs have gone up and if cars are left in that parking lot they will be ticketed.

Council Member Robb commented that we don't ticket in private lots. He asked is this something the city does.

Interim City Manager McMullan said they would start ticketing if they are storing cars in that parking lot.

Council Member Robb stated the owner needs to hire a private towing company.

Interim City Manager McMullan said yes, you are correct; the owner should hire his own towing company.

Council Member Bodary suggested maybe we should let the owner know to put up a sign that reads no parking or your vehicle will be towed.

XVIII. COMMUNICATIONS FROM THE MAYOR –

Mayor Schreiber commented about possible development of Water Street; he said council may want to consider narrowing down what development may be.

Mayor Schreiber suggested City Council consider his suggestion of a liason to the Ypsilanti City Housing Commission.

Mayor Schreiber commented to Council Member Jefferson that he does understand his frustrations with the Ypsilanti Housing Commission.

Mayor Schreiber commented about Evan Dority's nomination to the Ethics Board. He said he is a professor and would be a great edition.

Mayor Schreiber commented that Rois Savvides is the owner of Tower Inn and would be a great addition to the YDDA Board.

Council Member Murdock commented that the YDDA appointment would be a good opportunity to shrink the DDA board to something more manageable without throwing anyone off.

Mayor Schreiber asked Council Member Murdock if it is his intent to offer a resolution to shrink the DDA?

Council Member Murdock commented that, no, we could do it by attrition; we would have a vacancy that we do not have to fill.

Mayor Schreiber commented that we have people on the DDA that are snow birds and he believes we still need two representatives on the West Cross end.

Council Member Murdock commented that the meeting was cancelled in February for the purpose of the snowbirds.

Council Member Robb commented that Ms. Gillotti works with the DDA and asked how does she feel about shrinking the DDA?

Ms. Gillotti commented that a bigger board is a lot to do and the DDA has a small staff and she did complain to Council Member Murdock for a large board. She said the question is what kind of representation does the city want?

Council Member Murdock commented that Ms. McMullan did a great job at the neighborhood forum.

Council Member Jefferson asked would the forum be rescheduled for Parkridge.

Interim City Manager McMullan commented that, at this time, a forum had not been rescheduled for Parkridge but she was open to doing so.

Nomination to Ethics Board:

Evan Dority (Democrat)
908 Pleasant Drive
Ypsilanti, MI, 48197

Nomination to YDDA Board (West Cross District)

Rois Savvides
1834 Collegewood
Ypsilanti, MI 48197

XIX. COMMUNICATIONS FROM THE CITY MANAGER –

XX. AUDIENCE PARTICIPATION -

Mark Hergott, 111 Milles, commented that the Ypsilanti Housing Commission's actions are concerning. He said he disagrees with putting both the Water Street and City Income Tax proposals on the same ballot.

XXI. REMARKS FROM THE MAYOR –

XXII. REPORTS SUBMITTED-

1. Ypsilanti Housing Commission updated Sustainability Report

XXIII. ADJOURNMENT –

Resolution No. 2012-062, 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 motion to approve Resolution 2012-062 to adjourn the City Council Meeting carried unanimously.

The meeting adjourned at 9:39 p.m.