



APPROVED

**CITY OF YPSILANTI
SPECIAL COUNCIL MEETING AGENDA
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
FRIDAY JUNE 29, 2012
7:30 A.M.**

I. CALL TO ORDER –

The meeting was called to order at 7:35 a.m.

II. ROLL CALL –

Council Member Bodary	Present	Council Member Robb	Present (@ 7:38 a.m.)
Council Member Jefferson	Present	Council Member Vogt	Present
Council Member Murdock	Present	Mayor Schreiber	Present
Mayor Pro-Tem Richardson	Present		

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. INTRODUCTIONS –

The Mayor introduced Director of Administrative Services David Kowal and Mr. Ralph Lange.

VI. AGENDA APPROVAL –

On a voice vote, the vote to approve the agenda carried unanimously.

VII. AUDIENCE PARTICIPATION–

There was no audience participation.

VIII. RESOLUTIONS/MOTIONS/DISCUSSIONS

1. Resolution 2012-140, approving city manager contract

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City Council previously engaged the services of the Michigan Municipal League to perform a professional executive recruitment for the position of City Manager; and

WHEREAS, the City Council at Special Meetings held on April 26th and 27th, 2012 conducted interviews with five (5) candidates for the position of City Manager; and

WHEREAS, second interviews were subsequently conducted by the City Council on May 14, 2012 with two (2) finalists; and

WHEREAS, the requisite knowledge, skills, abilities and relevant experience that the City Manager should possess in order to be an effective chief administrative officer of the City were established by the City Council prior to commencing the recruitment process; and

WHEREAS, at its meeting of May 15, 2012, the City Council adopted a resolution to establish an ad hoc committee to draft an Employment Agreement by and between the City and Mr. Ralph Lange – the candidate it believed best matched the City Manager position profile developed by the Council; and

WHEREAS, the ad hoc committee (members consisting of Mayor Schreiber, Mayor Pro Tem Richardson, and Councilperson Robb) and Mr. Ralph Lange have negotiated a proposed Employment Agreement.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council does hereby approve the Employment Agreement by and between the City of Ypsilanti and Mr. Ralph Lange, attached hereto and made a part hereof, and does further authorize and direct the Mayor and City Clerk to execute the subject Employment Agreement on behalf of the City.

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

Mayor Schreiber indicated that the new city manager is an at-will employee. In addition he explained that Mr. Lange has asked for 180 days of severance pay because this would help his family. He said it would also force city council to work out issues with him.

Council Member Robb said he feels 180 days is excessive. He also spoke against Council agreeing to put Mr. Lange into MERS when former City Manager Ed Koryzno was never put into MERS.

Council Member Robb said with the entire contract, including the \$7,800.00 healthcare waiver, Mr. Lange makes more than former City Manager Edward Koryzno made. In addition, he said this contract has evolved into something he cannot support.

Mayor Pro-Tem Richardson said she appreciates the approach that Mr. Lange has taken. She said he has followed many things in the non-union handbook and she believes he has the city's best interest at heart.

Mr. Ralph Lange stated he appreciated the define benefit versus the define contribution retirement plan. He said he is contributing five percent or maybe even more.

Mr. Lange commented that a lot of people are going to lose their jobs and that will make him a very unpopular person, and that was the reason he wanted the 180 day severance in order to give him some stability.

Council Member Murdock commented he thinks a 90 day severance is adequate.

Mr. Lange commented that if council wants to amend the contract, he is amenable to that.

Council Member Bodary moved, supported by Council Member Jefferson, that Mr. Ralph Lange be entitled to 90 days severance and benefits beginning August 1, 2014.

Council Member Robb commented he feels it is a bad idea to amend a contract on the fly.

Mr. Lange commented that he is agreeable to 180 days for the first two years and 90 days thereafter. He said he is trying to be accommodating.

Mayor Schreiber asked Attorney John Barr to draft an amendment to the contract language to reflect those changes.

On a roll call vote, the vote to approve the amendment 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	Yes		

VOTE:

Yes: 7 No: 0 Absent: 0 Vote: Carried

On a roll call vote, the vote to approve Resolution No. 2012- 140 as amended was as follows:

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

VOTE:

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

2. Resolution 2012-141, approving Aubree's temporary authorization for outdoor service.

RESOLVED BY THE COUNCIL FOR THE CITY OF YPSILANTI:

WHEREAS, Aubree's Saloon, Inc., 39-41 E. Cross St., Ypsilanti, MI 48198 has applied to the City of Ypsilanti and Michigan Liquor Control Commission requesting to temporarily expand outdoor service area to the adjacent City-owned parking lot on August 11, 2012 to celebrate their 40th year of being in business in Ypsilanti; and

WHEREAS, the Michigan Liquor Control Commission cannot consider the approval of this request without the approval of the local legislative body pursuant to the provisions of the Liquor Control Code; and

WHEREAS, Aubree's Saloon, Inc. has provided necessary documentation for approval to the Special Events Coordinator and is awaiting approval.

NOW, THEREFORE, BE IT RESOLVED THAT the Ypsilanti City Council approves the application of Aubree's Saloon, Inc. for temporary expansion of outdoor service area in the area of the City-owned parking lot adjacent to 39-41 E. Cross St., Ypsilanti, MI 48198.

OFFERED BY: Council Member Murdock
SUPPORTED BY: Council Member Robb

Interim City Manager Frances McMullan commented that this is a level four event and Sandy French, the owner of Aubree's, needs approval from the Michigan Liquor Control Commission and the local unit of government to proceed. In addition she said that Lt. Annas has approved the event.

On a voice vote the motion carried unanimously.

IX. REMARKS BY THE MAYOR –

None

X. CLOSED SESSION

Closed Session to discuss pending litigation (OMA 15.268, Section 8(e)).

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

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

VOTE:

Yes: 7 No: 0 Absent: 0 Vote: Carried

XI. ADJOURNMENT –

Resolution No. 2012-142, adjourning the Special Council Meeting.

Council Member Jefferson moved, supported by Council Member Vogt to adjourn the City Council meeting.

On a voice vote, the motion carried and the meeting adjourned at 8:22 a.m.