



APPROVED

**CITY OF YPSILANTI
SPECIAL COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, AUGUST 14, 2012
5:30 P.M.**

I. CALL TO ORDER

The meeting was called to order at 5:35 p.m. by Mayor Pro-Tem Richardson.

II. ROLL CALL

Council Member Bodary	Present	Council Member Robb	Present
Council Member Jefferson (5:37)	Present	Council Member Vogt	Present
Council Member Murdock	Present	Mayor Schreiber	Absent
Mayor Pro-Tem Richardson	Present		

Council Member Murdock moved, supported by Council Member Vogt to excuse the absence.
The motion carried unanimously.

Mayor Pr-Tem Richardson announced the Mayor will not be present because his father is ill and asked all to keep him in prayer.

III. INVOCATION

Mr. Eric Temple said the 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. INTRODUCTIONS

Mayor Pro-Tem Richardson introduced Ypsilanti School Board Members Andy Fanta and Linda Horne, Interim Housing Commission Director Eric Temple, AATA CEO Michael Ford, AATA Community Outreach Coordinator Sarah Presswich Gryniewicz, YHC Board Members Renee Smith, MaCheryl Jones, Bernice Ethington and Deborah Strong, and new City Manager Ralph Lange.

Mr. Lange thanked City Council for choosing him and said he looks forward to the challenge and the privilege of helping the city during these critical times.

VI. AGENDA APPROVAL

The agenda was approved as submitted.

VII. AUDIENCE PARTICIPATION

1. Robert Hunter said the community has raised issues regarding Mr. Norris and the Ypsilanti Housing Commission for some years now and the Commission has never apologized to the community for its mismanagement and misappropriation of funds. He said the organization has been a complete failure and information has been withheld by Mr. Norris and staff. He suggested that the Mayor request that all existing members resign and that Mr. Norris be dismissed. He suggested the housing responsibility be transferred to MSDHA.
2. Kim Anderson questioned why there was not an oversight committee appointed to oversee the affairs of the Housing Commission.

VIII. REMARKS BY THE MAYOR PRO-TEM

Mayor Pro-Tem Richardson explained that the Ypsilanti Housing Commission is the oversight committee. She said Council was made aware of the most recent problem just a few weeks ago and is working on trying to bring a favorable solution to the problem.

IX. RESOLUTIONS/MOTIONS/DISCUSSIONS

1. Resolution 2012-158, approving amendment to AATA 4-Party Public Transportation Agreement and Articles of Incorporation.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, on May 15, and June 5, 2012, the City Council of the City of Ypsilanti approved the Public Transportation Agreement between AATA, the cities of Ann Arbor and Ypsilanti, and Washtenaw County; and

WHEREAS, the Public Transportation Agreement between AATA, the cities of Ann Arbor and Ypsilanti, and Washtenaw County has since been amended and approved by Washtenaw County and the City of Ann Arbor as follows:

Article 5 PUBLIC MEETINGS

SECTION 5.01: PUBLIC MEETINGS

The Authority shall conduct all meetings of the Board in compliance with the Open Meetings Act (Act 267 of the Public Acts of 1976). The Authority shall provide public notice of the time, date, and place of the meeting in the manner required by Act 267 of 1976, as amended. The Authority shall meet at regular intervals. It shall adopt its own rules of procedure and shall keep a record of its proceedings. A majority of the directors appointed and serving shall constitute a quorum. Each director shall have one vote. Decisions of the Board require a majority vote of the directors appointed and serving at a Board meeting having a quorum present, except approval of the budget which requires approval of 2/3rds of all directors and amendment of the articles ~~each~~ which requires approval of 2/3rds 4/5th of all directors. No director shall cast a vote in proxy for an absent director; however, the Board shall permit a director's alternate, if any, to attend a meeting in the director's absence and vote.

ARTICLE 10 ARTICLES OF INCORPORATION

SECTION 10.01: AMENDMENTS

These Articles of Incorporation may be amended only upon a ~~two-thirds~~ four-fifths (4/5) vote of the directors appointed and serving on the Authority unless another vote of Board is required under the terms of these Articles or provided for in Act 196. All amendments must comply with applicable state and federal laws. All amendments to the Articles of Incorporation become effective only after they are executed jointly by the Chairperson and by the Secretary of the Board of the Authority, filed with the recording officer of the Washtenaw County Clerk, and filed and published in the same manner as the original Articles of Incorporation.

NOW THEREFORE IT IS RESOLVED that the City Council approves the amended Public Transportation Agreement between AATA, the cities of Ann Arbor and Ypsilanti, and Washtenaw County.

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

AATA CEO Michael Ford explained that the amendment was to allow for a 4/5th vote to amend the articles of incorporation. He said the changes will go to the AATA Board on Thursday.

Council Member Murdock asked if the administrative changes or corrections will be incorporated.

Ms. Gryniwicz answered yes and clarified that the changes were basically textual and were included in the most recent document sent to the Ypsilanti City Council. She also gave an overview of the meeting.

Council Member Robb asked about the vote to approve.

Ms. Gryniwicz said it was approved on a 6 to 4 vote, with Commissioner Sizemore being absent. She said Commissioner Gunn moved the resolution and Commissioner Turner voted against it because he preferred that the amendment call for a unanimous vote.

On roll call, the vote to approve Resolution No. 2012-158 was as follows:

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

VOTE:

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

2. Ypsilanti Housing Commission Update

- Approval of the Recovery Agreement and Action Plan

Interim Director Eric Temple introduced the four Board members who were present and stated it is a pleasure to serve as acting director. He said he has 27 years of experience and is looking forward to making changes.

Mr. Temple gave an overview of the current situation at the Ypsilanti Housing Commission (YHC) and explained that the Section 8 shortfall is due to administrative fees that HUD did not pay for. He said the YHC voted to turn Section 8 over to MSHDA. He said they place to hire a firm to come in and determine

where the mistakes were made. He answered questions from Council and invited them to meet with him and the YHC at any time.

Mr. Temple explained that transfers will not affect families with Section 8 currently. He said the vouchers will stay in Ypsilanti and the MSDHA office will be ran out of the Ypsilanti community.

Council Member Murdock asked where the MSDHA office is.

Mr. Temple answered he is not sure and said he will request that an office be in Ypsilanti so that it is accessible to residents.

Council Member Bodary said he feels that City Council has no voice in the matter. Regarding appointments, he said the Mayor has the authority while City Council sits back and watches. He expressed concern about what he sees going on and said he will be watching. He suggested that a Director search be conducted and encouraged the YHC to look for someone with a lot of experience that will enhance the YHC. He said he not looking for more problems.

Mr. Temple encouraged Council to expect and watch for the best. He said he is a loyal employee but he does have his own management style. He said he wants to begin a relationship and wants Council to give him a fair shot.

Council Member Robb asked what the terms of Mr. Norris' retirement were.

Mr. Temple said he cannot divulge that information, it is attorney privileged.

Council Member Rob asked City Attorney John Barr to confirm if the retirement terms are public information.

Mr. Barr said the retirement agreement is public information.

YHC General Counsel David Blanchard said the agreement is a public document however the terms are still being negotiated.

Mr. Robb asked what was approved by the YHC.

Mr. Temple answered \$58,464.00.

Mr. Blanchard said the figure contains vacation and sick time payout. He said included is a portion of things Mr. Norris is entitled to and some that he is not entitled to.

Council Member Robb asked what the buyout was.

Mr. Blanchard answered it is subject to negotiations. He said he believes \$31,000 is for vacation and sick time.

Mr. Robb asked Mr. Temple what is his salary.

Mr. Temple replied he was making \$61,000 and went to \$70,000 when he was promoted to Deputy Director. He said as Interim Director his salary is \$80,000.

Council Member Vogt said he shares the same concerns mentioned by Council Members Bodary and Robb. He asked when the audit will be completed.

Mr. Temple answered he is currently working with the selected company and submitting documents. He said he hopes to have it complete by mid September.

Council Member Jefferson asked if there would be any delay in the 68 Hamilton Crossing vouchers.

Mr. Temple replied no there will be no loss of service to the community and residents. He said there will be a smooth transition.

Council Member Vogt said he wants to make sure that HUD is happy, no laws are broken, and residents are not disenfranchised. He said he also wants to understand how the shortfall occurred.

Council Member Jefferson commented on the \$12,000 a month administrative fees accessed to the Section 8 program. He asked if there will be any impact on the continued operation of YHC.

Mr. Temple answered no because it was used solely to manage Section 8 which is now gone.

Council Member Robb asked what happened to the RFP for auditing that was done in November 2011.

Mr. Temple replied the bid was done but no one was selected.

City Manager Lange asked if it will ever be possible to get Section 8 re-assigned back to Ypsilanti.

Mayor Pro-Tem Richardson answered no. She said it is a sad state of affairs to lose a valuable program because of incompetent leadership. She said this could have jeopardized Hamilton Crossing as well. She said it is a shame that Council allowed this agency to deteriorate.

The meeting recessed at 7:05 p.m. and reconvened at 7:17 p.m.

Council Member Murdock moved, supported by Council Member Jefferson to rescind the following resolutions:

Resolution No. 2008-013 appointing MaCheryl Jones to the YHC
Resolution No. 2009-028 appointing Deborah Strong to the YHC
Resolution No. 2010-227 appointing Renee Smith and Bernice Ethington to the YHC

Council Member Murdock stated that City Council is responsible for the oversight of the YHC. He said it is disappointing that they will not resign voluntarily. He said he wants to move on to the future.

Council Member Vogt asked if the Mayor has been informed of the resolution.

Council Member Murdock said the resolution is an attempt to withdraw support for those members.

Council Member Vogt asked for clarification of the resolution.

Council Member Murdock said the resolution is a vote of no confidence.

On roll call, the vote to approve the resolution was as follows:

Council Member Murdock	Yes	Mayor Schreiber	Absent
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 (Schreiber) Vote: Carried

Council Member Bodary moved, supported by Council Member Jefferson that the approval of the Recovery Agreement and Action Plan be postponed until Council receives further report from Mr. Garrett.

On a voice vote the motion carried unanimously.

IX. AUDIENCE PARTICIPATION

1. Kim Anderson commented that more people should be present at the meeting and questioned why residents were not informed.
2. Andy Fanta, Ypsilanti School Board member, stated that as a citizen and YPS Board member he is proud of the action and questions posed by City Council. He said he wants HUD happy, no laws broken and the residents taken care of also. He commented that an audit will only show conclusions and not the process that led up to it and he is concerned. He asked about the severance package and said YHC was not forthcoming in information so it appears that matters are still being covered up. He said he has no confidence in the current Board and citizens deserve a written narrative about what is going on.
3. LaToya Ferrier said she is concerned that residents are not aware of what is happening with the YHC. She said this whole ordeal could have led people to being homeless. She said this type of mismanagement could have been avoided. She expressed disappointment that none of the Commissioner has apologized. She said she works with the homeless everyday and someone should be held accountable for falling asleep on the job.
4. Linda Horne, YPS Board member, expressed concern the Section 8 program will no longer be a part of the city. She said she is especially concerned for residents because the school year will begin soon. She encouraged Mr. Temple and the YHC to talk to residents because they deserve a face to face explanation.
5. Calvin West said he is concerned that Council has expressed that nothing can be done to fix what has occurred. He said City Council and the City attorney is responsible for allowing this to happen. He said ignorance of the law is no excuse for what has happened. He said it was YHC's responsibility and they should be accountable.
6. Leonardo Christian said he is looking forward to moving on from here. He said City Council needs to take the power from the Mayor by resolution because the entire Council needs to have more said in what occurs at the YHC. He said more oversight is needed so Council should clean it up and move forward.
7. Kristen Nordberg, 1411 Collegewood, said HUD acted quickly however the options were lousy. She said MSDHA is only one option but Ann Arbor could have also taken over. She reminded Council of the lawsuit against HUD six years ago so some positive things have been done by YHC.
8. Deborah Strong said the YHC came to the meeting tonight with their hearts and heads ready to move forward. She said the residents have always been in the forefront and the Commission has done its best to make things right. She the YHC found out at the last

minute what their options were so they transferred the Section 8 program in an effort to protect residents. She said they did the best they could give the situation they faced.

9. Leslie McGraw, Ann Arbor resident, said she has family who lives in Section 8 housing and they were not aware of this situation. She said she is concerned that residents were not notified at all and were never informed.

Mr. Temple said notices were mailed out in May.

10. Chris Budnik said a lot of accusations have been made and he is concerned that the media will run with the story. He said the past management has left now they need time to square things away.

Council Member Bodary responded to Ms. Strong's comments and stated that financial oversight is serious and people need confidence in the Commission's management. He said the YHC has failed and has a bad pattern of granting raises, and not accounting for funds spent. He said HUD has warned the YHC several times and still YHC has not kept up with strict auditing and accounting guidelines.

Council Member Vogt said he hopes the audit can clarify how they got into this problem.

Council Member Jefferson said he called many of the tenants to notify them and they indicated they had not been informed. He said he requested that a flier be sent out also.

X. REMARKS BY THE MAYOR PRO-TEM

Mayor Pro-Tem Richardson thanked those who spoke during audience participation. She also explained that the State law and the city's charter authorizes the Mayor to appoint and dismiss YHC Board members.

XI. ADJOURNMENT

Resolution No. 2012- 159, adjourning the Special 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 meeting adjourned at 7:58 p.m.