Approved

CITY OF YPSILANTI
COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS - ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, SEPTEMBER 18, 2012
7:00 P.M.

I. CALL TO ORDER

The meeting was called to order at 7:05 p.m.

II. ROLL CALL

Council Member Bodary	Present	Council Member Robb	Present
Council Member Jefferson	Present	Council Member Vogt	Present (7:23)
Council Member Murdock	Present	Mayor Schreiber	Present
Mayor Pro-Tem Richardson	Present		

Council Member Bodary moved, supported by Council Member Jefferson to excuse the absence of Council Member Vogt. On a voice vote the motion carried.

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

Mayor Schreiber introduced Interim Director Eric Temple, YHC Board Member Bernice Ethington, Planner Teresa Gillotti and MML Representative Judy Thomson-Torosian.

VI. AGENDA APPROVAL

Mayor Pro-Tem Richardson moved, supported by Council Member Murdock to remove Resolution 2012-197 from the agenda.

On a roll call, the vote to remove Resolution No. 2012-197 was as follows:

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

VOTE:

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

Council Member Murdock suggested Resolution No. 2012-199 be moved to the end of Motions/Resolutions/Discussion. Council consented and the resolution was moved.

On a voice vote the agenda was approved as amended.

VII. PRESENTATIONS

1. National Recovery Month Proclamation – Mayor Schreiber
2. Presentation of MML Liability Insurance dividend check for 2012 – Judy Thomson-Torosian
3. Ypsilanti Housing Commission Update – Interim Director Eric Temple

IX. AUDIENCE PARTICIPATION

Mayor Schreiber read the rules for audience participation.

1. Andy Fanta asked if Council received a chronology of the YHC events which led up to the troubled status and urged Council to request one. He said he wants to know what procedures were in place at the time and how they failed. He suggested monitoring the YHC to make sure procedures are carried out correctly and added that a chronology of events helps everyone understand the history of how we got where we are today. He urged approval of Resolution No. 2012-199.

IX. REMARKS BY THE MAYOR

Mayor Schreiber appreciated Mr. Fanta's comments and said Council is interested in how the city lost the Section 8 program.

Mayor Pro-Tem Richardson suggested that City Council formally ask for a chronology of events.

Council Member Bodary supported the request.

Council Member Vogt said he would also like to see the chronology.

Council Member Jefferson said that a chronology could be used as a tool to help City Council make improvement to YHC processes so that the same mistakes are not repeated.

Interim Director Eric Temple gave a brief overview. He said HUD recaptured funds in 2009/2010. He said when looking at the funds in 2011, YHC saw that the funds were captured at the high rate, which resulted in $170.000 a month being taken by HUD. He said with funds at YHC they realized they couldn't continue to do that through the end of the year. He said YHC asked for a waiver on certain but when non-compliance occurred HUD pulled the program. He said if there had been no HUD offset, there would not have been a problem.

b

Mayor Schreiber requested that a written timeline with details be submitted to Council.

Mayor Pro-Tem Richardson said she would like a timeline as far back as 2009, or from inception of the Section 8 program.

Mr. Temple said he would supply a timeline back to 2003.

X. ORDINANCES - FIRST READING

Ordinance No. 1181

1. An ordinance entitled "Ordinance to Extend AT&T Metro Act Permit to June 30, 2015."

A. Resolution No. 2012-184, determination

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled, "Ordinance to Extend AT&T Metro Act Permit to June 30, 2015" be approved on First Reading.

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

City Attorney John Barr gave an overview of the request. He stated that recent legislation requires that AT&T seek an extension.

Council Member Robb asked is there any effects if not approved.

Mr. Barr answered no, the current agreement is still in effect and they would be acting in de-facto.

Council Member Robb asked if not approved would it prevent them from putting the ugly cable boxes on poles.

Mr. Barr answered that would be a legal issue.

On a roll call, the vote to approve Resolution No. 2012-184 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:

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

B. ***Public hearing and 2nd reading scheduled for October 2, 2012***

XI. MINUTES

Resolution No. 2012-185, approving the minutes of August 14, August 16, August 21, and September 7, 2012.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Minutes of August 14, August 16, August 21 and September 7, 2012 be approved.

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

On a voice vote the motion carried and the minutes were approved as submitted.

XII. CONSENT AGENDA

Resolution No. 2012-186

1. Resolution No. 2012-187, approving “Ypsilanti River Day” to be held on October 7, between 10am-3pm at Frog Island.

    RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

    WHEREAS, the Recreation Commission is directed to make recommendations regarding recreational opportunities to residents of the City of Ypsilanti; and

    WHEREAS, the City’s Code of Ordinances states that the Recreation Commission serves as an advisory board to City Council. As such, any event recommendations made by the Recreation Commission require City sponsorship, and so require approval by City Council; and

    WHEREAS, the Recreation Commission recommends sponsorship of the event, “Ypsilanti River Day”. The event is to be held October 7, between 10am-3pm at Frog Island. The Recreation Commission has formed a partnership with the City of Ann Arbor Canoe Livery to provide canoeing and kayaking opportunities to residents of the City of Ypsilanti; and

    WHEREAS, staff of the Ann Arbor Canoe Livery along with volunteers of the Recreation Commission will perform and oversee all functions relative to the event. As such, the sponsorship of this event will come at no cost or liability to the City of Ypsilanti.

    NOW THEREFORE IT IS RESOLVED that the City Council approves of the Recreation Commission’s recommendation for the event, Ypsilanti River Day.

2. Resolution No. 2012-188, supporting a statewide and national ban on hydraulic fracturing.

    RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

    WHEREAS local elected officials are responsible for protecting the health, safety, and welfare of residents of their municipality; and

    WHEREAS laws and regulations adopted by State government authorizing certain harmful corporate activities within our municipalities have gutted our ability to protect our residents and the natural environment; and

    WHEREAS the hydraulic fracturing (fracking) for natural gas involves the use of chemicals and hazardous materials during construction, drilling, hydraulic fracturing, gas production and delivery, well maintenance, and work over operations; and

    WHEREAS hydraulic fracturing of underground geologic formations is often accomplished by injecting a complex mix of fluids and chemicals, including large volumes of water, on average 4.5 million gallons per well, under very high pressure to create fractures in gas bearing geologic formations; and

WHEREAS many of the chemical constituents injected during hydraulic fracturing have documented adverse health effects and/or adverse environmental impacts; and

WHEREAS there have been more than a 1,000 documented cases of water contamination near fracking sites, including reports of drinking water being flammable; and

WHEREAS wastewater from fracking can contain radioactive elements and has been discharged into rivers that supply drinking water for millions according to the New York Times; and

WHEREAS the use of hydraulic fracturing mixes expose adjacent land and surface waters to the risk of contamination through open pit storage, truck transport on roadways, and activities during well development; and

WHEREAS the pollution of water caused by fracking threatens the long term economic well-being of communities, as businesses and consumers depend on clean drinking water; and

BE IT RESOLVED that the Ypsilanti City Council supports a statewide and national ban on hydraulic fracturing for natural gas, opposes bills HB5149, HB5150, and HB5151, and supports the consideration at the congressional level of what has become known as "Fracturing Responsibility and Awareness of Chemicals (FRAC) Act.

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to State Senator Rebecca Warren, State Representative David Rutledge, Kirk Profit and US Representative John D. Dingell.

3. Resolution No. 2012-189, approving right of way agreement with HDL.com for the purpose of installing wireless digital data communication radio network receivers on existing light poles.

WHEREAS in 2000 the City negotiated with MetriCom, Inc., a Delaware corporation, to place wireless digital data communication radio network transceivers in the City right of way by hanging them on existing light poles; and

WHEREAS MetriCom installed some radios within the City and then went out of business; and

WHEREAS those radios are apparently still installed; and

WHEREAS HDL.com has requested it be allowed to replace one or more of the MetriCom" ricochet" devices with their own radios, providing a free service for persons within the Ypsilanti area; and

WHEREAS Michigan law gives the City the power to control the right-of-ways of the City, including this type of installation of wireless devices;

NOW THEREFORE: IT IS RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that the proposed Right-of-way Agreement with HDL.com is

approved, and the Mayor and City Clerk are authorized to executed such agreement, subject to the approval of the City Attorney.

4. Resolution No. 2012-190, approving the proposal from Saf'Play for Parkridge and Candy Cane Parks.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Community Development Block Grant funds have been earmarked for upgrades to Parkridge Park playground equipment/structures; and

WHEREAS, Park Capital Fee funds are available for upgrades to other playgrounds in Candy and Prospect Parks; and

WHEREAS, bids for the proposed upgrades were solicited and received on August 15th, 2012; and

WHEREAS, five vendors responded with proposals for the City of Ypsilanti Playground Upgrade Project; and

WHEREAS, staff recommends accepting proposals from two vendors; and

NOW, THEREFORE, BE IT RESOLVED THAT the City Council approves the proposal for Parkridge and Candy Cane Parks submitted by Saf'Play Services , Inc., 1200 N. Milford Road, Highland, MI at a cost of $25,684; and

BE IT FURTHER RESOLVED THAT the City Council approves the proposal for Prospect Park submitted by Nursery Merchant, Inc. 6410 Whitmore Lake Road, Whitmore Lake, MI in the amount of $730.; and

BE IT FURTHER RESOLVED THAT $17, 294 be expended from the CDBG grant, account #101-7-7519-818-00 and $9,120 be expended from the Parks Capital Fee fund, account #101-7-7170-818-10; and

THAT the Mayor and City Clerk are authorized to sign these contracts, subject to review and approval by the City Attorney; and

THAT the City Manager is authorized to sign any change orders that may be needed, subject to review and approval by the City Attorney.

OFFERED BY: Council Member Robb
SUPPORTED BY: Council Member Bodary

On a voice vote the motion to approve Resolution No. 2012-186 (Consent Agenda) carried unanimously.

XIII. RESOLUTIONS/MOTIONS/DISCUSSIONS

1. Resolution No. 2012-191, approving Rutherford Pool Memorandum of Understanding (MOU) between the City of Ypsilanti and the Friends of Rutherford Pool (FORP).

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

IT IS RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that: the attached agreement with the Friends of Rutherford Pool (FORP) is hereby approved and the mayor and city clerk are authorized to sign for and on behalf of the city of Ypsilanti, subject to the approval of the city attorney.

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

City Manager Ralph Lange said the Rutherford pool is an important amenity for the city. He reported that the project relationship has improved greatly and the original agreement has been amended, removing the weaknesses. He said he feels the proposed agreement is excellent.

City Planner Teresa Gillotti pointed out that the older draft of the agreement was in the council packet. She explained that the contract with the State of Michigan for the national trust fund grant is moving forward and the FORP is now a 501c3 non-profit group. She said details regarding responsibilities are outlined in the agreement and the city will put out the bid, monitor the construction project and manage the funds. He said there will be an on-site construction manager. The city is responsible for fiscal. FORP is responsible for construction. The City will waive permits, however no phase will begin unless there is full funding for it and the money has been transferred to City. Regarding operations, FORP is responsible for utilities, HR services, yearly budget update, maintaining liability insurance and $35,000 of reserve funds. She said the lease is for 20 years for full operations with a payment of $1 a year. She said FORP will have full control over operating expenses with a 10 year automatic extension.

Council Member Bodary said he is concerned that steps are taken to choose the right contractor and urged staff and FORP to utilize EMU's professional services.

Council Member Robb asked why the city is the employer of record.

City Attorney Barr explained that the City has governmental immunity and the deal with FORP was structured as such. He said the city is adding bookkeeping as an in-kind donation to the project.

Council Member Murdock questioned the hiring process and asked if employees will be filtered through FORP?

Ms. Gillotti answered yes and said FORP will select the people to be hired.

Council Member Robb asked what kind of oversight the city has and who will FORP report to at the city.

Ms. Gillotti answered FORP staff will do the oversight of operations at the pool and will go through the city's HR for backgrounds on employees. She said the existing process will remain the same.

John Weiss, representing FORP, appreciated all the work city staff has done. He appreciated Mr. Lange, Teresa Gillotti, John Barr and Stan Kirton for helping with the process. He said it feels like a true partnership has been developed and thanked City Council for their support.

Mr. Weiss reported FORP is about to hire a designer and a local firm Kadusian and Associates is partnering with WTI for the design work. He said the design services cost $60,000 and they are trying to raise $150,000 by the end of the year. He said plans are to have the design completed by the 3rd week in October so that they will know how much it will cost.

Mayor Pro-Tem Richardson thanked FORP for their hard work.

Mayor Schreiber asked Mr. Weiss to explain the 501c3 and business plan.

Mr. Weiss said he does not handle that so he cannot elaborate on it. He said he does fundraising.

Council Member Robb asked what is the process for amending the agreement and is the city stuck once the agreement is approved.

City Attorney Barr explained that the city will put up $25,000 and the FRIENDS will have a 20 year lease with 10 year extension, waiver of permit fees and a few other minor things. Recommended council approve tonight.

On a roll call the vote to approve Resolution No. 2012-191 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: 7 No: 0 Absent: 0 Vote: Carried

~~2. Resolution No. 2012-199, approving HUD Recovery Agreement and Action Plan.~~ ***(Moved to end of Motions/Resolutions/Discussions)***

2. Resolution No. 2012-192, approving project agreement with Michigan Natural Resources Trust Fund (MNRTF) for the Rutherford Pool Renovation project.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The City of Ypsilanti, Michigan does hereby accept the terms of the Agreement as received from the Michigan Department of Natural Resources, and that the City of Ypsilanti does hereby specifically agreement but not by way of limitation as follows:

1. **To appropriate all funds necessary to complete the project during the project period and to provide $223,000) dollars to match the grant authorized by the DEPARTMENT.**

2. **To maintain satisfactory financial accounts, documents, and records to make them available to the DEPARTMENT for auditing at reasonable times.**

3. **To construct the project and provide such funds, services, and materials as may be necessary to satisfy the terms of said Agreement.**

4. **To regulate the use of the facility constructed and reserved under this Agreement to assure the use thereof by the public on equal and reasonable terms.**

5. **To comply with any and all terms of said Agreement including all terms not specifically set forth in the foregoing portions of this Resolution.**

NOW, THEREFORE, BE IT RESOLVED THAT the Ypsilanti City Council approves the attached contract with State of Michigan Department of Natural Resources for the Reconstruction of the Rutherford Pool.

Council Member Robb questioned the statement in the agreement regarding outdoor use.

Ms. Gillotti agreed that the stated is not specific and said that is being worked on.

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

On a roll call, the vote to approve Resolution No. 2012-192 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

3. Resolution No. 2012-193, approving lease between the City of Ypsilanti and the Friends of Rutherford Pool (FORP).

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, funding for Parks and Recreation in the City is limited at this time;

WHEREAS, the City of Ypsilanti recognizes the importance of the maintenance of its Parks and Recreation resources to the quality of life of citizens;

WHEREAS, partnerships with organizations having an interest in those resources are necessary to accomplish goals for improving and maintaining the quality of life in the City;

WHEREAS, the Friends of the Ypsilanti Rutherford Pool have informally operated the Rutherford Pool from 2004 to 2011 and are prepared to formally assume operational and management responsibilities for the Rutherford Pool;

WHEREAS, the Friends of the Rutherford Pool have incorporated into a 501c3 non-profit;

WHEREAS, the Friends of the Rutherford Pool have raised matching funds for the Reconstruction of the Rutherford Pool as well as an ongoing maintenance endowment;

WHEREAS, the City wishes to enter into a contractual relationship with the Friends of the Rutherford Pool to both reconstruction of the Pool and provide for the ongoing maintenance and operation of the Rutherford Pool; and

NOW THEREFORE IT IS RESOLVED THAT the Mayor and the City Clerk are authorized to sign the attached Lease allowing the Friends of the Rutherford Pool to work with the City on the reconstruction of the Pool and further to allow the Friends of the Rutherford Pool to operate and maintain the pool for 20 years.

OFFERED BY: Council Member Bodary
SUPPORTED BY: Mayor Pro-Tem Richardson

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

VOTE:

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

4. Resolution No. 2012-194, approving request to Municipal Employees Retirement System (MERS) to reallocate certain divisional market assets between two divisions.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti has been a participating municipality in the Municipal Employees' Retirement System of Michigan ("MERS"); and

WHEREAS, pursuant to Municipal Employees' Retirement Board requirements, since December 31, 1994, asset accounting had been separate for each division, instead of aggregate for the entire municipality; and

WHEREAS, over time, significant disparities have arisen in the City's MERS plan as a result of allocating the fair market value of plan assets on a divisional basis instead of on an aggregate basis, which disparities the City of Ypsilanti wishes to eliminate; and

WHEREAS, in order to address the anticipated increase in unfunded liability for pensions to be provided participants in the defined benefit plan that is likely to occur as a result of diminished contributions to that plan, the City wishes to reallocate certain divisional market assets between the two divisions;

NOW THEREFORE BE IT RESOLVED, that the governing body of the City of Ypsilanti, a participating municipality as defined in the Municipal Employees' Retirement Act as recodified by Act No. 427 of the Public

Acts of 1984, as amended, and as the employer, hereby requests MERS to reallocate the total market value of assets of $96,584 of Employer Assets from Division 01's General Non Union Employer Reserve to Division 15's City Manager after 7/1/2012 Employer Reserve as of July 1, 2012 enabling the actuary to prepare the 2012 actuarial valuation with the transferred assets; and

OFFERED BY: Mayor Pro-Tem Richardson
SUPPORTED BY: Council Member Bodary

Mr. Lange suggested the item be tabled to allow Human Resources Manager Judi Smith to address Council.

Council Member Bodary moved, supported by Council Member Vogt to table the resolution.

On a voice vote, Resolution 2012-194 was tabled until the October 2, 2012 regular meeting.

5. Resolution No. 2012-195, supporting Southeast Michigan Council of Governments (SEMCOG).

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, SEMCOG was established in 1968 as a regional planning partnership in Southeast Michigan and the City of Ypsilanti is one of SEMCOG's charter members.

WHEREAS, recent discussions have occurred regarding the Washtenaw Area Transportation Study (WATS) seeking Metropolitan Planning Organization (MPO) status from the overall MPO umbrella of SEMCOG; and

WHEREAS, if WATS separates from SEMCOG, it could impact funding for several projects, namely projects under Congestion Mitigation/Air Quality (CMAQ) and Safety programs. Currently, SEMCOG prioritizes projects to ensure that each participating county and city has access to funds under these two programs and our county has received more CMAQ and Safety funds as a result of being a part of SEMCOG than it would as a separate MPO; and

WHEREAS, it is more cost efficient to do some things at the regional level versus the city or county level, and remaining a part of SEMCOG affords the city the opportunity to have representation of our own interests when regional decisions are being made by SEMCOG and other regional units of government; and

WHEREAS, membership in SEMCOG affords the City the opportunity to participate in regional planning discussions in order to push for regional collaboration, a key way to gain efficiencies in government operations; and

WHEREAS, the City of Ypsilanti has benefited from SEMCOG's economic development and strategic planning services, technical, data, maps and intergovernmental resources as well as workshops for city staff and elected officials; and

WHEREAS, the City of Ypsilanti encourages SEMCOG to renew its focus on working towards promoting urban density and bringing improved public transportation to the centers of these urbanized areas which will promote and support economic development and redevelopment in the areas.

NOW THEREFORE, BE IT RESOLVED that the CITY of Ypsilanti continue to support SEMCOG as its MPO and not support WATS becoming a separate MPO. For all of the reasons mentioned above and more.

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

Council Member Murdock explained that WATS is exploring a separation and this item on the agenda for discussion at tomorrow's meeting. He said he hopes the idea will be killed. He added that EMU and several other State agencies are not supporting the separation.

Council Member Bodary said he spoke with some people at U of M and they don't believe will support the separation. He added the City of Milan is not supporting either. He said the city's resolution is a good idea.

City Manager Lange said he appreciates the support he receives from SEMCOG.

On a roll call the vote to approve Resolution No. 2012-195 was as follows:

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

VOTE:

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

6. Resolution No. 2012-196, approving Aerotropolis membership fee request.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the Detroit Region Aerotropolis Plan was developed by the Aerotropolis Stakeholders comprised of the county and local governments of Wayne and Washtenaw Counties, the Cities of Belleville, Romulus, Taylor and Ypsilanti, the Townships of Huron, Van Buren, and Ypsilanti, and the Wayne County Airport Authority; and

WHEREAS, the Stakeholders entered into an Interlocal agreement, pursuant to the Urban Cooperation Act, PA Act 7 of 1967, to jointly create an Aerotropolis Development Corporation and exercise the economic development powers shared by the Stakeholders during June 2009; and

WHEREAS, the Interlocal agreement provides that each Local Government Party must pay an annual membership fee of $25,000 and

also provides that the Executive Committee also may reduce, or defer the payment of, annual membership fees, or make other necessary or convenient accommodations on account of hardship in appropriate cases; and

WHEREAS, the City of Ypsilanti has been dealing with financial challenges since 2003, is facing significant general fund revenue reductions due to taxable value decline and will be making budget reductions to essential services;

NOW THEREFORE BE IT RESOLVED, the City Council directs the City Manager to send correspondence to the Aerotropolis Executive Committee requesting a hardship waiver for the annual membership fee in the amount of $20,000.

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

Council Member Robb asked if the City receives an annual report from Aerotropolis. He asked how does the city benefit from membership.

Mr. Lange said he hasn't seen an annual report. He said Mayor Pro-Tem Richardson is the city's representative.

Mayor Pro-Tem Richardson said Angstroms is one of the things the City has benefited. She said she would forward information regarding Angstroms to City Council.

Mr. Lange said he feels $5,000 is an appropriate expenditure. He said he spoke with Bryce Kelley about Aerotropolis and he was impressed.

On a roll call the vote to approve Resolution No. 2012-196 was as follows:

Mayor Schreiber	Yes	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		

VOTE:

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

The meeting recessed at 8:54 p.m.

The meeting reconvened at 9:04 p.m.

~~7. Resolution No. 2012-197, approving appointments to Boards and Commissions.~~ ***(Removed by Council)***

7. Resolution No. 2012-199, approving HUD Recovery Agreement and Action Plan.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the Recovery Agreement and Action Plan between Ypsilanti Housing Commission, the Unites States Department of Housing and Urban Development and the City of Ypsilanti be approved.

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

Mayor Schreiber indicated that suggested amendments made to Mr. Garrett have been made.

Council Member Murdock moved, supported by Council Member Robb to amend the HUD Action Plan as follows:

1. Add additional language to Section GO01c of the Action Plan: *"And the evaluations be submitted to City Council when completed".*

On roll call the vote to approve Amendment #1 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

Council Member Murdock moved, supported by Mayor Pro-Tem Richardson to amend the HUD Action Plan as follows:

2. Add Section XXV to Recovery Agreement and also GO05:
"That all reports and communications referenced in or pertaining to this agreement and recovery plan by HUD or the Ypsilanti Housing Commission be simultaneously sent to the Ypsilanti City Clerk for distribution to City Council."

On roll call the vote to approve Amendment #2 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:

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

Council Member Murdock moved, supported by Council Member Robb to amend the HUD Action Plan as follows:

3. Add Section I(a) to the Recovery Agreement and GO06 to the Action Plan with an initial report date of 12/18/2012 stating:
"HUD, the Ypsilanti Housing Commission and the City of Ypsilanti will explore with Washtenaw County, the City of Ann Arbor and others the feasibility of a regional Housing Entity"

Council Member Murdock commented that in a meeting with HUD in January, Mr. Garrett suggested that a merging of two housing commissions or a regional system is possible. He said he is interested in exploring that option however only YHC can do that so he is putting it as a part of things the YHC needs to complete. He added that a regional housing authority is the way of the future and this is a perfect opportunity to look at how we can better serve the people.

Mayor Pro-Tem Richardson agreed with Mr. Murdock.

Council Member Murdock stated that adding this to the agreement will move discussions along faster in a more open manner.

Mayor Schreiber said he will support the amendment and commented that other states have a countywide authority. He said this would make the program stronger.

Council Member Vogt said regionalization will improve the overall professionalism of the management, which is an additional reason to consider regionalization.

On roll call, the vote to approve Amendment #3 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: 7 No: 0 Absent: 0 Vote: Carried

Mayor Pro-Tem Richardson moved, supported by Council Member Jefferson to amend the resolution as follows:

4. Add: *"Submission of a chronology timeline of the Section 8 financials from 2007 to present."*

Council Member Bodary said he would like the chronology to show when and where things went wrong.

On roll call the vote to approve Amendment #4 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	Yes
Council Member Bodary	Yes		

VOTE:

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

On roll call, the vote to approve Resolution No. 2012-199 as amended was as follows:

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

VOTE:

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

Resolution No. 2012-199 as adopted reads as follows:

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the Recovery Agreement and Action Plan between Ypsilanti Housing Commission, the Unites States Department of Housing and Urban Development and the City of Ypsilanti be approved with the following additions:

1. **Add additional language to Section GO01c of the Action Plan: *"And the evaluations be submitted to City Council when completed".***

2. **Add Section XXV to Recovery Agreement and also GO05:**
   "That all reports and communications referenced in or pertaining to this agreement and recovery plan by HUD or the Ypsilanti Housing Commission be simultaneously sent to the Ypsilanti City Clerk for distribution to City Council."

3. **Add Section I(a) to the Recovery Agreement and GO06 to the Action Plan with an initial report date of 12/18/2012 stating:**
   "HUD, the Ypsilanti Housing Commission and the City of Ypsilanti will explore with Washtenaw County, the City of Ann Arbor and others the feasibility of a regional Housing Entity"

4. **Add to Action Plan: *"Submission of a chronology timeline of the Section 8 financials from 2007 to present."***

XIV. LIASON REPORTS

A. SEMCOG Update (Richardson) – No August meeting.
B. Washtenaw Area Transportation Study (Murdock) - Meeting tomorrow. Mr. Murdock announced that the Re-Imagine Washtenaw Program has begun.
C. Washtenaw Metro Alliance (Robb)- No report.
D. Urban Counties (Schreiber) – No report.
E. Freight House (Murdock) – Reported that the Freight House was repainted inside and some outside. He said planking was replaced, the plans for the Café bathrooms are in process and they are awaiting approval from SHPO on plans then they will move forward.

XV. COUNCIL PROPOSED BUSINESS

RICHARDSON

- MML took position on ballot issue #5 regarding a super majority vote to change taxes. If it passes it will create havoc in our ability to raise taxes or do anything with taxes. Asking municipalities to pass resolution in opposition. She said she would send a copy of the Saline resolution to the Clerk.

  There were no objections from Council to support a resolution.

- Reported that the 2nd Annual Parkridge Festival held in August was well attended and was a community success.

MURDOCK

- Ypsilanti Township passed a fireworks ordinance recently which excludes new fireworks and suggested that City Council pass an ordinance. He said he would like to bring it to Council soon for discussion.

- Mayor Pro-Tem Richardson asked if there were any reports of firework injuries from last holiday.

- Police Chief Walker said there were calls for service but no major injuries.

- Mr. Murdock said he would like City Council to receive the daily police reports that are sent to the press.

- Chief Walker stated that fulfilling the request would be time consuming. She said she would speak to Mr. Lange about it.

- Mr. Murdock said the report is already going out to paper so just adding City Council addresses should not be a problem.

- Mr. Murdock requested a punch list for the Cross street project..

- Reported that complaints were received regarding streets being used as cut-through and said he would like to explore traffic bumps or devices to remedy it although it may be frowned on. He asked staff to look into the process for allowing them.

- Announced that Chuck Reams is anxious to come to City Council regarding his marijuana issue and said he would like an impact statement from the YPD on what the charter amendment would do.

- Chief Walker said she is not aware of any impacts.

ROBB

- Pointed out that the rules governing fireworks are spelled out in ordinance so he is not sure that following the Township with a fireworks ordinance would be applicable.

BODARY

- Thanked Mr. Barfield for his efforts on Parkridge and said he would encourage him lend some support to the FORP project since there was no success with Parkridge.

- Mayor Pro-Tem Richardson said that the project is on hold due to Mr. Barfield's wife being ill at this time.

- Mr. Bodary requested a verbal report from Mr. Kirton on the W. Cross street project. He said it is moving slowly and having completion dates and timelines would be nice.

- Commented he is happy to see that Mr. Eric Maes announced an eagle scout project to improve tennis courts at Candy Cane park. He urged all to support a fundraiser on Monday, September 24th at BW3s.

VOGT

- Reported that he sent an e-mail to the city manager regarding speed bumps in his neighborhood.
- Extended a "thank you" to YPD and the city manager for stepping up the traffic enforcement on Gregory St.
- Reported there were a series of out of control parties on Mark St. and reports of people smoking marijuana and loitering on other people's yard. He said activity has begun to spill into the street and block traffic. He asked if YPD could intervene.
-

JEFFERSON

- Reported that Parkridge (Armstrong Apts.) had a problem with people gathering as well and it has improved over the last few weeks. He said the area has been quiet. He thanked YPD and Mr. Temple for their intervention and assistance.

- Thanked YPD for a successful Parkridge Festival.

- Stated that there is a huge hole in the road on Harriet Street near Hope Clinic. He said it is dangerous and needs repair.

- Reported that at 303 Middle Drive there is a tree stump that is rotting away and needs immediate attention.

XVI. COMMUNICATIONS FROM THE MAYOR

Nominations:

Zoning Board of Appeals
Anthony Bedogne (replacing Greg Johnson who moved out of the city)
717 Stanley
Ypsilanti, Michigan 48198
Term Expires: 5/1/2014

Ypsilanti Downtown Development Authority
David Kabat
7257 Glacier Pointe Drive
Ypsilanti, Michigan 48197
Term Expires: 7/7/2014

Ypsilanti Downtown Development Authority
Ellen Clement
2722 Radcliffe Ave.
Ann Arbor, Michigan 48104
Term Expires: 7/7/2013

Recreation Commission
Eric Maes (replacing Heather Cataldo who moved out of the city)
1004 Sherman Street
Ypsilanti, Michigan 48197
Term Expires: 5/1/2014

XVII. COMMUNICATIONS FROM THE CITY MANAGER

- Reported he is pleased with the MML dividend check. He reported $60,000 was also received from lights. Audit is being done and he expects savings. We saved $10,000 on vehicles.

- Employee handbook on his to-do list.

- Attended federal reserve workshop and the presentation was very valuable.

- Met with John Kaczor to review the top 5 funds of the city and they are grinding through that.

- Held an all city staff meeting on September 7th and received good feedback.

- Joyce parker is currently not available as a management consultant.

- Paul Tait visited and SEMCOG has a management audit team we will utilize.

- Thanked Ms. Richardson for the Aerotropolis visit.

- Reported that he completed his research on the Grove Road paving and has sent his reply to Brenda Stumbo.

- Traffic and code enforcement is on his to do list.

XVIII. AUDIENCE PARTICIPATION

Andy Fanta thanked City Council for passing the HUD Recovery Agreement and said the amendments are appropriate. He suggested City Council develop a template and forward it to YHC so that they know what should be in the chronology.

XIX. REMARKS FROM THE MAYOR

Thanked Mr. Fanta for his comments.

Council Member Vogt supported Mr. Fanta's idea and asked if the Mayor is willing to do a template for the YHC chronology timeline requested.

Mayor Schreiber suggested that suggestions for what the chronology should contain be emailed to the Clerk and she can email them out, and once sorted and approved the final will be forwarded to the YHC.

XX. CLOSED SESSION

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

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

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

VOTE:

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

XXI. ADJOURNMENT

A. Resolution No. 2012-198 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 Jefferson

On a voice vote the motion carried and the meeting adjourned to closed session at 9:55 p.m.