



APPROVED

**CITY OF YPSILANTI
COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS - ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, OCTOBER 16, 2012
7:00 P.M.**

I. CALL TO ORDER

The meeting was called to order at 7:06 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	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

Mayor Schreiber introduced Gillian Reams, Michigan Suburbs Alliance; Lisa Wozniak, League of Conservation Voters; Lana Vacha, Detroit HUD Office; Willie Garrett, Detroit HUD Office; Eric Temple, YHC Interim Director; Leigh Greden, EMU Executive Director of Government/Community Relations; Shoshana DeMaria, NAACP President; Tabitha Boone, YHC Board Nominee; Jeff Castro, YCUA Interim Director and Ariel Moore, YHC Board Nominee

VI. AGENDA APPROVAL

Mayor Schreiber asked Council to reconsider the vote for the resolution to approve David Kabat to the YDDA and said the previous vote failed because 5 affirmative votes were needed.

Council Member Murdock moved, supported by Mayor Pro-Tem Richardson to reconsider the resolution appointing David Kabat to the YDDA.

On a voice vote, the motion carried and the item was placed under Motions/Resolutions/Discussions.

VII. PRESENTATIONS

1. Proposal 12-3: A Proposal to Amend the State Constitution to Establish a Standard for Renewable Energy - Liz Wozniak, League of Conservation Voters and Gillian Ream, Michigan Suburbs Alliance

2. Ypsilanti Housing Commission Recovery Plan – Willie Garrett, Director, Office of Public Housing – Detroit Field Office

VIII. AUDIENCE PARTICIPATION

1. Ariel Moore, YHC candidate, explained she has a background in finance and a MBA from the University of Michigan. She said she feels an appointment to the YHC would be an opportunity to create transparent systems while promoting clean, safe affordable housing.
2. Tabatha Boone, YHC resident candidate, said she is interested in working with the YHC and moving it forward. She said she has experience working with families through the Student Advocacy Center at Washtenaw Community College and currently serves on the tenant council promoting excellency in parenting.
3. Shoshanna DeMaria, NAACP President, thanked City Council for addressing the issue with Brandy's Party Store and she said feels the outcome has been positive. She asked City Council to continue to work with Brandy's to make sure that the business remains valuable to the city and has no problems. She announced the NAACP will host a Freedom Weekend on October 17th and encouraged Council to purchase an ad and a table.
4. Lee Tooson said a lot of lies were told at the hearings regarding Brandy's Party Store. He said Brandy's is no uglier than City Council.
5. Lisa Wozniak thanked City Council for their support on the Rutherford Pool efforts. She said it has been a rough campaign and battle to save it.

IX. REMARKS BY THE MAYOR

Regarding Brandy's Party Store, Mayor Schreiber stated that the federal law brought the charges against Brandy's. He said he feels Brandy's was treated fairly by the Michigan Liquor Control Commission (MLCC) and he doesn't mind the store reopening but prefers it reopen without a liquor license.

X. MINUTES

Resolution No. 2012-218A, approving the minutes of October 2, 2012.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Minutes of October 2, 2012 be approved.

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

The following changes were made to the minutes:

- Page 13 – The vote was changed to "failed" for Resolution No. 2012-218
- Page 14 – Jefferson Street was changed to Harriett Street in comments made by Council Member Jefferson under Council Proposed Business)

On a voice vote the minutes were approved.

XI. CONSENT AGENDA

Resolution No. 2012-219

1. Resolution No. 2012-220, authorizing the Human Resources Department to retain Basic to provide the Flexible Spending Account to City employees for the calendar year of January 1, 2013 through December 31, 2013.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, City Council of the City of Ypsilanti deems it to be in the best interest of its employees to continue to offer its Cafeteria Plan under Section 125 of the Internal Revenue Code of 1986, as amended, and

WHEREAS, the City Council acknowledges and does hereby declare the intention of Basic to continue the Flexible Spending Account, but reserves the right to terminate or amend the Plan at any time with Basic; and

RESOLVED, that the Human Resources Department of the City of Ypsilanti will make this benefit known to all City employees and provide them with contact information to enroll in this supplemental benefit.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council authorizes the Human Resources Department to retain Basic to provide the Flexible Spending Account to City employees for the calendar year of January 1, 2013 through December 31, 2013.

2. Resolution No. 2012-221, approving an ordinance to amend Chapter 106, Article V, Section 106-454(b) of the Code of Ordinances to increase water rates in the City of Ypsilanti.
(Second Reading)

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the proposed ordinance to amend Chapter 106, Article V, Section 106-454(b) of the Code of Ordinances to increase water rates within the City of Ypsilanti, be approved on Second and Final Reading.

3. Resolution No. 2012-222, approving an ordinance to amend Chapter 106, Article V, Section 106-455(a) of the Code of Ordinance to increase sewage disposal service rates in the City of Ypsilanti. ***(Second Reading)***

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the proposed ordinance to amend Chapter 106, Article V, Section 106-455(a) of the Code of Ordinances to increase sewage disposal service rates within the City of Ypsilanti, be approved on Second and Final Reading.

4. Resolution No. 2012-223, approving the Memorandum of Understanding (MOU) between the City of Ypsilanti and Eastern Michigan University regarding Ainsley Street and authorizing the Mayor and City Clerk to sign all necessary documents.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, the current barricade on Ainsley Street prevents public safety and public service vehicles from accessing the area; and

Whereas, Eastern Michigan University has invested significant money and time to improve the Fletcher School area, and has requested limited access for certain university vehicles through Ainsley Street to connect EMU's eastern and western campuses; and

Whereas, without the proposed MOU, EMU may build a private road behind Fletcher School, which would disturb trees reduce parkland currently used by the residents of Ainsley and Louisa Streets, and

Whereas, three public meetings were held with affected residents over a two year period of time, and

Whereas, the design and details proposed in the MOU reflect, almost in their entirety, ideas from the affected residents, and

Whereas, the proposed design will improve the aesthetics on Ainsley Street by removing an unsightly barricade, and will reduce illegal use of the road by reducing the opportunity for vehicles to bypass the new gate, and

Whereas, all of the design and construction associated with this project will occur on EMU property and will be paid for by EMU, at no cost to City taxpayers, and

Whereas, it is very important that the City of Ypsilanti and Eastern Michigan University cooperate and support each other on projects such as this one that are in the best interest of both entities.

NOW THEREFORE BE IT RESOLVED THAT the City approves the attached Memorandum of Understanding (MOU) regarding Ainsley Street between The City of Ypsilanti and Eastern Michigan University dated 10-16-2012; and

That the Mayor and City Clerk are authorized to sign the necessary document, subject to approval by the City Attorney, to allow this work to proceed within the terms and conditions stated in the attached MOU.

OFFERED BY: Council Member Murdock

SUPPORTED BY: Council Member Bodary

On a voice vote, the motion to approve Resolution No. 2012-219 (Consent Agenda) carried unanimously.

XII. RESOLUTIONS/MOTIONS/DISCUSSIONS

1. Resolution No. 2012-199, approving the YHC Recovery Agreement. *(Vote to reconsider approved October 2, 2012.)*

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the Recovery Agreement and Action Plan between Ypsilanti Housing Commission, the United States Department of Housing and

Urban Development and the City of Ypsilanti be approved with the following additions:

- 1. Add additional language to Section G001c of the Action Plan: *"And the evaluations be submitted to City Council when completed".***
- 2. Add Section XXV to Recovery Agreement and also G005:
*"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 G006 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."***

OFFERED BY: Council Member Jefferson

SUPPORTED BY: Council Member Vogt

Council Member Jefferson requested that the additional language was added to the original resolution be added.

Council Member Bodary expressed frustration that City Council is unable to do anything.

Mr. Garrett indicated that the Mayor can appoint a liaison to the YHC to be at the meetings.

Council Member Vogt asked if the resolution as amended create any barriers for HUD.

Mr. Garrett answered no and said the amendments will not be placed in the agreement. He said the Mayor would have to make sure that Council's amendments were carried out.

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

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

VOTE:

Yes: 4 No: 3 (Bodary, Murdock, Robb) Absent: 0 Vote: Carried

2. Resolution No. 2012-224, amending Resolution No. 2009-119 to reduce the membership size of the joint YDDA Board.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That Resolution No. 2009-119 of June 16, 2009 be amended to change the membership size of the joint Ypsilanti Downtown Development Authority (YDDA) board membership to 10 members plus the Mayor from 12 members plus the Mayor.

OFFERED BY: Council Member Murdock

SUPPORTED BY: Council Member Robb

Council Member Bodary said reducing the size to 8 is not favorable but 10 including the Mayor is more manageable because the Board could still have a quorum when members go on vacation, etc. He said he will support the resolution.

Council Member Vogt echoed the comments of Council Member Bodary and said dedication and interest is key. He said he doesn't feel reducing the size will be detrimental to the YDDA so he will support the resolution.

Mayor Schreiber said he is voting against the resolution because he feels the larger the YDDA the better. He said there are issues of diversity, race and age and they can be addressed with a larger Board rather than a smaller one.

Council Member Robb pointed out that 30% of the Board can be changed by the Mayor, however his inactivity has created a lop-sided Board.

On a roll call, the vote to approve Resolution No. 2012-224 was as follows:

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

VOTE:

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

3. Resolution No. 2012-225, approving appointment to YDDA.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT, the following individual be appointed to the City of Ypsilanti Boards and Commissions as indicated below:

<u>NAME</u>	<u>BOARD</u> <u>YDDA</u>	<u>TERM TO EXPIRE</u>
Regan L. Parker (resident member replacing Dawn Gendich) 124 W. Michigan Ave, #203 Ypsilanti, Michigan 48197		7/7/2015

OFFERED BY: Council Member Vogt

SUPPORTED BY: Council Member Jefferson

On a roll call, the vote to approve Resolution No. 2012-225 was as follows:

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

Council Member Bodary Yes
Council Member Jefferson Yes

VOTE:

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

4. Resolution No. 2012-226, supporting the merger of the Ypsilanti and Willow Run Public Schools.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, public education is a fundamental right of every child in our community and is of the utmost importance to the health, well being, vibrancy and prosperity of our city; and

WHEREAS, students should have a quality education that prepares them to lead successful and productive lives; and

WHEREAS, Willow Run Community Schools and the School District of Ypsilanti are deficit districts and they are experiencing severe economic challenges which impacts academic programs; and

WHEREAS, each district is faced with significant achievement deficiencies with many students unprepared to succeed in college and careers; and

WHEREAS, the boards of education have voted to place the question of consolidation on the November 6, 2012 ballot; and

WHEREAS, the unification of these two districts represents a unique opportunity to create a "cradle to career" educational model that is designed to ensure a strong and successful public education system; and

WHEREAS, the two ballot proposals, if approved, will maintain the current level of taxes; now

THEREFORE, be it resolved that the Ypsilanti City Council supports the effort to consolidate the two districts; and

BE IT FURTHER RESOLVED this support includes the second proposal on the ballot which allows the new district to levy the 18 mills non-homestead property tax millage as currently levied by the independent districts in order to receive full funding on a per student basis.

OFFERED BY: Mayor Pro-Tem Richardson

SUPPORTED BY: Council Member Jefferson

Council Member Robb said he feels the resolution is beyond City Council's scope and they should just let the people vote on it as they wish. He said he feels Council should not be commenting on ballot initiatives wither and suggested the resolution be tabled.

Council Member Robb moved, supported by Council Member Murdock to table Resolution No. 2012-226.

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

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

VOTE:

Yes: 2 (Robb, Murdock) No: 5 Absent: 0 Vote: Failed

Council Member Bodary said he didn't have a problem supporting the resolution.

Council Member Vogt said he is torn individually but will support the issue as a voter. He said he feels it is appropriate for City Council to make a recommendation on the issue since we are partners with the school district. He said he will support the resolution.

Mayor Schreiber said this is a local issue and City Council should make a recommendation. He said he supports the merger begrudgingly because the State is not providing adequate funding for schools or cities. He said if there is no consolidation the emergency manager is coming and we don't want that to happen.

On a roll call, the vote to approve Resolution No. 2012-226 was as follows:

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

VOTE:

Yes: 5 No: 2 (Robb, Murdock) Absent: 0 Vote: Carried

Council Member Murdock moved, supported by Mayor Pro-Tem Richardson to reconsider Resolution No. 2012-228.

On a roll call, the vote to reconsider Resolution No. 2012-228 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	No
Council Member Jefferson	Yes		

VOTE:

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

5. Resolution No. 2012-228, appointing David Kabat to the YDDA.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

**THAT, the following individual be appointed to the City of Ypsilanti
Boards and Commissions as indicated below:**

<u>NAME</u>	<u>BOARD</u>	<u>TERM TO EXPIRE</u>
David Kabat 7257 Glacier Pointe Drive Ypsilanti, Michigan 48197	YDDA	7/7/2014

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

On a roll call, the vote to approve Resolution No. 2012-228 appointing David Kabat to the YDDA was as follows:

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

VOTE:

Yes: 4 No: 3 (Jefferson, Richardson, Robb) Absent: 0 Vote: Failed

XIII. LIASON REPORTS

- A. SEMCOG Update
- B. Washtenaw Area Transportation Study
- C. Washtenaw Metro Alliance
- D. Washtenaw County Land Bank Authority
- E. Washtenaw Urban County
- F. Freight House

XVI. COUNCIL PROPOSED BUSINESS

None

XV. COMMUNICATIONS FROM THE MAYOR

Nominations:

Human Relations Commission

Arika Lycan (reappointment)
226 W. Michigan #2
Ypsilanti, MI 48197
Term Expires: 11/1/2015

Human Relations Commission

John Shuler (reappointment)
316 E. Forest
Ypsilanti, MI 48198
Term Expires: 11/1/2015

Ypsilanti Community Utilities Authority

Andrew Cameron (reappointment)
1313 W. Cross
Ypsilanti, MI 48197
Term Expires: 12/1/2015

Ypsilanti Housing Commission

Tabitha Boone (resident commissioner)
951 Madison
Ypsilanti, MI 48197
Term Expires: 10/21/2016

Ypsilanti Housing Commission

Ariel Moore (new appointment)
1 Oakwood
Ypsilanti, MI 48197
Term Expires: 12/31/2012

XVI. COMMUNICATIONS FROM THE CITY MANAGER

Mr. Lange announced that a special meeting is needed to allow for presentation of the 5 Year Sustainability Plan. He said a lot of work by staff as gone into the plan. He appreciated the work of Katrease Stafford of AnnArbor.com and said she went beyond her job as a reporter.

XVII. AUDIENCE PARTICIPATION

Interim YHC Director Eric Temple said he would like the record to show he felt he was openly evaluated before the public by City Council at tonight's meeting. He said he has asked City Council members to contact him and meet with him but none have accepted his invitation.

XVIII. REMARKS FROM THE MAYOR

Mayor Schreiber appreciated Mr. Temple's remarks.

Council Member Jefferson clarified that his comments related only to ideas suggested in the recovery plan which relate to the need for an audit.

Council Member Vogt stated Council is not evaluating Mr. Temple that is up to the YHC and HUD.

Council Member Murdock explained that Council isn't evaluating Mr. Temple and that no names were ever mentioned. He said most of the comments repeated what had already been said.

XIX. ADJOURNMENT

Resolution No. 2012-227, 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 carried and the meeting adjourned at 9:16 p.m.