Approved

CITY OF YPSILANTI
COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS - ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, NOVEMBER 20, 2012
7:00 P.M.

I. CALL TO ORDER

The meeting was called to order at 7:11 p.m.

II. ROLL CALL –

Council Member Jefferson	Present	Council Member Robb	Present
Council Member Moeller	Absent	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 absences. On a voice vote the absences were excused.

III. INVOCATION

Mayor Pro-Tem Richardson 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 Pro-Tem Richardson introduced Planning Manager Teresa Gillotti and William Tippmann, Tippmann Management, LLC, representing Family Dollar.

VI. AGENDA APPROVAL

Council Member Murdock requested the addition of an executive session at the meeting for a collective bargaining update.

The agenda was approved as amended.

VII. PRESENTATIONS – Family Dollar Proposal

Planner Teresa Gillotti gave an overview of the approval process and said the process begins with a letter of intent, then the purchase and development agreement and the zoning approval and permitting. She indicated the proposed location is the southwest corner of the Water Street property. Ms. Gillotti indicated that the original price for Burger King was $400,000 but for Family Dollar the price was reduced to $375,000 because they are not building the typical Family Dollar model.

William Tippmann gave the presentation and stated Family Dollar is putting approximately $800,000 of improvements into the project. He went over the concept site plan and reviewed the store's relationship to adjacent parcels. Mr. Tippmann said the Family Dollar store would be constructed in the southwest corner of the site and is more of a scaled down neighborhood convenient store not a dollar store.

***** PowerPoint presentation on file in Clerk's office.**

VIII. AUDIENCE PARTICIPATION

1. David Heikkinen, 133 W. Michigan, spoke in support of the nomination of Alex Easley to the YDDA Board and Maia Hardy as alternate representative on the Millennial Mayors Congress. Mr. Heikkinen said he was disappointed with the proposed Family Dollar proposal and said it is not the face many had imagined for Water Street. He said the location is a prime corner lot and he wishes the city would go after bigger fish.

2. Rex Ritchie agreed with Mr. Heikkinen and said he is curious why the city turned down Burger King who was offering $500,000. He said volunteers are willing to pursue other developments and CBRE doesn't deserve any compensation because they haven't done anything to sell the property.

3. Leslie Leland, owner of MIX, said she was shocked to hear of the possible Family Dollar development. She said from speaking to residents and business owners the consensus has been negative. She said she is interesting in a roundtable to discuss the recruiting of other possible businesses. She said people have begun shopping downtown again and Family Dollar expresses poverty and discount. She urged Council to back up and try something else.

4. Carter Good, 961 Sherman, asked if Family Dollar would accept another parcel on the property instead of this prime spot.

5. Richard Murphy, 406 Florence, stated that the occupant of the structure has been the topic of discussion but when it comes to the Planning Commission we want to see the durability and longevity of the building. He said he needs site plan details and more windows are needed. He added the building is unexciting but better than the last Burger King proposal. He said the building can be used for other uses which is a plus. He recalled that the Freed site plan had the same type of convenient store planned for the site 5 years ago and this proposal is better than that also. He said the next step is for the city to make it clear what our expectations are for the rest of the site because developers will want to know. He asked City Council to task the Planning Commission with coming up with zoning restrictions.

IX. REMARKS BY THE MAYOR

Mayor Pro-Tem Richardson thanked those who spoke during audience participation.

X. MINUTES

Resolution No. 2012-254, approving the minutes of October 30, 2012.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Minutes of October 30, 2012 be approved.

OFFERED BY: Council Member Murdock

SUPPORTED BY: Council Member Robb

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

XI. RESOLUTIONS/MOTIONS/DISCUSSIONS

1. Resolution No. 2012-255, approving letter of intent for potential future sale of 1.25 acres of Water Street for development of Family Dollar Store.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The Ypsilanti City Council has requested that all offers related to the purchase of Water Street be presented to City Council for approval; and

WHEREAS, Ypsilanti City staff have been working with Core Resources, LLC on behalf of Family Dollar on a 1.25 acre development on the SW corner of the Water Street Redevelopment Area; and

WHEREAS: Core Resources LLC and Family Dollar have negotiated initial terms including a concept site plan and related building elevations for the potential development based on draft zoning for the Water Street Development; and

WHEREAS Core Resources, LLC has submitted a proposed Letter of Intent for purchase of 1.25 acres for $210,000 for the development of a Family Dollar Store

NOW, THEREFORE, BE IT RESOLVED THAT the Ypsilanti City Council approve the attached Letter of Intent with Core Resources LLC to take 1.25 acres of the Water Street Redevelopment Area off the market and continue work towards a purchase and development agreement; and

FURTHER, that the Mayor and City Clerk are authorized to sign the Letter of Intent

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

Council Member Vogt said he sent the request for comments to residents and most comments are against the Family Dollar, however some of the information presented tonight is quite different from what he had originally thought. He said this is a difficult decision and there are a lot of unknowns. He said he is not happy with the price and feels more public input is needed. He suggested tabling the request to allow the two absence members to be heard and to allow for more discussion.

Council Member Murdock asked how many Family Dollar stores are there in Ypsilanti

Mr. Tippmann answered two and said none of them are closing.

Council Member Murdock asked if there are plans to turn the Ellsworth property into a Family Dollar also.

Mr. Tippmann answered yes they plan to build a Family Dollar in that location also.

Council Member Murdock asked if it would be possible to add a second story in the future.

Mr. Tippmann answered it would be impractical to construct a two-story.

Council Member Murdock asked if something to manage the storm water is being tied into this proposal.

Ms. Gillotti answered there are no plans for a large retention area at this time. She said the plan is to try to collectively manage it one at a time.

Council Member Robb asked for details on the infrastructure.

Ms. Gillotti described the previous Burger King plan and said the Family Dollar proposal doesn't need as much infrastructure work as Burger King and the $400,000 purchase price was for the infrastructure.

Council Member Robb said he was concerned about the competition clause that Family Dollar wants to incorporate into the development agreement.

Ms. Gillotti said the language is broad and they will revisit it. She said if the building is sold, the restriction would go away. She said she doesn't know what the terms will be.

Council Member Robb said the Letter of Intent is for 90 days and asked what happens within the 90 days. He added that more windows are needed for the proposed building and asked what can be negotiated with the next 90 days.

Ms. Gillotti answered the details for the sale will be finalized, timeline will be developed, Brownfield amendments, finalization of price, PUD process negotiations and any city requirements. She said she would like to know up front the things City Council would like.

City Manager Lange thanked Mr. Tippmann and Ms. Gillotti for the presentation and asked how often Family Dollar is sites being vacated and rehabbed.

Mr. Tippmann answered the Ypsilanti store is a company owned store and they are rarely vacated.

Mr. Lange asked what the capital life of the building is.

Mr. Tippmann answered there is a 20 year roof warranty and the useful life of the building is 50 years.

Mr. Lange asked what quality of material is being used.

Mr. Tippmann answered the building will be constructed with a brick-like product that has the structural quality of concrete block but has a brick appearance.

Mr. Lange acknowledged that Family Dollar has worked very hard on the design and asked if they are open to more tweaking.

Mr. Tippmann answered yes they are open to more revisions.

Mr. Lange asked if another location on the Water Street property is an option.

Mr. Tippmann replied no they are focused on this location.

Mr. Lange asked what the budget for the project is.

Mr. Tippmann answered the entire project is over $1,250.000.

Mr. Lange asked if the project is self-funded.

Mr. Tippmann answered yes.

Mr. Lange said he is pleased the project will bring work to the community and asked who will do the construction.

Mr. Tippmann replied they will have one employee managing the construction and they plan to use local subcontractors.

Mr. Lange asked if they have objections to union work.

Mr. Tippmann replied no.

Council Member Jefferson stated he spoke with a lot of people and they were positive about the development. He said the proposed Family Dollar will still allow a bigger development on the property. He said he feels the Family Dollar will serve the community well seeing how they have increased within the last year.

Council Member Murdock said the city has been wrestling for over a decade with Water Street and there have only been three offers for anything despite all of the talk of how valuable the land is. He said the proposal fits into the original plan more than any of the others did. He said he would rather have something else but something else isn't coming. He said he would support the proposal because given the economy this is in the best interest of the city.

Council Member Robb said City Council wants buildings that fit structurally because tenants change and this proposal meets what the city wants in the commercial district. He said answering the question of does this fit with what the city wants is the key question to be answered.

Mayor Pro-Tem Richardson said all of Family Dollar customers are not within one mile because she knows plenty people who travel to the store. She said she is a frequent customer of Family Dollar and have found that it carries brand name items and the prices are better than area convenient stores. She said the proposal fits the plans from 6 years ago and she will support it.

Council Member Vogt moved to table the resolution.

Motion died for lack of support.

On a roll call, the motion to approve Resolution No. 2012-255 was as follows:

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

VOTE:

Yes: 4 No: 1 (Vogt) Absent: 2 (Moeller, Schreiber) Vote: Carried

XII. 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

XIII. COUNCIL PROPOSED BUSINESS

<u>MURDOCK</u>

- Spoke about the TAP Grant (Transportation Alternative Program) and said the Freight house may be able to use it to do some physical work. He said the deadline is December 14th. He said some other fits for the grant are the non-motorized crossing at Huron Street, the non-motorized enhancements on Washtenaw, the ADA ramps and the crossing on Michigan Avenue for the border to border trail. He said this is a rare opportunity to do some brick and mortar and the city should go for it.

- Mr. Murdock said clarity is needed on the Capital Park fees memo. He said the Recreation Commission doesn't allocate funds they make recommendations. He indicated that there was a question regarding Candy Cane park and said he sent emails to Mr. Kirton but received no reply.

- He announced that the Color Run is coming back and they are not subject to capital improvement fees because there is no alcohol involved. He asked for the amount paid and if the city was reimbursed for any costs. He said the date has been changed to Saturday this year.

<u>ROBB</u>

- Mr. Robb inquired about goal setting and asked if has been scheduled yet. He said he prefers a Saturday.

- Reported he is still looking for a presentation on ordinance enforcement and said he wants to set priorities.

- Spoke about the need for a new snow removal policy

- Staff must remember to print to pdf before sending documents to Council.

- Asked about a moratorium on Level 4 events.

- Announced The Cue is coming to Ypsilanti on December 2nd at Woodruffs.

<u>VOGT</u>

- Mr. Vogt said he received positive comments from Ward 2 residents about the work done on W. Cross Street. He said he's happy the work is coming to a closure.

JEFFERSON

- Mr. Jefferson said he was happy to see the ADA ramps on Michigan Avenue, however on the northwest corner near Abe's the ramp is about 9 ft. and is dangerous. He said Mr. Kirton needs to contact MDOT to fix that.

RICHARDSON

- Ms. Richardson reported that the residents at 401 W. Michigan are excited about the new ADA ramps.

- She reported that the bushes near 401 W. Michigan and Ferris need to be trimmed because they have grown out again.

XIV. COMMUNICATIONS FROM THE MAYOR

Nominations:

Ypsilanti Housing Commission
Ariel Moore (reappointment)
1 Oakwood
Ypsilanti, MI 48197
Term Expires: 12/31/2017

SmartZone Local Development Finance Authority
Bilal Saeed (new appointment)
535 Rive Ave.
Ypsilanti, MI 48197
Term Expires: 12/4/2016

Millennial Mayors Congress Representative
Morgan Cox (reappointment)
807 Charles St.
Ypsilanti, MI 48198
Term Expires: 12/4/2013

Millennial Mayors Congress Representative (Alternate)
Maia Hardy (new appointment)
201 N. Washington, Apt. 1
Ypsilanti, MI 48197
Term Expires: 12/4/2013

Ypsilanti Downtown Development Authority
Alex M. Easley (new appointment)
8500 Lawrence Ave
Ypsilanti, MI 48197
Term Expires: 7/7/2013

XV. COMMUNICATIONS FROM THE CITY MANAGER

Mr. Lange gave a report on the following:

- Reported that Ypsilanti Township Board of Commissioners will vote on the Grove Road Intergovernmental agreement tonight.
- He commented that Cross Street looks good; however he is a little concerned about the surface and will keep a close eye on it.

- He reported that Nan Schuette will contact council to schedule goal setting sessions.

- SEMCOG report coming soon and he will merge it with the 5-Year Plan.

XVI. <u>AUDIENCE PARTICIPATION</u>

1. Dave Heikkinen, 133 W. Michigan Ave., thanked DPS and Director Stan Kirton for outlining the handicap spaces. He said he is disappointed in the vote to continue with the proposed Family Dollar proposal.

2. Cheryl Farmer, 214 N. Huron, spoke against the Family Dollar proposal and questioned whether it would improve or detract from neighborhoods. She asked will a Family Dollar make the rest of the property sellable and urged Council to wait a little longer. She said Family Dollar is not the highest and best use for the corner and the rest of the property will drop in value. She asked Council to think again.

XVII. <u>REMARKS FROM THE MAYOR PRO-TEM</u>

Mayor Pro-Tem Richardson thanked all those who spoke during audience participation.

XVIII. <u>CLOSED SESSION</u> - *Added*

Closed Session to discuss collective bargaining- OMA 15.268, Section 8(c).

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

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

VOTE:

Yes: 5 No: 0 Absent: 2 (Moeller, Schreiber) Vote: Carried

XIX. <u>ADJOURNMENT</u>

A. Resolution No. 2012-256, 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
SUPPORRTED BY: Council Member Vogt

On a voice vote the motion carried and the meeting adjourned to a closed session at 9:04 p.m.