



APPROVED

**CITY OF YPSILANTI
COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS - ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, MAY 7, 2013
6:00 P.M.**

I. CALL TO ORDER –

The meeting was called to order at 6:04 p.m.

II. ROLL CALL -

Council Member Jefferson	Present	Council Member Robb	Present
Council Member Moeller	Present (6:13)	Council Member Vogt	Present
Council Member Murdock	Present	Mayor Schreiber	Present
Mayor Pro-Tem Richardson	Present		

Mayor Pro-Tem Richardson moved, supported by Council Member Jefferson, to excuse the absence.

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. AGENDA APPROVAL -

Council Member Murdock moved, supported by Council Member Robb, to add an agenda item to suspend the rules and reconsider Resolution No. 2012-006.

On a voice vote the agenda was approved as amended.

VI. INTRODUCTIONS –

Mayor Schreiber introduced former Mayor Dr. Cheryl Farmer, Historic District Commissioner Hank Prebys, and Joe Fazio.

VII. PRESENTATIONS –

1. Proclamation honoring Jane Schmiedeke – Mayor Schreiber
2. Re-imagine Washtenaw Project Update – Nathan Voght, Economic Development Specialist
(Presentation on file in the Clerk's Office)

Council Member Murdock asked for confirmation that the state law had been changed to allow a single entity instead of four entities and asked what the next steps would be to move forward.

Mr. Voght answered that the law had been changed and explained that each entity would need to pass an identical ordinance creating a new authority that defined the number of members that would be appointed by each unit. He stated that the tax component could be left off so that it was simply for organizational purposes which would allow the authority to be grant-eligible.

3. Family Dollar Update – Planner Teresa Gillotti

Ms. Gillotti presented Council with a marked-up copy of the most recent version of the Purchase Agreement. She reviewed the process for selling a property on Water Street, the steps the Family Dollar proposal has gone through, the changes that have been made to the Purchase Agreement, the tax benefit, how the new proposal fits in with the master planning process, and the next steps if the agreement is approved.

Mr. Fazio and Mr. Tippman, from Core Resources, provided input on the details of the Purchase Agreement and the steps the developer was taking, respectively.

VIII. AUDIENCE PARTICIPATION

Mayor Schreiber read the rules for audience participation.

1. Emmanuel Jones, 6916 Plainview (Ypsilanti Township), stated that he wanted to thank Council Member Jefferson for his support, through his church, of the bowling fundraiser for the Mentor2Youth nonprofit organization, which raised over \$3,000. He said that he looks forward to future support from other Council Members as well.
2. Dr. Cheryl Farmer, former Mayor, 214 N. Huron, stated that she wanted to add her thanks for Jane Schmiedeke for her more recent role in preserving the Starkweather farmhouse. She stated that she wanted Council to consider the following question: "Can a Family Dollar store be the anchor development that helps Ypsilanti draw in the additional types of development we want to see on the rest of the parcel?" She stated that what we are willing to settle for is what we will end up with and she asks that Council votes wisely.
3. Dave Heikkinen, local business owner, stated that he is embarrassed, on behalf of Ypsilanti, that this is the best we can get on the Water Street property. He said that it was energizing to participate in the Shape Ypsi master planning process and seeing how many people care about and support the City. He stated that he does not know how anyone can support this because it sets the bar very low. He asked that Council would really consider this and asked that they consider creating a task force of interested community members to help pursue what the City should do to market the property in a way that represents what the City stands for.

IX. MOTIONS/RESOLUTIONS/DISCUSSIONS -

1. Resolution No. 2013-052, approving Family Dollar purchase agreement.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The Ypsilanti City Council approved a Letter of Intent for the sale of up to 1.25 acres in November of 2012; and

WHEREAS, Ypsilanti City staff have been working with NINETY NINE 90, LLC on behalf of Family Dollar on a 1.1

**acre development on the SE corner of the Water Street
Redevelopment Area (on Michigan and Park Streets);
and**

**WHEREAS; Ypsilanti City Council approved an ordinance
to sell Water Street on August 18, 2009; and**

**WHEREAS, Ypsilanti City Council has passed a
resolution requiring a public hearing with every purchase
offer for the Water Street Redevelopment Area in
July 21, 2009; and**

**WHEREAS; Ypsilanti City Council has held a public
hearing for a sale of a 1.1 acre portion of the Water
Street Redevelopment area to provide an opportunity for
public input on March 19, 2013; and**

**WHEREAS: NINETY NINE 90, LLC, Family Dollar and the
City have negotiated terms including a concept site plan,
related building elevations, contingency and
governmental approval periods as well as price for the
land; and**

**WHEREAS NINETY NINE 90, LLC has agreed to the
attached purchase agreement for the purchase and
development of 1.1 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 Purchase Agreement
with NINETY NINE 90, LLC to sell and develop 1.1 acres
of the Water Street Redevelopment Area as presented in
the agreement and attachments; and**

**FURTHER, that the Mayor and City Clerk are authorized
to sign the Purchase Agreement**

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

Council Member Vogt stated that he wanted to thank the developer for agreeing to a long list of changes that Council requested. He said that he is still concerned that the Shape Ypsi process has not been completed and the fact that they are not looking at a potential two or three-story building because of the tax benefit of maximizing the use of every parcel.

Council Member Robb asked Council Member Vogt if he felt the City should hold off on all development until the master planning process was completed and passed by Council.

Council Member Vogt stated that he felt they did not have to be completely finished with the master planning process to know that this project doesn't quite fit with the direction the master plan is headed.

Council Member Robb stated that he was confused because he does not think that anyone has ever given their vision for what the Water Street property should be. He mentioned that a consultant came and sold everyone on the idea of a grid-plan while the City had previously been working based off of the Freed plan, which Jane Schmiedeke's husband, an acclaimed architect, said was the greatest natural use of the river he had ever seen. He stated that the stand-alone building that is a part of this project fit the Freed plan. He said he feels like we are throwing this project away because of the one week of Charettes that were a part of the master planning process.

Council Member Vogt stated that he does not feel like we are throwing away anything and said he does not know why this proposal cannot fit the rest of the Freed plan with higher-use and mixed-use buildings as well to maximize the economic value of the parcels.

Mayor Pro-Tem Richardson stated that anything that is new becomes old. She mentioned Mr. Carter Good's reading of his son's letter and stated that she feels it is important to think about the development on this corner as a segue into the next block, and not just zero in on the corner itself, realizing that there are older buildings right across the street. She said there are still 37.5 acres available for mixed-use.

Council Member Moeller stated that she is going to vote against the resolution because many of the citizens from her Ward are against the project.

Council Member Jefferson stated that he appreciates the changes that were accepted since the last meeting. He said that he feels the changes help the building to fit better with the Freed plan and make the parcel more attractive. He also said that there was still a lot of land left that Council can use to develop however they choose. He stated that he does not agree with those who say the City has a beggar's mentality because the developers have been willing to make changes to the agreement based on Council's desires for the project.

Council Member Murdock stated they had met all of the criteria that was in place when the project began and now all of these changes are being made because of the master planning process that has just begun. He said that if we change things every time there is a new plan or a new idea then we won't be able to get anyone to come and develop on the site. He stated that he would be supporting the resolution because of this.

Mayor Schreiber stated that he also planned to support the resolution tonight. He said he is really happy that the developer was able to accommodate the last minute changes requested by Council. He stated the comments made by former Mayor Farmer brought him back to the days when they had hoped there would be a single developer that would develop the whole site, but said he feels the City would have to wait a lot longer to find a developer to come in and do that. He stated that since this project falls in line with the grid structure he sees it as an opportunity to diversify.

Move by Council Member Murdock, supported by Council Member Robb, to add an amendment that reads "FURTHER RESOLVED that the proceeds from this sale, less any commissions, closing costs and other costs directly related to this sale be placed in a restricted fund to be used solely for Engineering, Infrastructure or Debt Service for the Water Street site."

Council Member Moeller asked Council Member Murdock why he proposed this amendment.

Council Member Murdock stated that he feels the funds should go back into retiring the debt or making the property more saleable.

Mayor Schreiber asked Ms. Gillotti to address Council to explain how the amendment would impact the project.

Ms. Gillotti stated that it was mostly just solidifying the policy as this concept had been discussed previously.

Mayor Pro-Tem Richardson stated that she agrees with this amendment to the resolution because any income from any parcel sold or leased should go towards retiring the debt or maintaining the infrastructure.

Council Member Moeller stated that she agrees with the amendment but she doesn't like the idea of it being tied to the sale because she is not going to vote for the Family Dollar store but she does agree that any proceeds should be applied to the debt. She stated that there should be a policy like this for all of the land sold or leased so that it is a more general policy.

Council Member Murdock stated that if they do not pass this when the opportunity is present then it will not ever get done.

On roll call, the vote to approve the amendment to Resolution No. 2013-052 was as follows:

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

VOTE:

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

Mayor Schreiber stated that he voted no because he does not like to see things come in at the last minute without having been studied by staff.

On roll call, the vote to approve Resolution No. 2013-052, as amended, was as follows:

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

VOTE:

Yes: 4 No: 3 (Moeller, Robb, Schreiber) Absent: 0 Vote: Carried

2. Motion to suspend the rules and reconsider Resolution No. 2012-006

Council Member Murdock stated that while a lot of the other details were still being reviewed by the Planning Commission, the location of the Recreation Center on the Water Street site had already been decided on by Council. He said that he feels Council should vote on this again to put to rest the idea that the City is not interested in moving forward with the project at that location.

Attorney Barr confirmed that this was a motion to suspend the rules and reconsider a previous action by Council. He stated that if Council votes this down it would, in effect, be a reaffirmation of the original vote and confirmation that Council wishes to go forward with the original deal.

Mayor Pro-Tem Richardson asked Council Member Murdock to confirm that he is asking Council to set aside rules so that they can once again look at Resolution 2012-006. She stated that she did not feel comfortable voting on something that they did not have in front of them.

Council Member Murdock explained that if they vote to suspend the rules the resolution would be on the table to discuss and be voted on once again.

Council Member Moeller asked why they were reconsidering this when they had already voted on this previously.

Council Member Murdock stated that there had been talk about City Council not being sure of the location of the Recreation Center on the Water Street site and it had upset Washtenaw County Commissioners because they thought the City had voted on the matter.

Mayor Schreiber shared that he had breakfast with the Washtenaw County Parks and Recreation Commission Chair Bob Marans and they discussed the Recreation Center and its location on the northwest corner of the property. He stated that Mr. Marans agreed that the Recreation Center

could align to the grid structure. He said that he would be voting against suspending the rules to reconsider this resolution.

City Manager Ralph Lange stated that unless Council votes to reconsider Resolution No. 2013-037, which states "BE IT FURTHER RESOLVED that the City of Ypsilanti agrees to provide sufficient land at the preferred site as previously agreed to in the Letter of Intent approved on January 10, 2012 to allow the Commission to confidently proceed to the design phase; that the Washtenaw County Parks and Recreation Commission agrees to proceed with the design phase for the building and further define the site plan, including determining the exact footprint of the project and the amount of land necessary...", he could confidently, on behalf of the Administration, state that the Council's position has not changed, as he feels this resolution, passed on February 19th reaffirms that commitment.

Council Member Murdock stated that, given the Mayor and Mr. Lange's comments, he does not feel this is necessary and he will withdraw his motion. He stated that he just wanted to reaffirm their commitment to the project and the location on the Water Street site.

3. Resolution No. 2013-073, approving appointments to Boards and Commissions.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

<u>NAME</u>	<u>BOARD</u>	<u>TERM TO EXPIRE</u>
Sally Lusk (reappointment) 1111 W. Clark Rd. Ypsilanti, MI 48198	Huron River Watershed Council	12/2/2014
Sally Lusk (new appointment) 1111 W. Clark Rd. Ypsilanti, MI 48198	Ethics Board	10/16/2013
Mark Bullard (reappointment) 37 Photo Ypsilanti, MI 48198	Planning Commission	5/1/2016

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

On roll call, the vote to approve Resolution No. 2013-052 was as follows:

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

VOTE:

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

X. AUDIENCE PARTICIPATION –

Mayor Schreiber stated that the same rules applied as previously stated.

1. Mark Hergott, 111 Miles, stated that he wanted to personally introduce himself and welcome the new City Manager and Council Member Moeller. He said that he thinks the Family Dollar store is a good fit for the neighborhood and he thinks it was a good vote to support it. He also stated that he supports Fire Chief Anthouard's support of the new box-launches. He said, to Mr. Lange, that we need to work with our neighbors as far as Police and Fire are concerned to collaborate with the surrounding jurisdictions.

XI. REMARKS BY THE MAYOR –

Mayor Schreiber welcomed back Mr. Hergott and said that it was good to see him. He said that Mr. Lange has bent over backwards to negotiate with the Fire and Police unions and said he is looking at all of the options. He stated that the City is doing a lot of things to collaborate with other local governments and he appreciates the interest.

XII. MINUTES

Resolution No. 2013-074, approving the minutes of April 23, 2013.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Minutes of April 23, 2013 be approved.

OFFERED BY: Council Member Moeller

SUPPORTED BY: Council Member Jefferson

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

XIII. LIASON REPORTS

A. SEMCOG Update:

- Mayor Pro-Tem Richardson stated that at the last meeting SEMCOG voted to give a portion of the funds that the City of Detroit had been receiving for bus services to the Suburban Mobility Authority for Regional Transportation. She stated that she did not vote for that because she felt it was something that could have been left for the Regional Transportation Authority to decide on.
- She shared that there will be a general assembly meeting sometime in June.

B. Washtenaw Area Transportation Study:

- Council Member Murdock stated that they are setting up public sessions for the 2040 Transportation study.

C. Washtenaw Metro Alliance:

- Council Member Robb stated that after a two year absence they finally met and had some members of the press show up. He shared that they discussed MABAS, the Mutual Aid Box Alarm System, and the AATA. He said they would meet again in July.

D. Urban County:

- Mayor Schreiber stated that he has nothing else to report since the last meeting.

E. Freight House:

- Council Member Murdock stated that tomorrow evening the Friends of the Freight House should be receiving the drawings and cost estimates.

XIV. COUNCIL PROPOSED BUSINESS –

Mayor Pro-Tem Richardson

- Stated that she attended an event for World Laughter Day which is celebrated in over 80 countries worldwide to promote peace and harmony.

Council Member Murdock

- Asked if the City needed to get any other help or involvement to market the Angstrom plant facilities that he noticed had recently been put up for sale.
 - Mr. Lange answered that he, along with Ms. Gillotti, had been in contact with the owners and said they will be engaged in supporting the sale and redevelopment of the site.
- Stated that he was going to propose a rule that Council Members could only abstain from a vote if they had a conflict of interest.

Council Member Robb

- Stated that the Letter of Intent for the Recreation Center will expire in less than two months and said he would like to know if it would be extended.
- Shared that this summer will mark the two year anniversary of 208 E. Cross and asked when it would be cleaned up.

Council Member Moeller

- Stated that there was a steam pipe, or something similar, making a lot of noise in the area of the physical plant at EMU and there had been a lot of complaints.

Council Member Vogt

- Shared that he had presented the proclamation to the Ypsilanti Community Choir on behalf of the Mayor last week, which he enjoyed greatly.

Council Member Moeller

- Mentioned the wonderful work the Mentor2Youth organization is doing and said he is welcome to help Mr. Jones anytime.

XV. COMMUNICATIONS FROM THE MAYOR –

Mayor Schreiber stated that the only communication he had was about an email received by Council from the City Clerk about submitting the Clerk's evaluation. He stated that it should be submitted to either Mayor Pro-Tem Richardson or Council Member Robb by May 24th.

XVI. COMMUNICATIONS FROM THE CITY MANAGER –

1. Mentioned that his neighborhood got a new LED light which he was excited about.
2. Shared that he wanted to update Council on the Infrastructure Plan relating to major roads and bridges, along with OHM and DPS Director Stan Kirton.
3. Stated that there was a DPS worker counting the lights in City Hall for the City Building Energy Conservation Fund project.

4. Commended the Police and Fire departments for their hard work.
5. Shared that the AFSCME negotiations will begin on Thursday.

The meeting recessed at 8:20 p.m.

The meeting reconvened at 8:32 p.m.

XVII. BUDGET SESSION –

1. General Fund Revenues Review/Questions (FY 2012-13, FY 2013-14) –Ralph A. Lange
2. General Fund and Non-General Funds Expenditures Review/Questions (FY 2012-13, 2013-14)
 - Ralph A. Lange:
 - FY 2012-2013 Accomplishments:
 - Established Draft Recovery Plan – within first 90 Days
 - SEMCOG Audit
 - SEMCOG supported most of the Recovery Plan
 - Rescheduled and Reduced Interest on CDBG component of Water Street Debt (from 4% to 2%)
 - The city lost 18 employees between Jan 1, 2012 – May 1 2013; hired or rehired only 5
 - Established more comprehensive Tier II benefit package for union and non-union employees
 - Settled POAM contract
 - Overview:
 - Good News
 - **5 Year Recovery Plan-** Revenues have proven to be more accurate than previously projected
 - **Rutherford Pool Project-** looking forward to the reconstruction beginning this year
 - **Water Street Redevelopment-** Actively working toward securing the first private investment
 - **Enhanced Service-** FY 2013-2014 budget projects a fiscally responsible increase in personnel for the first time in many years
 - **Taxable and Assessed Values-** Housing & Business Markets have significantly improved over the past year and are projected to continue improving
 - General Fund Revenues and Expenditures
 - City Manager's Office
 - Judi Smith:
 - Human Resources
 - Worker's Compensation & Unemployment
 - Frances McMullan:
 - City Council Budget
 - Clerk/Treasurer's Office
 - Voter Registration
 - Administration Hearing Bureau
 - City Insurances
 - Treasury

- Teresa Gillotti:
 - Community Development Consolidation
 - Building Inspection
 - Planning
 - Water Street Grant Activity
 - CDBG
 - Building Ordinance Enforcement
 - Historic District Commission
- Stan Kirton:
 - Public Building Maintenance
 - Parking Lots & Meters
 - Street Lighting
 - Parks
 - Major Streets
 - Local Streets
 - Environmental Services
 - Garbage Services
- John Barr:
 - Legal Services
- Marilou Uy:
 - FY 2012-2013 Accomplished Goals
 - General Accounting
 - Assessing
 - Senior Center
 - Parkridge
 - Sick & Vacation
 - MTT and Charge backs
 - Transfers and Contributions
 - FY 2013-2014 Goals

Mr. Lange stated that, though this was his first budget session, he feels he understands the constraints the City is dealing with. He said that, at the moment, the budget is only off by approximately \$500,000. He said there is no silver bullet that will get rid of all of the debt but he thinks he is presenting ideas that are helping to slowly but surely chip it away.

XVIII. AUDIENCE PARTICIPATION –

Mr. Hergott stated that Mr. Lange and Mr. Koryzno are definitely very different and said that he had long had the faith that things would change, but, after hearing Mr. Lange speak, he is now hopeful.

XIX. REMARKS FROM THE MAYOR –

Mayor Schreiber stated that he appreciated everyone's hard work and cooperation.

XX. ADJOURNMENT –

A. Resolution No. 2013-075, 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. The meeting adjourned at 10:50 p.m.