APPROVED

CITY OF YPSILANTI
COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, JULY 16, 2013
6:00 P.M. – CLOSED SESSION
7:00 P.M. – OPEN SESSION

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	6:06 Present	Council Member Vogt	Present
Council Member Murdock	Present	Mayor Schreiber	Present
Mayor Pro-Tem Richardson	Absent		

Council Member Vogt moved, supported by Council Member Jefferson to excuse the absence. On a voice vote the motion carried and the absence was excused.

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 Attorney Daniel Christ, Assistant City Attorney Jesse O'Jack, former Mayor Cheryl Farmer, Robb Nissley Habitat for Humanity Housing Director, EMU Student Body Vice-President Nino Monea, Travis Gonyou from Congressman John Dingell's office and Gillian Ream, AATA Board nominee.

VI. AGENDA APPROVAL –

Council Member Robb requested to remove Resolution No. 2013-125 from the consent agenda.

Council Member Murdock suggested the streetlight resolution (Res. No. 2013-127) be moved up and heard right after the presentation.

Mayor Schreiber requested Resolution No. 2013-125 be split into two resolutions.

On a voice vote the agenda was approved as amended.

VII. CLOSED SESSION (6:00 to 7:00 p.m.) –

Closed Session to discuss the following:
- Attorney/Client communication (OMA 15.268, Section 8(h)
- Collective bargaining - OMA 15.268, Section 8(c).

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

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

VOTE:

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

The meeting adjourned to closed session at 6:10 p.m.

Open session resumed at 7:08 p.m.

VIII. PRESENTATIONS –

1. Medicare Advantage for Retirees – Rose Oliver, Blue Cross/Blue Shield and Michele Bolser, Griffen, Smalley and Wilkerson

2. Streetlight Special Assessment District (City Manager's Report) – Ralph A. Lange ***(Available on city's website)***

Manager's Office Intern Connie Locker gave a presentation on the proposed streetlight assessment district project and answered questions from Council. ***(Powerpoint available in City Clerk's Office and on city's website)***

SUMMARY & BACKGROUND:

At the July 2, 2013 Ypsilanti City Council meeting, City Council passed a resolution requesting a City Manager's Report regarding the proposed streetlight special assessment district. Attached is a copy of the requested report, as well as a proposed resolution of necessity indicating the demonstrated need for the special assessment. Staff will formally present the information in the City Manager's Report at the meeting.

In preparing the City Manager's Report, staff took into account Council concerns related to the proposed project timeline. A revised timeline is outlined below. This schedule is subject to change pending review of the City Attorney.

PROPOSED TIMELINE:

- July 16, 2013 - Report of City Manager submitted
  - Preliminary Resolution of Necessity and establishment of public hearing regarding objections

- August 6, 2013 - Public hearing regarding objections

- Resolution approving project and ordering roll
- Review and certification of roll
- Resolution to file roll for public examination and establishment of public hearings regarding objections to roll

- August 20, 2013 - Special meeting; public hearing regarding objections to roll
  -Approval of roll

Council Member Robb asked why Highland Cemetery was exempted from the assessment roll.

City Attorney said it was an arbitrary decision because they have only two streetlights.

City Manager Lange said Highland Cemetery can be added to the roll if City Council desires to add them.

Council Member Robb asked what happens if it is determined everyone has overpaid.

Attorney Barr answered if an overpayment is discovered it could be refunded or used for the next year's assessment.

Council Member Robb questioned the methodology used to determine the assessment and asked if the special assessment district could be cancelled and changed by a future Council.

Attorney Barr answered yes it could be cancelled or changed in the future.

Council Member Murdock asked if the assessment roll could have been determined by zoning, residential versus commercial.

Attorney Barr answered staff looked at a lot of variations as well as what others are doing, and it was determined that a flat fee per parcel was the best way to go.

Council Member Murdock questioned the 18 year limit and asked if the assessment district could be altered in the next three years through the same process.

City Manager Lange answered yes.

Mayor Schreiber suggested that the capital improvement costs be separated from the maintenance costs so residents can see the investment they are making.

Council Member Robb asked if the city would be locked into this methodology.

Attorney Barr said it is possible to redo the plan and he would have to research how adjustments and changes would be made.

Planner Gillotti said staff did look into assessing rates based on use and zoning, however it became difficult because of mixed uses and it was less clean outside of the business districts. She said staff can look it up further if Council desires.

Resolution No. 2013-127, approving resolution of necessity for streetlight special assessment district.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, pursuant to Ypsilanti City Code section 90-31 City Council passed a resolution authorizing the commencement of a special assessment project to determine the feasibility and value of creating a streetlight special assessment district; and

WHEREAS , pursuant to Ypsilanti City Code section 90-36 City Council passed a resolution referring the matter to the City Manager to prepare a report to include all necessary and pertinent information for Council to ascertain the cost, extent and necessity of the special assessment project and what proportion should be borne by the property benefited, and what proportion should be paid by the City.

WHEREAS, a report detailing the proposed streetlight assessment district and methodology has been submitted to City Council by the City Manager; and

WHEREAS, City Council has reviewed the City Manager's report; and

WHEREAS, the creation of a streetlight special assessment district would levy necessary funds to pay for street lighting and conversion costs; and

WHEREAS, streetlights benefit individual parcels directly and the general public through increased visibility, security, and safety; and

WHEREAS, the special assessment would allow the City to maintain streetlights; and

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council hereby declares and determines that:

1. The commencement of the streetlight special assessment district described herein is a public, governmental and municipal function exercised for a public purpose and for the specific benefit of the parcels to be assessed; and

2. The improvements are necessary; and

3. The improvements will phase upgrades of 1,189 streetlight fixtures to LED over two fiscal years, beginning in FY 2013-2014 and ending in FY 2014-2015, and pay for the operation and maintenance of the streetlight fixtures for eighteen years; and

4. The cost of the improvement is estimated to be as follows (subject to future rate changes and capital improvements):

a. The net cost of the streetlight fixture conversion is estimated to be $555,664; and

b. The cost of the annual operation and maintenance is estimated per year to be:

		Conversion	
	O&M	**Costs**	
100% O &	**to be**	**Over 7 Years**	**Cost Per**

	M	Assessed		Parcel
FY 2013-14	$515,000	$396,550	$79,381	$98.90
FY 2014-15	$456,769	$365,415	$79,381	$92.43
FY 2015-16	$406,051	$324,841	$79,381	$84.00
FY 2016-17	$406,051	$324,841	$79,381	$84.00
FY 2017-18	$406,051	$324,841	$79,381	$84.00
FY 2018-19	$406,051	$324,841	$79,381	$84.00
FY 2019-20	$406,051	$324,841	$79,381	$84.00
FY 2020-21 –FY 2030-31	$406,051	$324,841	$0	$67.51

5. 100% of the cost of the streetlight fixture conversion will be paid by special assessment on 4,812 parcels especially and directly benefitted by added safety, security, deterring crime, reducing the carbon footprint, assisting in the ease of movement on streets and sidewalks, lessening the danger of collisions, and positively affecting property values, and divided and paid over the first seven (7) years of the special assessment; and

6. The first year's cost for operation and maintenance will be paid by special assessment in the first year of the special assessment as follows:

a. 77% on 4,812 parcels especially and directly benefitted by added safety, security, deterring crime, assisting in the ease of movement on streets and sidewalks, lessening the danger of collisions, and positively affecting property values; and

b. 23% will be paid by the City; and

7. The annual operation and maintenance costs in years two (2) through eighteen (18) will be paid by special assessment annually as follows:

a. 80% on 4,812 parcels especially and directly benefitted by added safety, security, deterring crime, assisting in the ease of movement on streets and sidewalks, lessening the danger of collisions, and positively affecting property values; and

b. 20% will be paid by the City; and

8. The special assessment district will include all parcels in the City of Ypsilanti except those parcels belonging to Eastern Michigan University, Highland Cemetery, and the City of Ypsilanti; and

9. The special assessment will be divided equally among the parcels being assessed and last, in total, for eighteen (18) years; and

10. The City Clerk is directed to place the complete information regarding this matter on file in the office of the City Clerk where the information may be found and examined; and

11. The City Clerk is directed to publish a notice of a public hearing to be set for Tuesday, August 6, 2013 at 7:00 p.m. at City Hall, 1 S. Huron, Ypsilanti, MI 48197, at which time and place opportunity will be given interested persons to be heard. Such notice shall be given as provided in Ypsilanti City Code sections 90-47 and 90-48.

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

On a roll call, the vote to approve Resolution No. 2013-127 was as follows:

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

VOTE:

Yes: 4 No: 1 (Robb) Absent: 2 (Moeller, Richardson) Vote: Carried

IX. FIRST READING –

Ordinance No. 1191

1. An ordinance to amend Ordinance No. 1145, Section 7.4 of the Ypsilanti City Code to limit the number of Medical Marijuana dispensaries and growing/manufacturing facilities, and terminate licenses that stop operation for 90 days or more.

   A. Resolution No. 2013-119, determination

A RESOLUTION TO ADOPT ON FIRST READING AN ORDINANCE TO AMEND ORDINANCE #1145 TO LIMIT THE ABSOLUTE NUMBER OF MEDICAL MARIJUINA DISPENSIARIES AND GROWING/MANUFACTURING FACILITIES

WHEREAS, City Council adopted ordinance #1145 to license medical marijuana dispensaries and growing/manufacturing facilities, in response to a new state law that provided for medical marijuana, in order that the city had some control and regulation of marijuana facilities for the public health, safety and welfare; and

WHEREAS, there are now 5 licensed medical marijuana dispensaries and 1 licensed growing/manufacturing facilities in the city; and

WHEREAS, the present ordinance would allow a number more to be licensed; and

WHEREAS, City Council has determined that the city is now adequately serviced by the present number of licenses, and those additional licenses would not provide any significant competition, selection or advantage to the city, and may have a detrimental effect to neighborhoods; and

WHEREAS, City Council has determined that the total number of said licenses should be limited and capped at 6 and 3, to avoid an over concentration of licensed marijuana dispensaries and growing/manufacturing facilities; and

WHEREAS, City Council has determined that licenses should terminate if the licensed use stops for 90 days or more.

NOW THEREFORE, IT IS RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI THAT an Ordinance to Amend Ordinance 1145, Section 7.4 of the Ypsilanti City Code to limit the number of Medical Marijuana dispensaries and growing/manufacturing facilities, and providing for termination of licenses that stop operating for 90 days or more, be approved on First Reading.

OFFERED BY: Council Member Jefferson
SUPPORTED BY: Council Member Murdock

City Attorney Barr explained that he prepared a proposed emergency ordinance at the direction of Council and it was suggested that this come back as a regular ordinance and that is what is before Council.

Council Member Vogt asked if the city would be at risk of litigation for placing a limit on the number of dispensaries.

Mr. Barr answered the risk is small.

B. Open the public hearing.

1. Mr. Lowell said Council should let the market decide the number of dispensaries. He said saturation seems to be the concern, however there is a market demand for dispensaries and there are no existing problems to address.

2. Cheryl Farmer supported the amendment to cap the number of dispensaries and said Federal law disagrees on the legality of medical marijuana. She said the city doesn't know what the long term results will be on the community so she would like the city to put a cap on the experiment.

3. Bryan Foley encouraged City Council to vote yes to place a cap on the number of marijuana dispensaries in the city. He said there is no difference between street and medical marijuana.

4. James Nemath said he wants to put a dispensary at 539 S. Huron Street and Ms. Gillotti said it met the requirements needed. He said he has invested a lot of money into the building and his business will be a benefit to the public.

5. Lee Tooson spoke in support of the cap on the number of medical marijuana dispensaries in the city. He said drugs belong in the drug store and Ypsilanti doesn't need any more drug houses in the city.

6. Roderick Casey supported the resolution and said residents don't want a city saturated with drugs. He asked Council to do the right thing and listen to the concerns and requests of the citizens.

7. Mark Bullard said he believes that the status quo is the right way to go. He said the vote was clearly in favor of medical marijuana in the state of Michigan and in Ypsilanti. He said he believes the process hasn't taken its full effect but it appears, to date that business is being done in a thoughtful way.

C. Resolution No. 2013-120, close public hearing.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the public hearing on the proposed Ordinance to amend Ordinance No. 1145, Section 7.4 of the Ypsilanti City Code to limit the number of Medical Marijuana dispensaries and growing/manufacturing facilities, and to terminate licenses that stop operation for 90 days or more, be officially closed.

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

On a voice vote the motion to close the public hearing carried.

Council Member Robb asked for clarification what closed for 90 days means.

Attorney Barr answered if the business closes or if the license isn't used for 90 days the license is terminated. He said it is similar to the zoning concept.

Council Member Robb asked how does this happen.

Mr. Barr said he can sharpen the language for the second reading if desired.

Council Member Murdock asked if licenses are non-transferrable.

Mr. Barr replied the license is non-transferrable and is issued to the person and not tied to the property or land.

Mr. Lange asked if a license could be retrieved if terminated.

Mr. Barr said if the license is lost, it cannot be relicensed, however a license in that area could be applied for by someone new.

Council Member Vogt asked what are the maximum number of licenses the city can have, given zoning restrictions.

Ms. Gillotti answered 8 or 9 dispensaries and 4-5 growing facilities.

Council Member Vogt said limiting the number of facilities doesn't limit sales. He said the volume won't vary because it is restricted by state law so he doesn't see any effect this ordinance would make. He said he feels this is much to do about nothing because there is no logical connection with the number of dispensaries and the things people have expressed concern about. He suggested counseling and more police services to address those concerns.

Council Member Jefferson commented that what happens in reality defies logic. He said the state and local vote was not on dispensaries but on legalizing medical marijuana. He referenced a letter of support from

David Bates, Ypsilanti Community School president, in support of the cap. He said the state still feels marijuana is illegal and is looking into ways to shut down existing dispensaries.

Council Member Robb said limiting the number of dispensaries will not prevent future dispensaries from developing in the area in question. He said he feels the ordinance is the wrong tool to use and suggested that maybe a zoning change to prohibit dispensaries from being located in certain areas be considered to address the concerns.

Mayor Schreiber said he will support the ordinance. He said there are limits on the number of alcohol licenses allowed and he sees this as similar to that. He said if a future City Council deem that more dispensaries are beneficial they can change the ordinance at that time.

On a roll call, the vote to approve Resolution No. 2013-119 (Ordinance No. 1191) was as follows:

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

VOTE:

Yes: 4 No: 1 (Robb) Absent: 2 (Moeller, Richardson) Vote: Carried

The meeting recessed from 8:50 p.m. to 9:03 p.m.

Council Member Murdock moved, supported by Council Member Jefferson to replace Resolution No. 2013-121, approving Ordinance No. 1192 at First Reading with Resolution No. 2013-131.

On a voice vote the motion carried.

~~Ordinance No. 1192~~

~~2. An emergency ordinance regarding Habitat for Humanity's request for City to invoke Right of First Refusal~~

~~A. Resolution No. 2013-121, determination~~

Resolution No. 2013-131, approving the purchase of tax property and to sell it to Habitat for Humanity of Huron Valley

IT IS RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that:

WHEREAS The CITY is interested in removing blight and improving the housing stock in the city with owner occupied quality single family residences that meet all zoning and building codes, improve the energy efficiency, and declares that this objective is in the Public Interest of the City of Ypsilanti.

WHEREAS HABITAT FOR HUMANITY OF HURON BALLEY (HABITAT) is in the non-profit business of acquiring low cost property and either building or rehabilitating quality single family housing that meets or exceeds all zoning and building codes. HABITAT then sells the property to low or moderate income families. HABITAT utilizes volunteer labor, including prospective purchasers in the building or rehabilitating of the properties.

WHEREAS CITY has the ability to purchase single residence property from time to time at tax sale, and otherwise, and use the property for a public purpose.

NOWTHEREFORE, CITY will, from time to time, acquire property at tax sale, or otherwise, and may sell the property to HABITAT for an agreed price that will be not greater than the out-of-pocket cost of CITY plus ten percent overhead In the event of any such sale, HABITAT must agree to purchase the property and to build a single family residence on the property, or rehabilitate an existing single family residence on the property within one year from the date of closing of the sale, in quality fashion and meeting or exceeding all zoning and building codes and regulations.

CITY and HABITAT will, from time to time, determine specific properties by a written memorandum of understanding that will incorporate all of the terms of sale.

The city manager is authorized to sign the memorandums of understanding for the CITY. All final sales will be completed by ordinance in accordance with city charter section 209(g).

OFFERED BY: Council Member Murdock
SUPPORTED BY: Council Member Jefferson

City Planner Teresa Gillotti gave the background.

Background:
Habitat for Humanity has requested that the City of Ypsilanti invoke their right of first refusal to purchase of two tax foreclosure properties for the public purpose of reducing blight and encouraging home-ownership. The two properties requested are 1320 Collegewood Dr. and 312 Garland Ave.

Process
If approved, the City of Ypsilanti will purchase the properties from the county treasurer for the public purpose listed above. Habitat for Humanity will purchase the properties from the City for the same cost plus a small fee to cover legal and administrative costs. The city charter requires an ordinance for the sale of real estate. The proposed emergency ordinance grants the city manager the power to complete the purchase and sales.

Investment
Habitat for Humanity works with low-income families to improve their credit, and purchase a house with a Habitat mortgage product. The owner-occupant families will then invest in the home through sweat equity as well as support from volunteers and habitat staff. Habitat's rehabilitation is subject to City code, as well as requirements from funders such as CDBG and HOME funds. A sample budget for improvements to the Collegewood house are attached for reference.

Review of proposal
The two properties requested by Habitat for Humanity are expected to exceed the minimum bid at auction, and would likely make up for some of the balance of properties that will sell for less at the tax foreclosure auction. However, their involvement ensures that the properties will be rehabilitated to a quality standard and that the end user will be an owner-occupant providing public benefit of blight removal, neighborhood stabilization and increase in owner-occupancy.

Timeline

Due to the charter requirement that property acquisition be achieved through ordinance, and that the properties are slated for the July 26 ordinance, the City Attorney suggest that the approval be done through emergency ordinance.

Attorney Barr explained the difference between an ordinance and resolution.

Council Member Vogt asked what is the downside of this proposal, as it seems this is a steal for the city.

Ms. Gillotti answered Habitat can have an exemption for up to 2 years while rehabbing and then it goes back on the tax roll.

Attorney Barr said part of the agreement with Habitat is that the property would not go off of the tax rolls.

Robb Nissley said the maximum time frame for tax exempt status is one tax year.

Council Member Vogt inquired about Habitat chooses buyers.

Mr. Nissley explained that Habitat's process quite lengthy and looks at the proposed owner's debts among other things.

Council Member Robb asked staff to clarify the end results of allowing this.

Attorney Barr answered it is outlined in the purchase agreement and in the draft contract. He said the benefit is that the property will never go off the tax roll.

Council Member Murdock made a friendly amendment to the resolution to add the addresses of the properties: 312 Garland and 1320 Collegewood to the resolution.

Council Member Jefferson accepted the amendment.

Mr. Nissley said Habitat has agreed to keep the property on the tax roll.

On a roll call, the vote to approve Resolution 2013-121 as amended was as follows:

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

VOTE:

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

The resolution as approved reads as follows:

RESOLUITON TO PURCHASE TAX PROPERTY
AND SELL TO
HABITAT FOR HUMANITY OF HURON VALLEY

IT IS RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that:

WHEREAS The CITY is interested in removing blight and improving the housing stock in the city with owner occupied quality single family residences that meet all zoning and building codes, improve the energy efficiency, and declares that this objective is in the Public Interest of the City of Ypsilanti.

WHEREAS HABITAT FOR HUMANITY OF HURON BALLEY (HABITAT) is in the non-profit business of acquiring low cost property and either building or rehabilitating quality single family housing that meets or exceeds all zoning and building codes. HABITAT then sells the property to low or moderate income families. HABITAT utilizes volunteer labor, including prospective purchasers in the building or rehabilitating of the properties.

WHEREAS CITY has the ability to purchase single residence property from time to time at tax sale, and otherwise, and use the property for a public purpose.

NOWTHEEFORE, CITY will, from time to time, acquire property at tax sale, or otherwise, and may sell the property to HABITAT for an agreed price that will be not greater than the out-of-pocket cost of CITY plus ten percent overhead In the event of any such sale, HABITAT must agree to purchase the property and to build a single family residence on the property, or rehabilitate an existing single family residence on the property within one year from the date of closing of the sale, in quality fashion and meeting or exceeding all zoning and building codes and regulations.

CITY and HABITAT will, from time to time, determine specific properties by a written memorandum of understanding that will incorporate all of the terms of sale <u>for 312 Garland Ave</u> (11-11-10-235-013) and <u>1320 Collegewood Dr.</u> (11-11-05-305-015).

The city manager is authorized to sign the memorandums of understanding for the CITY. All final sales will be completed by ordinance in accordance with city charter section 209(g).

X. <u>AUDIENCE PARTICIPATION</u>-

1. Robert Bull addressed City Council about a proposed recreational project at 220 N. Park. (proposal on file in Clerk's Office)

2. Former Mayor Dr. Cheryl Farmer thanked City Council for supporting the cap on the number of medical marijuana facilities and the streetlighting initiative.

XI. <u>REMARKS BY THE MAYOR</u> –

Mayor Schreiber appreciated the comments from those who spoke during audience participation.

XII. <u>MINUTES</u> –

Resolution No. 2013-122, approving minutes of July 2, 2013.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Minutes of July 2, 2013 be approved.

OFFERED BY: Council Member Robb
SUPPORTED BY: Council Member Vogt

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

XIII. **<u>CONSENT AGENDA</u>** Resolution No. 2013-123

1. Resolution No. 2013-124, approving Terry Bakery sign easement.

RESOLVED BY COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti adopted a revised sign ordinance in 2011 that recognized nine historically significant signs in Ypsilanti; and

WHEREAS, staff applied for a Certified Local Government grant to assist owners of recognized historically significant signs with rehabilitation work; and

WHEREAS, the owners of Terry Bakery signed an Historic Preservation Agreement indicating their commitment to maintain the historic sign for a period of five (5) years;

WHEREAS, the State Historic Preservation Office awarded the City $5,760 to offset the costs of the Terry Bakery sign rehabilitation;

WHEREAS, Ypsilanti City Council passed Resolution No. 2013-013 approving the CLG Grant Agreement for the amount of $5,760;

WHEREAS, the State Historic Preservation Office amended the award amount to $6,480 following receipt of contractor bids,

WHEREAS, the State Historic Preservation Office amended the grant schedule to alter the end date to September 20, 2013,

WHEREAS, the City has selected and the State Historic Preservation Office has approved low bidder Huron Sign Co. to perform rehabilitation work on the Terry Bakery historic sign,

NOW, THEREFORE, BE IT RESOLVED THAT the Ypsilanti City Council approve the attached Historic Preservation Agreement between the City and Batter's Up, LLC, the owners of Terry Bakery; and

MAY IT ALSO BE RESOLVED, that the Ypsilanti City Council approve the attached First Amendment to the CLG Grant Agreement between the City of Ypsilanti and the Michigan State Housing and Development Authority; and

FURTHER, that the Mayor and City Clerk are authorized to sign the above mentioned to approval by the City Attorney.

2. Resolution No. 2013-126, approving release of Master Plan to adjacent communities per State act.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The Ypsilanti City Council has repeatedly identified the need to revise the City's Master Plan and zoning ordinance; and

WHEREAS, the City has received funding for the Master Plan and zoning ordinance revision through the Washtenaw County HUD Community Challenge grant with $180,000 designated for the City of Ypsilanti to revise the Master Plan and zoning ordinance; and

WHEREAS, a steering committee was formed to guide the process, ENP & Associates were hired to lead the process resulting in a draft Master Plan; and

WHEREAS a broad range of community members participated in the preparation of the plan; and

WHEREAS, the State of Michigan Municipal Planning Act requires sharing and distribution of draft Master Plans and sub-plans to surrounding communities for review and comment; and

WHEREAS, the Municipal Planning Act requires the legislative body to authorize such distribution to surrounding communities;

NOW, THEREFORE, BE IT RESOLVED THAT Ypsilanti City Council authorize the distribution of the draft Master Plan for the City of Ypsilanti to adjacent communities and utilities for review and comment.

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

On a voice vote the motion to approve the Consent Agenda carried.

XIV. RESOLUTIONS/MOTIONS/DISCUSSIONS –

~~1. Resolution No. 2013-127, approving resolution of necessity for streetlight special assessment district.~~ ***(Considered after Presentations)***

1. Resolution No. 2013-125, approving appointments to Boards and Commissions ***(Split into two resolutions)***

Resolution No. 2013-125A, approving appointment to Boards and Commissions (Gillian Reams to AATA Board).

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:

NAME	BOARD	TERM TO EXPIRE
Gillian Ream (new appointment) **726 N. Prospect Rd.** **Ypsilanti, MI 48198**	**Ann Arbor Area Transportation Authority**	**5/1/2018**

OFFERED BY: Council Member Robb
SUPPORTED BY: Council Member Vogt

On a roll call, the vote to approve the appointment of Gilliam Ream to the AATA Board was as follows:

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

VOTE:

YES: 5 NO: 0 ABSENT: 2 (Moeller, Richardson) VOTE: Carried

Resolution No. 2013-125A, approving appointments to Boards and Commissions (Caryn Charter to DDA)

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:

NAME	BOARD	TERM TO EXPIRE
Caryn Charter (new appointment) **4760 Middlesex (home)** **Dearborn, MI 48126**	**SmartZone LDFA**	**6/30/2017**

E.M.U. (business)
Office of Research Development
Starkweather Hall, 2nd floor
Ypsilanti, MI 48197

OFFERED BY: Council Member Robb
SUPPORTED BY: Council Member Vogt

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

VOTE:

Yes: 4 No: 1 (Robb) Absent: 2 (Moeller, Richardson) Vote: Failed (5 votes required)

2. Resolution No, 2013-129, approving extension for WCPRC LOI for East Side Recreation Center.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti is the property owner of the Water Street Redevelopment Area and is seeking appropriate development projects; and

WHEREAS, Washtenaw County Parks and Recreation Commission (WCPRC) has submitted a Letter of Intent (LOI) to develop a Recreational Facility on up to 8 acres of the western portion of the site as included in Attachment A; and

WHEREAS, the proposed Recreational Facility development would create a public facility to benefit Ypsilanti and other Washtenaw County residents; and

WHEREAS, the development would provide additional infrastructure to benefit subsequent development; and

WHEREAS, the City and WCPRC both approved the attached LOI on January 5, 2012; and

WHEREAS, both parties desire to extend the LOI for 6 additional months until January 4, 2014.

NOW, THEREFORE, BE IT RESOLVED THAT the Ypsilanti City Council approves the requested extension to the attached Letter of Intent from Washtenaw County Parks and Recreation Commission to develop a Recreational Facility on a portion of the Water Street Redevelopment Area.

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

Planner Gillotti said there have been no changes to the original letter of intent and the County is seeking an extension. She said there is no meeting this month, however the Commission will be discussing this issue at their next meeting.

Background
On October 4, 2011, Washtenaw County Parks and Recreation Commission (WCPRC) staff presented conceptual plans for a Recreational Facility on a portion of the Water Street Redevelopment Area. On October 18, 2011, staff presented a review of the initial plan and received direction from City Council to continue working towards a Letter of Intent (LOI) to develop the recreational facility within the Water Street Redevelopment Area.

City Staff continued to meet and coordinate details of the LOI. At the January 5, 2012 City Council meeting, staff recommending and council unanimously approval the attached Letter of Intent that effectively took 8 acres of the property off the market for 18 months, while City and WCPRC staff work out details of a development agreement for the East Side Recreational Facility.

During the interim 18 months, WCPRC partnered with the University of Michigan design team to develop a series of concept plans. Recently, they have worked with the Ann Arbor YMCA on a marketing study. The draft was recently completed, and the final report is expected shortly.
Next steps for the WCPRC include formalizing an agreement with the Ann Arbor YMCA to operate the proposed East Side Recreational Center, and to determine the size, location and concept for the property as well as financing for the project. Based on this, WCPRC is requesting a 6 month extension on the Letter of Intent. This would move the expiration of the letter of intent to January 4, 2014.

At or before the January 4, 2014 date, the intent would be to negotiate a full development agreement to City Council and WCPRC to transfer the property. The agreement will include the following at minimum:

- Exact location and size of parcel
- Size and orientation of structure
- Proposed site plan and building design
- Timeline for approvals, permits and construction
- Plan for infrastructure development beyond parcel footprint
- Roles and Responsibilities
- Terms of parcel transfer or long term lease
- Other legal responsibilities for development and opening of the Recreational Facility

Approval Process
Below is the approval process for Water Street Redevelopment Area sale or transfer of property
We are currently at Step 3 in the process:

1. Present City Council a Letter of Intent (LOI) to purchase or transfer of property
   - This document would provide the basic details related to the scope of development, location, expected purchase price, potential roles and responsibilities related to infrastructure development, and basic timeline for the project
2. City Council would accept the LOI, request changes or reject it.
   - This stage is important for presenting and addressing key issues or concerns to be addressed while developing the development agreement.
3. If accepted, the City would agree to take the proposed acreage "off the market" for a set period of time. During this time period staff and the developer would negotiate the terms of a development agreement based on the City's established template
4. City Council would then be presented with a development agreement and more detail on the location, scale, style and detail regarding the development, the terms and conditions as well as roles and responsibilities related to infrastructure construction, Brownfield remediation, and finally, purchase price.
5. City Council would either accept, request changes or reject the purchase agreement
6. Staff would then work with the developer on the following elements (not in any particular order)
   - Site plans and Planned Unit Development (PUD requires Council approval)
   - Amendments to the Brownfield plan and Act 81 work plans (Brownfield plan requires Council approval)
   - Other related permitting and review

Council Member Murdock expressed frustration with Washtenaw County Parks and Recreation Commission (WCPRC) for lack of communication. He said it has been 18 months and nothing has been done. He said they have not shared what plan they want, the infrastructure or a site plan and said he wonders when they are going to begin moving on these things.

Ms. Gillotti said WCPRC did complete the marketing study and they are pursuing funding from the state for infrastructure. She said she would ask them for a more refined timeline.

Council Member Murdock said WCPR has not moved on the items that the city indicated were important.

Mayor Schreiber said he will support the extension and said he understands there are a lot of complicated things involved in the process. He said it is good to go at a deliberate pace.

Council Member Jefferson supported the extension and stated he is satisfied with the written communication from WCPRC stating that they will work cooperatively to develop the needed site infrastructure including water, sewer and entry into the site. He said this is important to him and is a jump start on the project.

On a roll call the vote to approve Resolution No. 2013-129, approving extension for WCPRC LOI for East Side Recreation Center was as follows:

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

VOTE:

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

XV. LIASON REPORTS -

A. SEMCOG Update – no report
B. Washtenaw Area Transportation Study – no report
C. Washtenaw Metro Alliance – September meeting
D. Urban Counties – no report
E. Freight House – Rehabilitation plans including solar panels approved by Historic District Commission and going to SHPO for approval. Revising business plan and fundraising processes are underway. Extension with Friends of Freighthouse runs out soon and an extension is needed.

XVI. COUNCIL PROPOSED BUSINESS –

MURDOCK

- Requested a tree list of those DPS plans to trim this season
- Waiting on speed bump policy
- Replacement of playground equipment

ROBB

- Inquired about the end result of the tax bill error
- Inquired when OHM would be coming back to Council regarding the Prospect Road project
- Information needed on why pedestrian signs not allowed in certain neighborhoods.

VOGT

-Reported dead tree on Washtenaw and asked who is responsible for providing a remedy.

JEFFERSON

- Reported that Stop signs at the corners of Normal & W. Michigan Avenue; Normal & Congress and Normal & Pearl have graffiti on them.
- Thanked staff for following through with ordinance enforcement on Ferris.

XVII. COMMUNICATIONS FROM THE MAYOR –

- Same-sex marriage resolution coming in support of current state legislation. Council Member Murdock supported a resolution in support. Council Member Murdock said it would be appropriate to adopt something with the Other Adult Benefits policy.
- City Clerk evaluation process. Council Member Robb said he is still missing two evaluations.
- He asked Council for cooperation on appointments to Boards and Commissions and asked for suggestions.

XVIII. COMMUNICATIONS FROM THE CITY MANAGER –

- Asked for feedback on the proposed retiree health insurance.
- Asked for feedback on streetlight assessment project.
- Reported Ms. Gillotti is working on a speed bump policy and asked Council how the speed bumps would be paid for.

Council Member Murdock said the speed bump policy doesn't require money and said the city needs a document to refer residents to.

- Reported code enforcement and parking enforcement meeting successful
- DDA contract is in process. DDA expected to move in by September 2, 2013
- Announced HAABS restaurant winner on QVC top five restaurants. The show is coming to town soon.
- Two future meetings possibly, 7/23 and 7/30.
- New Deputy Clerk hired

XIX. AUDIENCE PARTICIPATION -

None

XX. REMARKS FROM THE MAYOR –

Announced he will not be present at the August 6th meeting. Mayor Pro-Tem Richardson will be in charge.

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

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

VOTE:

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

On a voice vote the motion carried and the meeting adjourned to closed session at 10:00 p.m. to discuss collective bargaining.

Open session reconvened at 10:20 p.m.

3. Resolution No. 2013-128, approving AFSCME contract.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the labor contract between the City of Ypsilanti and the American Federation of State, County and Municipal Employees (AFSCME) be adopted with the following changes:

Existing Employees:

1. **Four year contract (July 1, 2013 – June 30, 2017)**

2. **No increase in wages**

3. **Health Insurance:**
   a. **Employees will continue to have our current BCBS Community Blue PPO**
   b. **Employees will contribute toward the health care premium, prescription premium, wrap plan cost and administrative costs as governed by PA 152 of 2011**

4. **Life Insurance:**
   To increase from $30,000 to $60,000

5. **Signing Bonus:**
   Current members of AFSCME will receive a one-time signing bonus of $1,500. AFSCME members shall receive an annual contract bonus of $1,000 in September of 2014, 2015 and 2016.

6. **Dental and Vision:**
   There will be a modest increase in the quality of these insurances for the AFSCME members hired prior to 7/01/2013.

New Employees hired after July 1, 2013

Please see Attachment A

All Employees

- **Employees will begin to move up the wage scale after 3 years rather than five years**
- **A Winter Overtime List was adopted during winter time emergencies**
- **Parking Enforcement Officers will receive a $520 additional compensation per year while taking on extra duties to assist in Code Enforcement**
- **Winter Gear allotment increased from $250 to $400 per year**
- **Mechanics Wage step increases for 25 years, 27 years and 30 years will be added to Wage Scale**
- **Permanent second shift premium went from $.80 per day to $4.00 per day**

OFFERED BY: Council Member Murdock
SUPPORTED BY: Council Member Vogt

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

VOTE:

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

XXI. ADJOURNMENT –

Resolution No. 2013-130, 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 10:35 p.m.