APPROVED

CITY OF YPSILANTI
SPECIAL COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, JULY 23, 2013
7:00 P.M.

I. CALL TO ORDER –

The meeting was called to order at 7:04 p.m.

II. ROLL CALL –

Council Member Moeller	Present	Council Member Robb	Present
Council Member Jefferson	Present	Council Member Vogt	Present
Council Member Murdock	Present	Mayor Schreiber	Present
Mayor Pro-Tem Richardson (7:58)	Present		

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

VI. INTRODUCTIONS

Mayor Schreiber introduced Tim Miller and Paul Gantz from DTE; Jeff Februian, Joe Hanz; Washtenaw County Treasurer Cathy McClary. Andy Cameron, YCUA Board member and Amanda Edmonds, DDA Vice-Chair.

VII. AGENDA APPROVAL -

The agenda was approved as submitted.

VIII. AUDIENCE PARTICIPATION-

Mayor Schreiber read the rules for audience participation.

1. Beth Bashert commended City Council for considering benefits for same sex and qualifying adults. She gave the history of the city's actions in favor of non-discrimination at all levels and said this is a great opportunity for the city to make another statement.

2. Nino Monea spoke in support of the resolution to approve Other Adult Benefits and urged City Council to approve the resolution.

3. Amanda Edmonds commended Council Member Murdock and City Council for bringing forth a resolution in support of other adult benefits and said the city is doing a great job.

4. Mary Larkin supported the Other Adults benefits resolution and said EMU students are excited about this effort which gives people a reason to come to Ypsilanti and to stay here.

5. Pollie Peach spoke in support of the change in the law for domestic partner benefits and said she lost benefits when she began working for the government. She said the policy is helpful for employees.

VIII. REMARKS BY THE MAYOR –

Mayor Schreiber thanked those who spoke during audience participation.

IX. RESOLUTIONS/MOTIONS/DISCUSSIONS

1. Resolution No. 2013-132, approving Michigan Municipal League (MML) Liability and Property Pool insurance coverage beginning August 1, 2013 – July 31, 2014.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT, the invoice submitted for payment to the Michigan Municipal League Liability and Property Pool for issuance of coverage beginning August 1, 2013 and ending July 31, 2014 in the amount of $342,605 be approved.

BE IT FURTHER RESOLVED THAT the City Manager is authorized to sign and approve payment of the invoice.

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

City Clerk McMullan gave the background.

SUMMARY & BACKGROUND

The City Clerk's office has received an invoice in the amount of $342,605.00 for the renewal of the City's Property and Liability insurance through the Michigan Municipal League (MML), for coverage beginning August 1, 2013 and ending July 31, 2014.

The amount of the renewal premium reflects a savings of $16,341, or 4.55%, over last year's premium of $358,946.

In addition, the MML Liability and Property Pool Board of Trustees voted to return another post-renewal dividend for Members renewing in 2013. The City's portion of the dividend return is $46,254. The City will receive this dividend in the month following payment of your 2013 renewal premium.

Council Member Murdock asked about storage tank coverage.

Clerk McMullan indicated MML does not provide tank coverage, however coverage will be provided by a third party insurer. She said MML is helping to facilitate this process.

On a roll call, the vote to approve Resolution No. 2013-132 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

2. Resolution No. 2013-133, approving contract with DTE for LED streetlight conversion.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, THE City of Ypsilanti contracts with DTE ENERGY to provide and maintain street lights within the city limits; and

WHEREAS, DTE ENERGY is initiating programs this year, one of which is the Mercury Vapor and High Pressure Sodium Conversion Program; and

WHEREAS, participation in this program will convert 167 Mercury Vapor light fixtures and 338 High Pressure Sodium light fixtures to LED light fixtures; and

WHEREAS, the City's participation in this program will substantially decrease streetlight energy costs; and

WHEREAS, agreements are needed between the City and DTE Energy in order to participate in the conversion programs; and

NOW, THEREFORE BE IT RESOLVED THAT the City Council approves an agreement and issuance of required purchase order with DTE Energy to replace 167 Mercury Vapor light fixtures and 338 High Pressure Sodium light fixtures with the LED light fixtures in accord with the information provided in the Request for Legislation, letter from Tim Miller dated 7-23-2013 and DTE Energy Master Agreement for municipal street lighting and purchase agreement.

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

Tim Miller of DTE gave the background and said DTE is ready to move forward with the project.

Summary & Background:
The City has been engaged in converting streetlight fixtures to LED. The conversions began on W. Cross Street in 2011, and to date, 294 streetlights have been converted or are in the process of being converted. The 2012 Climate Action Plan adopted by City Council recommended the continued conversion to LED streetlights, in order to save on energy costs. Accordingly, the purpose of this RFL is to approve the conversion of an additional 505 streetlights to LED.

City staff has been in regular communications with Jeff LeBrun and Tim Miller, both with DTE Energy Community Lighting Division, to discuss available DTE Energy programs and promotions. Under this agreement with DTE Energy, the City will receive a rebate for converting 505 streetlights to LED.

Estimated cost to convert 505 lights to LED:	$215,705.15
DTE Energy Rebate:	$22,732.00
Net cost to convert 505 lights to LED:	**$192,873.15**
Current energy cost for 505 streetlights:	$121,192.00 annually
Estimated energy cost after LED conversion:	$ 81,094.46 annually
Net savings to City:	**$40,097.62 annually**
Return on investment (ROI):	Approximately 4.81 years.

Breakdown of 505 lights to be converted by DTE Energy:
167 Mercury Vapor Lights
- 167 – 175 Watt Mercury Vapor to 67 Watt LED
- 0 – 250 Watt Mercury Vapor to 131 Watt LED
- 0 – 400 Watt Mercury Vapor to 135 Watt LED

338 High Pressure Sodium Lights
- 106 – 250 Watt High Pressure Sodium to 135 Watt LED
- 1 – 400 Watt High Pressure Sodium to 67 Watt LED
- 229 – 100 Watt High Pressure Sodium to 67 Watt LED
- 2 – 250 Watt High Pressure Sodium to 67 Watt LED

FY 2013-2014 Budget Implications: The proposed FY 2013-2014 budget includes $255,000 for the LED streetlight conversions. If approved, this program will reduce the number of Mercury Vapor and high Pressure Sodium Lights, in the city resulting in a substantial decrease in energy costs

The proposed agreement with DTE Energy that will reduce the number of Mercury Vapor and High Pressure Sodium lights in the city replacing them with energy efficient LED lights.

Council Member Murdock asked about the Master Agreement.

Mr. Miller said there is one master agreement and then there is a purchase agreement. He said both have the same language, however currently there is only one in place.

City Manager Lange explained the current program.

Mr. Miller explained that the LEDs were done through grants in the past. He said the lights were previously special orders but not anymore. He said there are not out of pocket costs to the city for failures and repairs. He said the city will see reduced energy consumption also.

Council Member Moeller asked what the advantages are.

Mr. Miller answered lower energy rates and consumption resulting in lower bill.

Council Member Moeller asked if there would be less maintenance.

Mr. Miller replied yes DTE will handle all of the maintenance and there is also a 10 year warranty.

Council Member Murdock asked for clarification on how the city will save costs for energy and the rate structure.

Mr. Miller answered there is a 10 year warranty and the rate is inclusive because DTE maintains everything.

Council Member Murdock asked about induction lighting.

Mr. Miller answered DTE believes LED is the answer and if there was a better solution DTE would have invested in it. He said the price is down because the volume is going up.

Paul Gantz commented that this is a historic night and commended City Council for instituting a streetlight district.

Council Member Murdock said this is a no brainer and he is pleased with the new lighting and can't wait until the other half of the city is completed next year.

On a roll call, the vote to approve Resolution No. 2013-133 was as follows:

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

3. **Resolution No. 2013-135, directing staff to prepare an other qualified adult benefit policy for City Council review and action for the August 6th meeting**

WHEREAS on June 28, 2013 U.S. District Judge David Lawson granted a preliminary injunction ordering Gov. Snyder and the Administration to stop enforcing PA 297, the ban on school districts and municipalities providing other qualified adult benefits, and

WHEREAS The City of Ypsilanti has a long history of support for non-discrimination and equal rights, and

WHEREAS, the City Council has twice unanimously passed resolutions opposing PA 297 and calling for its repeal, and

WHEREAS the prohibition on providing other qualified adult benefits no longer exists,

THEREFORE be it resolved that the administration is directed to develop a policy to provide for other qualified adult benefits of City Employees for Council's review at the August 6th City Council Meeting.

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

Council Member Murdock said the resolution speaks for itself and he believes City Council is moving in the right direction by supporting the State's actions.

Council Member Vogt thanked Council Member Murdock for bringing this resolution forward and said he is proud to see the city taking action.

Mayor Schreiber thanked Council Member Murdock for bring forth the resolution and said the resolution supports the efforts at the State level.

On a roll call vote, the vote to approve Resolution No. 2013-135 was as follows:

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

VOTE:

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

4. **Resolution No. 2013-136 to reconsider and rescind Resolution No. 2013-131 to purchase tax property and sell it to Habitat for Humanity of Huron Valley**.

RESOLUITON TO RECONSIDER and RECIND Resolution 2013-131 to PURCHASE of TAX PROPERTY AND 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 at a reasonable cost to the city,

WHEREAS Council passed resolution No. 2013-131, during the July 17, 2013 City Council meeting to purchase tax property and sell to Habitat for Humanity, and

WHEREAS the County Treasurer has provided information to the City that if the City preceded with this resolution the estimated cost would be approximately $200,000 for tax charge backs, and

WHEREAS the City was not aware of this large cost at time resolution No. 2013-131 was passed, and

WHEREAS Council determines this cost to accomplish this goal is much higher than the city can afford at this time, and

WHEREAS Habitat for Humanity understands the city's change of position and has no objection to this resolution.

NOW THEREFORE, City Council reconsiders resolution No. 2013-131 in its entirety and all actions associated with the passage of this resolution effective upon the passage of this resolution and hereby RECINDS resolution 2013-131. The City Manager is authorized to take all necessary actions to implement this resolution.

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

County Treasurer Cathy McClary was present to give an explanation of the resolution.

Treasurer McClary thanked city staff and administration for working closely with her office and said she values the partnership. She explained the process for when delinquent taxes are turned over to the County and explained chargebacks. She stated that the route the city was taking on this project would be very costly to the city.

City Manager Lange said Planner Gillotti's heart was in the right place when this project was recommended, however city staff did not understand the information initially.

Treasurer McClary stated that the city could refuse first right of refusals but she prefers to work with the city.

Council Member Murdock recalled a similar situation with 10 properties in Ypsilanti Township and asked if they are in the same boat.

Treasurer McClary answered yes and said the Township will receive charge backs.

Mayor Schreiber said he appreciates knowing the County is looking out for property in all jurisdictions county-wide. He said Habitat is a great organization to support but the partnership must make monetary sense for the city.

Mayor Pro-Tem Richardson arrived at the meeting.

Council Member Robb questioned the process for bringing this item back.

City Attorney Barr said Robert's Rules of Order was adopted by Council and that is was he followed in bringing this item back. He spoke about how things were done in the past and stated that the current motion was structured to two do things at once which are a little different from the past.

Mr. Barr added that he's done research regarding the time frame for a meeting and the time frame for a session which is different in parliamentary law so at the next organizational meeting he would like Council to define what a Council session is versus a Council meeting.

Council Member Murdock asked if advanced notice was required.

Mr. Barr replied yes and asked Council to waive the rules of Council to allow the item to be considered.

Council Member Vogt moved, supported by Council Member Jefferson to waive the rules of Council .

On a roll call, the vote to waive the Council rules was as follows:

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

VOTE:

Yes: 5 No: 1 (Robb) Absent: 0 Abstain: 1 (Richardson) Vote: Carried

On a roll call vote, the vote to approve Resolution No. 2013-136 to reconsider and rescind Resolution No. 2013-131 to purchase tax property and sell it to Habitat for Humanity of Huron Valley was as follows:

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

VOTE:

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

X. CLOSED SESSION –

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

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

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

VOTE:

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

XI. ADJOURNMENT –

Resolution No. 2013-134, adjourning the Special 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 8:05 p.m.