Approved

CITY OF YPSILANTI
COUNCIL MEETING MEETING
CITY COUNCIL CHAMBERS - ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, OCTOBER 15, 2013
7:00 P.M.

I. CALL TO ORDER –

The meeting was called to order at 7:05 p.m.

II. ROLL CALL –

Council Member Jefferson	Present	Council Member Robb	Present
Council Member Moeller	Present	Council Member Vogt	Present
Council Member Murdock (7:06)	Present	Mayor Schreiber	Present
Mayor Pro-Tem Richardson (7:07)	Present		

III. INVOCATION –

The Mayor asked all to stand for a moment of silence.

IV. PLEDGE OF ALLEGIANCE –

"I pledge allegiance to the flag, of the United States of America, and to the Republic for which it stands, one nation, under God, indivisible, with liberty and justice for all."

V. AGENDA APPROVAL –

Council Member Robb removed Resolution No. 2013-204 and Resolution No. 2013-205 from the Consent Agenda and placed them under Motions/Resolutions/Discussions.

With no objections to the change, the agenda was approved as amended.

VI. INTRODUCTIONS –

Mayor Schreiber introduced CBRE Associate Arthur Itkis, Planner Teresa Gillotti, Attorney Jesse O'Jack, DPS Director Stan Kirton, Marcus McNamara, OHM, Assistant to the City Manager Ericka Savage, AATA Representative Gillian Ream, and YHC Nominees Valerie Bieberich and Clarence Hollifield.

VII. PRESENTATIONS –

Water Street Update – Arthur Itkis, CBRE and City Planner Teresa Gillotti

Recreation Center Update – Planner Teresa Gillotti ***(Presentation on file in Clerk's office)***

VIII. ORDINANCES – FIRST READING

Ordinance No.1199

1. An ordinance to rezone .83 acres of Water Street Redevelopment Area to PUD for rezoning of Family Dollar.

A. Resolution No. 2013-198, determination

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled, "FAMILY DOLLAR PLANNED UNIT DEVELOPMENT" be approved on First Reading.

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

Planner Teresa Gillotti gave an overview.

SUMMARY BACKGROUND**:**
Morning Star Partners, LLC on behalf of Core Resources, LLC, has applied for Planned Unit Development (PUD) rezoning and site plan approval for approximately 0.85 acres for the parcel plus an estimated 0.26 to establish Lincoln Street in the Water Street Redevelopment area for the development of a Family Dollar store. The total project area is 1.1 acres. The site is located on the Michigan Avenue frontage between proposed Lincoln St. and Park Street.

The City of Ypsilanti owns the entirety of the Water Street Redevelopment area, and entered into a development agreement with Core Resources LLC for the development of a Family Dollar on May 7, 2013. The agreement included several requirements in the governmental approval section including rezoning the site to Planned Unit Development utilizing the Water Street zoning guidelines for development.

PUD Development requirements
Section 122-575 of the Zoning Ordinance provides review procedures for Planned Unit Development applications:

1) Pre-application conference
2) Formal PUD Application
3) Planning Commission Review, Public hearing, and Recommendation
4) City Council Action

The project is currently at stage #4 above. Planning and Development staff met repeated with the development team including time spent on the development agreement. The Planning Commission held a public hearing on Wednesday, August 28, 2013 and recommended zoning and site plan approval with conditions on Wednesday, September 18, 2013.

Remaining Conditions and site plan revision
Staff received revised plans dated 10-3-13 which addressed the following revisions.

1. Provide dimensions for wall signage and elevation re-evaluating the presence of a monument sign with staff to confirm it meets zoning requirements.
   - *Planning Commission requested removal of the monument sign as the B3 – Central business district. Family Dollar is requesting it stay in place. The size proposed would meet the standards in B4 – General Business district.*

2. Move "tags" on site plan to match relocation of barrier-free parking and ramp.
   - *Completed*

3. All items from engineering letter dated September 13, 2013.
   - *To be addressed during detailed engineering*

4. Consider relocating proposed light pole on south side out of easement location.
   - *Pole located to east of potential opening*

5. Indicate locations for parking lot lighting along with photometric plan per Sec. 122-641 and Sec 122-834(9).
    - *Plan provided and meets standards.*

6. Final plans to be submitted to MDOT for approval.
    - *To be submitted upon final city approval.*

Next Steps:
The public hearing and first reading will occur on October 15, 2013. At the November 5 meeting, a second reading will be held as well as a resolution for approval of a PUD agreement.

Ms. Gillotti displayed the landscape plan.

Council Member Moeller asked about the new store on Mansfield.

Council Member Robb replied it is a Family Dollar.

Ms. Gillotti explained "target markets" and how they work.

Council Member Robb asked if there were any waivers and exceptions, and if so what were they.

Ms. Gillotti indicated that the conditions were listed in Request for Legislation. She added that there was a waiver from the 3 ft. berm requirement and the foundation tree plantings on Lincoln Street.

Mayor Schreiber asked about signage.

Josh Allen, representing Morning Star partners, developer for Family Dollar stated that the requested signage is what Family Dollar requires for all sites and they feel strong about that particular type of sign. He said he feels the deal would be off without the monument sign. He asked City Council to look at the plans again and to strongly look at what the Planning Commission has denied.

Council Member Murdock asked what the height of the sign is.

Mr. Allen replied it is 8 or 9 ft.

B. Open the public hearing.

1. Mark Hergott, 111 Miles, said the issue is not a Family Dollar. But that the building is a box with a great deal of re-usability, along with a new street. He said Family Dollar is a pioneer company that tries to find strips of areas to place their stores. He said it is not a new development but has been around since the 1950s. He said he supports the development.

2. Dave Heikkinen, owner of 133 W. Michigan, spoke in opposition to Family Dollar and said there is nothing good about it and the city is making a mistake in allowing it. He emphasized that the city should pursue new interest with grocery store.

C. Resolution No. 2013-199, close public hearing

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the public hearing for an ordinance entitled, "FAMILY DOLLAR PLANNED UNIT DEVELOPMENT" be officially closed.

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

On a voice vote the motion carried and the public hearing was closed.

Council Member Vogt expressed opposition to the monument sign. He stated that other businesses within the downtown area do well without a sign. He also stated that the building is away from the street and this would be unnecessary and would be an overshadow of what the project is reall

Council Member Moeller said she is against the entire project and will be voting against it.

Council Member recommended that the storm water be connected to Park Street because the system is already overloaded.

Marcus McNamara answered questions regarding storm water capacity. McNamara stated that the maps his client have shows capacity for the storm water at about 42 inches starting at Parsons.

Council Member Murdock asked how the sign would set precedence in regards to the frontage on Michigan Ave.

Ms. Gillotti answered that the unique scenario with this review is that it has five different layers. She stated that the City is hoping to encourage future development and that the revision of the zoning ordinance will include signage.

Mr. Allen stated that changing the signage jeopardizes the project.

Council Member Robb asked Ms. Gillotti to confirm what a monument sign is. He asked if the sign in front of the Ypsilanti courthouse, Eastern Michigan, and Key bank are monument signs.

Ms. Gillotti confirmed the examples were correct.

Mayor Pro-Tem Richardson commented regarding signage and stated that there are plenty of monument signs east of Joy Road along Plymouth Road, and it really does not look bad.

Council Member Jefferson questioned if the signs for EMU and Key Bank were grandfathered in?

Ms. Gillotti stated that the Key Bank sign and others were downtown before the ordinance was put in place and the City has no control over EMU.

Council Member Vogt commented that in Manhattan, New York and in urban areas there are no monument signs and that is not what Ypsilanti is trying to achieve here. He stated that he did not believe Family Dollar would kill the entire deal over a monument sign.

Council Member Murdock moved, supported by Council Member Vogt to amend the resolution to state approval is given subject to the removal of monument sign.

On a roll call, the vote to approve the resolution as amended was as follows:

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

VOTE:

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

On a roll call, the vote to approve Resolution No. 2013-198 as amended was as follows:

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

VOTE:

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

The resolution as adopted reads as follows:

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled, "FAMILY DOLLAR PLANNED UNIT DEVELOPMENT" be approved on First Reading, subject to the removal of monument sign.

Ordinance No.1200

2. An ordinance to rezone 400 W. River and 107 E. Cross Street to PUD for redevelopment of Thompson Block Redevelopment Project. ***(Public Hearing and First Reading will be postponed to 11/5/2013)***

IX. ORDINANCES - SECOND READING –

Ordinance No. 1197

An ordinance entitled "Maple-Cross Alley Vacation" to vacate a certain 16.5 foot wide alley from E. Cross Street heading north to the extent of the northerly parcel boundaries of 11-11-04-495-023 (400-412 N. River) and 11-11-04-495-015 (107 E. Cross) in the City of Ypsilanti, Michigan.

A. Resolution No. 2013-200, determination.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled, "Maple-Cross Alley Vacation" to vacate a certain 16.5 foot wide alley from E. Cross Street heading north to the extent of the northerly parcel boundaries of 11-11-04-495-023 (400-412 N. River) and 11-11-04-495-015 (107 E. Cross) in the City of Ypsilanti, Michigan be approved on Second and Final reading.

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

Planner Teresa Gillotti was present to answer questions from Council.

B. Open the public hearing.

Mark Hergott, 111 Miles, asked why the city should grant an alley vacation when the property owner violated the consent agreement. He suggested the city require the owner to put a roof on the building first. He said this is unacceptable and he hopes City Council agrees with him.

C. Resolution No. 2013-201, close public hearing.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That a public hearing on an ordinance entitled, "Maple-Cross Alley Vacation" to vacate a certain 16.5 foot wide alley from E. Cross Street heading north to the extent of the northerly parcel boundaries of 11-11-04-495-023 (400-412 N. River) and 11-11-04-495-015 (107 E. Cross) in the City of Ypsilanti, Michigan be officially closed.

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

On a voice vote the motion carried and the public hearing was closed.

Mayor Schreiber stated he understands Mr. Hergott's comments, however Mr. Beal is the city's only chance to have the building renovated, and he feels the city needs to give him time and the ability. He said he will vote in favor of granting the alley vacation.

Council Member Murdock said the owner has occupied the alley already for about 5 years now.

Mayor Pro-Tem Richardson said she is not opposed to vacating alley; however she said she agrees with Mr. Hergott regarding the timing and she is concerned that Mr. Beal has not completed what he previously agreed to. She suggested requiring him complete the consent agenda and then grant the vacation to him later.

Council Member Vogt said the purpose of the vacation is to tie the property with the vacant property in order to facilitate getting the needed finances for the construction work. He said the vacation would also put the unused alley on the tax rolls. He added that the alley is not used by anyone and there is no purpose in not donating it. He said the alley is necessary for the owner to succeed with the project and it is one of many things that could kill the project. He said he will support it the request.

Council Member Murdock said the properties are owned by two different legal entities.

Council Member Vogt pointed out that both properties are family owned so they are related entities.

Ms. Gillotti said the owners are in the process of making it the same entity and will be coming in to the City Assessor shortly for registration.

Mayor Pro-Tem Richardson suggested that the resolution be delayed until the ownership comes together.

> **Mayor Pro-Tem Richardson moved, supported by Council Member Jefferson to table the resolution until the First Reading of the PUD.**

Council Member Vogt asked what is the cut-off date for adding the property to the next tax roll.

Ms. Gillotti answered December 31st.

Attorney John Barr said the tax day is December 31st and anything changed before the 31st is for next tax year, 2014.

Council Member Murdock commented that the vacation makes sense for the project or any future project.

Mayor Pro-Tem Richardson stated that the PUD comes before Council on November 15th so Council should delay the vacation and do everything all at once.

Council Member Moeller questioned delaying it now since City Council already approved it at first reading.

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

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

VOTE:

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

On a roll call, the vote to approve Resolution No. 2013-200 was as follows:

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

VOTE:

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

X. <u>AUDIENCE PARTICIPATION</u> –

1. Gillian Ream-Gainsley, 726 N. Prospect, AAATA Board Representative, spoke in support of Resolution No. 2013-208 to include Ypsilanti Township and encouraged all to attend the upcoming public forums and meetings. She said the five-year transit improvement plan will be revealed at the forums, as well as proposed extended hours and additional routes.

2. Mark Hergott, 111 Miles, thanked City Council for their hard work and commented that the police contract is okay but not removing the 3% multiplier will sink the city's finances and is unsustainable. He commented that Water Street is a distraction. He also said the Police and Fire pension will eliminate the city's general fund and Headlee won't pay for anything with 60 mils going to pension plans so the city must renegotiate its contract.

3. Valerie Bieberich, Ypsilanti Housing Commission nominee, introduced herself. She said she is a three year resident who fell in love with Ypsilanti some time ago. She said she is a 2nd year law student and was part of the Climate Action planning process. She said she is passionate about affordable housing and is excited about the appointment.

4. Dave Heikkenan opposed Family Dollar and said he is concerned about security and how or what type of business they will run. He thanked the city for finishing Michigan Avenue and commended them for the work done. Regarding the YDDA Board, he commented that appointments are very important and more downtown residents or business owners are needed on the Board.

5. Clarence Hollifield, Ypsilanti Housing Commission nominee, introduced himself as a lifelong Ypsilanti resident. He said there is no greater city than Ypsilanti. He said he spoke with YHC Executive Director Zachary Fosler and he believes Mr. Fosler is going in the right direction.

XI. <u>REMARKS BY THE MAYOR</u>

Appreciated the comments from Mr. Hollified and Ms. Bieberich, and thanked Mr. Heikkenen for his comments regarding the striping on Michigan Ave. striping. He stated that the striping was due to the efforts of Mr. Lange and Council Member Murdock.

Mayor Schreiber indicated that he is looking for a downtown representative for YDDA Board and he appreciates any suggestions.

Regarding Mr. Hergott's comments, the Mayor stated that the multiplier is a subject of negotiations and is a complex issue. He said City Council understands the issue with Police and Fire pensions and they are moving toward reductions.

XII. **MINUTES –**

Resolution No. 2013-202, approving the minutes of October 1, 2013.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Minutes of October 1, 2013 be approved.

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

Clerk McMullan pointed out a revision on page 4.

On a voice vote the minutes were approved as revised.

XIII. **CONSENT AGENDA -** Resolution No. 2013-203

~~1. Resolution No. 2013-204, approving resident appointments to Boards and Commissions.~~ ***(Moved to Resolutions/Motions/Discussions)***

~~2. Resolution No. 2013-205, approving non-resident appointment to the Ypsilanti Downtown Development Authority.~~ ***(Moved to Resolutions/Motions/Discussions)***

3. Resolution No. 2013-206, supporting implementation of a solution to prevent invasive carp from entering the Great Lakes and St. Lawrence ecosystem.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the Great Lakes and St. Lawrence represent the largest body of surface fresh water in the world and are a vibrant, diverse ecosystem that is critically important to the economic well-being and quality of life of the Canadian and U.S. population in the region; and

WHEREAS, over 180 invasive species have entered the Great Lakes and its connecting water ways over the years and caused widespread damage and disruption to the natural balance of the system, as well as significant economic damage; and

WHEREAS, one of the most serious threats ever presented by invasive species currently comes from Asian carp, including silver, bighead and black varieties; and

WHEREAS, these varieties of carp were introduced to the southern United States for use in fish farms for algae control in the 1970s and escaped into the Mississippi River system; and

WHEREAS, invasive species already inflicted hundreds of millions in damage across the Great Lakes and St. Lawrence, and invasive carp pose a serious threat to the 7 billion sport and commercial fishery that support the economy and help define the culture of the entire region; and

WHEREAS, the invasive carp have migrated northward through the Mississippi River system as far north as Wisconsin, Minnesota, Illinois, Indiana, and Ohio, reducing significantly or eliminating populations of

the more desirable species of fish because of their voracious food consumption and prolific reproduction; and

WHEREAS, the invasive carp are threatening to enter the Great Lakes at a number of points across the region; and

WHEREAS, many federal, state, provincial, and local government agencies in the United States and Canada have worked diligently and expended tens of millions of dollars over the past 10 years on a variety of projects to keep invasive carp out of the Great Lakes; and

WHEREAS, including the invasive carp, there are 39 invasive species in the two basins that present a threat to cross over into the other basin in the near future; and

WHEREAS, once an invasive species establishes itself in an ecosystem, it is exceedingly difficult, if not impossible, to eradicate it, and it often inflicts serious damage on the ecosystem and imposes major costs in efforts to control it; and

WHEREAS, Asian carp pose a dangerous risk of injury to recreational users on waters infested with Asian carp; and

WHEREAS, Canadian and U.S. citizens across the basin have expressed serious concern about the invasive carp and other invasive species, and are demanding prompt action; and

WHEREAS, the U.S. Army Corps of Engineers is conducting a multiyear, comprehensive study across the U.S. side of the Great Lakes basin called the "Great Lakes and Mississippi River Interbasin Study" (GLMRIS) that examines 19 separate locations where invasive carp could cross from the Mississippi River Basin to the Great Lakes Basin, and considers a large number of potential ways to stop the further migration.

NOW, THEREFORE, BE IT RESOLVED, that the invasive carp in the Mississippi River system pose one of the greatest threats to the integrity and well-being of the Great Lakes and St. Lawrence ecosystem, including the 40 million Canadians and Americans who live there.

BE IT FURTHER RESOLVED, that preventing the invasive carp from entering the Great Lakes and St. Lawrence ecosystem needs to be approached with the greatest sense of urgency by all those responsible for dealing with this matter.

BE IT FURTHER RESOLVED, that physical separation is feasible and can be done in a way that maintains or enhances water quality, flood control, and transportation in the system.

BE IT FURTHER RESOLVED, that additional steps must be taken in the interim to keep invasive carp out while the long term solution is put in place.

NOW THEREFORE BE IT RESOLVED that the City of Ypsilanti strongly urges all parties involved to identify a preferred solution to the invasive

carp issue and move forward to implement that solution with the greatest sense of urgency.

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

On a voice vote the motion carried.

The meeting recessed from 9:00 p.m. to 9:11 p.m.

XIV. <u>RESOLUTIONS/MOTIONS/DISCUSSIONS</u> –

1. Resolution No. 2013-207, approving agreement with Orchard, Hiltz & McCliment, Inc. for Prospect Bridge Deck Design Engineering Services.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Local Bridge Program Funds has been programmed for shallow concrete deck overlay, approach work and slope protection repairs to the Prospect Bridge in the year 2014 construction season; and

WHEREAS, Orchard, Hiltz and McCliment has provided an exemplary level of service to the City of Ypsilanti on similar improvement projects, and posses a depth of experience with the infrastructure in the project area; and

WHEREAS, it is necessary to secure design engineering services to meet MDOT permitting requirements and keep this project on schedule for the 2014 construction year;

NOW, THEREFORE, BE IT RESOLVED THAT the City Council approves the proposal for design engineering services with Orchard, Hiltz & McCliment, Inc., 34000 Plymouth Road, Livonia, MI at a not to exceed cost of $26,300; and

THAT the Mayor and City Clerk are authorized to sign this proposal, subject to review and approval by the City Attorney; and

THAT the City Manager is authorized to sign any change orders that may be needed to maintain the project's schedule, subject to review and approval by the City Attorney.

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

<u>Summary and Background</u>:

Local Bridge Program funding has been programmed for repairs to the Prospect Bridge Deck in the 2014 construction season. This project is anticipated to include shallow concrete overlay, approach work and slope protection repairs.

The total project cost is estimated at $239,000 less $227,050 Federal Funds (95%), the City's estimated share including design and construction engineering will be $91,250. Orchard, Hiltz and McCliment has provided an exemplary level of service to the City of Ypsilanti on similar improvement projects, and posses a depth of experience with the infrastructure in the project area, therefore I recommend hiring OHM to provide design engineering services for this project at a not exceed cost of $26,300.

The FY 13-014 budget allocated funding for the design engineering services needed for this project.

Public Service Director Stan Kirton stated that there is a 5% match and $9,000 is in the budget, and at midyear the money will be moved over.

Council Member Murdock pointed out that there were issues with the Walgreens construction in the past and asked how this would be dealt with that.

Marcus McNamara, OHM, explained the process and answered this would be similar to LeForge. He said they are re-decking and upgrading to current standards.

Mr. Lange asked if there would be an inspection of underpinning and the superstructure?

Mr. McNamara replied yes and said it is required by the State. He said he doesn't believe there is significant work needed on the beams but if found it will be addressed. He said the State allows this to happen and will charge the city 5%.

Mayor Pro-Tem Richardson asked what is the construction life of a bridge.

Mr. McNamara answered at least 15 years.

Mayor Pro-Tem Richardson said she thought the Prospect Bridge needed total replacement.

Mr. McNamara stated that the city may have been told that in the past but in the last 3 years the State's rules have changed and now allow preventative maintenance to be eligible for State funds. He said with the proposed improvements the bridge will last 10-15 years.

Mr. Lange said he has lived through the changes and he feels this is a much more cost effective process.

On a roll call the vote to approve Resolution No. 2013-207 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

2. Resolution No. 2013-208, approving Amendment #3 to the Articles of Incorporation of the Ann Arbor Transportation Authority (AATA) that includes Ypsilanti Township membership.

WHEREAS, the Charter Township of Ypsilanti desires to join the Ann Arbor Area Transportation Authority; and

WHEREAS, Amendment #3 of the Articles of Incorporation of the Ann Arbor Transportation Authority would add the Charter Township of Ypsilanti as an incorporator and give the Charter Township of Ypsilanti a seat on the Board, and provide for other things; and

WHEREAS, the Council of the City of Ypsilanti determines that approval of Amendment #3 of the Articles of Incorporation of the Ann Arbor Transportation Authority is in the best interests of the City of Ypsilanti and the Ann Arbor Area Transportation Authority.

NOW THEREFORE BE IT RESOLVED THAT Amendment #3 of the Articles of Incorporation of the Ann Arbor Transportation Authority, admitting the Charter Township of Ypsilanti to membership, is hereby approved and the City Clerk is directed and authorized to transmit a copy of this resolution to the City of Ann Arbor, the Charter Township of Ypsilanti, and the Ann Arbor Area Transportation Authority.

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

Council Member Murdock commented that Ann Arbor is taking this issue up next Monday and invited all to attend their meeting.

Mayor Schreiber stated he will support the resolution. He stated that this resolution gives another step to the County in becoming a part of an area authority.

On a roll call the vote to approve Resolution No. 2013-208 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	Yes		

VOTE:

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

3. Resolution No. 2013-204, approving resident 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:

NAME	BOARD	TERM TO EXPIRE
Sally Lusk (reappointment) 1111 W. Clark Rd. Ypsilanti, MI 48197	**Ethics Board**	**10/16/2018**
~~**Tyler Weston (open) 302 N. Grove Ypsilanti, MI 48198**~~	~~**YDDA**~~	~~**7/7/2017**~~
Ben Elmgren (open) 230 W. Michigan Avenue #1 Ypsilanti, MI 48197	**Human Relations**	**2/6/2016**

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

Mayor Pro-Tem Richardson asked what happened to Tyler Weston?

Council Member Murdock answered he removed him from the resolution.

Mayor Schreiber explained why he nominated him and requested that City Council put his name back on.

Council Member Murdock stated he sent a note requesting Tyler Weston's removal for two reasons. The first reason was the appointments that were chosen did not create collectively a DDA that was ideal. He said that the resolution that was done back in 2009 requires membership to be equally divided between both old districts. He said that the appointments would leave only two representatives, Mr. Hill and Ms. Parker and the other five representatives were for the Depot Town and West Cross area and three were non-affiliated which is contrary to the resolution. Council Member Murdock then stated that the second reason was based on the issue of diversity which has come up in past council meetings and DDA meetings in discussion of the DDA appointments. He said the last appointments to the DDA have been all white males despite the fact that there are several African-American business owners in the downtown area. He stated that the female appointments have shrunk as well. He stated that the opportunity to diversify the DDA board is now since there are four vacancies. He said this is a chance to balance it out.

Mayor Schreiber responded that he did not just consider Mr. Weston as a representative for Depot Town but for the Depot Town, Downtown and the surrounding area as he has a business interest within the community. He then said that he was working on diversity in the appointments however he was getting a lot of no's as people are busy and working harder; which is effecting the volunteers for the Boards and Commissions. He said that he personally walked the streets of Depot Town talking to the business owners. He said that there is a need to have two members on the DDA in order to meet the minimum State requirement. He stressed that if Council did not appoint one of the two nominees' there would be a YDDA shut down.

Mayor Pro-Tem Richardson agreed with Mr. Heikennan's comments that downtown representation and diversity is needed on the Board. She added that there are some black businesses downtown and asked Mayor Schreiber if he had reached out to them. She said she is willing to reach out to them.

Mayor Schreiber stated there is another seat available and he is pursuing a downtown person of color. He said he would have nominated him tonight but he is waiting for confirmation.

Mayor Pro-Tem Richardson stated she is willing to help recruit.

Council Member Moeller asked if board members have to live in Ypsilanti and suggested the Dean of the EMU Business School.

Mayor Schreiber indicated he had spoken with the Dean and he hadn't got back to him yet. He said he is considering him for another commission. .

Council Member Murdock responded to Mayor Schreiber's comment regarding the YDDA shutdown for lack of minimum appointees and stated that the resolution accounts for 10 members plus the Mayor and currently that is what it is, however because two vacancies have not been filled does not constitute an incomplete board, statutorily.

On a roll call the vote to approve Resolution No. 2013-204 was as follows:

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

VOTE:

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

4. Resolution No. 2013-205, approving non-resident appointment to the Ypsilanti Downtown Development Authority.

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**
Mark Teachout (open) **974 N. Prospect Rd.** **Ypsilanti, 48198**	**YDDA**	**7/7/2014**

OFFERED BY: Council Member Moeller
SUPPORTED BY: None

Council Member Murdock said he would like this resolution removed because he would like to see a better mix on the Board. x.

Council Member Moeller expressed no objection.

The motion died for lack of support.

XV. LIASON REPORTS -

A. SEMCOG Update - none
B. Washtenaw Area Transportation Study – meeting tomorrow
C. Washtenaw Metro Alliance - none
D. Urban County - none
E. Freight House - none

XVI. COUNCIL PROPOSED BUSINESS –

Richardson

- Suggested a future joint meeting with Ann Arbor City Council

- Announced an event on November 10th at Emmanuel Lutheran Church

- Announced a fundraiser event on November 1st at 6:00 p.m. sponsored MBC-LEO at Eagle Crest Marriot. Tickets are $40 per person.

Robb

- Commented that the City's calendar still shows furlough days and asked it be changed.
- Inquired about how street lights out are reported
- Asked when the Events policy is coming back to Council

Moeller

- Commented on her visit to the Ypsilanti Township Board meeting and how audience participation was more open where speakers felt it was easier to speak. She asked how can the City set rules to make audience participation more welcoming.

Mayor Schreiber stated that the rules were set at the organizational meeting. He went on to give the history as to why the language was introduced, He stated that prior to his term as Mayor the council meetings were not very nice and the audience members would verbally attack Council Members and the City Manager. He said that since the attacks were not related to their actual function, Council came up with language to control that. In his opinion, he said the language made the environment more encouraging.

Mayor Pro-Tem Richardson added that some Council Members were fearful when speakers raised their voices.

Vogt

- Stated that he feels the audience participation rules are appropriate and that the Mayor states them appropriately. He said Council cannot control what everyone thinks.

Jefferson

- Reported that there are a lot of holes in the curb at 106 Ainsworth
- Reported that the stump has been removed at 301 S. Washington and the area filled with sand.
- Stated that there is a new pothole on Harriet Street right at Perry School.
- Stated he would like to review the application and documents for a marijuana dispensary at 539 S. Huron.

XVII. COMMUNICATIONS FROM THE MAYOR –

- Received an email from a member of the Washtenaw County Democratic Party requesting City Council buy a quarter page ad in the booklet for the upcoming dinner. Cost is $200, approximately $28.57 per Council Member.

  The Mayor said he would arrange for the ad and Council Member Robb volunteered to provide the ad with updated Council information

Nominations:

Ypsilanti Housing Commission
Clarence Hollifield
361 Worden
Ypsilanti, MI 48197
Term Expires: 12/31/2014

Ypsilanti Housing Commission
Valerie Bieberich (replacing Deborah Strong)
318 Washtenaw Ave.
Ypsilanti, MI 48197
Term Expires: 12/31/2018

Nominated Clarence Hollifield and Valerie Bieberich to the Ypsilanti Housing Commission. The Mayor stated that Mr. Hollifield is filing an open position and Ms. Bieberich will be replacing Deborah Strong at the end of her term in December of this year. He stated that Ms. Strong won't be reappointed and has been on the Housing Commission for 25 years. He said a resolution honoring her is forthcoming.

XVIII. COMMUNICATIONS FROM THE CITY MANAGER –

Manager Lange made the following comments:

- Reported on his attendance at the Michigan Municipal League Annual Conference where they discussed redevelopment of the downtown of Detroit in spite of their bankruptcy. He did a tour of the Midtown. Described his term winning urbanism which is transit development, bus and rail in particular, and mixed used development (housing, retail, and office), DENTS development, river amenities

- Attended the Municipal Employee Retirement System with Kim Jones as the union representative. It will be in Detroit next year.

- Attended the Northwestern Ohio Passage Railroad where they have a speaker about railroad problems and th**e** head of MDOT, chairman of the board of Amtrak, and a former mayor.

- Reported there were 34 applicants for Police Chief (one internal applicant). Will not fill Deputy Police chief position at the moment.

- Hiring two police officers who should begin at the end of October if they pass tests and background checks and two more by mid-November. They go through 4 month field orientation and one year probation.

  Mayor Pro-Tem Richardson asked that new hires place an emphasis on community policing.

  Council Member Jefferson recommended hiring a Deputy Chief

- Hiring two firefighters that should start by Mid-December. Promoted Firefighter Jameson to Lieutenant.

- Reviewed ordinance about pension for command officers. Change minimum to 16 in Fire Department.

- Way-finding sign project is funded, The DDA will be looking for bids.

- Special thanks for those who helped with the road diet project.

- DDA is fully moved in City Hall on third floor.

- 170 streetlights of the 505 have been installed.

- Audit is finished. City did well on budget , much better than anticipated.

- Reported he had received good feedback on his performance from City Council

- Reported that the city will not be extending the contract with Waste Management until more research is done

- Commented on the insurance of Tier 2 employees

- Biweekly fire and police department overtimes reports are being worked on. Stated that with new hires overtimes should decrease.

- Update on Police and Fire – 30 applicants, 1 interoffice.

- Deputy Chief Tony DeGiusti has been appointed temporary police chief. Will not fill deputy chief vacancy

- Reported on police hiring. 2 officers coming aboard, just need psychology and physical exams and 2 more by mid November.

- A community panel for selection of the police chief was discussed. police chief.

XIX. AUDIENCE PARTICIPATION -

XX. REMARKS FROM THE MAYOR –

XXI. CLOSED SESSION –

Closed Session to discuss attorney/client privilege – OMA Section 15.268(e)

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

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

VOTE:

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

XXII. ADJOURNMENT –

A. Resolution No. 2013-209, 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 to closed session at 10:37 p.m.