



APPROVED

**CITY OF YPSILANTI
DRAFT COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, DECEMBER 3, 2013
7:00 p.m.**

I. CALL TO ORDER –

Meeting called to order at 7:13 p.m.

II. ROLL CALL –

Council Member Jefferson	Present	Council Member Robb	Present
Council Member Moeller (7:30)	Present	Council Member Vogt	Present
Council Member Murdock	Present	Mayor Schreiber	Present
Mayor Pro-Tem Richardson	Absent		

A quorum was 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. INTRODUCTIONS –

Mayor Schreiber introduced City Planner Teresa Gillotti, DPS Director Stan Kirton, Assistant to the City Manager Ericka Savage, DDA Director Tim Colbeck, YDDA Board Member Kevin Hill, Fiscal Services Director Marilou Uy, and Planning Assistant Bonnie Wessler.

VI. AGENDA APPROVAL –

Council Member Murdock requested the following:

Move: Ordinance No. 1206 First Reading to next meeting for a Public Hearing.

With no objections, the item was moved and the agenda was approved as amended.

VII. PRESENTATIONS –

1. Ypsilanti Heritage Festival – David Nickerson, Chair
2. DDA Approved Parking Study – Tim Colbeck, DDA Director (**PowerPoint Presentation on file Clerk/Treasury Department**)

VIII. PUBLIC HEARING –

City of Ypsilanti Parks and Recreation Master Plan

A. Resolution No. 2013-251, determination

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The City of Ypsilanti has prepared a Five Year Parks and Recreation Plan which describes the community's physical and demographic characteristics, existing recreation facilities, and desired actions to be taken to improve and maintain recreation facilities during the period between 2013 and 2018;

WHEREAS, The draft plan was made available to the community between July 22 and October 10, 2013; and

WHEREAS, A duly-noticed public hearing was held by the Recreation Commission of the City of Ypsilanti on October 10, 2013, at Ypsilanti City Hall; and

WHEREAS, After the public hearing, the Recreation Commission voted unanimously to recommend that the City Council adopt said Recreation Plan; and

WHEREAS, The City of Ypsilanti has developed the plan for the benefit of the entire community and intends that the plan be adopted as a document to assist in meeting the recreation needs of the community;

NOW THEREFORE BE IT RESOLVED, That the Council of the City of Ypsilanti adopt the City of Ypsilanti 2013-2018 Parks and Recreation Master Plan as a guideline for improving recreation for the residents of the City of Ypsilanti.

OFFERED BY: Council Member Murdock

SUPPORTED BY: Council Member Vogt

Planner Assistant Bonnie Wessler gave an brief overview of the ordinance.

SUMMARY BACKGROUND:

The Recreation commission desires to change the commission name to Parks and Recreation Commission. At my suggestion the commission has developed the additional duties and responsibilities of the commission as shown in the attached ordinance amendment.

The Recreation Commission is requesting that the ordinance be amended as shown, to change the name add additional duties and powers.

Council Member Robb stated that the two biggest attractions for Prospect Park are the basketball courts and the skate park however, they are not listed on the priorities list. He asked how they could be added.

Ms. Wessler answered they could be added to the capital improvements plan.

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Council Member Robb pointed out that grant application opportunities were not listed in the priorities projects list and questioned if that would help or hurt the City.

Ms. Wessler answered that just because a project is not spelled out in the plan does not mean they are not available; so it does not necessarily help or hurt the plan. She stated that it also depends on what type of grant is being applied for.

Mayor Schreiber suggested that after the public hearing Council could possibly pass a motion to postpone the adoption of the resolution to amend the plan.

B. Open the public hearing

None

C. Resolution No. 2013-252, close public hearing

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the public hearing on the Five Year Parks and Recreation Plan be officially closed.

OFFERED BY: Council Member Murdock

SUPPORTED BY: Council Member Vogt

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

Council Member Murdock moved, supported by Council Member Robb to postpone adoption of Resolution 2013-251.

Council Member Moeller questioned why the resolution was being moved to the next meeting.

Council Member Robb answered that he would like staff to have time to add the skate park and the basketball court.

Ms. Wessler suggested the amendment regarding the skate park and basketball court is included in the resolution and adopted with a provision to amend since that is the only changes.

Mayor Schreiber asked if anyone wanted to suggest any language for the amendment and if Ms. Wessler had any problem with delaying until the next meeting.

Ms. Wessler answered no and said staff would like to get the plan to the DNR as soon as possible, preferable before the end of 2013.

On a voice vote, the motion to postpone adoption of Resolution 2013-251 until the next meeting carried.

IX. ORDINANCES – FIRST READING –

Ordinance No.1206

~~An ordinance to amend mid-year budget appropriations by department and major organizational unit for FY 2013-2014.~~

~~A. Resolution No. 2013-260, determination~~

~~*(Public Hearing will be held at First Reading on December 17, 2013)*~~

X. ORDINANCES – SECOND READING –

Ordinance No. 1201

An ordinance to repeal Ordinances No. 965 and 1054, which amended the provisions of the City of Ypsilanti Fire and Police Retirement System, contained in Public Act 345 of 1937, as amended, to provide for retirement and post retirement pension improvements to retirees who have retired from the position of Police or Fire Chief.

A. Resolution No. 2013-253, determination

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

An ordinance to adopt an ordinance to repeal Ordinance No.1054 "An ordinance to amend the provisions of the city of Ypsilanti Fire and Police Retirement System, contained in Public Act 345 of 1937, as amended, to provide for post retirement pension improvements to retirees who have retired from the position of Fire Chief, and Ordinance No. 965, "An ordinance to amend the provisions of the City of Ypsilanti Fire and Police Retirement System, contained in Act 345 of 1937, as amended, to provide for Post Retirement Pension improvements to retirees who retired from the position of Police Chief, be approved on Second and Final Reading.

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

B. Open the public hearing.

None

C. Resolution No. 2013-254, close public hearing

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

That a public hearing on an ordinance to adopt an ordinance to repeal Ordinance No.1054 "An ordinance to amend the provisions of the city of Ypsilanti Fire and Police Retirement System, contained in Public Act 345 of 1937, as amended, to provide for post retirement pension improvements to retirees who have retired from the position of Fire Chief, and Ordinance No. 965, "An ordinance to amend the provisions of the City of Ypsilanti Fire and Police Retirement System, contained in Act 345 of 1937, as amended, to provide for Post Retirement Pension improvements

to retirees who retired from the position of Police Chief, be officially closed.

OFFERED BY: Council Member Jefferson

SUPPORTED BY: Council Member Vogt

Mr. Lange stated that there is an additional requirement needed to close this ordinance on the second reading. He stated that an actuarial report has to be reviewed before the public hearing could be closed.

Attorney John Barr stated that he has been trying to get in touch with actuarial firm representative Dan Hoffman. He stated that Mr. Hoffman thought that this report would not have any effects on the ordinance. Mr. Barr told Mr. Hoffman that he wanted that in writing but to date he has not been provided the information. He asked that the ordinance be postponed without a date certain until he could obtained his request.

Council Member Moeller moved, supported by Council Member Vogt to postpone adoption of Resolution 2013-253.

On a voice vote the motion carried.

XI. AUDIENCE PARTICIPATION –

1. Ann Dahl, 501 N. Adams, stated that she coordinates the family and youth area of the Heritage Festival and the youth are a vital part of the event. She gave her background, both educational and professional and said that she loves her volunteer work and the children and she wants the youth to be heard and seen in a positive light. She said that Ypsilanti's youth are very talented and the city should show Michigan that they are heading in a good direction and not focus on the negative.

XII. REMARKS BY THE MAYOR –

Mayor Schreiber appreciated the remarks from Ms. Dahl.

XIII. MINUTES –

Resolution No. 2013-255, approving the minutes of November 15, 2013.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Minutes of November 15, 2013 be approved.

OFFERED BY: Council Member Murdock

SUPPORTED BY: Council Member Vogt

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

XIV. CONSENT AGENDA –

Resolution No. 2013-255A

1. Resolution No. 2013-256, approving Ordinance 1202, an ordinance to change the name of the Recreation Commission and add additional duties and powers.

(Second Reading)

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

The certain ordinance entitled "An ordinance to change the name of the Recreation Commission and add additional duties and powers" be adopted on Second Reading.

2. Resolution No. 2013-257, approving Ordinance No. 1203, an ordinance to amend Ypsilanti City Code Chapter 94, "Streets, Sidewalks and Certain Other Public Places", Article V "Snow Removal" to reduce the time to clear ice and snow to 24 hours, to change the notice provisions to publication once prior to each Winter, and to otherwise clarify and cleanup the code sections. ***(Second Reading)***

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That a ordinance entitled "AN ORDINANCE TO AMEND YPSILANTI CITY CODE CHAPTER 94 "STREETS, SIDEWALKS AND CERTAIN OTHER PUBLIC PLACES," ARTICLE V "SNOW REMOVAL," TO REDUCE THE TIME TO CLEAR ICE AND SNOW TO 24 HOURS, TO CHANGE THE NOTICE PROVISIONS TO PUBLICATION ONCE PRIOR TO EACH WINTER, AND TO OTHERWISE CLARIFY AND CLEANUP THE CODE SECTIONS" be approved on Second and Final Reading.

3. Resolution No. 2013-258, approving Ordinance No. 1204 an ordinance to amend Chapter 71: Administrative Hearings Bureau (AHB) of the Ypsilanti City code to revise the rules and procedures. ***(Second Reading)***

AN ORDINANCE TO AMEND YPSILANTI CITY CODE CHAPTER 71 "ADMINISTRATIVE HEARINGS BUREAU," TO MAKE ADMINISTRATIVE HEARINGS MORE EFFICIENT BY ADDING RULES AND PROCEDURES FOR INFORMAL AND FORMAL AHB HEARINGS, TO SET FORTH ADDITIONAL STATUTORY REQUIREMENTS, TO CLARIFY THE CHAPTER AND CORRECT ERRORS AND OMISSIONS, AND TO ALLOW CITY COUNCIL TO SET BY RESOLUTION AN AMOUNT WHICH WILL BE SUBTRACTED FROM A JUDGMENT ENTERED IF THE JUDGMENT IS PAID TIMELY.

THE CITY OF YPSILANTI HEREBY ORDAINS:

Section 1: Amendments, additions, and deletions to the Code of Ordinances, City of Ypsilanti, Michigan.

That Chapter 71 of the Code of Ordinances, City of Ypsilanti, Michigan, entitled "Administrative Hearings Bureau," Article I "In General", Section 71-1 "Purpose," is hereby amended as follows:

Sec. 71-1. - Purpose.

To define, prevent, reduce, and eliminate blight, factors, and causes of blight and address other quality of life violations in the city that negatively impact the public health, safety, and welfare of city residents. Pursuant to MCL §§ 117.4l, ~~117.4i~~, 117.4q, and 117.4r, which authorize the creation of an administrative hearings bureau, the city finds that changing zoning, building or property maintenance, solid waste and illegal dumping, disease and sanitation, noxious weeds, vehicle abandonment, and inoperative vehicles from criminal misdemeanor or civil infraction offenses to blight violations punishable by a civil fine as determined following a hearing by the city administrative hearings bureau is a potentially more efficient and effective way of gaining compliance with laws concerning issues of blight.

That Chapter 71 of the Code of Ordinances, City of Ypsilanti, Michigan, entitled "Administrative Hearings Bureau," Article I "In General", Section 71-2 "Definitions," is hereby amended to add definitions for Formal AHB Hearing and Informal AHB Hearing to read as follows:

Sec. 71-2. - Definitions.

Formal AHB Hearing means a hearing before an Administrative Hearings Officer where either respondent or the city or both are represented by an attorney.

Informal AHB Hearing means a hearing before an Administrative Hearings Officer where neither respondent nor the city are represented by an attorney.

That Chapter 71 of the Code of Ordinances, City of Ypsilanti, Michigan, entitled "Administrative Hearings Bureau," Article II "Administrative Hearings Bureau", Section 71-36 "Instituting administrative adjudication proceedings," is hereby amended as follows:

Sec. 71-36. - Instituting administrative adjudication proceedings.

(a) Any authorized department or agency of the city may institute an administrative adjudication proceeding by forwarding a copy of the notice of blight violation and a notice of hearing, which has been properly served on the respondent, to the administrative hearings bureau.

(b) A violation notice shall be treated as made under oath if the violation alleged in the notice occurred in the presence of the authorized local official signing the violation notice and includes the information set forth in Section 71-38(b). If the violation did not occur in the presence of the authorized local official signing the violation, the official may issue the violation if, based upon investigation, the official has reasonable cause to believe that the person is responsible for a blight violation and if the city attorney or an assistant city attorney approves in writing the issuance of the violation notice.

(c) The city shall not issue a blight violation notice during a rental inspection program inspection of either a multiple dwelling or a one- or two-unit rental dwelling if the landlord is properly registered with the rental inspection program, unless either of the following occurs:

(1) The landlord is given a written correction notice of the violation and a reasonable opportunity to correct the circumstances before a re-inspection of the premises or a date specified in the notice, or

(2) The violation is a direct result of the landlord's action or inaction and creates an emergency that presents an immediate risk of harm to people or damage to property, including, but not limited to, a flooded basement or premises without heat.

(d) The person served with the notice of blight violation and notice of hearing must be notified in writing whether the person can admit responsibility and pay the blight violation at the

Administrative Hearings Bureau prior to appearing at the hearing or whether appearance at the hearing is required.

(e) The person served with the notice of blight violation and notice of hearing shall be notified in writing whether the scheduled hearing is an Informal AHB Hearing or a Formal AHB Hearing.

That Chapter 71 of the Code of Ordinances, City of Ypsilanti, Michigan, entitled "Administrative Hearings Bureau," Article II "Administrative Hearings Bureau", Section 71-39 "Administrative Hearings," is hereby amended as follows:

Sec. 71-39. - Administrative hearings.

- (a) Any administrative adjudication proceeding conducted by the bureau must be conducted before an administrative hearing officer.**
- (b) An attorney who appears on behalf of any person must file a written appearance with the administrative hearing officer on a form provided by or approved by the administrative hearings bureau.**
- (c) Prior to the start of an Informal AHB Hearing, upon the receipt of an appearance by any attorney, any scheduled Informal AHB Hearing shall be rescheduled as a Formal AHB Hearing.**
- (d) Prior to the start of an Informal AHB Hearing, either the city or the person served with the notice of blight violation and notice of hearing may have an Informal AHB Hearing rescheduled as a Formal AHB Hearing upon written request.**
- (e) At any Informal AHB Hearing or Formal AHB, respondent may admit responsibility, admit responsibility with an explanation, or proceed with the hearing. Continuances may be requested by either party, however, the administrative hearing officer may only grant a continuance upon a finding of good cause.**
- (f) (e) The city may not be represented by an employee of the bureau; provided, however, that documentary evidence, including notice of violation, which has been prepared by another department or agency of the city, may be presented at the hearing by the administrative hearing officer.**

~~(d) The administrative hearing officer may grant a continuance only upon a finding of good cause.~~

(g) ~~(e)~~ All testimony must be given under oath or affirmation.

(h) ~~(f)~~ The administrative hearing officer may issue subpoenas to secure the attendance and testimony of relevant witnesses and the production of relevant documents. The issuance of subpoenas is subject to the restrictions contained in section 71-41

(i) ~~(g)~~ Subject to subsection (l) ~~(j)~~ of this section, the administrative hearing officer may, in unusual circumstances, permit a witness to submit testimony by affidavit or by telephone.

(i) ~~(h)~~ The formal and technical rules of evidence do not apply in the conduct of a hearing. Evidence, including hearsay, may be admitted only if it is of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs.

(k) ~~(i)~~ The office of the city attorney at a Formal AHB Hearing or an authorized local official at an Informal AHB Hearing must prove the violation by a preponderance of the evidence; however, a violation notice, or a copy thereof, issued and signed in accordance with section 71-38 is prima facie evidence of the correctness of the facts specified therein.

(l) ~~(j)~~ Upon the timely request of any party to the proceeding, any person who the administrative hearing officer determines may reasonably be expected to provide testimony that is material, and which does not constitute a needless presentation of cumulative evidence, must be made available for cross-examination before a final determination of liability.

(m) ~~(k)~~ The record of all hearings before an administrative hearing officer includes:

- (1) A record of the testimony presented at the hearing, which may be made by tape recording or other appropriate means;
- (2) All documents presented at the hearing, or scanned copies or digital copies thereof;
- (3) A copy of the notice of violation or notice of hearing; and
- (4) A copy of the findings and decision of the administrative hearing officer.

(n) ~~(l)~~ Within ten days of the conclusion of a hearing, the administrative hearing officer must issue a final determination of liability. Upon the issuance of a final determination of liability the administrative hearing officer may:

- (1) Impose penalties and or fines that are consistent with applicable provisions of this Code;**
- (2) Issue orders that are consistent with applicable provisions of this Code; and/or**
- (3) Assess costs reasonably related to instituting the administrative adjudication proceeding; provided, however, that the administrative hearing officer may not impose a penalty of imprisonment or, except in cases to enforce the collection of any tax imposed and collected by the city, where this limitation does not apply, impose a fine in excess of \$10,000.00 exclusive of costs of enforcement and or costs imposed to secure compliance with this Code.**
- (o) ~~(m)~~-In the issuance of a final determination of liability, an administrative hearing officer must inform the respondent of his or her right to seek judicial review of the final determination.**

That Chapter 71 of the Code of Ordinances, City of Ypsilanti, Michigan, entitled "Administrative Hearings Bureau," Article II "Administrative Hearings Bureau", Section 71-40 "Default," is hereby amended as follows:

Sec. 71.40. - Default.

(a)If at the time set for a hearing, informal AHB hearing, or formal AHB hearing, neither the recipient of a notice of hearing ~~for violation~~, nor his or her attorney of record, appears, the administrative hearing officer may find the recipient in default and proceed with the hearing, accept evidence relevant to the existence of a code violation, and conclude with a finding, decision, and order. A copy of the decision and order of default must be served in any manner permitted by 71.38(c). ~~section 71-41(a)~~.

(b)The recipient of a notice of blight violation or a notice of hearing who is found to be in default may petition the administrative hearing officer to set aside the entry of decision and ~~the~~ order of default and set a new hearing date in accordance with section 71-49 of this chapter.

That Chapter 71 of the Code of Ordinances, City of Ypsilanti, Michigan, entitled "Administrative Hearings Bureau," Article II "Administrative Hearings Bureau", Section 71-48 "Fines payable to the city clerk," is hereby amended as follows:

Sec. 71-48. - Fines payable to the city clerk.

All fines and other monies paid to the city under this chapter must be remitted to the city clerk. For any judgment signed by an Administrative Hearings Officer, the city clerk must accept as full payment of the fines and other monies owed an amount less than the judgment amount, if city council by resolution has set the an amount which may be subtracted from the judgment if the fines and other monies owing on the judgment are paid in full within thirty (30) days, and the respondent pays the judgment in full, less that subtraction, within the thirty (30) days.

That Chapter 71 of the Code of Ordinances, City of Ypsilanti, Michigan, entitled "Administrative Hearings Bureau," Article II "Administrative Hearings Bureau", Section 71-49 "Petition to set aside default order," is hereby amended as follows:

Sec. 71-49. - Petition to set aside the entry of a decision and order of default. ~~Default order.~~

(a) An administrative hearing officer may set aside any order of default and the entry of decision pursuant to that ~~order entered by default~~ and set a new hearing date, upon a petition filed within 21 days after the issuance of the entry of the decision and order of default, if the administrative hearing officer determines that the petitioner's failure to appear at the hearing was for good cause or, at any time, if the petitioner establishes that the petitioner was not provided with proper service of process. If the petition is granted, the administrative hearing officer must proceed with a new hearing on the underlying matter as soon as practical.

(b) If any order is set aside under this section, the administrative hearing officer must enter an order extinguishing any lien which has been recorded for any debt due and owned to the city as a result of the vacated decision and default order and direct the city to refund any fines or penalties paid pursuant to the vacated decision and order.

That Chapter 71 of the Code of Ordinances, City of Ypsilanti, Michigan, entitled "Administrative Hearings Bureau," Article III "Violations", Section 71-36 "General violations," is hereby amended as follows:

Sec. 71-71. - General violations.

Any act or omission regarding zoning, building or construction, building or property maintenance or condition in buildings or on the premises; fire prevention; illegal dumping, disposal of solid waste; noxious

weeds, and abandoned or inoperative vehicles, that is prohibited by this code or any ordinance of the city and designated a blight violation, including but not limited to those violations designated as blight violations in Chapter(s) 18, 42, 50, 86, 94, 110, and 122 are blight violations subject to the procedures and penalties outlined in this Chapter.

Section 2. Severability.

If any clause, sentence, section, paragraph, or part of this ordinance, or the application thereof to any person, firm, corporation, legal entity, or circumstances, is for any reason adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment will not affect, impair, or invalidate the remainder of this Ordinance and the application of such provision to other persons, firms, corporations, legal entities, or circumstances by such judgment will be confined in its operation to the clause, sentence, section, paragraph, or part of this Ordinance thereof directly involved in the case or controversy in which such judgment has been rendered and to the person, firm, corporation, legal entity, or circumstances then and there involved. It is hereby declared to be the legislative intent of this body that the Ordinance would have been adopted had such invalid or unconstitutional provisions not have been included in this Ordinance.

Section 3. Repeal.

All other Ordinances inconsistent with the provisions of this Ordinance are, to the extent of such inconsistencies, hereby repealed.

Section 4. Savings Clause.

The balance of the Code of Ordinances, City of Ypsilanti, Michigan, except as herein or heretofore amended, shall remain in full force and effect. The repeal provided herein will not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

Section 5. Copies to be available.

Copies of the ordinance are available at the office of the city clerk for inspection by, and distribution to, the public during normal office hours.

Section 6. Publication and Effective Date.

The City Clerk shall cause this Ordinance, or a summary of this Ordinance, to be published by printing the same in the Ypsilanti Courier. This Ordinance shall become effective after publication at the expiration of 30 days after adoption.

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

XV. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2013-259, adopting Snow and Ice Removal policy and fees related to snow removal.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, City Council has requested changes to the sidewalk snow/ice removal ordinance and policy with the goal of improving the timeliness of snow and ice removal on all sidewalks during the winter season; and

WHEREAS, this improved winter maintenance of sidewalks is also a goal documented in the City's Non-Motorized Transportation Plan; and

WHEREAS, City Council is approving amendments to the ordinance to achieve this goals,

NOW, THEREFORE, BE IT RESOLVED THAT the Ypsilanti City Council approve the attached policy titled, "Sidewalk Snow/Ice Removal Enforcement and Abatement Process (December 2013); and

FURTHER, that City Council approves the below amendments to the City fee schedule:

Dept./Div.	Ordinance Sec. number		Existing Fees	Proposed Fee
Administrative Hearings Bureau	94-136	1 st offense	\$50, \$75 after 10 business days	\$15, \$40 after 10 business days
		2 nd offense	\$100, \$125 after 10 business days	\$50, \$75 after 10 business days
		3 rd and subsequent offenses	\$200: \$225 after 10 business days	\$200, \$225 after 10 business days

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

Planner Teresa Gillotti gave a brief overview of the ordinance.

SUMMARY/BACKGROUND:

Annual Notice: The proposed ordinance changes allow the City to provide public notice for each winter season, or to use one or more of the follow methods: in person, by telephone, by mail, or by written notice at the property (hang tags).

Violations: Twenty-four (24) hours after snow accumulation of 1 inch or more, the Code Enforcement officer monitors and responds to complaints of uncleared sidewalks.

Process:

1. Ordinance officer will ticket the owner or registered agent for the violation and leave notice that the snow/ice must be abated within 24 hours, or the city will order the abatement. This is a change from the previous policy.
2. Ordinance officer perform a site visit after 24 hours
 - a. If not abated, the officer will order the abatement (snow/ice removal).
 - b. Abatements (snow/ice removal) will be charged to the property owner or registered agent.
3. Repeat violation
 - a. For each repeat violation, abatement and ticket will occur immediately with increased fines.
 - b. Unpaid abatements will be transferred to property taxes with \$50 additional lien fee.

Council Member Moeller asked why the fees were reduced.

Ms. Gillotti stated the fees were lowered at the request of Council.

Council Member Moeller stated that there were many emails circulated that questioned if the City would also be fined if snow removal was not done within the allotted amount of time.

Ms. Gillotti gave the protocol that DPS has and how removal was done.

On a roll call, the vote to approve Resolution No. 2013-259 adopting Snow and Ice Removal policy and fees related was as follows:

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

VOTE:

Yes: 5

No: 1(Moeller)

Absent: 1(Mayor Pro-Tem Richardson)

Vote: Carried

XVI. LIASON REPORTS –

- A. SEMCOG Update-None
- B. Washtenaw Area Transportation Study-None
- C. Washtenaw Metro Alliance-None
- D. Urban County-Meeting Cancelled for the month of December
- E. Freight House- Friends of the Freight House are putting together information for the match for the possible S.H.P.O.

XVII. COUNCIL PROPOSED BUSINESS –

Murdock

- Requested a status update on the dumping fees
- He stated that there has been an increase in graffiti within the City
- Cross Street signs
- Many items in Depot Town needs to be fixed such as a cracked wall, bent signs, etc.
- Sidewalk crossing tripping hazard on Huron Street needs to get repaired.

Robb

- None

Moeller

- Commented on the negative issues that are coming from the EMU Campus. She complimented YPD for the arrest of Demarius Reed murderers.
- Commented on EMU Faculty and Staff's upset with the EMU police not reporting anything unless they have to under the Cleary Act.
- Stated that the Street sign on Cambridge and Kingwood is still needed.

Vogt

- Requested an update on his concerns of the weeds and debris on the Northeast corner of Mansfield.
-

Jefferson

- Stated complaints are still coming in and he is still complaining that the reduction of lanes on W. Michigan Avenue is still an issue. He says that he does not feel a proper analysis was done and would like to revisit.

Council Member Murdock says that there was an analysis done by the State Highway Department and that is why it is in the City's plan.

Council Member Jefferson questioned if the analysis was done in the area he is speaking of near Mansfield.

Council Member Moeller asked what the point of the analysis was.

Council Member Murdock answered that the purpose was safety for drivers turning left and the bike lane. He stated that they are synchronizing the lights.

Council Member Jefferson stated if synchronizing the lights will help then he would like to get it done.

Council Member Jefferson complimented the Ypsilanti Police Department on all of their good work and pointed out that Ypsilanti has been getting a bad reputation for all of the recent crimes, however all of the suspects arrested have been from outside of the City of Ypsilanti.

XVIII. COMMUNICATIONS FROM THE MAYOR –

Ypsilanti Downtown Development Authority

James Dauphine (open)
142 Glenwood Avenue
Ypsilanti, MI 48198
Term Expires: 7/7/2014

Council Member Robb requested that Mr. Dauphine update his goals for the YDDA.

Parks and Recreation Commission

Macallan Winning (open)
1013 W. Cross St.
Ypsilanti, MI 48197
Term Expires: 11/1/2015

Mayor Schreiber complimented the Ypsilanti Police Department, Washtenaw County Sheriff, and EMU for their partnership.

Mayor Schreiber reminded Council that the Clerk and City Manager's evaluations are still needed.

XIX. COMMUNICATIONS FROM THE CITY MANAGER –

City Manager Lange commented on the following:

- Amended budget background
- 345 Act
- Hiring of Police Chief Public Forum scheduled
- EMU Campus Shooting
- Peninsular Dam Condition
- Honda Fisher closing scheduled
- Ypsilanti Recreation Center

Council Member Murdock stated that he understands the original Streetlight Assessment proposal, however he questions if the monies can be put back in the general fund.

Mr. Lange answered yes.

Council Member Murdock stated that the City is going to increase the Police Field Service Fund by \$100k and questioned the overtime. He said that there have been seven vacancies since April.

Council Member Robb stated that if Fund 709 goes up then Fund 706 should go down until the vacancies have been filled. He said that based on how the language reads, the city has added an additional \$100k.

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Mr. Lange replied that there is an appropriation for the line item and it should switch off. He said he wants to make sure the City is not spending outside of the spending allowance.

XX. AUDIENCE PARTICIPATION –

None

XXI. REMARKS FROM THE MAYOR -

Mayor Schreiber appreciated all of the comments.

XXII. ADJOURNMENT –

Resolution No. 2013-261, 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 10:25 p.m.