Approved

CITY OF YPSILANTI
COUNCIL MEETING AGENDA
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, JUNE 3, 2014
6:00 P.M.

I. CALL TO ORDER –

The meeting was called to order at 6:13 p.m.

II. ROLL CALL –

Council Member Jefferson	Present	Council Member Robb	Present
Council Member Moeller	Present	Council Member Vogt (7:00 p.m.)	Present
Council Member Murdock	Present	Mayor Schreiber	Present
Mayor Pro-Tem Richardson	Present		

III. INVOCATION –

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 Community Development Director Teresa Gillotti, Assistant to the City Manager Ericka Savage, Director of Public Services Stan Kirton, City Clerk Frances McMullan, City Attorney John Barr, Police Chief Tony DeGiusti, Finance Director Marilou Uy, and Clerk Intern Semaj Ray.

VI. AGENDA APPROVAL –

Council Member Murdock moved to remove each item out of the Consent Agenda.

On a voice vote the agenda was approved as amended.

VII. PRESENTATIONS –

1. (6:00-7:00 p.m.) – Water Street Marketing and Economic Development – Teresa Gillotti

Mayor Schreiber stated that Ms. Gillotti mentioned a meeting to discuss building type and location. Mayor Schreiber asked how the meeting would be different from those held during the Master Plan process and how would staff gather input from the public.

Director of Community Development Gillotti stated that staff has almost finished drafting the Zoning Ordinance which states what building types would be allowed in certain areas; community input would be geared toward what could be changed in the ordinance draft.

Mayor Pro-Tem Richardson asked if the oil spill is being monitored and if it has reached the river. Director of Community Development Gillotti stated that the spill has not yet reached the river. Ms. Gillotti also stated that the Fire Department is the monitoring agency and that she would provide Council with a more specific update in the future.

City Manager Lange stated that he receives a report every six months and will provide Council with that report.

Mayor Schreiber asked if Angstrom is providing marketing and is the property being advertised.

Director of Community Development Gillotti responded yes, the property is listed through Signature and Associates. Ms. Gillotti stated that both the buildings and the parking lot are listed; the company has also created several scenarios that break the buildings down into smaller spaces in order to market them more easily.

Mayor Schreiber asked if Vantage Port is helping with this process.

Director of Community Development Gillotti responded that Vantage Port has identified areas for redevelopment in participating municipalities.

Council Member Murdock asked if the County applied for a TARGET grant for Vantage Port.

Director of Community Development Gillotti responded that the grant was for Willow Run which includes Vantage Port.

Council Member Murdock asked if Ypsilanti is a part of that grant.

Director of Community Development Gillotti stated that she believes that it is a Willow Run specific site.

City Manager Lange stated that this is a case where economic development strategy makes a difference. Mr. Lange stated that a lot of intense work needs to be done with the property owner.

Director of Community Development Gillotti stated that the Planning Commission has extended an invitation to Council Members for the June 18th meeting which starts at 7 p.m. The Planning Commission will focus on the Zoning Ordinance.

Council Member Robb asked if Council would be provided with the information regarding marketing of Water Street.

Director of Community Development Gillotti responded that Council will be provided with this information.

Council Member Robb asked if housing development is focused on single family or density.

Director of Community Development Gillotti responded that the focus is still on density, between 500-900 units.

Mayor Schreiber stated that he liked the idea of the City taking control of the housing marketing strategy. The Mayor also stated that this provides a link to other material in tonight's Council Meeting.

Director of Community Development Gillotti stated that there are two budget meetings scheduled, at the second budget meeting she will provide Council with the presentation.

Council Member Murdock referred to the presentation with a correction stating that "higher employment rate…" should read "lower employment rate…"

Council Member Robb inquired on the progress of the County Rec Center and the Herman Kittle Development.

Director of Community Development responded that Family Dollar will close a week from Friday. Herman Kittle is currently working with MSHDA who is providing the Developer with feedback on their application. Herman Kittle Development is also waiting for financing which should happen in July.

2. River Up – Elizabeth Riggs, Deputy Director, Huron River Watershed Council

Council Member Murdock asked when the dam project will begin.

Deputy Director Riggs responded that there is not an exact date at the moment; the project is awaiting proper permits then the team to do the work must be selected, but the hope is to begin in the fall.

Mayor Schreiber thanked Ms. Riggs for her time and stated that the presentation provided very interesting information.

VIII. ORDINANCES – FIRST READING -

Ordinance No. 1220

1. An ordinance to amend budget appropriations by department and major organizational unit for 2013-2014 fiscal years.

   A. Resolution No. 2014-119, determination

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled, "An Ordinance to Amend Budget Appropriations by Department and Major Organizational Unit for the Fiscal Years 2013-2014", be approved on First Reading.

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

Mayor Schreiber asked for clarification on what was being considered by this resolution. Mayor Schreiber stated that this resolution is to approve the amendments made to the budget for 2013-2014 fiscal years.

City Manager Lange responded that yes that is what Council is considering.

   B. Open the public hearing.

   There were no speakers.

   C. Resolution No. 2014-120, close public hearing

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Public Hearing to consider an ordinance entitled, "An Ordinance to Amend Budget Appropriations by Department and Major Organizational Unit for the Fiscal Year 2013-2014, be officially closed.

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

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

On a roll call, the vote for Resolution No. 2014-119 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

Ordinance No. 1221

2. An ordinance to adopt budget appropriations by department and major organizational unit for 2014-2015 and 2015-2016 fiscal years.

   A. Resolution No. 2014-121, determination

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled, "An Ordinance to Adopt Budget Appropriations by Department and Major Organizational Unit for the Fiscal Years 2014-2015 and 2015-2016", be approved on First Reading.

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

   B. Open the public hearing.

   There were no speakers.

   C. Resolution No. 2014-122, close public hearing

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Public Hearing to consider an ordinance entitled, "An Ordinance to Adopt Budget Appropriations by Department and Major Organizational Unit for the Fiscal Years "2014 – 2015 and 2015 - 2016", 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.

Mayor Pro-Tem Richardson moved to amend Ordinance No. 1221 to maintain position of the Assistant to the City Manager and treat as all non-union positions (Amendment No. 1).

SUPPORTED BY: Council Member Murdock.

Mayor Pro-Tem Richardson stated that Council had previously discussed that there is not a need for an Assistant City Manager and feels that is still the case.

Council Member Robb stated that there are two parts to this plan, there is the $4 million needed to refinance the Water Street Debt and the $1.7 million in structural deficits. Mr. Robb asked that if the City Manager is working toward economic development will Assistant to the City Manager Savage be working on this plan.

City Manager Lange responded that a combination of staff will formulate the plan. Mr. Lange stated that the ultimate responsibility falls on him. Mr. Lange stated that the future of the City, as well as staff are tied to the success of this plan.

Council Member Robb asked Mr. Lange what he considers day-to-day work. Council Member Robb stated that he feels that day to day work to him is following all possibilities to achieve the two part plan.

City Manager Lange stated that day-to-day work has two parts; part is what Council Member Robb just described and the other is economic development. This plan just removes the customer service from the desk of the City Manager. Mr. Lange stated that he needs to delegate more of that work to staff with the proper oversight.

Council Member Vogt stated that he is willing to trust Mr. Lange based on what he has said over the past few weeks. If you tie up the most skilled people with operational tasks they can focus more of their energy on the larger picture. However, the operational tasks need to be handled by a skilled employee and this person needs to be compensated as such. Council Member Vogt stated that he sees this as one of the most important aspects of this budget.

Council Member Moeller asked what is the difference between an Assistant City Manager and an Assistant to the City Manager, what tasks are different among those job classifications. Council Member Moeller further stated that it seems that if the City were to form another position that the position be posted and staff should follow normal hiring procedure.

City Manager Lange stated that he agrees with Council Member Moeller to a point. Mr. Lange stated that staff that was promoted if they were not promoted would not lose their job, citing the Fire Chief and Police Chief. In this situation there cannot be both an Assistant to the City Manager and an Assistant City Manager. The other thing is key is that the Assistant City Manager position will now supervise the Human Resource Department, which will ensure a smooth transition once Human Resource Director Judi Smith retires. Mr. Lange stated that the Assistant City Manager would also monitor legal issues as well as contracts rather than outsource those services. Mr. Lange stated that non-union employees have taken a tremendous hit, stating that non-union staff was supposed to mirror ASCFME and at the moment they are 6.5% behind ASCFME.

Mayor Schreiber stated that he is in agreement with Council Member Vogt he said he would really encourage Council to look at individual job classification rather than individual staff personalities. Mayor Schreiber further stated that by City Charter the City Manager is to manage staff. Mayor Schreiber stated that he supports the proposed structure and that he will be voting against the amendment.

Mayor Pro-Tem Richardson stated that this amendment has nothing to do with personality. Mayor Pro-Tem Richardson objected to the inference made by Mayor Schreiber regarding the amendment.

Council Member Moeller asked how the raise amount for the promotion from Assistant to the City Manager to Assistant City Manager was developed.

City Manager Lange stated that he looked at Ypsilanti's historical pay for Assistant City Manager.

Mayor Pro-Tem Richardson referencing day-to-day operations commented that customer service is not high-end skill level. Mayor Pro-Tem Richardson stated that April McGrath came in with a great deal of experience and this situation is not a fair comparison. Mayor Pro-Tem Richardson further stated that if Ypsilanti creates an Assistant City Manager Position she agrees with Council Member Moeller that the position should be posted.

Council Member Robb stated that this is a foolish thing to discuss at the table and that he apologizes to everyone involved. This is not about Ms. Savage this is about Mr. Lange. If he wants to make Ms. Savage head of Human Resources and review contracts then she should be paid commensurately. Council Member Robb further stated that his issue is that the City Manager does not want to do the job of a City Manager, he wants to focus on economic development. Council Member Robb stated that he wants to know who will develop the plan to repair the $1.7 million in structural deficits and raise the $4 million to refinance the Water Street debt.

City Manager Lange responded that he will produce that plan with staff support. Mr. Lange stated that he has developed a job description for the Assistant City Manager and that position will be instrumental in the City moving forward.

Council Member Moeller stated that when she first came on Council there was a lot of talk focused on how much to pay fire and police and how the City does not have the funds. Council Member Moeller stated that now there is a discussion on giving an individual a $10,000 raise. Council Member Moeller asked if the City has gotten rid of furlough days.

City Manager Lange answered yes, furlough days have been ended and the 5% had been returned to staff.

Council Member Moeller stated that the headlines would read City Staff Receives a 20% raise.

City Manager Lange responded that Fiscal Services is going through the exact situation. Mr. Lange also stated that the last time Ypsilanti had an Assistant City Manager the pay for both the City Manager and the Assistant City Manager was $180,000 plus tier one benefits. Mr. Lange said that he and the Assistant City Manager would make $21,000 less plus be accepting tier two benefits.

Council Member Moeller stated that it was a different time and the City had more money at that point.

City Manager Lange reiterated the fact that the City Manager and Assistant City Manager combined would be making $21,000 less with reduced benefits.

On a roll call, the vote to approve Mayor Pro-Tem Richardson Amendment No. 1 to Ordinance 1221 was as follows:

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

VOTE:

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

Mayor Pro-Tem Richardson moved to amend Ordinance No. 1221 to state that all non-union employees receive a 3% raise, other than new hires and employees upgraded to new position in the last two budget terms (Amendment No. 2).

SUPPORTED BY: Council Member Jefferson

Mayor Pro-Tem Richardson stated that there is no need to amplify this issue but it is something that should be moved forward as something that is equitable.

Council Member Moeller asked how Mayor Pro-Tem Richardson decided on 3%.

Mayor Pro-Tem Richardson responded by looking at ASFCME and what the City could afford.

Council Member Robb asked if this amendment considers all non-union employees included those under a service contract.

Mayor Pro-Tem Richardson responded that this increase would only include non-contract, non-union employees.

Council Member Robb asked what about the individuals that work for City Council, referencing the City Clerk and the City Manager.

Mayor Pro-Tem Richardson stated that the City Clerk would be included being that she is not under contract.

Council Member Robb stated that it is his preference that all raises be taken out of the discussion. Whether employees are over-paid, under-paid, or paid correctly according to AFSCME means very little. Council Member Robb stated that the comparison is not accurate. Council Member Robb further stated that this is not something that he can support at this time, if this item is brought back at second reading with an implementation plan it is something that he would consider. Council Member Robb asked if this plan would be coupled with the $83,000 already in the budget for merit raises.

Mayor Pro-Tem Richardson responded that this would replace the plan for merit raises.

Mayor Schreiber stated that this is Council over-reaching into the function of the City Manager, directed by City Charter. Mayor Schreiber further stated that this is hindering the ability of the City Manager to effectively incentivize his employees. Mayor Schreiber stated that he is very upset that this is coming from Council, especially this late, and he is voting against it.

Council Member Moeller asked for clarification on the budget, asking if the only item concerning raises is the $83,000 for raises.

Council Member Robb stated that the $83,000 covers two years.

City Manager Lange stated that staff is currently developing objective criteria on how to effectively evaluate employees for raises.

Council Member Moeller questioned the City Manager on how he decided on using the merit system to implement raises.

City Manager Lange stated that the basis of the decision was Council's approach in evaluating him and he is expanding on that for all employees.

Council Member Moeller asked City Manager Lange whose decision would the raise be based on.

City Manager Lange stated that a system would be developed to determine the criteria for raises.

Mayor Schreiber posed a rhetorical question to Council asking if Mr. Lange would leave tomorrow how Council would attract another City Manager to hire if Council continues to overreach into the powers of the City Manager. Mayor Schreiber stated he feels that this amendment would be a terrible mistake by Council.

Council Member Robb stated that his issue is that the merit evaluation is incomplete; there has not been a plan provided that discusses what criteria would need to be met to award a raise. Council Member Robb further stated that Council would look foolish to approve a plan that does not exist.

Council Member Moeller stated that she has a problem with merit raises because many times they are based on personalities. Council Member Moeller, in answering Mayor Schreiber's question, stated that it is Council's fiduciary responsibility to ask these questions. Council was elected to financially secure the City so that it can maintain itself.

Council Member Vogt stated that he agrees with Council Member Moeller it is our responsibility to maintain financial stability but across the board raises is not the way to do that. Council Member Vogt stated that he feels that this amendment is premature and it does subvert the City Manager's special roll, this is not a fair comparison to union workers. Council Member Vogt agreed with Council Member Robb that it may be wise to wait and see Mr. Lange's Plan. Council Member Vogt stated that he will not support amendment 2.

Council Member Murdock stated that this amendment and the previous amendment cause an uncomfortable situation at the table. Council Member Murdock stated that there are issues that individuals are concerned with and details that have not been provided. Council Member Murdock further stated that the City Manager knew that there were issues here and still brought this issue forward and that is why we are in this situation.

On a roll call vote, the vote to approve Mayor Pro-Tem Richardson #2 to Ordinance 1221 was as follows:

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

VOTE:

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

Council Member Murdock stated that the amendments that he is about to propose will not directly impact the General Operating Deficit. First two amendments are relative to the Street Funds.

Council Member Murdock moved to Amend Ordinance No. 1221 to allocate $50,000 to Fiscal Year 2015-2016 to the major street fund to complete projects outlined in the City's Non-Motorized Plan.

SUPPORTED BY: Council Member Robb

The Non-Motorized Plan is motivated by making Ypsilanti more attractive to live, work, and play. In addition over the next two years we are doing one TAP grant needing a match dealing with mid-block crossing at Michigan and extension to the Boarder to Boarder trail on Grove.

Mayor Schreiber asked if staff has a recommendation on this issue.

City Manager Lange responded that he has no recommendation.

Mayor Schreiber asked if staff has reviewed this proposal.

City Manager stated that Council Member Murdock made him aware last week.

Mayor Schreiber suggested that this mattered be tabled until second reading providing staff time for a recommendation.

Council Member Murdock stated that when staff asked for amendments he spoke with the City Manager twice and Director of Fiscal Services once. Council Member Murdock also stated that this is pretty simple, it provides funding for a specific purpose, the projects may not all be there but the City does have a Non-Motorized Plan. Council Member Murdock stated that he is not sure why delay.

Mayor Schreiber stated that in a perfect world this matter would have been brought to one of the budget meetings.

Council Member Murdock responded that the budget is presented during a public hearing and at that hearing amendments are allowed to be made.

Council Member Robb stated for as long as he has been on Council, Ypsilanti has been talked about as being a great City that it has a downtown, and it's walkable. Council Member Robb stated that this amendment furthers that rhetoric and he will be supporting it tonight.

Mayor Pro-Tem Richardson stated that she had discussed this amendment with Council Member Murdock before the deadline and that Council Member Murdock had spoken with both City Manager Lange and Director of Fiscal Services Uy. Mayor Pro-Tem Richardson stated that staff had time to review this based on their timeline.

City Manager Lange stated that the job of the City Manager is to propose the budget the way that he feels correct. Mr. Lange added that it is the job of Council to dispose or amend the budget. Mr. Lange stated that it is not his job to take sides, this is the decision of Council.

Mayor Schreiber stated that he will be voting against this amendment but only to vote again after staff support.

On a roll call, the vote to approve Amendment No. 3 to Ordinance 1221 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	No
Mayor Pro-Tem Richardson	Yes		

VOTE:

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

Council Member Murdock moved to amend Ordinance 1221 to add $50,000 to the street fund for 2014-2015 and 2015-2016 Fiscal Years for traffic calming.

SUPPORTED BY: Council Member Robb

Mayor Schreiber asked City Manager Lange if staff has had time to review this amendment.

City Manager Lange stated that Council Member Murdock has brought this item to his attention in the past. Mr. Lange stated that this is a Council amendment and its Council's business.

Mayor Schreiber stated that the City does not yet have a policy for speed humps.

City Manager Lange responded correct, the City does not have a policy for speed humps.

Mayor Schreiber stated that the amendment is to allocate funds for something that the City does not have a policy for. Mayor Schreiber added that he hasn't had time to make an informed decision and he will be voting no.

On a roll call, the vote to approve Amendment No. 4 to Ordinance 1221 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	No
Mayor Pro-Tem Richardson	Yes		

VOTE:

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

Council Member Murdock stated that around eight years Friends of the Freight House have been trying to get the building reopened. Council Member Murdock stated that recently, a grant application was applied for to SHPO to add a fire suppression system to the building but it was denied. Council Member Murdock stated that there were contributions to this grant by the DDA of $25,000, Eastern Leaders Group (ELG) of $10,000, Eastern Michigan University of $1,000, and Friends of the Freight House of $4,000. Council Member Murdock added that Friends of the Freight House has put together the design, bid specs, and some estimates to put the mechanical systems together for the fire suppression system, bathrooms, and a system of energy efficient HVAC for an investment of $300,000. Council Member Murdock further added that he has approached the contributors to see if they would double their match and the City would add the additional money to raise the $300,000. The ELG increased their commitment for $10,000 to $25,000; the Friends of the Freight House increased their commitment for $4,000 to $14,000, if the DDA increases the $25,000 to $40,000, we would have $80,000 and would need an additional $220,000 to complete the renovations. Council Member Murdock stated that the City could allocate $180,000 for the capital improvement fund and an additional $40,000 out of the Energy Efficiency Fund.

Council Member Murdock moved to amend Ordinance 1221 allocating $180,000 from the Capital Improvement Fund and $40,000 from the Energy Efficiency Fund for Freight House renovations.

SUPPORTED BY: Council Member Robb

Mayor Schreiber stated that as he understands the City does not have an agreement with the Friends of the Freight House and this is a very large contribution. Mayor Schreiber stated that during the Rutherford Pool redevelopment Council was approached by members of that Board and asked to change the budget to add $25,000 for the pool which was 2.5% of the a million dollar project. The Friends of the Freight House are asking for around 72% of the total project cost. Mayor Schreiber asked what the strings attached to this plan are, is City Council going to take over management of this project. Mayor Schreiber added that there are a lot of volunteer groups scraping by in Ypsilanti, and how can an award of that amount be made without a proper plan in place. Mayor Schreiber further added that the City awarded over $100,000 to stabilize the Freight House roof, the building is now stable the City should be careful on how it moves forward. Mayor Schreiber stated that he will be voting no on this.

Council Member Murdock responded that there is not an agreement with Friends of the Freight House but this is more the City's project than theirs. The Friends of the Freight House have not been very successful raising funds however they are revising their business plan. Council Member Murdock added that without these renovations the building will continue to be unusable.

Council Member Robb asked for clarification regarding the City's role in the building's need for a fire suppression system. Council Member Robb cited that the former Fire Chief and Marshal Ichesco said this equipment was not needed, why is it needed now, is the City forcing the City to spend a lot of money.

Chief Anthouard stated that this is based off the 2006 NFB fire safety code which stated that a building holding certain events for the public require this system.

Council Member Moeller asked if this action was taken by Council.

Chief Anthouard stated that this was an ordinance voted on by Council.

Council Member Murdock stated when the 2006 NFB Fire Code was first adopted the Freight House was not required to have a fire suppression system. Council Member Murdock added due to the amount of time that the building was unusable it lost its grandfather clause and was required to have a fire suppression system.

Council Member Moeller asked if fire suppression is needed.

Chief Anthouard responded yes the fire suppression system is needed.

Council Member Vogt stated that we have paid a lot of attention to the Freight House in recent memory. Council Member Vogt stated that he agrees with Council Member Murdock it would be nice to have this complete this project and have a usable building increasing economic development. Council Member Vogt added that he is fuzzy on what exactly the building needs to be brought up to code. Council Member Vogt asked if staff or Mr. Lange had any insight on what needs to be done and is it appropriate to allocate funds and staff time in the short term or is this something that should be pushed back.

City Manager Lange stated that he had spoken with Council Member Murdock regarding the Freight House. Mr. Lange stated that this is a Council decision to allocate staff time and resources. Mr. Lange added that Council Member Murdock stated that the Friends of the Freight House do not have the capacity to manage the construction this is something that will be passed to Department of Public Services for bidding. Mr. Lange asked what entity would receive the revenue once the building is brought to usable condition.

Council Member Murdock stated that the Friends of the Freight House will bring in a revised plan in the next six months to a year. Council Member Murdock added that once the agreement lapses with the City it can either be renewed or a new partner could be given control.

Council Member Vogt asked if the City hold the title to this property.

Council Member Murdock responded yes.

City Manager Lange stated that the bottom line is that the building is brought to usable conditions. Mr. Lange added that once that is done the City will look for the best partner to manage it whether it is the Friends of the Freight House or another entity.

On a roll call, the vote to approve Amendment No. 18 and 19 to Ordinance 1221 was as follows:

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

VOTE:

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

Council Member Murdock moved to add an additional $50,000 to leverage a TAP Grant making a total of $100,000 total.

SUPPORTED BY: Council Member Robb

Mayor Schreiber asked if staff has had time to review this amendment.

City Manager Lange stated that $50,000 has been set aside for the mid-block crossing at the Honda Dealership on Michigan Ave. for the Boarder to Boarder Trail.

Director of Community Development Gillotti stated that the National Resources Trust Fund for the bridge itself, as well as ADA and the HAWK Traffic Signal. Additional funding would aid in making the block more robust.

Mayor Schreiber asked for clarification on location and on Ms. Gillotti's recommendation.

Director of Community Development Gillotti stated the whole project cost is $700,000. Ms. Gillotti stated that to leverage the whole $700,000 the City would require a $142,000 match. Ms. Gillotti added that she has contacted several possible partners including the Washtenaw County Parks Department and the Ypsilanti DDA. Ms. Gillotti felt that it would be helpful to have the extra funding.

Mayor Schreiber asked if the Capital Improvement Fund was developed through park usage fees.

Council Member Murdock responded that the Capital Improvement Fund is the pass through fund for grants and grant matches, the 414 Fund.

City Manager Lange stated that the original plan was to do nothing with the money. However, issues arose that required funding. Mr. Lange stated that if all amendments pass with this budget that would leave $70,000 left in the Capital Improvement Fund.

Mayor Schreiber asked if there are restrictions on these funds and if there is a ratio between the Capital Improvement Fund and funds from the General Fund.

City Manager Lange responded that these funds are required to be used on capital improvements.

Mayor Pro-Tem Richardson asked how much will be drawn with amendments made here today and what the City Manger's suggestion is.

City Manager Lange responded that he would suggest that we don't do anything, that $70,000 is a drop in the bucket.

On a roll call, the vote to approve Amendment No. 18 and 19 to Ordinance 1221 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	No
Mayor Pro-Tem Richardson	Yes		

VOTE:

Yes: 5 No: 1 (Schreiber) Absent: 1 (Moeller) Vote: Carried

Council Member Murdock moved to reserve three years of debt payment for general fund balance for a total of $4,278,653.

Mayor Schreiber asked if this was an amendment to the budget. Mayor Schreiber added that per Council rules these items can be brought as resolutions for the next Council meeting.

Council Member Murdock agreed.

Council Member Robb stated that he will be voting against the budget. Mr. Robb said that adding the 3% raise is supposed to avoid favoritism. Mr. Robb added that a 3% raise will only affect 10 employees; he asked how that is fair. Council Member Robb encourage everyone to do the same.

Council Member Murdock stated that this budget has a deficit of $1.3 million and $1.4 million. Mr. Murdock added that this is not a budget he would normally approve. Council Member Murdock stated that the plan is very aggressive and will take a lot of work to complete. Council Member Murdock added that there are some good things in this budget and he will be voting for it.

Mayor Schreiber stated that he voted against seven amendments. Mr. Schreiber said he will be voting for the budget. Mayor Schreiber added that in the future it may be wise to hold the 2 year budget meeting on an off election year.

On a roll call, the vote to approve Resolution No. 2014-121 was as follows:

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

VOTE:

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

Ordinance No. 1222

3. An ordinance entitled "2014-2015 Tax Levy Ordinance"

   A. Resolution No. 2014-123, determination

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the proposed ordinance entitled "2014-2015 Tax Levy Ordinance", be approved on First Reading.

OFFERED BY: Council Member Robb
SUPPORTED BY: Council Member Jefferson

City Manager Lange stated that the tax levy would be neutral.

Council Member Murdock stated that it's good that the millage rate went down but that was based on the SAFER Grant so it will go up in the future.

City Manager Lange responded that it was the SAFER Grant as well as retiree health insurance.

B. Open the public hearing.

There were no speakers

C. Resolution No. 2014-124, close public hearing

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT, the public hearing to consider the "2014-2015 Tax Levy Ordinance", be officially closed.

OFFERED BY: Council Member Robb
SUPPORTED BY: Council Member Jefferson

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

On a roll call, the vote to approve Resolution No. 2014-123 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	Yes		

VOTE:

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

Ordinance No. 1223

4. An ordinance to amend Chapter 18 of the Ypsilanti City Code entitled, "Buildings and Buildings Regulations".

A. Resolution No. 2014-125, determination

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance to adopt the International Property Maintenance Code, entitled "AN ORDINANCE TO AMEND CHAPTER 18 OF THE YPSILANTI CITY CODE, ENTITLED "BUILDINGS AND BUILDING REGULATIONS," BY AMENDING

ARTICLE V, "PROPERTY MAINTENANCE CODE," SECTION 18-91 "ADOPTION," TO REPLACE 2006 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE WITH THE 2012 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE; BY AMENDING SECTION 18-92 "ADDITIONS, INSERTIONS AND CHANGES," BY DELETING THE PREVIOUS ADDITIONS, INSERTIONS AND CHANGES AS NECESSARY AND MAKING ADDITIONS, INSERTIONS AND CHANGES TO THE 2012 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE" be approved on first reading.

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

City Attorney Barr stated that this is an international code Council adopted in 2006. Mr. Barr added that minor modifications were made by City Attorney Jesse O'Jack to ensure that there were no duplications.

Council Member Murdock asked if the changes to the ordinances are the same.

City Attorney Barr answered yes it is the same ordinances with minor changes to inconsistencies found in the previous ordinance.

Council Member Murdock asked if this would be the code that Council would need to amend if to add surveillance cameras in apartment complexes.

City Attorney Barr stated that would be the building code. Mr. Barr stated that he will check on that.

B. Open the public hearing.

There were no speakers.

C. Resolution No. 2014-126, close public hearing

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT, the public hearing to consider to "amend Chapter 18 of the Ypsilanti City Code entitled, Buildings and Buildings Regulations", be officially closed.

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

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

On a roll call, the vote to approve Resolution No. 2014-125 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	Yes		

VOTE:

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

Ordinance No. 1224

5. An ordinance to amend the Ypsilanti City Code regarding the use of consumer fireworks within the City of Ypsilanti, pursuant to MCL 28.457(s).

   A. Resolution No. 2014-127, determination

RESOLUTION TO ADOPT ORDINANCE TO AMEND FIREWORKS ORDINANCE:

IT IS RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that: the ordinance entitled "An ordinance to amend the Ypsilanti City Code regarding the use of consumer fireworks within the City of Ypsilanti, pursuant to MCL 28.457(2) be adopted on first reading.

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

City Attorney Barr stated that the original ordinance mirrored that of the state, the state has since amended the ordinance giving more authority to local governments except three holidays. Mr. Barr added that he has provided the Chief Anthouard with the ordinance and he has agreed to the ordinance.

   B. Open the public hearing.

   There were no speakers.

   C. Resolution No. 2014-128, close public hearing

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT, the public hearing to consider to "amend the Ypsilanti City Code regarding the use of consumer fireworks within the City of Ypsilanti, pursuant to MCL 28.457(s)", be officially closed.

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

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

On a roll call, the vote to approve Resolution No. 2014-127 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

IX. AUDIENCE PARTICIPATION –

There were no speakers.

X. REMARKS BY THE MAYOR –

None

XI. MINUTES –

Resolution No. 2014-129, approving minutes of May 20 and May 22, 2014.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Minutes of May 20 and May 22, 2014 be approved.

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

On a voice, the minutes of May 20 and May 22, 2014 were approved.

XII. ~~CONSENT AGENDA~~ – ~~Resolution No. 2014-130A~~

1. Resolution No. 2014-130, approving fee schedule.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the attached fee schedule is adopted pursuant to the Ypsilanti City Code, and the following fees relating to various sections of the City Code and activities of the City are hereby established, and the various City Departments are authorized to charge and collect such fees effective immediately.

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

Assistant to the City Manager Savage stated that there were no major changes to the fee schedule, just a few minor housekeeping items.

Council Member Robb asked why the City had gone from not having a fee for the police chief during events to having one.

Assistant to the City Manager Savage responded that the past fee schedule included a fee for the fire chief. Ms. Savage stated she felt that this would be prudent if the Chief would be required to do off hours activities.

Council Member Robb asked if there had been a bill for the fire chief in the past year or two.

Assistant to the City Manager Savage answered no.

Council Member Robb stated that instead of adding a fee for the police chief why not remove it for the fire chief.

Assistant to the City Manager Savage responded that Council Member Robb suggestion was fair.

City Attorney Barr stated that he does not have on opinion on the matter but having a fee in place before it's asked for is not a 'bad idea'.

Council Member Robb asked if this fee could just be added.

Assistant to the City Manager Savage stated that this would not be tied to an event unless the event specifically asked the chief to be present.

Council Member Robb stated that if it were spelled out in the fee schedule that this fee would only be applied if the chief was specifically asked to be present.

Assistant to the City Manager Savage asked if that was a friendly amendment.

Council Member Robb stated that it is not a friendly amendment. Mr. Robb added that he wants to ensure that everyone is in agreement.

City Attorney Barr stated that the fire chief and the police chief are not exactly the same. Mr. Barr added that the fire chief can be called regularly to disaster scenes that can be reimbursed by insurance.

Chief Anthouard stated that the fee for the fire chief was instituted due to the cost recovery program is being used. He said the insurance company requires the cost of each rank. In order to apply this it must be in the fee schedule.

Council Member Robb stated that in this current fee schedule it is listed under events for labor.

Council Member Moeller asked if they bill Medicare and what activities does the fire department bill.

Chief Anthouard responded no they do not bill Medicare, the fire department bills insurance companies for labor intensive activities.

Council Member Moeller asked why there is a fee schedule if you bill the insurance companies.

Council Member Robb responded because they must tell them what the price of individual firemen cost.

Council Member Moeller stated you have to list a cost per hour per person. Council Member Moeller asked if they have similar charge rates for the police department.

Chief DeGiusti stated that there is a charge for false alarms but they are not currently imposed.

Council Member Moeller asked what else would the police charge.

City Manager Lange responded that situations such as the Color Run which calls for a large portion of the department.

Assistant to the City Manager Savage stated that the Chief does not want to be billed for the event unless he is specifically asked to be there.

City Attorney Barr stated that another example would be in a criminal case that the court orders restitution for the time officers spent on case. Mr. Barr added that rates are set to establish that.

Council Member Robb stated that there is already a section for police and fire cost recovery. Council Member Robb stated that he has no problem with that fee just as long as it is listed in the correct category.

Assistant to the City Manager Savage stated that it does not fall under emergency services.

Council Member Robb stated that if it is not an emergency service then the Chief should just waive the fee.

Council Member Robb asked about the increase in dispatch supervisor costs.

Chief DeGiusti stated that during a festival such as the Heritage Festival there is a large amount of air traffic which requires a dedicated dispatcher for Ypsilanti. Chief DeGiusti added this is a charge coming from the county sheriff.

Council Member Robb stated that we charge that fee for 24 hours a day even though the festival does not run 24 hours a day. Council Member Robb stated the only organizations that get a dedicated channel are for U of M football games. Council Member Robb asked how many calls we are taking during heritage festival.

Chief DeGiusti responded that it is not necessarily calls of service, it is more officers needing to get in touch with dispatch.

Council Member Moeller asked if the cost is passed to the festival.

Chief DeGiusti responded yes. The fee structure is not there to always charge for special events, the last Heritage Festival and Color Run were charged nothing for chief services.

Council Member Robb asked about the charge for the EMS standby.

Chief Anthouard responded that it is 50% cheaper than any other provider contract with EMU. Chief Anthouard added that if they are not available he must provide a truck with two EMS personnel. Chief Anthouard stated that these services are upon request.

Council Member Robb asked about the fee related to bobcats with snow pushers and why it tripled. Council Member Robb asked why it is listed under events.

Assistant to the City Manager Savage responded that equipment comes from the state.

Council Member Robb stated that the item might have been misplaced.

Assistant to the City Manager Savage responded that would be the only place we would bill, or it would just be a city operation.

Council Member Robb stated that we don’t have winter events. Mr. Robb added that the parking fee goes from $10 to $20 with no grace period.

Assistant to the City Manager Savage stated that Lt. Gress has been working on this with the court administrator and these are the fees suggested by the court.

Council Member Robb stated that he was referring to the ending of the grace period individuals that have to pay their ticket.

Council Member Moeller asked if that is because the Treasurer's office is not open all the time.

Mayor Pro-Tem Richardson stated that there is a drop box if the office is closed.

Assistant to the City Manager Savage stated that the court suggested the $20 fine and if you don't pay in ten days the court adds a $30 fee.

Council Member Robb responded that everything past day one he is fine with, it's the removal of the 24 hour grace period. Council Member Robb added that he is not sure that this is so wise for public relations for the city.

Council Member Moeller asked how many people paid in the grace period.

Assistant to the City Manager Savage responded that is something the Treasurer would know.

City Clerk McMullan stated that it is a large quantity.

Council Member Robb agreed that it is a lot because people do not want to pay increased costs. Council Member Robb added that every other city around has a grace period system other than Detroit.

Assistant to the City Manager Savage stated that is the only information that she has. Assistant to the City Manager Savage added that she only knows that this change was based on a court decision she is not sure if other cities are taking on this approach.

Council Member Robb stated that Lansing adopted a grace period a month and a half ago in which the first 24 hours the ticket is $10 after that the fine rises. Council Member Robb stated that after so many days more court fees are applied he doesn't have an issue with, just do not end the one day grace period.

Chief DeGiusti stated that he has not been involved with this schedule but Lt. Gress informed him that one of the things that were suggested was one flat fee since the fines would no longer be collected at the Treasurer's office would be collected at the court. Chief DeGiusti added that the grace period would be reduced due to the court's hours of operation depending on when the ticket was issued.

Council Member Moeller asked where payments are made now.

Chief DeGiusti stated that all payments would need to be paid at the court near the police station.

Mayor Pro-Tem Richardson asked why payments aren't being made at the Treasurer's office.

Chief DeGiusti responded that is a long explanation, short answer is the system that was in place was very confusing to the public. The public has been complaining about issues that were not controlled by the City. Chief DeGiusti added that the vendor that was previously used was located in California which caused a myriad of issues.

City Manager Lange added there was an enormous amount of problems with Duncan Solution. The City needed to get out of that contract. Mr. Lange added that the City can back out of the current system at any time.

Mayor Pro-Tem Richardson asked if Ann Arbor has changed or do they still allow a 24 hour grace period. Mayor Pro-Tem Richardson added that she received a ticket in Ann Arbor a few years ago that was $5 and if paid in 24 hours the ticket remained $5.

Council Member Robb responded that Ann Arbor has $10 if paid by the next business day, $20 if paid before 14 days, $40 if paid after 14 days, and $60 after 30 days. Council Member Robb added the issue is not the fee the issue is how it is collected the City is self-inflicting by having no more early collection. Council Member Robb asked is that correct.

Chief DeGiusti responded that it is correct.

Council Member Robb stated that there were nine changes to the fee schedule and Council did not get a memo on any of these changes. Council Member Robb added that a policy decision has been made and now there is no longer a grace period.

Mayor Pro-Tem Richardson stated that if we are Council why not change the policy.

Council Member Robb responded that we are no longer collecting through a third party.

On a roll call, the vote to approve Resolution No. 2014-130 was as follows:

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

VOTE:

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

2. Resolution No. 2014-131, authorizing City Treasurer to levy and assess special assessments on the July 2014 tax roll.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That, the City Treasurer be authorized to levy and assess on the July 2014 tax roll the attached listing of unpaid bills totaling $92,989.15 .

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

City Manager Lange stated that the roll does not include the street light assessment for capital improvements of $277,500 which will be on the winter roll.

On a roll call, the vote to approve Resolution No. 2014-131 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. 2014-132, awarding contract for 2014 urgent road repairs.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, City Council allocated funds for Urgent Road Repairs to four sections of major streets within the city; and

WHEREAS, City council authorized staff to solicit bids to make these urgent repairs; and

WHEREAS, six (6) bids were received: Cadillac Asphalt, LLC. $218,290.16; Ajax Paving Industries, Inc. $208,802.24; Best Asphalt, Inc. $146,511.00; Barrett Paving Materials, Inc. $144,904.00; Pavex Corporation $133,857.22 and Al's Asphalt Paving Company $116,973.00; and

WHEREAS; the bid submitted by Al's Asphalt Paving Company, 25500 Brest Road, Taylor, MI 48180, best meets the project specifications and is in the best interest of the City;

NOW, THEREFORE, BE IT RESOLVED THAT the City Council awards the bid to Al's Asphalt Paving Company in the amount of $116,973 ; and

THAT the City Manager and City Clerk are authorized to sign this contract, subject to approval by the City Attorney; and

FURTHER, that the City Manager and City Clerk are authorized to sign change orders for additional road repairs up to the City's allocation of $249,000 and the total project budget of $276,000, subject to the approval by the City Attorney.

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

DPS Director Kirton stated that the City was able to leverage money from EMU at the total of $13,500, the AAATA also is providing funds for Adams Street between Pearl and Michigan Ave.

Mayor Schreiber asked why there was such a discrepancy between Cadillac Asphalt and Al's Asphalt. Mayor Schreiber also questioned why the bids are so inconsistent.

DPS Director Kirton responded that he is not sure however it is possible that bidding companies viewed Council Meeting minutes. Mr. Kirton added that this may be a case of price gouging.

Mayor Schreiber asked if Al's paving has good references.

DPS Director Kirton responded yes they do, the City has used them in the past.

Council Member Robb pointed out that normally the City Manager and the City Clerk authorized to sign.

DPS Director Kirton stated that it may have to do with accessibility reasons.

City Attorney Barr stated that it is a typo and should read "Mayor" not City Manager. Mr. Barr added that in the last paragraph of the resolution it reads "the City Manager and City Clerk are authorized to sign change orders…" the City Attorney stated the City Manager would have that authority and the Clerk would not.

City Manager Lange stated that he would like to compliment Mr. Kirton for raising the $13,000 and the negotiating the price on this project. Mr. Lange added that initially staff estimated having funds for four projects now it is possible to do six.

Council Member Robb stated that the changes made to the resolution by the City Attorney were offered as friendly amendments. Council Member Robb asked if Council Member Vogt is fine with those changes.

Council Member Vogt replied yes.

Council Member Vogt asked if the provided list is the order on which the roads will be repaired.

City Manager Lange responded that the city would do the first six for road repairs after that are based on unit cost.

Council Member Murdock stated there is an issue with the City's prevailing wage ordinance. Mr. Murdock added the bid specification did not have to comply with the ordinance because it was not federal money. Council Member Murdock stated that he would like to add an amendment in which the second to last paragraph read "…with the approval of the City Attorney and Al's Asphalt comply with the City's wage ordinance…"

City Attorney Barr replied that it would not be an issue to add that information. Mr. Barr added the wage provision is an addendum that is added to all contract. Mr. Barr added that the addendum is added to all of OHM's bid specifications.

Council Member Murdock responded that in the communications that he has had with staff there was no indication that they were aware of that.

Mayor Schreiber asked if that was a friendly amendment.

Council Member Robb answered that we would accept that amendment as friendly.

On a roll call, the vote to approve Resolution No. 2014-132 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	Yes		

VOTE:

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

4. Resolution No. 2014-133, approving contract with Orchard, Hiltz & McCliment, Inc. for construction engineering services for the 2014 Urgent Road Repairs.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, City Council allocated funds for Urgent Road Repairs to four sections of major streets within the city; and

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

WHEREAS, it is necessary to secure construction engineering services to expedite this project for the 2014 construction season;

NOW, THEREFORE, BE IT RESOLVED THAT the City Council approves the construction engineering services proposal with Orchard, Hiltz & McCliment, Inc., 34000 Plymouth Road, Livonia, MI at a not to exceed cost of $22,600.00; and

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

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

DPS Director Kirton stated that Marcus McNamara of OHM will outline the project.

Marcus McNamara, OHM stated that the direction OHM was given is to maximize the amount of work put down on this road. Mr. McNamara stated that this is not a conventional project in which the road would be removed. Mr. McNamara added that OHM reviewed the scope for construction services with the assistance of Ypsilanti DPS essentially maxing out funds with the assistance of EMU and AAATA contribution.

Council Member Murdock asked if the project would entail six streets.

Marcus McNamara, OHM responded yes and hopefully more.

Council Member Murdock asked if the roads included were; Prospect, Harriet, Cornell, Huron River Dr., Adams, and LeForge.

Marcus McNamara responded yes and if funding is available First and Congress.

Council Member Murdock asked when construction would begin.

Marcus McNamara responded 2 to 2.5 weeks, along with the contracts we ask for a schedule updates.

Council Member Murdock asked if the earliest construction would begin is June 23rd.

Marcus McNamara responded anywhere from June 23rd to after July 4th.

Council Member Murdock asked when Prospect Bridge would be closed for repairs.

DPS Director Kirton replied the week of July 8th.

On a roll call, the vote to approve Resolution No. 2014-133 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

5. Resolution No. 2014-134, approving contract with Orchard, Hiltz & McCliment, Inc. for engineering services for the Prospect Road construction.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, MDOT Local Bridge Program Funds has been programmed for preventative maintenance work including; hot mix asphalt overlay of the bridge deck, joint replacement, sidewalk repair, concrete surface coating, approach, and maintaining traffic for Prospect Street Bridge in the 2014 construction season; and

WHEREAS, The total resurfacing cost is estimated at $256,500, less $205,200 Federal Funds, $38,500 State Local bridge Funds, and the City's estimated share for construction will be $12,800; and

WHEREAS, Orchard Hiltz and McCliment has submitted a proposal to provide construction engineering services and materials testing for a not exceed amount of $39,400; and

WHEREAS, the construction engineering services will be expended from account number 202-7-9051-975-02 in the FY 2014-15 budget; and

NOW, THEREFORE, BE IT RESOLVED THAT the City Council approves the proposal submitted by OHM for construction engineering and materials testing services to comply with regulations and directives mandated for the use of Local Bridge Program Funds; and

THAT the Mayor and City Clerk are authorized to sign this contract,
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 Robb
SUPPORTED BY: Council Member Murdock

DPS Director Kirton stated that he and Mr. Early are meeting with Nashville Construction who was awarded the project, which will begin July 8th and Mr. Kirton is asking for the approval of the proposal.
Council Member Murdock asked if Council had awarded this Contract.

DPS Director Kirton replied that it was awarded April 15th however MDOT has not yet received the agreement.

On a roll call, the vote to approve Resolution No. 2014-134 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

Mayor Schreiber thanked Mr. Kirton for his work on this matter.

6. Resolution No. 2014-135, affirming the Continuing Public Purpose of the Ann Arbor/Ypsilanti SmartZone Local Development Financing Authority and Approve Application to MEDC for Extension of its Term.

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

Whereas, In 2001, the Michigan Economic Development Corporation designated the Ann Arbor/Ypsilanti SmartZone to promote the growth of technology business and employment opportunities in the SmartZone area;

Whereas, The Cities of Ann Arbor and Ypsilanti, desiring to work together in this economic development initiative, entered to an agreement to and established the Ann Arbor/Ypsilanti Local Development Finance Authority (LDFA) to fund the SmartZone through tax increment financing;

Whereas, Under the provisions of the Ann Arbor/Ypsilanti SmartZone LDFA adopted Tax Increment Financing (TIF) and Development Plan, the LDFA will dissolve and at the end of the LDFA fiscal year commencing in 2018 and the final will occur in 2018;

Whereas, The Michigan legislative passed Public Act 290 of 2012, amending the Local Development Financing Act, and providing for extension of local development financing authorities for either 5 or 15 years if certain conditions were met;

Whereas, The Ann Arbor/Ypsilanti SmartZone LDFA has adopted a Resolution supporting application to the MEDC for extension for 15 years or 5 years at a minimum; and

Whereas, There is a continuing public purpose for maintaining the LDFA to further the growth and expansion of technology business and employment opportunities within Ann Arbor and Ypsilanti;

RESOLVED, That City Council affirms the continuing public purpose of the Ann Arbor/Ypsilanti SmartZone LDFA and its role in facilitation of the commercialization of research products being developed at University of Michigan and Eastern Michigan University, and the development and support of new and existing technology-led economic development;

RESOLVED, That City Council supports the application to the MEDC by the Ann Arbor/Ypsilanti SmartZone LDFA for extension, as allowed by law, of its term for an additional 15 years, commencing in 2018, or at minimum an additional 5 years;

RESOLVED, That City Council, in support of such application, states that if MEDC approves the Ann Arbor/Ypsilanti SmartZone LDFA application for extension subject to completion of all statutory requirements for extension, the City will:

- **On receipt of request by the LDFA, cooperative work with the City of Ann Arbor to amend the LDFA TIF and Development Plan to include regional collaboration as determined by MEDC and in accordance with all statutory requirements for amendment.**
- **Assist the LDFA, to the extent necessary, to meet additional reporting requirements required by State Treasury and/or MEDC in connection with approval of the extension**
- **Work with the LDFA and the City of Ann Arbor to identify and negotiate a Sponsorship Agreement with another LDFA (Satellite SmartZone LDFA) which will allow the Satellite SmartZone LDFA to capture local taxes in its own distinct geographic area for the maximum 15 years allowed by statute; which Sponsorship Agreement will be presented to the respective City Councils of Ann Arbor and Ypsilanti for approval;**

RESOLVED, That in furtherance of the above mentioned support, the City Manager and City Attorney are directed to take all necessary actions to implement this Resolution and the application for extension of the Ann Arbor/Ypsilanti SmartZone LDFA; and

RESOLVED, That the City Clerk provide a copy of this Resolution to the City of Ann Arbor and the Ann Arbor/Ypsilanti SmartZone LDFA.

OFFERED BY: Council Member Murdock

SUPPORTED BY: Council Member Robb

City Attorney Barr stated that the Ann Arbor City Attorney requested that Council approve the extension of the LDFA Contract.

Karen Charter, Ypsilanti representative of the LDFA, stated the organization is spurring a lot of interest in the tech industry and she implores the Council to extend the contract.

Mayor Pro-Tem Richardson apologized to Ms. Charter for having to sit through such a long meeting in order to be heard.

Mayor Schreiber thanked Ms. Charter for her service with the LDFA, stating that her background as a business professor at EMU, has been helpful to the LDFA.

Karen Charter stated that she appreciates the opportunity.

On a roll call, the vote to approve Resolution No. 2014-135 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

XIII. RESOLUTIONS/MOTIONS/DISCUSSIONS -

1. Resolution No. 2014-136, approving 3rd amendment to the purchase agreement with Ninety Nine 90, LLC in order to add an extension not later than June 6, 2014.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The Ypsilanti City Council approved a Purchase Agreement for the sale of .85 acres of the Water Street Redevelopment Area to NINETY NINE 90, LLC for the development of a Family Dollar Store on May 7, 2013

WHEREAS, said agreement has been executed by both parties; and,

WHEREAS, NINETY NINE 90, LLC has requested a 3rd amendment to invoke both an extension and add an extension to the purchase agreement, both to a date not later than June 6, 2014; and,

WHEREAS, the City and NINETY NINE 90, LLC, intend to close on the parcel not later than June 6, 2014, that the City Manger be authorized to sign closing documentation subject to attorney approval;

NOW, THEREFORE, BE IT RESOLVED THAT the Ypsilanti City Council approve the attached 3rd Amendment to the Purchase Agreement with NINETY NINE 90, LLC to sell and develop .85 acres of the Water Street Redevelopment Area as presented in the agreement and attachments; and

FURTHER, that the Mayor and City Clerk are authorized to sign the Purchase Agreement subject to attorney approval; and

FURTHER, that the City Council authorize the City Manager to proceed with closing; and

FURTHER, that the City Manager is authorized to sign all closing documentation subject to attorney approval.

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

Ms. Gillotti asked for a motion to change the date on the resolution to June 13, 2014.

Council Member Murdock stated that he would accept a friendly amendment to the resolution.

Mayor Pro-Tem Richardson offered support for the friendly amendment to the resolution.

On a roll call, the vote to approve Resolution No. 2014-136 was as follows:

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

VOTE:

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

XIV. <u>LIASON REPORTS</u> –

A. SEMCOG Update
B. Washtenaw Area Transportation Study
C. Washtenaw Metro Alliance
D. Urban County
E. Freight House

XV. <u>COUNCIL PROPOSED BUSINESS</u> –

<u>Richardson</u>

- Stated she attended the Pittsfield Board of Trustees' meeting with Council Member Jefferson and it went very quickly considering their extensive agenda. They do not read the resolutions aloud and they come well prepared, ready to vote on each item. Recommends for the City Council to talk with them to perhaps adopt some of their time-saving methods to streamline their meetings.

- Stated that on June 12th, there will be a free forum on gun laws and stand your ground laws, facilitated by Judge Deborah Thomas, at Brown Chapel Church from 6:00-8:00 p.m.

Robb

- Stated that some Boards have full-time Trustees which lack transparency because they don't have to abide by the Open Meetings Act and the decisions are made ahead of time. They should read the resolutions because the audience doesn't know what they're talking about most of the time.

Jefferson

- Asked why audience participation was so late in the agenda.
  Mayor Schreiber stated there were public hearings for ordinances before the audience participation because it allows citizens to make comments on them sooner and it takes priority.

XVI. COMMUNICATIONS FROM THE MAYOR –

Board and Commission Nominations:

Ypsilanti Downtown Development Authority (non-resident)
Jessica French-Cossey (new appointment replacing Linda French)
2339 South Circle Dr.
Ann Arbor, MI 48103
Term Expires: 7/7/2018

Ypsilanti Downtown Development Authority
James Dauphine (reappointment)
142 Glenwood Avenue
Ypsilanti, MI 48198
Term Expires: 7/7/2018

Ypsilanti Downtown Development Authority
Mark Teachout (reappointment)
974 N. Prospect Rd.
Ypsilanti, MI 48198
Term Expires: 7/7/2018

Ypsilanti Planning Commission
Scott Straley (new appointment replacing Mark Bullard)
491 Second Street
Ypsilanti, MI 48197
Term Expires: 5/1/2016

XVII. COMMUNICATIONS FROM THE CITY MANAGER –

- Stated the Police Department did an exceptional job handling a robbery in progress in Depot Town.
- Eastern Michigan University will be asking for a one-time extension on the Ainsley Street Project due to budget issues.
- Stated the next agenda will have the COAM contract, assessing contract, trash bid will be awarded, and the second reading of the budget.
- City Hall sidewalk corners were repaired.

- Stated the road lines are much clearer and safer on the Michigan Road Diet. The OHM report will be in soon.

XVIII. AUDIENCE PARTICIPATION -

XIX. REMARKS FROM THE MAYOR -

XX. ADJOURNMENT -

Resolution No. 2014-137, 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 10:58 p.m.