Approved

CITY OF YPSILANTI
COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, JUNE 17, 2014
6:00 P.M. – CLOSED SESSION
7:00 P.M. – OPEN SESSION

I. CALL TO ORDER –

The meeting was called to order at 6:08 p.m.

II. ROLL CALL –

Council Member Jefferson	Present	Council Member Robb	Present
Council Member Moeller (7:12)	Present	Council Member Vogt	Present
Council Member Murdock	Present	Mayor Schreiber	Present
Mayor Pro-Tem Richardson	Absent		

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

On a voice vote, the motion carried.

III. INVOCATION –

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

IV. PLEDGE OF ALLEGIANCE –

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

V. AGENDA APPROVAL –

On a voice vote the agenda was approved as submitted.

VI. CLOSED SESSION – 6:00 p.m. to 7:00 p.m.

Closed Session to discuss attorney/client privilege (OMA 15.268, Section 8(e).

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

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

VOTE:

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

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

The open session reconvened at 7:39 p.m.

VII. <u>INTRODUCTIONS</u> –

Mayor Schreiber introduced the following persons: John Kaczor Principle at Governmental Analytics, Rick Fanning, Legal Counsel for Labor Relations, City Attorney Jesse O'Jack, City Attorney Dan Duchene, City Attorney John Barr, Scott Straley (Planning Commission), DPS Director Stan Kirton, Police Chief Tony DeGiusti, Assistant to the City Manager Ericka Savage, Fiscal Services Director Marilou Uy, Deputy Clerk Andrew Hellenga, and Clerk Intern Semaj Ray.

VIII. <u>PRESENTATIONS</u> – None

IX. <u>AUDIENCE PARTICIPATION</u> –

Patrick Greve, 48797 Alpha Dr., Wixom, MI – stated that Waste Management would provide more service for less cost. Mr. Greve discussed how Waste Management would provide a 96 gallon wheeled curb cart which would take the place of the three can limit.

X. <u>REMARKS BY THE MAYOR</u> – None

XI. <u>MINUTES</u> –

Resolution No. 2014-138A, approving minutes of June 3, 2014.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Minutes of June 3, 2014 be approved.

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

On a roll call vote the minutes were approved as submitted.

XII. <u>CONSENT AGENDA</u> – Resolution No. 2014-138

1. Resolution No. 2014-139, approving revised special assessments to be levied 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 <u>$84,173.15</u>

2. Resolution No. 2014-140, approving appointments to Boards and Commissions.

   RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

   THAT, the following individuals be appointed to the City of Ypsilanti Boards and Commissions as indicated below:

   TERM

NAME	BOARD	EXPIRATION
Scott Straley (new appt. replacing Mark Bullard) **491 Second Street** **Ypsilanti, MI 48197**	**Planning Commission**	**5/1/2016**

3. Resolution No. 2014-141, approving non-resident appointments to YDDA.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT, the following individuals (non-residents) be appointed to the City of Ypsilanti Boards and Commissions as indicated below:

NAME	BOARD	TERM EXPIRATION
Jessica French-Cossey (replacing Linda French) **2339 S. Circle Dr.** **Ann Arbor, MI 48103**	**YDDA**	**7/7/2018**
James Dauphine (reappointment) **142 Glenwood Avenue** **Ypsilanti, MI 48198**	**YDDA**	**7/7/2018**
Mark Teachout (reappointment) **974 N. Prospect Rd.** **Ypsilanti, MI 48198**	**YDDA**	**7/7/2018**

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

On a voice vote the Consent Agenda was approved.

XIII. RESOLUTIONS/MOTIONS/DISCUSSIONS -

1. Resolution No. 2014-142, approving request for Elvis Festival sponsorship.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti adopted a Special Events Policy, and pursuant to the policy, the City may co-sponsor an event if it is of general interest to the public and advances the City's public image; and

WHEREAS, the Michigan ElvisFest has taken place in the City for the past 15 years and this year it will take place July 11-12 in Riverside Park; and

WHEREAS, ElvisFest Michigan, a 501(c)(3) non-profit organization, is requesting that the City be a co-sponsor of the 2014 ElvisFest; and

WHEREAS, ElvisFest Michigan has stated in its sponsorship request form that the proceeds from this year's festival will be donated to Ypsilanti Meals on Wheels and S.O.S. Community Services; and

WHEREAS, City Council agrees that becoming a co-sponsor of the 2014 Michigan ElvisFest would be in the general interest of the public and advance the City's public image due to the large number of attendees from around the state and donations that will be made to Ypsilanti charities.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council approves the request to be a "Blue Suede Shoes" sponsor of the 2014 Michigan Elvis Fest, in an amount to be determined by staff, but not to exceed $999.

BE IT FURTHER RESOLVED THAT the tickets given to the City for sponsoring the event be donated to local businesses willing to raffle them for free to customers.

OFFERED BY: Council Member Moeller
SUPPORTED BY: No Support

Motion failed due to lack of support.

2. Resolution No. 2014-143, approving COAM contract.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the labor contract between the City of Ypsilanti and Ypsilanti Command Officers Association of Michigan (C.O.A.M.) be adopted with the following changes:

<u>Existing Employees:</u>

1. **Three year Contract (July 1, 2014 — June 30, 2017)**

2. **Wages – Please see attached**

3. **Section 8.7 Reclassification Due to Restructuring:**
   In the event that the restructuring plan of 2014 is found to be ineffective or requires to be changed due to budget restraints and requires reclassification of members of the unit, that were members on July 1, 2014, those members will be returned to their last classification and the wage that they earned prior to the restructuring.

4. **Section 9.4 Funeral Leave:**
   Add- A member will be allowed two days (24 hours for 12 hour shifts and 16 hours for 8 hour shifts) for funeral leave for an aunt, uncle, or member of the member's household not covered by the definition of immediate family.

5. **Section 10.2: Administrative Leave**

Administrative Leave is granted to compensate members of the extra four (4) hours worked in a pay cycle, as a result of the 12 hour shift schedule or the modified five (5) day 84 hour schedule. This results in 156 hours of straight time.

Each member will be paid 78 hours of straight time incrementally throughout the year. This will be accomplished by paying each member two hours at time and one half each pay period (26 pay periods x 2 hours at time and one half = 78 straight time hours).

Seventy-Eight (78) hours of straight time will be placed in the member's bank each January 1. It is the member's responsibility to schedule the use of the administrative leave time throughout the calendar year. The use of administrative leave time is at the discretion of the Chief of Police or their designee's discretion, taking into account staffing, and/or operational needs. Of the 78 hours, 36 hours of straight time must be taken as time off or will be forfeited at the end of the year. The remaining 42 hours of straight time, or any other remaining balance of less than 42 hours of straight time will be paid out in a lump sum every January. Administrative leave cannot be carried over from one year to the next.

For members entering the bargaining unit, administrative time shall be prorated based

exiting or retiring officers. on the number of pay periods remaining in the calendar year. This applies to both the incremental payments and the administrative leave bank. For example, a member is promoted in July and there are 13 pay periods left in the year the member would have (39 hours paid at 2 hours at time and one half per pay period, 18 hours of use it or lose it time and 21 hours of time eligible for time off or lump sum payment in January).

For members leaving the employee of the City, any banked administrative leave time can be converted into cash.

Administrative leave time may be used at the end of service for

6. Section 10.14: Field Training Officer Compensation:

A Sergeant assigned as a Field Training Officer shall receive one and one half (1½) hours of comp time for each Daily Observation Report (DOR) completed.

7. Section 13.1: Wage Schedule- Substituting new wage spreads. Road Sergeants 8% increase over top patrol and Road Lieutenants 14% over Road Sergeants. (Current Lieutenant will receive a 1% increase to their current rate of pay).

Effective 7/01/2014

The union will realize across the board wage increases according to the following schedule:

RANK	DATE	PERCENT INCREASE
Sergeant & Lieutenant	07/01/2014	0%
Sergeant & Lieutenant	07/01/2015	0%
Sergeant & Lieutenant	07/01/2016	0%

8. Section 15.1: Accumulation of Vacation Time- Grandfather anyone at the 20 year step (only effects Eberts). New vacation schedule will match the current POAM schedule. Please see attached.

Completion of one to four years of service	120 hours
Completion of five to nine years of service	168 hours
Completion of 10 years and over	180 hours
Completion of 20 or more years of service	192 hours *Eberts Only

9. Section 15.2 Seniority:
The choice of vacation shall be made in order of Rank and then Seniority.

Patrol Command: Lieutenants and then Sergeants.

Administrative Command: Lieutenants and then Sergeants.

10. Section 15.3 Scheduling of Vacation:
General Provisions:

5- A member with an approved vacation shall not be ordered to work overtime on their regular leave days that are immediately before and after the approved vacation.

11. Section 15.6: Cash-In of Vacation Hours- Remove advanced check provision.

12. Section 16.1 Accumulation of Sick Time- Cap at 60% except for Eberts for which the schedule will apply up to 70%. Please see attached schedule.

Hours	Payout Rate	Exceptions
1-500	20%	
501-1000	30%	
1001-1500	40%	
1501-2000	50%	
2001-2500	60%	*Applies to Gress, Overton, Szymankiewicz & Yuchasz only
2501+	70%	**Applies to Eberts only

13. Section 18.1: Maintenance Allowance - Same as patrol at $1,120. Remove relationship to wage scale raises.

14. Section 19.1: Health Care Coverage- Will be the same as in the current POAM contract. Will have a $10/$30 drug co-pay. Employee contributions toward medical and prescription drug coverage shall be governed by PA 152 of 2011.

15. Article XX; Section 20.1: Life Insurance Terms of Coverage- Cap Life Insurance at $70,000 for everyone.

16. Article XXXI; Section 31.1: Multiplier- Current multiplier is 2.25%. Increase to 3.0% for years going forward (not retroactive). Tier II: Hired after July 1, 2012- 2.0% with 5% contribution and no annuity withdrawal. Employees hired on or after July 1, 2009 and prior to June 30, 2012 will have a 2% multiplier and contribute 5%. Annuity withdrawal is permitted. Attachment A-1 has also been amended to reflect this change.

17. Retiree Health Insurance: Article XXXI; Section 31.9: Retiree Health Care-

Employees hired on or after July 1, 2012, will not be eligible to receive retiree health, dental or vision insurance coverage. However, the city will provide a Health Care Savings Account for new hires and will contribute $150 per month to their fund. The following is the Vesting Period for employees in the Health Care Savings Account:
3 years - 25% of the HCSA can be received by the employee upon separation

5 years - 50% of the HCSA can be received by the employee upon separation
7 years - 75% of the HCSA can be received by the employee upon separation
10 years - 100% of the HCSA can be received by the employee upon separation
No contributions will be required of the employees

18. **Article XXXI; Section 31.10: Health Care Waiver- Employees hired after 7-1-2012 no healthcare waiver after retirement.**

19. **Remove exhibit B –Please see new pay scale and change to Article XIII page 20**

20. **Retiree healthcare – Article XXXI; Section 31.8 Remove Appendix A and associated letter of understanding. Continue with current healthcare into retirement except that the benefit for a spouse goes up to $450 per month.**

21. **Add Article to contract – Contract Distribution**

    The City agrees to print and deliver hard copies of the COAM Union Contract to the participants of the negotiating team at the expense of the City. All other copies will be distributed to the COAM members electronically.

22. **Please see attachments for C.O.A.M. Benefits by date hired. Previously provided except as noted in Item 14 in red.**

23. **Removal of the word "promoted" in the title of COAM Article XXXI; Section 31.9**

24. **Adopt Article XXII; Section 22.4- Coverage at Retirement from POAM Contract**

25. **Remove Part D in Article XXXI; Section 31.8 of the COAM Contract.**

26. **Add second paragraph of Article XXIX; Section 29.3 of POAM Contract to Article X; Section 10.11 COAM Contract (Comp Time Bank Pay Outs).**

27. **Add Article XXV; Section 25.8 from POAM Contract to Article XXXI; Section 31.4 of COAM Contract (Final Average Compensation Calculation).**

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

Chief DeGiusti stated that restructuring the police department is instrumental to this contract.

Council Member Murdock asked about the POAM contract.

City Manager Lange responded that the POAM contract is not yet complete.

Council Member Murdock stated that he had concerns with the multipliers and pension changes.

Chief DeGiusti stated that the proposed contract would increase the multiplier from 2.5 to 3 which would last until that officer retires or a new contract is developed.

Council Member Murdock asked for clarification of the contract structure.

Chief DeGiusti responded that the contract has a three-tier system. Tier one has a multiplier of three. Tier two will have a lower multiplier than tier one and the ability to withdraw for the annuity. Tier three does not have the ability to remove the annuity.

Council Member Murdock asked if an officer will have a multiplier of 3 when they reach COAM.

Chief DeGiusti responded no, both the COAM and the POAM employ the three-tier system and follow the same structure.

Council Member Murdock asked how much this contract will increase retirement costs.

Chef DeGiusti responded that it will increase costs by 5.3%.

City Manager Lange discussed Chief DeGiusti's innovation of creating the matching tier systems for both the COAM and the POAM. Mr. Lange also commented on the need for each officer to go through all three-tiers of the POAM in order to advance to the COAM.

Council Member Robb stated that the thing that he was most proud of while on Council was decreasing the multiplier for COAM which was supposed to apply to POAM as well. The multiplier was never lowered in the POAM and now this contract calls to increase the multiplier for the COAM to match the POAM. Mr. Robb added that ACT 345 states the multiplier should be 2 to 2.5%. In the next two years the pension millage will be half of the General Fund Budget. Mr. Robb stated that this is unfair to the residents of this community.

Council Member Vogt stated that he generally supports the contracts for city staff however he agrees with Council Member Robb on that particular point.

Council Member Moeller asked what was gained by giving the 3%.

Chief DeGiusti responded that a lot was gained. The gap in pay between ranks was narrowed which will save on costs of promotions. Functionally, sergeants will not be working 20-22 days in a row ,cutting down on overtime which will save the City $80,000 annually.

City Manager Lange stated that he agrees that the increase in the multiplier is a difficult item, but what was gained outweighs what was lost. The contract achieves a 6% reduction in costs saving $130,000 for the General Fund. Mr. Lange stated the contract improves vacation time long term. Mr. Lange added that the City will see a net savings of $52,000.

Council Member Moeller stated that Council approved Mr. Lange's purchasing power, it seems odd that now Council is discussing that it no longer approves of it.

Council Member Vogt asked over how many years will be needed to pay for the $80,000 increase from 2.5% to 3%.

City Manager Lange stated that the cost is $27,000 per year for three years. Mr. Lange added that the City sees a $43,000 savings per year from the other aspects of the contract.

Council Member Vogt responded that the City would see savings to the General Fund while adding costs to the Pension Fund. Mr. Vogt added that what Council Member Robb is stating is correct, the Pension Fund will continue after a possible new contract relinquishes the savings developed by this contract.

City Manager Lange responded that Mr. Vogt was correct however the multiplier could also be renegotiated.

Council Member Vogt asked if the real savings are produced by other aspects of the contract.

Chief DeGiusti responded that there are savings in how sick time is paid. Sick time is now paid at a lower percentage; currently there is no way to quantify how much the City will save from that contract item.

Council Member Vogt asked if Mr. Lange was confident that the other factors of the contract will produce significant enough savings to justify the increase to a 3% multiplier.

City Manager Lange responded that the City has to be careful of the pension fund but it must also be careful of the General Fund. Mr. Lange cited how the contract reorganized the command structure which will greatly cut down in overtime hours.

Chief DeGiusti said that the current contract structure provides a disincentive for promotion. Officers in in the POAM with a 3% multiplier will not accept position in the COAM with a 2.5% multiplier. This will lead to under qualified individuals being promoted.

Council Member Robb stated that Chief DeGiusti made an excellent point. Mr. Robb added that this disincentive was one of the reasons to not accept the POAM contract in the first place. Through negotiation the City was unable to lower the multiplier in the POAM contract, to fix that the City now must raise the multiplier in the COAM contract. Mr. Robb stated at the last meeting Mr. Lange stated that he would not raise the millage rate, now that is exactly what he is doing. The City needs to focus on the Police and Fire Pension millage is $13 million underfunded. For every dollar spent for existing employees the city pays $4.61 for retirees. This is a crisis waiting to happen.
Chief DeGiusti stated that this contract only effects five employees.

Mayor Schreiber asked if these officers hired after July 1st, 2012 had a 2% multiplier.

Chief DeGiusti answered yes.

Mayor Schreiber stated that this would only effects five officers, so it's an instance of grandfathering these five individuals.

Council Member Robb stated that this would effects individuals hired before July 1st, 2012.

Chief DeGiusti stated that it would be before 2009; after 2012 individuals were no longer able to withdraw from the annuity.

City Manager Lange stated that the retiree health plan is completely gone.

Mayor Schreiber asked what would be the difference if those individuals were at a 2.25% multiplier.

Chief DeGiusti stated that data can be produced but it is above his understanding of finance.

City Manager Lange stated that the City needed to make a concession after the COAM was taking a 5.3% decrease in salary. More than half of the officers paying into the COAM are tier two and only have a 2% multiplier.

Mayor Schreiber stated that the City is dealing with a legacy cost and the 3% multiplier was used as leverage for the future. Mayor Schreiber added that when negotiating there must be concessions on both sides.

Council Member Vogt stated that he agrees with Mayor Schreiber's argument and that he trusts staff's recommendation. Mr. Vogt added that he will be voting for this tonight.

Council Member Jefferson stated that negotiating a 3% multiplier for the five officers will keep them here for the future.

Council Member Murdock stated that the officers now are being paid more and living longer and these issues need to be addressed. Mr. Murdock added that there must be another way other than a millage increase, and commented that the SAFER grant will be ending.

On a roll call, the vote for Resolution 2014-143 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	Absent		

VOTE:

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

3. Resolution No. 2014-145, approving solid waste contract.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City has been under contract with Waste Management for solid waste collection since September 13, 2007; and

WHEREAS, this contract expires on September 19, 2014; and

WHEREAS, staff submitted a Request for Proposals for solid waste collection within the City on April 8, 2014; and

WHEREAS, three (3) bids were received on May 8, 2014 for 5 years of such service: Republic Services, $2,180,994.47; Advanced Disposal, $2,376,000.00; Waste Management, $2,721,327.00; and

WHEREAS, this Request for Proposals included three alternative proposals: Alternative 1 – street cans in DDA twice a week, Alternative 2 – Roll-off with brown waste, Alternative 3 – On-call pickups; and

WHEREAS, the three bidders submitted the following bids for these alternatives: Alternative 1 – Republic $29,437 over five years, Advanced included in base bid, Waste Management included in base bid; Alternative 2 (per pull over five years) – Republic $380-$420, Advanced $229-$331, Waste Management $521-$586; Alternative 3 (per hour over five years) – Republic $165-$182, Advanced $100-$110, Waste Management $125-142; and

WHEREAS, the 5-year bid submitted by Republic for collection services best meets the project specifications and is in the best interest of the City; and

WHEREAS, the bid submitted by Advanced for Alternatives 2 and 3 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 5-year bid for solid waste collection services to Republic Services, 18500 Allied Way, Phoenix, Arizona 85054; and

THAT the City Council awards the bid for Alternatives 2 and 3 to Advanced Disposal, 90 Fort Wade Road, Suite 200, Ponte Vedra Florida 32081, for 5 years; and

THAT the Mayor and City Clerk are authorized to sign these contracts, subject to the approval by the City Attorney.

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

Council Member Moeller asked if Waste Management is the only company that offered the 96 gallon cart.

Assistant to the City Manager Savage responded Waste Management is the only company that offered that service.

Mayor Schreiber asked why some of the other community has switched to the 96 gallon containers.

Assistant to the City Manager Savage responded that for some communities the 96 gallon cart has as advantage. However, Ypsilanti being a college town with high turnover, that 96 gallon cart would not be as effective.

City Manager Lange stated that there is a lot of on street parking in Ypsilanti and bulk items also create an issue.

DPS Director Kirton stated that the 96 gallon carts were not in the RFP.

Council Member Robb commented that Dearborn has a large quantity of on-street parking yet they still use the 96 gallon cart. Mr. Robb explained that the 96 gallon cart is cheaper because it only takes one person to operate the garbage truck. Mr. Robb asked City Attorney Barr why Council is being approached with this being that Council is not approving a contract tonight.

City Attorney Barr responded that by law an RFP is an offer to bid. Once a bid is accepted the City would enter into a contract with that organization. Mr. Barr added that it is customary that language will go into greater administrative detail.

Council Member Robb responded that Ms. Savage made it seem as if it were still in the negotiation phase.

City Attorney Barr responded that legal representation from both entities will negotiate the details of the final agreement.

Council Member Murdock stated that he appreciates all the work staff has put into this and that it is a good final product. Mr. Murdock asked if there will be a change in service under the new contract..

DPS Director Kirton responded there will be no change in service.

Assistant to the City Manager Savage stated that the RFP spelled out in the worksheet that the limits stayed the same.

Council Member Murdock asked if service days or routes changed.

DPS Director Kirton replied the routes and service days will stay the same.

Council Member Murdock stated that it is good that the contract does not contain any add-ons. However, change in vendors does always produce issues once it's first implemented.

Assistant to the City Manager Savage stated that all bids were required to submit a transition plan but that will need to be finalized and distributed to the public.

Council Member Moeller stated that it is unfortunate that there is such a difference in price. Ms. Moeller added that many of her constituents have requested the 96 gallon cart. Ms. Moeller asked what the difference was in service bids.

Assistant to the City Manager Savage stated that Republic was the lowest bid and Waste Management was the highest bid. Ms. Savage stated that the only difference was the 96 gallon cart, and Waste Management offered an early contract termination savings at one time.

Scott Cabauatan, Municipal Service Manager, Republic, stated that Republic understood from the bid spec that Ypsilanti had no interest in a 96 gallon cart. He stated that Republic understands the dynamic of a college town and that 70% of its inhabitants are renters. Mr. Cabauatan added that Republic provides services to Dearborn which has strict rules for street parking during pick-up days.

Council Member Moeller stated that many of EMU's students park in lots. Ms. Moeller asked why it seems that Ann Arbor provides the 96 gallon carts with no problem.

City Manager Lange stated that the savings Ypsilanti would see from this new contract is around $100,000.

Council Member Murdock asked Mr. *Republic* about conversions to CNG fuel.

Mr. Cabauatan responded that Republic has about 1,500 vehicles with CNG however locally trucks are using a bio-fuel diesel. Mr. Cabauatan stated that there are plans to convert the entire fleet but he is not sure of the exact timeline.

Council Member Murdock asked if the Republic Representative plans to make the conversion during the five year life of the contract.

Mr. Cabauatan responded that he would hope so but there isn't a timeline in place.

John Taddonio stated that normally there is a price savings with a 96 gallon cart. With Ypsilanti's unique characteristics the price would actually increase.

Patrick Greves, Waste Management, stated that nobody knows Ypsilanti's waste needs better than Waste Management. Mr. Greves stated that a 96 gallon cart would not have been added to the spec if Waste Management felt it was a bad fit for the community. Mr. Greves offered a three year contract at the price per year of the five year contract. Mr. Greves asked that Council take the time to examine the proposal.

Council Member Moeller asked for clarification of the numbers provided by Waste Management.

Assistant to the City Manager Savage clarified that Mr. Greve is offering a three year contract for the price of an individual year of the five year contract. Ms. Savage stated based on fairness, the City would need to allow each company the same opportunity if the City considers Mr. Greve's offer.

Council Member Vogt stated that he does not have concerns regarding the 96 gallon cart. Mr. Vogt stated that he and his wife produce very little trash and would not need a receptacle of that size. Mr. Vogt stated that it makes more sense to allow people to satisfy their own needs for garbage receptacles.

Council Member Jefferson stated that staff performed well in negotiating this contract. Mr. Jefferson stated that, he accepts staff's recommendation.

Mayor Schreiber appreciated the work done by Ms. Savage and City staff. Mayor Schreiber thanked Mr. Greve of Waste Management and said that it would have been more prudent to have provided a bid with both the 96 gallon and three can options.

On a roll call, the vote for Resolution 2014-145 was as follows:

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

VOTE:

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

4. Resolution No. 2014-146, approving assessing contract.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, per Section 4.03 (c) of the City of Ypsilanti Charter, the City Manager has the responsibility to hire the Assessor; and

WHEREAS, the City has been engaged in a three (3) year professional services contract with WCA assessing since July 2011 and the contract expires on June 30, 2014; and

WHEREAS, the City is pleased with the services of WCA Assessing and would like to renew the agreement; and

WHEREAS, the City has discussed ways that WCA can enhance its services to the City and employees in the execution of its duties; and these service enhancements have been included in the contract.

NOW, THEREFORE, be it resolved that the Ypsilanti City Council approves the Contract with WCA Assessing for $77,900 for two (2) years and authorize the Mayor and City Clerk to sign and execute the agreement.

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

Assistant to the City Manager Savage highlighted that the Assessor will be moving from working two days to three days a week. The cost will increase from $69,593 to $77,900 annually. Ms. Savage stated that WCA Assessing will also provide workshops at City Hall to help familiarize staff with assessing practices. Ms. Savage added that the workshops will happen within 45 days of the beginning of the contract.

Mr. Shaw, WCA Assessing, stated that his company was brought on board during the recession to help lower cost to the City.

On a roll call, the vote for Resolution 2014-146 was as follows;

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

VOTE:

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

Council adjourned for a short break at 9:05 p.m.
Council reconvened at 9:15 p.m.

5. Resolution No. 2014-147, approving revised 3rd amendment to the purchase agreement (Family Dollar) with Ninety Nine 90, LLC.

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 27, 2014; and,

WHEREAS, NINETY NINE 90, LLC has requested a waiver of certain rights related to a previous easement; and

WHEREAS, the City requests to clarify assignment rights and requirements for those parties participating in the Family Dollar construction and operation; and,

WHEREAS, the City and NINETY NINE 90, LLC, intend to close on the parcel not later than June 27, 2014 and that the City Manager 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 make additional changes to the 3rd amendment as he may reasonably determine; and

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

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

On a roll call, the vote for Resolution 2014-147 was as follows;

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

VOTE:

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

6. Resolution No. 2014-148, approving Ordinance No. 1220 to amend budget appropriations by department and major organizational unit for 2013-2014 fiscal year. ***(Second Reading)***

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 Year 2013-2014", be approved on Second and Final Reading.

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

City Manager Lange stated that Fiscal Services Director Marilou Uy did an excellent job including budget amendments into the budget. Mr. Lange stated that each item had been added to the budget that was requested by Council. Mr. Lange stated that there is one item that is not included, a $5,000 contribution for ReImagine Washtenaw.

On a roll call, the vote for Resolution 2014-148 was as follows;

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

VOTE:

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

7. Resolution No. 2014-149, approving Ordinance No. 1221 to adopt budget appropriations by department and major organizational unit for 2014-2015 and 2015-2016 fiscal years. ***(Second Reading)***

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 Second and Final Reading.

OFFERED BY: Council Member Moeller
SUPPORTED BY: Council Member Vogt

Council Member Moeller moved that the General Fund expenditures be amended by adding $5,000 for the ReImagine Washtenaw staffing, contingent upon the County funding the position.

SUPPORTED BY: Council Member Vogt

Mayor Schreiber stated that he attended the most recent ReImagine Washtenaw Meeting. Mayor Schreiber stated that up until now this program was funded by HUD. The purpose of ReImagine Washtenaw is to harmonize the permitting process, making it more convenient for not only motorist but also individuals using non-motorized transportation. Mayor Schreiber added that this is a long term project. County Commissioners have voiced ideas for possible projects however there is a need for funding. Mayor Schreiber urged Council to approve this amendment and apologized for its lateness.

Council Member Murdock stated that he thought the County had a surplus of $3 million.

Mayor Schreiber responded that there is a surplus but discussions have occurred on how to spend those funds.

Council Member Murdock asked if all the amendments to the budget were included.

City Manager Lange responded yes, this is consistent with what Council has asked for.

Council Member Moeller asked if merit raises have been removed from the budget and if so, does this mean that no one will receive a raise.

City Manager Lange responded no, staff will receive raises. Mr. Lange added that as instructed by Council he will review an across the board raise for non-union employees and return to Council with a proposal.

Council Member Moeller asked if it was in the budget.

City Attorney Barr responded that the budget would need to be amended.

On a roll call, the vote for Resolution 2014-149 was as follows;

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

VOTE:

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

8. Resolution No. 2014-150, approving Ordinance No. 1222, the 2014-2015 tax levy ordinance. ***(Second Reading*****)**

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

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

City Manager Lange stated that there were no changes.

On a roll call, the vote for Resolution 2014-150 was as follows;

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

VOTE:

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

9. Resolution No. 2014-151, approving Ordinance No. 1223 to amend Chapter 18 of the Ypsilanti City Code entitled, "Buildings and Buildings Regulations". ***(Second Reading)***

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 Second and Final Reading.

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

City Attorney O'Jack stated that there are two minor changes from first reading.

On a roll call, the vote for Resolution 2014-151 was as follows;

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

VOTE:

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

10. Resolution No. 2014-152, approving Ordinance No. 1224 to amend the Ypsilanti City Code regarding the use of consumer fireworks within the City of Ypsilanti, pursuant to MCL 28.457(2). ***(Second Reading)***

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 Second and Final reading.

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

On a roll call, the vote for Resolution 2014-152 was as follows;

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

VOTE:

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

XIV. <u>LIASON REPORTS</u> –

A. SEMCOG Update- None
B. Washtenaw Area Transportation Study – Meeting tomorrow, June 18th
C. Washtenaw Metro Alliance- No meeting
D. Urban County- None
E. Freight House- the DDA on Thursday will be taking up a request to increase their contribution from $25,000 to $35,000.

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

<u>Murdock</u>

- Commented that traffic signs on Lincoln St. were initially supposed to be a temporary fix. There were supposed to be site plans, some of the same problems are still there.

- Rain garden signs have been delivered by the County for Depot Town. County still needs to determine where they are to be installed.

- City Manager Lange asked how should the signs be installed. Mr. Lange stated that there needs to be a Council decision on trees in the rain garden because it was decided five years ago as a part of the streetscape project that there would be no trees.

- Stated he submitted Charter amendments to the Attorney's office and would like them added to a future agenda with a public hearing.

<u>Robb</u>

- Reported that 301 N. Park St. is becoming a dump for construction materials. There needs to be ordinance enforcement and the City Attorney should examine the property. The dumping ordinance has been strengthened so it may deter this from continuing.

- There are issues with the rusting streetlights on Michigan Ave. What is DTE's strategy to maintain property.

- City Manager Lange asked for clarification of where the rusted lights are located.

- Mr. Robb stated that many are located on Michigan Ave. Mr. Robb added that the City should look into the possibility of issuing ordinance violations to DTE.

Moeller

- Announced Leigh Greden is leaving EMU.

- Reported there is a house on Collegewood and Kingwood without a number. It's facing EMU and it's under foreclosure. The sidewalk is unusable because the shrubs are growing over the sidewalk.

- Citizens have been asking what the policy is for trimming trees.

- Assistant to the City Manager Savage explained that last year the tree crews were working on tree trimming. During May and June of this year the tree crews are focusing on stump removal. Once that is complete they will begin trimming.

- Visited the Fire Station and there was a very good atmosphere. She said they are asking for a new engine.

Vogt

- Asked if there are lights available for N. Hewitt

Jefferson

- Stated that he has a neighbor who has a tree on his easement that is getting very tall and would the neighbor be able to trim that tree.

- City Manager Lange stated that he would need to know where the easement is and at what address.

- Council Member Moeller asked if citizens trim trees that are on the easement.

- Council Member Robb stated that those are city trees and they can't be trimmed other than by city staff.

- City Manager Lange stated that he and Assistant to the City Manager Savage would look into the matter.

XVI. COMMUNICATIONS FROM THE MAYOR –

- Mayor Schreiber commented that Ann Arbor had 18 amendments to their budget and Ypsilanti only had 7 amendments which are more than usual. Mayor Schreiber stated that Council may want to consider adopting the two-year budget during an off election year and hopefully that would spur more discussion during goal setting meetings. City staff could come up with a budget and reach an agreement with Council. Mayor Schreiber encouraged Council to make this change.

XVII. COMMUNICATIONS FROM THE CITY MANAGER –

- City Manager Lange reported that city staff participated in a fire safety seminar provided by the Ypsilanti Fire Department.

- Stated that 14 surplus items have been sold for a total of $88,000. Mr. Lange added that there are still 10 items listed on the mitten.

- Stated that he attended a school resource meeting.

- Reported there is a meeting to discuss the Rutherford Pool parking lot.

- A summit meeting including representatives from DTE, EMU, and the City has been scheduled to discuss the LED Conversion.

- The lights in the Fire Department have been retrofitted with LED.

- The water fountain in Depot Town has been repaired.

- DPS has received the pedestrian parking signs.

- OHM and PK have finalized the lane alignment for the Michigan Ave. Road Diet.

- The emergency road repairs will begin after July 4th.

- The Color Run will be held this Saturday, June 21st.

- Pure Michigan was in town to film a 60 second commercial.

- Stated that there is always a give and take during the budget process between the Executive and Council. Mr. Lange thanked both staff and Council for their work.

- -Council Member Jefferson stated that there have already been 2,000 attendees at the Rutherford Pool.

- Council Member Murdock asked if the merge points on Michigan Ave. were correct.

- City Manager Lange responded yes they are correct and the City was credited for the initial conversion.

XVIII. AUDIENCE PARTICIPATION –

None

XIX. REMARKS FROM THE MAYOR –

None

XX. ADJOURNMENT –

Resolution No. 2014-153, adjourning the 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.

The meeting was adjourned at 10:11 p.m.