APPROVED

CITY OF YPSILANTI
COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
Tuesday, December 2, 2014
7:00 p.m.

I. CALL TO ORDER –

The meeting was called to order at 7:03 p.m.

II. ROLL CALL –

Council Member Brown	Present	Council Member Robb	Present
Council Member Murdock	Present	Council Member Vogt	Absent
Mayor Pro-Tem Richardson	Present	Mayor Edmonds	Present

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

On a voice vote, the motion was approved and the absence was excused.

III. INVOCATION –

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

IV. PLEDGE OF ALLEGIANCE –

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

V. INTRODUCTIONS –

Mayor Edmonds introduced the following individuals; youth and staff of 826 Michigan, Police Chief DeGiusti, Assistant City Attorney Jesse O'Jack, Assistant City Attorney Dan DuChene, City Attorney John Barr, City Clerk Frances McMullan, and Housing Commission Director Zach Fosler.

VI. AGENDA APPROVAL –

Council Member Murdock moved, supported by Council Member Brown to approve the agenda as submitted.

On a voice vote, the minutes were approved.

VII. PRESENTATIONS –

VIII. AUDIENCE PARTICIPATION –

1. David Ungaar, 417 Pearl St. apt 2, explained that during Stewart Beal's comments at the November 18th meeting, Council was misled. Mr. Beal's claim that he solicited four bids to repair the roof at 417 Pearl was false. Mr. Ungaar explained the crew to repair his roof consisted of Mr. Beal's employee who cleans his rentals and an $8 an hour day laborer. Mr. Ungaar said the repairs have taken more than 10 days and the project is still only 20% complete while a roof being repaired at Pearl and Hamilton took 48 hours. Mr. Ungaar said he understands Mr. Beal owns a lot of commercial space in Ypsilanti but he needs to be held accountable and inspections must be more complete.

2. Jamie Gibson, 417 Pearl St., stated she informed Council at the November 18th meeting that her roof has been leaking since August. Ms. Gibson said Mr. Beal said he has known about the issue with the roof for two years which states his negligence. Ms. Gibson said the individuals preforming the repairs on the roof are clearly unqualified and the home as it stands would be deemed uninhabitable by State law. Ms. Gibson said the home should have never passed inspection and the City is allowing this to occur.

3. Rayanne, city resident, stated all the lights should be turned on along Washington St.

4. Jennifer Trombley, 25 N. Washington St., stated she is a member of the Ypsilanti Tenant's Rights Association and informed Council of the following undertakings of the association: informing tenants of their rights, researching tenants issues, reaching out to tenants, communicating with landlords on the accessibility of repair forms, and setting up intake hours for tenants to address the association. Ms. Trombley said the association will be meeting every Saturday at the Ypsilanti Library on Michigan Ave, at 1 p.m.

5. Taylor, area resident, stated police should not shoot to kill only to injure.

6. Evelyn Ogden, 417 Pearl #3, stated in September she moved in and already the roof has been patched three times. The issue is not with the patching necessarily but with the mold. Ms. Ogden said she is the mother of two children under the age of five and is concerned with the health issue that can arise from mold. Ms. Ogden stated when she informed Mr. Beal of the issue he paid it little concern.

7. Stewart Beal, Beal Properties, stated Beal Construction Services is a fully licensed contractor which has pulled permits to complete the roof at 417 Pearl. Mr. Beal said the tenants who spoke tonight are not pleased with the time it has taken to complete the job. Mr. Beal concluded his workers are there every day and the job will be completed and upon completion will pass inspection.

IX. <u>REMARKS BY THE MAYOR</u> –

- Stated she has been in contact with the Tenant's Rights Association and has scheduled a meeting to discuss best practices from municipalities across the country.

- Stated Council, through the City Manager, has directed Building Enforcement to take a closer look at certain properties.

- Appreciated the young participants during audience participation and staff who brought them to engage Council.

X. **MINUTES** –

Resolution No. 2014-275, approving the minutes of November 18, 2014

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Minutes of November 18, 2014 be approved.

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

On a voice vote, Resolution No. 2014-275 carried and the minutes were approved.

XI. **ORDINANCES – FIRST READING -**

Ordinance No.1236

1. Ordinance to Convey Two City-Owned Parcels to Strong Future LDHA Limited Partnership for rehabilitation and/or redevelopment of existing low-income housing throughout the City. Properties under consideration are 130 S. Grove St. and 928 W. Michigan Ave.

A. Resolution No. 2014-276, determination.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled "An ordinance to sell city-owned property to Strong Future LDHA Limited Partnership" is approved on First Reading.

OFFERED BY: Council Member Robb
SUPPORTED BY: Council Member Brown

B. Open public hearing.

1. Ralph Orwell, EMU Staff, stated this ordinance will allow for more community spacing in this redevelopment which can be utilized for many activities by the community.

C. Resolution No. 2014-277, close public hearing.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the public hearing on an ordinance entitled "An ordinance to sell city-owned property to Strong Future LDHA Limited Partnership" be officially closed.

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

On a voice vote, the vote to approve Resolution No. 2014-277 carried.

Assistant City Attorney stated the LDHA, or the Ypsilanti Housing Commission, is asking for two properties one that adjoining Paradise Manor and the other adjoining Hallow Creek for the purpose of constructing a community center.

Mayor Pro-Tem Richardson asked what is the plan for the playground at Paradise Manor.

Ypsilanti Housing Director Zach Fosler responded residents stated they would prefer the playground be more centrally located so that children will be in view of their parents. Mr. Fosler added a tot lot will be constructed near the playground.

Mayor Pro-Tem Richardson asked if there would be ample space to build a playground.

Mr. Fosler replied the proposed space is comparable to the one currently in use.

Mayor Edmonds stated that according to her research centrally located playgrounds are the preferred practice.

Mr. Fosler stated the Housing Commission is asking for the transfer of ownership of two parcels in order for the Housing Commission to enhance both Paradise Manor and Hollow Creek by adding a community space that would house social services as well as an on-site property manager.

Mayor Pro-Tem Richardson asked where the community space will be built.

Mr. Fosler answered in the current area of the community garden, which will be relocated.

Mayor Pro-Tem Richardson asked for a guarantee that Ypsilanti contractors will be used in the construction.

Mayor Edmonds asked if the Housing Commission follows the same bidding requirements as the City.

Mr. Fosler responded yes, the Housing Commission follows the same bidding process as the City and low income individuals will be hired.

Mayor Pro-Tem Richardson stated she was not referencing only low income individuals but Ypsilanti based contractors looking for work.

Art Robertson, Chesapeake Community Advisors, explained essentially every project is bid out following the Federal Procurement Requirements, the Request for Proposals (RFP) is published in local newspapers for anyone to respond. The RFP was published during the proposal phase for the prescribed amount of time and produced five bids, none of which were Ypsilanti companies.

Mayor Pro-Tem Richardson asked in what newspaper was the RFP published.

Mr. Fosler responded the RFP was published on MLive.

Mr. Robertson stated the advertisement and the duration of the advertisement can be made available for Council.

Mayor Edmonds asked if a contractor had already been selected.

Mr. Robertson answered yes.

Mayor Pro-Tem Richardson asked when the contractor was selected.

Mr. Robertson responded 90 to 120 days ago.

Council Member Murdock asked where is the contractor located.

Mr. Robertson responded Rohde Construction, is out of Grand Rapids.

Mayor Pro-Tem Richardson stated she and former Council Member Jefferson spoke with Mr. Fosler and asked to be informed once the RFP went out to bid in order to notify the public.

Mr. Robertson stated, at the very minimum, one contractor from Ypsilanti called his office to express interest but could not meet the bonding requirement set forth by the RFP.

Mr. Fosler stated what he and Ms. Richardson and Mr. Jefferson spoke about is subcontractors because the capacity of local contractors would not meet the bonding requirements.

Council Member Murdock asked if the general contractor is willing to hire sub-contractors from the area.

Mr. Robertson stated the Hamilton Crossing Construction cost $10.3 million with a Section 3 and a MBE plan in place. The goals of that plan were exceeded by around 10.5% of the $10.3 million spent.

Mayor Pro-Tem Richardson stated that was not the information that was originally presented during meetings with the former Housing Director.

Mr. Robertson stated the goals are the same and Rohde Contractors, the development advisors, as well as the Ypsilanti Housing Commission are meeting if not exceeding those goals if qualified contractors will come forward.

Council Member Murdock asked what the plan is to ensure that the public is made aware when they should bid.

Mr. Robertson responded the drawings should be completed by the beginning of the new year and he will work with Rohde Construction to help screen subcontractors and ensure that goals are met.

Council Member Murdock asked if interested contractors should contact Mr. Robertson.

Mr. Robertson replied they should contact Rohde Construction and he will ensure those contractors are properly vetted. Mr. Robertson said the first goal is to provide a quality product on time and within the budget while delivering a quality product to the citizens of Ypsilanti.

Mayor Pro-Tem Richardson stated during the Hamilton Crossing project she was told to have interested sub-contractors contact the Housing Director and when they did apply they were told the contracts had been filled for over a year.

Vickie Vaughn, Chesapeake Community Advisors explained there is a difference in the selection process used for the Hamilton Crossing project; a pricing round was used and when the project began the sub-contractors had already been selected. Rohde currently has not priced construction nor have any sub-contractors been contacted. At the end of December Rohde will price the project and begin to speak with sub-contractors. Ms. Vaughn stated this was all written into the RFP and it is their goal to hire locally as much as possible.

Mayor Edmonds asked if there is a possibility to form a list of interested local and minority contractors to inform them once the RFP goes live.

Mr. Robertson responded yes, and asked if the City maintains a list of minority contractors.

Mayor Pro-Tem Richardson responded there is a list.

Mayor Edmonds asked Mr. Robertson to help to facilitate this with Rohde Construction. Mayor Pro-Tem Richardson and any other interested parties can provide him with names to include in the list to receive the RFP.

Mr. Robertson replied yes.

Mayor Edmonds stated the City should examine best practices for including local preferences in RFPs.

Mayor Pro-Tem Richardson stated she wants to make sure that this is done right and all interested contractors in the City have the opportunity to bid.

Council Member Murdock asked if project is a prevailing wage job.

Mr. Robertson replied yes.

Mayor Pro-Tem Richardson asked if it is a union job.

Mr. Robertson replied a prevailing wage job supersedes a union job, even if it were a union shop working with on the project they would not be working under union rules they would be working under the Davis-Bacon wage determination.

Council Member Murdock asked the City is keeping a portion of the piece of property on Grove St. listed as protected lands.

Mr. Duchene stated whenever a piece of land along the river is conveyed the City asks that an easement be placed 30 ft. along the banks of the river as a protection, or right-of-way easement.

Council Member Murdock stated the piece of property is where the Border to Border trail was planned to exit.

Ms. Vaughn replied it was her understanding the trail exit on the adjacent property.

Mayor Pro-Tem Richardson asked why the property is needed for the project.

Mr. Fosler replied in order to add a management building and some additional parking to improve access for residents living on the other side of the complex as well as a community garden.

Ms. Vaughn added without this property the area held for green space would need to be used for parking.

Council Member Murdock asked if the City would be transferring part of that parcel or all of it.

Mr. Duchene answered the City would be transferring the entire parcel other than the 30 ft. easement along the river.

Council Member Murdock asked where the Border to Border trail head would be located.

Mr. Duchene replied the trail head would be located to the south.

Mr. Robertson stated when asking for this parcel the trail head was kept in mind, and the project was specifically designed to preserve the trail head and is welcomed as a part of the development.

Ms. Vaughn stated as part of the development they are only interested in the front of the parcel.

Mayor Edmonds asked what the mitigation plan is concerning the additional run-off caused by the increased parking.

Ms. Vaughn stated she did not have an answer at this time but their architect will have an answer.

Mayor Edmonds stated it could be an opportunity for some creative alternatives.

City Manager Lange asked for clarification of the 30 ft. easement along the river, stating the Border to Border Trail runs 100 ft. along the river.

Mr. Duchene responded he has already forwarded this information to the planning department and will follow-up to ensure there will not be a conflict.

Council Member Robb asked if the City will be following the 45 day grace period before the conveyance as stated in the Charter.

Mr. Duchene responded yes, the public hearing is being held today, the second reading will be in two weeks and the land will be conveyed 30 days after the second reading.

Mayor Pro-Tem Richardson asked if Council is being asked to vote to transfer the land before the 45 day grace period.

Council Member Murdock responded the conveyance would happen 45 days after the public hearing.

Ms. Vaughn replied the Ypsilanti Housing Commission and the Chesapeake Community Advisors would prefer to transfer all the parcels, including the scattered site parcels, at the same time and that will be complete on February 1st.

Council Member Robb stated the reason for the 45 day grace period is to allow citizens time to petition against the ordinance and this scenario does not follow the spirit of the grace period. However, if the conveyance does not occur until February it will allow time for citizens to collect signatures.

Mr. Duchene stated the agreement can include the stipulation that the conveyance will not occur until February.

Council Member Robb asked if there is currently a payment for this property.

Mr. Duchene responded there is not and if Council wished the ordinance for the second reading can be amended to read the parcel will be conveyed with the remainder of the scatter site parcels.

On a roll call, the vote to approve Resolution No. 2014-276 was as follows:

	Council Member Brown	Yes	Council Member Robb	Yes
	Council Member Murdock	Yes	Mayor Edmonds	Yes
	Mayor Pro-Tem Richardson	Yes	Council Member Vogt	Absent
VOTE:				

YES: 5 NO: 0 ABSENT: 1 (Vogt) VOTE: Carried

XII. <u>CONSENT AGENDA</u> – Resolution No. 2014-278

1. Resolution No. 2014-279, approving *Ordinance No. 1233* to amend the Ypsilanti City Code to add clarifying language and provide rules and procedures for garnishment of penalties, sanctions, and remedies for Blight Violations, to make it an offense for failure to pay fines and costs ordered for certain Blight Violations, and to clarify that all the remedies available in Section 1-15(4) regarding Blight Violations may be used to enforce an Administrative Hearing Officer's Order. ***(Second Reading).***

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled " AN ORDINANCE TO AMEND YPSILANTI CITY CODE CHAPTER 1 "GENERAL PROVISIONS," SECTION 1-15 "PENALTIES, SANCTIONS, AND REMEDIES," SUBSECTION (4) "BLIGHT VIOLATION" TO ADD CLARIFYING LANGUAGE AND TO PROVIDE FOR RULES AND PROCEDURES FOR GARNISHMENT; AND TO AMEND CHAPTER 71 "ADMINISTRATIVE HEARINGS BUREAU," ARTICLE II "ADMINISTRATIVE HEARINGS BUREAU," SECTION 71-43 "VIOLATION OF ORDERS" TO ADD AN OFFENSE FOR FAILURE TO PAY A CIVIL FINE AND COSTS, AND TO AMEND SECTION 71-46 "ENFORCEMENT OF ADMINISTRATIVE HEARING OFFICER'S ORDER" TO INCLUDE ALL REMEDIES SET FORTH IN SECTION 1-15(4)" be approved on Second and Final Reading.

2. Resolution No. 2014-280, approving *Ordinance No.* 1234 to amend Ypsilanti City Code Chapter 86 "Solid Waste," Article III "Yard Waste," by amending Section 86-87 to a Blight Violation and to make the appeal process consistent with other Sections of the Code; and to amend Chapter 110 "Vegetation," Article IV "Weed Control," by amending Section 110-83 to a Blight Violation and Section 110-86 to make the appeal process consistent with other Sections of the Code; and to simplify the wording in all sections. ***(Second Reading)***

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled " AN ORDINANCE TO AMEND YPSILANTI CITY CODE CHAPTER 86 "SOLID WASTE," ARTICLE III "YARD WASTE," BY AMENDING SECTION 86-87 TO A BLIGHT VIOLATION AND TO MAKE THE APPEAL PROCESS CONSISTENT WITH OTHER SECTIONS OF THE CODE; AND TO AMEND CHAPTER 110 "VEGETATION," ARTICLE IV "WEED CONTROL," BY AMENDING SECTION 110-83 TO A BLIGHT VIOLATION AND SECTION 110-86 TO MAKE THE APPEAL PROCESS CONSISTENT WITH OTHER SECTIONS OF THE CODE; AND TO SIMPLIFY THE WORDING IN ALL SECTIONS" be approved on Second and Final Reading.

3. Resolution No. 2014-281, approving *Ordinance No. 1235* to amend Ypsilanti City Code Chapter 18 "Buildings and Building Regulations," Article III "State Construction Code," by adding Section 18-53 "Eligibility for building permits, certificates of use and occupancy, and variances," to make certain applicants ineligible if the person or owner is delinquent in paying a civil fine, costs, or a justice system assessment imposed by the City of Ypsilanti's Administrative Hearings Bureau. ***(Second Reading)***

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled “AN ORDINANCE TO AMEND YPSILANTI CITY CODE CHAPTER 18 “BUILDINGS AND BUILDING REGULATIONS,” ARTICLE III “STATE CONSTRUCTION CODE,” BY ADDING SECTION 18-53

"ELIGIBILITY FOR BUILDING PERMITS, CERTIFICATES OF USE AND OCCUPANCY, AND VARIANCES," TO MAKE CERTAIN APPLICANTS INELIGIBLE IF THE PERSON OR OWNER IS DELINQUENT IN PAYING A CIVIL FINE, COSTS, OR A JUSTICE SYSTEM ASSESSMENT IMPOSED BY THE CITY OF YPSILANTI'S ADMINISTRATIVE HEARINGS BUREAU" be approved on Second and Final Reading.

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

On a roll call, the vote to approve Resolution No. 2014-278 was as follows:

Council Member Brown	Yes	Council Member Robb	Yes
Council Member Murdock	Yes	Mayor Edmonds	Yes
Mayor Pro-Tem Richardson	Yes	Council Member Vogt	Absent

VOTE:

YES: 5 NO: 0 ABSENT: 1 (Vogt) VOTE: Carried

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

1. Resolution No. 2014-282, approving purchase to upgrade current in-car video recording systems, purchase body worn cameras and the server, hardware, software, installation and training to facilitate their use.

RESOLVED BY THE CITY COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti Police Department desires to upgrade the current in-car video recording systems, purchase body worn cameras and purchase the server, hardware, software, installation and training to facilitate their use, and

WHEREAS, the City of Ypsilanti Police Department has been allocated funds in the FY2014-15 Budget, secured a 2014 Byrne Memorial Grant for this purpose and has Drug Forfeiture funds available for this purchase, and

WHEREAS, the City of Ypsilanti Police Department has negotiated pricing with L-3 Mobile-Vision Inc. that is below the State Bid Pricing of $54,984.45, and is the current provider of recording equipment in use by the department.

THEREFORE BE IT RESOLVED, that the Chief of Police be authorized to sign all necessary documents needed to execute the purchase.

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

Police Chief DeGiusti explained during this process the Police Department was focused on four areas of concern; the hardware server, the in-car video cameras which are near the end of life, the DVD work station, and the interest in body cameras for officers. Chief DeGiusti said the goal of the department was to make sure the system is compatible with all the other working parts and make sure it that wasn't confusing, misleading, or difficult to manipulate the information needed to provide to others, as well as data storage. After having spoken with several vendors, the department recommends L3 Mobile Vision, the City's current provider, which provided substantial savings in pricing.

Mayor Edmonds asked what is the reason for the low pricing.

Chief DeGiusti responded possibly timing, the company is trying to make its numbers at the end of the year, or possibly because the company has been the City's vendor for in-car cameras and the low pricing is based on that relationship, or possibly a myriad of other reasons.

Council Member Murdock stated this issue was being discussed long before the incident in Ferguson and he is pleased the City is moving forward with this initiative. However, he wants to make sure that the policies and procedures are in-place before the program is implemented. Mr. Murdock stated several examples were listed in a report from the Justice Department.

Chief DeGiusti replied that many of the issues have been addressed as a result of the in-car cameras such as what is accessible and to whom, retention, and what would be redacted. There are some differences in regards to body cameras in scenarios where officers have to enter a private residence. Chief DeGiusti added the concerns raised by the ACLU are being addressed.

Mayor Edmonds asked Chief DeGiusti to bring a draft of the policy for body cameras to Council.

Council Member Brown asked what the timeline is for full implementation.

Chief DeGiusti responded the order will be placed before the end of the year with probably 30 to 60 days before delivery, followed by training so the date of full implementation would be around March 1st.

Council Member Murdock stated the Sheriff's Department plans to implement the same program and asked if our equipment is compatible to theirs.

Chief DeGiusti responded yes he, Chief Clayton (Washtenaw County), and Chief Hayes (EMU) have discussed this and all of them will all be purchasing the same equipment in the exact form.

Council Member Murdock asked if the Eastern Washtenaw County Safety Alliance is involved.

Chief DeGiusti responded yes, and other Washtenaw County chiefs have had discussions regarding body cameras; and regardless of what they decide they use the same vendor, L3 Mobile Vision, and for ease of conversion and management, he assumes they would stay with that vendor.

Mayor Edmonds asked if Chief DeGiusti would examine policies coming out of other jurisdictions in Washtenaw County.

Chief DeGiusti responded his search was broader and he had been in contact with the National Association of Police Chiefs and has examined large quantity of policies used throughout the country for best practices.

Council Member Murdock stated that President Obama announced a program that would fund a grant to finance some of this program and asked if it is still necessary, given the pricing given by L3 Mobile Vision.

Chief DeGiusti responded he thanks the President for his consideration and when the grant is available the City will apply for the grant but the amount of funds available compared to the number of police officers in the country, it is possible the City will not see any of that money.

Council Member Murdock stated he is pleased the City is moving forward with body cameras and said that this initiative began before the incident in Ferguson. Mr. Murdock added that he would like to see a presentation discussing the training officers receive regarding issues such as immigration and anti-profiling.

Mayor Edmonds stated a lot of that information was given at the Public Safety Forum and asked if a truncated version of that presentation could be given to Council.

Chief DeGiusti responded he would be happy to provide Council with that presentation.

Council Member Robb asked why the proposed cameras are not equipped with night vision.

Chief DeGiusti responded the issue with enhanced video is it does not necessarily show what the officer saw and people would perceive that the officer would have seen everything on the video.

City Manager Lange stated the Police Department did an excellent job finding the funding for this program.

Chief DeGiusti had the following announcements; the Police Department will be holding a citizens academy this year; applications will be accepted until January 1st and the applications can be dropped off at the department Monday through Friday from 9 to 5 p.m. The academy will begin on January 15 at SPARK East from 6 to 8 p.m. The academy is eight weeks long and includes a ride along. If an individual has an increased interest in police work the may apply for the volunteer service core which is an additional eight weeks of training. Also, as a part of continuing community outreach, the department will be holding "Coffee with a cop" or "Coffee with the Chief" at the McDonald's at 16 Ecorse which will allow citizens to meet Ypsilanti police officers.

Mayor Pro-Tem Richardson thanked the Chief for providing these services and recommended that Council Members who have not taken part in the citizen's academy to do so.

Council Member Murdock stated January 1st is a holiday and applications are due that day.

Chief DeGiusti responded they are due by January 1st and can be turned in before.

Mayor Edmonds asked if the applications are available on-line.

Chief DeGiusti replied the applications are available only in hard copy but he will work with Assistant to the City Manager Savage to add the application to the website.

On a roll call, the vote to approve Resolution No. 2014-282 was as follows:

Council Member Brown	Yes	Council Member Robb	Yes
Council Member Murdock	Yes	Mayor Edmonds	Yes
Mayor Pro-Tem Richardson	Yes	Council Member Vogt	Absent

VOTE:

YES: 5 NO: 0 ABSENT: 1 (Vogt) VOTE: Carried

2. Resolution No. 2014-283, approving cost of living adjustments for Non-Union employees.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, during the 2014 budget sessions, City Council removed funds for nonunion employee pay increases from the FY 2014-2015 and 2015-2016 budget; and

WHEREAS, staff was instructed to develop a plan for pay increases that was not based on merit, and included across the board pay increases; and

WHEREAS, City Council also suggested that staff evaluate wage parity among nonunion positions to determine whether pay increases would be warranted and justified within market; and

WHEREAS, staff spent several months conducting a study of comparable cities, and based on the findings it was concluded that a pay increase and/or bonus for nonunion employees is justified and would not place the City above the market trends; and

WHEREAS, nonunion employees have not received a cost of living pay increase since 2007, which places a significant burden on employees and hinders the City's talent recruitment efforts; and

WHEREAS, the City Manager has proposed:

- **A 2% cost of living pay increase be added to the base pay of all permanent, full time, nonunion employees**
- **A one-time $1500 bonus be given to all permanent, full time, nonunion employees; and**
- **A one-time prorated bonus, based on the number of hours worked, be given to all permanent, part time, nonunion employees.**

NOW, THEREFORE, be it resolved that the Ypsilanti City Council approves a budget amendment to add $48,944 to the FY 2014-2015 budget for nonunion cost of living pay increases and one-time bonuses.

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

City Manager Lange stated this item came up during the budget and Council directed staff to develop a plan for pay raises with consideration for eternal equity and treatment of employees. Mr. Lange said every full time non-union employee and the two part-time, non-union employees are incorporated into this plan and it is both equitable and fiscally responsible.

Mayor Pro-Tem Richardson motioned to remove the one time bonus and increase the pay increase from 2% to 3%.

Council Member Brown supported.

Council Member Robb asked if Mayor Pro-Tem Richardson would be willing to table this item until analysis has been completed for a 3% increase.

Mayor Pro-Tem Richardson answered she would be willing to table this item.

Council Member Robb asked that Mayor Pro-Tem Richardson remove her motion and move to table this item.

Mayor Pro-Tem Richardson withdrew her motion.

Council Member Brown removed her support.

Mayor Pro-Tem Richardson moved to table this item until analysis can be completed regarding a 3% increase.

City Attorney Barr asked if the item would be tabled until the December 16th meeting.

Mayor Pro-Tem Richardson replied yes.

Council Member Brown supported.

Council Member Murdock stated the cost for a 3% increase for the remainder of the year would be roughly $6,000 more than the proposed $13,692.

City Manager Lange stated the reason why a one time bonus was selected over a 3% increase is because a raise based on a percentage of salary would benefit those on the top of the pay scale and a bonus is more equitable.

Council Member Murdock stated he does not support the proposed change for the reason that Mr. Lange stated. Mr. Murdock stated three people on this list received raises this year and asked is there a reason why they are scheduled to receive this raise also.

Mr. Lange responded those individuals received pay increases as a part of a promotion and it would dissuade earning a promotion if those employees did not receive this raise.

Council Member Murdock stated he is going to oppose tabling this item and will support the proposal as is. Also, in 2010 Council took a 5% pay cut and now may be the time to increase the salary to the level it was.

On a roll call, the vote to table Resolution No. 2014-283 was as follows:

	Council Member Brown	No	Council Member Robb	No
	Council Member Murdock	No	Mayor Edmonds	No
	Mayor Pro-Tem Richardson	Yes	Council Member Vogt	Absent
VOTE:				

YES: 1 NO: 4 (Robb, Brown, Murdock, Edmonds) ABSENT: 1 (Vogt) VOTE: Failed

Mayor Edmonds stated she has spoken with Mr. Lange about the balance of higher tier employees and the equity involved with a percentage increase and at this time the way the resolution is written is the most fair. Mayor Edmonds added she would like to see the increase eventually be around 3% to 4%.

Council Member Brown explained she supported the motion to table this item to hear more discussion and feels that the resolution is sufficient as it stands.

Council Member Murdock moved to restore the Mayor and Council to 1996 salary levels.

City Attorney Barr asked Mr. Lange if he understood the amendment.

Mr. Lange replied yes, and suggested the amendment read "not to exceed $5,000".

On a roll call, the vote to amend Resolution No. 2014-283 was as follows:

	Council Member Brown	Yes	Council Member Robb	No
	Council Member Murdock	No	Mayor Edmonds	No
	Mayor Pro-Tem Richardson	Yes	Council Member Vogt	Absent
VOTE:				

YES: 2 NO: 3 (Robb, Edmonds, Murdock) ABSENT: 1 (Vogt) VOTE: Failed

Mayor Pro-Tem Richardson asked why the two members of Council voted no and said the amendment would only restore Council to levels from 1996.

Mayor Edmonds responded she would be in support of the increase but feels that staff should be brought to the levels of pay shown in the comparison analysis first.

On a roll call, the vote to approve Resolution No. 2014-283 was as follows:

	Council Member Brown	Yes	Council Member Robb	Yes
	Council Member Murdock	Yes	Mayor Edmonds	Yes
	Mayor Pro-Tem Richardson	Yes	Council Member Vogt	Absent
VOTE:				

YES: 5 NO: 0 ABSENT: 1 (Vogt) VOTE: Carried

XIV. LIASON REPORTS –

A. SEMCOG Update - None
B. Washtenaw Area Transportation Study - None
C. Washtenaw Metro Alliance - None
D. Urban County – there is an update regarding the guidelines for community development block grants related to changes that came from HUD. There was also discussion of priority projects to allocate funds which will be decided in January.
E. Freight House - None
F. Parks and Recreation - None

XV. COUNCIL PROPOSED BUSINESS –

Richardson

- Asked what the proportion of African American police officers is compared to the population.

- Stated when the City contracted the company to handle worker's compensation the awarded company was the same company that wrote the Request for Proposal. The City Attorney said that it is not an illegal practice but it does seem unethical.

- Asked City Attorney Barr if Council was in violation of the charter by not having the goal setting meeting.

  City Attorney Barr replied there is nothing in the charter stating when the goal setting meeting should be held.

  Council Member Robb stated Council just needs to present the goals to the City Manager by February.

  Mayor Pro-Tem Richardson stated in the past the meetings were held in either November or December.

Council Member Robb stated Council was postponing the goal settings meeting until the Ward 2 Council vacancy was filled.

- Stated the City should find a partner to assist in opening a warming center this winter.

Murdock

- Asked that the staff provide a report on how the City will handle snow removal enforcement this winter.

- Asked if the speed bumps that were removed on Holmes would be replaced in the spring

  City Manager Lange responded yes.

  Council Member Murdock asked that stop signs be placed on Holmes at Stanley and Hemphill.

- Asked if signs for pedestrian crosswalks be placed on Hamilton Street at the crosswalk across from Chidester.

Brown

- Asked what the status was for installing stop signs at Ferris and Middle.

  City Manager Lange responded staff was working on it.

Robb

- Asked when the street lights on Washington would be replaced.

  City Manager Lange responded DPS Director Kirton has been soliciting bids to remove the street lights and will follow-up with the progress.

XVI. COMMUNICATIONS FROM THE MAYOR –

- Stated she spoke with the Office of Community and Economic Development regarding a warming center and Mary Jo Callan provided with options and techniques of how to facilitate a warming center.

- Requested that Council have questions regarding the zoning ordinance to the planning department as soon as possible so that they have ample time to prepare.

- Asked what dates should the goal setting meetings be held.

  City Manager Lange stated Executive Secretary Schuette would be able to handle that task.

- Asked Council how they would like to handle the interviews for the Ward 2 vacancy.

  Council Member Brown responded each applicant should be asked the same questions, they should interview one at a time while the others wait outside of Council Chambers.

Mayor Edmonds asked what the length of the interviews should be.

Council Member Robb responded it depends on the questions asked.

Mayor Edmonds asked how the questions should be developed and if there was a consensus of asking each applicant the same questions.

Mayor Pro-Tem Richardson stated she feels that Council should ask the same questions to each applicant but would prefer to take some time to think about the questions and submit them to the Clerk by email.

Mayor Edmonds asked what happens if Council Members submit the same question.

Council Member Brown answered that would count as one question.

Mayor Edmonds stated there will be a maximum of 12 questions asked to each applicant but may be fewer. Mayor Edmonds asked if the Clerk should be given discretion.

City Clerk McMullan stated once the list is compiled it can be distributed to Council for review.

City Attorney Barr stated as format each Council Member will ask one question and rotate until all questions have been asked.

Mayor Pro-Tem Richardson said it does not seem likely that each candidate will be asked 12 questions; the list can be compiled and each Council member can choose a question from that list.

Council Member Brown suggested each Council Member choose one question to ask to each candidate and each Council Member can submit that question to the City Clerk.

Mayor Edmonds stated she prefers to keep the list at 12, it provides Council with the chance to think more regarding the interview.

Mayor Pro-Tem Richardson agreed with Mayor Edmonds that 12 would be a more appropriate amount of questions to ask.

Council Member Brown asked for clarification of the format.

Mayor Edmonds responded each Council Member will submit two questions to Clerk McMullan who will compile the list of questions, and that Council Members will choose one questions to ask each of the applicants.

Council Member Robb asked why Council would only ask each applicant six questions. When Council interviewed applicants for the City Manager, 18 questions were asked.

Mayor Pro-Tem Richardson asked Mr. Robb if he would prefer to ask more questions.

Council Member Robb responded each Council Member should ask two questions, and said it is unlikely that there will be a lot of repeat questions.

Mayor Edmonds stated if each applicant is asked 12 questions and each question takes one minute to answer, each interview should last around 20 minutes.

Council Member Robb responded each applicant should be given an hour, providing them ample time to answer questions the way they feel appropriate.

Council Member Murdock suggested interviews last 50 minutes to allow time in-between interviews.

Mayor Edmonds recommended no more than 30 minutes for each interview.

Mayor Pro-Tem Richardson stated she prefers Mr. Robb's suggestion of a 50 minute format.

Council Member Brown stated if Council allows 50 minutes for each applicant it does not necessarily mean each applicant will take all 50 minutes.

Mayor Edmonds suggested 40 minutes and stated that will allow more than enough time for each applicant.

Mayor Pro-Tem Richardson stated each interview does not need to last 50 minutes. However, Council should allow each applicant enough time to answer each question in the manner they see fit.

Council Member Robb stated each applicant has a 50 minute time limit and if it takes them 50 minutes to answer the first question that is all the time they will have.

Mayor Edmonds asked if each applicant is given 50 minutes does that mean that the applicants should not be scheduled because that could cause large gaps between interviews.

Council Member Robb answered Council will simply wait until the next interview begins.

Council Member Brown stated the interviews are subject to the Open Meetings Act so there may be audience members in attendance and she does not want those individuals to wait for long periods of time between interviews.

Mayor Pro-Tem Richardson responded citizens understand that this process takes time and if the interviews are scheduled from 6 p.m. to 9 p.m. then they should be prepared to be there for that time span.

Council Member Brown stated she was not referencing individuals not being prepared for the length of the meeting she was speaking toward there being large gaps of time without substance.

Mayor Edmonds stated she was in agreement with Council Member Brown.

Council Member Robb stated the third applicant to be interviewed will be present the entire time if each applicant is scheduled at the same time.

Mayor Pro-Tem Richardson replied the interviews held for the City Manager were all scheduled and suggested that Council follow the same format for the Council vacancy.

Mayor Edmonds suggested if Council allow each applicant 50 minutes per interview the first interview should be at 6 p.m., the second one at 6:45 p.m. and the third person at 7:30 p.m.

Council Member Robb asked that the meeting for the interviews begin at 7 p.m. instead of 6 p.m.

City Attorney Barr asked if the scheduled times would be at 7 p.m., 7:30 p.m., and 8 p.m.

Mayor Edmonds asked if the proposed format would require a resolution.

Mr. Barr responded no, but the Clerk does need direction in how to proceed. Mr. Barr stated it seems that each applicant will be asked the same questions and will wait until the end of their interview before sitting in on the remainder of the meeting.

Mayor Pro-Tem Richardson stated it was her understanding that applicants would not be able to sit in on the other interviews.

Mr. Barr stated the meeting is subject to the open meetings act so by law the applicants are allowed to attend, but Council can request that they do not.

Council Member Robb stated if the applicants are allowed to attend the interviews following theirs it may be seen as an act of intimidation.

Mayor Edmonds stated the first interview will begin at 7 p.m., the second at 7:30 p.m., and the third at 8 p.m. and asked Clerk McMullan if Monday morning would be a reasonable deadline for Council to submit questions for the interview.

Ms. McMullan replied Monday morning would allow enough time to compile a list of questions.

XVII. <u>COMMUNICATIONS FROM THE CITY MANAGER</u> –

- Thanked Council for their support of the pay adjustment for the non-union employees and the body cameras for the Police Department.

- Stated that the Police Department is working incredibly hard on community outreach.

- Reported he attended the Mentor to Youth event and thought that is was really worthwhile. Said he has been working with Director Anthony Williamson on a mini-program involving chess.

- The City is trying to continue COPAC, and it has been brought up that the Downtown dedicated police officer does not patrol minority businesses. Mr. Lange stated this didn't make since because the Downtown dedicated officer patrol is based on the borders of the Downtown Development Authority Downtown District.

- Staff is very committed to community outreach.

- Stated the Border to Border Trail is extremely important to economic development. The City is investigating many different possibilities of lowering costs of this project.

- There is a mobile fire training unit grant team effort involving eight jurisdictions with requires only $8,000 contribution from Ypsilanti.

- In response to the unsafe building at 16 Washington, the Building Manager Frank Daniels informed him that the City requires warrants to get into the building to see if it is compliance which they have recently received and will be moving forward.

- The new owners of the Smith Furniture building are continuously working to bring that building up to usable value.

- Asked Council to call a special meeting on Thursday, December 4 regarding pending litigation.

  Council agreed to the call the special meeting on Thursday, December 4th at 7:30 a.m.

  Mayor Edmonds asked Mr. Lange to provide Council with information as soon as possible so they have ample time to review before the meeting.

- Stated the staff is currently working to update the Brownfield Plan which will come before Council soon.

  Council Member Murdock asked when Council will be reviewing the Brownfield Plan.

  Mr. Lange replied at the December 16th meeting.

  Council Member Murdock stated Council has not received a report regarding Water Street in a long time and asked when might that be presented.

  Mayor Edmonds stated there are a lot of items on the 16th agenda and asked if the Brownfield Plan must come before Council on the 16th.

  Mr. Lange answered yes.

  Mayor Edmonds stated on the December 16th meeting Council will be making determinations on the zoning code, the Brownfield Plan, and the Ward 2 vacancy.

  Mr. Lange stated the City already has a Brownfield Plan it just needs to be updated.

  Mayor Edmonds asked that Council have the Brownfield information as soon as possible for review and asked that the Planning staff submit their memos to Council as soon as they are completed.

- The City is going to go through an aggressive clean-up of the City Hall building.

- The City will be putting some attention into the clean-up of Parkridge Center in the future.

- The City has received the streetlight rebates.

XVIII. <u>AUDIENCE PARTICIPATION</u> –

None

XIX. <u>REMARKS FROM THE MAYOR</u> –

- Stated staff has provided her with Council Goals from 1996 to the present and offered to share those with anyone interested.

- Reported she read Eastern Michigan's strategic plan which is available on their website. She said it was interesting reading the section on community engagement and would be happy to pass that on to anyone who is interested.

XX. <u>ADJOURNMENT</u> -

Resolution No. 2014-284, 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: Mayor Pro-Tem Richardson
SUPPORTED BY: Council Member Brown

On a voice vote, the meeting adjourned at 9:37 p.m.