



**CITY OF YPSILANTI
COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
Tuesday, February 3, 2015
7:00 p.m.**

I. CALL TO ORDER –

The meeting was called to order at 7:08 p.m.

II. ROLL CALL –

Council Member Anne Brown	Present	Council Member Robb	Present
Council Member Nicole Brown	Present	Council Member Vogt	Present
Council Member Murdock	Present	Mayor Edmonds	Present
Mayor Pro-Tem Richardson (7:20)	Present		

III. INVOCATION –

Mayor Edmonds 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; Ypsilanti Housing Commission Director Zach Fosler, Assistant City Attorney Dan DuChene, Ypsilanti Downtown Development Authority Chair Kevin Hill, Dave Hiekkinen of the Downtown Association of Ypsilanti (DAY), Former Fire Chief Jon Ichescio, and Angel Vennes of the Jaycees.

VI. AGENDA APPROVAL –

Add: Resolution No. 2015-031, authorizing the City of Ypsilanti to join the intervention by the municipal coalition regarding the recent DTE petition to the Michigan Public Service Commission (MPSC) to change the rate charged to municipalities for electricity, including street lighting, increasing the cost of operating LED street lights while decreasing the cost of conventional High Pressure Sodium (HPS) Lights (Rate Case U-17767).

Council Member Murdock motioned, supported by Council Member A. Brown to add Resolution No. 2014-031, regarding DTE to Section No. VIII, Resolution/Motions/Discussions.

On a voice vote, the motion carried and the Agenda was approved as amended.

VII. PRESENTATIONS –

None

VIII. AUDIENCE PARTICIPATION –

1. Kevin Hill, owner of The Wolverine, 228 W. Michigan, thanked City Manager Lange and Council Member Murdock for clearing street parking in Area 5 to ensure snow removal on the street. Stated the City's response to snow removal was quick and should be commended.
2. Robert Hunter, 515 Ferris, stated he received a notice of abatement from the City's enforcement Department regarding snow although he claimed his property was shoveled within the 24 hour period, as allowed by City Ordinance. Mr. Hunter stated he is concerned about the equal enforcement of the ordinance. Mr. Hunter said it appears there is no working mechanism in the City for removal of snow and ice and that the City does not hold a contract with a company charged with that task. Mr. Hunter asked that this issue be examined.
3. Angel Vennes, Ypsilanti Area Jaycees, provided Council with a survey and would like to improve the relationship with Council. Ms. Vennes asked that the City allow the Jaycees the use of Frog Island Park for little to no fee to hold the Easter Egg Scramble. Ms. Vennes stated the Jaycees have taken excellent care of the park when they used it in the past. Ms. Vennes stated the event is expected to grow this year, with the help of Depot Town Merchants and will show the City in a very positive light.
4. Sue Melke, 330 Chidester #409, stated she understands it will take time to fix the lights on Washington, between Pearl and Michigan and asked that the City examine alternatives until a permanent solution is developed.

IX. REMARKS BY THE MAYOR –

- Stated YDDA Chair Kevin Hill was referring to individuals with an Area 5 parking permit were allowed to park in the Washington St. lot while the roads in that area were plowed.
- Stated staff will examine the other issues brought up during Audience Participation.
- Thanked Ms. Vennes of the Jaycees and informed her Council will fill out the surveys provided and return them at a later date.

Council Member Murdock stated City Manager Lange will be providing Council with a report regarding the Washington St. lights. Mr. Murdock said he noticed that half, or more of the lights were on tonight.

X. MINUTES –

Resolution No. 2015-019, approving the minutes of January 20, 2015

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Minutes of January 20, 2015 be approved.

OFFERED BY: Council Member Vogt
SUPPORTED BY: Council Member N. Brown

On a voice vote, the minutes were approved as submitted.

XI. PUBLIC HEARINGS –

1. Public hearing to consider a resolution to convey, by quitclaim deed, city-owned parcels to the Ypsilanti Housing Commission for the rehabilitation and/or redevelopment of existing units, and continued operation as low-income housing in the City.
- A. Resolution No. 2015-020, determination

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that:

WHEREAS, the City of Ypsilanti created the Ypsilanti Housing Commission by the authority invested in it by the Michigan Legislature pursuant to MCL 125.652, et seq, to administer the low income public housing and Section 8 programs within the City; and

WHEREAS, the City of Ypsilanti owns certain properties that are administered by the Ypsilanti Housing Commission; and

WHEREAS, the Ypsilanti Housing Commission has applied for and has been approved for funding through U.S. Department of Housing and Urban Development's Rental Assistance Demonstration Program, which provides the opportunity to convert public housing to units subsidized with Projected Based Rental Assistance; and

WHEREAS, the Ypsilanti Housing Commission has applied and been approved for low-income housing tax credits from the Michigan State Housing Development Authority to raise capital to renovate or replace current units; and

WHEREAS, Ypsilanti City Council adopted Ordinance No. 2014-1210 on February 4, 2014, which authorized the Mayor and City Clerk to enter into a one-year Option to Purchase Land Agreement with Strong Future LDHA Limited Partnership for the sale of all land operated as low income housing by the Ypsilanti Housing Commission, exclusive of Parkridge; and

WHEREAS, the purpose of this agreement was to show site control by the limited partnership in order that their application for tax credits be approved; and

WHEREAS, Ypsilanti City Council adopted Ordinance No. 2014-1236 on December 16, 2014, which authorized the Mayor and City Clerk to execute a quitclaim deed to the limited partnership for two additional City-owned parcels that adjoin the project; and

WHEREAS, the U.S Department of Housing and Urban Development has required that the properties previously approved to be transferred directly to the limited partnership be instead transferred first to the Ypsilanti Housing Commission; and

WHEREAS, the U.S. Department of Housing and Urban Development has also provided that the plan for additional acquisition credits by a promissory note to the City is not in compliance with HUD policy; and

WHEREAS, the limited partnership has provided that the project can continue without the use of such credits; and

WHEREAS, the City, in its 2012 Master Plan has defined its guiding values to include, "Anyone, no matter what age or income, can find a place to call home in Ypsilanti: Housing options should match the needs of the people. Those needs will change as resident's age and move. The need for safe, quality, affordable homes for all should be factored into decisions;" and

WHEREAS, the City wishes that these properties are rehabilitated through this program in order to provide quality low-income housing to its residents and further this goal.

NOW THEREFORE BE IT RESOLVED that the Mayor and City Clerk are authorized to execute the attached quitclaim deed, which conveys the subject properties to the Ypsilanti Housing Commission

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

B. Open public hearing

1. Ariel Moore, 1 Oakwood St, stated that she is the Vice Chair of the Ypsilanti Housing Commission and is here to voice support for the proposal as well as all the work of staff.
2. Russ Oh, EMU Professor, stated two Social Work students at Eastern completed a project surveying residents of what is going to become Strong Housing and the findings state that there are a great number of individuals with disabilities creating need for barrier free units. Mr. Oh stated he supports the project and it will help the residents of these properties.

3. Valerie Brennon, Ypsilanti Housing Commissioner, expressed support for the project and thanked staff for the great work they do.

C. Resolution No. 2015-021, close public hearing

That the public hearing to consider a resolution to convey, by quitclaim deed, city-owned parcels to the Ypsilanti Housing Commission for the rehabilitation and/or redevelopment of existing units, and continued operation as low-income housing be officially closed.

OFFERED BY: Council Member A. Brown

SUPPORTED BY: Council Member N. Brown

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

Assistant City Attorney Dan DuChene stated this resolution is to Quit Claim all properties once included in the Strong Housing option of purchase, which was approved a year ago. Mr. DuChene stated the new process is how the Department of Housing and Urban Development (HUD) wishes it be done.

Council Member Murdock asked if the City will no longer be responsible for the property involved in the project.

Mr. DuChene stated that is correct, other than the ability to appoint Housing Commissioners.

Council Member Robb stated the City will be responsible for inspecting Housing Commission units which last time the City took on that task it only achieved an 11% inspection rate. Mr. Robb asked if the City's concerns have been expressed to the Housing Commission.

Ypsilanti Housing Commission Director Zach Fosler stated discussions regarding inspections have not occurred, however, he imagines inspections will be similar to other rental property inspections. Mr. Fosler stated the inspections have been scheduled for Hamilton Crossings.

City Manager Lange stated the City will be very aggressive with inspections.

Mayor Edmonds asked if Mr. Lange's overall goal is to improve inspection rates for the entire City.

Mr. Lange responded yes.

Mayor Edmonds asked for an explanation of how the City will address a re-inspection after a rental property fails its initial inspection.

Mr. Lange stated he is unsure of the exact timeframe but he believes the a re-inspection would occur within 30-60 days after the initial inspection.

Council Member Robb asked that Mr. Fosler say on the record that the Housing Commission will pay the City the fees required for inspection.

Mr. Fosler stated the Commission can commit to comply with any City Ordinance regarding inspection fees.

Mayor Pro-Tem Richardson asked if the City is responsible for property issues involved with this project.

Mr. DuChene responded the Ypsilanti City and Ypsilanti Housing Commission (YHC) are both "body corporate", they are two separate entities and the Housing Commission will be responsible for any issues that may arise.

Council Member Murdock stated the City and the Housing Commission are not exactly separate entities.

Mr. DuChene stated they are integrated procedurally, but they are two separate bodies.

Council Member Murdock stated the Housing Commission puts onus and financial responsibility on the City, and asked if that still is the case.

City Attorney John Barr stated it is a complicated situation, but through communications with HUD he was told that responsibility would fall to the Housing Commission.

Council Member Murdock stated Council appoints the Commissioners making the City responsible.

Mr. Barr stated it is a HUD requirement.

Mayor Edmonds stated the City has appointment responsibilities to other Boards and Commissions on more of a regional level, but the City is not responsible for said Boards and Commissions.

Council Member Murdock stated the Huron River Watershed Council is not a body that is required by law so the relationship is different than the relationship between the City and the Housing Commission. Mr. Murdock stated he is not sure that the change would actually make a difference.

Vickie Vaughn, Chesapeake Community Advisors, stated this only applies to the scattered site properties that are part of the Strong Communities Project. Ms. Vaughn stated the original strategy was to transfer properties from the City directly to the tax credit partnership. HUD now requires that properties from the City be transferred to the YHC and then to the tax credit partnership. The eventual owner will be the same owner as in the original approved entity. In order for HUD to sign the RAD partnership it requires the owner be the Housing Authority.

Council Member Robb stated the City still owns property that the Housing Commission manages and are still deeply entwined with the Commission because of that he has concern regarding the City's liability.

Mr. Fosler stated the City would still own the Parkridge Property, and that due to a 1996 case stating that city owned properties must be turned over to housing commissions the City should not own that property. Ultimately, the City will need to transfer that property to the Housing Commission.

Mr. Barr stated the reason for this issue is a result of HUD and in his opinion the 1996 case does not require the City transfer the Parkridge Property, but HUD does requires the City transfer the property to complete the deal.

Council Member Murdock stated in terms of a chain of accountability; the City appoints the Housing Commission, and the Housing Commission appoints a Board to oversee the project, which includes three Board Members.

Mr. DuChene responded yes, that is accurate.

Council Member Murdock stated no matter how much distance the City puts between itself and the property, it may still be responsible.

Mr. DuChene stated he can only provide information given by HUD which states the YHC is the responsible entity.

Mayor Edmonds stated this resolution adds an extra step in what has already been approved by Council. She asked Council Members Robb and Murdock if they had concerns about ownership when this item was originally approved.

Council Member Murdock responded that he will vote yes for this item and it is his intention to gain better understanding of the subject.

City Manager Lange stated Hamilton Crossing is the role model for this process, which became difficult to maintain. The Housing Commission's approach to solve this issue is the privatization of public housing. Eventually, three corporations under the Housing Commission will oversee Housing Commission properties. He added that if this strategy fails he doesn't believe the City will regain ownership.

Ms. Vaughn stated the RAD Program provides the opportunity to transform public housing and convert what have been very limited subsidies into a section eight rental subsidies which can provide enough capital to apply for tax credits and take on debt. The projects will have long term affordability requirements, and after 20 years the YHC will have the ability to buy back the property for \$1.

Mr. Lange asked if the equity partnership collapses then control of the property would fall to the YHC who doesn't have the funding capability to operate the building, so would the property be the responsibility of the City.

Ms. Vaughn responded the project will have a lender and if there is a foreclosure the lender would take ownership of the property not the City.

Council Member Murdock stated the City went through a similar situation regarding Parkview, when the property was abandoned the City resumed responsible for the structure.

Mayor Edmonds asked Mr. Fosler to describe the new ownership structure and oversight for housing projects.

Mr. Fosler responded staffing will change significantly, leaving an executive director and an assistant and YHC's role becomes asset management.

Council Member A. Brown asked if this is the trend across the country, or is this hybrid model specific to Ypsilanti.

Mr. Fosler replied it is playing out in different ways in different communities.

Mayor Pro-Tem Richardson asked if any units in Strong Housing would be section eight.

Mr. Fosler responded yes, however, the vouchers involved are site based and must be used at that specific building.

On a roll call, the vote to approve Resolution No. 2015-020 was as follows:

Council Member N. Brown

Yes

Council Member Robb

Yes

Council Member Murdock	Yes	Mayor Edmonds	Yes
Mayor Pro-Tem Richardson	Yes	Council Member Vogt	Yes
Council Member A. Brown	Yes		

VOTE:

YES: 7 NO: 0 ABSENT: 0 VOTE: Carried

2. Public hearing to consider a request by Mishigama Craft Brewing, Inc. for new Micro-Brewery/Small Wine Maker license to be located at 124 Pearl #100, Ypsilanti, MI 48197.
Published 1/27/2015

A. Resolution No. 2015-022, determination

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Mishigama Craft Brewing Company, LLC has applied to the City of Ypsilanti requesting a micro-brewery liquor license to be located at 124 Pearl Street, Ste. 100 in the Centennial Center building in accordance with MCL 436.1531(A)(1)(b); and

WHEREAS, a public hearing to consider the request was duly noticed and held on February 3, 2015; and

WHEREAS, City staff has reviewed the request from Mishigama Craft Brewing Company, LLC and have no objections to the City granting approval.

NOW, THEREFORE, BE IT RESOLVED THAT the request of Mishigama Craft Brewing Company, LLC for a micro-brewery liquor license, to be located at 124 Pearl Street, Ste. 100 in Ypsilanti, MI 48197, be approved.

OFFERED BY: Council Member Robb

SUPPORTED BY: Council Member Vogt

B. Open public hearing

1. Sue Melke, 330 Chidester #409, stated the license should be approved as it brings another business to the downtown and increases the City's tax base.
2. Kevin Hill, 108 Washtenaw #4, stated he was speaking as a private citizen and not a representative of the YDDA or DAY. Mr. Hill stated he has lived in Ypsilanti for 32 years and this type of enterprise is healthy for communities, and listed Ferndale as an example, and hopes that the license be approved in order to continue adding to the vibrancy of the downtown.
3. David Robertson stated he applicant and can answer any questions that Council may have. Mr. Robertson added that he has been working with

the land lord and feels that he has a good proposal and hopes to make the Downtown more of a destination.

4. James Bishop, 604 Emmet, stated the Jaycee, is a business oriented organization and encourages Council to approve the license.

C. Resolution No. 2015-023, close public hearing

That the public hearing to consider a request by Mishigama Craft Brewing, Inc. for new Micro-Brewery/Small Wine Maker license to be located at 124 Pearl #100, Ypsilanti, MI 48197 be officially closed.

OFFERED BY: Council Member Robb

SUPPORTED BY: Council Member Vogt

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

Mayor Edmonds stated she supports the proposal and asked for an explanation of the proposed 10 p.m. closing time.

David Robertson, Mishigama Craft Brewing, responded 10 p.m. is a tentative closing time and more likely the business will be open until 11 p.m. Mr. Robertson added that he would not label the business a bar and it will not serve cocktails.

Mayor Edmonds stated Corner Brewery closes at midnight.

Mr. Robertson stated more than likely Mishigama would follow that model.

Council Member A. Brown asked if Mishigama is leasing the entire space, or only the space occupied by Korey's Chicken.

Mr. Robertson responded his business will occupy the ground floor, other than what is currently occupied by the hair salon. Mr. Robertson stated any development along Washington, especially in the former Pub 13 space, will be helpful to Mishigama.

City Attorney John Barr asked that Council note that the resolution to close the public hearing had a typographical error, it should read, "...124 Pearl #100" not "...124 Pearl #500".

Mr. Robertson asked if there would be anything further regarding to the business' closing time.

Mayor Edmonds responded no.

Council Member Murdock stated he supports the project and it will be a great venture for the downtown. Mr. Murdock stated the resolution states that the City is issuing the license and he thought the State issued liquor licenses.

Mr. Barr responded a liquor license requires local government approval, but the State is the licensing body.

Mayor Edmonds asked Clerk McMullan for clarification regarding the wording of the Request for Legislation (RFL). Mayor Edmonds stated the RFL reads, "...We view this business as Friends and Family Brewing."

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City Clerk McMullan stated the language of the RFL was provided by the license applicant.

On a roll call, the vote to approve Resolution No. 2015-022 was as follows:

Council Member N. Brown	Yes	Council Member Robb	Yes
Council Member Murdock	Yes	Mayor Edmonds	Yes
Mayor Pro-Tem Richardson	Yes	Council Member Vogt	Yes
Council Member A. Brown	Yes		

VOTE:

YES: 7 NO: 0 ABSENT: 0 VOTE: Carried

XII. ORDINANCES – FIRST READING

Ordinance No. 1240

1. An ordinance titled "Ypsilanti Tax Exemption Ordinance – Water Street Flats" to provide for a service charge in lieu of taxes for a housing project for low income persons and families to be financed with an Authority-aided Mortgage Loan or an advance or grant from the Authority pursuant to the provisions of the State Housing Development Authority Act of 1966 (1966 PA 346, as amended; MCL 125.1401, et seq) (the "Act").
Published 1/27/2015

- A. Resolution No. 2015-024, determination.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled "Ypsilanti Tax Exemption Ordinance-Water Street Flats." be approved on First Reading.

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

- B. Open public hearing.

None

- C. Resolution No. 2015-025, close public hearing.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the public hearing on an ordinance entitled "Ypsilanti Tax Exemption Ordinance-Water Street Flats." be officially closed.

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

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

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City Manager Lange stated he is excited and optimistic about the progress of the Water Street Flats project.

Mike Rodriguez, Herman Kittle, provided a presentation regarding the Water Street Flats project.

Mayor Edmonds asked how a tract is determined.

Mr. Rodriguez responded a tract is calculated by the census based on incomes.

Mayor Edmonds asked how often tract calculations are determined.

Mr. Rodriguez responded calculations are performed every year.

Council Member Murdock stated Water Street does not produce income.

Mr. Rodriguez responded the calculations are based on entire census tract, not just the Water Street area.

Council Member Murdock stated the entire tract has always been Community Development Block Grant eligible.

Council Member A. Brown asked if MSHDA was informed that the requested amount was changed.

Mr. Rodriguez stated last year's approval of tax credits cannot be used for this year.

Council Member A. Brown asked how Herman Kittle plans to close the gap in projections from 2014 to 2015.

Mr. Rodriguez responded awarded tax credits from last year could be sold for \$0.97 for every dollar. Mr. Rodriguez stated Key Bank has been following this deal and could be a possible buyer.

Mayor Pro-Tem Richardson stated all that is needed is \$100,000 more in financing.

Mr. Rodriguez stated in terms of financing yes, but the project does need further assistance from the City in the way of an extension of the purchase agreement and a payment in lieu of taxes (PILOT) in the amount of 10% in gross revenue, which will occur when the tax increment financing (TIF) reimbursement has been fully reimbursed.

Mayor Edmonds stated in 23 years the PILOT would take effect.

Mr. Rodriguez responded yes.

Council Member Murdock stated that would apply to the years 2014 or 2015.

Mr. Rodriguez stated correct and the reason a PILOT is being requested is because the MSHDA home loan has a 50 year term, and after the TIF term expires, on year 21, MSHDA is worried that the loan could be defaulted.

Council Member Murdock stated the \$108,000 PILOT does not all go to the City; it is distributed between the governmental layers.

Mr. Rodriguez responded yes.

Council Member Murdock stated the City would only recoup 47% of revenue.

Mr. Rodriguez stated he is uncertain about the exact percentage.

Council Member Robb stated the City would get a share \$45,994 based on the current millage rate. Mr. Robb asked what projected rents would be in 20 years compared to utilities.

Mr. Rodriguez responded rents are projected to grow revenue by 2% and utilities by 3% annually. Mr. Rodriguez stated between year 15 and 20 Herman Kittle will request tax credits from MSHDA to rehab the property. Mr. Rodriguez added there is also a good chance that the PILOT will not take effect.

Mayor Edmonds stated this PILOT may not be used, but another might be required in the future.

Mr. Rodriguez responded potentially, it would be at the discretion of Council.

Council Member Murdock asked why the City can't wait until a PILOT is needed before giving approval.

Mr. Rodriguez responded because MSHDA is awarding this loan now and they require assurance that in year 21 Herman Kittle won't default on their loan.

Council Member Robb asked if the taxable value decreased since March 2014 when it was listed as \$1.675 million.

Mr. Rodriguez stated it is possible that at the time the plan may have included more market rate units.

Council Member Robb stated the projection he is referencing was before the formation of that plan.

Mr. Rodriguez stated the numbers have been in place since October and are more accurate.

Council Member Robb stated the development appears to be changing and that is concerning.

Mr. Lange stated it is a \$10 million project, the assessing is low, but that does not have to do with the project itself.

Council Member Robb stated it appears that this is being rushed, staff should have analyzed what the City will gain and lose and should have provided that data in the packet. Mr. Robb stated he feels the PILOT is not a good idea and this is not the project that he supported initially. Mr. Robb stated it was agreed that the Recreation Center would be the last non-taxable structure included on the Water Street Site.

Mayor Edmonds asked Council Member Robb to expand on why he sees this project different than originally planned.

Council Member Robb stated the issue is that this project began as a fully taxable and now it is being proposed as a PILOT.

Council Member Murdock stated Council's concern regarding the Water Street Development is to maintain taxable value. Mr. Murdock stated during initial discussions the idea of having a PILOT was rejected. Mr. Murdock stated when this project was first proposed it was planned to pay full taxes which was a major

reason why Council accepted the project. Mr. Murdock stated he is very reluctant to move forward with a PILOT.

Mr. Lange stated he understand Council feelings, this is not a backdoor way to make this a tax exempt project. Mr. Lange stated this project will provide \$1 million worth of infrastructure that the City could not afford.

Mr. Rodriguez stated it was not the intention of Herman Kittle to have a PILOT when originally negotiated, but due to HUD's rule changes it became necessary to make the deal work.

Mayor Pro-Tem Richardson stated the word affordable has created a negative perception. Ms. Richardson stated she thinks people confuse affordable with low income and she is going to support this because the City needs infrastructure there to entice other developments.

Mr. Rodriguez stated the project is a \$12 million investment in the City and \$1.81 million will be spent on infrastructure and environmental remediation. The intention of this program is to create quality housing for working class individuals. Mr. Rodriguez stated 65% of Ypsilanti citizens would be income qualified to rent here and 84% of Ypsilanti renters would be income qualified to rent here. This project will be designed and built at the standard of all of Herman Kittle's market rate properties. The only aspect of affordable is how it is being financed. Mr. Rodriguez added there will be no project based section eight vouchers.

Mayor Edmonds stated the question from Council is not of the original support of this project it is regarding the issues of taxable value. Mayor Edmonds asked why Herman Kittle did not structure the business plan to account for increased income, can rents not raise and still be considered "affordable".

Mr. Rodriguez responded MSHDA requires that rents only increase 2% annually, while expenses grow at 3% and taxes grow at 5%.

Council Member A. Brown asked when Herman Kittle plans on letting MSHDA know which tax credits will be used for the project.

Mr. Rodriguez answered the home funds from last year expire in February if an agreement can be made his preference would be to use the tax credits already awarded and cancel the 2015 application.

Council Member A. Brown stated Mr. Rodriguez said there was an opportunity to sell tax credits to Key Bank.

Mr. Rodriguez stated Herman Kittle will competitively shop the tax credits to see if a better deal can be reached.

Mayor Edmonds asked if the home funds expire at the end of February.

Mr. Rodriguez responded yes.

Council Member A. Brown asked if Herman Kittle has to find a buyer for the tax credits.

Mr. Rodriguez responded that is standard operating procedure.

Council Member Murdock stated as this resolution is written Herman Kittles would be paying full taxes up until the time the tax increment finance (TIF) plan is complete, which would be in 20 to 23 years and the

reimbursement for the brownfield tax credits, which is around the same timeframe. Mr. Murdock asked what will take place at the end of that timeframe.

Mr. Barr responded the property would become a PILOT.

Council Member Murdock stated the process would be automatic and asked when Council would have the opportunity to deal with the new reality of the property.

Mr. Barr responded if the property would refinance.

Council Member Murdock stated lacking a refinancing, the property would be a PILOT and asked if the property refinances would Herman Kittle be required to come before Council.

Mr. Rodriguez responded the PILOT automatically terminates as well as in the case that the property is sold.

Council Member A. Brown asked how many properties have been recently sold by Herman Kittles.

Mr. Rodriguez answered Herman Kittles does not sell tax credit properties, which is illustrated in the company's business model.

Mayor Edmonds asked if Council rejects the PILOT would the project still be viable.

Mr. Rodriguez responded if that is the case he does not feel the application would be competitive.

Council Member Vogt asked what the 10% represents, where does that come from how does that relate to property taxes.

Mr. Rodriguez responded the 10% was derived based on the net property taxes estimated to be paid in 20 years.

Council Member Vogt asked how is that based on present factors.

Mr. Rodriguez responded current property taxes growing at 5% per year and TIF reimbursement of \$77,000.

Council Member Vogt stated the 10% is not based off the market value it's based off rent plus utilities, so it may not reflect the level of property taxes at that time.

Mr. Rodriguez stated it is difficult to say.

Council Member Vogt stated Herman Kittle could be either making a great deal of money, or losing money.

Mr. Rodriguez stated it is hard to say what property tax levels will be at that point, it is a best estimation.

Council Member Vogt stated it seems that Herman Kittles is asking the City to take the same risk the developer is taking and the City's take may be higher or lower depending on Herman Kittle's profitability. Mr. Vogt stated the 10% has nothing to do with future tax rates and asked if this is only for the TIF part of it, or does it include all property tax.

Mr. Rodriguez responded this would take the place of the TIF once the TIF is fully paid back. Theoretically, this would take place in year 20, but Herman Kittle hopes to refinance before that time.

Council Member Vogt stated without making a judgment it is a gamble for both the City and Herman Kittle.

Mr. Rodriguez responded that is correct.

Council Member Murdock stated the tax liability of this project whether in the TIF district, or outside is the same.

Mr. Rodriguez stated Herman Kittle would pay full taxes.

Council Member Murdock stated when the City approves a PILOT it must distribute it to the other taxing units. Mr. Murdock stated understanding what the difference would be in 20 years would give Council an idea why a PILOT would be beneficial; the lack of information is very concerning.

Mr. Rodriguez responded the tax liability in year 20 is around \$170,000 compared to \$108,000 with a PILOT and that is if the project grows by 5% per year.

Mayor Edmonds stated with either of those scenarios the City does not receive 100% of the taxable value.

Council Member Murdock responded correct.

Council Member Robb stated \$118,000 is the anticipated tax payment; \$77,000 will be reimbursed for constructed infrastructure for the first 20 years, meaning Herman Kittle's payment per year is \$41,000, essentially Herman Kittle is attempting to create a situation in which the \$41,000 is the yearly tax payment. Basically, the City would be subsidizing this project for over \$25,000 a year. It is not in the best interest of the City to subsidize individual projects.

Council Member Murdock stated if the TIF is included the City receives about 42 mils, but when the TIF goes away the City will only receive 36 mils.

Council Member Robb stated with that factored in the total cost to the City per year would be \$26,000.

Council Member Vogt asked City Manager Lange how the City would benefit from this proposal.

Mr. Lange responded this project's density, the payment of the land, and the infrastructure provided. Also, the proposed PILOT would not take effect for 20 years. Mr. Lange stated that Herman Kittle develops a quality product and with 85% of the units being market rate if they are not maintained the units would go unrented. He added the City does not have \$1 million to develop the infrastructure.

Mayor Edmonds asked Mr. Rodriguez if Council did not vote on this item tonight would that affect the deal.

Mr. Rodriguez responded the only effect would be that MSHDA would be asked to extend the home loan from 2014 and could make the case a little less strong.

Council Member Vogt stated the figures being discussed are all based on data that is assumed to be static, but in reality that could change. Council should keep in mind the large figures and how they would be affected by the PILOT. Mr. Vogt stated he does not see this making a large difference in the

overall project. Mr. Vogt added he has opposed the project in the past, but wanted to put it in perspective for the rest of Council.

Mr. Rodriguez stated the most likely scenario is that the PILOT does not take effect.

Council Member Robb stated the only way to guarantee the PILOT never takes effect is to vote against it and encouraged Council to vote against the resolution.

Mayor Edmonds stated if Council votes against the PILOT there is a good chance that it could terminate the project and is that a risk Council wishes to take.

Council Member Robb stated this was not the project he supported a year ago he supported something very different. Mr. Robb stated as Mayor Pro-Tem Richardson stated the project was originally saddled with the term "affordable housing" now it will be saddled with the term "PILOT".

Mr. Lange stated he would concur with Council Member Robb if this was a PILOT from the beginning of the project and there is a likelihood that this never becomes a PILOT. Once refinanced this project will be fully taxed as it was originally planned.

Mayor Edmonds stated she recalls that in Council's original discussions regarding this project that the MSHDA's provisions were a requirement.

Mr. Rodriguez responded when discussing the 9% rate in October was the first time the 20 year stipulation was mentioned. Mr. Rodriguez added the affordability is 15 years.

Mayor Edmonds stated there is not a guarantee that this will always remain affordable housing.

Council Member A. Brown asked if the vote is not held tonight is there a risk that MSHDA will not grant an extension.

Mr. Rodriguez responded yes, MSHDA might take issue with an extension without a PILOT in place.

Council Member A. Brown asked when Herman Kittles was informed that they would need to apply for a PILOT.

Mr. Rodriguez replied when it was realized that the project was in a qualified census tract, in January.

Mayor Edmonds stated this is a difficult issue, the project is valuable to the City, but she is concerned about adding an additional PILOT.

Mayor Pro-Tem Richardson stated this may be a difficult trade-off, but it should be looked at as more development on Water Street and infrastructure that makes the site more attractive to other developers. Ms. Richardson stated if Council is concerned with changed plans it should concern itself with the Recreation Center which has changed plans several times.

Council Member Robb asked Mayor Pro-Tem Richardson if she wanted the Recreation Center to happen would she offer them \$25,000 a year for the next 20 years because that is what this deal is.

Mayor Edmonds correct Mr. Robb stating the PILOT would begin in 20 years.

Mayor Pro-Tem Richardson stated Council does not know what will happen in 20 years.

Council Member Vogt stated in order to stay objective this resolution provides a possibility that in 20 years it could become a PILOT, and if it does it would be against the developer's interest as it would result in a loss of revenue.

Mr. Rodriguez stated Herman Kittles has purchased properties that are in year 13 of the 20 year span and are losing money on those properties with hope that they will be able to re-syndicate in order to make money.

Council Member Vogt stated he has opposed the project in the past but does not see this as a material change in circumstances.

Mayor Edmonds stated she will support this resolution.

On a roll call, the vote to approve Resolution No. 2015-024 was as follows:

Council Member N. Brown	Yes	Council Member Robb	No
Council Member Murdock	No	Mayor Edmonds	Yes
Mayor Pro-Tem Richardson	Yes	Council Member Vogt	No
Council Member A. Brown	Yes		

VOTE:

YES: 4 NO: 3 (Vogt, Murdock, Robb) ABSENT: 0 VOTE: Carried

Ordinance No. 1241

2. An ordinance to amend Section 78-100 of the Ypsilanti City Code to include electronic vaporizing and nicotine delivery systems with prohibited smoking in the City's tot-lot playgrounds. ***Published 1/27/2015***

- A. Resolution No. 2015-026, determination.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that: the ordinance entitled " An ordinance to amend the Ypsilanti City Code to include electronic vaporizing and nicotine delivery systems with prohibited smoking in the City's tot-lot playgrounds" be approved on First Reading.

OFFERED BY: Council Member N. Brown
SUPPORTED BY: Council Member A. Brown

- B. Open public hearing.

1. Jon Ichesco, 1218 Pearl St., stated he sees Water Street Flats as a marketing flaw and asked how many Council Members would live at Water Street Flats.

- C. Resolution No. 2015-027, close public hearing.

That the public hearing to an ordinance to amend Section 78-100 of the Ypsilanti City Code to include electronic vaporizing and nicotine delivery systems with prohibited smoking in the City's

tot-lot playgrounds be officially closed.

OFFERED BY: Council Member N. Brown

SUPPORTED BY: Council Member A. Brown

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

Assistant City Attorney Dan DuChene stated essentially the City, upon request of the Washtenaw County Public Health Department and the Ypsilanti Parks and Recreation Commission, to prohibit smoking in tot lots. The County asked that this stipulation be added to the ordinance.

On a roll call, the vote to approve Resolution No. 2015-026 was as follows:

Council Member N. Brown	Yes	Council Member Robb	Yes
Council Member Murdock	Yes	Mayor Edmonds	Yes
Mayor Pro-Tem Richardson	Yes	Council Member Vogt	Yes
Council Member A. Brown	Yes		

VOTE:

YES: 7 NO: 0 ABSENT: 0 VOTE: Carried

Council Member Murdock asked for a short recess.

Mayor Edmonds called a five minute recess.

XIII. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2015-028, approving amendment to the Agreement to Purchase Real Estate with Water Street Flats LDHA Limited Partnership in order that the term of the Agreement be extended one month.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that:

WHEREAS, the City Council for the City of Ypsilanti adopted Resolution No. 2014-058 on March 4, 2014, which permitted the Mayor and City Clerk to enter into an Agreement to Purchase Real Estate with Herman & Kittle Properties for the sale and development of 3.14 acres of the Water Street Redevelopment Area; and

WHEREAS, Agreement to Purchase Real Estate was entered into by the parties on March 10, 2014 and was contingent upon the developer receiving and accepting a sufficient allocation from MSHDA to finance the project by August 15, 2014; and

WHEREAS, Herman & Kittle Properties was awarded and received a \$2.1 million allocation from MSHDA for the project but this was about half of the amount requested; and

WHEREAS, City Council then Resolution No. 2014-210, which authorized the Mayor and City Clerk to enter into a First Amendment to the Agreement to Purchase Agreement, on September 2, 2014; and

WHEREAS, this First Amendment, which extended the date to which the developer was required to inform the City that it had received the required allocation to March 31, 2015, was executed on September 15, 2014; and

WHEREAS, the Agreement to Purchase Real Estate was assigned by Herman & Kittle Properties to the Water Street Flats LDHA Limited Partnership on September 12, 2014; and

WHEREAS, on January 15, 2015, Water Street Flats has submitted a second-round application for tax exempt bonds and MSDHA HOME Funds; and

WHEREAS, the commitment of HOME Funds will not be made until April 23, 2015; and

WHEREAS, both the City and Water Street Flats wish to amend the Agreement to further extend the date that the City must be notified that the purchaser has received the required allocation to April 30, 2015;

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor and City Clerk are authorized to enter into the attached Second Amendment to Agreement to Purchase Real Estate between the City of Ypsilanti and Water Street Flats LDHA Limited Partnership, in conjunction with and subject to the review and approval of the City Attorney.

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

Michael Rodriguez, Herman Kittles, stated Council Member Robb mentioned the tax liability of \$140,000 when this was examined in March of 2014, which the original plan included 90 units but after completing a site plan it was found the building would only be able to hold 80 units and that created the difference in tax liability.

On a roll call, the vote to approve Resolution No. 2015-028 was as follows:

Council Member N. Brown	Yes	Council Member Robb	No
Council Member Murdock	Yes	Mayor Edmonds	Yes
Mayor Pro-Tem Richardson	Yes	Council Member Vogt	Yes
Council Member A. Brown	Yes		

VOTE:

YES: 6

NO: 1 (Robb)

ABSENT: 0

VOTE: Carried

2. Resolution No. 2015-029, authorizing Ypsilanti City Council to file or join amicus briefs in the litigation in the United State Supreme Court for the purpose of supporting plaintiff's position that the "Michigan Marriage Amendment" Article 1, Section 25 of the Michigan Constitution is unconstitutional.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that:

Whereas the voter approved "Michigan Marriage Amendment" (MMA), Article 1, Section 25 of the Michigan Constitution, prohibits same-sex marriages, and

Whereas Article 1, Section 25 of the Michigan Constitution (MMA) was determined to be unconstitutional by the United States District Court, Eastern District of Michigan, Southern Division, on March 21, 2014, in the case of April Deboer et al v Richard Snyder, et al, Civil Action No. 12-CV-10285, Hon. Bernard A. Friedman, finding that the MMA impermissibly discriminates against same-sex couples in violation of the Equal Protection Clause of the U.S. Constitution because the MMA does not advance any conceivable legitimate state interest and

Whereas defendant appealed the decision to the United States Court of Appeals for the Sixth Circuit, case number 6th Cir#14-1341 ED Mi #12-civ-10285, and

Whereas the Sixth Circuit reversed the lower court and upheld the Michigan Marriage Amendment, and

Whereas plaintiffs have appealed to the United States Supreme Court, and the Court granted Certiorari on January 16, 2015, Order 14-571, and

Whereas parties supporting plaintiff's position are filing an amicus brief in the United States Supreme Court appeal in support of the lower District court decision and have requested that the City Council of the City of Ypsilanti join in the amicus brief, and

Whereas the Council of the City of Ypsilanti are in support of the findings and holding of the lower court that the MMA, Article 1, Section 25 of the Michigan Constitution is unconstitutional,

NOW THEREFORE, permission is given for the City of Ypsilanti to file or join amicus brief in the appeal litigation.

Further that the City Clerk shall forward a certified copy of this resolution to attorney Cameron R. Getto, Zausmer, Kaufman,

August & Caldwell, P.C., attorney at law to take all appropriate action to add the City of Ypsilanti to the amicus brief in the Supreme Court in support of the position that the MMA, Article 1, Section 25 of the Michigan Constitution is unconstitutional.

OFFERED BY: Council Member Vogt
SUPPORTED BY: Council Member N. Brown

Mayor Edmonds asked why this resolution contains more signature lines than other resolutions.

City Attorney John Barr responded so that it can be unanimous.

Council Member Vogt stated in support of the resolution there is absolutely categorically no basis to oppose this resolution.

Council Member Murdock stated the City previously entered an amicus brief at the appellate level and this continues the long standing policy of the City.

Mayor Edmonds agreed and stated she is pleased that the City is taking leadership on this key issue.

On a roll call, the vote to approve Resolution No. 2015-029 was as follows:

Council Member N. Brown	Yes	Council Member Robb	Yes
Council Member Murdock	Yes	Mayor Edmonds	Yes
Mayor Pro-Tem Richardson	No	Council Member Vogt	Yes
Council Member A. Brown	Yes		

VOTE:

YES: 6 NO: 1 (Richardson) ABSENT: 0 VOTE: Carried

3. Resolution No. 2015-031, authorizing the City of Ypsilanti to join the intervention by the municipal coalition regarding the recent DTE petition to the Michigan Public Service Commission (MPSC) to change the rate charged to municipalities for electricity, including street lighting, increasing the cost of operating LED street lights while decreasing the cost of conventional High Pressure Sodium (HPS) Lights (Rate Case U-17767).

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti adopted a climate action plan calling for the conversion of the City's street lighting to LED lighting, and

WHEREAS, the City collaborated with DTE to convert the City's entire street lighting system to LED lighting, consisting of nearly 1,700 fixtures, and

WHEREAS, the conversion of the street lighting system to LED has reduced energy consumption and maintenance costs, and

WHEREAS, the conversion has reduced the City's annual street lighting costs by an estimated \$120,000, and

WHEREAS, the street lighting conversions have been accomplished with technical support from DTE, which has been a good partner with the City in its efforts to conserve energy use, and

WHEREAS, DTE recently petitioned the Michigan Public Service Commission (MPSC) to change the rate charged to municipalities for electricity, including street lighting, increasing the cost of operating LED street lights while decreasing the cost of conventional High Pressure Sodium (HPS) Lights (Rate Case U-17767), and

WHEREAS, LED street lights use significantly less electricity to operate than HPS lights and require less maintenance, and

WHEREAS, a coalition of municipalities led by the Michigan Municipal League has filed to intervene in the established public process for rate changes with the MPSC (Rate Case U-17767), and

WHEREAS, additional municipalities and local governments may still join the coalition, and

WHEREAS, the cost of the intervention is being shared by the members of the coalition including a contribution from the Michigan Municipal League's Legal Defense Fund and that the City of Ypsilanti's contribution (anticipated to not exceed \$2,200) is based on a formula based on proportionate number of street lights.

NOW THEREFORE BE IT RESOLVED that the City of Ypsilanti join the intervention by the municipal coalition in Rate Case U-17767; and

FURTHER BE IT RESOLVED that the City urges other municipalities to join the intervention by the municipal coalition in Rate Case U-17767; and

FURTHER BE IT RESOLVED that this resolution be shared with the Washtenaw County Board of Commissioners, SEMCOG, and other nearby communities.

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

City Council Meeting Minute
February 3, 2015

Council Member Murdock stated the new rate structure would be a disincentive to use a more efficient product that requires less maintenance. Mr. Murdock stated the City of Ann Arbor is going through a similar situation. The significant savings that were supposed to be a result of the conversions will be decreased, but the main point is that this will be a disincentive for other communities to make the conversion.

City Manager Lange stated if his calculation is correct the City will see similar savings to what was initially projected and he does not want to see anything erode that. Mr. Lange added that staff will provide Council with a report regarding the Cities relationship with DTE as the two entities are a part of many things happening in Ypsilanti.

On a roll call, the vote to approve Resolution No. 2015-031 was as follows:

Council Member N. Brown	Yes	Council Member Robb	Yes
Council Member Murdock	Yes	Mayor Edmonds	Yes
Mayor Pro-Tem Richardson	Yes	Council Member Vogt	Yes
Council Member A. Brown	Yes		

VOTE:

YES: 7 NO: 0 ABSENT: 0 VOTE: Carried

XIV. LIASON REPORTS –

- A. SEMCOG Update – SEMCOG is interested in the issue with DTE and at the next meeting a DTE representative will be present to discuss the situation. At the last meeting a representative from the State was there to discuss the proposed tax increase.
- B. Washtenaw Area Transportation Study – No meeting
- C. Washtenaw Metro Alliance – No meeting
- D. Urban County – No update
- E. Freight House – Continuing their fundraising efforts to match funds of the MEDC.
- F. Parks and Recreation – Public Act 210 designated Pure Michigan Trails as Pure Michigan Water Trails and was asked if Ypsilanti would formally adopt the new designation. The application for Ypsilanti to host the MSU extension services connecting entrepreneurial communities this coming year has been submitted. The Governor's showcased trail is called Iron Belle which runs from Belle Isle to Ironwood and will be running through Ypsilanti as well. The time table is five years for completion.
- G. Millennial Mayors Conference – Meeting is on Thursday
- H. Ypsilanti Downtown Development Authority – No update
- I. Eastern Washtenaw Safety Alliance – Meeting will be held Monday, February 9th.

XIV. COUNCIL PROPOSED BUSINESS –

Robb

- Stated this is the second meeting in a row that City Hall was closed the Monday before a Council meeting, leaving no time to ask staff questions. Mr. Robb asked Council if this practice is acceptable.

Mayor Edmonds stated that she and Council Member A. Brown have spoken with Clerk McMullan about how a change in packet availability would affect staff.

Council Member Robb stated it is about process, all staff activities do not have to revolve around the most current Council Meeting.

- Asked that a presentation be given regarding loss in parking enforcement revenue.

Richardson

- Stated she has received several calls regarding a 24 hour warning letter for snow removal. Ms. Richardson stated some of the calls were from elderly people who are dependent on others to shovel. Ms. Richardson stated there should be some leeway in these situations.
- Apologized for being late for the meeting this evening.
- Stated Robert Hunter had spoken with her regarding Sec. 136 of the City Ordinance, which states the timing a person can be ticketed for snow removal and that it can be assessed to their tax bill.
- Asked if Council Member Murdock or former Fire Chief Jon Ichesco remembered Council Member and Mayor Pro-Tem John Baas, Council Member Sam Baas, Melvin Bass who was the first African American Building Inspector in Ypsilanti. Ms. Richardson stated that John's wife had passed away and the funeral was on Monday, February 1st. Ms. Baas was on the committee to desegregate Ypsilanti Public Schools.

Murdock

- Commended staff for the recent snow removal.
- Stated the refurbished Downtown Ypsilanti sign looks terrific and thanked Fire Fighter John Roe.

N. Brown

- Echoed the sentiments of Council Member Murdock and thanked staff for their efforts regarding snow removal.
- Asked for a status on a speed tracker being placed at Ferris and Middle.

City Manager Lang stated in order to produce the results the speed tracker must be placed in an area for some time. Unfortunately, the tracker has in need of repair. Mr. Lange stated he is trying to get the tracker repaired and will keep Council informed.

A Brown

- Stated as a result of plowing on Collegewood, two driveways on Bellevue were blocked.
- Stated local Government Committee meets for the first time tomorrow and she will keep Council informed on its results.

- Approached several businesses that seemed hesitant in sharing posters and information regarding the Eastern Washtenaw County Safety Alliance because they felt that it expressed to customers that there is a crime issue in Ypsilanti.

XV. COMMUNICATIONS FROM THE MAYOR –

- Stated she will be officiating a wedding in Council Chambers on Friday the 13th.

Council Member A. Brown, supported by Council Member N. Brown to extend the meeting until 10:15 p.m.

On a voice vote, the motion carried and the meeting was extended until 10:15 p.m.

- There will be a call for art for the April edition of First Friday's at City Hall which will include rotating art from local artists.
- Encouraged the City to concentrate on its corridors when considering snow removal strategies and stated that several key areas of the City had not been plowed. Mayor Edmonds stated that several individuals were waiting in deep snow for buses and that should be considered as a part of snow removal priorities.
- Met with the LDFA Board Members representing Ypsilanti and shared her opinion on how SPARK funds and LDFA funds should not be focused only on tech industries. Mayor Edmonds stated the LDFA zone is expanding to include Tecumseh and they focus on sectors other than tech industries.
- Spoke with Reinhart Realtors promoting Ypsilanti and why people should come to Ypsilanti.

Council Member Robb asked what recommendations Mayor Edmonds made to the LDFA.

Mayor Edmonds stated it was an initial discussion intended as a learning tool for the processes of the LDFA and what is fundable in the TIF plan. Mayor Edmonds stated she is waiting for a follow-up that the regional expansion may prompt eligibility to expand to sectors outside tech industries.

Council Member Robb responded that Mayor Edmonds stated that she made recommendations and asked if she any recommendations were made.

Mayor Edmonds responded that she had a discussion and gave her opinion and stated she will provide Council with documents the LDFA supplied.

Nominations to Boards/Commissions:

- Stated several names were brought forward during the January 20th Council Meeting and some on this list are reappointments.
- Requested that Council motion at least on the Review and Tax Assessment Board and the Ypsilanti Community utilities Authority.

Council Member A. Brown asked if Council can motion on the slates presented, or do they need to be handled one at a time.

Council Member Robb stated the process is that nominations are presented in the packet and at the following meeting a vote is held.

Mayor Edmonds stated four appointments were brought to Council at the last meeting.

Council Member Robb stated the appointments were not included in the last Council Meeting's packet.

City Clerk McMullan stated there is time before the March Board of Review.

Mayor Edmonds requested that Council act on the appointments for the Review and Tax Assessment Board and the Ypsilanti Community Utilities Authority.

Council Member Murdock stated the next Council Meeting is February 17th and the Board of Review is not held until March.

Mayor Edmonds responded there is enough time but the Assessor is eager to have these appointments in place, but if this is not the will of Council then it can be handled at the next meeting.

Council Member Murdock stated he would rather wait until next meeting.

Council Member A. Brown asked if there are issues that require the appointment for the Ypsilanti Community Utilities Authority (YCUA) to be made at tonight's meeting.

Council Member Murdock stated he does not believe YCUA meets before February 17th meeting.

Mayor Edmonds asked Jon Ichesco when the next YCUA meeting is.

Jon Ichesco responded he believes it will be held on February 24th.

Mayor Edmonds stated appointments can wait until the February 17th Council Meeting.

Council Member Vogt stated he is neutral on the matter.

Council Member N. Brown asked at the next meeting will the appointments be voted on as a slate.

City Attorney Barr responded the practice is that Council will be provided with a sheet that will include all appointments to be voted.

Council Member Robb stated as long as they are City residents.

Council Member Murdock stated if the appointments are not City residents they are required to be appointed separately.

Mayor Edmonds stated that would not apply to any of these appointments.

Council Member Murdock stated he was not certain of the address of Greta Bolhuis a reappointment for Millennial Mayors.

Mayor Edmonds responded that she will check on the address of Ms. Bolhuis.

Council Member Murdock asked that the remaining appointments needed be sent to Council.

Mayor Edmonds responded that she will provide Council with that information. Mayor Edmonds added that a better communication system is being implemented that will inform the Clerk Department of resignations from Boards and Commission which are outside of the City's purview.

Historic District Commission

Erika Lindsay - Reappointment
Ronald Rupert - Reappointment

Human Relations Commission

Teresa Saunders – Appointment
Krista Nordberg - Reappointment
Sue Melke – Appointment

Huron River Watershed Council

Sally Luske – Reappointment

Millennial Mayors

Erica Mooney – Reappointment
Greta Bolhuis – Appointment

Parks and Recreation Commission

Delois Wilson – Appointment

Review and Tax Assessment Board

Andy Fanta - Reappointment
Craig Hupy – Reappointment
Zachary Fineberg – Appointment

Ypsilanti Community Utilities Authority

Jon Ichesco – Appointment

Ypsilanti Housing Commission

Clarence Hollifield - Reappointment

XVI. COMMUNICATIONS FROM THE CITY MANAGER –

- Stated on the biggest things the public can do to assist with snow removal is to keep cars off the street and out of City parking lots for 24 hours. If that is done snow removal will be much quicker.

Council Member Murdock asked what declaring a snow emergency does.

City Manager Lange responded the issue with declaring a snow emergency is that people do not have any other options than to park their car in the street. Mr. Lange stated declaring a snow emergency requires cars to be removed from the street making it easier to plow.

Council Member Murdock stated as he recalls it's not a complete ban on street parking it's only on the emergency snow routes.

Council Member Robb stated that former City Manager Ed Koryzno and DPS Director Stan Kirton essentially made every road applicable to a snow emergency. Mr. Robb stated snow routes were not created and Council voted against adopting a snow emergency provision. Mr. Robb added the City cannot declare a snow emergency because snow emergency routes have not been established.

Council Member Murdock stated at one time there were discussions about alternate parking in the winter to address that issue.

Mr. Lange responded if cars are not parked in City owned lots it is much easier to clear, but the lots are always full making it difficult to plow. Mr. Lange added staff will continue to find solutions for this issue.

Mayor Pro-Tem Richardson stated Mr. Hikkenen addressed Council stating he would clear the sidewalks downtown and in this past storm he was only able to do a portion of the walks because of how the streets were plowed and as a result a business owner was given a ticket. Ms. Richardson asked if the City is going to be that stringent and issue tickets even though a portion large enough to walk through was shoveled.

Mr. Lange stated those are issues that the City is working on and will better educate the public on what to do.

- Stated the City does not hold an official contract with a company for snow removal, but it falls within his purchasing authority and will complete the contracting process.

Mayor Edmonds stated the City does not hold a contract for snow removal for properties that are non-compliant with the 24 hour stipulation of the ordinance after being warned and ticketed.

Mr. Lange responded the City does it just does not hold a formal contract, but the City is taking the necessary steps to contract a company for snow removal.

Mayor Edmonds asked if this contract will run through the current snow season.

Council Member Murdock stated even with the contract in place it would be difficult to have all walkways cleared as soon as the 24 hour grace period expires.

Mayor Edmonds asked for a motion to extend the meeting.

Council Member Vogt motioned, supported by Council Member N. Brown to extend the meeting until 10:30 p.m.

On a voice vote, the motion carried and the meeting was extended until 10:30 p.m.

- Stated DPS has worked very hard to get the Washington St. lights back on, but this is not the solution to the problem. Mr. Lange stated he would like to hold a public hearing and get citizen input in two weeks to see how citizens feel about City strategies with the Washington St. light transition strategies.
- Stated the DTE rate increases are bothersome and he will meet with DTE on a host of issues.

Council Member Robb asked what kind of contract the City holds with DTE for Riverside Park regarding the temporary poles and the timeline for their removal.

Mr. Lange responded the poles should be removed sometime in May and the replacements will all be underground.

Mayor Edmonds asked if there is a contract or a Memorandum of Understanding (MOU).

Mr. Lange replied there was not a contract developed the poles were an effect of an emergency that needed to be responded to quickly.

Mayor Edmonds asked if it was possible to develop a contract now that would require the poles be removed by a certain date.

Mr. Lange stated he will discuss that with DTE next time he meets with them.

Council Member Murdock stated this is a big issue, the power provided to the City was about to disappear.

Mr. Lange answered it is a big deal which is why the City worked to rectify the problem and protect the citizens of Ypsilanti.

Council Member Robb asked what the issue was that required the poles be placed in Riverside Park. Mr. Robb stated the power grid almost failed which is not something that needs to be kept secret.

Mr. Lange stated it is not a secret. The power went out four or five times at the Fisher Honda last year which was the beginning of the investigation which led to this situation.

Council Member Murdock stated there have been issues of power going out four times in pockets of the City per year.

Mr. Lange stated he was not aware, but that is a trigger for a review of the system and more and more problems arose as a result of that review. Mr. Lange

added with the help of DTE there is now adequate power running in and out of the substation.

Mayor Edmonds asked for something in writing that states when the poles will be removed.

Council Member A. Brown asked if City Manager Lange was working with DTE's Government Relations Official.

Mr. Lange replied yes he is.

XVII. AUDIENCE PARTICIPATION –

1. Ralph Thompson, 330 Chidester #717, asked if Council had received the mold test results that he delivered in hard copy. Mr. Thompson stated Holly Township has an ordinance that requires people not park on the street during certain times during the winter months.

XVIII. REMARKS FROM THE MAYOR –

Mayor Pro-Tem Richardson asked if there are warming stations in Ypsilanti where homeless individuals are able to go to and if not the City should partner with another organization to provide that.

Mayor Edmonds responded a memo was sent providing information on options in Ypsilanti.

Council Member A. Brown stated that information should be posted on the City's Website.

Mayor Pro-Tem Richardson stated homeless individuals don't have access to the website.

Mayor Edmonds stated she will ask the County where that information is distributed.

Clerk McMullan asked on what date the Goal Setting meeting will be held.

Mayor Edmonds responded Monday, February 9 from 6:00 - 9:00 p.m.

XIX. ADJOURNMENT -

Resolution No. 2015-030, adjourning the City Council meeting.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the City Council Meeting be adjourned, on call, by the Mayor or two (2) members of Council.

OFFERED BY: Council Member A. Brown

SUPPORTED BY: Council Member N. Brown

On a voice vote, the motion carried and the meeting adjourned at 10:26 p.m.