



**APPROVED**

**CITY OF YPSILANTI  
COUNCIL MEETING MINUTES  
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.  
YPSILANTI, MI 48197  
Tuesday, February 17, 2015  
7:00 p.m.**

**I. CALL TO ORDER –**

The meeting was called to order at 7:04 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    | 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; City Planner Bonnie Wessler, Washtenaw County Economic Development Specialist Nathen Vought, Assistant City Attorney Dan DuChene, Assistant City Attorney Jesse O'Jack, and former Council Member Michael Bodary.

**VI. AGENDA APPROVAL –**

Council Member Vogt motioned, supported by Council Member A. Brown to approve the agenda.

Council Member Murdock motioned to add Resolution No. 2015-048, solar array, to Section XIV, Resolutions/Motions/Discussions. Council Member A. Brown supported the amendment.

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

**VII. PRESENTATIONS –**

None

**VIII. AUDIENCE PARTICIPATION –**

1. Michael Bodary, 1206 Westmoorland, stated he supports the nomination of Mr. Jon Ichesco to the Ypsilanti Community Utilities Authority (YCUA), and thanked Council for filling the vacancies on the Authority.
2. Robert Hunter, 515 Ferris, stated during the February 3<sup>rd</sup> Council Meeting he informed Council about issues regarding citations being issued for snow removal. He said since that meeting nothing has been done to resolve the problem. Mr. Hunter asked how many properties have been cleared and where the report is. He asked who the City contracts for snow removal, how door warnings are given if there is no structure to place the warning, how property owners are notified if their property is in violation, is there a due process for property owners that are given a warning. Mr. Hunter stated he was ticketed for snow removal last year and was taken advantage of by the City Attorney's Office, but this year he has not had that issue. Mr. Hunter concluded that he wants this issue solved.
3. Lee Tooson, 107 Middle Dr., stated he tried to bring the Traffic Commission a letter to resolve an issue regarding a stop sign at Middle and Ferris. Later in the evening he found his request was denied. Mr. Tooson stated he has been trying to have a stop sign placed at Middle and Ferris for years for safety concerns. He stated the individuals who make decisions regarding this issue do not live in that area or in the City. Mr. Tooson stated he would like the City to stop using tax funds for sensitivity training for staff. Mr. Tooson stated if the training was effective Firefighter Williams would not have suffered things that he has suffered while employed by the Fire Department. Mr. Tooson stated he fought hard in the past for a discrimination ordinance in the City.

#### **IX. REMARKS BY THE MAYOR –**

- Asked City Manager Lange to provide Robert Hunter with an update on snow removal enforcement.

City Manager Lange stated the City has signed a contract with a company, Bank Shot that will provide snow removal as per the City Ordinance.

Mayor Edmonds asked who has been providing the service the past few weeks.

Mr. Lange stated either City Staff, if they have time, or the recently contracted company Bank Shot. He stated if the property is free of structures the notice is placed on a tree on the property. Mr. Lange stated he does not know the specific number of properties cited for failure to remove snow.

- Stated a new system may need to be developed to inform property owners without structures that they have been issued a warning. She stated a mailing may better reach those individuals regarding issues with their property.

#### **X. MINUTES –**

Resolution No. 2015-032, approving the minutes of Feb. 3 and Feb. 9, 2015

#### **RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

**That the Minutes of February 3 and February 9, 2015 be approved.**

OFFERED BY: Council Member Robb

SUPPORTED BY: Council Member Vogt

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

**XI. PUBLIC HEARINGS –**

1. Public hearing to consider an ordinance to vacate Lathers Street, located between the City boundary to the west and Warner Street to the east, within the City of Ypsilanti.  
***(Second Reading - Ordinance No. 1237)***
  - A. Resolution No. 2015-033, determination

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

**WHEREAS, the owners of the property located at 1010 W Michigan, have requested that the City vacate a street that runs north of their property; and**

**WHEREAS, after considering the request, the City does not believe any of the factors listed in Section 94-271 of the Code of Ordinances for the City of Ypsilanti indicate that ownership interest in the purported alley should not be vacated; and**

**WHEREAS, Section 94-297 of the Code of Ordinances for the City of Ypsilanti provides that when a public alley is vacated by the City, the public right-of-way is extinguished and title to the publicly owned land reverts to the adjacent property owners, "except that the city shall in each case retain and reserve within the entire former right-of-way an easement for installation and maintenance of utilities..." and**

**NOW THEREFORE:**

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

- A. It is in the best interests of the City to vacate the street described above; and**
- B. The ordinance entitled "An ordinance to vacate Lathers Street, located between the City boundary to the west and Warner Street to the east, within the City of Ypsilanti" be approved on Second and Final Reading.**

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

- B. Open public hearing
  1. Jonathan Krieger, 327 Adeline St. Ypsilanti Township, asked what will happen to the side of the property located in the Township.  
  
Mayor Edmonds responded she was not certain of the answer, but it would be addressed after the closing of the public hearing.

- C. Resolution No. 2015-034, close public hearing

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

**THAT the public hearing to consider an ordinance to vacate Lathers Street, located between the City boundary to the west and Warner Street to the east, within the City of Ypsilanti be closed.**

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

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

City Planner Bonnie Wessler responded to Mr. Kreiger's question stating essentially nothing will happen to the Township side of the vacated property, it will remain in the right-of-way unless the Township or County Road Commission vacate the property.

Mayor Edmonds asked if a barrier would be placed to separate the Township and City.

Ms. Wessler responded once the property is private property it is at the land owner's discretion.

Mayor Edmonds asked if other vacations occurred on jurisdictional lines and possible challenges that would arise as a result of this vacation.

Ms. Wessler replied she cannot recall a similar vacation and added that she contacted both the Township and the County Road Commission who provided no objections.

On a roll call, the vote to approve Resolution No. 2015-033 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 an ordinance to close alley: Forest/Prospect/Oak/River, second north-south alley from east. **(Second Reading – Ordinance No. 1238)**

- A. Resolution No. 2015-035, determination

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

**That an ordinance entitled "An ordinance to close the second north-south alley running between East Forest and Oak between River and Prospect in the City of Ypsilanti" be approved on Second and Final Reading.**

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

- B. Open public hearing  
None
- C. Resolution No. 2015-036, close public hearing

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

**That the public hearing for an ordinance entitled "An ordinance to close the second north-south alley running between East Forest and Oak between River and Prospect in the City of Ypsilanti" 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.

City Planner Bonnie Wessler asked to amend the agenda to read "...close the alley" not "...public hearing to vacate the alley".

Mayor Edmonds asked what the difference is between an alley vacation and a closing.

Ms. Wessler explained vacation results in the property interest reverting to the adjacent property owner's, closing an alley means it is closed to traffic by a barrier.

On a roll call, the vote to approve Resolution No. 2015-035 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. 1242***

1. Ordinance to vacate an alley located at Whittier/Cornell/Washtenaw/Mansfield, easternmost portion immediately south of 1403 Whittier.
  - A. Resolution No. 2015-042, determination

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

**WHEREAS, William Schramm, on behalf of Homes for Autism, doing business as Pheasant Ring, the owners of a building located at 1403 Whittier, in the City of Ypsilanti, have requested that the City vacate an alley that runs behind their property; and**

**WHEREAS, this alley runs east and west between Mansfield and Cornell streets, is located north of Washtenaw Avenue and south of Whittier Street; and**

**WHEREAS, after considering the request, the City does not believe any of the factors listed in Section 94-271 of the Code of Ordinances for the City of Ypsilanti indicate that any possible ownership interest in the purported alley should be vacated; and**

**NOW THEREFORE IT IS RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that: It is not in the best interests of the City or its citizens to vacate the alley described above.**

OFFERED BY: Council Member Vogt

SUPPORTED BY: Council Member N. Brown

B. Open public hearing

1. Bill Schramm, Lake Orion, MI, stated that the right-of-way contains an egress and an ingress, which sees a large amount of traffic as a result of the neighboring gas station. Mr. Schramm stated the alley should belong to the gas station. He said recently the property at 1403 Whittier was cited for trash and litter which was caused by the gas station. Mr. Schramm requested that the alley be vacated and the gas station be given ownership.

C. Resolution No. 2015-043, close public hearing

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

**That a public hearing on an ordinance to vacate an alley located at Whittier/Cornell/Washtenaw/Mansfield, easternmost portion immediately south of 1403 Whittier be officially closed.**

OFFERED BY: Council Member Vogt

SUPPORTED BY: Council Member N. Brown

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

City Planner Bonnie Wessler stated the applicant requests the alley to the south of their lot be vacated. She stated the alley serves both a residential and commercial use and serves as a buffering between the commercial and residential properties. Ms. Wessler stated the vacation would not be possible under statute, if the alley were vacated the gas station and the property at 1403 Whittier would become part owners of the alley. She said this is more of an enforcement issue and as a result the Planning Commission does not support the alley vacation.

Council Member Vogt asked Ms. Wessler to address how citations to adjacent property owners, in situations such as these, are treated.

Ms. Wessler replied code enforcement is now handled by the Police Department and the Planning Department has little control over that process.

Mayor Edmonds stated there is an issue of enforcement and if the alley is being used as an entrance for the gas station.

Ms. Wessler replied alleys can be used as an entrance as long as it is not the primary use.

Mr. Schramm stated it is not an alley, an alley is a restricted access, and this alley is primarily used for commercial purposes and marginally used for residential purposes.

Council Member Murdock stated when this matter went before the Planning Commission properties close to the alley were not notified.

Ms. Wessler responded Planning Commission rules require little noticing, which is an issue that will be dealt with at the March 3<sup>rd</sup> City Council meeting.

Mayor Pro-Tem Richardson asked if Mr. Schramm's property was fenced in and separated from the alley.

Mr. Schramm responded there is a fence along the property line and the debris is on the side of the gas station. He informed Council that he spoke with the owner of the gas station before he brought the matter to the Planning Commission.

Council Member Murdock stated it seems unusual that adjacent property owners were not informed of the Planning Commission meeting.

Ms. Wessler stated it was not required by the statute.

Council Member Murdock stated if that alley is vacated the people who used the alley for residential ingress would claim they were not provided the opportunity to voice their opinion regarding the vacation.

Ms. Wessler replied residents were noticed about the public hearing held during this Council Meeting.

Council Member Robb stated this is one of three alley closings, or vacations, on the agenda tonight and asked if the Planning Commission noticing regarding this vacation was any different than the other two.

Ms. Wessler answered no.

Council Member A. Brown asked what the Planning Department's recommendation is and why it made that recommendation.

Ms. Wessler replied both the Planning Department and Planning Commission recommend that the alley not be vacated because the alley can serve an important purpose for both commercial and residential properties along the alley.

Mayor Pro-Tem Richardson stated Ms. Wessler said the alley serves as a buffer between the commercial and residential properties, but if the alley is closed won't it will still serve that purpose.

Ms. Wessler replied if the alley is vacated the property rights to the alley revert to the neighboring owners resulting in the elimination of the buffer.

Mayor Edmonds stated the suggestion of vacating and maintaining the alley as a right-of-way wouldn't preclude the alley being blocked.

Ms. Wessler responded if the alley is vacated and ingress, egress, and utility easements the City traditionally reserves are maintained there would be little difference other than enforcement.

Mayor Edmonds stated if the alley were vacated the property rights would be separated between Mr. Schramm's property and the gas station. Mr. Schramm would either need to sell the property or give the property to the gas station owner to no longer be responsible for debris.

Ms. Wessler responded yes.

City Manager Lange asked if the alley is vacated would that change the debris problem.

Ms. Wessler replied if the alley were vacated the property line would run up the middle of the alley and Mr. Schramm's business would still be responsible for the debris on his property. Ms. Wessler added that she is not as familiar with property maintenance code as the building official or Police Department.

Assistant City Attorney O'Jack responded each property owner neighboring the alley is responsible for the maintenance for their half of the alley. If the property line ran down the center of the alley he would not be any different and Mr. Schramm would still be responsible for the debris.

Council Member Vogt asked if the gas station owner could reject the property gift.

City Attorney Barr responded he is uncertain but he thinks a property gift can be rejected.

Mayor Edmonds asked Ms. Wessler who maintains the alley.

Ms. Wessler responded the City is responsible to maintain the alley now, if vacated the neighboring property owners would be responsible.

Council Member Vogt stated the only thing that would be vacated is the obligation to pick up trash on the northern half of the alley. Also, the owner of the southern half of the property, if vacated, does not have to accept the property gift. Mr. Vogt stated he does not think that it works legally and asked Ms. Wessler if there is an accommodation that can be made regarding enforcement.

Mr. Schramm stated that he has no interest in the right-of-way.

Mayor Pro-Tem Richardson asked who is asking that the alley be vacated.

Mr. Schramm stated he is asking for the vacation.

Mayor Edmonds stated she will support the Planning Commission recommendation and vote to not vacate the alley, but asked what could be done regarding code enforcement.

Council Member Robb stated he thinks examining what could be done regarding code enforcement is a waste of time. He stated Mr. Vogt is correct in saying if you purchase the property you accept the responsibilities that comes with owning that property.

Council Member Murdock stated the way the resolution is written a yes vote would reject the alley vacation.

Mr. Barr stated that is correct and asked that at the end of the resolution it read, "... that the petition be denied". He added if the resolution passes the petition ended and there would be no second reading.

Council Member A. Brown motioned, supported by Council Member N. Brown to amend the resolution to read, "...that the petition be denied".

On a voice vote, the motion carried, and the amendment was approved.

Council Member Vogt stated he respectfully disagrees with Mr. Schramm and believes that it is an alley, but he does sympathize with Mr. Schramm and other property owners, but there is little recourse.

Mayor Edmonds asked that code enforcement examine this issue and think of ways to prevent this situation in the future.

On a roll call, the vote to approve Resolution No. 2015-043 as amended 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

### **XIII. CONSENT AGENDA –**

Resolution No. 2015-037

1. Resolution No. 2015-038, approving 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. ***(Second Reading- Ordinance No. 1241)***

**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 Second and Final Reading.**

2. Resolution No. 2015-039, adopting the Housing Affordability and Economic Equity Analysis report.

### **A RESOLUTION TO ADOPT THE HOUSING AFFORDABILITY AND ECONOMIC EQUITY – ANALYSIS**

**WHEREAS, the Washtenaw County Office of Community and Economic Development, with support from the U.S. Department of Housing and Urban Development, the City of Ann Arbor, and the Ann Arbor Downtown Development Authority, commissioned an Affordable Housing Needs Assessment; and**

**WHEREAS, czb LLC, a consulting firm, was selected through competitive process to perform the analysis and completed the work in January of 2015; and**

**WHEREAS, the report provides information from stakeholder interviews, surveys, and data analysis describing a widening imbalance**

**in the housing markets of Washtenaw County, and particularly the urbanized area; and**

**WHEREAS, the report provides findings as well as targets and implementation strategies that can be considered to improve the balance of markets and the access of lower income households throughout the community; and**

**WHEREAS, the Ypsilanti City Council is committed to promoting those policies that create resiliency, promote equity, and improve opportunity for households of all income levels throughout the city of Ypsilanti.**

**NOW THEREFORE BE IT RESOLVED that the Ypsilanti City Council hereby adopts the Housing Affordability and Equity – Analysis for Washtenaw County; and**

**BE IT FURTHER RESOLVED that the Ypsilanti City Council commits to advancing the goals of this analysis to promote balance in the housing market through policy, partnerships, collaborations and through a goal of providing services to residents of the city of Ypsilanti; and**

**BE IT FURTHER RESOLVED that the Ypsilanti City Council supports the identification and/or designation of a workgroup or structure that will annually review the status of goals identified in this report and requests that the Office of Community and Economic Development report on progress to the City of Ypsilanti and the community at large.**

3. Resolution No. 2015-040, approving the Frog Island Park MDNR Grant Obligation Conversion.

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

**WHEREAS, in 1998 the Michigan Department of Natural Resources (MDNR) formally notified the city that the location of the recycling center constitutes a violation of the Land and Water Conservation Fund (LWCF) grant agreement (project number 26-01269) that funded early improvements to Frog Island Park; and**

**WHEREAS, in order to comply with the contractual requirements, the city must either a) move the recycling center or b) replace the parcel with another that has similar recreation value and would serve a similar group of users; and**

**WHEREAS, the LWCF project at Frog Island Park was a development project, thus it is possible to mitigate the conversion by dedicating the parking area associated with the Border to Border (B2B) Trail on South Grove St; and**

**WHEREAS, the staff's plan of action is to complete this process by the end of April 2015;**

**NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council authorizes staff to move forward on this proposed plan of action to mitigate the Frog Island Park property on which the Ypsilanti Recycling Center is located and forward to the MDNR for approval.**

4. Resolution No. 2015-041, approving agreement with Friends of Ypsilanti Freighthouse to apply for a grant and provide seed funds in the amount of \$10,000.

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

**Whereas, The City of Ypsilanti owns the Freighthouse, a historic building in Ypsilanti to be used for public gatherings; and**

**Whereas, The Freighthouse is in need of renovation and the renovation is in for the public good and interest; and**

**Whereas, the Friends of the Ypsilanti Freighthouse (Friends) have a management contract with City to manage the Freighthouse; and**

**Whereas, the Friends is working with the Michigan Economic Development Corporation (MEDC) on a fund raising project using the internet and the Patronicity crowdfunding platform for renovation of the Freighthouse, and MEDC has grant money available and will match certain funds on the Project provided the Friends is able to raise seed money as described in the grant documents; and**

**Whereas, the City is supportive of the grant application and is desirous of providing money for the project in the amount of \$10,000 allow matching funds of all or part of the City contribution.**

**Now therefore be it resolved that the Ypsilanti City Council approves the attached agreement with the Friends of the Ypsilanti Freighthouse (Friends) and authorizes the Mayor and City Clerk to sign the agreement for and on behalf of the city and the city to pay the funds as indicated.**

OFFERED BY: Council Member N. Brown

SUPPORTED BY: Council Member Vogt

Mayor Edmonds asked if in order to discuss items on the Consent Agenda each item would have to be removed.

City Attorney John Barr responded normally there is not discussion on the Consent Agenda but it can be done. Mr. Barr stated the contract regarding the Freighthouse requires a few technical amendments; it should read the amount as \$10,000 and the Memorandum of Understanding (MOU) is still in progress, however he does not see that there would be any issue in approving the Consent Agenda.

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Council Member Vogt asked if the amendment would require a motion.

Mr. Barr responded to make the motion subject to approval by the City Attorney.

Council Member Vogt motioned, supported by Council Member N. Brown to amend the resolution subject to the approval of the City Attorney.

On a voice vote, the motion carried and the amendment was approved.

Mayor Edmonds stated she would like to see the costs of relocating the recycling center away from Frog Island Park.

Council Member Murdock stated he was surprised this came up; the original recycling center was on Frog Island and was relocated as a result of a grant when the original center was torn down.

Mayor Edmonds stated this is more of a technical issue which can be examined later.

On a roll call, the vote to approve Resolution No. 2015-037 as amended 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. RESOLUTIONS/MOTIONS/DISCUSSIONS –**

1. Resolution No. 2015-044, approving 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"). ***(Second Reading – Ordinance No. 1240)***

#### **RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

**That an ordinance entitled "Ypsilanti Tax Exemption Ordinance-Water Street Flats." be approved on Second and Final Reading.**

OFFERED BY: Mayor Pro-Tem Richardson

SUPPORTED BY: Council Member A. Brown

Assistant City Attorney Dan DuChene stated there were two changes; the project area is better identified, using the legal description of the property and that the correct Tax Increment Financing (TIF) was identified for purposes of when the exemption starts. Mr. Duchene explained there are two TIF's, the Ypsilanti Downtown Development Authority TIF and the other is the Brownfield TIF and this identifies the Brownfield TIF as the appropriate TIF.

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Michael Rodriguez, Herman Kittle, stated as a result of the PILOT, the project's ranking raised from seven out of eight to five out of eight for the 2015 round. He stated that six out of the seven projects will get funding. Mr. Rodriguez stated MSHDA provided two options; the 2014 allocation can be kept or the funds can be returned and stay in the 2015 round, each possibility has its pros and cons. If the 2014 tax credits are kept the project would have \$2.2 million for construction, but it is only \$2.2 million and his fear is if the underwriting could show a hole in funding. The 2015 round may help to close the gap in funding, but MSHDA needs a decision by the end of the week. The third round of applications is due March 19<sup>th</sup> and MSHDA will make their final decision on the 2015 home funds on April 23<sup>rd</sup>. Mr. Rodriguez stated the property management team is okay with a name change and asked Mr. DuChene if there is a legal issue in changing the name of the project.

Mr. DuChene stated a legal description would make it okay and it can be agreed to contractual change the ordinance in the future.

Council Member Robb stated a contractual change is not needed for something that Council has control over.

Mr. DuChene stated he does not see an issue with changing the name.

Council Member Murdock asked if the application discussed during the last Council Meeting, on February 3<sup>rd</sup>, is the application carried over from 2014.

Mr. Rodriguez replied the specific allocation of 2014 and the possibility of the 2015 round were discussed. The timeline begins March 19<sup>th</sup> with the application round than MSHDA makes its final determination for fund allocation.

Council Member Murdock asked if the project will be applying during the March 19<sup>th</sup> round.

Mr. Rodriguez replied it is a three stage application and the March 19<sup>th</sup> application is the final step.

Mayor Edmonds stated the risk is the unknown possibility in the change in rank after the March 19<sup>th</sup> rankings.

Mr. Rodriguez replied yes, but more than likely two projects will drop out at this stage.

City Manager Lange stated the City is being cautious because of the possible changes.

Council Member Robb stated he has an issue with process. He said the original plan adopted by Council is essentially changing and Council should not set a precedent that might be detrimental to future projects.

On a roll call, the vote to approve Resolution No. 2015-044 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 | Yes |
| Council Member A. Brown  | Yes |                     |     |

VOTE:

YES: 5                      NO: 2 (Murdock, Robb)                      ABSENT: 0                      VOTE: Carried

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2. Resolution No. 2015-045, approving new Zoning Ordinance fee schedule.

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

**WHEREAS, the City of Ypsilanti adopts an annual fee schedule; and**

**WHEREAS, the City approved a revision of the zoning ordinance in December that provides for two new types of permits, and removes also one type of application; and**

**WHEREAS, staff proposes a \$50 application fee for temporary use: food concession sales permits, and to remove the application fee for a use variance application.**

**NOW, THEREFORE, BE IT RESOLVED THAT the Ypsilanti City Council approves the amendment of the City fee schedule.**

OFFERED BY: Council Member Vogt

SUPPORTED BY: Council Member N. Brown

Council Member A. Brown asked how the \$50 fee was determined.

City Planner Bonnie Wessler replied the basis of the estimation of the two hours of staff time needed to review the application.

Mayor Edmonds asked if it is a onetime processing fee, or is it good for a certain amount of time.

Ms. Wessler replied she believes the permit is valid for 60 days.

On a roll call, the vote to approve Resolution No. 2015-045 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

3. Resolution No. 2015-046, approving appointments to Boards and Commissions.

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

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

| <b><u>NAME</u></b>                                                               | <b><u>BOARD</u></b>                 | <b><u>TERM<br/>EXPIRATION</u></b> |
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| <b>Erika Lindsay (reappointment)<br/>317 N. Prospect<br/>Ypsilanti, MI 48197</b> | <b>Historic District Commission</b> | <b>1/31/2018</b>                  |

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| <b>Ronald Rupert(reappointment)<br/>421 N. Huron</b> | <b>Historic District Commission</b> | <b>1/31/2018</b> |
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**Ypsilanti, MI 48197**

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| <b>Theresa Saunders (appointment)<br/>2125 Collegewood<br/>Ypsilanti, MI 48197</b> | <b>Human Relations Commission</b> | <b>2/17/2018</b> |
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| <b>Krista Nordberg (reappointment)<br/>1411 Collegewood<br/>Ypsilanti, MI 48197</b> | <b>Human Relations Commission</b> | <b>2/17/2018</b> |
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| <b>Sue Melke (appointment)<br/>330 Chidester, #409<br/>Ypsilanti, MI 48197</b> | <b>Human Relations Commission</b> | <b>2/17/2018</b> |
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| <b>Sally Lusk (reappointment)<br/>1111 W. Clark Rd.<br/>Ypsilanti, MI 48198</b> | <b>Huron River Watershed Council</b> | <b>12/31/2017</b> |
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| <b>Erica Mooney (reappointment)<br/>109 Ferris, #4<br/>Ypsilanti, MI 48197</b> | <b>Millennial Mayors</b> | <b>12/31/2017</b> |
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| <b>Greta Bolhuis (appointment)</b> | <b>Millennial Mayors</b> | <b>12/31/2017</b> |
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| <b>Delois Wilson (appointment)<br/>418 Ainsworth<br/>Ypsilanti, MI 48197</b> | <b>Parks and Recreation Commission</b> | <b>2/17/2018</b> |
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| <b>Andy Fanta (reappointment)<br/>1221 Westmoorland<br/>Ypsilanti, MI 48197</b> | <b>Review and Tax Assessment Board</b> | <b>12/31/2017</b> |
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| <b>Craig Hupy (reappointment)<br/>1124 N. Congress<br/>Ypsilanti, MI 48197</b> | <b>Review and Tax Assessment Board</b> | <b>12/31/2017</b> |
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| <b>Zachary Fineberg (appointment)<br/>938 Sheridan St.<br/>Ypsilanti, MI 48197<br/>(Alternate)</b> | <b>Review and Tax Assessment Board</b> | <b>12/31/2017</b> |
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| <b>Eric Dotzauer (reappointment)<br/>213 E. Forest<br/>Ypsilanti, MI 48198<br/>(Alternate)</b> | <b>Review and Tax Assessment Board</b> | <b>12/31/2017</b> |
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| <b>Jon Ichesco (appointment)<br/>1218 Pearl St.<br/>Ypsilanti, MI 48197</b> | <b>YCUA</b> | <b>2/17/2018</b> |
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| <b>Clarence Hollifield (reappointment)<br/>360 Worden<br/>Ypsilanti, MI 48197</b> | <b>Ypsilanti Housing Commission</b> | <b>2/17/2020</b> |
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OFFERED BY: Council Member A. Brown  
SUPPORTED BY: Council Member N. Brown

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Mayor Edmonds said during the Council Meeting on February 3<sup>rd</sup> there was a question of whether Greta Bolhuis was a resident of Ypsilanti and she is, however, she is not registered to vote because she will be moving to another location within Ypsilanti, and does not want to change her permanent voter registration.

Council Member A. Brown asked if she is a resident of Ypsilanti currently.

Mayor Edmonds replied yes.

Mayor Pro-Tem Richardson asked why Eric Dotzauer was not reappointed to the Board of Review.

Mayor Edmonds replied Mr. Dotzauer is nominated as an alternate. She explained Zachary Fineberg contacted her and stated he was interested in serving on that board. She said Mr. Fineberg skillset is a great match for the Review and Tax Board and was anxious to get that appointment through because of the timeframe.

Mayor Pro-Tem Richardson stated Mr. Fineberg can be considered for another vacancy. She said a citizen should be allowed to serve as long as they wish.

Council Member N. Brown stated she spoke with Mr. Dotzauer and he felt that he received conflicting information. She said Mr. Dotzauer told her he thought he was going to be reappointed and later was told he would be an alternate. Ms. N. Brown stated Mr. Dotzauer has an excellent record on the Tax and Review Board and deserves to be reappointed.

Mayor Edmonds stated if she had not nominated Mr. Fineberg during the February 3<sup>rd</sup> meeting there would not have been an appointment made for the Tax and Review Board. Mayor Edmonds added that Mr. Dotzauer was out of the country at the time and she was not sure if he was still interested in the position.

Mayor Pro-Tem Richardson stated the timeframe considering the Tax Review Board is applied to new appointees not reappointments.

Council Member Robb stated it applies to all appointees.

Mayor Edmonds stated Council can do as it wishes, but there are many citizens interested in serving and she is hoping to add more diversity to Board and Commissions. She added the Assessor informed her the Board of Review could consist of three, six, or nine members and that could be considered for the future.

Council Member Murdock stated he is not aware of the Board of Review ever having an alternate.

Ms. McMullan stated that was a suggestion from staff.

Council Member N. Brown asked if staff requests are considered regarding nominations.

Mayor Edmonds stated many things are considered for nominations.

Mayor Pro-Tem Richardson stated if the Board of Review has an alternate she would like to have Mr. Fineberg be the alternate and Mr. Dotzauer retain his seat on the Board.

Mayor Edmonds asked City Attorney Barr if a motion would be required to make the change that Mayor Pro-Tem Richardson requested.

City Attorney John Barr stated it could be addressed in a couple of ways; there could be a motion to amend the list, or a motion to remove some names from the resolution to handle separately.

Council Member Murdock stated if the Mayor wants to change the recommendations she would need to propose the change, or a Council Member could motion to vote on each nomination separately.

Mayor Edmonds stated she would like to strike Zachary Fineberg as a nomination to the Tax and Review Board, and replace him with Eric Dotzauer.

Council Member Murdock asked if that would require a vote from Council.

Mr. Barr stated there is a motion on the table and that motion would need to be removed.

Council Member Vogt motioned, Mayor Pro-Tem Richardson supported removing Zachary Fineberg nomination from the Tax and Review Board and replacing him with Eric Dotzauer.

Council Member Robb stated the Mayor is awarded certain privileges, and advised Mayor Edmonds to not be pressured into appointing someone whom she does not want to appoint.

Mayor Edmonds relied she appreciated Mr. Robb sentiments but will make the change as Council requested.

Council Member Murdock requested that a substitute resolution be used that reflects the Mayor's new recommendations.

Mr. Barr stated there is a motion on the floor to amend the resolution based on the Mayor's recommendation.

Council Member Robb stated Mr. Vogt cannot change the nominations the Mayor would have to do so.

Mr. Barr stated the Mayor stated she was changing the nomination and Mr. Vogt's motion was to approve Mayor Edmonds recommendation.

Council Member Robb stated he is uncomfortable with that because the process is the Mayor makes appointments, and he thinks Council should follow the recommendation made by Council Member Murdock.

Mr. Barr asked if the Council Members who motioned and supported would remove their motions.

Council Member Vogt withdrew his motion.

Mayor Pro-Tem Richardson withdrew her support.

Council Member Murdock stated he submits a substitute resolution that strikes Zachary Fineberg from the nominations and replaces him with Eric Dotzauer.

Council Member Vogt supported the motion.

On a roll call, the vote to approve Resolution No. 2015-046 as substituted was as follows:

Council Member N. Brown  
Council Member Murdock

Yes  
Yes

Council Member Robb  
Mayor Edmonds

Yes  
Yes

|       |                          |     |                     |     |
|-------|--------------------------|-----|---------------------|-----|
|       | Mayor Pro-Tem Richardson | Yes | Council Member Vogt | Yes |
| VOTE: | Council Member A. Brown  | Yes |                     |     |

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

4. Resolution No. 2015-049, requesting DTE install a solar array panel (City landfill at I-94 and Huron).

**WHEREAS, The Ypsilanti City Council has already approved the DTE lease and easement for Solar Array on an old City landfill in resolution 2013-059; and**

**WHEREAS, The Ypsilanti City Council continues to seek to put underutilized City property to productive use; and**

**WHEREAS, locating a solar array in this location would not require FAA or other municipality approval; and**

**WHEREAS, The Ypsilanti City Council already supports an initiative for 1000 solar roofs within the city limits in resolution 2013-175; and**

**WHEREAS, DTE has issued a request for proposals for development of a solar array in a highly visible location.**

**THEREFORE be it resolved that the City of Ypsilanti continues to fully support the installation of photovoltaic solar array from 200kW to 1Mw on this highly visible city owned parcel located at I-94 and Huron Street and requests DTE to seriously consider this location for such a solar array installation.**

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

Council Member Murdock stated this is a resolution for DTE to consider the City landfill at I-94 and Huron as a site for the installation of a solar array.

Council Member Vogt stated the installation of a solar array in Ann Arbor does not change the need for it in Ypsilanti, and urged DTE to move forward with this proposal.

Mayor Edmonds stated this would help alleviate concern of the expansion of the landfill and contamination of soil.

On a roll call, the vote to approve Resolution No. 2015-049 was as follows:

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|-------|--------------------------|-----|---------------------|-----|
|       | 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: |                          |     |                     |     |

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YES: 7

NO: 0

ABSENT: 0

VOTE: Carried

**XIV. LIASON REPORTS –**

- A. SEMCOG Update – Meeting next week
- B. Washtenaw Area Transportation Study – Meeting February 18th
- C. Washtenaw Metro Alliance – No meeting
- D. Urban County – During a Reimagine Washtenaw meeting there was 100% consensus behind urban renewal. Winter conditions were also discussed and a suggestion was made that Ypsilanti Township adopt a snow ordinance who was open to the idea. The two year plan discussed also focused on completing sidewalk connections.
- E. Freight House – In the process of their “Patronicity” fundraising initiative and have until February 28<sup>th</sup> to reach their goal. A meeting on Thursday, February 19<sup>th</sup> to finalize the bid process for construction.
- F. Parks and Recreation – update is in the Council Packet
- G. Millennial Mayors Conference – Process items are going to be discussed by the Executive Committee trying to expand the group beyond just the involved municipalities. There may be an organizational name change in the future.
- H. Ypsilanti Downtown Development Authority – The monthly Board meeting is on Thursday, February 19<sup>th</sup>.
- I. Eastern Washtenaw Safety Alliance – Sheriff Clayton brought up the issue of jobs which is a very positive direction for that group. AAATA provided a presentation of how the Pearl Street Transportation Station will be remodeled.

Mayor Pro-Tem Richardson stated the AAATA will be changing three routes; 10, 11, and 20 in addition to those route changes there will be extended hours on Saturdays and Sundays, which will begin in August.

Council Member A. Brown stated that Chief DeGiusti stated he was very pleased with the outcome of the Ypsilanti Community Action Team (YCAT) and data gathered can be shared with neighboring municipalities.

**XIV. COUNCIL PROPOSED BUSINESS –**

Richardson

- Stated she spoke with Mr. Hunter about warnings issued for snow ordinance violations placed on vacant lots. At the bottom of the ticket it states if the owner of the vacant lot does not comply with the warning it will be attached to the adjacent property. Ms. Richardson stated the Attorney’s Office will be following up with the issue and a report will be provided.

A Brown

- The Local Government Committee of the State House developed a Bill titled “the Local Government Public Notice Act”, and it will address municipalities that do not have a daily printed newspaper. The bill is in Committee now and deals with website publications and things of that nature.
- Stated she is interested in Council holding a public information forum, possibly on March 9<sup>th</sup> focused on the ballot proposals for the May 5<sup>th</sup> election. Ms. A. Brown stated an individual from MDOT, the school system, and the City to discuss the ballot proposals, and possibly invite Senator Rebecca Warren to facilitate.

Mayor Pro-Tem Richardson agreed with holding a public information forum.

Council Member Robb stated that Council should stay out of those issues because it would give tacit approval on behalf of Council.

Council Member A. Brown replied that she does not see it as taking a position only as a way to provide information to the public.

Council Member Robb asked if the group Citizens Against Increased Taxes would be invited.

Council Member A. Brown answered yes, they would be invited to present to provide a balanced presentation.

- Stated the packet information regarding Boards and Commission has some errors.

Mayor Edmonds stated there might be issues with the list, but has spoken with Chairs to provide clarification.

City Clerk McMullan asked Council Member A. Brown to provide her with a list of errors and she will follow-up to make those corrections.

#### N. Brown

- Asked if Council would be interested in supporting the EMU student organization Delta Sigma Theta asking the City to take out an ad for an event. Ms. N. Brown stated as a sophomore at Eastern she was provided a scholarship from the organization to purchase books and would like to see the City support this organization. Ms. N. Brown stated the cost is tied to the amount of page used for the ad.

Mayor Edmonds asked what the general will of Council is regarding this. She said there are many organizations involved with the university and school district that sell ad space in programs, and if that were part of a marketing strategy for the City it would make sense. However, since this strategy is not in place she would be a little afraid to set a precedent that the City donates to these causes.

Council Member Vogt agreed with the Mayor.

#### Robb

- Asked when we will receive the personal property tax assessments.

City Attorney John Barr stated he has been researching that and will provide them as soon as he can.

Council Member Robb stated there is around \$60,000 of funds the City did not receive and wants to make sure that the City is not cheated out of money. Mr. Robb explained during a meeting with Bay Logistics to discuss truck traffic it was found that engine testing was done on the location which was done illegally because their personal property taxes did not include dynamometers (engine testing equipment). Mr. Robb asked the Assessor for all the Personal Property Taxes from 2000 to 2010 submitted to see if dynamometers were claimed.

Mayor Pro-Tem Richardson stated the Brotherhood Banquet is celebrating 60 years in existence and recommends Council participated. The banquet is on February 27<sup>th</sup> at the Marriott.

**XV. COMMUNICATIONS FROM THE MAYOR –**

- Asked City Manager Lange for an update on issues regarding snow.
- Stated snow has continued being a challenge especially for individuals in wheelchairs and using walkers.
- Stated all but one resident has returned to their apartment at the Town Center facility. She thanked all those who have supported these residents through this situation and that Ypsilanti Fire Fighters recommend ERA brand laundry detergent to get smoke off of clothes.

Council Member A. Brown stated Second Baptist Church donated funds and clothes to those affected by the fire at Town Center and thanked Pastor Waddles for his Church's efforts.

Mayor Edmonds stated she was surprised by the response by the Fire Department, Red Cross, AAATA, and the HVA Mobile Command Unit.

**XVI. COMMUNICATIONS FROM THE CITY MANAGER –**

- Stated Assistant to the City Manager Ericka Savage has provided reports on the snow ordinance and issue with tickets.
- Stated staff is working on the Motor Pool Report and should be ready in the next couple of weeks.
- Stated Ms. Savage has been in contact with the Ypsilanti Area Jaycees about the Easter Egg Scramble.
- Stated there was a hearing regarding if the railcars planned to be used for the commuter train should be sold. If the cars are sold, it would end the hope of the rail stop in Ypsilanti. He stated that he lobbied to not sell those cars at the hearing.
- The parking presentation will be delayed to a later date and asked Council to provide Clerk McMullan with dates they are available for the presentation.
- Reassured Council that the City is examining the issue regarding Firefighter Williams and staff did go through Cultural Diversity training which he feels is valuable.

Mayor Pro-Tem Richardson asked for clarification regarding the Firefighter Williams case.

City Manager Lange stated it is a personnel issue which Rick Fanning, Judi Smith, Chief Anthouard, and the union representative Ken Hobbs are examining. Mr. Lange stated the NAACP is allowing the City to respond to the issue before it goes public. Once it goes public a formal report will be brought to City Council.

Council Member Murdock asked if these are new issues as he was under the impression this had been settled.

Mr. Lange stated this is a sensitive issue and the whole record is going to be settled.

Mayor Pro-Tem Richardson announced that on February 27<sup>th</sup> a Black History program will be held at the Parkridge Center from 4 to 6 p.m. which is centered on Ypsilanti profiles.

**XVII. AUDIENCE PARTICIPATION –**

None

**XVIII. REMARKS FROM THE MAYOR –**

- Stated she had a meeting last week to discuss a young man who was a student at EMU, Henry Vance Davis II was killed in a car accident. Mr. Davis's family is forming a foundation and scholarship fund which will hold a golf outing in June to raise funds for that scholarship and foundation.

**XIX. ADJOURNMENT -**

Resolution No. 2015-047, adjourning the City Council meeting.

OFFERED BY: Council Member Murdock

SUPPORTED BY: Mayor Pro-Tem Richardson

On a voice vote, the motion carried, and the meeting adjourned at 9:15 p.m.