Approved

CITY OF YPSILANTI
REGULAR MEETING MINUTES
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
Tuesday, July 7, 2015
~~6:00 P.M. – WORK SESSION~~
7:00 P.M. – REGULAR SESSION

I. CALL TO ORDER –

The meeting was called to order at 7:02 p.m.

II. ROLL CALL –

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

Council Member Nicole Brown moved to excuse the absences of Mayor Pro-Tem Richardson and Council Member Vogt (Support: Council Member Anne Brown).

On a voice vote, the motion carried and the absences were excused.

III. INVOCATION –

Mayor Edmonds asked all to stand for a moment of silence and mentioned the passing of State Representative David Rutledge's wife, Geraldine Rutledge.

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. ~~WORK SESSION: 6:00 – 7:00 p.m. - DDA BOARD OF DIRECTORS~~

VI. INTRODUCTIONS –

Mayor Edmonds introduced the following individuals: Former EMU President Susan Martin and her Husband Larry, EMU Special Advisor to the President Leigh Greden, Non-Motorized Chair Bob Krzewinski, 826 Michigan Program Manager D'Real Graham, Ypsilanti resident Tony Morgan, Assistant City Attorney Dan DuChene, Fire Chief Max Anthouard, Marcus McNamara, OHM, and Russell Rose, EMU.

VII. AGENDA APPROVAL –

Council Member Nicole Brown moved to approve the agenda (Support: Council Member Anne Brown).

Council Member Robb asked to remove Resolutions No. 2015-147 and 2015-148 from the Consent Agenda.

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

VIII. PRESENTATIONS –

1. Proclamation in recognition of the retirement of Susan Martin, EMU President.
Mayor Edmonds read a proclamation honoring Dr. Susan Martin for her years of service.

Dr. Susan Martin stated that she attended Ypsilanti Community events when she first began at Eastern Michigan University adding that Ypsilanti is such an excellent College Town. She is encouraged by the relationship formed between the University and the City.

Mayor Edmonds recognized Larry Martin, a professor at Michigan State University.

Mayor Edmonds introduced and welcomed Dr. Ben Edmondson, the new Ypsilanti Community Schools Superintendent.

Dr. Edmondson thanked Dr. Martin for her service to Eastern, and commented that during the pursuit of his Ph.D. he attended Eastern Michigan, which was the best colligate experience in his academic career. He recognized the Board of Education, who have been very supportive, and introduced Dr. Celeste Hawkins, Meredith Schindler, Maria Sheller Edwards, and Ellen Champagne. He stated that he will be sending letters to faculty, students and their families and read aloud the letter addressed to faculty.

Council Member Nicole Brown thanked Dr. Edmondson and complimented him on his letter to faculty. She stated Dr. Martin was the president of Eastern while she was a student and graduated under her tenure. She thanked Dr. Martin for her support of the student body and that she had an effect on she choosing to run for public office.

Council Member Murdock thanked Dr. Martin for her service to EMU and said that she was instrumental in building a stronger relationship with Ypsilanti. He stated he is looking forward to working with Dr. Edmondson and that the success of the community and the school system are linked.

City Manager Lange thanked Dr. Martin for her work to strengthen the university's relationship with the City. He stated he looks forward to working with Dr. Edmondson in the future.

Council Member Anne Brown stated during Dr. Martin's tenure the grounds of EMU become more walkable under her administration. She thanked Dr. Edmondson and stated the City is looking forward to working with him.

IX. AUDIENCE PARTICIPATION –

1. Bob Krzewinski, Non-Motorized Committee Chair, 706 Dwight St., endorsed Resolution No. 2015-150 the "Mayor's Challenge" to improve bicycle safety. He stated the Mayor's Challenge began in response to the increase in bicycle fatalities. He said it is no cost to the City and will increase access to the Department of Transportation resources. He stated many of the requirements have already been completed by the City and the Non-Motorized Commission.

2. Anthony Morgan, 612 N. Congress, stated Ypsilanti has a false sense of community and feels a large number of residents are not represented by City Council. He said the job of the White House is to handle the affairs of white people, as is the State House and local governments. He said a petition has been started asked for a civil ordinance that would protect the rights of citizens of color.

3. Nathan Phillips, 509 N. Washington St., stated he was detained by the police and accused of stealing his landlord's lawn mower which he was borrowing to mow the lawn of a local business to earn money. He said he was stopped and arrested for theft and placed in jail from 6:00 p.m. until 3:00 a.m. He said he has not received anything from the Police Department explaining what will happen as a result of the arrest. He said one of his accusers was in attendance at a party where racist comments were directed toward him and he believes that the accusation was in retaliation of that incident.

4. Francisco Garcia, 26 N. Huron, stated he is being nominated for the Ypsilanti Downtown Development Authority (YDDA) and wanted to introduce himself to Council. He said he was born and raised in Ypsilanti, attended Ypsilanti Public Schools, and has lived in Ypsilanti for over 20 years. He said he would be happy to meet with any members of Council if they have questions.

   Council Member Anne Brown asked if Mr. Garcia was a business owner. Mr. Garcia replied he is not; he is a software developer for Huron Valley Physicians Association.

   Mayor Edmonds said Mr. Garcia would fulfill the state statute requiring a resident to sit on the DDA Board.

X. REMARKS BY THE MAYOR –

- Stated she would look into the issues discussed by Mr. Phillips, and would speak with the Police Chief and the City Manager. She thanked Mr. Morgan for sharing his comments, apologized for the time limit, and invited him to finish during the second audience participation at the end of the meeting. She informed him if he wished, he could send a letter to Council with further information. She thanked Mr. Garcia for introducing himself to Council.

- Council Member Anne Brown asked if Mr. Morgan filed a formal complaint with the Human Relations Commission, to which Mr. Morgan responded he has not but that he will be going to court regarding a citation. Mayor Edmonds added that Mr. Morgan could file a police complaint and the forms are available at City Hall and the Police Department.

- Council Member Murdock stated Mr. Phillips told him he would provide Council with information and asked that Mr. Phillips follow-up with him.

XI. MINUTES –

Resolution No. 2015-145, approving minutes of June 2, June 9, June 16, 2015

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Minutes of June 2, June 9 and June 16, 2015 be approved.

OFFERED BY: Council Member Nicole Brown
SUPPORTED BY: Council Member Anne Brown

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

XII. CONSENT AGENDA – Resolution No. 2015-146

1. ~~Resolution No. 2015-147, adopting a FOIA Policy and Record Inspection Policy for the City of Ypsilanti.~~ **(Moved and heard during Section XII, "Resolutions/Motions/Discussions)"**

2. ~~Resolution No. 2015-148, designating the Washtenaw Legal News as the official newspaper of record.~~ **(Moved and heard during Section XII, "Resolutions/Motions/Discussions)"**

3. Resolution No. 2015-149, approving contract for professional services by the City of Ypsilanti for the Board of Trustees City of Ypsilanti Fire and Police Retirement System.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the Board is vested with the authority and fiduciary responsibility for the administration, management and operation of the City of Ypsilanti Fire and Police Retirement System and may retain such professional and clerical services as are required for the proper administration of the Retirement System; and;

WHEREAS, the Board hereby desires to engage the City of Ypsilanti as an independent contractor to perform certain administrative services; and

WHEREAS, the City has the capacity and desires to provide said services to the Board of Trustees

NOW, THEREFORE, BE IT RESOLVED THAT the City Council approves the City entering into the attached contract between the two parties and authorizes the City Manager to sign on their behalf.

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

4. Resolution No. 2015-150, enrolling the City of Ypsilanti in the "Mayors Challenge" to improve bicyclist and pedestrian safety.

RESOLUTION ENROLLING THE CITY OF YPSILANTI IN THE "MAYORS CHALLENGE" TO IMPROVE BICYCLIST AND PEDESTRIAN SAFETY

WHEREAS, in response to high pedestrian and bicyclist traffic injuries/deaths across the United States, U.S. Department of Transportation (USDOT) Secretary Anthony Foxx has issued the "Mayor's Challenge" for Mayors and local elected officials to take significant action to improve safety for bicyclists and pedestrians of all ages and abilities; and

WHEREAS, the Mayor Challenge is a no-cost program with participating communities will have the opportunity to participate in peer-to-peer sessions, topical webinars, receive USDOT updates, and other benefits; and

WHEREAS, Mayors Challenge activities that would be required by the City of Ypsilanti participating in the Challenge (a statement through the Mayor on the importance of bicycle and pedestrian safety, the forming of a local action team) will be accomplished by the City's Non-Motorized Advisory Committee which endorses the Mayors Challenge; and

WHEREAS; many of the recommended actions by the Mayors Challenge have either been accomplished by the City (enact a Complete Streets ordinance) or are actively being worked on by the Non-Motorized Advisory Committee (i.e. identify and address barriers to make streets safe and convenient for all road users, gather and track biking and walking data, educate and enforce proper road use behavior by all, etc.).

NOW, THEREFORE, BE IT RESOLVED That the Ypsilanti City Council agrees to sign on to the U.S. Department of Transportations Mayor's Challenge to improve bicycle and pedestrian safety.

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

On a roll call, the vote to approve the Consent Agenda was as follows:

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

VOTE:

YES: 5 NO: 0 ABSENT: 2 (Richardson, Vogt) VOTE: Carried

XIII. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. ~~Resolution No. 2015-105, approving Ordinance No. 1244: Adoption, Amendment and Restatement of the Depot Town Development Plan and Tax Increment Financing Plan on Second and Final Reading~~. ***(Moved to 8/4/15)***

2. Resolution No. 2015-147, adopting a FOIA Policy and Record Inspection Policy for the City of Ypsilanti.

RESOLUTION ADOPTING A FOIA POLICY AND RECORD INSPECTION POLICY FOR THE CITY OF YPSILANTI

WHEREAS, The State of Michigan adopted the Freedom of Information Act (FOIA) in 1976; and

WHEREAS, the purposes of FOIA, among others, is to provide the public access to certain public records of public bodies, to permit certain fees, and to provide remedies and penalties; and

WHEREAS, the City is a "public body" as defined by FOIA; and

WHEREAS, the State of Michigan has approved certain amendments to FOIA that took effect on July 1, 2015; and

WHEREAS, among other changes to the statute, FOIA requires that public bodies establish and make publicly available policies and guidelines in order to charge a fee for requests made under the Act; and

WHEREAS, the City Attorney has drafted a FOIA policy (titled "Procedures and Guidelines"), a summary of this policy, and forms for the execution of this policy; and

WHEREAS, the policy and forms are in compliance with the newly effective amendments to FOIA; and

WHEREAS, the City Attorney has also drafted a policy for inspection of records for verbal requests of records and other requests not covered under FOIA or the City's FOIA policy.

NOW THEREFOR BE IT RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that: The attached FOIA Procedures and Guidelines are adopted by the City of Ypsilanti.

BE IT FURTHER RESOLVED, that the attached Policy for Public Inspection of Records is adopted by the City of Ypsilanti.

BE IT FUTHER RESOLVED, that the links to these policies, as well as the attached FOIA policy summary and all forms, are to be placed on the City's website and that all said documents are to be updated to include the location of the relevant policy and summary.

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

City Attorney John Barr stated the Magna Carta was approved in England 800 years ago, which outlines certain rights for the people; one being a representative government. He said because of that right citizens have the ability to know what the government is doing, which is the basis of the Freedom of Information Act. He stated governments are allowed to charge for the production of these documents, and the state legislature wanted to impose a cap on what municipalities could charge.

Assistant City Attorney Dan DuChene stated in order to charge a fee under the new amendment, a public body is required to adopt a FOIA policy and make it available to the public. Council Member Robb asked for a definition and example of "contracted labor". Mr. Duchene responded that contracted labor is relative to redaction or separating exempt from non-exempt materials. He said the contracted person would be the individual, such as an attorney, who examines the materials to decide what is exempt. Council Member Robb stated that provision is not included in Ann Arbor's policy. He asked why Ypsilanti would include it in its policy. Mr. DuChene responded Ann Arbor has complete in house counsel, and may not have needed that option available. Council Member Robb asked what is meant by "the cost will be charged only if the city has the technological ability necessary to provide the public record in the requested non-paper physical media format". Mr. DuChene responded if a request is made for records on a CD and the City did not have a CD burner it would not have the technological ability to provide the record on that format. Council Member Robb stated any forms created should be available on-line and fillable. He said technology keeps advancing and the City needs to keep up with it. Mr. DuChene replied there is no reason why these forms cannot be fillable on the City's websites. Council Member Robb asked if it is state statute that incarcerated individuals are not entitled to FOIA materials. Mr. DuChene responded in the affirmative. Council Member Robb asked if the City can still provide FOIA materials to incarcerated individuals. Mr. Duchene responded the purpose of the statute is to provide non-exempt records to non-incarcerated individuals.

Mr. Barr stated the City's policy can be less restrictive and could provide incarcerated individuals the ability to submit a FOIA request. Council Member Robb stated he would like to remove the section that does not award prisoners the ability to FOIA. Mr. Barr stated the reason the provision is included in the state statute is, before the provision was created, there was a flood of FOIA requests from prisons. He said it took jurisdictions a substantial amount of time and, suggested Council think very carefully before it decides to remove that provision. He said there are mechanisms in place that

provide prisoners the ability to gather information. Council Member Robb asked Mr. Barr if he was the FOIA coordinator before July 1, 2015. Mr. Barr replied in the affirmative.

Council Member Robb asked how many FOIA requests the City received from prisoners before July 1, 2015. Mr. Barr responded that this provision has been included in the law for some time. He stated there are few people that file an abundance of FOIA requests and this law addresses that by limiting the number of requests a person can make.

Mr. DuChene stated when a FOIA request is made, and the City estimates the fee to be higher than $50, if the requesting individual has unpaid fees or picked up past requested documents, the City may charge them a 100% deposit instead of a 50% deposit.

Mayor Edmonds asked if another FOIA request can be made if an individual has not paid for a previous request. Mr. DuChene replied if an individual has not paid a FOIA request in a year the only way a person can avoid paying the 100% deposit is if they pay for the original request.

Council Member Robb stated he would like the FOIA policy posted on the City website. Mr. DuChene asked if FOIA responses should be posted on the City website. Council Member Robb responded in the affirmative, and said he does not see why that information should not be made available.

Mr. DuChene stated in his opinion there is a conflict in the language of the FOIA policy that states if there is content on the City's website, the public body would be required to notice the public of the location when responding to requests. He stated if many requests are made and the employee is unaware it could cause issues for the City. Council Member Murdock asked if items requested that are already included on the City's website, could they simply be informed of its location. Mr. DuChene responded the only way to answer a FOIA request is in writing.

Council Member Murdock asked how FOIA request fees are structured. Mr. DuChene responded fees are based on costs of materials and labor needed to complete the request.

Council Member Murdock asked if FOIA request fees are included in the City fee schedule. Mr. DuChene replied they are not; fees are based on actual costs. He said FOIA costs can be added to the fee schedule if Council wishes. He stated in the new policy the fee structure is by far the most complicated and he is not certain if the City will fully recoup the cost of FOIA requests.

Council Member Murdock stated if an individual makes a FOIA request and all they ask for is an electronic copy, how would the fee be structured? Mr. DuChene responded the fee would be based on labor associated with completing that request.

Council Member Robb stated fees for FOIAs are included in the fee schedule, however, the fees do not detail charges associated with toner costs and things of that nature. He said fees are listed as the first three pages cost $3 and each additional page is $.50.

Mr. DuChene responded the new FOIA statute would not allow the City's current fee structure.

City Manager Lange stated Council will be holding a work session to discuss the fee schedule during the July 21st Council meeting.

Mayor Edmonds asked if there is a reason the web address for the FOIA policy is left blank. Mr. DuChene responded because he is uncertain where this information will be located on the website. Mayor Edmonds asked could the policy state the web address as "cityofypsilnati.com", or does the information need to be more specific. Mr. Duchene replied if the policy is amended the city attorney can make that change and notify Council. He added the web address listed in the policy needs to be exact.

Council Member Robb said if the policy is placed on the homepage, is what the Mayor is suggesting would be correct. Mr. DuChene replied in the affirmative.

Mr. Lange responded the whole policy would not be put on the homepage it would only include a link, and asked if that would meet the requirement. Council Member Robb responded yes, because that is the location. Mr. DuChene responded that is interpretive and he understands it is the location defined is where it is on the server. Council Member Robb stated Council could create an address at this meeting.

Mayor Edmonds recommended cityofypsilanti.com\FOIA and if it needs to be amended that is at the discretion of the City Attorney.

> Council Member Robb moved to amend the policy adding cityofypsilanti.com\FOIA as the web address and that all completed FOIA requests should be listed on the City website.
>
> With no support, the amendment failed.
>
> Council Member Murdock, supported by Council Member Anne Brown to list cityofypsilanti.com\FOIA as the web address in the policy.
>
> On a voice vote, the motion carried and the amendment was approved.

Council Member Murdock asked if the provision that does not allow incarcerated individuals to make FOIA requests is included in the policy. Mr. DuChene responded in the affirmative.

Council Member Murdock stated incarcerated individuals have other avenues of obtaining information.

Council Member Robb stated if that is the case, why leave that provision in the policy? Council Member Anne Brown responded through her experience with the Washtenaw County Sherriff's Department, the County has experienced large costs due to FOIA requests from incarcerated individuals. She stated she would not be in favor of removing the provision.

On a roll call, the vote to approve Resolution No. 2015-147 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	Absent	Council Member Vogt	Absent
Council Member A. Brown	Yes		

VOTE:

YES: 5 NO: 0 ABSENT: 2 (Richardson, Vogt) VOTE: Carried

3. Resolution No. 2015-148, designating the Washtenaw Legal News as the official newspaper of record.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Washtenaw Legal News, a newspaper of general circulation, be designated as the official newspaper of the City of Ypsilanti, for placement of all required publication notices and display advertisements.

OFFERED BY: Council Member Anne Brown
SUPPORTED BY: Council Member Nicole Brown

City Clerk Frances McMullan stated the City's previous newspaper of record "Washtenaw Now" is no longer in operation. She said staff researched possible replacements and recommends Washtenaw County Legal News. She said this recommendation is based on the cost, which is much lower than the other possible newspapers. She stated the Eastern Echo was examined but was removed as a possibility because of its inconsistent publishing schedule.

Council Member Anne Brown asked how often is Washtenaw County Legal News published. Ms. McMullan responded it is published Mondays and Thursdays. She informed Council that Washtenaw County Legal News is not as common as the other newspapers examined. However, since legislation has changed, and the City is not required to publish as many public notices in a newspaper of record and instead most notices can be published on the website.

Mayor Edmonds asked what the Sun Times News was. Ms. McMullan responded it is a paper out of Saline.

Council Member Murdock stated the front of the City's webpage should include a link to all legal notices. Ms. McMullan replied staff is already preparing to create that link after the website is refreshed.

Council Member Murdock stated he tried to access Washtenaw County Legal News and was told he needed to be a subscriber. Ms. McMullan responded a subscription is not necessary. Council Member Robb stated a subscription is necessary to access the full notice.

Council Member Anne Brown asked that an alert be given when a new legal notice is published on the website. Ms. McMullan responded she can share that with Assistant to the City Manager Ericka Savage.

Council Member Murdock stated public notices on the website are not necessarily legal notices and a spate link should be created for them.

Council Member Anne Brown asked what the City's budget was last year for publications. Ms. McMullan responded she does not have the exact data with her, but the line item has been reduced because the City is not required to publish all notices. City Attorney Barr stated the City budgeted $20,000. Ms. McMullan replied the City budgeted for $20,000 but that amount is not specific to published public notices.

Council Member Murdock asked if the City subscribes to Washtenaw Legal News and places a link on the website if visitors could open the page. Ms. McMullan responded she has not researched that possibility.

Council Member Nicole Brown stated Washtenaw County Legal News subscription costs $4.99 a day and $80.00 a year.

Mayor Edmonds stated if a resident is able to follow a link from the City website and the print version is available at the Library, residents would have adequate access to public notices.

Council Member Murdock stated 99 out of 100 people have no idea Washtenaw County Legal News exists. Ms. McMullan agreed with Councilmember Murdock.

City Manager Lange stated he is in support of Council Member Murdock's suggestion of the city subscribing to the paper and placing a link on the City's website.

Council Member Robb stated more than likely the City's subscription would be canceled because it would be sharing the newspaper without the consent of Washtenaw County Legal News.

Ms. McMullan stated if Council wishes, this item could be tabled to perform further research. She added there is a link to Washtenaw County Legal News on the City of Ann Arbor's website.

Mayor Edmonds asked Ms. McMullan to ask local libraries if they carry a subscription to the Washtenaw County Legal News. Ms. McMullan stated she would assume those libraries carry a subscription to Washtenaw County Legal News.

Council Member Murdock stated if the information is on the website residents would have access to notices.

Mayor Edmonds stated if the paper is located at the library it would provide free access to those who do not have a computer.

Mr. Lange asked for clarification why Washtenaw County Legal News would cancel the City's subscription if it provides a link to items the City paid to publish. Council Member Robb responded Washtenaw County Legal News is in the business to make money, and if the City is providing their product for free it would certainly cancel the City's subscription.

Ms. McMullan stated she will need to investigate further, and is uncertain if the City would be able to provide a link to the paper.

Council Member Robb stated he is on the City of Ann Arbor's website and asked for clarification.

Council Member Nicole Brown moved, supported by Council Member Anne Brown for a five minute recess.

On a voice vote, the motion carried and the meeting recessed.

Ms. McMullan responded the City of Ann Arbor's website states the legal publications are on Washtenaw County Legal News and if the ordinance is clicked on, it links to a PDF of the notice.

On a roll call, the vote to approve Resolution No. 2015-148 was as follows:

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

VOTE:

YES: 5 NO: 0 ABSENT: 2 (Richardson, Vogt) VOTE: Carried

4. Resolution No. 2015-151, rejecting bids for Ypsilanti Fire Department roof.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, out of six potential bidders the City of Ypsilanti Fire Department received only one bid for the replacement of the fire station roof system for an amount of $163,339 and only $120,000 is budgeted for this project; and

WHEREAS, there is a better opportunities to receive competitive bids during the fall when contractors are more actively looking for jobs.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council reject the $168,339.00 bid received by VJM Design and Build and to reopen the bid in when contractors are more actively looking for jobs.

OFFERED BY: Council Member Anne Brown
SUPPORTED BY: Council Member Nicole Brown

City Manager Lange stated this process began almost a year ago and one of the things the City was focused on was this project was not for a brand new roof. He stated when the roof was initially bid, there was an issue with the r-factor. He stated because of many issues, including the loss of time, the price of the roof increased significantly. He asked for a complete discussion of specifications and Council's tolerance for green versus cost.

Fire Chief Max Anthouard stated currently the fire station's roof with a very low coefficient around five as a result the fire station has a high energy cost. He stated $120,000 is in the budget to replace the roof but the bid was much higher. He stated the leaks can be repaired in the roof which will buy the City three to six months to providing more time to receive bids.

Lee Mamola, Architect and Project Manager, OHM, stated he became involved with this project in January 2015. He said this project has had many issue included market conditions, construction business, and lack of competition. He stated the timing of the bids in mid to early summer was a factor and this project is more than a simple roof job due to drainage pipes. He said because of those issues, roofing contractors became general contractors and many of the contractors backed out and the City received only one bid. He stated if the City is considering other improvements to buildings, those projects could be grouped with the fire station roof, and could be more competitive among general contractors. He said this project should be sent out for bid no later than November to receive bids around Christmas. He stated the roof system itself is unique in that it uses a flat concrete deck which will require it to be glued, or adhered, a more expensive process.

Mayor Edmonds asked for an explanation of why the lower bay and the occupied areas are listed as a variable R – Value. Mr. Mamola stated drains are located in the corners of the roof and require the roof to be pitched allowing less room for insulation at different points of the roof.

Council Member Murdock asked if Council rejects the bid and the only change of the project would be its timing, and the pursuit of a general contractor, if it would change the bid amounts. Mr. Mamola responded that historically that is what happens. Council Member Murdock stated he is reluctant to make any significant changes to the project. Mr. Mamola stated there are some changes that could be made that would not significantly alter energy efficiency.

Council Member Murdock asked if there are projects that could be bundled with this project. City Manager Lange responded that the roof of City Hall requires some work. He stated he would like to scale the project back slightly to provide savings. He stated it is his understanding that because it is not a new roof it would not have to meet the R – 36 standard.

Mr. Mamola stated there are two codes; one is the energy code and the other is the building code. He said the project will be following the building code which is less stringent. Mr. Lange asked what would be an acceptable R – Factor. Mayor Edmonds asked if a structural assessment has been completed to determine load capacity. Mr. Mamola responded in the affirmative that the fire station roof is very strong.

Mayor Edmonds asked if green roofs were examined especially for the lower bay. Mr. Mamola responded a green roof would work against creating competitive bidding. Mayor Edmonds stated a company in Berrien County, Michigan would develop the specifications for the roofer to complete. She stated the possible energy savings make it worthy of looking into.

Council Member Murdock stated when this project was first introduced the scope was to repair the roof and the roof membrane. He stated the insulation has deteriorated since installed in the 1970's He said an agreement was made that the R – rating would be between R – 5 and R – 45, and asked if the agreed levels have been adjusted. Mr. Lange suggested the City choose a lower R - rating than originally discussed. He stated the roof needs a load capacity strong enough to install solar panels.

Council Member Murdock stated solar panels were too heavy to be installed in the original design. Mr. Lange responded that was not the original design. Council Member Murdock replied that it was, and he would forward Mr. Lange the memo that he sent.

Council Member Anne Brown asked what the projected costs are of the short term fix that would allow time for the project to go out for bid. Chief Anthouard responded the firefighters would perform the patching themselves.

Mayor Edmonds asked if the action needed is to reject the bid. Mr. Lange replied that is the only action, but staff needs clear direction of the specifications Council wants for the roof.

Council Member Anne Brown asked if this is the recommendation of staff. Mr. Mamola responded there are different insulation layer thicknesses, and drainage pipes could be rearranged. Mayor Edmonds stated she would like several repair options to examine.

Mr. Mamola stated the R – Values that were bid were values that meet current code. He stated the energy code in Michigan is in the process of changing, and if this project can start before that change it will help keep costs down.

Mr. Lange asked how much time Council would like staff to invest in an assessment of a green roof. Mayor Edmonds stated the structural engineering is completed, and it should not take much time to complete an assessment. Mr. Mamola agreed it would not take that long to complete an assessment, but the issue is the low roof and the wall and how to flash and terminate the transition.

Mayor Edmonds stated if this takes a long period of time, it should be reported to Council. Mr. Mamola stated he is confident an assessment could be completed quickly.

Council Member Murdock stated the City should try to meet the codes it requires of others.

Council Member Robb asked when the roof is replaced what will it save the City in energy costs. He said it should be kept in mind when discussing costs that this roof needs to last the City 30 years. Mr. Lange stated the new LED lights should save a great deal of money.

On a roll call, the vote to approve Resolution No. 2015-151 was as follows:

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

VOTE:

YES: 5 NO: 0 ABSENT: 2 (Richardson, Vogt) VOTE: Carried

XIV. LIASON REPORTS –

SEMCOG Update – Council Member Nicole Brown attended the General Assembly and, and a vote was held to elect a new chair.

A. Mayor Edmonds stated she has been sitting on a SEMCOG taskforce, chaired by Yusaf Rabbi, examining transportation planning in the seven county regions, and how it affects core services.
B. Washtenaw Area Transportation Study – nothing to report
C. Washtenaw Metro Alliance – no meeting

D. Urban County – meeting canceled

E. Freight House – Council Member Murdock stated the mandatory walk through for the bid process will be held on Friday, July 10th at 10:00 p.m.

F. Parks and Recreation – Council Member Anne Brown stated the DIA Inside Out kick-off will be on August 7th. She said the kick-off will be in conjunction with First Friday's and there is discussion of coordinating that with Bike Ypsi. She said she and Economic Development Director Beth Ernat have had a meeting to discuss a public/private partnership to maintain the park system and list possible stakeholders. She stated Assistant to the City Manager Ericka Savage and Shamar Herron, Michigan Works, and job postings have been made for an events intern and a parks intern.

Mayor Edmonds suggested that Ms. Savage keep up with Michigan Works until the interns are on staff. She said those jobs have been posted all summer and still have not been filled. Council Member Anne Brown replied the jobs were recently posted, and are currently on track to be filled.

Mayor Edmonds asked if the Freighthouse Request for Proposals (RFP) was distributed to minority contractors. Council Member Murdock replied the City performed the RFP. Mayor Edmonds asked City Manager Lange if the RFP was distributed to minority contractors. Mr. Lange replied he will look into who the RFP was distributed to. Council Member Anne Brown stated as of Thursday, July 2nd the organization representing minority contractors did not have the RFP. She added she was informed there is an issue with opening the RFP on the City's website. Mr. Lange stated the RFP was posted on MITIN.

Council Member Anne Brown asked Mr. Lange to contact Ricky Jefferson regarding the bid.

G. Millennial Mayors Conference – No meeting

H. Ypsilanti Downtown Development Authority – Mayor Edmonds stated the work session with the DDA Board has been rescheduled to the August 4th meeting. Stated the Depot Town Merchants Association paid to have the rain gardens in Depot Town replanted with trees.

I. Eastern Washtenaw Safety Alliance – Council Member Anne Brown stated the meeting scheduled meeting in July may be moved to the beginning of August.

XIV. COUNCIL PROPOSED BUSINESS –

Robb

- Asked for an update on the Bay Logistics assessment issue concerning dynamometers. Mr. Lange replied the City is unable to trace information that long ago. Council Member Robb responded he received an email from the City Assessor that she would schedule a meeting with Bay Logistics.
  Mr. Lange stated he will check with the City Assessor.

- Asked for an update on Bay Logistics site plan, and asked if an AHB citation has been written. Mr. Lange responded he spoke with Economic Development Director Ernat who informed him the City has begun a compliance process.

- Asked when Council will be brought a policy for police body cameras. Mr. Lange responded Chief DeGiusti is sitting on a state committee to develop a statewide policy, but he will contact the Chief for an update.

- Asked if a DTE easement for Riverside Park will be brought to Council. Mr. Lange replied there was an effort to bring DTE to the table for a discussion, but staff ran into issues due to a private easement adjacent to the location. He said he will contact DTE to bring them to the negotiation table.

  Council Member Robb asked if the City has any exposure for allowing DTE to be in Riverside Park for seven months without Council Approval. Mr. Lange responded in the negative.

- Stated the City is halfway through the calendar year, and asked when a work session will be held to discuss healthcare. Mr. Lange replied Council may set a date at its pleasure. Mayor Edmonds suggested the September 1st Council Meeting.

  Council Member Robb asked why work sessions are not being scheduled for Tuesdays that do not have a regular meeting scheduled. Council Member Anne Brown responded that might be the result of vacations.

  Council Member Robb replied if healthcare has not been discussed prior to September, no changes will be made. Mr. Lange stated staff is meeting with another broker to create competition.

- Asked if Council will be brought a contract for the City website, or is this being only handled by staff.

  Mr. Lange responded the amount needed to pay for the website refresh is under $25,000 and in the purchasing power of the City Manager. Council Member Robb stated the idea that anything under $25,000 does not need to come before Council circumvents the authority of Council.

  Mayor Edmonds added Council stated it wanted to provide input on the City's website during budget sessions.

  Council Member Robb stated his issue is staff selected the current website which is problematic. He stated he is concerned that this attempt will follow the same path, and he would like the opportunity to provide input. Mayor Edmonds agreed, and said Council does not have to micromanage the complete design of the page, but she is concerned that the contract will not solve current issues with the website.

  Mr. Lange asked Council to provide staff with direction of what staff will ensure that Council input will be included in the contract.

Council Member Anne Brown stated Council should form an ad hoc committee to discuss what the website should include. Council Member Nicole Brown stated she does not feel the process would take that long, and it should be able to be decided in one meeting. Mayor Edmonds stated she would be willing to form an ad hoc committee.

Council Member Anne Brown stated her concern is Council keeps saying what it would like to see, but it has not said what Council wishes to do and when. She asked if Council wants staff to provide a presentation. Mayor Edmonds stated she would like staff to provide a presentation at the next meeting describing the scope of service provided.

- Stated the Quatro property, on North St. between Lincoln and Park, consistently does not mow the grass and dumps construction materials on the property. He said staff has allowed this to happen and it has become a huge issue. He stated he would like an AHB citation issued to the property, but this issue occurs year after year, and he would like this matter to be completely solved.

  Mr. Lange asked for the address of the property. Council Member Robb responded 201 Park.

- Asked Mr. Lange for his summary for evaluations so that they can be distributed to Council.

  Council Member Anne Brown asked if there are tools Council can examine to better understand employee evaluations. She asked if there is an evaluation committee.

  Council Member Robb responded in the affirmative, and it includes: Mayor Pro-Tem Richardson, Council Member Vogt, and himself.

<u>Nicole Brown</u>

- Asked Council if the work session scheduled for August 4th could be changed to an off Tuesday because she will not be unable to attend the August 4th meeting. Mayor Edmonds stated DDA Board and Staff will need to be notified of the possible schedule change. She asked if, August 3rd would work for Council. Council Member Murdock asked if there would be an agenda for that meeting. Mayor Edmonds stated it is a working session, but she is uncertain if the DDA will be presenting their strategic plan. Council Member Murdock asked if any action would be taken at the meeting.

  Mayor Edmonds asked how many Council Members would need to be present to approve the Depot Town TIF renewal. Council Member Robb stated four yes votes would approve the TIF renewal.

<u>Ann Brown</u>

- Stated the regularly scheduled City Council Meeting on October 20th will be held at the Eastern Michigan University Student Center. She said the Office of Government and Community Affairs will be hosting the meeting.

Murdock

- Stated representatives from Just Energy are soliciting in the City without the proper permits, and asked if a cease and desist order could be applied to Just Energy.

  City Attorney Barr stated the Attorney's Office will look into that matter, or Just Energy can be taken to circuit court. He asked Mr. Murdock to provide him names of residents who have complained.

  Council Member Ann Brown stated Rhode Management, as a part of the Strong Housing project, awarded only four or five contracts to local contractors. She said that she would like Council to form a policy requiring 70% contracts of a City project be awarded to local contractors.

  Mayor Edmonds stated Washtenaw County Office of Economic Development has become experts on local preference polices. She stated one of the methods is awarding companies additional points for hiring local contractors. She stated the County would be useful for policy development for local procurement. Council Member Murdock stated the City has delved into this on several occasions, but each time has run into various roadblocks. Mayor Edmonds stated the point system has been successful and Tony VanDerworp from the County can share this information with Mr. Barr.

- Asked for an update on the $90,000 DDA reimbursement.

  Mr. Lange responded he spoke with Fiscal Services Director Marilou Uy and it was beyond City records. He said she is currently on vacation, but will follow up with her when she returns.

- Stated he has been investigating if the City can modify its vacant building ordinance to require property owners to maintain their buildings, particularly, windows and screening. Stated he has researched ordinances from other jurisdictions and he will share those with Council and staff.

- Stated President Obama announced new programs that would provide solar panels to low income areas, specifically at subsidized housing. He said those programs could both benefit Parkridge and future developments on Water Street. He added Herman Kittle has informed the City it did not wish to install solar panels, but this program may assist in leveraging them to be installed.

XV. COMMUNICATIONS FROM THE MAYOR –

- Stated she has spoken to staff about diving deeper into the property maintenance code to examine tools available and other possible strategies. She

stated some specific buildings in mind are Abe's Coney Island which will be doing work. She stated the Township has had success with their vacant residential property strategy and are possible to form a similar vacant commercial space strategy.

- Stated 16 N. Washington has been given a final warning, and his six month window ends in September.

  Council Member Robb stated the owner of 16 N. Washington is currently in the hospital. He said the property is being used for a storage unit in a B3 zone. He said he is not certain more tools will assist in solving this problem, if the City has not used the tools that it already has.

- Stated she and Economic Development Director Ernat met with Villa Healthcare representatives who purchased the former Bortz building and have discussed expanding the building to the rear which could produce additional revenue for the City.

- Stated she met with Senator Debbie Stabenow, and staff to share City budget projections and discuss possible federal aid.

- Informed Council she is a part of an equity group looking at anchor businesses as economic developers.

- Stated she has met with the LDFA, which is still awaiting the extension which would include Adrian as a satellite community. She said Eastern Washtenaw County will be receiving $120,000 to $150,000, which hopefully can be leveraged and spent on Ypsilanti projects. She stated she would be happy to invite Ypsilanti's LDFA representation to a Council meeting to provide an update.

Nominations:

YDDA
Francisco Garcia (appointment replacing Brienne Willcock, resident)
26 N. Huron St. #1
Ypsilanti, MI 48197
Term Expiration: 7/7/2019

YDDA
Jelani McGadney (appointment replacing James Dauphine)
119 College Place #6
Ypsilanti, MI 48197
Term Expiration: 7/7/2018

SmartZone LDFA
Phil Tepley (appointment replacing Saeed Bilal)
725 E. Grand Blvd.
Ypsilanti, MI 48198

Term Expiration: 12/4/2016

Council Member Nicole Brown moved, supported by Council Member Anne Brown to extend the meeting by ten minutes.

On a voice vote, the motion carried and the meeting was extended.

XVI. COMMUNICATIONS FROM THE CITY MANAGER –

- Stated Prospect Rd. construction continues, and the City has received two change orders.

- Stated the Heritage Bridge and Border to Border Trail has held pre-construction meetings. He said construction on the trail should begin in two to three weeks. He said the City will need to move quickly to execute a contract with DTE for the underground electric grid.

  Council Member Murdock asked if there will be a ground breaking ceremony for the Border to Border Trail and the Heritage Bridge.

  Mr. Lange replied there is nothing planned, but if Council wishes there can be.

  Council Member Murdock responded the City should hold a ground breaking for those projects.

- Stated he has spoken with representation from the recreation center which should reach an agreement on July 21st. He said it still will not be a final agreement, but once a contract is reached with DTE regarding the underground electric grid it will free up County funds for its installation.

  Mayor Edmonds said she was under the impression once a contract is signed with DTE construction will begin a year later. Mr. Lange replied that is what he was told but the City needs construction to begin earlier to align with construction of the Border to Border Trail.

  Council Member Anne Brown asked when the agreement will be going before the Commissioners. Mr. Lange responded he is not certain.

- Stated Council will be presented with the final design of the recreation center in the near future.

- Stated City Hall is being equipped with solar panels and Parkridge Center and the Senior Center have been completed. He stated this alone will save the City $1000 in energy cost a year.

- Stated he attended the Commissioners meeting regarding the Ypsilanti Area Convention and Visitor's Bureau.

Council Member Anne Brown thanked Mr. Lange and staff that attended that meeting.

- Stated next the County Road Commission will provide another half mil.

  Council Member Murdock stated he personally thinks that the City should wait to see if anything will come from the state. He said he is not sure that the votes are there on the County Board to pass this mil.

XVII. AUDIENCE PARTICIPATION –

1. Nathan Phillips, 509 N. Washington St., stated a month ago he asked the Heritage Festival Committee if he could hold a Native American Encampment which the committee agreed to, but would be unable to assist financially. He stated the committee wanted him to come up with $5,000 to organize the encampment, but he believes he would only need $2,000. He asked if the City could help him with funds to organize the event.

XVIII. REMARKS FROM THE MAYOR –

- Recommended Mr. Phillips approach the Convention and Visitors Bureau to request funds. She said the CVB has a formal sponsorship request process and he would have the ability to fill out the necessary paperwork to be reviewed for sponsorship.

XIX. ADJOURNMENT -

Resolution No. 2015-152, 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 Robb
SUPPORTED BY: Council Member Nicole Brown

On a voice vote, the motion carried and the meeting adjourned at 10:12 p.m.