Approved

CITY OF YPSILANTI
COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, OCTOBER 6, 2015
7:00 P.M.

I. CALL TO ORDER –

The meeting was called to order at 7:03 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. AGENDA APPROVAL –

Council Member Anne Brown moved, supported by Council Member Nicole Brown to approve the agenda.

Council Member Murdock moved, supported by Council Member Robb to remove Resolution No. 2015-105 from the agenda, approving Ordinance 1244.

Council Member Murdock stated the Downtown Development Authority has not taken any action to alter the Depot Town Tax Increment Financing and Redevelopment Plan.

Mayor Edmonds stated she would be opposing removing Resolution No. 2015-105 from the agenda. Ms. Edmonds stated there has been disagreement between the DDA Attorney and the City's Attorney about this item being placed on an agenda. Ms. Edmonds stated this item was passed on First Reading and she hopes to pass the Ordinance on Second Reading.

On a roll call, the vote to remove Resolution No. 2015-105 from the agenda was as follows:

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

VOTE:

YES: 5 NO: 2 (Edmonds, Anne Brown) ABSENT: 0 VOTE: Carried

On a roll call, the vote to approve the agenda as amended was as follows:

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

VOTE:

YES: 5 NO: 2 (Edmonds, Anne Brown) ABSENT: 0 VOTE: Carried

VI. INTRODUCTIONS –

Mayor Edmonds introduced the following individuals: Firefighter John Roe, City Manager Ralph Lange, Economic Development Director Beth Ernat, Assistant to the City Manager Ericka Savage, Assistant City Attorney Dan DuChene, Downtown Development Authority Director Tim Colbeck, and DPS Director Stan Kirton.

VII. PRESENTATIONS –

None

VIII. AUDIENCE PARTICIPATION –

1. RayVon Williams, 215 W. Michigan, introduced himself and stated he has been nominated for the Downtown Development Authority Board. He said his experience is in IT and he has several years of experience in retail with a strong focus in marketing.

2. Rasheed Atwater, 1808 Timber Ridge Dr., invited all to Eastern Michigan University on Monday, October 12th form 8:00 a.m. to 12:00 p.m. for the Local Action Summit for My Brother's Keeper Community Challenge. The goal of the summit is to create a cradle to career pipeline for young men of color in Washtenaw County. He stated there will be engaged conversation at this event about current programs and resources that exist for positive change.

3. Lee Tooson, 107 Middle, stated since the Supreme Court made it possible for women to marry women and men to marry men, hate crimes have risen tremendously. He said there is an abundant amount of black men being stopped and harassed by police simply because they are driving with white women. He explained on Monday, October 5th two police cars followed a couple from the BP gas station to their home on Jefferson St. He said he will not allow this behavior in his City and he will do everything he can to ensure this does not continue. He stated no one can stop a black man from dating a white woman just like no one can stop a black woman from dating a white man. He stated if police officers are not comfortable with interracial couples they should not work for this City.

IX. **REMARKS BY THE MAYOR** –

- Thanked Mr. Tooson for bringing that incident to the attention of Council. She asked City Manager Lange to investigate that issue.

  Council Member Nicole Brown stated she would like to elaborate on the incident Mr. Tooson was referring to. Ms. Nicole Brown explained that incident happened Monday night on her property. She stated it was late in the evening and she went outside to speak with the police officers and was completely ignored. Ms. Nicole Brown said when she asked for the officers' information they turned and walked to their vehicle. She asked Mr. Lange to follow up with this incident immediately. She stated police officers should not have to know she is a Council Member to show her the respect and answer her questions. She stated it is very embarrassing this happened to a Council Member and it shows what could be happening in the community. She asked to meet with Chief DeGiusti, Mr. Lange, and the officer involved. Mr. Lange responded in the affirmative.

- Mayor Edmonds stated she is excited to have RayVon Williams as a nominee for the Downtown Development Authority. She stated his family owns Puffer Red's and he has been involved in the community for some time. She stated she is looking forward to having Mr. Williams's marketing and IT expertise on the DDA Board. She added he is also pursuing an Entrepreneur degree from the EMU Business School.

  Mayor Pro-Tem Richardson stated Ypsilanti has had issue like Mr. Tooson described in the past. She said it took a lot to stop those practices in the Police Department and it cannot be allowed to start again. She stated she would like to begin forming a police commission that would handle these incidents. She stated in the past the City had a police commission that was not very active. She stated she would like to restore that commission and ensure it remains active. Mayor Edmonds asked Mayor Pro-Tem Richardson if she knew of any communities that have police commissions and use them effectively. Ms. Richardson responded she knows there are several but cannot think of any presently. Ms. Richardson added she will provide Council with a list of communities.

X. **MINUTES** –

Resolution No. 2015-218, approving minutes of September 14 and September 15, 2015

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Minutes of September 14 and September 15, 2015 be approved.

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

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

XI. **PUBLIC HEARINGS**:

1. Resolution approving the transfer of SDM and Class C liquor license from Wintawat, LLC to Cultivate Community, Inc., (Cultivate Coffee & Tap House) located at 307 N. River St., Ypsilanti, MI 48198.

   A. Resolution No. 2015-219, determination.

      RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

      WHEREAS, Cultivate Coffee and Tap House, LLC has applied to the City of Ypsilanti requesting a liquor license transfer to 307 N. River St., Ypsilanti, Michigan 48198 in accordance with MCL 436.1531(A)(1)(b); and

      WHEREAS, a public hearing to consider the request was duly noticed and held on September 14, 2015; and

      WHEREAS, City staff has reviewed the request from Cultivate Coffee and Tap House, LLC and have no objections to the City granting approval.

      NOW, THEREFORE, BE IT RESOLVED THAT the request of Cultivate Coffee and Tap House, LLC for a liquor license transfer to be located at 307 N. River St., Ypsilanti, Michigan 48197, be approved.

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

Mayor Edmonds stated she will be recusing herself from discussion and vote. Ms. Edmonds said she has no financial investment in this company, but the applicant is solely owned by a non-profit however, there is a possibility Growing Hope will have future financial involvement which is why she will recuse herself.

Ryan Wallace, Cultivate Inc. Director stated Cultivate Coffee and Tap House is a non-profit and is now open from 7:00 a.m. to 7:00 p.m. He stated all proceeds will go to organizations working to end hunger in Washtenaw County. He thanked Council for having him and invited them to come to Cultivate Coffee and Tap House.

   B. Open public hearing.

      None

   C. Resolution No. 2015-220, close public hearing.

      That the public hearing to consider a request by Cultivate Coffee and Tap House, Inc. for liquor license transfer to be located at 307 River, Ypsilanti, MI 48198 be officially closed.

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

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

Council Member Murdock stated he has been to Cultivate Coffee and Tap House several times before its opening. Mr. Murdock stated he is very pleased the non-profit is located there. Council Member Anne Brown stated it is a very beautiful place. Ms. Anne Brown stated every Council Member should stop in for some coffee. Ms. Anne Brown asked if there was a community garden in the back. Mr. Wallace responded in the affirmative and all the produce grown in the garden will be donated to local food banks. Council Member Murdock stated it is a non-profit organization but it is a taxable entity. Mr. Wallace responded in the affirmative and said the building is not owned by Cultivate but Cultivate did perform all the work on the building in exchange for free rent.

On a roll call, the vote to approve Resolution No. 2015-219 was as follows:

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

VOTE:

YES: 6 NO: 0 ABSENT: 0 ABSTAINED: 1 (Edmonds) VOTE: Carried

2. New Obsolete Property Rehabilitation Act Exemption for 15 S. Washington

A. Resolution No. 2015-221, determination.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the Obsolete Property Rehabilitation Act, Public Act 146 of 2000 (the "Act"), provides for a tax incentive to encourage the redevelopment of obsolete buildings through the establishment of an Obsolete Property Rehabilitation District; and

WHEREAS, pursuant to PA 146 of 2000, the City of Ypsilanti is a Qualified Local Governmental Unit eligible to establish one or more Obsolete Property Rehabilitation Districts; and

WHEREAS, the Council of the City of Ypsilanti legally established an Obsolete Property Rehabilitation District that includes parcel #11-11-39-101-017 (15 S. Washington) as part of a broader district including the three DDA districts on June 5, 2012 after a public hearing held on the same date as provided by section 3 of Public Act 146 of 2000; and

WHEREAS, the combined parcel at 15 S. Washington has been certified functionally obsolete by the City Assessor per P.A. 146 in February 2014; and

WHEREAS, the application relates to a rehabilitation program that when completed constitutes a rehabilitated facility within the meaning of Public Act 146 of 2000 and that is situated within an Obsolete Property Rehabilitation District established in the City of Ypsilanti eligible under Public Act 146 of 2000 to establish such a district; and

WHEREAS, the owners of the above referenced parcels, ASR Properties, LLC have submitted an application for an obsolete property as defined in section 2(h) of Public Act 146 of 2000 requesting an exemption for a period of 12 years as a function of the Act; and

WHEREAS, the application included all of the items described under "Instructions" (a) through (f) of the Application for Obsolete Property Rehabilitation Exemption Certificate; and

WHEREAS, ASR Properties, LLC are not delinquent in any taxes related to the facility; and

WHEREAS, the owners of the above referenced parcel have proposed to rehabilitate currently vacant, blighted, and functionally obsolete structure into first floor commercial space, and upper story residential lofts; and

WHEREAS, the commencement of the rehabilitation of the facility did not occur before the establishment of the Obsolete Property Rehabilitation District; and

WHEREAS, the taxable value of the property proposed to be exempt plus the aggregate taxable value of property already exempt under Public Act 146 of 2000 and under Public Act 198 of 1974 (IFT's) does not exceed 5% of the total taxable value of the City of Ypsilanti; and

WHEREAS the rehabilitation includes improvements aggregating approximately 100% of the true cash value of the property at commencement of the rehabilitation as provided by section 2(l) of Public Act 146 of 2000.

WHEREAS the completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, create employment, increase commercial activity, revitalize urban areas, and increase number of residents in the community in which the facility is situated.

WHEREAS, the application was approved at a public hearing as provided by section 4(2) of Public Act 146 of 2000 on October 6, 2015; and

WHEREAS, the DDA has not opposed the issuance of OPRA certificate.

NOW, THEREFORE, BE IT RESOLVED THAT an Obsolete Property Rehabilitation Exemption for a period of 12 years for the real property, excluding land, located in the Obsolete Property Rehabilitation District which include parcel #11-11-39-101-017 (15 S. Washington) pursuant to the provisions of PA 146 of 2000, as amended, subject to completion of the renovations by July 31, 2016, the final approval of exemption certificates by the State Tax Commission, and to the taxes on the property being paid on time be approved on first reading.

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

Community Director Beth Ernat stated this involves the Smith's Furniture Building which was purchased by ASR who performed emergency roof repairs. Ms. Ernat stated generally an OPRA does not allow repairs on a building until the OPRA is approved, however, since the repairs were an emergency they are allowed. Ms. Ernat stated the roof and the roof membrane were approved by the Historic District Commission and the building is now secure. Ms. Ernat responded the next steps are to renovate the first floor to use as a commercial space. Ms. Ernat stated currently there is not a tenant for the space however the structure will be a vanilla box with six to eight lofts on the second floor. Ms. Ernat stated they applicant is seeking this incentive for twelve years. Ms. Ernat stated the owners are present this evening to answer any question Council might have.

Adham Farha, 15 S. Washington building owner, stated when this opportunity came up his company had a vision to buy the building and transform it into a multi-use structure.

B. Open the public hearing.

None

C. Resolution No. 2015-222, close public hearing.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the public hearing for the "15 S. Washington OPRA" be officially closed.

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

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

Council Member Robb stated normally when Council approves an OPRA it receives the application, supporting materials review sheet, the assessor's assessment, and a proforma. Mr. Robb asked if the applicant did a proforma. Ms. Ernat responded a proforma was provided. Mr. Robb asked why Council was not provided that documentation. Ms. Ernat responded she researched what was provided for the last OPRA approval and that information was not provided. Mr. Robb replied that isn't true and said the former Elbow Room was the last OPRA approved and it was delayed because the proforma was incorrect. Mr. Robb stated he supports OPRAs but there is a process that must be followed. Mr. Robb stated another issue is in the business plan there is not an exact amount of apartments listed so it cannot be said how much is going to be spent. Ms. Ernat responded the $1 million estimation is based on what has been provided in the summary and it could go up or go down depending on the assessment. Mr. Robb stated it is difficult for him to make a decision based on what was provided.

Mayor Edmonds asked if Mr. Robb is looking for any information beyond the proforma. Mr. Robb responded in the affirmative and asked if there is a rush for this to be approved. Ms. Ernat responded no work can be completed until the OPRA is approved. Ms. Ernat said in the case of the Thompson Block there were specific amounts being asked for, in this case what is being asked for is relief in order to move forward with the project. Ms. Ernat stated the building has sat vacant since 1995 and this is the first intent at renovation the City has seen. Ms. Ernat said this is something very necessary for S. Washington and the experience of the developing company is limited to residential.

Mayor Edmonds stated she is concerned of the specificity of this project given some OPRAs approved have failed to complete the work. Ms. Edmonds asked what completion of renovations mean exactly. Ms. Ernat responded the building is given a certificate of occupancy. Ms. Edmonds asked if the certificate of occupancy would be for the whole building. Ms. Ernat recommended a certificate of occupancy for the whole building and if part of the building is completed the applicant could return to Council to request an extension of grace. Mayor Edmonds asked if Council would like to propose an amendment that stipulates the structure must have a certificate of occupancy by July 31, 2016.

Council Member Nicole Brown moved, supported by Council Member Murdock to amend the resolution to state the structure must have a full building certificate of occupancy by July 31, 2016.

On a roll call, the vote to amend Resolution No. 2015-221 was as follows:

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

VOTE:

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

Council Member Robb moved, supported by Council Member Murdock to table Resolution No. 2015-221 to allow time to provide Council with the proforma.

Council Member Anne Brown asked when this item would be brought back to Council. Ms. Ernat responded it is her intent to bring this item back to Council at the October 20, 2015 meeting.

Mayor Edmonds stated she understands that it is reaching the end of fall construction season and asked the owners if a couple of weeks will hinder construction. Mr. Farha responded a two week delay will not be a problem.

On a roll call, the vote to table Resolution No. 2015-221 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. New Obsolete Property Rehabilitation Act Exemption for 13 N. Washington

A. Resolution No. 2015-223, determination.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the Obsolete Property Rehabilitation Act, Public Act 146 of 2000 (the "Act"), provides for a tax incentive to encourage the redevelopment of obsolete buildings through the establishment of an Obsolete Property Rehabilitation District; and

WHEREAS, pursuant to PA 146 of 2000, the City of Ypsilanti is a Qualified Local Governmental Unit eligible to establish one or more Obsolete Property Rehabilitation Districts; and

WHEREAS, the Council of the City of Ypsilanti legally established an Obsolete Property Rehabilitation District that includes parcel #11-11-40-484-018 (13 N. Washington) as part of a broader district including the three DDA districts on June 5, 2012 after a public hearing held on the same date as provided by section 3 of Public Act 146 of 2000; and

WHEREAS, the combined parcel at 13 N. Washington has been certified functionally obsolete by the City Assessor per P.A. 146 in February 2014; and

WHEREAS, the application relates to a rehabilitation program that when completed constitutes a rehabilitated facility within the meaning of Public Act 146 of 2000 and that is situated within an Obsolete Property Rehabilitation District established in the City of Ypsilanti eligible under Public Act 146 of 2000 to establish such a district; and

WHEREAS, the owners of the above referenced parcels, North Washington, LLC have submitted an application for an obsolete property as defined in section 2(h) of Public Act 146 of 2000 requesting an exemption for a period of 12 years as a function of the Act; and

WHEREAS, the application included all of the items described under "Instructions" (a) through (f) of the Application for Obsolete Property Rehabilitation Exemption Certificate; and

WHEREAS, North Washington, LLC are not delinquent in any taxes related to the facility; and

WHEREAS, the owners of the above referenced parcel have proposed to rehabilitate currently vacant, blighted, and functionally obsolete structure into commercial co-working space; and

WHEREAS, the commencement of the rehabilitation of the facility did not occur before the establishment of the Obsolete Property Rehabilitation District; and

WHEREAS, the taxable value of the property proposed to be exempt plus the aggregate taxable value of property already exempt under Public Act 146 of 2000 and under Public Act 198 of 1974 (IFT's) does not exceed 5% of the total taxable value of the City of Ypsilanti; and

WHEREAS the rehabilitation includes improvements aggregating approximately 100% of the true cash value of the property at commencement of the rehabilitation as provided by section 2(l) of Public Act 146 of 2000.

WHEREAS the completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, create employment, increase commercial activity, and revitalize urban areas in the community in which the facility is situated.

WHEREAS, the application was approved at a public hearing as provided by section 4(2) of Public Act 146 of 2000 on October 6, 2015; and

WHEREAS, the DDA has not opposed the issuance of OPRA certificate.

NOW, THEREFORE, BE IT RESOLVED THAT the Obsolete Property Rehabilitation Exemption for a period of 12 years for the real property, excluding land, located in the Obsolete Property Rehabilitation District which include parcel #11-11-40-484-018 (13 N. Washington) pursuant to the provisions of PA 146 of 2000, as amended, subject to completion of the renovations by July 31, 2016, the final approval of exemption

certificates by the State Tax Commission, and to the taxes on the property being paid on time be approved on First Reading.

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

Ms. Ernat stated the property is located at 13 N. Washington the location of the Back Office Studio this is a business concept that came out of SPARK. Ms. Ernat stated this building required emergency roof repair which is ongoing. Ms. Ernat stated the business model here is clearer the renovation will cost approximately $1.4 million and they are ready to begin today. Ms. Ernat stated she provided a business plan with a proforma. Ms. Ernat responded two of the owners are present and would like to address Council.

Wayne Mallet, CEO and President, stated he is very excited about this project and happy to answer any questions Council may have.

Sun Chao, CFO, stated he is an EMU graduate and is here to answer any questions.

B. Open the public hearing.

None

C. Resolution No. 2015-224, close public hearing.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the public hearing for the "13 N. Washington OPRA" be officially closed.

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

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

Council Member Robb stated this application is missing the same information as the previous application.

Council Member Robb moved, supported by Council Member Vogt to table Resolution No. 2015-223 until Council receives the proforma.

Ms. Ernat stated the business plan clearly articulates what the applicant plans are for the building. Mayor Edmonds stated that information was not included in the packet and asked if it was sent separately. Ms. Ernat added the petitioner has provided all supporting documents including the business plan, proforma, and drawings. Ms. Ernat stated time is an issue with this OPRA and requested consideration and she can provide Council with the documents by email. City Manager Lange asked if this item can wait until the Thursday morning Special Meeting. Ms. Ernat responded in the affirmative.

Mayor Edmonds stated she is in support of moving forward with this OPRA and understands there are unknowns but she has met with the owners and has seen a presentation describing their business model. Ms. Edmonds stated she is eager to move this forward and is willing to table the item until Thursday but she would rather not wait two weeks.

Ms. Ernat stated the investment in this building is approximately $1.4 million and construction estimates were completed by Beal Construction. Ms. Ernat stated the applicant's intent originally was to do a three phase project, essentially spending around $300,000 to $400,000 a year. Ms. Ernat stated the Michigan Economic Development Corporation (MEDC) and herself encouraged a large commitment from this project with potential incentives. Ms. Ernat stated she feels a lot stronger about this project and said the financial backing is present.

Council Member Nicole Brown moved, supported by Council Member Anne Brown to table Resolution No. 2015-223 until the October 8th City Council Special Meeting.

On a roll call, the vote to table Resolution No. 2015-223 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:

XII. <u>ORDINANCES – FIRST READING</u>:

<u>Motion to reconsider Resolution No. 2015-209 (Depot Town DDA Ordinance Amendment</u>

Ordinance No. 1257

1. An ordinance to limit and cap the maximum captured taxable value of a Depot Town Tax Increment Financing Plan.

   A. Resolution No. 2015-209, determination

   RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

   THAT an Ordinance to limit and cap the maximum captured taxable value of a Depot town Tax Increment Financing Plan be approved on First Reading.

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

Mayor Pro-Tem Richardson asked for a clarification of what Council is voting for. City Attorney John Barr responded during the last regular session Council meeting this resolution was voted down. Mr. Barr stated in order to reconsider the resolution the Council Member who makes that motion must be on the prevailing side. Mr. Barr stated Council at that point votes to reconsider the motion which is the motion on the floor.

On a roll call, the vote to reconsider Resolution No. 2015-209 was as follows:

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

VOTE:

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

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT an Ordinance to limit and cap the maximum captured taxable value of a Depot town Tax Increment Financing Plan be approved on First Reading.

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

Council Member Murdock stated in May Council postponed the Second Reading of the Depot Town Tax Increment Financing and Redevelopment Plan with guidelines for the DDA to submit a revised plan. Mr. Murdock stated five months have passed and the DDA has yet to submit an amended plan. Mr. Murdock stated this ordinance will set the parameters that will allow the City to recoup some of the taxable value that was gained over the last 25 years. Mr. Murdock stated his proposal will reset the base and share future growth. Mr. Murdock stated in August the DDA Director submitted alternatives, one of them being very close to what is being proposed. Mr. Murdock stated he is offering a substitution to set the taxable base at 81.69% with a 50/50 share in future growth. Mr. Murdock stated the 50/50 sharing was part of a proposal submitted by the DDA Director. Mr. Murdock stated he thinks this a fair compromise and does not want to delay the TIF plan any further.

Council Member Anne Brown stated Resolution No. 2015 – 105 was removed from the agenda and asked City Attorney John Barr where Council stands with that. Mr. Barr responded the motion originally came to Council to approve the Depot Town Tax Increment Financing (TIF) and redevelopment plan submitted by the DDA. Mr. Barr said the plan was approved on First Reading and returned to Council for Second Reading which was postponed until the DDA submitted an amended plan. Mr. Barr stated that motion was on tonight's agenda which Council removed. Mr. Barr stated the motion on the table is to change the ordinance parameters.

Council Member Anne Brown asked what the advantages and disadvantages are to resetting the base. Economic Development Director Beth Ernat stated she would not be able to speak to the advantage or disadvantage just the difference. Ms. Ernat explained the difference is the base was set when the property values were lower and if it were reset it would result in less of a capture. Mayor Pro-Tem Richardson asked if that would be less capture for the DDA. Ms. Ernat responded in the affirmative and said when the base is reset it is basically like the TIF is starting over but the rules and regulations stay in place.

Mayor Edmonds asked DDA Director Tim Colbeck and DDA Council to provide clarification of what actions have occurred on the DDA Board. Mr. Colbeck responded since the time the counter proposal request was made the DDA Board has reviewed a number of options. Mr. Colbeck stated the DDA Board succinctly voted in favor of passing the plan submitted with sound reasons of why the DDA would like that plan approved. Mr. Colbeck stated the DDA is submitting a counter proposal that is not an amendment to the plan and is contingent on the original plan being approved. Mr. Colbeck stated the DDA Board believes this counter proposal is something that would be very beneficial to the City and would net more money for projects and programs then resetting the capture.

Council Member Anne Brown stated there have been five or six proposals that were sent to Council and asked for clarification. Mr. Colbeck responded it is a review of Council Member Murdock's most recent proposal. Mayor Edmonds stated it is the proposal that was included in the packet. Mr. Colbeck stated the DDA presented a summary of exactly what the DDA has contributed in the last five years directly supporting the City financially. Mr. Colbeck said he sent a comparison of Mr. Murdock's proposal and what the DDA is proposing.

Mayor Edmonds stated the DDA Board voted on the original plan and the additional piece presented. Ms. Edmonds stated the comparison Mr. Colbeck put together compares Mr. Murdock's proposal to the original plan coupled with the additional proposal. Ms. Edmonds stated there have been requests from DDA Board Members and Council Members for Mr. Colbeck to run different numbers for comparison.

Mr. Colbeck explained what the DDA is offering is contingent upon the passing of the original plan which would provide the DDA the means to support the additional proposal. Mr. Colbeck stated for the next fifteen years the DDA will promise an amount of not less than $100,000 annually to support programs and projects forwarded by Council. Mr. Colbeck stated the DDA currently is providing financial support for the DDA police officer, the money paid to DPS to empty pedestrian trashcans, $35,000 in support of the Freighthouse, $25,000 in support of the Michigan Ave. crossing for the Border to Border Trail, and funds to support the repaving of Cross St. in Depot Town. Mr. Colbeck said those projects have been very beneficial to the City and this proposal intends to continue that relationship. Mr. Colbeck explained over the next 25 years the revenue captured by the DDA would be $2.4 million. Mr. Colbeck stated in Mr. Murdock's proposal the DDA would capture $1.8 million in revenue. Mr. Colbeck stated the DDA's operating and ongoing expenses total $1.5 million. Mr. Colbeck stated the originally submitted plan provided $900,000 available for bond payments for projects in Depot Town and Mr. Murdock's proposal would allow for only $300,000. Mr. Colbeck explained while this is not set in stone it seems increasingly likely that a rail stop will be coming to Depot Town and will cost a significant amount and the City will not have the bonding capacity to pay for the project. Mr. Colbeck stated potentially the City could issue another tax to pay for the rail stop but it might not have public approval. Mr. Colbeck stated there have been somewhat of a misinterpretation that the Depot Town TIF captured all of the revenue created in the TIF, which is not true and over the next 25 years the City would get over $1.3 million of revenue and Mr. Murdock's proposal would increase it to $1.6 million. Mr. Colbeck stated there would be a net gain for the City of $274,000, however the proposal the DDA is offering over the course of 15 years the City would net the City $1.5 million. Mr. Colbeck added this proposal is contingent on the DDA's ability to generate revenue and if that is impacted the DDA could not share at that capacity.

Council Member Anne Brown asked if in Fiscal Year 2015-2016 the DDA would be paying the City $71,266. Mr. Colbeck responded in the affirmative. Ms. Anne Brown stated the DDA proposal would result in an increase of $30,000 to the City per year and asked if that amount could increase. Mr. Colbeck responded the resolution passed by the DDA Board states the amount would not be less than $100,000. Mr. Colbeck explained the money could not go into the City's General Fund by statute and that money would need to be earmarked for projects within the DDA districts. Mayor Edmonds stated this proposal is a pledge for funding and if Mr. Murdock's plan passes it decreases the possibility of the DDA to provide funding as these opportunities arise.

Council Member Anne Brown stated the DDA Board is evolving all the time and asked if that would have an effect on the pledge. Mr. Colbeck responded the commitment is fifteen years so regardless of the Board that commitment would be honored.

Council Member Vogt asked what would happen if there is no rail stop. Mr. Colbeck responded the funds would still be earmarked for City projects and it will be up to the City how it wishes to allocate those funds.

Mayor Edmonds stated the TIF plan outlined projects developed from community input which align with the Master Plan and City priorities. Ms. Edmonds said the train was a high priority but it was not the only priority identify in the TIF plan. Mr. Colbeck said there will be no shortage of projects to use those funds.

Council Member Vogt stated the proposal he did not state what the DDA would provide if Council Member Murdock's proposal were to be approved. Mr. Vogt stated the DDA proposal and Mr. Murdock's proposal is comparing two different things and the comparison is difficult because they are in different language. Mr. Vogt stated the DDA needs to provide the DDA proposal in the language of Mr. Murdock's proposal terms. Mayor Edmonds responded she feels that was the attempt of the summary provided by Mr. Colbeck. Mr. Vogt stated he is asking for the next step which is to structure the numbers in similar fashion. Mr. Colbeck responded the DDA proposal is contingent upon the passing of the originally submitted plan. Mr. Vogt asked what the DDA's response would be if Mr. Murdock's plan is approved. Mr. Colbeck responded the offer would need to go back to the DDA Board to be reconsidered but in all likelihood Mr. Murdock's proposal would cause a need for cuts on projects. Mr. Colbeck said where those cuts will come from has not been solidified because the DDA's stance is the plan submitted that should be passed. Mr. Colbeck stated the original plan clearly has the support of the Depot Town property owners and in numerous conversations city staff has shown support. Mr. Colbeck added the DDA understands the needs of the City which is why it is offering the additional funds.

Mr. Vogt asked if Council Member Murdock's proposal is passed is there any reason it could not be amended in a year, five years, etc.., if the rail center or another project were to move forward and there was a need to bond. Mr. Colbeck responded theoretically yes. Mr. Vogt stated the City and the DDA would need to agree on the new terms. Mr. Colbeck responded in the affirmative but it would be a complicated process and the DDA is offering a proposal that would ensure that scenario. Mayor Edmonds stated Mr. Murdock's proposal will hinder the DDA's ability to do much in Depot Town which will effect what it can do in Downtown and West Cross. Ms. Edmonds stated it begins to gut the whole DDA which is the very real consequence. Ms. Edmonds said the DDA exists to do capital improvements and Mr. Murdock's proposal would limit its ability to bond for those projects. Mr. Vogt responded the DDA has said it will not be able to maintain its funding levels that it has been if the levels stay the same. Mr. Colbeck responded the DDA would not be able to provide funds at the same capacity. Mr. Vogt stated the way he understands Mr. Murdock's proposal is when the DDA pays off its debt those funds will go to the City. Mr. Colbeck responded that is a misnomer because that debt was a result of large scale infrastructure improvements and Mr. Murdock's proposal will diminish bonding capacity. Mr. Vogt responded unless the City and the DDA to make an agreement to amend the TIF plan for a specific project. Mr. Colbeck responded that is a big if. Mr. Vogt asked if it is a good project do you think the City would want to do it. Mr. Colbeck responded what he doesn't understand is why the City would want to put itself in the position to create a need to reconsider the TIF plan when this proposal is being offered. Mr. Vogt asked what if there is no rail center and the City does not want to do the other projects the DDA has in mind. Mr. Colbeck responded it would be up to the City to determine how to use that money. Mr. Vogt stated if the DDA's proposal is passed the City does not have the money.

Council Member Vogt asked if there are more proposals and the train stop does not happen that extra money would go to the projects listed in the TIF plan at the DDA's discretion. Mr. Colbeck responded yes but it would be at the City's discretion. Mr. Vogt responded he is not sure of the legal authority for the DDA's proposal and would like to hear elaboration from City Attorney Barr. Mr. Colbeck responded you're asking to predict what the City's priorities are going to be in ten years. Mr. Vogt responded aren't future priorities a decision for that Council. Mr. Colbeck responded yes, but Mr. Murdock's proposal would create a hurdle in front of the ability to achieve goals. Mr. Vogt stated his point is at that time who will make that decision City Council or the DDA Board. Mr. Colbeck responded there is a large number of priorities outlined in the plan which provides the DDA the legal authority to spend funds on those projects. Mr. Colbeck stated the plan is written very broadly because it is impossible to predict what the priorities will be in fifteen years. Mr. Vogt asked if Mr. Colbeck could concede that there might be something that the City would need the money more than the DDA. Mr. Colbeck agreed and the way this is written the City would have that authority. Mr. Vogt disagreed and said the money would need to go to a project outlined in the TIF plan such as if the City were to be sued. Mr. Colbeck responded the money would not be allowed to be spent in that manner. Mr. Vogt responded it could if it were in the General Fund. Mr. Colbeck stated over that fifteen year period the additional revenue that would be brought to the City by Mr. Murdock's proposal is just over $70,000. Mr. Vogt asked for clarification of that statement. Mr. Colbeck responded not all tax money the TIF captures is the City's and the reset would lose money to the Ann Arbor Area Transportation Authority (AAATA), the County, and Washtenaw Community College. Mr. Colbeck said with TIF plan the money increases exponentially with each year and if the base year is reset over a fifteen year period it would leverage very little money. Council Member Murdock responded the City would get approximately $600,000 over that 25 year period. Mr. Colbeck responded he is referring to the plan that is on the table. Mr. Murdock stated the City would get nothing from the DDA proposed plan and the DDA spend its funds on how the EEA allows them to spend it the City has no choice in the matter. Mr. Colbeck responded that is not true City Council has the authority to appoint Board Members.

Council Member Robb asked City Attorney Barr how the DDA can legally promise to pledge at least $100,000 a year for fifteen years. Mr. Robb added Council cannot handicap future Councils and asked how can the DDA handicap future DDA's. Mr. Barr responded there are two governmental units involved and City Council is a standalone unit of government and when a DDA is legally constituted the DDA becomes an authority ruled by a board. Mr. Barr stated there is a rule that one Council cannot bind another Council and legally if you want to bind the DDA to their proposal his advice is to have an intergovernmental contract that would list the provisions to be legally enforceable. Mr. Barr stated if a contract is not in place the DDA Board could change the parameters. Mr. Barr stated once Council approves the plan the funds flow to the DDA Board it would not come back to Council unless there is a contract or it is limited by the ordinance.

Council Member Robb stated the information provided to Council for this meeting lists $2.49 million in TIF revenue over the next 25 years and the packet from the March meeting when the TIF plan was originally introduced it listed $1.97 million and asked where the extra $500,000 come from. Mr. Colbeck responded those numbers were corrected after it was originally submitted and the corrected numbers were provided to Council. Mayor Edmonds added after deliberation with Council it was realized there were some errors and those numbers were provided to Council.

Council Member Robb stated the DDA currently contributes around $19,000 to the City . Mr. Colbeck disagreed. Mr. Robb responded he did not see the Depot Town DDA provided funds for the DDA officer, and if it does it is not in the budget. Mr. Colbeck responded it is in the budget under contractual services. Mayor Edmonds stated this was all outlined in the memo provided. Mr. Robb responded the memo list $41,000 for the DDA officer. Mr. Colbeck responded that amount is the total paid among the districts and if Mr. Murdock's proposal is passed it limits the revenue it will impact the entire DDA because the other districts will need to cover the costs the Depot Town Tax Increment Financing Authority is no longer able to. Mr. Colbeck said the pedestrian trashcan contract and the DDA officer result in the DDA paying the City $60,000 and going back to 2001 there have been many partnerships between the City and the DDA for projects. Mr. Colbeck stated there are no shortages of requests that come from the City for stated priorities.

Mayor Edmonds stated there are a number of non-discretionary items not included in the packet such as the DDA's contribution to the City for payroll, auditing, etc.. Ms. Edmonds stated those were not included because it is logical to do to so with the City. Mr. Colbeck stated the DDA contracts with the City to perform all its bookkeeping for $16,000. Mr. Colbeck stated the DDA police officer was a pledge made that was renewed several times by the DDA and if the finances are not there logistically the DDA cannot provide those funds and that is the same with the pedestrian trash service.   Mr. Colbeck stated the partnership between the City and the DDA is good and should not be looked at as adversarial. Mr. Colbeck added that he and the DDA Board feel their proposal is better than Mr. Murdock's proposal.

Council Member Vogt stated he agrees with Mr. Colbeck that this is not adversarial it is about finding the best solution. Mr. Colbeck responded in the affirmative. Mr. Vogt thanked Mr. Colbeck for answering Council's questions.

City Manager Lange stated the base that is set for a DDA is very critical because it determines the capture and asked if the cap is reset is it possible to restore it. Mr. Barr responded the idea of a TIF is to assist a stressed area by freezing the tax bases to improve the area. Mr. Barr stated the issue is that amount is collected from a number of different taxing authorities in order to provide more funding for development and that is structured through a plan. Mr. Barr stated as he understands the statute the DDA must propose the plan and Council can either accept or reject that plan. Mr. Barr stated he believes Mr. Lange's question is can Council amend the plan after the fact and his off-the-cuff answer is probably not. Mr. Lange stated his point is that once the base level is amended it cannot be restored. Mr. Murdock responded the money doesn't disappear the money returns to the taxable entities it came from.

Mayor Edmonds asked DDA Council Karen Mendelson if she has a difference of opinion in Mr. Barr's interpretation of the postponement of the Second Reading of the Depot Town TIF and redevelopment Plan Renewal Ordinance and why the DDA continued to being the original ordinance back to Council. Ms. Mendelson responded she read the agenda and minutes from past meetings involving the TIF Plan and it is her interpretation the DDA submitted its plan and a month later Council voted to accept the plan at First Reading. Ms. Mendelson stated a Second Reading was put on an agenda for June and subsequently removed from the agenda and placed on the September agenda and removed. Ms. Mendelson said the TIF plan was again removed from tonight's agenda because of this nothing has happened with this plan since First Reading. Council Member Murdock responded the plan was passed on First Reading and at that meeting him and other Council members would have amendments at the Second Reading and there was a vote on a suggested split and it was postponed for the DDA to resubmit the plan. Mr. Murdock stated since that time four memos were given to Council form the City Attorney that have basically said the same thing and with all due respect he is Council's attorney. Ms. Edmonds said it is her intention to clarify the legal disagreement between the two bodies and the disagreement in if a postponement can change what was just voted. Ms. Edmonds stated as a result of the disagreement the DDA feels it is able to bring back the original plan. Ms. Mendelson stated there are more than one area of disagreement but no one has made a motion to postpone the plan it has just been pulled from the agenda. Mr. Murdock stated during the Second Reading the plan was postponed. Ms. Mendelson responded that is not in the minutes. Mr. Murdock replied it is in the minutes. Ms. Edmonds stated she is suggesting an item cannot be postponed with a caveat of a change. Ms. Mendelson added that is her interpretation of Robert's Rules of Order but it is a little bit grey. Ms. Mendelson stated her interpretation is that when an item is postponed it is until the next meeting. Mr. Murdock responded or until a certain action is taken. Ms. Mendelson replied she doesn't believe that the rule is designed to postpone an item until the proposal is changed.

Ms. Mendelson said the DDA Board likes there plan and wants Council to vote on it at Second Reading and it has not which is why there has not been a change to the plan. Ms. Mendelson stated how she read the minutes it seemed that when the DDA was asked to return with another proposal and a Council Member submitted a proposal it seemed that it was an amendment to the plan. Mr. Murdock stated what is being proposed tonight is an ordinance change. Ms. Mendelson responded what is being proposed tonight is the reconsideration of the proposal issued at the last meeting and what she thinks Council Member Murdock wanted to amend that proposal. Mr. Murdock replied last meeting there was a proposed ordinance change for the Depot Town TIF and Redevelopment Plan which would establish parameters for future TIF plans. Mr. Murdock added that was defeated and it is being reconsidered tonight and he is going to offer an amendment to his ordinance amendment.

Mayor Edmonds stated her intent on adding the original ordinance was to move forward with discussing that TIF plan and that was removed from the agenda.

Council Member Anne Brown stated her concern is that Council has two DDA TIF proposals that it is considering and there still is not a decision and it has been going on since April or May. Ms. Anne Brown said that indicates that Council needs a parliamentarian to ensure that the process flows. Ms. Anne Brown stated when she talks to residents they cannot believe that both of these plans are on the same agenda and she does not want to sit in a process like this to move forward.

Council Member Murdock stated on the table now is the ordinance change of 75% with a 1% cap in growth. Mr. Murdock said his intent today is amending his proposal with one of the options made by the DDA director. Mr. Murdock stated that proposal was a 50/50 split in future revenue with no reset in revenue. Mr. Murdock stated what he is going to propose is a 50/50 split in future revenues with a reset of approximately 82%. Mr. Murdock said he feels this compromise can be agreed upon and will allow the DDA to move forward unless the DDA proposals were not actually being proposed. Mayor Edmonds responded the numbers were prepared by the DDA director but were not proposals the Board has voted to move forward. Mr. Murdock responded they were sent to Council and were on a Council agenda. Ms. Edmonds replied he was requested to run the numbers under different scenarios. Mr. Murdock added if these were not approved by the DDA they should have been taken to the DDA as a discussion item, not to Council. Mr. Colbeck stated they were brought to the DDA as a discussion item but only as a discussion item but never approved which is why there were multiple items. Mr. Colbeck stated the intent of those proposals were to foster some type of agreement. Mr. Murdock responded he told the DDA Director that one of the proposals was very close to something he could be in favor of. Mr. Colbeck stated that would have been a decision of the Board that has overwhelmingly said that it wants the original plan after in–depth discussion.

Council Member Anne Brown stated she understands the Board wants the original plan passed along with the promise of $100,000 each year over the next 15 years. Council Member Murdock stated the $100,000 promise does not deal with any of the issues that were raised in terms of resetting the base or sharing in future growth. Mr. Murdock stated the $100,000 is going to be spent on things that DDAs spend their money on. Mr. Robb added it is not binding. Mayor Edmonds stated an intergovernmental contract is a way to make that agreement binding. Council Member Vogt said that is what Council wanted from the beginning and was specifically talked about as what Council needed from the DDA. Mr. Vogt added Council has only gotten a fraction of what it needs from the DDA to clarify the proposal in order to compare it to Mr. Murdock's proposal.

Council Member Vogt stated 99% of what has been said tonight and over the past five months is because Council and the DDA are not talking about the same things and this is not about procedural issues this is about policy decisions. Mayor Edmonds stated as a result of several DDA meetings the idea was broached that the City wants more money and this was the proposal developed which nets the City more than Mr. Murdock's proposal. Ms. Edmonds stated the DDA is pledging this money and the way to solidify the pledge is to form an intergovernmental contract which is an easy next step. Mr. Colbeck added the DDA officer and the pedestrian trash service is the result of a contract between the DDA and the City. Mr. Vogt stated that contract is something the Council would need to see. Ms. Edmonds asked if Mr. Vogt would be more apt moving this forward if the DDA brought this contract. Mr. Vogt replied it would help and asked that a provision of the contract include Mr. Murdock's methodology. Ms. Edmonds stated the resolution is contingent on the original plan being passed so it would not be able to provide that methodology in the contract. Mr. Colbeck stated the elimination in the ability for the DDA to capture funds would take way the ability to enter into that contract.

Council Member Robb stated when it is said the $100,000 is more it is wildly misleading and Mr. Murdock's ordinance is specific to Depot Town and the $100,000 is throughout all the DDA Districts and to compare the two is ridiculous. Mr. Colbeck responded he does not believe that is true. Mr. Robb stated you say the DDA plan provides more but the Downtown DDA District commits their money to the Downtown and it again is an apples and oranges argument. Mr. Robb added if it wants to be examined what is more money look at Depot Town versus the ordinance.

Council Member Vogt stated he originally thought if a proposal was passed it could be amended at some point in the future. Mr. Vogt added he understands it would not be able to relate back to tax years that are already processed but is there any reason that if a 25 year plan is passed now that it could not be canceled for a new plan. Mr. Colbeck stated the only body that could amend the ordinance and bring it to Council would be the DDA. Mr. Vogt stated if Council and the DDA made an agreement to amend the ordinance in order to fund a project City Council could ask the DDA to amend the ordinance and asked if there was a legal impairment to that. Mr. Vogt clarified and asked if the ordinance be stopped and a new ordinance over. Mr. Barr responded the short answer is no and said there are two items before Council is the existence of the DDA and if nothing is done by the end of December the Depot Town TIF will end and the second part is if a plan is adopted it is in form of a contract with the DDA unilaterally at a later time. Mr. Vogt responded he is not talking about unilaterally he is asking if the Council and the DDA make an agreement to change it back to the higher rate. Mr. Barr responded if they both agree he believes it can be changed.

Mayor Edmonds stated in order to create the TIF plan a consultant was hired which cost approximately $18,000 and that is a very expense especially for an organization as small as the DDA. Council Member Murdock stated what Council Member Vogt was alluding to was bonding for the train and the way the train is going to be far more money than either the TIF has and in discussions that is going to take a lot of resources from a lot of different places and grants and if the City had to bond for that and needed the DDA to help with that bond a depot plan or a train plan could be created and the TIF plan could be amended to make that happen. Mr. Murdock stated he believes that can be done but it would require an ordinance. Mr. Colbeck stated with the DDA submitted plan the DDA is able to bond $900,000 as opposed to $300,000.

> Council Member moved, supported by Council Member Vogt to amend Resolution No. 2015-209 to read "beginning Fiscal Year 2016-2017 the maximum captured taxable value is $1.4 million each fiscal year following should be 50% of the increase taxable value."

Council Member Murdock stated he completed a comparison chart and resulted in slightly different numbers than were provided by Mr. Colbeck. Mr. Murdock stated the difference when the base is reset is around 81% of what they are currently getting which is a loss of around $12,000 to $13,000. Mr. Murdock stated the 50/50 split in future growth would provide two-thirds of the revenue Depot Town would have got under the original plan and he thinks it is a fair split. He added TIF plans are not supposed to last forever and municipalities should recoup some of the benefit of the tax value.

Mayor Edmonds stated she will be voting against this amendment without the time to examine the numbers and make an informed decision.

Council Member Vogt stated this is the first reading and Council will be waiting for the DDA intergovernmental Contract. Mr. Vogt stated as Council Member Robb stated is this discussion only about the Depot Town DDA monies or all the TIFAs monies needs to be clearer. Mayor Edmonds stated to clarify Mr. Vogt is asking for a contract but the contract is not related to the ordinance change. Mr. Vogt stated what he is looking for does not have to be a formal contract what he is asking for is for the major terms to what would fit into Mr. Murdock's proposal. Ms. Edmonds stated the information from the DDA was given to Council on September 15th Mr. Murdock's proposal was only given to Council on October 5th and this was a quick comparison that Mr. Colbeck could put together today.

Council Member Anne Brown moved, supported by Mayor Pro-Tem Richardson to table the original ordinance and the proposed amendment.

On a roll call, the vote to table Resolution No. 2015-209 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

Mr. Colbeck asked if it would be enough to submit a framework for the contractual agreement because the DDA is proposing is the contractual obligation is dependent on the plan not being amended. Council Member Vogt responded forget about the process and talk about the substance, what is the result that we want and divide out the points of confusion. Mr. Vogt stated Downtown versus Depot Town and mostly a comparison of Depot Town monies versus Mr. Murdock's proposal because it concentrates on Depot Town alone. Mr. Vogt said if there is an element in of Downtown it needs to be seen how that is different and additional to the DDA and what the commitments are going to be. Mr. Vogt explained it needs to be seen why, or how and to what extent it is or is not new money or new proposals that are occurring through the two different sources. Mr. Vogt stated data on the base capture amount should be included. Mr. Vogt said the proposal should not talk in terms of the original ordinance because ultimately that will not pass, at least not like it has been presented.

XIII. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. ~~Resolution No. 2015-105, approving Ordinance 1244, the adoption, amendment and restatement of the Depot Town Development Plan and Tax Increment Financing Plan.~~ ~~***(Second Reading)***~~ **(Removed)**

2. Resolution No. 2015-225, approving Memorandum of Understanding (MOU) with the Friends of the Ypsilanti Freighthouse for the operation and management of the city-owned facility.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The City of Ypsilanti desires to have the Ypsilanti Freighthouse open and accessible to the public and used by the community; and

WHEREAS, The Friends of the Ypsilanti Freighthouse (FOYH) have been crucial in raising money and protecting the interests of the building; and

WHEREAS, it is in the City's best interest to have a Memorandum of Understanding with the FOYH for the operation and maintenance of the Ypsilanti Freighthouse.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council approves the Mayor and City Clerk represented by the City Attorney to enter into a Memorandum of Understanding with the Friends of the Ypsilanti Freighthouse for the operation and management of the city owned facility as described in the agreement.

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

Community Development Director Beth Ernat stated the Memorandum of Understanding (MOU) between with the Freighthouse is an item has been in the works for well over a year. Ms. Ernat said the Friends of the Frieghthouse was established to protect the integrity of the structure's history with the intention of becoming the managing entity. Ms. Ernat said this agreement has gone back and forth between the City and the Friends of the Frighthouse and during a meeting held last month. Ms. Ernat said at this meeting goals were discussed and the City's concern was the structure having proper insurance and now the City feels the insurance is adequate. Ms. Ernat said the goal is to have a facility in the City that can be rented and the Friends of the Freighthouse are making that possible. Ms. Ernat stated Council recently approved a contract for the improvements necessary to bring the building to a usable fashion and this is the logical next step of having a management entity. Ms. Ernat stated the highlights of the MOU include the City having access to the facility for events and can use the Freighthouse six times a year without charge and the City will work with the Friends of the Freighthouse to ensure those are not prime dates. Ms. Ernat stated the group will provide liability insurance and if the space is rented additional insurance will be provided by the entity renting the building.

Council Member Anne Brown stated the MOU states the Friends of the Freighthouse will be responsible for the utilities and it is her understanding the other Friends groups the City is responsible for the utilities. Ms. Ernat responded in the affirmative and said a lot has been learned from the other contracts and for instance the Senior Center and Parkridge are not generating the revenue that could be generated at the Freighthouse.

City Attorney John Barr asked that a friendly amendment be made to the resolution to change City Manager to the Mayor so that the Mayor and City Clerk will be signing the agreement.

Council Member Robb agreed with the friendly amendment.

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

City Manager Lange stated there is not a power take over and his understanding of the rule is the Mayor and the City Clerk sign contracts but what is left off is the City Manager signs the change orders which is left off on many resolutions. Mr. Lange said in this case that is not included because there are no change orders.

Ms. Ernat stated one of the negotiated items of the contract is to have a Council appointed liaison to Friends of the Freighthouse. Ms. Ernat recommends the Council Member Murdock be the nomination due to his close involvement with the negotiations. Ms. Ernat stated an agreement has been made concerning accounting practices and how the City and the group will share information as far as grant requests and City support. Mayor Edmonds responded the Parks and Recreation Commission oversee all of the City's Friends groups and if there needs to be a designated liaison it should be a member of that Commission. Mayor Pro-Tem Richardson said she is in favor of Council Member be the liaison. Ms. Edmonds responded she doesn't object to that and asked who from the Friends of the Freighthouse attends the Parks and Recreation Commission meetings. Council Member Anne Brown responded Council Member Murdock usually represents that Friends Group. Ms. Richardson added Council Member Murdock has been working closely with the Friends of the Freighthouse for some time and it would act as a continuum. Ms. Ernat explained the Mayor is suggesting an additional person.

Friends of the Freighthouse Board Member and Treasurer Martha Kern-Boprie stated she is in attendance tonight with Board Members Ron Rupert and Susan Campbell. Ms. Kern-Boprie stated the Friends of the Freighthouse would be happy to provide a liaison to the Parks and Recreation Commission. Mayor Edmonds stated it is her intention to have the Friends of the Freighthouse represented at the Parks and Recreation Commission and she is not disagreeing at all with having a Council Member as a liason to the Freighthouse. Ms. Kern-Boprie stated the Board was hoping to continue to have Mr. Murdock as the Council liaison to the Friends of the Freighthouse.

Mayor Edmonds recommended attaching a map to the contract with clear boundaries of parts of the property that are the responsibility of each Friends group for weed and snow removal and other general property upkeep. Ms. Edmonds added this will provide clear expectation of responsibility.

Council Member Murdock stated one of the major changes in this agreement is just for the Freighthouse it does not include the plaza. Mayor Edmonds asked if the stairs that go into the raingarden are included in the agreement. Council Member Robb responded the stairs are a part of the building and the responsibility of the Friends group. Ms. Edmonds stated the Farmer's Market was many years ago located on the area that extends from the building. Ms. Ernat responded that is where the raingarden is now located. Ms. Edmonds stated she wants to make certain whose responsibility the sidewalk between the building and the raingarden is.

Council Member Anne Brown asked if anyone from the City, be it staff or Council, could use the facility. Ms. Ernat responded in the affirmative but it will need to be coordinated through the manager's office.

On a roll call, the vote to approve Resolution No. 2015-225 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

3. Resolution No. 2015-226, approving the purchase of a 2015 Wacker Neuson WL32 HF Wheel Loader for use in Streets and Parks Divisions for winter maintenance of public sidewalks and crosswalks.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, a purchase proposal was received from Fredrickson Supply, Wyoming, Michigan for the purchase of a 2015 Wacker Neuson WL32 HF Wheel Loader for use in Streets and Parks Divisions for primarily for winter maintenance of public sidewalks and crosswalks for a total amount of $64,000.00; and

WHEREAS, the Co Pro+ Consortium purchase price of $64,000.00 is very favorable and in the best interest of the city to purchase this vehicle; and

NOW THEREFORE, BE IT RESOLVED THAT, the Ypsilanti City Council approves the purchase of one 2015 Wacker Neuson WL32 HF Wheel Loader.

FURTHER, that the $64,000.00 to purchase this vehicle be expended from the $67,500.00 budgeted in account 641-7-9320-987-10;

THAT the City Manager is authorized to sign the purchase proposal and any change orders, subject to approval by the City Attorney, to complete the purchase of this vehicle.

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

DPS Director Stan Kirton stated this is vehicle is for snow removal effort on the public sidewalks. Mr. Kirton stated the equipment currently being used is a John Deer 2330 and have been using it since 2009 and have been having issues with it during heavy snow. Mr. Kirton stated the proposed vehicle is more heavy duty and will also has a High Flow option that will operate all the City's CAT attachments and will take pressure of the Bobcat which is used for many functions.

Council Member Murdock asked if this is the only equipment for snow removal. Mr. Kirton responded no and DPS will still use the John Deer vehicle for light snow. Mr. Kirton stated the Wacker Nueson will help with heavier snow on crosswalks and can also act as a back loader for slat trucks in case the front loader malfunctions.

Mayor Pro-Tem Richardson asked if this vehicle will make the bus stops more accessible. Mr. Kirton responded AAATA services the bus stops not the City. Mayor Pro-Tem Richardson the bus stops that are on the street without shelters the snow gets piled up very high and people put themselves in danger waiting for the bus. Mr. Kirton stated if the stop is in front of City property it would maintain the sidewalk by the bus stop.

Council Member Anne Brown asked if DPS maintains the sidewalk by Abe's Coney Island and the EMU School of Business. Mr. Kirton responded that is not City property and DPS does not maintain those walkways EMU maintains those walks.

Council Member Murdock asked if DPS clears the crosswalks on the median on Michigan Ave. Mr. Kirton responded in the affirmative.

Mayor Pro-Tem Richardson stated when the streets are cleared the snow piles up on the sidewalks making it difficult to walk and get to the bus safely. Mr. Kirton responded the snow is pushed up on the curb. Mr. Kirton responded the Wacker does have a snow blower attachment that can be purchased.

Council Member Anne Brown asked when the purchase will be made. Mr. Kirton responded as soon as possible.

On a roll call, the vote to approve Resolution No. 2015-226 was as follows:

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

VOTE:

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

Council Member Anne Brown stated the Parks and Recreation Commission will hold a Huron River Day event on Sunday, October 11th and the City is charging them $160 to remove the bleachers. Mr. Kirton responded there is a wedding on Saturday in Riverside Park so the bleachers have to be put in on Sunday and he has to pay the employees to work on Sunday.

Mayor Pro-Tem Richardson asked if there should be a cost for a City entity to use City property. Mr. Kirton responded if Council wants to waive the fee it may do so but he still has to pay the employees to work on Sunday. Mayor Pro-Tem Richardson stated since the event is this weekend Council needs to decide if it will waive the fee. Mayor Edmonds stated they should not be charged because they are a City body running a City event.

Mr. Lange stated if the majority of Council wants the fee waived he will do so. Council waived the fee.

4. Resolution No. 2015-227, approving contract with AKT Peerless for environmental and grant administration services for the Blight Elimination Grant.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The City of Ypsilanti desires to have AKT Peerless provide Environmental and Grant Administration services for the Blight Grant properties; and

WHEREAS, AKT Peerless has direct experience with the Michigan Land Bank and blight grants; and

WHEREAS, Environmental testing and reviews must be completed prior to demolition and are a qualified reimbursement expense through the Michigan Land Bank; and

WHEREAS, Blight Elimination Grant money will cover the contracted amount and no City funds will be expended.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council approves the Mayor and City Clerk to enter into a contract with AKT Peerless for Environmental and Grant Administration services for the Blight Elimination Grant.

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

Economic Development Director Beth Ernat stated this contract is unusual because it might exceed the $25,000 purchase authority of the City Manager and is asking for approval. Ms. Ernat stated as included in the resolution no City funds will be expended and the funds for this contract will come directly from the Michigan Land Bank. Ms. Ernat explained this will be funded as a part of the $250,000 grant the City received for blight elimination and a requirement of that grant is to hire an environmental firm to perform the Phase 1 and asbestos testing which is nearing completion. Ms. Ernat stated the firm would then need to perform the cleanup and the specifications for the demolition. Ms. Ernat said the contract is specific to the cost of the actual for the actual reviews but the cleanup costs are not included because they could not be properly estimated without the reviews. Ms. Ernat said all of the costs are reimbursable from the land bank but the contract will most likely exceed $25,000 which will require Council approval.

On a roll call, the vote to approve Resolution No. 2015-227 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

5. Resolution No. 2015-228, rejecting bids for replacement of the Ypsilanti Fire Department roof.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, three bids were received on September 22, 2015 from LaDuke Roofing, T.F. Beck Company, and J.D. Candler to replace the YFD Fire Station Roof; and

WHEREAS, all of these bids are well above the budget allotted for this project;

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council rejects the three following bids:

1. **LaDuke Roofing; $223,000 and four options presented by OHM**
2. **T.F. Beck Company; $230,160**
3. **J.D. Candler; $249,750**

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

On a roll call, the vote to approve Resolution No. 2015-228 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

6. Resolution No. 2015-229, accepting proposal from VJM Design to complete the Ypsilanti Fire Department roof.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti is interested in replacing the roof of the YFD Fire Station; and

WHEREAS, the City previously rejected the offer of VJM Design in the amount of $163,339 by resolution 2015-151 on July 7, 2015 and re-bid the project; and

WHEREAS, the three bids received from this were all above both the budgeted amount of the project and the amount originally proposed by VJM Design; and

WHEREAS, VJM Design has agreed to honor their original offer and alter the work in order to reduce the project to $154,339; and

WHEREAS, this alteration of the work provides eliminating the drain work for a savings of $14,000; and

WHEREAS, the City of Ypsilanti is interested in accepting this offer;

NOW THEREFORE BE IT RESOLVED THAT the City of Ypsilanti accepts the offer of VJM Design to complete the YFD Fire Station Roof project, as proposed, for the amount of $154,399.

BE IT FURTHER RESOLVED THAT the Mayor and City Clerk are authorized to sign any necessary contract documents on behalf of the City of Ypsilanti in order to begin work on this project, subject to the approval of the City Attorney.

FURTHER RESOLVED THAT the City Manager is authorized to sign any change orders, subject to the approval of the City Attorney.

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

City Manager Lange clarified the company that will provide the construction is VJM Design but OHM did the actual design of the project.

Firefighter John Roe stated he is here on the behalf of Fire Chief Anthouard to request approval for the roof replacement. Mr. Roe stated present tonight is Contractor and President of VJM Design Virgil Manning and Mike Thatcray from Carlisle whose company will design the material for the roof to answer the questions.

Mr. Lange asked if the insulation that will be used could be explained. VJM Design President Virgil Manning responded when this project was originally bid the specifications called to remove the existing roof done to the one inch insulation that is existing. Mr. Manning said on the high bay three inches of insulation was requested which will be adhered to the roof deck with a ¼ inch cover board on top of that. Mr. Manning said the low bay the proposal was to install a tapered system that goes to the drains which will also be adhered and a ¼ inch of cover board on top of that. Mr. Manning said a full TPO system which will be a Carlisle 60 mil with a fifteen year warranty.

Mayor Pro-Tem Richardson asked for clarification of the $14,000 in savings by eliminating the drain work. Mr. Roe responded there is a drain system and OHM designed a roof that increased the drainage and changed the flow of the roof. Mr. Roe said those drains have been eliminated for cost savings and the lower roof will be pitched with an extra drain and the upper roof will be a flat roof which is what the City has had for the last 40 years. Ms. Richardson responded on a flat roof the water will stay there and asked if there is a drain system for that roof. Mr. Roe replied there are drains for that roof but they are on the corners. Ms. Richardson asked how the settling water has affected the present roof. Mr. Roe responded the roof has been in place for 40 years but it has had leaks that have been patched. Ms. Richardson stated her concern is installing a roof that isn't pitched and with proper drainage how fast it will deteriorate. Mr. Manning stated the original architect added extra drains for better flow and drainage. Mr. Manning said after speaking with Mr. Roe there wasn't an issue with ponding on the roof. More drains were in the design for greater efficiency. Mr. Manning stated the roof will be slightly tapered so the water will flow to the drain system.

On a roll call, the vote to approve Resolution No. 2015-229 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. <u>LIASON REPORTS</u> –

A. SEMCOG Update - None
B. Washtenaw Area Transportation Study – No meeting
C. Washtenaw Metro Alliance - None
D. Urban County - None
E. Freight House – Construction should begin sometime next week.
F. Parks and Recreation – Huron River Day is scheduled for Sunday, October 11th. Ms. Anne Brown said they are looking for volunteers.

   Mayor Pro-Tem Richardson asked what the volunteers would do. Ms. Anne Brown responded they would help people in and out of the water.

   Mayor Edmonds asked if people need to sign up in advance. Ms. Anne Brown responded in the affirmative and said she will send out information to Council.

G. Millennial Mayors Conference - None
H. Ypsilanti Downtown Development Authority – Nothing further
I. Eastern Washtenaw Safety Alliance – Council Member Murdock stated that at the last meeting nothing of much substance occurred and there was discussion of doing possible logos. Mayor Pro-Tem Richardson stated having not met in several months Representative Rutledge asked for an update from each community. Council Member Anne Brown stated AAATA explained their new routes at the meeting.

Mayor Edmonds introduced DDA Board Members Richard Smith and Jelani McGadney.

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

<u>Richardson</u>

- Stated she was concerned with the comments made by Lee Tooson and Council Member Nicole Brown during audience participation. She stated the incident needs to be investigated immediately and said she feels that is not an isolated incident. She stated she has heard of another incident that a gentleman was returning from work on Jefferson St. at 2:00 a.m. and was stopped by the police while turning into his driveway. She stated that matter was resolved and it was a result of the increased patrols after the shootings during the summer.

- Mentioned she didn't see any African Americans working on the Adams St. construction. She stated she feels that the affirmative action law was a teacher and the City should be mindful of its contracts to ensure they reflect the population.

Mayor Edmonds stated she is currently doing contract work and she obtained a list of minority contract group created by Mayor Pro-Tem Richardson and Pastor Jefferson. Ms. Edmonds stated that would be something more people would do if they were aware of who to contact. Mayor Pro-Tem Richardson said contractors are registered with the County. Council Member Anne Brown added the contractors are also registered with the State. Ms. Edmonds asked if the databases can be searched using minorities as a criteria. Ms. Richardson responded in the affirmative and added not only is the organization registered with the County many of the contractors are also registered individually.

— Stated the Heritage Park Neighborhood Association always has a community outing which will be held on Saturday, October 10th at Parkridge Park from 10:00 a.m. to 3:00 p.m. She said they will hold their regular meeting at 10:00 a.m. hosted at the shelter and from 12:00 p.m. to 3:00 p.m. the outing will occur. She asked Council to please come.

<u>Robb</u>

— Asked the status of the screening at Motorwell.

Ms. Ernat responded they are beginning new plantings and within the next month there will be green screening and a new wood fence along Forest St.

— Asked for an update of N. Lincoln St.

Ms. Ernat responded staff is still involved in discussions with the attorneys about how the City can enforce after a lack of enforcement for a long period of time but staff is actively working on it.

— Asked the status of the list of fees departments collects.

Mr. Lange responded he will follow up with that item.

— Stated at 314 Maple the street has collapsed around the driveway and it continues to fill with water and asked that it be patched.

— Stated there has been a hole on Pearl St. for six months. He said there used to be a barrel there and now it is uncovered. He asked if that can be fixed as a part of the Adams St. construction.

— Stated this Sunday, October 12th from 4:00 p.m. to 7:00p.m. on Washington St. Dia De La Raza which is a celebration of Latin American Heritage will be held and invited all to attend.

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

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

<u>Anne Brown</u>

— Reminded Council that the October 20th Council Meeting is at EMU announced that Ken Dobsen is going to try and get Council tee-shirts for the battle of I-94 between the EMU and Western Michigan University football game to wear for that meeting. She said there have been talks of taking the commuter train to Kalamazoo and back to Ypsilanti to give people an idea what that would be like once the train stops in Ypsilanti.

- Asked City Clerk Frances McMullan to provide a report on the Intragroup Relations Dialogue /Training.

  Ms. McMullan responded the training is scheduled for October 27th from 6:00 p.m. until 10:00 p.m. and the only change is located at the Eastern Michigan Conference Center.

<u>Nicole Brown</u>

- Asked when the Human Relations Work Group will be scheduled.

  Mayor Edmonds stated she will be calling the HRC Chair John Shuler to contact him in the morning to schedule the meeting.

- Asked to meet with Mr. Lange and Chief DeGiusti soon to discuss the incident.

  Mr. Lange responded he will schedule that as soon as this meeting ends.

- Stated Eastern's homecoming is this weekend.

<u>Murdock</u>

- Asked if there are any ideas on how to regulate truck traffic as was discussed during the Roads work session please forward them to him.

XVI. <u>COMMUNICATIONS FROM THE MAYOR</u> –

- Stated residents in the neighborhoods adjacent to EMU perceive that as a result of an on campus smoking ban there is a lot of cigarette litter on their properties. She stated she spoke with Ken Dobson about researching what other campuses have done in this scenario.

Economic Development Direct Beth Ernat stated 16 N. Washington has been ticketed for several violations. Ms. Ernat stated Abe's Coney Island has been ticketed for illegally constructing his parking lot and have asked him to do it correctly. Ms. Ernat stated there is an issue with 1404 Whittier which will be taken to the Administration Hearings Bureau.

Nominations:

<u>Downtown Development Authority</u>

RayVon Williams – new appointment (replacing Kevin Hill) (finishing his term)
215 W. Michigan Ave., Ypsilanti, MI 48197
Ypsilanti, MI 48197
Term: 10/6/2015-7/1/2016

<u>Planning Commission</u>

Briana Mason - new appointment (filling vacant position)
1000 Huron River Dr.
Ypsilanti, MI 48197
Term: 10/6/2015-10/6/2018

— Mayor Edmonds stated she was informed by the Ypsilanti Housing Commission Director that the Housing Commission Chair Renee Smith term is up later this month and said she would like to reappoint her.

XVII. COMMUNICATIONS FROM THE CITY MANAGER –

— Stated staff is collecting more information for the Special Council Meeting on Thursday morning regarding DTE.

— Stated the 13 N. Washington OPRA will be added to the Special Meeting agenda.

— Requested November 5th, 10th, and 19th for goal setting. He said staff needs the time to prepare and will have a lot of information for Council.

Mayor Edmonds stated she had discussed November 5th, 10th, and an early December date.

Council Member Murdock asked if it is going to be the same process as last years. Mayor Edmonds responded she will be discussing that with Council at the moment there is no structure for goal setting.

Mr. Lange stated staff is going to need time to prepare for budget and he would like to get this scheduled as early as possible. Mr. Lange said John Kaczor will be included in the first meeting which will be critical. Mr. Lange requested scheduling the third goal session meeting for Thursday, December 3rd.

Mayor Pro-Tem Richardson stated goal sessions used to be held on a Saturday and completed all in one day and it was voted on at the next regular Council Meeting. Mr. Robb stated the drawback to that is it would be difficult to direct staff to bring more information to the next meeting but either way is fine with him. Mayor Pro-Tem Richardson stated staff was always able to provide the information that was requested during the Saturday goal sessions. Mr. Robb stated as finances got dire goal sessions went to multiple days.

Council Member Nicole Brown stated she works on Saturdays and would have to find out if it is possible she gets that day off. Ms. Nicole Brown asked how long this meeting would last. Ms. Richardson responded around four hours.

Council Member Ann Brown stated she could do a Saturday.

Council Member Vogt stated he could do Saturday but he wants a streamlined process.

Mr. Lange stated he would be available on Saturday but requested November 10th so that John Kaczor would be available. Council Member Vogt asked if the Saturday before Mr. Kaczor leaves is a possibility. Mr. Lange stated it is much easier to be here at night but if Council prefers Saturday staff is willing. Mr. Lange stated it is important to hear the numbers of his proposal provided by John Kaczor. Council Member Murdock asked if there will be proposal options. Mr. Lange responded there will be one proposal that can be amended.

Council Member Nicole Brown stated she would prefer to not hold the goal sessions on a Saturday.

Mayor Edmonds stated to schedule two three hour sessions for November 10th and 19th. Ms. Edmonds asked if there are any possibilities for daytime meetings.

Council Member Nicole Brown responded daytimes work well for her. Ms. Nicole Brown stated whatever works for the majority she can make it work with her schedule. Ms. Edmonds stated the meeting will start at 7:00 p.m. on the 10th and 6:00 p.m. on the 19th.

— Stated he will check immediately on the Adams St. project is a federal aid project and completely controlled by the state and when OHM does the inspection on that he will ask about women and minority contractors.

— Said he and staff are working on the speed hump policy and snow removal.

XVIII. <u>COMMUNICATIONS</u> –

- October 20th Council Meeting at E.M.U. – McKenny Hall Ballroom
- October 27th Council Intragroup Relations Dialogue/Training (6:00-10:00 p.m.) at Marriott Eagle Crest Conference Center
- November 3rd – Working Session on Snow (6:00-7:00 p.m.)
- November/December – Goal Setting (TBD)

XIX. <u>AUDIENCE PARTICIPATION</u> –

1. Jesse McDonald, 353 Pinewood St., Ann Arbor, stated in light of things discussed today regarding hate crimes. He said he is from Washington St. from a very conservative town. He said Michigan is a much more diverse area and racism does not come from the institutions in the City it comes from the individual. He stated the man who spoke earlier passion is well deserved but it should be placed on the individual not the entire Police Department.

2. Richard Smith, DDA Board Member, stated Council is doing a good job he stated if there is an issue with the Police Department he would like to get involved and contact the NAACP. He said he had to involve Internal Affairs and said in one week he has pulled around six times and had his car searched. He said he was satisfied with how the matter has handled.

XX. <u>REMARKS FROM THE MAYOR</u> -

XXI. <u>ADJOURNMENT</u> –

Resolution No. 2015-230, adjourning the Council meeting.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

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

On a voice vote, the motion carried, and the meeting adjourned at 10:31 p.m.