



APPROVED

**CITY OF YPSILANTI
REGULAR COUNCIL MEETING
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
THURSDAY, MAY 4, 2017
7:00 p.m.**

1. CALL TO ORDER –

The meeting was called to order at 7:01 p.m.

2. ROLL CALL –

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

Council Member Richardson moved, seconded by Council Member Vogt to excuse the absence of Mayor Edmonds.

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

3. INVOCATION –

Mayor Pro-Tem Brown asked all to stand for a moment of silence.

4. 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."

5. INTRODUCTIONS –

Mayor Pro-Tem Brown introduced the following individuals; DDA/Community Development Director Joe Meyers, Economic Development Director Beth Ernat, City Manager Darwin McClary, Assistant City Attorney Dan DuChene, and City Clerk Frances McMullan.

6. AGENDA APPROVAL –

Council Member Richardson moved, seconded by Council Member Bashert to approve the agenda.

City Manager McClary requested Resolution No. 2017-109, closed session, to be removed from the agenda.

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

VII. AUDIENCE PARTICIPATION –

1. Jena Edward, 210 W. Cross, stated she and several members of the audience reside at Cross Street Village. She explained without any notification Cross Street Village began raising rent. In the past residents were given a matrix that explained how rent was set by income levels. Suddenly management is no longer able to explain how rent amounts were decided. After several weeks of working with MSHDA and legal aid residents are being given some information. Management has refused to meet with legal aid on several occasions with claims they are not certain who owns the building. Management now claims the building is no longer under the affordable housing program and are able to increase rents. MSHDA told her when Cross Street Village first opened it was under a federal cash credit program which at its inception was a 99 year program. State, Federal, and City dollars are involved in this program and according to MSHDA the increases and notice of increases are not in compliance.

Council Member Richardson stated she has spoken with a resident of Cross Street Village recently and was told the building's condition was deteriorating. She asked if Ms. Edwards would like to discuss any safety issues with the building. Ms. Edwards responded fifteen years ago when the building opened everything was new and little has been done to maintain the building.

2. Patt Woods, 210 W Cross, stated Cross Street Village does not care about their residents and if there is a problem it is rarely resolved. Her understanding is the building is registered as a historic building and the Historic Society would take issue with the building's interior being damaged by water. She said people need to stay together and force the management company to do what is right.
3. Paul Cannaday, 210 W. Cross, stated residents have been given notice their rent is increasing, and attorneys have agreed it is legal. Residents now must decide whether to pay the increase or move. Many have chosen to leave, however, they have no other alternatives for lodging. He explained he has the smallest apartment yet he was told his rent was increased by \$120. Residents have thirty days to either agree to the increased rent or be evicted. He asked Council to contact the owners to discuss the issue.
4. Karen Swan, 210 W. Cross, stated Cross Street Village has owners, however, residents never see them. As far as she knows there is only one manager and maintenance person on the premises. Residents are given direction and have no idea by what authority, and there is no one to contact to ask for information.
5. Debra Mata, 210 W. Cross, stated she is handicapped since rents are increasing she will be forced to move and it is very difficult for a handicapped person to relocated. Cross Street Village also has inclines which make it difficult to move around the building.
6. Marv Crawford, stated his mother is a resident of Cross Street Village and her rent has increased for the past four years. He said he is going to Lansing to see the state representatives in order to make them aware of this issue.
7. Judith McLeod, 210 W. Cross, when she moved into Cross Street Village six years ago she was told her rent would never increase past a certain threshold. The residents of Cross Street Village

are on Social Security and have fixed income, but rents are continuously being raised. Her rent has now increased past that threshold and most likely will continue to increase over the next few years. Residents are being priced out of the building and it is incredibly unfair. She was told the increases would be used to fix the issues of the building, however, she sees it as normal wear and tear of which the owners should be responsible.

8. Rachel Packard, 210 W. Cross, stated 210 W. Cross was, and still is in many ways, a beautiful building. She sees it as an asset to Ypsilanti especially as affordable senior housing. She says her rent will not increase until December 1st and she has been there since 2000 when it opened. She said if it wasn't for the residents the building would be in terrible condition because the residents who schedule all of the activities.
9. Kathleen Solomon, 210 W. Cross, stated when she moved in six years ago she felt she would be at Cross Street Village for a while, but because of the rent she might need to move. She said some residents moved out of their homes in order to downsize, and it is sad it has come to this.
10. Elaine Ponce, 210 W. Cross, stated she has been a resident of Cross Street Village for six years. A couple of years ago she fell in the parking lot because they failed to salt and she fell. The building has become very uncomfortable and sees management as very unprofessional.
11. Ann Ball, 210 W. Cross, stated she is 93 years old and has lived at Cross Street Village for sixteen years. She said the residents take care of themselves and anything done in the building is done so by the residents. She said she has loved living there until a few years ago and she does not want to move and would like to finish living her life there.
12. Barbara Johnson, 409 Olive St., stated her respect and appreciation for the elders that have spoken tonight. She a startup company from Ann Arbor called Crib Spot has been soliciting landlords to manage their properties and gained management control over her rental. She asked Crib Spot if there was going to be an increase in rent and was told the rent would increase 15%. She asked if she extends her lease immediately could she be locked in at her current rate and has yet to receive a response. Around a year ago the Mayor was quoted in an article saying Ypsilanti was business ready. She said it is great for businesses but what about the current residents. She said she is 34 and has worked in retail her entire life, she comes from a poor background and is now attending school to improve her economic standing. Currently she cannot afford a car and must live near campus in order to make it to class. She said this area needs to stay affordable.
13. Lee Tooson, 107 Middle, stated he is the President of the local chapter of the NAACP and he feels the Cross Street Village residents are being discriminated. Years ago that building was unsafe and Council was asked to do something and he implored Council to act in the behalf of the residents of Cross Street Village. He said the people of this City will not pass a millage if the City is doing nothing for them. He explained the Southside of the City is not being taken care of by the City. He stated he has cut down branches and swept the streets because he was told the City does not have the staff to perform those tasks. He said if the City doesn't have the staff why does it need supervisors. He said the City needs both the Police and Fire Departments for safety and he does not want Council to do anything to cut those departments.
14. James Day, 210 W. Cross, stated the residents of Cross Street Village are intelligent and management is treating them like they are stupid. The residents understand that rents will

increase but his rent was increased by 30% in one year and that is stretching the boundaries of fairness.

VIII. REMARKS BY THE MAYOR PRO-TEM –

- Thanked everyone for sharing and asked Economic Development Director Beth Ernat to provide insight on the Cross Street Village issue.

Ms. Ernat stated the City is currently working with the County Office of Economic and Community Development to pair legal services with the residents. Currently Legal Services has an open case file and accepting calls for interviews. She explained this is an unusual situation but not one the City has any control. The property was a MSHDA and a tax credit based development. The property did have a PILOT which includes a tax code that if not met in a certain amount of years the owner must try and sell the property. If the property cannot be sold the owners can make the property market rate rather than affordable. She spoke with MSHDA who informed her the property is currently being listed for approximately \$12 million. The County has reached out to several subsidy developers to purchase, but the sale cannot be forced. After the end of the PILOT of the property the subsidies still must be honored, which is why Legal Service is engaged. The property is up for inspection and that will be taking place over the next few months.

Council Member Bashert asked if the rate increases in compliance with MSHDA. Ms. Ernat responded she does not have a definitive answer at this time. Ms. Edwards added she has been in contact with Legal Services almost every day, and she learned that when this property was opened the IRS had stipulated it was a fifteen year program but it must be carried out for a period of thirty years. However, before the final contract was signed the term length was increased to ninety-nine years. When the initial fifteen year contract expired the ninety-nine year stipulation was changed, the only safeguard remaining is Cross Street Village is in conflict with the three year waiting period. Residents have been told by management the income range had been increased to \$75,000 allowing the owners to charge whatever they want.

Council Member Murdock asked the building still has the original owner. Ms. Ernat responded in the affirmative. Mr. Murdock stated it appears the owner is trying to sell the property. Ms. Ernat replied she is not certain they are trying to sell, but most likely are trying to make the building market rate. Mr. Murdock responded the rents are already being increased beyond market rate. Ms. Ernat replied the attempt has caused staff to request MSHDA review and if that is the case the City will need to take action.

Council Member Bashert asked if the process allows for protection for a less than earnest attempt to sell the property. Ms. Ernat responded no.

An audience member stated there is a goal sheet management has posted that lists where they expect rents to peak, which most residents have not reached that threshold.

Council Member Robb asked if the increase in rent have violated the Average Median Income (AMI) requirement. He said the only thing he is certain of is the PILOT began in 1998 and runs for 35 years. He asked if the PILOT was violated should Council revoke it rather than wait for MSHDA to complete its investigation. Ms. Ernat replied her understanding is first MSHDA must intercede and verify malfeasance. If there is malfeasance the City would move forward to revoke the PILOT. What Council needs to consider is how much rectify time it would like to provide, and

asked if the PILOT is canceled would it also cancel the three year affordability period. Mr. Robb responded if the PILOT is already violating the affordability clause keeping the PILOT would not make rents affordable.

Council Member Murdock asked if there is a timeframe for MSHDA to complete the investigation. Ms. Ernat responded MSHDA is taking this issue very seriously, however, she does not have an exact timeframe. Mr. Murdock asked if the City's contacts in Lansing have been tapped for assistance. Ms. Ernat responded not at this time.

Council Member Vogt asked if Legal Aid is representing everyone involved in this issue. Ms. Ernat responded Legal Aid has opened a case file for any resident living at Cross Street Village. Mr. Vogt asked to what extent has Legal Services contact residents. Ms. Ernat responded at this point Legal Service has released their information to the residents and requested all interested to contract them. Mr. Vogt asked if Legal Aid has tried to contract owners. Ms. Ernat responded Legal Aid is doing their due diligence in fact finding.

Council Member Bashert stated Council has a great deal of concern regarding what is going on at Cross Street Village. She said while the City might not be able to do much in the resolution of this matter she will commit her personal time to solve this issue.

Council Member Richardson asked if a stay could be implemented until MSHDA has resolved the problem. Mr. DuChene responded as discussed the PILOT option is a possibility but there may be other options, however, that is yet to be explored. Ms. Richardson asked the Attorney's Office to examine possibilities. Council Member Robb asked what the Attorney's Office is being asked to do. Ms. Richardson responded she is requested a report on what can be done and is not authorizing the Attorney's Office to do anything other than provide options. Mr. Robb replied until MSHDA issues the report there is little the City can do.

IX. PUBLIC HEARINGS –

1. Resolution approving a Brew Pub License for BKB Tap Inc., at 201 W. Michigan Ave.
 - A. Resolution No. 2017-096, determination.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, BKB Tap Inc. has applied to the City of Ypsilanti and Michigan Liquor Control Commission requesting the following:

Adding a Brew Pub License, as defined by MCL 436.1105(12), is a license issued in conjunction with a Class C, Tavern, B-Hotel, or A-Hotel license that authorizes the licensee to brew up to 18,000 barrels of beer per calendar year for sale on the premises and off the premises with a Specially Designated Merchant license., at 201 W. Michigan Ave, Ypsilanti, MI 48197, Washtenaw County; and

WHEREAS, a public hearing to consider the proposed Brew Pub License BKB Tap Inc. was duly noticed and held on May 4, 2017.

NOW, THEREFORE, BE IT RESOLVED THAT the request of BKB Tap Inc. for the property located at 201 W. Michigan Ave. be approved.

OFFERED BY: Council Member Bashert

SECONDED BY: Council Member Murdock

B. Open public hearing.

1. Brian Brickley, 201 W. Michigan Ave., stated he is the owner of Tap Room and explained his business will only produce two and half barrels every few weeks. It is his goal to keep things simple and make certain everything is in order with City Ordinance.

C. Resolution No. 2017-097, close public hearing.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the public hearing to consider the proposed additional classification of "Brew Pub" for BKB Tap Inc be officially closed.

OFFERED BY: Council Member Bashert

SECONDED BY: Council Member Murdock

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

On a roll call, the vote to approve Resolution No. 2017-096 was as follows:

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

VOTE:

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

2. Resolution approving a Redevelopment Class C license with a Dance/Entertainment permit for Ziggy's, located at 206 W. Michigan Ave.

A. Resolution No. 2017-098, determination.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, David Jefferies, owner of Ziggy's, has applied to the Ypsilanti Downtown Development Authority, City of Ypsilanti and Michigan Liquor Control Commission requesting the following:

Approval of a Redevelopment Class C license with a Dance/Entertainment permit, A Class C license, as defined by MCL 436.1107(2), is a place licensed to sell, at retail,

beer, wine, mixed spirit drink, and spirits for consumption on the premises, at 206 W. Michigan Ave, Ypsilanti, MI 48197, Washtenaw County; and

WHEREAS, a public hearing to consider the application to Class C for Ziggy's was duly noticed and held on May 4, 2017

NOW, THEREFORE, BE IT RESOLVED THAT the request of David Jefferies for the property located at 206 W. Michigan be approved contingent upon approval by the Washtenaw County Health Department.

OFFERED BY: Council Member Murdock

SECONDED BY: Council Member Richardson

B. Open public hearing.

1. David Jefferies, 206 W. Michigan Ave, stated he and his spouse are looking to gain approval for a liquor license for an entertainment venue. The business is located at the former Lampshade for live music. The inspection from the Health Department is scheduled for June.

C. Resolution No. 2017-099, close public hearing.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the public hearing to consider the proposed application for a Redevelopment Class C license and Dance/Entertainment License for Ziggy's be officially closed.

OFFERED BY: Council Member Murdock

SECONDED BY: Council Member Richardson

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

Council Member Robb stated the applicants are required to provide evidence of \$75,000 worth of investment, which was not included in the packet. DDA Director Joe Meyers stated the evidence was submitted with the application to both the DDA and the Clerk's Office. He explained the applicant has completed \$46,000 worth of repairs on the property, and an additional quotes for the remainder of the \$75,000. City Clerk McMullan stated she would distribute that information to Council.

Council Member Bashert stated she is excited to see a live venue on Michigan Ave. She asked if the approval is contingent on the Health Department inspection in June. Mayor Pro-Tem Brown responded in the affirmative.

On a roll call, the vote to approve Resolution No. 2017-098 was as follows:

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

VOTE:

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

3. Resolution to consider a Purchase Agreement with The Original and Only Thompson Block for the sale of City owned right-of-way around 400 N. River Rd.

A. Resolution No. 2017-100, determination.

RESOLUTION TO APPROVE ENTERING INTO A PURCHASE AGREEMENT FOR THE SALE OF CITY-OWNED RIGHT-OF-WAY

WHEREAS, The City of Ypsilanti is interested in conveying its rights-of-way for the purpose of redevelopment of a historic building; and

WHEREAS, the subject parcels are located on or about 400 N. River Street, ID#11-11-04-495-024; and

WHEREAS, a purchase agreement has been created and outlines an access easement for public sidewalk to be reserved, use restrictions on the property, the sale price of \$1, and the reversion of the property if the development is not completed within five year; and

WHEREAS, this redevelopment of the property known as the Thompson Block would not be historically accurate without the additional rights-of-way.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that the City Council authorizes the Mayor of the City of Ypsilanti to enter into the purchase agreement with The Original and Only Thompson Block, LLC.

OFFERED BY: Council Member Robb

SECONDED BY: Council Member Bashert

Ms. Ernat stated John Carlson on of the principals of 2Mission the development firm is working to redevelopment the Thompson Block. Tonight the focus of the conversation will be the City right-of-way along River to create the front porch of the building and the right-of-way inside the property. The developer wishes to purchase those rights-of-way in order to complete the project.

B. Open public hearing.

None

C. Resolution No. 2017-101, close public hearing.

THAT the public hearing to consider a purchase agreement between the City of Ypsilanti and The Original and Only Thompson Block, LLC. be officially closed.

OFFERED BY: Council Member Robb

SECONDED BY: Council Member Vogt

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

Council Member Murdock asked if the parking spaces along River will be removed. Ms. Ernat responded in the affirmative.

Council Member Robb asked what will happen to the Michigan sign marker. Ms. Ernat responded it will be relocated within the site. Mr. Robb stated considering the lack of parking in Depot Town this agreement would essentially be selling a parking space for a quarter a spot. He asked what payment in lieu of parking if he were to build an apartment building. Ms. Ernat responded she does not have that information readily available. Council Member Richardson asked how many parking spaces will be lost. Mr. Robb responded two.

Mr. DuChene proposed a friendly amendment to the "Therefore Clause" adding "subject to the review of the City Attorney" at the end of the clause and to authorize that both the Mayor and the City Clerk sign the agreement.

Council Member Robb and Council Member Bashert agree to the friendly amendment.

Council Member Richardson stated the City has been trying to get the Thompson Block redeveloped for several years working with several developers. She hopes this is a valid project and will not have to come back to Council under new ownership.

Jon Carlson, The Original and Only Thompson Block, LLC stated his company has been involved in historical redevelopment for twenty years in Michigan. He said he is a huge fan of Ypsilanti and sees the Thompson Block as a wonderful chance to be a part of this community. He said the Thompson Block is a blight on that corner and bad for all its neighbors and community. He said his company has faced some challenging buildings, however, he sees the Thompson Block as the most challenging but the most rewarding once completed.

Council Member Robb stated there is nothing in the contract stating the property must be returned to the City in any specific state. He explained his concern is halfn way through the project the company abandons the project and the City is left with a parcel in even more disarray then it currently is. He added the parcel should be returned in the condition the City is selling it, and asked how the City can protect itself. Mr. DuChene replied the deed could contain a reversion clause but he will need to further research the matter. Mr. Carlson responded he is not an attorney, however, he agrees the parcel would need to be returned to its current state. Council Member Bashert asked if this should be postponed.

Council Member Richardson asked if this is delayed would it impede the development of the property. Ms. Ernat replied staff will be returning in June with both a Brownfield Plan. Council Member Robb stated there is a budget meeting on May 11th so this could be postponed until next week. Ms. Ernat responded she does not have an issue with the timeline.

Council Meeting Minutes

May 4, 2017

Council Member Robb moved, seconded by Council Member Vogt to table Resolution No. 2017-100 until May 11th.

On a roll call, the vote to table Resolution No. 2017-100 was as follows:

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

VOTE:

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

4. Resolution to consider purchase agreements, quit claim deeds, leases, or other contracts and documents to effectuate the conveyance of 845 Fredrick and 448 Huron according to the City Property Disposition Policy.

A. Resolution No. 2017-102, determination.

RESOLUTION APPROVING CITY-OWNED PARCELS FOR CONVEYANCE AND DELEGATING CONTRACT AUTHORITY TO THE CITY MANAGER CONSISTENT WITH AND PURSUANT TO THE CITY PROPERTY DISPOSITION POLICY

WHEREAS, The City of Ypsilanti is interested in conveying its excess City-owned property to private owners; and

WHEREAS, to further this interest, the City Council for the City of Ypsilanti has approved the City Property Disposition Policy by adopting Resolution No. 2015-273; and

WHEREAS, this Policy provides that City Council will annually consider a resolution, after a public hearing, to approve the sale of residential land and authorize the City Manager to enter into purchase agreements, quit claim deeds, leases, or other contracts and documents to effectuate their conveyance.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that: The following City-owned property is approved for conveyance consistent with the City Property Disposition Policy:

11-11-39-440-007 - 845 Fredrick

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that: The following City-owned property is removed from the City Property Disposition Policy and allowed to be sold for non-homestead use conditional to City Council approval of a purchase agreement:

11-11-39-481-015 – 448 S. Huron St

BE IT FURTHER RESOLVED, that the City Manager is authorized to enter into purchase agreements, quit claim deeds, leases, or other contracts and documents to effectuate the conveyance of these properties according to the City Property Disposition Policy, and that the City Manager may sign such documents on behalf of the City of Ypsilanti, subject to the review and approval of the City Attorney.

OFFERED BY: Council Member Richardson

SECONDED BY: Council Member Vogt

B. Open public hearing.

None

C. Resolution No. 2017-103, close public hearing.

THAT the public hearing to consider purchase agreements, quit claim deeds, leases, or other contracts and documents to effectuate the conveyance of these properties according to the City Property Disposition Policy be officially closed.

OFFERED BY: Council Member Richardson

SECONDED BY: Council Member Bashert

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

Mr. Meyers stated each year the City is required to add properties it receives from the County Treasurer's Office to the Property Disposition Policy, and this year only 845 Frederick was included. The City has seen a lot of interest in the properties included in the policy and only three remain to sell. The property at 448 S. Huron is the only standing house the City owns. He explained the home was marketed to real estate agents, however, there was no interested investors. Staff is requesting Council remove 448 S. Huron from the Property Disposition Policy so Council would make the final decision on to whom the property would be sold and it would not be required to be homesteaded.

Council Member Richardson asked what the rental percentage in the City is. Mr. Meyers responded 66%. Ms. Richardson asked if there is any possibility of demolishing the house and selling the property as a part of the NEZ. Ms. Ernat responded it would be unlikely because of the marketability of the home as a homestead.

Council Member Robb stated the property is not maintained by the City and if it is non-homestead how long it would be before it is able to be sold. Ms. Ernat estimated around three months. Mr. Meyers added realtors have contacted him if the property could be used as a rental.

Council Member Murdock stated there would be conditions on the sale that would need to be completed in a certain timeframe. Ms. Ernat responded in the affirmative.

On a roll call, the vote to approve Resolution No. 2017-102 was as follows:

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

VOTE:

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

X. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2017- 104, approving Ordinance 1287 to amend the Ypsilanti City Code to combine the subsection that makes it illegal for a person to allow occupancy without a valid Certificate of Compliance in a multiple dwelling with the subsection that makes it illegal for a person to allow occupancy without a valid Certificate of Compliance in one- or two-unit rental dwelling. **(Second Reading)** (Attorney)

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled "An Ordinance to amend Ypsilanti City Code Chapter 18 "Building and Building Regulations", Article VI "Inspection and Control of Certain Buildings", Division 3 "Certificate of Compliance", Section 18-146 "Required" to update and combine subsections (a) and (b)" be approved on Second and Final Reading.

OFFERED BY: Council Member Vogt

SECONDED BY: Council Member Murdock

On a roll call, the vote to approve Resolution No. 2017-104 was as follows:

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

VOTE:

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

2. Resolution No. 2017-105, approving appointments to Boards and Commissions. (Mayor)

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

<u>NAME</u>	<u>BOARD</u>	<u>TERM EXPIRATION</u>
Nathan Vought Washtenaw County Brownfield Redevelopment Authority 415 W. Michigan Ypsilanti, MI 48197 (Replacing Brett Lenart)	EDC	6/30/2017
Cathy Thorburn 1212 Sherman Ypsilanti, MI 48197 (Reappointment)	Parks & Rec	5/1/2020
Heidi Jugenitz 33 Photo Ypsilanti, MI 48198 (Reappointment)	Planning Commission	5/1/2020
Liz Dahl MacGregor 103 N. Lincoln Ypsilanti, MI 48198 (Reappointment)	Planning Commission	5/1/2020
Ka’Ron Gaines 833 Armstrong Ypsilanti, MI 48197 (New Appointment)	Human Relations Commission	5/1/2020
Heidi Frankenhauser 217 Oak Ypsilanti, MI 48198 (Replacing Valerie Brannon)	Housing Commission	12/31/2018

OFFERED BY: Council Member Bashert

SECONDED BY: Council Member Richardson

Council Meeting Minutes

May 4, 2017

Council Member Murdock asked what the reason was for Valeria Brannon leaving the Commission. Ms. McMullan was not certain the reason for her resignation.

Council Member Robb stated the Housing Commission exists to appoint the board to the LDFA Management Company to manage Housing Commission business. He said the City no longer owns any of that property and asked if the City would like oversight or not. He explained the Housing Commission has not provided meeting minutes since at least 2012 and asked if the City can get out of the Housing Commission business. Mr. DuChene responded if the Housing Commission is dissolved would create an issue for the current Housing Commission owned property. Mr. Robb asked who is not providing the job of oversight for the Housing Commission. Mr. DuChene responded Council is the oversight for the Housing Commission.

Council Member Murdock stated the Housing Commission appoints the two boards that oversee the projects, which puts more distance between Council and the Housing Commission projects. Mr. Murdock stated he is unsure what the Housing Commission does. He explained the Commission no longer does Section 8 housing and at this point they have nothing to manage. Mr. DuChene responded the Commission does select the committee to appoint the two boards and hire the Housing Commission Director. Council Member Robb stated at the last Housing Commission meeting they discussed old business and the new business they discussed was the naming of the new Parkridge Community Building and authorization to deliver a development agreement to Strong Housing. He said business is being conducted but they are not informing Council of the business they conduct. Mr. Murdock stated the Commission used to have six to eight employees and now staff levels are down to just the director. Mr. Robb responded that is all they should have and any other employees should work for one of the managing companies. He said it is a very bizarre situation and Council really only has oversight of one employee. He explained YHC fails to pay their PILOT every year and never submit reports to Council meaning Council is doing a very poor job of oversight.

Council Member Richardson stated if the YHC is not paying their PILOT the City should begin to ask for payment. Council Member Robb replied Council should refuse to make any appointments to the Commission until it complies so it can't function. Council Member Vogt responded if they are unable to function they can't make payments to the City. Council Member Bashert suggested requesting the Housing Commission come to Council. Mr. Vogt responded in the affirmative.

Council Member Murdock stated the Commission paid Council for a PILOT a couple of years ago. Council Member Robb stated the bill is an annual fee of \$20,000, and now it has been decreased. He explained the amount owed is 10% of rents and utilities but documentation is never provided. He stated the City agreed to not inspect Commission projects by ordinance and before that Commission units only had a 9% inspection rate and would not pay for those inspections. The Mayor at the time stated the Housing Commission could not use its HUD money to pay for inspections, which is true but they have other money to pay the City. The City then negotiated that it would absolve \$50,000 worth of back inspection fees if it would agree to the schedule, which amounts to approximately \$20,000 a year. He said this year the YHC is going to pay the City around \$2,000, which might be accurate depending on rents and utilities but there is not documentation to prove it. Mr. Murdock asked who would be responsible for the PILOT. Mr. DuChene responded the LDFA would be responsible.

Council Member Vogt stated the Commission should be asked to provide a report to Council, including minutes, and bring back payments owed to the City. Council Member Murdock stated his concern goes beyond money, he isn't certain there is a reason for the Housing Commission to exist.

Council Member Robb moved, seconded by Council Member Richardson to separate the residents and non-residents.

On a voice vote, the motion carried, and the vote was split.

Council Member Murdock asked if the seat on the Economic Development Corporation a designated spot for the County. Ms. Ernat responded she does not believe it is a requirement, however, historically the County has had a seat on the EDC.

On a roll call, the vote to approve Resolution No. 2017-105A, "non-resident" was as follows:

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

VOTE:

YES: 5 NO: 1 (Robb) ABSENT: 1 (Edmonds) VOTE: Carried

Council Member Robb moved, seconded by Council Member Bashert to remove Heidi Frankenhauser from the resolution.

On a roll call, the vote to amend Resolution No. 2017-105 was as follows:

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

VOTE:

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

On a roll call, the vote to approve Resolution No. 2017-105 as amended was as follows:

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

VOTE:

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

3. Resolution No. 2017-106, determining to submit the Water Street Debt Millage Initiatory proposal to the electors of the City. (Attorney)

**RESOLUTION TO AUTHORIZE PLACING WATER STREET
BOND PAYMENT MILLAGE ON BALLOT IN ACCORDANCE
WITH ELECTORS' INITIATIVE PETITION**

WHEREAS, the City of Ypsilanti, Michigan ("City") has previously issued various series of bonds to finance and refinance the costs relating to the land acquisition, environmental cleanup and public infrastructure in an area of the downtown referred to the Water Street Redevelopment Project; and

WHEREAS, the City's General Obligation Limited Tax Capital Improvement Refunding Bonds, Series 2016A (Taxable) (the "Bonds" are currently outstanding in the principal of amount of \$7,405,000, payable through 2031; and

WHEREAS, the City is currently paying the debt service on the Bonds from its general fund and other sources; and

WHEREAS, the City Council has received an initiative petition by electors of the City of Ypsilanti, pursuant to City Charter section 2.15 et seq., requesting City Council to seek voter approval to pledge the City's unlimited tax full faith and credit for payment of the Bonds and to allow a millage to be levied to pay the debt service on the Bonds,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Ypsilanti, Michigan, in honor of said electors' initiative petition, as follows:

The following proposal be submitted to the qualified electors of the City at the election to be held August 8, 2017:

1.

WATER STREET DEBT MILLAGE PROPOSAL

Shall the City of Ypsilanti be authorized to pledge its unlimited tax full faith and credit for payment of its Limited Tax General Obligation Refunding Bonds, Series 2016A (Taxable), which are outstanding in the principal amount of \$7,405,000 payable through 2031, which were issued for the purpose of financing and refinancing capital improvement costs relating to the Water Street Redevelopment Project? The estimated millage to be levied in 2017 is 2.30 mills (\$2.30 per \$1,000 of taxable value) and the estimated simple average annual millage rate required to retire the bonds is 2.3 mills (\$2.30 per \$1,000 of taxable value).

2. The City Clerk is hereby authorized to cause the above proposal to be placed on the ballot at the election to be held on August 8, 2017.

3. The canvass and determination of votes of said question shall be made in accordance with the laws of the State of Michigan and the Charter of the City of Ypsilanti.

OFFERED BY: Council Member Murdock

SECONDED BY: Council Member Richardson

Mr. DuChene stated as Council is aware there was an initiatory petition circulated amongst the citizens of Ypsilanti, the procedure was followed and this is what was proposed. He explained the ballot language before Council is lightly different then was submitted with a change to the outstanding principal.

Council Member Vogt asked if the outstanding principal would be lower or higher. Mr. Duchene responded it would be lower. Council Member Murdock responded payments would be made by the time taxes would be levied. Mr. Vogt asked when the millage would first be levied. Mr. Murdock responded June 2018. Mr. Vogt asked when the second road millage would expire. Mr. Murdock responded fall of 2019. Mr. Vogt stated if this millage is passed there would be a year overlap, and asked if Council has authority to delay the initial assessment of this millage if its passed. Mr. DuChene responded it would be a substantive change to the resolution proposed by petition. Council Member Murdock asked why council Member Vogt would want to delay the millage from being assessed. Mr. Vogt responded as an argument to the public that taxes are not going to increase. Mr. Murdock stated Council has the authority to put a millage on a ballot when it wishes, however, this ballot proposal was created by an initiatory petition. Mr. Vogt stated the conclusion is the initial assessment date cannot be changed. Mr. DuChene responded in the affirmative, but he will provide a more informed answer at a later date.

Council Member Murdock stated if this is passed the City will still have a budget year with none of this revenue available if it is pushed back another year there will be two years without revenue.

City Manager McClary asked if the ballot language should state "...millage to be levied in 2018" rather than 2017. Mr. DuChene stated bond counsel reviewed this, but he will look into it. Mr. McClary asked if state law requires an estimated dollar amount be included. Mr. DuChene responded in the affirmative, he suggested approving the resolution as is and if adjustments are needed it can come back to Council.

Council Member Richardson asked if the millage rate the same as the street millage that recently ended. Council Member Murdock responded in the affirmative. Mr. McClary added the net reduction in millage for the upcoming year is about 1.5 mills.

Council Member Robb stated the budget lists \$10,140,000 remains on the Water Street Debt. He asked why the ballot language only lists \$7,405,000. Council Member Murdock responded there are three parts to the debt; one of the three was not refinanced, while most of it was paid off there is still a remaining balance and the other part is around \$3,000,000. Mr. McClary added it is his understanding part of the debt could not be refinanced.

On a roll call, the vote to approve Resolution No. 2017-106 was as follows:

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

VOTE:

YES: 5 NO: 1 (Robb) ABSENT: 1 (Edmonds) VOTE: Carried

4. Resolution No. 2017-107, approving a City Social Media Policy. (Community Development)

RESOLUTION APPROVING A CITY WIDE SOCIAL MEDIA POLICY

WHEREAS, The City of Ypsilanti is interested in adopting a Social Media Policy; and

WHEREAS, the City of Ypsilanti currently has social media accounts but does not have a formal policy for the use, distribution, or editing of social media; and

WHEREAS, social media has become a dependable means of communication and is an important tool for the City;

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI adopt the Social Media Policy as presented.

OFFERED BY: Council Member Robb

SECONDED BY: Council Member Richardson

City Manager Interns Courtney Marshall and Greta Dreyer provided a presentation regarding the social media policy.

Council Member Robb asked how many Facebook pages the City of Ypsilanti has. Ms. Marshall responded one. Mr. Robb asked about the Historic District Commission. Ms. Marshall replied those are different Department pages, but the City of Ypsilanti specifically has one. Mr. Robb asked if the intention is to continue to have different department pages. Ms. Marshall responded if the City wants it can. Mr. Robb asked if that is included in the policy. Mr. DuChene responded in the affirmative. Ms. Dreyer stated she isn't certain the departments are specifically mentioned in the policy. Mr. Robb stated in Section 5.2 it states "tools may be used specific to the need of the department" and he would not say social media is a tool. Mr. DuChene asked if it should say "media site or tool". Mr. Robb stated the reason he requested a policy be created is because an employee congratulated another municipality for passing legislation, which could have been a violation of campaign finance because it was a political statement. Mr. Robb stated the City is not using social media correctly, however, the City purchased a new website and should put everything on the website. Then the City can have an RSS feed to both Twitter and Facebook.

Council Member Robb stated 75% of posts made on Facebook were not made on the City website. He explained the City should be concerned with providing information which can all be done through the City website rather than creating more work. He said the links to the City social media pages from the website do not currently work. He stated there is a section regarding businesses in the City, which is really not the role of the City it is the role of the DDA. He asked that clause "J" should be removed from the policy. He stated the policy includes a copy write section and asked if the City Website will be purged of copy written material. He asked what the plan is once a policy is adopted. He asked was the City Facebook paged audited to see if it matches with the policy. Ms. Dreyer responded that question specifically no, and explained current City practice is in line with the policy. Mr. Robb stated the policy does not include a section governing elected officials' response in the comments section on Facebook. He asked does the City's Facebook page even need the comments option to be enabled. He explained "trolling" can often become an issue in the comments section of social media, and if it is not used regularly is it something the City should have. He said the policy lists a 24 to 48 hour response time which would require an employee to constantly monitor social media.

Council Member Bashert stated she has a different perspective, and in general she found the policy was appropriate for the City. She stated social media should be used to guide people to the City's website, which is not the current practice, however it is built into this policy. She said the number one complaint she hears is people do not know what is going on in the City. She stated most people feel connected through social media rather than other resources. The Facebook page is a necessary tool to connect with the public. She would like to see the policy incorporate the neighborhood

Facebook pages and how to direct those back to the City Website because a great deal of conversation occurs on those pages.

Council Member Richardson asked if an administrator would be hired to monitor the City's social media pages, or would a current employee's time be diverted to this task. Mr. McClary responded the City does have very limited resources and an additional person will not be hired to monitor social media. He explained this is a work in progress, and staff must watch closely what content is provided on Facebook or the website. He said the policy must be practical because the City does not have the resources to have a fulltime social medial administrator.

Mayor Pro-Tem Brown stated currently there is not a policy in place that monitors who City representatives interact with the public on social media.

Council Member Vogt stated he supports City staff in carefully watching for inappropriate comments being made on the City's social media page. Mr. McClary responded the purpose of the webpage and Facebook page is to disseminate information, and he would like to not allow comments. They can get unwieldy very quickly and would be very difficult for staff to monitor. Mr. Vogt agreed.

Council Member Robb stated he is not questioning the quality of work put into the policy, but a policy is being created before the City is using the tool properly. The website is not being used correctly and a plan needs to be developed to fix how the website is used. An RSS feed should be used so when something is posted to the website it automatically is posted to the City's social media pages. By posting it separately it creates unnecessary work. He said we would like this item to be tabled and an amended policy brought back including these issues, and more importantly he would like to see a plan on how the City's website will be used. He added people do not know where to find information because the City does not use one central location in which to find that information. Council Member Vogt agreed the policy could be refined. Council Member Bashert stated there are two things being discussed one is a policy and one is a plan, which cannot be blended. Mr. Robb stated there cannot be a policy before there is a plan. Ms. Bashert responded she is not sure if a policy would need to proceed by a plan. Mr. Robb stated the policy should say everything should be posted to the website and RSS feeds to the social media pages. Ms. Bashert responded that is a plan and not a policy. Mr. Robb disagreed.

Council Member Richardson moved, seconded by Council Member Vogt to postpone Resolution No. 2017-107 until June 6, 2017.

On a roll call, the vote to postpone Resolution No. 2017-107 until June 6, 2017 was as follows:

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

VOTE:

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

XI. LIASON REPORTS –

- A. SEMCOG Update – Council Member Richardson stated the Executive Committee had a meeting today, but she was unable to attend.
- B. Washtenaw Area Transportation Study – Council Member Murdock stated the June meeting will be held at the U of M Vehicle Site.
- C. Urban County - None
- D. Ypsilanti Downtown Development Authority - None
- E. Eastern Washtenaw Safety Alliance - None
- F. Police-Community Relations/Black Lives Matter Joint Task Force - None
- G. Friends of Rutherford Pool - None
- H. Housing Equity Leadership Team - None
- I. Economic Development Coordinating Committee - None

XII. COUNCIL PROPOSED BUSINESS –

Murdock

- He has had several inquiries of what can be done about unleashed dogs and if there is anything that could be done.

Mr. DuChene responded there is a leash requirement and the police would issue a citation. Council Member Murdock stated this type of incident will not be easily cited because by the time an officer arrives the dog and its owner will have left.

- He is waiting on the status on the Truck Route Ordinance. The last information he received is signs were being ordered and discussions were held, but he needs information to forward to the public.

Mr. McClary responded he would provide a status to Council tomorrow.

Bashert

- Asked if the budget meetings on May 9th, 11th, and 16th began at 7:00 p.m.

Ms. McMullan responded they will begin at 6:00 p.m.

- Stated the second meeting of the Sustainability Commission was held and was a great meeting and is exciting to watch a group in its infancy and will be able to contribute a lot to the City. However, the Commission will need FOIA and OMA training.

Vogt

- He would like Council Members to consider what to do with the budget once it is balanced. He asked how much of the General Fund should be expended to the debt if the millage passes. He would like the public to know the City intends to pay the debt off as quickly as possible.

Council Member Murdock stated there is still \$250,000 in payments out of the General Fund until 2031 if the millage passes. Council Member Vogt responded he would like to increase that amount. Council Member Robb stated the only option for early pay down is on the bond the City did not refinance.

Robb

- Asked in closed session Council be informed about what contract is being discussed.
- Requested how many sick days the Fire Department has used each year over the past five years. He said some communities provide financial incentives to not use sick days, and he would like to see if it makes financial sense.

XIV. COMMUNICATIONS FROM THE MAYOR –

None

XV. COMMUNICATIONS FROM THE CITY MANAGER –

- He said a budget is being submitted to Council with only a \$66,000 budget shortfall. The City needs to continue working to close that gap, with a goal to have a completely balanced budget.
- He said Council will be going into closed session on May 16th to discuss collective bargaining strategy.
- He has collective bargaining meetings already scheduled with the police officers and police command later this month.
- Reminded Council a Special Meeting is scheduled for May 23rd for a Water Street property update.

Council Member Richardson moved, seconded by Council Member Vogt to extend the meeting by fifteen minutes.

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

- The City was approached about a possible timeline for the Depot Town Rail Project, and had to reject the funding for now because it would not be expended before 2020. He said the City will need to apply again once it has a definitive timeline in place.

Council Member Richardson asked what the City did with the money that was already allocated for the rail. Ms. Ernat responded the City does not currently have any committed outside funding.

- The City received fifty applications for the Assistant City Manager/Human Resources Manager and have narrowed it down to eight to interview.

XVI. COMMUNICATIONS –

None

XVII. AUDIENCE PARTICIPATION –

None

XVIII. REMARKS FROM THE MAYOR –

None

XIX. CLOSED SESSION –

~~Resolution No. 2017-108, to approve convening into closed session pursuant to Section 8(c) of the Michigan Open Meetings Act, Public Act 267 of 1976, being MCL 15.268(c), for the purpose of strategy sessions connected with the negotiation of the IAFF, COAM, POAM, and AFSCME contracts.~~**(Removed)**

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the collective bargaining agreements for all four of the City of Ypsilanti's bargaining units expire on June 30, 2017; and

WHEREAS, it is necessary for the City Council and city administration to meet and confer in closed session on collective bargaining strategy prior to engaging in contract negotiations;

NOW THEREFORE BE IT RESOLVED BY THE CITY OF YPSILANTI that the City Council does hereby approve convening into closed session pursuant to Section 8(c) of the Michigan Open Meetings Act, Public Act 267 of 1976, being MCL 15.268(c), for the purpose of strategy sessions connected with the negotiation of the IAFF, COAM, POAM, and AFSCME contracts.

XX. ADJOURNMENT -

Resolution No. 2017-109, 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 Vogt

SECONDED BY: Council Member Bashert

On a voice vote, the motion carried, and the meeting adjourned at 10:01 p.m.