



**CITY OF YPSILANTI
REGULAR COUNCIL MEETING
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, FEBRUARY 21, 2017
7:00 p.m.**

I. CALL TO ORDER –

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

II. 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	Present
Council Member 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 Bashert moved, seconded by Council Member Vogt to approve the agenda.

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

VI. INTRODUCTIONS –

Mayor Edmonds introduced the following; Interim City Manager Frances McMullan, Interim City Clerk Andrew Hellenga, Assistant City Attorney Dan Duchene, City Planner Bonnie Wessler, OHM Kent Early, and DPS Director Stan Kirton.

VII. AUDIENCE PARTICIPATION –

1. Libby Hunter, 827 Bruce, Ann Arbor, stated she is representing Radical Washtenaw (RAW), and asked when a plaque would be added to recognize the artist who completed the mural on the south side of City Hall. She asked when answers would be provided regarding the sixteen questions from the bench warrant report.

VIII. REMARKS BY THE MAYOR –

- Thanked Ms. Hunter reminding Council about the plan to install a plaque to recognize the mural artist. She said she would follow-up with the Convention and Visitor’s Bureau about its status.
- She asked Mayor Pro-Tem Brown would ask Chief DeGiusti about the status of the bench warrant report questions.

Mayor Pro-Tem Brown responded she believes the Chief has already responded. Ms. Hunter replied in the affirmative, and said the response is an intern was working on compiling that data, but the final report did not provide accurate results. Ms. Brown stated she would contact the Chief to inquire about the status.

IX. ORDINANCE – FIRST READING –

Ordinance No. 1283

1. An Ordinance rezoning 311 Ballard from C, Center to CN, Core Neighborhood.

A. Resolution No. 2017-041, determination

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the rezoning of 311 Ballard is consistent with the goals of the City Master Plan and

WHEREAS, the proposed rezoning will not affect the physical, geological, hydrological, and other natural features of the parcel; and

WHEREAS, the proposed rezoning will align the zoning and future uses of the parcel with those of the surrounding neighborhood; and

WHEREAS, the proposed rezoning is appropriate for the current character and use of the property;

NOW THEREFORE BE IT RESOLVED that an Ordinance to rezone 311 Ballard from Center to Core Neighborhood be approved.

OFFERED BY: Mayor Pro-Tem Brown

SECONDED BY: Council Member Vogt

City Planner Bonnie Wessler stated 311 Ballard is currently zoned C, Center, and historically had been a part of the parcels to the north of it which led to its current zoning. The neighborhood to the south are all zoned CN, Core Neighborhood, which fits more closely with the character and use of 311 Ballard. Staff is recommending this parcel be rezoned as Core Neighborhood.

B. Open public hearing

None

C. Resolution No. 2017-042, close public hearing

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

That the public hearing for an ordinance to rezone 311 Ballard from Center to Core Neighborhood be officially closed.

OFFERED BY: Mayor Pro-Tem Brown
SECONDED BY: Council Member Vogt

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

Council Member Robb stated currently the front of this address is paved, which is against the City’s Code of Ordinances. He said the Planning Commission did not make the rezoning conditional on the removing of the front parking, and asked what thoughts are on that condition. Ms. Wessler responded that is not the type of condition normally not placed on a rezoning, but it can be for any future action. Mr. Robb asked if the Planning Department going to enforce the Code of Ordinances, and said the property should be written a ticket. Ms. Wessler replied staff can look at the history of the properties because at one time it was allowed for several properties.

On a roll call, the vote to approve Resolution No. 2017-041 was as follows:

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

VOTE:

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

Ordinance No. 1284

- 2. An Ordinance to amend Chapter 122 of the City’s Code of Ordinances.
 - C. Resolution No. 2017-042A, determination

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, The City of Ypsilanti has adopted a comprehensive Master Plan, “Shape Ypsi;” and

Whereas, the City of Ypsilanti is desirous of fulfilling the goals of the Master Plan; and

Whereas, the Zoning Ordinance will help to implement those goals of creating a safe, sustainable, and diverse Ypsilanti;

Now therefore be it resolved that the Ypsilanti City Council approve the amendments to Chapter 122 of the City’s Code of Ordinances.

OFFERED BY: Council Member Bashert
SECONDED BY: Mayor Pro-Tem Brown

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Ms. Wessler stated this is a complete overhaul of structure of the existing zoning. She explained after the zoning code was adopted in 2014, and took effect in 2015 staff had been monitoring the code to fix any possible issues. One issue discovered organizational issues and also a Supreme Court ruling regarding signs created a need to update the existing code. She added approval of this ordinance would repeal the existing Chapter 122 of the code and replace it with the presented code.

B. Open public hearing

None

C. Resolution No. 2017-042B, close public hearing

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

That an ordinance to amend to Chapter 122 of the City's Code of Ordinances officially closed.

OFFERED BY: Council Member Bashert

SECONDED BY: Mayor Pro-Tem Brown

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

Council Member Robb stated when submitting a large document it should be submitted along with an index explaining the changes, and links to those changes. He said the changes are not as easy as they have been explained because substantive changes were made to the ordinance. He said the sign ordinance has been changed, and now certain signs previously forbidden are now permitted. Those changes should not be a part of this update because it is being done without clear explanation. He warned Council they are changes to section in the code that would be changed only on good faith.

Mayor Edmonds stated the memo provided by staff outlines a Supreme Court case, which changed how sign ordinances can be written. Ms. Wessler responded in the affirmative, and said the changes were substantial. She explained the current sign ordinance was based on content, however, the Supreme Court ruling no longer permits regulations to be based on content. Generally, the rule is if the sign needs to be read in order to regulate it, the regulation is invalid. She said it was not her intent to "back" items into the code. Council Member Robb stated the Supreme Court ruling is about content of the sign, but the change he is most particularly interested in is the current code does not allow for neon window signs and this change would. He added when he finds one example of a change not outlined he will assume there are other changes not explained. He said he will not support this ordinance because the process of submission was not adhered to.

Council Member Richardson asked if there was any other information provided to Council besides the summary and background. Mayor Edmonds replied Clerk Hellenga sent a link to several other documents that were too large to print.

Mayor Edmonds asked if other sign changes need to be made in relation to the Historic District Commission. Ms. Wessler responded no.

Council Member Vogt stated he has similar concerns presented by Council Member Robb, however, he is not suspicious of ill intent but it was difficult to decipher what would be revised. He is reluctant to vote on this until he has had time to review the proposed adjustments to the code.

Mayor Edmonds asked if this is tabled could a summary be provided at a future meeting. Ms. Wessler responded in the affirmative.

Council Member Murdock stated this is only the first reading of this ordinance, and a summary could be provided on second reading. If Council does not agree with the changes it could vote to not approve the amendments.

Mayor Edmonds stated she is interested in seeing more detail regarding the changes to the sign ordinance.

On a roll call, the vote to approve Resolution No. 2017-042A was as follows:

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

VOTE:

YES: 5 NO: 1 (Robb) ABSENT: 0 VOTE: Carried ABSTAIN: 1 (Richardson)

X. CONSENT AGENDA –

Resolution No.2017 - 043

1. Resolution No. 2017 - 044, approving the minutes of January 10, 2017.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of January 10, 2017 be approved.

2. Resolution No. 2017 - 045, approving nominations to Boards and Commissions.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

<u>NAME</u>	<u>BOARD</u>	<u>TERM</u> <u>EXPIRATION</u>
Christopher Madigan 223 N River St. Apt 6 Ypsilanti, MI 48198	Planning Commission	Exp: 1/2020

OFFERED BY: Council Member Vogt
SECONDED BY: Mayor Pro-Tem Brown

On a roll call, the vote to approve Resolution No. 2017-043 was as follows:

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

VOTE:

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

XI. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2017 - 046, revoking the Obsolete Property Rehabilitation Act (OPRA) Grant for the Thompson Block, 400 N. River.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The City of Ypsilanti considers requests for tax abatement to encourage further growth and development in the city; and

WHEREAS, the City previously granted an OPRA to Thompson Block Partners, LLC for the Thompson Block project in 2014 (Resolution Number 2014-060); and

WHEREAS, work was not completed during the time-frame allotted by the approval, and the Thompson Block Partners have since sold the Property on January 5, 2017) it is requested that the City revoke said 2014 OPRA tax abatement agreement.

NOW THEREFORE BE IT RESOLVED that the City of Ypsilanti revokes the 2014 OPRA tax abatement exemption for 400 North River Street issued to Thompson Block Partners, LLC by Resolution Number 2014-060.

OFFERED BY: Council Member Richardson

SECONDED BY: Council Member Murdock

Economic Development Director Beth Ernat stated the Thompson Block has been sold in January. The new ownership is putting together a development plan, which includes a new OPRA and Brownfield Plan. Since the previous OPRA and Brownfield Plan were filed with the state notification needs to be provided the City is no longer proceeding with Thompson Block Partners. She explained the revocation of both the OPRA and Brownfield Plan will begin that process. She hopes in April to bring to Council updated certificates reflecting new ownership.

Council Member Murdock asked if the new owners would be reapplying for MEDC and Historic Tax Credits awarded to the previous owner. Ms. Ernat responded the tax credits have all been preserved, but in order to move forward the new owners will need to ask the City that a new OPRA be granted. She added the tax credits were able to transfer namesake between owners.

On a roll call, the vote to approve Resolution No. 2017-046 was as follows:

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

VOTE:

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

- Resolution No. 2017 – 047, recommending that the Washtenaw County Board of Commissioners terminate the 2014 Brownfield Plan for the Historic Thompson Block.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The City of Ypsilanti considers requests for tax abatement to encourage further growth and development in the city; and

WHEREAS, the City previously recommended approval of a Brownfield Plan by Resolution Number 2017-069 to the Washtenaw County Brownfield Development Authority for a Brownfield Plan for the Historic Thompson Block created by Thompson Block Partners, LLC for the Thompson Block project in 2014; and

WHEREAS, the Brownfield Plan was approved by the City of Ypsilanti, the Washtenaw County Brownfield Redevelopment Authority, and the Washtenaw County Board of Commissioners based on a development plan by Thompson Block Partners, LLC;

WHEREAS, the Thompson Block project and any associated eligible activities have not occurred for more than two (2) years, and therefore may be terminated in accordance with Section 13a, (8) Act 381; and

WHEREAS, the property was sold to a new development entity on January 5, 2017 and the new entity does not wish to carry out the development plan; and

WHEREAS, the previous Brownfield Plan must be terminated by the Governing Body (Washtenaw County) before considering a new Brownfield Plan.

NOW THEREFORE BE IT RESOLVED that the City of Ypsilanti recommends to the Washtenaw County Board of Commissioners that the 2014 Brownfield Plan for the Historic Thompson Block be terminated.

OFFERED BY: Council Member Richardson

SECONDED BY: Council Member Bashert

Ms. Ernat stated the City acts as a recommending body to the Washtenaw Board of Commissioners. This will not appear on a County agenda until after April 1st because the Brownfield Legislation, Act 381, change is effective April 5th. Mayor

Edmonds asked if Ms. Ernat would be attending the Board of Commissioners meeting with this item on its agenda. Ms. Ernat responded Nathan Vought represents the City on the Brownfield Authority.

On a roll call, the vote to approve Resolution No. 2017-051 was as follows:

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

VOTE:

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

3. Discussion regarding possible road funding mechanisms.

Council Member Murdock stated the City has had a lack of funding for roads for the past few decades, and the state has not been very responsive to increasing revenue sharing for roads until late 2015. The state plan is to gradually allocate funding over the next four to five years, which eventually will be a significant increase to road funding through Act 51. He suggested developing parameters of what the City would do with those funds over the next four to five years. He explained all available funds for roads amount to around \$3.5 million for road projects and \$350,000 in non-motorized and traffic calming projects. The proposal from OHM for 2017 road programs could be continued into 2018 and in 2019 slightly more funding is available through the Federal Highway Fund. However, the decisions on what projects these funds will be allocated does not need to be decided at this meeting.

Mayor Edmonds asked how bridge construction is funded. Council Member Murdock responded the name used to be Critical Bridge Program. Kent Early, OHM, stated the name has been changed to Michigan Bridge Program, which operates at a 95% to a 5% match. Mr. Murdock asked if the City would need to provide the engineering for that project. Mr. Early responded in the affirmative. Mr. Murdock referenced the bridge in Depot Town. Mr. Early stated OHM recommends the reconstruction of this bridge as a capital project. Mr. Murdock stated the original bridge lasted for 90 years, while the current bridge, an MDOT project, only lasted 25 years.

Mayor Edmonds asked what a transfer of jurisdiction means. Council Member Murdock responded the state would provide a road to the City, but it would be the City's responsibility to maintain the road. Mr. Early elaborated every road that MDOT is responsible for, or has jurisdiction over, can be transferred to a municipality if the municipality willing to do the upgrades and maintenance of the road. After a transfer of jurisdiction all improvements would be done at 100% local cost.

Council Member Robb stated Council is not being asked to take action on a road program. Council Member Murdock responded he is asking for several things. One is to adopt the 2017 paving plan, using the OHM chart as a parameter and to seek Michigan Bridge Program funds. However, there is not currently a resolution on the table. Mr. Early stated the 2017 Plan is similar to the Plan completed in 2015, of what was called "Urgent Road Repairs". Typically to apply for the Michigan Bridge Program costs would need to be provided, and would require Council resolution. Mr. Early recommended not passing a bridge resolution until further study is complete.

Council Member Robb stated fundamentally he likes the concept, but he feels there is too much funding dedicated to non-motorized projects. He said \$50,000 was put in the budget to install bike lanes on Forest, which hasn't been completed. He asked if the speed bumps were purchased. DPS Director Stan Kirton responded in the affirmative. Mr. Robb stated he believes in traffic calming but the City should move in the direction that new roads are designed with traffic calming, especially with a Traffic Control Committee that refuses to traffic improvements. He said he would like to remove non-motorized projects from the budget, and simply budget for them as they are presented. Council Member

Murdock responded this concept has been discussed before, and agreed to by Council Member Robb, that if something isn't budgeted for it doesn't exist. Mr. Robb asked for a rationalization for the increase from \$50,000 to \$80,000 for non-motorized projects. Mr. Murdock responded he was assuming the Act 51 funds and increasing it by \$10,000 per year because once traffic calming projects begin there will be more requests.

Mr. Kirton stated the non-motorized funds can be used to complete City sidewalks. Council Member Murdock responded in the affirmative.

Council Member Bashert stated she is favorable to this in concept but she would like to take a closer examination of the numbers before adopting this plan. Council Member Murdock stated his recommendations are not etched in stone, he just wants a plan in place once these funds become available.

Mayor Edmonds asked if there are any issues with the 2017 Road Program. Mr. Early stated if this is approved fairly soon the City will be able to hit the states August letting, if not and these projects are pushed to 2018 a problem might arise with the Federal Highway Administration. Ms. Edmonds asked if Council would like to move forward with approving the 2017 Road Program.

Council Member Richardson stated a previous list of projects provided to Council was prioritized, and asked how this projects fit into those priorities. Mr. Early responded the initial list is essentially the entire inventory of City streets that are federal aid eligible. The list before you today are not full reconstruction that fit within the current budget.

Council Member Murdock stated the City is currently trying to manage its assets, which this program would do. The only issue he has with the design is regarding traffic calming, especially on Congress St. He asked if there is anything that could be done to slow done traffic on that road, and recommended radar controlled speed limit signs. Mr. Early responded that is a possibility, and quoted the price at around \$10,000 per sign. Mayor Edmonds stated if the City is moving toward long term solutions, as Council Member Robb stated traffic calming should be included in reconstruction designs. Mr. Early agreed bump outs can decrease speed, but creates a more substantial construction and drives cost. Ms. Edmonds asked if a raised crosswalk would add a substantial cost.

Council Member Robb didn't think it would hurt to wait until the next Council meeting to adopt the 2017 Road Program, allowing time to codify the data. Council Member Richardson asked what would be the difference if this was adopted tonight, or at the next Council meeting. Mr. Early responded it probably would not be a big issue, but if it goes beyond early to the middle of March would create a possibility of getting into the 2018 season. Mr. Robb stated this is not included in the budget, and asked if the budget would need to be amended. He said from a process standpoint if the City is going to commit money it needs to be budgeted for, and what budget do these funds need to be allocated. Council Member Murdock responded the money for 2017 is Federal Highway Money and County Road Money, and the City is aware of those amounts.

Council Member Vogt moved, seconded by Council Member Bashert to adopt the 2017 Road Program as presented in the OHM letter.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the 2017 Road Program listed in the OHM letter be approved.

OFFERED BY: Council Member Murdock

SECONDED BY: Council Member Richardson

On a roll call, the vote to approve Resolution No. 2017-050 was as follows:

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

VOTE:

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

4. Resolution No. 2017-049, Directing City Staff and MDOT to review the signalization, configuration and markings of the Huron-Cross intersection to see if there are possibilities to make it safer for pedestrians and drivers.

Whereas the City of Ypsilanti strives to be a walkable community, and

Whereas W, Cross Street (M17) between Huron and Oakwood bisects a mostly residential neighborhood containing EMU, several churches and a senior housing facility, and

Whereas W. Cross is the main access to EMU, and

Whereas W. Cross is the main vehicle connection from NE Ypsilanti and Depot Town to downtown, EMU and Ann Arbor, and

Whereas there are significant conflicts and impediments to pedestrian crossings and vehicle operation

Now therefore be it be resolved that the City Council direct staff to put a plan together per Kari Martin's email of November 10, 2016 to install "Yield for Pedestrians in Crosswalk" signs that meet MDOT's specifications on the centerline of West Cross at the non-signalized intersections – Washington, Adams, Perrin and Normal. And in addition to place flexible bumpers between the two merging lanes at N Huron to keep vehicles in their respective lanes until they are through the intersection.

And further be it resolved that the City and MDOT review the signalization, configuration and markings of the Huron-Cross intersection to see if there are possibilities to make it safer for pedestrians and drivers.

OFFERED BY: Council Member Murdock

SECONDED BY: Council Member Richardson

Council Member Murdock stated this issue is a concern for many of the residents of this area of the City. Through conversations with representatives from MDOT there seems to be some interest in submitting a request to install these safety measures. He suggested the City apply to have the study complete, and see if MDOT approves the application. Mr. Kirton stated this was reviewed by the Traffic Review Committee and was not approved. Mayor Edmonds asked why it was not approved. Mr. Kirton responded because signs in between lanes on a one way street could be dangerous and

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the posted speed. He added MDOT will always say to submit a plan, but he is not certain the chances of it being approved.

Mayor Edmonds recently heard of a community that asked its voters to increase the mills above the Headlee cap, and it was approved. The community now collects that extra tax even though it is against state law. She suggested the City install signs even if MDOT rejects the application. Council Member Robb asked if the community is in the state of Michigan. Ms. Edmonds responded in the affirmative. Mr. Robb stated he does not believe any other jurisdiction is at the full 20 mills other than Ypsilanti. Council Member Murdock stated if the City does not apply it definitely cannot be approved. Mr. Kirton stated if this is approved the City would be required to remove it during the winter months.

Council Member Vogt stated he is in favor of putting the bumpers between the lanes to prevent merging at the lane at the turn. Pedestrian crossing signs at that intersection may create a greater safety risk, and explained the only way to protect pedestrians is a stop sign, or signal. He suggested an incremental approach; first dividing the two lanes followed by stop signals. Mayor Edmonds responded people cross that road countless times throughout a day. Mr. Vogt responded pedestrian crossing signs would do little to protect those pedestrians, only a signal could make those crossings safer. Ms. Edmonds asked if the suggestion is a stop sign on every corner. Mr. Vogt responded at least at Washington.

Council Member Robb stated MDOT does not have design specifications on its website, and his concern is having a stop for pedestrian sign with a 30 mile per hour posted speed. Mr. Robb stated the crash data provided is evidence that bollards is not the solution to that problem. He said there are concerns for pedestrian crossings along cross and he doesn't deny that, but those issues can be solved if MDOT allows it.

Council Member Bashert asked if the speed limit could be lowered on Cross St. Council Member Murdock responded no. Council Member Robb replied the City could petition to have the speed limit reduced. Mr. Murdock stated if the City installs signs and it reduces speed, it would be easier to get MDOT to reduce the speed limit. Mr. Early explained the City can petition MDOT to perform a speed study, and speed limits are set at the 80 percentile of what traffic is moving. Ms. Bashert asked if the study would disregard Cross abutting a college campus. Mr. Murdock responded yes, the study would disregard that fact.

Mayor Edmond stated some communities are changing speeds to strange numbers to raise a driver's awareness about their speed, and asked if it is effective. Mr. Early responded yes. Council Member Robb replied the City can only change speeds on street it controls. If the state is petitioned to change a speed they will change it to whatever the study dictates.

Council Member Murdock stated some drivers do not obey traffic signs and some do, and the more that obey them the safer it will make residents. He said he believes the signs will slow down traffic as the sign on Congress last summer did, or like the ones in Ann Arbor, and Chelsea. The Huron and Cross intersection left turn lane is dangerous for both pedestrians and motorists, and bollards could have the potential to make the crossing safer.

Council Member Bashert stated she is okay with installing signs that people will not pay 100% attention to, and with a three season bollard. Council Member Murdock stated he is not certain the bollards would need to be removed. Ms. Bashert responded for the purpose of plowing in the winter. Mr. Kirton stated it is possible the bollards would need to be removed during the winter.

Council Member Robb asked if there is any data to support bollards will do anything to remedy the problem. Mr. Early responded no, when it has worked it was on roads with low speed. Mr. Robb stated he would like to remove the bollard because the data does not support it will be effective. Council Member Murdock replied the facts support bollards effectiveness. Mr. Robb responded the data he is referencing was sent out by Mr. Murdock, and it does not support his claim.

On a roll call, the vote to approve Resolution No. 2017-049 was as follows:

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

VOTE:

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

XII. LIASON REPORTS –

- A. SEMCOG Update – Meeting on Friday, February 24th.
- B. Washtenaw Area Transportation Study – Council Member Murdock stated there was an interesting discussion on how to allocate additional state funding. He said there was some interest in installing a mid-block crossing on Washtenaw by Glencoe Hills Apartments. Usually construction on a state trunk line would be paid for by the state, and might use some of the state highway funds to complete the project. The Technical Committee strategized what to if funding becomes available in the future. The question was asked why is there discussion on a mid-block crossing on Washtenaw when the pedestrian crossing on I-94 was been waiting for funding for years.
- C. Urban County - None
- D. Freight House – Council Member Murdock stated a part-time manager was just hired last week.
- E. Parks and Recreation - None
- F. Ypsilanti Downtown Development Authority – Mayor Edmond stated the last meeting there was discussion on
- G. Eastern Washtenaw Safety Alliance - None
- H. Police-Community Relations/Black Lives Matter Joint Task Force – Mayor Pro-Tem Brown continues to work toward the formation of a police review/advisory committee and will submit a suggestion in April.
- I. Friends of Rutherford Pool – Council Member Bashert stated the pool is looking at some future capital improvements in updating the bath house and some additional equipment.

XIII. COUNCIL PROPOSED BUSINESS –

Richardson

- Stated she appreciates all that the Community and Economic Development Department does, but she has asked for an update on Water Street twice and is yet to be provided one.
- On Friday, February 24th from 4 pm to 6 pm the Parkridge Community Center will be holding its African American Annual Program.
- At 6 pm on Friday, February 24th the Brown Chapel AME Church will be holding its 63rd Annual Brotherhood Banquet.

- The construction being complete at Parkridge is supposed to have Section III workers, and there are none.

Mayor Edmonds stated the report provided by YHC Director Zach Fosler listing contractors and sub-contractors that are Section III workers. Council Member Richardson responded she is referring to what is happening now, and said she drives past the location every day. Ms. Edmonds asked if it is the same contract. Ms. Richardson stated she drives past each day and does not see any African American workers. She explained most of the workers are from the Grand Rapids area, and there are people in Ypsilanti that need jobs. Ms. Edmonds asked if Mr. Fosler should provide an additional report. Ms. Richardson responded Council needs a different report for this specific project.

Robb

- The Birdcolor, LLC OPRA will be expiring at the end of the year and have been working very slowly. He asked if staff could remind them of the upcoming expiration.

Ms. Ernat responded in the affirmative.

- Strongly suggested the City needs a social media policy and is willing to draft one for approval.

Bashert

- The committee working on the Water Street Debt Millage Petition Drive is having a kick-off Saturday, February 25th at the Freight House.
- The American Center for Mobility Facility at the former Willow Run plant will be bringing around 200 employees to the area, and the City might want to do an outreach to get them to move to Ypsilanti.
- She and Mayor Edmonds met with Joseph Golder who has agreed to have a survey of his property completed. If he is right the City would pay for the survey, and work through a settlement. If he is wrong he would be responsible to pay for the survey, and drop his pursuit of a settlement.

Assistant City Attorney Dan DuChene stated this agreement would be similar to one that was made in the past, but in that case no settlement was signed. Council Member Murdock explained an agreement was made similar to the proposed agreement. However, the past agreement required Mr. Golder to pay for half of the survey up front, which Mr. Golder did not agree to. Mayor Edmonds stated this agreement states the City would pay for the survey and would be reimbursed. Council Member Vogt stated he would not approve that agreement. He asked alternate language be drafted, and said if the survey is not does not rule in favor of Mr. Golder he will not pay. He asked will the City or will the surveyor try and collect from Mr. Golder. Mr. DuChene responded the way he understands it is the City would pay for the survey, and if the survey rules in the City's favor it would collect form Mr. Golder.

Council Member Vogt stated he has never seen a survey that could clarify this issue. Another issue is what the survey will be compared to in order to see if Mr. Golder is correct. Council Member Bashert responded language could be built into the agreement if the survey states "X" or "Y". She explained Mr. Golder has a pretty clear idea of where he believes his property line is. Mr. DuChene stated the process is to provide the surveyor with any materials, then complete the survey and compare it to what is currently on record. It might be a very unique survey, in that the surveyor would be given two sets of documentation. Mr. Vogt stated the core of his

question is what the correct title history is. Mr. DuChene asked if he is recommending an independent title search and survey. Mr. DuChene responded no, and he believes there have been several title searches completed the question is which one would be used.

Mayor Edmonds stated Mr. Golder's claim is that a proper survey was not complete at the time of construction. She said Mr. Golder also claims that County records over time have changed. Mr. DuChene responded he believes that is Council Member Vogt's point of what title search should be used in the survey, and if there is a dispute of which is the correct title search then the survey will not answer the question.

Council Member Murdock stated several construction projects occurred on that street including the widening of Washtenaw, which occurred decades ago. He explained Mr. Golder met with him, the City Attorney, former City Assessor Carol Clare, and Mr. Golder's attorney. An agreement was made that the City would do a survey if Mr. Golder would abide by the results of the survey. Mr. Golder was agreeable until he saw the ten page document from the Attorney's Office. Then he found objections in the document and refused to sign. Mr. Murdock added Mr. Golder has been given multiple chances to speak his case, and now he should get an attorney to settle this matter in court.

Council Member Vogt stated he isn't certain of the statute of limitations, but it has been years since this came up and should have done something before construction started, and at this point he has waived his rights. He said he believes his rights were waved in the 1970's when Washtenaw was extended by a previous owner, and he does not believe there is a basis for his claim. He said he is fundamentally opposed to paying anything under any circumstances. Council Member Richardson stated if that is the case she would be against paying money for a survey.

- She asked for a status update with the storefront on Congress. Ms. Ernat responded the owners have had family issues and have not raised the estimated funds they had hoped. The building had more issue than was expected and progress has slower than expected.

Council Member Murdock asked for a status update of the former Pub 13. Ms. Ernat responded the owners have gone through several maladies in funding. One is a result of how the corporation is setup and the second is the SVA loan they applied and were approved for informed them it would no longer be eligible. The owners had to essentially restart the process, and are currently working with a bank and have a letter of intent for financing. Staff met with the owners last week and discussed the project with the MEDC. She stated there are bricks falling of the rear of the building, which will require more emergency repair. However, because an OPRA has been approved construction cannot begin until the loan goes through. The outside repairs are outside the jurisdiction of an OPRA and will have to be fixed immediately. Ms. Ernat added the project is still very promising. Mayor Edmonds added the owners have been caught up in several bureaucracies and have had to restart the process.

Council Member Murdock asked status of 16 N. Washington. Ms. Ernat replied there has been no progress. Staff has attempted to make contact with the owner and has been unsuccessful. Mr. Murdock responded it is his understanding the building is for sale. Council Member Robb replied the equipment is for sale, not the building. Ms. Ernat stated the equipment is for sale and the building, at one time, was for lease. However, the phone number provided has since been disconnected. The taxes have not been paid for almost three years, and if not paid by March the building will go to auction. She added the City might want to discuss its options to claim that property. Mr. Robb stated that building has numerous structural issues and the City

should not claim that property. Ms. Ernat replied the reason she thinks the City should claim the property is when buildings go to auction they sell for very little and become very easy for the purchaser to walk away from the investment.

Council Member Murdock stated 169 Washington had a fire around two years ago and little has been done in repairs. He added no permits have been taken out for repairs, yet the taxes have been paid. Ms. Ernat responded the building is on the Dangerous Buildings List, and recently she and the Building Manager toured three-quarters of the City and there are sixteen buildings on that list.

Ms. Ernat stated the owner of 210 N. Washington, which had a recent fire, has been in contact with the City and has submitted drawings and will be applying to the Planning Commission for a Non-conforming Use. Council Member Robb stated during the last meeting Council has informed that building was uninsured. Ms. Ernat responded the building is uninsured, however, the owner does have capital to make the necessary repairs.

— Asked if there were any updates on the Bell/Kramer neighborhood.

Ms. Ernat responded no, but the City's representative from the Department of Environmental Equality is going to reach out individually to every home.

Council Member Murdock asked for an update on the former Elbow Room. Ms. Ernat responded progress is moving slowly but work does not continue.

Mayor Edmonds asked for an update on Ma Lou's restaurant. Ms. Ernat responded their Facebook page lists March 3rd as the opening date.

Council Member Murdock stated the Downtown Development Authority has several projects that are coming up for funding. One building is the "Green Room" which is now going to be opened as "Ziggy's". Ms. Ernat responded in the affirmative. Mr. Murdock stated the DDA's Finance Committee's minutes stated much of the construction completed by the former owners were not up to code and need to be redone, which is why the owners of Ziggy's were applying for a DDA grant. He asked why construction was completed by the former owner that was not up to code, and said the last owner used as a coffee house and wasn't permitted by the Health Department. Ms. Ernat responded the previous use was not a coffee house, it was approved as an assembly. Mr. Murdock replied when he went to that business it was selling coffee. Ms. Ernat stated the work that was completed by permit was all inspected and approved. If work was completed without a permit and the City was unaware it cannot make claim to the quality of the work.

Murdock

— Asked if it were possible to begin using polycarbonate for building board-ups.

Ms. Ernat responded a sheet of four by eight polycarbonate costs around \$142 versus \$29 for a board up shell. Council Member Murdock responded he understands there will be an additional cost to the City, but the current methods are a detriment to the neighborhood. Ms. Ernat stated other issues that should be considered are cutting the material is more difficult and when patching it can leave air gaps. Mayor Edmonds responded self-tapping tech screws should be used when patching. Mr. Murdock asked if the City's contractor is Belfore, and would imagine they are aware of this material. He stated he wouldn't expect a person who had damage done to their window to use this material if it is for a short amount of time. Mayor Edmonds stated there are other options; such as murals being painted on the board-up plywood. Ms. Edmonds asked if board up material is clear and the building is filled with junk

perhaps the material should be blacked out. Ms. Ernat replied staff would not use clear material. Mr. Murdock stated the ordinance already requires the window to be taped.

Vogt

— Stated he would like to know what the standards would be if the City lost the Golder issue.

XIV. COMMUNICATIONS FROM THE MAYOR –

- She and Mayor Pro-Tem Brown attended Ashely Fox’s class at Ypsilanti Community Schools it Ypsilanti High School. They answered questions regarding City government and it was a great experience.
- She and Council Members Bashert and Murdock held an information session with the applicants to the Sustainability Commission. Currently she is awaiting on what department will provide the staff liaison.
- Applications have been closed for “Pitch Ypsi”. The event received sixty applications of business that would operate in zip codes 48197 and 48198. She said venues needed to be changed because of the demand for tickets. She was overwhelmed by the amount of Ypsilanti Area residents who are excited to start a business in the City.
- Ann Arbor is considering mirroring the City’s Non-discrimination Ordinance (NDO).
- The Attorney’s Office is drafting a guide for the NDO.
- There is a push in the State House to eliminate state income tax, and if this Council is against it should make the lobbyist aware.

Council Member Bashert stated she is strongly against the elimination of the state income tax. Council Member Vogt agreed.

Council Member Richardson moved, Seconded by Council Member Bashert That the City Council of the City of Ypsilanti strongly opposes the elimination, or reduction of the State of Michigan Income Tax, and that if eliminated it would be severely detrimental to the State and the municipalities in the State.

On a roll call, the vote to approve Resolution No. 2017-051 was as follows:

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

VOTE:

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

XV. COMMUNICATIONS FROM THE CITY MANAGER –

- Interim City Manager Frances McMullan thanked Council and staff for their support as she served as City Manager.
- On Friday, February 24th the new City Manager will be sworn in, and invited all to attend.

XVI. COMMUNICATIONS –

- Planning Commission 2016 Annual Report.
- Historic District Commission 2016 Annual Report.

XVII. AUDIENCE PARTICIPATION –

1. Reza Rajabi, 110 N. Summit, stated he is displeased with the water bond that was placed on his property.

XVIII. REMARKS FROM THE MAYOR –

XIX. ADJOURNMENT -

Resolution No. 2017 - 048, adjourning the City Council meeting.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

OFFERED BY: Council Member Robb
SECONDED BY: Council Member Vogt

On a voice vote, the motion carried, and the meeting adjourned at 9:45 p.m.