



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

I. CALL TO ORDER –

The meeting was called to order at 7:05 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 Richardson moved, seconded by Council Member Bashert to approve the agenda.

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

VI. INTRODUCTIONS –

Mayor Edmonds introduced City Manager Darwin McClary.

Mr. McClary stated it is his second week working for the City of Ypsilanti and he is very impressed with the Ypsilanti Community. He stated his husband lived in Ypsilanti for fifteen years and their oldest son still lives in the City. He stated the City has an amazing staff that has provided tremendous support as he becomes settled in his new position. He said he looks forward to working with the Mayor and Council.

Mayor Edmonds introduced the following individuals; City Clerk Frances McMullan, City Attorney John Barr, Economic Development Coordinator Beth Ernat, DDA Director Joe Meyers, DPS Director Stan Kirton, Fiscal Services Director Marilou Uy, Accounting Supervisor Rheagan Basabica, OHM Engineer Marcus McNamara, Washtenaw County Commissioner Ricky Jefferson, and County Treasurer Catherine McClary.

VII. PRESENTATIONS -

- Proclamation – March 8, 2017 as Ypsilanti Women’s Health Day

Mayor Edmonds introduced Corner Health Director Nicole Adelman. She explained the Corner Health Center provides healthcare for twelve to twenty-five year olds and their children. She said tomorrow, Wednesday, March 8th is Women’s Health Day and the date is now being declared as Women’s Health Day in Ypsilanti.

Ms. Adelman thanked Council and expressed gratitude to other agencies beyond the Corner Health for healthcare services that are provided to the City.

- GFOA ’s Certificate of Achievement for Excellence in Financial Reporting for the comprehensive annual financial report (CAFR) for the fiscal year ended June 30, 2015 – Catherine McClary, Washtenaw County Treasurer
- GFOA’s Distinguished Budget Presentation Award for the Fiscal Year Beginning July 1, 2016 – Catherine McClary, Washtenaw County Treasurer

Fiscal Services Director Marilou Uy introduced the Current President of the Michigan Government Finance Officer Association and Washtenaw County Treasurer Catherine McClary.

Catherine McClary stated she is pleased to present this distinguished award to Ypsilanti for the second time. She explained the GFOA established budget awards in 1984 to encourage and assist local and state governments to prepare budgets to the very highest quality. This budget award represents significant achievement by the City of Ypsilanti for both elected officials and financial managers.

Ms. McClary presented a Certificate of Achievement for Excellence in Financial Reporting for the Comprehensive Annual Financial Report (CAFR) for the City’s Fiscal Year ending June of 2015’s audit. She added there is also consideration for the City’s most recent CAFR.

Ms. Uy thanked City Council and City Staff for their support through the process and to apply for this award. She thanked Ms. McClary for being here to present the City with this award.

Mayor Edmonds stated this award signifies that even with minimal assets the City is able to budget well to keep the City functioning. She hopes that perhaps in the future these awards can assist in leverage funding from outside sources.

- Dumpster and Downtown Trash – DDA Director Joe Meyers

DDA Director Joe Meyers provided a presentation on the Downtown Dumpster Program.

Mayor Edmonds stated the dumpster program is not for all downtown businesses. Mr. Meyers responded in the affirmative, and explained all business have the option to use them, however it would be difficult for businesses that are not near the dumpsters.

Mayor Edmonds stated the dumpster program started as a voluntary program to providing people the option to participate. Mr. Meyers responded in the affirmative. Council Member Bashert asked why the program was voluntary. Ms. Edmonds responded that was the direction the Ad hoc Dumpster Committee wished to take.

Mayor Edmonds stated the DDA is seeing a budgetary shortfall of around \$17,000 even with the public participation. Mr. Meyers responded the projected participation amount is \$19,000 and the cost is \$24,000. However, with the need for dumpster cleanup the cost can increase.

Council Member Bashert asked why service was cutoff to the 200 Block of Michigan Avenue. Mr. Meyers explained a dumpster enclosure was not present. Council Member Murdock added the dumpster enclosure was on private property and a business wanted to extend the building. With that extension there was no longer room for an additional dumpster.

Council Member Bashert stated the downtown area has redundant services for trash removal. She would like to understand what would happen if street pickup was eliminated from the downtown. She said in each of the communities referenced in the presentation businesses were responsible for their own waste pickup, and sees it as the cost of doing business. Council Member Robb replied it is not unreasonable to say it's the cost of doing business, if the costs are reasonable. He added the costs of the DDA program are unreasonable and arbitrary, and that is where the system is breaking down.

Council Member Vogt stated his concern trash overflowing from a trashcan in the public right-of-way. If downtown residents and business must use a dumpster inside an enclosure would assist in alleviating the issue.

Council Member Bashert agreed with Council Member Robb if the fee is unreasonable it would be problematic for the businesses in the downtown. She said one option is removing the option of DDA enclosures and requiring property owners to manage their own dumpsters. Mayor Edmonds responded there is not room for each property owner to have its own dumpster, which is what caused this issue. She added there is also an equity issue when some businesses do not have access to those enclosures. Council Member Bashert replied she is not certain the current DDA system has been successful, and there are still unsightly garbage cans and dumpsters in the downtown. Plus it is a non-traditional business model when other communities are examined. Ms. Edmonds replied recovering \$19,000 of the \$24,000 over the first year is a positive step, but there are still some hills to climb.

Council Member Bashert asked how many business in the downtown are not using dumpsters. Mr. Meyer responded around 40%. Ms. Bashert replied there are twelve dumpsters in the downtown, and asked how many businesses are using street pickup. Mr. Meyers responded around 30%, but the largest producer of trash in the downtown are using the DDA dumpsters.

Council Member Murdock stated there is an entire block in Depot Town that using trash cans. He said this is a universal problem in all cities, and if each business in the downtown were required to use the same three DDA dumpsters they would need to be emptied several times a week, which would increase cost. Mayor Edmonds asked if before the DDA was requiring paying for the use was at a higher level.

Mayor Edmonds asked if Council action would be to ban trashcans in the street. Mr. Meyers responded none of the entities staff reached out to were able to provide a solution. Council Member Murdock stated Council was given an opinion that it could make changes, however what they would be remains unclear.

City Attorney John Barr stated the entire City levies a sanitary millage of up to three mills and properties in the downtown pay an additional two mills for the DDA levy. So there is an unequal distribution of taxes based on the location of the property. There are trashcans in the open by Go Ice Cream, which Council could pass an ordinance that would not allow garbage cans be stored outside. He added another option would be to structure an ordinance that would make downtown businesses responsible for their own trash. He said it is possible to renegotiate the current contract with the company that

provides the trash service, however, if the company is not willing to renegotiate the contract the City would need to wait until it expires. Mr. Barr added if Council wants to make a change it will need to decide if recycling should be handled in the same manner.

City Manager McClary stated this is an issue each community deals with, small and large. There is not an easy answer in terms of an equitable solution. He said this would be a multipronged approach; first the City would need to negotiate with the waste hauler if they are willing to exclude the central business district from their route. He said staff could devise a formula that makes creates greater equity in how this service is applied.

Council Member Robb stated fifteen years ago the plan was to build only one dumpster enclosure, since then this has been a problem. The enclosures were built in the center of the parking lot, and the downtown lost 35 parking spaces. The zoning ordinance was then changed and now a dumpster enclosure is required, which creates a problem because if a business wants a dumpster there is not room to build an enclosure. He said before Council begins to legislate a pricing scheme needs to be developed that makes sense. He explained the current pricing scheme is incredibly cheap for restaurants and residential is very expensive. He added regardless a restaurant will need additional services for grease so it would be impossible to operate with only use of street pickup. He said the ultimate goal is to pull the detractors into the program rather than deny trash pickup.

Council Member Bashert asked if there is enough information for City staff to make a plan to move forward. Mayor Edmonds responded the DDA has authority over the dumpster enclosures. Ms. Ernat responded she would love the DDA to be concentrating on things other than garbage. She added she would like to see what kind of solution the City could come up with possibly using the sanitation millage.

Council Member Vogt asked what the plan would be if the dumpster program were at its inception. Council Member Robb stated the solution cannot be for the DDA to relinquish its control of the dumpster program for the City to fix.

VIII. AUDIENCE PARTICIPATION –

1. Myron Jenkins, 269 S. Harris Rd., stated he is the President of Faith Management and was one of the contractors that participated in Strong Housing project and several minority contractors are upset they didn't have the opportunity to bid on the Parkridge project. He said his particular company, working through Rhonde Construction, have had invoices that have gone unpaid since 2015. He said he is aware that Ypsilanti City Council oversees to some degree the Ypsilanti Housing Commission which oversees Rhode Construction.
2. Beverly James, 968 Monroe, thanked Council and staff for their assistance with her DTE issue.

Council Member Richardson asked if Mrs. James was able to get the water out of her back yard. Ms. James replied no, but she will keep the City informed of any progress.

3. Washtenaw County Commissioner Ricky Jefferson, 113 Devonshire, stated on October 4, 2016 the Executive Director of the Housing Commission Zach Fosler informed Council that many African American contractors were working on the Strong Housing Project. He said there were many complaints this was not the case, since then he met with Mr. Fosler to ask about the process for hiring African American contractors. He said Mr. Fosler informed him there was not a currently a process in place, and asked how could Mr. Fosler come to the conclusion that the Parkridge project would not have the same problems. He said the Housing Commission also had complaints that Faith Management sub-contractors were not getting to the job site on time. He

said somebody needs to make Rhode accountable and that person is the Mr. Fosler, and Council needs to be sure he is accountable. In October Council suggested an ordinance that would govern how the City would hire minority contractors as well as local contractors. He does not believe the Parkridge project has met the requirement for Section III.

Mayor Edmonds stated there is an open question is the Parkridge project has met Section II guidelines. Many times Council has discussed the possibility of developing an ordinance regarding the hiring of minority contractors.

Mayor Edmonds asked if the complaint process was outlined in the bid award. Commissioner Jefferson responded the complaints were mostly regarding the work performed on the project. Specific to the timely installation of material. He explained Mr. Jenkins counter complaint is the material was not being delivered on time, which delayed its installation.

4. Joseph Golder, 1002 Washtenaw, stated on December 7, 2011 the City Attorney was advised there was a dispute between EMU and himself regarding the taking of his property. The City Attorney asked him to bring any information he had regarding the dispute for review. The City Attorney informed him he would need a copy of the plat book, which he received from the City Assessor Carole Clare. He said in June of 2014 he submitted a FOIA request for the surveys used to certify the right-of-way. The Attorney's Office sent him several documents, but did not include the survey. Two years ago he addressed Council and a meeting was scheduled in which the City Attorney presented the survey performed by EMU, which listed the length of his property at forty feet. He said he is in possession of several legal stake surveys that show the EMU survey to be incorrect. He said there was never a survey completed as a part of the EMU project and his property was illegally taken as a result. He said he should not have to pay for a survey and requested the City finance a survey.
5. Dave Hiekkinen, 133 W. Michigan, stated during the dumpster presentation it was failed to mention the DDA receives \$12,000 a year from the City sanitation millage, and spends around \$25,000 for the downtown dumpster enclosures. Property owners pay into a sanitation millage and have the right to use the curbside trash pick-up. He explained business owners place the trash on the curb after 6:00 p.m. and it is picked-up after 7:30 a.m. He added much of the downtown has their garbage placed in the rear of the building and a dumpster truck is used to gather the garbage. He asked why that same truck can't pick-up the dumpster in the enclosure.
6. John Cool, 2407 Lexington, Canton, stated he has a business at 207 Michigan Ave and have enjoyed being in the downtown for the past five years. He said when his business first came to Ypsilanti there was a dumpster directly behind his building right by his kitchen door, which is why he pushed to have it removed. He said he would be extremely upset if he were charged \$6,000 a year for waste removal. He said he currently uses the DDA dumpster enclosure, which is not very convenient but less of a hassle than having an enclosure in the rear of the building. He explained he did investigate what the cost would be for a business to have its own dumpster and it was nowhere near \$6,000 a year.

IX. REMARKS BY THE MAYOR –

None

X. CONSENT AGENDA –

Resolution No. 2017 - 052

1. Resolution No. 2017-053, approving Ordinance No. 1283, rezoning 311 Ballard from C, Center to CN, Core Neighborhood on Second and Final Reading.

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 Ordinance No. 1282 to rezone 311 Ballard from Center to Core Neighborhood be approved on Second and Final Reading.

2. Resolution No. 2017 -054, approving the minutes of January 17.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of January 17, 2017 be approved.

3. Resolution No. 2017 – 054A, approving agreement with Orchard, Hiltz & McCliment for 2017 Major Road Resurfacing Project Design Engineering Services.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Federal Surface Transportation Program - Urban funding has been programmed in the 2017 Washtenaw County Transportation Improvement Program for preventative maintenance projects in the City of Ypsilanti; and

WHEREAS, it is necessary to secure design engineering services to meet MDOT permitting requirements and keep this project on schedule for the 2017 construction year;

WHEREAS, Orchard, Hiltz and McCliment has provided an exemplary level of service to the City of Ypsilanti on similar improvement projects, and they possess a depth of experience with the infrastructure in the project area; and

NOW, THEREFORE, BE IT RESOLVED THAT the City Council approves the proposal for design engineering services with Orchard, Hiltz & McCliment, Inc., 34000 Plymouth Road, Livonia, MI at a lump sum cost of \$46,800; and

THAT, the cost for the design engineering for this project be expended from account # 202-7-9060-975-00 in the FY2016-17 Budget; and

THAT the Mayor and City Clerk are authorized to sign this proposal, subject to review and approval by the City Attorney; and

THAT the City Manager is authorized to sign any change orders that may be needed to maintain the project's schedule, subject to review and approval by the City Attorney.

4. Resolution No. 2017 - 056, approving contract with Saladino Co., for sidewalk ramp replacement program.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, bids were duly advertised for The Sidewalk Ramp Replacement Program; and

Whereas, four (4) bid was publicly opened on Tuesday, November 23, 2016 at 2:00 p.m. and reviewed for compliance with bidding qualifications and project specifications; and

WHEREAS, the bid submitted by Saladino Construction Co., Inc., 3303 N. Territorial Road, Ann Arbor, MI 48106, best meets the project specifications and qualifications and is in the best interests of the City; and

WHEREAS, Community Development Block Grant Funds have been allocated for the Sidewalk Ramp Replacement Program;

Now Therefore Be It Resolved That the City awards the bid to Saladino Construction Co., Inc. in the amount of \$48,060.00 for the construction of ADA sidewalk ramps throughout the City during the 2017 construction season; and

THAT the Mayor and City Clerk are authorized to sign the necessary contract documents, subject to approval by the City Attorney, to facilitate the completion of this work.

FURTHER, that the City Manager is authorized to sign change orders for additional ramp repairs subject to the approval by the City Attorney.

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

On a roll call, the vote to approve Resolution No. 2017-052 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 - 057, approving an amendment to the LSSRF Grant.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The City of Ypsilanti seeks to fully utilize the Border-2-Border Trail at the Water Street site safely without environmental concern; and

WHEREAS, the City has been granted up to \$240,000 from the WCBRA for the remediation of environmental contaminants around the Water Street trail area from the LSRRF the City will receive reimbursement for action funds expended not to exceed \$240,000; and

WHEREAS, the City has entered into a contract with TSP Environmental with the approval of the WCBRA for remediation services as defined in the bid packet; and

WHEREAS, MDEQ has approved the Remediation Action Plan and will certify the activities when they are completed.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council directs it's Mayor and Clerk to enter into a contract with the WCBRA for the acceptance of a \$240,000 grant to remediate the Border-2-Border Trail at Water Street development area.

OFFERED BY: Council Member Vogt

SECONDED BY: Mayor Pro-Tem Brown

Economic Development Director Beth Ernat stated this item was previously approved by Council for a lower amount. The City put the project out for bid and submitted bids were higher than expected, and instead of using City funds staff returned to the County to increase its grant award. She explained the grant is fully reimbursable and only the funds expended will be reimbursed.

Council Member Murdock asked what the date to begin the project is. Ms. Ernat responded in the next two weeks, and will take two weeks to a month.

On a roll call, the vote to approve Resolution No. 2017-057 was as follows:

Mayor Pro-Tem Brown	Yes	Council Member Robb	Yes
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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

2. Resolution No. 2017 – 059, approving the settlement agreement between the City and Joseph Golder.

IT IS RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that the attached Settlement Agreement between the City and Joseph Golder be approved; and

BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized to sign and execute said Settlement Agreement on behalf of the City of Ypsilanti, subject to the approval of the City Attorney.

OFFERED BY: Council Member Bashert
 SECONDED BY: Council Member Richardson

City Attorney John Barr stated some years ago Eastern Michigan University was involved in a project to widen Oakwood. He said Mr. Golder took issue with the project and claimed it was taking some of his property. EMU asked the City to provide an opinion if the right-of-way was appropriate and the determination was made it was in fact in the City right-of-way. He relayed his opinion to Mr. Golder who was not satisfied with the result, and around a year ago a meeting was held with Ms. Clare and Mr. Golder to work out an agreement. The agreement was signed by the City Manager but not by Mr. Golder. Since then Mayor Edmonds and Council Member Bashert met with Mr. Golder to modify that agreement, which would not require Mr. Golder to pay for the survey until after the results. Mayor Edmonds added Mr. Golder would need to reimburse the cost of the survey if finding is in the favor of the City.

Mayor Edmonds stated it is important for the City to move forward and what has occurred in the past should not matter. She said she would like to move forward with the approval of this agreement, and move forward passed this issue.

Council Member Richardson asked what EMU’s responsibility is for this issue. Mr. Barr responded that is an open question at this time. He explained Oakwood is a City road and the issue is involving the City’s right-of-way, which is why EMU asked the City to certify that it was in fact the City right-of-way. However, it was a university project.

Council Member Bashert asked if a survey alone would resolve this question. Mr. Barr stated there are several parts to a survey and multiple types of surveys, and some are not accurate. Mr. Barr stated there is a subdivision plat which has some inaccuracies and includes an ally. He explained one survey assumed the ally was part of Mr. Golder’s property, and Mr. Golder’s position is the ally was vacated. However, there is no evidence the ally was in fact vacated. The survey to resolve this question will be difficult and expensive. Mr. Barr stated he recently reviewed the documents and asked OHM to review the EMU project and all were in the same opinion.

Council Member Vogt asked when Mr. Golder acquired title of the property. Mr. Golder responded in 2006 is when he took full ownership and was part owner beginning in 2001. Mr. Vogt stated there was another construction project at that corner in the 90s. Mr. Golder responded in the affirmative. Mr. Vogt stated there was also construction completed at that intersection in the 70s, and this area is used well beyond the boundaries of the so called all “ally”. He asked what that exact width of the strip that is in question is. Mr. Barr responded that is not a question he is prepared to answer tonight, but he believes Mr. Golder is claiming sixteen feet. Mr. Golder interjected eighteen feet. Mr. Vogt asked what the property length was prior to the construction in the 90s. Mr. Golder responded the construction removed land until about a foot of the right-of-way. Mr. Vogt asked if the 1999 intersection is what Mr. Golder agreed to purchase.

Mr. Golder responded in the affirmative. Mr. Vogt asked how Mr. Golder had been harmed. Mr. Golder responded the corner of his property was taken. Mr. Vogt asked how many feet were taken. Mr. Golder replied 6 X 18 feet.

Council Member Vogt asked if Mr. Barr both looked at previous documentation of the issue as well as an independent study, such as a mortgage survey. Mr. Barr responded no, Mr. Golder's claim is based on a mortgage survey. Mr. Vogt asked if the mortgage survey agreed with the other documents on record. Mr. Barr responded no. Mr. Vogt asked what the difference was between the mortgage survey and the other documents. Mr. Barr responded he would need to further review the documents for that information, but OHM did give the opinion they agreed with the stake survey. Mr. Vogt asked what the difference was from the stake survey to Mr. Golder's information in property length from east to west. Mr. Barr responded no. Mr. Golder replied it should 66 feet but is 53 feet.

Council Member Robb asked what the anticipated cost of the survey is. Mr. Barr responded approximately \$5,000. Mr. Robb stated 18 feet X 191 feet is 3,438 square feet, and this property is valued at \$3.36 a square foot. He suggested giving Mr. Golder \$11,551 and the discussion can end without surveying the property.

Council Member Murdock stated with all due respect to Mayor Edmonds and Council Member Bashert he believes they are being played. Mr. Golder has been searching for Council support for some time but has been disingenuous in some of his demands. He said this was brought to his attention before the CMAT Grant. He said when the grant became available there was an opportunity to layout that intersection differently, however the initial proposal was not agreed to by Mr. Golder. At that time he asked Mr. Golder what he wanted and the response was \$15,000 to \$20,000, but by the time the meeting happened the amount grew to \$80,000, which was rejected by the City Manager. He said there was another time an agreement was made to perform a survey but Mr. Golder only responded on Facebook calling the City Attorney and the County Clerk crooks. Mr. Murdock stated at this point the Attorney's Office, OHM, MDOT, and EMU all say the surveys are reliable. He said he would be willing to entertain what was suggested by Council Member Robb but he doubts Mr. Golder would agree to that.

Mr. Golder disagreed with the comments by the City Attorney.

Council Member Vogt stated he has litigated several cases to this and it is difficult to say a survey is reliable unless it is agreed upon to perform the survey and what would be the survey to be compared to. He said the road was present when the property was purchased and the 2011 construction provided additional room on the east side of his property. Taking that into account this is a dispute of around three feet. He said if a survey is to be completed in order to reach a settlement the 1999 property line should be used as the base.

Council Member Bashert stated the agreement would need to be amended to state what the survey is being compared to.

Mr. Barr stated the issue is the City owns a certain right-of-way which can be defined, and the question is did the City move past the right-of-way. He said the survey should be based on where the City right-of-way is. If there is and it is on Mr. Golder's property he should be compensated and if not he shouldn't. Council Member Vogt asked if the City right-of-way encroach as an easement on Mr. Golder's property. Mr. Barr responded it is more complicated because of the ally. Mr. Vogt stated many times a person purchases a property without the knowledge an easement exists. Mr. Barr responded he is not certain, but from his understanding is when a property is purchased you get a deed which describes the property you purchased.

Mayor Edmonds asked if Council Member Vogt would suggest any amendments to the proposed agreement. Council Member Vogt responded there is nothing in the agreement that provide a description of where the right-of-way is. Ms. Edmonds asked for clarification of his meaning is that there was work completed outside of the right-of-way.

Council Member Robb stated this is being made to difficult, and said the agreement provides a survey be completed and the worst case scenario for Mr. Golder is if he loses he will need to pay the \$5,000 for the survey. The best case

scenario is if he wins he would receive \$11,551. He said he is 100% confident the city will win and sees this as more of a pity suit. He asked if Mr. Golder would be willing to take \$11,551 or would you prefer to eventually need to pay the \$5,000 for the survey. Mr. Golder stated this is the first time the City has made him an offer, and he is fully confident the survey will render in his favor. He added he wants the City to change the dimensions of his property.

Council Member Murdock called to question.

Due to lack of support the motion failed.

Council Member Murdock moved, seconded by Council Member Vogt to table Resolution No. 2017-059.

On a roll call, the vote to table Resolution No. 2017-059 was as follows:

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

VOTE:

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

XII. LIASON REPORTS –

- A. SEMCOG Update - None
- B. Washtenaw Area Transportation Study - None
- C. Urban County – None
- D. Freight House - None
- E. Parks and Recreation - None
- F. Ypsilanti Downtown Development Authority - None
- G. Eastern Washtenaw Safety Alliance - None
- H. Police-Community Relations/Black Lives Matter Joint Task Force – Mayor Pro-Tem Brown stated the meeting is scheduled for Monday, March 13, 2017, at 7:00 p.m.
- I. Friends of Rutherford Pool – None
- J. Economic Development Coordinating Committee – Mayor Edmonds stated the County Board of Commissioners who decided to form a sub-group to establish economic goals for Washtenaw County. There was discussion in equity concerning schools and jobs. Also, examining the skills gap in the county.

XIII. COUNCIL PROPOSED BUSINESS –

Robb

- Stated if the City offers Mr. Golder \$11,551 and he agrees and signs a Non-disclosure Agreement the problem is solved. Which would be a better scenario then directing the Attorney’s Office to complete further investigation.

Brown

- Stated she participated in a panel discussion at EMU concerning future women leaders. After the panel discussion she engaged in discussion regarding the City’s partnership with EMU.

Richardson

- Stated she is still waiting for an update on Water Street.
- She asked for a Black Lives Matter sign be put up in Council Chambers.
- Stated next week she will be attending the National Week of Cities.
- On April 8th the Michigan Black Caucus of local elected officials will be hosting its second “Race/Police/and Urban Community Forum” at Lawrence Tech from 9:00 a.m. until 3:00 p.m.

Bashert

- There will be a presentation at the Ypsilanti Public Library regarding the 20th anniversary of the passage of the non-discrimination ordinance. It will be a panel presentation including several of the City Council members, former Mayor Cheryl Farmer, and Former Chapter Head of the NAACP Ray Mullins. It will be held on March 15th beginning at 7:00 p.m.
- Asked if there was something that could be done about Parking Enforcement Officers having access to previous tickets written for a vehicle.

Council Member Robb responded he is working with Clerk McMullan to solve that issue.

Vogt

- He said Council Member Robb’s suggestion appears to be correct, but would use the 1999 use boundary to set a maximum limit to the damages. He said the damages here are not that great and the settlement should be a very modest amount.

Murdock

- Said he is going to add a road funding allocation to the next agenda.
- There was a house boarded up on Forest and Stanley and was boarded up from the inside, and the board up is not that visible.
- He attended a meeting regarding the railroad crossing which did not go terribly well. The railroad had cleaned the construction material but will not remove the graffiti, pick-up the litter and will not allow the City to complete those tasks. He explained there are structures that will be removed at the crossing, which will alleviate some of the graffiti problem. He suggested having Marsh Platting monitor the graffiti. He added there are obviously people driving over the rails at the closure on Park. Staff and the engineers to not feel additional barriers were needed, and he is sure that it is true. He said he was disappointed in the railroads response.

XIV. COMMUNICATIONS FROM THE MAYOR –

NOMINATIONS:

Parks & Recreation Commission

Kurt Kohlmann (vacancy) – term exp. 2020
 Ashanti Harris (vacancy) – term exp. 2020
 Ben Connor Barrie (vacancy) – term exp. 2020

Sustainability Commission (all new appointments)

Emily Drennan (3 year term) - term exp. 2020
 Nancy Heine (3 year term) – term exp. 2020
 Natalie Sampson (3 year term) – term exp. 2020

Tom McKee (2 year term) – term exp. 2019

Leah VanLandingham (2 year term) – term exp. 2019
Brett Zeuner (2 year term) – term exp. 2019

Julie Bayha (1 year term) – term exp. 2018
Tom Kovacs (1 year term) – term exp. 2018
Keith Michalowski (1 year term) – term exp. 2018

- Mayor Edmonds stated the Sustainability Commission will meet on the first Monday of the Month beginning in April. She stated she is still vetting youth membership to the commission. As allowed by the ordinance Tom Kovacs is not a City resident. She said there is representation from each ward.

Council Member Richardson asked how long Ashanti Harris has been in the community. Mayor Edmonds responded she believes she is fairly new to Ypsilanti, maybe one to two years. She added she has a degree in Parks and Recreation.

Council Member Murdock asked who the assigned staff person is for the Commission. Mayor Edmonds responded Fire Chief Anthouard.

Council Member Murdock stated the Park and Recreation Commission terms all expire in 2020, and asked if they would be taking the place of a resigning commissioner. Mayor Edmonds stated there have been vacancies on this commission.

- Mayor Edmonds stated the EMU seat on the DDA has been vacant since the departure of Russ Orwell. She received a letter from Dr. Smith of EMU recommending Dieter Otto for the vacant seat. She explained Mr. Otto has been active with the DDA as a committee member for some time. She nominated Mr. Otto to fill that seat.
- EMU is planning on splitting the position of Community and Government Relations into two positions. Supposedly, the position will be posted in the very near future. Once filled that person might replace Mr. Otto.
- She stated a Student Affairs position has also be open for some time, which would be important in addressing some of the recent issues occurring on the campus. Recently there were four open interviews for this position.
- Washtenaw County Interfaith Coalition of Immigrant Rights (WICIR) has a training session available for allies of the immigrant community.
- There has been no movement on the County Non-solicitation Ordinance.

Council Member Murdock asked if the City's LDFA member has resigned. Mayor Edmonds responded in the affirmative, and she will be nominating Economic Director Beth Ernat.

Ms. Ernat stated recently the City scheduled a joint Planning, Zoning Board of Appeals, and Historic District Commission meeting on March 16th. On the agenda is a Request for Proposals (RFP) for 220 N. Park, the former Boys and Girls Club. The Goal is to release the RFP by this summer.

Mayor Edmonds asked for a timeline for a Water Street update. Ms. Ernat responded she is planning on having a presentation for the April 7th meeting.

XV. COMMUNICATIONS FROM THE CITY MANAGER –

- Stated he has provided Council with his communications.
- For the next meeting he will be placing some items on the agenda. One to schedule a work session with himself and Council to discuss what Council's expectations and priorities are for him over the next several months. And, as discussed in his employment agreement, formulating a City Manager performance evaluation tool.
- Stated there are budget committee meetings scheduled over the next week to begin that process.
- He is collecting information for contract negotiations, and he has identified eight comparable communities to address this task. He is suggesting Council schedule several Closed Sessions to discuss collective bargaining.
- He provided Council with a summary of his first week.

XVI. COMMUNICATIONS –

None

XVII. AUDIENCE PARTICIPATION –

Council Member Richardson moved, seconded by Council Member Bashert to extend the meeting by ten minutes.

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

1. Joseph Golder, 1002 Washtenaw, stated MDOT's right-of-way survey from 1971 was used to correct the tampered County records. During a meeting at EMU he was getting up to leave he was given a document stating according to the 1911 plat his property is 66 feet in length. He provided documentation to Council. He said he would like to settle this and bring it to an end.

XVIII. REMARKS FROM THE MAYOR –

XIX. ADJOURNMENT -

Resolution No. 2017 - 058, 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 Bashert
SECONDED BY: Mayor Pro-Tem Brown

On a voice vote, the motion carried, and the meeting adjourned at 10:03 p.m.