



**CITY OF YPSILANTI
REGULAR COUNCIL MEETING
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, MARCH 20, 2018
7:00 p.m.**

I. CALL TO ORDER –

The meeting was called to order at 7:03 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	Absent		

Council Member Vogt moved, seconded by Mayor Pro-Tem Brown, to excuse the absence of Council Member Richardson.

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

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 –

Mayor Pro-Tem Brown moved, seconded by Council Member Bashert to approve the agenda.

Council Member Vogt moved, seconded by Council Member Bashert to remove the Closed Session from the agenda.

Council Member Robbed moved to remove Resolution No. 2018-066 from the Consent Agenda.

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

VI. INTRODUCTIONS

Mayor Edmonds introduced the following individuals; Deputy City Clerk Andrew Hellenga, Assistant City Attorney Dan DuChene, City Manager Darwin McClary, Economic Development Director Beth Ernat, City

Planner Bonnie Wessler, DDA/Community Development Director Joe Meyers, and DPS Director Stan Kirton.

VII. PRESENTATIONS –

VIII. AUDIENCE PARTICIPATION –

1. Beverly James, 968 Monroe, stated water is collecting in her backyard resulting from the Parkridge development, and she would like something done about it.

City Manager Darwin McClary replied he met with the engineers and the development did not result in much change to the topography. Ms. James replied something still needs to be done as children play there. Mr. McClary replied hopefully once the land is re-graded water should more easily drain, and tomorrow he will contact Ms. James to discuss the matter.

Mayor Pro-Tem Brown asked to be kept informed about this issue.

2. Reza Rajabi, 110 Summit, stated several times he has requested a conditional certificate of occupancy for his properties in order to generate revenue to pay his debt. He was denied, and now the county is foreclosing on his properties. He added representatives are supposed to assist the public and Council failed him.

IX. REMARKS BY THE MAYOR –

- Mayor Edmonds clarified the reason Mr. Rajabi was not granted conditional certificates of occupancy is because his properties pose health and safety risks.

X. PUBLIC HEARINGS -

1. Approving submission of Michigan Land and Water Conservation Fund (LWCF) grant application for Rutherford Pool Renovations.
 - A. Resolution No. 2018- 068, determination

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, supports the submission of an application titled, "Rutherford Pool Bathhouse Renovation " to the Land and Water Conservation Fund for development of renovating the nearly 50 year old bathhouse at Recreation Park; and,

WHEREAS, the proposed application is supported by the Community's 5-Year Approved Parks and Recreation Plan; and,

WHEREAS, City of Ypsilanti through the Friends of the Rutherford Pool has made a financial commitment to the project in the amount of \$25,000 matching funds, in cash and/or force account; and,

WHEREAS, if the grant is awarded the applicant commits its local match and donated amounts from the following sources:

Patroncity Campaign (MEDC Pending) -	\$100,000
Local Foundations (Pending) -	\$125,000
County and Township Support (Pending) -	\$25,000

Total - \$275,000

THEREFORE, BE IT RESOLVED that the City of Ypsilanti hereby authorizes submission of a Land and Water Conservation Fund application for \$300,000, and further resolves to make available a local match through financial commitment and donation(s) of \$300,000 (50%) of a total \$600,000 project cost, during the 2018-2019 fiscal year.

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

DDA/Community Development Director Joe Meyers stated the Friends of Rutherford Pool approached staff to apply for a \$300,000 Department of Natural Resources Grant. He stated they have committed to raising the funds and are in the audience to address Council. The Friends Group hopes to use the funding to make improvements to the pool's bathhouse.

B. Open public hearing

1. John Weiss, Friends of Rutherford Pool Chair, 1206 Pearl; Kathy Thorburn, 1212 Sherman; Jessica Faul, 101 N. Wallace, stated the bathhouse is a cinderblock building approximately forty-five years old and is in need of electric and plumbing updates. The community has also expressed a need for updating the bathrooms, including a family/gender neutral bathrooms. When a presentation was first made to Council there was discussion about also providing solar panels. However, that will need to be completed as a separate phase because of the cost. The grant would cover half of the cost of the project, with the other sources of funding being five foundation grants and \$50,000 through individual donors, which would be matched through a crowd funding campaign. He understands there are issues around relocating the recycling center, but if that does not happen by the end of the summer the application will lose significant points for approval. He appreciates Council's consideration for contributing \$25,000 to the project.

C. Resolution No. 2018- 068A, close public hearing

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that:

THAT the public hearing for the Michigan Land and Water Conservation Fund (LWCF) grant application for Rutherford Pool Renovations is hereby closed.

OFFERED BY: Council Member Bashert
SECONDED BY: Council Member Vogt

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

Council Member Vogt stated he learned a long time ago that anything the Friends of Rutherford Pool want to do is going to get done. He is in complete amazement in the work done by the group and is complete support of the approval of this resolution.

Council Member Robb asked if the \$25,000 committed by the city in the resolution is a pass through from Friends of the Rutherford Pool. Mr. Meyers responded his understanding is it is a pass through, but the Friends Group might be under a different understanding. Mr. Weiss replied when the pool was rebuilt all the funds went to the city, except for what was raised by the Friends Group. The city would then invoice the group and reimburse the city. Mr. Meyers asked if the Friends Group is asking for a \$25,000 commitment from the city. Mr. Weiss responded they are asking the city to make a

monetary contribution to the project. Council Member Bashert added making a contribution to this project was a discussion during goal setting, however, Council has not voted to commit those funds. Economic Development Director Beth Ernat stated she believes the \$25,000 was committed as a part of a resolution approved by Council. Ms. Bashert replied it was discussed but never approved. Mr. McClary stated he remembers specifically that Council, during the initial presentation of this project, would be contributing toward this project.

Council Member Murdock stated the general discussion was about parks. The issue regarding moving the recycling center came from those discussions. He would like to set money aside for parks for several improvements in the city's park system. If the city commits \$25,000 to this project it would essentially be moving it ahead of other need improvements. He said staff informed Council this process is fairly quick and suggested it is unlikely this project will be funded this year.

Mayor Edmonds stated she is not against making a monetary commitment to the pool, however, she recommended striking that section of the resolution. Mr. Meyers replied the resolution is required to include a local contribution, but that could be a contribution from the Friends of Rutherford Pool through the city. Ms. Edmonds asked when the due date for the application is. Mr. Meyers responded April 1st. Ms. Edmonds stated it does not make sense to include a something that has not been approved by Council. Ms. Ernat suggested tabling this item to provide time to amend the resolution.

Council Member Murdock moved, seconded by Council Member Bashert to table Resolution No. 2018-068.

On a roll call, the vote to table Resolution No. 2018-068 was as follows:

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

VOTE:

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

XI. ORDINANCES – FIRST READING -

Ordinance No. 1303

1. Bell-Kramer Rezoning of Residential parcels currently zoned PMD to CN-Mid
 - A. Resolution No. 2018-055, determination

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, the City has an interest in protecting the health, safety, and welfare of its citizens; and

Whereas, the City has performed environmental testing in the Bell-Kramer neighborhood to address concerns regarding the former City Landfill site; and

Whereas, the test results indicate that the area can be returned to residential zoning; and

Whereas, the Planning Commission has affirmed that the rezoning is not consistent with the City Framework (Future Land Use Map) of the Master Plan, but new information regarding the area has been developed, thus changing the conditions since Master Plan adoption; and

Whereas, the Planning Commission has found that the residential zoning classification of CN-Mid most appropriately matches the pattern of existing development; and

Now therefore be it resolved that the Ypsilanti City Council approve the ordinance entitled Rezoning of Bell Kramer Residential Parcels.

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

City Planner provided a synopsis of why this resolution is being requested for approval.

- B. Open public hearing
None
- C. Resolution No. 2018-056, close public hearing

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that:

THAT the public hearing for the ordinance entitled Rezoning of Bell Kramer Vacant Parcels, residential zoning classification of CN-Mid is hereby 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 by Council action PMD was updated to allow for rebuilds, why that is no longer sufficient. Ms. Wessler responded CM Mid allows for new construction. Mr. Robb asked if that new construction in that neighborhood is a goal of the Planning Department. Ms. Wessler responded there are only two lots on which new homes could be built. Mr. Robb stated this would allow for construction of nursing homes and funeral homes, is that something that is wanted in that neighborhood. Ms. Wessler responded it is something that was allowed in the R2 designation. Mr. Robb stated if Council was to take no action residents would not be able to build accessory structures. Ms. Wessler replied residents would not be able to have new construction, or expand on existing structures. Although, the rebuild clause exists it would still cause lenders to take caution in providing mortgages for that neighborhood, as well as insurance companies.

Mayor Pro-Tem Brown stated this is what the residents of that neighborhood requested.

On a roll call, the vote to approve Resolution No. 2018-055 was as follows:

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

VOTE:

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

2. Bell-Kramer Rezoning of city-owned vacant parcels currently zoned GC and PMD to P (Park)
 - A. Resolution No. 2018- 057, determination

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, the City has an interest in protecting the health, safety, and welfare of its citizens; and

Whereas, the City desires these parcels to remain low-intensity due to their environmental history and access-challenged location; and

Whereas, the Parks zoning district precludes many high-intensity uses; and

Whereas, the Planning Commission has affirmed that the rezoning is not consistent with the City Framework (Future Land Use Map) of the Master Plan, but new information regarding the area has been developed, thus changing the conditions since Master Plan adoption; and

Whereas, the zoning classification of Parks most appropriately matches the desired intensity; and

Now therefore be it resolved that the Ypsilanti City Council approve the ordinance entitled Rezoning of Bell Kramer Vacant Parcels.

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

Ms. Wessler provided a synopsis of why this resolution is being submitted for approval.

Mayor Edmonds clarified a Parks zoning classification does not necessarily indicate it is a park. Ms. Wessler responded in the affirmative.

Council Member Bashert asked who would have jurisdiction over these parcels. Ms. Wessler responded the parcels are owned by the city. Ms. Bashert asked if the Parks and Recreation Commission had jurisdiction. Ms. Wessler responded no.

B. Open public hearing

None

C. Resolution No. 2018- 058, close public hearing

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that:

THAT the public hearing for the ordinance entitled Rezoning of Bell Kramer Vacant Parcels, zoning classification of Parks is hereby 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.

Mayor Edmonds stated the residents of that neighborhood requested this and it makes sense to maintain that open space.

On a roll call, the vote to approve Resolution No. 2018-057 was as follows:

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

VOTE:

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

Ordinance No. 1305

3. Medical Marijuana Text Amendments in response to MMFLA
A. Resolution No. 2018- 059, determination

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, the City has opted-in to the Medical Marijuana Facilities Licensing Act (MMFLA); and

Whereas, the City has existing zoning ordinances developed under the Michigan Medical Marijuana Act (MMA); and

Whereas, the existing zoning regulations must be updated to align with the MMFLA; and

Now therefore be it resolved that the Ypsilanti City Council approve the amendment to Chapter 122, Sections 122-203, 122-446, 122-532, and 122-533 to better align the text of the Zoning Ordinance with the MMFLA.

OFFERED BY: Council Member Vogt

SECONDED BY: Mayor Pro-Tem Brown

Ms. Wessler provided a synopsis of why this resolution is being submitted for approval.

B. Open public hearing

None

C. Resolution No. 2018- 060, close public hearing

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that:

The public hearing for the amendment to Chapter 122, Sections 122-203, 122-446, 122-532, and 122-533 to better align the text of the Zoning Ordinance with the MMFLA is hereby closed.

OFFERED BY: Council Member Vogt

SECONDED BY: Mayor Pro-Tem Brown

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

Council Member Murdock asked if this amendment essentially just changed the titles in the zoning code. Ms. Wessler replied in the affirmative, and removed some duplication.

On a roll call, the vote to approve Resolution No. 2018-069 was as follows:

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

VOTE:

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

Council Member Bashert asked if all the facilities operating in the city met the deadline. Ms. Wessler responded they had met the deadline for the city, but the city is not in contact with the state, so it is unknown if that deadline was met.

Ordinance No. 1306

- 4. Medical Marijuana Text Amendment to permit Provisioning Centers in the General Corridor
 - A. Resolution No. 2018- 061, determination

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, there are several Provisioning Centers in the City; and

Whereas, the City wishes success for existing businesses in the recently changed market; and

Whereas, Provisioning Centers are considered nonconforming uses in the General Corridor zoning district; and

Now therefore be it resolved that the Ypsilanti City Council approve the amendment to Chapter 122, Article IV, Section 451, to permit Provisioning Centers as a Special Use in the General Corridor zoning district.

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

Ms. Wessler provided a synopsis of why this resolution is being submitted for approval.

Council Member Murdock asked if those operating in the General Corridor would need to apply for a special use permit. Ms. Wessler responded in the affirmative, if they plan to expand or relocate. If they continue to operate as they exist they would operate as non-conforming.

- B. Open public hearing
 - None

C. Resolution No. 2018- 062, close public hearing

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that:

THAT the public hearing for the amendment to Chapter 122, Article IV, Section 451, to permit Provisioning Centers as a Special Use in the General Corridor zoning district is hereby closed.

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

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

Council Member Murdock stated he understands the need for the amendment, but it changes where facilities can be located. It does not seem important since the all available permits have been issued, but if not would potential locations be changed. Ms. Wessler responded the only location that would be significantly different would be one block on Washtenaw, from Bellevue to 1820 Washtenaw.

Mayor Edmonds asked if the cap for medical marijuana facilities is seven for provisioning centers and three for cultivation. Ms. Wessler responded in the affirmative. Ms. Edmonds asked if the cap was five at one time for provisioning. Ms. Wessler responded the cap was six.

Council Member Bashert asked how seven provisioning centers operated in the city with a cap at six. Ms. Wessler replied the seventh applicant was already vested at the time the cap was set.

Mayor Edmonds asked when Council passed the ordinance to opt in to the MMFLA the cap was increased. Mr. DuChene responded in the affirmative. Ms. Wessler added the cap was changed to incorporate the existing number of businesses. Mr. DuChene stated since the point the cap was instituted there was confusion to why seven businesses were permitted to operate with a cap of six. The thought of increasing the cap was to remove that cloud of confusion.

Council Member Murdock asked if Council wished to maintain the cap at six, could the ordinance be amended. Mr. DuChene replied if one of the facilities closes. Mr. Murdock replied no, prior to a facility closing. Mr. DuChene replied Council could do that, but it would recast the legal cloud regarding cap limitations. Now that the state is involved in interpreting the city ordinance he would advise against it, but that is a policy decision for Council. Mayor Edmonds asked if it would be a threat to an existing facility. Mr. DuChene replied in the affirmative. Mr. Murdock asked if a facility closes could the city refuse to issue another permit. Mr. DuChene responded he would need to provide an answer to that question at a later date. Ms. Ernat added it is her understanding of the state process that all facilities needed to be conforming. It would be detrimental to the entity that became the non-conforming in terms of eligibility for the state license under LARA. Mr. Murdock replied the conforming issue has more to do with zoning. Mr. DuChene replied he would need to research the implication of that Council reducing the cap.

On a roll call, the vote to approve Resolution No. 2018-063 was as follows:

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

VOTE:

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

XII. ORDINANCES – SECOND READING –

Ordinance No. 1302

Resolution No. 2018- 063, approving an ordinance to provide for a service charge in lieu of taxes (PILOT) for Towne Centre (401 W. Michigan Avenue), a housing project for low income persons and families to be financed with a federally-aided or Authority-aided Mortgage Loan or an advance or grant from the Authority pursuant to the provisions of the State Housing Development Authority Act of 1966 (1966 PA 346, as amended; MCL 125.1401, *et seq* (the "Act")

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled "City of Ypsilanti Tax Exemption Ordinance-Towne Centre" be approved on Second and Final Reading.

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

Mr. DuChene provided a synopsis of why this resolution is being submitted for approval.

On a roll call, the vote to approve Resolution No. 2018-063 was as follows:

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

VOTE:

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

Council Member Bashert moved, seconded by Council Member Vogt to remove Resolution No. 2018-068 from the table.

On a roll call, the vote to remove Resolution No. 2018-068 from the table was as follows:

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

VOTE:

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

Mr. Meyers informed Council of the amendments made to the resolution.

Council Member Murdock moved, seconded by Council Member Vogt to substitute Resolution No. 2018-068.

Substitute Resolution No. 2018-068

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, City of Ypsilanti supports the submission of an application titled, "Rutherford Pool Bathhouse Renovation " to the Land and Water Conservation Fund for development of renovating the nearly 50 year old bathhouse at Recreation Park; and,

WHEREAS, the proposed application is supported by the Community’s 5-Year Approved Parks and Recreation Plan; and,

WHEREAS, The Friends of the Rutherford Pool have provided to the City of Ypsilanti a financial commitment to the project in the amount of \$25,000 matching funds, in cash and/or force account; and,

WHEREAS, if the grant is awarded the applicant commits its local match and donated amounts from the following sources:

Patroncity Campaign (MEDC Pending) -	\$100,000
Local Foundations (Pending) -	\$150,000
County and Township Support (Pending) -	\$25,000
Total -	\$275,000

THEREFORE, BE IT RESOLVED that the City of Ypsilanti hereby authorizes submission of a Land and Water Conservation Fund application for \$300,000, and further resolves to make available a local match through financial commitment and donation(s) of \$300,000 (50 %) of a total \$600,000 project cost, during the 2018-2019 fiscal year.

On a roll call, the vote to substitute Resolution No. 2018-068 was as follows:

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

VOTE:

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

On a roll call, the vote to approve the Substitute Resolution No. 2018-068 was as follows:

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

VOTE:

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

XIII. CONSENT AGENDA –

Resolution No. 2018-064

1. Resolution No. 2018-065, approving minutes of March 6, 2018

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of March 6, 2018 be approved.

- ~~2. Resolution No. 2018-066, approving appointments to Boards and Commissions.~~ **(Moved and heard during Section XIV)**

3. Resolution No. 2018-067, approving the removal of a section of Armstrong Court, 143 feet north of Armstrong Drive.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti does wish to decertify a section of Armstrong Court from the Act 51 local street mileage certification; and

WHEREAS, this decertification of Armstrong Court located north of Armstrong Drive for a total decertification length of 143 feet; and

Now Therefore Be It Resolved That, the City Council approves the decertification of a section of Armstrong Court north Armstrong Drive for a total of 143 feet from the Act 51 local street mileage certification.

OFFERED BY: Council Member Murdock

SECONDED BY: Mayor Pro-Tem Brown

On a voice vote, the motion carried, and the Consent Agenda was approved.

XIV. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2018-069, approving an application for a Neighborhood Enterprise Zone (NEZ) Rehabilitation Certificate for Lillie Covington, 406 S. Hamilton, Ypsilanti, MI.

RESOLUTION APPROVING AN APPLICATION FOR A NEIGHBORHOOD ENTERPRISE ZONE REHABILITATION EXEMPTION CERTIFICATE FOR LILLIE COVINGTON 406 S. HAMILTON ST, YPSILANTI MI

WHEREAS, the City Council of the City of Ypsilanti established a Neighborhood Enterprise Zone on April 16, 2016 as required under PA 147 of 1992 after a public hearing held on April 16, 2016; and

WHEREAS, the homeowner Lillie Covington is not delinquent on any taxes related to the home, and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ypsilanti and hereby is granted a Neighborhood Enterprise Zone Rehabilitation Exemption for property located at 406 S. Hamilton Street, Ypsilanti MI 48197 for a period of 15 years, beginning December 31, 2017, and ending December 30, 2032, pursuant to the provisions of PA 147 of 1992, as amended.

OFFERED BY: Mayor Pro-Tem Brown

SECONDED BY: Council Member Bashert

Ms. Ernat provided a synopsis of why this is being submitted to Council.

Mayor Edmonds asked if edits will need to be made to the other NEZ approvals. Mr. Meyers responded no, they already been submitted to the state.

Mayor Edmonds asked how many NEZs have been approved. Mr. Meyers responded three applicants have been approved by Council and three more are actively working on applications. Ms. Ernat added the Community Development Block Grant (CDBG) Clean and Green Program will begin in the summer to address weeds, shrubs, and over growth. Hopefully, that program will get more people interested.

Council Member Robb stated the memo states the previously approved resolution needs to be rescinded and this resolution does not rescind. Mr. Meyers replied the memo is incorrect, the previously approved resolution does not need to be rescinded.

On a roll call, the vote to approve Resolution No. 2018-069 was as follows:

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

VOTE:

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

2. Resolution No. 2018-066, approving appointments 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>EXPIRATION</u>
Daquann Harrison (Ward 2) 1118 N. Huron River Dr. #3 Ypsilanti, MI 48198	Police Advisory Commission	TBD
Gail Wolkoff (Ward 2) 1728 Whittier Rd. Ypsilanti, MI 48197	Police Advisory Commission	TBD
Heather Freeling (Ward 1) 422 S. Huron St. Ypsilanti, MI 48197	Police Advisory Commission	TBD
Kathleen McCormick (Ward 1) 407 Ainsworth Cir. Ypsilanti, MI 48197	Police Advisory Commission	TBD

OFFERED BY: Council Member Murdock
SECONDED BY: Council Member Bashert

Council Member Robb stated he removed this resolution from the Consent in order to provide expiration dates. He added if these nominations are approved and those that are nominated tonight Ward 3 will only have one representative while the other Wards have three. Mayor Edmonds stated there were not many applicants from Ward 3 and they have extensive representation on other boards and commissions.

Mayor Edmonds asked for a motion to table in order to provide expiration dates.

Council Member Bashert moved, seconded by Council Member Vogt to table Resolution No. 2018-066.

On a voice vote, the motion carried, and Resolution No. 2018-066 was tabled.

On a roll call, the vote to approve Resolution No. 2018-066 as amended was as follows:

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

VOTE:

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

XV. LIAISON REPORTS –

- A. SEMCOG Update – None
- B. Washtenaw Area Transportation Study – Council Member Murdock stated there has been some contention regarding the Regional Transit Authority (RTA) putting a proposal on the November ballot. It appears the county executives have vetoed any four county plan, at least without significant changes. Wayne County has proposed a plan that includes all four counties with a slightly different focus. It includes a commuter rail and service improvements, but removes the rapid bus system. It does not look like the RTA will be supporting that plan. He believes eventually Wayne and Washtenaw Counties might partner, but it will be difficult to put those pieces together for November.
- C. Urban County – Ms. Ernat stated the updated consolidated five year plan is posted on the city’s website and Facebook. The comment period is from March 1st through April 2nd and recommended Council comment.
- D. Ypsilanti Downtown Development Authority – Mayor Edmonds stated the DDA is excited to be welcoming businesses on South Washington. She recently took a tour of the former Smith Furniture building which should be open by June. Construction encountered some issues, as would happen with old buildings, but is progressing well. Massage Mechanics has moved from Depot Town to South Washington. A grant was approved for Tinker Tech, which was one of the Pitch Ypsi businesses, and will be opening next to Blackstone Bookstore in the next couple of months.
- E. Eastern Washtenaw Safety Alliance – None
- F. Friends of Rutherford Pool – None
- G. Housing Equity Team – Meeting is on Wednesday, March 21, 2018.

Mayor Edmonds asked for an update on the partnership with Ypsilanti Township regarding Ecorse. Ms. Ernat explained Ypsilanti Township was provided a grant through the University of Michigan to create a plan for the Michigan Ave an Ecorse corridors. She has been asked to be a part of the planning committee, and had positive outreach to the businesses in that corridor. Two to three blocks of Ecorse and Michigan Ave. by the bridge are in the city’s jurisdiction. She hopes once the plan is completed it will come before the Planning Commission for adoption.

Mayor Edmonds asked if there has been any discussion about a pedestrian crossing at the slit at Michigan and Ecorse. Ms. Ernat replied there have been very productive conversation with MDOT regarding a pedestrian crossing at that location. Ms. Edmonds stated it is a very dangerous crossing to navigate. Ms. Wessler replied there has been discussion regarding a road diet prior to the roads combining, but once the do a diet is no longer possible.

Ms. Ernat stated State Representative Ronnie Peterson hosted a breakfast this past Monday with several community partners regarding a train platform in Depot Town. The breakfast was geared as a meet and greet to build support for the project. At the breakfast Representative Peterson informed everyone he has taken the project as far as he can, and now it is now the responsibility of the City of Ypsilanti. The city has a connection with a regional consultant with leads for potential funding mechanisms to help fund consulting services. She expects to forward a work plan to Council in May including what has been completed and the next steps of this project.

Council Member Murdock stated he was at the same breakfast and agrees Council needs to hold a work session to discuss all steps. He said Amtrak informed him the Wolverine Line has six trains both ways, and will not have the ability for all trains to stop in Ypsilanti. Ms. Ernat explained trains that do not open toward the platform would be unable to stop in the city.

Council Member Bashert moved, seconded by Council Member Vogt to remove Resolution No. 2016-066 from the table.

On a voice vote, the motion carried and Resolution No. 2018-066 was removed from the table.

Council Member Murdock offered a friendly amendment.

Council Member Bashert agreed to the friendly amendment.

Amended Resolution

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>EXPIRATION</u>
Daquann Harrison (Ward 2) 1118 N. Huron River Dr. #3 Ypsilanti, MI 48198	Police Advisory Commission	2/1/2019
Gail Wolkoff (Ward 2) 1728 Whittier Rd. Ypsilanti, MI 48197	Police Advisory Commission	2/1/2020
Heather Freeling (Ward 1) 422 S. Huron St. Ypsilanti, MI 48197	Police Advisory Commission	2/1/2020
Kathleen McCormick (Ward 1) 407 Ainsworth Cir. Ypsilanti, MI 48197	Police Advisory Commission	2/1/2021

On a roll call, the vote to approve Resolution No. 2018-066 as amended was as follows:

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

VOTE:

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

XVI. COUNCIL PROPOSED BUSINESS –

Vogt

- Stated he sent Council a rough draft of a proposed alternative for the Community Benefits Ordinance. He asked for Council to provide their input on the draft.

Brown

- She had the pleasure of having lunch with some Ypsilanti students, and it was a very positive experience.

Bashert

- She asked if when the Police Department interacts with an individual under the influence of alcohol or a narcotic would they have the choice of entering treatment rather than jail.
- She asked if the city use My Green Power through DTE. The program offers power through all renewable energy sources for higher rates. The program would be in line with reducing the city's carbon footprint.
- She asked why the gate has been locked at Riverside Park.

Ms. Ernat responded the gate is locked during the winter months. Council Member Bashert asked why the gate is closed during the winter. Ms. Ernat replied because there is not snow maintenance during the winter at the parks. Ms. Wessler add the gate will not be open until the road is able to bear the weight of a vehicle. Ms. Bashert stated the city has a road that will not handle the weight of a vehicle during certain times of the year. Ms. Wessler responded it is not an actual road, it is more of a driveway.

- She has reached out to EMU regarding the possible use of its parking structure during the weekends. She expects the conversations to continue and feels positive about the potential outcome.

Murdock

- Asked for an update on 401 E. Forest and 214 N. River. He said 401 E. Forest has not had much work completed. He asked if the demolition by request is still going through the process.

Ms. Ernat responded the process is on hold for a work plan approved by the Administrative Hearings Bureau. Council Member Murdock asked for a date for completion. Ms. Ernat responded there are dates, but weather has stalled work at this point. Mr. Murdock stated 214 N. River has the same issues and he has not seen a permit issued for repairs. Ms. Ernat replied there are two open permits.

- He asked for an update on the Border to Border Trail.

Ms. Ernat responded there are two areas left for remediation, which cannot not be reached. Staff has come to an agreement with the Department of Natural Resources that if those areas are covered either with stone, or asphalt and a bench it will be in compliance. Once the report is approved by a peer review the city will issue a certificate of compliance. As soon as the certificate is received the trail will be reopened.

- He asked what the status is for the Riverside Park playground.

Ms. Ernat replied she is in the process of scheduling a date for a public meeting, which will occur prior to the next Parks and Recreation Commission meeting. Selections for equipment must be made, and staff may have found equipment that fulfills many of the objectives for the equipment. Once staff makes its selection it will be submitted to the Parks and Rec Commission for approval. She hopes the equipment will be installed by late June. Council Member Murdock asked the cost of the equipment. Ms. Ernat responded \$165,000, and the city has received a CDBG for a priority project for \$150,000 and the city has funds remaining from last year's budget allocation not used for demolition. She will also be requesting the county for funding. The equipment is fully ADA compliant and sensory aware, meaning the equipment will be targeted to all ages and abilities.

- He asked for information regarding the appointed Ethics Board members, including their party affiliation.

Mayor Edmonds stated she does not believe party affiliation is known. She asked staff to ask the board for their party affiliation. Council Member Bashert asked why it is necessary to know party affiliation. Ms. Edmonds responded the Charter requires the Ethics Board be politically balanced. She added it is problematic because Michigan does not require voters be registered members of a party. Ms. Bashert stated the problem is Ypsilanti is very unbalanced in terms of affiliation.

- If he has support he would like to bring forth a recycling ordinance that will be based on the Property Maintenance Code, and incorporate rental structures.

Mayor Edmonds stated staff will be working with the Department of Public Services based on what was discussed during the recycling work session. Council Member Murdock responded that work will have no bearing on the adoption of this ordinance. Ms. Edmonds replied it will have a bearing on whether or not she would support an ordinance. Council Member Robb stated the ordinance will affect the Property Maintenance Code, not the city's process for recycling. He added this ordinance will amend the Property Maintenance Code to require a rental with four or more units to provide its own recycling services.

Mr. McClary stated Council's directive was for staff to bring forth additional information and a draft ordinance for Council's review and discussion. The ordinance would require recycling participation from multi-unit properties. Council Member Bashert stated it appears what is being requested is already in process.

- If he has support he would like to bring forward an ordinance requiring notification of an expiration of affordability of subsidized housing, and the intent of the owner. He would also like the ordinance to include tenant protections in those housing units. He would also like to add condo conversions.

Mayor Edmond offered her support in the drafting of that ordinance. Council Member Murdock asked how many subsidized projects are in the city, and when their agreements expire.

- He stated the city has an obligation to provide a dedicated downtown police officer through its contract with the Downtown Development Authority. He asked what is the city is doing to meet its contractual obligations.

Mr. McClary replied that will be a topic of budget discussion. Council Member Murdock stated that is not soon enough for a resolution. Mr. McClary replied he does not have answers at this point because staff is still working to balance the budget. Mr. Murdock asked if all the budgeted positions are filled at the Police Department. Mr. McClary replied there is one vacancy currently being filled. The individual is currently completing training at the academy and will begin patrol work in early May. He added a downtown dedicated officer is something that will require allocating additional resources. Mr. Murdock responded he feels the answer is simpler, if the department does not have enough staff to fulfill the city's obligation the staff needs to be increased, or the city needs to inform the DDA it will not be providing the officer. Mayor Edmonds interjected Council made the decision to cut three officer. Mr. Murdock responded he understands, but the city still has that obligation. If the city cannot fulfill that agreement it is staff's obligation to inform Council. The DDA has not officially said anything regarding the officer and have been very patient. Mr. McClary stated the Police Chief has addressed Council regarding the limits in staffing and the city could not meet this obligation. Over the past year the Police Department has reduced its staff by six positions. This will require Council making decisions regarding staff levels for the Police Department as a part of budget discussions. Mr. Murdock replied he will be submitting a resolution to Council requiring the filling of that position as soon as possible. Mr. McClary responded the cost for a police officer is roughly \$100,000 annually.

XVII. COMMUNICATIONS FROM THE MAYOR –

- She spoke to the individuals installing solar panels on Parkridge Center. The installers were a part of a pilot program to provide training to residents.
- She and Dave Strenski will be in Kansas City next week to accept an award for solar power on behalf of the city.
- The Climate Mayor's Call had an interesting presentation from Moody's, which will now look at sustainability and resilience as a part of the credit rating it gives cities.
- She has been working with teens over the past year and have created a pilot called "Place at the Table".
- Several public Officials from each level of government have visited schools in the area during lunch. There will be additional dates in April if anyone would like to participate.
- She thanked the Police Department and the Public Services Department for their assistance during the student protest at Riverside Park. She then took part in a march at Ypsilanti International Elementary School and then took questions from the fifth grade class.

XVIII. COMMUNICATIONS FROM THE CITY MANAGER –

- He provided an update on the China trip investigation report which will be given to the Attorneys Office next week.
- He provided an update on how the Municipal Services Agreement for Chidester will be calculated. Based on his calculations the December to December to payment should be \$41,408. He recommends using the December to December method rather than the averages.
- His report includes additional information regarding 401 Forest and 214 River.
- He is working with staff to gather information regarding investments in gun manufacturers and Prison Operators.
- The dates for the budget session and community benefits ordinance work session have been scheduled.

Ms. Ernat stated staff held a meeting with community landlords regarding inspection fees. She will be emailing the proposed changes to Council. She explained the fee for re-inspections was not well received and will be removed, and the fees will be adjusted. Council Member Murdock asked if staff is going to explore using better technology for inspections. Ms. Ernat responded in the affirmative, and staff is scheduling to shadow neighboring communities that use newer technology. Staff is also soliciting quotes for this technology and software.

Council Member Murdock stated the city has roughly 42,000 rental units to inspect annually, and per the staff memo half of the inspections require a re-inspection. That would result in 6,000 inspections annually, and at five hours per inspection it is impossible with only three inspectors. Ms. Ernat replied in the affirmative, and explain part of the solution is to transition to a three year certificate. That program will be first piloted with single family rentals and if successful incorporate multi-family units. Mr. Murdock stated in order to successfully complete all inspections the city will need additional staff which could affect the cost of an inspection. Ms. Ernat responded the five hours does incorporate re-inspections. Council Member Robb interjected the city completed 2,000 inspections last year, and of those only 1,300 were unique units. He explained the city is on a five year cycle rather than a five year. Ms. Ernat replied due to staff shortages last year was an outlier. Mr. Murdock stated the intent is to build an effective program.

Council Member Bashert asked if the municipal software being discussed incorporates this issue. Mr. McClary responded the connectivity will be a part of the issue, but the municipal software will not. Ms. Bashert stated every conversation regarding technology will ultimately come down to bandwidth.

Council Member Murdock stated many at the meeting were interested in being charged by the hour, which he feels would be impossible. Ms. Ernat agreed, and stated it would not be to anyone's benefit.

XIX. COMMUNICATIONS –

Nominations

Ypsilanti Community Utilities Authority

Jon Ichesco (Reappointment)
1218 Pearl
Ypsilanti, MI 48197

Police Advisory Commission

Michael Stone-Richard (Ward 3)
844 Railroad
Ypsilanti, MI 48197

Andy Fanta (Ward 2)
1221 Westmoorland
Ypsilanti, MI 48197

XX. AUDIENCE PARTICIPATION –

1. Sue Melke, 330 Chidester #409, asked when the public will hear the results of the China trip investigation.

Mr. McClary responded that decision will be made by Council Members not listed in the investigation.

XXI. REMARKS FROM THE MAYOR –

XXII. CLOSED SESSION –

~~Closed Session to discuss personnel evaluation pursuant to OMA 15.268, Section 8(a)~~ **(Removed)**

XXIII. ADJOURNMENT –

Resolution No. 2018-070, 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: Mayor Pro-Tem Brown

On a voice vote, the motion carried, and the meeting adjourned at 9:19 p.m.