



**CITY OF YPSILANTI
REGULAR COUNCIL MEETING
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, APRIL 17, 2018
6:00 p.m.**

I. CALL TO ORDER –

The meeting was called to order at 6:04 p.m.

II. ROLL CALL –

Council Member Bashert	Present	Council Member Robb	Present
Mayor Pro-Tem Brown	Absent	Council Member Vogt (7:45)	Present
Council Member Murdock	Present	Mayor Edmonds	Present
Council Member Richardson	Present		

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

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 –

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

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

VI. CLOSED SESSION -

Closed session to discuss collective bargaining strategy pursuant to OMA 15.268, Section (8)(c)

Council Member Richardson moved, seconded by Council Member Bashert to adjourn to Closed Session.

On a roll call, the vote to adjourn to Closed Session was as follows:

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

VOTE:

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

Adjourned to Closed Session at 6:08 p.m.

Reconvened to Open Session at 7:07 p.m.

VII. INTRODUCTIONS

Mayor Edmonds introduced the following individuals; City Manager Darwin McClary, City Clerk Frances McMullan, City Attorney John Barr, Assistant City Attorney Dan DuChene, Interim Economic Development Director Joe Meyers, City Planner Bonnie Wessler, and DPS Director Stan Kirton.

Council Member Bashert moved, seconded by Council Member Murdock to hear Resolutions No. 2018-082, Ozone House PUD, next on the agenda.

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

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

VOTE:

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

VIII. ORDINANCES – FIRST READING –

Ordinance No. 1307

1. Ozone House Planned Unit Development (PUD) for 1600 Huron River Drive (Huron/Superior vacant lot)
 - A. Resolution No. 2018-082, determination

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, the City of Ypsilanti supports the provision of adequate social services for its residents, particularly youth; and

Whereas, Ozone House is a reputable provider of such social services; and

Whereas, Ozone House has proposed to consolidate many of their services to a newly constructed site at 1600 Huron River Drive; and

Whereas, the Planning Commission has reviewed the application for a Planned Unit Development, and has recommended approval.

Now therefore be it resolved that the Ypsilanti City Council adopt the ordinance entitled "Ozone House Planned Unit Development" and approve the associated Planned Unit Development Agreement on First Reading.

OFFERED BY: Council Member Bashert

SECONDED BY: Council Member Murdock

City Planner Bonnie Wessler provided a synopsis of why this resolution was submitted for approval.

B. Open public hearing

1. Najah Graham, 1560 S. Harris, stated the importance of Ozone House to be approved this PUD, many local young people depend on the facilities services. It allows young people to have a stable home and environment.
2. Brendie Bottles, 104 Best Hall, stated Ozone House has been a tremendous support for her. She has been receiving PTSD treatment which has saved her life. Sometimes she has car troubles and moving Ozone House closer will help to ensure she is able to get to the treatment she needs.
3. Sakinah and Zakiyyah Rahman, spoke in support of Ozone House and have personally benefited greatly for the services Ozone House has provided. The proposed new location will assist greatly in expanding services.
4. Krista Girty, Executive Director, stated it makes since for the Ozone House to be located in Ypsilanti because 80% of the people the facility serves reside in this city.
5. Emily Swan, 331 Vinewood Ct., supports Ozone House the services they provide are invaluable to the community.
6. Ramone Williams, Ann Arbor, stated while he attended Eastern Michigan University he was homeless and although he was out of the age range of those assisted by Ozone House they still provided services. If Ozone House secures this property it would be able to consolidate all of its services to one building.

C. Resolution No. 2018-083, close public hearing

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Public Hearing for "Ozone House Planned Unit Development" be officially closed.

OFFERED BY: Council Member Bashert

SECONDED BY: Council Member Richardson

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

Mayor Edmonds stated she is excited about this project moving forward and appreciates the work completed by staff.

Council Member Murdock asked for clarification for what this will approve. Ms. Wessler stated essentially a Planned Unit Development is just a zoning change. She explained the agreement was included in the packet and the site plan would be recorded with the Register of Deeds. Mr. Murdock asked the status of the purchase agreement for this property. Ms. Wessler replied the purchase agreement is still active and will not expire until May 21st. Mayor Edmonds asked when the

purchase agreement will be back before Council. Ms. Wessler replied she does not believe the purchase agreement will require another extension. Mr. Murdock believes this will be the last action Council takes for this project.

Council Member Bashert asked about the concerns regarding the geo-technical issue with the site. Ms. Wessler responded those issues have all been resolved.

Council Member Robb stated will happen if the zoning is changed and the sale is not executed. Ms. Wessler replied the property is zoned for this project, however, a clause is included that if this project is not begun by a certain date the zoning change is terminated.

Council Member Bashert is pleased and excited this project is continuing to move forward, and it will be a wonderful addition to the city.

On a roll call, the vote to approve Resolution No. 2018-082 was as follows:

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

VOTE:

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

Council Member Bashert Moved, seconded by Council Member to amend the agenda and hear Resolution No. 2018-042 next, along with Audience Participation for that item.

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

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

VOTE:

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

IX. AUDIENCE PARTICIPATION RESOLUTION NO. 2018-042 –

1. Andrew Maniotes, 911 Grant, urged Council to vote no on Resolution No. 2018-042. He has concerns this merger with a private business will take jobs away from university students. The students are also residents of this city and the money they earn will filter back into the community. Many of the faculty and union are proud residents and urge Council to vote no.
2. Judy Kullberg, EMU Professor, urged Council to vote no, the privatization of parking will add to the already high burden to pay for education. Privatization always adds to cost and decreases quality of service. She stated this agreement contains ethical issues including a lack of transparency. A full discussion has not been had with the community and the content of the agreement has not been made available. She believes the agreement contains several questionable elements. Many universities that have privatized its parking have seen a loss in revenue and operational control of its parking system.

3. Mark Higbee, 704 Hemphill, thanked Council for their hard work. He claims the reason the university is privatizing its parking system is the university wants to subsidize football on the backs of the students. The university is in a deficit because of the football and other athletic programs. Management has decided to eliminate four of the least expensive sports and continue programs that cost the most and have never been competitive. It should be easier to attend the university and more attractive to live in the city of Ypsilanti. The key to achieve those goals is to have an attractive campus and a high quality of life in the city. It is strange EMU is entering into an agreement with an Arizona corporation, it has nothing to do with education it is about giving money to private companies. This does not make good sense.
4. Alex Nuttle, 116 Pitman, urged Council to vote no on Resolution No. 2018-042. He explained the university has done little to communicate details of this agreement. EMU has a history of ignoring the student body, except a few student leaders whose only purpose is to give the administration positive feedback on disastrous policy. This country is reaching a point that the quality of higher education is decreasing because of privatization. If Council wants to stand in solidarity with the students of EMU vote no.
5. David Schuett, 137 S. Grove, stated he is both a student and employee at EMU. He has issue with the privatization of EMU's parking system. As an employee of the university he makes very little and the cost of a parking permit is \$155 a semester. He is forced to pay that cost each semester so that he can go to work. He asked Council to vote no on the resolution.
6. Sam Jones-Darling, 122 Phelps Hall, stated this is not about the privatization of parking it is about the decreased experience for EMU students. The university needs to maintain control over parking to help finance needed renovations to university facilities. The \$55 million would provide the university the ability to bond to make the improvements to its facilities and expand public transportation. By saying no to this resolution Council would say no to the College of Technology and saying no to the students. He encouraged Council to vote yes to approve this resolution.
7. Annie Sommerville, 40 E. Cross, stated she is about to graduate from EMU and she is not proud of many of the decisions made by the university. She believes the privatization of departments at the university is a bad deal. She does not feel privatization of parking will benefit the university, and the funds created from the privatization will not be used to benefit the students. The idea that EMU puts education first has never been true. She urged Council to vote no.
8. Miles Payne, EMU Student Body President, stated student government recently held a vote regarding what they would do if they were in City Council's place. The outcome was eleven affirmative votes and five no votes. He asked Council to keep that in mind that those elected to speak for the students voted to approve this agreement. The deal will go through regardless of Council's vote, the only change will be the amount the university receives will decrease from \$55 million to \$45 million. However, he disagrees with the Board of Regents plan to move forward with the athletic complex and he has pleaded with the administration to be more transparent. He pleaded with Council to pressure the university to be more transparent.
9. Charles Cunningham, 1007 W. Cross, urged Council to vote against the resolution. He does not feel this agreement is good for Ypsilanti residents. City tax payers would be subsidizing private equity profit making. If the bond holder does not get their returns they will go after whomever they can, and the city could become a target. He asked Council not to be fooled by statements that a no vote will cost the university \$10 million. This will only allow the university to leverage more debt.

10. Desirae Simmons, 407 Charles St., stated EMU needs to be held accountable as a good neighbor to Ypsilanti. The people being laid off by the university are Ypsilanti residents and it is clear EMU is not a good neighbor. She is tired of hearing public-private partnerships are a good thing for the public. EMU made this decision prior to discussing it with the city and assumed the city would approve it without much regard. She asked Council to vote no.
11. Rodney Casey, Ypsilanti Township Delegate, urged Council to vote no on this resolution. He does not want the cost for parking to continue to increase drastically over the thirty-five year contract.
12. Daric Thorn, 190 N. Washington, stated He is the teacher's union president and he is tired of having to fight with the university. He said he would not have to fight if the university would have a conversation with the union. The university's regents are appointed by the governor and are accountable to only that office. The Council has an opportunity to hold the university accountable, and asked that they do that. He urged Council to vote no.
13. Allison Winters, 706 Pearl St., stated three out of the four residents of her apartment work for EMU parking, and have had difficulties with align work schedules with class schedules. She asked Council to vote no on this resolution.
14. Robin Lucy, 1105 Pearl St., stated the only time the school's motto of education first has been brought up tonight has been by students. This speaks volumes about the problems with the university. If education is first administration needs to be held accountable.
15. Ian Robinson, Lecture Union President, asked Council to vote no on Resolution No. 2018-042. He finds it very interesting EMU administration would rather take \$10 million in losses than submit the agreement for public scrutiny.
16. Riley Murray, 1015 Holmes, stated he is a freshman at EMU and asked Council to vote no.

X. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2018-042, approving the issuance of revenue notes for the Eastern Michigan University Parking System ***(Postponed 3/6/2018)***

Mayor Edmonds asked for clarification about the property being tax exempt, and if it could become taxable. City Attorney John Barr responded bonds can be both taxable and non-taxable. It depends on the internal revenue code if bonds are tax exempt, which there are many different codes. The specific code in this matter is a private activity bond, and the rationale is the government feels it does not have sufficient funding to perform a task and creates a partnership to bring in private funding. In order to facilitate that partnership certain bonds are tax exempt. The code requires the bond be issued by a governmental entity, and there is nothing in the code that ties the governmental agency to those bonds. Ms. Edmonds asked if this land could ever become taxable. Mr. Barr responded at the present state of the law this does not change the ownership of the property, nor the taxable status of the property. There would need to be a change of the law in order for that to be altered.

Council Member Murdock asked what the city's responsibility for the issued bonds. Mr. Barr responded the city has no obligation for these bonds. Mayor Edmonds asked if the concessionary defaulted would the city have any obligation. Mr. Barr responded no.

Council Member Richardson stated when Council postponed this resolution in March it requested the university to communicate with the stakeholders affected by this issue. She stated Council is hearing that was not done and she would like to hear from both sides. Chief Financial Officer Mike Valdez replied the agreement was shared with the faculty senate. Ms. Richardson asked if an open session was held that faculty and staff spoke with the administration. She

stated major decisions should be discussed by those most affected to avoid situations like this. Mr. Valdez replied there was not an off campus invitation to discuss this issue. Vice President of Communications Walter Kraft urged Council to vote to approve this resolution. There is something that is not being discussed, and that is the role this program will play in bringing new people to the campus. Michigan has a declining population of high school students, which has impacted enrollment at schools across the state. Community College enrollment is also declining leading to fewer transfer students. New funding sources must be identified in order to maintain the university. The ultimate objective of this parking agreement is to support the effort to enroll more students. Mayor Edmonds asked what the scenarios are if Council votes no to this resolution. Mr. Kraft replied most likely the program would be financed through taxable bonds, which would ultimately result in less upfront payment for the university. Preliminary estimates state a \$10 million reduction.

Council Member Bashert stated during the March meeting when this resolution was first heard she suggested having a dialogue with those affected by this agreement. It was not a requirement but a strong suggestion, and it is clear that suggestion was not taken. She thinks this will move forward regardless of Council's approval, and the health of the EMU community will be negatively if not more transparent in the future.

A Faculty Senate Member stated there has been no discussion regarding parking at the senate. There has not been an effort to share the agreement with faculty.

Mayor Edmonds asked how and when the agreement was shared with EMU's campus. Mr. Kraft stated a statement was released last May the university was considering privatizing parking. There was then discussion at the Board of Regents of which a notification was released. Ms. Edmonds asked if the agreement would have been available online for review. Mr. Kraft responded he is not certain. Mr. Valdez added the agreement has not been publically posted.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YPSILTANI, MICHIGAN,
APPROVING THE ISSUANCE BY THE Arizona Industrial Development Authority OF ITS
REVENUE NOTES, IN ONE OR MORE SERIES, IN AN AGGREGATE PRINCIPAL AMOUNT
NOT TO EXCEED \$65,000,000, TO FINANCE CERTAIN ACQUISITION COSTS RELATING**

TO THE EASTERN MICHIGAN UNIVERSITY'S PARKING SYSTEM FOR

Provident Group – EMU Properties LLC

WHEREAS, Preston Hollow Capital, LLC ("PHC") and the Board of Regents (the "Board") of Eastern Michigan University (the "University") are parties to the Concession Agreement for Eastern Michigan University Parking System, dated as of January 4, 2018 (the "Concession Agreement"), pursuant to which, in consideration of the concession payment (the "Concession Payment") to be made by PHC to the University, and certain other consideration, and subject to the terms and conditions of the Concession Agreement, the Board will grant to PHC an exclusive and irrevocable right for and during the term of the Concession Agreement to operate the University's Parking System (as defined below) and to provide Parking System services in connection therewith;

WHEREAS, PHC and Provident Group – EMU Properties LLC (the "Borrower"), an Arizona limited liability company, are entering into an assignment and assumption agreement, pursuant to which all of the rights of PHC under the Concession Agreement will be assigned to, and all of the obligations of PHC under the Concession Agreement will be assumed by, the Borrower;

WHEREAS, the sole member of the Borrower is Provident Resources Group Inc., a Georgia nonprofit corporation and an organization described in Section 501(c)(3) of the Internal Revenue Code 1986, as amended (the "Code");

WHEREAS, the Borrower has requested the assistance of the Arizona Industrial Development Authority (the "Authority"), an Arizona nonprofit corporation designated as a political subdivision of the State of Arizona, incorporated with the approval of the Arizona Finance Authority, pursuant to the provisions of the Constitution and law of the State of Arizona and the Industrial Development Financing Act, Title 35, Chapter 5, Articles 1 through 5, Arizona Revised Statutes, as amended (the "Act"), to issue its revenue notes, bonds or other obligations, in one or more series, in an aggregate principal amount not to exceed \$65,000,000 (the "Notes"), the proceeds of which will be used to make a loan to the Borrower to (a) finance the Concession Payment to use, operate, manage, maintain and rehabilitate the University's parking system, consisting of approximately 1,145 parking garage spaces, 8,309 parking lot spaces and any metered or permitted parking spaces designated as such by the University and located on the roadways and rights-of-ways within the University, including the parking system assets and improvements forming a part of and used in connection with the operation of such parking facilities (collectively, the "Parking System"), (b) finance other required amounts in connection with such acquisition, including certain permissible working capital costs, (c) fund certain reserves as may be required, and (d) finance costs of issuance of the Notes (collectively, the "Project");

WHEREAS, the Parking System, located in the City of Ypsilanti, County of Washtenaw, Michigan (the "City"), is presently is owned by the University and will be owned and/or operated by the Borrower (or its assignee) under and pursuant to the Concession Agreement exclusively for the benefit and support of the University and its students, faculty, visitors and staff, and assisting or otherwise supporting the educational mission of the University;

WHEREAS, pursuant to Section 147(f) of the Code, the financing of the Project and the issuance of the Notes by the Authority requires approval, following a public hearing, by the applicable elected representative of the governmental unit having jurisdiction over the area in which the Project is located;

WHEREAS, the City Council of the City (the "City Council") is the elected legislative body of the City and is one of the applicable elected representatives eligible to approve the Notes and the financing of the Project under Section 147(f) of the Code;

WHEREAS, the Borrower has requested that the City Council approve the issuance of the Notes and the financing of the Project in order to satisfy the public approval requirement of Section 147(f) of the Code;

WHEREAS, the notice of the public hearing (the "TEFRA Notice") was published in the Washtenaw County Legal News not less than 14 days prior to the date of the public hearing and the TEFRA Notice is attached hereto as Exhibit A;

WHEREAS, on March 6, 2018, a public hearing was held by the City Council at the time and place set forth in the TEFRA Notice with respect to the issuance by the Authority of the above-referenced Notes for the purpose of providing financing for the Project;

WHEREAS, such public hearing was conducted in a manner that provided a reasonable opportunity to be heard for persons with differing views on both the issuance of the Notes and the location and the nature of the Project which is to be financed by the Notes;

WHEREAS, attached hereto as Exhibit B are the minutes of the public hearing prepared by the City Clerk of the City (the "City Clerk"); and

WHEREAS, the City Council now desires to approve the issuance of the Notes and the financing of the Project for the purposes of Section 147(f) of the Code;

NOW, THEREFORE, IT IS RESOLVED, DETERMINED AND ORDERED by the City Council of the City of Ypsilanti, Michigan, as follows:

Section 1. It is the purpose and intent of the City Council that this resolution constitutes approval of the issuance of the Notes and the financing of the Project for the purposes of Section 147(f) of the Code by the applicable elected representative of the governmental unit having jurisdiction over the area in which the Project is located, in accordance with said Section 147(f) of the Code.

Section 2. The City Clerk and applicable officers of the City Council are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents which they deem necessary or advisable in order to carry out, give effect to and comply with the terms and intent of this resolution and the financing transaction approved hereby.

Section 3. Nothing in this resolution shall be construed to create any obligation or liability of the City in any respect whatsoever pertaining to the Notes. No statement, representation or recital herein shall be deemed to constitute a legal conclusion or determination that any particular action or proposed action is required, authorized or permitted under the laws of the State of Michigan, the State of Arizona or the United States. The Notes are not issued by the City or on behalf of the City but are issued by the Authority pursuant to the laws of the State of Arizona on behalf of the Borrower. The Notes shall never constitute an indebtedness or pledge of the City within the meaning of any constitutional or statutory provision, and the owners of the Notes shall never be paid in whole or in part out of any funds raised or to be raised by taxation or any other revenues of the City.

Section 4. The City Clerk shall forward a certified copy of this resolution to:

**Orrick, Herrington & Sutcliffe LLP
777 South Figueroa Street, Suite 3200
Los Angeles, California 90017-5855
Attention: Sean Baxter**

Section 5. This resolution shall take effect immediately upon its adoption on this 17th day of April, 2018.

PASSED AND DULY ADOPTED at a regular meeting of the City Council of Ypsilanti, Michigan on this 18th day of April, 2018.

OFFERED BY: Council Member Murdock

SECONDED BY: Council Member Vogt

Mayor Edmonds stated during the March meeting there was great discussion on the need for greater community engagement. It is clear that has not happened in a way people feel was adequate. She does not feel the university should be prioritizing athletics above education.

Council Member Bashert stated this has been a highly charged situation. She has personal and political issues with privatization of public responsibilities. There is always a cut in services and an increase in cost and that is not being acknowledged. There has been a theme of privatization on EMU campuses, and she wishes the vote was against privatization. Unfortunately, the vote is for a bond issue. EMU is not making the hard choices, and are blowing up their community as a result. She stated she will be reluctantly voting yes.

Council Member Richardson stated she is disappointed this agreement has already been settled. The only thing Council is voting on is whether EMU will be getting \$55 million or \$45 million. It is unfortunate this wasn't decided as a whole community, and she is firmly against privatization. She would like to see the university and the city working together, and for the university to be open with its own people. The university should have approached the city much sooner, and said it was not fair to put Council in this position. If this vote was for the privatization it would be undoubtedly no, but she is voting for the \$10 million for the university.

Council Member Vogt stated he shares the comments of Council, and is disappointed of the behavior of EMU administration's appointment. The issue is with Lansing, and nothing will improve until there is a change in leadership. He will reluctantly vote to approve this because the vote is not about those issues, it is about the specific bond and \$10 million.

Council Member Robb stated Council deals with contentious issues all the time. Council does not have power over this contract, but ultimately this is about privatization. However, he is offended Council is being inserted into a process that it has no control. He does not believe Council should be involved in a process that it does not control.

Mayor Edmonds asked if the city votes against this there would be an opportunity to get tax exempt bonds from the state. Mr. Valdez responded the TEFRA law allows for the jurisdiction the assets are in to approve the bonds. So the City of Ypsilanti, Washtenaw County, or the State could approve the bonds. Ms. Edmonds asked if this body votes no, would EMU approach one of the other entities for approval. Mr. Valdez responded he is not certain.

Council Member Murdock stated he is against privatization, but whether or not this vote is about privatization it is not a good vote. When this was brought to Council in March, it was the first time he was aware the city was a part of the process. This resolution was postponed in order for EMU to provide two things; to meet with affected parties, which did not happen to the degree Council had hoped, and what community benefit would this agreement provide to the city. The benefit was the university would return a portion of the North Washington St. lot back to the city. EMU's administration seem to be willing to move forward with that proposition. He does not feel comfortable with making this vote, but as Council Member Richardson said the agreement has been made, and a no vote would only result in \$10 million less for the university.

Mayor Edmonds stated she has given this issue much consideration. It is Council's duty to vote on what is presented to them, and has received clarification on most questions she has had. She feels it is very unfortunate Council is in this position by proxy. She is going to vote no on this resolution, and feels there are other options for EMU. Many times Council has been drawn into EMU issues is because of EMU's administration to be transparent.

Council Member Richardson stated the city is working on developing a community benefits ordinance, and hopes EMU will respect that ordinance. She will be asking the city to provide greater benefits for the city, especially in Ward 1.

On a roll call, the vote to approve Resolution No. 2018-042 was as follows:

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

VOTE:

YES: 4 NO: 2 (Robb, Edmonds) ABSENT: 1 (Brown) VOTE: Carried

XI. PRESENTATIONS –

Mayor Edmonds read a prepared statement regarding her involvement in city official’s trip to China and the source of its funding. If Council votes to censure her she will not be requesting a hearing to dispute it.

XII. AUDIENCE PARTICIPATION –

1. Rae, Ypsilanti residents, stated regardless of how she feels about Council and their professional behavior they are her community members. She is disappointed, not in just those who took the trip to China, but all members of Council other than Council Member Richardson. Council was willing to sell the city out for the proposed International Village. Information was not shared with the community, which was not acceptable. The City Attorney and City Manager should have stopped the china trip.
2. Daniel Ing, 215 Woodward, stated he understands ongoing frustration with Water Street. He encouraged Council to continue looking for a developer for this site. He asked Mayor Edmonds to resign.
3. Zack Fosler, YHC Executive Director, voiced his support for the bike share pilot. This would be a great program for the community.
4. Emily Swan, 331 Vinewood, stated she supported having outside Counsel investigate the funding source of the China trip. She read the legal report and the article in Metro Times by Tom Perkins and the more she read is there is no definitive proof. Without proof there is no case and Council should only vote yes to censure based on facts.
5. Sam Jones-Darling, 122 Phelps, stated the mayor should not be the scapegoat because Council did not do its due diligence. Council’s job is to manage the City Manager and his job is to manage staff, and staff made the error. The report implicates a former employee and the developer of a possible legal act, but it does not implicate the Mayor.
6. Bryan Foley, Ypsilanti resident, stated there is a plan by Ypsi Proud that would change the tennis court into a soccer court. The report claims the tennis court is unused, which is untrue. He takes issue that Ypsi Proud is going to make that change if the community wants it or not. It is very offensive to have an organization tell a community what they are going to do.
7. Patrick Elkins, 810 W. Jefferson, Ann Arbor, invited everyone to Totally Awesome Fest on April 27th through the 29th.
8. Jim Sundberg, 1309 Collegewood, stated the assumption of good intentions is important for building strong communities. He and his wife have been following the issues regarding Water Street, and prior to the trip to China City Council to approve the purchase process and the overall

development of the site. At the time of the trip the funding source appeared to be a student organization and not the developer. The intention of the trip was to gain information on Chinese architecture and financing. There is no official gain of perusing any type of criminal charge and he would see it as a waste of time.

9. Andy Fanta, 1221 Westmoorland, stated there are two things that face Council; one is an emotional motivation to censure the mayor and another is a legal motivation. Censuring the mayor would achieve nothing in the terms of the mayor's immediate career. What it will do is give the city a black eye and divide the community. If something like this happens again he implores Council to have the City Attorney investigate.
10. Cheryl Farmer, 214 N. Huron, stated on February 26th she submitted an Ethics Complaint to Council Member Brian Robb. The complaint was in reference to work Mr. Robb performed in his yard without an HDC permit. No one is above the law and elected officials in particular have a responsibility to follow the law. She is still waiting for Council to take action, while the China trip report resulted in a resolution of censure of the Mayor. The report is incomplete and all those who went on the trip were not interviewed. She asked if the Council will show the Mayor the same restraint they showed Council Member Robb.
11. Alex Husted, 430 S. Adams, stated Ypsilanti City Council does not care about public comment, which was very clear when Council voted the International Village.
12. Katy Clark, 430 S. Adams, stated she finds it disrespectful the Mayor said she was the only one to ask questions regarding the funding of the China trip. Questions were raised by community members. She is in support of censuring the Mayor and forwarding the report to the Washtenaw County Prosecutor.
13. An Audience member stated leadership is characterized by service. Asked the Mayor to resign immediately. Local activists led the questioning of the funding, and the claims the developer was funding the trip.
14. Christian Ken, Horton Ct, stated he is a mechanical engineering student at the University of Michigan. He would not be the person he is today without the love, mentorship, and support of Mayor Edmonds. Ten years ago Mayor Edmonds gave him the opportunity for his first professional job at growing hope. During his tenure he witnessed the impact the organization had on the community. He asked Council to stand with Mayor Edmonds because of her character and love for the city.
15. Michael Simmons, 128 Bell, stated his comments are concerning the Bell/Kramer issues later in the agenda. He appreciates Council for their efforts in contamination testing and rezoning the neighborhood back to residential. Regarding the trip to China he entrusts Council to make the appropriate decision.
16. Bob Krzewinski, 706 Dwight St., urged Council to vote to approve the bike sharing pilot program.
17. Mike Gibbons, 110 N. Hamilton, stated he is struck by the fact Council members who voted for the International Village Development are now planning to vote to censure. He is not clear what is to be gained politically from the vote. He believes the Mayor acted imprudently not maliciously. It is time to take the lessons of this incident and move forward, and not forward the report to the Michigan State Police.

18. Amy Shrodes, River St., stated there are four members on the Ethics Board and she is aware of another person who applied in January and is still waiting for a response. She does not understand why there is not a full Ethics Board. The public comment was three full days prior to the China trip so many people were asking questions. Accountability lies with all of Council and she does not see the benefit of censuring one person.
19. Quinn Philips, thanked the City Manager for not renewing the former Economic Development Director's contract. She appreciates Council for taking the time to complete the investigation. The City Manager should have done his due diligence, and should not have been a part of hiring of the investigation. She said the Mayor lied several times during this investigation. Council should vote to terminate Mr. McClary.

Council Member Bashert moved, seconded By Council Member Vogt to extend until midnight.

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

20. Nathanael Romero, resident, thanked everyone for their comments and Adam Gainsley for providing a live stream of Council meetings. He agreed with the previous Economic Development Directors comments regarding Water Street during the last Council meeting. Particularly, the comment that a marketing strategy should wait until the approval of a community benefits ordinance and an update to the master plan. He supports the Council's involvement with the REDY movement and the approval of the HRC resolution to hold a budget town hall. He does not believe the Mayor is solely responsible for the China trip, but she should have done more due diligence. The City Manager should also have done his due diligence.
21. Brian Geiringher, resident, emphasized the need for "neighborliness" which he has seen during meetings to discuss a CBO. He added not voting for a project that would add to gentrification would be neighborly.
22. Julia Bayha, 401 Michigan Ave, stated she is a member of the Sustainability Commission she is incredibly interested in creating a sustainable world. She is disturbed Ypsilanti is not putting its full weight behind solar power issues. There are millions of dollars at stake that could put Ypsilanti in a better place economically.
23. Janette Rook, 200 W. Michigan Ave., stated she has seen Ypsilanti transform over the past couple of decades, in part due to Mayor Edmonds. She asked Council to not vote to censure to Mayor Edmonds, and believes staff and elected officials were trying to do their past for this town. Clearly mistakes were made and have had an impact on their lives and the lives of their families. She stated just because people did not attend a public meeting does not mean they were not initially in support of the International Village Development. There were many good things about the proposed project.
24. Rebecca Thomas, 320 N. Adams, commended the activists who put in a lot of work to research the International Village Development. The censure of Mayor Edmonds appears to be an entirely political maneuver.
25. Adam Gainsley, 409 N. Adams, stated as a DDA Board member he has a close view of what his board and many other city boards are doing. There is a lot to do with the 38 acre Water Street site and there is a lot of money tied to it. He appreciates the politics involved with the site, but they are not important at this moment. He does not have a good argument against turning the investigation over to the Michigan State police, but it does not make sense to censure the Mayor.

26. Desirae Simmons, 407 Charles, stated her concerns that there are a lot of questions that have not been answered. She believes Council and staff should have done its due diligence with the China trip. She stated just being against the International Village Development does not mean they are against all development. She believes the investigation should be turned over to the state police. She added there needs to be greater accountability for building inspections.
27. Sue Melke, 330 Chidester, stated she was in support of the International Village Development. She believes if public were to pay attention they would have been aware of what was happening, it was not a secret. She does not believe censure is appropriate and believes all of Council should be held accountable.
28. Jesse, resident, thanked the activists who released the information. She said the impact of a decision is more important than intention and people should be held accountable.
29. Taylor Field-Qudoga, 201 N. Washington St., stated what you do affects people, impact matters. She does not care if city officials did not mean to take a bribe.

XIII. REMARKS BY THE MAYOR –

XIV. ORDINANCES – FIRST READING –

Ordinance No. 1307

2. ~~Ozone House Planned Unit Development (PUD) for 1600 Huron River Drive (Huron/Superior vacant lot)~~
 - A. ~~Resolution No. 2018-082, determination~~
 - B. ~~Open public hearing~~
 - C. ~~Resolution No. 2018-083, close public hearing~~

(Moved and heard following the Closed Session)

Ordinance No. 1308

1. Bell-Kramer Well Prohibition
 - A. Resolution No. 2018-084, determination

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled “An ordinance to amend Chapter 106, Article III, Division 3 “Groundwater Wells” of the Ypsilanti City Code to regulate the use of groundwater in certain areas of the City.” be approved on first reading.

OFFERED BY: Council Member Richardson

SECONDED BY: Council Member Bashert

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

- B. Open public hearing
 - None
- C. Resolution No. 2018-085, close public hearing

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the public hearing for “An ordinance to amend Chapter 106, Article III, Division 3 “Groundwater Wells” be officially closed.

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

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

- 2. Former City Landfill Well Prohibition
 - A. Open public hearing

None

- B. Resolution No. 2018-086, close public hearing

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the public hearing for "An ordinance to amend Chapter 106, Article III, Division 3 "Groundwater Wells" be officially closed.

OFFERED BY: Council Member Richardson
SECONDED BY: Council Member Vogt

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

Council Member Richardson thanked staff for the work they did to correct an error from the past. She applauded the Bell-Kramer neighbors for their patients.

Council Member Bashert stated there are issues like this occurring all over the state. This is a relief for Council and staff and she is very excited this neighborhood is satisfied.

Council Member Vogt thanked Council, especially Council Member Richardson, and staff. He is apologetic this was not completed quicker, but he is glad it was brought to a positive conclusion.

On a roll call, the vote to approve 2018-084 was as follows:

Mayor Pro-Tem Brown	Absent	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: 6 NO: 0 ABSENT: 1 (Brown) VOTE: Carried

XV. CONSENT AGENDA I –

Resolution No. 2018-088

- 1. Resolution No. 2018-089, approving minutes of April 3, 2018

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of April 3, 2018 be approved.

- 2. Resolution No. 2018-090, approving contract with Carr’s Outdoor Services, Inc. for the 2018 City of Ypsilanti Pavement Maintenance Program

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, bids were duly advertised for The City of Ypsilanti Pavement Maintenance Program; and

Whereas, four (4) bids were publicly opened on Wednesday, April 21, 2018 at 2:00 p.m. and reviewed for compliance with bidding qualifications and project specifications; and

WHEREAS, the bid submitted by Carr's Outdoor Services, Inc., 48910 Ford Road, Canton, MI 48187 best meets the project specifications and qualifications and is in the best interests of the City; and

Now Therefore Be It Resolved That the City Council awards the bid to Carr's Outdoor Services Inc. in the amount of \$1.12 per pound for crack sealing services throughout the City during the 2018-19 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 subject to the approval by the City Attorney.

OFFERED BY: Council Member Robb

SECONDED BY: Council Member Vogt

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

XVI. RESOLUTIONS/MOTIONS/DISCUSSIONS –

2. Resolution No. 2018-042, approving the issuance of revenue notes for the Eastern Michigan University Parking System ~~(Postponed 3/6/2018)~~ **(Moved and heard following Ordinance 1307)**

Mayor Edmonds recused herself and passed the gavel to Council Member Richardson.

1. Resolution No. 2018-091, regarding the China Trip Investigation Report

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that:

WHEREAS, City Council, pursuant to its authority under Article II, Section 2.07 of the City Charter, began an investigation on October 3, 2017, concerning the travel of several City officials to China and funding of such travel; and

WHEREAS, as part of this investigation, City Council authorized and directed the City Manager, with the help and aid of the City Attorney, to issue a request for proposals and hire a Michigan law firm to conduct a full and complete investigation of this matter and report to City Council; and

WHEREAS, pursuant to this direction, the City retained the services of the Plato Law Firm, PLLC on November 7, 2017; and

WHEREAS, in conducting its investigation, the Plato Law Firm took approximately 20 hours of sworn testimony from eight individuals and reviewed more than 1,500 pages of documents, and records; and

WHEREAS, the Plato Law Firm issued its complete report and attached exhibits on April 11, 2018; and

WHEREAS, City Council has read and reviewed this report, agrees with its findings, and wishes to adopt its opinions and recommendations;

NOW THEREFORE BE IT RESOLVED THAT: the report of the Plato Law Firm concerning the travel of Ypsilanti officials to China be adopted by the City Council, and that the Council investigation into the matter is complete.

BE IT FURTHER RESOLVED THAT: the City Attorney is directed to forward this report to the First District Special Investigation Section of the Michigan State Police, as well as the recovered item of jewelry located in the office of the former economic development director.

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

Council Member Murdock stated there has been a lot of discussion and finger pointing regarding the trip to China. In May the City Attorney opined the developer could not finance the trip to China, which was the understanding of Council. The investigator found that the developer did finance the trip. The investigation also found multiple contradictory statements made by the former Economic Development Director, and questionable statements made by the Mayor. He will be supporting the resolution in order to move on from the China trip, and move forward with other city business.

Council Member Robb stated the city hired the investigator, and should follow its recommendation to forward the investigation to the Michigan State Police.

Council Member Richardson stated she cannot support the recommendation, or accept the report because she does not feel that it was complete. The report only focused on three people, the Mayor, former Economic Development Director, and Amy Foster. It should have included the City Manager, Chief of Police, and Mayor Pro-Tem Brown. Perhaps the Mayor should have dug further to find the source of the funding, but at least she did try. Ms. Richardson stated she will be voting no on this resolution, because the investigation was incomplete. Council Member Robb asked if Council Member Richardson is asking to direct Plato Law Firm to conduct additional investigations. Ms. Richardson responded she is done with the process, and does not want to continue to spend time and money on this issue. Council Member Vogt replied by forwarding this to the Michigan State Police the investigation would continue until its completion. He believes that is what is appropriate.

Council Member Bashert believes Plato preformed enough research, and she is ready to put this behind the city. The Chief of Police and the Mayor Pro-Tem were passive participants and understands why the investigation was not focused on them. Her goal is to bring closure to this and go back to doing the business of the city.

On a roll call, the vote to approve 2018-091 was as follows:

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

VOTE:

YES: 4 NO: 1 (Richardson) ABSENT: 1 (Brown) ABSTAIN: 1 (Edmonds) VOTE: Carried

2. Resolution No. 2018-092, regarding the China Trip Investigation Report

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that:

WHEREAS, City Council, pursuant to its authority under Article II, Section 2.07 of the City Charter, began an investigation on October 3, 2017, concerning the travel of several City officials to China and funding of such travel; and

WHEREAS, as part of this investigation, the City retained the services of the Plato Law Firm, PLLC on November 7, 2017; and

WHEREAS, the Plato Law Firm issued its complete report and attached exhibits on April 11, 2018; and

WHEREAS, City Council adopted the opinions and recommendations of this report and concluded its investigation; and

WHEREAS, Article II, Section 2.06 of the City Charter provides that City Council shall be the judge of the qualifications of its members and may provide for penalties as it deems appropriate for the violation of its standards of conduct; and

WHEREAS, the Preamble to the City Charter provides ethical principles for the government of the City of Ypsilanti, which generally state public servants should treat public office as a public trust, not to attain personal benefits or pursue any private interest incompatible with the public good, and decide all matters free from conflicts of interest and apparent improper influences; and

WHEREAS, Article IX, Section 9.01(a) of the City Charter gives the general admonition that “[t]he use of public office for private gain is prohibited” and requires that City Council “implement this prohibition by ordinance,” including regulating “the acceptance of gifts and other things of value;” and

WHEREAS, Chapter 46, Article III, Section 46-76 of the Code of Ordinances for the City of Ypsilanti provides that “no [city officer] shall accept a gift... based on an agreement that the vote or the official action or decision of an officer... would be influenced thereby;” and

WHEREAS, misconduct in office under Michigan law includes non-feasance, or the failing to do an act required by the duties of the office; and

WHEREAS, the requirement for a showing of corrupt intent for misconduct in office does not necessarily require an intent for one to profit for oneself; and

WHEREAS, the office of Mayor of the City of Ypsilanti is a public office under the relevant Charter and Code provisions cited herein; and

WHEREAS, censure is a reprimand by City Council showing express, severe disapproval of an action or inaction; and

WHEREAS the findings of the report adopted by City Council as part of its investigation include the following actions and inactions of Mayor Amanda Edmonds:

1. She understood the provisions and policies of the City Charter and Code of Ordinances relative to ethics for City officers, she knew that she could not accept gifts valued more than \$25, and she knew a trip to China would well-exceed this amount.

2. As early as May 24, 2017, she knew that Amy Foster was an agent of Global Capital Group.
3. In August of 2017, she knew or had reason to know that Amy Foster was obtaining the Mayor's visa, she understood that obtaining such a visa is not free, and she did not question who was paying for the visa.
4. On September 7, 2017, she knew or should have known that the scholarship letter purportedly from the Wayne State CSSA was originally e-mailed from Ms. Foster and that she never received a scholarship letter directly from the Wayne State CSSA, signed by a member of the Wayne State CSSA, or even identifying a member of the Wayne State CSSA.
5. On September 10, 2017, she found contact Piefeng Li, a former member of the Wayne State CSSA, online and sent him both an e-mail and a LinkedIn message confirming the organization's funding for the scholarship because she anticipated public scrutiny on the issue.
6. Mr. Li responded to her LinkedIn message on September 12, 2017, and stating "It's worth noting that these 'scholarships' are mainly funds from a company called Global Capital Group LLC, based out of Michigan." This indicates, without question, that it was Ms. Foster providing the funding for travel.
7. While she denies seeing Mr. Li's response before she left for China, she does admit she was anticipating a response, she would usually receive an e-mail message alerting her that she received a message on LinkedIn, that she gets e-mails on her phone, and that she searched her e-mail on September 13, 2017, to respond to a FOIA request for "emails or other written documents that have anything to do with the City Council's travel to China regarding International Village, the Water Street in Ypsilanti since April 1, 2017.
8. She voted in favor of a resolution approving a purchase agreement with International Village, which was adopted by City Council on September 18, 2017.
9. She learned directly from Ms. Foster on September 19, 2017, that the Wayne State CSSA was a pass-through for funding of the trip, though at the time purportedly from the Chinese Consulate.
10. The flight to China was "business class," but she did not question the fact that it might not have been feasible or realistic for a student group to fly Ypsilanti officials "business class" to China.
11. Had she been diligent in reviewing the communications and documents that came to her, she should have realized the intimate involvement of Ms. Foster in financing the trip to China and should have recognized the acceptance of such a gift was an unethical breach of her fiduciary duties of her office as Mayor.
12. While there appears to be insufficient evidence that she intentionally used her public office for private gain, she was careless, neglectful, and lax in carrying out these duties.

NOW THEREFORE BE IT RESOLVED that the City Council for the City of Ypsilanti determines that the findings show the actions and inactions of the Mayor do not comport to the ethical standards of conduct laid out by the Charter and Code of Ordinances for the City of Ypsilanti.

BE IT FURTHER RESOLVED that City Council shall hold a hearing on To be determined to allow the Mayor an opportunity to respond to these findings and show cause why she should not be censured by City Council.

BE IT FURTHER RESOLVED that this resolution shall serve as notice to Mayor Amanda Edmonds of the hearing and its purpose.

OFFERED BY: Council Member Vogt
SECONDED BY: Council Member Murdock

Council Member Murdock stated the Mayor indicated in her statement she would accept the censure, and would not pursue a hearing. He asked if that "Be it Further Resolved" be removed.

Council Member Bashert moved, seconded by Council Member Murdock to remove both the "Be it Further Resolved" sections from the resolution.

Council Member Robb stated the purpose of the resolution is to notice the meeting, not to censure and without those two section he is not certain what the resolution does. Mr. Barr replied if those two sections are removed it would indicate the Mayor does not comport to the ethical standards of conduct. If Council wishes it could add "and is hereby censured", or language to that effect to the last section.

Council Member Bashert stated her sense is the city does not need this to drag on further. If Council is going to vote to censure it should be done during this meeting.

On a roll call, the vote to amend 2018-092 was as follows:

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

VOTE:

YES: 5 NO: 0 ABSENT: (Brown) ABSTAIN: 1 (Edmonds) VOTE: Carried

Council Member Bashert suggested adding language stating "Be it Further Resolved that this resolution stand as a formal censure". Council Member Vogt suggested following the City Attorney's advice and simply add "and is hereby censured" at the end of the sentence.

Council Member Bashert moved, seconded by Council Member Vogt to add "is hereby censured" to the end of the amended resolution.

Council Member Richardson asked what it would mean to be censured. Council Member Vogt responded it is an expressed disapproval of an action or inaction. Ms. Richardson asked what a punishment is for a censure. Council Member Bashert replied the resolution itself is the punishment.

On a roll call, the vote to amend 2018-092 was as follows:

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

VOTE:

YES: 5 NO: 0 ABSENT: 1 (Brown) ABSTAIN: 1 (Edmonds) VOTE: Carried

Council Member Bashert stated this has been a very difficult question in the City. There are some in the community that want very strong action be taken against the Mayor. Others are asking for clemency. When leaders make a mistake it

can undermined trust. Taking risks is a part of being a leader but taking responsibility is also part. She would have liked the Mayor to have taken greater responsibility for her part. However, she does not believe the Mayor did anything malicious or intentional. She encouraged, if the Mayor is censured, to consider not trying to do too much too fast in the future.

Council Member Vogt stated he was a part of this motion because he felt it necessary Council deliberate on this issue. Council needed to determine if a censure was appropriate, which he feels it is. He has great admiration for the Mayor and does not believe she did anything corrupt, or intentionally. He agreed with the Attorney’s Office that Council and staff should have been very careful and not except any gifts from the developer. He believes the Mayor had access to more information than the other member of Council that went on the trip. However, she was trying to do positive things for the city but failed to see key warning signs. As much as he hates to bring this judgment it is appropriate.

Council Member Robb stated the Mayor had greater access to information than the rest of Council. The issue is the systemic failure in how information is distributed to Council. He asked is the resolution a punishment for making a bad decision, and should the Council that purchased Water Street be punished. The ultimate judge of the Mayor is the electorate, but she has chosen not to seek reelection. Council had little information regarding this trip, and he finds it difficult to punish her. He believes the point has been made, and should be left at that.

Council Member Richardson stated as much as she was upset about the China trip, the Mayor did try and find out where the funding initiated. She isn’t sure how Council can censure the Mayor without reprimanding the remaining members of the trip. She believes the Mayor has punished herself more than Council ever could, and like Council Member Robb she would like this to be over.

On a roll call, the vote to approve 2018-092 was as follows:

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

VOTE:

YES: 3 NO: 2 (Robb, Richardson) ABSENT: 1 (Brown) ABSTAIN: 1 (Edmonds) VOTE: Failed

Council Member Robb moved, seconded by Council Member Murdock to amend the agenda and create a second Consent Agenda, including Resolution No. 2018-093 and Resolutions No. 2018-095-099, Consent Agenda II.

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

Mayor Pro-Tem Brown	Absent	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: 6 NO: 0 ABSENT: 1 (Brown) VOTE: Carried

~~3.—Resolution No. 2018-093, approving contract with Complus Data Innovations, Inc. (CDI) for parking services—(Moved to Consent Agenda II)~~

~~4.—Resolution No. 2018-094, approving the Rental Inspection Fee Schedule Update~~

5. ~~Resolution No. 2018-094A, approving Pre-payment of Rental Fees~~ **(Moved to Consent Agenda II)**
6. ~~Resolution No. 2018-095, confirming the City Manager's reappointment of City Attorney for an additional one-year term and approval of an extension of the City Attorney Service Agreement~~ **(Moved to Consent Agenda II)**
7. ~~Resolution No. 2018-096, approving the rejection of Bid for Prospect/Maus Intersection Improvement Project~~ **(Moved to Consent Agenda II)**
8. ~~Resolution No. 2018-097, approving application to Local Bridge Program for Forest Avenue Bridge~~ **(Moved to Consent Agenda II)**
9. ~~Resolution No. 2018-098, approving application to Local Bridge Program for Factory and LeForge Street Bridges~~ **(Moved to Consent Agenda II)**
10. ~~Resolution No. 2018-099, approving application to State and Federal Bridge Program for Cross Street Bridge~~ **(Moved to Consent Agenda II)**

XVII. CONSENT AGENDA II –

Resolution No. 2018-088A

1. Resolution No. 2018-093, approving contract with Complus Data Innovations, Inc. (CDI) for parking services.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, City Council approved the publication of a Request for Proposal (RFP) to solicit bids for a third-party parking ticket processing service; and

WHEREAS, the City Clerk issued an RFP on December 5, 2017 at 8:00 a.m. with a closing date of January 16, 2018 at 3:00 p.m.; and

WHEREAS, the RFP was advertised on MITN and the city's website; and

WHEREAS, on February 20, 2018, City Council selected Complus Data Innovations, Inc. (CDI) as the successful bidder and directed staff to negotiate an agreement to present to City Council for final approval; and

WHEREAS, the attached agreement is the result of such negotiations; and

WHEREAS, the City is desirous of entering into an agreement with a contractor to provide services to the Parking Violations Bureau to improve the current software infrastructure and connectivity as well as replace the services that will be lost when CLEMIS phases out its parking hardware;

NOW, THEREFORE BE IT RESOLVED that the attached services agreement with CDI is approved and that the Mayor and City Clerk are authorized to sign the necessary contract documents on behalf of the City of Ypsilanti, subject to approval of the City Attorney.

2. Resolution No. 2018-095, confirming the City Manager's reappointment of City Attorney for an additional one-year term and approval of an extension of the City Attorney Service Agreement

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Section 4.07 of the Ypsilanti city charter delegates to the City Manager the authority to appoint the legal officer of the city, subject to confirmation by the city council; and

WHEREAS, City Attorney John Barr's current term as legal officer will expire on June 30, 2018; and

WHEREAS, the City Manager desires to reappoint John Barr as legal officer for the City of Ypsilanti for an additional one-year term effective on July 1, 2018, and terminating on June 30, 2019, and requests that the Ypsilanti city council confirm the City Manager's appointment; and

WHEREAS, the City Attorney's compensation for services rendered is enumerated in the Attorney Services Agreement executed on July 21, 2015, and the City Manager desires to extend the agreement under the same terms and conditions for an additional one year period; and

WHEREAS, City Attorney John Barr desires to provide legal services to the city under the same terms and conditions for an additional one year;

NOW THEREFORE BE IT RESOLVED BY THE CITY OF YPSILANTI that the city council does hereby confirm the City Manager's reappointment of John Barr as legal officer for the City of Ypsilanti for an additional one-year term commencing on July 1, 2018, and terminating on June 30, 2019; and

BE IT FURTHER RESOLVED that the city council does hereby approve the extension of the Attorney Services Agreement dated July 21, 2015, under the same terms and conditions, so that the agreement shall expire on June 30, 2019, and authorizes the Mayor and City Clerk to execute the agreement extension on behalf of the city.

3. Resolution No. 2018-096, approving the rejection of Bid for Prospect/Maus Intersection Improvement Project

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, bids were solicited to make accessibility improvements and pave the Prospect @ Maus intersection; and

WHEREAS, bids were duly solicited on BidNet for this project; and

WHEREAS, one bid was received from Doan Construction Company in the amount of \$145,976.20; and

WHEREAS; the bid submitted by Doan Construction Company, is approximately 52% over the engineers estimate of \$95,600 for this project; and

WHEREAS; staff recommends rejecting the bid submitted by Doan Construction Company; and

NOW, THEREFORE, BE IT RESOLVED THAT the City Council rejects the bid submitted by Doan Construction Company in the amount of \$145,976.20; and

THAT, council directs staff to rebid this project in the near future to keep this project on schedule for the upcoming construction season.

4. Resolution No. 2018-097, approving application to Local Bridge Program for Forest Avenue Bridge

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the bridge on Forest Street over the Huron River in the City of Ypsilanti has deterioration and is in need of preventative maintenance repairs; and,

WHEREAS, Orchard, Hiltz & McCliment, Inc., Consulting Engineers for the City of Ypsilanti, completed the inspection of the bridge in the City and prepared Inspection Reports and other information on bridge that includes preventative maintenance repairs on the bridge; and,

WHEREAS, based on the findings and recommendations of the Consulting Engineers, the Director of Public Services recommends that the City Council authorize the Director of Public Services and OHM to make application to the Michigan Department of Transportation to include the bridge on the State and Federal Bridge Programs for bridge preventative maintenance; and

WHEREAS, the City of Ypsilanti has available their 5% portion of the project financing available,

NOW, THEREFORE, BE IT RESOLVED that the City of Ypsilanti is actively seeking financial participation to perform preventative maintenance repairs on Forest Street bridge over the Huron River and authorizes the Director of Public Services and OHM to make application to the Michigan Department of Transportation, to include the Forest Ave. Bridge on the State and Federal Bridge Programs list, and to make application for financial assistance from the State of Michigan and Federal government, and to do those things reasonably necessary or required in order to accomplice the maintenance repair work on the four bridges.

5. Resolution No. 2018-098, approving application to Local Bridge Program for Factory and LeForge Street Bridges

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the bridges on Leforge and Factory Streets, all over the Huron River in the City of Ypsilanti, all have varying needs for preventative maintenance repairs; and,

WHEREAS, Orchard, Hiltz & McCliment, Inc., Consulting Engineers for the City of Ypsilanti, completed the inspection of both bridges in the City and prepared Inspection Reports and other information on each bridge that includes the different needs for preventative maintenance repairs on each bridge; and,

WHEREAS, based on the findings and recommendations of the Consulting Engineers, the Director of Public Services recommends that the City Council authorize the Director of Public Services to make application to the Michigan Department of Transportation to include both bridges on the State and Federal Bridge Programs for bridge preventative maintenance; and

WHEREAS, the City of Ypsilanti has available their 5% portion of the project financing available,

NOW, THEREFORE, BE IT RESOLVED that the City of Ypsilanti is actively seeking financial participation to perform preventative maintenance repairs on Factory Street

and Leforge Street bridges over the Huron River and authorizes the City Manager to make application to the Michigan Department of Transportation, to include both bridges on the State and Federal Bridge Programs list, and to make application for financial assistance from the State of Michigan and Federal government, and to do those things reasonably necessary or required in order to accomplish the maintenance repair work on the four bridges.

6. Resolution No. 2018-099, approving application to State and Federal Bridge Program for Cross Street Bridge

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the bridge on Cross Street over the Huron River in the City of Ypsilanti has deterioration and is in need of replacement; and,

WHEREAS, Orchard, Hiltz & McCliment, Inc., Consulting Engineers for the City of Ypsilanti, completed the inspection of the bridge in the City and prepared Inspection Reports and other information on bridge that includes replacement of the bridge; and,

WHEREAS, based on the findings and recommendations of the Consulting Engineers, the Director of Public Services recommends that the City Council authorize the Director of Public Services to make application to the Michigan Department of Transportation to include the Cross Street Bridge on the State and Federal Bridge Programs for bridge replacement; and

WHEREAS, the City of Ypsilanti has available their 5% portion of the project financing available,

NOW, THEREFORE, BE IT RESOLVED that the City of Ypsilanti is actively seeking financial participation to perform preventative maintenance repairs on Forest Street bridge over the Huron River and authorizes the Director of Public Services to make application to the Michigan Department of Transportation, to include the Cross Street bridge on the State and Federal Bridge Programs list, and to make application for financial assistance from the State of Michigan and Federal government, and to do those things reasonably necessary or required in order to accomplish the maintenance repair work on the four bridges.

OFFERED BY: Council Member Robb
SECONDED BY: Council Member Murdock

On a roll call, the vote to approve the Consent Agenda II was as follows:

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

VOTE:

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

XVIII. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2018-094, approving the Rental Inspection Fee Schedule Update

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti operates a rental inspection program; and

WHEREAS, City Council seeks to increase the fees associated with the rental inspection program in order to have a more complete cost recovery system for operations of the rental inspection department; and

WHEREAS, City staff has researched the cost of operations, the staff time associated with operations, and the comparable costs in similar communities.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council approves the proposed Fee Schedule Update for the Rental Inspection Program to go into effect on June 1, 2018

OFFERED BY: Council Member Richardson
SECONDED BY: Council Member Vogt

Interim Economic Development Director Joe Meyers provided a synopsis to why this has been offered for approval.

Council Member Richardson moved, seconded by Council Member Vogt to table resolution No. 2018-094 until the first meeting in May.

On a roll call, the vote to table Resolution No. 2018-094 was as follows:

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

VOTE:

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

2. Resolution No. 2018-100, approving Bike Sharing Pilot with the Ypsilanti Housing Commission and EMU at New Parkridge

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, the City of Ypsilanti endeavors to be a leader in provision of active transportation; and

Whereas, the City of Ypsilanti is a recognized Bike Friendly Community; and

Whereas, dockless bikeshare is an innovative new technology; and

Whereas, the City desires to ensure that the public right of way is kept safe for all users;

Now therefore be it resolved that the Ypsilanti City Council signs the "Stationless Bikeshare Pilot Program" agreement with Skinny Labs, Inc, dba Spin.

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

Ms. Wessler provided a synopsis to why this resolution was submitted for approval.

Caroline Sanders, Engage EMU, provided an overview of the program.

Mayor Edmonds asked if the new daycare center will be a part of this program. Ms. Sanders responded no. Ms. Edmonds asked if each bike is equipped with solar and pedal powered lights. Ms. Sanders responded in the affirmative.

Council Member Bashert stated this program was discussed at the Sustainability Commission meeting, and there was great support. The residents of Parkridge will need access to non-motorized transportation, and feels it is an excellent location to implement the program.

Council Member Vogt asked if there is a trike, or other versions of bikes available. Ms. Sanders replied not at this time, but the company does have a motorized scooter that it might rollout on campus.

Council Member Vogt stated this style of program has been extremely successful in Asia.

On a roll call, the vote to approve 2018-100 was as follows:

Mayor Pro-Tem Brown	Absent	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: 6 NO: 0 ABSENT: 1 (Brown) VOTE: Carried

3. Resolution No. 2018-101, authorizing the expenditure of an amount not to exceed \$8,500 from the Capital Park Fund for the purchase of Mulch and Matting for Prospect Park

WHEREAS, the Prospect Park playground is in great need of maintenance; and

WHEREAS, Ypsilanti Proud Day is Saturday, May 19, 2018; and

WHEREAS, The Friends of Prospect Park, YIES-PTO and the Ypsilanti Community Schools are partnering to re-mulch the Prospect Park playground on Ypsilanti Proud Day; and

WHEREAS, the City Parks and Recreation Commission has recommended that the Capital Park Fund be used to purchase the mulch and matting for an amount not to exceed \$8,500.

NOW THEREFORE IT BE RESOLVED THAT the City Council authorize the expenditure of an amount not to exceed \$8,500 from the Capital Park Fund for the purchase of mulch and matting for Prospect Park.

OFFERED BY: Council Member Murdock
SECONDED BY: Council Member Robb

Mayor Edmonds stated she is going to reluctantly support his resolution because it was not given to Council in a timely manner. She wants Council to show the same amount of care for City parks throughout the city, not just Ward 3. Council Member Robb stated he is the champion of Ward 3 parks because he represents Ward 3. There is representation

on Council from Ward 1, and if there is a park that is not being championed it is because of that Wards representation. Mr. Robb stated he and Council Member Murdock did a lot of work on this project and followed the proper protocol. He stated Council Member Murdock should be thanked for his work. Ms. Edmonds appreciates the work that Council Member Murdock does, but this was only brought to her attention on Friday. Council Member Murdock stated he has been working on this project for a year. The reason this is on this agenda is because the DPS Director does not have authorization to spend \$8,500.

On a roll call, the vote to approve 2018-101 was as follows:

Mayor Pro-Tem Brown	Absent	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: 6 NO: 0 ABSENT: 1 (Brown) VOTE: Carried

Mayor Edmonds stated the City Manager recommends Community Development Director Joe Meyers be appointed as Interim Economic Development Director, and to all Boards and Commissions his processor was a member.

Council Member Richardson moved, seconded by Council Member Bashert to appoint Joe Meyers as Interim Economic Development Director.

On a roll call, the vote to approve the appointment of Joe Meyers as Interim Economic Development Director was as follows:

Mayor Pro-Tem Brown	Absent	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: 6 NO: 0 ABSENT: 1 (Brown) VOTE: Carried

XIX. LIAISON REPORTS –

- A. SEMCOG Update - None
- B. Washtenaw Area Transportation Study - None
- C. Urban County – Mayor Edmonds stated the CDBG funds were allocated for the coordinated funding pool.
- D. Ypsilanti Downtown Development Authority - None
- E. Eastern Washtenaw Safety Alliance - None
- F. Friends of Rutherford Pool - None
- G. Housing Equity Leadership Team - None

XX. COUNCIL PROPOSED BUSINESS –

Richardson

- Stated she welcomes Ypsi Proud doing work at Parkridge Park, but she does not appreciate people telling people what they are going to do rather than get their opinion. She will not be in

town during Ypsi Proud Day, but there will be people there to ensure nothing will be changed at the tennis court.

Mayor Edmonds asked the City Manager to follow up with this issue.

Murdock

- Asked the status of the Border to Border trail.
- He asked when Council can expect to have an update regarding the train stop.
- He asked for an update about 220 N. Park. The purchase agreement expires soon.
- He asked what the recommendations for the DDA dedicated police officer are.
- He was not heard a schedule for budget and the CBO work session.
- He asked what is happening at Brandy's.

Mr. Meyers stated the building a single story building. Council Member Richardson asked if the current roof is being removed. Mr. Meyers responded in the affirmative.

- He asked about the Huron St. alley regarding the complaints about trash.

Mr. McClary stated code enforcement is currently working on that issue.

- He asked for an update about the house on South Prospect with fire damage.

Mr. McClary responded he will supply that to Council.

Bashert

- Thanked Mr. Meyers for acting as Interim Economic Development Director.
- She asked what the Budget Town Hall meeting will look like. She would like to be effective.
- The city needs to work on better structure for meetings that discuss a project so they are more effective.

Vogt

- Stated the Budget Hall Meeting should not just be a venue in which the public can voice complaints. Information should be provided to the public prior to the meeting.
- He asked if the projected cost for removing the recycling center includes remediation.

Mr. McClary responded his understanding it does not. Mayor Edmonds asked if the site will require remediation. Mr. McClary responded at this point he is not certain. Council Member Vogt stated he would like to make a decision on that as soon as possible.

Council Member Robb moved, seconded by Council Member Vogt to extend the meeting until 12:30 a.m.

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

Robb

- Requested the Mayor send out copies of the employee evaluations.

Mayor Edmonds responded they will be distributed during the Closed Session. Council Member Robb responded Council will not have information regarding what they are going to discuss prior to the meeting.

- Requested the See. Click. Fix data.

XXI. COMMUNICATIONS FROM THE MAYOR –

- Stated the budget dates are being finalized, along with locations.

XXII. COMMUNICATIONS FROM THE CITY MANAGER –

- Stated Council has received his report.

Council Member Richardson stated she would like to have the City Manager's report provided orally, rather than a memorandum.

XXIII. COMMUNICATIONS –

XX. AUDIENCE PARTICIPATION –

None

XXI. REMARKS FROM THE MAYOR –

XXII. ADJOURNMENT –

Resolution No. 2018-102, adjourning the City Council meeting

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

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

OFFERED BY: Council Member Vogt

SECONDED BY: Council Member Bashert

On a voice vote, the motion carried, and the meeting adjourned at 12:05 a.m.