



CITY OF YPSILANTI REGULAR COUNCIL  
CITY COUNCIL CHAMBERS – ONE SOUTH HURON ST.  
YPSILANTI, MI 48197  
TUESDAY, MAY 1, 2018  
7:00 p.m.

**I. CALL TO ORDER –**

The meeting was called to order at 7:04 p.m.

**II. ROLL CALL –**

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

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

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

**VI. INTRODUCTIONS**

Mayor Edmonds introduced the following individuals; City Manager Darwin McClary, City Clerk Frances McMullan, City Attorney John Barr, Assistant City Attorney Dan DuChene, Interim Economic Development Director Joe Meyers, Max Anthouard Max Anthouard, DPS Director Stan Kirton, County Commissioner Rickie Jefferson, and Retired Fire Fighter Fred Williams.

**VII. PRESENTATIONS –**

Proclamation in honor of Fred Williams, III FOR 34 years of service with the Ypsilanti Fire Department – County Commissioner Ricky Jefferson

County Commissioner Ricky Jefferson stated he has known Mr. Williams for most of his life. Mr. Williams has been a pillar in this community and a face of integrity. Mr. Jefferson stated he wants to honor Mr. Williams for all of his great accomplishments.

County Commission Jefferson Mayor Edmonds read a proclamation dedicated to retired Firefighter Fred Williams.

Fire Chief Max Anthouard sincerely thanked Mr. Williams for his years of service.

Mr. Williams thanked Commissioner Jefferson, Council and Mayor, and his parents. He said the Fire Department not only saves lives they also save hearts. He asked all to help the Fire Department in any way they can.

Mayor Edmonds stated only a handful of the city's first responders are born and raised in Ypsilanti. It is exceptional that a person has dedicated their life to the betterment of this city. The city needs to examine how to encourage the young people in this community to follow in Mr. Williams shoes.

Council Member Richardson thanked Mr. Williams for his service, and many times going above and beyond his duty. The city will continue to look for his participation in the community.

Mayor Edmonds stated the Fire Department is in need of facility renovations.

#### Legislative Update – Kirk Profit, Lobbyist

Mayor Edmonds stated Mr. Profit was not able to attend this meeting, but he sent an update that will be included in the minutes.

*Thanks SO MUCH for the continued opportunity to be part of your team!! Having grown up in the City of Ypsilanti, and having had the good fortune to work with the City in many capacities (in the '70's when I was with the Sheriff, in the '80's as a member of former Speaker Gary E. Owen's staff, from 1988-1998 as your State Representative, and since 1999 as a consultant under contract with you), I have the rare opportunity to continue to work in support of the agenda that you set for the community where my passion runs deep !!*

*To be sure, state government has made your challenge as elected leaders more difficult than at any time in Michigan history. The combination of Prop A, together with Headlee, together with the failure of the state to keep its PROMISE for Revenue Sharing, together with the failure of the state to fulfill its statutory duty to fund your Fire Protection services for the states facilities in our community, together with the chronic failure to reform local government finance in the face of all of these cuts to local government revenue sources, together with the continued encroachment of state government (through "preemption") into YOUR space where YOUR residents expect YOU to be their protector, together with the continued failure of the state to find a way forward for adequate funding of public infrastructure in the broad sense – and transportation needs more specifically.....*

*.....well, the challenges you face as the elected leaders for our community are staggering!! And it is so disturbing that this State Government has denied you the opportunity to take full advantage of an economy that has been growing now since the last year or two of Governor Granholm!!*

*In the face of all of this, and as we work on your behalf in all of these fronts, here are some specific items in which we have been engaged over the past year:*

- 1) Fire Protection Grants – Our relentless pursuit continues to compel the state meet its STATUTORY DUTY to fully fund the Fire Protection Grants that you are supposed to receive for the fire protection services YOU PROVIDE for the STATE's facilities in your jurisdiction. This year, we have been successful in working with the Executive Office to have the Governor recommend as part of his budget proposal an increase of nearly 60% over last year in the proposed amount. This year, as part of their recommendation, they have included a proposal for an appropriation of \$15 million (that compares to last year in which their recommendation was only \$9 million). And we hasten to*

*recall the time when former Governor Engler actually vetoed the entire line item – requiring us to scramble to restore even some modest level of funding !! As you know this is still working its way through the budget process in the legislature which is expected to be complete sometime early in June.*

- 2) Revenue Sharing (and the broader issue of Local Government Finance) – In anticipation of new leadership in State Government in 2019, we have been working with candidates and outside entities (Citizens Research Council, Michigan Future Inc., others) to elevate the dialogue over the mess that currently exists in the way state law provides for local government funding. In the meantime, we are working to lessen the damage that annually occurs to your bottom line as a result of continued failure to address the shortcomings of the way Prop A and Headlee fail to interconnect, and the continue failure of state government to meet its obligation and PROMISE to appropriate your share of state revenues (ie. Revenue Sharing).*
- 3) Transportation – the state has NOT passed a meaningful transportation funding package for over 20 years now. It is still primarily driven by the revenue based on the sale of gallons of gas (rather than price, or other options that adjust with the economy). We continue to work with the current leadership to more appropriately prioritize state funding toward transportation infrastructure; and as we look ahead to transition for new leadership after the 2018 election, we continue to work to elevate the dialogue so that transportation needs are a meaningful part of the election season debate. This includes discussions of both the total amount raised for transportation, and the distribution of the proceeds.*
- 4) Train Stop for Ypsilanti – many of you have been involved in this for some time now – we continue to be engaged at your direction, and under the excellent leadership of Rep. Peterson (who is a member of the Transportation subcommittee on Appropriations)*
- 5) Personal Property Tax reimbursement – in the early stages of this program, we continue to be concerned whether this and future legislatures will keep their commitment to FULLY REIMBURSE you for your lost personal property tax, as a result of the PPT tax elimination by the legislature and Governor several years ago. This is expected to become increasingly challenging as the state revenue structure continues to lose ground in its ability to address even the basic mandatory requirements of state government.*
- 6) Marijuana legalization and regulation – with the anticipated ballot passage of legalized recreational use of marijuana, there are a number of regulatory concerns that need to be addressed. We are VERY ENGAGED on your behalf to make sure that you are in position to meet the challenges of this new legal enterprise.*
- 7) Other Legislation:*
  - A) Tax treatment of Residential solar energy installations – we are immersed with Rep. Barrett (sponsor of the legislation) and Rep. Tedder (chair of the House Tax Policy Committee) to move legislation to have this addressed.*
  - B) Tax Increment Finance reform – this continues to be an issue of concern for many legislators – we will continue to stay close to them so that our local interests are reflected in any bills that move.*
  - C) Immigration – the Majority Caucuses continue to work to advance that agenda of the current leadership in Washington. We continue to work on your behalf to prevent anything done in Michigan through Michigan law from negatively impacting the values you seek to reflect in the interests of visitors and residents to Ypsilanti.*
  - D) Right to Farm legislation, and its impacts on local authority to regulate*
  - E) Right of Way legislation, and its impacts on local authority over your right of ways (and local fees associated with encroachments into your right of way/s)*
  - F) Affordable Housing – SB 110 (Sen Wayne Schmidt), and other state policy developments – working to make sure your interests in providing affordable housing opportunities for our community are protected, and advanced!!*
  - G) Rental Inspection – working to make sure that the state does not intrude into your efforts to continue to improve housing in Ypsilanti*
  - H) Tipping Fees, and the use of those potential revenues for critical environmental protection programs*

8) *Other specific projects:*

A) *Rutherford Pool – we are seeking phase II of improvements to the pool from the DNR Trust Fund*

B) *Riverside Arts Center – we continue to work with MCACA to assist the Riverside Arts Center (and other local Arts venues) to make sure that they are adequately considered in their pursuit of state support for their capital and operational needs in our community*

C) *Relocation of the Recycling Center to bring the area around the Huron River and adjacent parks in compliance with DNR requirements.*

D) *Penn Park, the Leforge Dam, and nearby interests in improvements*

E) *Town Center and other Senior Housing venues in the City – making sure MSHDA works with us to assure the quality of life expected in those and other senior housing venues.*

9) *Assist as directed with challenges and opportunities for local liquor license holders, and their operations in our community*

10) *Assist as directed in the efforts to achieve productive use for the Water St. property*

*These are some of the activities in which we have been engaged on your behalf over the past year. As you have seen, these activities often become multi-year activities, given the financial challenges, and the political challenges in Lansing. We continue to work with potential regional partners, private interests, and the philanthropic community to work to bring leverage to the scarce resources available to the City under the current structure of local government finance.*

*I should add that we continue to be engaged in our local schools to assist students, staff, and leadership in the Public Schools to help address the racial segregation and racial inequity that has come to our schools. Our view is that this has come to our schools as a result of a number of outside variables beyond the control of our residents and the elected leadership in the schools, and the City and the Townships. I know that this is not who we are in this community and region; and we are continuing our work to bring attention and resources to our schools so that ALL students in Ypsilanti can have a fair chance to acquire the tools necessary to enjoy all that America has to offer.*

*In many of these activities, we work to coordinate with broader statewide local government local government associations, such as MML and others. We will continue to do that when the activities of these broader statewide associations match with the interests of the City.*

*As always, we are very interested to come to Council if that would be helpful to have more of an exchange of thoughts and ideas on moving the City forward. Additionally, we are always available to meet with Council members and staff as they may be interested. And in the meantime, if you have questions, please contact us.*

*Thanks again for the opportunity to be part of your team that moves the City forward, even with all of the challenges that the state puts in your way!*

### **VIII. AUDIENCE PARTICIPATION –**

1. Dave Heikkinen, business owner 133 W. Michigan Ave, stated the Downtown is booming and it is very exciting to be a part of it, however, there is a huge parking problem. He and other downtown merchants met with several city officials and were shocked to find out once the Smith

Furniture building is open there will be an additional seventy cars in downtown parking lots. There needs to be a plan to ensure parking for the clientele of downtown businesses. He would go as far to delay any additional construction in the downtown until parking is addressed.

2. Bob Krzewinski, 706 Dwight, stated the Border to Border Trail should be on the west side of the Rice St. Parking lot. He has been approached by individuals asking if the current site of the recycling center could be used as a canoe livery. He encouraged Council to think about that possibility.
3. Sigred Melvin, 401 W. Michigan, stated the Towne Center has a parking issue because of construction. Asked for a job description of a Council Member, and said the two members never go to her building. She asked why a building permit was not issued for the work completed on the eleventh floor of her building. She stated the intercom system is not working making it difficult to receive any packages too large for a mailbox.
4. Sue Melke, 330 Chidester #409, asked how the public can find what was included in the minutes for this meeting. Asked when the Border to Border Trail will be open on Water Street. She asked for the crosswalk on Catherine and Chidester to be repainted. She asked when buildings in this city will have appropriate disabled access.
5. Teresa Davis, invited the Mayor and Council to attend the first annual heart walk at the Villa at Parkridge.

**IX. REMARKS BY THE MAYOR –**

- Requested Ms. Melke report buildings to the Building Department that have those accessibility. She added ADA is not triggered if a building is changing to the same use, such as retail to retail.
- She hopes as the parking issue is examined in Depot Town the position of the Border to Border Trail can be examined.

**X. PUBLIC HEARING –**

1. Underground electrical easement for 15 S. Washington Street
  - A. Resolution No. 2018-104, determination

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that: the certain underground easement be granted to the DTE Electric Company, copy attached, is hereby approved and the mayor and city clerk are authorized to sign the same, subject to the approval of the city attorney.**

OFFERED BY: Council Member Vogt

SECONDED BY: Council Member Bashert

Assistant City Attorney Dan DuChene provided a synopsis to why this resolution has been submitted for approval.

**B. Open public hearing**

1. Bob Gillette, Michigan Advocacy Program Director, stated the Smith Furniture Building has been vacant for this last twenty-five years. As a result the electric needs be restored and now must be underground. The construction is on schedule for completion and they will be moving in June 21<sup>st</sup>. The move will be in two phases, the first being June 21st the second phase will be in 2019. Prior to construction he met with Joe Meyers and the

former Economic Development Director Beth Ernat to discuss a parking plan. He does not believe the impact will be as great as stated during audience participation.

C. Resolution No. 2018-105, close public hearing

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

**That a Public Hearing regarding an Underground Electrical Easement for 15 S. Washington be officially closed.**

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

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

Mayor Edmonds stated while she agrees parking needs to be addressed the issue is not the Michigan Advocacy Program. Part of the issue is the construction vehicles are using the permit parking spaces in the South Huron Lot.

Council Member Richardson stated the meeting about parking this morning was not aimed at discussing the Michigan Advocacy Program, but the downtown as a whole.

Council Member Bashert asked how long the parking lot will be disturbed during construction. Mr. Gillette believes it would only be a matter of days, under a week. Ms. Bashert asked if construction on the weekend could be avoided. Mr. Gillette responded he will pass that request on to the contractor. Mayor Edmonds add installing underground electric is a quick process. Interim Economic Development Director Joe Meyers stated he spoke with O’Neil Construction who quoted him one day, of just the area between the dumpster enclosure and the building.

On a roll call, the vote to approve Resolution No. 2018-104 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

**XI. CONSENT AGENDA –**

Resolution No. 2018-106

1. Resolution No. 2018-107, approving minutes of April 17, 2018

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

**THAT the minutes of April 17, 2018 be approved.**

2. Resolution No. 2018 -108, approving Ordinance No. 1301: Ozone House Planned Unit Development (PUD) for 1600 Huron River Drive (Huron/Superior vacant lot) at Second and Final Reading.

**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 adopts the ordinance entitled "Ozone House Planned Unit Development" and approves the associated Planned Unit Development (PUD) Agreement on Second and Final Reading.**

3. Resolution No. 2018-109, approving Ordinance No. 1308: Bell-Kramer and Former City Landfill Well Prohibitions at Second and Final Reading.

**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" for Bell-Kramer and Former City Landfill Well Prohibitions be approved on Second and Final Reading.**

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

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

**XII. RESOLUTIONS/MOTIONS/DISCUSSIONS –**

1. Resolution No. 2018-094, approving the Rental Inspection Fee Schedule Update (*Tabled 4/17/18*)

**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 Bashert  
SECONDED BY: Council Member Vogt

Mr. Meyers provided a synopsis regarding Resolution No. 2018-094.

Council Member Murdock stated he was under the impression this would be discussed during budget sessions because of staffing issues. He is not ready to vote on this resolution no because the questions he submitted were not answered. He added the documentation given for the recycling discussion has a different amount of rentals then this lists. He asked

how many rental units are in the city and asked the five to fifteen hours listed for inspection is for a unit are each property. Mr. Meyers responded the building department lists the time it takes to complete an entire rental inspection, including the Building Department Secretary's hours, can range from one and a half to fifteen hours. It depends on the amount of issues in the inspected unit. The inspection would be for the whole property. Mr. Murdock asked how four people can service all of the city's rental properties. Mr. Meyers responded 40% of the time inspections are fairly simple, but 60% of the time there are one to five re-inspections. Mr. Murdock stated he wants to have a successful program and to do so it needs to be sufficiently staffed. Mayor Edmonds asked if Council Member Murdock is implying it is too difficult to calculate what would be appropriate for costs and staffing. Mr. Murdock responded he assumes the staff levels will remain the same, or it would have mentioned in this resolution. Council Member Bashert responded she believes the fee structure is separate from staff levels. Mr. Murdock disagreed. Ms. Bashert replied the cost for an inspection is not dependent on staff levels.

Mr. Meyers stated the Building Department is implementation a pilot program in which rental properties with no violations will be given a three year certificate of occupancy. Mayor Edmonds asked if that has been happening already because of the amount of work needing to be accomplished. Mr. Meyers responded he does not know, but will follow-up with the Building Department and forward that information to Council.

Council Member Bashert asked if the fee structure and staffing levels one issue. City Manager McClary responded he believes they are a single issue, and there needs to be a good understanding of all of the costs associated with inspections. It has become apparent the Building Department needs to do a better job of collecting data in order to prepare a fee schedule that is appropriate.

Council Member Murdock stated fees and the budget go together, and there are technological improvements that could be done to improve functions of the department. He would rather wait until budget to approve fees. Council Member Bashert stated staff worked hard to develop the fee structure and it appears Council Member Murdock does not feel an adequate study was completed. Mr. Murdock replied if Council sets this fee schedule now, and staff is increased during budget approval the fees will not match the costs. Mr. McClary stated there are two ways to calculate fees; the city knows how many rental inspections occurred in previous years. That data can be matched to costs associated with inspections. Moving forward time to complete inspections needs to be tracked to provide precise data for real costs, and he agrees technology upgrades need to be examined.

Council Member Robb stated there are sixty-six municipalities that provide rental inspections in Southeastern Michigan. This is not a new concept and has the city reached out to any of those municipalities to understand their structure. Mr. Meyers replied he has reached to a friend you works as an inspector in one of those communities, and two other communities. It is a challenge and Bolt Laws are difficult to quantify, and as far as he is aware the city cannot charge a landlord increased fees based on poor past inspections. He said he will reach out to other communities, and the department is working to amend procedures in order to produce better data. He hopes to have the new procedure in place by the beginning of the next fiscal year. Mr. Robb stated the BS&A Software is very powerful and it is not used at its full potential. He stated either rental inspections are important to Council, if they are they need to be properly funded, if not they need to be abandoned. He agreed inspections should be \$150 per unit, if passed they unit should be given a three year certificate with a \$50 charge each year. If the inspection is failed the re-inspection is free, but each year the unit would be charge \$75. He would like to postpone this resolution until June as part of the Fee Schedule approval.

Mr. Meyers asked if Council is opposed to adding a three year multi-family certificate of occupancy. Mayor Edmonds asked if that would be per unit. Mr. Meyers responded it would be by building. Council Member Bashert agreed, and added she does not see a great incentive between charging \$50 or \$75, but she likes the idea. One of the mistakes the city has made is to cut staff that provide essential services and also fund the position. She feels that can be rectified without negatively impacting the budget and technology is a part of that.

Council Member Murdock stated he likes the two year cycle because of the turnover due to the transient nature of the student population. He asked if a landlord owns several properties and one passes first inspection while the others are in disrepair, would they be given a three year certificate. Mayor Edmonds agreed. Council Member Robb responded inspections are by address, and if one addresses fails the other address cannot be penalized. Mr. Meyers responded many properties are managed by the same company but owned by a different person.

Council Member Richardson supported maintaining the two year cycle based on the turnover of rentals.

Council Member Murdock stated Council has not cut positions in housing inspections. Council Member Robb added staff has been added to building inspections. Council Member Bashert amended her statement to that Council has not allowed the department to expand to meet the needs of the city.

Council Member Robb stated Council does not want to ever take this resolution up again and asked what the best would course of action to do that. Mr. Barr responded Council could move to table or vote the resolution down.

**Council Member Murdock moved, seconded by Council Member to table this resolution until budget sessions and fee schedule.**

On a roll call, the vote to table Resolution No. 2018-094 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

- Resolution No. 2018-110, approving Intergovernmental Agreement with Washtenaw County Road Commission for Resurfacing of Emerick St.

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

**WHEREAS, Emerick Street from Grove to the I-94 expressway service drive is classified as a City Local Street under Michigan Public Act 51 of 1951, and the city is responsible for the maintenance of this street; and**

**WHEREAS, this portion of Emerick Street was rated as "Very Poor" under the city's Pavement Asset Management Plan completed in 2013; and**

**WHEREAS, the City of Ypsilanti, Charter Township of Ypsilanti, and Board of County Road Commissioners for the County of Washtenaw desire to work cooperatively and collaboratively to complete the resurfacing of this portion of Emerick Street to the benefit of the city and township; and**

**WHEREAS, the city identifies this project as a priority road improvement need and desires to collaborate with its municipal partners to complete this project during the 2018 road construction season;**

**NOW THEREFORE BE IT RESOLVED BY THE CITY OF YPSILANTI that the city council does hereby approve the Emerick Street Pavement Removal and Resurfacing Project Agreement between the City of Ypsilanti, Charter Township of Ypsilanti, and Board of**

**County Road Commissioners for the County of Washtenaw, with the city to pay an estimated cost of \$55,000; and**

**BE IT FURTHER RESOLVED that the city council does hereby authorize administration to pay to the Washtenaw County Road Commission the January 31, 2012, invoice in the amount of \$9,061.12 for the city's share of the cost of the 2011 River Street mill and overlay project as part of this agreement; and**

**BE IT FURTHER RESOLVED that the city council does hereby authorize the Mayor and City Clerk to execute the agreement on behalf of the city and authorize city administration to proceed with the Emerick Street resurfacing project during the 2018 road construction season.**

OFFERED BY: Council Member Richardson  
SECONDED BY: Council Member Murdock

Mr. McClary provided an overview to why this resolution was submitted for approval.

Council Member Robb stated if he reads the memo properly the Washtenaw County Road Commission provided the specifications and bid out the project. Mr. McClary responded the Road Commission had already bid out their unit prices after reviewing the city's engineer's specifications. Mr. Robb asked if OHM agreed they would be designing this road to the County's specifications. Mr. McClary responded in the affirmative. Mr. Robb asked how the city became a part of the Road Commission's bidding process. Mr. McClary responded the city was not a part of the bid process. Mr. Robb asked how can the city become a part of that due to the unit prices the Road Commission was provided. Mr. McClary responded the Commission would not be able to perform work in the city limits, but they are able to collaborate on certain projects. Mr. Robb responded he is not asking for the Commission to perform the work he just wants to be a part of the process. Mr. McClary responded that is something the city can examine.

Council Member Murdock stated during the Grove St. project the city did not have the same specifications as the Road Commission. He explained the Road Commission only does roads, not curbs or anything else, which is where they save money. He asked if the Commission is given better prices because of the amount of work they do. Mr. McClary responded that is what he was told by OHM. DPS Director Stan Kirton agreed the quantity they purchase leads to decrease in cost. He added the specifications from the Road Commission are the same as OHM.

Council Member Robb asked if the Road Commission could be asked for their bid specifications.

Council Member Murdock asked if the county performs the work, or is it contracted. Mr. Kirton responded it was contracted.

On a roll call, the vote to approve Resolution No. 2018-110 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. Discussion - Mandatory Recycling Ordinance and Relocation of Recycling Drop-off Center

Mayor Edmonds asked the City Manager to provide Council answers to the next steps regarding the recycling drop-off center. Mr. McClary responded OHM has completed conceptual design for the parking lot and demolition of the existing recycling center. Cost estimates were provided, which include the cost of demolition but does not include any possible site remediation.

Council Member Murdock stated Council passed a resolution to share the cost of designs with the Downtown Development Authority (DDA). However, the DDA did not agree to share those costs, and he was surprised to hear Council withdrew the resolution. He would like the design process should include an open session to gather public input. He suggested scheduling a work session in a week, or two to get an idea of what the public is thinking. Mr. Meyers stated the City Planner is working with OHM to create more than one concept and those conversations are ongoing. Staff is working on producing a couple renderings of the parking lot rather than one layout to present to the public. Mayor Edmonds asked if the renderings include consideration for the Border to Border Trail. Mr. Meyers responded in the affirmative. Mr. McClary explained the design provided to Council maximizes the parking in that lot. Mr. Meyers stated the proposal is to pave the entire lot.

Mayor Edmonds asked if there has been bidding to provide environmental testing of the site. Council Member Murdock responded that would be a next step. Council Member Robb added Council has not made that decision.

Council Member Bashert asked how conversations are going with EMU regarding locating the recycling center there. Mr. Meyers responded conversations were suspended because of graduation, but will continue shortly. Mr. Kirton stated he has concerns about locating the center on EMU property because of the condition of the roads and it is not a secure area for a roll off. Mayor Edmonds asked if EMU could be asked if that road is scheduled to be repaired. Mr. Kirton replied EMU rarely repairs its roads.

Council Member Murdock asked for an estimated time staff would be ready for a public meeting to discuss potential designs. Mr. Meyers replied staff continues to work with OHM to create possible renderings and will ask them an estimated date they would be ready.

Mr. McClary stated information of costs if multifamily units were added to the city recycling service are in the packet provided to Council. The packet also includes how many multifamily units are in the city.

Mayor Edmonds asked how many rental properties are between four and six units. Council Member Murdock stated number of stops are what is important in terms of operations, and is not included in the information provided. He said the city does not have the financial capability to provide recycling services to the entire city. Mr. Meyers stated there are 252 properties that have between four and six units for a total of 1,486 units. Ms. Edmonds stated from what she has heard there are already properties that have over four units that are being serviced. Mr. Kirton stated DPS vets individuals to ensure they are eligible for the recycling program. Ms. Edmonds stated 252 additional buildings to service is a marginal increase. Mr. Kirton disagreed.

Council Member Bashert stated it is not a straight increase in cost because the recycling center would no longer be in service. She was told a recycling dumpster costs more than a traditional dumpster. Mr. Meyers responded a recycling dumpster would be the similar to traditional, maybe slightly more. She asked if the data collected only includes buildings the city currently picks up garbage. Mr. Meyer responded the data does not make that distinction.

Council Member Vogt asked is condominiums would be categorized as single family. Council Member Murdock responded in the affirmative.

Council Member Murdock stated recycling should not be defined as trash and asked why the city cannot use curb carts as recycling containers. He does not think an enclosure is necessary for curb carts but is necessary for dumpsters. A property with six units could be serviced by two curb carts. He asked if that would be an issue with the city's zoning and property maintenance code. He added the memo read staff is proposing a change to the property maintenance code, but an ordinance would be tied to that code. He asked why an ordinance would not achieve the same purpose. Mr. Meyers

responded the concern was keeping a separate registration for recycling. It would be better to add that recycling be provided to the property maintenance code instead of creating another ordinance. Mr. Murdock replied that is an administration issue. When initially passed property owners would need to sign a form indicating they would provide that service, and then compliance would be based on complaints. Mr. Meyers responded it would be preferred to be a part of the property maintenance code (PMC) rather than 6,600 additional documents that need to be maintained. Mr. Murdock replied the city would not receive needed information if only a part of the PMC. Mr. Meyers replied he is not sure that information would not be obtained, it just would not occur initially. Mr. Murdock responded he is open to other possibilities. Mr. McClary interjected it is staff's hope to have recycling as a part of a checklist during inspections rather than create additional paperwork. Mr. Murdock stated the city and the county need to know where the recycling is being taken. Mayor Edmonds asked Council Member Murdock to clarify. Mr. Murdock replied just like the city tracks where trash is being taken, it should track where recycling is being taken.

Council Member Murdock stated the recycling center can either be left where it is, have it moved to a different staffed location, have it moved to an unstaffed location, or attempt to substitute an increased service level. In time, increased service level could properly substitute for the drop-off center. Ann Arbor or Ypsilanti Township could be used for a general recycling drop-off center. If the center is closed the items could be stored at the DPS yard until staff takes them to the recycling site. The city would only no longer take electronics and Styrofoam, but there could be a once a month staff drop-off. Council Member Robb replied recycling center staff informed him they make a bail a week of Styrofoam, we was shocked when he heard that. Mr. Murdock stated if it was compressed it would be less than a bail.

Mayor Edmonds asked what the operational cost of the center is. DPS Director Kirton responded roughly \$8,000 to \$10,000. Council Member Murdock replied that is for one person. Mr. Kirton responded in the affirmative, and explained one person for seven hours on Saturday. Mr. Murdock stated the center needs to be staffed on Thursday and Friday too. Mayor Edmonds asked if the \$8,000 to \$10,000 includes the Thursday and Friday. Mr. Kirton responded it only includes the Saturday. Mr. McClary responded he believes the total costs are around \$21,000. Mr. Murdock stated there are additional costs associated with that; electricity and port-a-john. If the material is taken to an outside recycling center on Saturday there will be that cost, plus it could disrupt Monday pick-up if half the truck is filled.

Mayor Edmonds asked if there is a general sense of what the public would like done with the recycling center. Council Member Robb stated the city needs to understand what the cost will be to the remediation of the site of the current recycling center. Council Member Murdock stated it is important to have two to three proposals. Ms. Edmonds stated two of the major reasons she has interest in moving the parking center are parking and possibility of losing grant funding. Mr. Murdock responded it is the use of the building that is causing problems with grants. The building has been there for thirty years, and liquids have been spilled, but he is uncertain what remediation will be needed.

Council Member Bashert stated she does not think the particular location of the site is right for a canoe livery, but the Huron River Watershed Council wants the city to use the river to its potential. Council Member Robb stated this is an existing building that the Watershed Council would not have to spend additional money to build. Council Member Vogt suggested donating the building and telling them to relocate it. Mr. Robb responded he believes they are interested in a building that provides zero cost.

Mayor Edmonds asked what other potential sites for a recycling center there are outside of EMU. Mr. McClary responded there are not additional proposed sites. Ms. Edmonds asked why a recycling roll-off cannot be put at Water Works Park. Council Member Robb stated there is already an extreme issue with illegal dumping in the city, and that would only intensify it. The city should be getting out of the recycling business, and let people take their used batteries and oil outside of the city. Council Member Murdock stated there are five places locally a person can take used oil. Mr. Robb stated the beauty of this proposed ordinance is once recycling is mandated the city gets out of the recycling business. By deciding on an alternate site the city is promoting trash and illegal dumping. Mr. Murdock added Ypsilanti Township placed recycling roll-offs at their fire departments because they are staffed twenty-four hours a day, seven days a week and there still was an issue with illegal dumping. Mayor Edmonds asked if there is room for a roll-off at the Ypsilanti Fire Station. Mr. Kirton responded no.

Council Member Bashert asked if the school district has room at any of its properties. Council Member Robb stated for the same reason the city does not want people dumping trash in its parks, is the same reason the school district does not want a roll-out at their properties.

Council Member Murdock believes a comprehensive plan can be designed that maintains the ability to continue to collect what is currently being collected. However, until the new system is in place the drop-off will need to continue to operate.

Mayor Edmonds suggested reaching out to Ypsilanti Township to possibly use their facility on Clark Rd until the development of a long term plan. Mr. McClary agreed with this suggestion until a permanent program is implemented. Council Member Murdock stated the township compost site has a list of fees, but does not include normal recycling, it is mostly for chemicals. Mr. McClary responded the city would most likely have to contribute to the recycling program, but he was holding off on those conversations until Council gave direction. Mr. Murdock stated the Ann Arbor site is closer to the residents of the western part of Ypsilanti.

Mayor Edmonds stated the decision to remove the recycling center has been made, Council must now decide if it wants to move the recycling center to another location.

Council Member Murdock stated two ordinances were drafted; one for all rental units and one for properties with four or more units. He suggested the ordinance for all units in case something changes, in the meantime for those properties under four units on the form they can indicate city service.

### **XIII. LIAISON REPORTS –**

- A. SEMCOG Update – Council Member Richardson stated SEMCOG completed a water study which is available at the Clerk’s Department. Also, the 50<sup>th</sup> anniversary flag can be seen at the Clerk’s Department.
- B. Washtenaw Area Transportation Study – Council Member Murdock stated there was a controversy regarding the flashing yellow crosswalk lights. There was a patent dispute and the federal government removed its blessing to use those lights. However, the federal government now has Okayed the lights and now MDOT must accept their use. Those could possibly be used at some areas on W. Cross.
- C. Urban County - None
- D. Ypsilanti Downtown Development Authority – Mr. Meyers stated there was a downtown business mixer held recently, which was very successful.
- E. Eastern Washtenaw Safety Alliance - None
- F. Friends of Rutherford Pool - None
- G. Housing Equity Leadership Team - None

### **XIV. COUNCIL PROPOSED BUSINESS –**

#### Robb

- Asked when the street sweeping begins this spring.
- The curb is falling apart on the sidewalk on the 100 block of Michigan Ave.
- Asked if, when the Smith Furniture Building becomes an office, if it would be a change of use.

Mr. Meyers responded he does not believe it would be a change of use.

#### Richardson

- Plans are being made for a joint meeting with EMU. City Council and Department Heads should begin communications to strength relationships with the university.
- EMU is planning a community-wide town hall in June.

- The next showing of the film 'Walking While Black' will be on May 23<sup>rd</sup> at Parkridge Community Center. She recommends everyone sees this movie.
- When the city stopped taking care of the parks the Heritage Neighborhood Association adopted Parkridge Park and they were given an award for their efforts. Now many different groups of people are taking interest in that park and want to make changes. There needs to be a process to inform neighborhoods on how parks are changed.

Murdock

- Asked what the plan is about the fire damaged house on South Grove.

Mr. McClary responded the city has received around \$12,000 to hold in reserve to ensure either repairs are completed or the structure is demolished. Council Member Richardson stated she has driven by the home and there is no question it needs to be demolished. Council Member Murdock asked for the schedule for that process.

- Asked about the former Idle Hour.

Mr. McClary responded he will check with the Building Department. Mr. Meyers believes there is some construction happening at that address.

- He asked about a SWAT Team training event.

Mr. McClary responded he will instruct the Police Chief to provide Council with information regarding that.

- He asked the status of the Huron Street alley, and why the city does not have the power to find a solution or ensure city ordinances are followed.

Mr. McClary responded that one of the parties in the lawsuit is trying to get the city to mediate. Council Member Murdock stated it is the city's alley. Mr. McClary agreed, and explained the issue is private property that sits in the middle of the alley. Mr. Murdock stated it is a public alley and asked what an easement has to do with the issue. Mr. McClary responded one of the parties is questioning what his rights are to use the alley way, but the city must allow the court system to make its determination. He believes the parties are not at a point that they would be willing to agree to make a compromise. Mr. Murdock understands there is an issue with buildings extending into the alley. Council Member Robb replied one of the buildings extends into the alley, but it is not owned by one of the parties. Mr. Murdock responded he believes one of the individuals involved has a building that extends into the alley. Mr. McClary replied that was raised as a side issue, and is not an issue with the city. However, the city would need to have an interest to fund a survey. Mr. Robb asked if the right-of-way is being blocked, if it is, it needs to be cleared. Mr. McClary responded the city granted an easement to two properties to install fire escapes. One of the parties requested the city grant an easement for an additional fire escape. His stance is to not make that determination until the city is aware of the decision of the court.

Council Member Murdock stated there is still an individual putting construction debris in the alley because they cannot get a roll off in the alley to service it. Mr. McClary responded the code enforcement officer is following up on that issue.

- The Council Information Letter (CIL) stated there is a need for an interim treasurer. He asked if this is an opportunity to examine combining the Clerk and Treasurer positions.

Mr. McClary responded the reason for the vacancy is the Treasurer is on leave, and staff is examining several different options on an interim basis.

Bashert

- She asked if the list of vacant and dangerous buildings is published.
- She is considering submitting a resolution supporting the Medicare for all movement in Michigan, and ask if there is support from Council.
- The garbage is getting out of hand in the downtown, and something needs to be done prior to the beginning of summer events. She asked if the Department of Public Services would be able to do a cleanup.
- She asked if the list of commissions could be alphabetized on the website.
- She asked why there were two DDA meetings regarding parking at the same time; one for Downtown and one for Depot Town.

Council Member Murdock responded neither one of the meetings were DDA meetings. Council Member Bashert responded it is ridiculous to have two parking meetings with two groups of Council Members going to either meeting. She said it appears each business district is being treated independently.

Mr. McClary stated one of the suggestions he heard during the meeting involving downtown businesses is parking should be handled separately because they have different needs. Council Member Bashert replied she does not agree with that. Parking should be handled in a unified manner. It only adds to the division of the business community of this city. Mayor Edmonds responded that is not the general sense felt at the DDA Board level.

**XV. COMMUNICATIONS FROM THE MAYOR –**

- After the change in personnel staff has been regrouping to continue its work on the community benefits ordinance (CBO). She hopes to have the CBO work session scheduled for some time in early June.

Council Member Murdock stated before the staff change Council was told it would be provided with a flow chart. He asked for that chart to be provided to Council and to the public prior to the meeting. Mayor Edmonds agreed.

- She met with Council Member Richardson and will be working to coordinate a community meeting.

Council Member Richardson asked when the Mayor reaches out to setup a community meeting she should first speak with that Wards representatives. Mayor Edmonds apologized.

- The Police Chief and City Clerk are working to organize the first meeting of the Police and Community Advisory Board.

**XVI. COMMUNICATIONS FROM THE CITY MANAGER –**

- Update on Train Platform
- Update on Public Participation Policy

- City Manager's Reports will be provided to Council every Friday rather than prior to the Council Meeting. This will provide Council with more timely information.
- The proposed budget has been submitted to City Council this evening in accordance with the City Charter.
- Budget work sessions will be held on May 15<sup>th</sup>, 17<sup>th</sup> and 22<sup>nd</sup>. The first meeting will include regular business, a budget town hall, a presentation from John Kaczor, and Council discussion.
- Staff communicated with Ypsi Proud that modification to a park facility must follow the appropriate process.
- There is still an interest in working out a development agreement for 220 N. Park. More information will be provided to Council as it becomes available.
- The city is still waiting for approvals from MDOT for the W. Huron pedestrian crossing signage and the Huron and Cross pedestrian crossing improvements. He should have an update in Friday's report.

Council Member Murdock asked that what was submitted be provided to Council. Mr. McClary responded in the affirmative.

- Provided Council will an update on the status of the Border to Border Trail. The city is required to place stone between the trail and the riverbank to provide a buffer from the contamination.
- He met with the DDA Executive Committee to discuss the concerns they have with police services. There will be a follow-up meeting on Thursday, and he believes the city and the DDA are not as far apart on the matter as originally thought. He is confident a solution can be found that would be to the satisfaction of both parties.
- The city was engaged in services to provide cost estimates for what the city will need to migrate away from Washtenaw County IT. The county has been very cooperative with the consultants. The plan should be completed by the end of this month and then bring to Council purchases that need to be made and installations needed to have an independent system.
- A follow-up meeting with the Streets Capital Improvements Plan Committee will be scheduled in order to finish the committee's work.
- DPS Director Stan Kirton will be providing information on the schedule for the installation of speed bumps on Ferris and Dwight.
- EMU has indicated their intent to deed the N. Adams Parking Lot to the city. Once the deed is prepared Council will need to approve the acceptance of that property.

Council Member Murdock stated part of the letter of intent made mention of tasks the city could do at its own cost, and asked if there are plans to complete those tasks. Mr. McClary deferred the question to the City Attorney. City Attorney John Barr responded it would be in the city's best interest to perform those tasks.

- Staff met with OHM to review work already completed for the train platform.
- The May Council/Manager meeting dates are included in his report, he encouraged Council to attend at least one of the meetings.

Mayor Edmonds asked Council has been attending those meetings. Mr. McClary responded so far only one Council Member has participated.

Mayor Edmonds asked what the timeline is for the Friends of the Freighthouse agreement. Mr. McClary responded staff does not yet have a timeframe for when that will return to Council. Ms. Edmonds asked when the agreement expires. Mr. McClary responded not for some time.

Council Member Robb stated the purchase agreement for 220 N. Park expired two weeks ago, he asked is the process simply going to start from the beginning. Mr. Meyers responded after discussion with the Attorney's Office, and the request would be to extend the purchase agreement and add items to be included in the development agreement to the purchase agreement.

Council Member Murdock asked if the city will not be using the highly recommended consultant for the train platform. Mr. McClary responded at this point the city does still anticipate using those services.

Council Member Richardson stated it was clear at the breakfast meeting held several weeks ago the city would be taking the lead. The city needs to get the steps in order or the project will lose the support it has.

**Council Member Vogt moved, seconded by Council Member Robb to extend the meeting until 11:00 p.m.**

On a roll call, the vote to extend the meeting until 11:00 p.m. was as follows:

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

VOTE:

YES: 3 NO: 3 (Bashert, Murdock, Richardson) ABSENT: 1 (Brown) VOTE: Failed

**Council Member Murdock moved, seconded by Council Member Bashert to adjourn.**

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

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

VOTE:

YES: 2 NO: 4 (Robb, Vogt, Edmonds, Richardson) ABSENT: 1 (Brown) VOTE: Failed

**Council Member Vogt moved, seconded by Council Member Richardson to extend until 10:50 p.m.**

On a roll call, the vote to extend the meeting until 10:50 p.m. was as follows:

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

VOTE:

YES: 4 NO: 2 (Bashert, Murdock) ABSENT: 1 (Brown) VOTE: Carried

**XVII. COMMUNICATIONS –**

**XX. AUDIENCE PARTICIPATION –**

1. Sue Melke, 330 Chidester #409, stated she is very irritated the Border to Border Trail is not open for the season. Two months ago the city was aware it needed to install a buffer, she asked what the city is doing to make it get finish this project.

Mr. Meyers responded staff is in the process of receiving estimates for the work. At the next meeting Council will be submitted a grant to pay for needed activities to open the trail. Once the trail is remediated it will require a new compliance report from DEQ, once that is completed the city can acquire its certificate of completion the trail can be opened. There is a lot of people working as diligently as possible to open the trail. Council Member Vogt asked when the trail would open in a worst case scenario. Mr. Meyers responded December, and explained the city is at the mercy many companies doing many things to open the trail.

**XXI. REMARKS FROM THE MAYOR –**

Nominations:

Ethics Board

Cherisa G. Allen (new appointment)

450 Burton Court

Ypsilanti, MI 48197

[cherisaallen@gmail.com](mailto:cherisaallen@gmail.com)

Planning Commission

Michael Simmons (new appointment)

128 Bell Street

Ypsilanti, MI 48197

[resolvingconflicts@yahoo.com](mailto:resolvingconflicts@yahoo.com)

**XVIII. CLOSED SESSION -**

Closed session to discuss City Clerk evaluation pursuant to OMA 15.268, Section (8)(a)

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

Council Member Bashert strongly objected adjourning to Closed Session because of Mayor Pro-Tem Brown's absence. Council Member Richardson stated it is unjust to the Clerk and City Manager to continue to delay the evaluations. Ms. Richardson asked the City Clerk if she would like to proceed with the evaluation. City Clerk McMullan responded she would like to proceed. Ms. Bashert responded she appreciates the Clerk's stance, but it is not about her. Ms. Richardson

responded the evaluation is about the Clerk. Ms. Bashert responded it is about all of Council being present for the evaluation.

Council Member Murdock stated he is baffled that the review committee has not provided all of Council a report of its work along with the individual evaluations. He explained because of that he will be voting no 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	No
Council Member Murdock	No	Mayor Edmonds	Yes
Council Member Richardson	Yes	Council Member Vogt	Yes
Council Member Bashert	No		

VOTE:

YES: 3 NO: 3 (Bashert, Murdock, Robb) ABSENT: 1 (Brown) VOTE: Failed

Council Member Robb stated the evaluations could take place in Open Session. Mayor Edmonds replied staff requested Closed Session. Ms. McMullan responded she is not concerned if the evaluation occurs in Open Session because the process has not been followed appropriately. She stated she asked for the individual evaluations and was not given them. Council Member Richardson asked why the Clerk was not provided the individual evaluations. Ms. Edmonds responded she will need to get them into one place.

Ms. McMullan requested the name of the Council Member be attached to the score given.

Council deliberated on scheduling the evaluations.

**XXII. ADJOURNMENT –**

Resolution No. 2018-111, adjourning the City Council meeting

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

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

OFFERED BY: Council Member Vogt

SECONDED BY: Council Member Bashert

On a voice vote, the motion carried, and the meeting adjourned at 10:50 p.m.