



**CITY OF YPSILANTI
CITY COUNCIL REGULAR MEETING
CITY COUNCIL CHAMBERS - ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, NOVEMBER 27, 2018
7:00 p.m.**

I. CALL TO ORDER –

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

II. ROLL CALL –

Council Member Brown	Absent	Council Member Symanns	Present
Council Member Morgan	Present	Mayor Bashert	Present
Council Member Murdock	Present	Vacancy (Ward 2)	
Mayor Pro-Tem Richardson	Present		

III. INVOCATION –

Mayor Bashert 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 Symanns to approve the agenda.

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

VI. INTRODUCTIONS

VII. PRESENTATIONS –

OHM Park Restrooms Evaluation Report

Kent Early, OHM Advisors, provided an overview of the evaluation.

Council Member Morgan asked if this resolution is adopted what is the estimated timeline for completion. Mr. Early responded no, and explained much of it would depend on prioritization of facilities. However, to complete all six parks at once would only take roughly a month.

Council Member Symanns stated the city could decide to complete some of the work listed at each park without completing the project in its entirety. Mr. Early responded in the affirmative.

Mayor Pro-Tem Richardson asked if the parks should be prioritized based on frequency of use. Council Member Morgan suggested prioritizing parks used the least in order to make them more appealing.

Mayor Bashert stated the Orangeburg Sewer Lead is not listed in the cost. Mr. Early responded the estimate did not include the full length of the lead. Ms. Bashert stated he likes that there is a fireplace at Parkridge Park, and asked why it was included in the pricing. Mr. Early responded because it was present at the park and wanted to provide that option. Ms. Bashert stated it is noted that Prospect Park needs a paved path running to the pavilion. She asked why that park needs a path while the others do not. Mr. Early replied that was the park first analyzed, as the analysis continued it was decided to begin focusing on only the structure. Ms. Bashert stated any decision made about Penn Dam will have a direct effect on the facilities at Penn Park. She is not willing to say Recreation Park is in need of a bathroom because it hasn't needed one in years. Mayor Pro-Tem Richardson disagreed that Recreation Park does not need a bathroom because it has a high frequency of use in the community.

Council Member Symanns asked how much funding is available for these projects, and explained it is difficult to identify priorities without that knowledge. City Manager McClary responded \$125,000 has been allocated for park improvements, which is created through the County Safety Millage. It is possible to continue that allocation through the next six years to complete that project.

Mayor Bashert stated it was her understanding that the bathrooms renovations would not be funded by the \$125,000 that would be used for other capital improvements in the park. She proposed a two to three year plan to address park bathrooms.

Council Member Murdock stated when the \$125,000 was allocated for the parks it was intended for deferred maintenance projects. There is a joint meeting with the Parks and Recreation Commission scheduled for December 11th to discuss projects to allocate those funds. At some point there is going to be a need for major capital improvements at many city parks, which could be funded by grants. The renovations could possibly be funded by that grant, but he does not want to see the funds for deferred maintenance used for this project.

Council Member Morgan stated based on the years of neglect of the city's parks, how long would these improvements last the city. Mr. Early responded ten to fifteen years. Mr. Morgan agreed with the proposal to space the project out over a few years.

Mayor Bashert asked what direction does staff need at this point. Mr. McClary responded Council needs to begin thinking about the proposed resolution, and what Council's priorities are.

Resolution No. 2018-299, directing administration to proceed with planning and implementation of a comprehensive park restroom repair or replacement program; and that the City Manager include appropriations from the appropriate funding sources in the appropriate fiscal year budgets.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the city council requested an evaluation of the conditions of the existing park restroom facilities and a cost estimate on repairs or replacement of the facilities; and

WHEREAS, OHM Advisors has completed a report on the conditions of the restrooms and cost estimates for repairs or replacement, with the total cost estimated to be \$645,900; and

WHEREAS, the city council received a presentation on the report at its November 27, 2018, regular meeting

NOW THEREFORE BE IT RESOLVED BY THE CITY OF YPSILANTI that the city council does hereby receive and approve the City of Ypsilanti Park Restroom Evaluation Study Report prepared by OHM Advisors on October 10, 2018; and

BE IT FURTHER RESOLVED that the city council does hereby direct administration to proceed with the planning and implementation of a comprehensive park restroom repair or replacement program in accordance with the recommendations of the Park Restroom Evaluation Study Report; and

BE IT FURTHER RESOLVED that the city council does hereby direct that the project implementation be phased according to the following schedule:

_____ ; and

BE IT FURTHER RESOLVED that the city council does hereby direct the City Manager to include appropriations from the following funding sources and amounts in the appropriate fiscal year budgets of the city to complete this project:

_____.

OFFERED BY: Council Member Morgan
SECONDED BY: Council Member Symanns

Council Member Murdock suggested this go to the Parks and Recreation Commission prior to Council taking action. However, if Council does approve this now he suggested beginning in Fiscal Year 2019-2020 and funds being appropriated from the General Fund.

Council Member Murdock moved, seconded by Council Member Symanns the project begin in Fiscal Year 2019-2020 and funds being appropriated from the General Fund.

Mayor Pro-Tem Richardson asked if the city has the funding available in the General Fund for this project. Mayor Bashert responded no. Ms. Richardson stated the reason the parks are in the condition they are is because the city has not had the funding to properly maintain them. She does not believe the city should continue to use the County Safety Millage Funds for the park system. Ms. Bashert requested discussion be in line with the current topic. Ms. Richardson disagreed explaining where the funding is flowing from is relevant to this topic. Ms. Bashert responded the question is regarding the timeline of the project.

Mayor Bashert asked if Council Member Murdock if his motion was to complete the project within one fiscal year. Council Member Murdock responded he assumed this project would not all be completed at the same time. It would only begin next fiscal year, and explained all projects will be funded through the General Fund. He interjected what is missing is maintenance and operation costs to keep the facilities functioning. Council Member Symanns shared the concern that the city being able to maintain the facilities. She is also concerned where funding will flow from for this project, and shares Mayor Pro-Tem Richardson's concern of funding these improvement through the safety millage. Ms. Bashert cautioned Council to stick to the topic of restroom facilities. Ms. Symanns replied it is difficult to make a decision without understanding how the project will be funded. Mayor Pro-Tem Richardson added the motion included the funding would come from the General Fund, and funding mechanisms is linked to every project. She added Council should meet with the Parks and Recreation Commission to make these decisions prior to voting on this resolutions. Ms. Bashert stated Council's job today is to inform staff if this is going to be a priority for the next budget.

Council Member Murdock stated Council might be premature in approving this. Council Goal Setting Meetings are held in January, and that should be the time this should be prioritized. He suggested not voting on this resolution and discuss it during Goal Setting. Council Member Symanns agreed, and asked that the Parks and Recreation Commission review this

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report prior to Goal Setting. Mayor Bashert stated Council is currently scheduled to hold a meeting on December 11th with the Parks and Recreation Commission and this could be added as an agenda item.

Council Member Morgan stated this is definitely a priority and the city should do all it can to fund this project.

Mayor Bashert stated the general consensus of Council is to set this aside until Goal Setting.

Council Member Murdock withdrew his motion to amend.

Council Member Symanns withdrew her second.

Council Member Morgan withdrew the original motion.

Council Member Symanns withdrew her second.

VIII. AUDIENCE PARTICIPATION –

1. Robert Squires, 1895 Emerson Dr., Representative of Cornerstone Construction Company, stated the city has sold some twenty lots, with one left with no deed restrictions on it. Only two properties have new construction. The last property is not within the grant area and is located on Parsons and would have to run all new sewer lines. The problem is the property is multifamily and the owner must live on the property. His client would like to build a three apartment structure with her daughter living on the top unit. If the client's daughter were to change jobs and need to move the property would need to be sold. It is not fair to force a person to sell their property after investing several thousand dollars. He requested Council to approve the purchase without deed restrictions.
2. Jill Cloke, 10320 Endicott, stated she is the co-owner of Sugar Leaf Brands she started with another pastry chef. She would like to open a processing marihuana facility in Ypsilanti. The facility would not be open to the public and would provide internet sells to provisioning centers. She requested Council separate processing permits from cultivation and potentially open opportunity.
3. Amber Fellows, Ward 3 resident, stated she is curious what is going on with the Washington St. Lot purchase from Eastern Michigan University, and would have liked to see more public outreach. She supports public input and is in favor of holding a town hall to discuss the Amtrak Feasibility Study for a potential train stop in Ypsilanti. She has noticed a tight facilitation style of Mayor Bashert and encouraged her to respect Council Members are informed.
4. Desirae Simmons, Ward 3 resident, stated she felt she was given misinformation regarding the paraphernalia ordinance. Since marihuana has been made legal for recreational use it does not make sense for this to be an ordinance. She encouraged Council not to approve fines for the civil infraction. She encouraged Council to hold a town hall for the Amtrak Feasibility Study. It is important to realize the improvements to the facilities in city parks also include pavilions, not just restrooms.
5. Brian Geiringer, Ward 1 resident, agreed with Ms. Simmons regarding the town hall for the feasibility study. He tends to be skeptical of anyone that does not support transparency. He commented on a presentation the City Attorney gave during a Human Relations Commission meeting. He learned the City Manager has tremendous power in this city, and if the public doesn't like the way the city is being run it is up to Council to intervene. If the Council does not intervene the public can vote for a Council that will. He congratulated Mayor Bashert and Council Members Symanns and Morgan on their recent elections.

IX. REMARKS BY THE MAYOR –

- She understands she has a tight style for running a meeting, and after years of attending Council meetings and being a member of Council for the past two she has heard Council express that they would like to leave on time. She prefers a tight meeting and that is how she is going to run them. Any guidance is always welcome, however, arguments are not.

X. ORDINANCES – FIRST READING –

Ordinance No. 1330

An ordinance entitled "An ordinance to Amend Section 7-4 of the Ypsilanti City Code to require state pre-qualification of any application for a city marijuana permit".

- A. Resolution No. 2018-295, determination

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT an ordinance entitled "An ordinance to Amend Section 7-4 of the Ypsilanti City Code to require state pre-qualification of any application for a city marijuana permit." be adopted on First Reading.

OFFERED BY: Council Member Symanns
SECONDED BY: Council Member Morgan

- B. Open public hearing

1. Ben Joffe, 106 N Fourth, Ann Arbor, stated his client waited in line for three days and has been paying rent for ten months and is first in the queue of application on the 2018 wait list. This ordinance the way it is written would require his client to again wait in line to ensure he will remain first in the queue. This seems unfair to both he and his client, who has already been prequalified and believes his client could open his shop within a month.
2. Adam Tasselmyer, 124 Michigan Ave, stated he is the owner of Herbal Solutions and is concerned regarding changing the application process to include prequalification. He explained only one of the seven temporary operators have prequalification. This amendment would open the city to litigation, based on rule 19. He added he is also on the queue and none of the people in line waited three days, it was one day. He has been paying property taxes on a property he has owned since 2016, but that is how this industry goes. He encouraged Council as a caveat to allow the existing facilities operating under Rule 19 to continue to do so.

- C. Resolution No. 2018-296, close public hearing

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

That the public hearing for an ordinance entitled "An ordinance to Amend Section 7-4 of the Ypsilanti City Code to require state pre-qualification of any application for a city marijuana permit" Be officially closed.

OFFERED BY: Council Member Symanns
SECONDED BY: Mayor Pro-Tem Richardson

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

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City Planner Bonnie Wessler provided an overview to why this ordinance amendment has been submitted for approval.

Mayor Bashert asked how the queue will play out into this ordinance. City Attorney Barr responded quite honestly the state is not full filling their timeline, and the city is trying to figure out how to solve the issues caused by the state. He explained the current ordinance requires a state license application be submitted as a part of the city’s permit application. The application is quite large and does the city little good to review the application. This amendment would no longer require an applicant submit that application, instead it would simply need to submit proof of prequalification. This amendment doesn’t state the city cannot consider applications that have already been filed.

Council Member Morgan asked for clarification regarding the state license application. Ms. Wessler responded when Ypsilanti opted into the MMFLA the application process required a copy of the state license application. This document is incredible large in size and encompasses things the city is equipped to review, so it is of little value. The prequalification is a much smaller document and much more valuable to staff in terms of the application. Mr. Morgan stated if the state application contains information regarding the applicant cannot that be useful to the city. Ms. Wessler responded the city does not need to know the information if the state is already aware.

Mayor Pro-Tem Brown asked if the prequalification provides all the information the city needs to know regarding the state application. Ms. Wessler responded in the affirmative.

Council Member Murdock asked if anyone who is prequalified by the state can submit an application to the city. Ms. Wessler responded in the affirmative. Mr. Murdock asked the status of the currently operating businesses in the city. Ms. Wessler responded there are currently seven provisioning centers and three cultivation facilities have permits. One of the provisioning centers has received full state licensure, and is not certain of the status of the other six. However, all facilities are operating legally under state law, but the state has not communicated well with jurisdictions with marihuana facilities. Mr. Murdock stated he heard facilities would be first in the application process. Ms. Wessler responded the Clerk’s Office and she have been operating under the assumption that as of December 31st the queue would expire. Mr. Barr stated that issue is not before Council at this meeting. Unfortunately, he cannot provide a definite answer but will review the matter.

Council Member Symanns stated regardless of approval of this amendment the queue will expire at the end of the calendar year. Mr. Barr responded the permits expire December 31st, and he would need to review the application process. Ms. Symanns asked if the queue is a separate issue. Mr. Barr responded in the affirmative.

On a roll call, the vote to approved Resolution No. 2018-296 was as follows:

Council Member Brown	Absent	Council Member Symanns	Yes
Council Member Morgan	Yes	Mayor Bashert	Yes
Council Member Murdock	Yes	Ward 2 Vacancy	
Council Member Richardson	Yes		

VOTE:

YES: 5 NO: 0 ABSENT: 1 (Brown) VACANCY: 1 (Ward 2) VOTE: Carried

XI. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2018-297, approving minutes of November 12, 2018.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of November 12, 2018 be approved.

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OFFERED BY: Council Member Murdock
SECONDED BY: Council Member Morgan

On a roll call, the vote to approved Resolution No. 2018-297 was as follows:

Council Member Brown	Absent	Council Member Symanns	Yes
Council Member Morgan	Yes	Mayor Bashert	Yes
Council Member Murdock	Yes	Ward 2 Vacancy	
Council Member Richardson	Yes		

VOTE:

YES: 5 NO: 0 ABSENT: 1 (Brown) VACANCY: 1 (Ward 2) VOTE: Carried

2. Resolution No. 2018-298, approving the Huron River Watershed Council Professional Services Contract – Middle Huron Partnership.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that:

A 5 year contract, not to exceed \$44,073,00 payable in installments over 5 years with the Huron River Watershed Council for professional services to assist the City of Ypsilanti in cooperation with other municipalities and agencies in reducing Huron River pollution and meeting state and federal requirements and securing stormwater permits,

Be and hereby is approved, and the Mayor and City Clerk are authorized to sign the contract for and on behalf of the City of Ypsilanti, subject to the approval of the City Attorney.

OFFERED BY: Mayor Pro-Tem Richardson
SECONDED BY: Council Member Symanns

Council Member Murdock asked if this amount in addition to the dues already paid by the city. Mr. McClary responded in the affirmative.

Mayor Edmonds asked when the funds will be due. Mr. McClary responded the annual payments are to be sue in January of each year. Watershed Planner Rick Lawson stated the rates are increasing from what the city has been previously paying.

Council Member Symanns asked why Eastern Michigan University is not included in the list, do they not have land that abut the river. Mr. Lawson responded Eastern Michigan has made arrangements with the city to essentially cover their share. If the city wants to change that it can be negotiated. Council Member Morgan asked how long the city has been paying EMU's dues. Mr. Lawson responded a calculation has never been performed for EMU separate from the city. Ypsilanti has been participating since the beginning of the partnership which goes back to 1995, and EMU joined some years later. Mr. Early interjected Ypsilanti's Department of Public Services has worked out service agreements with the university in exchange to cover the costs. Ms. Symanns asked if the city should reconsider what it is receiving from the university since the costs are increasing.

Council Member Murdock asked if this is just a renewal. Mr. Lawson responded in the affirmative. Mr. Murdock stated the city has made several arrangements with EMU regarding storm water, and asked if the city will be submitting a grant. Mr. Early responded he is not certain.

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Council Member Morgan asked if all partner’s costs have increased. Mr. Lawson responded in the affirmative. Mr. Morgan asked if the increases were even. Mr. Morgan responded no, and explained the calculations changed based on certain variables.

Mayor Bashert stated the Huron River Watershed Council has been a fantastic partner to Ypsilanti, and the city is incredibly lucky to have the river. She has noticed more storm water events in her neighborhood and throughout the city, and expects them to increase as climate change affects the planet. Mr. Lawson stated the partnership has been successful, and tremendous progress has been made.

Council Member Murdock asked if the watershed council will be looking at fabs. Mr. Lawson responded in the affirmative. On a roll call, the vote to approved Resolution No. 2018-298 was as follows:

Council Member Brown	Absent	Council Member Symanns	Yes
Council Member Morgan	Yes	Mayor Bashert	Yes
Council Member Murdock	Yes	Ward 2 Vacancy	
Council Member Richardson	Yes		

VOTE:

YES: 5 NO: 0 ABSENT: 1 (Brown) VACANCY: 1 (Ward 2) VOTE: Carried

- 3. Resolution No.-2018-300, adopting schedule of civil fines for Municipal Civil Infractions: Section 74-212(a) Possession of marihuana paraphernalia.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the Ypsilanti City Council has passed Ordinance No. 1327 which amends Section 74-212 of the City Code to make the possession of marihuana paraphernalia under Section 74-212(a) a municipal civil infraction,

Whereas, the Ypsilanti City Council desires to establish civil fines for the infraction which will become effective 30 days after publication of the adopted ordinance.

NOW THEREFORE BE IT RESOLVED that the City of Ypsilanti hereby adds the following to its schedule of civil fines for Municipal Civil Infractions:

Section 74-212(a) Possession of marihuana paraphernalia

First Violation: \$50.00

First Repeat Violation: \$100.00

Second or Subsequent Repeat Violation: \$200.00

OFFERED BY: Council Member Symanns

SECONDED BY: Council Member Morgan

Mayor Pro-Tem Richardson asked if the ordinance currently has set fines for paraphernalia. Mr. Barr responded the ordinance Council passed during the last meeting made paraphernalia a civil infraction. When approved it did not provide for violation fines.

Council Member Symanns asked if there likely will be a change in ordinance based on the approval of recreational marihuana.

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Council Member Morgan asked if paraphernalia is based on its proximity to illegal marihuana. Mr. Barr responded medical marihuana does not make it legal, it only provides a card to provide a defense to the crime of possession. Mr. Morgan asked what the state defines as paraphernalia. Mr. Barr responded the state does not have a paraphernalia ordinance.

Council Member Murdock stated he will not support this resolution. He did not support the passage of the ordinance based on the discretion it provides police.

Council Member Symanns stated she will support the ordinance in keep the city in line with state law, knowing that in the future the city will remove this.

Mayor Pro-Tem Richardson asked when the city will be removing the paraphernalia ordinance from the code. Mr. Barr responded he cannot provide a definite time, it will depend on how the new initiative is implemented. Ms. Richardson understands and agrees with the comments of Council Member Murdock, however, she will support this because she feels it is better than ninety days in jail.

On a roll call, the vote to approved Resolution No. 2018-300 was as follows:

Council Member Brown	Absent	Council Member Symanns	Yes
Council Member Morgan	No	Mayor Bashert	Yes
Council Member Murdock	No	Ward 2 Vacancy	
Council Member Richardson	Yes		

VOTE:

YES: 3 NO: 2 (Morgan, Murdock) ABSENT: 1 (Brown) VACANCY: 1 (Ward 2) VOTE: Failed

Mayor Bashert asked because of the failure of this resolution does it make paraphernalia a misdemeanor. Mr. Barr responded it is still a civil infraction without fines.

4. Resolution No. 2018-301, establishing a Town Hall meeting for December 12, 2018 at the Riverside Arts Center for a presentation of the Rail Feasibility Study.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS there is great interest in a train stop in Ypsilanti; and

WHEREAS the City has received the train stop feasibility study; and

WHEREAS the City is at a decision point; and

WHEREAS our decision based on certain assumptions will impact our City development, neighborhoods and budget; and

WHEREAS there is need for transparency and community input.

NOW THEREFORE BE IT RESOLVED that the City Council establish a Town Hall meeting for December 20, 2018 at the Riverside Arts Center; and

FURTHER RESOLVED that staff arrange for the consultants and other relevant persons to give a presentation of the feasibility study and answer questions from Town Hall participants.

OFFERED BY: Council Member Murdock
SECONDED BY: Council Member Morgan

Council Member Murdock stated after the issues with the International Village Council told the public it would become more transparent and provide a mechanism for more community input. This is an opportunity to do just that and he changed the date so that OHM would be able to be present. There is currently not a location, but that can be filled in closed to the date of the meeting. This resolution is a result of denying him access to the consultants based on Council did not provide that directive. This resolution would provide that directive. There has been discussion regarding additional costs OHM would charge, and this meeting would not result in any additional costs. Mr. Early added one to two meetings there would be no cost, however, if Council wished to hold a higher frequency there would be an increase in cost.

Mayor Pro-Tem Richardson supports a town hall meeting, and agreed Council did make a commitment to become more transparent. She added Council recently passed a community benefits ordinance, which is historic with the premise that there is increased community involvement. The more transparent the city is the more support it will receive from its residents. She is excited to see the study, although she believes the city is behind on this report.

Council Member Symanns stated she completely supports being transparent, but wants to ensure it is at the right times in order to make the correct decision. She would like to have more detail prior to deciding on a date to hold a town hall. She asked if there was already a plan to hold a town hall. Mr. McClary responded in the affirmative, and possibly more than one meeting. The timing of the meeting would be determined by Council, which is why he intended to share the report with Council first. He is in favor of transparency, however, he feels a report should be formally submitted to Council prior to holding a town hall. Council Member Murdock interjected Council will be formally provided the report on December 4th. Ms. Symanns asked why is Council voting for this now, instead of during the December 4th meeting following the presentation. She asked why a town hall meeting is not being held for the removal of Penn Dam. Mr. Murdock responded Council will hold a town hall meeting for the Penn Dam. Ms. Symanns replied why Council is not voting to hold that meeting now as it is for the feasibility study, and why is that not urgent. Mr. Murdock responded because Council has not yet been given the report. Ms. Symanns responded she received a report on the Penn Dam. Mayor Pro-Tem Richardson replied not the full report. Ms. Symanns asked why one report is more important than the other report. It seems premature to vote prior to receiving the presentation regarding what would be included in the town hall meeting.

Council Member Morgan how many more decision points will be before Council prior to the implementation of the project, and what is a priority. He asked if the citizen's should be involved in every decision point faced by Council. Mr. McClary responded that is a policy decision set by Council, and there will be many decision points prior to construction.

Mayor Pro-Tem Richardson stated the city has been working on this since 2016, and there hasn't been a time Council has shared with residents what is happening. Last February the state and MDOT have put this on the city to continue moving forward with this project. The train stop is going to do a lot for not only this city but this region, and this is a step moving toward this goal.

Council Member Symanns she does not need to be convinced to have an informational meeting with the residents because she believes in that 100%. Her question is more about timing and procedure, it does not make sense to be voting on this prior to receiving a presentation. She wants to make good use of city resources and tax payer dollars, but also the time of citizens. To respect the time of citizens means to provide them with quality information in order to get the right feedback to make decisions. She asked if it makes sense to ask the public if they approve a design prior to getting the Federal Rail Administration (FRA) acceptance of that design. Mr. Early responded part of the process is they FRA will inquire if the Council has accepted the report and preferences Council has from the report. He explained what the FRA would ask procedurally.

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Council Member Morgan asked if the categorical exclusion study is requested by an agency. Mr. Early responded it is a part of the permitting process. Mr. Morgan asked if the study could be completed now if construction would not commence for six years. Mr. Early responded in the affirmative. Mr. Morgan asked if it is an expensive process. Mr. Early responded a categorical exclusion study is not, but it can become very expensive. Mr. Morgan asked if this study has ever come up through the years of discussion regarding the train stop. Mr. Early responded no because usually no analysis has been completed for feasibility of location.

Council Member Symanns asked if this is something that could be tabled until the December 4th meeting. Mayor Edmonds stated Council Member Symanns could make that motion.

Council Member Murdock stated he doesn't understand why there is any push back against holding a town hall.

Mayor Bashert stated transparency is key to the city and it has been made abundantly clear. Without a prominent news media in the city and the outcry for greater citizen engagement is vitally important. It was her decision to post the Amtrak Feasibility Study prior to going to Council. I know the city is eager for this information, but reminded Council Ann Arbor, whose budget is vastly larger than Ypsilanti has been working on its train station for five years. She believes this resolution as written is inaccurate, Council is not at a decision point regarding the train stop. This resolution is early, and does not include enough public engagement.

On a roll call, the vote to approved Resolution No. 2018-301 was as follows:

Council Member Brown	Absent	Council Member Symanns	No
Council Member Morgan	No	Mayor Bashert	No
Council Member Murdock	No	Ward 2 Vacancy	
Council Member Richardson	No		

VOTE:

YES: 0 NO: 5 (Bashert, Richardson, Symanns, Morgan, Murdock) ABSENT: 1 (Brown) VACANCY: 1 (Ward 2)
VOTE: Failed

Council Member Murdock informed Council he is going to move to reconsider during the December 4th meeting.

5. Resolution No. 2018-303, approving the purchase of the Washington Street Parking Lot from Eastern Michigan University.

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

WHEREAS, Eastern Michigan University owns a parking lot in the City of Ypsilanti on the corner of Washington Street and Pearl Street with common address of 114 N. Adams Street and 137 N. Washington Street, and

WHEREAS, EMU is willing to sell the parking lot to the City of Ypsilanti for the sum of \$1, and the purchase is in the best interest of the City of Ypsilanti, and

WHEREAS, the City Attorney has reviewed the proposed purchase agreement, attached hereto and approve it as to legal form,

NOW THEREFORE, the purchase agreement is approved and the City of Ypsilanti agrees to the terms thereof and the said purchase and the payment to EMU of the \$1 purchase price, and the closing of the purchase within 10 days, and the Mayor and City Clerk are authorized and directed to sign the purchase agreement, subject to the approval of the City Attorney,

for and on behalf of the City of Ypsilanti and to close the transaction within 10 days of this date.

AND FURTHER, the Mayor is authorized to sign an affidavit that the City of Ypsilanti is not a "foreign person" as defined in section 1445 of the IRS code of 1986 as amended,

AND FURTHER, IT IS CERTIFIED that the City of Ypsilanti, the purchaser, has full power to enter into the purchase agreement and authority to perform its obligations under the agreement.

OFFERED BY: Council Member Murdock
SECONDED BY: Mayor Pro-Tem Richardson

Council Member Murdock stated during the discussion regarding the approval of a bond to finance their parking, contact was made to discuss this issue. The parking lot became Eastern's during the College of Business, and might have even been given to the university by the city. He believes it to benefit the city.

Mayor Bashert stated she has an issue with having to keep the lot for parking for at least ten years. Her issue is based on current parking needs and the possibility of the AAATA Transit Center potentially moving location. She has spoken with the university and has been assured it can be removed. The city needs the freedom to do with the lot what it wishes. She suggested a motion be made to that affect. Council Member Murdock agreed, and explained he has had some communication with Leigh Greden about it.

Council Member Murdock moved, seconded by Mayor Pro-Tem Richardson to strike the section requiring the city maintain the lot for parking for ten years.

On a roll call, the vote to amend Resolution No. 2018-303 was as follows:

Council Member Brown	Absent	Council Member Symanns	Yes
Council Member Morgan	Yes	Mayor Bashert	Yes
Council Member Murdock	Yes	Ward 2 Vacancy	
Council Member Richardson	Yes		

VOTE:

YES: 5 NO: 0 ABSENT: 1 (Brown) VACANCY: 1 (Ward 2) VOTE: Carried

Council Member Symanns asked how the amendment would impact the agreement. Mayor Bashert responded if EMU cannot accept the new terms of the agreement a new agreement can be drafted. Mr. Barr recommended that he print a new agreement without that provision, and forward it to EMU.

On a roll call, the vote to approved Resolution No. 2018-303 as amended was as follows:

Council Member Brown	Absent	Council Member Symanns	Yes
Council Member Morgan	Yes	Mayor Bashert	Yes
Council Member Murdock	Yes	Ward 2 Vacancy	
Council Member Richardson	Yes		

VOTE:

YES: 5 NO: 0 ABSENT: 1 (Brown) VACANCY: 1 (Ward 2) VOTE: Carried

XII. LIAISON REPORTS –

- A. SEMCOG Update - None
- B. Washtenaw Area Transportation Study - None
- C. Urban County - None
- D. Ypsilanti Downtown Development Authority – Mayor Bashert stated she attended her first meeting and felt it was a good meeting. The DDA is planning some open houses and is currently performing outreach to the community. The DDA is discussing how to correct the city not honoring all of its obligations.
- E. Ypsilanti Youth Safety Collaboration – Council Member Morgan stated he would like to be this group’s liaison. Mayor Edmonds appointed Council Member Morgan as liaison.
- F. Friends of Rutherford Pool - None
- G. Housing Equity Leadership Team - None

XIII. COUNCIL PROPOSED BUSINESS –

Murdock

- He asked if regulations on electric scooters need to be adopted.

Mr. Barr responded he has prepared a draft ordinance, but has asked Assistant City Attorney Jesse O’Jack to review the legislation prior to being submitted for approval.

- Council received a memo that MDOT was going to perform a signal study at the Huron and Michigan intersection. However, the resolution was to examine pedestrian intervals on Michigan Ave.

Mr. McClary responded he needs to review the report, but have received an answer on the timing of the signal at Michigan Ave and Huron. However, it did not address the pedestrian crossing issue. Mayor Bashert stated there were two specific issues raised regarding pedestrian crossing. She asked how MDOT came to perform a study and not address those requests. Ms. Wessler responded it is all bundled together. She explained MDOT will not examine only pedestrian crossing as the mandate of MDOT by the legislature is to examine traffic. The Road Safety Audit (RSA) examines the entirety of the corridor. Mayor Bashert asked what the timeline of the RSA is. Ms. Wessler responded MDOT just received the RSA and are going through the recommendations. Council Member Richardson stated there is also a problem with the timing of the pedestrian crossing at Michigan and Hamilton. She asked that be addressed as a part of this.

- He asked for the status of the ordinance for noticing for subsidized housing, right of first refusal, and relocation expenses.

Mr. Barr responded this item should be on an upcoming agenda.

- He asked why the city website is listed as not secure.

Mr. McClary responded he would follow up with Civicplus. Economic Development Director Joe Meyers added he has asked the website developer how to handle this issue and have not heard a response.

Richardson

- Stated the DDA used to provide some fun activities throughout the city. She asked what the DDA is currently doing for the city.
- She is appreciated that there is activity regarding the pedestrian crossing along Michigan Ave. She stated the entire structure of the Michigan Ave and Huron intersection needs to be repaired.
- She asked for a full report regarding the Neighborhood Empowerment Zone Properties.

Morgan

- He wants to involve the youth more in government, and he had a role in developing the Youth Activist Network in Washtenaw County. He would like to continue those efforts by going to schools in the community and teach young people how to organize around their issues.
- He would like to build a coalition regarding the safety and security of fresh drinking water.

XIV. COMMUNICATIONS FROM THE MAYOR –

- Nomination:

Parks and Recreation Commission

Evan Sweet (reappointment)

731 Charles St.

Ypsilanti, MI 48198

- Discuss date for Council/Staff Retreat

- She is excited that Board and Commission training has begun, and thanked Mr. Barr and Commission Chairs for their role in the training.
- Her weekly newsletter is open to submissions.

Council Member Morgan asked when submissions are due, the Tuesday prior to the Friday publication.

- Encouraged Council to get on their city email.
- She asked what dates are conducive for the Council/Staff Retreat.

Council deliberated on potential times and dates for the retreat.

Mayor Bashert stated December 15th at 9:00 am until 3:00 p.m. as the date. The retreat will be held in the lower level of the Riverside Arts Center.

XV. COMMUNICATIONS FROM THE CITY MANAGER –

- The city has received the MDOT Road Safety Audit.
- He provided a collective bargaining update.
- The City Attorney has provided a pending litigation report.
- Email accounts for Council Members is in process. He suggested downloading the dual mobile app prior to even meeting with him.
- He noted the Fire Chief is retiring at the end of December. His retirement party is scheduled for December 11th at the Freight House.
- He congratulated Depot Town on their tree lighting ceremony.

Mayor Pro-Tem Richardson moved, seconded by Council Member to extend the meeting until 10:15 p.m.

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

XVI. COMMUNICATIONS –

XIX. AUDIENCE PARTICIPATION –

1. Amber Fellows, Ward 3, stated she doesn't have too much invested in the train stop. She is confused why Council pushes back against public input. It is possible the City Manager is trying to strong arm when Council can release information. She encouraged Council to pushback against that type control. Tying fines to a paraphernalia ordinance would only incentivize the enforcement of that ordinance.
2. Ben Joffe, 106 N Fourth, Ann Arbor, encouraged Council to allow the applications on queue to rollover for 2019 permits.
3. Desirae Simmons, Ward 3 resident, asked what stress does EMU purchasing property puts on this community.
4. Brian Geiringer, Ward 1 resident, stated he does not understand why Council is pushing back against a town hall for the Amtrak Feasibility Study. He hopes Council will stay true to their word regarding transparency.

XX. REMARKS FROM THE MAYOR –

XXI. ADJOURNMENT –

Resolution No. 2018-302, adjourning the City Council meeting.

OFFERED BY: Mayor Pro-Tem Richardson

SECONDED BY: Council Member Morgan

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the City Council Meeting be adjourned, on call, by the Mayor or three (3) members of Council.

On a voice vote, the motion carried, and the meeting adjourned at 10:04 p.m.