

**City of Ypsilanti
City Council Meeting
Tuesday, September 2, 2003
7:30 P.M.**

CALL TO ORDER

Mayor Farmer called the meeting to order at 7:30 p.m. in the Council Chambers at City Hall, One South Huron Street, Ypsilanti, Michigan.

Present: Mayor Farmer, Mayor-Pro Tem Swanson, Council Member Richardson, Council Member LaRue, Council Members Gawlas, and Council Member Nickels.

Absent: Council Member Schulze

Mayor Pro-Tem Swanson moved to excuse the absence of Council Member Schulze, Council Member Nickels supported.

Ayes: 6 Nays: 0 Absent: Schulze Vote: Unanimous

INVOCATION

Mayor Farmer asked for an moment of silence.

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."

INTRODUCTIONS

There were no introductions.

AGENDA APPROVAL

Mayor Pro-Tem Swanson offered and Council Member Nickels supported a motion to approve the Agenda.

Ayes: 6 Nays: 0 Absent: Schulze Vote: Unanimous

PRESENTATION

- A. Presentation of Dawn Farms 30th Anniversary Proclamation to Jim Balmer, Director of Dawn Farm.

Jim Balmer announced on September 7, 2003 Dawn Farm will have an Anniversary Celebration. He stated Dawn Farm provides services to individuals and families affected by drug and alcohol abuse. He thanked the Mayor and Council for their continued support.

- B. Presentation of Total Care 25th Anniversary Proclamation to Audris Smith, Total Care Branch Director and Judith Freerer, Account Executive.

Audris Smith thanked Mayor Farmer and Council for the Proclamations and five successful years in the Southeastern Michigan area providing home health care.

- C. Presentation by Police Chief George Baser on Students in the Community Task Force/ Fraternity & Sorority Social Policy.

Greg Peoples, Eastern Michigan Dean of Students, Frank Zanger, President of Inter-Fraternal Council and Jeremiah Shinn, Assistant Dean of Students, presented information to Council regarding information on a new policy to help govern Greek Organization to combat complaints and potential problems.

AUDIENCE PARTICIPATION

No Audience Participation

COUNCIL PROPOSED BUSINESS

Council Member Richardson questioned why the City still has an extra vehicle for Administration at the Police Department.

Edward Koryzno, City Manager stated the extra vehicle formally used by the Deputy Police Chief is still utilized within the Police Department.

Council Member Gawlas stated he received some complaints about Elm and Summit Street regarding standing water.

Council Member LaRue had no Council Proposed Business.

Council Member Nickels mentioned it was nice to see students on Michigan Avenue in Downtown Ypsilanti and Depot Town.

Mayor Pro-Tem Swanson mentioned Angela Dunn the new Manager for Forest Knoll and Arbor Manor will be hosting a Meet and Greet on Saturday, September 13, 2003 from 12 p.m. to 2 p.m.

LIASION REPORTS

Council Member Gawlas mentioned the LDFA is currently working on an Annual Report for the Smartzone. The report will be available for Council on October 7, 2003.

COMMUNICATION FROM THE CITY MANAGER

Closed Session per Section 8 (d) property purchase, of the Open Meetings Act and 8 (e) Attorney Opinion.

Ayes: 6 Nays: 0 Absent: Schulze Vote: Unanimous

COMMUNICATIONS FROM THE MAYOR

No communications from Mayor Farmer.

Resolution No #2003-183A, attached and made a part hereof, offered by Mayor Pro-Tem Swanson and supported by Council Member Nickels.

WHEREAS, the City Council authorized the City Manager to issue written Good Faith Offers, as required by MCL 213.55, offering the payment of just compensation for the acquisition of all property located in the Water Street Redevelopment Area necessary to pursue the Water Street Development Plan, and to evaluate and settle, within permissible parameters, claims arising from the acquisition of such property and the relocation of businesses and residents residing in the Development Area.

WHEREAS, the City has been unable to acquire by negotiation all of the property within the Development Area necessary for the Development Plan, thus necessitating the commencement of legal proceedings against one or more of the property owners residing or doing business in the area.

WHEREAS, the City has reached a negotiated resolution of certain of the legal proceedings it has commenced and has reached a negotiated resolution of certain other matters for which the commencement of legal proceedings were unnecessary, all of which negotiated resolutions are subject to approval of the City Council.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Manager is authorized to settle the matters set forth below on the terms and conditions as noted, and to execute or authorize execution by the City's retained counsel of any documentation, agreement, consent judgment or other writing required to resolve said matters.
2. Alamat, parcel 25: The City Manager is authorized to accept Mr. and Mrs. Alamat's all-inclusive offer to settle the pending litigation for \$425,000, the amount stated in the City's most recent good faith offer, subject to any permissible prorations for transfer fees or real estate taxes of record, and to execute or authorize execution by the City's retained counsel of a consent judgment or other agreement consistent thereto that would conclusively resolve the matter.

3. Kenyon Enterprises, parcels 14, 17 and 18: The City Manager is authorized to accept an all-inclusive settlement of \$1,220,000, inclusive of all attorney fees, costs, claims and expenses of any type or nature and to execute or authorize execution by the City's retained counsel of a consent judgment consistent thereto for entry with the Court.
4. Auton, parcel 30: The City Manager is authorized to accept an all-inclusive settlement of \$316,500, inclusive of all attorney fees, costs, claims and expenses of any type or nature and to execute or authorize execution by the City's retained counsel of a consent judgment consistent thereto for entry with the Court.
5. Walters, parcel 1: The City Manager is authorized to accept an all-inclusive settlement of \$212,000, inclusive of all attorney fees, costs, claims and expenses of any type or nature and to execute or authorize execution by the City's retained counsel of a consent judgment consistent thereto for entry with the Court, or an appropriate agreement that would conclusively resolve the matter.
6. Billboard, 2 E. Michigan Ave (parcel 15): The City Manager is authorized to accept an all-inclusive settlement of \$100,000, inclusive of all attorney fees, costs, claims and expenses of any type or nature and to execute or authorize execution by the City's retained counsel of a consent judgment or other agreement consistent thereto that would conclusively resolve the matter.

Ayes: 6 Nays: 0 Absent: Schulze Vote: Unanimous

ADJOURNMENT

Resolution No #2003-184, offered by Mayor Pro-Tem Swanson and supported by Council Member Nickels to adjourn the meeting.

Ayes: 6 Nays: 0 Absent: Schulze Vote: Unanimous

Adjourned at 10:42 p.m.