

**City of Ypsilanti
City Council Meeting
Tuesday, March 16, 2004
7:30 P.M.**

CALL TO ORDER

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

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

Absent: No Council Members absent.

INVOCATION

Mayor Farmer asked for a 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

No introductions.

AGENDA APPROVAL

Council Member Nickels added Resolution 2004-47A and Mayor Farmer removed item B from the Consent Agenda. Council Member Richardson offered and Mayor Pro-Tem Swanson supported a motion to approve the amended Agenda.

Ayes: 7 Nays: 0 Absent: 0 Vote: Unanimous

PRESENTATION

A. Presentation by Harry Hutchison, DPW Director on the 2004 road projects.

Harry Hutchison stated there are five road construction projects scheduled for this year. He mentioned South Ypsilanti has been experiencing some problems with a previous paving project. He stated he has been in contact with the contractor to resolve the cracking in the pavement. Mr. Hutchison also mentioned some restoration work will also be completed in the areas where paving projects have already taken place.

AUDIENCE PARTICIPATION

Lanee Burgess stated she would like to see the South Depot Town Area zoned residential.

Steve Pierce questioned whether the Peninsular Park Development had additional 75 parking spaces. He requested Council to table the discussion if the parking spaces were not available.

Judy Mull thanked everyone who signed her petition in favor of not changing the zoning of South Depot Town.

Ted Mull gave a brief history of the South Depot Town Neighborhood. He stated the area has never been quiet and he requested the zoning be left as it currently stands.

Pam Hamblin requested Council not to pass the Peninsular Park Planned Unit Development if adequate parking is not provided.

Teresa Aleksandra stated the proposed changes will negatively affect business owners in the area.

Bob Barnes mentioned he had spoken to City Officials over a year ago in regards to parking for the Thompson Building and had not received a reply. He stated the standards for granting Certificates of Occupancy has went down. He gave pictures to Council of alleged properties that received Certificates of Occupancies.

Steve Cherry stated he was opposed to the Water Street Plan. He questioned why the financial aspect were not available for the public to review.

MINUTES

Resolution 2004-32, attached and made a part hereof, offered by Council Member Richardson and supported by Council Member Nickles -That the Minutes of March 2, 2004 be approved with corrections.

Ayes: 7 Nays: 0 Absent: 0 Vote: Unanimous

PUBLIC HEARING/ ORDINANCE FIRST READING

- A. THAT the Public Hearing to consider the proposed Ordinance entitled "SOUTH DEPOT TOWN NEIGHBORHOOD REZONING."

Mayor Farmer opened the Public Hearing.

Maryann McDonald stated she supported the proposed changes to South Depot Town and requested Council to approve the changes.

Gary Sobry Jr. stated he opposed the changes to the current zoning. He mentioned, he is a business owner in the neighborhood and is in favor of improvement to the area but not changing the zoning. He also mentioned the abandoned cars and the social problems are the real issue.

Judy Mull expressed her concerns about the proposed zoning changes. She mentioned the South Depot Town Neighborhood is a unique part of town. She stated homeowners and business owners are concerned about the drugs, prostitution, arson, abandoned cars and boarded up houses in the area.

Teresa Aleksandra expressed the problems the area has are not zoning problems, but police related. She stated the business owners in the area follow the rules and requirements set by the City and pay taxes.

Keith Agandanowski requested Council to pass the resolution in support of changing the zoning in South Depot Town.

Gary Sobry Sr. stated he is against the zoning change. He stated businesses have invested a lot of money in that area.

Brent Wilber a business owner in the area mentioned he just recently heard about the proposed zoning changes. He stated he had mixed feelings about the situation and would like more information.

Chris Knapp expressed he was pleased with the resolution before Council. He stated the changes were fair and balanced.

Pam Hamblin requested Council to support the rezoning of the residential area of South Depot Town.

Robert Barnes stated a new set of rules will not stop the problems in the area. He mentioned stronger police enforcement is needed to remedy the problems.

Todd Zeddell said he would be personally and financially affected by the proposed zoning changes.

Attorney, Jim Nelson representing Marsh Plating spoke in regards to the Tucker Block. He stated the area is currently zoned appropriately and Marsh is interested in purchasing more property to expand. He mentioned changes could hinder their plan to expand their business which would generate more jobs and tax dollars for the City.

Lanee Burgess said the area has experienced many changes over years and she would like to see the changes to zoning take place.

Steve Pierce stated the City of Ypsilanti has a significant Ordinance Enforcement problem.

Bob Barnes requested the City help keep business owners and residence together instead of driving them apart.

Resolution 2004-33, attached and made a part hereof, offered by Council Member Schulze and supported by LaRue to close the Public Hearing.

Ayes: 7 Nays: 0 Absent: 0 Vote: Unanimous

Resolution 2004-34, Council's voted to table the Resolution until April 6, 2004 Council Meeting.

Council Member Schulze motioned to table the discussion until April 6, 2004. Council Member Richardson supported the motion.

Ayes: 5 Nays: Farmer, Nickels Absent: 0 Vote: Carried

- B. That the Public Hearing to consider the proposed Ordinance entitled, "REMOVAL OR DESTRUCTION OF NON-CONFORMING USE OF STRUCTURE ZONING ORDINANCE TEXT AMENDMENT."

Mayor Farmer opened the Public Hearing

Robert Barnes mentioned a small amount of damage could cost over 50% of the SEV which would make the structure non-conforming. He requested Council to take this into account before voting.

Resolution 2004-35, attached and made a part hereof, offered by Council Member Nickels and supported by Mayor Pro-Tem Swanson to close the Public Hearing.

Ayes: 7 Nays: 0 Absent: 0 Vote: Unanimous

Resolution 2004-36, attached and made a part hereof, offered by Council Member Nickels and supported by Mayor Pro-Tem Swanson.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the proposed ordinance entitled "REMOVAL OR DESTRUCTION OF NON-CONFORMING USE OF STRUCTURE ZONING ORDINANCE TEXT AMENDMENT" be approved on First Reading.

Ayes: 7 Nays: 0 Absent: 0 Vote: Unanimous

ORDINANCE SECOND READING

- A. **Resolution 2004-37**, attached and made a part hereof offered by Council Member Gawlas and supported by Council Member LaRue.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled "PENINSULAR PARK PLANNED UNIT DEVELOPMENT" be approved on second and final reading, subject to the following conditions:

1. Detailed Landscaping and Lighting plans be reviewed by Planning and Development Department for compliance with Zoning Ordinance standards and written approval be filed in the city files.
2. A PUD/development agreement satisfactory to the city and to the project developer be prepared and approved as to form by the City Attorney and approved by City Council.
 - a. The agreement shall include provisions guaranteeing that the property would stay on the tax rolls or that payment in lieu of taxes be paid annually, in amount not less than the total taxes that would have been paid if the property remained taxable, and that the agreement would "run with the land."
 - b. Developer to place adequate funds in escrow with the City, as determined by City traffic consultant, in order to conduct a parking study within two years of occupancy of the development. Parking study to determine whether adverse parking deficiencies have occurred and whether traffic flow or congestion has occurred that is detrimental to the public welfare and surrounding properties as a result of lack of adequate parking. Up to 75 additional parking spaces shall be provided in the event a compelling need is found. The final number of spaces required shall be determined by the parking study. This language is subject to review and approval by City Attorney.
3. A Brownfield Plan be approved by the City Brownfield Redevelopment Authority and the City Attorney as to form and by City Council.

Ayes: 7 Nays: 0 Absent: 0 Vote: Unanimous

Mayor Farmer offered a motion to extend the City Council Meeting until 11:30 p.m.
Mayor Pro-Tem Swanson supported the motion

Ayes: 7 Nays: 0 Absent: 0 Vote: Unanimous

CONSENT AGENDA

Resolution 2004-38 attached and made a part hereof, offered by Council Member Gawlas and supported by Council Member LaRue-That the following Consent Agenda be approved.

- A. Resolution 2004-39, authorizing an application to the MI Department of Environmental Quality Brownfield Grant and Loan Program for a loan to support demolition and environment response for the Water Street Development Project.
- B. Removed
- C. Resolution 2004-41, recognizing the Michigan Firehouse Museum as a nonprofit organization operating in the City of Ypsilanti.
- D. Resolution 2004-42, approving a contract with the Michigan Department of Transportation for water main replacement and paving of Washtenaw Avenue between Hamilton and Huron Streets.
- E. Resolution 2004-43, awarding a bid and approving an agreement with SBG Construction, Inc. for the Clarksville Area Paving and Water Main Improvement Project.
- F. Resolution 2004-44, awarding a bid approving an agreement with DOC Contracting, Inc. for the Gerganoff Subdivision Paving and Water Main Improvement Project.
- G. Resolution 2004-45, awarding a bid and approving an agreement with ABC Paving Co. for the Martin Place Paving and Water Main Improvement Project.
- H. Resolution 2004-46, awarding a bid and approving an agreement with DOC Contracting, Inc. for the Central Business District Paving and Water Main Improvement Project.
- I. Resolution 2004-47, approving a contract with MDOT for paving S. Grove St., from Emerick to Michigan Ave.

Ayes: 7 Nays: 0 Absent: 0 Vote: Unanimous

Council Member Schulze left the meeting at 11:23 p.m.

Resolution 2004-47A, attached and made a part hereof, offered by Council Member Nickels and supported by Mayor Pro-Tem Swanson.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City is about to lose Robert Slone to retirement after 27 years of service; and

WHEREAS, City Council has chosen Deputy Clerk Cherry Lawson to be Interim Clerk; and

WHEREAS, City Council is responsible by Charter for the supervision of the City Clerk; and

WHEREAS, supervision is particularly important to the success of a new employee or of an employee being placed in a new role, and Council wishes to do everything it can to assure the success of the Interim Clerk and new Clerk; and

WHEREAS, Council recognizes the difficulty it faces in supervising the Clerk's position because our elected positions are part-time making it physically difficult to observe, understand, and facilitate day to day operations of the Clerk's Office.

NOW, THEREFORE BE IT RESOLVED that City Council does hereby officially delegate supervisory powers over the Clerk and therefore over the Clerk's Office to City Manager Koryzno. Furthermore, it is Council's expectation that the Clerk's Office, under the direction of Mr. Koryzno will do the following.

1. Perform all of the necessary functions of the Clerk's Office as well as any additional functions required by Council.
2. Continue implementation of the recommendations of the recent Michigan Municipal League study of the Clerk's Office.

FURTHER BE IT RESOLVED THAT the City of Ypsilanti will adhere to the union contract and nonunion Employee's Handbook as they apply to the Clerk's Office employees.

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

Resolution 2004-40, attached and made a part hereof, offered by Council Member Richardson and supported by Council Member Nickels.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT a Public Hearing be scheduled and held on April 6, 2004 at the regular meeting of the City Council on adoption of a Brownfield Plan for the Peninsular Park Housing Project in accordance with Act 381 of the Public Acts of the State of Michigan of 1996, as amended; and

THAT the City Clerk is hereby directed to notice the hearing in full accordance with
aforementioned act.

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

COUNCL PROPOSED BUSINESS

Council Member LaRue mentioned the National League of Cities discussed the
University Caucus has a mortgage subsidy program to encourage faculty and staff to
live closer to their jobs with the condition they must reside in the home for 10 years.

Council Member Nickels had no Council Proposed Business.

Council Member Gawlas had no Council Proposed Business.

Council Member Richardson had no Council Proposed Business.

Mayor Pro-Tem Swanson had no Council Proposed Business.

LIAISON REPORT

Mayor Pro-Tem Swanson mentioned she had been recently elected as a delegate for
SEMCOG and Council Member LaRue would serve as an Alternate.

Mayor Pro-Tem Swanson offered the motion to extend the meeting until 11:45 p.m.
Council Member Nickels supported.

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

COMMUNICATIONS FROM THE CITY MANAGER

City Manager, Edward Koryzno mentioned Eastern Michigan University is looking into
the possibility of a mortgage subsidy program for faculty and staff. He mentioned the
City Manager of East Lansing has invited him to a meeting regarding Public Act 289.
He also mentioned discussion is taking place regarding the vacating of College Place.
City Manager Koryzno and Council thanked Robert Slone for his years of service to
the City of Ypsilanti.

Council Member Richardson left the meeting at 11:37 p.m.

COMMUNICATIONS FROM THE MAYOR

Resolution 2004-48, making appointments to the Huron River Watershed Council,
Historic District Commission, and Zoning Board of Appeals.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT, the following individual be appointed to the City of Ypsilanti Boards and Commission as indicated below.

	<u>NAME</u>	<u>BOARD</u>	<u>TERM TO EXPIRE</u>
1.	Jon R. Ichesco 1218 Pearl Street Ypsilanti, MI 48197	Zoning Board of Appeals (Reappointment)	05/01/07
2.	Joseph Schultz 1210 Pearl Street Ypsilanti, MI 48197	Historic District Commission (New Appointment)	01/31/05
3.	Edward H Kluitenberg 1213 Grant Street Ypsilanti, MI 48197	Huron River Watershed Council (New Appointment)	06/30/05
4.	William Labeledzi 52 ½ E. Cross Street Ypsilanti, MI 48198	Deport Town DDA (Reappointment)	07/01/06
5.	Ivan Harner 1350 N. Huron River Dr. Ypsilanti, MI 48197	Depot Town DDA (Reappointment)	07/01/06

Ayes: 5 Nays: 0 Absent: Schulze, Richardson Vote: Unanimous

Mayor Farmer questioned whether Council would like more information from staff regarding the South Depot Town Rezoning.

ADJOURNMENT

Resolution 2004-49, attached and made a part hereof, offered by Mayor Pro-Tem Swanson and supported by Council Member Nickels to adjourn the meeting.

Ayes: 5 Nays: 0 Absent: Schulze, Richardson Vote: Unanimous

Adjourned at 11:43 p.m.