



**CITY OF YPSILANTI
COUNCIL MEETING MINUTES
COUNCIL CHAMBERS AT CITY HALL
ONE SOUTH HURON, YPSILANTI, MI 48197
TUESDAY, DECEMBER 6, 2005
7:30 P.M.**

I. CALL TO ORDER

The Council Meeting was called to order at 7:30 p.m.

II. ROLL CALL

Mayor Farmer	Present	Council Member Richardson	Present
Council Member Gawlas	Present	Council Member Filipiak	Present
Council Member LaRue	Present	Mayor Pro-Tem Swanson	Absent
Council Member Nickels	Present		

Moved by Council Member Richardson, supported to excuse the absence of Mayor Pro-Tem Swanson.

III. INVOCATION

Mayor Farmer 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. INTRODUCTIONS

Mayor Farmer acknowledged County Commissioner Ronnie Peterson. She also introduced Ingrid Ault as the Interim DDA Director.

VI. AGENDA APPROVAL

Moved and supported to accept the amended Agenda.

VOTE

Yes: 6 No: 0 Absent: 1 (Swanson) Vote: Carried

(Amended Agenda)

**CITY OF YPSILANTI
COUNCIL MEETING AGENDA
CITY COUNCIL CHAMBERS
ONE SOUTH HURON STREET, YPSILANTI, MI 48197
TUESDAY, DECEMBER 6, 2005
7:30 P.M.**

I. CALL TO ORDER –

II. ROLL CALL –

Mayor Farmer	P A	Council Member Richardson	P A
Council Member Gawlas	P A	Council Member Filipiak	P A
Council Member LaRue	P A	Mayor Pro-Tem Swanson	P A
Council Member Nickels	P A		

III. INVOCATION –

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. INTRODUCTIONS –

VI. AGENDA APPROVAL –

VII. PRESENTATIONS –

- A. Proclamation presentation to the family of Jessie Rutherford
- B. Wireless Washtenaw, James McFarlane, Project Manager, Washtenaw County
 - 1. **Resolution No. 2005 -214**, approving the Master Participation Agreement with the City of Ypsilanti and Washtenaw County.
- C. Ypsilanti Health Coalition – Washtenaw Steps Up presentation, Debbie Young, St. Joseph Mercy Hospital and Jenna Bacolor, Washtenaw County Public Health.
 - 1. **Resolution No. 2005 - 215**, approving the bike rack installation by the Ypsilanti Health Coalition.

VIII. AUDIENCE PARTICIPATION –

IX. MINUTES –

- A. **Resolution No. 2005 -216**, approving the Minutes of November 1st and 3rd, 2005.

X. ORDINANCE – FIRST READING

- A. An Ordinance providing that City Council has sole authority to approve or disapprove the purchase and/or sale of real estate by the Ypsilanti Housing Commission.
 - 1. Open public hearing
 - 2. **Resolution No. 2005 – 217**, closing the public hearing.
 - 3. **Resolution No. 2005 – 218**, determination.
- B. An Ordinance to add subsection (6) to Section 122-799 of The Ypsilanti City Code be amended to read as follows: The annual license fee for the operation of Outdoor Cafes, Restaurants, and Beer Gardens shall be set by resolution of the City Council.
 - 1. Open public hearing.
 - 2. **Resolution No. 2005 – 219**, closing the public hearing.
 - 3. **Resolution No. 2005 – 220**, determination

XI. ORDINANCE – SECOND READING

- A. **Resolution No. 2005 – 221**, adopting an Ordinance to Amend Section 14-7 of the Ypsilanti City Code to permit keeping animals under State or Federal Permit
- B. **Resolution No. 2005 – 222**, adopting an Ordinance to Amend Chapter 102 of the Ypsilanti City Code, entitled "Traffic and Vehicles*," by Re-Adopting by Reference the Michigan Vehicle Code, 1949 PA 300, MCL 257.1 to 257.923, as Amended, for the Purpose of Regulating the Streets and Highways of the City of Ypsilanti and to Repeal or Amend all Ordinance Sections Inconsistent thereto and to set forth the penalties."

(Amended Agenda Continued)

- C. **Resolution No. 2005 – 223**, adopting an Ordinance to Amend Chapter 102 of the Ypsilanti City Code, entitled "Traffic and Vehicles*," Article II "Uniform Traffic Coded," by Adopting by Reference the Uniform Traffic Code for Cities, Townships, and Villages, as Amended, to Delete or Amend Previous Amendments to this Article, and to Add New Amendments to this Article, for the Purpose of Regulating the Streets and Highways Of the City of Ypsilanti and to set forth the penalties."
- D. **Resolution No. 2005 – 224**, adopting an Ordinance entitled, "753 South Grove Planned Unit Development."
- E. **Resolution No. 2005 – 225**, adopting an Ordinance to amend Section 122-294 and Section 122-314 of the City of Ypsilanti Code of Ordinances to add Medical or Dental Offices or Clinics as Special Uses in the R-3 and R-4, Multiple-Family Residential Districts.
- F. **Resolution No. 2005 – 226**, adopting an Ordinance to amend Section 122-517 of the City of Ypsilanti Code of Ordinances to add Laundry and Dry Cleaning Customer Outlets and Coin Operated Laundromats as Permitted Uses in the C/I, Commercial-Industrial Zoning Districts.
- G. **Resolution No. 2005 – 227**, adopting an Ordinance entitled, "Vacant Superior Road Rezoning."
- H. **Resolution No. 2005 – 228**, adopting an Ordinance entitled, "Vacant West Michigan Rezoning."
- I. **Resolution No. 2005 – 229**, adopting an Ordinance entitled, "10 South Prospect Rezoning."
- J. **Resolution No. 2005 – 229A**, approving the replacement of the quitclaim deed for Parkview Apartments.

XII. CONSENT AGENDA - Resolution No. 2005 – 230, approving the following Consent Agenda items:

- A. ~~**Resolution No. 2005 – 231**, approving the Amendment to City of Ypsilanti Towing Agreement, amending the contract with original date of January 23, 2004, and the City Manager is authorized to sign the same. Removed from Consent Agenda per Council request.~~
- B. **Resolution No. 2005 - 232**, approving Ypsilanti City Council schedule for the year 2006.
- C. **Resolution No. 2005 – 233**, amending the fee schedule for the City of Ypsilanti to include and additional entry to be placed in Section 122-799 Outdoor Café, Restaurant, and Beer Garden Annual Fee.
- D. **Resolution No. 2005 – 234**, approves the Payment in Lieu of Taxes (P.I.L.O.T.) authorization for the Parkview Apartments be cancelled, and the City Assessor is instructed to place the Parkview Apartments back on the tax rolls no later than December 31, 2005.

XIII. RESOLUTION / MOTIONS & DISCUSSION ITEMS

- A. ~~**Resolution No. 2005 – 231**, approving the Amendment to City of Ypsilanti Towing Agreement, amending the contract with original date of January 23, 2004, and the City Manager is authorized to sign the same.~~
- A. Report on the City Manager and City Clerk Evaluations, by the City Council Evaluation Committee, Mayor Pro-Tem Trudy Swanson, Council Member Barry LaRue, and Council Member Bill Nickels.

XIV. COUNCIL PROPOSED BUSINESS –

XV. LIAISON REPORTS –

- A. SEMCOG Update
- B. Recreation Commission
- C. Washtenaw Area Transportation Study
- D. Washtenaw Development Council
- E. Ypsilanti Area Community Fund
- F. Smart Zone Local Development Finance Authority
- G. Washtenaw Metro Alliance

XVI. COMMUNICATIONS FROM THE CITY MANAGER –

- A. Closed session per Section 8 (c) regarding collective bargaining negotiations and possible consideration of a resolution regarding the union contract.

XVII. COMMUNICATIONS FROM THE MAYOR –

XVIII. ADJOURNMENT –

- A. **Resolution No. 2005 – 235**, adjourning the City Council Meeting.

VII. PRESENTATIONS

A. Proclamation presentation to the family of Jessie Rutherford

Mayor Farmer presented a proclamation honoring the late Jessie Rutherford, a past Director of Ypsilanti's Recreation Department, who was recently admitted to the State Recreation Hall of Fame.

B. Wireless Washtenaw, James McFarlane, Project Manager, Washtenaw County

- 1. Resolution No. 2005 – 214**, approving the Master Participation Agreement with the City of Ypsilanti and Washtenaw County.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Washtenaw County has announced an initiative entitled "Wireless Washtenaw;" and

WHEREAS, the goals of this initiative are to: (1) Blanket the entire County with wireless internet services and provide a blend of "free" and "for fee" high speed internet access to every resident, business and visitor (2) Address the digital divide that exists within Washtenaw County to provide the Internet and future wireless technology to the entire population (3) Enhance the Washtenaw County community by creating partnerships and a new spirit of collaboration to improve the quality of life; and

WHEREAS, the benefits of this initiative will include improving our ability to attract and retain business and support further economic development; and

WHEREAS, a wireless infrastructure will grow existing financially disadvantaged businesses with affordable access to high-speed telecommunications while reducing the cost of mobile computing; and

WHEREAS, wireless accessibility will expand educational opportunities to students while enhancing residential character; and

WHEREAS, the Wireless Washtenaw Advisory Board plans to form a public/private partnership to enable wireless capabilities to the entire County

NOW, THEREFORE, BE IT RESOLVED, that the City of Ypsilanti hereby supports the Wireless Washtenaw initiative; and,

THAT, the Mayor and City Clerk have authorization to sign and execute the Wireless Washtenaw Master Participation Agreement and associated documents.

OFFERED BY: Council Member Gawlas

SUPPORTED BY: Council Member LaRue

VOTE

Yes: 4 No: 2 (Richardson, Filipiak) Absent: 1 (Swanson) Vote: Carried

- C. Ypsilanti Health Coalition – Washtenaw Steps Up presentation, Debbie Young, St. Joseph Mercy Hospital and Jenna Bacolor, Washtenaw County Public Health.

1. **Resolution No. 2005 – 215**, approving the bike rack installation by the Ypsilanti Health Coalition.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the Ypsilanti Health Coalition is comprised of community-based organizations promoting community health in the City of Ypsilanti; and

WHEREAS, the City of Ypsilanti, Michigan City Council has a vested interest in the health of Ypsilanti residents; and

WHEREAS, the Ypsilanti Health Coalition has sought and received funding for the purchase and installation of bike racks in pursuit of its goal to enhance community health by facilitating increased physical activity; and

WHEREAS, it is the desire of the City of Ypsilanti, Michigan City Council to have said bike racks installed,

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that the Ypsilanti Health Coalition is authorized to proceed with the installation of bike racks in the Downtown and Depot Town business districts.

OFFERED BY: Council Member Filipiak

SUPPORTED BY: Council Member LaRue

VOTE

Yes: 6 No: 0 Absent: 1 (Swanson) Vote: Carried

VIII. AUDIENCE PARTICIPATION

Council received public comments. Audience participation is recorded on audiocassette and is available to the public for up to sixty days following the City Council meeting.

IX. MINUTES

- A. Resolution No. 2005-216**, approving the Minutes of November 1st and 3rd, 2005.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the Minutes of November 1st and 3rd, 2005, be approved.

OFFERED BY: Council Member LaRue
SUPPORTED BY: Council Member Gawlas

VOTE

Yes: 6 No: 0 Absent: 1 (Swanson) Vote: Carried

Minutes were approved with noted corrections.

X. ORDINANCES – FIRST READING

- A.** An Ordinance providing that City Council has sole authority to approve or disapprove the purchase and/or sale of real estate by the Ypsilanti Housing Commission.
1. Open the Public Hearing – Council received public comments. Audience participation is recorded on audiocassette and is available to the public for up to sixty days following the City Council meeting.
 2. **Resolution No. 2005 – 217**, closing the public hearing.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT, the public hearing on an ordinance entitled " An ordinance providing that City Council has the sole authority to approve or disapprove the purchase and/or sale of real estate by the Ypsilanti Housing Commission, be **Officially Closed**.

OFFERED BY: Council Member Richardson
SUPPORTED BY: Council Member Nickels

VOTE

Yes: 6 No: 0 Absent: 1 (Swanson) Vote: Carried

3. **Resolution No. 2005 – 218**, approving the ordinance on First Reading.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT an ordinance entitled " An ordinance providing that City Council has the sole authority to approve or disapprove the purchase and/or sale of real estate by the Ypsilanti Housing Commission " **be approved on First Reading.**

OFFERED BY: Council Member Richardson
SUPPORTED BY: Council Member Nickels

VOTE

Yes: 6 No: 0 Absent: 1 (Swanson) Vote: Carried

- B.** An Ordinance to add subsection (6) to Section 122-799 of The Ypsilanti City Code be amended to read as follows: The annual license fee for the operation of Outdoor Cafes, Restaurants, and Beer Gardens shall be set by resolution of the City Council.

1. Open the Public Hearing – There was no public comment.
2. **Resolution No. 2005 – 219**, closing the public hearing.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the public hearing to consider an ordinance entitled "An ordinance to add an additional subsection (6) to Section 122-799 of The Ypsilanti City Code," be **Officially Closed.**

OFFERED BY: Council Member Nickels
SUPPORTED BY: Council Member Gawlas

VOTE

Yes: 6 No: 0 Absent: 1 (Swanson) Vote: Carried

3. **Resolution No. 2005 – 220**, approving the ordinance on First Reading.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT an ordinance entitled "An ordinance to add an additional subsection (6) to Section 122-799 of The Ypsilanti City Code," be **approved on First Reading.**

OFFERED BY: Council Member Nickels
SUPPORTED BY: Council Member Gawlas

VOTE

Yes: 6 No: 0 Absent: 1 (Swanson) Vote: Carried

XI. ORDINANCES – SECOND READING

- A. Resolution No. 2005 – 221**, adopting an Ordinance to Amend Section 14-7 of the Ypsilanti City Code to permit keeping animals under State or Federal Permit.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT an ordinance entitled, “An Ordinance to Amend Section 14-7 of the Ypsilanti City Code to permit keeping Animals under State or Federal Permit” **be approved on Second and Final Reading.**

OFFERED BY: Council Member Nickels
SUPPORTED BY: council Member Richardson

VOTE

Yes: 6 No: 0 Absent: 1 (Swanson) Vote: Carried

- B. Resolution No. 2005 – 222**, adopting an Ordinance to Amend Chapter 102 of the Ypsilanti City Code, entitled “Traffic and Vehicles*,” by Re-Adopting by Reference the Michigan Vehicle Code, 1949 PA 300, MCL 257.1 to 257.923, as Amended, for the Purpose of Regulating the Streets and Highways of the City of Ypsilanti and to Repeal or Amend all Ordinance Sections Inconsistent thereto and to set forth the penalties.”

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT an ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 102 OF THE YPSILANTI CITY CODE, ENTITLED “TRAFFIC AND VEHICLES*,” BY RE-ADOPTING BY REFERENCE THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.1 to 257.923, AS AMENDED, FOR THE PURPOSE OF REGULATING THE STREETS AND HIGHWAYS OF THE CITY OF YPSILANTI AND TO REPEAL OR AMEND ALL ORDINANCE SECTIONS INCONSISTENT THERETO AND TO SET FORTH THE PENALTIES" **be approved on Second and Final Reading.**

OFFERED BY: Council Member Richardson
SUPPORTED BY: Council Member Nickels

VOTE

Yes: 6 No: 0 Absent: 1 (Swanson) Vote: Carried

- C. Resolution No. 2005 – 223**, adopting an Ordinance to Amend Chapter 102 of the Ypsilanti City Code, entitled “Traffic and Vehicles*,” Article II “Uniform Traffic Code,” by Adopting by Reference the Uniform Traffic Code for Cities,

Townships, and Villages, as Amended, to Delete or Amend Previous Amendments to this Article, and to Add New Amendments to this Article, for the Purpose of Regulating the Streets and Highways of the City of Ypsilanti and to set forth the penalties.”

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT an ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 102 OF THE YPSILANTI CITY CODE, ENTITLED "TRAFFIC AND VEHICLES*," ARTICLE II "UNIFORM TRAFFIC CODE," BY ADOPTING BY REFERENCE THE UNIFORM TRAFFIC CODE FOR CITIES, TOWNSHIPS, AND VILLAGES, AS AMENDED, TO DELETE OR AMEND PREVIOUS AMENDMENTS TO THIS ARTICLE, AND TO ADD NEW AMENDMENTS TO THIS ARTICLE, FOR THE PURPOSE OF REGULATING THE STREETS AND HIGHWAYS OF THE CITY OF YPSILANTI AND TO SET FORTH THE PENALTIES" **be approved on Second and Final Reading.**

OFFERED BY: Council Member Gawlas
SUPPORTED BY: Council Member LaRue

VOTE

Yes: 6 No: 0 Absent: 1 (Swanson) Vote: Carried

D. Resolution No. 2005 – 224, adopting an Ordinance entitled, "753 South Grove Planned Unit Development.”

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the proposed ordinance entitled, "753 SOUTH GROVE PLANNED UNIT DEVELOPMENT" be approved on **Second and Final Reading.**

OFFERED BY: Council Member LaRue
SUPPORTED BY: Council Member Filipiak

VOTE

Yes: 6 No: 0 Absent: 1 (Swanson) Vote: Carried

E. Resolution No. 2005 – 225, adopting an Ordinance to amend Section 122-294 and Section 122-314 of the City of Ypsilanti Code of Ordinances to add Medical or Dental Offices or Clinics as Special Uses in the R-3 and R-4, Multiple-Family Residential Districts.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the proposed Ordinance entitled, "MEDICAL OR DENTAL OFFICES OR CLINICS ZONING ORDINANCE TEXT AMENDMENT" **be approved on Second and Final Reading.**

OFFERED BY: Council Member Richardson
SUPPORTED BY: Council Member Nickels

VOTE

Yes: 6 No: 0 Absent: 1 (Swanson) Vote: Carried

F. Resolution No. 2005 – 226, adopting an Ordinance to amend Section 122-517 of the City of Ypsilanti Code of Ordinances to add Laundry and Dry Cleaning Customer Outlets and Coin Operated Laundromats as Permitted Uses in the C/I, Commercial-Industrial Zoning Districts.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT an Ordinance entitled, "LAUNDRY/DRY-CLEANING OUTLETS AND COIN OPERATED LAUNDROMATS ZONING ORDINANCE TEXT AMENDMENT" **be approved on Second and Final Reading.**

OFFERED BY: Council Member Filipiak
SUPPORTED BY: Council Member LaRue

VOTE

Yes: 6 No: 0 Absent: 1 (Swanson) Vote: Carried

G. Resolution No. 2005 – 227, adopting an Ordinance entitled, "Vacant Superior Road Rezoning."

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT an Ordinance entitled, "VACANT SUPERIOR ROAD REZONING," **be approved on Second and Final Reading.**

OFFERED BY: Council Member Gawlas
SUPPORTED BY: Council Member LaRue

VOTE

Yes: 6 No: 0 Absent: 1 (Swanson) Vote: Carried

H. Resolution No. 2005 – 228, adopting an Ordinance entitled, "Vacant West Michigan Rezoning."

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT an Ordinance entitled, "VACANT WEST MICHIGAN REZONING," **be approved on Second and Final Reading.**

OFFERED BY: Council Member LaRue
SUPPORTED BY: Council Member Filipiak

VOTE

Yes: 6 No: 0 Absent: 1 (Swanson) Vote: Carried

I. Resolution No. 2005 – 229, adopting an Ordinance entitled, "10 South Prospect Rezoning."

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT an Ordinance entitled, "10 SOUTH PROSPECT REZONING," **be approved on Second and Final Reading.**

OFFERED BY: Council Member Filipiak
SUPPORTED BY: Council Member LaRue

VOTE

Yes: 6 No: 0 Absent: 1 (Swanson) Vote: Carried

J. Resolution No. 2005 – 229A, approving a quitclaim deed to Parkview Apartments.

**A RESOLUTION APPROVING QUITCLAIM DEED
TO PARKVIEW APARTMENTS**

WHEREAS, The City of Ypsilanti sold certain land to Parkview Apartments Non-Profit Corporation, a Michigan non-profit corporation, on or about August 6, 1970; and

WHEREAS, the Deed given by the City has been lost or mislaid; and

WHEREAS, the Grantee desires transfer of title from the City; and

WHEREAS, the City desires to complete the transaction and transfer legal title by Quitclaim Deed;

NOW, THEREFORE, IT IS RESOLVED by the Council of the City of Ypsilanti that the Mayor and City Clerk are authorized to transfer the Parkview Apartments property to Parkview Apartments Non-Profit Corporation, by Quitclaim Deed, a copy of which is attached.

OFFERED BY: Council Member Richardson
SUPPORTED BY: Council Member Nickels

VOTE

Yes: 6 No: 0 Absent: 1 (Swanson) Vote: Carried

XII. CONSENT AGENDA – Resolution No. 2005 – 230, approving Consent Agenda items.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the following Consent Agenda items be approved.

~~A. **Resolution No. 2005 – 231**, approving the Amendment to City of Ypsilanti Towing Agreement, amending the contract with original date of January 23, 2004, and the City Manager is authorized to sign the same. Removed from Consent Agenda per Council request.~~

B. Resolution No. 2005 – 232, approving the City Council regular meeting schedule for the year 2006.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THE Ypsilanti City Council will hold Regular Meetings at 7:30 p.m. in the City Council Chambers, located at One South Huron Street, Ypsilanti, Michigan 48197, for the year 2006 on the following dates:

January 3 (Canceled)	July 5 (Wednesday)
January 17	July 18
February 7	August 1
February 21	August 22
March 7	September 5
March 21	September 19
April 4	October 3
April 18	October 17
May 2	November 8 (Wednesday)
May 16	November 21
June 6	December 5
June 20	December 19

OFFERED BY: Council Member Filipiak
SUPPORTED BY: Council Member LaRue

VOTE

Yes: 6 No: 0 Absent: 1 (Swanson) Vote: Carried

C. Resolution No. 2005 – 233, amending the fee schedule for the City of Ypsilanti to include an additional entry to be placed in Section 122-799 Outdoor Café, Restaurant, and Beer Garden Annual Fee.

A resolution adding a new section to the Fee Resolution providing for an annual fee of \$50.00 to be added to Subsection (6) of Section 122-799 of The Ypsilanti City Code.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that the fee schedule for the City of Ypsilanti shall be amended and an additional entry be placed in section 122-799 Outdoor Café, Restaurant, and Beer Garden Annual Fee, to read as follows:

<u>DEPT/ DIV</u>	<u>SEC NO.</u>	<u>TYPE OF FEE</u>	<u>CURRENT FEE</u>	<u>NEW FEE</u>
City Clerk	122-799 (6)	Outdoor Café, Restaurant, and Beer Garden Annual Fee	0	\$50.00

OFFERED BY: Council Member Filipiak

SUPPORTED BY: Council Member LaRue

VOTE

Yes: 6 No: 0 Absent: 1 (Swanson) Vote: Carried

D. Resolution No. 2005 – 234, approves the Payment in Lieu of Taxes (P.I.L.O.T.) authorization for the Parkview Apartments be cancelled, and the City Assessor is instructed to place the Parkview Apartments back on the tax rolls no later than December 31, 2005.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The City of Ypsilanti [through Ordinance #458, coded as Sections 30-211 through 30-216, inclusive, of the Code of Ordinances, City of Ypsilanti, MI, pursuant to section 15a of Act No. 346 of the Public Acts of Michigan of 1966 (MCL 125.1415a, MSA 16.114(15a))] exempted Parkview Apartments from all city taxes and providing a formula for payment in lieu of taxes by Parkview Apartments of a portion of its annual shelter rents; and

WHEREAS, Ordinance # 458 provided that the tax exemption would end if the federally funded mortgage in effect to Parkview is withdrawn or if the then present owner sold the property; and

WHEREAS, the previous ownership of the Parkview Apartments defaulted on its loan agreement; and

WHEREAS, the United States Department of Housing and Urban Development foreclosed on the mortgage, and sold the property at foreclosure sale to a private owner; and

WHEREAS, the forced sale of the property constituted a sale from the then owner; and

WHEREAS, the foreclosure and sale satisfied and withdrew the said mortgage to Parkview Apartments;

NOW THEREFORE, IT IS RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI, that the Payment in Lieu of Taxes (P.I.L.O.T.) authorization for the Parkview Apartments be and hereby is cancelled, and the City Assessor is instructed to place the Parkview Apartments back on the tax rolls no later than December 31, 2005

OFFERED BY: Council Member Filipiak
SUPPORTED BY: council Member LaRue

VOTE

Yes: 6 No: 0 Absent: 1 (Swanson) Vote: Carried

XIII. RESOLUTIONS / MOTIONS –

A. Resolution No. 2005 – 231, approving the Amendment to City of Ypsilanti Towing Agreement, amending the contract with original date of January 23, 2004, and the City Manager is authorized to sign the same.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the attached Amendment to City of Ypsilanti Towing Agreement, amending the contract with original date of January 23, 2004, is approved and the City Manager is authorized to sign the same.

OFFERED BY: Council Member Filipiak
SUPPORTED BY: Council Member LaRue

VOTE

Yes: 5 No: 1 (Richardson) Absent: 1 (Swanson) Vote: Carried

**APPENDIX A
FEE SCHEDULE**

Service	Fee	Comments
Vehicles (within one mile of City)		
Towing of vehicles 5000 GVW and less	\$85.00	
Towing of vehicles 5000 GVW to 10,000 GVW	\$150.00	
Towing of vehicles 10,000 GVW and up	\$200.00	
Storage per day to commence after 24 hours of impoundment		
Long term storage rates	\$15.00 per day	
Extra charge for dollies	\$55.00 per tow	
Extra charge for disconnecting linkages	\$35.20	
Extra charge for winching (off roadway)	\$2.00 per foot	
Extra charge for flatbeds	\$55.00	
Abandons off private property	\$85.00	
Motorcycles	\$140.00	
Non-Motorized, wheeled vehicle	Subject to size and condition	
Hourly rate for additional service	\$65.00	
Additional rate per mile if more than one mile from City	\$3.50	
Drop Fees	\$75.00	

Note: Second time tows or additional tows within storage yard will be at the contractor's expense.

Note: GVW = Gross Vehicle Weight

- A. Report on the City Manager and City Clerk Evaluations, by the City Council Evaluation Committee, Mayor Pro-Tem Trudy Swanson, Council Member Barry LaRue, and Council Member Bill Nickels.

Council Member Nickels explained how the evaluations were performed and gave the average scores achieved by both the City Manager and the City Clerk.

XIV. COUNCIL PROPOSED BUSINESS

- A. Council Member Richardson spoke with regard to an email that she sent to City Manager Ed Koryzno suggesting a meeting between landlords and housing inspectors to discuss what is to be expected. She also spoke regarding the number of inspections that were being performed on certain properties. She then mentioned the video of the incident at Paradise Manor and spoke about alleged police brutality.
- B. Council Member Nickels spoke regarding a citizen who expressed concern about the Ypsilanti Courier paying a living wage to their full-time employees. He also talked about the BP station at Owendale and Washtenaw and the problems the city has been having with getting them to comply with the zoning ordinance. He stated that there has been a resolution. He

mentioned a house on Pearl Street just before Normal Street that was torn down. The owner of the property wishes to build a four-plex on the property, causing concern among the neighborhood. Council Member Nickels stated that this type of building is permissible in the R3 zoning district. He encouraged Council to consider down-zoning to promote more owner-occupied residences.

- C. Council Member Filipiak spoke about a fire on Eastern Michigan University's campus. The fire department was complimented by the staff at Eastern. He asked whether council information letters could be sent electronically. He wondered if Council meetings could be held in different parts of Ypsilanti. He suggested that the city might be able to get better bulk rates from the Ann Arbor paper by working in cooperation with other entities. He finally asked if audience participation guidelines should be reviewed or if all resolutions could be moved after audience participation to give all an opportunity to speak before Council acts on items.
- D. Council Member LaRue spoke regarding an email that he and Council Member Filipiak received from a resident who was in an automobile accident due to a driver using a parking lane as a passing lane. He wanted to know what kind of specific strategies could be implemented to discourage driving in the parking lane. He talked about eco-friendly zoning changes and other kinds of strategies that the city might want to look at in the coming months.
- E. Council Member Gawlas said that ~~he spoke with~~ Paul Schreiber, president of the Ypsilanti Housing Commission, spoke regarding the Housing Commission's goal to pursue affordable housing. He said that he would welcome a joint meeting between the City Council and the Ypsilanti Housing Commission. He stated that he supports Council Member Filipiak's suggestion to reserve all resolutions or action items for after audience participation. He also felt that the information that Council receives should be made available electronically to the public and that all Requests for Legislation should be included. He stated that Saturday, December 3rd was the NDNA Night of Lights and that the turnout was pretty good despite the recent attack in the neighborhood. He felt this was a testimony to the resiliency of the neighborhood.

XV. LIAISON REPORTS

- A. SEMCOG Update – There is nothing to report at this time.
- B. Recreation Commission – There is a meeting Wednesday, December 7th.
- C. Washtenaw Area Transportation Study – There is nothing to report at this time.

- D. Washtenaw Development Council – Council Member Gawlas reported that at the last meeting, Mr. Mike Finney, the new executive director for both WDC and SPARK, was present. They were soliciting questions from the board of directors of the Washtenaw Development Council as to what concerns they had. There will be an executive committee during the merger process.
- E. Ypsilanti Area Community Fund – There is nothing to report at this time.
- F. Smart Zone Local Development Finance Authority – There is nothing to report at this time.
- G. Washtenaw Metro Alliance – City Manager Ed Koryzno reported that prior to the last meeting, the Washtenaw Metro Alliance contracted with Carlisle-Wortman Associates, Inc. to prepare a plan to create a coordinated and connected park plan and open space system for Washtenaw County. That document is available for viewing on the county’s webpage. During last week’s meeting, representatives of Carlisle-Wortman Associates, Inc. again discussed the steps to implement the recommendations contained in the plan. They offered preliminary observations regarding open space that revealed there are limited acquisition funds and a need for a unifying philosophy to maximize results. In the Metro Alliance alone there are eight governmental units and twenty-two advisory bodies to those units that deal with open space. The group decided that before the Alliance opts into such a program, the local advisory and governing bodies for each of the respective units of government in the Metro Alliance should meet with City Council, the Planning Commission and the Recreation Commission to discuss allowing another group to handle the acquisition of open space for at least the Washtenaw Metro Alliance members, if not county-wide. It was also voted to submit a grant application under the Centers for Regional Excellence Grant to provide the necessary funds to move forward on this open space plan.

XVI. COMMUNICATIONS FROM THE CITY MANAGER

- A. Closed Session per Section 8(c) of the Open Meetings Act regarding collective bargaining negotiations and possible consideration of a resolution regarding the union contract.

By roll call vote all Members of Council present agreed to go into Closed Session at 11:30 p.m.

- B. City Manager Ed Koryzno thanked Council for the continued confidence in his performance despite the challenges in the past year. He then reminded Council of the December and January Council meeting schedule. There will be a second meeting in December, and the first meeting in January is canceled. He spoke regarding the West Cross Street parking configuration. Some parking meters were inadvertently installed on West Cross east of

Hamilton. These will be removed as they were not part of the original plan. They will be moved to Perrin Street. He spoke about an email from Joe Ohren regarding Council's Goal Setting Session on December 10th.

XVII. COMMUNICATIONS FROM THE MAYOR

- A.** Mayor Farmer spoke regarding an article that referenced the city's Tiffany window. She suggested that Council pass a resolution or ordinance that states that the Tiffany window may not be sold except by a vote of the people, as it is a treasure that belongs to the entire community. She brought up setting up a meeting with the Housing Commission. She then mentioned that she heard that the current paid circulation of the Ypsilanti Courier is around 650 households. She wants to get more information on what the current reach of the Courier is. She felt that the Council may need to look into making another newspaper the city's paper of record. She asked about a timetable for compliance for the BP station that is not currently in compliance with the city's zoning ordinance. She then referenced Council Member Richardson's comments on the issue with landlords and inspections and noted that it is important to keep up on the violations that are found. She also mentioned the incident at Paradise Manor. She stated that the officer that was involved did resign. She asked what the next step is in that case. Chief Basar answered that in this particular case the information went to the county prosecutor who determined that the former officer should face a criminal charge. The case is waiting to come to trial. She then brought up the subject of taking Council meetings into the neighborhoods. She mentioned that this has been done in the past in hopes of making it more convenient for more to attend Council meetings, when, in fact, it made it less so. Council Member Gawlas suggested school buildings as possible venues. Mayor Farmer then asked if we can get a price break through the county on advertising in the Ann Arbor News. She also explained why there were resolutions that were placed before audience participation on the agenda. There were presentations connected with these resolutions. Council Member Richardson suggested that there be a brief public hearing attached to any presentation that includes a corresponding resolution. It was decided that this would be the procedure at the next Council meeting.

XVIII. ADJOURNMENT

- A. Resolution No. 2005 – 235, adjourning the 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 Nickels
SUPPORTED BY: Council Member Richardson

VOTE

Yes: 6 No: 0 Absent: 1 (Swanson) Vote: Carried

Meeting was adjourned at 11:30 p.m., and Council went into Closed Session.