



**CITY OF YPSILANTI  
COUNCIL MEETING MINUTES  
CITY COUNCIL CHAMBERS  
ONE SOUTH HURON, YPSILANTI, MI 48197  
TUESDAY, APRIL 3, 2007  
7:30 P.M.**

**I. CALL TO ORDER**

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

**II. ROLL CALL**

Mayor Schreiber	Present	Council Member Richardson	Present
Council Member Gawlas	Present	Council Member Filipiak	Present
Council Member Robb	Present	Mayor Pro-Tem Swanson	Present
Council Member Nickels	Present		

**III. INVOCATION**

Mayor Schreiber 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 Schreiber introduced Fire Chief Jon Ichesco, NAACP Board Member Paul Wasson, NAACP President Mildred Williams, Deputy City Clerk Frances McMullan, Ypsilanti School Board Trustee Floyd Brumfield, and Ypsilanti Housing Commission Executive Director Walter Norris.

**VI. AGENDA APPROVAL**

Mayor Schreiber announced that the following presentations will be rescheduled:

- Keith Peters – Ypsilanti Chamber of Commerce Retirement
- Debbie Locke-Daniel – Triumph Car Show

- Truman Hudson, DexDesign Consultant, Detroit, MI – Community Development Corporations

Councilmember Robb requested Resolution 2007-65, accepting resignation of Rebecca Bintz be removed from Consent Agenda and added to Resolutions/Motions/Etc.

Councilmember Richardson moved to add Resolution 2007-68, extending employment offer of City Clerk to Frances McMullan to Resolutions/Motions/Etc.

Motion supported by Mayor Pro-Tem Swanson

VOTE:

Yes: 7      No: 0      Absent: 0      Vote: Carried

Motion to approve agenda as amended:

VOTE:

Yes: 7      No: 0      Absent: 0      Vote: Carried

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**I. CALL TO ORDER –**

**II. ROLL CALL –**

Mayor Schreiber	P A	Council Member Richardson	P A
Council Member Gawlas	P A	Council Member Filipiak	P A
Council Member Robb	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. Stella Swope – American Legion Poppy Week **(Not Present/Moved to End)**
- B. Pat DeRossett – Estabrook Elementary School – Michigan Blue Ribbon Exemplar School
- C. ~~Keith Peters – Ypsilanti Chamber of Commerce Retirement~~ **(Rescheduled to 4/17/07)**
- D. Debbie Young and Peter Fletcher – The Ypsilanti Area Beyer Memorial Health Foundation
- E. ~~Debbie Locke-Daniel – Triumph Car Show~~ **(Rescheduled to 4/17/07)**
- F. ~~Truman Hudson, DexDesign Consultant, Detroit, MI. – Community Development Corporations~~ **(Postponed)**
- G. Terry Hiske, Michigan Department of Environmental Quality – Clean-up Process of BP gasoline underground spill/release at Harriet and Spring Street

**VIII. ORDINANCE –FIRST READING**

**IX. AUDIENCE PARTICIPATION -**

**X. REMARKS BY THE MAYOR –**

**XI. MINUTES –**

- A. Resolution No. 2007-61, approving the minutes of March 20, 2007 and March 27, 2007 meeting.

**XII. CONSENT AGENDA**

Resolution 2007-62

- A. Resolution 2007-63, “An Ordinance entitled “An Ordinance to amend the Purchasing ordinance” is approved on **Second and Final Reading and Declared Adopted.**
- B. Resolution 2007-64, recognizing Eastern Michigan University Alumni Association as a nonprofit organization.
- C. ~~Resolution 2007-65, accepting resignation of Rebecca Bintz.~~ **(Moved from Consent Agenda to Resolutions/Motions/Etc. at the request of Council)**

**XIII. RESOLUTIONS/MOTIONS/ETC.**

- A. Resolution 2007-44, setting fees for the cost of prosecution in alcohol related driving offenses in the fee schedule. **(Tabled March 6, 2007)**
- B. Resolution 2007-57B, approving offer to allow City employees to purchase retirement service credits. **(Tabled March 20, 2007)**
- C. Resolution 2007-65, accepting resignation of Rebecca Bintz. **(Added to Resolutions/Motions/Etc. at the request of Council)**
- D. Resolution 2007-66, appointing Frances McMullan as Acting Ypsilanti City Clerk.
- E. Resolution 2007-68, extending employment offer of City Clerk to Frances McMullan **(Added to Resolutions/Motions/ Etc. at the request of Council)**

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

**XV. LIAISON REPORTS –**

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

**XVI. COUNCIL PROPOSED BUSINESS -**

**XVII. COMMUNICATIONS FROM THE MAYOR -**

**XVIII. AUDIENCE PARTICIPATION –**

**XIX. REMARKS FROM THE MAYOR –**

**XX. ADJOURNMENT -**

- A. Resolution No. 2007-67, adjourning the City Council Meeting.

**VII. PRESENTATIONS**

- A. Pat DeRossett – Estabrook Elementary School, recipient of Michigan Blue Ribbon Exemplary School Award
- B. Debbie Young and Peter Fletcher – The Ypsilanti Beyer Memorial Health Foundation
- C. Terry Hiske, Michigan Department of Environmental Quality – Cleanup Process

of BP gasoline underground spill/release at Harriet and Spring Street.

#### **VIII. ORDINANCE – FIRST READING**

None.

#### **IX. AUDIENCE PARTICIPATION**

- A. David Kircher– Discussed the condition of various buildings in the city that have become public nuisances.
- B. Tyrone Wilson, representing Rally Against Individual Discrimination (R.A.I.D.) and the National Action Network – Thanked Mayor Schreiber for returning audience participation. He congratulated the new deputy clerk, commended ypsinews.com for its reporting, and questioned Council regarding oil found on Water Street.
- C. Steve Pierce – clarified that his article regarding oil discovered on the Water Street site was an April fool's joke. He expressed objection to the City rushing to appoint a new city clerk and suggested that regionalization and other options be explored to save money.
- D. Lee Tooson – stated his dissatisfaction with the alleged statement made by the former city clerk. He expressed opposition to Council's decision regarding Resolution 2007-57B allowing Stan Eldridge to retire early.

#### **X. REMARKS BY THE MAYOR –**

Mayor Schreiber reported that the cost for the County to run elections is \$60,000 to \$80,000, which is not a cost savings for the City. He indicated that by Charter, the City needs a City Clerk. He pointed out that the Clerk's Office needs stability and an individual that works well with the County. The Mayor stated he is looking forward to hiring someone for the position who has the same values as those of the community.

Mayor Schreiber stated that City Council Members are concerned about upholding the non-discrimination ordinance in the City and will not allow the perception of discrimination to exist within the City.

#### **XI. MINUTES**

- A. Resolution No. 2007-61 approving the Minutes of March 20, 2007 and March 27, 2007 meetings.

Council Member Filipiak pointed out that the minutes are for the month of March not May as indicated on the resolution.

Council Member Richardson questioned if a sentence within the resolution was incomplete in the March 27, 2007 minutes and asked the Clerk to review the resolution.

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

**That** the Minutes of March 20, 2007 and March 27, 2007 meetings be approved as amended.

OFFERED BY: Mayor Pro-Tem Swanson  
SUPPORTED BY: Council Member Nickels

VOTE:

Yes: 7 No: 0 Absent: 0 Vote: Carried

**XII. CONSENT AGENDA**

**Resolution 2007-62**

That the following items be approved:

- A. Resolution No. 2007-63, "An Ordinance entitled, "An ordinance to amend Purchasing ordinance" is approved on **Second and Final Reading and Declared Adopted.**
- B. Resolution No. 2007-64, recognizing Eastern Michigan University Alumni Association as a nonprofit organization.

Mayor Schreiber requested Resolution 2007-66, appointing Frances McMullan as Acting City Clerk be tabled indefinitely.

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

VOTE:

Yes: 7 No: 0 Absent: 0 Vote: Carried

**XIII. RESOLUTIONS/MOTIONS/ETC. -**

- A. Resolution 2007-44, setting fees for the cost of prosecution in alcohol related driving offenses in the fee schedule. **(Tabled March 6, 2007)**

A resolution setting fees.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that the following fee schedule is adopted pursuant to the Ypsilanti City Code, and the following fees relating to various sections of the City Code and activities of the City are hereby established, and the Police Department is authorized to charge and collect such fees effective immediately:

**YPSILANTI CITY CODE**

<u>DEPT/ DIV</u>	<u>SECTION NO.</u>	<u>TYPE OF FEE</u>	<u>CURRENT FEE</u>	<u>NEW FEE</u>
Police	1-15	Cost of Prosecution:		
Police		OWI		150
Police		OWI with accident		200
Police		OWI with blood draw		225

OFFERED BY: Council Member Richardson  
SUPPORTED BY: Council Member Filipiak

VOTE:

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

B. Resolution No. 2007-57B, approving offer to allow City employees to purchase retirement service credits. **(Tabled March 20, 2007)**

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

**WHEREAS**, from time to time, City employees may have the desire or opportunity to retire from City service prior to being fully vested in their respective retirement system.

**NOW THEREFORE BE IT RESOLVED** that any City employee with no less than 18 and no more than 20 years of credited service be allowed to purchase retirement service credit on a pre-tax basis in the employee's respective retirement program. The cost of this service credit purchase shall be paid by the employee.

**FURTHER**, employees wishing to participate in this offer must agree to costs incurred by the City when costs are incurred above those normally required when an employee retires. Such costs may include, but are not limited to, actuarial studies, health benefits costs for the length of the retirement service credit period, and associated legal fees.

**FURTHER**, employees wishing to participate in this offer must notify the City Manager in writing by no later than 30 days prior to leaving her/his employment with the City, following adoption of this resolution. If the employee does not or is not able to proceed, the opportunity is lost.

OFFERED BY: Council Member Robb  
SUPPORTED BY: Mayor Pro-Tem Swanson

Councilmember Gawlas moved to table the resolution indefinitely.

VOTE:

Yes: 2 (Gawlas, Nickels) No: 5 Absent: 0 Vote: Failed

Motion to approve the resolution:

VOTE:

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

C.            Resolution 2007-65, accepting resignation of Rebecca Bintz.

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

Whereas City Council hired Rebecca Bintz to serve as Ypsilanti City Clerk, and

Whereas Rebecca Bintz has submitted her resignation of employment: now therefore;

**IT IS RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI** that the resignation of Rebecca Bintz is accepted effective immediately.

OFFERED BY: Council Member Robb

SUPPORTED BY: Council Member Gawlas

VOTE:

Yes: 7            No: 0                      Absent: 0                      Vote: Carried

D.            Resolution No. 2007-68, extending employment offer of City Clerk to Frances McMullan.

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

WHEREAS, the City Clerk resigned effective March 26, 2007 and Council accepted that resignation, and

WHEREAS, based on review of the application materials and interaction with Ms. McMullan as Deputy City Clerk, Council has identified Frances McMullan as a candidate with the knowledge, skills and abilities most likely to succeed in the City Clerk position, and

NOW THEREFORE BE IT RESOLVED that the City Council extends a formal offer of employment to Frances McMullan, and

BE IT FURTHER RESOLVED that the City Manager is authorized to negotiate compensation with the current salary range based upon the candidate's education, experience, and salary history.

OFFERED BY: Councilmember Richardson

SUPPORTED BY: Mayor Pro-Tem Swanson

VOTE:

Yes: 7                      No: 0                      Absent: 0                      Vote: Carried

**Motion to table indefinitely:**

- E. Resolution 2007-66, appointing Frances McMullan as Acting Ypsilanti City Clerk.

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

Whereas City Clerk Rebecca Bintz has resigned her position, and

Whereas Frances McMullan is the Ypsilanti Deputy Clerk: now therefore;

IT IS RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that Frances McMullan is appointed acting Ypsilanti City Clerk to perform the duties of City Clerk and serve until a permanent City Clerk is appointed or the further resolution of City Council.

OFFERED BY: Councilmember Gawlas

SUPPORTED BY: Councilmember Nickels

VOTE:

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

**XIV. COMMUNICATIONS FROM THE CITY MANAGER**

Acting City Manager Charles Boulard indicated that information from the Honeywell Corporation request has been received and will be forwarded to Council for guidance.

He stated that budget preparations are on schedule. The first budget session is scheduled for May 3, 2007.

**XV. LIAISON REPORTS –**

- A. SEMCOG Update – Mayor Pro-Tem Swanson reported that Washtenaw County received the Red Cross Blood Donor Award for giving the most units of blood.
- B. Recreation Commission – There was nothing to report at this time.
- C. Washtenaw Area Transportation Study – There was nothing to report at this time.
- D. Ypsilanti Area Community Fund – Council Member Richardson announced that the Ann Arbor Area Community Foundation will host its annual meeting and reception at the Four Points Sheraton in Ann Arbor on April 25, 2007 from 5:00 to 7:00 p.m.
- E. Smart Zone Local Development Finance Authority – Council Member Gawlas announced that the next meeting will be held on April 10, 2007. He announced that the Washtenaw Metro Alliance is meeting on April 5, 2007.

**XVI. COUNCIL PROPOSED BUSINESS -**

- A. Council Member Richardson – Clarified that there is old oil at Water Street.

She expressed concern regarding securing the identity of individuals who file anonymous tips with the Police Department.

Ms. Richardson questioned Mr. Boulard regarding follow-up at 812 Madison Street.

- B. Council Member Filipiak – Read a news article with ties to the City of Ypsilanti

- C. Council Member Robb – Inquired whether the City has decided a course of action on budget issues relating to AATA.

He requested that the City Manager direct the Police Chief to investigate Motor Vehicle fines.

- D. Council Member Gawlas – Reported that on March 25, 2007 he attended the neighborhood meeting for Westridge Apartments. Attorney Michael Barr gave an update on Westridge Apartments.

Mr. Gawlas inquired about funding for the AATA contract. He further inquired if Council would have an opportunity to provide input to the City Manager on several issues regarding the budget prior to budget sessions. He advocated an annual budget session with two-year projections.

- E. Council Member Nickels – Inquired about the parking plan implementation for the BP station at Washtenaw and Owendale.

Mr. Nickels requested that Council consider granting a one-time event approval for the Triumph Car Show.

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

To grant a one-time event exception to the moratorium on special events to allow the Triumph Car Show to be held August 6 and August 8, 2007 at Riverside Park.

OFFERED BY: Council Member Nickels

Supported By: Mayor Pro-Tem Swanson

Motion to amend the resolution to include one-time event exception is subject to approval by the Police Chief and City Manager.

VOTE:

Yes: 7      No: 0      Absent: 0      Vote: Carried

Motion to approve the resolution as amended:

VOTE:

Yes: 7      No: 0      Absent: 0      Vote: Carried

- F. Mayor Pro-Tem Swanson – Reported that she attended the HUD/Parkview Meeting. She indicated that the property will be sold in June to a nonprofit organization. Ms. Swanson stated that tenants are upset regarding the elimination of the Section 8 voucher and the possible rise in rental rates.

She reported that the CAPS computer building program was very interesting and encouraged the Council and public to attend in the future.

**XVII. COMMUNICATIONS FROM THE MAYOR -**

Mayor Schreiber reported that he attended the CAPS event and was impressed with the participants.

He stated that the Parkview Apartments will be bid out in June and that the Housing Commission has submitted a plan to HUD. He advocated the use of Section 8 vouchers for tenants and stated the City will work with the Tenants Association to accomplish the best for the tenants.

Mr. Schreiber clarified that there is a memorandum of understanding between the Freighthouse Friends, Depot Town and the City on the development and renovation of the freighthouse.

**XVIII. AUDIENCE PARTICIPATION –**

- A. Leonardo Christian – Expressed objection to Parkview being sold to the Housing Commission. He congratulated the new city clerk and encouraged City Council not to waste money hiring a Deputy City Clerk.
- B. Lee Tooson – Congratulated the new city clerk. He spoke against racism and discrimination in the City. He expressed dissatisfaction with the rejection of early retirement for Stan Eldridge and promotions within the City's Police Department.
- C. Candace Turner, EMU Student – reported on the customer service she received from Ms. McMullan when she visited the Clerk's Office.

**XIX. REMARKS FROM THE MAYOR –**

Mayor Schreiber clarified that Housing Commission plans to acquire Parkview and then release it to a for-profit private firm.

Addressing freezes on pay raises, Mayor Schreiber recalled that a pay raise freeze created an exodus from city hall in the past and sent a negative message to employees. He indicated that pay raises encourage stability and let employees know they are appreciated for their performance.

Mayor Schreiber read a paragraph from the legal opinion submitted regarding the resolution 2007-57B and stated that by defeating the resolution Council is avoiding possible litigation with labor unions in the future.

**XX. ADJOURNMENT -**

Resolution No. 2007-67, adjourning the City Council Meeting.

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

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

OFFERED BY: Mayor Pro-Tem Swanson

SUPPORTED BY: Council Member Nickels

VOTE:

Yes: 7      No: 0      Absent: 0      Vote: Carried

Meeting was adjourned at 10:05 p.m.