



**CITY OF YPSILANTI
COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS
ONE SOUTH HURON, YPSILANTI, MI 48197
TUESDAY, APRIL 17, 2007
7:30 P.M.**

I. CALL TO ORDER

The Council Meeting was called to order at 7:35 p.m.

II. ROLL CALL

Mayor Schreiber	Present	Council Member Richardson	Present
Council Member Gawlas	Absent	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 Chamber of Commerce President Keith Peters, Debbie Locke-Daniels, Director of Ypsilanti Area Convention Visitors Bureau, Eric Temple, Ypsilanti Housing Commission Administrative Specialist, Former Mayor Peter Murdock, YCUA Executive Director Larry Thomas, City Planner Karen Hart, and Police Chief Matt Harshberger.

VI. AGENDA APPROVAL

Motion to approve the agenda as amended.

Councilmember Filipiak requested that Resolution 2007-76 be moved from Consent Agenda to Motions and Resolutions.

VOTE:

Yes: 6 No: 0 Absent: 1 (Gawlas) 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 –

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V. INTRODUCTIONS –

VI. AGENDA APPROVAL –

VII. PRESENTATIONS –

- A. Keith Peters – Ypsilanti chamber of Commerce retirement
- B. Debbie Locke-Daniel – Triumph Car Show
- C. Stella Swope – American Legion Poppy Week

VIII. ORDINANCE – FIRST READING-

- A. An ordinance entitled “PA 110 Zoning Ordinance Text Amendments” to comply with Michigan Zoning Enabling Act of 2006
 - 1. Resolution No. 2007-69, determination.
 - 2. Open public hearing.
 - 3. Resolution No. 2007-70, closing the public hearing.

- B. An ordinance entitled “An ordinance to amend the Ypsilanti city Code Chapter 1, Entitled “General Provisions”, Section 1-15 “Penalties and Sanctions”, Subsection (1) Misdemeanor, to clarify which ordinance violations are 90 day versus 93 day misdemeanors; to revise solicitation penalty to 93 days, and to reduce the maximum penalty for Trespass to \$50 with 30 days maximum, consistent with State of Michigan.”
 - 1. Resolution No. 2007-71, determination.
 - 2. en public hearing.
 - 3. Resolution No. 2007- 72, closing public hearing.

IX. AUDIENCE PARTICIPATION -

X. REMARKS BY THE MAYOR –

XI. MINUTES

- A. Resolution 2007-73, approving the minutes of April 3, 2007.

XII. CONSENT AGENDA

Resolution 2007-74

- A. Resolution No. 2007-75, appointing Frances McMullan Ypsilanti City Clerk
- B. ~~Resolution No. 2007-76, proclaiming May 3, 2007 “A Day of Prayer” in Ypsilanti, Michigan~~ **(Moved to Resolutions/Motions/Etc. at Council’s Request)**
- C. Resolution No. 2007-77, approving “Health Fair” event at Parkridge Park on May 12, 2007 and waiving fees.
- D. Resolution No. 2007-78, approving use of City division reserve for construction funds to pay city portion of water main replacement in road right-of-way on M-17 from Michigan Avenue to eastern city limits.
- E. Resolution No. 2007-79, awarding contracts to Belfor Property Restoration for ordinance abatement services (board-ups) and A & M Services for mowing, graffiti, trash pick-up and clean-up services.
- F. Resolution No. 2007-80, approving a nine-hole disc golf course be installed in Water Works Park on an 18 month provisional basis.

XIII. RESOLUTIONS/MOTIONS/ETC.

- A. Resolution 2007-81, approving wrecker ordinance fees.
- B. Resolution 2007-82, approving participation in the Regional Policing Authority Study and expenditure of funds for Regional Police Authority Feasibility Study.
- C. ~~Resolution No. 2007-76, proclaiming May 3, 2007 “A Day of Prayer” in Ypsilanti, Michigan~~ **(Added at Council’s Request)**

XIV. COMMUNICATIONS FROM THE CITY MANAGER

XV. LIASON 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

VII. PRESENTATIONS

- A. Keith Peters, Ypsilanti Chamber of Commerce – He announced his retirement from the Chamber of Commerce but stated he will continue to serve the Ypsilanti

community as Chairman of the Workforce Development Board. Mr. Peters stated he is committed to creating jobs in Washtenaw County and explained current efforts in place to achieve funds to move the community forward.

- B. Debbie Locke-Daniel, Ypsilanti Convention Visitors Bureau - Stated that the current moratorium on events limits her ability to attract events and car shows to the area. She encouraged City Council to reconsider the moratorium to allow the Triumph Car Show to be held in Riverside Park in 2008. She requested that the Police Chief and City Council reconsider the moratorium to allow events on a case by case basis.
- C. Stella Swope, American Legion Poppy Week – Ms. Swope explained the origin of the poppy and the purpose of the poppy. She indicated that the poppies are handmade by veterans and proceeds are used 100% for veterans and needy families.

VIII. ORDINANCE – FIRST READING

- A. An Ordinance entitled, "PA 110 Zoning Ordinance Text Amendments" to comply with Michigan Zoning Enabling Act of 2006
 - 1. Resolution No. 2007-69, determination.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the proposed ordinance entitled "PA 110 ZONING ORDINANCE TEXT AMENDMENTS" be approved on **FIRST READING**.

- 2. Open public hearing.

There was no one present to speak.

- 3. Resolution No. 2007-70, closing the public hearing.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the public hearing to consider the proposed Ordinance entitled "PA 110 Zoning Ordinance Text Amendments" be **OFFICIALLY CLOSED**.

OFFERED BY: Council Member Filipiak
SUPPORTED BY: Council Member Robb

VOTE

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

- B. An Ordinance entitled, "An ordinance to amend the Ypsilanti City Code Chapter 1, Entitled "General Provisions", Section 1-15 "Penalties and Sanctions", Subsection (1) Misdemeanor, to clarify which ordinance violations are 90 day versus 93 day misdemeanors; to revise solicitation penalty to 93 days, and to reduce the maximum penalty for Trespass to \$50 with 30 days maximum, consistent with State of Michigan.

1. Resolution No. 2007-71, determination.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That a ordinance entitled, "An ordinance to amend the Ypsilanti City Code Chapter 1, Entitled "GENERAL PROVISIONS", SECTION 1-15 "PENALTIES AND SANCTIONS," SUBSECTION (1) "MISDEMEANOR," TO SET THE STANDARD SANCTION FOR A MISDEMEANOR; AND TO AMEND CHAPTER 74 "MISDEMEANOR OFFENSES, "SECTION 74-53 "TRESPASS," SUBSECTION (D) TO SET A SPECIFIC MISDEMEANOR SANCTION FOR THAT SECTION, AND SECTION 74-167 "SOLICITING", SUBSECTION (B), TO SET A SPECIFIC MISDEMEANOR SANCTION FOR SECTIONS 74-167 AND 74-166" be approved on **FIRST READING**.

2. Open public hearing.

There was no one present to speak.

3. Resolution No. 2007-72, closing public hearing.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the public hearing to consider the proposed ordinance entitled, "An ordinance to amend the Ypsilanti City Code Chapter 1, Entitled "GENERAL PROVISIONS", SECTION 1-15 "PENALTIES AND SANCTIONS," SUBSECTION (1) "MISDEMEANOR," TO SET THE STANDARD SANCTION FOR A MISDEMEANOR; AND TO AMEND CHAPTER 74 "MISDEMEANOR OFFENSES, "SECTION 74-53 "TRESPASS," SUBSECTION (D) TO SET A SPECIFIC MISDEMEANOR SANCTION FOR THAT SECTION, AND SECTION 74-167 "SOLICITING", SUBSECTION (B), TO SET A SPECIFIC MISDEMEANOR SANCTION FOR SECTIONS 74-167 AND 74-166" be approved and **OFFICIALLY CLOSED**.

OFFERED BY: Council Member Filipiak
SUPPORTED BY: Council Member Robb

VOTE

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

IX. AUDIENCE PARTICIPATION

- A. Kevin Hill, 108 Washtenaw, #4 – spoke in support of lifting the moratorium on special events. He requested that the City look into granting special events on a case by case basis through the development of processes that include cost contingencies and procedures for approval by the Police Department.
- B. David Kircher – Discussed the Thompson Building. He indicated that he has been denied permits to repair the building, and encouraged city staff to approve his permits so that work can move forward on the property.

- C. An audience participant requested that Council consider granting permission to allow the "Junk in my Trunk" event to be held in June 2007 along with a music festival.
- D. Leonardo Christian – Requested that City Council cover the expense of two street closing permits for May 19, 2007. He explained that he is involved in the Ypsilanti Pride Clean-Up and would like to host entertainment and a cook-out during this time.
- E. Lula Jones, Fundraising Coordinator for Riverside Neighborhood Association – Spoke regarding the moratorium on special events. She recalled that a community event to draw people to the downtown area to support businesses was denied last year due to the moratorium. She encouraged City Council to consider lifting the moratorium to help revitalize Ypsilanti.

X. REMARKS BY THE MAYOR –

Mayor Schreiber commented that the moratorium sends a bad message. He indicated that it is appropriate for the City to welcome events, but the City must have adequate security to police them. He directed Acting Manager Charles Boulard and the Police Chief to look into different options that can be explored to allow some special events in the city.

XI. MINUTES

- A. Resolution No. 2007-73, approving the Minutes of April 7, 2007 meeting.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Minutes of April 7, 2007 be approved.

OFFERED BY: Council Member Richardson

SUPPORTED BY: Council Member Filipiak

VOTE

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

XII. CONSENT AGENDA

Resolution No. 2007-74

- A. Resolution 2007-75, appointing Frances McMullan Ypsilanti City Clerk.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that Frances McMullan is hereby appointed City Clerk for the City of Ypsilanti pursuant to Section 4.08 of the Ypsilanti City Charter.

The terms and conditions of her employment as set forth in an employment letter dated April 3, 2007 are hereby approved and ratified.

- B. Resolution 2007-77, approving "Health Fair" event at Parkridge Park on May 12, 2007 and waiving fees.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The Ypsilanti Housing Commission, Ypsilanti Health Coalition, and Messiah Temple have committed to making physical improvements in Parkridge Park to encourage physical activity;

WHEREAS, The Ypsilanti Housing Commission and Ypsilanti Health Coalition have planned a "health fair" event on Saturday, May 12th, 2007, to showcase the park; and,

WHEREAS, The event will draw attention to the park as a community asset and to physical activities in the park as a part of healthy living;

NOW THEREFORE BE IT RESOLVED, That the Ypsilanti City Council hereby waive the park reservation fees for the health fair at Parkridge Park on Saturday, May 12th, 2007.

- C. Resolution 2007-78, approving use of City division reserve for construction funds to pay city portion of water main replacement in road right-of-way on M-17 from Michigan Avenue to Eastern city limits.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

A resolution approving use of City division reserve for construction funds to pay city portion of water main replacement in road right-of-way on M-17.

WHEREAS, the City of Ypsilanti is a member of the Ypsilanti Community Utility Authority (YCUA); and

WHEREAS, YCUA is in charge of water supply for the City of Ypsilanti; and

WHEREAS, the water main needs replacing in the right-of-way on M-17 between Michigan Avenue and Ford Boulevard; and

WHEREAS, YCUA has worked out an agreement with the Michigan Department of Transportation to construct the replacement; and

WHEREAS, YCUA has advised the City that the City portion of the cost is \$224,965.29; and

WHEREAS, YCUA holds funds of the City division in a Reserve for Construction Funds; and

WHEREAS, YCUA has requested that the City portion be paid from those funds; NOW THEREFORE:

IT IS RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that Ypsilanti Community Utility Authority is hereby authorized and directed to pay from the City of Ypsilanti City Division Reserve for Construction Funds an amount necessary to fund the City's portion of said water main replacement in the amount of \$224,965.29.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

- D. Resolution 2007-79, awarding contracts to Belfor Property Restoration for ordinance abatement services (board-ups) and A & M Services for mowing, graffiti, trash pick-up and clean-up services.

Resolution approving contracts with outside agencies for services such as emergency boarding up of buildings, and clean-up.

IT IS RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that the contract with A & M Services for mowing, clean-up of graffiti, trash pick-up and clean-up services is approved;

FURTHER, the contract with Belfor with regards to the board-ups is approved.

The contract may be executed by the City's Building Official, Charles Boulard, subject to the approval of the City Attorney's Office.

- E. Resolution 2007-80, approving a nine-hole disc golf course be installed in Water Works Park on an 18 month provisional basis.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Water Works Park currently serves as an underutilized recreation facility in the City; and

WHEREAS, the Ann Arbor Area Disc Induced Sports Club has agreed to purchase and donate needed materials for the installation of a disc golf course in Water Works Park; and

WHEREAS, the installation of a disc golf course would increase the foot traffic within the park; and

WHEREAS, the course would foster positive community interaction by creating a sense of ownership in the park from local disc golf enthusiasts within the community; and

WHEREAS, the City of Ypsilanti has a vested interest in the health and vitality of its park system;

NOW THEREFORE BE IT RESOLVED that a nine-hole disc golf course be installed in Water Works Park on an 18-month provisional basis.

Offered By: Council Member Robb

Supported By: Council Member Filipiak

VOTE:

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

XIII. RESOLUTIONS/MOTIONS/ETC. -

A. Resolution No. 2007-81, approving wrecker ordinance fees

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

A resolution setting fees for the Wrecker Ordinance.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that the following fees are adopted pursuant to the specific sections of the Ypsilanti City Code indicated.

YPSILANTI CITY CODE

<u>SECTION NO.</u>	<u>TYPE OF FEE</u>	<u>CURRENT FEE</u>	<u>NEW FEE</u>
114-148(g)	Surety Bond, for the benefit of the City, ensuring that applicant will remit appropriate funds collected to the city		\$10,000
114-148(h)	Surety Bond, or appropriate insurance with no deductible, for the benefit of the owners of the vehicles towed		\$5,000
114-150	License fee, per wrecker plate (2-year license)		\$200

Council Member moved that the resolution be tabled to allow the standards for towing and inspection to be set along with fees.

OFFERED BY: Council Member Richardson

SUPPORTED BY: Council Member Filipiak

VOTE:

Yes: 6

No: 0

Absent: 1 (Gawlas)

Vote: Tabled

B. Resolution No. 2007-82, approving participation in Regional Policing Authority Study and expenditure of funds for Regional Police Authority Feasibility Study.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

A resolution approving participation in the Regional Policing Authority Study:

WHEREAS, it is one of the goals of the Ypsilanti City Council to pursue investigation of regional cooperation to achieve the greatest efficiency and highest quality in the delivery of services to its citizens; and

WHEREAS, there is an opportunity to join with other communities in eastern Washtenaw County to collectively study the feasibility of a Regional Policing Authority; and

WHEREAS, the firm of Virchow, Krause & Company has been qualified and has submitted the Study proposal with the most advantages to the City and the participating communities as a whole: it is hereby

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI to approve the City of Ypsilanti's participation in the Regional Policing Authority Feasibility Study in accordance with the proposal by Virchow, Krause & Company, and to approve expenditure of the necessary funds in an amount not to exceed \$7800 for the City's share of the cost of the study, subject to the approval of the City Attorney.

OFFERED BY: Council Member Nickels

SUPPORTED BY: Mayor Pro-Tem Swanson

VOTE:

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

- C. Resolution No. 2007-76, proclaiming May 3, 2007 "A Day of Prayer" in Ypsilanti, Michigan.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, civic prayers and national days of prayer have a long history in our nation, dating back to the First Continental Congress in 1775.

WHEREAS, on April 17, 1952, President Truman signed a bill proclaiming the National Day of Prayer into law.

WHEREAS, the United States Congress has designated the first Thursday in May as a "National Day of Prayer".

WHEREAS, the National Day of Prayer is designated to allow all Americans regardless of faith to come together and pray in their own way.

WHEREAS, it is fitting and proper to acknowledge our dependence on God, to give thanks for blessings received, and to ask God to guide our leaders and bring wholeness to the City of Ypsilanti, Michigan.

NOW, THEREFORE BE IT RESOLVED by the City Council of Ypsilanti that May 3, 2007 is hereby proclaimed "A Day of Prayer in Ypsilanti, Michigan".

OFFERED BY: Council Member Filipiak

SUPPORTED BY: Council Member Robb

Council Member Filipiak moved to amend the resolution to the delete paragraph 5.

Motion to amend resolution:

VOTE

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

Resolution as amended:

VOTE

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

Resolution as Adopted:

A Resolution Proclaiming May 3, 2007 as "A Day of Prayer" in the City of Ypsilanti, Michigan

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, civic prayers and national days of prayer have a long history in our nation, dating back to the First Continental Congress in 1775.

Whereas, on April 17, 1952, President Truman signed a bill proclaiming the National Day of Prayer into law.

Whereas, the United States Congress has designated the first Thursday in May as a "National Day of Prayer".

Whereas, the National Day of Prayer is designated to allow all Americans regardless of faith to come together and pray in their own way.

NOW, THEREFORE BE IT RESOLVED by the City Council of Ypsilanti that May 3, 2007 is hereby proclaimed "A Day of Prayer in Ypsilanti, Michigan".

XIV. COMMUNICATIONS FROM CITY MANAGER

Acting City Manager Charles Boulard distributed the West Ridge report that was prepared by the City Attorney.

He reported that Water Street issues are being worked on by City Planner Karen Hart.

XV. LIAISON REPORTS

- A. SEMCOG Update – There was nothing to report at this time.
- 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 – There was nothing to report at this time.
- E. Smart Zone Local Development Finance Authority – There was nothing to report at this time.

XVI. COUNCIL PROPOSED BUSINESS

- A. Council Member Filipiak – Suggested that the city request electronic copies of proposals in the future so that documents are easily transferable to Council and City staff.
- B. Council Member Robb – announced that April 21, 2007 is opening day of the Ypsilanti Little League. He recalled that Ypsilanti permitted the first girl to play in little league. Mr. Robb expressed concern over the condition of the little league fields and asked city staff if donations or support would be allowed. He suggested allowing fundraisers for upkeep.

Mr. Robb had questions regarding the abandoned vacant building ordinance and asked City staff to clarify. He commented on the status of the Thompson building.

Council Member Robb indicated that the command officers revised their pension benefits. He questioned if the actuarial study had been completed.

- C. Council Member Nickels – announced that the Democratic Dinner is May 12, 2007. He encouraged Council to contribute to the cost of an ad, as done in past years. He indicated that he would also contribute to the cost for permits for Leonardo Christian.

Reported that he attended a seminar at University of Michigan on the conditions of the State of Michigan and the state budget. He read an excerpt from a handout from the workshop to Council.

XVII. COMMUNICATIONS FROM THE MAYOR

Mayor Schreiber reported that he met with youth group Y.Y.E.A. (Ypsilanti Youth Empowered to Act) and they would like youth representation on the Recreation Commission. He directed the City Attorney's Office to pursue the matter and prepare the necessary legislation.

Mayor Schreiber questioned whether it is appropriate for Council members to attend Commission meetings and whether their presence influences decisions. He suggested that the City Attorney's Office look into the matter and report back to Council.

XVIII. AUDIENCE PARTICIPATION –

Leonardo Christian – commented that City Council members should be able to speak as a citizen before any Commission. He asked about the 20/20 Board.

Steve Pierce – commented that silencing Council members is abhorrent to democracy. He urged Council not to spend money on this issue.

XIX. REMARKS FROM THE MAYOR -

Mayor Schreiber indicated that his intentions is not to silence Council members but to set guidelines.

XX. ADJOURNMENT

A. Resolution No. 2007-83, 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: 6 No: 0 Absent: 1 (Gawlas) Vote: Carried

Meeting was adjourned at 9: 48 p.m.