



APPROVED

CITY OF YPSILANTI
COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS
ONE SOUTH HURON, YPSILANTI, MI 48197
WEDNESDAY, NOVEMBER 7, 2007
7:30 P.M.

I. **CALL TO ORDER**

The Mayor called the meeting to order at 7:33 p.m.

II. **ROLL CALL**

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

III. **INVOCATION**

The Mayor 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 City Manager Edward Koryzno, Department of Public Works Director Bill Bohlen, Fire Chief Jon Ischesco, Assistant City Manager April McGrath, and Planning Director Karen Hart.

VI. **AGENDA APPROVAL**

Council Member Robb requested that Resolution No. 2007-226 be moved from the Consent Agenda to Motions/Resolutions/Discussions.

City Manager Koryzno requested that Council add a Closed Session to discuss collective bargaining.

The agenda was approved as amended.

**CITY OF YPSILANTI
COUNCIL MEETING AGENDA
CITY COUNCIL CHAMBERS
ONE SOUTH HURON, YPSILANTI, MI 48197
WEDNESDAY, NOVEMBER 7, 2007
7:30 P.M.**

I. CALL TO ORDER –

II. ROLL CALL –

Council Member Filipiak	P A	Council Member Robb	P A
Council Member Gawlas	P A	Mayor Pro-Tem Swanson	P A
Council Member Nickels	P A	Mayor Schreiber	P A
Council Member Richardson	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 –

VIII. AUDIENCE PARTICIPATION –

IX. REMARKS BY THE MAYOR –

X. ORDINANCES – SECOND READING

Ordinance No. 1074

A. Resolution No. 2007-221 approving an ordinance entitled, "An ordinance to provide for a service charge in lieu of taxes for Chidester Place, a residential rental development primarily for senior citizens of low income financed or assisted, pursuant to the provisions of the State Housing Development Authority Act of 1966."

Ordinance No. 1075

B. Resolution No. 2007-222, approving an ordinance entitled, "Prospect Court Alley Vacation", vacating a 16.5 ft. wide alley, from North Prospect heading west, in the City of Ypsilanti, Michigan.

XI. MINUTES -

Resolution No. 2007-223, approving the minutes of October 16, 2007.

XII. CONSENT AGENDA

Resolution No. 2007-224A

A. Resolution No. 2007-224, authorizing the City Treasurer to levy and assess on the December 2007 tax rolls a listing of unpaid bills totaling \$28,807.43.

- B. Resolution No. 2007-225, approving the submission of City Council's ballot for Michigan Municipal League Board of Directors election.
- C. ~~Resolution No. 2007-226, approving and accepting the low bid provided by Priority One Emergency of Livonia Michigan in the amount of \$16,110.90 for the purchase of new equipment and the removal of old equipment for police vehicles.~~ ***(Moved to Motions/Resolutions/Discussions per Council's request.)***
- D. Resolution No. 2007-227, approving an allocation of funds to Orchard, Hiltz, and McCliment, Inc., not to exceed \$38,000.00, for survey and design services for Armstrong, Armstrong Court and First Court in the Parkridge Public Housing Complex.

XIII. RESOLUTIONS/MOTIONS/DISCUSSIONS -

- A. Resolution No. 2007-228. approving and awarding contract for the Fire Department Door Modification Project to Construction Solutions, Inc. of Ann Arbor in the amount of \$31,650.00.
- B. Resolution No. 2007-229, approving the 2007-2008 CDBG ADA Curb Cut Project Agreement with Washtenaw Community Development.
- C. Resolution No. 2007-230, approving first amendment to Memorandum of Understanding between the City and the Depot Town Community Development Corporation.
- D. Resolution No. 2007-226, approving and accepting the low bid provided by Priority One Emergency of Livonia Michigan in the amount of \$16,110.90 for the purchase of new equipment and the removal of old equipment for police vehicles. ***(Added per Council's request)***.

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

XVI. COUNCIL PROPOSED BUSINESS -

XVII. COMMUNICATIONS FROM THE MAYOR -

XVIII. AUDIENCE PARTICIPATION -

XIX. REMARKS FROM THE MAYOR –

XX. ADJOURNMENT -

- A. Resolution No. 2007-231, adjourning the City Council Meeting.

XXI. CLOSED SESSION TO DISCUSS COLLECTIVE BARGAINING *(Added per Council's approval)***.**

VII. PRESENTATIONS

None.

VIII. AUDIENCE PARTICIPATION

Mayor Schreiber read the rules for audience participation.

- a. Rodney Nanney spoke against granting a pilot for Chidester Place and urged City Council to reject the proposal. He stated that the proposal is bad for the city because the city needs revenue.
- b. Mr. Rhajabi spoke regarding police conduct. He explained a situation that occurred on his property regarding drugs, which led to an altercation. He indicated that he was mistreated by the police.
- c. Lula Jones gave an update on fundraising efforts for the Ypsilanti Citizen's Police Academy and thanked City Council and staff for their support. She announced that new classes will begin soon for the Academy and urged those interested to sign-up.
- d. Tyrone Wilson, representing R.A.I.D. and N.A.N. congratulated the City Clerk and staff for a well run election. He congratulated Council Members Robb, Richardson and Swanson and stated that the city needs more people that will represent the people, not personal interests. He encouraged Council to be creative and fix the revenue problem.
- e. John Donnelly suggested that City Council respond to concerns addressed during audience participation during audience participation, not after. He stated that citizens want specific answers to their concerns.

IX. REMARKS BY THE MAYOR

Mayor Schreiber explained that the section of the meeting entitled, 'Remarks by the Mayor' addresses concerns made during audience participation.

Regarding Mr. Wilson's comments, Mayor Schreiber stated that he received information from the Washtenaw County Clerk's Office indicating that the City Clerk and staff did a superior job during this past election.

Mayor Schreiber thanked Lula Jones for all the hard work she does for the community.

Responding to comments made by Mr. Rhajabi, Mayor Schreiber stated that he will forward his complaint to the City Manager. City Manager Koryzno instructed Mr. Rhajabi to complete a citizen's complaint form regarding the police incident and staff will investigate.

X. ORDINANCES – SECOND READING

Ordinance No. 1074

- A. Resolution No. 2007-221 approving an ordinance entitled, "An ordinance to provide for a service charge in lieu of taxes for Chidester Place, a residential rental development primarily for senior citizens of low income financed or assisted, pursuant to the provisions of the State Housing Development Authority Act of 1966."

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance to provide for a service charge in lieu of taxes for a residential rental development primarily for senior citizens of low income financed or assisted pursuant to the provisions of the State Housing Development Authority Act of 1966 be approved as amended on **Second and Final Reading**.

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

Thomas Lacey was present to answer questions from Council.

City Attorney John Barr explained the changes that were made to the agreement.

Council Member Gawlas moved, supported by Mayor Pro-Tem Swanson to amend the resolution as follows:

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance to provide for a service charge in lieu of taxes for a residential rental development primarily for senior citizens of low income financed or assisted pursuant to the provisions of the State Housing Development Authority Act of 1966 be approved on **Second and Final Reading with provisions that the pilot is 0% in the first year and 4% in the years thereafter, and the service agreement is approved at \$35,000.00 plus inflation according to the Consumer Price Index (CPI).**

VOTE:

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

The amendment was approved.

The vote to approve the resolution as amended was as follows:

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

The ordinance was approved as amended.

Ordinance No. 1075

- B. Resolution No. 2007-222, approving an ordinance entitled, "Prospect Court Alley Vacation", vacating a 16.5 ft. wide alley, from North Prospect heading west, in the City of Ypsilanti, Michigan.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled "Prospect Court Alley Vacation," vacating a 16.5 foot wide alley, from North Prospect heading west, in the City of Ypsilanti, Michigan be approved on **Second and Final Reading**.

OFFERED BY: Council Member Robb
SUPPORTED BY: Council Member Gawlas

Planning Director Karen Hart explained the request and answered questions from Council.

VOTE:

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

The ordinance was approved.

XI. MINUTES

Resolution No. 2007-223, approving the minutes of October 16, 2007.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Minutes of October 16, 2007 be approved.

OFFERED BY: Council Member Richardson

SUPPORTED BY: Council Member Filipiak

VOTE:

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

The minutes were approved as submitted.

XII. CONSENT AGENDA

Resolution No. 2007-224A

- A. Resolution No. 2007-224, authorizing the City Treasurer to levy and assess on the December 2007 tax rolls a listing of unpaid bills totaling \$28,807.43.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That, the City Treasurer be authorized to levy and assess on the December 2007 tax roll the attached listing of unpaid bills totaling \$28,807.43.

- B. Resolution No. 2007-225, approving the submission of City Council's ballot for Michigan Municipal League Board of Directors election.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, the City of Ypsilanti is a member of the Michigan Municipal League Liability and Property Pool, which is governed by a nine-member Board of Directors ;

Whereas, seven (7) incumbent Directors of the governing board have agreed to seek re-election;

Whereas, the Michigan Municipal League requests that members of the Liability and Property Pool cast a vote for candidates they wish to have re-elected to a three-year term, beginning January 1, 2008.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council will vote for seven (7) Directors and authorizes its vote to be cast by the City Clerk no later than November 15, 2007.

- C. Resolution No. 2007-227, approving an allocation of funds to Orchard, Hiltz, and McCliment, Inc., not to exceed \$38,000.00, for survey and design services for Armstrong, Armstrong Court and First Court in the Parkridge Public Housing Complex.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, The capital improvement plan has programmed the reconstruction of Armstrong, Armstrong Court, and First Court in the Parkridge Public Housing Complex in the year 2008 construction season; and

Whereas, Orchard, Hiltz and McCliment has provided a level of service to the City of Ypsilanti on similar street improvement projects, and posses a depth of experience with the infrastructure in the project area; and

Whereas, it is necessary to secure design and construction services for the project in order to proceed with the project timeline;

NOW, THEREFORE BE IT RESOLVED, that the City Council approves the survey design services proposal; with Orchard, Hiltz & McCliment, Inc., 34000 Plymouth Road, Livonia, MI for a not to exceed cost of \$38,000.00; and

That the City Manager is authorized to sign this proposal, subject to review and approval by the City Attorney; and

That the City Manager is authorized to sign any change orders that may be needed to maintain the project's schedule, subject to review and approval by the City Attorney.

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

VOTE:

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

The Consent Agenda items were approved.

XIII. RESOLUTIONS/MOTIONS/DISCUSSIONS

- A. Resolution No. 2007-228 approving and awarding contract for the Fire Department Door Modification Project to Construction Solutions, Inc. of Ann Arbor in the amount of \$31,650.00.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, sealed bids were opened for the Fire Department Door Modification Project on October 17, 2007 at 2:00PM; and

Whereas, three bids were received and opened for this project; and

Whereas, Construction Solutions, Inc. of Ann Arbor, MI was the low bidder for this work for a total amount of \$31,650.00; and

Whereas, staff has reviewed the low bid and finds that they met the intent of the specifications for this project; and

NOW, THEREFORE BE IT RESOLVED, that the City Council awards this project to Construction Solutions, Inc. of Ann Arbor, MI in the amount of \$31,650.00; and

That, the City Attorney be requested to prepare a contract for this project;

And, the City Manager is authorized to sign the necessary contract documents and any change orders with regards to this project within the budget limits.

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

VOTE:

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

The resolution was approved.

- B. Resolution No. 2007-229, approving the 2007-2008 CDBG ADA Curb Cut Project Agreement with Washtenaw Community Development.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, The city participates in the Washtenaw County Urban County program for the distribution of Community Development Block Grant Funding. As part of this program, the ADA curb ramps project is planned for FY08; AND

Whereas, This project is for a total of \$100,000.00 and is being partially funded being by the Washtenaw Community Development Program for an amount of \$51,851.00; AND

Whereas, An agreement is needed between the city and county in order to utilize the county funds; AND

THEREFORE BE IT RESOLVED, that the Ypsilanti City Council approves the proposed agreement as approved to form by the City Attorney; AND

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are authorized to be signatories for the agreement.

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

VOTE:

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

The resolution was approved.

- C. Resolution No. 2007-230, approving first amendment to Memorandum of Understanding between the City and the Depot Town Community Development Corporation.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, The Depot Town Association, doing business as the Depot Town Community Development Corporation (DTCDC), offered to maintain, program and improve Frog Island Park and Riverside Park in partnership with the City;

Whereas, On September 18, 2007, The Ypsilanti City Council authorized the Mayor and Clerk to execute a Memorandum of Understanding with the DTCDC, which was signed September 21, 2007;

Whereas, The DTCCDC has requested amendments to the MOU to modify certain issues related to insurance, maintenance responsibilities, trust funds, and other matters;

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Ypsilanti approve the First Amended Memorandum of Understanding for Operation and Management of Riverside and Frog Island Parks between the City and the DTCCDC substantially in the form attached and authorize its execution by the Mayor and City Clerk.

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

Assistant City Attorney Karl Barr explained the revisions and answered questions from Council.

VOTE:

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

The resolution was approved.

- D. Resolution No. 2007-226, approving and accepting the low bid provided by Priority One Emergency of Livonia Michigan in the amount of \$16,110.90 for the purchase of new equipment and the removal of old equipment for police vehicles.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, The Ypsilanti Police Department has purchased two new patrol vehicles that are now in need of equipment purchase and changeover from retired units, and

Whereas, Priority One Emergency of Livonia Michigan provided the lowest bid for the equipment and changeover in the amount of \$16,110.90,

THEREFORE BE IT RESOLVED, that the Chief of Police be authorized to sign all necessary documents needed execute the contract with Priority One Emergency, subject to approval of the City Attorney.

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

Police Chief Matt Harshberger explained the request and answered questions from Council.

VOTE:

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

The resolution was approved.

XIV. COMMUNICATIONS FROM THE CITY MANAGER

- A. City Manager Ed Koryzno requested Council to approve a closed session, pursuant to Section 8(e) of the Open Meetings Act to discuss collective bargaining.

Council Member Nickels moved, supported by Mayor Pro-Tem Swanson that Council adjourn into closed session to discuss collective bargaining.

VOTE:

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

City Manager Koryzno requested that Council cancel the November 20, 2007 meeting.

Council Member Richardson moved, supported by Mayor Pro-Tem Swanson to cancel the regularly scheduled Council meeting of November 20, 2007.

VOTE:

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

Mr. Koryzno announced that goal setting sessions are scheduled for December 8 and 15, and January 26, if a third meeting is needed.

XV. LIAISON REPORTS

- A. SEMCOG Update – There was no report.
- B. Recreation Commission – There was no report.
- C. Washtenaw Area Transportation Study – There was no report.
- D. Ypsilanti Area Community Fund – There was no report.

XVI. COUNCIL PROPOSED BUSINESS

Council Member Richardson apologized to Mr. Rhajabi for the police misconduct that he said he experienced.

Council Member Richardson stated that Council is responsible to the constituents that elected them and to all residents of the City. She said that Council is responsible for how it handles City funds. She said that \$25,000 was spent to hold the November election which determined that voters did not want a City income tax. She stated that she recalls numerous occasions that Council has been asked to hire a consultant to look for funds and the response has been that the City cannot afford it. She said that the money lost on holding an election could have been spent on a consultant and achieved a more positive result. She said that in view of the election results, the City needs help finding funds, and if \$25,000 can be spent on an election, money can be allocated to hire a consultant to look for funds. She stated that funds are available but just need to be found.

Council Member Richardson stated that Council Member Nickels has referenced concerns that Council often spends money unwisely and is not prudent enough. She said she hopes that the November election results will cause Council to come together. She said that in the past seven years decisions have usually been made by Council by votes of six to one, but this year Council has been divided to four and three. She said that Council is not going to accomplish what it could if it had unanimous votes. She stated that Council will not have unanimous votes if it continues to make unwise decisions. She said that she hopes Council can come together to find ways that might be out of the ordinary to accomplish what it wants and to bring change.

Council Member Filipiak noted that due to the extended warm weather, the City has been experiencing prostitution on the east side, particularly on Miles St., Young St. and Michigan Ave., and it is more evident than ever. He said that cooler temperatures may have an impact on this activity for the next several months but it is still a concern to him, Council Member Robb, and the residents in the area. He said he has continued to hear about prostitution in the area and has also witnessed it. He stated that residents on Young St. have expressed concerns about their safety and have been retreating with their children inside as dusk approaches.

City Manager Koryzno responded that Police Chief Harshberger is aware of the problem and the Police have conducted one sting operation there and have others planned. He said that Police Chief Harshberger has been in contact with members of the Sheriff's department in Ypsilanti Township regarding a possible joint effort to address the problem. He said he will provide additional information to Council as he receives it.

Council Member Filipiak stated that he received an offer to start a grassroots political action committee to pressure Lansing to reform Proposal A and the Headlee Amendment. He said the election result is an impetus to move forward with these reforms. He said that it would make sense to join an effort already under way if one exists. He said that he is not looking for an answer from Council now but is heartened by the idea. He asked Council Members for any ideas they might have.

Council Member Robb stated that he received a call from an Ypsilanti Township Trustee encouraging the City to bid for their fire dispatcher. He said that fire dispatching has been a significant issue for the Township, as it only has fire fighters at their stations. He said that the City has dispatch and the Township is willing to pay the City. He said that he will inform Council of the bid soon. He commented that there is a similar situation in the City with the Police doing dispatch rather than road patrol. He said that this seems like a very good opportunity to work with the Township and encouraged Council to act on the proposal as soon as possible.

Council Member Gawlas commented on the outcome of the election and stated that during the campaign there was a lot of discussion about sharing police and fire and maintaining the bus service. He stated that it is very important for everyone to begin working together to maintain police, fire and bus services. He said that previous discussions talked about advancing some of the reductions outlined in the solvency plan and it is important for Council to get a head start and figure out how the city will get to that point. He stated that it is important to identify some of the specific items that can be moved forward in order to maintain core services.

City Manager Koryzno recommended that Council use the goal setting sessions as the mechanism to determine how the city will proceed.

Council Member Nickels stated that as a result of the election, it is important that Council make every effort to minimize expenses and maximize income.

Mayor Pro-Tem Swanson apologized to Mr. Rhajabi for what he encountered with the Ypsilanti police. She indicated that his experience was similar to Tonya Padgett's at Chidester Place. Ms. Swanson reported that she received a nasty email as a result of her comment's regarding Tanya Padgett's incident. She said that she hopes the City Manager will look into the incident because something has to be done. She thanked Mr. Rhajabi for coming forward and said that the city has some good and some bad police officers. She stated that hopefully the issue will be resolved soon because everyone needs each other and the city needs to stand together.

XVII. COMMUNICATIONS FROM THE MAYOR

Mayor Schreiber thanked the City Clerk and the Deputy City Clerk for a fine job on the election. He stated that it represents the City well and shows the County Election Clerk that the City can do a good job.

The Mayor complimented the Barr, Anhut and Associates Law Firm for a stellar job in representing the City in the recent lawsuit.

XVIII. AUDIENCE PARTICIPATION

a. Tyrone Bridges spoke regarding computer monitors donated to Parkridge, He stated

that he has asked Mr. Frye for the monitors and have received no response. He indicated that he has received no support from Council Members in retrieving the monitors.

- b. Lee Tooson expressed dissatisfaction with city funds being spent on an election rather than police investigations. He urged City Council to be more proactive instead of reactive in dealing with problems with the Ypsilanti Police. He expressed concern that Officer Uriah Hamilton had been placed back on street patrol.
- c. Denise Cutlip thanked City Council for supporting the Halloween Festival and the Citizen's Police Academy Fundraiser. She commented that her landlord donated the computer monitors because he wanted to see them used. She asked Council to find out what happened to them and if they can be reused for Mr. Bridge's program.

XIX. REMARKS FROM THE MAYOR

Mayor Schreiber stated he understands that currently the Parkridge Community Center has a group running a program there, and it is independent of the City. He told Mr. Bridges that he has to take his issues to them because there is nothing that Council can do.

Council Member Richardson stated that she knew nothing about the computer monitors as she was out most of the summer. She stated that she has communicated with Mr. Bridges on many projects and she was not aware of this. She indicated that Mr. Frye coordinates the day to day operations at the center, however he has been away at a medical facility for several weeks. She stated that she knows nothing about the monitors, however she will try to see if they can be located. Ms. Richardson told Mr. Bridges that she wishes he would have come to her prior to writing a letter. She stated that she was at a meeting that Mr. Bridges attended about a month ago and Mr. Bridges did not say anything.

Mayor Schreiber stated that City Manager Koryzno has asked Mr. Rhajabi to file a complaint. He stated that after the complaint is received Police Chief will investigate and report back to the City Manager who will handle the complaint from there.

XX. ADJOURNMENT

- A. Resolution No. 2007-231, 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

The meeting was adjourned to a closed session at 9:35 p.m.