



Approved

**CITY OF YPSILANTI  
COUNCIL MEETING MINUTES  
CITY COUNCIL CHAMBERS  
ONE SOUTH HURON, YPSILANTI, MI 48197  
TUESDAY, FEBRUARY 19, 2008  
7:30 P.M.**

**I. CALL TO ORDER**

The meeting was called to order at 7:31 p.m.

**II. ROLL CALL**

Council Member Filipiak	Present (7:35 p.m.)	Council Member Robb	Present
Council Member Gawlas	Present	Mayor Pro-Tem Swanson	Absent
Council Member Nickels	Present	Mayor Schreiber	Present
Council Member Richardson	Present (7:34 p.m.)		

**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 Ypsilanti 2020 Taskforce Chair Gary Clark and fellow 2020 Taskforce members, Assistant City Manager April McGrath, Planning and Interim Building Director Karen Hart, Interim Department of Public Works Director Stan Kirton, Finance Director Marilou Uy, Planner Richard Murphy, and Deputy City Clerk Ed Golembiewski.

**VI. AGENDA APPROVAL**

The agenda was approved as presented.

**VII. PRESENTATIONS**

1. Ypsilanti 2020 Task Force Quarterly Report

The 2020 Taskforce members presented their quarterly report for the months of September, October, and November 2007, discussing the City's long-term challenges and opportunities.

2. Presentation from Mr. Rajabi

Mr. Reza Rajabi presented information about building inspection policies and fees and asked that unconditional certificates of occupancy be issued to his units at 11 N. Normal.

Council Member Richardson stated that she has heard similar comments from other landlords in the City. She suggested that the City examine ways to make things more equitable and fair for all landlords. She pointed out that the largest landlord in the City, the Ypsilanti Housing Commission, has consistently failed inspections but is still allowed to rent units. She said that individual landlords are not being afforded this same treatment. She added that large and small landlords, as well as Mr. Rajabi, must meet code, and if not, the properties should be emptied until such time.

Mayor Schreiber asked Council Member Richardson to respond in writing with a list of issues concerning Ypsilanti Housing Commission public housing. He asked that she submit the list to the City Manager, City Council, and the Housing Commission.

**VIII. AUDIENCE PARTICIPATION**

Mayor Schreiber read the rules for audience participation.

1. David Kircher, pointed out that the fence has been removed from the Thompson building and that it is a danger to the public. He said that ordinance enforcement is inequitable and that public housing should be subject to the same rules for unit occupancy as private rentals.
2. Kevin Hill, 108 Washtenaw Rd. #4, thanked those that attended a recent fundraiser. He stated that the paymaster in the N. Huron St. parking lot malfunctions frequently and requested that a procedure be implemented for notifying the police and parking enforcement officers so that tickets are not written until it can be fixed.
3. Reza Rajabi, stated that he and an YCUA representative recently witnessed the driver of a Department of Public Works vehicle travelling northbound on Normal St. driving in a dangerous manner. He said that the driver was in danger of injuring himself and that taxpayers would have to pay for this behavior if the driver were to be injured.
4. Steve Pierce, 118 S. Washington St., described the city's policy regarding rental units without certificates of occupancy. He said that if a unit fails inspection but is currently occupied the city does not require the landlord to vacate the unit, but if a unit is vacant a tenant cannot occupy the unit until a certificate of occupancy is acquired. He said that this is a problem because revenue cannot be earned until the unit is up to code and that public housing is not held to the same standard.

**IX. REMARKS BY THE MAYOR**

Mayor Schreiber addressed Mr. Kircher's concern about the Thompson building and stated that the building is owned by Stewart Beal, has no certificate of occupancy, and is vacant. He said that the building has been secured so that it is not a risk to the public walking near it. He asked City Manager Koryzno to confirm his understanding of the situation.

City Manager Ed Koryzno replied that the fence has been removed in violation and the City Attorney's office is drafting a letter to inform Mr. Beal so that he can remedy the violation.

Mayor Schreiber thanked Mr. Hill for his suggestion regarding malfunctioning parking meters and stated that a phone number should be placed on paymasters for individuals to call when malfunctions occur.

In regard to Mr. Rajabi's comment about the Department of Public Works employee, Mayor Schreiber stated that he was not aware of the incident and will look into it.

City Manager Koryzno stated that the incident was investigated and asked Interim Department of Public Works Director Kirton to explain.

Interim Department of Public Works Director Kirton responded that a recycling crew was forced to use an alternative vehicle when one recycling truck was broken. He said that the employee in question did not know until he was in the field that the interior door handle was broken and had to use the exterior handle to open the door. He stated that it was a cold day and the employee did not want to keep the window lowered, so he kept the door open. He said that as soon as the truck was brought back to the Department of Public Works yard it was red-tagged and hasn't been used since.

Mayor Schreiber stated in regard to the issuance of certificates of occupancy to public housing units, that the Housing Commission had been working closely with former Building Director Charles Boulard to acquire them. He said that the Housing Commission is in an awkward position because units are inspected by the city, HUD, and subject to self-inspections of 100% of the units annually. He said that the Housing Commission cannot increase rents to cover expenses and funding has been cut by the Bush administration.

Mayor Schreiber said that Council should look closely at the Housing Commission now that the city is contracted for public housing inspections to find ways to reduce the amount of work to be done while maintaining safe housing. He continued that Council should consider allowing the Housing Commission to do self-inspections and share information about the status of its units with Council on an annual basis. He said that this is what HUD requires and is done by many other cities, including Ann Arbor.

**X. MINUTES**

Resolution No. 2008-025, approving the minutes of February 5, 2008.

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

That the Minutes of February 5, 2008 be approved.

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

VOTE:

YES: 6            NO: 0            ABSENT: 1 (Swanson) VOTE: Carried

The minutes were approved as presented.

**XI. RESOLUTIONS/MOTIONS/DISCUSSIONS**

- A. Resolution No. 2008-026, approving purchase of one (1) Petersen TL-3 Lightning Loader with a 18247 Dump Body.

Interim Department of Public Works Director Kirton was present to answer questions from Council.

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

Whereas, the 2007-2008 fiscal year budget includes funds of \$130,000 to purchase a heavy duty truck with a grapple and snow plow attachments.

Whereas, two (2) purchase proposals were received from Bell Equipment Company of Lake Orion, Michigan in the amount of \$70,700.00 and Petersen Industries, 400 SR 60 West, Lake Wales, Florida in the amount of \$71,900.00; for the purchase of a Petersen TL-3 Lightning Loader with a 1824 Dump Body for use in the Department of Public Works- Streets Division (primary) Environmental Services Division (secondary).

Whereas, the purchase proposal submitted by Bell Equipment Company in the amount of \$70,700.00 is within the allocated funds and in the best interest of the city to purchase this dump body; and

NOW THEREFORE, BE IT RESOLVED THAT, the Ypsilanti City Council approves the purchase of one Petersen TL-3 Lightning Loader with a 1824 Dump Body from Bell Equipment Company.

FURTHER, that \$129,500.00 to purchase this truck body and chassis be charged to the \$130,000.00 budgeted to be expended from accounts 664-932-787-10 (\$104,000.00) and 641-935-787-10 (\$26,000.00).

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

VOTE:

YES: 6          NO: 0          ABSENT: 1 (Swanson)          VOTE: Carried

- B. Resolution No. 2008-027, authorizing and approving the Design Services Proposal from Orchard, Hiltz & McCliment, Inc. for the South Mansfield Street Construction Project from Michigan Avenue south to the dead end.

Interim Department of Public Works Director Kirton and Marcus McNamara from Orchard, Hiltz and McCliment were present to answer questions from Council.

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

Whereas, Michigan Department of Transportation – Economic Development Fund has granted the City of Ypsilanti the maximum award allowed by the program for select repairs to the aggregate base, milling and resurfacing of existing asphalt pavement, limited curb and gutter, and drainage improvements to South Mansfield Street from Michigan Ave. south to the dead end; and

Whereas, Orchard, Hiltz and McCliment has provided an exemplary 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 geotechnical services for the project in order to prepare plans and specifications to meet funding requirements; and

NOW, THEREFORE, BE IT RESOLVED THAT the City Council approves the design construction services proposal; with Orchard, Hiltz & McCliment, Inc., 34000 Plymouth Road, Livonia, MI for a not to exceed cost of \$41,00.00; 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 Richardson

SUPPORTED BY: Council Member Filipiak

VOTE:

YES: 6                      NO: 0                      ABSENT: 1 (Swanson)                      VOTE: Carried

- C. Resolution No. 2008-028, approving a three-year contract with Rehmann Robson for Professional Auditing Services beginning with fiscal year endings June 30, 2008 through June 30, 2010.

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

Whereas, the City of Ypsilanti Council under the Ypsilanti City Code requires a change in auditing firms after a five-year continuous annual auditing of the City; AND

Whereas, the Finance Department posted the Requests for Proposals on the City website and at [www.mitn.info](http://www.mitn.info) (The Michigan Inter-governmental trade network) on January 14, 2008; AND

Whereas, Rehmann Robson completed the living wage ordinance compliance report; AND

Whereas, Rehmann Robson's proposal for a three-year contract was \$170,600 that includes audit and reporting services for the City of Ypsilanti, Economic Development Corporation, Downtown Development Authority, Single Audit, Police and Fire Retirement System, provide advice and assistance in preparing the City to meet new Statement of Auditing Standards (SAS) # 103 to 114; and assist in preparing comprehensive annual financial reports for submission to Government Finance Officers Association (GFOA) to participate in Certificate of Excellence award; AND

NOW BE IT HEREBY RESOLVED that the Ypsilanti City Council approve a three-year contract with Rehmann Robson in the amount of \$170,600 for Professional Auditing Services beginning with fiscal year endings June 30, 2008, through June 30, 2010.

OFFERED BY: Council Member Gawlas

SUPPORTED BY: Council Member Nickels

VOTE:

YES: 6                      NO: 0                      ABSENT: 1 (Swanson)                      VOTE: Carried

- D. Resolution No. 2008-029, adopting the City of Ypsilanti 2008-2012 Parks and Recreation Master Plan as a guideline for improving recreation for the residents of the City of Ypsilanti.

City Planner Richard Murphy was present to answer questions from Council.

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

Whereas, The City of Ypsilanti has prepared a Five Year Parks and Recreation Plan which describes the community's physical and demographic characteristics, existing recreation facilities, and desired actions to be taken to improve and maintain recreation facilities during the period between 2008 and 2012;

Whereas, the draft plan was made available to the community between January 4 and February 4, 2008;

Whereas, a duly-noticed public hearing was held by the Recreation Commission of the City of Ypsilanti on February 6, 2008, at Ypsilanti City Hall;

Whereas, after the public hearing, the Recreation Commission voted unanimously to recommend that the City Council adopt said Recreation Plan; and

Whereas, The City of Ypsilanti has developed the plan for the benefit of the entire community and intends that the plan be adopted as a document to assist in meeting the recreation needs of the community;

NOW THEREFORE BE IT RESOLVED, That the Council of the City of Ypsilanti adopt the City of Ypsilanti 2008-2012 Parks and Recreation Master Plan as a guideline for improving recreation for the residents of the City of Ypsilanti.

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

VOTE:

YES: 6                      NO: 0                      ABSENT: 1 (Swanson)                      VOTE: Carried

**XII. LIAISON REPORTS**

- A. SEMCOG Update – There was no report. Council Member Filipiak reminded Council that he is the alternate representative to Mayor Pro-Tem Swanson and asked if Council knew of any meetings that he should attend in Mayor Pro-Tem Swanson's absence.
- B. Recreation Commission – There was no report.
- C. Washtenaw Area Transportation Study – Council Member Nickels stated that the next meeting is scheduled for February 20, 2008.
- D. Eastern Leaders Group – Mayor Schreiber stated that the Eastern Leaders Group has not met since the last Council meeting.

Mayor Schreiber reported that he heard a presentation from Terri Blackmore regarding the Washtenaw County Transit Plan at a recent meeting of the Washtenaw Metro Alliance. He said that bus service in Ypsilanti was reported to be minimal. He said that Ms. Blackmore suggested improving bus service by establishing mobility management, reducing the time between runs, coordinating passenger transfers and park and ride service between counties, increasing state funding, and locating local funding sources outside of Ann Arbor. He said that state funding is up to a possible 10% of transportation revenues but the state has transferred some of those revenues to help balance the budget in recent years.

Mayor Schreiber said that the presentation described possible sources of funding such as increasing the gas or sales tax, the state giving the county the ability to levy a gas tax, raising the federal gas tax from \$.08 to \$.40, increasing vehicle registration fees, or to use vehicle mass travel.

### **XIII. COUNCIL PROPOSED BUSINESS**

Council Member Richardson stated that there are growing numbers of homeless people in the city and there is no place for them to go if they cannot afford to get to the shelter in Ann Arbor. She said that Council should begin to make plans for some sort of overnight shelter, whether it be in conjunction with a church, schools, or other organization in cases of extreme weather.

Council Member Richardson stated that she received a phone call from a gentleman who informed her that he had made a police complaint. He said he was travelling north on Adams and at Woodward St., one block south of Ferris. He stated that the police officer shined a spotlight inside his car. He said that he afterward felt so strongly that he went to the police station, where he was also taking care of other business, to make a complaint. He wanted to know why the officer did that. She said that the gentleman told her that on Friday he received a call from the Sergeant that had been on duty at the police station on the night of the incident, and the reason that he gave was that the officer was shining his and other SUVs randomly as they passed.

Council Member Richardson asked whether this is a general practice throughout the city or whether it is a general practice on the south side of Michigan Avenue. She said that something is wrong with this and would like more explanation from the Police Department.

Council Member Richardson stated in regard to Mayor Schreiber's comment about turning over public housing inspections to the Housing Commission that it troubles her. She said that there are many problems that have surfaced with re-inspection, and the idea of allowing an entity that is having problems with three different inspectors to self-inspect its units needs to be thought more about.

Council Member Filipiak thanked the city employees in the audience, saying that it makes Council's job easier when immediate answers to some questions can be given and gives employees insight into the concerns of people that attend Council meetings.

Council Member Filipiak reported that he has noticed vehicles parked and not being moved for weeks at a time, to the point where there is debris piled around the vehicle. He asked why parking enforcement officers patrolling the neighborhoods do not address this.

Council Member Filipiak asked what the city's plans are for some streets, particularly in Ward 3 around N. Prospect and E. Cross, that have been repaved but are now again in poor condition. He said that this winter has been bad and the streets are now nearly in the same condition before being repaved and the city is still paying for this repaving. He asked what the long-range plans are for addressing maintenance and repaving of such streets. He said that he is also concerned with the concrete section of W. Cross St. in Ward 2 that runs from Washtenaw to Elbridge that is also showing severe wear.

Council Member Filipiak reported that he has heard a complaint about what may have been gas or oil running from the Department of Public Works yard to a storm drain on the street. He said that this was after a heavy rain and could have just been a light sheen of the material that appeared to be larger than it was. He said that there was no way of measuring it at the time and he did not witness it.

Council Member Filipiak asked whether Assistant City Attorney Karl Barr had any additional information to share regarding the protocol for noise complaints associated with special events in the parks under the jurisdiction of the Depot Town CDC. He said that in email correspondence City Manager Koryzno stated that he would ask Assistant City Attorney Karl Barr if he had any further interpretation.

Assistant City Attorney Barr responded that he spoke with Planning and Interim Building Director Hart about the issue but is having a difficult time recalling the details of the conclusion. He said that in general terms, if a noise complaint is made in regard to a violation of city ordinance, it would be reported to the Police Department. He said that there may also be something naturally part of the event that will need to be approved during the application process.

Council Member Filipiak stated that Council received copies of an email sent by Gary Lillie about the RFP process for real estate services, and said that similar concerns were also raised during the Starkweather House proposal. He said that he recognizes that if Mr. Lillie has a complaint he as an individual has to take some of the responsibility for missing the deadline, but that certainly if he had the degree of contact with people at City Hall it might have been courteous to notify him. He said that when additional substantive information is provided late in the bid request process that might affect whether or not certain people or companies provide the city with bids, it might be wise to extend the bid deadline. He continued that in this specific example, the city answered a series of questions about real estate services the day before the bid was due and if the deadline were extended perhaps more than one response may have been received.

Mayor Schreiber asked City Manager Koryzno to respond to Council Member Filipiak's concern about the RFP process for real estate services.

City Manager Koryzno deferred response to Planning and Interim Building Director Hart.

Planning and Interim Building Director Hart responded that there were a few companies that made contact with the city over the past year in regard to the Water Street project, most quite a few months ago. She said that the firm that Mr. Lillie is associated with is one of them, but it has been some time since the city has heard from them. She stated that the process the city went through to post the notice was to publish it in the newspaper, the MITN system which released it to a couple hundred companies large and small, and on the city's website. She continued that a small number of firms asked her to notify them if something were to be sent out and she did this, but overlooked Mr. Lillie's firm. She said that she feels badly after receiving his email today, but the notice had

been provided in several different venues. She said that she did field some inquiries from companies, most of whom decided not to send the city anything.

Planning and Interim Building Director Hart said in regard to additional information being posted on the website, that questions came from one developer who did not intend to submit but inquired about things that she felt would be of general interest to others. She continued that she thought that they were not so substantive that they would sway people one way or the other, so she did not think that the submission process should have been extended.

City Manager Koryzno stated that a proposal was received as is being reviewed by him and Assistant City Manager McGrath. He said they will be meeting with the firm, and will make a presentation to Council at the March 19th meeting.

Council Member Robb stated that 201 N. Washington is the address Council Member Filipiak referenced when discussing vehicles parked for extended periods of time. He said that debris keeps accruing around the vehicle parked there. He said that it is required by ordinance that vehicles must be moved every 48 hours, but this vehicle hasn't moved in months. He described a similar situation on N. Lincoln St. that happened last year and said that on his street abandoned vehicles are parked in the back yards of some properties. He said that this brings up the issue of equitability in ordinance enforcement and that he doesn't believe that there is enforcement in Ward 3. He said that if an ordinance is not being enforced it should be repealed or enforcement should occur.

Council Member Robb said in regard to the snow accumulation and removal in Depot Town that absentee landlord Dennis Dahlman is the owner of the depot. He continued that Mr. Dahlman does not have snow or ice removed from his property and the city should begin writing tickets. He said that the DDA Director Vosburg does not have Mr. Dahlman on any list used to communicate with business owners in the district, and so the problem will not be solved until punitive action is taken.

Council Member Robb stated that last night may have been the first time the new ladder truck was used by the Fire Department. He reported that there was a small fire on his street that the truck was used to help fight and he has pictures of the event.

Council Member Robb said in regard to the public housing units without certificates of occupancy that the September 14, 2007 Council Information Letter listed the inspection issues and that 125 of 179 units did not have certificates of occupancy and 89 of those were on second inspection. He stated that it would be interesting to see an updated list. He referenced Council Member Richardson's comment, saying that if the city is going to entertain allowing the Housing Commission to self-certify units, it would be important to use empirical data to see how they've come along in the past five to six months.

Council Member Robb said in regard to an audience member concern that turnover of public housing units was happening without certificates of occupancy, that as long as the city is in the business of inspecting properties he would like to understand if this is indeed true and if so how it happened.

Council Member Gawlas said that he was reading the MML action call about the senate bill that would take away local government's ability to perform housing inspections, in particular those governed by HUD. He said that Council should contact elected officials to express displeasure with the bill and suggested that a formal resolution of Council be approved that opposes the bill. He said that the bill may mandate that local governments performing inspections provide a minimum five year certificate of occupancy for a rental

unit in a multiple unit dwelling if requested to do so six months prior to the current certificate expiring.

Mayor Schreiber said that the bill would prohibit local government inspections of HUD properties and require that private rental units be inspected a maximum of once every five years.

Council Member Gawlas said that he is looking at the bill analysis that states that it would prohibit an enforcement agency from inspecting multiple unit dwellings that are subject to inspection by either the HUD or the Michigan State Housing Development Authority, unless the inspection were based on a complaint. He said that this doesn't seem to be the direction Council would like to take, though there are other aspects of the bill that may be appealing. He said that the MML is urging communities to address the bill, particularly those with student rental housing.

Council Member Gawlas stated that following the joint City Council/Ypsilanti School Board meeting, a constituent discussed with him the idea of creating a joint facility for the Department of Public Works and school buses. He said he was curious about whether the City might look to contract mechanic services through the school district, regardless of any joint facility, in order to address its employment obligation to ensure a mechanic is on staff.

City Manager Koryzno responded that while there may be a cost savings associated with contracting a mechanic through the school system, there is a concern as to whether vehicles could be repaired in a timely fashion, for instance during a snow storm. He said it can be looked into.

Council Member Nickels said in regard to Council Member Filipiak's concern about the Starkweather House proposal that it is true that an RFP was issued that subsequently changed while the date for submittal did not. He said that the reason for this was that the change in the RFP made it easier for a potential contractor to make a proposal, thus it was seen as unnecessary to change the date for submittal.

Council Member Nickels said that he recently learned that Council Member Robb's website described Council as having done something unethical in the process that led to Mr. Rupert acquiring the Starkweather House. He expressed displeasure that this was not discussed during any Council meeting but is posted on the website. He reviewed the process which led to Mr. Rupert acquiring the property, saying that two press releases were distributed, one to the Ypsilanti Courier and one to the Ann Arbor News. He said that Mayor Farmer had spoken with Mr. Rupert who became interested in acquiring the house, and that he also spoke with Marvin Gerber, Stewart Beal, and Bob Barnes. He said that Stewart Beal was the only other interested party who submitted a proposal, along with Mr. Rupert. He said that City Attorney Barr's office had a third party review the proposals, and they were not familiar with the players or people in Ypsilanti to judge which was best. He said that the proposals contained lists of example properties and it was clear after examining these that Mr. Rupert's proposal was the better of the two choices.

Council Member Nickels said that if any Council Member feels that the body is acting in an unethical way the matter should be brought to Council's attention. He said that he understands the objection that it was beyond the scope of City Council to be involved in the transfer of property, but it has never been publicly portrayed as being unethical.

**XIV. COMMUNICATIONS FROM THE MAYOR**

Mayor Schreiber said that he agreed with Council Member Nickels that if a Council Member has a concern about the ethics of a Council matter that it be addressed at the table as a matter of courtesy.

Mayor Schreiber thanked Council Member Nickels and staff for their work in getting the Starkweather House to an owner who will renovate it rather than demolish it. He said he believes that the process was fair and open.

Mayor Schreiber stated in regard to ordinance enforcement that Council discussed during its goal setting sessions whether some ordinances should go unenforced or repealed, but the conclusion was to use a complaint-based system for enforcement. He continued that if an ordinance violation exists it should be reported and there is no other choice due to lack of funds for strict ordinance enforcement.

Mayor Schreiber said that he agreed with Council Member Richardson that Council should think carefully about allowing the Housing Commission to self-inspect units. He said that the City of Ann Arbor and others do not charge to inspect public housing properties because they have cooperative agreements for payments in lieu of taxes. He said that Council wants public housing units to be safe and sanitary as does HUD, but that the Housing Commission is placed in a difficult situation by the City because it is required to pay the City for the inspection of its units while being forbidden from using HUD funds to do so. He said that the City should work to provide decent, safe, and sanitary public housing while operating within the means of its budget. He said that the City appoints the Housing Commissioners but after being appointed they report to HUD.

Mayor Schreiber asked for a Council Member to volunteer to conduct the February 26, 2008 special Blueprints for Downtown meeting in his and Mayor Pro-Tem Swanson's absence.

Council Member Gawlas volunteered.

Mayor Schreiber appointed Council Member Gawlas to conduct the February 26, 2008 special meeting subject to the approval of Council.

VOTE:

YES: 6                      NO: 0                      ABSENT: 1 (Swanson)                      VOTE: Carried

Michigan Suburbs Alliance Meeting

City Manager Koryzno stated that the Michigan Suburbs Alliance would like to meet with members of Council to survey the needs of the city so that it can respond accordingly.

Mayor Schreiber asked Council whether it would like to receive the presentation during a regular meeting so that a quorum is present, or whether an informal meeting can be held. He said that the presentation is meant to inform Council about what the Michigan Suburbs Alliance does and reminded Council that there are already many upcoming Council meetings.

Council Member Filipiak responded that the presentation should occur during a regular meeting.

Mayor Schreiber stated that the presentation is scheduled to last 90 minutes and that a subset of Council should receive it. He said that a special meeting can be called if there will be a quorum and then those attending the meeting can report back.

Council Members Filipiak, Richardson, and Robb volunteered to attend the meeting and Mayor Schreiber directed the City Clerk's office to coordinate it.

**XV. COMMUNICATIONS FROM THE CITY MANAGER**

City Manager Koryzno said that the Ann Arbor Transportation Authority is almost ready to present options for bus service to the City based on reduced funding. He said that he will report to Council when the meeting is set and the findings that will be presented.

City Manager Koryzno said that last week he reported that the Riverside Park lights were energized but it was found afterward that many lights were not on. He continued that Interim Department of Public Works Director Kirton found that a switch was not operating properly and said that repairs should be completed by tomorrow evening.

Closed Session to discuss pending litigation. (Open Meetings Act 15.268, Section 8(e).

City Manager Koryzno stated that City Attorney Barr would like to report information that was planned for the Closed Session during the open session.

City Attorney Barr reported that the Ann Arbor Center for Independent Living brought suit against the City regarding sidewalks. He said that the matter is nearly settled, but that as part of the matter it had been asked that the consulting engineers contribute to any settlement. He said that a litigation specialist was retained to handle negotiations and that an offer has been made by Orchard, Hiltz, and McClement in the amount of \$150,000.00 for sidewalk work over five years.

City Attorney Barr stated that the offer from Orchard, Hiltz, and McClement is 15% of the total bill and that the firm should have additional responsibility. He recommended that Council receive the offer but allow him to reject it and authorize him to authorize litigation if it is necessary. He stated that if there were no objections from Council he would proceed with the recommended action.

Council directed City Attorney Barr to proceed.

City Attorney Barr stated that he asked that this discussion occur in open session because there is not technically any pending litigation.

Council Member Richardson asked City Manager Koryzno to explain his statement in the Council Information Letter that a resolution is being developed by the City and Housing Commission for the City to reimburse the County Treasurer for delinquent bills and cease sending any more.

City Manager Koryzno responded saying this action is being taken because public housing is City owned and it confuses tenants when individual delinquent tax notices are sent to them. He explained that City property cannot be seized by the County Treasurer and returned to the City, making the point moot.

Council Member Richardson asked whether a letter has been sent to Mr. Lillie in regard to the RFP for real estate services explaining that it was an oversight that he was not directly contacted.

City Manager Koryzno said that he has just become aware of the situation but will correspond with him.

**XVI. AUDIENCE PARTICIPATION**

1. Steve Pierce, thanked the Police Officers and Chief for their work in addressing a problem with gas company peddlers operating in the City without a license.

**XVII. REMARKS FROM THE MAYOR**

Mayor Schreiber thanked Mr. Pierce for reporting the good news.

Mayor Schreiber stated that he was on the Housing Commission for 10 years and it is a complex situation. He said that the City and HUD have an agreement and the Housing Commission pays a fee in lieu of taxes to the City. He said that the Housing Commission operates City owned property but HUD pays the operational and capital improvement expenses and has a lien on the properties. He said that the Housing Commission is inspected by HUD through third party inspections. He said that the property belongs to the City, while operation does not.

Mayor Schreiber thanked the City staff that attended the meeting.

**XVIII. ADJOURNMENT**

- A. Resolution No. 2008-030, 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: Council Member Nickels

SUPPORTED BY: Council Member Gawlas

VOTE:

YES: 6          NO: 0                  ABSENT: 1 (Swanson)          VOTE: Carried

The meeting was adjourned at 10:37 p.m.