



Adopted

**CITY OF YPSILANTI
COUNCIL MEETING MINUTES
CITY COUNCIL CHAMBERS
ONE SOUTH HURON, YPSILANTI, MI 48197
TUESDAY, OCTOBER 21, 2008
7:30 P.M.**

I. CALL TO ORDER

The meeting was called to order at 7:32 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

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

The Mayor introduced former Council Member Lisa Walters and Ward 2 Council Candidate Michael Bodary.

Staff present was Administrative Services Director April McGrath, HDC Intern Courtney Miller, Planner II Richard Murphy, MSU Extension Community and Economic Development Educator Teresa Gillotti, and Fiscal Services Director Marilou Uy.

VI. AGENDA APPROVAL

Council Member Filipiak moved, supported by Mayor Pro-Tem Swanson to move Resolution No. 2008-230 to the Consent Agenda, and to remove Resolutions No. 2008-226 and 2008-227 from the agenda.

The motion carried and the agenda was approved as amended.

VII. PRESENTATION

1. Aerotropolis Corporation Overview – Marsha L. Ennis, Aerotropolis Project Manager

VIII. ORDINANCES – SECOND READING

Ordinance No. 2008-1086

2. Resolution No. 2008-213, approving an ordinance entitled, "100 EAST CROSS STREET REZONING".

Planner Richard Murphy was present to answer questions from Council.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the proposed ordinance entitled "100 EAST CROSS STREET REZONING" be approved on **Second and Final Reading.**

OFFERED BY: Council Member Robb

SUPPORTED BY: Council Member Filipiak

VOTE:

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

VIII. AUDIENCE PARTICIPATION

Mayor Schreiber read the rules for audience participation.

1. Lisa Walters, 102 N. Wallace, thanked Council Member Gawlas for his service to the community and commended him on a job well done. She said that it was an honor to serve with him.
2. Lisa Zuber, 1005 Pearl, recognized Council Member Gawlas for 12 years of dedicated service to the City of Ypsilanti. She acknowledged his work on the Non-Discrimination Ordinance and stated that Mr. Gawlas learned and worked hard on a lot of things during his tenure.
3. Beth Bashert, 909 Grant, thanked Council Member Gawlas for 12 years of service as a leader in the city. She thanked him for his civility and said it takes a lot of chin to serve in this capacity.

X. REMARKS BY THE MAYOR

Mayor Schreiber thanked Council Member Gawlas for the experience of serving with him for the last two years. He thanked Mr. Gawlas' family for allowing him to serve and stated that he will miss him.

XI. MINUTES

Resolution No. 2008-214, approving the minutes of October 7, 2008.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Minutes of October 7, 2008 be approved.

OFFERED BY: Council Member Filipiak

SUPPORTED BY: Council Member Richardson

Council Member Robb stated that in the final resolution regarding appointments to Boards and Commissions, Dr. Farmer's name should be crossed out.

VOTE:

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

XII. CONSENT AGENDA

Resolution No. 2008-214A

1. Resolution No. 2008-215, approving the Downtown Development Authority Blueprints Plan.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti, County of Washtenaw, State of Michigan (City) established the Ypsilanti Downtown Development Authority (YDDA) pursuant to the provisions of Act 197, Public Acts of Michigan, 1975, as amended ("Act 197") and

WHEREAS, the Authority exercises its powers within the District designated by the City (the "District"); and

WHEREAS, in accordance with the provisions of Act 197, the Authority has prepared a Strategic Plan to guide revitalization efforts in the District; and

WHEREAS, THE YDDA ENCOURAGES THE City of Ypsilanti to formally adopt the Ypsilanti Downtown Blueprint as the official strategic plan for downtown.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council affirms its support for the Ypsilanti Downtown Blueprint to make the concepts presented in the document the official strategic plan for the YDDA and the District for the next 5 years.

2. Resolution No. 2008-216, approving Michigan Department of Transportation (MDOT) Cost Agreement for Traffic Signal Control M17 (Washtenaw Ave.) at Hamilton St.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti agrees to participate with the Michigan Department of Transportation for traffic signal installation, maintenance and operation costs at the intersection of M17 (Washtenaw Ave.) @ M17 (Hamilton St.); and

WHEREAS, the City of Ypsilanti agrees to participate in fifty percent (50%) of traffic signal installation, maintenance and operation costs at the intersection of M17 (Washtenaw Ave) @ M17 (Hamilton St) and;

WHEREAS, the annual energy cost of this signal is estimated to be \$96.00 which will be 100% paid by MDOT and;

NOW, THEREFORE, BE IT RESOLVED THAT the City Council approves entering into the MDOT Cost Agreement for Traffic Signal Control; and

FURTHER, that this agreement cancels and supersedes all previous cost agreements and is terminable on thirty days notice by any party; and

THAT the City Manager and City Clerk is authorized to sign this Cost Agreement and any change orders, subject to approval by the City Attorney, to enter into this agreement.

3. Resolution No. 2008-217, approving Michigan Department of Transportation (MDOT) Cost Agreement for Traffic Signal Control M17 (Huron St.) at Michigan Ave.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti agrees to participate with the Michigan Department of Transportation for traffic signal installation, maintenance and operation costs at the intersection of M17 (Huron St.) @ USBR12, M17 (Michigan Ave); and

WHEREAS, the City of Ypsilanti agrees to participate in fifty percent (50%) of the actual cost of electrical energy and;

WHEREAS, the annual energy cost of this signal is estimated to be \$864.00 of which the City will pay approximately \$432.00 and;

NOW, THEREFORE, BE IT RESOLVED THAT the City Council approves entering into the MDOT Cost Agreement for Traffic Signal Control; and

FURTHER, that this agreement cancels and supersedes all previous cost agreements and is terminable on thirty days notice by any party; and

THAT the City Manager and City Clerk is authorized to sign this Cost Agreement and any change orders, subject to approval by the City Attorney, to enter into this agreement.

4. Resolution No. 2008-218, approving Michigan Department of Transportation (MDOT) Cost Agreement for Traffic Signal Control M17 (Washtenaw Ave.) at Oakwood St.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti agrees to participate with the Michigan Department of Transportation for traffic signal installation, maintenance and operation costs at the intersection of M17 (Washtenaw Ave.) @ Oakwood St.; and

WHEREAS, the City of Ypsilanti agrees to participate in fifty percent (50%) of the actual cost of electrical energy and;

WHEREAS, the annual energy cost of this signal is estimated to be \$1,224.00 of which the City will pay approximately \$612.00 and;

NOW, THEREFORE, BE IT RESOLVED THAT the City Council approves entering into the MDOT Cost Agreement for Traffic Signal Control; and

FURTHER, that this agreement cancels and supersedes all previous cost agreements and is terminable on thirty days notice by any party; and

THAT the City Manager and City Clerk is authorized to sign this Cost Agreement and any change orders, subject to approval by the City Attorney, to enter into this agreement.

5. Resolution No. 2008-219, approving Michigan Department of Transportation (MDOT) Cost Agreement for Traffic Signal Control US 12 BR (Huron St.) at Catherine St.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti agrees to participate with the Michigan Department of Transportation for traffic signal installation, maintenance and operation costs at the intersection of US12BR Huron St. @ Catherine St.; and

WHEREAS, the City of Ypsilanti agrees to participate in fifty percent (50%) of the actual cost of electrical energy and;

WHEREAS, the annual energy cost of this signal is estimated to be \$864.00 of which the City will pay approximately \$432.00 and;

NOW, THEREFORE, BE IT RESOLVED THAT the City Council approves entering into the MDOT Cost Agreement for Traffic Signal Control; and

FURTHER, that this agreement cancels and supersedes all previous cost agreements and is terminable on thirty days notice by any party; and

THAT the City Manager and City Clerk is authorized to sign this Cost Agreement and any change orders, subject to approval by the City Attorney, to enter into this agreement.

6. Resolution No. 2008-220, approving Michigan Department of Transportation (MDOT) Cost Agreement for Traffic Signal Control US 12 BR, M17 (Michigan Ave.) at Washington St.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti agrees to participate with the Michigan Department of Transportation for traffic signal installation, maintenance and operation costs at the intersection of US12BR, M17 (Michigan Ave.) @ Washington St.; and

WHEREAS, the City of Ypsilanti agrees to participate in fifty percent (50%) of the actual cost of electrical energy and;

WHEREAS, the annual energy cost of this signal is estimated to be \$1,008.00 of which the City will pay approximately \$504.00 and;

NOW, THEREFORE, BE IT RESOLVED THAT the City Council approves entering into the MDOT Cost Agreement for Traffic Signal Control; and

FURTHER, that this agreement cancels and supersedes all previous cost agreements and is terminable on thirty days notice by any party; and

THAT the City Manager and City Clerk is authorized to sign this Cost Agreement and any change orders, subject to approval by the City Attorney, to enter into this agreement.

7. Resolution No. 2008-221, approving an agreement with Washtenaw County Community Development, Community Development Block Grant Program (CDBG) for the City of Ypsilanti Sidewalk Ramp Replacement Program.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Washtenaw County administers CDBG funds received through the United States Department of Housing and Urban Development's (HUD) Community Development Block Grant Entitlement Communities Grant (CDBG) and

WHEREAS, the City of Ypsilanti is a member of the Washtenaw County, Urban County Program and;

WHEREAS, the Urban County Program disperses Community Development Block Grant (CDBG) funding to participating members; and

WHEREAS, the 2008-09 CDBG Program includes funds for ADA sidewalk ramp replacement in low to moderate income areas within the city in the amount of \$51,851.00; and

WHEREAS, an agreement is needed between the City and Washtenaw County in order to utilize the appropriated funds; and

NOW, THEREFORE, BE IT RESOLVED THAT the City Council approves the proposed agreement; and

FURTHER, that the Mayor and City Clerk are authorized to sign this agreement, subject to approval by the City Attorney.

8. Resolution No. 2008-230, approving a contract with Ypsilanti Restoration, LLC for site work and wood repairs at the Ypsilanti Freighthouse. *(Added per Council's Request)*

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, protective measures need to be taken to extend the life of the Historic Freight House as one of the City's cultural assets;

WHEREAS, funding for these improvements is being provided through a \$35,000 Historic Preservation Fund Certified Local Government grant and a total of \$25,000 in matching funds from the Friends of the Freight House, the Depot Town DDA, and the Ypsilanti Heritage Foundation.

WHEREAS, two complete bids were obtained at the sealed opening of bids on September 18th, the lower of the two being from Ypsilanti Restoration;

THEREFORE LET IT BE RESOLVED THAT the City Council hereby authorizes the execution of a contract with Ypsilanti Restoration, LLC for site work and wood repairs at the Ypsilanti Freighthouse at 100 Market Street, Ypsilanti Michigan, in the amount of \$59,133;

THAT the Mayor and City Clerk are authorized to execute the contract subject to review and approval of the City Attorney;

THAT the City Manager is directed and authorized to make payments to Ypsilanti Restoration, LLC pursuant to the contract upon completion of services;

THAT the City Manager is authorized to execute change orders of any amount to this contract as necessary to ensure the timely completion of work should the scope change, so long as the total amount of cost of the change in scope does not exceed \$5000, and the total amount of work does not exceed \$60,000.

OFFERED BY: Council Member Gawlas

SUPPORTED BY: Council Member Nickels

VOTE:

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

XIII. RESOLUTIONS/MOTIONS/DISCUSSIONS

1. Resolution No. 2008-222, approving the Detroit Region Aerotropolis Interlocal Agreement and authorizing the Mayor and City Clerk to execute the interlocal agreement on behalf of the City of Ypsilanti.

WHEREAS, the Detroit Region Aerotropolis Plan has been developed by the Aerotropolis Stakeholders comprised of the county and local governments of the Charter County of Wayne and Washtenaw County, the Cities of Belleville, Romulus, Taylor and Ypsilanti, the Townships of Huron, Van Buren, and Ypsilanti, and the Wayne County Airport Authority; and

WHEREAS, the Aerotropolis Stakeholders believe that the area surrounding Detroit Metropolitan Wayne County Airport and Willow Run Airport offer significant economic development opportunities and benefits; and

WHEREAS, after lengthy study, discussion, and investigation the Aerotropolis Stakeholders agree that creating the Detroit Region Aerotropolis Development Corporation, a separate legal entity and public body corporate and politic, will greatly increase the region's ability to attract development and investment by air-commerce linked businesses, supply chain businesses, and businesses that need to be physically located near Detroit Metropolitan Wayne County Airport and Willow Run Airport, which the Stakeholders believe offer significant economic development opportunities and benefits; and

WHEREAS, the Aerotropolis Stakeholders agree that this collaborative effort is greatly improved through the partnership with private sector partnership and resources such as Detroit Renaissance, Inc.; and

WHEREAS, the Stakeholders propose to enter into an Interlocal agreement, pursuant to the Urban Cooperation Act, PA Act 7 of 1967, to jointly create an aerotropolis development corporation and exercise the economic development powers shared by the Stakeholders; and

WHEREAS, as described by the proposed Interlocal agreement each Party has the power, privilege and authority to perform various economic development activities and administrative functions supportive of economic development activities, and to enter into this Agreement; and

WHEREAS, the Ypsilanti City Council supports the creation of and membership in the Detroit Region Aerotropolis Development Corporation for the purpose of advancing the economic interests of Southeast Michigan; and

WHEREAS, the purpose of the Aerotropolis Development Corporation shall be to take advantage of and support the provisions of State law, now or hereafter enacted, enabling the creation and implementation of economic development activities to attract air-commerce linked businesses, supply chain businesses, and businesses needing to be physically located to the environs of Detroit Metro Airport and Willow Run Airport, and be it further

NOW THEREFORE BE IT RESOLVED, the Ypsilanti City Council does approve the Detroit Region Aerotropolis Interlocal Agreement and authorizes the Mayor and City Clerk to execute the Interlocal agreement on behalf of the City of Ypsilanti.

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

VOTE:

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

2. Resolution No. 2008-223, approving tax abatement policy.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Tax abatements further encourage economic development through providing support to development or redevelopment projects that otherwise may not have occurred;

WHEREAS, The City of Ypsilanti has from time to time considered requests for tax abatements;

WHEREAS, The City's ability to provide financial incentives for development or redevelopment is limited;

WHEREAS, Tax abatement requests require review by several departments and one or two noticed and published public hearings at City Council;

WHEREAS, a common procedure is necessary to ensure efficient processing of applications;

WHEREAS, the proposed materials will serve to educate the public and city staff regarding the procedure utilized by the city;

NOW THEREFORE BE IT RESOLVED that the procedure for processing tax abatement applications as described in the attached materials will be utilized by the City for all future tax abatement requests;

AND the criteria outlined in the "Abatement Policy" section of the Procedure for the Management of Tax Abatement Requests shall be used in the review of tax abatement requests as well as in the recommendation for approval or denial;

BE IT FURTHER RESOLVED that this policy supersedes any tax abatement policies or procedures previously approved by City Council.

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

Administrative Services Director April McGrath stated that the objective of the Economic Development team was to develop a policy to address tax abatements. MSU Extension Economic Development Educator Teresa Gillotti and Historic District Commission Intern Courtney Miller gave an overview of the new abatement policy, the revocation policy and fee structure, and answered questions from Council.

VOTE:

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

3. Resolution No. 2008-224, approving tax abatement fee structure.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The City of Ypsilanti has considered requests for tax abatement to provide support to development or redevelopment projects that otherwise may not have occurred;

WHEREAS, The City's ability to provide financial incentives for development or redevelopment is limited;

WHEREAS, Tax abatement requests require review by several departments and one or two noticed and published public hearings at City Council;

WHEREAS, It is fair and appropriate that applicants requesting that the City consider establishing tax abatement districts and applicants requesting tax abatement certificates within districts pay the City's costs of evaluating and processing such requests;

NOW THEREFORE BE IT RESOLVED that the fees for applications for tax abatements be established according to the schedule set forth in the Tax Abatement Application Fee Breakdown (dated 10/21/08), attached.

BE IT FURTHER RESOLVED that the fee schedule dated 10/21/08 supersede any previous fee schedule approved by Council.

Tax Abatement Application Fee Breakdown

The following fee schedule applies to applications for the Obsolete Property Rehabilitation Act (OPRA) exemption, the Commercial Rehabilitation tax exemption, Industrial Facilities Tax Exemption and the Personal Property Tax Exemption.

- | | |
|---|-------|
| A) Creation of district (public notice, preparation for City Council) | \$200 |
| B) Application review and recommendation: | \$350 |

Department/ Responsibility

City Clerk checks application for completeness and time stamps materials and application if complete; places on city council agenda; notifies taxing jurisdiction of public hearing; submits materials to State Tax Commission

City Assessor - Prepares benefit analysis for Review Commission, reviews application materials and prepares recommendation to City Council with Planning and Development Department

Administrative Services – scheduling of tax abatement review committee meeting, review of materials for recommendation to City Council with Assessor, prepares materials for City Council resolution,

Tax Abatement with Creation of District Application Fee (A + B) = \$550
Tax Abatement without Creation of a District Application Fee (B only) = \$350

If no district is necessary, or a district already exists on the property, the \$200 for the creation of a district will be subtracted and the applicant will only pay the \$350 processing fee. For exemption recipients requesting an extension, the \$350 fee will be required to process and review the extension request.

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

VOTE:

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

4. Resolution No. 2008-225, approving tax abatement revocation policy.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The City of Ypsilanti considers requests for tax abatement to encourage further growth and development in the city;

WHEREAS, once granted, the City and the applicant are bound to the abatement by a legal agreement;

WHEREAS, abatements that are granted require both parties to proceed in good faith throughout the agreement period;

WHEREAS, late payment of taxes by the property owner may be considered not proceeding in good faith in the agreement with the City;

WHEREAS, a consistent procedure is necessary for executing this policy;

NOW THEREFORE BE IT RESOLVED that granted tax abatements may be revoked in accordance with the Tax Abatement Revocation Policy outlined in the attached document.

BE IT FURTHER RESOLVED that the attached revocation policy supersede any previously approved by Council.

BE IT FURTHER RESOLVED that any changes to the policy be amended by the City Manager; with the updated policy available on the city's website.

Tax Abatement Revocation Policy

Applies to Industrial Facilities Tax Certificate, Obsolete Property Rehabilitation Certificate and Commercial Rehabilitation Certificate

Tax abatements are offered by the City as an incentive to further economic development. In order to remain successful in this process, it is necessary to ensure that all terms of agreement are being met by both parties. The City will uphold its portion of the agreement through the granting of the tax abatement, while the holder of the abatement will make certain that all requirements are also met. This includes punctuality of tax payments, and completion of improvements within the allotted period of time. Any conditions not met by the tax abatement holder may result in revocation of the previously granted tax abatement.

The informational packets received by a potential applicant state that: "The abatement holder is required to keep all property taxes current to receive tax abatement. This shall include real and personal property assessed to the abatement holder at all locations within the City of Ypsilanti." Regarding late tax payments, specific language has been written into the enabling legislation for each of the acts allowing revocation, "...if the recipient has not proceeded in good faith with the operation of the facility".

The Industrial Facilities Tax Exemption (PA 198) states that:

"On or after the December 31 next following the expiration of 60 days after the service upon the owner of a certificate of nonpayment and the filing of the certificate of nonpayment, if payment

has not been made within the intervening 60 days, provided for by subsection (1), the industrial facilities exemption certificate shall automatically be terminated.”

According to the Obsolete Properties Rehabilitation Act (OPRA):
“The legislative body of the qualified local governmental unit may, by resolution, revoke the obsolete property rehabilitation exemption certificate of a facility if ... the holder of the obsolete property exemption certificate has not proceeded in good faith with the operation of the rehabilitated facility in a manner consistent with the purposes of this act and in the absence of circumstances that are beyond the control of the holder of the exemption certificate.”
The city will address these requirements, in relation to tax delinquency, through the following policy:

Proposed Policy and procedure

Recipients of tax abatements are required to remain current in their tax payments. During the lifetime of the abatement, delinquency in payment of taxes will be permitted once before the process of revoking the allotted tax abatement will commence.

Procedure

The City has the authority to reconsider any revocation decision at any point before the final City Council resolution is made.

Payments are late if not received on or before the appropriate due date of either September 14th or February 14th of a given year.

The first delinquency in tax payments shall prompt the City Treasurer to contact the abatement holder via certified mail. This letter will serve as a reminder that tax payments need to remain current throughout the duration of the granted tax abatement. It will also serve as a warning that a subsequent late tax payment will result in revocation of received tax abatements. Failure to receive the mail does not alleviate the intended recipient and/or exemption holder of their obligation to pay taxes on time.

Second delinquency in tax payments:

- 1) The revocation process begins with another letter to the abatement holder stating the history of communication, the reason for revocation of the abatements, and notification that the revocation process has commenced. A copy of this letter is also sent to the City Manager and relevant city staff.
- 2) Except in the case of late taxes for an IFT certificate, a resolution is made by City Council to revoke the granted tax abatement or the holder of the abatement may send a written request to the City and the State Tax Commission regarding revocation.
- 3) A copy of the resolution is sent to the State Tax Commission as a request to revoke granted tax abatement. In the case of an IFT, a letter from the city regarding the revocation of the granted tax abatement is sent.

The revocation shall be considered completed upon the receipt of notification from the State Tax Commission. Once the abatement has been revoked, any taxes that were abated during the lifetime of the abatement period shall be reimbursed to the City.

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

VOTE:

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

5. ~~Resolution No. 2008-226, approving American Broach tax abatement request.~~ **(Removed per Council's Request)**
6. ~~Resolution No. 2008-227, approving QC American tax abatement request.~~ **(Removed per Council's Request)**
7. Resolution No. 2008-228, approving the purchase of service agreement between the City of Ypsilanti and the Ann Arbor Transportation Authority (AATA) for the transit service for the period of October 1, 2008 through September 30, 2009, in the amount of \$258,549.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the attached purchase of service agreement between the City of Ypsilanti and the Ann Arbor Transportation Authority for the transit service for the period October 1, 2008, through September 30, 2009, in the amount of \$258,549 be approved.

FURTHER, that the Mayor and City Clerk be authorized to sign said agreement on behalf of the City subject to the approval of the City Attorney.

FURTHER, that the funds be expended from the General Fund Account #101-967-969-01.

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

City Manager Koryzno gave the background on the request and answered questions from Council.

VOTE:

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

8. Resolution No. 2008-229, appealing to the State Legislature to levy taxes necessary to fully fund Public Act (P.A.) 289 of 1977 which provides for payments to municipalities for fire protection services received by state owned facilities.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Public Act (P.A.) 289 of 1977 provides for payments to municipalities for fire protection services received by state owned facilities; and

WHEREAS, the State of Michigan has never fully funded this program and at best reimbursed to a level of its total financial commitment and currently the state funds only 60% of the formula for protecting Eastern Michigan University (EMU) and other state owned facilities; and

WHEREAS, the requirements for enhanced homeland security post 911 have created additional unfunded responsibilities for our fire fighters; and

WHEREAS, Eastern Michigan University is a City within our City occupying 25% of Ypsilanti; and

WHEREAS, EMU has a student population of approximately 23,000 equal to Ypsilanti's population of 23,000; Eastern Michigan University has a work force to provide essential services with the exception of fire protection, and

WHEREAS, over a 30 year period, the City of Ypsilanti provided 100% funding and resources for the required training, education, and apparatus for the Citizens of Ypsilanti and Eastern Michigan while receiving less than 60% or estimated funding from the State of Michigan, and

WHEREAS, Eastern Michigan University of a regional asset, and the expense of protecting that asset should be borne by the State, and

NOW, THEREFORE BE IT RESOLVED, that the Ypsilanti City Council appeals to the State Legislature to levy the taxes necessary to fully fund P.A. 289, thus finally honoring the solemn promise made by the State Legislature to its' communities almost 30 years ago.

FURTHER, that a copy of this resolution be sent to Governor Jennifer Granholm; Lt. Governor John Cherry, Senate Majority Leader Michael Bishop; House Speaker Andy Dillon; House Minority Leader Craig DeRoche; Senator Liz Brater and Representative Alma Wheeler-Smith; Robert W. Swanson, Director, Department of Labor and Economic Growth; Representative Ron Jelinek, Senate Appropriations Chair; Kirk Profit, Governmental Consultant Services.

9. ~~Resolution No. 2008-230, approving a contract with Ypsilanti Restoration, LLC for site work and wood repairs at the Ypsilanti Freighthouse.~~ ***(Moved to Consent Agenda per Council's Request)***

XIV. LIASON REPORTS

- A. SEMCOG Update – There was no report.
- B. Recreation Commission – There was no report.
- C. Washtenaw Area Transportation Study – Council Member Nickels reported that the timeline for transit efforts is in place, and the first notable effort is set to take place next month.

XV. COUNCIL PROPOSED BUSINESS

Council Member Richardson commented that it has been a pleasure working with Council Member Gawlas for the past 8 years and said she has learned a lot from him. She added that she is going to miss her friend Council Member Filipiak. She wished both of them the best in life as they pursue their dreams and endeavors and urged them to enjoy their time with their family.

Council Member Filipiak stated that there are benefits in having LED lights in the city and pointed out certain traffic signals and intersections where the city could accrue savings. He indicated that LED lighting has a five year life guarantee and encouraged the city to move toward utilizing them to save on electricity costs.

Council Member Filipiak thanked former Council Member Barry LaRue and a host of city stakeholders, businesses, city staff, newspapers and family members for supporting him over the past four years as he served on Council. He said he has learned a lot and will miss the meetings but not the disruption of his life. He said he will continue to be involved to some degree, and thanked the many citizens who come to speak at meetings.

Council Member Robb encouraged Council Members Gawlas and Filipiak to come back and visit the Council meetings. Mr. Robb requested a snapshot update on the city's MERS account from October 2007 to current.

Council Member Robb stated that Ted Coutilish has gone to E.M.U. President Martin regarding the College of Business parking lot. He said the DDA passed a resolution in support of asking E.M.U. to utilize the parking lot on the weekends and asked if City Council sees this as a problem. He questioned whether the resolution should be brought forth.

Mayor Schreiber said he has reservations about bringing a resolution forth. He said he felt that the resolution brought forth by D.A.Y. (Downtown Association of Ypsilanti) was one of cooperation. He said he feels that the resolution should be one of collaboration and should have something to give in return. He said there are also legal and security issues involved. He suggested that Council give President Martin space on this issue.

Council Member Nickels pointed out that President Martin spoke at a recent Kiwanis meeting about the right of way path at Hewitt. He said the pathway is being constructed now because the President requested it and feels that given the current spirit, City Council should direct administration to talk with E.M.U. now about the things that are important to the City of Ypsilanti. He said the City should initiate discussion and have direction to take to E.M.U. He felt that this is a good goal-setting topic.

Council Member Robb said he feels that the city gave E.M.U. a lot on the billboard advertisement. He said the City is cooperating with E.M.U.'s requests and suggested that City Council begin discussions with them now.

Council Member Filipiak stated that allowing free parking in the College of Business on weekends is consistent with what E.M.U. currently does in other lots on the weekend and some evenings.

Council Member Robb pointed out that the DDA dumpsters are a mess and need help. He said contractors are using them as dumping grounds and it's time to bust and fine someone. He suggested that fines be posted and asked if the DDA is willing to buy cameras to take pictures. He asked City Attorney Barr what could be done.

Council Member Gawlas thanked President Martin for the E.M.U. path that is finally going in at Bellevue and Hewitt. He asked if the leaf pick-up is tied to trash day and indicated that the website does not give this information. He asked staff to address this and the information posted on the website.

Council Member Gawlas thanked Council Member Filipiak for acknowledging everyone. He said that the city faces challenges and he hopes that some incremental progress has been made. He said he hopes City Council advances and makes improvements. He thanked City Manager Koryzno for making his job easy. He said Mr. Koryzno handles the administrative process well and it was a wise choice of City Council to select him. He said he will miss everyone on Tuesdays and he will show up periodically for the entertainment.

Council Member Nickels added that he appreciates Council Member Gawlas' thoughtful consideration of issues over the years. He pointed out that Mr. Gawlas is the only City Council colleague that has been here over 10 years and he appreciates all of the conversations they have had.

Mayor Pro-Tem Swanson wished both Council Member Filipiak and Gawlas well and encouraged them to enjoy their Tuesdays off and not to be strangers.

XVI. COMMUNICATIONS FROM THE MAYOR

Mayor Schreiber stated that it is a good idea, as a part of goal-setting, for the new Council to create a list of items for collaboration with E.M.U.

Mayor Schreiber pointed out that the Hewitt path has now begun. He said President Martin decided to keep the gate open 24 hours and is hoping that people will come and walk by.

Mayor Schreiber thanked HDC Intern Courtney Miller and MSU Extension Economic Development Educator Teresa Gillotti for their hard work on the tax abatement policy. He also thanked Council Member Gawlas for representing Ward 2 well.

Council Member Filipiak stated that the digital LED signs was his most memorable report. He said he appreciates Council Member Gawlas and wishes him all the best.

XVII. COMMUNICATIONS FROM THE CITY MANAGER

As a kick-off to goal-setting, City Manager Koryzno stated that Dan Gilmartin, CEO Michigan Municipal League will come before Council on November 10th with a presentation about developing a "Sense of Place". Mr. Koryzno thanked Council Members Filipiak and Gawlas for their service on Council and said it was great working with them. He wished them well and said he hopes to see them serving the city again soon.

Mayor Schreiber stated that the City Clerk and City Manager evaluations are being worked on now. He suggested that the evaluations be completed by the weekend of October 25th and be presented to Council by November 10th.

Council Member Filipiak indicated that Friday, October 24th is the deadline for completion of the evaluations.

XVIII. AUDIENCE PARTICIPATION

Kevin Hill, 108 Washtenaw, #4, thanked Council Members Gawlas and Filipiak for their service on City Council. He says it is not an easy job and the work is difficult. Regarding the E.M.U. College of Business parking lot, he said discussions have been under way for two years. He urged City Council to look at this issue and encourage making the parking lot available on Friday and Saturday to accommodate the lack of available public parking downtown.

He commented that the abatement presentation was well done. He stated that on April 14, 2008 D.A.Y. passed a resolution regarding the Hyatt-Palma #1 issue of left-hand turns. He said that Resolution 2008-215 approved the downtown blueprints plan and now he hopes that the issue of left-hand turns will be taken up again. He inquired about where Council currently stands on this issue. He said it is favorable to turn left downtown and he thinks it will help the city economically.

Steve Pierce thanked Council Members Gawlas and Filipiak for their service on City Council and thanked City Council for their continued service.

Regarding the E.M.U. College of Business parking lot, Mr. Pierce stated that a letter of support or endorsement from the City Council is what is being sought. He indicated that a resolution asking President Martin for consideration is in order. He encouraged Council to be bold and ask E.M.U. for help.

XIX. REMARKS FROM THE MAYOR

Mayor Schreiber stated that he is pleased that City Council passed the Blueprints resolution. He said more discussion is needed on changing the Michigan Avenue median to accommodate left-hand turns.

Regarding the E.M.U. College of Business parking lot, Mayor Schreiber stated that President Martin has a lot coming at her at this time. He stated that City Manager has sent President Martin an email but has not received a response. He suggested that Council should be careful, wait and then charter a course to pursue.

XX. ADJOURNMENT

A. Resolution No. 2008-231, 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 at 9:50 p.m.