



**CITY OF YPSILANTI
CITY COUNCIL REGULAR MEETING
CITY COUNCIL CHAMBERS - ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, MARCH 19, 2019
7:00 p.m.**

I. CALL TO ORDER –

The meeting was called to order at 7:00 p.m.

II. ROLL CALL –

Council Member Brown	Present	Council Member Symanns	Absent
Council Member Morgan	Present	Council Member Wilcoxon	Present
Council Member Murdock	Absent	Mayor Bashert	Present
Mayor Pro-Tem Richardson	Absent		

Council Member Brown moved, seconded by Council Member Morgan to excuse the absences of Mayor Pro-Tem Richardson and Council Members Murdock and Symanns.

On a voice vote, the motion carried, and the absences were excused.

III. INVOCATION –

Mayor Bashert 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. AGENDA APPROVAL –

Council Member Wilcoxon moved, seconded by Council Member Brown to approve the agenda.

On a voice vote, the motion carried, and the agenda was approved as submitted.

VI. INTRODUCTIONS –

Mayor Bashert introduced the following; Acting City Clerk Andrew Hellenga, City Attorney John Barr, City Planner Bonnie Wessler, and Community Development/DDA Director Christopher Jacobs.

VII. PRESENTATIONS –

— Peninsular Dam Survey Results – Christopher Jacobs

Community Development Director/DDA Director Christopher Jacobs provided a presentation regarding the public survey regarding the Penn Dam.

Council Member Wilcoxon stated he would like to see the short answers to the questions. Mr. Jacobs responded he would forward the answers to Council.

Council Member Morgan asked what Mr. Jacobs believes was the overall tone of responses indicated by the data. Mr. Jacobs responded the sample size is not truly representative of all thoughts regarding the dam. Those who chose to take the time to answer the questions thoroughly most likely have the most invested in the dam. He suggested rather than characterizing all opinions, use the responses of people most likely affected by what happens with the dam. Mr. Morgan asked how many ways the survey was presented to the public. Mr. Jacobs responded the survey was short answer and multiple choice. There were also a good mix of qualitative and quantitative questions. The city's capacity ability to ask questions in a survey format is limited by the system. For example a question cannot ask for a respondent to priorities items.

Mayor Bashert stated the survey is by no means scientific, but it does give a glimpse into what many people in the city feel not an actual representation. It does provide another tool for residents to reach Council with their opinions.

VIII. AUDIENCE PARTICIPATION/PUBLIC COMMENT -

1. Mark Hergott, 111 Miles, suggested starting small with the train stop to keep the cost low and build upon it. He regrets how staff changes were made and stated Ken Hobbs would make a great Fire Chief. He added he has complete faith in Frances McMullan as City Manager.
2. William Lundy, 502 Madison, spoke in favor of Brad Holman becoming the permanent Department of Public Services Director. He has a deep respect for Mr. Holman and asked Council to consider his appointment.
3. Nicole Bell, 512 Washtenaw, stated she works at Veg O Rama and has made two posts to Ypsi Connect. There are issues with the fire code and trash in the alley next to the business.
4. Ruth Williams, 5933 Willow Bridge, spoke in favor of the appointment of Brad Holman to the permanent Department of Public Services Director.
5. Betty Smith, 564 Madison, spoke in favor of Brad Holman becoming the permanent DPS Director.
6. Reza Rajabi, 110 N. Summit, stated he is trying to get a certificate of occupancy and needed his water heater inspected. He had the water heater inspected by a certified

plumper, but was told the city also needed to inspect it. He waited for the inspector, and when the inspector arrived he was rude, and told him he would fail the inspection.

7. Beverly James, 968 Monroe, stated she attended the meeting regarding roads at the Township Civic Center. She stated she is concerned with the roads by her property, and wants the city to keep it maintained.
8. Tyrone Bridges, former Ypsilanti resident, stated the city needs to improve its hiring practices for minorities for higher level positions. Ken Hobbs should be appointed Fire Chief, Brad Holman should be appointed DPS Director, and Frances McMullan should be the permanent City Manager.
9. Valarie Brown Tooson, 107 Middle, spoke in favor of making the interim employees for Fire Chief, City Manager, and DPS Director permanent. She wished Council Member Brown a happy birthday.
10. Roland Tooson wished Council Member Brown a happy birthday.
11. Ruth Cassidy asked the status of her application to become a Human Relations Commissioner.
12. Lee Tooson, 107 Middle, stated Brad Holman has not received justice. He explained when Mr. Holman was a child he needed an escort to go to school because the white people did not want him to attend the school he was going to. He was denied becoming a firefighter because he is not white. He asked Council to do what they can to ensure Mr. Holman is appointed DPS Director.

IX. REMARKS BY THE MAYOR –

X. ORDINANCES – FIRST READING

Ordinance No. 1335

1. A proposed ordinance to amend the text of Chapter 122 of the Ypsilanti Code of Ordinances. This amendment was heard and recommended by the Planning Commission at their regular February meeting. The proposed ordinance would define and limit firearms sales and related recreational uses, affecting Chapter 122: Article II, Definitions; Article IV, Districts; Article V, Use Regulations.

- A. Resolution No. 2019-059, determination

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City has an interest in protecting the health, safety, and welfare of the community; and

WHEREAS, the City has an adopted Master Plan that reflects the policy goals of the City; and

WHEREAS, the City has noted an area of the zoning ordinance that calls for increased clarity and consistency with the policy goals of the City; and

WHEREAS, the Planning Commission has recommended the City Council adopt the proposed ordinance changes;

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council approve the ordinance entitled Firearms Sales and Commercial Recreational Use.

OFFERED BY: Council Member Morgan

SECONDED BY: Council Member Brown

City Planner Bonnie Wessler provided a summary to why this resolution has been submitted for approval.

Mayor Bashert asked what this ordinance is being modeled. Ms. Wessler responded it is an amalgamation of several different ordinances.

B. Open public hearing

1. Mark Hergott, 111 Miles, stated this ordinance is a waste of time. Guns can be purchased in the townships that surround the city. The ordinance is only signaling virtue.
2. Steve Taylor, 413 Ferris, questions the legality of the ordinance, and city ordinances cannot be more restrictive than the state. He stated the allowed zones are in the periphery of the city, and he would take his business elsewhere.
3. William Lundy, 502 Madison, asked what is meant by define and limit, would that mean define the type of weapon.

C. Resolution No. 2019-060, close public hearing

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the public hearing for an ordinance entitled "Firearms Sales and Commercial Recreational Use" be officially closed.

OFFERED BY: Council Member Morgan

SECONDED BY: Council Member Brown

On a voice vote, the motion carried, and the public hearing was closed.

Council Member Morgan asked if there are any businesses in the city in which a person could buy or sell firearms. Ms. Wessler responded no. Mr. Morgan asked if there are any firing ranges in the city. Ms. Wessler responded no.

Mayor Bashert asked the City Attorney to clarify the legality of the proposed ordinance. City Attorney John Barr responded there is a case titled the People v Llewellyn, which states when a state takes over a regulation the power is removed from the local government. However, a local government maintains its right of control to where a business can be located through zoning.

Council Member Morgan asked what it would take for a retailer to begin selling firearms in Ypsilanti, and if the city is getting ahead of what could potentially happen. Ms. Wessler responded in the affirmative.

Mayor Bashert stated she is not a fan of not doing something because of the size of its effect. She believes this might have an element of virtue signaling, but it is a reasonable virtue. She added zoning is a tool in order to create regulation, and is in support of the ordinance as written.

Council Member Wilcoxon stated he has many thoughts about this topic. He is not a gun owner, but has many friends who are, and they run the gambit of having their own arsenal to a gun for personal protection. He said staff did a wonderful job in researching this ordinance, he needs to think about this prior to approving this on Second Reading.

On a roll call, the vote to approve Resolution No. 2019-059 was as follows:

Council Member Brown	Yes	Council Member Symanns	Absent
Council Member Morgan	Yes	Mayor Bashert	Yes
Council Member Murdock	Absent	Council Member Wilcoxon	Yes
Mayor Pro-Tem Richardson	Absent		

VOTE:

YES: 4 NO: 0 ABSENT: 3 (Richardson, Murdock, Symanns) VOTE: Carried

Resolution No. 2019-061

XI. CONSENT AGENDA –

1. Resolution No. 2019-062, approving minutes of March 5 and March 7, 2019.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of March 5 and March 7, 2019 be approved.

2. Resolution No. 2019-063, approving ordinance 1332, an ordinance to amend Chapter 114 of the Ypsilanti City Code, entitled "Vehicles for Hire", by adding a new Article IV, entitled "Shared Mobility Devices", to require a franchise permit to offer shared mobility devices for public use in the City of Ypsilanti, to set forth procedures, regulations, and rules, and to provide for penalties. **(Second Reading)**

IT IS RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that:

An ordinance to amend Chapter 114 of the Ypsilanti City Code, entitled "Vehicles for Hire", by adding a new Article IV, entitled "Shared Mobility Devices", to require a franchise permit to offer shared mobility devices for public use in the City of Ypsilanti, to set forth procedures, regulations, and rules, and to provide for penalties, Be approved on second and final reading.

OFFERED BY: Council Member Wilcoxon

SECONDED BY: Council Member Brown

On a voice vote, the motion carried, and the Consent Agenda was approved.

XII. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2019-064, approving the agreement with SmartZone Local Development Financing Authority (LDFA)

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, in 2001, the Michigan Economic Development Corporation (MEDC) created eleven separate SmartZones throughout the state, including Ann Arbor/Ypsilanti; and

WHEREAS, the purpose of the Ann Arbor/Ypsilanti SmartZone (LDFA) is to provide capital needed for the facilitation of the commercialization of research products being developed at University of Michigan and Eastern Michigan University and the development of private high technology enterprises that, but for this organization, would be deferred, or located outside of the SmartZone area; and

WHEREAS, The Ann Arbor/Ypsilanti SmartZone LDFA requires a different board composition than originally approved by the previous agreement; and

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council hereby approves the Ann Arbor/Ypsilanti SmartZone Agreement between the City of Ann Arbor and the City of Ypsilanti.

OFFERED BY: Council Member Brown
SECONDED BY: Council Member Morgan

Council Member Wilcoxon asked if the city is contributing any money to the LDFA. Mr. Jacobs responded no. Mr. Wilcoxon asked for a synopsis of the agreement. Mr. Jacobs responded essentially the tax capture occurs only in the geographical boundaries of the Ann Arbor DDA. Making a long story short the state funds the LDFA, for tech development. The LDFA will now also be able to use its funds for talent development. Meaning Ypsilanti youth could receiving training funded through the LDFA. This resolution concerns the composition of the LDFA Board.

Mayor Bashert stated by speaking with the Ypsilanti members of the LDFA Board she learned about the funding available for the youth of this community. She believes the target will be high school to college students.

Council Member Morgan asked the location of the DDA Districts. Mr. Jacobs responded West Cross, Downtown, and Depot Town. Mr. Morgan responded none of these funds will affect Ward 1. Mr. Jacobs responded no. Mayor Bashert interjected it could help the youth of Ward 1 through training and employment opportunities. She added much of the Downtown is located in Ward 1.

Mr. Jacobs thanked Acting City Manager Frances McMullan for her leadership on these initiatives.

On a roll call, the vote to approve Resolution No. 2019-064 was as follows:

Council Member Brown	Yes	Council Member Symanns	Absent
Council Member Morgan	Yes	Mayor Bashert	Yes
Council Member Murdock	Absent	Council Member Wilcoxon	Yes
Mayor Pro-Tem Richardson	Absent		

VOTE:

YES: 4 NO: 0 ABSENT: 3 (Richardson, Murdock, Symanns) VOTE: Carried

XIII. LIAISON REPORTS –

- A. SEMCOG Update - None
- B. Washtenaw Area Transportation Study – None
- C. Urban County - None
- D. Ypsilanti Downtown Development Authority – Next Meeting Wednesday, March 20th.
- E. Ypsilanti Youth Safety Collaboration – Council Member Morgan stated there will be a meeting on March 21st from 10:30 am until noon at the Riverside Arts Center.
- F. Friends of Rutherford Pool – Mayor Bashert stated the fundraising campaign has been completed and now the group is working out the logistics of the project.
- G. Housing Equity Leadership Team - None

XIV. COUNCIL PROPOSED BUSINESS –

Wilcoxon

- The Sustainability Commission met on March 11th and revised their Penn Dam resolution.
- The Sustainability also forwarded a position state regarding the Washtenaw Regional Resource Management Authority.
- He attended the roads meeting in the Township, which had a good turnout. The main concern from those in attendance is that the budget would be used for what it is intended.

Morgan

- Stated there is a lot of dog feces behind the Rocket and Beezy's in the downtown.
- Family Dollars hours of operation have been inconsistent and residents having difficulty access the store.

Brown

- Stated she attended the funeral of former City Manager Ralph Lange. Ypsilanti's Chief of Police was a Pallbearer, which is a testament to the relationship Mr. Lange had with the employees of this city. Mr. Lange created his own service, including what passages of scripture would be read.

XV. COMMUNICATIONS FROM THE MAYOR –

- Stated lately Council has held special meetings to discuss staffing. The last meeting was held early in the morning, and some of the public might have been unaware. In the interest of transparency, during the meeting Council directed the City Attorney to begin drafting a resolution to begin the process of Frances McMullan becoming the permanent City Manager.

XVI. COMMUNICATIONS FROM THE CITY MANAGER –

- Acting City Clerk Andrew Hellenga stated a prototype of the iCompass Legislative Management software Council Packet will be available for the next Council Meeting. He added that he and Interim City Manager Frances McMullan would be developing a timeline for the full implementation of the software. That would include installation of cameras and training for Council Members.
- He added he is working with iCompass to transfer audio files to fix issues caused by County IT retiring audio files for the city's website.

Council Member Brown stated Interim City Manager Frances McMullan is not present at this meeting because she is in Lansing receiving an award for being a woman in leadership.

XVII. COMMUNICATIONS –

- Ypsilanti Community Utilities Authority Comprehensive Annual Financial Report.
- Sustainability Commission Penn Dam Resolution
- Sustainability Commission Washtenaw Regional Resource Management Authority Position Statement.
- Human Relations Commission Approved Resolution Requesting the Nomination and Approval of Ruth Cassidy as an HRC Commissioner.

XVIII. AUDIENCE PARTICIPATION/PUBLIC COMMENT -

1. Lee Tooson, 107 Middle, stated former City Manager Ralph Lange loved Ypsilanti, and was concerned about what was happening in this City. He suggested once there is a train stop in Ypsilanti a plaque be placed at the site to honor Mr. Lange.
2. Mark Hergott, 111 Miles, stated Ralph Lange's efforts in Ypsilanti were blunted by the Water Street debt.
3. Steven Taylor, 413 Ferris, asked Council how much money their poor decisions have cost the city. He asked how many more mistakes are going to be put on the backs of the residents of this city.

XIX. REMARKS FROM THE MAYOR –

XX. ADJOURNMENT –

Resolution No. 2019-065, 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 three (3) members of Council.

OFFERED BY: Council Member Brown

SECONDED BY: Council Member Morgan

On a voice vote, the motion carried, and 8:23 p.m.