



**CITY OF YPSILANTI
CITY COUNCIL REGULAR MEETING
CITY COUNCIL CHAMBERS - ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, NOVEMBER 13, 2018
7:00 p.m.**

I. CALL TO ORDER –

The meeting was called to order at 7:02 p.m.

II. ROLL CALL –

Council Member Brown (7:55)	Present	Council Member Symanns	Present
Council Member Morgan	Present	Mayor Bashert	Present
Council Member Murdock	Present	Vacancy (Ward 2)	
Council Member Richardson	Present		

Council Member Richardson moved, seconded by Symanns to excuse the absence of Council Member Brown.

On a voice vote, the motion carried, and the absence was 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 Murdock moved, seconded by Council Member Morgan to approve the agenda.

Council Member requested Resolution No. 2018-288, approving Recycle Ann Arbor’s Proposal for drop-off recycling services, be moved to second under Section XI, Resolutions/Motions/Discussions.

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

VI. INTRODUCTIONS

Mayor Bashert introduced the following individuals; Fiscal Services Director Marilou Uy, Economic Development Director Joe Meyers, City Manager Darwin McClary, City Attorney John Barr, City Clerk Frances McMullan, and those present from the Fire Department.

VII. PRESENTATIONS –

VIII. AUDIENCE PARTICIPATION –

1. Nan Schuette, 1877 Sheffield, stated her concern regarding switching from the hard cap insurance to the 80/20 Insurance. She stated non-union and AFSCME are satisfied with the hard cap, and the only bargaining unit that wishes to switch to the 80/20 program is the IAFF, Fire Department Union. She asked Council to maintain the current hard cap program.
2. David Blakley, President of AFSCME Local 623, stated AFSCME is also opposed to switching back to the 80/20 program. The change would reflect an increase of five times what is currently being paid.
3. Kim Jones, AFSCME Local 623, stated she is against changing back to the 80/20 program. She asked Council to continue the hard cap program.
4. Ken Hobbs, President of the IAFF Local 401, stated this is one of the first time he has addressed Council and been divided from other city employees. He stated the department wants to keep their current PPO health plan. The cost is roughly \$700 a month for a family, and will increase to \$1,100 next month. The IAFF is the only bargaining unit that has not reached an agreement because it believes a better plan can be selected. The IAFF doesn't just want cheap healthcare it wants quality healthcare, and hopes to find something in the middle. He suggested forming a committee to select a healthcare that works for all employees, and not wait until November to discuss healthcare.
5. Monica Williams, Ypsilanti Township Resident, welcomed the new members of Council.
6. Desirae Simmons, Ward 3, asked for clarification to who the verified households are for the recycling contract. Voters voted yes for recreational marijuana and to make it illegal to carry paraphernalia, which would run contrary to that vote. She stated the majority of assessments are on the south side of the city, and is not sure if they are elderly and need assistance. She encouraged Council to use their city email addresses for Council business.
7. Amber Fellows, Ward 3, asked for clarification to how a board or commission is to bring an issue to another board or commission. She stated the process is that a commission or board would forward a resolution to Council to be submitted under communications of the next Council meeting. This is problematic because it is likely nothing will result from this process. She asked what the point of a board or commission if it is unable to place items on the agenda. This creates limitations on communications between boards and commissions between themselves and with Council. Concerning the conduct of an HRC member, she believes in protecting freedom of speech regardless if she agrees with what is being said.
8. William Simmons congratulated the new Council and encouraged equitable creation in policy.

IX. REMARKS BY THE MAYOR –

- All residents, that wish, will be given a pass to use Recycle Ann Arbor on an unlimited basis.
- The ordinance regarding paraphernalia separates medical marijuana and other narcotic paraphernalia. This would limit prosecution for marijuana paraphernalia.
- There will be training for board and commission members, which should create better clarification regarding processes.

Council Member Murdock stated there should greater clarification regarding recycling during the presentation of that resolution. He asked for the email Ms. Fellows received from the City Manager. Ms. Fellows replied she would forward the email.

Mayor Pro-Tem Richardson stated she has tried to use her city email provided by the county, and her personal email is on her business card. Council Member Murdock agreed the city email has never worked.

X. ORDINANCES – FIRST READING –

Ordinance No. 1329

Ordinance to amend the Ypsilanti City Code to add a New Division 9 to Chapter 2 - Administration, Article VII – Departments of The City of Ypsilanti to create the Department of Community Services, Create the Position of Director of Community Services, Establish the functions of the Department, provide for the prescription of Departmental Rules and Regulations, and permit the Appointment of a Deputy and Designation of an Acting Director.

A. Resolution No. 2018-282, determination

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Section 4.05(a) of the Ypsilanti city charter grants the authority to the city council to establish, alter, or abolish departments of the city; and

WHEREAS, Section 2.09(a) of the city charter requires that the establishment, alteration, or abolishment of any city department be accomplished through ordinance by the city council; and

WHEREAS, the City Manager is recommending that the city council consider an ordinance to establish the Department of Community Services, create the administrative officer position of Community Services Director, establish the functions of the department, provide for the prescription of department rules and regulations, and permit the appointment of a deputy director and acting director; and

WHEREAS, the city council desires to consider such an ordinance;

NOW THEREFORE BE IT RESOLVED BY THE CITY OF YPSILANTI that the city council does hereby introduce and give first reading to the proposed ordinance establishing the Department of Community Services, creating the administrative officer position of Community Services Director, establishing the functions of the department, providing for the prescription of department rules and regulations, and permitting the appointment of a deputy director and acting director; and

BE IT FURTHER RESOLVED THAT the city council does hereby approve the ordinance at First Reading and schedules the proposed ordinance for Second Reading and consideration for adoption at its November 27, 2018, regular meeting.

OFFERED BY: Mayor Pro-Tem Richardson
SECONDED BY: Council Member Symanns

City Manager McClary provided an overview to why this has been submitted to Council for approval.

B. Open public hearing

1. Desirae Simmons, Ward 3, asked if there will be an increase in staff to address additional responsibilities.

C. Resolution No. 2018-283, close public hearing

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That a public hearing on an ordinance entitled, " AN ORDINANCE TO ADD A NEW DIVISION 9 TO CHAPTER 2 – ADMINISTRATION, ARTICLE VII – DEPARTMENTS OF THE CITY OF THE CITY OF YPSILANTI CODE OF ORDINANCES TO CREATE THE DEPARTMENT OF COMMUNITY SERVICES, CREATE THE POSITION OF DIRECTOR OF COMMUNITY SERVICES, ESTABLISH THE FUNCTIONS OF THE DEPARTMENT, PROVIDE FOR THE PRESCRIPTION OF DEPARTMENTAL RULES AND REGULATIONS, AND PERMIT THE APPOINTMENT OF A DEPUTY AND DESIGNATION OF AN ACTING DIRECTOR be officially closed.

OFFERED BY: Mayor Pro-Tem Richardson
SECONDED BY: Council Member Symanns

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

Mr. McClary stated this ordinance is a restructuring of city departments. Assessing functions are currently housed in Fiscal Services, and this would move that function to this new department. Parks and Recreation currently does not fall under the purview of any department, and this would create oversight for that activity. There is no change in staffing levels.

Council Member Morgan asked if the models of the past department going to be transferred to this new department. He asked if analysis has been completed regarding what has worked well and what needs to be improved. Mr. McClary responded for the most part functions will be the same. The reason for this formality is the City Charter requires any creation of a new department must be done by ordinance. Mr. Morgan asked if staff will be given training for any new tasks they would be required to perform. Mr. McClary responded there will not be formal training.

Mayor Pro-Tem Richardson stated since parks and recreation has been removed from the budget she is not certain why there needs to be departmental oversight. Mayor Bashert clarified \$100,000 was allocated for parks during last budget approval.

Council Member Symanns asked how staff is receiving this proposed change to department. She isn't sure if it is correct to combine departments whose functions might not necessarily fit. Mr. McClary replied staff has not expressed concerns regarding this change. Economic Development Director Joe Meyers stated staff has no concern. He explained currently his department acts as the de facto parks and recreation department. Ms. Symanns asked if it is essentially formalizing current practice. Mr. Meyers responded in the affirmative.

Council Member Morgan asked what the timeline is creating the new department. Mr. Meyers responded it would take effect thirty days after approval at Second Reading.

Council Member Murdock stated he is going to oppose this ordinance for several reasons. This ordinance would essentially build a large bureaucracy on the fourth floor of City Hall. There is no reason this department should be involved in parks and recreation to the degree it is. Parks and Recreation should be a function of the Department of Public Services, and hiring a director who is competent in these areas should be a priority. Additionally, the department spends too much time servicing the Downtown Development Authority (DDA). Perhaps it is time for the DDA to hire an independent director, and this department can concentrate on city functions. Mayor Pro-Tem Richardson agreed, and doesn't see a need to add to the bureaucracy of the fourth floor. She explained she will also vote no on this ordinance.

City Council Meeting
November 13, 2018

There needs to be a closer look at if the Economic and Community Development Department is functioning the way it should rather than create a new department.

Council Member Symanns stated she is hearing the Department of Public Service maintains the park system, but she is also hearing this ordinance simply formalizes current practice. She asked where the connections are and where are the divisions. Mayor Bashert responded there is a difference between park maintenance and managing the parks and recreation. Ms. Symanns asked how maintenance and park management would change if the ordinance is approved. Mr. McClary responded there would not be a change in function.

Council Member Symanns stated economic development is very important to this city, and she wants to ensure those hired to perform that task are performing that task. She asked if current practices are appropriate, and asked why the practice shouldn't change. Mr. McClary replied that is why he is changing the title of the department. The functions go beyond economic development.

Mayor Bashert asked what other communities, similar to Ypsilanti, are functioning in similar fashion. Mr. McClary responded Ypsilanti eliminated the department and outsourced parks and recreation functions to private groups, but have not formally made a department responsible for coordinating the private groups.

Mayor Pro-Tem Richardson stated there is history that the City Manager might not be aware. Removing the parks and rec budget line was done because of financial issues facing the city. The residents stepped up and did what was needed to continue park and rec functions in the city. The city has come a long way, and should be grateful for the residents that kept those facilities running. She mentioned the city has budgeted \$100,000 for parks, but that does not mean the city will continuously have the money to allocate to the park and rec. Also, the funds will primarily going into park maintenance and not recreation. From working with communities through the Michigan Municipal League she has learned that communities facing similar financial constraints have followed the same practice as Ypsilanti. The city does not have the financial capacity to warrant the creation of another department. Mr. McClary clarified this ordinance, if adopted, would not add any cost to the city.

On a roll call, the vote to approved Resolution No. 2018-282 was as follows:

Council Member Brown	No	Council Member Symanns	Yes
Council Member Morgan	No	Mayor Bashert	Yes
Council Member Murdock	No	Ward 2 Vacancy	
Mayor Pro-Tem Richardson	No		

VOTE:

YES: 2 NO: 4 (Brown, Murdock, Richardson, Morgan) ABSENT: 0 VACANCY: 1 (Ward 2) \

VOTE: Failed

XI. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2018-284, approving minutes of October 16, 2018.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of October 16, 2018 be approved.

OFFERED BY: Mayor Pro-Tem Richardson
SECONDED BY: Council Member Morgan

City Council Meeting
November 13, 2018

On a roll call, the vote to approved Resolution No. 2018-284 was as follows:

Council Member Brown	Yes	Council Member Symanns	Yes
Council Member Morgan	Yes	Mayor Bashert	Yes
Council Member Murdock	Yes	Ward 2 Vacancy	
Mayor Pro-Tem Richardson	Yes		

VOTE:

YES: 6 NO: 0 ABSENT: 0 VACANCY: 1 (Ward 2) VOTE: Carried

2. Resolution No. 2018-285, approving appointment to Boards and Commissions.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT, the following individuals be appointed to the City of Ypsilanti Boards and Commissions as indicated below:

<u>NAME</u>	<u>BOARD</u>	<u>EXPIRATION</u>
Christian Cannon (Replacing Natalie Sampson) 418 Burton Ct Ypsilanti, MI 48197	Sustainability	5/1/2020

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

On a roll call, the vote to approved Resolution No. 2018-285 was as follows:

Council Member Brown	Yes	Council Member Symanns	Yes
Council Member Morgan	Yes	Mayor Bashert	Yes
Council Member Murdock	Yes	Ward 2 Vacancy	
Mayor Pro-Tem Richardson	Yes		

VOTE:

YES: 6 NO: 0 ABSENT: 0 VACANCY: 1 (Ward 2) VOTE: Carried

3. Resolution No. 2018-288, approving Recycle Ann Arbor Proposal for Drop-Off Recycling Services for the City of Ypsilanti Households and Businesses.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that:

The proposal for drop-off recycling services to be provided to the City of Ypsilanti from Recycle Ann Arbor dated November 7, 2018, for the sum of \$26,000 per year is approved and accepted.

The Mayor and City Clerk are authorized to sign the attached contract, subject to the approval of the City Attorney.

OFFERED BY: Council Member Murdock
SECONDED BY: Council Member Symanns

Recycle Ann Arbor CEO Bryan Ukena provided an overview of the services provided to Ypsilanti.

Mayor Bashert thanked Mr. Ukena for allowing Ypsilanti to use the services.

Council Member Murdock believes this is a positive proposal for the city, far better than what could have been negotiated with Ypsilanti Township. He is anxious to know the timeline for implementation. Economic Development Director Meyers replied if the contract is approved staff can begin distributing recycling cards on Monday, November 19th. He will be emailing a link to request a card, and mentioned only city residents are eligible. Residents with a card will be allowed to visit the site once per day, and cards will expire a year.

Mayor Pro-Tem Richardson asked the cost of the cards. Mr. Meyers responded they are free to city residents.

Council Member Murdock asked for clarification regarding when residents can begin using the services. Mr. Meyers responded residents may begin applying for cards as early as Wednesday, November 14th and pick them up on Monday, November 19th. Mr. Murdock asked if there is a link to the application on the city website. Mr. Meyers responded in the affirmative.

Mayor Bashert asked if the cards will be available through the Economic and Community Development Department. Mr. Meyers responded in the affirmative. Ms. Bashert asked if the department is staffed appropriately to address requests for cards. Mr. Meyers responded in the affirmative.

Council Member Morgan asked if there is a weight limit to what residents can bring to the center. Mr. Ukena responded no.

Council Member Symanns responded she uses the services currently, and sees it as a positive for residents.

Mayor Pro-Tem Richardson thanked Council Member Murdock for all he is done concerning recycling.

On a roll call, the vote to approved Resolution No. 2018-288 was as follows:

Council Member Brown	Yes	Council Member Symanns	Yes
Council Member Morgan	Yes	Mayor Bashert	Yes
Council Member Murdock	Yes	Ward 2 Vacancy	
Mayor Pro-Tem Richardson	Yes		

VOTE:

YES: 6 NO: 0 ABSENT: 0 VACANCY: 1 (Ward 2) VOTE: Carried

- Resolution No. 2018-286, approving Ordinance No. 1327 to amend Chapter 74 of the Ypsilanti City Code, entitled "MISDEMEANOR OFFENSES," by amending the title to the Chapter and to Article VI, and to amend Section 74-212 "POSSESSION" to make the possession of Marihuana Paraphernalia a Municipal Civil Infraction, and to amend Sections 74-212, 74-213, AND 74-214 so that those provisions only are violations where the underlying controlled substance violates State Law, and to amend Section 74-216 to add to the exceptions Marihuana Facilities Operating in Compliance with Chapter 7 of the City Code. ***(Second Reading)***

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the Public Hearing for an ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 74 OF THE YPSILANTI CITY CODE, ENTITLED "MISDEMEANOR OFFENSES," BY AMENDING THE TITLE TO THE CHAPTER AND TO ARTICLE VI, AND TO AMEND SECTION

74-212 "POSSESSION" TO MAKE THE POSSESSION OF MARIHUANA PARAPHERNALIA A MUNICIPAL CIVIL INFRACTION, AND TO AMEND SECTIONS 74-212, 74-213, AND 74-214 SO THAT THOSE PROVISIONS ONLY ARE VIOLATIONS WHERE THE UNDERLYING CONTROLLED SUBSTANCE VIOLATES STATE LAW, AND TO AMEND SECTION 74-216 TO ADD TO THE EXCEPTIONS MARIHUANA FACILITIES OPERATING IN COMPLIANCE WITH CHAPTER 7 OF THE CITY CODE" be approved on Second and Final Reading.

OFFERED BY: Council Member Symanns
 SECONDED BY: Council Member Brown

Council Member Symanns stated this would make marihuana paraphernalia possession a civil infraction. She asked why since voters just approved a proposal making recreational marihuana legal. Mr. Barr responded recreational marihuana has been made legal through a ballot initiative. The Charter and Code of Ordinances try to stay in line with state law, and Assistant City Attorney Jess O'Jack drafted into this ordinance the possibility voters would approve the proposal. In this ordinance marihuana paraphernalia would be removed, but other paraphernalia would still be subject to civil infraction. Ms. Symanns questioned why it is even being kept as a civil infraction. Mr. Barr responded there more than likely be another reorganization of the ordinances once recreational takes effect, but until that time this is a stop gap measure.

Council Member Murdock stated he opposed this during first reading, and when it was originally passed. This ordinance provides far too much discretion for the police department. Virtually any legal item can be classified as paraphernalia; such as pins, pens, rolling paper, razor blades, etc... He will be opposing this on second reading.

Mayor Pro-Tem Richardson asked if there is a way to define paraphernalia to provide parameters for enforcement. Mr. Barr responded it depends on the intent. He explained an item could be used both for a lawful activity and an illegal activity. He agrees there is police discretion involved, but the test is what the intent for the item was. Council Member Symanns stated as a former police officer it is the context of how the item is used. The fact of the matter is common items are often used as drug paraphernalia.

Council Member Morgan asked if this ordinance would criminalize paraphernalia, while the recent vote decriminalized marihuana. Council Member Symanns responded no, the amendment would make paraphernalia a civil infraction. According to the City Attorney once the state law is settled this ordinance would be amended.

Council Member Murdock interjected the ordinance allows for too much discretion. The discretion could possibly lead to harassment.

Mayor Pro-Tem Richardson stated she will vote yes, but agrees the ordinance allows for too much police discretion. However, the ordinance amendment would make paraphernalia a civil infraction, which is better for the African American community.

On a roll call, the vote to approved Resolution No. 2018-286 was as follows:

Council Member Brown	Yes	Council Member Symanns	Yes
Council Member Morgan	Abstain	Mayor Bashert	Yes
Council Member Murdock	No	Ward 2 Vacancy	
Mayor Pro-Tem Richardson	Yes		

VOTE:

YES: 4 NO: 1 (Murdock) ABSTAIN: 1 (Morgan) ABSENT: 0 VACANCY: 1 (Ward 2) VOTE: Carried

5. Resolution No. 2018-287, approving Ordinance No. 1328 to add a New Article VII to Chapter 2 – Administration of the City of Ypsilanti Code of Ordinances, entitled “DEPARTMENTS OF THE CITY” and to add New Divisions thereto; and to create the Department of Finance and Treasury; create the Position of Finance Director; Establish the functions of the Department, Provide for the prescription of Departmental Rules and Regulations, and Permit the appointment of a Deputy and Designation of an Acting Director. ***(Second Reading)***

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Section 4.05(a) of the Ypsilanti city charter grants the authority to the city council to establish, alter, or abolish departments of the city; and

WHEREAS, Section 2.09(a) of the city charter requires that the establishment, alteration, or abolishment of any city department be accomplished through ordinance by the city council; and

WHEREAS, the City Manager is recommending that the city council consider an ordinance to establish the Department of Finance and Treasury, create the administrative officer position of Finance Director, establish the functions of the department, provide for the prescription of department rules and regulations, and permit the appointment of a deputy director and acting director; and

WHEREAS, the city council desires to consider such an ordinance;

NOW THEREFORE BE IT RESOLVED BY THE CITY OF YPSILANTI that the city council does hereby introduce and give first reading to the proposed ordinance establishing the Department of Finance and Treasury, creating the administrative officer position of Finance Director, establishing the functions of the department, providing for the prescription of department rules and regulations, and permitting the appointment of a deputy director and acting director; and

BE IT FURTHER RESOLVED THAT the city council does hereby schedule the proposed ordinance for second reading and consideration for adoption at its November 13, 2018, regular meeting.

OFFERED BY: Council Member Symanns
 SECONDED BY: Council Member Brown

On a roll call, the vote to approved Resolution No. 2018-287 was as follows:

Council Member Brown	Yes	Council Member Symanns	Yes
Council Member Morgan	Yes	Mayor Bashert	Yes
Council Member Murdock	Yes	Ward 2 Vacancy	
Mayor Pro-Tem Richardson	Yes		

VOTE:

YES: 6 NO: 0 ABSENT: 0 VACANCY: 1 (Ward 2) VOTE: Carried

- ~~6. Resolution No. 2018-288, approving Recycle Ann Arbor Proposal for Drop-Off Recycling Services for the City of Ypsilanti Households and Businesses. (Moved)~~
7. Resolution No. 2018-290, approving bid received from RNA Facilities Management, authorizing the expenditure and the City Manager to sign contract documents subject to approval by the City Attorney.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, proposals were duly solicited for janitorial services for City Hall, Ypsilanti Police Station, Parkridge Community Center and the Ypsilanti Public Services Office; and

WHEREAS, the bid of \$44,544 annually submitted by RNA Facilities Management of Ann Arbor, MI meets the specifications, and would best serve the interests of the City; and

WHEREAS, RNA is successfully performing other janitorial contacts in the public realm.

NOW, THEREFORE, BE IT RESOLVED THAT the Ypsilanti City Council approves the proposal from RNA Facilities Management, 4722 S. State Rd. Ann Arbor, MI 48108 in the amount of \$3,712 per month.

FURTHER, that \$44,544 annually be authorized for expenditure from account 101-7-2650-932-00; and that the City Manager is authorized to sign the contract documents and any change orders, subject to approval by the City Attorney, to complete the award of this contract.

OFFERED BY: Mayor Pro-Tem Richardson
SECONDED BY: Council Member Symanns

Council Member Morgan asked what was previously budgeted to clean these buildings. Department of Public Services Interim Director Brad Holman responded he is not certain of the previous budget.

Council Member Murdock asked how much is budgeted currently for janitorial contract. Fiscal Services Director Marilou Uy responded she will provide that to Council tomorrow. Mr. Murdock asked if any Ypsilanti firms capable for executing this contract. Mr. Holman responded he believes there was outreach to local businesses. Mayor Pro-Tem Richardson asked if this process was prior to Mr. Homan becoming interim director. Mr. Holman responded in the affirmative. Mr. Murdock asked if the city was provided data regarding employees living within the city, or if that could be provided. Mr. Holman responded if the city does not have that data he can ask RNA, but it is the same company currently under contract. Ms. Richardson stated she would like to see the breakdown of employees living in the city prior to voting on this resolution, also including other demographics. Council Member Symanns asked what criteria is used to compare demographics and residency. Ms. Richardson responded if the demographics mirror the demographics of the city.

Council Member Morgan stated it appears the selected company had the second to lowest bid, and asked if price is comparable to service. He noticed one of the company had a negative rating from the county, and asked if there are any evaluations of this company. Mayor Bashert responded they are the current company.

Mayor Bashert directed the City Manager that staff be prepared to answer questions regarding the bidding process when submitted for approval. Council Member Symanns added comparable data should also be provided to Council. She asked if the city is satisfied with the services provided by RNA. City Clerk McMullan responded staff were not asked if services were adequate. Mr. McClary replied staff using SEMCOG data when comparing population demographic.

Mr. Holman stated it is a practice of the Department of Public Services to award contracts to local businesses, and increase the sphere if needed to award the contract. He said if there are issues with service this company is open to dialog and correcting those problems.

On a roll call, the vote to approved Resolution No. 2018-290 was as follows:

Council Member Brown	Yes	Council Member Symanns	Abstain
Council Member Morgan	Yes	Mayor Bashert	Yes
Council Member Murdock	Yes	Ward 2 Vacancy	
Mayor Pro-Tem Richardson	Yes		

VOTE:

YES: 5 NO: 0 ABSTAIN: 1 (Symanns) ABSENT: 0 VACANCY: 1 (Ward 2) VOTE: Carried

1. Resolution No. 2018-289, authorizing the Finance Director/Treasurer to levy and assess unpaid bills and special assessments on the December 2018 tax roll.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That, the City Treasurer be authorized to levy and assess on the December 2018 tax roll the attached listing of unpaid bills totaling \$45,867.64.

OFFERED BY: Council Member Brown
SECONDED BY: Council Member Symanns

Council Member Murdock stated there are certain properties that appear on this list, and asked if they have been awarded certificates of occupancy. Mr. Meyers responded he has not thoroughly reviewed the list, but at first glance he would say no.

On a roll call, the vote to approved Resolution No. 2018-289 was as follows:

Council Member Brown	Yes	Council Member Symanns	Yes
Council Member Morgan	Yes	Mayor Bashert	Yes
Council Member Murdock	Yes	Ward 2 Vacancy	
Mayor Pro-Tem Richardson	Yes		

VOTE:

YES: 6 NO: 0 ABSENT: 0 VACANCY: 1 (Ward 2) VOTE: Carried

XII. CLOSED SESSION –

Resolution No. 2018-291, convening into Closed Session to discuss collective bargaining strategies pursuant to Section 8(c) of the Michigan Open Meetings Act, Public Act 267 of 1976, being MCL 15.268(c), for the purpose of strategy session connected with the negotiation of the IAFF contract.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the collective bargaining agreement for the city's IAFF bargaining unit expired on June 30, 2017; and

WHEREAS, it is necessary for the City Council and city administration to meet and confer periodically in closed session on collective bargaining strategy;

NOW THEREFORE BE IT RESOLVED BY THE CITY OF YPSILANTI that the City Council does hereby approve convening into closed session pursuant to Section 8(c) of the Michigan Open Meetings Act, Public Act 267 of 1976, being MCL 15.268(c), for the purpose of strategy session connected with the negotiation of the IAFF contract.

OFFERED BY: Council Member Morgan
SECONDED BY: Council Member Symanns

On a roll call, the vote to approved Resolution No. 2018-291 was as follows:

Council Member Brown	Yes	Council Member Symanns	Yes
Council Member Morgan	Yes	Mayor Bashert	Yes
Council Member Murdock	Yes	Ward 2 Vacancy	
Mayor Pro-Tem Richardson	Yes		

VOTE:

YES: 6 NO: 0 ABSENT: 0 VACANCY: 1 (Ward 2) VOTE: Carried

The meeting adjourned to Closed Session at 8:35 p.m.

The meeting reconvened at 9:21 p.m.

XIII. RESOLUTIONS/MOTIONS/DISCUSSIONS –

1. Resolution No. 2018-292, approving a cost sharing amount of 20% (80/20 Option) by each employee enrolled in its publically funded health care program.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, the City Council of the City of Ypsilanti deems it necessary to comply with Public Act 15 of 2012, as amended by Public Act 270 of 2013; and

Whereas, Public Act 152 places dollar limits on medical benefits paid by the City on behalf of the employee; and

Whereas, the City has three options; including to allow the hard cap limits to remain, by majority vote to place a requirement for each employee to pay 20% of the total cost of health insurance, or to opt out of Public Act 152 completely; and

Whereas, in previous years, the City Council has voted to approve a 20% cost share for employees.

NOW THEREFORE BE IT RESOLVED THAT, the Council of the City of Ypsilanti chooses to comply with Public Act 152, by adopting the hard cap option for employees enrolled in its publically funded health care program.

OFFERED BY: Council Member Brown
SECONDED BY: Council Member Symanns

Council Member Murdock moved, seconded by Council Member Brown to amend the resolution to select the hard cap.

On a roll call, the vote to amend Resolution No. 2018-292 was as follows:

Council Member Brown	Yes	Council Member Symanns	Yes
Council Member Morgan	Yes	Mayor Bashert	Yes
Council Member Murdock	Yes	Ward 2 Vacancy	
Mayor Pro-Tem Richardson	Abstain		

VOTE:

YES: 5 NO: 0 ABSTAIN: 1 (Richardson) ABSENT: 0 VACANCY: 1 (Ward 2) VOTE: Carried

On a roll call, the vote to approved Resolution No. 2018-292 as amended was as follows:

Council Member Brown	Yes	Council Member Symanns	Yes
Council Member Morgan	Yes	Mayor Bashert	Yes
Council Member Murdock	Yes	Ward 2 Vacancy	
Mayor Pro-Tem Richardson	Abstain		

VOTE:

YES: 5 NO: 0 ABSTAIN: 1 (Richardson) ABSENT: 0 VACANCY: 1 (Ward 2) VOTE: Carried

2. Resolution No. 2018-293, directing the City Manager to present a minimum of four to six health care plan options with costs to the City and employee at the November 27, 2018 Council meeting.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

Whereas, a health care plan has been negotiated and approved by COAM, POAM, and AFSCME Collective Bargaining Units; and

Whereas, the IFFA is in the process of negotiations; and

Whereas, it is the goal of the City to provide employees with the best health care coverage at an affordable price; and

Whereas, there are health care plan options offered by Blue Cross Blue Shield that may be more beneficial for city employees.

Whereas, City Council was not afforded any presentations or given an opportunity to review any other health plan option.

Therefore be it resolved that City Council directs the City Manager to present a minimum of four to six plan options with costs to the City and employee at the November 27, 2018 Council meeting.

OFFERED BY: Council Member Richardson
SECONDED BY: Council Member Morgan

Mr. McClary recommended Council vote no on the resolution. He explained it is a collective bargaining issue and belongs at the bargaining table.

Council Member Murdock stated the 80/20 and the hard cap options are not negotiable, it is a decision of City Council. Healthcare benefits are negotiable and should be discussed during collective bargaining. If the union has ideas regarding healthcare they should present them during negotiations, and not stall meetings.

On a roll call, the vote to approved Resolution No. 2018-293 was as follows:

Council Member Brown	No	Council Member Symanns	No
Council Member Morgan	No	Mayor Bashert	No
Council Member Murdock	No	Ward 2 Vacancy	
Mayor Pro-Tem Richardson	Abstain		

VOTE:

YES: 0 NO: 5 (Morgan, Symanns, Bashert, Brown, Murdock) ABSTAIN: 1 (Richardson) ABSENT: 0
VACANCY: 1 (Ward 2) VOTE: Failed

XIV. LIAISON REPORTS –

Mayor Bashert stated assignments need to be made regarding which Council Member will be acting as liaison for these entities.

- A. SEMCOG Update – Mayor Pro-Tem Richardson stated SEMCOG is holding three workshops and transportation, roads, and bridges. The closest is located in Westland.
- B. Washtenaw Area Transportation Study – Council Member Murdock stated during the last meeting the 2023 TIF plan was adopted. The allocation for the city is \$2,063,000.
- C. Urban County - None
- D. Ypsilanti Downtown Development Authority - None
- E. Ypsilanti Youth Safety Collaboration - None
- F. Friends of Rutherford Pool - None
- G. Housing Equity Leadership Team - None

XV. COUNCIL PROPOSED BUSINESS –

Richardson

- Asked for a report, or discussion regarding the train stop. She stated this has been moving awfully slow and Council needs an update. If the city does not do something it is going to lose this possibility.
- At either the November 27th or December 4th she would like a discussion about the snow removal ordinance. Mayor Bashert agreed a discussion needs to be scheduled, and has a couple of ideas for changes.

Mr. McClary stated the Amtrak Rail Platform is coming before Council on December 4th.

Morgan

- He is interested in finding ways to engage the youth of this community. He has an idea for a program called 'Democracy I Do', which would assist young people becoming more civically

- engaged. Also create mechanisms to track community engagement around their own issues. Possibly creating a youth council and become understudies of City Council.
- He believes a water conference is necessary, and mentioned by 2019 most conflicts will be produced by lack of fresh water.
 - He would like to examine how the city can better support its senior citizens.

Brown

- Supports Council Member Morgan's comments regarding engaging the youth of this community. In her first term there was an attempt to create a youth council, however, due to lack of staff it was not.

Mayor Bashert agreed, and stated there are very few activities available for the youth of this city.

Murdock

- He still has not received an update he requested in October; a scope is projected for the HRC contract for the Huron/Hamilton Road Diet project, if the city has applied for the clean diesel grant, copy of the communication sent to MDOT regarding the review of the timing of the Michigan/Huron traffic signal, and pedestrian crossing intervals on Michigan Ave.

Mr. McClary stated the contract is currently in process of their work. Staff has run into complications in submitting for a clean diesel grant. Staff believes the technology is not beneficial at this point, but staff is monitoring it. The propane vehicles are working well for the city, with some limitations. The clean diesel vehicle the city has is experiencing problems. He explained much of the communications staff has made with MDOT were verbal, but is searching for any written communications. Council Member Murdock stated he asked because putting things in writing gets more accomplished.

- Asked when Council would be receiving the Penn Dam report. He is concerned town halls are being scheduled by an entity with separate agendas, and Council has not received the report.

Mr. McClary stated the purpose of the report is to examine objectively at the option of removing the dam. This does not provide a position of City Council, that directive is to be determined later. He will speak with the Huron River Watershed Council.

- He holds town hall meetings frequently because he feels it creates a better space for dialog between himself and the community. He specifically has tried to schedule a town hall meeting to discuss the train stop report. When he asked the City Manager for the report he was denied on the basis Council needs to approve that. He explained this town hall would be his and not Council's, or the city manager's. Council needs more feedback about the train stop then could accessed during a council meeting, and he would appreciate more cooperation from the city manager.

Mr. McClary responded OHM is working on updating the feasibility study for the train stop. The report is very close to completion, but will go to Council prior to being released to the community. He hopes Council will provide the directive to hold community informational meetings. This is the way he intends on handling all similar issues, it is very important Council receives this information first. This is done to ensure Council is not caught off guard by information. He was not trying to tell a Council Member not to hold a town hall that is up to the individual member. However, he will not allocate resources based on the request of one Council Member. Council Member Murdock responded that was not what he was told. He was told Council would be given the report and would need to take action on it during that meeting.

Council Member Brown moved, seconded by Mayor Pro-Tem Richardson to extend the meeting until 10:15 p.m.

On a voice vote, the motion carried, and the meeting was extended.

- He asked if there plans of what to do with the land currently occupied by the closed recycling center.

Mr. McClary responded not at this time. Mayor Pro-Tem Richardson asked if the city is current with the timeline to avoid any disruptions in Department of Natural Resources Grants. Mr. McClary responded in the affirmative.

XVI. COMMUNICATIONS FROM THE MAYOR –

- It is a high priority to have a Council and staff retreat. This would be an opportunity for new members to learn systems and old members to refresh themselves. Also, a way to create a clear way of communicating.

Mayor Pro-Tem Richardson asked if the retreat will be the one required by resolution, or is this is something different. She explained the retreat times have become budget sessions in recent years. Mayor Bashert responded that is not the retreat she is referencing, but would like to incorporate some of what was mentioned into this retreat.

- Asked for an update for rental inspections, she would like to know where the city is with its backlog for rental inspections.
- Commended Mr. Meyers and his department for the construction of the accessible play structure, and the dedication of the playground to Liz Dahl MacGregor.
- She will be providing a weekly newsletter, and the first will be going out on Friday.

XVII. COMMUNICATIONS FROM THE CITY MANAGER –

- Administration is reaching out to retirees about switching to Medicare Advantage.
- Provided an update regarding the demolition of the former recycling center.
- The Amtrak Rail Feasibility Study will be one the December 4th Agenda.
- The city still has not received the report regarding the pedestrian crossing at W. Cross. The city is relying on the report to see if MDOT will fund the improvements.
- He provided an update on Live Streaming, which will tie into the release of the legislative management software.

XVIII. COMMUNICATIONS –

Council Member Murdock provided the following statement;

“You all may have noticed my increasing hoarseness. There is a reason for that. I have recently been diagnosed with lung cancer. And have started aggressive chemo and radiation treatment yesterday. I will be spending a lot of time at St Joseph Mercy Hospital for the next few months I intend to continuing serving on City Council as I battle the cancer. This will probably slow me down but as a quote from an injured football player in Remember the Titans said ‘I ain’t dead yet’ I will be just as ornery as ever just a little slower. Thanks for everybody understanding.”

Mayor Bashert thanked Council Member Murdock and commended his performance during last night’s meeting after having spent several hours in the hospital for treatment.

Mayor Pro-Tem Richardson thanked Council Member Murdock for sharing that, and she would say a prayer for him. Council Member Brown thanked him for his willingness to share that with Council and would keep him in her prayers. Council Member Morgan stated it is admirable to serve while he is going through this.

- Draft Minutes – October 23 and November 8, 2018 Traffic Review Commission
- Memo from City Manager McClary to the Human Relations Commission regarding discrimination complaint
- Letter from Human Relations Commission Chair regarding member dismissal

XIX. AUDIENCE PARTICIPATION –

1. Noah Rucker, Ypsilanti Township, congratulated those who recently won election and appreciates the positive energy in the room. He is concerned with putting a playground in Riverside Park. There should be more investment in the restrooms at the park. He appreciates a newsletter and that Council has taken his comments regarding pedestrian safety seriously.
2. Stacy Davis, 530 Hart Pl, had questions about the bid process, and if there is a sustainability process in place for parks and recreation. She would like to see more commerce brought to this city, possibly on Water Street.
3. Sam Jones-Darling, 210 Brown Hall, welcomed the new Council. He noted paraphernalia is very broad and it concerns him the state act will only provide ten days for cities to become into compliance. He believes the city should be in compliance prior to the law taking effect. He encouraged the city to examine its festival rules for marihuana consumption. He encouraged Council to appoint a Council Liaison to the Human Relations Commission. The southeast corner of Summit and Washtenaw is an issue and asked that it be fixed. He requested Council direct the Ethics Board to review the Ethics Ordinance to ensure it is in compliance with state law.

XX. REMARKS FROM THE MAYOR –

XXI. ADJOURNMENT –

Resolution No. 2018-294, 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 the meeting adjourned at 10:20 p.m.