



CITY OF YPSILANTI
CITY COUNCIL REGULAR MEETING
CITY COUNCIL CHAMBERS - ONE SOUTH HURON ST.
YPSILANTI, MI 48197
TUESDAY, DECEMBER 4, 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	Present	Council Member Symanns	Present
Council Member Morgan	Present	Mayor Bashert	Present
Council Member Murdock	Present	Vacancy (Ward 2)	
Mayor Pro-Tem Richardson	Present		

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

Council Member Symanns moved to add a resolution, opposing Senate Bills 795 and 796, and urging the Michigan Legislature to oppose such legislation, to Resolutions/Motions/Discussions.

Council Member Murdock moved Resolution No. 2018-307, approving Ordinance No. 1330, to Amend Section 7-4 of the Ypsilanti City Code to require state pre-qualification of any application for a city marijuana permit", from the Consent Agenda and add to Resolutions/Motions/Discussions.

Council Member Murdock moved Resolution No. 2018-301, establishing a Town Hall meeting for December 20, 2018 at the Riverside Arts Center for a presentation of the Rail Feasibility Study, to immediately after the Presentation of the Rail Feasibility Study.

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

VI. INTRODUCTIONS –

Mayor Bashert introduced the following individuals; City Clerk Frances McMullan, City Attorney John Barr, City Manager Darwin McClary, Economic Development Director Joe Meyers, Community Development Director/DDA Director Christopher Jacobs, and Fire Chief Max Anthouard, Fiscal Services Director/Treasurer Marilou Uy, Rich Hopgood, Rick Chelotti, OHM Engineer Kent Early, Huron River Watershed Director Laura Rubin, County IT Andy Brush, County Commissioner Ricky Jefferson, and OHM Engineer Rachel Jackson.

VII. WARD 2 APPOINTMENT –

- Final deliberation and appointment to the vacant seat in Ward 2. Term to expire in November 2020.

Council Member Symanns stated the city received many great applicants. The three candidates have great qualifications and have provided service to this city in some capacity already. This has been a very difficult decision, and suggested when there is this amount of time left in a term to hold a special election. Council Member Murdock stated that would require a Charter Amendment.

Council Member Morgan stated it was a difficult decision, and it is a different skillset to run a campaign then to be appointed. There has been a great deal of advocacy for each candidate from the public, which he has been conscious of when forming his decision.

- Resolution No. 2018-304A, appointing Council Member to the vacant seat in Ward 2.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT Steve Wilcoxon be appointed to fill the seat vacated by Mayor Bashert upon her election as Mayor, and fulfill the remainder of the term to expire in November of 2020.

OFFERED BY: Mayor Pro-Tem Richardson
SEONDED BY: Council Member Brown

On a roll call, the vote to approve Resolution No. 2018-304A was as follows:

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

VOTE:

YES: 5 NO: 1 (Murdock) ABSENT: 0 VOTE: Carried

Council Member Murdock moved, seconded by Mayor Pro-Tem Richardson to make the vote unanimous.

On a roll call, the vote to approve Resolution No. 2018-304A 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 VOTE: Carried

- Oath of Office

City Clerk McMullan provided Council Member Steve Wilcoxon the Oath of Office.

Mayor Bashert expressed her thanks to the other applicants Anne Stevenson and Benjamin Connor Barrie. This was a very difficult decision, all candidates had a tremendous amount of talent, and that is a testament to this city.

Council Member Brown stated this was a very difficult decision, and her decision was based off of Council Member Wilcoxon's presence in Council meetings and his honesty in answering Council's questions. She has worked with Council Member Wilcoxon through her time on Council, which is what gave him the edge on the other applicants.

Mayor Pro-Tem Richardson thanked Ms. Stevenson and Mr. Barrie for applying and interviewing for the position. She agreed it was a very difficult decision, and asked that they stay active in the community.

Council Member Symanns expressed her thanks. She stated she does hiring for a living and this was the most challenging selections. She is thankful to have Ms. Stevenson and Mr. Barrie in the community, as well as the others that applied. Those that applied add value to this community and will continue to do so and is looking forward to working with them in the future.

VIII. PRESENTATIONS –

- Amtrak Train Rail Platform Feasibility Study Final Report

OHM Engineers Kent Early, Rachel Jackson, Rich Hopgood, and from Bergmann and Associates Rick Chelotti provided a presentation regarding the Amtrak Train Rail Platform Feasibility Study.

Council Member Brown asked if MDOT is onboard with the project. Mr. Early responded in the affirmative.

Council Member Wilcoxon asked how long the rail is out toward Michigan Ave. Mr. Early responded there is a tangent section that is long enough, but the issue with that location are the bridges and lack of space for parking. Also, it is on the border of City and Township. It is not unfeasible to have a multijurisdictional facility, but it is preferred to be a single jurisdictional project because of the permitting process.

Council Member Morgan stated the train ceased stopping in Depot Town in 1982, and asked how long it ran prior to that. Mr. Early responded he is not certain. Mr. Morgan stated the categorical exclusion is a seven to ten month study, followed by an environmental assessment. Mr. Early clarified the environmental process is one of three things; the categorical exclusion, you have to go through an environmental assessment, or an environmental impact statement. Mr. Morgan asked if either of these three studies can occur without a project in place. Mr. Chelotti responded the city would only want to complete an environmental study if there were a project in the works because of the cost of the study.

Council Member Murdock asked if the platform in the second alternative can accommodate the commuter rail. Mr. Early responded no, it would only accommodate the Wolverine Line. The commuter rail would require a secondary stop on the

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west side of the tracks. Mr. Murdock stated the tangent track will begin at 500 feet, but at some point will need to be extended to 700 feet. Mr. Chelotti responded it is possible 700 feet will be required in the future, but not at this time. Mr. Murdock asked if it is possible to extend the track by 200 feet. Mr. Chelotti responded in the affirmative. Mr. Murdock asked if those cost are included in this report. Mr. Chelotti responded no. Mr. Murdock stated the cost of the platform is not included because the Regional Transit Authority (RTA) would fund it. He does not recall the RTA claiming it would pay for the platform in its proposal. Mr. Chelotti responded he would follow up on what they would plan on funding. Mr. Murdock stated the commuter rail is the most important aspect of the train stop, which seems to be totally up in the air. Parking is already a concern in Depot Town and the train stop would add to that problem. He asked what would happen if the site does not meet the passenger threshold that is being estimated. Mr. Early responded that would be a question for MDOT. Mr. Murdock asked if Council approval is required to continue with the environmental study of the site. Mr. Early responded the city would need to accept the feasibility study prior to beginning the environmental process.

Mayor Bashert stated in what she read Amtrak completed two studies that showed a marketable reason to have a train stop in Ypsilanti. Mr. Early responded in the affirmative. She asked Council's job is to accept this report, and then make a decision on the design through public engagement. City Manager McClary responded Council might want to accept this report during this meeting or the next. The Council might also want to accept the report until after allowing for public input. However, as the engineers have indicated time is becoming a factor in starting the environmental aspect of the process.

Council Member Wilcoxon stated it seems an important aspect of this is the commuter line, and would like more information.

Mayor Bashert asked Council if there was a motion to accept the report.

Mayor Pro-Tem Richardson moved, seconded by Council Member Brown to accept the Amtrak Rail Platform Feasibility Study Final Report.

Council Member Brown asked if accepting the report does anything to enact a change.

Council Member Murdock stated he has no issue with accepting the report as long as it is clear no decision has been made.

On a roll call, the vote to accept the Amtrak Rail Platform Feasibility Study Final Report was as follows:

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

VOTE:

YES: 6 NO: 0 ABSENT: 0 VOTE: Carried

1. Resolution No. 2018-301, establishing a Town Hall meeting for December 20, 2018 at the Riverside Arts Center for a presentation of the Rail Feasibility Study. ***(Motion to Reconsider)***

Council Member Murdock moved, seconded by Council Member Symanns to reconsider Resolution No. 2018-301.

On a roll call, the vote to reconsider Resolution No. 2018-301 was as follows:

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

VOTE:

YES: 6 NO: 0 ABSENT: 0 VOTE: Carried

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS there is great interest in a train stop in Ypsilanti; and

WHEREAS the City has received the train stop feasibility study; and

WHEREAS the City is at a decision point; and

WHEREAS our decision based on certain assumptions will impact our City development, neighborhoods and budget; and

WHEREAS there is need for transparency and community input.

NOW THEREFORE BE IT RESOLVED that the City Council establish a Town Hall meeting for Tuesday, January 15, 2019; and

FURTHER RESOLVED that staff arrange for the consultants and other relevant persons to give a presentation of the feasibility study and answer questions from Town Hall participants.

OFFERED BY: Council Member Murdock

SEONDED BY: Council Member Symanns

Mayor Bashert stated SEMCOG is going to facilitate a public information meeting on January 15th. OHM and Bergmann and Associates will be present for questions and provide the presentation just received by Council. Following the study a portal will be created in order for the public to submit feedback regarding this issue. This information will be helpful in guiding Council on its decision for design. On Tuesday, February 19th Council will decide on the design of the platform. Following that there will be a second public engagement process after the environmental study has been completed, also to be facilitated by SEMCOG. A similar two week portal will be created for public input and following that City Council will decide on next steps. This public engagement process is a trail in order to ensure for more robust involvement from the community.

Mayor Pro-Tem Richardson asked if Council had received a list of meeting dates and information on the portal. Mayor Bashert responded no, and explained this all springs from the town hall Council is now considering.

Council Member Murdock asked when Council will approve of location. Mayor Bashert responded the first part of the process is to select the design. Mr. Murdock asked how a design can be decided without first knowing the location. Mr. Early responded with the acceptance of the study input will be incorporated. The environmental analysis will commence relative to a specific location. Once Council selects a location further discussion can occur regarding the design. OHM will need a determination on location, and then on the design. Mr. Early further explained designs are made to be generic and able to fit any location. Mr. McClary recommended following Council Member Murdock's resolution and hold the Town

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Hall on January 15th. Council should then be ready, after receiving public comment, to make a determination on preferred location and concurrently decide on the preferred design.

Council Member Murdock stated he was under the impression a site was not to be decided until after the environmental assessment.

Council Member Murdock stated the town hall is scheduled for the earliest date possible, with the holiday break. He appreciates the Mayor for doing this and her ideas for engaging the public.

On a roll call, the vote to approve Resolution No. 2018-301 was as follows:

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

VOTE:

YES: 6 NO: 0 ABSENT: 0 VOTE: Carried

- Peninsular Dam Removal Study Report

Director of the Huron River Watershed Council Laura Rubin and Princeton Hydro Engineer Laura Wildman provided a presentation regarding the dam removal study.

Council Member Wilcoxen asked if the engineering survey included input from biologists. Ms. Wildman responded all reports included scientists and engineers, but this particular assessment only examined three critical issues. The study did not see anything critical ecologically. There would need to be further study if the dam was to be removed as a part of permitting for these type of projects.

Council Member Symanns asked what the next steps are for this process. Mr. McClary responded to hold a public informational meeting to present this information, and to hear what the public feels about either restoring or removing the dam. Council needs to examine the opportunities and deterrents of both possibilities. Ms. Symanns agreed public input is crucial to this process. She asked what the timeframe is for this process. Mr. McClary recommended the goal should be to have a preferred option by spring of 2019 in order to report to the Department of Environmental Quality (DEQ). Council Member Wilcoxen asked for a date the DEQ is expecting for a response. Mr. McClary responded DEQ is stated they would like repairs completed within a ten year period starting when the city was issued letters. There is still time, but the DEQ does want to know the plan.

Mayor Pro-Tem Richardson stated more than once Council was told further study was needed to make a determination. She asked if a decision should wait upon the completion of those studies. Ms. Wildman responded it will be important to have the results of those studies for the engineering phase. She does not believe the studies need to be completed to make this decision, what is more important is the community input. She suggested potentially examining funding possibilities for both removal and repair prior to making a decision. Ms. Symanns asked for when the DEQ issued its letters to understand when the ten years expires.

Mayor Bashert suggested February 13th as a potential date for a public engagement process similar to that described for the train.

Council Member Wilcoxen stated he understands this is an initial study, and asked what the potential cost would be for additional study and what information would be gathered. Ms. Wildman responded this report handles the majority of the feasibility for dam removal. There are additional studies that need to be completed to get to final design. She believes the study needed in terms of sediment has been collected, but what is needed is additional survey of the river. Mayor

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Bashert asked if there is an emergency action plan for Penn Dam. Mr. Early responded in the affirmative. Mr. Wilcoxon explained his concern is the limited core samples included in the survey regarding the toxicity of the sediment. He asked if there is a more detailed survey that better defines what those are. Ms. Wildman responded if there were real hotspots greater analysis would be needed, however, there were very minor accidents. Mr. Wilcoxon asked if those were for class of compounds or individual compounds. Ms. Wildman responded there is a full breakdown of each sample, which showed no red flags.

IX. AUDIENCE PARTICIPATION –

1. Rev. Robert Bull, 5229 W. Michigan Ave., stated he is working with the Ypsilanti Community Schools to use two of their facilities to provide permit housing for homeless veterans. A fundraising program will begin in June at the EMU Convocation Center.
2. Beth Gibbons, 110 N Hamilton, thanked Council and the people in the community that made it possible to have a playground in Riverside Park. She encouraged Council to think about what is happening in Riverside Park when thinking about Peninsular Park. The public engagement process is critical to all projects. There are many feasibility question that need to be answered prior to removing the dam. She claimed removing the dam will improve recreation along the river as well as habitat. It will take steps to address failing infrastructure that could provide a health hazard.
3. Laura Lein, 1366 N. Huron River Dr., stated the decision of what to do with Penn Dam is one with options. She sees three options; remove, repair, and restructure. Improvements to the Peninsular Park can be done through any one of the scenarios.
4. Brian Athey, 6166 1st St. Superior Township, stated has reviewed the sediment analysis and there are hotspots near the dam. It would be worthwhile to perform greater analysis regarding the sediment. This needs to be addressed more globally, ecologically, and biologically.
5. Jon Lusk, 1111 W. Clark Rd., stated he is disappointed about the Princeton Hydro report. It concentrates on dam removal in a very biased manner, and tried to make the decision for Council. The Huron River Watershed Council should be concentrating on the River and what is happening with the contaminants. There are so many costly unknowns in this report, and the City cannot not afford another Water Street.
6. Sally Lusk, 1111 W. Clark Rd., emphasized the \$800,000 needed for repairs would be spread over ten years. Removal of the dam would greatly reduce property values and expects the city would be responsible for building retaining walls to protect from the increase flown of the river. There is very little benefit to removing the dam.
7. Ben Kuipers, 1366 N. Huron River Drive, stated he is wondering the approximate cost of maintenance under the repair scenario and where the report would be available.
8. Deborah Walker, 6166 1st Rd., Superior Township, stated she is a member of Friends of Penn Park and thanked Council for the continued desire and support. She is concerned about the trash and other hazards if the dam is removed, and exposing what is currently beneath the river.

Council Member Brown moved, seconded by Council Member Morgan to extend the meeting until 12:00 p.m.

On a voice vote, the motion carried, and the meeting was extended until 12:00 p.m. Mayor Pro-Tem Richardson opposed.

9. Marjorie Brown Dozie, 1620 Superior Road, stated years ago she and her husband purchased the property along the river and built their home. One thing that has not been mentioned is the beautiful aesthetics of a river if it is kept the way it is. Yes there are issues and it might be bigger than dam removal or dam repair, and that is the health of the river. She would like to see the dam repaired. The cost of the dam is spread out through ten years not a onetime payment.
10. Sue Melke, 330 Chidester, asked what would happen to the toxins at the Ford plant if the river flow changes.

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X. REMARKS BY THE MAYOR –

None

XI. CONSENT AGENDA –

Resolution No. 2018-304

1. Resolution No. 2018-305, approving minutes of November 13, and November 27, 2018.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of November 13 and November 27, 2018 be approved.

2. Resolution No. 2018-306, 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>
Evan Sweet (reappointment) 731 Charles St. Ypsilanti, MI 48198	Parks and Recreation	7/1/2022

- ~~3. Resolution No. 2018-307, approving Ordinance No. 1330, to Amend Section 7-4 of the Ypsilanti City Code to require state pre-qualification of any application for a city marijuana permit". **(Second Reading) (Moved)**~~

OFFERED BY: Council Member Brown
SEONDED BY: Council Member Symanns

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

XII. RESOLUTIONS/MOTIONS/DISCUSSIONS –

- ~~1. Resolution No. 2018-301, establishing a Town Hall meeting for December 20, 2018 at the Riverside Arts Center for a presentation of the Rail Feasibility Study. **(Motion to Reconsider) (Moved)**~~

1. Resolution No. 2018-307, approving Ordinance No. 1330, to Amend Section 7-4 of the Ypsilanti City Code to require state pre-qualification of any application for a city marijuana permit". **(Second Reading)**

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT an ordinance entitled "An ordinance to Amend Section 7-4 of the Ypsilanti City Code to require state pre-qualification of any application for a city marijuana permit." be adopted on Second and Final Reading.

OFFERED BY: Council Member Brown

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SEONDED BY: Council Member Symanns

Council Member Murdock stated there were questions during last meeting regarding the waiting list for 2018. City Attorney John Barr responded he does not have a definite answer yet, but does recommend Council pass this resolution.

Mayor Bashert asked if the approval of this ordinance amendment is time sensitive. Economic Development Director Joe Meyers responded this would allow the city to process the 2019 permits without requiring the submission of the state license application which includes a great deal of paperwork.

Council Member Symanns stated she feels comfortable supporting this document.

Council Member Murdock stated he is comfortable supporting this ordinance amendment, but is concerned the permitting process after this. He is concerned this would squeeze out currently operating businesses in the city. Mr. Meyers responded this would apply to new applications not existing. Staff believes there could be one or more existing businesses that will not be granted a state license.

Council Member Morgan asked if this amendment is looking to protect current facilities operating in the city. Mr. Meyers responded this ordinance is geared toward new applicants.

Council Member Wilcoxon asked for expiration dates of permits. Mr. Meyers responded permits expire December 31, 2018. Mr. Wilcoxon asked how long have applications been on the waitlist. Mr. Meyers responded roughly March of 2018, all those that waiting to get on that list were aware there were no open permits. The notice released stated if a 2018 permit became available staff would review the first application on the waitlist. Mr. Wilcoxon asked the length of the state’s prequalification process. Mr. Meyers responded that date keeps moving, and if a facility is legally able to operate by the state they can in the city.

Council Member Symanns called the question.

On a roll call, the vote to approve Resolution No. 2018-307 was as follows:

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

VOTE:

YES: 7 NO: 0 ABSENT: 0 VOTE: Carried

- Resolution No. 2018-308, approving Washtenaw County IT Services Contract for 2018-2019.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti relies on Washtenaw county to provide information technology services to the city, including computer hardware, software, network systems and security, E-mail, telephony, and other services; and

WHEREAS, it is necessary for the city to execute a contract with the county to continue to provide IT services to the city for FY 2018-19 while the city completes its IT services migration plan and implementation;

NOW THEREFORE BE IT RESOLVED BY THE CITY OF YPSILANTI that the city council does

hereby approve a supplemental appropriation to the appropriate accounts of the FY 2018-19 Budget as determined by the Finance Director in the total amount of \$18,000 utilizing General Fund reserves for the 2018-19 IT services contract with Washtenaw county; and

BE IT FURTHER RESOLVED that the city council does hereby approve the 2018-19 IT technical support, consulting, and networking services contract with Washtenaw County at a base cost of \$153,260.35 and authorize the City Manager to execute the contract after approval by the City Attorney as to form.

OFFERED BY: Council Member Richardson
SEONDED BY: Council Member Morgan

Council Member Murdock asked if the \$153,260.35 has been budgeted. Mr. McClary responded the city budgeted approximately \$136,000, and would need a supplemental amount of \$18,000.

On a roll call, the vote to approve Resolution No. 2018-308 was as follows:

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

VOTE:

YES: 7 NO: 0 ABSENT: 0 VOTE: Carried

3. Resolution No. 2018-309, approving Budget Amendment – Fire Department SAFER Grant Revenue and Expenditures.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The City of Ypsilanti Fire Department received the FEMA grant under the 2017 Staffing for Adequate Fire & Emergency Response (SAFER) Grants; And,

WHEREAS, the total amount awarded to the City of Ypsilanti Fire Department for 4 firefighters is \$1,082,314. This calculation is based on an anticipated Period Of Performance starting January 1st, 2019 and ending Dec 31, 2021; And,

WHEREAS, there is a 25% or \$92,610 match for the first and second years and a 65% or \$240,786 match for the third year; And,

WHEREAS, the grant Period Of Performance covers the last six months of the 2018-2019 FY and the difference between the six month match and savings realized result in a \$12,751 surplus; And,

WHEREAS, the difference between the yearly match and savings realized for fiscal year 2019-2020 results in a \$43,173 shortfall; And,

WHEREAS, the grant yearly matches are not included in the Fire Department current and next fiscal year. The Fire Department is requesting authorization to adjust its 2018-2019 and 2019-2020 budgets to fund the 2017 SAFER match.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council authorizes the City Manager to adjust the Fire Department budget to fund the 2017 SAFER match.

OFFERED BY: Council Member Morgan
SEONDED BY: Council Member Symanns

On a roll call, the vote to approve Resolution No. 2018-309 was as follows:

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

VOTE:

YES: 7 NO: 0 ABSENT: 0 VOTE: Carried

4. Resolution No. 2018-310, approving 314 Parsons Street property disposition request.

WHEREAS, The City of Ypsilanti is interested in conveying its excess City-owned property to private owners; and

WHEREAS, to further this interest, the City Council for the City of Ypsilanti has approved the City Property Disposition Policy by adopting Resolution No. 2015-273; and

WHEREAS, this Policy provides that City Council will annually consider a resolution, after a public hearing, to approve the sale of residential land and authorize the City Manager to enter into purchase agreements, quit claim deeds, leases, or other contracts and documents to effectuate their conveyance.

NOW THEREFOR BE IT RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that: The following City-owned properties are removed from the City Property Disposition Policy and allowed to be sold for non-homestead use:

11-11-09-191-008– 314 Parsons St

BE IT FURTHER RESOLVED, that the City Manager is authorized to enter into purchase agreements, quit claim deeds, leases, or other contracts and documents to effectuate the conveyance of these properties according to the City Property Disposition Policy, and that the City Manager may sign such documents on behalf of the City of Ypsilanti, subject to the review and approval of the City Attorney.

OFFERED BY: Council Member Symanns
SEONDED BY: Council Member Brown

Mr. Meyers provided an overview to why this has been submitted for approval.

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Mayor Bashert stated she is not in support in allowing non-homestead properties in this program. Mayor Pro-Tem Richardson agreed, and would vote no on this resolution.

Council Member Murdock stated the site is extremely small, and asked if a three unit structure would meet the zoning requirements. Mr. Meyers replied the applicant is in attendance if Council would like to address them. Cornerstone Construction Representative Robert Squires stated from his understanding this is the only parcel that can be used for multifamily in that area. His goal is to use the lots sold under this program for new construction, new construction will create additional revenue. He encouraged Council to not hold a deed restriction on the property. Mr. Murdock asked if there is a time restriction for when the project must be complete. Mr. Meyers replied Council could place a time limit on the project if it decides to remove it from the program.

Council Member Morgan asked how many of the twenty lots had deed restrictions. Mr. Meyers responded all of them. Mr. Squires stated he attempted to purchase one of the parcels under this program from an individual selling the lot to make a profit. Mayor Pro-Tem Richardson asked for a report of what properties are under this program. Mr. Meyers replied this program does not say a purchaser must build a house, it only states if a home is built it must be a principle residence.

Council Member Murdock stated if this is past he would like to include a completion date for the project. Mr. Meyer added the other parcels allowed to be removed from the program the purchase price was increased. Mr. Murdock stated he would also like added if the property is not developed it cannot be sold and would divert back to the city.

Council Member Murdock moved, seconded by Council Member Morgan that the agreement include a definite development schedule.

Council Member Brown asked if Council Member Murdock would like the development schedule brought back to Council. Council Member Murdock recommended staff work that out with the developer.

Council Member Symanns asked if there has been an issue with these properties, or if approval is contingent on this being provided a schedule.

Mayor Bashert stated she does not like the idea of an absentee landlord, not just that it's not homesteaded.

Council Member Wilcoxon asking why is the owner building a home if their job is fluid.

Council Member Morgan explained he seconded the motion because he believes most projects need a definite schedule.

On a roll call, the vote to amend Resolution No. 2018-310 was as follows:

Council Member Brown	Yes	Council Member Symanns	Yes
Council Member Morgan	Yes	Mayor Bashert	No
Council Member Murdock	Yes	Council Member Wilcoxon	Abstain
Mayor Pro-Tem Richardson	No		

VOTE:

YES: 4 NO: 2 (Richardson, Wilcoxon) ABSTAIN: 1 (Wilcoxon) ABSENT: 0 VOTE: Carried

Council Member Murdock stated after this property is sold there is potential the purchaser might not build. If this happen the parcel should revert back to the city.

Council Member Murdock moved, seconded by Council Member Symanns to include in the agreement that if the purchaser does not build on the parcel they could not sell it the parcel would revert back to the city.

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On a roll call, the vote to amend Resolution No. 2018-310 was as follows:

Council Member Brown	Yes	Council Member Symanns	Yes
Council Member Morgan	Abstain	Mayor Bashert	No
Council Member Murdock	Yes	Council Member Wilcoxon	Abstain
Mayor Pro-Tem Richardson	No		

VOTE:

YES: 3 NO: 2 (Richardson, Wilcoxon) ABSTAIN: 2 (Morgan, Wilcoxon) ABSENT: 0 VOTE: Failed

Mayor Pro-Tem Richardson stated her concern that removing the homestead requirement adds to the potential these parcels will end up being rentals.

On a roll call, the vote to approve Resolution No. 2018-310 as amended was as follows:

Council Member Brown	No	Council Member Symanns	Yes
Council Member Morgan	Abstain	Mayor Bashert	No
Council Member Murdock	Yes	Council Member Wilcoxon	No
Mayor Pro-Tem Richardson	No		

VOTE:

YES: 2 NO: 4 (Brown, Richardson, Bashert, Wilcoxon) ABSTAIN: 1 (Morgan) ABSENT: 0 VOTE: Failed

- 5. Resolution No. 2018-312, opposing Senate Bills 795 and 796, and urging the Michigan Legislature to oppose such legislation.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, during the lame duck session of the Michigan legislature, the Michigan Senate introduced, and has passed, two bills to amend the Public School Employees Retirement Act of 1979 and the Public Employment Relations Act of 1947; and

WHEREAS, Senate Bill 795 amends the Public School Employees Retirement Act to prohibit the granting of service credit for time that a public employee that is a member of a pension system is either on an employee organization professional services leave, professional services leave, employee organization professional services released time, or professional services released time; and

WHEREAS, Senate Bill 796 amends the Public Employment Relations Act prohibits public employers from entering into new collective bargaining agreements that allow any paid release time for a union officer or bargaining representative to conduct union business if the release time is paid by the public employer, except for certain employees including Act 312 employees (police and fire); and

WHEREAS, the Ypsilanti city council vehemently opposes this attempt by the state legislature to strip away the rights of public employers and its affiliated employees to handle management-labor relations during normal business hours;

NOW THEREFORE BE IT RESOLVED BY THE CITY OF YPSILANTI that the Ypsilanti city

council does hereby express its strong opposition to Senate Bills 795 and 796 and strongly urge the Michigan legislature to oppose such legislation or, in the alternative, strongly urge Michigan Governor Rick Snyder to veto such legislation if these bills should reach his desk; and

BE IT FURTHER RESOLVED that the Ypsilanti city council does hereby direct the City Clerk to forward copies of this resolution to State Representative Ronnie Peterson and Michigan Governor Rick Snyder, together with a letter from the Mayor expressing the city's opposition to these bills and the reasons therefore.

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

Council Member Murdock stated he will be supporting this, but it could have been an omnibus resolution to oppose the entire lame duck session.

On a roll call, the vote to approve Resolution No. 2018-312 was as follows:

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

VOTE:

YES: 7 NO: 0 ABSENT: 0 VOTE: Carried

XIII. LIAISON REPORTS –

- A. SEMCOG Update – None
- B. Washtenaw Area Transportation Study - None
- C. Urban County - None
- D. Ypsilanti Downtown Development Authority – None
- E. Ypsilanti Youth Safety Collaboration – Council Member Morgan stated he has received information from staff and is establishing contact.
- F. Friends of Rutherford Pool - None
- G. Housing Equity Leadership Team – Mayor Bashert stated during the last meeting an interesting idea was proposed related to increasing the incentive for developers to include affordable housing units. Cities are waving fees in order to incentives the inclusion of affordable housing.

XIV. COUNCIL PROPOSED BUSINESS –

Brown

- She is not available on December 15th for the Council/Staff retreat and asked if it was going to be rescheduled. She hopes it could be scheduled for a time in the New Year.
- She would like hand sanitizer to be available at the dais for Council.

Mayor Bashert stated many dates have been suggested regarding the Council/Staff retreat. She understands Council Member Brown is unable to make it that date but every other Council Member was. There are many new members on Council that need this training and she does not want to wait deep into the year. Council will begin its Goal Setting Session in January and prioritizing for the budget. Council Member Brown respectfully disagreed that it would be difficult

to move the retreat to January, and it could be a part of Goal Setting. She would like to be present for this retreat because there are new Council Members and staff members. Council Member Murdock stated all Council Members should be present for this retreat. He realizes the difficulty to pick a date that works with everyone's schedule, but supports rescheduling. Mayor Pro-Tem Richardson agreed. Mayor Bashert stated frustration that she has taken off the busiest day of the year in order to attend this retreat. The same two Council Members have canceled the two past scheduled retreats. Rather than take up more of this meeting she will send five dates for Council and staff to select. Council Member Brown interjected she does not recall any other retreat dates that were canceled because of her.

Richardson

- Asked why the speed bumps have been removed from Ferris.

Council Member Murdock responded they were removed throughout the city for the purpose of plowing the snow.

- There are some bad potholes that need to be addressed on First.
- Encouraged the new Council Members to attend the Michigan Municipal League's training for newly elected officials. The training is held in January and will forward the information to Council.

Murdock

- Asked the status of the State Police investigation for China Trip.

Mr. McClary responded no. Council Member Murdock asked if Council could be provided a report. Mr. McClary replied he is not certain the State Police will share their report, but he will request it.

- Asked if the city is still sweeping the streets.

Mr. McClary responded he will follow up with the Interim Director of the DPS.

XV. COMMUNICATIONS FROM THE MAYOR –

- Nomination:

Zoning Board of Appeals

Jason Ringholz
1219 Westmoorland
Ypsilanti, MI 48197

- Congratulated City Clerk Frances McMullan for being featured by the Michigan Municipal League.
- Stated Council is elected to make hard decisions and required to take a stand in this community about everything. She does not believe it is ethical to abstain as a Council Member.

Council Member Murdock agreed.

XVI. COMMUNICATIONS FROM THE CITY MANAGER –

- The North Washington Lot purchase agreement was approved by EMU.
- The city has issued over 240 passes for the recycling drop-off in Ann Arbor.

Council Member Murdock asked if the permits are for individuals or homes. Mr. Meyers responded they can be for either because of multifamily structures. Mr. Murdock asked where

people would go to apply. Mr. Meyer responded applications are at the Clerk's Office. Mr. McClary added the application can also be filled out online.

- The demolition has begun at the former recycling center.
- Provided an update on the collective bargaining.
- Continuing discussion with the Fire Fighter Union.
- Asked Council to reach out to him if they are having issues with their email.

XVII. COMMUNICATIONS –

XIX. AUDIENCE PARTICIPATION –

1. Sue Melke, 330 Chidester, understands tracking the recycling drop-off by cars, but staff needs to consider not everyone has access to cars. Something needs to be about the leaves in the street. Asked for the emails to be fixed for Council.
2. Sam Squires, 1895 Emerson Ave., stated he holds the license for Cornerstone Construction, the company working with the owners on Parsons. The parcel is zoned multifamily, meaning the parcel would need to be purchased by someone willing to rent it. The owner's daughter is willing to live in one of the units, however, she does not want to be told she needs to live there forever. He suggests a resolution that would satisfy the concerns brought up by Council.

XX. REMARKS FROM THE MAYOR –

XXI. ADJOURNMENT –

Resolution No. 2018-311, 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
SEONDED BY: Council Member Morgan

On a voice vote, the motion carried, and the meeting adjourned at 11:09 p.m.