

CITY OF YPSILANTI  
COUNCIL MEETING MINUTES  
CITY COUNCIL CHAMBERS - ONE SOUTH HURON ST.  
YPSILANTI, MI 48197  
TUESDAY, AUGUST 21, 2012  
7:00 P.M.

**I. CALL TO ORDER**

The meeting was called to order at 7:12 p.m.

**II. ROLL CALL**

Council Member Bodary	Present	Council Member Robb	Present
Council Member Jefferson	Present (7:15)	Council Member Vogt	Present
Council Member Murdock	Absent	Mayor Schreiber	Present
Mayor Pro-Tem Richardson	Present		

Council Member Bodary moved, supported by Council Member Vogt to excuse the absences. On a voice vote the absences were excused.

**III. INVOCATION**

The Mayor asked all to stand for a moment of silence.

**IV. PLEDGE OF ALLEGIANCE**

"I pledge allegiance to the flag, of the United States of America, and to the Republic for which it stands, one nation, under God, indivisible, with liberty and justice for all."

**V. INTRODUCTIONS**

Mayor Schreiber introduced the following persons:

Arthur Itkis, CBRE, Public Services Director Stan Kirton, Planner II Teresa Gillotti, Human Resources Manager Judi Smith, Lieutenant Craig Annas, Former Ypsilanti Township Supervisor Ruth Jamnick and NAACP President Shoshanna DeMaria.

**VI. AGENDA APPROVAL**

Mayor Pro-Tem Richardson requested the Mayor add a resolution to support the rescission of YHC members.

Mayor Schreiber indicated he is not prepared to do that tonight.

Mayor Pro-Tem Richardson moved to adjourn to closed session. Council Member Robb supported.

Mayor Pro-Tem Richardson said she would like to sit down with the Mayor to discuss her issue with the YHC.

Council Member Bodary said he understands the frustration and said there needs to be a revamping of the Commission. He said he is hesitant to dismiss the meeting to accomplish that; however he would like the Mayor to work on getting members to fill the vacant spots on the YHC Board. He said he would give the Mayor until the next meeting to work on it.

Council Member Vogt concurred with Council Member Bodary and said he is not in favor of stopping tonight's meeting. He said Mayor Schreiber should consider making changes and have an opportunity for discussion.

Council Member Jefferson echoed the comments made.

Mayor Pro-Tem Richardson said the city has been dealing with this for years and things have boiled over. She said the Mayor has had plenty of time to straighten things out and deal with this.

Mayor Schreiber commented that Council is trying to protect affordable housing in Ypsilanti and last week's action will jeopardize that. He explained why he feels Section 8 is being transferred and said residents are first priority and the program was transferred to protect them. He said Ypsilanti needs a working Housing Commission and dismissing all of the members will jeopardize affordable housing in Ypsilanti,

Mayor Pro- Richardson stated that Mr. Temple said the funds for Section 8 were separate from public housing funds but Section 8 funds paid for administrative costs for the program. She recalled that Mr. Temple said the YHC had the money and questioned where did the money go? She expressed frustration on how Council could just move on.

Mayor Schreiber commented that Council should not posture publically regarding the YHC issues. He said Council needs to work with the YHC to get through the issues. He said there is more going on at Hamilton Crossing than Water Street. He said the fee accountant didn't follow HUD regulations so it seems YHC was spending more on operations than they were taking in for the Section 8 program. He said there has been a change at the top and Council should let them continue so the City can have a successful program.

Mayor Pro –Tem Richardson said YHC members informed Council that Mr. Temple was in charge of the day to day affairs of the YHC previously so there has been no change at the top only in titles. She said she met with Mr. Garrett in December and he said YHC had been on the trouble list for a long time. She said if the accountant was not competent and not doing right someone should have caught it. She insisted that Mr. Temple was part of the problem and there has been no change.

Mayor Schreiber commented is will be constructive for Council members to meet with Mr. Temple to express their concerns.

Council Member Jefferson commented that since the sustainability plan has been delayed indefinitely, he has had a hard time meeting with the YHC Board members but that he has tried continually. He said he met with two of them who confirmed Mr. Temple was in charge. He said he has called commissioners several times with no avail, emailed, texted etc. and none have showed up to scheduled meetings. He said the Commission is not consistently working with Council and they don't follow regulations. He pointed out that reports are generated by the Director and approved by commissioners; however they are incompetent to know what they are approving. He said new commissioners are needed that have the qualifications and background to understand the reports they get and what is expected of them. He said you will get the same outcome if you keep the same people.

Council Member Bodary said he understands and agrees with Mayor Pro-Tem Richardson that this issue has gone on too long. He said the only cure is replacing those there; however he doesn't want business to stop by firing them without replacements. He said a fast search is needed because the current commission has no skill sets. He said he will be patient but may be voting to cancel the public part of the meeting next month if there is no change. Council Member Robb commented that commissions are liaisons to Council. He said since the YHC won't talk to Council, he is not sure what their function is.

Mayor Schreiber said Council's resolution was to stop YHC cold which would get them into a more troubled status. He pointed out that the resolutions rescinding appoints had other people on them as well and Council cannot undo something that can't be undone. He said Council should talk to staff first and referred to a legal opinion by Mr. Barr which says the Mayor must approve the undoing of the YHC. He said Council can't get around state law.

Council Member Vogt commented he has no support for the YHC and he will support the resolution.

Mayor Pro-Tem Richardson said the resolution was to show that Council was withdrawing their support for the YHC. She said Council fully understands that the Mayor must take the members off, however Council in no way supports the members.

Mayor Schreiber said he has talked with all of the commissioners since the last meeting and they get the message. He said they understand what needs to be done to protect the residents.

On a roll call, the vote to adjourn to closed session was as follows:

Council Member Jefferson	Yes	Council Member Vogt	No
Council Member Murdock	Absent	Mayor Schreiber	No
Mayor Pro-Tem Richardson	Yes	Council Member Bodary	No
Council Member Robb	Yes		

Yes: 3            No: 3            Absent: 1 (Murdock)            Vote: Failed

Mayor Pro-Tem Richardson left the meeting at 7:40 p.m.

Council Member Jefferson left the meeting at 7:42 p.m.

## **VII. APPROVAL OF AGENDA**

On a roll call, the vote to approve the agenda as submitted was as follows:

Council Member Murdock	Absent	Mayor Schreiber	Yes
Mayor Pro-Tem Richardson	Absent	Council Member Bodary	Yes
Council Member Robb	Yes	Council Member Jefferson	Absent
Council Member Vogt	Yes		

VOTE:

Yes: 4            No: 0            Absent: 3 (Murdock, Richardson, Jefferson)            Vote: Carried

## **VII. PRESENTATIONS**

1. National Ovarian Cancer Awareness – Dolores DeTavernier

2. Water Street Update – Planner II Teresa Gillotti and Arthur Itkis, CBRE

**VIII. AUDIENCE PARTICIPATION**

1. Mr. Wolfe spoke regarding being overcharged by Budget Towing in the past and said the issue wasn't small. He said he was charged over \$400 for something small. He explained that his car was in disrepair and his car was towed within 1 ½ hours. He said he left for assistance and when he came back the car was gone. He said the City only made \$80 out of the \$460 and there should be rules in the contract that's up for renewal. He said the towing company is not creating an advocate for the community.

**XI. REMARKS BY THE MAYOR**

Mayor Schreiber appreciated Mr. Wolf's comments.

**X. MINUTES**

Resolution No. 2012-163, approving the minutes of June 29 and July 17, 2012.

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

**That the Minutes of June 29 and July 17, 2012 be approved.**

OFFERED BY: Council Member Bodary  
SUPPORTED BY: Council Member Vogt

On a voice vote, the motion to approve the minutes carried.

**XI. CONSENT AGENDA**

Resolution No. 2012-164

1. Resolution No. 2012-165, recognizing Destiny and Purpose Outreach (DAPCO) as a non-profit organization in the City of Ypsilanti for the purpose of obtaining a charitable gaming license.

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

**WHEREAS, Destiny and Purpose Community Outreach (DAPOCO) intends to apply to the State of Michigan for a Charitable Gaming License; and**

**WHEREAS, this license would permit DAPOCO to hold two fundraising events; one in 2012 and one in 2013 at 127 N. Washington Street in Ypsilanti, MI. 48197; and**

**WHEREAS, the DAPOCO is a 501(c)(3) tax exempt organization.**

**NOW THEREFORE BE IT RESOLVED THAT the City Council recognizes the DAPOCO as a nonprofit organization operating in the City of Ypsilanti for the purpose of obtaining charitable gaming license.**

2. Resolution No. 2012-166, amending the ICMA-RA Administrative Service Agreement.

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

**WHEREAS, City Council of the City of Ypsilanti deems it to be in the best interest of its employees to continue to offer a 457 (b) Deferred Compensation Plan; and**

**WHEREAS, the employer entered the Agreement(s) to engage ICMA-RC to provide administrative services and investments for the plan under the terms specified in the A Agreement(s); and**

**WHEREAS, the parties wish to amend the Agreement(s) to acknowledge that the Employer has appointed Wilmington Trust Retirement and Institutional Services Company (WTRISC) as non-discretionary directed trustee or non-discretionary directed successor trustee, as applicable, under the Plan; and**

**WHEREAS, Section 11(a) of the Agreement provides that the Agreement(s) may be amended pursuant to a written instrument signed by the parties.**

**NOW, THEREFORE BE IT RESOLVED THAT the City of Ypsilanti and ICMA-RC agree to the following terms to be added to the Agreement(s):**

- 1. Employer has appointed WTRISC as non-discretionary directed trustee or non-discretionary directed successor trustee, as applicable, under the Plan, and WTRISC is willing to serve as non-discretionary directed trustee or non-discretionary directed successor trustee, as applicable;**
  - 2. ICMA-RC and Employer acknowledge and agree that ICMA-RC will continue to have the sole responsibility to provide administrative services for the Plan under the terms specified in the Agreement(s), and that WTRISC shall not have any responsibility for the performance of said services; and**
  - 3. WTRISC's fee for providing such trustee services is an annual fee of \$850 per plan. ICMA-RC will invoice the Employer annually, and payment will be due within 30 days of the date of the invoice.**
3. Resolution No. 2012-167, accepting the appointment of Wilmington Trust Retirement and Institutional Services Company (WTRISC) as non-discretionary directed trustee and non-discretionary directed successor trustee, replacing Vantage Trust Company (VTC) who resigned.

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

**WHEREAS, the assets of the City of Ypsilanti's 457(b) Deferred Compensation Plan are held in trust for the exclusive benefit of Plan participants and their beneficiaries, and shall not be diverted to any other purpose prior to the satisfaction of all liabilities of the Plan; and**

**WHEREAS, the City of Ypsilanti has been notified that Vantage Trust Company, LLC ("VTC") will resign as passive-directed trustee of the Plan effective July 31, 2012; and**

**WHEREAS, the City of Ypsilanti desires to appoint Wilmington Trust Retirement and Institutional Services Company ("Wilmington Trust") to serve as successor passive-directed trustee of the Plan, effective as of July 1, 2012.**

**NOW THEREFORE BE IT RESOLVED, that the City of Ypsilanti accepts the resignation of VTC as passive-directed trustee of the Plan and hereby appoints Wilmington Trust to serve as successor passive-directed trustee of the Plan, effective July 1, 2012.**

**BE IT FURTHER RESOLVED that the City Council authorizes the Human Compensation Services to City employees for the calendar year of July 1, 2012 through June 30, 2013, and to coordinate and take any and all actions required to implement the foregoing resolution.**

4. Resolution No. 2012-168, supporting a request to overturn the Supreme Court's Citizen United vs. Federal Elections Commission.

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

**WHEREAS, The First Amendment of the Constitution of the United States prohibits the making of any law abridging the freedom of speech of "We the people"; and**

**WHEREAS, Campaign finance laws, including limits on campaign contributions, are key tools to ensure fair and free elections, which are essential to democracy and political freedom; and**

**WHEREAS, In the Supreme Court's ruling in Citizens United v. Federal Elections Commission, the Court held that the First Amendment prohibited the government from restricting independent political expenditures by corporations; and**

**WHEREAS, Corporations have special privileges, distinct from those of its members, not afforded to natural persons, that allow them to contribute exceptional amounts of money to political campaigns that often do not reflect the public interest; and**

**WHEREAS, This undue influence on elections leads to the conviction that the political influence of corporations should be limited.**

**NOW, THEREFORE, BE IT RESOLVED THAT the Ypsilanti City Council, with the utmost respect, calls upon the United States Congress to propose a Constitutional amendment to overturn Citizens United v. Federal Elections Commission and clarify that the rights offered in the Constitution are the rights of natural persons and are not extended to corporations.**

5. Resolution No. 2012-169, supporting *“Turn the Towns Teal”* in support of National Ovarian Cancer Awareness Month.

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

**WHEREAS, ovarian cancer is the deadliest of gynecologic cancers and a leading cause of cancer-related death in women. The survival rate has barely improved over the past 40 years, when “War on Cancer” was declared.**

**WHEREAS, due to lack of early detection, less than 20 percent of ovarian cancer is diagnosed early, when it is most treatable; and**

**WHEREAS, the Michigan Ovarian Cancer Alliance (MIOCA), a nonprofit and partner member of the Ovarian Cancer National Alliance, promotes saving lives through early detection, improved treatment outcomes, community outreach and education; and**

**WHEREAS, *“Turn the Towns Teal”* is a campaign promoting awareness of ovarian cancer and its symptoms, and is held in conjunction with National Ovarian Cancer Awareness Month, from September 1 to September 30; and**

**WHEREAS, *“Turn the Towns Teal”* features teal ribbons tied throughout establishments that are interested; and**

**WHEREAS, the Michigan Ovarian Cancer Alliance (MIOCA), will cover all expenses incurred by this campaign and there will be no cost to the city.**

**THEREFORE BE IT RESOLVED THAT the Mayor and City Council supports this national campaign and approves of teal ribbons being tied throughout the city, along with awareness posters and information cards being provided for those establishments that are interested.**

6. Resolution No. 2012-170, approving proposal from Oscar W. Larson Company for fuel tank repairs at the Police and Fire departments.

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

**WHEREAS, the 2012–2013 fiscal year budget includes funds to make repairs to the underground storage tanks (UST) located in the Fire/Police parking lot; and**

**WHEREAS, a proposal to make the necessary repairs was submitted by The Oscar W. Larson Company, Clarkston MI, 48348, for the amount of \$46,480 and;**

**WHEREAS, the Oscar W. Larson Company is in only vendor in this area that is certified to do this work; and**

**NOW, THEREFORE, BE IT RESOLVED THAT the City Council approves the proposal submitted by The Oscar W. Larson Company; and**

**FURTHER, that \$46,480 to make the repairs to the USTs be expended from the \$48,000 budgeted in account 101-2650-818-00; and**

**THAT the City Manager is authorized to sign this purchase proposal and any change orders, subject to approval by the City Attorney, to facilitate this work.**

7. Resolution No. 2012-172, authorizing YCUA to use YCUA City Division Reserve for the Construction Fund for the West Cross Street Water Improvements Project.

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

**Whereas, at its July 24, 2012 regular Board Meeting, the YCUA Board of Commissioners recommended to City Council that the YCUA City Division Reserve for Construction Fund be used to finance the West Cross Street Water System Improvements Project; and**

**Whereas, the use of these funds requires City Council's approval; and**

**Whereas, the City of Ypsilanti along with MDOT is reconstructing West Cross Street from Washtenaw to Wallace Boulevard; and**

**Whereas, MDOT has agreed to include in their contract the water main replacement work which YCUA will finance; and**

**Whereas, the cost of construction and engineering for the project is estimated to be \$504,500;**

**Now therefore be it resolved, that the Ypsilanti City Council authorizes YCUA to use the YCUA City Division Reserve for Construction Fund for the West Cross Street Water Improvements Project up to the amount of \$504,500, pursuant to Sec. 106-497 of the Ypsilanti Code of Ordinances.**

8. Resolution No. 2012-173, approving the construction engineering and geotechnical testing services contract with Orchard, Hiltz & McCliment (OHM) for the reconstruction, curb/gutter replacement, drainage improvements and water main replacement for the West Cross Street between Wallace Blvd. and Washtenaw Ave. project.

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

**WHEREAS, Federal Surface Transportation Program - Urban funding has been programmed for full depth reconstruction, curb/gutter replacement, drainage improvements and water main replacement for West Cross Street between Wallace Blvd. and Washtenaw Avenue in the 2012 construction season; and**

**WHEREAS, Orchard, Hiltz and McCliment has provided an exemplary level of service to the City of Ypsilanti on similar street improvement projects, and posses a depth of experience with the infrastructure in the project area; and**

**WHEREAS, it is necessary to secure construction engineering services to keep this project on schedule;**

**NOW, THEREFORE, BE IT RESOLVED THAT the City Council approves the construction engineering and geotechnical testing services contract with Orchard, Hiltz & McCliment, Inc., 34000 Plymouth Road, Livonia, MI at a not to exceed cost of \$89,400.00; and**

**THAT the Mayor and City Clerk are authorized to sign this contract, subject to review and approval by the City Attorney; and**

**THAT the City Manager is authorized to sign any change orders that may be needed to maintain the project's schedule, subject to review and approval by the City Attorney.**

9. Resolution No. 2012-174, approving the engagement letter from Rehmann Robson for the City of Ypsilanti for the year ended June 30, 2012.

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

**That the engagement letter between the City of Ypsilanti and Rehmann Robson, Certified Public Accountants, dated August 3, 2012, for the annual audit for the fiscal year ended June 30, 2012, be approved. The City Manager is authorized to sign for and on behalf of the City of Ypsilanti.**

OFFERED BY: Council Member Robb  
SUPPORTED BY: Council Member Bodary

On a voice vote, the motion to approve the Consent Agenda carried.

**XII. RESOLUTIONS/MOTIONS/DISCUSSIONS**

1. Resolution No. 2012-171, setting a Dangerous Building Show-Cause hearing for 25 Bell Street.

**Regarding the property located at: 25 Bell Street  
Tax ID # 11-11-39-483-002**

**IT IS RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that Ypsilanti City Council accepts the Dangerous Building Hearing Officer's Order of Findings; and**

**RESOLVES that an order to show cause is set for October 2, 2012 at 7:00 p.m. at City Hall, 1 S. Huron, Ypsilanti, MI. 48197.**

OFFERED BY: Council Member Vogt  
SUPPORTED BY: Council Member Bodary

On a roll call, the vote to approve Resolution 2012-171 was as follows:

Mayor Pro-Tem Richardson	Absent	Council Member Bodary	Yes
Council Member Robb	Yes	Council Member Jefferson	Absent
Council Member Vogt	Yes	Council Member Murdock	Absent
Mayor Schreiber	Yes		

VOTE:

Yes: 4      No: 0      Absent: 3 (Richardson, Jefferson, Murdock)      Vote: Carried

2. Resolution No. 2012-176, approving towing contract with Budget Towing.

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

**WHEREAS, the Ypsilanti Police Department has issued a request for proposal for a police department towing contract, and**

**WHEREAS, based on the fact that Budget Towing was the sole bidder and that Budget Towing either meets or exceeds the standards outlined within the Request for Proposal, and now**

**THEREFORE BE IT RESOLVED, that the Chief of Police be authorized to sign all necessary documents needed to execute the contract with Budget Towing, subject to approval by the City Attorney.**

OFFERED BY: Council Member Vogt

SUPPORTED BY: Council Member Bodary

Lt. Annas was present to give an overview of the bid process.

Mr. Robb asked staff why only one bid was received. He recalled that the last time towing was bidded the City received four bids. He asked if the City has become too cozy with the existing contractor.

Lt. Craig Annas answered he is not sure why only one bid was received. He said bids are not solicited.

Council Member Bodary said the public notice was published in The Ypsilanti Courier and that may be one reason why so few bids were received. He suggested placing the bids on line on in other publications for more exposure.

Lt. Craig Annas answered it was published in the City's newspaper of record which is The Courier.

Council Member Bodary commented he is not surprised that no one wants to go up against them.

Council Member Robb asked about the rates and if they are at the state's minimum.

Lt. Craig Annas answered the bid is same price as the County and Ann Arbor.

On a roll call, the vote to approve Resolution 2012-176 was as follows:

Council Member Robb	Yes	Council Member Jefferson	Absent
Council Member Vogt	Yes	Council Member Murdock	Absent
Mayor Schreiber	Yes	Mayor Pro-Tem Richardson	Absent
Council Member Bodary	Yes		

VOTE:

Yes: 4 No: 0 Absent: (Jefferson, Murdock, Richardson) Vote: Carried

3. Resolution No. 2012-177, approving voting delegate(s) for the 2012 Michigan Municipal League (MML) Annual Convention, October 3-5, 2012.

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

**THAT Mayor Pro-Tem Richardson be appointed as Delegate and Council Member Murdock be appointed as Alternate for the Annual Convention of the Michigan Municipal League (MML), to be held October 3-5, 2012 on Mackinac Island, to cast the vote of the municipality for election of trustees, policy and other business as may properly come before the meeting.**

OFFERED BY: Council Member Robb  
SUPPORTED BY: Council Member Vogt

On a voice vote, the motion carried.

4. Resolution No. 2012-178, approving Memoranda of Understanding (MOU) with EMU for road salt purchases.

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

**WHEREAS, the City of Ypsilanti participates in the MiDeal State Purchasing Program to purchase road salt for winter maintenance; and**

**WHEREAS, the City purchases road salt for Eastern Michigan University in conjunction with its purchases; and**

**WHEREAS, it is necessary formalize the terms of our collaborative efforts by way of a Memorandum of Understanding;**

**NOW, THEREFORE, BE IT RESOLVED THAT the City Council approves the Memorandum of Understanding with Eastern Michigan University for the purchase of road salt for winter maintenance through the MiDeal State Purchasing Program ; and**

**THAT the Mayor and City Clerk are authorized to sign this agreement, subject to review and approval by the City Attorney; and**

OFFERED BY: Council Member Bodary  
SUPPORTED BY: Council Member Vogt

DPS Director Stan Kirton gave an overview of the MOU and said it clarifies the fees and puts everything on record to make sure everyone is clear.

Council Member Bodary asked what happens if we have another mild winter.

Mr. Kirton answered we would have to pay the storage fee and the order would be cut down for this year.

On a roll call, the vote to approve Resolution 2012-178 was as follows:

Council Member Vogt	Yes	Council Member Murdock	Absent
Mayor Schreiber	Yes	Mayor Pro-Tem Richardson	Absent
Council Member Bodary	Yes	Council Member Robb	Yes
Council Member Jefferson	Absent		

VOTE:

Yes: 4      No: 0      Absent: 3 (Jefferson, Murdock, Richardson)      Vote: Carried

5. Resolution No. 2012- 179, approving Memoranda of Understanding (MOU) with Eastern Michigan University for the City of Ypsilanti's Department of Public Services to provide parking lot sweeping services.

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

**WHEREAS, Eastern Michigan University is desirous to have the City of Ypsilanti's Department Public Services provide parking lot sweeping services; and**

**WHEREAS, Memoranda of Understanding has been created to outline the terms of this inter-agency collaboration between the City and Eastern Michigan University;**

**NOW, THEREFORE, BE IT RESOLVED THAT the City Council approves the Memoranda of Understanding with Eastern Michigan University for the City of Ypsilanti's Department of Public Services to provide parking lot sweeping services; and**

**THAT the Mayor and City Clerk are authorized to sign this agreement, subject to review and approval by the City Attorney; and**

OFFERED BY: Council Member Bodary  
SUPPORTED BY: Council Member Vogt

Mr. Kirton explained that this MOU is a new collaborative effort with EMU. He said the City was fortunate to get sweeper through a CMAQ grant. He said this collaborative effort can be reported on our EVIP. He said the dollar figure includes the State's equipment rental fee which is \$90.87, union heavy equipment operator overtime and fringes at \$45/hr. and admin. fee of 5% which is under \$9/hr. He said the admin. fee covers staff time for invoice and tracking, and there is a slight maintenance cost of \$30. He said EMU will pay for dumping at \$23.45 per cubic yard and fuel at \$3.11/gal.

Council Member Bodary asked is it a reasonable price because there is not much profit.

Mr. Kirton answered yes

Council Member Robb asked what is the number of hours expected?

Mr. Kirton said he will track the hours as they go. He said they have \$10,000 budgeted and plan to do sweeping before school starts, once during the year, and once after. He said this is a pilot program and there may be more down the road.

Council Member Robb asked when will work be done?

Mr. Kirton answered on weekends or after work.

On a roll call, the vote to approve Resolution 2012-179 was as follows:

Mayor Schreiber	Yes	Mayor Pro-Tem Richardson	Absent
Council Member Bodary	Yes	Council Member Robb	Yes
Council Member Jefferson	Absent	Council Member Vogt	Yes
Council Member Murdock	Absent		

VOTE:

Yes: 4      No: 0      Absent: 3 (Jefferson, Murdock, Richardson)      Vote: Carried

6. Resolution No. 2012-175, approving appointment to Boards and Commissions (Michael Bodary to YCUA Board)

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

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

<u>NAME</u>	<u>BOARD</u>	<u>TERM TO EXPIRE</u>
<b>Michael Bodary 1206 Westmoorland Ypsilanti, MI 48198</b>	<b>YCUA Board</b>	<b>2/1/2013 (replacing Mark Namatevs who resigned)</b>

OFFERED BY: Council Member Vogt

SUPPORTED BY: Council Member Robb

Council Member Bodary gave a statement regarding his desire to serve on the YCUA Board. He said the YCUA actively promotes fresh and clean water in the State and local area and he has watched the system evolve. He said the treatment of sewage is also important and YCUA has been very successful and he wants to see it continue.

Council Member Robb asked what is YCUA looking for in a new director?

Council Member Bodary answered the same qualifications he looked for with the city manager. He said he is looking for someone with influence but he has no idea yet.

Mayor Schreiber said his appointment is a very important one and he appreciates Council Member Bodary agreeing to the appointment as one of the board members.

Attorney John Barr advised Council Member Bodary he could vote on this because there is no monetary gain.

On a roll call, the vote to approve Resolution 2012-175 was as follows:

Council Member Bodary	Yes	Council Member Robb	Yes
Council Member Jefferson	Absent	Council Member Vogt	Yes

Council Member Murdock	Absent	Mayor Schreiber	Yes
Mayor Pro-Tem Richardson	Absent		

VOTE:

Yes: 4          No: 0          Absent: 3 (Jefferson, Murdock, Richardson)      Vote: Carried

**XIII. LIASON REPORTS**

- A. SEMCOG Update - none
- B. Washtenaw Area Transportation Study – Council Member Bodary gave update on WATS exploration of possibly becoming a separate entity and separating from SEMCOG
- C. Washtenaw Metro Alliance - none
- D. Urban Counties - none
- E. Freight House - none

**XIV. COUNCIL PROPOSED BUSINESS**

**ROBB**

Council Member Robb said he will bring an anti-fracking resolution for approval at the next meeting. Council Member Bodary supported the resolution.

Mr. Robb suggested the city's drug policy be amended soon before Chuck Ream's charter amendment goes viral.

Mr. Robb reported that he attended the Charter Commission's final meeting and they spoke of removing all residency requirements, however the code of ordinance says the city manager must live within city limits. He suggested the ordinance be changed and asked Mayor Schreiber how is residency defined.

Attorney John Barr answered residency is defined as the place where you live the majority of the time.

Mayor Schreiber stated that in Mr. Lange's case he lives within a 25 mile radius and he stays there the majority of time but not full time.

Council Member Robb stated residency is established also by voter registration.

Mayor Schreiber asked for a legal opinion.

Council Member Robb asked City Council if they want to remove the residency requirement in the code of ordinances.

Council Member Bodary said he would support removing the requirement.

Council Member Vogt said City Council should discuss it.

Attorney John Barr asked City Council if they would like him to prepare a proposed ordinance?

Council Member Robb answered yes and said a strike through in Division 2: Residency Requirements would be sufficient.

Attorney John Barr said he will prepare proposed legislation.

City Manager Ralph Lange commented that his wife and daughter are 60 miles away, however he said he lives only 4.2 miles away. In addition he said he is absolutely committed to the City of Ypsilanti but would like to vote in Ohio this one last time around. He said he appreciates this very much and will give 110%.

Council Member Robb commented that he would like a presentation on ordinance enforcement to be placed on the September or October meeting agenda.

### **BODARY**

Council Member Bodary reported he received a letter from a Grant Street resident about people moving away and putting their homes up for rental property and getting away with principle rate exemption. He said he knows that this happens and it is cheating the city out of rightly due taxes. He said letters the letters he received are copied to Mr. Lange, Mr. Daniels and Ms. Teamer and addressed to the part-time contracted assessor. He said the city should make an effort to track them down because the amount could be close to \$20,000.

### **VOGT**

Council Member Vogt reported he met with EMU staff at Fletcher School regarding the limited opening of Ainsley and there were a lot of input and good ideas from the community. He said residents are proposing a turnaround and to extend Ainsley at the west end. He said this would benefit the public and the city in that the turnaround would prevent cut through. He said everyone is compromising to meet everyone's needs.

Mr. Vogt wished Council Member Bodary a Happy Birthday.

## **XV. COMMUNICATIONS FROM THE MAYOR**

Mayor Schreiber gave the following communications:

He said he was happy to see that the Michigan Liquor Control Commission came down hard on Brandy's. He said there was terrific community support and lots of letters requesting removal of the liquor license from the Hanna family. He said the transfer will have to go through the city and we will be watching this carefully.

## **XVI. COMMUNICATIONS FROM THE CITY MANAGER**

City Manager Lange made the following comments:

Mr. Lange said over the last month he has attending a lot of meetings on various issues and has met a lot of people. A couple of the major issues were Parkridge, Rutherford Pool and Ainsley. He said he has not met with the Friends of the Freight House yet but he is working on some of things City Council has expressed that it wants to achieve. He said the City must be careful how much we get involved and that capital contribution are made only and not continuous as well as carefully watching the business plans. He said the City would be committed with in-kind contributions and a one-time capital contribution for the pool and freight house. He said this is his philosophy and he feels these are important assets to the city. He said he will bring forth agreements to Council once a specific-good is worked out.

Regarding Ainsley Street, he said the proposed turnaround is a tremendous help.

He reported that staff and Council have been very supportive and cordial and he is pleased with the great start he has had so far.

Mr. Lange said he has had a long and successful relationship with SEMCOG through the Monroe Road Commission and he is a big fan of them. He said their presence and partnership is critical and they are the key to helping Ypsilanti with getting a rail stop.

He reported he received a proposal from Ypsilanti Township regarding Grove Road. He said the Township wants to front the money in order to advance the project to 2013 and they would be paid the federal portion back in 2014. He said the advantage is getting it done sooner will cost less and there would be no interest. He said he supports advance construction, however he realizes there are other issues. He said also supports total reconstruction of the road.

**XVII. AUDIENCE PARTICIPATION**

Donna Harding, representing Citizen's United, thanked Council for passing the resolution of support.

**XVIII. REMARKS FROM THE MAYOR**

Mayor Schreiber thanked Ms. Harding for her comments.

**XIX. CLOSED SESSION**

Closed Session to discuss union negotiations. (OMA 15.268, Section 8(c))

On a roll call, the vote to adjourn to closed session was as follows:

Council Member Jefferson	Absent	Council Member Vogt	Yes
Council Member Murdock	Absent	Mayor Schreiber	Yes
Mayor Pro-Tem Richardson	Absent	Council Member Bodary	Yes
Council Member Robb	Yes		

VOTE:

Yes: 4 No: 0 Absent: 3 (Jefferson, Murdock, Richardson) Vote: Carried

**XX. ADJOURNMENT**

A. Resolution No. 2012-180 adjourning the City Council Meeting.

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

**That the City Council Meeting be adjourned, on call, by the Mayor or two (2) members of Council.**

OFFERED BY: Council Member Vogt

SUPPORTED BY: Council Member Bodary

On a voice vote, the motion carried and the meeting adjourned to close session at 8:54 p.m.