

# City of Ann Arbor

301 E. Huron Street  
Ann Arbor, MI 48104  
<http://a2gov.legistar.com/Calendar.aspx>



## Meeting Minutes

Monday, April 16, 2012

7:00 PM

City Hall, 301 E. Huron Street, Council Chamber, 2nd Floor  
City Council meets in caucus the Sunday prior to each regular  
session at 7 p.m. in the Council Chamber.

**City Council**

**CALL TO ORDER**

*Mayor Hieftje called the meeting to order at 7:12 p.m. in the Guy C. Larcom, Jr. Building, 2nd Floor Council Chambers, 301 E. Huron St.*

**MOMENT OF SILENCE**

*Council stood for a moment of silence.*

**PLEDGE OF ALLEGIANCE****ROLL CALL OF COUNCIL**

**Present:** 11 - Mayor John Hieftje, Councilmember Stephen Kunselman, Councilmember Marcia Higgins, Councilmember Margie Teall, Councilmember Mike Anglin, Councilmember Sabra Briere, Councilmember Sandi Smith, Councilmember Tony Derezinski, Councilmember Christopher Taylor, Councilmember Carsten Hohnke and Councilmember Jane Lumm

**APPROVAL OF AGENDA**

**A motion was made by Councilmember Teall, seconded by Councilmember Briere, that the Agenda be Approved as presented. On a voice vote, the Mayor declared the motion carried.**

**INT INTRODUCTION**

*(Councilmember Higgins arrived at 7:13 p.m.)*

**INT-1 [12-0506](#) Parkinson's Awareness Month Proclamation**

*Mayor Hieftje read a proclamation recognizing April 2012 as Parkinson's Awareness Month. Parkinson's Disease is the second most common progressive neurodegenerative disease in the United States, second only to Alzheimer's. Mayor Hieftje encouraged all citizens to recognize the need for more research and help in dealing with the devastating effects of Parkinson's Disease. (A copy of the proclamation is on file in the City Clerk's Office.)*

**Received and Filed**

**INT-2 [12-0545](#) Proclamation for Earth Day 2012**

*Mayor Hieftje read a proclamation recognizing April 22, 2012 as Earth Day 2012 in Ann Arbor. The City of Ann Arbor renews its commitment to citizen involvement in the sustainable management of natural resources and encourages all citizens to actively participate in this year's Earth Day Festival at the Leslie Science & Nature Center on Saturday, April 22, 2012. (A copy of the proclamation is on file in the City Clerk's Office.)*

**Received and Filed**

**INT-3 [12-0544](#) Proclamation honoring NAP volunteer Susann Clark**

*Mayor Hieftje read a proclamation honoring NAP volunteer Susann Clark. Ms. Clark has dedicated herself to volunteering with the Ann Arbor Parks system and has worked to improve Burr Oak Park, both maintaining and adding to the beauty of the park with new plantings. (A copy of the proclamation is on file in the City Clerk's Office.)*

**Received and Filed**

INT-4 [12-0465](#)

#### City Administrator's FY2013 Budget Presentation

*Steven Powers, City Administrator, presented the FY2013 Budget to Council. The FY2013 budget seeks to balance the budget through selected cost reductions and revenue increases. As the second year of the current two-year plan, this budget includes some changes from what was originally planned. Mr. Powers highlighted some of those proposed changes. He encouraged Council to contact him with questions prior to the formal discussion on the budget. (A copy of the presentation and the proposed FY2013 Budget is on file in the City Clerk's Office.)*

**Received and Filed**

#### **PUBLIC COMMENTARY - RESERVED TIME (3 MINUTES PER SPEAKER)**

**\* (SPEAKERS ARE NOT PERMITTED TO GRANT THEIR RESERVED TIME TO AN ALTERNATE SPEAKER)**

**\* ACCOMMODATIONS CAN BE MADE FOR PERSONS NEEDING ASSISTANCE WHILE ADDRESSING COUNCIL**

- 1. Thomas Partridge - Fund services to America's most vulnerable. Budget for affordable housing and transportation. Nominate and re-elect President Barack Obama. (I-4, I-5, I-6)**

*Thomas Partridge, Ann Arbor resident, addressed Council regarding funding services to America's most vulnerable, a budget for affordable housing and transportation, and also spoke about re-electing President Barack Obama.*

- 2. Ellen Fisher - Flooding**

*Ellen Fisher, 2100 Churchill, addressed Council regarding flooding in her home. She said that she has experienced three floods on her property since 2002, two of which happened in the past two years. Residential development north of Scio Church Road has resulted in additional flooding into her neighborhood during bad storms and she stated this is the City's responsibility. She asked the City to address the flooding issues in her neighborhood and to find a solution. She presented a petition from 63 neighbors requesting resolution from the City. (A copy of the petition is on file in the City Clerk's Office.)*

- 3. Marc Gerstein - Rezoning of 1320 South University Avenue (C-1)**

*Marc Gerstein, 1321 Forest Ct., spoke in opposition to the rezoning of 1320 South University Avenue from D2 to D1. He stated he supports the recommendation of denial that came from the Planning Commission. He urged Council to vote down this rezoning.*

**4. Lowell Fisher - Flooding**

*Lowell Fisher, 2100 Churchill, spoke about the recent flooding in his home due to the recent heavy storms in Ann Arbor. He said that the floods are taking an emotional and financial toll on his family. Mr. Fisher asked that the City take action to fix this problem and to take responsibility.*

**5. Nancy Gerler - Smart Meter Ban and 415 W. Washington Progress Report (INT-2)**

*Nancy Gerler, 1613 Dicken Dr., addressed Council regarding smart meter installation by DTE across the City. She said that 18 cities have passed resolutions and moratoriums against the installation of smart meters because there are so many questions about the meters and the public's health, safety, invasion of privacy and potential cost increases. Ms. Gerler stated she was willing to work with Council on this issue and to get the message out to the public.*

**6. Darren Schmidt - Smart Meter Ban**

*Darren Schmidt, 117 Wines Dr., asked for Council's help to create a moratorium on the installation of smart meters in Ann Arbor.*

**7. James Vincze - 2012 Street Resurfacing Projects (DS-4)**

*James Vincze, 1355 Fairlane, Vice Chair of the Airport Advisory Committee, urged Council to complete the Airport Environmental Assessment Study. He said that it is important to get the process completed in order to obtain the facts pertaining to the proposed runway expansion. He added that a significant amount of resources and time have been spent on the study and the public has been involved. He reiterated the fact that voting to complete the Airport Environmental Study does not mean that Council favors runway expansion; it helps get the facts out and helps provide a complete analysis of the project.*

**COMMUNICATIONS FROM COUNCIL****COUNCILMEMBER HOHNKE**

*Councilmember Hohnke reported that the Greenbelt Advisory Commission met and received their mid-year financial report. The Michigan Land Conservancy closed on 100 acres along Prospect Road that the Commission supported. The Commission has approximately \$6 million left in the fund balance devoted to Greenbelt purchases. A portion of that fund balance is devoted to park purchases for the City.*

*Mr. Hohnke also noted that a bake sale is coming up to support the A2 Skate Park Action Committee. Their youth team will hold a bake sale on April 21, 2012 at Arbor Brewing Company Tap Room from 11 a.m. -3 p.m. Supporters can also purchase bricks under the brick purchase program by logging onto [www.a2skatepark.org](http://www.a2skatepark.org) for more information.*

**COUNCILMEMBER TAYLOR**

*Councilmember Taylor reported that the Park Advisory Commission is continuing with its public outreach component of the proposed park millage renewal. A public*

meeting is scheduled for April 23, 2012 from 6-730 p.m. at the Leslie Science and Nature Center to discuss the millage and its proposed uses. Another meeting is scheduled for April 26, 2012 from 6:30-7:30 p.m. at the Ann Arbor Public Library Traverwood Branch. This would be the fourth and final meeting associated with the proposed park millage renewal outreach effort.

#### COUNCILMEMBER SMITH

Councilmember Smith said the Connecting William Street Project will have a second event in a speaker series on April 19, 2012 at Connor O'Neal's between 5-7 p.m. The topic for this forum is Creating Great Public Spaces. She encouraged all those interesting in attending to register early as space is limited.

#### COUNCILMEMBER BRIERE

Councilmember Briere said that the University of Michigan's government liaison, Jim Kosteva, informed members of Council that the Regents of the University of Michigan would be voting on April 19, 2012 regarding the approval of a 700-car parking structure between Wall Street and Maiden Lane. The University has been proposing one or more parking structures in this area for some time. Councilmembers, the Mayor and other concerned citizens have tried to convince the U of M planners that a parking structure might be necessary, but a satellite location should be considered, not a residential street. Councilmember Briere asked that the Regents of the U of M remember that good neighbors work together. She stated there are options for satellite locations, such as north campus and the athletic campus.

#### COUNCILMEMBER ANGLIN

Councilmember Anglin said that over 2000 people responded to the Connecting William Street Survey. The results showed that 814 people wrote comments, in addition to the options that were presented to them. Within that 814, 120 people wrote about the social need for community space and the spontaneous meetings that can occur. He asked the survey results be looked at more closely, including these comments.

#### COUNCILMEMBER KUNSELMAN

Councilmember Kunselman said that a blight clean-up effort in his neighborhood has been a success. He cited the example of a collapsed garage on Springbrook Drive and staff's efforts to clean up this site and make it safer are really showing. He thanked staff.

### COMMUNICATIONS FROM THE CITY ADMINISTRATOR

None.

#### PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

- PH-1 [12-0393](#) An Ordinance to Amend Section 10:1a, to Add a New Section 10:1b and to Renumber Current Section 10:1b of Chapter 126, Traffic, of Title X of the Code of the City of Ann Arbor (Ordinance No.

## ORD-12-07)

*A public hearing was conducted on the proposed Ordinance to amend Section 10:1a, to add a new Section 10:1b and to renumber current Section 1:1b of Chapter 126, Traffic of Title X of the Code of the City of Ann Arbor. Notice of public hearing was published April 12, 2012.*

*Thomas Partridge, City resident, spoke in opposition to the proposed Traffic Ordinance.*

*Ed Vielmetti, Ann Arbor resident, expressed concern with the proposed Traffic Ordinance.*

*There being no further comment, the Mayor declared the hearing closed.*

**Held and Closed**

Enactment No: ORD-12-07

PH-2 [12-0432](#)

An Ordinance to Amend Section 4:14 of Chapter 47, Streets and Sidewalks, of Title IV of the Code of the City of Ann Arbor (Ordinance No. ORD-12-08)

*A public hearing was conducted on the proposed Ordinance to amend Section 4:14 of Chapter 47, Streets and Sidewalks, of Title IV of the Code of the City of Ann Arbor. Notice of public hearing was published April 12, 2012.*

*Thomas Partridge, City resident, asked that Council postpone consideration of the proposed Streets and Sidewalks Ordinance. He also stated his opposition.*

*There being no further comment, the Mayor declared the hearing closed.*

**Held and Closed**

Enactment No: ORD-12-08

PH-3 [12-0434](#)

An Ordinance to Amend Sections 1:552.1(2) and 1:564(2) of Chapter 18, Employees Retirement System, of Title I of Code of the City of Ann Arbor (Ordinance No. ORD-12-09)

*A public hearing was conducted on the proposed amendment to Sections 1:552.1(2) and 1:564(2) of Chapter 18, Employees Retirement System, of Title I of the Code of the City of Ann Arbor. Notice of public hearing was published April 12, 2012.*

*Ed Vielmetti, City resident, urged Council to do something other than the simplest possible straight line projection of future investment outcomes. He stated multiple possible outcomes are needed.*

*There being no further comment, the Mayor declared the hearing closed.*

**Held and Closed**

Enactment No: ORD-12-09

PH-4 [12-0435](#)

An Ordinance to Amend Sections 1:552.1, 1:561, 1:562, 1:565, 1:566, 1:567, 1:568, 1:572 and 1:592 of Chapter 18, Employees Retirement System, Title I of the Code of the City of Ann Arbor to Implement a

“Pick-Up” Provision Allowed by Internal Revenue Code 414(h) for Members represented by the IAFF, Local 693 and the Command Officers Association, and Increase the Contribution Level for Members Represented by the Command Officers Association, and to Implement a HELPS provision for Eligible Retired Public Safety Officers, and to Implement an Other Qualified Adult Pop-Up Provision for Members represented by the Ann Arbor Police Officers Association, the Command Officers Association and AFSCME, and to Implement Other Collectively Bargained Changes for Members Represented by the IAFF, Local 693 (Ordinance No. ORD-12-10)

*A public hearing was conducted on the proposed Ordinance to Amend Sections 1:552.1, 1:561, 1:562, 1:565, 1:566, 1:567, 1:568, 1:572 and 1:592 of Chapter 18, Employees Retirement System, Title I of the Code of the City of Ann Arbor to Implement a “Pick-Up” Provision Allowed by Internal Revenue Code 414(h) for Members represented by the IAFF, Local 693 and the Command Officers Association, and Increase the Contribution Level for Members Represented by the Command Officers Association, and to Implement a HELPS provision for Eligible Retired Public Safety Officers, and to Implement an Other Qualified Adult Pop-Up Provision for Members represented by the Ann Arbor Police Officers Association, the Command Officers Association and AFSCME, and to Implement Other Collectively Bargained Changes for Members Represented by the IAFF, Local 693. Notice of public hearing was published April 12, 2012.*

*Thomas Partridge, City resident, expressed concern with the publication of the proposed ordinance and possibly not providing adequate time for the public to review the proposal.*

*Ed Vielmetti, City resident, said that the proposed ordinance is complex and confusing. He expressed concern with the number of redlines in the proposed document.*

*There being no further comment, the Mayor declared the hearing closed.*

**Held and Closed**

Enactment No: ORD-12-10

**PH-5 [12-0436](#)**

An Ordinance to Amend Sections 1:700 and 1:704 of Chapter 21, Retiree Health Care Benefits Plan and Trust, Title I, of the Code of the City of Ann Arbor To Include Negotiated Changes for New Hires in Firefighters Collective Bargaining Unit (Ordinance No. ORD-12-11)

*A public hearing was conducted on the proposed Ordinance to Amend Sections 1:700 and 1:704 of Chapter 21, Retiree Health Care Benefits Plan and Trust, Title I, of the Code of the City of Ann Arbor To Include Negotiated Changes for New Hires in Firefighters Collective Bargaining Unit. Notice of public hearing was published April 12, 2012.*

*Thomas Partridge, City resident, expressed concern with the proposed changes to Retiree Health Care Benefits Plan and Trust Ordinance. He expressed his opposition to cuts to public employee benefits.*

*There being no further comment, the Mayor declared the hearing closed.*

**Held and Closed**

Enactment No: ORD-12-11

- PH-6 [12-0400](#) Resolution to Approve Tim Hortons Site Plan, 3965 South State Street (CPC Recommendation: Approval - 9 Yeas and 0 Nays).

*A public hearing was conducted on the proposed Tim Hortons Site Plan, located at 3965 South State Street. Notice of public hearing was published April 5, 2012.*

*There being no one present for comment, the Mayor declared the hearing closed.*

**Held and Closed**

Enactment No: R-12-147

#### COMMUNICATIONS FROM COUNCIL

*None.*

#### A APPROVAL OF COUNCIL MINUTES

- A-1 [12-0538](#) Working Session of March 12, 2012 and Regular Session of April 2, 2012

**A motion was made by Councilmember Hohnke, seconded by Councilmember Teall, that the work session minutes of March 12, 2012 and the regular session minutes of April 2, 2012 be approved as presented. On a voice vote, the Mayor declared the motion carried.**

#### CA CONSENT AGENDA

##### CONSENT AGENDA ITEMS REMOVED

*With unanimous consent of Council, the following items were removed from the Consent Agenda and placed at the end of same:*

*CA-3 Resolution to Approve a Contract with LC Construction, LLC for the Construction of Unisex Restrooms in the Guy C. Larcom City Hall Building (\$93,438.00)*

*CA-5 Resolution to Approve a Contract with Michigan Recreational Construction, Inc. for Improvements to Placid Way Park (\$79,980.00)*

*CA-6 Resolution to Approve Amendment No.1 to Contract with Huron Valley Electric to Provide and Install Photovoltaic Panels at Veterans Memorial Park Pool (\$39,500.00)*

##### Passed on consent agenda

**A motion was made by Councilmember Briere, seconded by Councilmember Smith, that the following Consent Items be approved as presented. On a voice vote, the Mayor declared the motion carried.**

- CA-1 [12-0320](#) Resolution to Amend Sub-Grantee Contract with Ann Arbor Hands-On



Museum (\$39,500.00)

Enactment No: R-12-134

CA-2 [12-0347](#)

Resolution to Approve a Professional Services Agreement with the Huron River Watershed Council to Support Stormwater Permit Requirements (\$64,975.00)

Enactment No: R-12-135

CA-4 [12-0368](#)

Resolution to Approve Exercising the Purchase Option of the Lease Agreement with Leica Geosystems, Inc. to Purchase TS15P R1000 Robotic Total Station for Surveying (\$42,432.40)

Enactment No: R-12-136

CA-7 [12-0488](#)

Resolution to Approve a Change Order to the Contract with Site Development, Incorporated for the West Park Improvements Project (\$27,776.00)

Enactment No: R-12-137

CA-8 [12-0509](#)

Resolution to Authorize the City Election Commission to Establish Receiving Boards and Appoint Election Inspectors to Serve on One or More Receiving Boards for the 2012 and 2013 City Elections

Enactment No: R-12-138

CA-3 [12-0353](#)

Resolution to Approve a Contract with LC Construction, LLC for the Construction of Unisex Restrooms in the Guy C. Larcom City Hall Building (\$93,438.00)

**A motion was made by Councilmember Lumm, seconded by Councilmember Teall, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**

Enactment No: R-12-139

CA-5 [12-0396](#)

Resolution to Approve a Contract with Michigan Recreational Construction, Inc. for Improvements to Placid Way Park (\$79,980.00)

**A motion was made by Councilmember Briere, seconded by Councilmember Smith, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**

Enactment No: R-12-140

CA-6 [12-0437](#)

Resolution to Approve Amendment No.1 to Contract with Huron Valley Electric to Provide and Install Photovoltaic Panels at Veterans Memorial Park Pool (\$39,500.00)

**A motion was made by Councilmember Briere, seconded by Councilmember Smith, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**

Enactment No: R-12-141

**B ORDINANCES - SECOND READING**

- B-1**     [12-0393](#)     An Ordinance to Amend Section 10:1a, to Add a New Section 10:1b and to Renumber Current Section 10:1b of Chapter 126, Traffic, of Title X of the Code of the City of Ann Arbor (Ordinance No. ORD-12-07)
- (The complete copy of the text of Ordinance No. ORD-12-07 is on file in the City Clerk's Office.)*
- A motion was made by Councilmember Briere, seconded by Councilmember Lumm, that the Ordinance be adopted on Second Reading. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: ORD-12-07
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- B-2**     [12-0432](#)     An Ordinance to Amend Section 4:14 of Chapter 47, Streets and Sidewalks, of Title IV of the Code of the City of Ann Arbor (Ordinance No. ORD-12-08)
- (The complete copy of the text of Ordinance No. ORD-12-08 is on file in the City Clerk's Office.)*
- A motion was made by Councilmember Hohnke, seconded by Councilmember Taylor, that the Ordinance be adopted on Second Reading. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: ORD-12-08
- 
- B-3**     [12-0434](#)     An Ordinance to Amend Sections 1:552.1(2) and 1:564(2) of Chapter 18, Employees Retirement System, of Title I of Code of the City of Ann Arbor (Ordinance No. ORD-12-09)
- (The complete copy of the text of Ordinance No. ORD-12-09 is on file in the City Clerk's Office.)*
- A motion was made by Councilmember Anglin, seconded by Councilmember Teall, that the Ordinance be adopted on Second Reading. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: ORD-12-09
- 
- B-4**     [12-0435](#)     An Ordinance to Amend Sections 1:552.1, 1:561, 1:562, 1:565, 1:566, 1:567, 1:568, 1:572 and 1:592 of Chapter 18, Employees Retirement System, Title I of the Code of the City of Ann Arbor to Implement a "Pick-Up" Provision Allowed by Internal Revenue Code 414(h) for Members represented by the IAFF, Local 693 and the Command Officers Association, and Increase the Contribution Level for Members Represented by the Command Officers Association, and to Implement a HELPS provision for Eligible Retired Public Safety Officers, and to Implement an Other Qualified Adult Pop-Up Provision for Members represented by the Ann Arbor Police Officers Association, the Command Officers Association and AFSCME, and to Implement Other Collectively Bargained Changes for Members Represented by the

IAFF, Local 693 (Ordinance No. ORD-12-10)

*(The complete copy of the text of Ordinance No. ORD-12-10 is on file in the City Clerk's Office.)*

**A motion was made by Councilmember Lumm, seconded by Councilmember Taylor, that the Ordinance be adopted on Second Reading. On a voice vote, the Mayor declared the motion carried.**

Enactment No: ORD-12-10

**B-5**     [12-0436](#)

An Ordinance to Amend Sections 1:700 and 1:704 of Chapter 21, Retiree Health Care Benefits Plan and Trust, Title I, of the Code of the City of Ann Arbor To Include Negotiated Changes for New Hires in Firefighters Collective Bargaining Unit (Ordinance No. ORD-12-11)

*(The complete copy of the text of Ordinance No. ORD-12-11 is on file in the City Clerk's Office.)*

**A motion was made by Councilmember Smith, seconded by Councilmember Derezinski, that the Ordinance be adopted on Second Reading. On a voice vote, the Mayor declared the motion carried.**

Enactment No: ORD-12-11

**C**        **ORDINANCES - FIRST READING**

**C-1**     [12-0296](#)

An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.84 Acre from D2 (Downtown Interface Base District) and South University/D2 Character Overlay District to D1 (Downtown Core Base District) and South University/D1 Character Overlay District WITH CONDITIONS, 1320 South University Avenue (CPC Recommendation: Denial - 0 Yeas and 8 Nays)

**A motion was made by Councilmember Teall, seconded by Councilmember Derezinski, that the Ordinance be approved on First Reading. On a voice vote, the Mayor declared the motion defeated.**

**C-2**     [12-0356](#)

An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.35 Acre from O (Office District) to P (Parking District), AAA Ann Arbor Branch Office Property, 1200 South Main Street (CPC Recommendation: Approval - 6 Yeas and 3 Nays) (Ordinance No. ORD-12-12)

**A motion was made by Councilmember Derezinski, seconded by Councilmember Teall, that the Ordinance be approved on First Reading. On a voice vote, the Mayor declared the motion carried.**

Enactment No: ORD-12-12

**C-3**     [12-0358](#)

An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.82 Acre from TWP (Township District) to R1A (Single-Family District), Sander Property, 1575 Alexandra Boulevard (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-12-13)

**A motion was made by Councilmember Briere, seconded by Councilmember Smith, that the Ordinance be approved on First Reading. On a voice vote, the**

**Mayor declared the motion carried.**

Enactment No: ORD-12-13

- C-4**     [12-0374](#)     An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.35 Acre from TWP (Township District) to R1C (Single-Family Dwelling District), Skelley Property, 545 Allison Drive (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-12-18)

**A motion was made by Councilmember Anglin, seconded by Councilmember Hohnke, that the Ordinance be approved on First Reading. On a voice vote, the Mayor declared the motion carried.**

Enactment No: ORD-12-18

- C-5**     [12-0375](#)     An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.2 Acre from TWP (Township District) to R1C (Single-Family Dwelling District), Morris Property, 427 Barber Avenue (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-12-14)

**A motion was made by Councilmember Hohnke, seconded by Councilmember Anglin, that the Ordinance be approved on First Reading. On a voice vote, the Mayor declared the motion carried.**

Enactment No: ORD-12-14

- C-6**     [12-0376](#)     An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.2 Acre from TWP (Township District) to R1C (Single-Family Dwelling District), French Property, 3225 Dexter Road (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-12-15)

**A motion was made by Councilmember Anglin, seconded by Councilmember Hohnke, that the Ordinance be approved on First Reading. On a voice vote, the Mayor declared the motion carried.**

Enactment No: ORD-12-15

- C-7**     [12-0377](#)     An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.4 Acre from TWP (Township District) to R1C (Single-Family Dwelling District), Zummer Property, 3249 Dexter Road (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-12-16)

**A motion was made by Councilmember Anglin, seconded by Councilmember Hohnke, that the Ordinance be approved. On a voice vote, the Mayor declared the motion carried.**

Enactment No: ORD-12-16

- C-8**     [12-0378](#)     An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.3 Acre from TWP (Township District) to R1C (Single-Family Dwelling District), Andres Property, 305 Pinewood Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-12-17)

**A motion was made by Councilmember Hohnke, seconded by Councilmember Anglin, that the Ordinance be approved on First Reading. On a voice vote, the Mayor declared the motion carried.**

Enactment No: ORD-12-17

## RECESS

*Mayor Hieftje declared a recess at 9:05 p.m. and reconvened the meeting at 9:23 p.m.*

## D MOTIONS AND RESOLUTIONS

### DC New Business - Council:

- DC-1**    [12-0468](#)    Resolution to Approve a Contract with The Rehmann Group for Independent Auditing Services (\$344,500.00)
- A motion was made by Councilmember Teall, seconded by Councilmember Kunselman, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-12-142
- DC-2**    [12-0501](#)    Resolution to Annually Make Invalid Sidewalk Occupancy and Peddler/Solicitor Permits in the Main Street Area Association Business District Excepting Permits Issued to Businesses Permanently Located within the District during all Special Events Involving District Street Closures
- A motion was made by Councilmember Briere, seconded by Councilmember Smith, that the resolution be approved.**
- Enactment No: R-12-187
- A motion was made by Councilmember Smith, seconded by Councilmember Briere, that the Resolution be postponed until 5/7/2012. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-12-187
- DC-3**    [12-0528](#)    Resolution to Approve a Request from East U Provisions LLC to Transfer Interest in a 2011 Class C License Located at 619 E. University, Suite B, d/b/a Revive & Replenish
- A motion was made by Councilmember Derezinski, seconded by Councilmember Lumm, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-12-143
- DC-4**    [12-0541](#)    Resolution to Approve a Request for a New Dance-Entertainment Permit, to be Held in Conjunction with a 2011 Class C Liquor Licensed Business, Located at 401 E. Liberty, Suite 200 - d/b/a Bar Louie
- A motion was made by Councilmember Anglin, seconded by Councilmember Derezinski, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**

Enactment No: R-12-144

- DC-5 [12-0542](#) Resolution to Approve a Request from Ann Arbor Farms Hotel Corporation to Drop Green Road Executive Suites, L.L.C. as Co-Licensee in a 2009 B-Hotel Liquor Licensed Business, located at 3535 Green Ct. - d/b/a Holiday Inn

**A motion was made by Councilmember Lumm, seconded by Councilmember Derezinski, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**

Enactment No: R-12-145

- DC-6 [12-0575](#) Resolution to Impose a Temporary Moratorium on Digital Billboards

**A motion was made by Councilmember Briere, seconded by Councilmember Anglin, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**

Enactment No: R-12-146

**DB New Business - Boards and Commissions:**

- DB-1 [12-0400](#) Resolution to Approve Tim Hortons Site Plan, 3965 South State Street (CPC Recommendation: Approval - 9 Yeas and 0 Nays).

**A motion was made by Councilmember Derezinski, seconded by Councilmember Lumm, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**

Enactment No: R-12-147

**DS New Business - Staff:**

- DS-1 [12-0392](#) Resolution Setting a Public Hearing on Sakti3, Inc.'s Application for an Industrial Facilities Exemption Certificate in Industrial Development District No. 2011-010

**A motion was made by Councilmember Taylor, seconded by Councilmember Briere, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**

Enactment No: R-12-148

- DS-2 [12-0504](#) Resolution Approving Purchase Order with SEHI Computers for PC Replacement in FY 2012 and FY 2013 (NTE \$450,000.00)

**A motion was made by Councilmember Taylor, seconded by Councilmember Smith, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**

Enactment No: R-12-149

- DS-3 [12-0440](#) Resolution Approving Purchase Order and Best Source with Dell Computers for CLEMIS Mobile Computers for FY2012 and FY2013

(NTE \$110,000.00)

**A motion was made by Councilmember Teall, seconded by Councilmember Taylor, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**

Enactment No: R-12-150

**DS-4**    [12-0424](#)

Resolution to Award a Construction Contract to Barrett Paving Materials, Inc. (ITB. 4205, \$4,054,599.12) for the 2012 Street Resurfacing Project - Program B

**A motion was made by Councilmember Teall, seconded by Councilmember Lumm, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**

Enactment No: R-12-151

**DS-5**    [12-0426](#)

Resolution to Approve a Professional Services Agreement for Construction Materials Testing with CTI and Associates, Inc. for the 2012 Street Resurfacing Projects (RFP No. 810, \$143,455.00)

**A motion was made by Councilmember Briere, seconded by Councilmember Derezinski, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**

Enactment No: R-12-152

**DS-6**    [12-0389](#)

Resolution to Award a Construction Contract to Dan's Excavating, Inc. (\$2,314,951.25, Bid No. ITB-4212) for the E. Stadium Blvd. Improvement Project

**A motion was made by Councilmember Teall, seconded by Councilmember Hohnke, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**

Enactment No: R-12-153

**DS-7**    [12-0390](#)

Resolution to Approve a Professional Services Agreement for Construction Materials Testing with Inspection Services Company, Inc. (ISC) for the E. Stadium Blvd. Improvement Project (RFP No. 810, \$50,185.00)

**A motion was made by Councilmember Teall, seconded by Councilmember Higgins, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**

Enactment No: R-12-154

**DS-8**    [12-0388](#)

Resolution to Award a Construction Contract to Pamar Enterprises, Inc. (\$437,560.50, Bid No. ITB-4211) for the Wayne Street Improvements Project

**A motion was made by Councilmember Lumm, seconded by Councilmember Derezinski, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**

Enactment No: R-12-155

- DS-9**    [12-0398](#)    Resolution to Approve a Service Agreement with BioTech Agronomics, Inc. for Land Application of Wastewater Biosolids, RFP No. 816 (\$0.0321 per gallon, approximately \$514,000.00 per year)

**A motion was made by Councilmember Taylor, seconded by Councilmember Kunselman, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**

Enactment No: R-12-156

- DS-10**    [12-0438](#)    Resolution to Award Mowing Contracts for the Mowing of City Traffic Islands, Trunkline Traffic Islands, Wastewater Treatment Plant, Neighborhood Athletic Fields and Other City Properties. ITB # 4215 (\$66,727.00/yr; \$200,181.00 for 3 years)

**A motion was made by Councilmember Taylor, seconded by Councilmember Hohnke, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**

Enactment No: R-12-157

- DS-11**    [12-0348](#)    Resolution to Approve Amendment #1 to the Professional Services Agreement between the City and URS Corporation for the Exhibit A Property Map of the Ann Arbor Airport (\$800.00)

**A motion was made by Councilmember Derezinski, seconded by Councilmember Teall, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**

Enactment No: R-12-158

- DS-12**    [12-0427](#)    Resolution to Approve a Grant Contract with the Michigan Department of Transportation for Work Related to the Environmental Assessment Study for the Safety Extension of Runway 6/24 at the Ann Arbor Municipal Airport (\$45,000.00)

**A motion was made by Councilmember Lumm, seconded by Councilmember Briere, that the Resolution be approved. On a roll call, the vote was as follows, with the Mayor declaring the motion carried:**

**Yeas:** 7 - Councilmember Higgins, Councilmember Teall, Councilmember Anglin, Councilmember Smith, Councilmember Derezinski, Councilmember Taylor and Councilmember Hohnke

**Nays:** 4 - Mayor Hieftje, Councilmember Kunselman, Councilmember Briere and Councilmember Lumm

Enactment No: R-12-159

- DS-13**    [12-0380](#)    Resolution to Approve Amendment #1 to the Professional Services Agreement with URS Corporation for Work Related to the Environmental Assessment for the Runway 6/24 Safety Extension Project at the Ann Arbor Airport (\$12,000.00)



**A motion was made by Councilmember Derezinski, seconded by Councilmember Smith, that the Resolution be approved. On a roll call, the vote was as follows, with the Mayor declaring the motion carried:**

**Yeas:** 9 - Mayor Hieftje, Councilmember Higgins, Councilmember Teall, Councilmember Anglin, Councilmember Briere, Councilmember Smith, Councilmember Derezinski, Councilmember Taylor and Councilmember Hohnke

**Nays:** 2 - Councilmember Kunselman and Councilmember Lumm

Enactment No: R-12-160

**DS-14** [12-0379](#)

Resolution to Approve Amendment #1 to the Professional Services Agreement with SmithGroupJJR for Work Related to the Environmental Assessment for the Runway 6/24 Safety Extension Project at the Ann Arbor Airport (\$26,552.64)

**A motion was made by Councilmember Derezinski, seconded by Councilmember Smith, that the Resolution be approved. On a roll call, the vote was as follows, with the Mayor declaring the motion carried:**

**Yeas:** 8 - Councilmember Higgins, Councilmember Teall, Councilmember Anglin, Councilmember Briere, Councilmember Smith, Councilmember Derezinski, Councilmember Taylor and Councilmember Hohnke

**Nays:** 3 - Mayor Hieftje, Councilmember Kunselman and Councilmember Lumm

Enactment No: R-12-161

**Passed on consent agenda**

**A motion was made by Councilmember Derezinski, seconded by Councilmember Hohnke, that the following Consent Items be approved as presented. On a voice vote, the Mayor declared the motion carried.**

**DS-15** [12-0429](#)

Resolution to Approve Street Closings for the Ann Arbor Thanksgiving Day Turkey Trot - Thursday, November 22, 2012

Enactment No: R-12-162

**DS-16** [12-0433](#)

Resolution to Approve Street Closings for the Burns Park Run - Sunday, May 6, 2012

Enactment No: R-12-163

**DS-17** [12-0449](#)

Resolution to Approve Street Closings for the 2012 Ann Arbor Jaycees Fourth of July Parade

Enactment No: R-12-164

**DS-18** [12-0450](#)

Resolution to Close Street for the Townie Street Party - Monday, July 16, 2012

Enactment No: R-12-165

- DS-19 [12-0451](#) Resolution to Approve Street Closings for the 2012 Ann Arbor Art Fairs - July 17 at 7:00 A.M. Through July 22, 2012 at 12:00 P.M.  
Enactment No: R-12-166
- DS-20 [12-0455](#) Resolution to Approve Street Closing for The Event on Main - Thursday, June 21, 2012  
Enactment No: R-12-167
- DS-21 [12-0443](#) Resolution Accepting Easement for Sidewalk at 1500 E. Stadium Blvd. from Stadium Packard Properties, LLC, a Michigan Limited Liability Company **(8 Votes Required)**  
**A motion was made by Councilmember Teall, seconded by Councilmember Taylor, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement.**  
Enactment No: R-12-168

## E COMMUNICATIONS FROM THE MAYOR

- E-1 [12-0574](#) Nominations & Appointments  
**Referred to the City Council due back on 5/7/2012**

## COMMUNICATIONS FROM COUNCIL

### *COUNCILMEMBER BRIERE*

*Councilmember Briere reminded staff that the Council Rules state that resolution titles should be twenty words or less. She asked staff to respect this rule.*

*Councilmember Briere also updated Council on the status of the medical marijuana licensing process.*

## F WRITTEN COMMUNICATIONS FROM THE CITY ADMINISTRATOR

- F-1 [12-0496](#) Living Wage Increase Effective May 1, 2012  
**Received and Filed**
- F-2 [12-0505](#) Letter from Senator Rebecca Warren Regarding Loan from State Revolving Fund  
**Received and Filed**
- F-3 [12-0508](#) Student Move-Out 2012  
**Received and Filed**

## G COMMUNICATIONS FROM THE CITY ATTORNEY

None.

## H & I CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

H The following communications were referred as indicated:

### Passed on consent agenda

A motion was made by Councilmember Hohnke, seconded by Councilmember Teall, that the following Consent Items be approved as presented. On a voice vote, the Mayor declared the motion carried.

- H-1 [12-0521](#) Communication from Janis Bobrin, Washtenaw County Water Resources Manager, Regarding Public Hearings for Drain Projects - cc: Jennifer Lawson, Water Quality Manager
- H-2 [12-0510](#) LDFA Board Member Expirations - June 30, 2012
- H-3 [12-0511](#) Communication Dated April 4, 2012 from the Federal Emergency Management Agency Regarding the National Flood Insurance Program Maps - cc: Cresson Sloten, Systems Planning Manager
- H-4 [12-0529](#) Communication from the Michigan Liquor Control Commission regarding Changes to Local Approvals for Licensing Application Process
- H-5 [12-0530](#) Communication from Comcast regarding an Addition to Comcast's Channel Lineup
- H-6 [12-0531](#) Communication from the Department of Environmental Quality regarding the City of Ann Arbor Federal Emergency Management Agency (FEMA) Flood Map Adoption Documentation
- H-7 [12-0543](#) Communication from Gordon Hansen regarding the City Treasurer's positive response to an issue with the City
- H-8 **Opposition letter from Marc Gerstein and Eleanor Linn**
- H-9 [12-0608](#) Petition from neighbors in the Churchill Downs area of Ann Arbor, requesting that the City resolve the storm sewer flooding problems in their Neighborhood  
**Received and Filed**

I The following minutes were received for file:

- I-1 [11-1448](#) Zoning Board of Appeals Meeting Minutes of July 27, 2011

- I-2     [12-0284](#)     Park Advisory Commission Meeting Minutes of January 24, 2012
- I-3     [12-0385](#)     Airport Advisory Committee Minutes - January 18, 2012
- I-4     [12-0442](#)     Ann Arbor Commission on Disability Issues Meeting Minutes of February 15, 2012
- I-5     [12-0458](#)     Ann Arbor Housing Commission Regular Board Meeting Minutes - February 12, 2012
- I-6     [12-0461](#)     Ann Arbor Housing Commission Minutes of Special Board Meeting - March 2, 2012
- I-7     [12-0482](#)     Cable Commission Meeting Minutes of January 24, 2012

**PUBLIC COMMENT - GENERAL (3 MINUTES EACH)**

*Thomas Partridge, City resident, addressed Council regarding meeting notifications. He also stated better meeting spaces are needed.*

**CLOSED SESSION UNDER THE MICHIGAN OPEN MEETINGS ACT, INCLUDING BUT NOT LIMITED TO, LABOR NEGOTIATIONS STRATEGY, PENDING LITIGATION, AND ATTORNEY/CLIENT PRIVILEGED COMMUNICATIONS SET FORTH OR INCORPORATED IN MCLA 15.268 (C), (E), AND (H).**

A motion was made by Councilmember Taylor, seconded by Councilmember Derezinski, that Council enter into Closed session to discuss Attorney/Client Privileged information as set forth in the Open Meetings Act, MCLA 15.268 (H). On a roll call, the vote was as follows with the Mayor declaring the motion carried and the meeting recessed at 10:34 p.m.:

**Yeas:** 11 - Mayor Hieftje, Councilmember Kunselman, Councilmember Higgins, Councilmember Teall, Councilmember Anglin, Councilmember Briere, Councilmember Smith, Councilmember Derezinski, Councilmember Taylor, Councilmember Hohnke and Councilmember Lumm

**Nays:** 0

**MEETING RECONVENED**

A motion was made by Councilmember Smith, seconded by Councilmember Kunselman, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 11:03 p.m.

**ADJOURNMENT**

A motion was made by Councilmember Taylor, seconded by Councilmember Kunselman, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 11:03 p.m.

**COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:**

**LIVE: MONDAY, APRIL 16, 2012, 7:00 P.M.**

**REPLAYS: TUESDAY, APRIL 17, 2012, 10:00 A.M. AND FRIDAY, APRIL 20, 2012**

**REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE**

Community Television Network Channel 16 live televised public meetings are also available to watch live online from CTN's website, [www.a2gov.org/ctn](http://www.a2gov.org/ctn), on "The Meeting Place" page (<http://www.a2gov.org/livemeetings>).

Live Web streaming is one more way, in addition to these listed below, to stay in touch with Ann Arbor City Council and board and commission actions and deliberations.

- **Video on Demand: Replay public meetings at your convenience online at [www.a2gov.org/government/city\\_administration/communicationsoffice/ctn/Pages/VideoOnDemand.aspx](http://www.a2gov.org/government/city_administration/communicationsoffice/ctn/Pages/VideoOnDemand.aspx)**
- **Cable: Watch CTN Channel 16 public meeting programming via Comcast Cable channel 16.**

Persons with disabilities are encouraged to participate. Accommodations, including sign language interpreters, may be arranged by contacting the City Clerk's Office by telephone at 734-794-6140 or by written request addressed to the City Clerk's Office, 100 N. Fifth Ave., Ann Arbor, MI 48104, at least 24 hours in advance.

A hard copy of this Council packet can be viewed at the front counter of the City Clerk's office.

[12-0638](#)

City Council Emails and Redaction List for 4-16-12 Meeting