

# City of Ann Arbor

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



## Action Minutes

Monday, April 7, 2014

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 of the Ann Arbor City Council to order at 7:08 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**

*Mayor Hieftje led Council in the recitation of the Pledge of Allegiance.*

**ROLL CALL OF COUNCIL**

**Present:** 11 - Mayor John Hieftje, Councilmember Stephen Kunselman, Councilmember Margie Teall, Councilmember Mike Anglin, Councilmember Sabra Briere, Councilmember Christopher Taylor, Councilmember Jane Lumm, Councilmember Sumi Kailasapathy, Councilmember Sally Petersen, Councilmember Chuck Warpehoski and Councilmember Jack Eaton

**APPROVAL OF AGENDA**

**A motion was made by Councilmember Kunselman, seconded by Councilmember Teall, that the Agenda be approved with the following changes:**

**Move: DC-4 Resolution to Amend Resolution R-14-098 Directing the City Administrator to List for Sale 319 South Fifth and Retain Real Estate Brokerage Services (Consider before DC-3)**

**Add: New DC-1 Resolution Designating an Urban Public Park Location on the Library Lot Site (Reconsideration from March 17, 2014)**

**Add: New DC-2 Resolution to Direct the City Administrator to List for Sale 319 South Fifth and to Retain Estate Brokerage Services (Reconsideration from March 17, 2014)**

**On a voice vote, the Mayor declared the motion carried with one no-vote made by Councilmember Teall.**

**COMMUNICATIONS FROM THE CITY ADMINISTRATOR***SALE OF CITY OWNED PROPERTY AT 350 S. FIFTH AVENUE*

*City Administrator Steve Powers announced that the sale of City-owned property at 350 S. Fifth Avenue was completed and closed last week. He noted that the full net proceeds were available for transfer to the Affordable Housing Trust Fund, per City Council Resolution.*

*DELONIS CENTER UPDATE*

*Administrator Powers provided information regarding the Delonis Center extending its warming center season, due to the continued frigid weather this winter. Mr. Powers commented that the Delonis Shelter has reported that no one was turned away from the warming center this winter.*

*FREE SELF-LOADED COMPOST*

*Administrator Powers announced that Ann Arbor residents qualify for up to six bushels of free self-loaded compost and mulch at the City Compost Center. The Center is open between the hours of 8am and 12pm on Saturdays through the end of June.*

*ECONOMIC COLLABORATIVE TASK FORCE REPORT*

*Mr. Powers made note of the Economic Collaborative Task Force Report presented to Council on the agenda under the Clerk's Report of Communications, Petitions and Referrals. The report outlines actions and recommendations to make progress on Council's economic health priority area.*

*Mr. Powers said that the DDA and SPARK found clarity and alignment on economic development projects and objectives, although they believe overall that an economic strategy for the City would be helpful. SPARK has agreed to continue a discussion on the economic development and health of the City and the region. Mr. Powers stated more information would be shared with Council at a later date.*

**14-0600**

Agenda Response Memo - April 7, 2014

**Attachments:** Agenda Responses 4-7-14

**Received and Filed****INT INTRODUCTIONS**

**INT-1 14-0531** 4/7/14 Proclamation for 2014 Veg Week

**Sponsors:** Hieftje

**Attachments:** Ann Arbor Veg Week 2014.doc

*Mayor Hieftje read a proclamation proclaiming April 21 - 27, 2014 as Ann Arbor Veg Week and encouraged residents to participate in choosing plant-based foods as a way to protect their health, the planet, and animals during this week. A copy of the proclamation is on file in the City Clerk's Office.*

**Received and Filed**

**INT-2 14-0579** 4/7/14 Elizabeth R. Dean Day Proclamation

**Attachments:** Elizabeth R. Dean Day 2014

*Mayor Hieftje read a proclamation proclaiming April 7, 2014 as Elizabeth R. Dean Day in Ann Arbor. Upon her death on April 7, 1964, Elizabeth Russell Dean bequeathed nearly \$2 million to the public trees of Ann Arbor, to be held in trust with the annual interest income to be used for the planting, care and maintenance of trees. 2014 marks the 50th Anniversary of this generous gift to the City's trees. A copy of the proclamation 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. Tom Partridge - Affordable Transportation, Alternative Transportation AAATA**

*Tom Partridge, Ann Arbor resident, addressed Council regarding affordable transportation, and alternative transportation efforts of the AAATA. Mr. Partridge spoke about President Obama's visit to Ann Arbor and the President's support for increasing the minimum wage to \$10.00 dollars per hour.*

**2. Frank Burdick - Pedestrian Safety Taskforce (DS-1)**

*Frank Burdick, 2049 Winsted, addressed Council regarding the Pedestrian Safety Taskforce. He urged Council to postpone any action resulting in additional funding of this project. He stated additional consultants are not needed.*

**3. Cliff Douglas - Smoking Ordinance (C-1)**

*Cliff Douglas, 3189 Rumsey Ct., spoke in support of the proposed Ordinance regarding Smoke-Free Outdoor Public Places. Mr. Douglas spoke about the harms of smoking to its users and to the environment.*

**4. Alan Haber - Resolution to Amend Resolution R-14-098 Directing the City Administrator to List for Sale 319 S. 5th Ave. (DC-4)**

*Alan Haber, 531 Third St., urged Council to postpone consideration of the Resolution to Amend Resolution R-14-098 Directing the City Administrator to List for Sale 319 S. 5th Ave. Mr. Haber stated postponed action would provide Council the opportunity to discuss the issue further with the public.*

**5. Ingrid Ault - Resolution to Amend Resolution R-14-098 Directing the City Administrator to List for Sale 319 S. 5th Ave. (DC-4)**

*Ingrid Ault, 2531 Meade Ct., Chair of the Park Advisory Commission, spoke in opposition to the proposed Resolution to Amend Resolution R-14-098 Directing the City Administrator to List for Sale 319 S. 5th Ave. Ms. Ault noted that the resolution states that the listing not occur until after an adequate public process has taken place. She said that there have been two very robust public processes regarding the site. The DDA spent 18 months and had more than 30 community meetings during their outreach process.*

**6. Odile Hugonot-Haber - Resolution to Amend Resolution R-14-098 Directing the City Administrator to List for Sale 319 S. 5th Ave. (DC-4)**

*Odile Hugonot-Haber, 531 Third St., addressed Council regarding the proposed Resolution to Amend Resolution R-14-098 Directing the City Administrator to List for Sale 319 S. 5th Ave. She said that the majority of the people have asked for green space and a park on the lot and that the people's wishes have not been considered. She urged Council to listen to the people.*

**7. Kermit Schlansker - How to Save the Earth**

*Kermit Schlansker, 2960 Marshall, addressed Council regarding saving the Earth. He spoke about the need for conservation as a long-term energy solution.*

**8. Ali Ramlawi - Future of the Library Lot**

*Ali Ramlawi, 428 S. Seventh St., thanked Mayor Hieftje for serving as the Mayor of the City of Ann Arbor for the past 10 years. Mr. Ramlawi addressed Council regarding the Library Lot. He stated the entire western portion of the site should be developed into a public plaza. Mr. Ramlawi stated the current proposal is not large enough for a good, useable public plaza that would encourage public use and civic activities.*

**CC COMMUNICATIONS FROM COUNCIL***COUNCILMEMBER TEALL*

*Councilmember Teall thanked City staff and the public who were involved in the production of the Festifools and Fool Moon events over the weekend. She stated that Sherry Brown, one of the organizers, wanted her to thank staff for their assistance, including with the street closures. The events were a great success, she said.*

*COUNCILMEMBER LUMM*

*Councilmember Lumm announced that a public meeting is being hosted by MDOT regarding the Jackson Avenue reconstruction project. The meeting is scheduled for April 10, 2014 from 4-6 p.m. at the Downtown District Library. The public is welcome to attend.*

*COUNCILMEMBER WARPEHOSKI*

*Councilmember Warpehoski said that the purpose of the Jackson Avenue meeting is to discuss road closures, detours and the impact this project will have on traffic.*

*COUNCILMEMBER ANGLIN*

*Councilmember Anglin spoke about the continued use of hired consultants for City projects. He urged the City Administrator to utilize the staff employed by the City, rather than hire additional consultants. Councilmember Anglin stated the City has well qualified folks on staff to manage projects.*

**MC COMMUNICATIONS FROM THE MAYOR**

*Mayor Hieftje said that he co-hosted a Renewable Energy Conservation Conference on March 31, 2014, along with the University of Michigan. It was held at the University of Michigan Business School and was very well attended with people coming in from all around the country.*

*Mayor Hieftje reported on the numerous activities and community events from the past weekend. He noted that in addition to the Festifools events, the City hosted the UM Spring Football game, a charity run at Michigan Stadium, as well as the annual Hash Bash. Mayor Hieftje also noted that President Obama was in Ann Arbor last week. All of these events were well run and well organized, said the Mayor.*

*Mayor Hieftje followed up on comments made by the City Administrator regarding the Delonis Center and its efforts to find shelter and warmth for all this winter. Mayor Hieftje noted that when originally constructed, the shelter was only designed to house 75 beds. That number was exceeded many times this winter, he said, to keep up with the demand from the public. Mayor Hieftje also commented on the fact that many of the users of the shelter, nearly 45%, are not County residents. In the coming months and years, Mayor Hieftje stated that the County and the Shelter need to decide if they are a regional center or if some other plan for regional help needs to be configured.*

MC-1 14-0484

## Appointments - Confirmations

Sponsors: Hieftje

*APPOINTMENTS APPROVED*

*Mayor Hieftje recommended the following appointments at the March 17, 2014 regular session of Council:*

*Ann Arbor Commission on Disability Issues*

*Westley Resendes Filling vacancy of Patti Smith  
200 N. State St., Unit 1  
Ann Arbor, MI 48104*

*Term: June 1, 2012 - May 31, 2015*

*Economic Development Corporation*

*Dale Leslie Re-Appointment  
1159 Joyce Lane  
Scio Twp., MI 48103-8869*

*Term: June 1, 2013 - May 31, 2019*

*Tim Marshall  
877 Ridge Rd  
Chelsea, MI 48118*

*Term: June 1, 2013-May 31, 2019*

*Historic District Commission*

*Ellen Ramsburgh Re-Appointment  
1503 Cambridge Rd.  
Ann Arbor, MI 48104*

*Term: June 1, 2014 - May 31, 2017*

*Public Market Advisory Commission*

*Aimee Germain Re-Appointment  
320 Depot St. Apt. B  
Ann Arbor, MI 48104*

*Term: June 1, 2014 - May 31, 2017*

**A motion was made by Councilmember Lumm, seconded by Councilmember Briere, that Council concur with the recommendations of the Mayor. On a voice vote, the Mayor declared the motion carried.**

**MC-2 14-0596**

## Appointments - Confirmations 4/7/2014

**Attachments:** Gwenyth Hayes app., Daniel Lee app., Mary K. McClellan app., Shannan Gibb-Randall app.

*REFERRED*

*Mayor Hieftje placed the following appointments on the floor for approval at a later date:*

*Airport Advisory Committee*

*Mary Karen McClellan- Filling Vacancy  
2008 Hall Ave.  
Ann Arbor, MI 48104  
Term: June 1, 2013 - May 30, 2016*

*Ann Arbor Housing Commission*

*Gwenyth Hayes- Serving out rest of term for Gloria Black  
727 Miller Apt. 514  
Ann Arbor, MI 48103  
Term: May 4, 2010 - May 4, 2015*

*Daniel Lee-Re-Appointment  
425 E. Washington #1114  
Ann Arbor, MI 48104  
Term: May 6, 2014 - May 6, 2019*

*Design Review Board*

*Shannan Gibb-Randall-Serving out term of Mary Jucari  
200 Mark Hannah Place  
Ann Arbor, MI 48103  
Term: June 1, 2012 - May 30, 2015*

*Employees Retirement Systems Board of Trustees*

*Mark Heusel-Re-Appointment  
2760 Bedford Rd.  
Ann Arbor, MI 48104  
Term: May 3, 2014 - May 2, 2017*

*Public Market Advisory Commission*

*David Santacroce-Re-Appointment  
601 N. Fifth Avenue  
Ann Arbor, MI 48104  
Term: June 1, 2014 - May 30, 2017*

**Referred to the City Council due back on 4/21/2014**

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



**PH-1 14-0513**

Resolution to Vacate a Seven-Foot Wide Strip of West Ellsworth Road Near the Corner of South State Street and Accept a Grant of Easement for Non-motorized Use (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (8 Votes Required)

**Attachments:** 3/18/14 Planning Staff Report, Vacation and Easement Drawing.pdf, 3-18-2014 CPC Minutes for Belle Tire ROW Vacation

*A public hearing was conducted on the proposed Resolution to Vacate a Seven-Foot Wide Strip of West Ellsworth Road Near the Corner of South State Street and Accept a Grant of Easement for Non-motorized Use. Notice of public hearing was published March 31, 2014.*

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

**Held and Closed**

Enactment No: R-14-114

**PH-2 14-0514**

Resolution to Approve the Main Street Area Business Improvement Zone and Zone Plan

**Sponsors:** Taylor, Briere and Petersen

**Attachments:** SCHEDULE 1 TO BIZ PETITION, SCHEDULE 2 TO BIZ PETITION, SCHEDULE 3 TO BIZ PETITION

*A public hearing was conducted on the proposed Resolution to Approve the Main Street Area Business Improvement Zone and Zone Plan. Notice of public hearing was published March 27, 2014 and mailed by first class mail to all affected property owners.*

*Tom Partridge, City resident, said that more attention needs to be given to senior citizens, disabled persons, and persons needing public transportation.*

*The following people spoke in support of the proposed expansion:*

*Jan Culbertson, BIZ property owner*

*Bill Kinley, 843 Asa Gray, owner of S. Ashley Street building*

*Jim McDonald, Liberty Street business owner*

*Ed Shaffran, Chair of Main Street BIZ, thanked sponsors for their support and was available to answer questions.*

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

**Held and Closed**

Enactment No: R-14-113

**A APPROVAL OF COUNCIL MINUTES**

- A-1 14-0528** Regular Session Meeting Minutes of March 17, 2014
- Attachments:** 3-17-14 Draft minutes, Council emails 3-17-2014\_Redacted1.pdf
- A motion was made by Councilmember Lumm, seconded by Councilmember Teall, that the Regular Session Meeting Minutes of March 17, 2014 be approved as presented. On a voice vote, the Mayor declared the motion carried.**

**CA CONSENT AGENDA**

**Passed on consent agenda**

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

- CA-1 14-0374** Resolution to Approve a Professional Services Agreement for Construction Materials Testing with CTI and Associates, Inc. for the 2014 Street Resurfacing Project (RFP No. 884, \$82,332.50)
- Attachments:** CTI Agreement 2014 Resurfacing.pdf
- Enactment No: R-14-103
- CA-2 14-0386** Resolution to Approve the Purchase a TS15P R1000 Robotic Total Station and DNA10 Digital Level for Surveying (\$33,671.00)
- Attachments:** Survey Equipment Quote February 2013.pdf
- Enactment No: R-14-104
- CA-3 14-0388** Resolution to Approve Purchase Order for Annual Maintenance and Support of TRAKiT System with CRW Systems, Inc. for FY2014 (\$36,500.00)
- Enactment No: R-14-105
- CA-4 14-0293** Resolution to Close Street for the Townie Street Party - Monday, July 14, 2014
- Attachments:** Townie Street Party Map 2014.pdf
- Enactment No: R-14-106
- CA-5 14-0390** Resolution to Approve Street Closings for the 2014 Ann Arbor Jaycees Fourth of July Parade - Friday, July 4, 2014
- Attachments:** 4th of July Parade Map.pdf
- Enactment No: R-14-107

- CA-6 14-0443** Resolution to Close Streets for the Townie Street Party - Ann Arbor Mile on Monday, July 14, 2014  
Attachments: Townie-AA Mile Map.pdf  
Enactment No: R-14-108
- CA-7 14-0453** Resolution to Approve a Transportation Alternatives Program Grant Application to SEMCOG and MDOT to Fund Renovations of the Gallup Park Pathway  
Enactment No: R-14-109
- CA-8 14-0520** Resolution to Approve Street Closings for the 2013 "Taste of Ann Arbor" Special Event - Sunday, June 2, 2013  
Attachments: Taste of Ann Arbor Map.pdf  
Enactment No: R-14-110
- CA-9 14-0070** Resolution to Approve Street Closing for The Event on Main - Thursday, June 19, 2014  
Attachments: The Event on Main Map.pdf, The Event on Main Tent Map 2014  
Enactment No: R-14-111

**B ORDINANCES - SECOND READING**

None.

**C ORDINANCES - FIRST READING**

**C Unfinished Business:**

- C-1 14-0189** An Ordinance to Add a New Chapter 64 (Smoke-Free Outdoor Public Places) to Title VI (Food and Health) of the Code of the City of Ann Arbor

Sponsors: Warpehoski

Attachments: Chapter 64 Smoke Free Ordinance (14-03) Briefed.pdf, Chapter 64 Smoke Free Ordinance as Amended 040714, Revised Smoke Ordinance 4-7-14.pdf, Revised SmokeFree Ordinance substitute 030314, No Smoking Ordinance Amendment.pdf

*(The complete copy of the text of Ordinance No. ORD-14-03 is on file in the City Clerk's Office.)*

**A motion was made by Councilmember Warpehoski, seconded by Councilmember Taylor, that the Ordinance be approved on First Reading. On a roll call, the vote was as follows with the Mayor declaring the motion carried:**

**Yeas:** 8 - Mayor Hieftje, Councilmember Kunselman, Councilmember Teall, Councilmember Anglin, Councilmember Briere, Councilmember Taylor, Councilmember Petersen and Councilmember Warpehoski

**Nays:** 3 - Councilmember Lumm, Councilmember Kailasapathy and Councilmember Eaton

Enactment No: ORD-14-03

**C New Business - Staff:**

**C-2 14-0346** An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 2.02 Acres from R4D (Multiple-Family Dwelling District) to PL (Public Land District), Stapp Nature Area Addition, 3301 Traverwood Drive (CPC Recommendation: Approval - 6 Yeas and 0 Nays) (Ordinance No. ORD-14-04)

**Attachments:** Stapp Nature Area Zoning Ordinance (14-04) Briefed.pdf, Zoning Ordinance - Stapp Nature Area Addition.pdf, 2/20/14 Planning Staff Report, 2/20/14 Minutes

*(The complete copy of the text of Ordinance No. ORD-14-04 is on file in the City Clerk's Office.)*

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

Enactment No: ORD-14-04

**RECESS**

*Mayor Hieftje declared a recess at 9:20 p.m. and reconvened the meeting at 9:35 p.m.*

**DC-1 14-0334** Resolution Designating an Urban Public Park Location on the Library Lot Site

**Sponsors:** Anglin, Eaton, Kailasapathy and Lumm

**Attachments:** NEW Library Lane square footage map, NEW Library Lane Public Park boundaries map, Public Urban Park Boundaries 021114

**A motion was made by Councilmember Kunselman, seconded by Councilmember Eaton, that the Resolution be reconsidered. On a voice vote, the Mayor declared the motion carried with two no-votes made by Councilmembers Taylor and Warpehoski.**

Enactment No: R-14-091

**A motion was made by Councilmember Kunselman, seconded by Councilmember Eaton, that the Resolution be approved.**

Enactment No: R-14-091

**14-0334** Resolution Designating an Urban Public Park Location on the Library Lot Site

**Sponsors:** Anglin, Eaton, Kailasapathy and Lumm

**Attachments:** NEW Library Lane square footage map, NEW Library Lane Public Park boundaries map, Public Urban Park Boundaries 021114

**A motion was made by Councilmember Kunselman, seconded by Councilmember Eaton, that the Resolution be amended as follows:**

**First RESOLVED Clause:**

**...RESOLVED, That City Council approve the reservation of the site for an urban public park of [between] approximately [6,500 and ]12,000 square feet on the surface of the Library Lane Structure bounded by the Fifth Avenue sidewalk on the west, the Library Lane Street curb to the south, the western entry to the central elevator to the east, with the northern boundary to be determined at a future date;**

**Note: [ ] Brackets indicate deleted language. All CAPS indicate new language.**

**On a roll call, the vote was as follows with the Mayor declaring the motion carried:**

**Yeas:** 6 - Councilmember Kunselman, Councilmember Anglin, Councilmember Lumm, Councilmember Kailasapathy, Councilmember Petersen and Councilmember Eaton

**Nays:** 5 - Mayor Hieftje, Councilmember Teall, Councilmember Briere, Councilmember Taylor and Councilmember Warpehoski

Enactment No: R-14-091

**A motion was made by Councilmember Petersen, seconded by Councilmember Briere, that the Resolution be postponed until 4/21/2014. On a roll call, the vote was as follows with the Mayor declaring the motion defeated:**

**Yeas:** 5 - Councilmember Teall, Councilmember Briere, Councilmember Taylor, Councilmember Petersen and Councilmember Warpehoski

**Nays:** 6 - Mayor Hieftje, Councilmember Kunselman, Councilmember Anglin, Councilmember Lumm, Councilmember Kailasapathy and Councilmember Eaton

Enactment No: R-14-091

**The question being the Resolution as amended, on a roll call, the vote was as follows with the Mayor declaring the motion carried:**

**Yeas:** 7 - Councilmember Kunselman, Councilmember Anglin, Councilmember Briere, Councilmember Lumm, Councilmember Kailasapathy, Councilmember Petersen and Councilmember Eaton

**Nays:** 4 - Mayor Hieftje, Councilmember Teall, Councilmember Taylor and Councilmember Warpehoski

Enactment No: R-14-091

**DC-2 14-0470** Resolution to Direct the City Administrator to List for Sale 319 South Fifth and to Retain Real Estate Brokerage Services

Sponsors: Kunselman

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

Enactment No: R-14-098

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

**Yeas:** 7 - Mayor Hieftje, Councilmember Kunselman, Councilmember Teall, Councilmember Briere, Councilmember Taylor, Councilmember Petersen and Councilmember Warpehoski

**Nays:** 4 - Councilmember Anglin, Councilmember Lumm, Councilmember Kailasapathy and Councilmember Eaton

Enactment No: R-14-098

## **D MOTIONS AND RESOLUTIONS**

### **MOTION TO SUSPEND COUNCIL RULES**

**A motion was made by Councilmember Warpehoski, seconded by Councilmember Taylor, to suspend Council Rule 1 in order to consider a Closed Session after 11 p.m. On a voice vote, the Mayor declared the motion carried.**

## **DC New Business - Council:**

**DC-3 14-0526** Resolution To Urge the Termination of Efforts to Appeal United States District Court's March 21, 2014 Findings of Fact and Conclusions of Law in the Case of Deboer v. Snyder

Sponsors: Taylor, Teall, Briere, Warpehoski, Lumm and Hieftje

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

Enactment No: R-14-112

- DC-4 14-0514** Resolution to Approve the Main Street Area Business Improvement Zone and Zone Plan
- Sponsors:** Taylor, Briere and Petersen
- Attachments:** SCHEDULE 1 TO BIZ PETITION, SCHEDULE 2 TO BIZ PETITION, SCHEDULE 3 TO BIZ PETITION
- A motion was made by Councilmember Petersen, seconded by Councilmember Taylor, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-14-113

**RECESS**

*Mayor Hieftje declared a recess at 11:03 p.m. and reconvened the meeting at 11:13 p.m.*

- DC-6 14-0573** Resolution to Amend Resolution R-14-098 Directing the City Administrator to List for Sale 319 South Fifth and Retain Real Estate Brokerage Services
- Sponsors:** Anglin, Eaton and Briere
- Mayor Hieftje declared a recess at 11:44 p.m. and reconvened the meeting at 11:46 p.m.*
- A motion was made by Councilmember Warpehoski, seconded by Councilmember Taylor, that the Resolution be approved. On a voice vote, the Mayor declared the motion defeated.**

- DC-5 14-0543** Resolution to Establish a Policy for the Distribution of Proceeds from the Sale of the Development Rights on 319 S. Fifth Ave. (the Library Lot)
- Sponsors:** Hieftje, Briere, Taylor and Warpehoski
- A motion was made by Councilmember Briere, seconded by Councilmember Teall, that the Resolution be approved.**
- A motion was made by Councilmember Petersen, seconded by Councilmember Eaton, that the Resolution be postponed until 6/2/2014. On a roll call, the vote was as follows, with the Mayor declaring the motion carried:**
- Yeas:** 6 - Councilmember Kunselman, Councilmember Anglin, Councilmember Lumm, Councilmember Kailasapathy, Councilmember Petersen and Councilmember Eaton
- Nays:** 5 - Mayor Hieftje, Councilmember Teall, Councilmember Briere, Councilmember Taylor and Councilmember Warpehoski

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

- DB-1 14-0513** Resolution to Vacate a Seven-Foot Wide Strip of West Ellsworth Road Near the Corner of South State Street and Accept a Grant of Easement for Non-motorized Use (CPC Recommendation: Approval - 9 Years and 0 Nays) (8 Votes Required)

**Attachments:** 3/18/14 Planning Staff Report, Vacation and Easement Drawing.pdf, 3-18-2014 CPC Minutes for Belle Tire ROW Vacation

**A motion was made by Councilmember Teall, seconded by Councilmember Eaton, 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-14-114

- DB-2 14-0509** Resolution Requesting The Regents of The University of Michigan and University of Michigan President Consider City Land Use Recommendations In the Future Development of the Edwards Brothers Site (CPC Recommendation 9 Years, 0 Nays)

**Sponsors:** Petersen

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

Enactment No: R-14-115

**DS Unfinished Business - Staff:**

- DS-1 14-0188** Resolution to Repurpose \$75,000.00 in Approved FY2014 General Fund Budget and Appropriate (\$122,250.00) to Support the Pedestrian Safety Task Force, and to Approve a Professional Services Agreement with Project Innovations, Inc. (\$77,400.00) (8 Votes Required)

**Attachments:** Ex. 1, Pedestrian Safety TF-Proposed Work Approach, Ex. 2, Pedestrian Safety TF-Probable Timeline, Memo to City Administrator 3-27-14, Ex. 3, Pedestrian Safety TF-Probable Timeline including RFP Process, Pedestrian Safety TF-PSA with Project Innovations

**A motion was made by Councilmember Briere, seconded by Councilmember Warpehoski, that the Resolution be approved.**

**A motion was made by Councilmember Lumm, seconded by Councilmember Taylor, that the Resolution be tabled. The motion to table was withdrawn.**

**The question being, the motion by Councilmember Briere, seconded by Councilmember Warpehoski, that the Resolution be approved, on a voice vote, the Mayor declared the motion failed and the Resolution defeated.**

**DS New Business - Staff:**

*Councilmember Teall left the meeting at 12:41 a.m.*



**Present:** 10 - Mayor John Hieftje, Councilmember Stephen Kunselman, Councilmember Mike Anglin, Councilmember Sabra Briere, Councilmember Christopher Taylor, Councilmember Jane Lumm, Councilmember Sumi Kailasapathy, Councilmember Sally Petersen, Councilmember Chuck Warpehoski and Councilmember Jack Eaton

**Absent:** 1 - Councilmember Margie Teall

**DS-2 14-0380**

Resolution to Approve a Contract with Nagle Paving Company to Relocate and Rebuild the Tennis Courts at Windemere Park (\$134,297.80)

**Attachments:** ITB WindemereTennis Court Specifications for Council.pdf

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

Enactment No: R-14-116

**DS-3 14-0362**

Resolution to Award a Construction Contract to Barrett Paving Materials, Inc. (ITB. 4325, \$3,409,000.00) for the 2014 Street Resurfacing Project

**Attachments:** 2014 Street List.pdf, 2014 Bidders List.pdf, ITB 4325 2014 Street Resurfacing - Barrett.pdf

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

Enactment No: R-14-117

**DS-4 14-0396**

Resolution to Award a Construction Contract to Doan Construction Company (Bid No. 4320, \$1,707,037.00) for the 2014 Ramp & Sidewalk Repair Project

**Attachments:** RSW 2014 Work Areas, Doan Award Bid Tab.pdf, ITB-4320 Addendum 1 FINAL, Doan Proposal ITB 4320, ITB 4320 2014 RSW Project Doan Contract

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

Enactment No: R-14-118

**DS-5 14-0398**

Resolution to Extend the Service Agreement with Precision Concrete Cutting (Bid No. 4260) for the 2014 Ramp & Sidewalk Repair Project

**Attachments:** RSW 2014 Work Areas, ITB 4260 2013 Sidewalk Cutting contract FINAL

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

Enactment No: R-14-119

**COMMUNICATIONS FROM COUNCIL***COUNCILMEMBER WARPEHOSKI*

*Councilmember Warpehoski thanked the Veg Week organizers for the snacks that were passed out at the beginning of the meeting. He said that the Council Rules Committee is reviewing the Ethics Policy and a Gifts Acceptance Policy would be considered as well.*

*COUNCILMEMBER KUNSELMAN*

*Councilmember Kunselman reported to Council that the Ann Arbor Observer did acknowledge an error in a previous publication regarding the DDA and its filing of annual reports. He noted that the Observer apologized for its error.*

*Councilmember Kunselman expressed concern with the discussion regarding heroin used at the last City Council meeting. He said that he was on the Channel 7 news the following day with a headline that read "Heroin Use at Public Library in Ann Arbor." Mr. Kunselman requested that the City Administrator provide Council with an update regarding Police Department calls at the Library.*

**E COMMUNICATIONS FROM THE CITY ATTORNEY**

*None.*

**F & G CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS****F The following communications were referred as indicated:****Passed on consent agenda**

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

**F-1 14-0497** Letter to Mayor and Council from David Canter and Matthew Kulhanek March 18, 2014 Regarding Airport Strategic Planning

**Attachments:** Strategic Plan Letter to Mayor and Council 3-18-14

**F-2 14-0500** Communication from Derek Spinei, President of the Detroit Area Art Deco Society regarding 515/517 Oxford Road Rezoning - Planning and Development Services

**Attachments:** 515-517 Oxford Rd Communication.pdf

- F-3 14-0510** Resolution to Request City Council Utilize an RFQ/RFP Process For the Sale of the Development Rights Over the "Library Lot" Underground Parking Structure  
**Attachments:** Approved Planning Commission Resolution 03-18-14
- F-4 14-0515** Resolution Dated March 17, 2014 from the Board of Directors of the Ann Arbor District Library Requesting Ann Arbor City Council Reject City Council Resolution Designating an Urban Park Location on The Library Lot Site  
**Attachments:** 13-214 Resolution Rejecting Urban Public Park
- F-5 14-0516** AAATA Financial and Performance Reports for the month ended February 28, 2014  
**Attachments:** AAATA Financial and Performance Month Ended 02.28.14.pdf
- F-6 14-0522** Communication from Comcast regarding channel changes effective April 29, 2014 - CTN  
**Attachments:** Comcast Communication.pdf
- F-7 14-0523** Notice of Public Meetings with Washtenaw County Parks and Recreation Commission regarding the Washtenaw County Parks and Recreation Master Plan: 2015-2019  
**Attachments:** Washtenaw County Parks and Recreation Commission Communication.pdf
- F-8 14-0542** City of Ann Arbor Economic Collaborative Task Force Report - March 28, 2014  
**Sponsors:** Petersen  
**Attachments:** Economic Collaborative Task Force Final 4-28-14
- F-9 14-0553** Communications from the Ann Arbor Area Transportation Authority (AAATA)  
**Attachments:** Transit Improvement Funding Request Issue Analysis.pdf, Community Attitude Survey 2013.pdf
- F-10 14-0562** April 2, 2014 Public Opinion from City Attorney Stephen Postema Regarding the City of Ann Arbor's Homeowner Tax Assessment  
**Attachments:** City Attorney Opinion regarding Property Assessments

- F-11 14-0563** August 9, 2012 Advisory Memorandum from City's Outside Bond Counsel  
**Attachments:** August 2012 Letter from Dykema Gossett Bond Counsel
- F-12 14-0595** Communication from Lisa Danto, RN, regarding the proposed smoke-free (SF) air outdoor policy proposal  
**Attachments:** Email from Lisa Danto .pdf, TBATC Letter of Support 4-7-14.pdf, MI SF\_TF parks beaches List 4-7-14 LAD.pdf, Leel. Co. Tobacco-Free Campus Ord. 9-07.pdf
- G The following minutes were received for filing:**
- G-1 13-1329** Environmental Commission Meeting Minutes of September 26, 2013  
**Attachments:** City of Ann Arbor Environmental Commission Meeting\_09262013
- G-2 14-0072** Public Market Advisory Commission Meeting Minutes of the December 19, 2013  
**Attachments:** Minutes of the December 19, 2013 Public Market Advisory Commission Meeting.pdf
- G-3 14-0237** Historic District Commission Meeting Minutes of the January 9, 2014  
**Attachments:** 1-9-2014 HDC Minutes with Live Links-Amended
- G-4 14-0264** City Planning Commission Meeting Minutes of November 19, 2013  
**Attachments:** 11-19-2013 CPC Minutes with Live Links
- G-5 14-0265** City Planning Commission Meeting Minutes of December 3, 2013  
**Attachments:** 12-3-2013 CPC Minutes with Live Links
- G-6 14-0266** City Planning Commission Special Meeting Minutes of January 14, 2014  
**Attachments:** 1-14-2014 CPC Special Meeting Minutes
- G-7 14-0323** January 22, 2014 ZBA Minutes with Live Links  
**Attachments:** 1-22-2014 ZBA Minutes with Live Links
- G-8 14-0326** Public Market Advisory Commission Meeting Minutes of January 16, 2014  
**Attachments:** PMAC Meeting Minutes 1.16.14.pdf

- G-9 14-0355** City Planning Commission Meeting Minutes of December 17, 2013  
**Attachments:** 12-17-2013 CPC Minutes with Live Links
- G-10 14-0454** Park Advisory Commission Meeting Minutes of February 25, 2014  
**Attachments:** PAC Final Meeting Minutes for 2-25-14.pdf
- G-11 14-0469** Downtown Development Authority Meeting Minutes of February 5, 2014  
**Attachments:** DDA Minutes February 2014
- G-12 14-0471** Downtown Area Citizens Advisory Council Meeting Minutes of March 4, 2014  
**Attachments:** Downtown Area Citizens Advisory Meeting Minutes 030414
- G-13 14-0479** City Planning Commission Meeting Minutes of January 23, 2014  
**Attachments:** 1-23-2014 CPC Minutes with Live Links
- G-14 14-0480** City Planning Commission Meeting Minutes - February 20, 2014  
**Attachments:** 2-20-2014 CPC Minutes with Live Links
- G-15 14-0491** Ann Arbor Public Art Commission Meeting Minutes - October 23, 2013  
**Attachments:** AAPAC Meeting Minutes - October 2013.pdf
- G-16 14-0528** Regular Session Meeting Minutes of March 17, 2014  
**Attachments:** 3-17-14 Draft minutes, Council emails 3-17-2014\_Redacted1.pdf

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

*Stefan Trendov, 437 Fourth St., thanked Council for their direction and the work they are doing.*

*Kai Petainen, City resident, said that he would like the Ann Arbor station process to be open and honest. He expressed concern with the bias presented, noting that one of the maps is not transparent in its markings of environmental sites.*

*Alan Haber, City resident, spoke about the Library Lot and his concerns with the process.*

*Odile Haber, City resident, expressed concern with the public process regarding the Library Lot.*

*Caleb Poirier, City resident, said that he was impressed with the patience that Council has shown each other at the meeting this evening and thanked the people who came out in support of homelessness efforts at the March 17, 2014 regular session of Council.*

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

*Councilmember Kailasapathy left the meeting at 1:09 a.m.*

**A motion was made by Councilmember Warpehoski, seconded by Councilmember Eaton, that Council enter into Closed session to discuss pending litigation under the Open Meetings Act as set forth or incorporated in MCLA 15.268 (e). On a roll call, the vote was as follows, with the Mayor declaring the motion carried and the meeting adjourned at 1:09 a.m.:**

**Yeas:** 10 - Mayor Hieftje, Councilmember Kunselman, Councilmember Anglin, Councilmember Briere, Councilmember Taylor, Councilmember Lumm, Councilmember Kailasapathy, Councilmember Petersen, Councilmember Warpehoski and Councilmember Eaton

**Nays:** 0

**Absent:** 1 - Councilmember Teall

**MEETING RECONVENED**

**A motion was made by Councilmember Eaton, seconded by Councilmember Warpehoski, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 1:25 a.m.**

**ADJOURNMENT**

**A motion was made by Councilmember Taylor, seconded by Councilmember Lumm, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 1:25 a.m.**

**14-0643** Council Emails and Redaction List from April 7, 2014

**Attachments:** Council emails 4-7-2014\_Redacted.pdf

Received and Filed

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

**LIVE: MONDAY, APRIL 7, 2014, 7:00 P.M.**

**REPLAYS: TUESDAY, APRIL 8, 2010, 10:00 A.M. AND FRIDAY, APRIL 11, 2014, 7:30 P.M.**

**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.

All persons are encouraged to participate in public meetings. Citizens requiring translation or sign language services or other reasonable accommodations may contact the City Clerk's office at 734.794.6140; via e-mail to: [cityclerk@a2gov.org](mailto:cityclerk@a2gov.org); or by written request addressed and mailed or delivered to:

City Clerk's Office  
301 E. Huron St.  
Ann Arbor, MI 48104

Requests need to be received at least two (2) business days in advance of the meeting.

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

**Jacqueline Beaudry**  
**Clerk of the Council**

**Anissa R. Bowden**  
**Recording Secretary**