

City of Ann Arbor

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



Action Minutes

Monday, September 19, 2016

7:00 PM

Please note: City Council will not meet in Caucus this week.

**Larcom City Hall, 301 E Huron St, Second floor, City Council
Chambers**

City Council

City Council will meet in caucus the Sunday prior to each regular session at 3:30 p.m. in Council Chambers.

CALL TO ORDER

Mayor Taylor called the meeting to order at 7:01 p.m. in the Guy C. Larcom, Jr. Building, 2nd Floor Council Chambers, 301 E. Huron Street.

MOMENT OF SILENCE

Council stood for a moment of silence.

PLEDGE OF ALLEGIANCE

Mayor Taylor led Council in the recitation of the Pledge of Allegiance.

ROLL CALL OF COUNCIL

- Present:** 10 - Councilmember Jane Lumm, Councilmember Sumi Kailasapathy, Councilmember Chuck Warpehoski, Councilmember Jack Eaton, Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Graydon Krapohl, Councilmember Kirk Westphal, Councilmember Zachary Ackerman and Councilmember Chip Smith
- Absent:** 1 - Councilmember Sabra Briere

APPROVAL OF AGENDA

A motion was made by Councilmember Grand, seconded by Councilmember Lumm, that the Agenda be approved as presented. On a voice vote, the Mayor declared the motion carried.

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

City Administrator Howard Lazarus reported on the following for information of Council and the public:

Success Stories

- *Kudos to our public safety team and the supporting agencies for making the visit of Vice Presidential Candidate Tim Kaine a success.*
- *Congratulations to Public Services for completion of the Ferdon Wells Storm Sewer Rehabilitation Project*

Notices

- *The next Regular Session of Council is scheduled for Thursday, October 6, due to the Rosh Hashanah holiday earlier that week. Council will not meet on Monday, October 3rd.*
- *The City Clerk's Office is currently recruiting new election inspectors to work the polls on Election Day, Tuesday, November 8. Starting pay for new inspectors is \$11.00 per hour. Working at your neighborhood precinct is a great way to meet new people, earn a little extra cash, and provide a noble community service. Interested Ann Arbor citizens can email cityclerk@a2gov.org to get more information and to sign up for training.*
- *The City Clerk's Office has been notified by the Ann Arbor Public Schools staff that Allen Elementary School, the permanent polling location of Precincts 3-4 and 3-7, has recently suffered extensive water damage and will be closed for several months for repair and renovation. Due to the closure, the school will not be usable as a polling place for the November 8 Presidential Election and a temporary relocation will be necessary. AAPS has offered nearby Pattengill Elementary, 2100 Crestland Drive, which is located within the boundary of Precinct 3-4, as a temporary polling location for both 3-4 and 3-7 voters. Due to its close proximity to the existing polling location, Pattengill Elementary will offer minimal disruption to voters for the November election. Affected voters will return to their usual polling place at Allen Elementary for the 2017 city elections.*
- *The first reading for the rezoning application for the property at 2250 Ann Arbor-Saline has been postponed at the applicant's request.*

AC-1 16-1362

Agenda Response Memo - September 19, 2016

Attachments: Agenda Responses 9-19-16 Final

City Administrator Howard Lazarus presented his Agenda Response Memo for information of Council.

Received and Filed

INT INTRODUCTIONS

- INT-1 16-1056** Presentation from SEMCOG Regarding the Organization's Structure, Membership Opportunities and Activities
- Attachments:** SEMCOG Presentation 9-19-16
- Representatives from SEMCOG were present to report on their current activities. SEMCOG work includes regional planning, transportation, environment, and traffic. A copy of the presentation is on file in the City Clerk's Office.*

Received and Filed

- INT-2 16-1269** Presentation of the Michigan Green Communities Gold Award to Ann Arbor City Council; Luke Forrest, Michigan Municipal League
- Mayor Taylor was presented with the 2016 Michigan Green Communities Gold Award. A copy of the award is on file in the City Clerk's Office.*

Received and Filed

- INT-3 16-1322** Proclamation for Recovery Month 2016
- Mayor Taylor read a proclamation recognizing Recovery Month 2016. Members of the community recovering from substance abuse and advocating for awareness were present to accept the proclamation. A copy of the proclamation is on file in the City Clerk's Office.*

Received and Filed

- INT-4 16-1328** Proclamation for Constitution Week 2016
- Sponsors:** Taylor
- Attachments:** Constitution Week 2016.pdf
- Mayor Taylor read a proclamation declaring September 17 through September 23 as Constitution Week. 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. Rita Mitchell - Public Services Agreement with URS Corporation Great Lakes Inc. (CA-17)

Rita Mitchell, 621 Fifth Street, spoke about CA-17, the Resolution to Approve Amendment No. 1 to the PSA with URS Corporation Great Lakes, Inc. She asked Council to remove this item from the Consent Agenda, to allow for debate and discussion, and to improve transparency on the Ann Arbor train station project. She urged Council to support and protect Ann Arbor parks.

2. Blaine Coleman - Lee Booth, fighter for Palestine Rights, has died.

Blaine Coleman spoke about the death of Lee Booth, a local activist for the people of Palestine, stating she was an activist in Ann Arbor and Palestine.

3. Mozhgan Savabieassahani - Lee Booth, fighter for Palestine Rights, has died.

Mozhgan Savabieassahani spoke about the death of Lee Booth and her fight for human rights.

4. Alan Greene - Zero Lot Line Construction regarding 611 E. University

Alan Greene, Bloomfield Hills resident, representing Zaragon Place, spoke about a zero lot line construction project near Zaragon. He expressed concern about the developer's ability to build this project without disturbing his site. He noted that City ordinance allows the proposal, but stated he has a lot of concerns with the safety of his residents and his property.

5. Lisa Abrams - Poor Road Visibility

Lisa Abrams, FAAWN member, spoke about the City's deer management program and questioned the need for lethal methods. She urged the City Council to look at non-lethal methods.

6. Sharon Clark - Proclamation in Honor of Constitution Week (INT-4)

Sharon Clark, representing the Daughters of the American Revolution, thanked Mayor Taylor for the proclamation provided earlier in the evening, noting the Ann Arbor chapter is over 100 years old.

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER ACKERMAN

Councilmember Ackerman thanked City Administrator Lazarus for highlighting the polling place change from Allen Elementary to Pattengill, due to the flooding damage at Allen. He urged his neighbors to join him in voting at Pattengill Elementary on Tuesday, November 8.

COUNCILMEMBER LUMM

Councilmember Lumm spoke about a recent press release regarding a sanitary sewer spill on Geddes Avenue. Information on the spill is posted on the City's website.

COUNCILMEMBER WARPEHOSKI

Councilmember Warpehoski highlighted the City's banners in the Council Chamber and noted the close of voter registration date of October 11 for the upcoming November 8 General Election. He urged residents to make sure their friends were registered. He thanked local city residents who have been active in voter registration drives. He also spoke about the City's ballot proposal regarding 4-year terms for City Council.

MC COMMUNICATIONS FROM THE MAYOR

MC-1 16-1220 Appointments - Confirmations

Sponsors: Taylor

Attachments: James Simpson app. 2016.pdf, Sarah Paleg app. 2016.pdf

Mayor Taylor requested confirmation of the following appointments that were presented to Council at the September 6, 2016 regular session:

Ann Arbor Public Art Commission

*Connie Rizzolo Brown
Designer / Business owner
208 Pine Ridge
Ann Arbor, MI 48103
Term: Partial term ending May 31, 2019*

*James Simpson
3090 Edgewood Dr.
Ann Arbor, MI 48104
Term: Partial term ending May 31, 2019*

Economic Development Corporation Board

*Howard Lazarus
706 Indianola Ave.
Ann Arbor, MI 48105
Term: Partial term ending May 31, 2022*

Energy Commission

*Sarah Paleg
PhD student -Biomass Energy
217 Bucholz Court
Ann Arbor, MI 48103
Term: Partial term ending May 31, 2019*

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

MC-2 16-1330

Nominations & Appointments

Sponsors: Taylor

Attachments: Alison Stroud app. 2016.pdf, Dwight Wilson app.2016.pdf, David Santacroce app. 2016.pdf

Mayor Taylor presented the following nominations for approval at a later date:

Ann Arbor Commission on Disability Issues

*Alison Stroud
1535 Pine Valley Blvd.
Ann Arbor, MI 48104
Term: Partial term ending May 31, 2019*

Human Rights Commission

*Dwight Wilson
1115 Baldwin Ave.
Ann arbor, MI 48104
Term: Partial term ending May 31, 2017*

Parks Advisory Commission

*David Santacroce-Reappointment
509 Detroit St.
Ann Arbor, MI 48104
Term: Partial term ending May 31, 2019*

Referred to the City Council due back on 10/6/2016

CA CONSENT AGENDA

CONSENT AGENDA ITEMS REMOVED

With unanimous consent of Council, the following Consent Agenda items were removed from the Consent Agenda and placed in the DS (Staff) items section of the agenda:

CA-17 Resolution to Approve Amendment No. 1 to the Professional Services Agreement with URS Corporation Great Lakes Inc., (URS) for the Ann Arbor Station Environmental Review (\$189,882.46)

Passed on consent agenda

It was requested that City staff inform all residents affected by the street closures in CA-2 and CA-3 of the dates, times and route.

A motion was made by Councilmember Lumm, seconded by Councilmember Krapohl, that the following Consent Items be approved as presented. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying

the eight-vote requirement of CA-9.

- CA-1 16-1288** Resolution to Temporarily Relocate Precincts 3-4 and 3-7 from Allen Elementary School, 2560 Towner Boulevard, to Pattengill Elementary School, 2100 Crestland Drive, for the Statewide General Election to be held on Tuesday, November 8, 2016

Attachments: Allen Pattengill map

Enactment No: R-16-365

- CA-2 16-1303** Resolution to Approve the Closing of Maynard Street for the Saved by the District Special Event on Saturday, October 15, 2016 from 7:00 A.M. until Midnight

Attachments: Saved by the District Map

Enactment No: R-16-366

- CA-3 16-1304** Resolution to Approve Street Closings for the Ann Arbor Thanksgiving Day Turkey Trot - Thursday, November 24, 2016

Attachments: Turkey Trot Map 2015.pdf

Enactment No: R-16-367

- CA-4 16-1302** Resolution Ratifying the Issuance of an Emergency Purchase Order to Raynor Overhead Door Corporation for the Repair and Replacement of Overhead Doors at the Materials Recovery Facility and Waste Transfer Station (\$48,555.00)

Attachments: Emergency PO - Raynor Door

Enactment No: R-16-368

- CA-5 16-1218** Resolution to Approve the Community Development Services Contract with Washtenaw County (\$165,000.00 FY 17; \$165,000.00 FY18)

Attachments: FY17 OCED Contract (2).pdf

Enactment No: R-16-369

- CA-6 16-1212** Resolution to Approve a Purchase Order to BS&A Software ("BS&A") for Annual Software Maintenance and Support Agreement for FY2017 (\$25,874.00)

Enactment No: R-16-370

- CA-7 16-1154** Resolution to Approve Renewal of Uniform Video Service Local Franchise Agreement with Michigan Bell Telephone Company, d/b/a AT&T Michigan

Attachments: 8-26-16 renewal agreement.pdf

Enactment No: R-16-371

- CA-8 16-1285** Resolution to Approve August 25, 2016 Recommendations of the Board of Insurance Administration

Enactment No: R-16-372

- CA-9 16-1259** Resolution to Approve a Contract with West Shores Services, Inc for a Comprehensive System Assessment, Control System Upgrade, and Maintenance of the Ann Arbor Outdoor Siren Warning System and Appropriate the Necessary Funds. (\$40,000.00) **(8 Votes Required)**

Enactment No: R-16-373

- CA-10 16-1169** Resolution to Authorize a Professional Services Agreement with Hubbell, Roth and Clark, Inc. for Guardrail Evaluation and Design (\$38,540.00)

Attachments: PSA with HRC_rev8_30

Enactment No: R-16-374

- CA-11 16-1222** Resolution to Approve the Purchase of an Odor Control Chemical from D3W Industries, Inc. for the Wastewater Treatment Plant (\$100,650.00 - estimated)

Attachments: PB Sole Source Letter Ann Arbor 2016 (003).pdf, PB Quotation Ann Arbor 2016 V2.pdf

Enactment No: R-16-375

- CA-12 16-1226** Resolution to Approve a Purchase Order with Trojan Technologies for Replacement Parts at the Wastewater Treatment Plant (\$85,000.00)

Attachments: trojan FY17 quote.pdf

Enactment No: R-16-376

- CA-13 16-1211** Resolution to Award a Construction Contract to Lawrence M. Clarke, Inc. for the Downtown Valve Replacement Project (\$342,160.00; Bid No. ITB-4449)

Attachments: BID TAB 6-20-16.pdf, Downtown Valve Replacement project Map.pdf, Lawrence M. Clarke Contract Documents.pdf

Enactment No: R-16-377

- CA-14 16-1213** Resolution to Award a Construction Contract to Bailey Excavation, Inc. for the Russell St., Upland Dr. & Woodmanor Ct. Road Reconfiguration Project (\$241,026.75; Bid No. ITB-4447)

Attachments: ITB_4447_Document, Bid Tab, Project map

Enactment No: R-16-378

- CA-15 16-1227** Resolution to Award a Construction Contract to P.K. Contracting, Inc. for Pavement Marking Maintenance (\$222,311.50; Bid No. ITB No. 4450)

Attachments: ITB 4450_Pvmt Mrkg Maint-2017_Bid Summary.pdf, 2017-022_Pvmt Mrkg Maint - 2017_Construction Contract.pdf

Enactment No: R-16-379

- CA-16 16-1266** Resolution to Approve Addendum No. 2 to the TIGER II Grant Agreement between the United States Department of Transportation, Federal Highway Administration for the East Stadium Boulevard Bridges Replacement Project

Attachments: T2-MI-Addendum 2-East Stadium Boulevard Bridges-FINAL 8 24 2016.pdf

Enactment No: R-16-380

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

- PH-1 16-1167** Resolution to Approve Maple Shoppes Building 2 Planned Project Site Plan, 512 North Maple Road (CPC Recommendation: Approval - 6 Years and 0 Days)

Attachments: August 3, 2016 Planning Staff Report, 8-3-2016 CPC Minutes for Maple

Shoppes 2

A public hearing was conducted on the proposed Resolution to Approve Maple Shoppes Building 2 Planned Project Site Plan, 512 North Maple Road. Notice of public hearing was published September 12, 2016.

The following people were present to speak at the public hearing:

Ethel Potts, 1014 Elder Boulevard, expressed concern about pedestrian safety and access to the sidewalk near the site.

Kathy Griswold, 3565 Fox Hunt, expressed concern about pedestrian safety and site distance.

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

Held and Closed

Enactment No: R-16-381

A APPROVAL OF COUNCIL MINUTES

A-1 16-1309 Regular Session Meeting Minutes of September 6, 2016

Attachments: 09-06-16 Draft Minutes, 9-6-2016 Council emails_Redacted

A motion was made by Councilmember Krapohl, seconded by Councilmember Westphal, that the Minutes of the Regular Session of September 6, 2016 be approved. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

None.

C ORDINANCES - FIRST READING

C New Business - Staff:

C-1 16-0644 An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 5.34 Acres from TWP (Township District) to R4B (Multiple-Family Dwelling District), Mirafzali Family LLC, 2250 Ann Arbor-Saline Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays) **(8 Votes Required at Second Reading)**

Attachments: 2250 Ann Arbor Saline Zoning Ordinance CC, 8-3-16 2250 Ann Arbor Saline Staff Report with Attachments 8-3-16-rev, 8-3-2016 CPC Minutes with Live Links.pdf, 7-21-15 CPC Minutes with Live Links, Protest Petition 2250 Ann Arbor Saline Road

This item was deleted from the Agenda.

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

DB New Business - Boards and Commissions:

DB-1 16-1167 Resolution to Approve Maple Shoppes Building 2 Planned Project Site Plan, 512 North Maple Road (CPC Recommendation: Approval - 6 Years and 0 Nays)

Attachments: August 3, 2016 Planning Staff Report, 8-3-2016 CPC Minutes for Maple Shoppes 2

Councilmember Smith requested that the last RESOLVED Clause be amended to include the following:

....with the exception that one additional window is added on the west façade.

The proposed amendment was considered friendly by the Body.

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

Enactment No: R-16-381

DS Unfinished Business:

DS-1 16-0387 Resolution to Authorize Professional Services Agreements with ROWE Professional Services Company for the Morehead - Delaware Pedestrian Bridge Project (RFP-961) (\$37,549.00)

A motion was made by Councilmember Eaton, seconded by Councilmember Krapohl, that the Resolution be approved. On a voice vote, the Mayor declared the motion defeated.

Enactment No:

CA-17 16-0860 Resolution to Approve Amendment No. 1 to the Professional Services Agreement with URS Corporation Great Lakes Inc., (URS) for the Ann Arbor Station Environmental Review (\$189,882.46)

Attachments: URS PSA Amendment 1, URS PSA fully executed

A motion was made by Councilmember Warpehoski, 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 - Councilmember Lumm, Councilmember Kailasapathy, Councilmember Warpehoski, Mayor Taylor, Councilmember Grand, Councilmember Krapohl, Councilmember Westphal, Councilmember Ackerman and Councilmember Smith

Nays: 1 - Councilmember Eaton

Absent: 1 - Councilmember Briere

Enactment No:

DS New Business - Staff:

COMMUNICATIONS FROM COUNCIL

None.

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 Krapohl, seconded by Councilmember Smith, that the Clerk's Report of Communications, Petitions and Referrals be approved as presented. On a voice vote, the Mayor declared the motion carried.

F-1 16-1274 Communication from Dykema Gossett regarding the "Project" at 611 E. University - Planning and Development Services

Attachments: Dykema Gosset communication 611 E. University.pdf

G The following minutes were received for filing:

- G-1 16-0845** Building Board of Appeals Meeting Minutes for Honda May 6, 2016
Special Session
Attachments: Draft minutes from Special Meeting For Honda Corporation 5 6 16.pdf,
Revised Meeting Minutes May 6-2016.pdf
- G-2 16-0846** Building Board of Appeals Meeting Minutes May 12, 2016
Attachments: Draft Minutes for May 12 2016.pdf, BBA MeetingMinutes 5-12-16.pdf
- G-3 16-0871** Historic District Commission Meeting Minutes of the May 12, 2016
Attachments: 5-12-2016 HDC Minutes with Live Links-rev.pdf
- G-4 16-0886** Housing and Human Services Advisory Board Minutes of April 14, 2016
Attachments: HHSAB Minutes_4-14-16
- G-5 16-1031** Historic District Commission Meeting Minutes of the June 9, 2016
Attachments: 6-9-2016 HDC Minutes with Live Links.pdf
- G-6 16-1032** Building Board of Appeals Minutes for June 9, 2016
Attachments: BBA JUNE 9 2016 FINAL MINUTES.pdf
- G-7 16-1151** Building Board of Appeals Meeting Minutes of July 14, 2016
Attachments: BBA JULY 14 2016 FINAL MINUTES.pdf
- G-8 16-1177** Housing and Human Services Advisory Board 6/9/16 Minutes
Attachments: HHSAB minutes_6-9-16.pdf

- G-9** **16-1186** City Planning Commission Meeting Minutes of July 19, 2016
Attachments: 7-19-2016 CPC Minutes with Live Links.pdf
- G-10** **16-1187** City Planning Commission Meeting Minutes of August 3, 2016
Attachments: 8-3-2016 CPC Minutes with Live Links.pdf
- G-11** **16-1204** Ann Arbor Housing Commission July 19, 2016 Board Minutes
Attachments: AAHC Board Minutes Final 7-19-16.pdf
- G-12** **16-1260** Ann Arbor Board of Review Minutes July 19, 2016
Attachments: 2016 JBOR Minutes.pdf
- G-13** **16-1267** Ann Arbor Public Art Commission Meeting Minutes - July and August 2016
Attachments: AAPAC Meeting Minutes - July 2016.pdf, AAPAC Meeting Minutes - August 2016.pdf
- G-14** **16-1268** Ann Arbor Area Transportation Authority Board Meeting Minutes of June 20, and 23, 2016
Attachments: AAATA Board Meeting Minutes 06.20.16_Aproved.pdf, AAATA Board Meeting Minutes 06.23.16_Aproved.pdf
- G-15** **16-1284** Insurance Board Meeting Minutes - August 25, 2016
Attachments: Insurance Board Minutes 08252016, Insurance Board Loss Run August 2016.

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Kai Petainen, City resident, stated he has changed his personal opinion on the Fuller Road Train Station and now supports this location for a new station. He urged Council to be transparent in its decision making.

An unknown resident spoke about the train station and expressed concerns about building the station on parkland.

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).

None.

ADJOURNMENT

A motion was made by Councilmember Warpehoski, seconded by Councilmember Grand, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 8:46 p.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, SEPTEMBER 19, 2016 @ 7:00 P.M.

REPLAYS: WEDNESDAY, SEPTEMBER 21, 2016 @ 8:00 A.M. AND FRIDAY, SEPTEMBER 23, 2016 @ 8:00 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

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

Requests made with less than two business days' notice may not be able to be accommodated.

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