

# City of Ann Arbor

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



## Action Minutes

Monday, May 6, 2013

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**

*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 Marcia Higgins, Councilmember Margie Teall, Councilmember Mike Anglin, Councilmember Sabra Briere, Councilmember Christopher Taylor, Councilmember Jane Lumm, Councilmember Sumi Kailasapathy, Councilmember Sally Petersen and Councilmember Chuck Warpehoski

**APPROVAL OF AGENDA**

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

**INT INTRODUCTIONS**

**INT-1 13-0520** Proclamation Honoring Members of the Pioneer Global Improvement Society

**Sponsors:** Hieftje

**Attachments:** NAP Proc. May 6, 2013

*Mayor Hieftje read a Proclamation in appreciation of Molly Cocco, Mallory Munzel, and Claire Crause, members of the Pioneer Global Improvement Society, for having dedicated themselves to volunteering in the assistance of the Ann Arbor Parks. 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. **Thomas Partridge - Improve access to human rights, disability rights, and affordable housing. Reform tax, planning and zoning policies. Request the resignation of irresponsible political officials.**

*Thomas Partridge, Ann Arbor resident, addressed Council regarding improving access to human rights, disability rights, and affordable housing.; reforming tax, planning and zoning policies. He also requested the resignation of irresponsible political officials.*

2. **Peter Eckstein - New Grad Student Dorm**

*Peter Eckstein, 2551 Londonderry, expressed concern with the proposed new grad student dorm and the over-saturation of the market with this type of housing. He said that the problems with the zoning review suggest the City's own review of the ordinances may not be enough and a moratorium should be considered to allow time to study the issue.*

3. **Norman Hyman - Zoning Ordinance and Site Plan Requirements**

*Norman Hyman, 300 E. Long Lake Road in Bloomfield Hills, Michigan, addressed Council regarding the City's zoning ordinance and site plan requirements. He said that Council must comply with the entire ordinance. If the developer does not meet all of the standards in the City's codes, the plan must be denied.*

4. **Henry Herskovitz - Israel Attacks Christians on Easter**

*Henry Herskovitz, Ann Arbor resident, addressed Council regarding Israeli attacks on Christians on Easter Sunday.*

5. **Christine Brummer - Zoning and Design Review**

*Christine Brummer, Ann Arbor resident, addressed Council regarding the A2D2 process and site plan reviews.*

**COMMUNICATIONS FROM COUNCIL****COUNCILMEMBER WARPEHOSKI**

*Councilmember Warpehoski informed Council and the public that the Washtenaw Area Transportation Study (W.A.T.S.) is reviewing their 2040 Transportation Plan. The plan addresses investments that the County should be considering regarding roads, pedestrian infrastructure, non-motorized paths, etc. Councilmember Warpehoski urged the public to review the plan now. He stated that W.A.T.S. is taking feedback until May 15, 2013. The plan can be found at [www.MIWATS.org](http://www.MIWATS.org).*

**COUNCILMEMBER KUNSELMAN**

*Councilmember Kunselman responded to public comments on the DDA ordinance regarding the needs of the homeless and disadvantaged populations, including recovering addicts. Councilmember Kunselman stated that he would be proposing ordinance amendments that would allocate 10 percent of the TIF capture to the DDA Housing Fund. The DDA Housing Fund would only serve those at 30 percent of the median family income or to the standards of the Ann Arbor Housing Commission. Fifty percent of the TIF rebate, if using the existing TIF methodology, would go straight to the City's Affordable Housing Trust Fund.*

**COUNCILMEMBER ANGLIN**

*Councilmember Anglin spoke about a Fifth Ward project on Glendale Street. He thanked staff and the City Administrator for allowing City staff to speak directly with the public and to collaborate and work together to meet everyone's needs on this project. He said the meetings held on this project are a good model for future development projects in the City.*

**MAYOR HIEFTJE**

*Mayor Hieftje announced that he and Councilmember Briere attended the meeting of the Washtenaw Metro Alliance. The meeting was attended by Police and Fire Chiefs from the City of Ann Arbor, the City of Ypsilanti, Scio Township, Ann Arbor Township, Pittsfield Township, Superior Township and Ypsilanti Township. The group had a discussion about creating a better coordinated response and mutual aid system for fire, moving beyond the current box alarm process in place. A great deal of progress has been made, he said. There are now five communities participating in the coordinated response. They are Ann Arbor City, Ypsilanti City, Ypsilanti, Pittsfield and Superior Townships.*

*Councilmember Briere spoke about the information she learned regarding fire dispatch, response and mutual aid. She stated that currently the first due firefighters arrive at a scene and determine whether they need another fire engine in the City to respond or whether to call in a "box alarm" that triggers the dispatch of firefighters from other jurisdictions to respond. What's being proposed now is the Mutual Aid Box Alarm System to be implemented instead. The Mutual Aid Box Alarm System (when there is a fire alarm) triggers the entire group of firefighters with the initial dispatch. First on the scene then determines whether it is a serious fire that needs additional assistance or whether the other engines can be cancelled. The goal is to have more firefighters on scene in the first five minutes when needed.*

## COMMUNICATIONS FROM THE CITY ADMINISTRATOR

### SAFETY SERVICES OPEN HOUSE

*City Administrator Steve Powers announced that an open house for Safety Services has been scheduled for May 11, 2013, from 11:00 a.m. to 1:00 p.m. at the Justice Center, located at 301 E. Huron St. This is an opportunity for the community to meet police officers and firefighters, tour the stations and see the City's new tower truck. There will also be a citizens award program in the Justice Center, Mr. Powers said.*

## PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

**PH-1 13-0313** An Ordinance to Amend Sections 5:500, 5:501, 5:502, 5:507, 5:508, 5:509, 5:510, 5:511, 5:515, 5:516, 5:517, 5:518 and Add a New Section 5:510.1 of Chapter 61 (Signs and Outdoor Advertising), to Reduce the Maximum Size of Signs, Revise Sign Standards for Off-Premise Signs, Add Requirements for Changeable Copy on Signs and Improve the Clarity of Sign Requirements (Ordinance No. ORD-13-04)

**Sponsors:** Taylor

**Attachments:** 13-04 Briefed, Chapter 61 Revisions first reading final, AA\_Ordinance Suggestions, City of Ann Arbor\_Distraction Studies\_Adams Outdoor Advertising\_3-28-13, Advertisers-Lessors letter of support for Adams, Ann Arbor Council letter Regroup 3-29-13 (2), Dexter Ortho - Adams Letter, Non-profit letters of support for Adams, Pickney Billboard Sign Ordinance 032913, Sign Examples

*A public hearing was continued from April 1, 2013 on the proposed ordinance to amend Sections 5:500, 5:501, 5:502, 5:507, 5:508, 5:509, 5:510, 5:511, 5:515, 5:516, 5:517, 5:518 and Add a New Section 5:510.1 to Chapter 61 (Signs and Outdoor Advertising), to Reduce the Maximum Size of Signs, Revise Sign Standards for Off-Premise Signs, Add Requirements for Changeable Copy on Signs and Improve the Clarity of Sign Requirements. Notice of public hearing was published March 25, 2013.*

*Tom Partridge, City resident, expressed concerns about the proposed ordinance and free speech issues.*

*Ellen Ramsburgh, 1503 Cambridge, spoke about historic preservation and signs. She stated the Historic District Commission had identified a number of signs that had historic significance and she asked that those signs be excluded from the ordinance changes.*

*Christine Brummer, 326 Mulholland, a longtime member of the Sign Board of Appeals, stated that iconic signs should be preserved.*

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

**Held and Closed**

Enactment No: ORD-13-04

PH-2 13-0168

Resolution to Approve 413 East Huron Street Site Plan and Development Agreement, 413 East Huron Street (CPC Recommendation: Denial - 5 Yeas and 3 Nays)

**Attachments:** 413 Council Staff Report 4-1-13, 2/5/13 Planning Staff Report, Development Agreement Draft 4-11-13, 413 E. Huron Development Agreement Draft 3-27-13final, Development Agreement Draft 3-5-13final, 1-15-2013 City Planning Commission Minutes-413 E Huron Project, 2-5-2013 City Planning Commission Minutes-413 E Huron Project, 413 E Huron - new trash proposal, 12327Solar study, Plan Set 03-28-13, H. Scott Diels Communication, Letter\_City Council 3.29.13.pdf, Ltr to Mayor and City Council Members, Ltr from Norman Hyman dated 3-14-13, Communication from Attorney Patrick Lennon, letterdocAA

*A public hearing was continued from April 1 and April 15, 2013 on the proposed Resolution to Approve 413 East Huron Street Site Plan and Development Agreement, located at 413 East Huron Street. Notice of public hearing was published March 11, 2013.*

*The following people spoke in opposition to the proposed site plan:*

*David Olsen, 513 Fountain Street  
Kate Stye, U of M student*

*(Council took a short recess at 7:59 p.m. and reconvened the meeting at 8:00 p.m.)*

*John Floyd, 519 Sunset Rd.  
Hugh Sonk, 505 E. Huron  
Elizabeth Nibby, architect  
Tom Stulberg, 1202 Traver St.  
Susan Morrison, representing Eileen and Norman Tyler  
Gwen Nystuen, 1016 Olivia  
Ingrid Ault, 2531 Meade Ct.  
Richard Peshkin, 610 Waterman St., Scio Township  
Ben Hooper  
Emily Bellock, 825 Cherrystone  
Caroline Feity, 217 N. Division  
Kathy Duquette, 505 E. Huron  
Andrea VanHouweling, 920 Lincoln  
Jan Colbertson, 2948 Partridge, owner of 210 E. Huron St.  
John Beeson, 512 Hiscock Street  
Trey Bailey, Ann Arbor resident  
Barbara Bach, 2061 Day St.  
Herb Kaufer, 209 E. Washington  
Poitr Michalowski, 451 S. Fourth  
Harvey Falit, 936 Aberdeen Dr., psychologist at Sloan Plaza  
Doug Kelbaugh, 223 E. Ann St.  
Steve Bellock, 825 Cherrystone Ct., owner of home on N. Division Street  
Vivienne Armentrout, 920 Vesper  
Betsy Price, 905 Olivia  
Reena Liberman, 914 Lincoln  
Sherry Alexander, resident of 4th Ward  
Marilynn Green  
Mark Koroi*

*The following people spoke in support of the proposed site plan:*

*Steve Bison, a westside resident*

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

**Held and Closed**

## RECESS

*Mayor Hieftje declared a recess at 9:13 p.m. and reconvened the meeting at 9:33 p.m.*

### PH-3 13-0188

An Ordinance to Amend Sections 1:155, Section 1:156 and Add a New Section Which New Section Shall Be Designated as Section 1:160 of Chapter 7, Downtown Development Authority, Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-13-05)

**Sponsors:** Kunselman and Kailasapathy

**Attachments:** ORD 13-05 Briefed as Amended 41513, 13-05 Amended and Briefed, DDA Ordinance as Amended on 040113, Memo Substitute DDA Ordinance Amendments, DDA Ordinance Amendments 2013 Substitute Version 2, DDA Ordinance Amendments REVISED 3-1-13, DDA Ordinance Amendments 2013, Stephen Kemsley Communication

*A public hearing was continued from April 15, 2013 on the proposed amendment to Sections 1:155, Section 1:156 and Add a New Section Which New Section Shall Be Designated as Section 1:160 of Chapter 7, Downtown Development Authority, Title I of the Code of the City of Ann Arbor. Notice of public hearing was published April 4, 2013.*

*The following people spoke in opposition to the proposed ordinance:*

*Leah Gunn, 1308 E. Stadium Blvd., current DDA board member*

*Brian Kelley, 2147 Pauline Ct.*

*Frances Todoro-Hargraves, representing the State Street Area Association*

*Maggie Ladd, representing the South University Area Association merchants*

*Rich Ballis, a business owner in Nickels Arcade*

*Newcombe Clark, downtown resident and DDA board member*

*Joan Lowenstein, 502 Burson St., and DDA board member*

*Sandi Smith, 515 N. Ashley St., and DDA board member*

*Russ Collins, of the Michigan Theatre, and DDA board member*

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

*Marie Hugonot-Haber, 531 Third St.*

*Gwen Nystuen, 1016 Olivia*

*Rita Mitchell, 621 Fifth St.*

*John Floyd, 519 Sunset Rd.,*

*Ali Ramlawi, 428 S. Seventh St., owner of Jerusalem Garden*

*Mark Koroi*

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

**Held and Closed**

Enactment No: ORD-13-05

**PH-4 13-0366**

Resolution to Approve Hideaway Lane Planned Project Site Plan and Development Agreement, 2000 Traver Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

**Attachments:** 3/19/13 Planning Staff Report, 3-29-13 Draft Development Agreement, Site Plan Alternatives Analysis, Architectural Sketches, Planning Commission Minutes 03-19-13 Hideaway Lane.pdf

*A public hearing was conducted on the proposed Resolution to Approve Hideaway Lane Planned Project Site Plan and Development Agreement, 2000 Traver Road. Notice of public hearing was published April 25, 2013.*

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

**Held and Closed**

**PH-5 13-0425**

Resolution to Approve Fiscal Year 2014 Fee Adjustments for Public Services Area - Project Management, Systems Planning, Field Operations and Customer Service

**Attachments:** Public Services Fee Schedule FY 14.pdf

*A public hearing was conducted on the proposed Resolution to Approve Fiscal Year 2014 Fee Adjustments for Public Services Area - Project Management, Systems Planning, Field Operations and Customer Service. Notice of public hearing was published April 25, 2013.*

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

**Held and Closed**

**PH-6 13-0387**

Resolution to Approve Fiscal Year 2014 Fee Adjustments for the Community Services Area

**Attachments:** FY14PlanningFees.xlsx.pdf, Parks and Rec FY14 Fees.pdf, Parks and Rec FY14 Comparative Fee Data.pdf

*A public hearing was conducted on the proposed Resolution to Approve Fiscal Year 2014 Fee Adjustments for the Community Services Area. Notice of public hearing was published April 25, 2013.*

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

**Held and Closed**



**PH-7 13-0367** Resolution to Approve FY14 Fee Adjustments for Safety Services Area - Fire Department Service Fee Schedule

**Attachments:** Fire Fees FY14

*A public hearing was conducted on the proposed Resolution to Approve FY14 Fee Adjustments for Safety Services Area - Fire Department Service Fee Schedule. Notice of public hearing was published April 25, 2013.*

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

**Held and Closed**

**PH-8 13-0482** Resolution to Adopt Ann Arbor City Budget and Related Property Tax Millage Rates for Fiscal Year 2014

*A public hearing was conducted on the proposed Resolution to Adopt Ann Arbor City Budget and Related Property Tax Millage Rates for Fiscal Year 2014. Notice of public hearing was published April 25, 2013.*

*Tom Partridge, City resident, addressed Council regarding the proposed budget.*

*Jean Carlberg, 1902 Independence, urged Council to amend the budget to include additional funding for human services needs.*

*Carol McCabe, of Avalon Housing, addressed Council regarding housing and homelessness and how the solution to homelessness is affordable and supportive housing.*

*Julie Steiner, representing the Washtenaw Housing Alliance, addressed Council regarding affordable housing and the need for more funding in this area, not less.*

*Jeff Hainer, resident of the 1st Ward, addressed Council regarding the budget and the Council's priorities.*

*Rita Mitchell, 621 Fifth Street, thanked Council for removing any proposed expenditures from the capital budget related to the Fuller Road train station. She stated this issue needs to go to the voters.*

*Alan Haber, 531 Third St. addressed Council regarding the budget.*

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

**Held and Closed**

**COMMUNICATIONS FROM COUNCIL***COUNCILMEMBER WARPEHOSKI*

*Councilmember Warpehoski said that he and Councilmember Anglin announced at the last City Council meeting, that they were going to have a town hall meeting on April 29. The City Administrator also announced that a workshop with the MML was scheduled for the same day. Therefore, the town hall meeting has been rescheduled for May 8, 2013, at Downtown Home and Garden, starting at 7:00 p.m.*

*Councilmember Warpehoski said that he would be requesting to postpone the Sign Ordinance tonight, so that the ordinance could be a topic of discussion at the town hall meeting.*

*COUNCILMEMBER ANGLIN*

*Councilmember Anglin thanked and reminded the community that on May 5, 2013, the Water Hill neighborhood music festival took place. He stated this is a great example of community spirit and volunteerism. Councilmember Anglin stated it is the neighborhoods and the people who make this town.*

*COUNCILMEMBER BRIERE*

*Councilmember Briere asked for clarification regarding the appointment process for boards and commissions. She also inquired about reappointments. She stated there is some misinformation out there that citizens reapply for positions. She stated she did not believe there was a reapplication process.*

*Mayor Hieftje said that there is no re-application process. He often has a conversation with those citizens who are due for reappointment to see if there is a continued interest. There is a dependence on the staff liaison to the City's many various boards, as well as the chair of the board and the Council representative to communicate with the Mayor regarding vacancies and expirations.*

*Councilmember Anglin announced that the Community Corrections Advisory Board is looking for people to serve. The Board deals with community corrections, Police Department issues, parole, etc. and they do need people to sit on the board by statute in order to fulfill a requirement for a grant that they apply for every year. The meetings are infrequent, meeting at 4:00 p.m. in the afternoon. He said that it's a board that people may find interesting to serve on.*

**A APPROVAL OF COUNCIL MINUTES****A-1 13-0474 Regular Session Meeting Minutes of April 15, 2013**

**Attachments:** 04-15-13 Draft Minutes, 04-15-13 Council Emails and Redaction List  
REVISED

**A motion was made by Councilmember Briere, seconded by Councilmember Lumm, that the regular session minutes of April 15, 2013 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 Warpehoski, seconded by Councilmember Anglin, that the following Consent Items be approved as presented. On a voice vote, the Mayor declared the motion carried.**

- CA-1 13-0275** Resolution to Amend the Emergency Purchase Order with Waste Management, Inc. for the Dexter Avenue Improvements Project (\$7,500.00)  
Enactment No: R-13-114
- CA-2 13-0407** Resolution to Approve Emergency Increase to the Advanced Tree Care Purchase Order by \$25,000.00  
**Attachments:** Advanced Tree Care Emergency PO Increase Approval.pdf, Advanced Tree Renewal.pdf, 4118 Bid Tab.pdf, ITB 4118.pdf  
Enactment No: R-13-115
- CA-3 13-0429** Resolution to Transfer Delinquent Water Utility, Board Up, Clean Up, Vacant Property Inspection and Housing Inspection Fees, Police Alarm, and Fire Inspection Invoices to the July 2013 City Tax Roll  
**Attachments:** 07-13 SCHEDULE A, 07-13 SCHEDULE A Revised 5-6-13  
Enactment No:
- CA-4 13-0468** Resolution to Approve Additional Street Closings for the 2013 Ann Arbor Marathon- Sunday, June 9, 2013  
**Attachments:** Marathon 2013 Resolution.pdf, Marathon 2013 Addl St Drawing.pdf  
Enactment No: R-13-116
- CA-5 13-0433** Resolution to Accept Board of Insurance Administration Minutes of March 28, 2013  
Enactment No: R-13-117
- CA-6 13-0194** Resolution to Authorize a Purchase Order to Carrier & Gable Inc for the Purchase of a SCOOT System Software Upgrade (\$96,748.00)  
**Attachments:** Carrier & Gable Proposal - SCOOT.pdf, Siemens License Agr - SCOOT.pdf  
Enactment No: R-13-118

- CA-7 13-0464** Resolution to Approve the Closing of Fifth Avenue for Police/Fire Public Open House, Saturday, May 11, 2013  
Attachments: AA Police and Fire Open House Map.pdf  
Enactment No: R-13-119
- CA-8 13-0426** Resolution to Approve the Closing of Streets for the 2013 Glacier Area Homeowners Association Annual Memorial Day Parade, Monday, May 27, 2013  
Attachments: Glacier Area Homeowners Association Annual Memorial Day Parade Map.pdf  
Enactment No: R-13-120

**B ORDINANCES - SECOND READING****Unfinished Business - Council:**

- B-1 13-0313** An Ordinance to Amend Sections 5:500, 5:501, 5:502, 5:507, 5:508, 5:509, 5:510, 5:511, 5:515, 5:516, 5:517, 5:518 and Add a New Section 5:510.1 of Chapter 61 (Signs and Outdoor Advertising), to Reduce the Maximum Size of Signs, Revise Sign Standards for Off-Premise Signs, Add Requirements for Changeable Copy on Signs and Improve the Clarity of Sign Requirements (Ordinance No. ORD-13-04)  
Sponsors: Taylor  
Attachments: 13-04 Briefed, Chapter 61 Revisions first reading final, AA\_Ordinance Suggestions, City of Ann Arbor\_Distraction Studies\_Adams Outdoor Advertising\_3-28-13, Advertisers-Lessors letter of support for Adams, Ann Arbor Council letter Regroup 3-29-13 (2), Dexter Ortho - Adams Letter, Non-profit letters of support for Adams, Pickney Billboard Sign Ordinance 032913, Sign Examples  
*(The complete copy of the text of Ordinance No. ORD-13-04 is on file in the City Clerk's Office.)*  
**A motion was made by Councilmember Taylor, seconded by Councilmember Lumm, that the ordinance be adopted at second reading.**  
Enactment No: ORD-13-04  
**A motion was made by Councilmember Warpehoski, seconded by Councilmember Taylor, that the ordinance be postponed until 6/17/2013. On a voice vote, the Mayor declared the motion carried.**  
Enactment No: ORD-13-04

- B-2 13-0188** An Ordinance to Amend Sections 1:155, Section 1:156 and Add a New Section Which New Section Shall Be Designated as Section 1:160 of Chapter 7, Downtown Development Authority, Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-13-05)
- Sponsors:** Kunselman and Kailasapathy
- Attachments:** ORD 13-05 Briefed as Amended 41513, 13-05 Amended and Briefed, DDA Ordinance as Amended on 040113, Memo Substitute DDA Ordinance Amendments, DDA Ordinance Amendments 2013 Substitute Version 2, DDA Ordinance Amendments REVISED 3-1-13, DDA Ordinance Amendments 2013, Stephen Kemsley Communication
- (The complete copy of the text of Ordinance No. ORD-13-05 is on file in the City Clerk's Office.)*
- A motion was made by Councilmember Kunselman, seconded by Councilmember Kailasapathy, that the ordinance be adopted at second reading.**
- Enactment No: ORD-13-05
- A motion was made by Councilmember Higgins, seconded by Councilmember Briere, that the Ordinance be postponed until 9/3/2013. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: ORD-13-05

**RECESS**

*Mayor Hieftje declared a recess at 11:03 p.m. and reconvened the meeting at 11:17 p.m.*

**C ORDINANCES - FIRST READING****Unfinished Business - Council:**

- C-1 13-0428** An Ordinance to Amend the Code of the City of Ann Arbor by Adding a New Chapter, which New Chapter shall be designated as Chapter 25, Video Privacy, of Title I of said Code
- Sponsors:** Warpehoski and Anglin
- Attachments:** surveillance ordinance draft 3-26-13 no markup, Lansing Report-Eyes in the Sky
- (The complete copy of the text of this ordinance is on file in the City Clerk's Office.)*
- A motion was made by Councilmember Warpehoski, seconded by Councilmember Anglin, that the ordinance be approved at first reading.**
- A motion was made by Councilmember Warpehoski, seconded by Councilmember Anglin, that the Ordinance be postponed until 5/20/2013. On a voice vote, the Mayor declared the motion carried.**

**RE-OPEN AGENDA**

A motion was made by Councilmember Higgins, seconded by Councilmember Briere, that the Agenda be re-opened to consider DC-2 and DS-3 after DB-1. On a voice vote, the Mayor declared the motion carried.

**D MOTIONS AND RESOLUTIONS****DC Unfinished Business - Council:**

**DC-1 13-0448** Resolution to Appoint Stephanie Buttrey as a Member of the City of Ann Arbor Greenbelt Advisory Commission

Sponsors: Taylor

Attachments: Stephanie Buttrey B and C Application

A motion was made by Councilmember Taylor, seconded by Councilmember Kunselman, that the resolution be approved.

A motion was made by Councilmember Taylor, seconded by Councilmember Briere, that the resolution be postponed until 5/20/2013. On a voice vote, the Mayor declared the motion carried.

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

**DB-1 13-0091** Resolution to Approve The Summit Townhomes Site Plan and Development Agreement, 2081 East Ellsworth Road (CPC Recommendation: Approval - 6 Yeas and 0 Nays)

Attachments: 1/3/13 Planning Staff Report, 11-20-12 Planning Commission Minutes.pdf

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

Enactment No: R-13-121

**DC-2 13-0528** Resolution to Withdraw Objection to Renewal of the Class C Liquor License and Permits Held by The Arena, Inc. (Business ID No. 140967)(MLCC Request No. 679675) and Approve the Application for Renewal for 2013-2014 License Year

Sponsors: Council Liquor License Review Committee

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

Enactment No: R-13-122

**DS-3 13-0410** Resolution to Award a Construction Contract to E. T. MacKenzie Co. (\$741,900.00, Bid No. ITB-4280) for the South Fourth Avenue Improvements Project

**Attachments:** ITB 4280 BID TABULATION.pdf, SOUTH FOURTH AVE MAP.pdf, ITB - 4280 Contract Documents.pdf

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

Enactment No: R-13-123

## RECESS AGENDA

**A motion was made by Councilmember Higgins, seconded by Councilmember Teall, that the May 6, 2013 Council meeting be recessed and continued on May 13, 2013 at 7:00 p.m. On a voice vote, the Mayor declared the motion carried and the meeting recessed at 11:33 p.m.**

**DB-2 13-0168** Resolution to Approve 413 East Huron Street Site Plan and Development Agreement, 413 East Huron Street (CPC Recommendation: Denial - 5 Yeas and 3 Nays)

**Attachments:** 413 Council Staff Report 4-1-13, 2/5/13 Planning Staff Report, Development Agreement Draft 4-11-13, 413 E. Huron Development Agreement Draft 3-27-13final, Development Agreement Draft 3-5-13final, 1-15-2013 City Planning Commission Minutes-413 E Huron Project, 2-5-2013 City Planning Commission Minutes-413 E Huron Project, 413 E Huron - new trash proposal, 12327Solar study, Plan Set 03-28-13, H. Scott Diels Communication, Letter\_City Council 3.29.13.pdf, Ltr to Mayor and City Council Members, Ltr from Norman Hyman dated 3-14-13, Communication from Attorney Patrick Lennon, letterdocAA

**Continued to the City Council due back on 5/13/2013.**

**DB-3 13-0326** Resolution to Approve Theta Delta Chi Site Plan, 700 South State Street (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

**Attachments:** 2/21/13 Planning Staff Report, 2/21/13 Planning Commission Minutes

**Continued to the City Council due back on 5/13/2013.**

**DS Unfinished Business - Staff:**

**DS-1 13-0278** Resolution to Establish a Contingency Budget for the Facilities Renovations Project at the Wastewater Treatment Plant (\$9,978,874.00)

**Continued to the City Council due back on 5/13/2013.**

**DS-2 13-0225** Resolution to Approve Payment to Ultimate Software Group for Annual Maintenance and Support for FY2013 (\$42,000.00) and FY2014 (\$220,000.00)

Continued to the City Council due back on 5/13/2013.

**E COMMUNICATIONS FROM THE MAYOR**

**Unfinished Business:**

**E-1 13-0363** Appointments - Confirmations

Attachments: Pamela Meadows app., Sheila Steinman

Continued to the City Council due back on 5/13/2013.

**E-2 13-0461** Appointment - Confirmations

Attachments: Leon Moore app.

Continued to the City Council due back on 5/13/2013.

**END OF UNFINISHED BUSINESS FROM APRIL 15, 2013 EXCLUDING CLERK'S REPORT (H&I ITEMS)**

**C ORDINANCES - FIRST READING**

**New Business - Council:**

**C-2 13-0505** An Ordinance to Amend Sections 1:272, 1:274, 1:277, and 1:278 of Chapter 12 (Financing Local Public Improvements) of Title I of the Code of the City of Ann Arbor

Sponsors: Briere, Kailasapathy and Kunselman

Attachments: Chapters 12 rev - 5-6-13, Improvement Charge Comparisons.pdf

Continued to the City Council due back on 5/13/2013.

**C-3 13-0516** An Ordinance to Amend Chapter 8 (Organization of Boards and Commissions) and Chapter 24 (Public Art) of Title I of the Code of the City of Ann Arbor

Sponsors: Public Art Task Force

Attachments: Chapter 8 Chapter 24 revisions Council form, Public Art - Staff memo

Continued to the City Council due back on 5/13/2013.



**New Business - Staff:**

- C-4 13-0369** An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 1.22 Acres from R3 (Townhouse Dwelling District) to R1B (Single-Family Dwelling District), Parkway Place, 490 Huron Parkway (CPC Recommendation: Denial - 5 Yeas and 1 Nay)

**Attachments:** Parkway Place Rezoning Ordinance, 12/18/12 Planning Staff Report, 12/18/12 Planning Commission Minutes

**Continued to the City Council due back on 5/13/2013.**

- C-5 13-0423** An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 1.0 Acres from O (Office District) to C3 (Fringe Commercial District), State Street Center, 3945 S. State Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

**Attachments:** State Street Center Rezoning Ordinance, 4/2/13 Planning Staff Report, Planning Commission Minutes 04-02-13 State Street Center, Planning Commission Minutes 03-19-13 State Street Center

**Continued to the City Council due back on 5/13/2013.**

**D MOTIONS AND RESOLUTIONS****DC New Business Council:****DB New Business - Boards and Commissions:**

- DB-4 13-0366** Resolution to Approve Hideaway Lane Planned Project Site Plan and Development Agreement, 2000 Traver Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

**Attachments:** 3/19/13 Planning Staff Report, 3-29-13 Draft Development Agreement, Site Plan Alternatives Analysis, Architectural Sketches, Planning Commission Minutes 03-19-13 Hideaway Lane.pdf

**Continued to the City Council due back on 5/13/2013.**

**DS New Business - Staff:**

- DS-4 13-0494** Resolution to Accept and Appropriate Federal Grant Funds and Approve a Sub-Contract Between the Regents of the University of Michigan Issued under USDOT Contract in Support of the Safety Model Deployment Project (\$622,884.00) (8 Votes Required)

**Attachments:** City of Ann Arbor - 300xx - Sayer F029008 (sub of F028723)

**Continued to the City Council due back on 5/13/2013.**

- DS-5 13-0389** Resolution to Approve a Contract with Riteway Fence Inc. for the Installation of Gates and Fencing at the Ann Arbor Airport (ITB #4275) (\$139,582.50)  
**Attachments:** ITB 4275 - Bid Tab.pdf, Riteway bid.pdf  
**Continued to the City Council due back on 5/13/2013.**
- DS-6 13-0508** Resolution to Approve Agreement between the City of Ann Arbor and the Regents of the University of Michigan for Right-of-Way Occupancy by Conduit Facilities within Tappan Street (8 Votes Required)  
**Attachments:** ROW Tappan.pdf  
**Continued to the City Council due back on 5/13/2013.**
- DS-7 13-0374** Resolution to Approve a 5-year Services Agreement with Coca-Cola Refreshments for Cold Beverage Concessions in Various City of Ann Arbor Parks and Recreation Facilities (Estimated Expenditure \$25,000.00 Annually)  
**Attachments:** RFP 848 COLD BEVERAGE final.pdf  
**Continued to the City Council due back on 5/13/2013.**
- DS-8 13-0286** Resolution to Approve Miller Avenue Improvements - Sidewalk and Curb & Gutter Special Assessment Project - Resolution No. 2  
**Attachments:** Special Assessment Map, Miller\_Special Assessment Table\_FINAL  
**Continued to the City Council due back on 5/13/2013.**
- DS-9 13-0417** Resolution to Approve Miller Avenue Improvements - Sidewalk, Curb and Gutter Special Assessment Project - Resolution No. 3  
**Attachments:** Miller\_Special Assessment Table\_FINAL  
**Continued to the City Council due back on 5/13/2013.**
- DS-10 13-0480** Resolution to Approve a Contract with Phoenix Safety Outfitters for Purchase of Fire Department Personal Protective Firefighting Turnout Gear (NTE \$150,000.00/3yrs)  
**Attachments:** ITB 4277 Bid Tabulation  
**Continued to the City Council due back on 5/13/2013.**

- DS-11 13-0495** Resolution to Accept and Approve the 2012 Assistance to Firefighters Grant from the U.S. Department of Homeland Security to the Ann Arbor Fire Department (\$87,876.00), Appropriate Matching Grant Funds to the Fire Service FY 13 budget (\$21, 969.00), Establish and Appropriate Funding to a Major Grant Fund Account for the Project (\$109,845.00) (8 Votes Required)

Continued to the City Council due back on 5/13/2013.

**E COMMUNICATIONS FROM THE MAYOR**

- E-3 13-0554** Appointments & nominations

Attachments: Susan baskettt app. & resume, Paras Parekh app. & resume

Continued to the City Council due back on 5/13/2013.

**COMMUNICATIONS FROM COUNCIL**

**F WRITTEN COMMUNICATIONS FROM THE CITY ADMINISTRATOR**

- F-1 13-0414** First Quarter 2013 Investment Portfolio Report

Attachments: 2013 Q1 Portfolio Report

Continued to the City Council due back on 5/13/2013.

**G COMMUNICATIONS FROM THE CITY ATTORNEY**

- G-1 13-0390** Annexation of Summit Townhomes Property, 3.32 acres, located at 2081 E. Ellsworth Road

Attachments: Summit Townhomes Annexation Sec of State letter.pdf

Continued to the City Council due back on 5/13/2013.

- G-2 13-0392** Annexation of McMullen Property, located at 3100 Geddes Ave.

Attachments: McMullen Annexation Sec of State Letter.pdf

Continued to the City Council due back on 5/13/2013.

- G-3 13-0391** Annexation of Max Property, located at 2503 Victoria Ave.

Attachments: Max Annexation Sec of State Letter.pdf

Continued to the City Council due back on 5/13/2013.

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

**H The following communications were referred as indicated:**

**Unfinished Business:**

- H-1 13-0411** Notice of Public Hearings of the Drainage Board of Washtenaw County scheduled for April 17, 2013, at the Office of the Washtenaw County Water Resources Commissioner  
**Attachments:** Notice of Public Hearings for Projects with Washtenaw County  
**Continued to the City Council due back on 5/13/2013.**
- H-2 13-0412** Communication from Scio Township Zoning Board of Appeals regarding Notice of Public Hearings on Matters Pursuant to the Scio Township Codified Zoning Ordinance of 2009  
**Attachments:** Scio Twp Public Hearing Notice  
**Continued to the City Council due back on 5/13/2013.**
- H-3 13-0413** Communication from Comcast regarding the Realignment of HD Programming Line-Up  
**Attachments:** Comcast Communication  
**Continued to the City Council due back on 5/13/2013.**
- H-4 13-0432** Communication from Mark Henry, Chair of the Arts Alliance regarding the Proposed Amendments to Chapter 7, Downtown Development Authority  
**Attachments:** Communication regarding the DDA Ordinance  
**Continued to the City Council due back on 5/13/2013.**
- H-5 13-0462** Communication from Christopher Graham regarding 413 E. Huron Street Proposed Site Plan  
**Attachments:** Chris Graham Communication  
**Continued to the City Council due back on 5/13/2013.**
- H-6 13-0463** Communication from Ilene R. Tyler regarding the proposed 413 E. Huron Street Site Plan  
**Attachments:** Communication from Ilene R. Tyler  
**Continued to the City Council due back on 5/13/2013.**

**New Business:**

- H-7 13-0507** Kocher Annexation and Zoning  
**Attachments:** Kocher Memo to Council.pdf  
**Continued to the City Council due back on 5/13/2013.**
- H-8 13-0503** Report on Public Art at the Ann Arbor Bridges Reconstruction Public Forum  
**Attachments:** A2 Bridges Feedback.pdf  
**Continued to the City Council due back on 5/13/2013.**
- H-9 13-0513** Communication from Scenic Michigan regarding Support for Permanent Moratorium of Digital Billboards  
**Attachments:** Scenic MI Support Digital Billboards Support Letter  
**Continued to the City Council due back on 5/13/2013.**
- H-10 13-0514** Communication from the City of Ypsilanti regarding a Resolution to the Ann Arbor Transportation Authority  
**Attachments:** City of Ypsilanti Communication  
**Continued to the City Council due back on 5/13/2013.**
- H-11 13-0518** Second Quarter reports for AATA  
**Attachments:** AATA Report to treasurer, AATA Operating statement, AATA Notes for operating statement, AATA Quarterly Cash and Investment report 3 31 2013, AATA Performance report by mode, AATA Q2 service standard report  
**Continued to the City Council due back on 5/13/2013.**
- H-12 13-0519** Communication from St. Paul Lutheran Church regarding the Use of St. Paul as a Polling Place  
**Attachments:** St. Paul Lutheran Church and School Communication  
**Continued to the City Council due back on 5/13/2013.**
- H-13 13-0526** Parks Advisory Commission and Public Market Advisory Commission Recommendations Resolutions for FY14 and FY15 Proposed Budgets  
**Attachments:** 2014 Parks and Recreation Budget Resolution.pdf, PMAC Resolution on the FY 2014 Proposed Budget 2015 Proposed Plan for Farmers Market.pdf  
**Continued to the City Council due back on 5/13/2013.**

- H-14 13-0527** Communication from Pittsfield Township Clerk Alan Israel regarding a Public Hearing Scheduled for May 22, 2013 to Consider the Establishment of a Corridor Improvement Authority  
**Attachments:** pittstwp pub hearing notice  
**Continued to the City Council due back on 5/13/2013.**
- H-15 13-0539** Communication from Todd McWilliams, General Manager of Adams Outdoor Advertising regarding the Proposed Signs and Outdoor Advertising Ordinance  
**Attachments:** Ann Arbor City Council Packet Information\_5-3-13.pdf  
**Continued to the City Council due back on 5/13/2013.**
- H-16 13-0556** Response to Public Comment - 413 E Huron - 5 3 2013  
**Attachments:** Response to Public Comment - 413 E Huron - 5 3 2013.pdf  
**Continued to the City Council due back on 5/13/2013.**
- H-17 13-0558** Communication from Norman Hyman regarding 413 E. Huron St.  
**Attachments:** May 6 Letter to Mayor and City Council Members, May 2 Letter to Mayor and City Council Members  
**Continued to the City Council due back on 5/13/2013.**
- H-18 13-0560** Communication from Robert Gunzel regarding DDA Ordinance  
**Attachments:** DDA letter to Council  
**Continued to the City Council due back on 5/13/2013.**
- H-19 13-0564** Communication from Tom Murray, owner of Conor O'Neill's regarding the DDA Ordinance  
**Attachments:** Communication from Conor O'Neill's  
**Continued to the City Council due back on 5/13/2013.**

**I The following minutes were received for filing:**

**Unfinished Business:**

- I-1 12-1623** Zoning Board of Appeals Meeting Minutes of October 24, 2012  
**Attachments:** 10-24-2012 ZBA Approved Meeting Minutes.pdf  
**Continued to the City Council due back on 5/13/2013.**

- I-2 13-0076** Zoning Board of Appeals Meeting Minutes of December 19, 2012  
Attachments: 12-19-2012 ZBA Approved Meeting Minutes.pdf  
Continued to the City Council due back on 5/13/2013.
- I-3 13-0129** Greenbelt Advisory Commission Meeting Minutes of December 6, 2012  
Attachments: 12-06-12 GAC Minutes  
Continued to the City Council due back on 5/13/2013.
- I-4 13-0187** Park Advisory Commission Meeting Minutes of January 15, 2013  
Attachments: 1-15-2013 PAC Minutes with Live links to Agenda Items.pdf  
Continued to the City Council due back on 5/13/2013.
- I-5 13-0290** Airport Advisory Committee Minutes - January 16, 2013  
Attachments: AAC minutes 011613.pdf  
Continued to the City Council due back on 5/13/2013.
- I-6 13-0329** Ann Arbor Public Art Commission Meeting Minutes - January 23, 2013  
Attachments: January 2013 Meetings Minutes.pdf  
Continued to the City Council due back on 5/13/2013.
- I-7 13-0380** Cable Communications Commission Meeting Minutes of October 23, 2012  
Attachments: CCCMinutesOct232012  
Continued to the City Council due back on 5/13/2013.
- I-8 13-0405** Public Market Park Advisory Commission Meeting Minutes - 2012 and January 2013  
Attachments: 1.26.12 PMAC Minutes, 8.16.12 PMAC Minutes, 9.20.12 PMAC Minutes, 10.18.12 PMAC Minutes, 11.15.12 PMAC Minutes, 12.20.12 PMAC Minutes, 1.17.13 PMAC Minutes  
Continued to the City Council due back on 5/13/2013.

**New Business:**

- I-9 13-0266** Historic District Commission Meeting Minutes of the February 14, 2013  
**Attachments:** 2-14-2013 HDC Minutes with Live Links to Agenda Items.pdf  
**Continued to the City Council due back on 5/13/2013.**
- I-10 13-0379** Greenbelt Advisory Commission Meeting Minutes of September 6, 2012 and February 6, 2013  
**Attachments:** 09-06-12 GAC Minutes, 02-07-13 GAC Minutes  
**Continued to the City Council due back on 5/13/2013.**
- I-11 13-0383** Council Rules Committee Meeting Minutes of April 1, 2013  
**Attachments:** Council Rules Committee Minutes 4-1-13 Draft, Council Rules Committee Minutes 4-1-13  
**Continued to the City Council due back on 5/13/2013.**
- I-12 13-0400** Downtown Area Citizens Advisory Council Meeting Minutes - April 2, 2013  
**Attachments:** Downtown Area Citizens Advisory Council Meeting Minutes 040213  
**Continued to the City Council due back on 5/13/2013.**
- I-13 13-0401** Downtown Development Authority Meeting Minutes - March 6, 2013  
**Attachments:** DDA Minutes 3-6-13  
**Continued to the City Council due back on 5/13/2013.**
- I-14 13-0421** Audit Committee Meeting - April 2, 2013  
**Attachments:** Audit Committee Minutes 040213  
**Continued to the City Council due back on 5/13/2013.**
- I-15 13-0427** Ann Arbor Public Art Commission Meeting Minutes - February and March 2013  
**Attachments:** AAPAC Meeting Minutes - February 2013.pdf, AAPAC Meetings Minutes - March 2013.pdf  
**Continued to the City Council due back on 5/13/2013.**
- I-16 13-0434** Housing and Human Services Advisory Board (HHSAB) December to February Meeting Minutes  
**Attachments:** HHSAB Minutes -- 2-12-13 FINAL.pdf, HHSAB Minutes -- 1-8-13 FINAL.pdf, HHSAB Minutes -- 12-18-13 FINAL.pdf  
**Continued to the City Council due back on 5/13/2013.**



- I-17 13-0441** March 5, 2013 City Planning Commission Meeting Minutes  
**Attachments:** 3-5-2013 City Planning Commission Minutes with Live Links.pdf  
Continued to the City Council due back on 5/13/2013.
- I-18 13-0473** Council Labor Committee Meeting Minutes of April 15, 2013  
**Attachments:** council labor committee minutes 4-15-13  
Continued to the City Council due back on 5/13/2013.
- I-19 13-0478** Human Rights Commission Meeting Minutes of March 13, 2013  
**Attachments:** HRC Meeting Minutes 3-13-13.pdf  
Continued to the City Council due back on 5/13/2013.
- I-20 13-0479** Ann Arbor Commission on Disabilities Meeting Minutes of March 20, 2013  
**Attachments:** Disabilities Minutes 032013.pdf  
Continued to the City Council due back on 5/13/2013.
- I-21 13-0397** Historic District Commission Meeting Minutes of the March 14, 2013  
**Attachments:** 3-14-2013 HDC Minutes with Live Links to Agenda Items and Video.pdf  
Continued to the City Council due back on 5/13/2013.

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

**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).**

**ADJOURNMENT**

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

**LIVE: MONDAY, MAY 6, 2013, 7:00 P.M.**

**REPLAYS: TUESDAY, MAY 7, 2013, 10:00 A.M. AND FRIDAY, MAY 10, 2013 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 forty-eight (48) hours 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.