

City of Ann Arbor

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



Meeting Minutes

Monday, December 17, 2012

7:00 PM

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

City Council

CALL TO ORDER

Mayor Hieftje called the meeting to order at 7:09 p.m. in the Guy C. Larcom, Jr. Building, 2nd Floor Council Chambers, 301 E. Huron St.

- Present:** 8 - Mayor John Hieftje, Councilmember Stephen Kunselman, Councilmember Mike Anglin, Councilmember Christopher Taylor, Councilmember Jane Lumm, Councilmember Sumi Kailasapathy, Councilmember Sally Petersen and Councilmember Chuck Warpehoski
- Absent:** 3 - Councilmember Marcia Higgins, Councilmember Margie Teall and Councilmember Sabra Briere

MOMENT OF SILENCE

Council stood for a moment of silence. Mayor Hieftje asked that Council and the public take an extra moment to recognize the victims of the recent elementary school shooting in Connecticut.

PLEDGE OF ALLEGIANCE

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

ROLL CALL OF COUNCIL

APPROVAL OF AGENDA

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

INT INTRODUCTIONS

INT-1 [12-1651](#) Proclamation Honoring Carol Kuhnke

Mayor Hieftje read a proclamation honoring newly-elected Judge Carol Kuhnke for her thirteen years of service to the community as a member of the City's Zoning Board of Appeals, including many years as the chair. Mayor Hieftje proclaimed Carol Kuhnke appointed to the honorary office of Retired Emeritus Chair of the Zoning Board of Appeals.

Ms. Kuhnke thanked the Mayor and Council for the recognition.

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. Bob Galardi - Resolution for Grant Application to Fund Improvements to 721 N. Main (DB-2)

Bob Galardi, 315 2nd Street #217, stated he is the current president of the Allen Creek Greenway Conservancy. He spoke in support of the City's efforts to apply for grants to make improvements to the 721 N. Main site.

2. Alice Ralph - Climate Action Plan (DB-3)

Alice Ralph, 1607 E. Stadium Blvd., spoke in support of the City's resolution to approve a Climate Action Plan. She also spoke in support of a resolution for additional engineering work and study at the 415 W. Washington site. She stated these resolutions, as well as the resolution to approve grant applications for 721 N. Main, will all support the Allen Creek Greenway.

3. Tom Partridge - What Would Jesus Say? Would Jesus not advocate budgeting to protect America's most vulnerable by expanding human rights, access to affordable transportation and housing?

Tom Partridge, City resident, spoke about human rights and affordable housing issues. He asked what would Jesus advocate for?

4. Kathy Griswold - 2012 Ramp and Sidewalk Repair Project (DS-2)

Kathy Griswold, 3565 Fox Hunt Drive, spoke in support of the resolution for the 2012 Ramp and Sidewalk Repair project. She expressed concern with the plans for 2013 and urged Council to make changes. She spoke in opposition to the "Pedestrians Rule" campaign.

5. Susan Hutton - Climate Action Plan (DB-3)

Susan Hutton, 1102 Olivia Avenue, a member of the City Environmental Commission, spoke in support of the City's proposed Climate Action Plan.

6. Henry Herskovitz - 1st Amendment

Henry Herskovitz, 404 Mark Hannah Place, spoke about the issues surrounding Palestine and Israel. He criticized the response of the local interfaith peace group and its actions on this issue.

7. Blaine Coleman - Boycott Israel

Blaine Coleman, City resident, spoke about Palestine. He urged Council to act.

8. Lon Cooke - Vehicle Towing

Lon Cooke, 6441 Heron Court, Scio Township, spoke about his experience with a vehicle tow in Ann Arbor. He stated he had a \$280 charge for a vehicle towing in downtown Ann Arbor. He felt the towing was predatory and urged Council to change its practices.

9. Kermit Schlansker - Solar Rooftops

Kermit Schlansker, 2960 Marshall, spoke about alternative energy sources.

10. Wayne Appleyard - Climate Action Plan (DB-3)

Wayne Appleyard, 5750 Prospect Hill, chair of the Ann Arbor Energy Commission, spoke in support of the proposed Climate Action Plan.

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER ANGLIN

Councilmember Anglin noted that there are three resolutions on tonight's agenda regarding the Allen Creek Greenway. He urged Council to remember the importance of these projects to the future of the Allen Creek watershed. He stated it is important to see these projects move forward and the preservation of the greenway continue.

COUNCILMEMBER TAYLOR

Councilmember Taylor reported on the closing of a property purchased through the Greenbelt program. It is 20 acres on Joy Road and it is contiguous with 1200 acres of other protected property in Webster Township.

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

City Administrator Steve Powers reported on the following:

LAME DUCK LEGISLATIVE CHANGES

Mr. Powers reported on the State's recently approved changes to the personal property tax for businesses. He stated more information would be coming in the next few months regarding the budget impact to the City.

SCHOOL SECURITY AND SAFETY

Regarding the recent elementary school attack out East, Mr. Powers reported that Police Chief John Seto had made contact with the Ann Arbor Public Schools to offer any assistance with safety that they may need.

CITY SERVICES OVER THE CHRISTMAS AND NEW YEAR HOLIDAY

Mr. Powers updated the Council and the public on the holiday hours for City service. It was noted that the municipal center offices and the 15th District Court will close at noon on both Christmas Eve and New Year's Eve and will be closed on Christmas Day and New Year's Day. Normal trash collection will take place on Monday, Christmas Eve and New Year's Eve, and then resume on Wednesday through Saturday.

The City of Ann Arbor is providing four free drop-off locations for undecorated

Christmas trees through the end of January 2013. The parking lot adjacent to the Drop-off station at 2950 E. Ellsworth near Platt Road will be available for 24/7 holiday evergreen tree drop-off. Three park locations have also been added this year, including the West Park parking lot, Gallup boat launch, and Olson Park parking lot. More information can be found at www.a2gov.org/recycle.

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

None.

COMMUNICATIONS FROM COUNCIL

None.

A APPROVAL OF COUNCIL MINUTES

A-1 [12-1569](#) Regular Session Meeting Minutes of December 3, 2012 and Special Session of December 10, 2012

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

CA-1 [12-1480](#) Resolution to Approve Amendment No. 5 to the Professional Services Agreement with Orchard, Hiltz & McCliment, Inc. (\$9,500.00) for the West Park Stormwater Completion Project

Enactment No: R-12-564

CA-2 [12-1496](#) Resolution Approving a Purchase Order with Oakland County for CLEMIS Information Services for FY2013 (Not to Exceed \$85,000.00)

Enactment No: R-12-565

CA-3 [12-1498](#) Resolution to Approve a Purchase Order to Environmental Systems Research Institute for Annual GIS Software Maintenance and License Agreement (\$58,500.00)

Enactment No: R-12-566

CA-4 [12-1500](#) Resolution to Approve a Purchase Order to Michigan Supreme Court State Court Administrative Office for JIS (Not to Exceed \$58,000.00)

Enactment No: R-12-567

B ORDINANCES - SECOND READING

None.

C ORDINANCES - FIRST READING

- C-1** [12-1419](#) An Ordinance to Amend Section 5:166 of Chapter 59, Off-Street Parking, Title V, of the Code of the City of Ann Arbor to Allow Temporary Parking of Motor Vehicles in the Front Open Space as Part of a Special Event (Ordinance No. ORD-12-37)

A motion was made by Councilmember Kunselman, seconded by Councilmember Lumm, that the Ordinance be Approved on First Reading to the City Council and should be returned for Second Reading on 1/7/2013. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-12-37

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

- DC-1** [12-1566](#) Resolution to Support Environmental Protection Agency Administrator in Reducing Greenhouse Gases under the Clean Air Act

Councilmember Warpehoski offered the following amendment, which was considered friendly:

RESOLVED, That the City Clerk will send a certified copy of this resolution to President Obama, Representative Dingell, Senators Stabenow and Levin and the United States Environmental Protection Agency.

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 carried.

Enactment No: R-12-568

- DC-2** [12-1451](#) Resolution to Approve a Request from Biercamp LLC for a New Micro Brewer Liquor License to be Located at 1643 S. State Street, d/b/a Biercamp

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

Enactment No: R-12-569

DB New Business - Boards and Commissions:

DB-1 [12-1486](#) Resolution to Approve a Grant Application to the Washtenaw County Parks and Recreation Commission Connecting Communities Program for Improvements to the 721 N. Main Site

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

Enactment No: R-12-570

DB-2 [12-1519](#) Resolution to Approve a Grant Application to the Michigan Department of Natural Resources Grants Management to Fund Park Improvements to the 721 N. Main Site

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

Enactment No: R-12-571

DB-3 [12-1490](#) Resolution to Adopt City of Ann Arbor Climate Action Plan

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

Enactment No: R-12-572

RECESS

Mayor Hieftje declared a recess at 8:14 p.m. and reconvened the meeting at 8:23 p.m.

DS New Business - Staff:

Councilmember Lumm was absent at this time.

DS-1 [12-1391](#) Resolution to Petition the Washtenaw County Water Resources for the Design and Construction of Stormwater Management Control Measures in the Springwater Subdivision (Total Project Cost: \$5,170,000.00; Stormwater portion: \$1,450,000.00)

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

Enactment No: R-12-578

DS-2 [12-1393](#) Resolution to Approve a Change Order with Doan Construction Company for the 2012 Ramp & Sidewalk Repair Project (\$147,962.61)

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

Enactment No: R-12-573

- DS-3** [12-1465](#) Resolution to Approve Additional Appropriation (\$32,583.00) and Professional Services Agreements with Tetra Tech Geo (RFP No. 834, \$44,498.00) for Environmental Investigation and Rueter & Associates (RFP No. 833, \$26,935.00) for Historic Structure Assessment at 415 West Washington (**8 Votes Required**)

Councilmember Lumm returned to the Council table at this time.

A motion was made by Councilmember Anglin, seconded by Councilmember Warpehoski, that the Resolution be Approved. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement.

Enactment No: R-12-574

- DS-4** [12-1367](#) Resolution for Approval of Change Order No. 2 to the Contract for the Lime Feed System Improvements Project with Irish Construction Company (\$177,939.18)

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

Enactment No: R-12-575

- DS-5** [12-1516](#) Resolution to Approve a Professional Services Agreement with CRW Systems, Inc. (\$61,000.00) and Authorize a Project Budget for Digital Plan Submission (\$90,000.00)

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

Enactment No: R-12-576

- DS-6** [12-1539](#) Resolution to Authorize an Operational Agreement between the City of Ann Arbor and Washtenaw County for the Office of Community and Economic Development (OCED)

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

Enactment No: R-12-577

- DS-7** [12-1462](#) Resolution to Approve Street Closings for the Shamrocks and Shenanigans 5K Run/Walk - Sunday, March 10, 2013

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-12-579

DS-8 [12-1517](#) Resolution to Approve Street Closings for the Dexter-Ann Arbor Run on Sunday, June 2, 2013

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

Enactment No: R-12-580

E COMMUNICATIONS FROM THE MAYOR

E-1 [12-1544](#) Appointment - Confirmations

Mayor Hieftje requested confirmation of the following appointments placed on the floor at the regular session of December 3, 2012:

Human Rights Commission

Leslie Stambaugh (Re-Appointment)

1940 Ridge Ave.

Ann Arbor, MI 48104

Term: December 17, 2012 - October 31, 2015

Andre Wilson (Re-Appointment)

729 Brooks St.

Ann Arbor, MI 48103

Term: December 17, 2012 - October 31, 2015

Huron River Watershed Council

Janis Bobrin

3465 Vintage Valley Rd.

Ann Arbor, MI 48105

Term: December 17, 2012 - December 16, 2014

Zoning Board of Appeals

Nickolas Buonodono (Replacing Erica Briggs)

125 Adams Avenue

Ann Arbor, MI 48104

Term: December 17, 2012 - December 16, 2015

Recreation Advisory Committee

Miranda Welbourne Filling vacancy

3290 Roon the Ben

Ann Arbor, MI 48108

Term: December 17, 2012 - August 31, 2015

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

E-2 [12-1652](#) 12/17/12 Appointments & Nominations

Mayor Hieftje placed the following nominations on the table for approval at a later

date:

Ann Arbor Public Art Commission

*Cathy Gendron Reappointment
2965 Hickory Lane
Ann Arbor, MI 48104
Term: January 21, 2013-January 20, 2016*

*Connie Brown Reappointment
208 Pine Ridge
Ann Arbor, MI 48103
Term: January 21, 2013-January 20, 2016*

*Tony Derezinski Reappointment
1345 Glendaloch Circle
Ann Arbor, MI 48104
Term: January 21, 2013-January 20, 2016*

Housing Commission

*Christopher Geer -replacing Andy LaBarre
1511 East Park Place
Ann Arbor, MI 48104
Term: December 17, 2012-May 5, 2014*

Housing & Human Services Advisory Board

*Julie Steiner -Filling vacancy
502 Sunset
Ann Arbor, MI 48103
Term: January 7, 2013-January 6, 2016*

Parks Advisory Commission

*Graydon Krapohl -replacing John Lawter
1502 Golden Avenue
Ann Arbor, MI 48104
Term: January 7, 2012-January 6, 2016*

Referred to the City Council due back on 1/7/2013

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER WARPEHOSKI

Councilmember Warpehoski spoke about a Police Video Surveillance Ordinance that was briefly discussed in the past. He stated police video surveillance is not currently being used in Ann Arbor. Councilmember Warpehoski stated there is a need to address privacy concerns versus law enforcement needs regarding this issue. He stated he and Councilmember Anglin are working on a draft ordinance that will be available for Council's consideration at a later date.

Councilmember Warpehoski raised some questions about the current parking ordinance enforcement on the streets. He questioned what residents can do if they regularly park on the street and happen to go on vacation, and are not able to move their vehicle every 48 hours. Chief Seto advised that residents can notify Community

Standards if that is the case.

Mayor Hieftje reminded Councilmember Warpehoski and residents that vehicles could not be left in the streets during a snow emergency so there was some risk of leaving the vehicle while on vacation in the winter.

COUNCILMEMBER KAILASAPATHY

Councilmember Kailasapathy thanked the City Administrator, Mr. Powers, for the email regarding pedestrian safety and the recent enforcement efforts. She stated the safety of school children is very important.

F WRITTEN COMMUNICATIONS FROM THE CITY ADMINISTRATOR

G COMMUNICATIONS FROM THE CITY ATTORNEY

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

H The following communications were referred as indicated:

Passed on consent agenda

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

- H-1** [12-1559](#) Communication from Ann Arbor Transportation Authority (AATA) regarding the AATA's Financial and Operating Reports for the Period Ending September 30, 2012 - File
- H-2** [12-1561](#) Communication Ann Arbor Transportation Authority (AATA) regarding their Financial and Performance Reports for the Month Ending October 31, 2012
- H-3** [12-1562](#) Communication from Ann Arbor Transportation Authority (AATA) regarding Public Input Summary for the AATA Route 5 Service Change
- H-4** [12-1564](#) Communication from Janis Bobrin, Chair of the Drainage Board regarding Notice of a Hearing concerning Public Corporations to be Assessed and Apportionment of Costs of the Allen Creek Miller Ave. Drain Project scheduled for December 20, 2012
- H-5** [12-1565](#) Communication from Peter A. Long, Council to the Corporation, regarding the 2012 Annual Report of the Economic Development Corporation of the City of Ann Arbor - File
- H-6** [12-1608](#) Communication from Washtenaw County Board of Canvassers regarding Canvass of Votes Cast at the November 6, 2012 General

Election - File

H-7 [12-1640](#) Communication from Comcast regarding price changes to customers in Ann Arbor - CTN

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

I-1 [12-1335](#) City Planning Commission Meeting Minutes of September 18, 2012

I-2 [12-1502](#) Downtown Area Citizens Advisory Council Meeting - Minutes of November 6, 2012

I-3 [12-1503](#) Ann Arbor Downtown Development Authority - Minutes of October 3, 2012

I-4 [12-1510](#) Airport Advisory Committee Minutes - September 19, 2012

I-5 [12-1525](#) Ann Arbor Public Art Commission Meeting Minutes - September 26, 2012

I-6 [12-1543](#) Minutes of Council Budget Committee - November 29, 2012

I-7 [12-1546](#) Human Rights Commission Meeting Minutes of October 10, 2012

I-8 [12-1560](#) Ann Arbor Transportation Authority Meeting Minutes of September 27, October 2, and October 18, 2012

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Tom Partridge, City resident, spoke about his years of advocacy for the City's disadvantaged.

Michael Benson, City resident, spoke about the solar panels installed near his home. He also expressed concerns regarding the pedestrian crosswalks on Plymouth Road. He suggested retarding the blinking light to improve safety.

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).

None.

ADJOURNMENT

A motion was made by Councilmember Kailasapathy, seconded by Councilmember Kunselman, that the meeting Adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 8:48 p.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:**LIVE: MONDAY, DECEMBER 17, 2012, 7:00 P.M.****REPLAYS: WEDNESDAY, DECEMBER 18, 2012, 10:00 A.M. AND FRIDAY, DECEMBER 21, 2012, 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, 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
- Cable: Watch CTN Channel 16 public meeting programming via Comcast Cable channel 16.

Persons with disabilities are encouraged to participate. Accommodations, including sign language interpreters, may be arranged by contacting the City Clerk's Office by telephone at 734-794-6140 or by written request addressed to the City Clerk's Office, 301 E. Huron Street, Ann Arbor, MI 48104, at least 24 hours in advance.

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