

City of Ann Arbor

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



Action Minutes

Tuesday, January 22, 2013

7:00 PM

Please note: Caucus on Sunday, January 20 has been cancelled.

**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 7:08 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: 10 - Mayor John Hieftje, Councilmember Stephen Kunselman, Councilmember Marcia Higgins, Councilmember Mike Anglin, Councilmember Sabra Briere, Councilmember Christopher Taylor, Councilmember Jane Lumm, Councilmember Sumi Kailasapathy, Councilmember Sally Petersen and Councilmember Chuck Warpehoski

Absent: 1 - Councilmember Margie Teall

APPROVAL OF AGENDA

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

INT INTRODUCTION

INT-1 13-0044 NAP Volunteers of the Month Proclamation for Janet Bower & Ann Sprunger

Attachments: Janet Bower & Ann Sprunger NAP Vol. Jan 2013.pdf

Mayor Hieftje read a proclamation honoring Janet Bower and Ann Sprunger for their work as Natural Area Preservation (NAP) volunteers. Ann Sprunger and Janet Bower have worked enthusiastically to improve the median on Liberty Street by spending countless hours weeding, planting, and mulching and encouraging others to volunteer in their effort as well.

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 - Forward the Dream of MLK - Request President Obama to fund affordable housing, transportation, education, and health care. Recall Governor Snyder and Mayor Hieftje.**

Tom Partridge, Ann Arbor resident, addressed Council regarding forwarding the dream of Dr. Martin Luther King, Jr. He urged President Obama to fund affordable housing, transportation, education, and health care. He also said that Governor Snyder and Mayor Hieftje should be recalled.

- 2. Kathy Griswold - Newport Sidewalk (D-2, DS-2)**

Kathy Griswold, 3565 Foxhunt Dr., spoke in support of the proposed Newport Road Sidewalk Resolution. She asked that Council review and revise the existing pedestrian crossing ordinance and take a comprehensive look at sidewalk gaps within the City. Ms. Griswold expressed her support for the Police Department.

- 3. Blaine Coleman - Boycott Israel**

Blaine Coleman, P.O. Box 7038, addressed Council regarding Israel. He urged Council to support a boycott of Israel due to their massacres of innocent Palestinian people.

- 4. Kermit Schlansker - Priorities**

Kermit Schlansker, 2960 Marshall St., addressed Council regarding their priorities as they relate to solar energy. He said that investments in windmills is not necessarily a good idea. He urged Council to be progressive and innovative in their plans for alternative energy investments.

- 5. Mozghan Savabieasfahani - Boycott Israel**

Mozghan Savabieasfahani, P.O. Box 7038, addressed Council regarding boycotting Israel. She said that Israel is a country fully supported by the U.S., despite their human rights record. She urged a boycott.

- 6. Aina Bernier - Ann Arbor Dog Park**

Aina Bernier, 803 Brooks St., spoke in support of a proposed dog park in West Park. She stated that a centrally-located dog park is needed and wanted by residents. Ms. Bernier stated that residents should not have to drive to Swift Run Park in order to exercise their dogs.

7. John Lawter - Dog Park

John Lawter, 1320 Orkney Dr., expressed concerned by the decision to reject a proposed dog park site at West Park, based on the concerns of the New Hope Baptist Church. He asked that the congregation be open to compromise and that the City and church work together to find a solution that satisfies both the church and local residents and dog owners.

8. Melissa Stults - Dog Park

Melissa Stults, 2320 Walter Dr., spoke in support of the proposed West Park dog park. She stated more dog parks and off-leash locations are needed throughout the City. She urged City leaders to find a creative solution and to work with the church to find a compromise for the West Park site.

9. Virginia Gordon - Dog Park

Virginia Gordon, 521 Cherry St., spoke in support of the development of new off-leash dog parks within the City. She stated these dog parks should be within neighborhoods and easily accessible to local dog owners. Ms. Gordon stated many other large cities have off-leash dog hours or established park areas for dogs.

10. Harold Kirchen - Dog Park

Harold Kirchen, 340 8th St., spoke in support of the development of new off-leash dog parks in Ann Arbor.

COMMUNICATIONS FROM COUNCIL**COUNCILMEMBER LUMM**

Councilmember Lumm announced that meetings with AATA's Urban Core Leaders are scheduled for this week. The meetings will consist of AATA staff, Ann Arbor councilmembers, Ypsilanti Township officials, Ypsilanti City councilmembers and the Ypsilanti Mayor. Councilmember Lumm suggested inviting AATA to a City Council working session.

COUNCILMEMBER BRIERE

Councilmember Briere updated Council on the Public Art Task Force. She stated the Task Force has met four times and are currently discussing their concerns with the existing ordinance. She said possible changes and revisions to the Public Art and Boards and Commissions ordinances are being debated. Creative solutions for how public art is proposed and administered in the City are being considered.

COUNCILMEMBER ANGLIN

Councilmember Anglin commented on the January 14 Council Working Session that included a presentation on the Connecting William Street project by the DDA. He thanked the DDA and staff for the presentation. Councilmember Anglin urged members of the public to make certain that their opinions and voices are heard, including on the issue of a new downtown park or green space on one of the sites.

COUNCILMEMBER WARPEHOSKI

Councilmember Warpehoski responded to public comments that were made regarding his professional opinions as director of the Interfaith Council for Peace and Justice and his actions as a Councilmember as it relates to the Israeli/Palestinian conflict. Councilmember Warpehoski stated that he will not be weighing in on this issue while the protests continue at local synagogues.

Councilmember Warpehoski stated that the City's Environmental Commission will be hosting a public hearing on the City's Solid Waste Plan on January 24, 2013 at 7:00 p.m. in the Council Chambers. He encouraged the public to come to the hearing and provide their opinions.

MAYOR HIEFTJE

Mayor Hieftje reported on the Delonis Center's service to the City's homeless population. Mayor Hieftje stated that the shelter has not turned away anyone who wanted or needed shelter. Accommodations have also been made for those who may be under the influence of drugs or alcohol.

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

City Administrator Steve Powers stated he invited Washtenaw County Sheriff Jerry Clayton to tonight's meeting to provide Council an update on the transition to countywide dispatch services.

Sheriff Clayton and Spring Tremaine updated Council on the project. A copy of the presentation is on file in the City Clerk's Office.

- 1 13-0015 Dispatch Update from Washtenaw County Sheriff Clayton**

Attachments: WCSD Dispatch presentation 012213

Sheriff Clayton gave a slide presentation to council regarding the combined county dispatch center and its progress over the past 14 months. A copy of the slide presentation is on file in the City Clerk's Office.

Received and Filed

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

- PH-1 12-1598 Resolution to Approve the McMullen Annexation, 0.46 Acre, 3100 Geddes Avenue (CPC Recommendation: Approval - 7 Yeas and 0 Nays)**

Attachments: 12/4/12 - Planning Staff Report, 12/4/12 Planning Commission Minutes

A public hearing was conducted on the proposed Resolution to approve the McMullen Annexation, 0.46 acre, located at 3100 Geddes Avenue. Notice of public hearing was published January 17, 2013.

Tom Partridge, City resident, spoke in opposition to the proposed annexation.

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

Held and Closed

Enactment No: R-13-027

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER WARPEHOSKI

Councilmember Warpehoski said that he was impressed with Sheriff Clayton's presentation and that he has a lot of good ideas for the community.

A APPROVAL OF COUNCIL MINUTES

A-1 13-0028 Regular Session and Special Session Meeting Minutes of January 7, 2013

Attachments: 01-07-13 Special Session minutes AS AMENDED, 01-07-13 Special Session minutes, 01-07-13 Draft Minutes Regular Session, Council Redaction list 01-07-13

Councilmember Petersen requested that the minutes of the Special Session of January 7, 2013 be amended to include the fact that Councilmember Kailasapathy arrived at 6:10 p.m. for the Closed Session.

A motion was made by Councilmember Anglin, seconded by Councilmember Briere, that the Regular and Special Session Meeting Minutes of January 7, 2013 be approved with minor changes as noted. On a voice vote, the Mayor declared the motion carried.

CA CONSENT AGENDA

CONSENT AGENDA ITEM REMOVED

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

CA-1 Resolution to Establish the Fixed Charges for the 2013 Water and Sanitary Sewer Improvement Charges

Passed on consent agenda

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

CA-2 12-1669 Resolution to Approve a Purchase Order to New World Systems for Financial System Annual Software Support and Maintenance Agreement (\$64,040.00)

Enactment No: R-13-025

CA-1 12-1648 Resolution to Establish the Fixed Charges for the 2013 Water and Sanitary Sewer Improvement Charges

Attachments: IC Credit calculation 2013.pdf, Water Main Impr Chg Calculation 2013.pdf, Sanitary Impr Chg Calculation 2013.pdf

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

Enactment No:

A motion was made by Councilmember Higgins, seconded by Councilmember Briere, that the Resolution be Postponed until 4/1/2013. On a roll call, the vote was as follows with the Mayor declaring the motion defeated:

Yeas: 4 - Councilmember Kunselman, Councilmember Higgins, Councilmember Briere and Councilmember Kailasapathy

Nays: 6 - Mayor Hieftje, Councilmember Anglin, Councilmember Taylor, Councilmember Lumm, Councilmember Petersen and Councilmember Warpehoski

Absent: 1 - Councilmember Teall

Enactment No:

Councilmember Lumm moved to amend the resolution to set the rates at the 2012 established rates.

After discussion, it was determined that this was not necessary. (The motion was withdrawn).

The question being the Resolution as presented, on a roll call, the vote was as follows with the Mayor declaring the motion defeated:

Yeas: 4 - Mayor Hieftje, Councilmember Anglin, Councilmember Taylor and Councilmember Warpehoski

Nays: 6 - Councilmember Kunselman, Councilmember Higgins, Councilmember Briere, Councilmember Lumm, Councilmember Kailasapathy and Councilmember Petersen

Absent: 1 - Councilmember Teall

Enactment No:

RECESS

Mayor Hieftje declared a recess at 9:33 p.m. and reconvened the meeting at 9:42 p.m.

B ORDINANCES - SECOND READING

None.

C ORDINANCES - FIRST READING

C-1 12-1547 An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 1.82 Total Acres from R1B (Single-Family Dwelling District) to R1C (Single-Family Dwelling District), 2014 Geddes Avenue (0.40 acre), 2024 Geddes Avenue (0.40 acres), 520 Onondaga Street (0.20 acre), 2025 Seneca Avenue (0.20 acre), 2023 Seneca Avenue (0.40 acre) and 2019 Seneca Avenue (0.22 acre) (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (ORD-13-02)

Attachments: ORD-13-02 Briefed.pdf, Senca ordinance CC.pdf, 11/20/12 Planning Staff Report, Seneca Onondaga Geddes Zoning Map.pdf, Seneca Onondaga Geddes Aerial Map.pdf, 11-20-12 Planning Commission Minutes

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

Enactment No: ORD-13-02

D MOTIONS AND RESOLUTIONS

DC Old Business - Council:

DC-1 12-1680 Resolution to Re-Appoint Christopher Graham as a Member of the City of Ann Arbor Environmental Commission

Sponsors: Briere and Warpehoski

Attachments: Graham Resume

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

Enactment No: R-13-026

DB New Business - Boards and Commissions:

DB-1 12-1598 Resolution to Approve the McMullen Annexation, 0.46 Acre, 3100 Geddes Avenue (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

Attachments: 12/4/12 - Planning Staff Report, 12/4/12 Planning Commission Minutes

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-13-027

DS New Business - Staff:

DS-1 12-1524 Resolution to Approve Installment Lease/Purchase Agreement with Deere Credit, Inc., for a New Loader at the City Materials Recovery Facility/Waste Transfer Station (\$211,602.30; \$21,260.13/ 6 months) and Appropriate Funds (8 Votes Required)

Attachments: ITB 4256 Loader bid comparisons.pdf, AIS lease - JD loader.pdf

A motion was made by Councilmember Briere, seconded by Councilmember Warpehoski, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried unanimously with ten members of Council present, thus satisfying the eight-vote requirement.

Enactment No: R-13-028

- DS-2 12-1649** Resolution to Develop a Preliminary Design and Cost Estimates for Construction of Sidewalk along Newport Road between Wines Elementary and Riverwood Drive and to Appropriate Funds to Establish a Budget for this Design (\$15,000.00) (8 Votes Required)

Attachments: Newport Sidewalk Signatures Overview Map.pdf, Newport Sidewalk Signatures Neighborhood Map.pdf, Newport Sidewalk Layout.pdf, Petition.pdf

Councilmember Higgins inquired whether this project would affect busing to Wines Elementary School for small children.

Councilmember Petersen asked whether this project would result in a savings for the Ann Arbor Public Schools. Public Services Area Administrator Craig Hupy replied that this information was not available.

A motion was made by Councilmember Briere, seconded by Councilmember Kailasapathy, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried with ten members of Council present, thus satisfying the eight-vote requirement.

Enactment No: R-13-029

- DS-3 12-1653** Resolution to Approve Agreement between the City of Ann Arbor and the Downtown Development Authority for Sidewalk Repairs within the Downtown Development District during FY 2013 and FY 2014

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

Enactment No: R-13-030

- DS-4 12-1665** Resolution to Approve a Residential Parking District for North Ives Woods and Appropriate General Fund Unobligated Fund Balance (\$1,800.00) (8 Votes Required)

Attachments: North Ives Residential Parking.pdf

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 with ten members of Council present, thus satisfying the eight-vote requirement.

Enactment No: R-13-031

E COMMUNICATIONS FROM THE MAYOR

E-1 13-0088 Appointments - Confirmations

Attachments: Eric Sturgis app..pdf, Barbara Levin Bergman.pdf

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

Board of Review

Timothy Somers (Re-Appointment)

2944 Whittier West

Ann Arbor, MI 48104

Term: February 4, 2013 - February 3, 2016

Katherine White (Re-Appointment)

1942 Washtenaw Avenue

Ann Arbor, MI 48104

Term: February 4, 2013 - February 3, 2016

Robert White (Re-Appointment)

1849 Saxon Rd.

Ann Arbor, MI 48103

Term: February 4, 2013 - February 3, 2016

William Brogan (Re-Appointment)

950 Northwood

Ann Arbor, MI 48103

Term: February 4, 2013 - February 3, 2016

Commission on Disability Issues

Barbara Levin Bergman Filling vacancy

2045 Geddes Ave.

Ann Arbor, MI 48104

Term: February 4, 2013-February 3, 2016

Employees' Retirement System Board of Trustees

Alexa Nerdrum (Re-Appointment)

3176 Lakewood Dr.

Ann Arbor, MI 48103

Term: February 4, 2013 - February 3, 2016

Taxicab Board

Eric Sturgis (Filling vacancy)

1906 Longshore Dr.

Ann Arbor, MI 48105

Term: February 4, 2013 - April 11, 2016

Zoning Board of Appeals

Candice Briere (Re-Appointment)

3029 Forest Creek Court

Ann Arbor, MI 48108

Term: February 4, 2013 - February 3, 2016

Referred to the City Council due back on 2/4/2013

APPOINTMENT APPROVED

Taxicab Board

*Eric Sturgis (Filling vacancy)
1906 Longshore Dr.
Ann Arbor, MI 48105
Term: January 22, 2013-April 11, 2016*

A motion was made by Councilmember Higgins, seconded by Councilmember Kunselman, that the Appointment of Eric Sturgis to the Taxicab Board be approved in a one-step process. On a voice vote, the Mayor declared the motion carried unanimously with ten members of Council present, thus satisfying the eight-vote requirement.

COMMUNICATIONS FROM COUNCIL

None.

F WRITTEN COMMUNICATIONS FROM THE CITY ADMINISTRATOR

- F-1 13-0008** The Open Space and Parkland Preservation Program Fiscal Year Report
Attachments: Open Space and Parkland Preservation Millage.pdf, OSPP - Activity Report11-12.pdf
Received and Filed

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

- H-1 13-0009** Downtown Development Authority Annual Report July 2011 through June 2012
Attachments: DDA Annual Report 6-30-12

- H-2 13-0013** Communication from Laurence B. Dietch of Bodman Attorneys & Counselors regarding 624 Church Street Apartments; Site Plan Dated November 26, 2012 submitted by Opus Development Corporation and the Tice Family LLC - Planning and Development Services
Attachments: Communication regarding 624 Church St. Apartments Site Plan
- H-3 13-0029** Communication from Comcast regarding changes to Michigan Government TV effective January 16, 2013 - CTN
Attachments: Comcast Communication
- H-4 13-0039** Communication from Comcast regarding an addition to their lineup, effective January 23, 2013 - CTN
Attachments: Comcast Communication Dated 1-3-13
- I The following minutes were received for filing:**
- I-1 12-1328** Park Advisory Commission Meeting Minutes of September 18, 2012
Attachments: 9-18-2012 PAC Approved Minutes.pdf
- I-2 12-1359** Zoning Board of Appeals Meeting Minutes of September 19, 2012
Attachments: 9-19-2012 ZBA Approved Minutes.pdf
- I-3 12-1661** Housing Commission Board Meeting Minutes of Sept 19, 2012
Attachments: Housing Commission Minutes - 9-19-12.pdf
- I-4 12-1666** Employees' Retirement System Minutes for Regular Meeting - November 15, 2012
Attachments: Employees Retirement System Minutes 11-15-12
- I-5 12-1667** City of Ann Arbor Retiree Health Care Benefit Plan & Trust Board of Trustees Minutes for the Regular Board Meeting - November 15, 2012
Attachments: VEBA Minutes 11-15-12
- I-6 12-1668** City of Ann Arbor Retiree Health Care Benefit Plan & Trust Board of Trustees Minutes for the Regular Board Meeting - October 18, 2012
Attachments: VEBA Minutes 10-18-12

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Tom Partridge, City resident, addressed Council regarding Dr. Martin Luther King, Jr. Day and expressed concerns regarding the comments made by other speakers towards Councilmember Warpehoski.

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 Higgins, seconded by Councilmember Anglin, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 10:05 p.m.

13-0107 Council Redaction List from January 22, 2013 Regular Session

Attachments: Council Redaction List 01-22-13

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: TUESDAY, JANUARY 22, 2013 7:00 P.M.

REPLAYS: WEDNESDAY, JANUARY 23, 2013, 10:00 A.M. AND FRIDAY, JANUARY 25, 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, 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.

Jacqueline Beaudry
Clerk of the Council

Anissa R. Bowden
Recording Secretary