

City of Ann Arbor

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



Action Minutes

Monday, March 4, 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 7:08 p.m. in the Guy C. Larcom, Jr. Building, 2nd Floor Council Chambers, 301 E. Huron St.

MOMENT OF SILENCE

Council stood for a moment of silence.

PLEDGE OF ALLEGIANCE

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

ROLL CALL OF COUNCIL

Present: 11 - Mayor John Hieftje, Councilmember Stephen Kunselman, Councilmember 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 Briere, seconded by Councilmember Petersen, that the Agenda be approved with the following changes:

**MOVE: Closed Session immediately after Public Commentary - Reserved Time
MOVE: DC-1 Resolution to Direct the Ann Arbor Planning Commission to Review D1/D2 Zoning and Make Recommendations to Amend the Current D1 Zoning Regulations and to Establish a Moratorium on Site Plan Approvals in the Downtown - Move after Closed Session**

On a voice vote, the Mayor declared the motion carried.

INT INTRODUCTION

INT-1 13-0239 Proclamation for 3/4/13 Vol. of the Month Holly Pilon

Attachments: Holly pilon -NAP vol. of mo. 3-4-13.pdf

Mayor Hieftje read a proclamation honoring Holly Pilon as Volunteer of the Month. Holly Pilon has dedicated herself to volunteering through the Citizen Pruner Program and has worked enthusiastically to care for the City's young trees by pruning, weeding, and monitoring street and park trees in her neighborhood and throughout the City. Ms. Pilon has served as a mentor and leader for other volunteers. 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. Hugh Sonk - Resolution to Review D1/D2 Zoning and Establish Moratorium (DC-1)

Hugh Sonk, 505 E. Huron St., spoke in support of the proposed moratorium. He urged Council to study the Design Guidelines during the moratorium and to take the time to study the issue before approving new development.

2. Susan Morrison - Resolution to Review D1/D2 Zoning and Establish Moratorium (DC-1)

Susan Morrison, 124 Brooks, attorney representing Eileen and Norman Tyler, residents of the Division Street Historic District, spoke in support of the moratorium. Ms. Morrison stated she previously sent Council a communication outlining the legal basis for approving a moratorium.

3. Peter Nagourney - Resolution to Review D1/D2 Zoning and Establish Moratorium (DC-1)

Peter Nagourney, 914 Lincoln, spoke in support of the moratorium. He said the City has an obligation to its citizens and to not re-examine the Design Guidelines would be an act of bad faith.

4. Norman Hyman - Resolution to Review D1/D2 Zoning and Establish Moratorium (DC-1)

Norman Hyman, 300 E. Long Lake, Bloomfield, MI, said that the courts will not object to a reasonable moratorium for a reasonable period of time.

5. Patrick Lennon - Resolution to Review D1/D2 Zoning and Establish Moratorium (DC-1)

Patrick Lennon, 350 E. Michigan Ave., Kalamazoo, MI, spoke in opposition to the proposed moratorium and urged Council to defeat the resolution. He stated that the moratorium as proposed is unfair, improper and could be subject to legal challenge. Mr. Lennon, a representative for the 413 E. Huron Street project, stated the proposed moratorium goes to lengths to exclude other projects while specifically including his project.

6. Carl Hueter - Resolution to Review D1/D2 Zoning and Establish Moratorium (DC-1)

Carl Hueter, 817 S. Seventh, spoke in opposition to the proposed moratorium. He stated that imposing a moratorium on a project that is so far through the development process is frightening and sends a really frightening message to other property owners and developers.

7. Tom Stulberg - Resolution to Review D1/D2 Zoning and Establish Moratorium (DC-1)

Tom Stulberg, 1202 Traver St., thanked Council and the public who have worked on the entire downtown zoning process. He spoke in support of the moratorium and urged Council to take the time to study the issue again.

8. Susan Friedlaender - Resolution to Review D1/D2 Zoning and Establish Moratorium (DC-1)

Susan Friedlaender, 33493 W. 14 Mile Rd., Farmington Hills, MI, representing the petitioners of the 413 E. Huron St. project, spoke in opposition to the proposed moratorium. She stated a moratorium on the 413 E. Huron St. project is in "bad faith," and the courts have shown that they will find a moratorium invalid.

9. Ray Detter - Resolution to Review D1/D2 Zoning and Establish Moratorium (DC-1)

Ray Detter, 120 N. Division, representing the Downtown Area Citizens Advisory Council, spoke in support of the proposed moratorium as presented. Mr. Detter also spoke in support of re-establishing the Design Guidelines Taskforce.

10. Bruce Thomson - Resolution to Review D1/D2 Zoning and Establish Moratorium (DC-1)

Bruce Thomson, 2682 White Oak Dr., spoke in opposition to the proposed moratorium.

CLOSED SESSION UNDER THE MICHIGAN OPEN MEETINGS ACT, TO DISCUSS ATTORNEY/CLIENT PRIVILEGED COMMUNICATION SET FORTH OR INCORPORATED IN MCLA 15.268

A motion was made by Councilmember Taylor, seconded by Councilmember Higgins, that Council enter into Closed Session to discuss Attorney Client privileged communications set forth or incorporated in MCLA 15.268 (C). On a roll call, the vote was as follows with the Mayor declaring the motion carried and the meeting adjourned at 7:43 p.m.

Yeas: 11 - Mayor Hieftje, Councilmember Kunselman, Councilmember Higgins, Councilmember Teall, Councilmember Anglin, Councilmember Briere, Councilmember Taylor, Councilmember Lumm, Councilmember Kailasapathy, Councilmember Petersen and Councilmember Warpehoski

Nays: 0

MEETING RECONVENED

A motion was made by Councilmember Higgins, seconded by Councilmember Warpehoski, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 8:16 p.m.

DC-1 13-0170

Resolution to Direct the Ann Arbor Planning Commission to Review D1/D2 Zoning and Make Recommendations to Amend the Current D1 Zoning Regulations and to establish a Moratorium on Site Plan Approvals in the Downtown

Sponsors: Briere and Kunselman

Attachments: D1D2 Moratorium comments, Deitch moratorium support, residents support moratorium, Moratorium opposition letter - Friedlander, Moratorium Communication from Christine Brummer, HDC Communication Regarding the Moratorium

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

A motion was made by Councilmember Higgins, seconded by Councilmember Kunselman, that the Resolution be postponed until 3/18/2013. On a voice vote, the Mayor declared the motion carried.

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER BRIERE

Councilmember Briere said that the Public Art Taskforce's proposed Public Art Ordinance amendments are still being reviewed by the City Attorney's Office. The taskforce will need to wait until the first meeting in April to present the changes to Council.

COUNCILMEMBER KUNSELMAN

Councilmember Kunselman said that a Taxicab Board meeting was held last week. There was a guest speaker from the Great Lakes Limousine Organization who was very informative. As a result of some of the activities in the City regarding taxicabs and limos, HB4343 has been introduced in the Legislature. Councilmember Kunselman stated he hoped this future legislation would provide some of the language the City is looking for to close some current loopholes.

COUNCILMEMBER LUMM

Councilmember Lumm thanked City Administrator Steve Powers and the Field Operations Service Unit for being proactive in terms of their assistance with debris clean-up from last week's storm. She said that citizens are very appreciative of the City's efforts.

COMMUNICATIONS FROM THE CITY ADMINISTRATOR*WINTER STORM UPDATE*

Public Services Area Administrator Craig Hupy updated Council and the public on the clean-up efforts from last week's storm. Mr. Hupy said that the weight of the snow made it harder to move around. He said that crews are driving down streets cleaning up limbs that were broken, but had not actually fallen to the ground. Beginning Wednesday, March 6, 2013, crews would drive through City streets with chippers cleaning up any debris that has been placed on lawn extensions for removal. He added that the City prefers that residents bring branches out intact, as it is easier for them to handle with the chippers; there is no need to cut and bundle the branches. Mr. Hupy said that the Burns Park area would be taken care of first, as they were the hardest hit from the storm. It is expected to take a full two weeks to have all of the debris cleaned up and a second pass through the City would occur the week of March 20, 2013.

ARGO CASCADES

City Administrator Steve Powers announced that Argo Cascades has been recognized by the Michigan Recreation and Parks Association for Park Design of the Year. The Cascades were also recently designated a frontline park by the City Parks Alliance, which is a national organization that recognizes inspired examples of urban park excellence.

OPEN AGENDA

A motion was made by Councilmember Higgins, seconded by Councilmember Warpehoski, to reopen the agenda. On a voice vote, the Mayor declared the motion carried. The agenda was reopened to have the following items considered before the Public Hearings section of the agenda:

DS-12 Resolution to Approve Street Closings for the Ann Arbor Marathon Running Event - Sunday, June 9, 2013

DS-13 Resolution to Approve Street Closings for the 2013 Take Back the Night (Rally and March) - Thursday, April 4, 2013

DS-14 Resolution to Approve the Closing of Monroe Street for the Monroe Street Fair, Saturday, April 6, 2013

DS-12 12-1388

Resolution to Approve Street Closings for the Ann Arbor Marathon Running Event - Sunday, June 9, 2013

Attachments: Ann Arbor Marathon Map - Full.pdf, Ann Arbor Marathon - Half.pdf, Ann Arbor Marathon - 5K.pdf, Gallup Park Route.pdf

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

Enactment No: R-13-051

DS-13 13-0145

Resolution to Approve Street Closings for the 2013 Take Back the Night (Rally and March) - Thursday, April 4, 2013

Attachments: Take Back the Night 2013 Map.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-13-052

DS-14 13-0146

Resolution to Approve the Closing of Monroe Street for the Monroe Street Fair, Saturday, April 6, 2013

Attachments: Monroe Street Fair Street Map.pdf, Monroe St Fair Map.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-13-053

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 13-0090

Resolution to Approve 624 Church Street Site Plan and Development Agreement, 624 Church Street (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

Attachments: 1/15/13 Planning Staff Report, 624 Church Site Plan2-27-2013r, 624 Church protest - deitch, 1-15-2013 CPC Action Minutes for 624 Church

A public hearing was conducted on the proposed Resolution to approve 624 Church Street Site Plan and Development Agreement, located at 624 Church Street. Notice of public hearing was published February 25, 2013.

Brad Moore, of J. Bradley Moore and Associate's, architect for the project, updated Council on the proposed site plan and was available to answer any questions of Council.

Dennis Tice, representing the Tice family, thanked Council for their efforts in reviewing their proposed site plan and was available to answer questions of Council.

Mark Bell, project developer, explained the project to Council in more detail.

Ethel Potts, 1014 Elder Blvd., expressed concern with the proposed site plan and the construction up to the rear lot line. She also expressed concern about the lack of onsite parking.

Eleanor Linn, 1321 Forest Ct., said that she supports the letter Council received from the owners of Zaragon East on E. University calling for more study of the lighting and safety issues.

Thomas Partridge, Ann Arbor resident, spoke in opposition.

Sandra Sorini, 201 S. Division St., attorney representing Galileo Associates, owners of Zaragon Place which is a student apartment building located at 619 E. University, said that the Zaragon owners are not opposed to the project in concept. They expressed concern with the health, safety and welfare of their student residents because the developer is proposing to locate the western wall right at the developer's property line and would essentially use the backyard of Zaragon Place for construction. She objected to this use.

Jim Caesar, Vice President of Design Build, addressed safety concerns that had been previously raised. He said that they have a safety track record that is leading the industry. They take safety as a number one priority. He added that they have taken great strides to eliminate the need to swing anything, bring in equipment or have air rights encroachments. These efforts have been made to avoid any conflicts with neighboring Zaragon East.

Scott Munzel, 603 W. Huron St., representing Opus Development Corporation, said that the site plan meets all of the City rules and related goals. It is consistent with the master plan that has been adopted, specifically the downtown plan, which encourages the highest concentration of activity in this area.

Alan Haber, Ann Arbor resident, expressed concern with the proposed site plan and the relationship that it has with the proposed moratorium on tonight's agenda.

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

Held and Closed

Enactment No: R-13-059

PH-2 13-0110

Resolution to Approve 515 North Fifth Site Plan and Development Agreement, 515 North Fifth Avenue (CPC Recommendation: Approval - 6 Years and 0 Nays)

Attachments: 1/3/13 Planning Staff Report, 12-28-12 Draft Development Agreement

A public hearing was conducted on the proposed Resolution to approve 515 North Fifth Site Plan and Development Agreement, located at 515 North Fifth Avenue. Notice of public hearing was published February 25, 2013.

Thomas Partridge, City resident, spoke in opposition to the proposed site plan.

Scott Bowers, of Bowers Associates and Architects, asked that Council approve the proposed site plan and development agreement and was available to answer questions of Council.

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

Held and Closed

Enactment No: R-13-060

PH-3 12-1670

Resolution to Approve Blue Heron Pond Planned Project Site Plan, 2536 West Liberty Street (CPC Recommendation: Approval - 6 Years and 0 Nays)

Attachments: 12/18/12 Planning Staff Report, 12-18-12 Planning Commission Minutes.pdf, BlueHeronDevelopment.pdf

A public hearing was conducted on the proposed Blue Heron Pond Planned Project Site Plan, located at 2536 West Liberty Street. Notice of public hearing was published February 25, 2013.

Brad Moore, J. Bradley Moore Architects, explained the proposed project to Council.

Thomas Partridge spoke in opposition to the proposed site plan.

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

Held and Closed

Enactment No: R-13-061

RECESS

Mayor Hieftje declared a recess at 9:21 p.m. and reconvened the meeting at 9:38 p.m.

COMMUNICATIONS FROM COUNCIL

None.

A APPROVAL OF COUNCIL MINUTES**A-1 13-0189** Working Session of February 11, 2013 and Regular Session of February 19, 2013

Attachments: 02-11-13 Draft Minutes, 2-19-13 Draft Minutes, 02-19-13 Council Emails and Redaction List

A motion was made by Councilmember Warpehoski, seconded by Councilmember Teall, that the Work Session Minutes of February 11, 2013 and the Regular Session Minutes of February 19, 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 Lumm, seconded by Councilmember Briere, that the following Consent Item be approved as presented. On a voice vote, the Mayor declared the motion carried.

CA-1 13-0117 Resolution to Approve a Services Agreement with Magic Finish for Custodial and Event Services at Cobblestone Farm for an Amount Not to Exceed \$44,250.00 Annually for FY13-FY16 with a Two-Year Renewal Option Not to Exceed \$47,200.00 Annually for FY17 and FY18

Attachments: RFP 839 Cobblestone Farm Event Services rev 2.pdf

Enactment No: R-13-054

B ORDINANCES - SECOND READING

None.

C ORDINANCES - FIRST READING**C-1 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

Sponsors: Kunselman and Kailasapathy

Attachments: DDA Ordinance Amendments REVISED 3-1-13, DDA Ordinance Amendments 2013

A motion was made by Councilmember Kunselman, seconded by Councilmember Kailasapathy, that the Ordinance be approved at First Reading.

A motion was made by Councilmember Briere, seconded by Councilmember Kailasapathy, that the Ordinance be postponed until 3/18/2013. On a voice vote, the Mayor declared the motion carried.

D MOTIONS AND RESOLUTIONS

DC Old Business - Council:

DC-2 13-0179 Resolution to Reconvene the Design Guidelines Taskforce

Sponsors: Higgins and Briere

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

A friendly amendment by Councilmember Lumm was accepted to add "by the second meeting in September" to the 2nd Resolved Clause.

On a voice vote, the Mayor declared the motion carried.

Enactment No: R-13-055

New Business - Council:

DC-3 13-0220 Resolution to Direct the City Administrator to Request Proposals for Brokerage Services for the Sale of 350 S. Fifth Avenue (Fifth & William Surface Parking Lot/Former Y-Lot)

Sponsors: Hieftje and Kunselman

Councilmember Warpehoski asked how a potential moratorium would affect a possible sale of property in the DDA.

Councilmember Anglin inquired if opportunities for refinance were available.

A motion was made by Councilmember Kunselman, seconded by Councilmember Briere, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried with one no-vote made by Councilmember Taylor.

Enactment No: R-13-056

DC-4 13-0222 Resolution to Support Community Energy Efficiency Investments and Property Assessed Clean Energy (PACE) Program

Sponsors: Hieftje

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-13-057

DC-5 13-0235 Resolution to Endorse Ann Arbor's Participation in Earth Hour

Sponsors: Warpehoski and Briere

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

Enactment No: R-13-058

DB New Business - Boards and Commissions:

DB-1 13-0090 Resolution to Approve 624 Church Street Site Plan and Development Agreement, 624 Church Street (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

Attachments: 1/15/13 Planning Staff Report, 624 Church Site Plan2-27-2013r, 624 Church protest - deitch, 1-15-2013 CPC Action Minutes for 624 Church

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-13-059

DB-2 13-0110 Resolution to Approve 515 North Fifth Site Plan and Development Agreement, 515 North Fifth Avenue (CPC Recommendation: Approval - 6 Yeas and 0 Nays)

Attachments: 1/3/13 Planning Staff Report, 12-28-12 Draft Development Agreement

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

Enactment No: R-13-060

DB-3 12-1670 Resolution to Approve Blue Heron Pond Planned Project Site Plan, 2536 West Liberty Street (CPC Recommendation: Approval - 6 Yeas and 0 Nays)

Attachments: 12/18/12 Planning Staff Report, 12-18-12 Planning Commission Minutes.pdf, BlueHeronDevelopment.pdf

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.

Enactment No: R-13-061

- DB-4 13-0167** Resolution of the City of Ann Arbor in Support of Plug-In Electric Vehicle Readiness
- Sponsors:** Hieftje
- Attachments:** 2013-01-08 Approved Energy Commission Resolution Supporting EV Readiness.pdf
- A motion was made by Councilmember Briere, seconded by Councilmember Lumm, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-13-062

DS Old Business - Staff:

- DS-1 13-0011** Resolution to Purchase Vacant Property Located at 1240 Orkney, Owned by Michael Sousa and Katherine Pittsley, and Appropriate \$128,000.00 from the Open Space and Parkland Preservation Millage Proceeds (8 Votes Required)
- Attachments:** 1240 Orkney Dr Map.pdf, Pittsley Aerial2.pdf
- A motion was made by Councilmember Kunselman, seconded by Councilmember Briere, that the Resolution be approved. On a roll call, the vote was as follows with the Mayor declaring the motion carried with ten votes and thus satisfying the eight-vote requirement:**
- Yeas:** 10 - Mayor Hieftje, Councilmember Kunselman, Councilmember Teall, Councilmember Anglin, Councilmember Briere, Councilmember Taylor, Councilmember Lumm, Councilmember Kailasapathy, Councilmember Petersen and Councilmember Warpehoski
- Nays:** 1 - Councilmember Higgins
- Enactment No: R-13-063

DS New Business - Staff:

Passed on consent agenda

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

- DS-2 13-0158** Resolution to Approve the Purchase of Four Police Patrol Vehicles, One Heavy Duty 4X4 Pickup, Eight Full Size Cargo Vans, and Four Small Sport Utility Vehicles from Berger Chevrolet (Oakland County \$355,569.15)
- Attachments:** Berger Bid Tab.pdf
- Enactment No: R-13-064

- DS-3 13-0153** Resolution to Approve the Purchase of Three Fifteen Passenger Vans and Four 4X4 Pickup Trucks from Red Holman GMC (State of Michigan \$158,116.20)
Attachments: Red Holman Bid Tab.pdf
Enactment No: R-13-065
- DS-4 13-0150** Resolution to Approve the Purchase of One Police Detective Vehicle, One Heavy Duty 4X4 Pickup, and Six Compact Cars from Signature Ford (State of Michigan and Macomb County \$143,803.00)
Attachments: Signature Bid Tabs.pdf
Enactment No: R-13-066
- DS-5 13-0159** Resolution to Approve the Purchase of Three Pickup Trucks, One Cab & Chassis with 13,000 lb. GVW, and Two Cab & Chassis with 16,500 lb. GVW from Varsity Ford (Macomb County \$134,951.00)
Attachments: Varsity Bid Tab.pdf
Enactment No: R-13-067
- DS-6 13-0149** Resolution to Approve the Purchase of Three Police Patrol Cars and One Police Sport Utility Vehicle from Gorno Ford (State of Michigan \$98,453.00)
Attachments: Gorno Bid Tab.pdf
Enactment No: R-13-068
- DS-7 13-0154** Resolution to Approve the Purchase of One Mid Size Car and One Mini Cargo Van from Bill Snethkamp's Lansing Dodge (State of Michigan \$37,607.70)
Attachments: Snethkamp Bid Tab.pdf
Enactment No: R-13-069
- DS-8 13-0046** Resolution to Accept a Hazard Mitigation Grant and Appropriate Funds from the Federal Emergency Management Agency (FEMA) for the Demolition of Two Storage Structures at 721 North Main Street (\$116,939.00) (8 Votes Required)
Attachments: 721 N Main DFIRM 4-3-12.pdf
Councilmember Petersen was absent at 11:06 p.m.
A motion was made by Councilmember Kailasapathy, seconded by Councilmember Briere, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried unanimously, with ten members seated, thus satisfying the eight-vote requirement.

- DS-9 13-0116** Resolution to Approve City of Ann Arbor - Michigan Department of Transportation Contract No. 12-5572 for Improvements to Miller Avenue (Maple Road to Newport Road)
- Attachments:** MDOT-City Contract No 12-55572, Miller Ave Expenditures-Revenues
- 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.**
- Enactment No: R-13-070
- DS-10 13-0122** Resolution to Approve an Agreement for Professional Services for Construction Materials Testing with Materials Testing Consultants, Inc. (MTC) for Improvements to Miller Avenue between Maple Road and Newport Road (RFP No. 845; \$75,752.00)
- Attachments:** Miller_MTC PSA
- Councilmember Petersen returned at 11:09 p.m.*
- 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.**
- Enactment No: R-13-071
- DS-11 13-0156** Resolution to Approve a Contract with Fifer Investigations, LLC for Background Investigations (Not to Exceed \$120,000.00)
- A motion was made by Councilmember Briere, seconded by Councilmember Lumm, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-13-072

E COMMUNICATIONS FROM THE MAYOR

E-1 13-0178 Appointments - Confirmations

Attachments: William Kinley.doc, Mary Jakuri.doc, Mark Clevey.doc, Mark Clevey app..pdf

APPOINTMENTS APPROVED

Mayor Hieftje recommended the following appointments at the February 19, 2013 Regular Session of Council:

Design Review Board

*William Kinley (Re-Appointment)
843 Asa Gray Dr.
Ann Arbor, MI 48105
Term: June 19, 2012 - June 18, 2015*

*Mary Jakuri (Re-Appointment)
JJR 110 Miller
Ann Arbor, MI 48104
Term: June 19, 2013 - June 18, 2015*

Energy Commission

*Mark H. Clevey
2917 Brockman Blvd.
Ann Arbor, MI 48104
Term: March 4, 2013 - March 3, 2016*

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

E-2 13-0240 Appointments - Confirmations

Attachments: AAPAC app. for Ashlee Arder.pdf, AAPAC app. for N. Zagar.pdf

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

Ann Arbor Public Art Commission

*Nicholas Zagar (Filling vacancy left by Theresa Reid)
2118 Vinewood Blvd.
Ann Arbor, MI 48104
Term: March 18, 2013-December 31, 2015*

*Ashlee Arder (Filling vacancy left by Cathy Gendron)
2180 St. Francis Dr. #144
Ann Arbor, MI 48104
Term: March 18, 2013-January 20, 2016*

Referred to the City Council, due back on 3/18/2013.

COMMUNICATIONS FROM COUNCIL**F WRITTEN COMMUNICATIONS FROM THE CITY ADMINISTRATOR****G COMMUNICATIONS FROM THE CITY ATTORNEY**

None.

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

- H-1 13-0181** Ann Arbor Transportation Authority (AATA) Monthly Reports for January 2013
- Attachments:** AATA Jan 2013 Notes to financial statements, AATA Jan 2013 Operating statement, AATA Jan 2013 Report to Treas, AATA R2 Demand Respons graphs, AATA R2 Fixed Route graphs, AATA R2 Performance Reports, AATA R2 Weekday riders

I The following minutes were received for filing:

- I-1 12-1689** Historic District Commission Meeting Minutes of the December 13, 2012
- Attachments:** 12-13-2012 HDC Approved Minutes.pdf
- I-2 13-0132** Downtown Area Citizens Advisory Council Meeting Minutes - February 5, 2013
- Attachments:** Downtown Area Citizens Advisory Council Meeting Minutes 020513
- I-3 13-0133** Ann Arbor Downtown Development Authority Meeting Minutes - January 9, 2013
- Attachments:** Downtown Area Citizens Advisory Council Meeting Minutes 020513
- I-4 13-0040** Airport Advisory Committee Minutes - November 28, 2012
- Attachments:** AAC minutes 112812.pdf

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Thomas Partridge, City resident, expressed concern with not making the list for the Reserved Time speakers, questioning the clocks in the City Clerk's Office.

Michael Benson, 2nd ward resident, commented on the lack of professionalism of speakers at the past meetings. He also expressed concern with the packet not being available at the counter of the Clerk's Office for public view during Council meetings (in use by one member of the audience).

Alan Haber, City resident, updated Council on grassroots efforts to bring an ice skating rink to the downtown.

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 Petersen, seconded by Councilmember Warpehoski, that the Meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 11:21 p.m.

13-0281 City Council Emails and Redactions List - March 4, 2013

Attachments: 03-04-13 Council Emails and Redaction List

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, MARCH 4, 2013, 7:00 P.M.

REPLAYS: TUESDAY, MARCH 5, 2013, 10:00 A.M. AND FRIDAY, MARCH 8, 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.

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; 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.

Jacqueline Beaudry
Clerk of the Council

Anissa R. Bowden
Recording Secretary