

City of Ann Arbor

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



Action Minutes

Monday, May 2, 2016

7:00 PM

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

City Council

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

CALL TO ORDER

Mayor Taylor called the meeting of the Ann Arbor City Council to order at 7:03 p.m. in the Guy C. Larcom, Jr. Building, 2nd Floor Council Chambers, 301 E. Huron Street.

MOMENT OF SILENCE

Council stood for a moment of silence.

PLEDGE OF ALLEGIANCE

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

ROLL CALL OF COUNCIL

Present: 11 - Councilmember Sabra Briere, Councilmember Jane Lumm, Councilmember Sumi Kailasapathy, Councilmember Chuck Warpehoski, Councilmember Jack Eaton, Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Graydon Krapohl, Councilmember Kirk Westphal, Councilmember Zachary Ackerman and Councilmember Chip Smith

APPROVAL OF AGENDA

A motion was made by Councilmember Briere, seconded by Councilmember Ackerman, that the Agenda be approved with the following changes:

Add DC-10 Resolution to Approve City Administrator Contract (Add after DC-2)

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

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

Interim City Administrator Tom Crawford submitted the following reports for information of Council:

AC-1 16-0658 Report on Resolution R-15-325 - Removal of Snow and Ice from Sidewalks

Attachments: Memo to Mayor and Council - Snow and Ice Report

Received and Filed

AC-2 16-0676 Agenda Response Memo - May 2, 2016

Attachments: Agenda Responses 5-2-16 Final

Received and Filed

INT INTRODUCTIONS

INT-1 16-0561 Introduction of Tamara A. Garwood, Fifteenth District Court Magistrate Appointee

Court Administrator Shyrl Samborn and Judges Elizabeth Hines and Karen Quinlan Valvo introduced their appointee for 15th District Court Magistrate, Tamara A. Garwood.

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. Craig Trombley - Pedestrian Bridge (DC-2)

Craig Trombley, 2355 Delaware Dr., spoke in support of the proposed Pedestrian Bridge and urged Council to reconsider funding of the bridge.

2. Yi Chen - Morehead Drive Pedestrian Bridge (DC-2)

Yi Chen, 1170 Morehead Ct., spoke in support of a reconsideration of the proposed Morehead Drive Pedestrian Bridge Resolution.

3. Joseph Creasman-Jones - Morehead Drive Pedestrian Bridge (DC-2)

Joseph Creasman-Jones, 1130 Morehead Ct., spoke in support of the proposed Delaware-Morehead Drive Pedestrian Bridge.

4. Glenn Mazur - Delaware/Morehead Footbridge (DC-2)

Glenn Mazur, 1140 Morehead Ct., spoke in support of the proposed Delaware-Morehead Footbridge Resolution.

5. Michael Psarouthakis - Morehead Drive Pedestrian Bridge (DC-2)

Michael Psarouthakis, 1210 Morehead Ct., spoke in support of the proposed Morehead Drive Pedestrian Bridge resolution.

6. David Silkworth - Waste, Fraud and Abuse

David Silkworth, 2048 Charlton St. Apt. 301, addressed Council regarding his concerns with the mismanagement of City funds.

7. Jeffery Harrold - Police and Community Relations

Jeffery Harrold, 1393 King George Blvd., addressed Council regarding Police and Community relations.

8. Eric Lipson - Flood Control and Dioxane Plume

Eric Lipson, 1318 Rosewood St., addressed Council regarding the Gelman 1,4 Dioxane plume, as well as issues about flooding in the Fourth Ward.

CC COMMUNICATIONS FROM COUNCIL

None.

MC COMMUNICATIONS FROM THE MAYOR

MC-1 **16-0521** Appointments - Confirmations

Attachments: Edith Bletcher app. 2016.pdf, Benjamin Muth app. 2016.pdf, R. Donald Wortman app..pdf, Joshua Bosman app. 2016.pdf, Eleanor Pollack app. 2016.pdf, Rebecca Benedict app. 2016.pdf, Scott Trudeau app.2016.pdf, John Ramsburgh app. 2016.pdf, Darren McKinnon app. 2016.pdf

APPOINTMENTS APPROVED

Mayor Taylor requested approval of the following appointments that were presented to Council on April 18, 2016:

*Commission on Disability Issues**Rebecca Benedict Filling partial term*

1608 Andersen Avenue

Ann Arbor, MI 48104

Term: Ending May 31, 2018

*Elizabeth Dean Fund**Benjamin Muth Reappointment*

507 S. 1st Street

Ann Arbor, MI 48103

Term: June 1, 2016-May 31, 2018

Edith Bletcher Reappointment

834 Brown St.

Ann Arbor, MI 48104

Term: June 1, 2016-May 31, 2018

R. Donald Wortman Filling vacancy

Landscape Architect

2029 Delaware Dr.

Ann Arbor, MI 48103

Term: June 1, 2016-May 31, 2018

*Housing and Human Services Advisory Board**Eleanor Pollack Reappointment*

515 Detroit St.

Ann Arbor, MI 48104

Term: June 1, 2016-May 31, 2019

*Human Rights Commission**Linda Winkler Reappointment*

625 Second St.

Ann Arbor, MI 48103

Term: June 1, 2016-May 31, 2019

Planning Commission

Scott Trudeau -Replacing Bonnie Bona (term exp. 6/30/16)

Chief Technology Officer for software systems

526 N. Main St.

Ann Arbor, MI 48104

Term: July 1, 2016-June 30, 2019

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

MC-2 16-0663 5/2/16 Appointments & nominations

Attachments: Kenneth Winters app..pdf, Robert Goeddel app..pdf, Susan Gott app..pdf

REFERRED

Mayor Taylor recommended the following appointments for approval at a later date:

Ann Arbor Area Transportation Authority

Susan Gott -Reappointment

2661 Essex Rd.

Ann Arbor, MI 48104

Term: May 2, 2016-May 1, 2021

Building Board of Appeals

Kenneth Winters -Reappointment

Structural Engineer

304 Sandrock Ct.

Ann Arbor, MI 48103

Term: June 1, 2016-May 31, 2019

(7 votes required)

Taxicab Board

Robert Goeddel -Reappointment

413 3rd St.

Ann Arbor, MI 48103

Term: June 1, 2016-May 31, 2019

Referred to the City Council due back on 5/16/2016

- MC-3 16-0680** Motion to Reconsider the April 18, 2016 Vote that Defeated the Resolution to Authorize Professional Services Agreements with ROWE Professional Services Company for the Morehead - Delaware Pedestrian Bridge Project (RFP-961) (\$37,549.00) (File 16-0387)

Sponsors: Taylor

Attachments: CA-14 ROWE Contract Defeated

A motion was made by Councilmember Krapohl, seconded by Councilmember Briere, that Council reconsider the April 18, 2016 vote that defeated the Resolution to Authorize Professional Services Agreements with ROWE Professional Services Company for the Morehead - Delaware Pedestrian Bridge Project (RFP-961) (\$37,549.00) (File 16-0387). On a voice vote, the Mayor declared the motion carried.

(Reconsidered Resolution (DC-11) to be considered before DC-2).

CA CONSENT AGENDA

Passed on consent agenda

A motion was made by Councilmember Briere, seconded by Councilmember Smith, that the following Consent Items be approved as presented. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement of CA-6.

- CA-1 16-0509** Resolution to Approve Street Closing for the ALLIANCE (NJATC) Opening Ceremony Dinner - Sunday, July 31, 2016

Attachments: Alliance Opening Ceremony Map

Enactment No: R-16-159

- CA-2 16-0557** Resolution to Approve Street Closings for Sonic Lunch - Thursday, June 9 and June 23, 2016

Attachments: Sonic Lunch Map.pdf

Enactment No: R-16-160

CA-3 16-0559 Resolution to Approve Street Closing for the Live on Washington Event - Saturday, June 4, 2016

Attachments: Live on Washington Map

Enactment No: R-16-161

CA-4 16-0617 Resolution to Approve the 2016 Ann Arbor Summer Festival at Burns Park - August 21 to August 29, 2016

Attachments: AA Summerfest at Burns Park Attachment, AASF Burns Park 2016 Notice

Enactment No: R-16-162

CA-5 16-0506 Resolution to Transfer Delinquent Invoices to the July 2016 City Tax Roll

Attachments: COMBINED SCHEDULE A Updated 4/29/16.pdf, COMBINED SCHEDULE A

Enactment No: R-16-163

CA-6 16-0505 Resolution to Accept an Easement for Sidewalk at 2140 E. Ellsworth Road from Washtenaw County **(8 Votes Required)**

Attachments: Drawing-2140 E. Ellsworth sidewalk easement.pdf

Enactment No: R-16-164

CA-7 16-0371 Resolution to Approve the Purchase of Two 2017 Freightliner SD 108 Single Axle Truck Chassis from Wolverine Truck Sales (City of Rochester Hills Cooperative Purchasing Award; \$185,224.00)

Enactment No: R-16-165

CA-8 16-0372 Resolution to Approve the Purchase of Dump Truck Bodies and Plows from Truck and Trailer Specialties (MiDeal Cooperative Purchasing Contract & City of Rochester Hills Cooperative Purchasing Award; \$162,855.00)

Enactment No: R-16-166

CA-9 16-0433 Resolution to Approve the Purchase of One Toolcat Utility Machine from the Bobcat Company (State of Michigan MiDeal Contract) (\$63,105.64)

Enactment No: R-16-167

CA-10 16-0463 Resolution to Grant \$50,000.00 from the Ann Arbor Affordable Housing Fund to Avalon Housing to Support the Acquisition and Rehabilitation of 815, 821 Gott Street

Sponsors: Housing and Human Services Advisory Board

Attachments: Avalon AAAHF application for 815,821 Gott 2016 02 10

Enactment No: R-16-168

CA-11 16-0468 Resolution to Approve a Grant Contract with the Michigan Department of Transportation for the Purchase of New Broom and Blower Attachments as Snow Removal Equipment at the Ann Arbor Municipal Airport (\$113,000.00)

Attachments: MDOT Grant - Blower Broom

Enactment No: R-16-169

CA-12 16-0469 Resolution to Approve a Contract with General Painting Company LLC for ITB #4427 - Hangar Painting Project (\$27,500.00)

Attachments: General Painting Co Bid, ITB 4427 - Bid Tab, ITB 4427 - Bid w_addendum

Enactment No: R-16-170

CA-13 16-0480 Resolution to Award a Purchase Order for the Furnishing of Variable Frequency Drives for the Water Treatment Plant East High Service to McNaughton McKay Electric (\$128,076.62; Bid No. ITB-4411)

Attachments: McNaughton McKay ITB 4411

Enactment No: R-16-171

CA-14 16-0560 Resolution to Approve the Appointment of Tamara A. Garwood as Magistrate of the 15th Judicial District Court

Enactment No: R-16-172

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)**PH-1 16-0516 Resolution Authorizing the Issuance and Sale of 2016 Parking Facility Refunding Bonds (Limited Tax General Obligation) (Roll Call Vote Required - One Reading)**

Attachments: 4822-3469-3418.2 - A2 COUNCIL MEMO RE 2016 REFUNDING BONDS, DS-1 Certified.pdf

A public hearing was conducted on the proposed Resolution Authorizing the Issuance and Sale of 2016 Parking Facility Refunding Bonds (Limited Tax General Obligation). Notice of public hearing was published April 25, 2016.

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

Held and Closed

Enactment No: R-16-184

PH-2 16-0517 An Ordinance Authorizing the Issuance and Sale of Water Supply System Revenue Refunding Bonds, Series 2016, of Equal Standing with Certain Outstanding Water Supply System Revenue Bonds (Roll Call Vote Required - One Reading)

Attachments: 16-08 Watery Supply Bonds Ordinance Briefed and Approved.pdf, 4819-3929-6816.1 - A2 2016 Water Refunding Ordinance.pdf, C-1 Approval Notice.pdf

A public hearing was conducted on the proposed Ordinance Authorizing the Issuance and Sale of Water Supply System Revenue Refunding Bonds, Series 2016, of Equal Standing with Certain Outstanding Water Supply System Revenue Bonds. Notice of public hearing was published April 25, 2016.

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

Held and Closed

Enactment No: ORD-16-08

PH-3 16-0518

An Ordinance Authorizing the Issuance and Sale of Sewage Disposal System Revenue Refunding Bonds, Series 2016, of Equal Standing with Certain Outstanding Sewage Disposal System Revenue Bonds (**Roll Call Vote Required - One Reading**)

Attachments: 4833-7866-3728.1 - A2 2016 Sewer Refunding Ordinance, 16-09 Sewage Disposal Bonds Ordinance Briefed and Approved.pdf, C-2 Approval Notice.pdf

A public hearing was conducted on the proposed Ordinance Authorizing the Issuance and Sale of Sewage Disposal System Revenue Refunding Bonds, Series 2016, of Equal Standing with Certain Outstanding Sewage Disposal System Revenue Bonds. Notice of public hearing was published April 25, 2016.

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

Held and Closed

Enactment No: ORD-16-09

PH-4 15-0561

An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 53.61 Acres from TWP (Township District) to R4A (Multiple-Family Dwelling District), Woodbury Club Apartments, Southeast corner of Nixon Road and M-14 (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-15-13) **(8 Votes Required)**

Attachments: 15-13 Woodbury Club Apartments Rezoning Briefed.pdf, Ch. 55 Woodbury Club Apts. Zoning Ordinance.pdf, 10/21/14 Planning Staff Report, 10/21/14 Planning Commission Minutes, Memo from Planning Requiring 8 Votes on Woodbury Zoning.pdf, Edward Zelmanski letter.pdf, Madhu Prasad PA-C Protest Letter re Woodbury Club Apts. Zoning.pdf, Woodbury Club Zoning Protest Email from Rohit Mulgund.pdf, Arbor Hills - Woodbury Club Apts. Zoning Opposition Letter, Request to postpone Woodbury Club Zoning and Site plan, Protest email from BHood regarding Woodbury Zoning, Woodbury Club Protest emails 9-18-15.pdf, Signed Protest from Jing Wang.pdf, Woodbury Club Protest Letters from Barclay Park Condo Assoc..pdf, Alice Chi Protest Email re Woodbury Club Apts Rezoning.pdf, Protest Letter from Margaret Shih re ORD-15-13.pdf, Woodbury Club communication from James DAmour.pdf, Woodbury Club Property Communication.pdf, arbor hills zoning notice.pdf, barclay park association.pdf

A public hearing was continued on the proposed amendment to Chapter 55 (Zoning), Rezoning of 53.61 Acres from TWP (Township District) to R4A (Multiple-Family Dwelling District), Woodbury Club Apartments, Southeast corner of Nixon Road and M-14. Notice of continued public hearing was published April 25, 2016.

The following people were present to speak at the hearing:

Eric Lipson, 1318 Rosewood, expressed concern about the proposed name, stating other projects have that same name.

Usha Jindal, President of Arbor Hills Condo Association, stated the Planning Commission action was defective due to the improper noticing of their public hearing. She urged Council to send the project back to Planning Commission for a new hearing.

William Quinn, President of Barclay Park Condominiums, stated the Planning Commission public hearing was not properly noticed and the approval is not proper. He urged Council to send the project back to Planning Commission.

Jane Klingsten, resident of Arbor Hills, expressed concern about the improper notice that occurred at the Planning Commission level and also questioned the legality of the Citizen Participation meeting.

Robert McGee, 2245 Placid Way, expressed concern about the displacement of wildlife.

James D'Amour, 2271 Maplewood, representing the Sierra Club, expressed concerns about the process at Planning Commission and urged Council to consider a new wetland mitigation study.

Wendy Carman, 2340 Georgetown, expressed concern with this project and the disruption of the Nixon wetland.

Vince Caruso, 556 Glendale, expressed concern with the project's impact on the wetland.

Paula Uche, 482 Village Oaks, spoke in opposition to the project and expressed concern regarding the impact of the project on wildlife.

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

Held and Closed

Enactment No: ORD-15-13

PH-5 15-0563 Resolution to Approve the Woodbury Club Apartments Planned Project Site Plan and Development Agreement, Southeast Corner of Nixon Road and M-14 (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

Attachments: 10/21/14 Planning Staff Report, 10/21/14 Planning Commission Minutes, Woodbury Club Dev Agreement 4-28-16.pdf, WoodburyClubDevAgree 3-9-16.pdf, WoodburyClubDevAgree 3-3-16.pdf, WoodburyClubDevAgree 1-14, Woodbury Club Apts. Development Agreement Revised 9-18-15, Woodbury Development Agreement Revised 7-18-15, Edward Zelmanski letter.pdf, Barclay Assoc - Woodbury Club Wetlands Protest Letter, Request to postpone Woodbury Club Zoning and Site plan, Arbor Hills - Woodbury Club Apts. Site Plan Opposition Letter, Woodbury Club Protest Letters from Barclay Park Condo Assoc..pdf, Woodbury Club communication from James DAmour.pdf

A public hearing was conducted on the proposed Resolution to Approve the Woodbury Club Apartments Planned Project Site Plan and Development Agreement, Southeast Corner of Nixon Road and M-14. Notice of public hearing was published April 25, 2016.

The following people were present to speak at the hearing:

Jane Klingsten, Arbor Hills resident, speaking in opposition, stated she has created a non-profit to protect the wetlands in this area.

William Quinn from Barclay Park thanked Council Members from Ward Two for listening to the concerns and objections of the neighbors.

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

Held and Closed

PH-6 16-0564 Resolution to Approve Kingsley Parkside Site Plan, 213 West Kingsley Street (CPC Recommendation: Approval - 8 Years and 0 Days)

Attachments: Kingsley Parkside Staff Report with Attachments

A public hearing was conducted on the proposed Resolution to Approve Kingsley Parkside Site Plan, 213 West Kingsley Street. Notice of public hearing was published April 25, 2016.

The following people were present to speak at the hearing:

Vince Caruso, 556 Glendale, spoke in opposition, stating development should not be allowed in the floodplain.

Ethel Potts, 1014 Elder Blvd., stated the D2 zoning was too much. She also expressed concerns about flooding.

Eric Lipson, 1318 Rosewood St., spoke in opposition to development in the floodplain.

Jane Klingsten, Arbor Hills, urged Council to protect the watershed.

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

Held and Closed

Enactment No: R-16-183

PH-7 16-0470 An Ordinance to Amend Sections 2:63, 2:64, and 2:69 of Chapter 29 (Increase Water, Sewer, and Stormwater Rates) of Title II of the Code of the City of Ann Arbor (Ordinance No. ORD-10-15)

Attachments: 16-07 Chapter 29 Ordinance Changes Briefed.pdf, Chapter 29 Ordinance Changes

A public hearing was conducted on the proposed amendment to Sections 2:63, 2:64, and 2:69 of Chapter 29 (Increase Water, Sewer, and Stormwater Rates) of Title II of the Code of the City of Ann Arbor. Notice of public hearing was published April 25, 2016.

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

Held and Closed

Enactment No: ORD-16-07

PH-8 16-0487

Resolution to Approve Fiscal Year 2017 Fee Adjustments for Public Services Area - Public Works

Attachments: FY 17 Public Works Fee Proposal.xlsx

A public hearing was conducted on the proposed Resolution to Approve Fiscal Year 2017 Fee Adjustments for Public Services Area - Public Works. Notice of public hearing was published April 25, 2016.

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

Held and Closed

PH-9 **16-0570** Resolution to Adopt Ann Arbor City Budget and Related Property Tax Millage Rates for Fiscal Year 2017

A public hearing was conducted on the proposed Resolution to Adopt Ann Arbor City Budget and Related Property Tax Millage Rates for Fiscal Year 2017. Notice of public hearing was published April 21, 2016.

The following people were present to speak at the hearing:

Brigit Macomber, member of Energy Commission, urged Council to prioritize energy in the budget and to lead the effort regarding climate change.

Robert McGee, representing Ann Arbor Residents for Lethal Deer Management, urged Council to fund non-lethal methods of deer management in the budget, and spoke in opposition to any funding for lethal methods.

Jane Vogel stated the City has done lots of good work on energy and urged Council to continue to fund energy, including the funding of a full-time Sustainability Director.

Lorraine Shapiro, 1484 Green Road, spoke in support of budget funding for non-lethal deer management.

Ed Vielmetti, 1210 Brooklyn, addressed Council regarding the City's IT budget, and urged the City to fund more transparent and user-friendly systems, stating the City is not a leader in IT.

An unidentified member of the audience spoke about non-lethal deer management.

Kai Petainen, City resident, spoke about the SPARK budget and reminded Council and the public that there is more to the City's budget than deer management initiatives.

Mara Herman, Health Outreach Coordinator for the Ecology Center, spoke in support of the proposed new Solid Waste position, as well as the funding of additional Solid Waste Recycling programs.

Randy Trent, WISD, spoke in support of a budget amendment for a proposed food waste collection project in the schools.

Allison Skinner, Member of the Environmental Commission, spoke in support of a proposed budget amendment to include a food waste collection program.

Roger Bower from Zingerman's urged Council to support the amendment to fund the proposed food waste collection project. He stating he supports any effort to move organics away from the waste stream.

Lisa Abrams, member of FAWN, urged Council to fund non-lethal deer management efforts.

Paula Uche, 482 Village Oaks, spoke in support of sustainability efforts and the environment, as well as non-lethal methods of deer management.

Niermala Hahnke spoke in support of funding of non-lethal measures for deer management and urged Council to declare June 2 Gun Violence Awareness Day.

Usha Jindal suggested Council set aside public land for a deer park. She spoke against any lethal measures of deer management.

Jane Klingsten, Arbor Hills, spoke in support of funding for infrastructure improvements and compliance with the ADA.

Eric Lipson, Fourth Ward, spoke about accessibility and pedestrian crosswalks. He urged Council to fund streetlights on Packard, not Kerrytown.

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

Held and Closed

RECESS

Mayor Taylor declared a recess at 9:00 p.m. and reconvened the meeting at 9:16 p.m.

A APPROVAL OF COUNCIL MINUTES

A-1 16-0616 Regular Session Meeting Minutes of April 18, 2016

Attachments: 04-18-16 Draft Minutes, Council emails 4-18-2016_Redacted.pdf

A motion was made by Councilmember Briere, seconded by Councilmember Ackerman, that the Regular Session Minutes of April 18, 2016 be approved as presented. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

B Unfinished Business - Staff:

- B-1 15-0561** An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 53.61 Acres from TWP (Township District) to R4A (Multiple-Family Dwelling District), Woodbury Club Apartments, Southeast corner of Nixon Road and M-14 (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-15-13) **(8 Votes Required)**

Attachments: 15-13 Woodbury Club Apartments Rezoning Briefed.pdf, Ch. 55 Woodbury Club Apts. Zoning Ordinance.pdf, 10/21/14 Planning Staff Report, 10/21/14 Planning Commission Minutes, Memo from Planning Requiring 8 Votes on Woodbury Zoning.pdf, Edward Zelmanski letter.pdf, Madhu Prasad PA-C Protest Letter re Woodbury Club Apts. Zoning.pdf, Woodbury Club Zoning Protest Email from Rohit Mulgund.pdf, Arbor Hills - Woodbury Club Apts. Zoning Opposition Letter, Request to postpone Woodbury Club Zoning and Site plan, Protest email from BHood regarding Woodbury Zoning, Woodbury Club Protest emails 9-18-15.pdf, Signed Protest from Jing Wang.pdf, Woodbury Club Protest Letters from Barclay Park Condo Assoc..pdf, Alice Chi Protest Email re Woodbury Club Apts Rezoning.pdf, Protest Letter from Margaret Shih re ORD-15-13.pdf, Woodbury Club communication from James DAmour.pdf, Woodbury Club Property Communication.pdf, arbor hills zoning notice.pdf, barclay park association.pdf

(The complete copy of the text of Ordinance No. ORD-15-13 is on file in the City Clerk's Office.)

A motion was made by Councilmember Westphal, seconded by Councilmember Lumm, that the Ordinance be adopted at Second Reading.

Enactment No: ORD-15-13

A motion was made by Councilmember Briere, seconded by Councilmember Eaton, that the Ordinance be tabled until the City Planning Commission notices and holds a new public hearing and the City Clerk sends notice for a new public hearing at City Council. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-15-13

DB Unfinished Business - Boards and Commissions:

- DB-1 15-0563** Resolution to Approve the Woodbury Club Apartments Planned Project Site Plan and Development Agreement, Southeast Corner of Nixon Road and M-14 (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

Attachments: 10/21/14 Planning Staff Report, 10/21/14 Planning Commission Minutes, Woodbury Club Dev Agreement 4-28-16.pdf, WoodburyClubDevAgree 3-9-16.pdf, WoodburyClubDevAgree 3-3-16.pdf, WoodburyClubDevAgree 1-14, Woodbury Club Apts. Development Agreement Revised 9-18-15, Woodbury Development Agreement Revised 7-18-15, Edward Zelmanski letter.pdf, Barclay Assoc - Woodbury Club Wetlands Protest Letter, Request to postpone Woodbury Club Zoning and Site plan, Arbor Hills - Woodbury Club Apts. Site Plan Opposition Letter, Woodbury Club Protest Letters from Barclay Park Condo Assoc..pdf, Woodbury Club communication from James DAmour.pdf

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

Councilmember Kailasapathy requested that a new wetland delineation study be completed prior to this item coming back before Council.

A motion was made by Councilmember Briere, seconded by Councilmember Eaton, that the Resolution be tabled until the City Planning Commission notices and holds a new public hearing. On a voice vote, the Mayor declared the motion carried.

C ORDINANCES - FIRST READING

C New Business - Staff:

- C-1 16-0517** An Ordinance Authorizing the Issuance and Sale of Water Supply System Revenue Refunding Bonds, Series 2016, of Equal Standing with Certain Outstanding Water Supply System Revenue Bonds (**Roll Call Vote Required - One Reading**)

Attachments: 16-08 Watery Supply Bonds Ordinance Briefed and Approved.pdf, 4819-3929-6816.1 - A2 2016 Water Refunding Ordinance.pdf, C-1 Approval Notice.pdf

A motion was made by Councilmember Smith, seconded by Councilmember Krapohl, that the Ordinance be adopted on First Reading. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 11 - Councilmember Briere, Councilmember Lumm, Councilmember Kailasapathy, Councilmember Warpehoski, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Krapohl, Councilmember Westphal, Councilmember Ackerman and Councilmember Smith

Nays: 0

Enactment No: ORD-16-08

- C-2 16-0518** An Ordinance Authorizing the Issuance and Sale of Sewage Disposal System Revenue Refunding Bonds, Series 2016, of Equal Standing with Certain Outstanding Sewage Disposal System Revenue Bonds (**Roll Call Vote Required - One Reading**)

Attachments: 4833-7866-3728.1 - A2 2016 Sewer Refunding Ordinance, 16-09 Sewage Disposal Bonds Ordinance Briefed and Approved.pdf, C-2 Approval Notice.pdf

A motion was made by Councilmember Lumm, seconded by Councilmember Briere, that the Ordinance be adopted on First Reading. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 11 - Councilmember Briere, Councilmember Lumm, Councilmember Kailasapathy, Councilmember Warpehoski, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Krapohl, Councilmember Westphal, Councilmember Ackerman and Councilmember Smith

Nays: 0

Enactment No: ORD-16-09

- C-3 16-0610** An Ordinance to Amend Sections 1:326, 1:328, and 1:333 of Chapter 15, Emergency and Disaster Management, of Title I of the Code of the City of Ann Arbor

Attachments: 16-10 Emergency Disaster Management Ordinance Briefed.pdf, Revised 5-2-16 Ord Am Chpt 15 v2.pdf, Ord Am Chpt 15.pdf

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

Enactment No: ORD-16-10

- C-4 16-0673** An Ordinance to Amend the Code of the City of Ann Arbor by Adding a New Chapter, which Chapter Shall be Designated as Chapter 131, Commercial Quadricycles, of Title X of Said Code
- Sponsors:** Council Liquor License Review Committee
- Attachments:** 16-11 Commercial Quadricycles Ordinance Briefed.pdf, Chapter 131 Commercial Quadricycle 042616, C-4 Brideau Communication.pdf, C-4 Sussman Communication.pdf, 20160503_PedalPubLetterToAnnArborCityCouncil.doc
- Councilmember Lumm requested that the Second Reading be considered at the June 6 meeting. (This was considered friendly by the Body.)*
- Councilmember Westphal requested additional information regarding regulations in place in other communities.*
- A motion was made by Councilmember Lumm, seconded by Councilmember Ackerman, that the Ordinance be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: ORD-16-11

D MOTIONS AND RESOLUTIONS

DC Unfinished Business - Council:

- DC-1 16-0339** Resolution to Approve the Purchase of 25.67 Acres of Parcel Tax ID Number I-09-325-008, Located at the Northeast Corner of Nixon and Dhu Varren Roads and Appropriate \$277,000.00 from the Open Space and Parkland Preservation Millage Proceeds **(8 Votes Required)**
- Sponsors:** Grand
- Attachments:** Nixon - Woodbury Purchase Maps.pdf
- A motion was made by Councilmember Grand, seconded by Councilmember Briere, that the Resolution be approved.**
- Enactment No: R-16-173
- A motion was made by Councilmember Grand, seconded by Councilmember Ackerman, that the Resolution be postponed until May 16, 2016.**
- The motion was withdrawn.**
- Enactment No: R-16-173

Councilmember Briere noted that this item could be removed from the development agreement if approved prior to approval of the project.

The question being, the motion made by Councilmember Grand, seconded by Councilmember Briere, 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-16-173

DC-11 16-0387 Resolution to Authorize Professional Services Agreements with ROWE Professional Services Company for the Morehead - Delaware Pedestrian Bridge Project (RFP-961) (\$37,549.00)

A motion was made by Councilmember Eaton, seconded by Councilmember Krapohl, that the Resolution be approved.

A motion was made by Councilmember Briere, seconded by Councilmember Ackerman, that the Resolution be postponed to the City Council and should be returned by 9/19/2016. On a voice vote, the Mayor declared the motion carried.

DC-2 16-0595 Resolution to Redirect Staff Resources and Funding from the Morehead-Delaware Pedestrian Bridge Project to the Changing Driving Culture Study and Installation of Additional Enhanced Pedestrian Crosswalks

Sponsors: Grand, Westphal and Warpehoski

Attachments: 20160414_A2-WMU Research_Driving Behavior_Memo to CHupy (2).docx

A motion was made by Councilmember Grand, seconded by Councilmember Warpehoski, that the Resolution be approved.

Enactment No: R-16-174

16-0595 Resolution to Redirect Staff Resources and Funding from the Morehead-Delaware Pedestrian Bridge Project to the Changing Driving Culture Study and Installation of Additional Enhanced Pedestrian Crosswalks

Sponsors: Grand, Westphal and Warpehoski

Attachments: 20160414_A2-WMU Research_Driving Behavior_Memo to CHupy (2).docx

A motion was made by Councilmember Briere, seconded by Councilmember Grand, that the Resolution be amended as follows:

[Whereas, The 2013 Non-Motorized Transportation Plan (NMTP) Update indicated twenty-one potential locations for future Rectangular Rapid Flashing Beacon (RRFB) installations;

Whereas, Eleven of these locations remain uninstalled and are not currently scheduled for construction;

Whereas, A dedicated funding source for the installation of RRFBs does not currently exist;] ...

...[RESOLVED, The City Administrator shall direct staff to proceed with the engineering analysis, prioritization, and installation of additional RRFBs, as identified in the 2013 Non-Motorized Transportation Plan Update;]...

...RESOLVED, That A PORTION OF the remaining \$438,000 approved for the Morehead-Delaware Pedestrian Bridge Project be reallocated to A project[s] budget[s] for the Changing Driving Culture Study (\$150,000) [and the installation of additional RRFBs (\$288,000); and]...

...RESOLVED, THE CITY ADMINISTRATOR SHALL DIRECT STAFF TO ENGAGE IN DISCUSSIONS WITH MOREHEAD-DELAWARE RESIDENTS TO DETERMINE HOW TO ACHIEVE A SOLUTION THAT MEETS THE NEIGHBORHOOD'S REASONABLE ASPIRATIONS AND THE CITY'S DUTY TO HUSBAND ITS RESOURCES, AND REPORT BACK TO COUNCIL ON THE RESULTS OF THIS ENGAGEMENT BY SEPTEMBER 6, 2016; AND...

Note: All CAPS indicate new language. Brackets [] indicate deleted language.

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

Enactment No: R-16-174

The question being the Resolution as amended, on a voice vote, the Mayor declared the motion carried.

Enactment No: R-16-174

DC New Business - Council:

DC-10 16-0678 Resolution to Approve City Administrator Contract

Sponsors: Council Administration Committee

Attachments: Lazarus contract

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

Enactment No: R-16-175

DC-3 16-0596 Resolution to Appoint Peter Greenfield to the Airport Advisory Committee (**7 Votes Required**)

Sponsors: Taylor

Attachments: Peter Greenfield app. 2016.pdf

A motion was made by Councilmember Briere, seconded by Councilmember Westphal, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the 7-vote requirement.

Enactment No: R-16-176

DC-4 16-0662 Resolution In Support of the Recommendations of the Washtenaw County Road Commission

Sponsors: Taylor, Briere, Warpehoski, Krapohl and Smith

Attachments: XVA5VoterApprovedRoadMillage

A motion was made by Councilmember Briere, seconded by Councilmember Smith, that the Resolution be approved. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 10 - Councilmember Briere, Councilmember Kailasapathy, Councilmember Warpehoski, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Krapohl, Councilmember Westphal, Councilmember Ackerman and Councilmember Smith

Nays: 1 - Councilmember Lumm

Enactment No: R-16-177

- DC-5 16-0666** Resolution of Opposition to the Establishment of Any State-wide Discriminatory Laws by Constitutional Amendment or Legislation
- Sponsors:** Briere, Krapohl, Grand, Warpehoski, Ackerman and Taylor
- Councilmember Ackerman and Mayor Taylor requested to be added as additional sponsors.*
- A motion was made by Councilmember Briere, seconded by Councilmember Ackerman, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-16-178
- DC-6 16-0667** Resolution Supporting the Proposed Michigan State Board of Education Guidelines on Learning Environments for LGBTQ Students
- Sponsors:** Briere, Warpehoski, Kailasapathy, Krapohl and Taylor
- Attachments:** MI SBE
Item_B_SBE_Statement_and_Guidance_on_LGBTQ_515608_7-1
- A motion was made by Councilmember Kailasapathy, seconded by Councilmember Warpehoski, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-16-179
- DC-7 16-0664** Resolution to Approve Pre-Proposal Participation in 2016 Assistance to Upper Huron River Regional Conservation Partnership Program, U.S. Department of Agriculture Natural Resources Conservation Service, to be submitted by Legacy Land Conservancy
- Sponsors:** Grand
- A motion was made by Councilmember Grand, seconded by Councilmember Ackerman, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-16-180

- DC-8 16-0677** Resolution to Appoint Jean Cares, John Ramsburg & Jennifer Fike to the Greenbelt Advisory Commission **(7 Votes Required for Jean Cares) (One step Appointment-8 Votes Required)**

Sponsors: Grand

Attachments: Jennifer Fike app..pdf, John Ramsburgh app. 2016.pdf, Jean Cares app..pdf

A motion was made by Councilmember Grand, seconded by Councilmember Ackerman, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the seven and eight vote requirements.

Enactment No: R-16-181

- DC-9 16-0679** Resolution Recognizing Spirit's Legacy Fund as a Civic Nonprofit Organization Operating in Ann Arbor for the Purpose of Obtaining a Charitable Gaming License

Sponsors: Krapohl

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

Enactment No: R-16-182

DB New Business - Boards and Commissions:

- DB-2 16-0564** Resolution to Approve Kingsley Parkside Site Plan, 213 West Kingsley Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

Attachments: Kingsley Parkside Staff Report with Attachments

A motion was made by Councilmember Briere, seconded by Councilmember Ackerman, that the Resolution be approved. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 9 - Councilmember Briere, Councilmember Lumm, Councilmember Warpehoski, Mayor Taylor, Councilmember Grand, Councilmember Krapohl, Councilmember Westphal, Councilmember Ackerman and Councilmember Smith

Nays: 2 - Councilmember Kailasapathy and Councilmember Eaton

Enactment No: R-16-183

DS New Business - Staff:

DS-1 16-0516 Resolution Authorizing the Issuance and Sale of 2016 Parking Facility Refunding Bonds (Limited Tax General Obligation) **(Roll Call Vote Required - One Reading)**

Attachments: 4822-3469-3418.2 - A2 COUNCIL MEMO RE 2016 REFUNDING BONDS, DS-1 Certified.pdf

A motion was made by Councilmember Lumm, seconded by Councilmember Ackerman, that the Resolution be approved. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 11 - Councilmember Briere, Councilmember Lumm, Councilmember Kailasapathy, Councilmember Warpehoski, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Krapohl, Councilmember Westphal, Councilmember Ackerman and Councilmember Smith

Nays: 0

Enactment No: R-16-184

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER KRAPOHL

Councilmember Krapohl reminded voters about the Special Election on Tuesday, May 3 for the WISD Special Education funding. He urged City residents to get out and vote.

COUNCILMEMBER EATON

Councilmember Eaton concurred with Councilmember Krapohl and urged voters to vote YES. He stated this is an opportunity for the community to support the schools and school financing.

COUNCILMEMBER KAILASAPATHY

Councilmember Kailasapathy also spoke in support of the proposed millage and urged voters to support the schools and the work of the WISD for special needs children.

COUNCILMEMBER ACKERMAN

Councilmember Ackerman updated the public regarding a meeting of the Huron River Watershed Council regarding Swift Run. The meeting will be held at Scarlett Middle School on May 4 from 6:30 p.m. to 7:00 p.m.

BRIERE

Councilmember Briere stated there will be a meeting on Wednesday, May 4 at 8:30 a.m. of the Allen Creek Greenway Master Plan Citizen Advisory Committee. She reminded Council that this is one of their Council priorities.

E COMMUNICATIONS FROM THE CITY ATTORNEY

None.

F & G CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

F The following communications were referred as indicated:**Passed on consent agenda**

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

- F-1 16-0522** First Quarter 2016 Investment Portfolio Report
Attachments: Investment Portfolio Report 3-31-16
- F-2 16-0613** Communication from the Attorney General's Office regarding receipt of the August 2016 City of Ann Arbor's Proposed Charter Amendment - File
Attachments: Attorney General Communication re Proposed Charter Amendment on Aug. 2016 Ballot.pdf
- F-3 16-0625** Parks Advisory Commission Recommendation on FY2017 Proposed Administrator's Budget
Attachments: FY2017 Parks and Recreation Budget Resolution

G The following minutes were received for filing:

- G-1 16-0193** Minutes of the January 14, 2016 HDC Meeting
Attachments: 1-14-2016 HDC Minutes with Live Links.pdf
- G-2 16-0398** SmartZone/LDFA Board Meeting Minutes - January 19, 2016
Attachments: LDFA Board Minutes -January 19, 2016

- G-3** **16-0511** Council Liquor License Review Committee Meeting Minutes of January 29, 2016
Attachments: 2016-01-29 liquor committee minutes
- G-4** **16-0556** Downtown Development Authority Board and Executive, Partnerships, Operations and Finance Committee Minutes from March 2016
Attachments: DDA Minutes March 2016
- G-5** **16-0558** Downtown Area Citizens Advisory Council Meeting Minutes for April 5, 2016
Attachments: Downtown Area Citizens Advisory Council Meeting Minutes 040516
- G-6** **16-0139** Taxicab Board Meeting Minutes of December 17, 2015
Attachments: 121715 Taxicab Board minutes
- G-7** **16-0657** Council Administration Committee Minutes of April 18, 2016
Attachments: Council Administration Committee Minutes 4-18-16.pdf

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Edward Vielmetti, 1210 Brooklyn, spoke about the late Council agenda items. He stated it is difficult for the public to follow Council when last-minute items are added to the agenda.

David Cicotte, High Five Pedal Tours, spoke about the proposed ordinance regulating Commercial Quadricycles. Mr. Cicotte stated he currently operates a quadricycle without alcohol. He expressed concern about the proposed requirement in the ordinance for seatbelts, stating they can be a safety issue.

CLOSED SESSION UNDER THE MICHIGAN OPEN MEETINGS ACT, INCLUDING BUT NOT LIMITED TO, LABOR NEGOTIATIONS STRATEGY, PURCHASE OR LEASE OF REAL PROPERTY, PENDING LITIGATION AND ATTORNEY/CLIENT PRIVILEGED COMMUNICATIONS SET FORTH OR INCORPORATED IN MCLA 15.268 (C), (D) (E), AND (H).

ADJOURNMENT

A motion was made by Councilmember Smith, seconded by Councilmember Ackerman, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 11:21 p.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, MAY 2, 2016 @ 7:00 P.M.

REPLAYS: TUESDAY, MAY 3, 2016 @ 10:00 A.M. AND FRIDAY, MAY 6, 2016 @ 7:30 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

CTN's Government Channel live televised public meetings are also available to watch live online from CTN's website, www.a2gov.org/watchctn.

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 <http://a2govtv.pegcentral.com/>
- **Cable:** Watch CTN Government Channel 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 made with less than two business days' notice may not be able to be accommodated.

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

Jacqueline Beaudry
Clerk of the Council

Anissa R. Bowden
Recording Secretary