

City of Ann Arbor

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



Action Minutes

Monday, June 18, 2012

7:00 PM

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

City Council

CALL TO ORDER

Mayor Hieftje called the meeting to order at 7:14 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 Margie Teall, Councilmember Mike Anglin, Councilmember Sabra Briere, Councilmember Tony Derezinski, Councilmember Christopher Taylor, Councilmember Carsten Hohnke and Councilmember Jane Lumm

Absent: 1 - Councilmember Sandi Smith

APPROVAL OF AGENDA

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

Move: INT-2 NAP Volunteer of the Month June 2012 (consider before INT-1)

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

INT INTRODUCTIONS

INT-2 12-0873 NAP Volunteer of the Month June 2012

Mayor Hieftje read a proclamation recognizing Jill Crader and Nancy Hill as the Natural Area Preservation volunteers of the month for June 2012. Mayor Hieftje stated these two volunteers have worked very hard, they are extremely dedicated with their work on the annual A2 Blooms Day effort in the downtown area, helping to plant flowers and beautify the downtown. A copy of the proclamation is on file in the City Clerk's Office.

Received and Filed

INT-1 12-0752 Ann Arbor Public Art Commission - Golden Paintbrush Awards for 2012

Sponsors: Hieftje

Marsha Chamberlain, Chair of the Ann Arbor Public Art Commission, presented the 2012 Golden Paintbrush Awards to Jim Cogswell, David Zinn and Margaret Parker. The annual Golden Paintbrush Awards honor individuals, businesses, and organizations in the community that have contributed to outstanding public art projects in the city. The awards are in recognition of public art works that add interest to our cityscape, beautify the community and create a sense of place.

PUBLIC COMMENTARY - RESERVED TIME (3 MINUTES PER SPEAKER)

*** (SPEAKERS ARE NOT PERMITTED TO GRANT THEIR RESERVED TIME TO AN ALTERNATE SPEAKER)**

*** ACCOMMODATIONS CAN BE MADE FOR PERSONS NEEDING ASSISTANCE WHILE ADDRESSING COUNCIL**

- 1. Thomas Partridge - Expansion of integrated human services needed, including affordable housing, health care and transportation; not drug dispensaries. Re-Elect President Obama. (C-1, DS-8, I-4)**

Thomas Partridge, Ann Arbor resident, addressed Council regarding the need for expanding integrated human services, including affordable housing, health care and transportation. He spoke in opposition to medical marijuana drug dispensaries and encouraged Council and the public to re-elect President Obama.

- 2. Kermit Schlansker - Global Warming**

Kermit Schlansker, City resident, addressed Council regarding global warming and its impacts on the community. He expressed concern with what appeared to be a lack of interest in global warming by Council.

- 3. Valerie Strassberg - Green Street Initiative (I-3)**

Valerie Strassberg, chair of the Green Street Initiative, addressed Council regarding this Initiative. Ms. Strassberg stated the Green Street initiative would allow City Staff to look at and review green streets in a formal process. The initiative looks at designing and reconstructing roads and what can be done to integrate green structures, including planting vegetation, curb-outs, etc. She hoped that Council would consider approving a resolution that the Environmental Commission recently considered at their meeting. A copy of that resolution is on file in the City Clerk's Office.

COMMUNICATIONS FROM COUNCIL*COUNCILMEMBER BRIERE*

Councilmember Briere asked for an update regarding Camp Take Notice.

Mayor Hieftje responded that the non-profits in the community are working with the people who may be displaced at Camp Take Notice. He stated efforts are being made to provide housing vouchers and the Delonis Center is also helping with the transition efforts.

COUNCILMEMBER ANGLIN

Councilmember Anglin announced that many of the Parks Department summer programs have started this weekend and the parks are very busy.

MAYOR HIEFTJE

Mayor Hieftje reminded folks to visit this year's Summer Festival and the concerts at Top of the Park. He also mentioned that Mitch Ryder would be playing at Sonic Lunch this Thursday, June 21.

12-0815

Resolution to Appoint Archer H. Christian as a Member of the City of Ann Arbor Greenbelt Advisory Commission

Sponsors: Hohnke

Councilmember Hohnke placed a nomination on the table of Archer Christian to the Greenbelt Advisor Commission. The nomination, replacing long-serving member Mike Garfield, would be coming back to Council on July 2 for a vote. Councilmember Hohnke publicly thanked Commissioner Garfield for his many years of dedicated service to the Greenbelt Advisory Commission.

Mayor Hieftje also recognized the work of Mr. Garfield on the Commission. He also responded to comments made by Mr. Schlansker earlier in the meeting. Mayor Hieftje stated that the City has been one of the leading cities in the country in energy conservation and hoped that Mr. Schlansker would return to hear more about the City's environmental efforts in the coming months.

Referred to the City Council due back on 7/2/2012

12-0874

Resolution to Re-Appoint a Member to the City Environmental Commission

Sponsors: Briere and Hohnke

Councilmember Briere placed the reappointment of John German to the Environmental Commission on the floor for consideration at the next regular session of Council.

Referred to the City Council due back on 7/2/2012

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

City Administrator Steve Powers reported on the following:

CLIMATE CHANGE PROJECT UPDATE

A grand opening has been scheduled June 19, 2012 at 1 p.m. for Ann Arbor's Electric Vehicle Charging Station, celebrating the installation of eighteen charging stations in the downtown. The event will be held at the lower level of the Forest Avenue Parking Structure.

ANN ARBOR MARATHON

Mr. Powers asked that Council forward any complaints or concerns they have received about the Ann Arbor Marathon that was held on June 17, 2012. Staff is reviewing the event and would appreciate any feedback Council may have received.

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 12-0670

Resolution to Approve 618 South Main Planned Project Site Plan and Development Agreement, 618 South Main Street (CPC Recommendation: Approval - 9 Years and 0 Nays)

A public hearing was conducted on the proposed Resolution to Approve 618 South Main Planned Project Site Plan and Development Agreement, located at 618 South Main Street. Notice of public hearing was published June 11, 2012.

The following people spoke in support of the proposed site plan and development agreement:

Barbara Hall, 448 Fifth St, representing board of the Old West Side Association

Ray Detter, Ann Arbor resident

Dick Carlisle, of Carlisle and Associates

The following people spoke in opposition to the proposed site plan and development agreement:

Thomas Partridge, Ann Arbor resident

Rita Mitchell, 621 Fifth St., expressed concerns with the project.

The following people spoke on behalf of the petitioner for the project:

Michael Siegel, project architect

A landscape architect for the project spoke about stormwater retention and rain gardens.

Dan Ketelaar, developer

An unidentified member of the development team

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

Held and Closed

Enactment No: R-12-274

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER BRIERE

Councilmember Briere announced that she would be bringing back the Green Streets resolution to Council in July.

Councilmember Briere reported back to Council on the 4-Party Agreement. She stated that she attended a working session with the County Board of Commissioners last Thursday. They discussed amendments to the Agreement and the Articles of Incorporation and determined that the amendments would need to be brought back to either the City of Ann Arbor or the City of Ypsilanti, by the Commission if they wanted to proceed with any changes. The original language is proposed to stand and there are no amendments at this time.

A APPROVAL OF COUNCIL MINUTES

A-1 12-0872 Regular Session of June 4, 2012

A motion was made by Councilmember Kunselman, seconded by Councilmember Derezinski, that the Regular Session Meeting Minutes of June 4, 2012 be approved as presented. On a voice vote, the Mayor declared the motion carried.

CA CONSENT AGENDA

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 Accept Treated Wastewater Discharge to the POTW from Environmental Cleanup Activities at the Michigan Consolidated Gas Company Property at 841 Broadway Street

CA-4 Resolution to Approve a Contract with SPARK for Business Support Services (\$75,000.00)

Passed on consent agenda

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

CA-2 12-0762 Resolution to Authorize Best-Source Contract with Douglas N. Higgins, Inc. for Construction of Approximately 147 Linear Feet of 12" Ductile Iron Water Main (\$67,200.00)

Enactment No: R-12-269

CA-3 12-0760 Resolution Recognizing the Ann Arbor Street Art Fair, Inc. as a Civic Nonprofit Organization Operating in Ann Arbor for the Purpose of Obtaining a Charitable Gaming License

Enactment No: R-12-270

CA-5 12-0775 Resolution to Approve a Contract with Governmental Consultant Services, Inc. for Lobbying Services (\$48,000.00)

Enactment No: R-12-271

CA-1 12-0744 Resolution to Accept Treated Wastewater Discharge to the POTW from Environmental Cleanup Activities at the Michigan Consolidated Gas Company Property at 841 Broadway Street

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

Enactment No: R-12-272

- CA-4 12-0771** Resolution to Approve a Contract with SPARK for Business Support Services (\$75,000.00)
- 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-12-273
- B ORDINANCES - SECOND READING**
- None.*
- C ORDINANCES - FIRST READING**
- C Old Business:**
- C-1 12-0471** An Ordinance to Amend Sections 7:502, 7:504, 7:505 and 7:506 of Chapter 95 of Title VII (Businesses and Trades) of the Code of the City of Ann Arbor
- Sponsors:** Briere
- A motion was made by Councilmember Briere, seconded by Councilmember Higgins, that the Ordinance be approved on First Reading.**
- A motion was made by Councilmember Briere, seconded by Councilmember Teall, that the Ordinance be postponed until 10/1/2012. On a voice vote, the Mayor declared the motion carried.**
- D MOTIONS AND RESOLUTIONS**
- DC New Business - Council:**
- None.*
- DB New Business - Boards and Commissions:**
- DB-1 12-0670** Resolution to Approve 618 South Main Planned Project Site Plan and Development Agreement, 618 South Main Street (CPC Recommendation: Approval - 9 Yeas and 0 Nays)
- A motion was made by Councilmember Derezinski, seconded by Councilmember Lumm, that the Resolution be approved. On a roll call, the vote was as follows with the Mayor declaring the motion carried:**
- Yeas:** 8 - Mayor Hieftje, Councilmember Higgins, Councilmember Teall, Councilmember Briere, Councilmember Derezinski, Councilmember Taylor, Councilmember Hohnke and Councilmember Lumm
- Nays:** 2 - Councilmember Kunselman and Councilmember Anglin
- Absent:** 1 - Councilmember Smith
- Enactment No: R-12-274

DB-2 12-0728 Resolution to Approve Participation Agreement with Washtenaw County Parks and Recreation for the Purchase of the Joe Bloch Property in Northfield Township, and Appropriate Funds, Not to Exceed \$61,312.00 from the Open Space and Parkland Preservation Millage Proceeds (8 Votes Required)

A motion was made by Councilmember Hohnke, 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-12-275

DB-3 12-0814 Resolution to Approve 618 South Main Redevelopment Project Brownfield Plan, 618 S. Main Street, Ann Arbor, MI (BRC Recommendation: Approval - 3 Yeas and 0 Nays)

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

Yeas: 8 - Mayor Hieftje, Councilmember Higgins, Councilmember Teall, Councilmember Briere, Councilmember Derezinski, Councilmember Taylor, Councilmember Hohnke and Councilmember Lumm

Nays: 2 - Councilmember Kunselman and Councilmember Anglin

Absent: 1 - Councilmember Smith

Enactment No: R-12-276

RECESS

Mayor Hieftje declared a recess at 9:52 p.m. and reconvened the meeting at 10:04 p.m.

DS New Business - Staff:

DS-1 12-0699 Resolution to Approve the Purchase of Eleven 5 Yard Dump Trucks and Four Front Plows from Wolverine Truck Sales (ITB # 4219 \$1,548,376.00)

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

Enactment No: R-12-277

DS-2 12-0734 Resolution to Approve Professional Services Agreement with CDM Michigan, Inc. for Engineering Services for the Stormwater Hydraulic Model Calibration & Analysis Project (RFP No. 813, \$822,700.00)

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

Enactment No: R-12-278

- DS-3 12-0749** Resolution to Approve Purchase of Sodium Hypochlorite for Water Treatment from JCI Jones Chemicals, Inc Bid No. ITB-4228 (estimated \$113,750.00/yr)
- A motion was made by Councilmember Teall, seconded by Councilmember Derezinski, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-12-279
- DS-4 12-0770** Resolution to Remove Not-to-Exceed Limit on Purchase Order for Service Agreement with Waste Management of Michigan
- 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-12-280
- DS-5 12-0637** Resolution to Approve FY13 Allocations to Nonprofit Entities for Human Services - \$1,244,629.00 (General Fund)
- A motion was made by Councilmember Teall, seconded by Councilmember Derezinski, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried unanimously.**
- Enactment No: R-12-281
- DS-6 12-0755** Resolution to Approve a Professional Legal Services Agreement with Funkhouser and Nassif, P.L.L.C., D/B/A Model Cities Legal Services, Inc. to Provide Legal Representation as Court-Appointed Counsel to Indigent Defendants (\$180,000.00)
- A motion was made by Councilmember Briere, seconded by Councilmember Derezinski, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-12-282
- DS-7 12-0763** Resolution to Approve a Purchase Order to Duncan Video, Inc. for the Community Television Network Production Truck Camera Upgrade (\$113,118.28)
- A motion was made by Councilmember Teall, seconded by Councilmember Derezinski, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-12-283
- DS-8 12-0800** Resolution to Amend Ann Arbor City Budget for Fiscal Year 2012 (8 Votes Required)
- Councilmember Lumm requested additional information regarding expenditures identified in the staff memorandum.*
- A motion was made by Councilmember Briere, seconded by Councilmember Taylor, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement.**
- Enactment No: R-12-284

DS-9 12-0779 Resolution Vacating Easement for Water Main and Accepting Easement for Water Main from the Public Schools of the City of Ann Arbor (Pioneer High School) (8 Votes Required)

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

Enactment No: R-12-285

DS-10 12-0790 Resolution Accepting Easement for Water Main from the Public Schools of the City of Ann Arbor (Northside Elementary School) (8 Votes Required)

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

Enactment No: R-12-286

DS-11 12-0791 Resolution Accepting Easement for Water Main from U.S.A. Missions of Michigan, Inc. (8 Votes Required)

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

Enactment No: R-12-287

DS-12 12-0797 Resolution Approving a Grant of Easement to MichCon for Sanitary Sewer (Located at Broadway Park) (8 votes required)

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

Enactment No: R-12-288

E COMMUNICATIONS FROM THE MAYOR

E-1 12-0875 Appointments & Nominations

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

City Planning Commission

*Ken Clein (replacing-Erica Briggs)
1331 Culver
Ann Arbor, MI 48103
Term: July 2, 2012-July 1, 2015*

*Kirk Westphal (re-appointment)
3505 Charter Place
Ann Arbor, MI 48105
Term: July 2, 2012-July 1, 2015*

Referred to the City Council due back on 7/2/2012.

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER LUMM

Councilmember Lumm asked for more clarification regarding the meeting with the Board of Commissioners and their discussion of the 4-Party Agreement.

Councilmember Briere responded that the purpose of the meeting was to decide how to address changes made by the City of Ann Arbor and Ypsilanti and whether the group wanted to propose additional changes recommended by the Board of Commissioners. It was decided that if the Board of Commissioners had changes they wanted, they should make those changes directly and send the changes back to the cities for approval.

F WRITTEN COMMUNICATIONS FROM THE CITY ADMINISTRATOR

None.

G COMMUNICATIONS FROM THE CITY ATTORNEY

City Attorney Stephen Postema recognized the work of his legal staff, as well as City engineers, who work to bring the easement resolutions to Council. He said that a lot of hard work goes into preparing these resolutions and he wanted to recognize those efforts.

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

- H-1 12-0794 Communication from Comcast regarding a new charge for new Digital Adapters effective July 1, 2012
- H-2 12-0592 Environmental Commission Resolution in Support of Green Streets Policy

I The following minutes were received for file:

- I-1 12-0615 City Planning Commission Meeting Minutes of March 20, 2012
- I-2 12-0796 Council Labor Committee Meeting Minutes of May 23, 2012
- I-3 12-0805 Environmental Commission Meeting Minutes - March 22, 2012
- I-4 12-0811 Ann Arbor Housing Commission - Minutes of March 21, 2012
- I-5 12-0813 Ann Arbor Housing Commission - Minutes of April 11, 2012
- I-6 12-0816 Greenbelt Advisory Commission Meeting Minutes of February 2, 2012

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Kathy Griswold, 3565 Foxhunt Dr., updated Council regarding the King School crosswalk situation. She also expressed concern with staff continuing to mow private property and said that residents and businesses should be notified to mow their own lawn extensions.

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 Teall, seconded by Councilmember Anglin, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 10:23 p.m.

12-0905 City Council Emails - June 18, 2012

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, MAY 18, 2012, 7:00 P.M.

REPLAYS: TUESDAY, MAY 19, 2012, 10:00 A.M. AND FRIDAY, MAY 22, 2012, 7:30 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

Community Television Network Channel 16 live televised public meetings are also available to watch live online from CTN's website, www.a2gov.org/ctn, on "The Meeting Place" page (<http://www.a2gov.org/livemeetings>).

Live Web streaming is one more way, in addition to these listed below, to stay in touch with Ann Arbor City Council and board and commission actions and deliberations.

- Video on Demand: Replay public meetings at your convenience online at www.a2gov.org/government/city_administration/communicationsoffice/ctn/Pages/VideoOnDemand.aspx
- Cable: Watch CTN Channel 16 public meeting programming via Comcast Cable channel 16.

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

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

Jacqueline Beaudry
Clerk of the Council

Anissa R. Bowden
Recording Secretary