



City of Ann Arbor

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

Meeting Agenda - Final-revised City Council

Monday, July 16, 2018

7:00 PM

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

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ROLL CALL OF COUNCIL

APPROVAL OF AGENDA

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

AC-1 [18-1237](#) Response to City Council Action R-18-276: Resolution to Direct City to Assess and Monitor Extent of Gypsy Moth Infestation and Develop Treatment Plan and Budget

(City Administrator - Howard S. Lazarus, City Administrator)

Attachments: 180713 - Gypsy Moth Treatment.pdf, GypsyMothJuly2018_Map.pdf
(Added 7/13/18)

INT INTRODUCTIONS

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**

CC COMMUNICATIONS FROM COUNCIL

CC-1 [18-1182](#) Resolution to Appoint Stephen Brown to the Environmental Commission
(City Council - Councilmember Smith)

Sponsors: Smith

MC COMMUNICATIONS FROM THE MAYOR

- MC-1** [18-1153](#) Appointments and Nominations
(Mayor's Office)

CA CONSENT AGENDA

- CA-1** [18-1139](#) Resolution Recognizing Theatre Guild Booster Club as a Civic Nonprofit Organization Operating in Ann Arbor for the Purpose of Obtaining a Charitable Gaming License
(City Clerk - Jacqueline Beaudry)
- CA-2** [18-0801](#) Resolution to Approve Purchase of VMware Licensing and Support from CDW Government LLC (\$83,743.73)
(Information Technology Services - Tom Shewchuk, IT Director)
Attachments: VMware CDWG Upgrade Quote JVQQ979 V2.pdf, Ann Arbor Michigan Product and Sales Agreement 6.20.2018 Fully Executed (002).pdf
- CA-3** [18-1119](#) Resolution to Approve a Purchase Order for Annual Maintenance and Support of TRAKiT System to Superior, LLC for FY2019 (\$46,321.93)
(Information Technology Services - Tom Shewchuk)
Attachments: A2 AP Invoice - - SUPERION - -.pdf
- CA-4** [18-1042](#) Resolution to Approve Amendment No. 2 to the Professional Services Agreement with Fishbeck, Thompson, Carr & Huber, Inc., for Water Treatment Professional Engineering Services (\$200,000.00)
(Water Treatment Plant Services - Craig Hupy, Public Services Area Administrator)
Attachments: Amendment_No_2_PSA_FTCH_20180611.pdf
- CA-5** [18-1114](#) Resolution to Approve Amendment Number 1 to Contract with The Ecology Center, Inc. for In-School Recycling Education (\$97,598.00 for year four; \$100,526.00 for year five)
(Systems Planning Services - Craig Hupy, Public Services Area Administrator)
Attachments: Ecology Center Contract Extension_In-School Education.pdf
- CA-6** [18-1115](#) Resolution to Approve Amendment Number 1 to Contract with The Ecology Center Inc., for MRF Education Center Tours (\$7,582.12/year six, \$7,809.58/year seven)
(Systems Planning Services - Craig A. Hupy, Public Services Area Administrator)
Attachments: Ecology Center Contract Extension_Recycling Plant Tours Open Houses.pdf

- CA-7 [18-1116](#) Resolution to Approve Changes to Traffic Patterns and Parking on Certain City Streets for the 2018 University of Michigan Student Move-In Program from August 29 - August 31, 2018
(Community Services - Derek Delacourt, Community Services Area Administrator)
Attachments: U of M Student Move-In Closings Map 2018.pdf
- CA-8 [18-1121](#) Resolution to Approve Amendment No. 1 to the Agreement with Washtenaw County Community Mental Health to provide Mental Health Treatment Services to Mental Health Court Defendants (\$19,150.00 amendment; \$ 85,353.00 total contract)
(Fifteenth District Court Services - Shryl Samborn)
Attachments: 2018 WC Community Mental Health Amendment No 1.pdf
- CA-9 [18-1154](#) Resolution to Approve Amendment Number One to the Agreement with Morris & McDaniel, Inc. for Fire Services Promotional Testing Services (\$32,983.98) **(8 Votes Required)**
(Evelyn Algarin-Jackson - Robyn Wilkerson)
Attachments: Morris McDaniel 7 3 18 EXT.pdf
- CA-10 [18-1108](#) Resolution to Increase 3 FTE's in the FY19 Budget **(8 Votes Required)**
(Jennifer Hall - Howard Lazarus)

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

- PH-1 [18-0377](#) An Ordinance to Amend Sections 5:1 and 5:10.4 of Chapter 55 (Zoning) of the Code of the City of Ann Arbor to Modify the Definition of Fraternity or Sorority House and Amend Corresponding Special Exception Use Standards (Ordinance No. ORD-18-06)
(Planning Commission, City - Derek Delacourt, Community Services Area Administrator)
Attachments: 18-06 Fraternity Special Exception Ordinance Briefed.pdf, Fraternity Special Exception Ordinance.pdf, Memorandum to CPC - 8-11 .pdf, Planning Commission Minutes August 15, 2017.pdf, Letter of Opposition from Stephen Bernstein.pdf, AASAC Zoning Law Letter of Support.pdf
(See B-1) (Continued from the 5/7/18 and 6/18/18 Regular Sessions.)
- PH-2 [18-0446](#) An Ordinance to Repeal Sections 4:16 through 4:20 and Section 4:30 of Chapter 47 (Streets and Curb Cuts) of Title IV; and Chapter 55 (Zoning), Chapter 56 (Prohibited Land Uses), Chapter 57 (Subdivision and Land Use Control), Chapter 59 (Off-Street Parking), Chapter 60 (Wetlands), Chapter 61 (Signs and Outdoor Advertising), Chapter 62 (Landscaping and Screening), Chapter 63 (Soil Erosion and Sedimentation Control), of Title V; and Chapter 104 (Fences) of Title VIII of the Code of the City of Ann Arbor and to Amend the Code of the City of Ann Arbor with a New Chapter

55 (Unified Development Code) of Title V of Said Code (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-18-08)

(Community Services - Derek Delacourt, Community Services Area Administrator)

Attachments: 18-08 Ordinance to Amend Code and Adopt UDC Briefed.pdf, Ordinance to Amend Code and Adopt UDC.pdf, Unified Development Code (Second Reading Draft 7-16-18).pdf, Unified Development Code (Second Reading Draft 7-16-18).docx, Unified Development Code (First Reading Draft 4-16-18).pdf, Diagnosis and Annotated Outline.pdf, February 6, 2018 Planning Staff Report, E Linn commentsZORO Public Hearing June 4 2018.pdf, December-19-2017 Planning Commission Minutes.pdf, February-6-2018 Planning Commission Minutes.pdf, January-17-2018 Planning Commission Minutes.pdf

(See B-2) (Continued from 6/4/18 Regular Session.)

PH-3 [18-0450](#)

An Ordinance to Amend Sections 1:4 and 1:17 of Chapter 1 (Adoption, Contents and Interpretation) and Sections 1:191 and 1:239 of Chapter 8 (Organization of Boards and Commissions) of Title I; Section 2:5 of Chapter 26 (Solid Waste Management), Section 2:69 of Chapter 29 (Water, Sewer and Stormwater Rates), and Section 2:211 of Chapter 33 (Stormwater System) of Title II; Section 7:414 of Chapter 94 (Junk Yards) of Title VII; Section 8:509 of Chapter 105 (Housing Code) of Title VIII; Section 9:42 of Chapter 107 (Animals), Section 9:79 of Chapter 109 (Liquor), and Section 9:366 of Chapter 119 (Noise Control) of Title IX; and Section 10:63 of Chapter 126 (Traffic) of Title X of the Code of the City of Ann Arbor (Ordinance No. ORD-18-09)

(Community Services - Derek Delacourt, Community Services Area Administrator)

Attachments: 18-08 Briefed.pdf, UDC Reference Ordinance.pdf, AmendmentSummaryTable.pdf, 18-09 UDC Reference Ordinance Hearing Notice.pdf

(See B-3) (Continued from the 6/4/18 Regular Session.)

PH-4 [18-0902](#)

An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.34 Acre from TWP (Township District) to R1C (Single-Family Dwelling District), Maxey Property, 2955 & 2965 Kimberley, (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-18-16)

(Planning Commission, City - Derek Delacourt, Community Services Administrator)

Attachments: Maxey Zoning Ordinance.pdf, Planning Commission Staff Report

(See B-4)

PH-5 [18-0904](#)

An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 1.05 Acres from TWP (Township District) to R1A (Single Family Dwelling District), Malooley-Gordon, 2410 Newport Road (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

(Planning Commission, City - Derek Delacourt, Community Services Administrator)

Attachments: 18-18 Briefed.pdf, 2410 Newport Ordinance.pdf, 2410 Newport Malooley Annexation & Zoning Staff Report w Attachments.pdf, 2410 Newport Annexation - Council Report.pdf

(See B-5)

- PH-6 [18-0807](#) Resolution to Approve the Cottages at Barton Green Site Plan, Wetland Use Permit, and Development Agreement, West Side of Pontiac Trail, South of Dhu Varren Road (CPC Recommendation: Approval - 2 Yeas and 7 Nays)

(Planning Commission, City - Derek Delacourt, Community Services Area Administrator)

Attachments: Barton Green Staff Report w Attachments.pdf, Cottages at Barton Green Staff Report with Attachments3-6-2018.pdf, Cottages at Barton Green Staff Report with Live Links.pdf, The Cottages Barton Green Staff Report w Live Linksxx.pdf, Cottages Development Agreement.pdf, Letter from Tim Stoepker 6-1-18 - Barton Green.pdf

(See DB-1)

A APPROVAL OF COUNCIL MINUTES

- A-1 [18-1171](#) Regular Session Meeting Minutes of July 2, 2018

(City Clerk - Jacqueline Beaudry)

Attachments: 07-02-18 Draft Minutes.pdf, Council Emails 2018-07-02.pdf

B ORDINANCES - SECOND READING

B Unfinished Business - Staff:

- B-1 [18-0377](#) An Ordinance to Amend Sections 5:1 and 5:10.4 of Chapter 55 (Zoning) of the Code of the City of Ann Arbor to Modify the Definition of Fraternity or Sorority House and Amend Corresponding Special Exception Use Standards (Ordinance No. ORD-18-06)

(Planning Commission, City - Derek Delacourt, Community Services Area Administrator)

Attachments: 18-06 Fraternity Special Exception Ordinance Briefed.pdf, Fraternity Special Exception Ordinance.pdf, Memorandum to CPC - 8-11 .pdf, Planning Commission Minutes August 15, 2017.pdf, Letter of Opposition from Stephen Bernstein.pdf, AASAC Zoning Law Letter of Support.pdf

(See PH-1) (Posptponed from the 5/7/18 and 6/18/18 Regular Sessions.)

- B-2 [18-0446](#) An Ordinance to Repeal Sections 4:16 through 4:20 and Section 4:30 of Chapter 47 (Streets and Curb Cuts) of Title IV; and Chapter 55 (Zoning), Chapter 56 (Prohibited Land Uses), Chapter 57 (Subdivision and Land Use Control), Chapter 59 (Off-Street Parking), Chapter 60 (Wetlands), Chapter 61 (Signs and Outdoor Advertising), Chapter 62 (Landscaping and Screening), Chapter 63 (Soil Erosion and Sedimentation Control), of Title V; and Chapter 104 (Fences) of Title VIII of the Code of the City of Ann

Arbor and to Amend the Code of the City of Ann Arbor with a New Chapter 55 (Unified Development Code) of Title V of Said Code (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-18-08)

(Community Services - Derek Delacourt, Community Services Area Administrator)

Attachments: 18-08 Ordinance to Amend Code and Adopt UDC Briefed.pdf, Ordinance to Amend Code and Adopt UDC.pdf, Unified Development Code (Second Reading Draft 7-16-18).pdf, Unified Development Code (Second Reading Draft 7-16-18).docx, Unified Development Code (First Reading Draft 4-16-18).pdf, Diagnosis and Annotated Outline.pdf, February 6, 2018 Planning Staff Report, E Linn commentsZORO Public Hearing June 4 2018.pdf, December-19-2017 Planning Commission Minutes.pdf, February-6-2018 Planning Commission Minutes.pdf, January-17-2018 Planning Commission Minutes.pdf

(See PH-2) (Postponed from the 6/4/18 Regular Session.) (Attachments added 7/13/18)

B-3 [18-0450](#)

An Ordinance to Amend Sections 1:4 and 1:17 of Chapter 1 (Adoption, Contents and Interpretation) and Sections 1:191 and 1:239 of Chapter 8 (Organization of Boards and Commissions) of Title I; Section 2:5 of Chapter 26 (Solid Waste Management), Section 2:69 of Chapter 29 (Water, Sewer and Stormwater Rates), and Section 2:211 of Chapter 33 (Stormwater System) of Title II; Section 7:414 of Chapter 94 (Junk Yards) of Title VII; Section 8:509 of Chapter 105 (Housing Code) of Title VIII; Section 9:42 of Chapter 107 (Animals), Section 9:79 of Chapter 109 (Liquor), and Section 9:366 of Chapter 119 (Noise Control) of Title IX; and Section 10:63 of Chapter 126 (Traffic) of Title X of the Code of the City of Ann Arbor (Ordinance No. ORD-18-09)

(Community Services - Derek Delacourt, Community Services Area Administrator)

Attachments: 18-08 Briefed.pdf, UDC Reference Ordinance.pdf, AmendmentSummaryTable.pdf, 18-09 UDC Reference Ordinance Hearing Notice.pdf

(See PH-3) (Postponed from the 6/4/18 Regular Session.)

B **New Business - Staff:**

B-4 [18-0902](#)

An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.34 Acre from TWP (Township District) to R1C (Single-Family Dwelling District), Maxey Property, 2955 & 2965 Kimberley, (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-18-16)

(Planning Commission, City - Derek Delacourt, Community Services Administrator)

Attachments: Maxey Zoning Ordinance.pdf, Planning Commission Staff Report

(See PH-4)

B-5 [18-0904](#)

An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 1.05 Acres from TWP (Township District) to R1A (Single Family Dwelling District),

Malooley-Gordon, 2410 Newport Road (CPC Recommendation: Approval
- 8 Yeas and 0 Nays)

(Planning Commission, City - Derek Delacourt, Community Services Administrator)

Attachments: 18-18 Briefed.pdf, 2410 Newport Ordinance.pdf, 2410 Newport Malooley
Annexation & Zoning Staff Report w Attachments.pdf, 2410 Newport
Annexation - Council Report.pdf

(See PH-5)

C ORDINANCES - FIRST READING

C New Business - Staff:

C-1 [18-1124](#) An Ordinance to Amend Section 5.29.4 of Chapter 55 (Unified
Development Code) of Title V of the Code of the City of Ann Arbor
(Special Exception Use as a Type I Citizen Participation Application)
(Planning Commission, City - Derek Delacourt)

Attachments: Proposed UDC Ordinance - SEUs Type I Citizen Participation.pdf

C-2 [18-1125](#) An Ordinance to Amend Section 5.17.3G of Chapter 55 (Unified
Development Code) of Title V of the Code of the City of Ann Arbor
(Medical Marijuana Provisioning Center Location Restriction)
(Planning Commission, City - Derek Delacourt)

Attachments: Impact to current petitions.pdf, Proposed Provisioning Center UDC
Ordinance Amendment 600 to 1,000 feet.pdf

C-3 [18-1130](#) An Ordinance to Amend Section 5.15 (Table 5-15) and Section 5.37.2 of
Chapter 55 (Unified Development Code) of Title V of the Code of the City
of Ann Arbor (Marijuana-Infused Product Processor)
(Planning Commission, City - Derek Delacourt)

Attachments: ProcessorOrdinance.pdf, 5-16-2018 CPC Minutes with Live Links.pdf

D MOTIONS AND RESOLUTIONS

DC Unfinished Business - Council:

DC-1 [18-1113](#) Resolution to Reappoint Robert Gordon to the Greenbelt Advisory
Commission

(City Council - Councilmember Julie Grand)

(Referred from the 7/2/18 Regular Session.)

DC New Business - Council:

DC-2 [18-1174](#) Resolution to Support One Community Initiative and Ongoing Equity Work

(City Council - Howard S. Lazarus)

Sponsors: Warpehoski, Taylor and Westphal

- DC-3** [18-1183](#) Resolution to Order Election, Approve Charter Amendment of the Ann Arbor City Charter Section for Filling Vacancies in Elective Offices And Determine The Ballot Language for This Amendment (**7 Votes Required**)

(City Council)

Sponsors: Eaton

- DC-4** [18-1202](#) Resolution to Appoint a Task Force to Review Policies and Procedures for Special Events

(City Council)

Sponsors: Ackerman and Lumm

- DC-5** [18-1224](#) Resolution to Direct Planning Commission to Evaluate Design Review Process for Downtown Buildings

(City Council)

Sponsors: Westphal, Taylor, Warpehoski, Krapohl and Grand

- DC-6** [18-1235](#) Resolution Authorizing Summary Publication of Ordinance No. 18-08 - An Ordinance to Repeal Sections 4:16 through 4:20 and Section 4:30 of Chapter 47 (Streets and Curb Cuts) of Title IV; and Chapter 55 (Zoning), Chapter 56 (Prohibited Land Uses), Chapter 57 (Subdivision and Land Use Control), Chapter 59 (Off-Street Parking), Chapter 60 (Wetlands), Chapter 61 (Signs and Outdoor Advertising), Chapter 62 (Landscaping and Screening), Chapter 63 (Soil Erosion and Sedimentation Control), of Title V; and Chapter 104 (Fences) of Title VIII of the Code of the City of Ann Arbor and (Unified Development Code) of Title V of Said Code (CPC Recommendation: Approval)

(City Attorney Services - Stephen K Postema, City Attorney)

Sponsors: Ackerman

(Added 7/13/18)

DB New Business - Boards and Commissions:

- DB-1** [18-0807](#) Resolution to Approve the Cottages at Barton Green Site Plan, Wetland Use Permit, and Development Agreement, West Side of Pontiac Trail, South of Dhu Varren Road (CPC Recommendation: Approval - 2 Yeas and 7 Nays)

(Planning Commission, City - Derek Delacourt, Community Services Area Administrator)

Attachments: Barton Green Staff Report w Attachments.pdf, Cottages at Barton Green Staff Report with Attachments3-6-2018.pdf, Cottages at Barton Green Staff Report with Live Links.pdf, The Cottages Barton Green Staff Report w Live Linksxx.pdf, Cottages Development Agreement.pdf, Letter from Tim Stoepker 6-1-18 - Barton Green.pdf

(See PH-6)

DS New Business - Staff:

E COMMUNICATIONS FROM THE CITY ATTORNEY

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

F The following communications were referred as indicated:

- F-1 [18-1078](#)** Transportation Commission Recommendation for A Vision Zero Transportation Plan Update
Attachments: TPU Update Action for Transportation Commission_DRAFT.pdf, TPU Update Action for Transportation Commission_FINAL.pdf
- F-2 [18-1143](#)** Rick Ratliff Notice of Resignation from the Human Rights Commission
(City Clerk - Jacqueline Beaudry)
- F-3 [18-1169](#)** Communication from the State of Michigan Public Service Commission regarding Public Hearing Notice to Customers of DTE Electric Company in Case No. U-2029, scheduled for July 17, 2018 - City Attorney, Energy, Systems Planning
(City Clerk - Jacqueline Beaudry)
Attachments: Michigan Public Service Commission DTE Public Hearing Notice.pdf
- F-4 [18-1170](#)** Communication from the Department of Licensing and Regulatory Affairs Bureau of Construction Codes regarding Notice of Public Hearing - Part 8. Electrical Rules (ORR#2017-001LR) Scheduled for August 10, 2018 - Planning and Development Services
(City Clerk - Jacqueline Beaudry)
Attachments: Bureau of Construction Codes Notice of Public Hearing.pdf
- F-5 [18-1205](#)** Communication from Green Baxter Resident Council President Expressing Concerns with the Construction of Bus Stop on Green and Baxter Roads
(City Clerk - Jacqueline Beaudry)
Attachments: Communication from Green Baxter Resident Council President regarding Construction of Bus Stop on Green and Baxter Roads.pdf
- F-6 [18-1231](#)** Communication from the State of Michigan Public Service Communication

from the State of Michigan Public Service Commission regarding Public Hearing Notice to Customers of DTE Electric Company in Case No. U-20162, scheduled for July 25, 2018 - City Attorney, Energy (Systems Planning, City Attorney)

(City Clerk - Jacqueline Beaudry)

Attachments: DTE Public Hearint Notice U-20162.pdf
(Added 7/13/18)

G The following minutes were received for filing:

- G-1** [18-0868](#) Transportation Commission Meeting Minutes of May 9, 2018
Attachments: DRAFT_May Minutes.pdf, FINAL_May Minutes.pdf
- G-2** [18-1136](#) Employees' Retirement System Board Meeting Minutes of May 17, 2018
Attachments: B RS Board Minutes 5.17.18.pdf
- G-3** [18-1137](#) Retiree Health Care Benefit Plan & Trust Board Meeting Minutes of May 17, 2018
Attachments: B April VEBA Bd Mins.pdf

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

COMMUNICATIONS FROM COUNCIL

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

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, JULY 16, 2018 @ 7:00 P.M.

REPLAYS: WEDNESDAY, JULY 18, 2018 @ 8:00 A.M. AND FRIDAY, JULY 20, 2018 @ 8:00 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

CTN's Government Channel live televised public meetings can be viewed in a variety of ways:

Live Web streaming or Video on Demand: <https://a2ctn.viebit.com>

Cable: Comcast Cable channel 16 or AT&T UVerse Channel 99

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.