

# City of Ann Arbor

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



## Action Minutes

Tuesday, January 21, 2014

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 7:07 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 Margie Teall, Councilmember Mike Anglin, Councilmember Sabra Briere, Councilmember Christopher Taylor, Councilmember Jane Lumm, Councilmember Sumi Kailasapathy, Councilmember Sally Petersen, Councilmember Chuck Warpehoski and Councilmember Jack Eaton

**APPROVAL OF AGENDA**

**A motion was made by Councilmember Teall, seconded by Councilmember Petersen, that the Agenda be approved as presented. On a voice vote, the Mayor declared the motion carried.**

**COMMUNICATIONS FROM THE CITY ADMINISTRATOR***COLD WEATHER UPDATE*

*City Administrator Steve Powers gave an updated on the extreme cold weather and related humanitarian efforts. He stated that The Delonis Center has been operating in an emergency mode as of January 17, 2014. Mr. Powers noted that during the extreme cold and emergency operations, no one would be denied access to warmth at Delonis due to past incidents. The Delonis Center can accommodate up to 200 people. Additional community shelters and warming centers are in operation as stated by Mary Jo Callan of the Office of Community Development at Council's last regular session.*

*Mr. Powers reminded Council and the public that salting techniques do no work on the roads during extreme cold temperatures. He asked the public to be patient and mindful of the conditions of the roads when travelling.*

*ROAD CLOSURES FOR SPRING*

*Mr. Powers said that the Consent Agenda included several street closures for road races this spring. Those races are in support of local charities and other philanthropic causes.*

**14-0129** Agenda Response Memo January 21, 2014

Attachments: Agenda Responses 1-21-14

Received and Filed

**INT INTRODUCTIONS**

None.

**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. Michael Vannieuwstadt - Project Budget for the Construction Phase of Waldenwood Drive Sidewalk (DS-1)**

*Michael Vannieuwstadt, 3904 Penberton, addressed Council regarding the Resolution on the Project Budget for the Construction Phase of Waldenwood Drive Sidewalk. He said that he was happy to hear that there were funds available, but this was not a wise way to spend the available funds. He expressed concerns with safety at the crosswalk near King School and asked that the Resolution not be approved at this time, in order to allow more time to study the report.*

**2. Kathryn Dacosta - Project Budget for the Construction Phase of Waldenwood Drive Sidewalk (DS-1)**

*Kathryn Dacosta, 3885 Waldenwood, addressed Council regarding the proposed Resolution on Project Budget for the Construction Phase of Waldenwood Drive Sidewalk. Ms. Dacosta expressed concern with the current crosswalks. She said there is a lot of vehicular traffic near the entrance of the school and it can be very distracting for parents picking up and dropping off their children.*

**3. Bob Miller - Public Art Update**

*Bob Miller, 801 W. Liberty, Chair of the Ann Arbor Public Art Commission, gave an update on the Commission's work. He said that the Commission has followed the direction of Council and has made changes to the structure of how and what projects they move forward and they are exploring new opportunities for partnerships. AAPAC is currently managing the balance of the 1% projects from 2011, 2012 and 2013. Those projects are the Argo Cascades, Stadium Bridges, Kingsley and First Garden, as well as a number of community directed projects.*

**4. Kurt Gleichman - Fracking**

*Kurt Gleichman, 7218 Steeplechase, Saline, MI, expressed to Council the urgency to prioritize anti-fracking and anti-injection regulations into its Ordinances. He said that the Environmental Commission has been working on resolutions and they understand the hazards involved with fracking. He added that thousands of signatures have been collected in Ann Arbor to ban fracking.*

**5. Leon Bryson - Fracking Moratorium**

*Leon Bryson, 636 Center Dr., addressed Council regarding support for a local Resolution to ban Fracking in Ann Arbor. He expressed concern with the possible contamination of the water supply if fracking were allowed.*

**CC COMMUNICATIONS FROM COUNCIL***COUNCILMEMBER WARPEHOSKI*

*Councilmember Warpehoski responded to the public comments made regarding fracking. He said that the Environmental Commission is working on the issue. He noted that the City of Ann Arbor has already banned mineral extractions within the City limits, but there are still some potential loop holes that City staff is working to correct. One issue currently being studied is whether or not a fracking installation outside the City limits might allow fracking under the City limits. Councilmember Warpehoski stated they are working to ensure that is prohibited. Another issue is the disposal of fracking waste; whether liquid waste through a chemical injection well or other forms of waste disposal. He said that Ann Arbor is leading the way on this issue; however, one challenge is that townships do not have the authority to ban fracking. Councilmember Warpehoski stated statewide changes are needed.*

*COUNCILMEMBER PETERSEN*

*Councilmember Petersen said that she and Councilmember Lumm hosted a town hall meeting on January 16, 2014 where they heard from Joan Doughty, Executive Director of the Community Action Network. She provided an update on the families that were displaced at Green Baxter Court on Green Road after a fire earlier this month. She said that the majority of them are staying in a hotel and they would be there for up to 30 more days. One family was moved to Ypsilanti. She wanted the public to know that they are still accepting donations for those families. Additional information about helping the victims can be found at [www.canannarbor.org](http://www.canannarbor.org).*

*COUNCILMEMBER KUNSELMAN*

*Councilmember Kunselman read communications that Council received last week regarding the Crosswalk Ordinance and the ongoing concerns that residents and drivers in the City have with the ordinance.*

*COUNCILMEMBER LUMM*

*Councilmember Lumm thanked Councilmember Petersen for the update about what CAN was doing for the displaced families at Green Baxter Court.*

*She also acknowledged the North Rotary Club, in their effort to provide storage for the family's belongings that were salvaged, even though most belongings were lost. She said that if the community would like to donate, they can go to the Community Action Network website to get more information. If someone would like to share clothing and other items, CAN is encouraging people to make those donations at Kiwanis and other similar organizations. She thanked the community for the outpouring of support.*

*Councilmember Lumm announced that a meeting would be held on February 5, 2014 at the Gallup Park Conference Room from 6:30 to 8:00 p.m. to discuss the Millers Creek Sediment Accumulation Management Study. The meeting is open to the public.*

*COUNCILMEMBER BRIERE*

*Councilmember Briere announced that a meeting is scheduled for January 22, 2014 at 7 p.m. at Forsythe Middle School, in the Media Center, to discuss the Newport Sidewalk Gap and Resurfacing Project. The meeting is open to the public.*

**MC      COMMUNICATIONS FROM THE MAYOR**

MC-1 14-0060

## Appointments - Confirmations

**Attachments:** Vivienne Armentrout app., Neal Elyakin app., Linda Diane Feldt app., Sarah Pressprich Gryniewicz app., Anthony J. Pinnell app., Jim Rees app., Owen Jansson app., Scott D. Campbell app., Kenneth Clark app.

**APPOINTMENTS APPROVED**

*Mayor Hieftje requested confirmation of the following appointments that were presented at the January 6, 2014 regular session of Council:*

*Pedestrian Safety and Access Task Force*

*Vivienne Armentrout  
920 Vesper Rd.  
Ann Arbor, MI 48103  
Term: January 21, 2014- until task completed*

*Neal Elyakin  
1300 Red Oak  
Ann Arbor, MI 48103  
Term: January 21, 2014-until task completed*

*Linda Diane Feldt  
3 Keppler Ct.  
Ann Arbor, MI 48103  
Term: January 21, 2014-until task completed*

*Jim Rees  
208 Buena Vista  
Ann Arbor, MI 48103  
Term: January 21, 2014-until task completed*

*Anthony Pinnell  
1328 Minerva Rd.  
Ann Arbor, MI 48104  
Term: January 21, 2014-until task completed*

*Sarah Pressprich Gryniewicz  
2004 Manchester #5  
Ann Arbor, MI 48104  
Term: January 21, 2014-until task completed*

*Kenneth Clark  
497 Larkspur St.  
Ann Arbor, MI 48105  
Term: January 21, 2014-until task completed*

*Scott Campbell  
1010 Fairmount Dr.  
Ann Arbor, MI 48105  
Term: January 21, 2014-until task completed*

*Owen Jansson  
1325 Minerva*

*Ann Arbor, MI 48104*

*Term: January 21, 2014-until task completed*

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

**MC-2 14-0119**

**Appointments - Confirmations**

**Attachments:** Peter Woolf app., Paige Morrison app., Daniel Lee app., Jim Simpson app.

*REFERRED*

*Mayor Hieftje presented the following nominations for approval at a later date:*

*Ann Arbor Public Art Commission*

*Jim Simpson -filling vacancy of Malverne Winborne*

*3090 Edgewood Drive*

*Ann Arbor, MI 48104*

*Term: February 3, 2014-December 31, 2016*

*Ann Arbor Housing Commission*

*Daniel Lee -Serving the rest of Marta Minildi's term (Marta resigned)*

*425 E. Washington St., #1114*

*Ann Arbor, MI 48104*

*Term: February 3, 2014-May 5, 2014*

*Park Advisory Commission*

*Paige Morrison -Serving the rest of Jennifer Geer's term (Jennifer resigned)*

*410 W. Keech Ave.*

*Ann Arbor, MI 48103*

*Term: February 3, 2014-May 19, 2016*

*Public Market Advisory Commission*

*Peter Woolf -Filling vacancy of Lindsey-Jean Hard*

*1108 Mixtwood St.*

*Ann Arbor, MI 48103*

*Term: February 3, 2014- January 18, 2016*

**Referred to the City Council due back on 2/3/2014**

**PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)**



**PH-1 14-0013****Resolution Regarding Recommended Downtown Zoning Amendments  
(CPC Recommendation: Approval - 9 Yeas, 0 Nays)**

**Attachments:** 10/10/13 Downtown Zoning Evaluation Report, Appendix A - City Council Resolutions, Appendix B - Summary of Downtown Projects, Appendix C - Public Input Results

*A public hearing was conducted on the proposed Resolution regarding the recommended Downtown Zoning Amendments. Notice of public hearing was published January 16, 2014.*

*The following people spoke in support of the proposed Downtown Zoning Amendments:*

*Peter Nagourney, 914 Lincoln*

*Doug Kelbaugh, 223 E. Ann*

*Hugh Sonk, 505 E. Huron*

*Cyril Hufano, 505 E. Huron*

*Ray Detter, representing the Downtown Citizens Advisory Council*

*Eleanor Linn, 1321 Forest Ct.*

*Ethel Potts, 1014 Elder*

*The following people spoke in opposition or expressed concerns with the proposed Downtown Zoning Amendments:*

*Tamera Burns, chair of the Design Review Board, said that the Design Guidelines need rework as well.*

*Steve Kaplan, 1213 S. Forest, said attention to the Design Guidelines is also needed.*

*Christine Crockett, 506 E. Kingsley, expressed support, but also encouraged Council to give more teeth to the Design Guidelines.*

*Piotr Michalowski, 451 S. Fourth Ave., urged Council to maintain the D2 zoning height in the area of E. William and State and Main Street.*

*David Blanchard, Ward 1 resident, urged Council to continue the affordable housing discussion.*

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

**Held and Closed**

Enactment No: R-14-025

- PH-2 14-0003** Resolution to Approve 624 Church Site Plan and Development Agreement, 624 Church Street (CPC Recommendation: Approval - 6 Yeas and 0 Nays)

**Attachments:** 12/17/13 Planning Staff Report, 624 Church Development Agreement.pdf, 624 Church DA 1-14-14

*A public hearing was conducted on the proposed Resolution to approve the 624 Church St. Site Plan and Development Agreement, located at 624 Church Street. Notice of public hearing was published January 13, 2014.*

*Brad Moore, architect for the project, explained the proposed site plan to Council and was available to answer questions of Council.*

*Ethel Potts, 1014 Elder Blvd., expressed concern with the proposed project and questioned the policy of using public parking structures to meet the parking requirements for private buildings.*

*Scott Munzel, 603 W. Huron, representing Opus Development Corporation, said that the proposal complies with all of the applicable ordinances and regulations and urged approval. He noted that it was a creative use of a difficult site.*

*Maggie Ladd, Director of State Street Area Association, spoke in support of proposed site plan.*

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

**Held and Closed**

Enactment No: R-14-026

**A APPROVAL OF COUNCIL MINUTES**

- A-1 14-0099** Regular Session Meeting Minutes of January 6, 2014

**Attachments:** 1-6-14 Draft Minutes, Council emails 1-6-2014\_Redacted.pdf

**A motion was made by Councilmember Kunselman, seconded by Councilmember Lumm, that the Regular Session Meeting Minutes of January 6, 2014 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 Teall, seconded by Councilmember Taylor, that the following Consent Agenda items be approved as presented. On a voice vote, the Mayor declared the motion carried.**

- CA-1 13-1386** Resolution to Approve a Contract with Washtenaw County Community Support & Treatment Services to Provide Mental Health Treatment Services to Sobriety Court Defendants (\$45,271.00)  
**Attachments:** 15DC Sobriety Court-CSTS 2014 Contract v2.pdf  
Enactment No: R-14-014
- CA-2 13-1388** Resolution to Approve Contract with the Washtenaw County Sheriff's Office to Provide Drug Abuse Screening Services to Veterans Treatment Court and Sobriety Court Defendants (\$23,200.00)  
**Attachments:** 15DC Specialty Courts-WCSO Community Corrections 2014 Contract.pdf  
Enactment No: R-14-015
- CA-3 13-1531** Resolution to Approve a Purchase Order to Enertron, LLC for the City Hall Network Cabling Project for (\$39,704.50)  
**Attachments:** 4311prebid-signin, itb 4311 bid tab  
Enactment No: R-14-016
- CA-4 13-1552** Resolution to Approve a Purchase Order to New World Systems for Financial System Annual Software Support and Maintenance Agreement (\$64,040.00)  
Enactment No: R-14-017
- CA-5 14-0002** Resolution to Accept Board of Insurance Administration Minutes of December 17, 2013  
Enactment No: R-14-018
- CA-6 14-0054** Resolution to Close Part of East Washington Street for the Winter Warriors Fundraising Event on Saturday, February 1, 2014  
**Attachments:** Winter Warriors Fundraising Event Map  
Enactment No: R-14-019
- CA-7 14-0055** Resolution to Approve Street Closings for the Shamrocks and Shenanigans 5K Run/Walk - Sunday, March 9, 2014  
**Attachments:** Shamrocks and Shenanigans Map.pdf  
Enactment No: R-14-020
- CA-8 14-0059** Resolution to Approve Street Closings for the University of Michigan Big House 5K on Sunday, April 6, 2014  
**Attachments:** U of M Big House 5K Map.pdf  
Enactment No: R-14-021

**B ORDINANCES - SECOND READING**

None.

**C ORDINANCES - FIRST READING**

- C-1 14-0012** An Ordinance to Amend Chapter 55 (Zoning), Staff-Initiated Zoning of Two Parcels Totaling 0.6 Acre from UNZ (Unzoned) to C1 (Local Business District), Hofmann Property, 1643 & 1645 South State Street (CPC Recommendation: Approval - 6 Yeas and 0 Nays) (Ordinance No. ORD-14-01)

**Attachments:** 14-01 Briefed Hofmann Zoning Ordinance.pdf, Hofmann Zoning Legal, 12/17/13 Planning Staff Report, HofmannZoningMinutes\_12-17-13.pdf

*(The complete copy of the text of Ordinance No. ORD-14-01 is on file in the City Clerk's Office.)*

**A motion was made by Councilmember Taylor, seconded by Councilmember Teall, that the Ordinance be approved on first reading. On a voice vote, the Mayor declared the motion carried.**

Enactment No: ORD-14-01

**D MOTIONS AND RESOLUTIONS****DC New Business - Council:**

- DC-1 14-0004** Resolution to Recommend Approval of Issuance of a Downtown Development District Liquor License to The Lunch Room, LLC

**Sponsors:** Council Liquor License Review Committee

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

Enactment No: R-14-022

- DC-2 14-0103** Resolution to Approve a Request from Silvio's Organic Pizzeria, Inc. to Transfer the Classification of a Liquor License from a Tavern License to a Class C License Located at 715 N. University - d/b/a Silvio's Organic Pizzeria

**Sponsors:** Council Liquor License Review Committee

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

Enactment No: R-14-023

**DC-3 14-0117** Resolution to Approve a Contract with Atwell, LLC for Environmental Site Assessment (ESA) Services (\$25,550.00)

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-14-024

**DB New Business - Boards and Commissions:**

**DB-1 14-0013** Resolution Regarding Recommended Downtown Zoning Amendments (CPC Recommendation: Approval - 9 Yeas, 0 Nays)

Attachments: 10/10/13 Downtown Zoning Evaluation Report, Appendix A - City Council Resolutions, Appendix B - Summary of Downtown Projects, Appendix C - Public Input Results

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

Enactment No: R-14-025

14-0013

Resolution Regarding Recommended Downtown Zoning Amendments  
(CPC Recommendation: Approval - 9 Yeas, 0 Nays)

**Attachments:** 10/10/13 Downtown Zoning Evaluation Report, Appendix A - City Council Resolutions, Appendix B - Summary of Downtown Projects, Appendix C - Public Input Results

*Councilmember Teall proposed the following amendment to the amendment by Councilmember Briere (considered friendly):*

*RESOLVED, That the City Council directs the Planning Commission to consider whether other D1-zoned areas which do not have buffering from adjacent residential neighborhoods, including some areas of South University and Thayer Street AND ANN STREET BETWEEN FOURTH AND FIFTH AVENUE, should be rezoned to D2, reporting back to Council on their recommendation by October 20, 2014; and*

*Councilmember Lumm proposed the following amendment (considered friendly):*

*RESOLVED, That the City Council directs the Planning Commission to consider rezoning that portion of Huron Street from Division to Fourth Avenue to conform with the East Huron 1 Character District, AND CONSIDER INCORPORATING 25 FOOT MINIMUM SIDE SETBACKS AND 10 FOOT FRONT SETBACKS WHERE FEASIBLE IN THE EAST HURON 1 CHARACTER DISTRICT, reporting back to Council on their recommendation by October 20, 2014;*

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

**...WHEREAS, ENP & ASSOCIATES RECOMMENDED EXTENDING THE EAST HURON 1 CHARACTER DISTRICT TO FOURTH AVENUE; AND**

**WHEREAS, ENP & ASSOCIATES ALSO RECOMMENDED FURTHER STUDY TO CONSIDER WHETHER D1 ZONING IS APPROPRIATE ON OTHER SENSITIVE PROPERTIES NOT IDENTIFIED IN THE CITY COUNCIL RESOLUTION, INCLUDING AREAS OF SOUTH UNIVERSITY AND THAYER ST.; AND...**

**RESOLVED, That... implementation of [the above] THEIR RECOMMENDED changes to City Code and the Zoning Map, REPORTING BACK TO COUNCIL ON THESE CHANGES BY OCTOBER 20, 2014; and**

**RESOLVED, THAT THE CITY COUNCIL DIRECTS THE PLANNING COMMISSION TO CONSIDER REZONING THAT PORTION OF HURON STREET FROM DIVISION TO FOURTH AVENUE TO CONFORM WITH THE EAST HURON 1 CHARACTER DISTRICT, AND CONSIDER INCORPORATING 25 FOOT MINIMUM SIDE SETBACKS AND 10 FOOT FRONT SETBACKS WHERE FEASIBLE IN THE EAST HURON 1 CHARACTER DISTRICT, REPORTING BACK TO COUNCIL ON THEIR RECOMMENDATION BY OCTOBER 20, 2014; AND**

**RESOLVED, THAT THE CITY COUNCIL DIRECTS THE PLANNING COMMISSION TO CONSIDER WHETHER OTHER D1-ZONED AREAS WHICH DO NOT HAVE BUFFERING FROM ADJACENT RESIDENTIAL NEIGHBORHOODS, INCLUDING SOME AREA OF SOUTH UNIVERSITY AND THAYER STREET AND ANN STREET BETWEEN FOURTH AND FIFTH AVENUE SHOULD BE REZONED D2, REPORTING BACK TO COUNCIL ON THEIR RECOMMENDATION BY OCTOBER 20, 2014; AND...**

**Note: All CAPS indicate new language. Brackets [ ] indicate deleted language throughout this document.**

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

Enactment No: R-14-025

**A motion was made by Councilmember Taylor, seconded by Councilmember Lumm, that the Resolution be amended as follows:**

**...RESOLVED, That the City Council, after reviewing the consultant's and Planning Commission's recommendations and considering comments presented at public hearings, directs the Planning Commission to begin the process of implementation of their recommended changes to City Code and the Zoning Map, SAVE (4) WITH RESPECT TO WHICH COUNCIL REQUESTS THAT THE PLANNING COMMISSION REVIEW AND CONSIDER METHODS TO ACHIEVE COMPLIANCE WITH CORE DESIGN GUIDELINES IN A MANNER THAT ACHIEVES DESIGN REVIEW BOARD SUPPORT, reporting back to Council on these changes by October 20, 2014, ...**

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

Enactment No: R-14-025

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

Enactment No: R-14-025

## RECESS

*Mayor Hieftje declared a recess at 9:22 p.m. and reconvened the meeting at 9:33 p.m.*

## DB-2 14-0003

Resolution to Approve 624 Church Site Plan and Development Agreement, 624 Church Street (CPC Recommendation: Approval - 6 Yeas and 0 Nays)

**Attachments:** 12/17/13 Planning Staff Report, 624 Church Development Agreement.pdf, 624 Church DA 1-14-14

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

Enactment No: R-14-026

**A motion was made by Councilmember Kunselman, seconded by Councilmember Kailasapathy, that the Resolution be amended as follows:**

**Add a RESOLVED Clause:**

**...RESOLVED, THAT THE DEVELOPMENT AGREEMENT ELIMINATE THE DESIGNATION OF THE FOREST AVENUE PARKING STRUCTURE AS THE DESIGNATED LOCATION;...**

**On a roll call, the vote was as follows with the Mayor declaring the motion defeated:**

**Yeas:** 4 - Councilmember Kunselman, Councilmember Anglin, Councilmember Kailasapathy and Councilmember Eaton

**Nays:** 7 - Mayor Hieftje, Councilmember Teall, Councilmember Briere, Councilmember Taylor, Councilmember Lumm, Councilmember Petersen and Councilmember Warpehoski

Enactment No: R-14-026

*Councilmember Warpehoski moved, seconded by Councilmember Eaton, to suspend Council Rule 1 regarding Closed Session being held prior to 11 p.m. On a voice vote the Mayor declared the motion carried.*

**A motion was made by Councilmember Kunselman, seconded by Councilmember Kailasapathy, that the Resolution be amended as follows:**

**Add a RESOLVED Clause:**

**...RESOLVED, THAT THE DEVELOPMENT AGREEMENT ELIMINATE THE REFERRAL TO THE 3 FIVE-YEAR TERM EXTENSIONS;...**

**On a roll call, the vote was as follows with the Mayor declaring the motion defeated:**

**Yeas:** 4 - Councilmember Kunselman, Councilmember Anglin, Councilmember Kailasapathy and Councilmember Eaton

**Nays:** 7 - Mayor Hieftje, Councilmember Teall, Councilmember Briere, Councilmember Taylor, Councilmember Lumm, Councilmember Petersen and Councilmember Warpehoski

Enactment No: R-14-026

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

Enactment No: R-14-026

**DB-3 14-0066**

Resolution to Approve Amendment to Professional Services Agreement with Aaron Seagraves as Public Art Administrator (\$18,500.00) and Appropriate Funds from the Public Art Fund Balance (\$20,500.00) (8 Votes Required)

**Attachments:** Contract Amend Four - Seagraves.pdf, Update on Public art program in Ann Arbor

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

**A motion was made by Councilmember Eaton, seconded by Councilmember Briere, that the Resolution be postponed until 2/3/2014. On a roll call, the vote was as follows with the Mayor declaring the motion carried:**

**Yeas:** 10 - Mayor Hieftje, Councilmember Kunselman, Councilmember Anglin, Councilmember Briere, Councilmember Taylor, Councilmember Lumm, Councilmember Kailasapathy, Councilmember Petersen, Councilmember Warpehoski and Councilmember Eaton

**Nays:** 1 - Councilmember Teall



**DS New Business - Staff:**

**DS-1 13-1502** Resolution to Appropriate and Amend the Project Budget for the Construction Phase of the Waldenwood Drive Sidewalk (\$6,818.00) (8 Votes Required)

**Attachments:** WALDENWOOD DRIVE SIDEWALK GAP, Waldenwood Sidewalk gap\_Discussion Summary, King School New Sidewalk Petition - Griswold.pdf, Minutes Oct 6 092 \_2\_, B. Mellor 091112, K. Karr 091113

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

Enactment No: R-14-027

**13-1502** Resolution to Appropriate and Amend the Project Budget for the Construction Phase of the Waldenwood Drive Sidewalk (\$6,818.00) (8 Votes Required)

**Attachments:** WALDENWOOD DRIVE SIDEWALK GAP, Waldenwood Sidewalk gap\_Discussion Summary, King School New Sidewalk Petition - Griswold.pdf, Minutes Oct 6 092 \_2\_, B. Mellor 091112, K. Karr 091113

**A motion was made by Councilmember Petersen, seconded by Councilmember Lumm, that the Resolution be amended as follows:**

**Add new second RESOLVED Clause:**

**...RESOLVED, THAT SUCH APPROVAL DOES NOT CONFER AGREEMENT TO RELOCATE THE EXISTING MID-BLOCK CROSSWALK; ...**

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

Enactment No: R-14-027

*Councilmember Teall was absent from 11:53 p.m. to 11:57 p.m. and during the vote on this item.*

**The question being the Resolution as amended, on a voice vote, the Mayor declared the motion carried unanimously with ten members of Council seated, thus satisfying the eight-vote requirement.**

Enactment No: R-14-027

**DS-2 13-1528** Resolution No. 1 - Prepare Plans and Specifications for the Pontiac Trail Improvements Project - Sidewalk and Curb & Gutter Special Assessment Project (8 Votes Required)

**Attachments:** Overall Project Map, Pontiac Trail Public June 6th Meeting Notes final

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

Enactment No: R-14-028

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

Replace 2nd RESOLVED Clause with the following:

...RESOLVED, THAT THE CITY ADMINISTRATOR IS DIRECTED TO FILE A REPORT OF SAME WITH THE CITY CLERK, INCLUDING A RECOMMENDATION THAT A MAXIMUM OF 20% OF THE COST SHALL BE PAID BY SPECIAL ASSESSMENT AND A MINIMUM OF 80% OF THE COST SHALL BE A GENERAL OBLIGATION OF THE CITY, THE NUMBER OF INSTALLMENTS IN WHICH THE ASSESSMENTS MAY BE PAID, AND THE LAND WHICH SHOULD BE INCLUDED IN THE SPECIAL ASSESSMENT DISTRICT; AND...

On a roll call, the vote was as follows with the Mayor declaring the motion defeated:

**Yeas:** 3 - Councilmember Kunselman, Councilmember Anglin and Councilmember Eaton

**Nays:** 8 - Mayor Hieftje, Councilmember Teall, Councilmember Briere, Councilmember Taylor, Councilmember Lumm, Councilmember Kailasapathy, Councilmember Petersen and Councilmember Warpehoski

Enactment No: R-14-028

The question being the Resolution as originally presented, on a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement.

Enactment No: R-14-028

**DS-3 13-1563**

Resolution to Approve a Professional Services Agreement with Transmap Corporation Data Collection Services for the Sign Inventory and Pavement Assessment Project (RFP No. 859, \$272,490.00) (8 Votes Required)

**Attachments:** Transmap Corp PSAv1.pdf

A motion was made by Councilmember Teall, seconded by Councilmember Warpehoski, 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-14-029

**DS-4 14-0006**

Resolution Approving a Five Year Lease Between the City of Ann Arbor and the University of Michigan For City-Owned Property Behind 926 Mary Street (\$4000.00 annually) (8 Votes Required)

**Attachments:** 926 Mary Parking Lot Lease - Signed by U-M 2013-11-20

A motion was made by Councilmember Teall, 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-14-030

**COMMUNICATIONS FROM COUNCIL***COUNCILMEMBER KUNSELMAN*

*Councilmember Kunselman announced that the Packard Road street lights have been repaired from Jewett to Stone School Road. He thanked the DTE crews for their work.*

*Councilmember Kunselman also recognized and thanked Camp Take Notice activists Seth Best and Caleb Poirier. He stated both attended a meeting last week at Bryant Community Center regarding the homeless camp at 3501 Stone School and possible resolution that would comply with City Code.*

**E COMMUNICATIONS FROM THE CITY ATTORNEY****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 Taylor, seconded by Councilmember Petersen, that the following Consent Items be approved as presented. On a voice vote, the Mayor declared the motion carried.**

- F-1 14-0036** Communication from Sandra Sorini Elser regarding new Condominium Project located at 500-504 Spring Street - Planning and Development Services  
**Attachments:** 500-504 Spring St. Condo Project.pdf
- F-2 14-0068** Public Hearing Notice regarding Public Corporations to be Assessed and Apportionment of Costs of Malletts Creek Stone School Drain Project - File  
**Attachments:** Public Hearing Notice re Malletts Creek Stone School Drain.pdf
- F-3 14-0069** Communication from the Department of Environmental Quality regarding Approval of Radrick Farms Golf Course for Clean Corporate Citizen (C3) Designation - Public Services  
**Attachments:** Radrick Farms Golf Course C3 Approval Notice.pdf
- F-4 14-0110** Communication from Mary Jo Callan, Director of Community and Economic Development, Regarding FY 2015-16 General Fund Program Operating Funding Applications Reviewer Selections  
**Attachments:** HHSAB\_RFP Reviewer Selections\_FINAL, Coordinated Funding RFP Review Team Volunteer\_Final Job Description

- F-5 14-0114** Communication from Jane Jansson regarding 624 Church Street Site Plan and Development Agreement - File  
**Attachments:** Communication regarding 624 Church St..pdf
- F-6 14-0127** Communication from a Citizen Group Regarding Tonight's Downtown Zoning Resolution  
**Attachments:** DowntownNeighborhoodsZoningLetterI\_01-10-14.pdf
- F-7 14-0128** Communications from Comcast regarding Channel changes starting January 29, 2014 - CTN  
**Attachments:** Comcast Communication Dated 1/10/14, Comcast Communication dated 1/9/14

**G The following minutes were received for filing:**

- G-1 13-1251** Ann Arbor Energy Commission Meeting Minutes of July 9, 2013  
**Attachments:** Minutes Energy Commission 7-9-13.pdf
- G-2 13-1425** Parks Advisory Commission Meeting Minutes of October 15, 2013  
**Attachments:** Approved PAC Meeting Minutes 10-15-13
- G-3 13-1454** City Planning Commission Meeting Minutes of October 1, 2013  
**Attachments:** 10-1-2013 CPC Minutes with Live Links
- G-4 13-1517** Historic District Commission Minutes of the November 14, 2013  
**Attachments:** 11-14-2013 HDC Minutes with Live Links
- G-5 14-0001** Taxicab Board Meeting Minutes - October 24, 2013  
**Attachments:** Taxicab Board Minutes 102413.pdf
- G-6 14-0017** Parks Advisory Commission Meeting Minutes of May 21, 2013  
**Attachments:** PAC Approved Meeting Minutes 05-21-13

**PUBLIC COMMENT - GENERAL (3 MINUTES EACH)**

*None.*

**CLOSED SESSION UNDER THE MICHIGAN OPEN MEETINGS ACT, INCLUDING BUT NOT LIMITED TO PURCHASE OR LEASE OF REAL PROPERTY, PENDING LITIGATION SET FORTH OR INCORPORATED IN MCLA 15.268, (D) AND (E).**

A motion was made by Councilmember Taylor, seconded by Councilmember Petersen, that Council enter into Closed Session under the Michigan Open Meetings Act to discuss the purchase or lease of real property and pending litigation, set forth or incorporated in MCLA 15.268 (D) and (E). On a roll call, the vote was as follows, with the Mayor declaring the motion carried and the meeting recessed at 12:29 a.m.:

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

**Nays:** 0

**Present:** 10 - Mayor John Hieftje, Councilmember Stephen Kunselman, Councilmember Mike Anglin, Councilmember Sabra Briere, Councilmember Christopher Taylor, Councilmember Jane Lumm, Councilmember Sumi Kailasapathy, Councilmember Sally Petersen, Councilmember Chuck Warpehoski and Councilmember Jack Eaton

**Absent:** 1 - Councilmember Margie Teall

**MEETING RECONVENED**

A motion was made by Councilmember Warpehoski, seconded by Councilmember Kailasapathy, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 1:09 a.m.

**ADJOURNMENT**

A motion was made by Councilmember Anglin, seconded by Councilmember Warpehoski, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 1:10 a.m.

**14-0200** City Council Emails and Redactions List - January 21, 2014

Attachments: Council emails 1-21-2014\_Redacted

**COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:**

**LIVE: TUESDAY, JANUARY 21, 2014, 7:00 P.M.**

**REPLAYS: WEDNESDAY, JANUARY 22, 2014, 10:00 A.M. AND FRIDAY, JANUARY 24, 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](http://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](http://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](mailto: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 two (2) business days 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