

City of Ann Arbor

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



Action Minutes

Tuesday, February 18, 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 called the meeting to order at 7:09 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 Margie Teall, Councilmember Mike Anglin, Councilmember Sabra Briere, Councilmember Jane Lumm, Councilmember Sumi Kailasapathy, Councilmember Sally Petersen, Councilmember Chuck Warpehoski and Councilmember Jack Eaton

Absent: 1 - Councilmember Christopher Taylor

APPROVAL OF AGENDA

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

Move: DC-2 Resolution to Establish a Timeline for Transition and to Return Uncommitted Public Art Funds to Originating Sources (\$957,140.00) (8 Votes Required) (Consider before DC-1.)

Move: DC-3 Resolution to Recommend the Ann Arbor Housing Commission's Request for an Allocation from the Ann Arbor Affordable Housing Trust Fund (Consider after Consent agenda.)

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

COMMUNICATIONS FROM THE CITY ADMINISTRATOR**STREET CLOSURES ON CONSENT AGENDA**

City Administrator Steve Powers called to Council's attention several resolutions for street closings on the Consent Agenda, including closures for the Ann Arbor Marathon and the Ann Arbor Art Fairs.

SUPPLEMENTAL ROAD FUNDING FROM THE STATE

Mr. Powers also reported that the State legislature is considering supplemental road funding to help cities and counties, as well as the State with the impacts of the winter weather on road conditions. The funding would help further the City's resources as they move from snow and ice removal to pothole patching and other spring and summer maintenance items.

Mr. Powers asked residents that could, to assist the City by clearing snow and ice from the storm drains in their neighborhoods. He said that this will be a challenging spring melt because of the deep frost this winter. The frost line is approximately four feet deep and a hard rain would be problematic at this time, as the ground would not be able to absorb that rain.

14-0287 Agenda Response Memo February 18, 2014

Attachments: Agenda Responses 2-18-14

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. Margaret Parker - Resolution regarding Uncommitted Public Art Funds and the Resolution to Establish a Timeline for Transition and to Return Uncommitted Public Art Funds to Originating Sources (DC-1 & DC-2)

Margaret Parker, 1218 Olivia, co-owner of Downtown Home and Garden, addressed Council on the proposed Resolution regarding Uncommitted Public Art Funds and the Resolution to Establish a Timeline for Transition and to Return Uncommitted Public Art Funds to Originating Sources. She urged Council not to destroy the City's public art program.

2. Bob Miller - Resolution regarding Uncommitted Public Art Funds and the Resolution to Establish a Timeline for Transition and to Return Uncommitted Public Art Funds to Originating Sources (DC-1 & DC-2)

Bob Miller, 801 W. Liberty St., Chair of the Public Art Commission, addressed Council on the proposed Resolution regarding Uncommitted Public Art Funds and the Resolution to Establish a Timeline for Transition and to Return Uncommitted Public Art Funds to Originating Sources. He said that two projects have been jeopardized by this process and the Commission is currently at risk to lose grant money for the Canoe Imagine Art Project. The Coleman Jewett Memorial Chair is another project that is in jeopardy because a local association is hesitant to donate to the project because they are unsure about Council's position on public art and how it could be affected by the outcome, he said.

3. Dave Olson - Resolution regarding Uncommitted Public Art Funds and the Resolution to Establish a Timeline for Transition and to Return Uncommitted Public Art Funds to Originating Sources (DC-1 & DC-2)

Dave Olson, 513 Fountain St., also addressed Council regarding the proposed Resolution regarding Uncommitted Public Art Funds and the Resolution to Establish a Timeline for Transition and to Return Uncommitted Public Art Funds to Originating Sources. He read from a statement that had been circulating the last few days in the arts community called Moving Forward with Public Art. Mr. Olson stated Council cannot claim to support the arts and at the same time eliminate personnel and funding to support the public art program.

4. Rita Loch-Caruso - Green Streets (DB-1)

Rita Loch-Caruso, 556 Glendale, member of the Environmental Commission, spoke in support of the Resolution adopting Green Streets Policy Guidelines for Public Streets. She urged Council to approve the proposed resolution and said that the guidelines would promote the use of technologies on new and reconstructed streets that have the goals of treating stormwater and increasing stormwater infiltration, ultimately improving water quality, and reducing flooding in the city during storm events.

5. Tom Partridge - Create a more racially and politically just Michigan. Build a more people friendly Democratic Ann Arbor. Fund expanded affordable housing.

Tom Partridge, Ann Arbor resident, called upon Council to create a more racially and politically just Michigan, build a more people-friendly democratic Ann Arbor and fund the expansion of affordable housing. He added that the public art issue should be postponed to a later date and time.

6. Mary Underwood - Resolution to Return Uncommitted Public Art Funds to Originating Sources (DC-1)

Mary Underwood, 1518 Pine Valley Blvd., addressed Council regarding the proposed Resolution to Return Uncommitted Public Art Funds to Originating Sources. She stated that she does support the arts, but right now the City's priorities need to be about core services. She noted that the City has reduced its workforce from 863 employees to 686 and the impacts are felt.

CC COMMUNICATIONS FROM COUNCIL**COUNCILMEMBER KUNSELMAN**

Councilmember Kunselman spoke about a recent article in the Ann Arbor Observer, written by Mr. Leonard. Councilmember Kunselman expressed concern that the article was not factual in regards to his relationship and involvement with the DDA. Councilmember Kunselman asked City Administrator Steve Powers to respond to the misinformation in the Observer and ask for a correction.

Administrator Powers replied that he would be happy to share his response with anyone interested.

COUNCILMEMBER BRIERE

Councilmember Briere announced that a meeting on the Barton sidewalk and the Newport Road traffic calming effort was scheduled for February 25, 2014 at Northside Elementary School starting at 6:30 p.m.

COUNCILMEMBER PETERSEN

Councilmember Petersen said that in honor of their 100th Anniversary, the Rotary Club of Ann Arbor has committed \$250,000.00 to fund a universal access playground in Gallup Park. The playground will go above and beyond the ADA requirements and is in collaboration with the Parks and Recreation Services Area. Councilmember Petersen stated there is a public meeting on February 20, 2014 at 7:00 p.m., at the Ann Arbor Parks and Recreation Senior Center. She encouraged residents to come out to share their feedback and learn more about universal access playgrounds.

CONCILMEMBER ANGLIN

Councilmember Anglin spoke about concerns regarding the high cost of repairs for issues like sewer back-ups, furnaces, and other home repairs. He urged the Council to think about options to assist those in need.

COUNCILMEMBER LUMM

Councilmember Lumm inquired about reporting water main breaks. Public Services Area Administrator Craig Hupy said that anyone who discovers a break should call 994-2840. The Water Treatment Plant is staffed 24 hours, 7 days a week.

COUNCILMEMBER EATON

Councilmember Eaton said that on February 14, the City Attorney's Office circulated a confidential memo regarding the property assessment process. Mr. Eaton informed Council that he intends to sponsor a resolution at the next meeting to waive the attorney/client privilege on that memo so that the information could be shared with constituents.

Councilmember Eaton noted that Arbor Wiki had a handy page of all of the

emergency numbers a person would need, including whom to call for water main leaks, poison and a variety of other things.

MAYOR HIEFTJE

Mayor Hieftje spoke about the condition of the City's sidewalks. He stated the weather has made it very difficult for homeowners to clear their sidewalks, especially due to the high volume of snow, followed by rain and then more freezing temperatures. Mayor Hieftje noted that a brief period of warmer temperatures has been forecasted and he urged residents to get out and clear their walks while the ice melts.

MC COMMUNICATIONS FROM THE MAYOR

MC-1 14-0286 Appointments - Confirmations

Attachments: Jason Morgan app.

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

Local Officers' Compensation Commission

*Jason Morgan -Filling Vacancy
411 High St. Apt. B3
Ann Arbor, MI 48104*

Term: October 1, 2014-September 30, 2020

Referred to the City Council due back on 3/3/2014.

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-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 and Approved.pdf, 14-01 Briefed Hofmann Zoning Ordinance.pdf, Hofmann Zoning Legal, 12/17/13 Planning Staff Report, HofmannZoningMinutes_12-17-13.pdf, Hofmann Rezoning Approval Notice.pdf

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.6 acre from UNZ (Unzoned) to C1 (Local Business District), Hofmann property, located at 1643 & 1645 South State Street. Notice of public hearing was published January 30, 2014.

Tom Partridge, City resident, spoke in opposition to the proposed rezoning of the Hofmann property.

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

Held and Closed

Enactment No: ORD-14-01

PH-2 14-0185

An Ordinance to Amend Chapter 24 (Public Art) of Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-14-02)

Sponsors: Lumm, Kailasapathy and Eaton

Attachments: 14-02 Briefed and Approved.pdf, 14-02 Briefed - Art Ordinance - Chapter 24.pdf, Art Ordinance - Chapter 24

A public hearing was conducted on the proposed amendment to Chapter 24 (Public Art) of Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-14-02)

Notice of public hearing was published February 10, 2014.

Tom Partridge, City resident, asked that the item be postponed to a later date.

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

Held and Closed

Enactment No: ORD-14-02

A APPROVAL OF COUNCIL MINUTES

A-1 14-0258

Work Session of January 13 and Regular Session of February 3, 2014

Attachments: 1-13-14 Draft Minutes, 2-3-14 Draft Minutes, Council emails
2-3-2014_Redacted

A motion was made by Councilmember Briere, seconded by Councilmember Lumm, that the Work Session Meeting Minutes of January 13, and the Regular Session Meeting Minutes of February 3, 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 Warpehoski, that the following Consent Items be approved as presented. On a voice vote, the Mayor declared the motion carried.

CA-1 13-1555

A Resolution to Transfer the Responsibility for Billing of Water, Sanitary Sewer, and Stormwater Service from the Public Services Area to the City Treasurer

Enactment No: R-14-042

CA-2 14-0167

Resolution to Approve a Purchase Order to DLT Solutions, Inc., for AutoDesk Engineering Design and Drafting Software Licensing Status Upgrade (\$24,431.28)

Enactment No: R-14-043

- CA-3 14-0180** Resolution to Revise and Approve Board of Review Guidelines for Poverty Exemptions
Attachments: 2014 Poverty Guidelines, Poverty Income Comparison
Enactment No: R-14-044
- CA-4 14-0050** Resolution to Approve Street Closings for the Ann Arbor Marathon Running Event - Sunday, March 30, 2014
Attachments: Ann Arbor Marathon Poster Map, AA Marathon Communication Plan
Enactment No: R-14-045
- CA-5 14-0116** Resolution to Approve Street Closings for the 2014 Ann Arbor Art Fairs - July 15, 2014 at 7:00 A.M. Through July 20, 2014 at 12:00 P.M.
Attachments: Ann Arbor Art Fair Street Closings 2014 Map
Enactment No: R-14-046
- CA-6 14-0076** Resolution to Approve the Purchase of One 6 Yard Rear Loading Refuse Truck from Bell Equipment Company - ITB # 4316 (\$93,800.00)
Enactment No: R-14-047
- CA-7 14-0113** Resolution to Approve the Purchase of a Wood Chipper from Bandit Industries, Inc. - State of Michigan bid (\$83,208.00)
Enactment No: R-14-048
- CA-8 14-0118** Resolution to Approve the Purchase of Two Fifteen Passenger Vans from Red Holman GMC - Oakland County bid (\$50,320.00)
Enactment No: R-14-049
- CA-9 14-0100** Resolution to Approve Agreement with the Michigan Department of Transportation for Installation of Rectangular Rapid Flashing Beacons (\$47,971.00)
Attachments: city state agreement
Enactment No: R-14-050
- DC-3 14-0278** Resolution to Recommend the Ann Arbor Housing Commission's Request for an Allocation from the Ann Arbor Affordable Housing Trust Fund
Sponsors: Briere, Hieftje and Lumm

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

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

Yeas: 6 - Councilmember Kunselman, Councilmember Anglin, Councilmember Lumm, Councilmember Kailasapathy, Councilmember Petersen and Councilmember Eaton

Nays: 4 - Mayor Hieftje, Councilmember Teall, Councilmember Briere and Councilmember Warpehoski

Absent: 1 - Councilmember Taylor

B ORDINANCES - SECOND READING

- B-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 and Approved.pdf, 14-01 Briefed Hofmann Zoning Ordinance.pdf, Hofmann Zoning Legal, 12/17/13 Planning Staff Report, HofmannZoningMinutes_12-17-13.pdf, Hofmann Rezoning Approval Notice.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 Kunselman, seconded by Councilmember Briere, that the Ordinance be adopted on Second Reading. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-14-01

- B-2 14-0185** An Ordinance to Amend Chapter 24 (Public Art) of Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-14-02)

Sponsors: Lumm, Kailasapathy and Eaton

Attachments: 14-02 Briefed and Approved.pdf, 14-02 Briefed - Art Ordinance - Chapter 24.pdf, Art Ordinance - Chapter 24

(The complete copy of the text of Ordinance No. ORD-14-02 is on file in the City Clerk's Office.)

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

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

Nays: 0

Absent: 1 - Councilmember Taylor

Enactment No: ORD-14-02

C ORDINANCES - FIRST READING

None.

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

DC-2 14-0277 Resolution to Establish a Timeline for Transition and to Return
Uncommitted Public Art Funds to Originating Sources (\$957,140.00) (8
Votes Required)

Sponsors: Briere

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

14-0277

Resolution to Establish a Timeline for Transition and to Return Uncommitted Public Art Funds to Originating Sources (\$957,140.00) (8 Votes Required)

Sponsors: Briere

Councilmember Petersen offered the following amendments that were considered friendly:

Whereas Clause #9:

...Whereas, The Public Art Commission has authorized a \$5,000.00 allocation toward the creation of a crowd-funded memorial (the Coleman Jewett chairs) AND HAS BEEN AWARDED \$21,000.00 IN GRANT MONIES TOWARD THE CANOE IMAGINE ART PROJECT FOR WHICH A \$21,000.00 MATCH FROM THE CITY IS REQUIRED TO GO FORWARD...

RESOLVED Clause #1:

...RESOLVED, That the City Administrator will direct staff to develop a transition plan to be implemented by staff and the Public Art Commission, said plan to be presented to Council on or before [Mach 2, 2015] OCTOBER 6, 2014;...

RESOLVED Clause #4:

...RESOLVED, That the Public Art Commission will complete two public art works (Stadium Bridges and the rain garden), under the former Percent-for-Art funding mechanism, but will cease all work on the proposed project at Argo Cascades, as this effort has not yet resulted in the selection of an artist AND INSTEAD ALLOCATE \$21,000.00 FROM THE WATER SUPPLY SYSTEM FUND TOWARD THE CANOE IMAGINE ART PROGRAM; ...

RESOLVED Clause #5:

...RESOLVED, That the FY14 revenue and expenditure budgets be amended to return the Art in Public Places uncommitted fund balance to the original sources as follows:

<i>FUND</i>	<i>Revenue</i>	<i>Expenditure</i>
002-Energy	\$3,120.00	
0042-Water Supply System	[\$197,591.00]	\$197,570.00
0043-Sewage Disposal System	\$448,133.00	
0048-Airport	\$6,416.00	
0069-Stormwater	\$19,659.00	
0062-Street Millage	\$223,102.00	
0071-Parks Millage	\$23,590.00	
0072-Solid Waste	\$35,529.00	
Total	[\$957,140.00]	\$936,140.00
\$936,140.00 ..		[\$957,140.00]

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

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

Yeas: 6 - Mayor Hieftje, Councilmember Kunselman, Councilmember Teall, Councilmember Briere, Councilmember Petersen and Councilmember Warpehoski

Nays: 4 - Councilmember Anglin, Councilmember Lumm, Councilmember Kailasapathy and Councilmember Eaton

Absent: 1 - Councilmember Taylor

DC-1 14-0219

Resolution to Return Uncommitted Public Art Funds to Originating Sources (\$819,005.00) (8 Votes Required)

Sponsors: Lumm, Eaton, Kailasapathy and Anglin

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

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

Yeas: 7 - Mayor Hieftje, Councilmember Kunselman, Councilmember Anglin, Councilmember Briere, Councilmember Petersen, Councilmember Warpehoski and Councilmember Eaton

Nays: 3 - Councilmember Teall, Councilmember Lumm and Councilmember Kailasapathy

Absent: 1 - Councilmember Taylor

RECESS

Mayor Hieftje declared a recess at 9:23 p.m. and reconvened the meeting at 9:41 p.m.

DB New Business - Boards and Commissions:

DB-1 14-0071

Resolution Adopting a Green Streets Statement Consisting of Stormwater Guidelines for Public Street Construction and Reconstruction

Attachments: Green_Streets_Infiltration_Policy__10-21-13,
Green_Streets_Infiltration_Standard_Resolution__10-21-13,
R-12-295.pdf

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

Enactment No: R-14-051

- DB-2 14-0095** Resolution to Approve Participation Agreement with Scio Township for the Purchase of Development Rights on the Maria E. White Property in Scio Township, and Appropriate Funds, Not to Exceed \$39,000 from the Open Space and Parkland Preservation Millage Proceeds (8 Votes Required)

Attachments: White Protected Map v2

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

Enactment No: R-14-052

- DB-3 14-0096** Resolution to Approve Participation Agreement with Scio Township for the Purchase of Development Rights on the Moore Property in Scio Township, and Appropriate Funds, Not to exceed \$25,200 from the Open Space and Parkland Preservation Millage Proceeds (8 votes required)

Attachments: Moore Protected Map v2

A motion was made by Councilmember Warpehoski, seconded by Councilmember Petersen, that the Resolution be approved. On a roll call, the vote was as follows with the Mayor declaring the motion carried, and satisfying the eight vote requirement:

Yeas: 8 - Mayor Hieftje, Councilmember Teall, Councilmember Anglin, Councilmember Briere, Councilmember Lumm, Councilmember Petersen, Councilmember Warpehoski and Councilmember Eaton

Nays: 2 - Councilmember Kunselman and Councilmember Kailasapathy

Absent: 1 - Councilmember Taylor

Enactment No: R-14-053

DS New Business - Staff:

- DS-1 14-0173** Resolution to Approve the Renewal Contracts with Blue Cross Blue Shield of Michigan to Provide Health Care Coverage to City Employees and Retirees and Their Dependents and Authorize the City Administrator to Execute the Necessary Documentation (\$1,437,042.90)

Attachments: BCBS contract

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-14-054

DS-2 14-0186 Resolution to Approve Application for and Accept, if Awarded, 2013 Assistance to Firefighters Grant (AFG) from the US Department of Homeland Security (\$300,726.00), Appropriate Matching Grant Funds to the Fire Service Unit (\$33,414), and Establish and Appropriate Funding to a Major Grant Fund Account for the Project (\$334,140.00) (8 Votes Required)

A motion was made by Councilmember Warpehoski, seconded by Councilmember Teall, 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-14-055

DS-3 14-0187 Resolution to Approve an Increase to the Purchase Order to Detroit Salt Company for Ice Control Salt and to Appropriate Funds (\$47,200.00) (8 Votes Required)

Attachments: Detroit Salt Seasonal Back-Up.pdf

A motion was made by Councilmember Kailasapathy, seconded by Councilmember Petersen, 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-14-056

DS-4 14-0105 Resolution to Approve the Purchase of a Combination Sewer Truck from Jack Doheny Supplies, Inc. - City of Rochester Hills and National Intergovernmental Purchasing Alliance Bid (\$441,535.30)

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

Enactment No: R-14-057

DS-5 14-0094 Resolution to Approve the Purchase of one Hydraulic Excavator from AIS Construction Equipment Corporation - State of Michigan Bid (\$176,472.00)

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

Enactment No: R-14-058

- DS-6 14-0174** Resolution to Approve Exercise of Right of First Refusal for Acquisition of 2500-2550 S. State Street, Appropriate Necessary Funds, and Direct the City Administrator to Notify and Confirm Edward Brothers Malloy of the Exercise of this Right (8 Votes Required)

Attachments: Memo to Council - EB due diligence, Chart - Edwards Brothers

Councilmember Lumm moved, seconded by Councilmember Petersen, that the Resolution be approved.

CLOSED SESSION UNDER THE MICHIGAN OPEN MEETINGS ACT TO DISCUSS THE PURCHASE OR LEASE OF REAL PROPERTY AS SET FORTH OR INCORPORATED IN MCLA 15.268 (D).

A motion was made by Councilmember Lumm, seconded by Councilmember Teall, that Council enter into Closed Session to discuss the purchase of real property, as set forth or incorporated in MCLA 15.268 (D). On roll call, the vote was as follows, with the Mayor declaring the motion carried and the meeting recessed at 10:06 p.m.:

Yeas: 9 - Mayor Hieftje, Councilmember Teall, Councilmember Anglin, Councilmember Briere, Councilmember Lumm, Councilmember Kailasapathy, Councilmember Petersen, Councilmember Warpehoski and Councilmember Eaton

Nays: 1 - Councilmember Kunselman

Absent: 1 - Councilmember Taylor

MEETING RECONVENED

A motion was made by Councilmember Lumm, seconded by Councilmember Kailasapathy, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 10:30 p.m.

- 14-0174** Resolution to Approve Exercise of Right of First Refusal for Acquisition of 2500-2550 S. State Street, Appropriate Necessary Funds, and Direct the City Administrator to Notify and Confirm Edward Brothers Malloy of the Exercise of this Right (8 Votes Required)

Attachments: Memo to Council - EB due diligence, Chart - Edwards Brothers

A motion was made by Councilmember Lumm, seconded by Councilmember Petersen, that the Resolution be postponed until 2/24/2014, to a Special Session of Council. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

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

Nays: 0

Absent: 1 - Councilmember Taylor

COMMUNICATIONS FROM COUNCIL**COUNCILMEMBER KUNSELMAN**

Councilmember Kunselman thanked the City Administrator and City staff for their efforts working with the County Water Resources Commissioner and ensuring that the paths in Mary Beth Doyle Park were maintained. Councilmember Kunselman noted that this park is in an urban area and highly used throughout the winter season.

Councilmember Kunselman spoke about the January 21 City Council meeting and a discussion with a developer regarding parking requirements for his project. Councilmember Kunselman expressed his concerns with the use of the public parking system and a payment in lieu of providing actual new parking spaces for new development. He stated he did not think the long-term leasing of parking spaces in the public system for private development was a good use of the system. Councilmember Kunselman stated he would be proposing an amendment to this section of the ordinance.

Councilmember Kunselman stated he had concerns about the purchase of land for speculative redevelopment, including the Edward Brothers property. He reminded Council of the public money spent on the Library Lot already.

REOPEN AGENDA

A motion was made by Councilmember Eaton, seconded by Councilmember Lumm, that the Agenda be reopened. On a voice vote, the Mayor declared the motion carried.

14-0289

Motion to Reconsider the February 3, 2014 Vote that Defeated the 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)

Sponsors: Eaton

Attachments: Defeated Art Administrator Resolution

A motion was made by Councilmember Eaton, seconded by Councilmember Teall, that the February 3, 2014 Vote that defeated the Resolution to Approve Amendment to Professional Services Agreement with Aaron Seagraves as Public Art Administrator be reconsidered and added to the agenda. On a voice vote, the Mayor declared the motion carried.

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 Eaton, seconded by Councilmember Teall, that the Resolution be reconsidered. On a voice vote, the Mayor declared the motion carried.

A motion was made by Councilmember Eaton, seconded by Councilmember Lumm, that the Resolution be postponed until 3/3/2014. On a voice vote, the Mayor declared the motion carried.

E COMMUNICATIONS FROM THE CITY ATTORNEY

City Attorney Stephen Postema asked Council to clarify if they wanted a Closed Session to discuss purchase of real property included in the Special Session agenda of February 24, 2014.

MOVE TO ADD CLOSED SESSION - LAND ACQUISITION

A motion was made by Councilmember Lumm, seconded by Councilmember Warpehoski, to add a Closed Session to discuss the purchase of real property under MCLA 15.268(D) to the February 24, 2014 Special Session of Council. On a voice vote, the Mayor declared the motion carried.

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

- F-1 14-0171** Communication from the Secretary of State Ruth Johnson regarding Receipt of a copy of Amendment 3 of the Articles of Incorporation of Ann Arbor Area Transportation Authority adding the Charter Township of Ypsilanti - File
- Attachments:** Ypsilanti Township Receipt of Amendment 3 of AAATA Articles of Incorporation.pdf
- F-2 14-0217** Communication from Kelli Sobel, of the State Tax Commission regarding the Michigan State Tax Commission Audit of Minimum Assessing Requirements - City Assessor
- Attachments:** Michigan Tax Commission Audit of Minimum Assessing Requirements.pdf
- F-3 14-0218** Communication from Comcast regarding Changes to their Channel Line Up - CTN
- Attachments:** Comcast Communication.pdf
- F-4 14-0220** Resolution Recommending a Planning Commission Representative to the Environmental Commission

G The following minutes were received for filing:

- G-1 14-0053 Greenbelt Advisory Commission Meeting of November 7, 2013**
Attachments: 11-07-13 GAC Minutes
- G-2 13-1172 Environmental Commission Meeting Minutes - July 25, 2013**
Attachments: City of Ann Arbor Environmental Commission
Meeting_Minutes_07.25.2013
- G-3 13-1394 Ann Arbor Energy Commission Meeting Minutes of October 8, 2013**
Attachments: Energy Commission Minutes 10-8-13.pdf
- G-4 14-0150 Human Rights Commission Minutes - October 9, 2013**
Attachments: HRC Meeting Minutes 10-09-13.pdf
- G-5 14-0151 Human Rights Commission Meeting Minutes of November 13, 2013**
Attachments: HRC Meeting Minutes 11-13-13.pdf
- G-6 14-0152 Human Rights Commission Meeting Minutes of December 12, 2013**
Attachments: HRC Meeting Minutes 12-12-2013f.pdf
- G-7 14-0153 Ann Arbor Commission on Disability Issues Meeting Minutes for
October 16, 2013**
Attachments: Disabilities Minutes 10162013.pdf
- G-8 14-0154 Ann Arbor Commission on Disability Issues Meeting Minutes of
November 20, 2013**
Attachments: Disabilities Minutes 11202013.pdf
- G-9 14-0155 Ann Arbor Commission on Disability Issues Meeting Minutes of
December 18, 2013**
Attachments: Disabilities Minutes 12182013.pdf
- G-10 14-0166 Park Advisory Commission Meeting Minutes of November 19, 2013**
Attachments: PAC Final Meeting Minutes 11-19-13

- G-11 14-0168** Smart Zone/LDFA Regular Board Meeting Minutes - September 17, 2013
Attachments: LDFA 09 17 13 minutes
- G-12 14-0169** SmartZone/LDFA Regular Board Meeting Minutes - October 15, 2013
Attachments: LDFA 10 15 13 minutes
- G-13 14-0170** Council Administration Committee Minutes - January 15, 2014
Attachments: Minutes of Council Administration Meeting 1_15_14 _3_
- G-14 14-0172** Economic Collaborative Task Force Meeting Minutes of January 9, 2014
Attachments: economic collabortive taskforce minutes 1-9-14.pdf
- G-15 14-0179** Energy Commission Meeting Minutes of November 12, 2013
Attachments: Energy Commission Minutes 11-12-13.pdf
- G-16 14-0181** Audit Committee Meeting Minutes of January 17, 2014
Attachments: Audit Committee Minutes - 01-17-14
- G-17 14-0190** Board of Review Meeting Minutes of March, July and December 2013
Attachments: 2013 March Bor Minutes and Warrant 2, 2013 July Board of Review Letter Minutes, 2013 December Baord of Review Minutes
- G-18 14-0203** Ann Arbor Public Art Commission Meeting Minutes - October 23, 2013
Attachments: AAPAC Meeting Minutes - October 2013.pdf

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Tom Partridge, City resident, stated he is kept awake at night by the late-night snow plowing in his apartment complex parking lot. He asked Council to consider limiting the hours that snow could be removed.

Kai Petition, City resident, thanked the City Administrator and staff for their excellent work this season with snow plow.

Ed Vielmetti, City resident, expressed his concern with the late submittal of meeting minutes from some of the City's Boards and Commissions to the City Council agenda.

Councilmember Teall responded to Tom Partridge's concerns regarding snow removal and said that complaints regarding snow removal can be placed to the City's Snow Desk at 994-2359.

ADJOURNMENT

A motion was made by Councilmember Warpehoski, seconded by Councilmember Kailasapathy, that the meeting be adjourned. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 10:50 p.m.

14-0344

City Council Emails and Redactions List - February 18, 2014

Attachments: 2-18-2014 Council emails final

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:**LIVE: TUESDAY, FEBRUARY 18, 2014****REPLAYS: WEDNESDAY, FEBRUARY 19, 2014, 10:00 A.M. AND FRIDAY, FEBRUARY 21, 2014, 7:30 P.M.****REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE**

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

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

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

All persons are encouraged to participate in public meetings. Citizens requiring translation or sign language services or other reasonable accommodations may contact the City Clerk's office at 734.794.6140; via e-mail to: cityclerk@a2gov.org; or by written request addressed and mailed or delivered to:

City Clerk's Office
301 E. Huron St.
Ann Arbor, MI 48104

Requests need to be received at least 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