

City of Ann Arbor

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



Meeting Minutes

Tuesday, September 2, 2014

7:00 PM

City Council meets in caucus the Sunday prior to each regular session at 7 p.m. in the Council Chamber.
Larcom City Hall, 301 E Huron St, Second Floor, City Council chambers

City Council

CALL TO ORDER

MOMENT OF SILENCE

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 Kunselman, seconded by Councilmember Lumm, that the Agenda be approved with the following changes:

Add: DS-4 - Resolution to Approve a Contract with Ann Arbor SPARK for Economic Development Services (\$75,000.00) (Remove SPARK contract from the Table.)

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

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

[14-1340](#)

Agenda Response Memo - September 2, 2014

Attachments: Agenda Responses 9-2-14

Received and Filed

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**

1. Kai Petainen - Resolution Authorizing an Agreement with Adrian/Tecumseh SmartZone (DC-1)
2. Alan Haber - Park Advisory Commission Recommendation for Redevelopment of Liberty Plaza and Development of the Library Lot (F-3)

3. **John Heed - Resolution to Direct City Administrator to Negotiate One or More Operating Agreements with Transportation Network Companies (DC-2)**
4. **Michael Benson - Resolution to Direct City Administrator to Negotiate One or More Operating Agreements with Transportation Network Companies (DC-2)**
5. **Lu Anne Bullington - Resolution to Direct City Administrator to Negotiate One or More Operating Agreements with Transportation Network Companies (DC-2)**

CC COMMUNICATIONS FROM COUNCIL

MC COMMUNICATIONS FROM THE MAYOR

MC-2 [14-1329](#) Appointments & Nominations

Referred to the City Council due back on 9/15/2014.

MC-1 [14-1290](#) Appointments - Confirmations

A motion was made by Councilmember Petersen, seconded by Councilmember Eaton, that Council concur with the recommendations of the Mayor, excluding the appointment of Mr. Splitt to the DDA. On a voice vote, the Mayor declared the motion carried.

A motion was made by Councilmember Teall, seconded by Councilmember Taylor, that the appointment of John Splitt to the DDA be approved:

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

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

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

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 [14-1044](#) Resolution to Approve Ann Arbor Housing Commission North Maple Road Site Plan and Development Agreement, 701 North Maple Road (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

Attachments: 6/17/14 Planning Staff Report, 61314 Draft Development Agreement.pdf

Held and Closed

Enactment No: R-14-311

PH-2 [14-1053](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 6.55 Acres from O (Office District) and RE (Research District) to ORL

(Office/Research/Limited Industrial District), Gift of Life, 3861 and 3869 Research Park Drive, Gift of Life Property (CPC)
Recommendation: Approval - 9 Yeas and 0 Nays) (ORD14-18)

Attachments: 14-18 Gift of Life Zoning Ordinance Briefed and Approved.pdf, 14-18 Gift of Life Rezoning Ordinance Briefed.pdf, Gift of Life Zoning Ordinance.pdf, 7/1/14 Planning Staff Report

Held and Closed

Enactment No: ORD-14-18

PH-3 [14-1052](#)

Resolution to Approve the Gift of Life Site Plan and Development Agreement, 3861 and 3869 Research Park Drive (CPC)
Recommendation: Approval - 9 Yeas and 0 Nays)

Attachments: Gift of Life Staff Report w Attachments 07-01-14REV.pdf, GiftOfLife Dev Agreement 8-19-14.pdf

Held and Closed

Enactment No: R-14-312

PH-4 [14-1221](#)

An Ordinance to Amend Sections 7:154 and 7:159 of Chapter 85 (Taxicabs) of Title VII of the Code of the City of Ann Arbor and to Add a New Section, Which New Section Shall be Designated as Section 7:159a [Revised Standards for Meter Rates] (Ordinance No. ORD14-20)

Attachments: 14-20 Taxicab Ordinance As Amended Briefed and Approved.pdf, ORD 14-20 As Amended 090214, 14-20 Taxicab Ord Amendment to Deregulate Rate Briefed.pdf, Taxicab Ord Amendment to Deregulate Rate, Draft Taxicab Board Minutes 072414, Taxicab Board Minutes 062614

Held and Closed

Enactment No: ORD-14-20

A APPROVAL OF COUNCIL MINUTES

A-1 [14-1325](#)

Regular Session Meeting Minutes of August 18, 2014

Attachments: 08-18-14 draft Minutes, Council emails 8-18-2014_Redacted.pdf

A motion was made by Councilmember Anglin, seconded by Councilmember Taylor, that the Regular Session Meeting Minutes of August 18, 2014 be approved. On a voice vote, the Mayor declared the motion carried.

CA CONSENT AGENDA

CONSENT AGENDA ITEMS REMOVED

Passed on consent agenda

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

- CA-1** [14-1046](#) Resolution to Approve E. Washington Street Closing for Oktoberfest - October 3-4, 2014, Requested by Arbor Brewing Company
Attachments: Oktoberfest East Washington St Map.pdf
Enactment No: R-14-298
- CA-3** [14-1300](#) Request to Close East Washington Street between Thayer and Fletcher for a Reception for the Inauguration and Installation of University of Michigan President Mark Schlissel on Friday, September 5, 2014
Attachments: U of M Presidential Reception Map.pdf
Enactment No: R-14-299
- CA-4** [14-1178](#) Resolution to Approve Contract Amendment with Hinshon Environmental Consulting, Inc. for Management and Facilitation Services for the Technical Oversight & Advisory Group (TOAG) (\$10,000.00)
Attachments: PSA_HEC_Contract_Signed.pdf,
AMENDMENT_to_HEC_Contract_for_TOAG_7-25-14.pdf,
TOAG_Charter_Final Feb 2014.pdf
Enactment No: R-14-300
- CA-5** [14-1209](#) Resolution Approving a Purchase Order Contract with Staples Business Advantage for Office Supplies for FY2015 (\$92,499.00)
Enactment No: R-14-301
- CA-7** [14-1151](#) Resolution to Amend the Contract with Green-Vision Lawn & Landscaping for the Mowing of City Traffic Islands and Trunkline Traffic Islands ITB-4215 (\$2,556.00)
Attachments: Original Resolution Green Vision.pdf, Green-Vision Amendment.pdf
Enactment No: R-14-302
- CA-2** [14-1047](#) Resolution to Approve W. Washington Street Closing for Oktoberfest - October 3-4, 2014, Requested by Grizzly Peak Brewing Company and the Blue Tractor
Attachments: Oktoberfest West Washington St Map.pdf
A motion was made by Councilmember Briere, seconded by Councilmember Kunselman, that the Resolution be Approved. On a voice vote, the Mayor declared the motion carried.
Enactment No: R-14-303

CA-6 [14-1261](#) Resolution to Amend an Approved Payment in Lieu of Taxes (PILOT) for Avalon Housing Arbordale Apartments at 1010-1030 Arbordale Street

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-14-304

CA-8 [14-1188](#) Resolution to Authorize Professional Services Agreements with OPUS International Consultants, Inc. for \$58,724.36 for Nixon/Green/Dhu Varren Intersection Improvement Study

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.

Enactment No: R-14-305

B ORDINANCES - SECOND READING

B-1 [14-1053](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 6.55 Acres from O (Office District) and RE (Research District) to ORL (Office/Research/Limited Industrial District), Gift of Life, 3861 and 3869 Research Park Drive, Gift of Life Property (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (ORD14-18)

Attachments: 14-18 Gift of Life Zoning Ordinance Briefed and Approved.pdf, 14-18 Gift of Life Rezoning Ordinance Briefed.pdf, Gift of Life Zoning Ordinance.pdf, 7/1/14 Planning Staff Report

A motion was made by Councilmember Eaton, seconded by Councilmember Teall, that the Ordinance be adopted on Second Reading. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-14-18

B-2 [14-1221](#) An Ordinance to Amend Sections 7:154 and 7:159 of Chapter 85 (Taxicabs) of Title VII of the Code of the City of Ann Arbor and to Add a New Section, Which New Section Shall be Designated as Section 7:159a [Revised Standards for Meter Rates] (Ordinance No. ORD14-20)

Attachments: 14-20 Taxicab Ordinance As Amended Briefed and Approved.pdf, ORD 14-20 As Amended 090214, 14-20 Taxicab Ord Amendment to Deregulate Rate Briefed.pdf, Taxicab Ord Amendment to Deregulate Rate, Draft Taxicab Board Minutes 072414, Taxicab Board Minutes 062614

A motion was made by Councilmember Kunselman, seconded by Councilmember Eaton, that the Ordinance be adopted on Second Reading. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-14-20

RECESS**C ORDINANCES - FIRST READING**

- C-1** [14-1248](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 3.1 Acres from R1C (Single Family Dwelling District) and R2A (Two-Family Dwelling District) to R4B (Multiple Family Dwelling District), Ann Arbor Housing Commission Platt Road East Rezoning, 3451 Platt Road (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-14-21)

Attachments: 14-21 Ann Arbor Housing Commission Ordinance Briefed.pdf, Ordinance to Rezone Platt Road East.pdf, 8/6/14 Planning Staff Report

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

Enactment No: ORD-14-21

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

- DC-1** [14-1313](#) Resolution Authorizing an Agreement with Adrian/Tecumseh SmartZone as a Satellite SmartZone to Support the 15 Year Extension of the Ann Arbor/Ypsilanti SmartZone LDFA

Sponsors: Petersen and Local Development Finance Authority of Ann Arbor and Ypsilanti (SmartZone)

Attachments: Resolution Approving Designation of Adrian LDFA, City Agreement with Adrian, 08 21 14 A2Ypsi LDFA Minutes _ Draft, A2Ypsi SmartZone LDFA TIF Development Plan_ Extension Amendment

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

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

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

Enactment No: R-14-306

- DC-2** [14-1318](#) Resolution to Direct the City Administrator to Negotiate One or More Operating Agreements with Transportation Network Companies

Sponsors: Briere, Petersen and Taylor

Attachments: Uber Lyft Amended Principles 090214, Operating Agreement

Principles.pdf

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

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

Nays: 3 - Councilmember Kunselman, Councilmember Anglin and Councilmember Kailasapathy

Enactment No:

DC-3 [14-1330](#)

Resolution to Accept and Allocate Michigan Supreme Court State Court Administrative Office Michigan Veterans Treatment Court Program Grant and Approve Contract Amendment #1 (\$173,911.85) (**8 Votes Required**)

Sponsors: Taylor, Teall and Briere

Attachments: D15-SCAO_ContractAmendment1

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

Enactment No: R-14-308

DC-4 [14-1339](#)

Resolution for Community Events Fund Disbursements from the FY 2015 Budget

Sponsors: Briere

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-14-309

DC-5 [14-1342](#)

Resolution in Support of International Day of Peace on September 21, 2014

Sponsors: Anglin, Kailasapathy, Warpehoski, Eaton and Kunselman

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

Enactment No: R-14-310

DB New Business - Boards and Commissions:

DB-1 [14-1044](#)

Resolution to Approve Ann Arbor Housing Commission North Maple Road Site Plan and Development Agreement, 701 North Maple Road (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

Attachments: 6/17/14 Planning Staff Report, 61314 Draft Development Agreement.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.

Enactment No: R-14-311

DB-2 [14-1052](#)

Resolution to Approve the Gift of Life Site Plan and Development Agreement, 3861 and 3869 Research Park Drive (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

Attachments: Gift of Life Staff Report w Attachments 07-01-14REV.pdf, GiftOfLife Dev Agreement 8-19-14.pdf

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

Enactment No: R-14-312

DB-3 [14-1172](#)

Resolution to Appropriate \$729,879.00 from the Ann Arbor Affordable Housing Trust Fund and Allocate \$729,879.00 to the Ann Arbor Housing Commission's Phase III Rental Assistance Demonstration Project (**8 Votes Required**)

Attachments: 3 - City AAHTF Request for Funding 7 1 2014 West Arbor.pdf

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-14-313

DS **New Business - Staff:**

DS-1 [14-1040](#)

Resolution to Approve a Purchase Order for Ultimate Software Group for Annual Maintenance and Support for FY2015 (NTE \$250,000.00)

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

Enactment No: R-14-314

DS-2 [14-1182](#)

Resolution to Approve a Professional Service Agreement with Northwest Consultants, Inc. for the Stadium Boulevard Reconstruction Project (\$930,822.00)

Attachments: nci - psa - stadium boulevard reconstruction project - 140725

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

Enactment No: R-14-315

RECESS

DS-3 [14-1229](#) Resolution to Accept an Easement for a Sidewalk at 3947 Research Park Drive from American Honda Motor Co. Inc. **(8 Votes Required)**

Attachments: DRAWING - Honda sidewalk easement

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

Enactment No: R-14-316

DS-4 [14-0850](#) Resolution to Approve a Contract with Ann Arbor SPARK for Economic Development Services (\$75,000.00)

Attachments: SPARK contract as amended on 090214, SPARK contract 15

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

Enactment No: R-14-317

[14-0850](#) Resolution to Approve a Contract with Ann Arbor SPARK for Economic Development Services (\$75,000.00)

Attachments: SPARK contract as amended on 090214, SPARK contract 15

A motion was made by Councilmember Warpehoski, seconded by Councilmember Teall, that the Resolution be Amended as follows:

SPARK contract: Amend exhibit A: Scope of Services to add the following clause:

*** DEVELOP IMPROVED METRICS AND REPORTING SYSTEMS TO STRENGTHEN THE CITY COUNCIL'S ABILITY TO MONITOR CONTRACT PERFORMANCE.**

Resolution text: Amend resolution to add the following clauses:

*** WHEREAS: WASHTENAW COUNTY HAS DEVELOPED AN ACT 88 COMMITTEE TO IMPROVE REPORTING AND TRANSPARENCY FOR ECONOMIC DEVELOPMENT FUNDS; AND**

*** RESOLVED; THE CITY ADMINISTRATOR IS DIRECTED TO WORK WITH SPARK AND, AS APPROPRIATE, THE WASHTENAW COUNTY ACT 88 COMMITTEE, TO DEVELOP IMPROVED METRICS AND REPORTING FOR ECONOMIC DEVELOPMENT INVESTMENTS.**

Note: All CAPS incate new language.

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

Enactment No: R-14-317

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

Reduce from [\$75,000.00] to \$65,000.00

Note: [] Brackets indicate deleted language.

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

Yeas: 4 - Councilmember Kunselman, Councilmember Anglin, Councilmember Kailaspathy and Councilmember Eaton

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

Enactment No: R-14-317

The question being, the Resolution as amended, on a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 8 - Mayor Hieftje, Councilmember Kunselman, Councilmember Teall, Councilmember Briere, Councilmember Taylor, Councilmember Lumm, Councilmember Petersen and Councilmember Warpehoski

Nays: 3 - Councilmember Anglin, Councilmember Kailaspathy and Councilmember Eaton

Enactment No: R-14-317

COMMUNICATIONS FROM COUNCIL

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

F-1 [14-1280](#) August 5, 2014 Election Canvass Report from the Washtenaw County Board of Canvassers - File

Attachments: 08-05-14 Canvass.pdf

F-2 [14-1302](#) Communication from Governor Rick Snyder regarding his Approval to Place Proposed City of Ann Arbor Charter Amendments, Section 12.2, on the November 4, 2014 Ballot

Attachments: Gov Snyder memo re charter amendment

F-3 [14-1326](#) Park Advisory Commission Recommendation for Redevelopment of Liberty Plaza and Development of the Library Lot

G The following minutes were received for filing:

G-1 [14-0517](#) Environmental Commission Meeting Minutes February 27, 2014
Attachments: City of Ann Arbor Environmental Commission Meeting 02272014

G-2 [14-0816](#) Design Review Board Meeting Minutes of March 19, 2014
Attachments: 3-19-2014 Design Review Board Minutes with Live Links-Revised

G-3 [14-1130](#) Minutes of the June 12, 2014 Historic District Commission Meeting
Attachments: 6-12-2014 HDC Minutes with Live Links

G-4 [14-1187](#) Ann Arbor Energy Commission Meeting Minutes of May 13, 2014
Attachments: Energy Commission Minutes 5-13-14.pdf

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

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

ADJOURNMENT

A motion was made by Councilmember Teall, seconded by Councilmember Warpehoski, that the meeting adjourn at 12:02 a.m. On a voice vote, the Mayor declared the motion carried.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: TUESDAY, SEPTEMBER 2, 2014, 7:00 P.M.

REPLAYS: WEDNESDAY, SEPTEMBER 3, 2014 AND FRIDAY, SEPTEMBER 5, 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.