City of Ann Arbor

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



Meeting Minutes

Monday, July 3, 2017

7:00 PM

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

City Council

CALL TO ORDER

Mayor Taylor called the meeting of the Ann Arbor City Council to order at 7:00 p.m. in the Guy C. Larcom, Jr. Building, 2nd Floor Council Chambers, 301 E. Huron Street.

MOMENT OF SILENCE

Council stood for a moment of silence.

PLEDGE OF ALLEGIANCE

Mayor Taylor led Council in the recitation of the Pledge of Allegiance.

ROLL CALL OF COUNCIL

Present: 11 -

Councilmember Jane Lumm, Councilmember Sumi Kailasapathy, Councilmember Chuck Warpehoski, Councilmember Jack Eaton, Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Graydon Krapohl, Councilmember Kirk Westphal, Councilmember Zachary Ackerman, Councilmember Chip Smith and Councilmember Jason Frenzel

APPROVAL OF AGENDA

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

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

City Administrator Howard S. Lazarus provided several reports for information of Council including a report on School Safety Improvements and a final report from the Medical Marijuana Ordinance Review Committee on their work. Copies of these reports are on file in the City Clerk's Office.

Mr. Lazarus also acknowledged Mr. John Mirsky who has agreed to serve as a volunteer City advisor on sustainability.

Mr. Lazarus wished the public a happy July 4th and urged all residents to come out for the City's parade on Tuesday morning.

Mr. Lazarus also noted that the City's Safety campaign has recently launched new designs on the safety posters as part of the ongoing campaign for citywide safety awareness.

AC-1 17-1023 Memorandum from City Administrator - Medical Marijuana Ordinance Review Committee- June 30, 2017

Received and Filed

AC-2 17-1031 Memo from City Administrator - School Safety Improvements - July 3, 2017

Received and Filed

AC-3 17-1034 Agenda Response Memo - July 3, 2017

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. Caleb Poirer Washtenaw County Millage to Support Community Mental Health
 Department, County Sheriff Operations, and Policing Jurisdictions Rebate (DC-3)

Caleb Poirer, City resident, expressed concerns about the proposed Resolution of Intent Regarding Potential Washtenaw County Millage to Support Community Mental Health Department, County Sheriff Operations, and Policing Jurisdictions Rebate, stating there may be too many issues combined in one millage and voters may reject it for that reason.

2. Kathy Griswold - Washtenaw County Millage to Support Community Mental Health Department, County Sheriff Operations, and Policing Jurisdictions Rebate (DC-3)

Kathy Griswold, Ward 2, spoke in opposition to the proposed Resolution of Intent Regarding Potential Washtenaw County Millage to Support Community Mental Health Department, County Sheriff Operations, and

Policing Jurisdictions Rebate. Ms. Griswold stated the City needs to take pedestrian safety funding more seriously.

3. Anne Bannister - Washtenaw County Millage to Support Community Mental Health Department, County Sheriff Operations, and Policing Jurisdictions Rebate (DC-3)

Anne Bannister, 612 N. Main, spoke in opposition to the proposed Resolution of Intent Regarding Potential Washtenaw County Millage to Support Community Mental Health Department, County Sheriff Operations, and Policing Jurisdictions Rebate, stating too many different issues are being considered together.

4. David Silkworth - Budgetary Priorities

David Silkworth, Ward 5 Democratic Council candidate, spoke about the City's budget priorities.

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER WESTPHAL

Councilmember Westphal reminded the public that Huron River Day is this Sunday, July 9 from 12-4pm. He encouraged all to attend.

COUNCILMEMBER FRENZEL

Councilmember Frenzel stated the City Planning Commission is debating the Lower Town project at its meeting on Wednesday, July 5 at 7pm in City Council Chamber.

DC-1 Resolution to Appoint Stefanie Stauffer to the Greenbelt Advisory Commission (7 Votes Required)

Councilmember Grand introduced the nomination of Stefanie Stauffer to the Greenbelt Advisory Commission for approval at a later date.

Referred to the City Council due back on 7/17/2017

MC COMMUNICATIONS FROM THE MAYOR

MC-1 17-0949 Appointments - Confirmations

Mayor Taylor requested confirmation of the following appointments that

were placed on the June 19, 2017 agenda for consideration of Council:

Ann Arbor Area Transportation Authority

Kyra Sims-Filling remaining term of Stephen Wade (Resigned as of July 1, 2017)
220 Lyn Anne Ct.
Ann Arbor, MI 48103
Term: July 1, 2017-May 1, 2020

Historic District Commission

Anna Epperson 734 Miller Ave. Ann Arbor, MI 48103 Term: June 1, 2017-May 31, 2020

Housing and Human Services Advisory Board

Anna Foster 618 Gott St. Ann Arbor, MI 48103 Term: June 1, 2017-May 31, 2020

Parks Advisory Commission

Robert Galardi -Reappointment 315 Second St. Ann Arbor, MI 48103 Term: June 1, 2017-May 31, 2020

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

CA CONSENT AGENDA

CONSENT AGENDA ITEMS REMOVED

With unanimous consent of Council, the following Consent Agenda items were removed from the Consent Agenda and placed under DS - New Business:

CA-12 Resolution to Approve a Professional Services Agreement with

Brush Design, LLC for "Leaven" Public Art for the Stadium Boulevard Reconstruction Project - S. Main Street to Kipke Drive (\$100,000.00)

CA-5 Resolution to Approve Amendment No. 1 to the Professional Services Agreement with Hillard Heintze in an Amount Not to Exceed \$230,000.00 and Appropriate \$30,000.00 in Additional Funds (8 Votes Required)

Passed on consent agenda

A motion was made by Councilmember Warpehoski, seconded by Councilmember Krapohl, that the following Consent Items be approved as presented. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirements of CA-6 and CA-7.

Resolution Recognizing Bryant-Pattengill PTO as a Civic Nonprofit Organization Operating in Ann Arbor for the Purpose of Obtaining a Charitable Gaming License

Resolution to Accept and Approve a Grant from the Michigan Department of State for New Election Day Vote Tabulators and Accessible Ballot Marking Devices from Hart InterCivic through Funding from the Help America Vote Act (\$355,256.78) and to Approve Acquisition of Additional Equipment and Supplies (\$106,200.00)

Resolution to Close Catherine Street for the OutFest: Celebration - August 4-6, 2017

Resolution to Approve Fees for the 2017 Ann Arbor Art Fairs, July 19-23, 2017

Resolution to Accept a Storm Sewer and Storm Water Drainage Easement at 2670 Pontiac Trail from Thomas F. Mann and Susan H. Mann (8 Votes Required)

Resolution to Accept a Storm Water Drainage Easement at 2672 Pontiac Trail from William F. Dufek and Sheri R. Dufek (8 Votes Required)

Resolution to Approve a Contract with United Resource LLC for the 2017 Sewer Televising and Cleaning Project (\$697,893.00, ITB No. 4493)

Resolution to Award a Construction Contract to Corby Energy Services, Inc.

for the Street Lighting Replacement - Kerrytown Market and Liberty Street Project (\$789,672.00, ITB-4494)

Resolution to Approve the Purchase of 115 Streetlight Globe Fixtures from Caniff Electrical Supply (\$212,175.00, ITB-4475)

Resolution to Approve a Professional Services Agreement with Tetra Tech, Inc. (\$270,511.00) and Approve a Consulting Services Contingency Amount (\$27,000.00) for the Ann Arbor Landfill Monitoring and Maintenance Program

Resolution to Approve a Purchase Order to Cogsdale Corporation for Annual Software Maintenance and Support Agreement for FY2018 (\$88,603.83)

Resolution to Approve a Contract with NatureWrite, LLC for Monitoring and Assessment of Deer Impacts in Ann Arbor Natural Areas (\$33,000.00/yr, \$99,000.00 total)

Resolution to Approve a Two-Year Contract with White Buffalo, Inc. for Deer Management Program Services for the City of Ann Arbor (NTE \$170,000.00/yr.)

Resolution to Approve a Two-Year Agreement with the Office for Survey Research, Michigan State University to Administer, Analyze, and Report on a Resident Survey On Deer Impacts in Ann Arbor (Approx. \$19,971.00 FY18, \$21,969.00 FY19)

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 17-0714

An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.17 Acre from TWP (Township District) to R1C (Single-Family Dwelling District), Carlberg Property, 2501 Victoria Avenue (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-17-07)

A public hearing was conducted on the proposed amendment to Chapter 55 (Zoning), rezoning of 0.17 Acre from TWP (Township District) to R1C (Single-Family Dwelling District), Carlberg property, located at 2501 Victoria Avenue. Notice of public hearing was published June 15, 2017.

There being no one present for comment, the Mayor declared the hearing closed.

Held and Closed

PH-2 17-0878

An Ordinance to Amend Sections 8:501 and 8:511 and to Repeal Sections 8:522 and 8:524 of Chapter 105, Housing Code, of Title VIII of the Code of the City of Ann Arbor (Ordinance No. ORD-17-10)

A public hearing was conducted on the proposed amendment to Chapter 105, an ordinance to amend Sections 8:501 and 8:511 and to Repeal Sections 8:522 and 8:524 of Chapter 105, Housing Code, of Title VIII of the Code of the City of Ann Arbor. Notice of public hearing was published June 26 and July 2, 2017.

There being no one present for comment, the Mayor declared the hearing closed.

Held and Closed

PH-3 17-0907

An Ordinance to Amend Sections 3:42, 3:43, 3:44, 3:45, 3:46, 3:47, 3:48 and 3:50 of Chapter 41, Cemeteries, of Title III of the Code of the City of Ann Arbor (Ordinance No. ORD-17-11)

A public hearing was conducted on the proposed amendment to Sections 3:42, 3:43, 3:44, 3:45, 3:46, 3:47, 3:48 and 3:50 of Chapter 41, Cemeteries, of Title III of the Code of the City of Ann Arbor. Notice of public hearing was published June 26 and July 2, 2017.

There being no one present for comment, the Mayor declared the hearing closed.

Held and Closed

Held and Closed

Resolution to Approve 904 South Main Site Plan, 904 South Main Street (CPC Recommendation: Approval - 6 Yeas and 0 Nays)

A public hearing was conducted on the proposed Resolution to Approve 904 South Main Site Plan, 904 South Main Street. Notice of public hearing was published June 26 and July 2, 2017.

There being no one present for comment, the Mayor declared the hearing closed.

Held and Closed

Resolution to Approve the DuBuc Annexation, 0.59 Acre, North Side of Devonshire Road, East of Heather Way (CPC Recommendation: Approval

- 8 Yeas and 0 Nays)

A public hearing was conducted on the proposed Resolution to Approve the DuBuc Annexation, 0.59 Acre, North Side of Devonshire Road, East of Heather Way. Notice of public hearing was published June 26 and July 2, 2017.

There being no one present for comment, the Mayor declared the hearing closed.

Held and Closed

Resolution to Approve the Braun Park Annexation, 10.44 acres, West Side of Chalmers Drive, South of Huron River Drive (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

A public hearing was conducted on the proposed Resolution to Approve the Braun Park Annexation, 10.44 acres, West Side of Chalmers Drive, South of Huron River Drive. Notice of public hearing was published June 26 and July 2, 2017.

There being no one present for comment, the Mayor declared the hearing closed.

A APPROVAL OF COUNCIL MINUTES

A-1 <u>17-0968</u> Work and Special Session Minutes of June 12, and Regular Session Minutes of June 19, 2017

A motion was made by Councilmember Ackerman, seconded by Councilmember Westphal, that the Work and Special Session Meeting Minutes of June 12 and the Regular Session Meeting Minutes of June 19, 2017 be approved. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

B-1 An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.17 Acre from TWP (Township District) to R1C (Single-Family Dwelling District), Carlberg Property, 2501 Victoria Avenue (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-17-07)

A motion was made by Councilmember Grand, seconded by Councilmember Ackerman, that the Ordinance be adopted on

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

B-2 An Ordinance to Amend Sections 8:501 and 8:511 and to Repeal Sections 8:522 and 8:524 of Chapter 105, Housing Code, of Title VIII of the Code of the City of Ann Arbor (Ordinance No. ORD-17-10)

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

B-3 An Ordinance to Amend Sections 3:42, 3:43, 3:44, 3:45, 3:46, 3:47, 3:48 and 3:50 of Chapter 41, Cemeteries, of Title III of the Code of the City of Ann Arbor (Ordinance No. ORD-17-11)

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

- C ORDINANCES FIRST READING
- C New Business Staff:
- C-1

 An Ordinance to Amend Chapter 55 (Zoning), Rezoning 20 City-Initiated Annexed Properties from TWP (Township District) to R1C, R1D (Single Family Dwelling District), and M-1 (Limited Industrial District) (CPC Recommendation: Approval 8 Yeas and 0 Nays) Recommendation: Approval (Ordinance No. ORD-17-12)

A motion was made by Councilmember Ackerman, seconded by Councilmember Warpehoski, that the Ordinance be approved on First Reading to the City Council and should be returned by 8/10/2017. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-17-12

C-2 An Ordinance to Amend Sections 2:63 and 2:69 of Chapter 29 (Amend Water and Stormwater Rates) of Title II of the Code of the City of Ann Arbor

A motion was made by Councilmember Lumm, seconded by Councilmember Westphal, that the Ordinance be approved on First Reading to the City Council and should be returned by 7/17/2017. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-17-13

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

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

Resolution to Support Increasing the Penalties for Speeding in School Zones

A motion was made by Councilmember Smith, seconded by Councilmember Ackerman, that the Resolution be approved.

Resolution of Intent Regarding Potential Washtenaw County Millage to Support Community Mental Health Department, County Sheriff Operations, and Policing Jurisdictions Rebate

A motion was made by Councilmember Eaton, seconded by Councilmember Lumm, that the Resolution be postponed until 7/17/2017. On a roll call, the vote was as follows with the Mayor declaring the motion defeated:

Yeas: 3 - Councilmember Lumm, Councilmember Kailasapathy and Councilmember Eaton

Nays: 8 - Councilmember Warpehoski, Mayor Taylor,
Councilmember Grand, Councilmember Krapohl,
Councilmember Westphal, Councilmember Ackerman,
Councilmember Smith and Councilmember Frenzel

Resolution of Intent Regarding Potential Washtenaw County Millage to Support Community Mental Health Department, County Sheriff Operations, and Policing Jurisdictions Rebate

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

2nd RESOLVED CLAUSE (2nd bullet):

 40% to effect the goals of the Affordable Housing Needs Assessment (a/k/a Washtenaw County Housing Affordability and Economic Equity Analysis) and to increase Workforce Housing

(operating & capital), with guidance by the Housing and Human Services Advisory Board

The amendment was considered friendly by the Body.

Resolution of Intent Regarding Potential Washtenaw County Millage to Support Community Mental Health Department, County Sheriff Operations, and Policing Jurisdictions Rebate

The question being, the motion made by Councilmember Smith, seconded by Councilmember Ackerman, that the Resolution be approved as amended, on a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 8 - Councilmember Warpehoski, Mayor Taylor,
Councilmember Grand, Councilmember Krapohl,
Councilmember Westphal, Councilmember Ackerman,
Councilmember Smith and Councilmember Frenzel

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

Resolution of Intent Regarding Potential Washtenaw County Millage to Support Community Mental Health Department, County Sheriff Operations, and Policing Jurisdictions Rebate

DB New Business - Boards and Commissions:

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

Yeas: 8 - Councilmember Warpehoski, Mayor Taylor,
Councilmember Grand, Councilmember Krapohl,
Councilmember Westphal, Councilmember Ackerman,
Councilmember Smith and Councilmember Frenzel

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

Resolution to Approve a Professional Services Agreement with Brush Design, LLC for "Leaven" Public Art for the Stadium Boulevard Reconstruction Project - S. Main Street to Kipke Drive (\$100,000.00)

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

Resolution to Approve 904 South Main Site Plan, 904 South Main Street (CPC Recommendation: Approval - 6 Yeas and 0 Nays)

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

Resolution to Approve the DuBuc Annexation, 0.59 Acre, North Side of Devonshire Road, East of Heather Way (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

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

Resolution to Approve the Braun Park Annexation, 10.44 acres, West Side of Chalmers Drive, South of Huron River Drive (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

DS New Business - Staff:

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

Resolution to Approve Amendment No. 1 to the Professional Services Agreement with Hillard Heintze in an Amount Not to Exceed \$230,000.00 and Appropriate \$30,000.00 in Additional Funds (8 Votes Required)

E COMMUNICATIONS FROM THE CITY ATTORNEY

None.

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 Ackerman, seconded by Councilmember Grand, that the Clerk's Report of Communications, Petitions and Referrals be approved as presented. On a voice vote, the Mayor declared the motion carried.

F-1	<u>17-0676</u>	Resolution from the Environmental Commission to City Council re: climate and community energy funding
F-2	<u>17-0967</u>	Communication from the Heather S. Frick, Executive Director of the State Tax Commission regarding an Authorization to use a Computerized Assessment Roll as Allowed Under 2016 PA 25
G The following minutes were received for filing:		
G-1	<u>17-0804</u>	Public Market Advisory Commission Meeting Minutes of April 20, 2017
G-2	<u>17-0918</u>	Downtown Development Authority Board and Executive, Partnerships, Finance, Operations and Capital Improvements Committees Meeting Minutes from May 2017
G-3	17-0922	Medical Marijuana Ordinance Review Committee Meeting Minutes of May 11, 2017
G-4	<u>17-0926</u>	Council Liquor License Review Committee Meeting Minutes of January 27, 2017
G-5	<u>17-0935</u>	Park Advisory Commission Meeting Minutes, May 16, 2017
G-6	<u>17-0953</u>	Human Rights Commission Minutes - May 2017
G-7	<u>17-0955</u>	AAATA Meeting Minutes of April 20 and May 18, 2017
G-8	17-0960	City of Ann Arbor Employees' Retirement System Board Meeting Minutes of May 18, 2017
G-9	<u>17-0961</u>	Retiree Health Care Benefit Plan & Trust (VEBA) Board Meeting Minutes of May 18, 2017
G-10	<u>17-0731</u>	Park Advisory Commission Meeting Minutes for April 18, 2017

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Jared Hoffert, Ward 2, spoke about traffic concerns and problems in his neighborhood.

COMMUNICATIONS FROM COUNCIL

None.

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).

None.

ADJOURNMENT

A motion was made by Councilmember Smith, seconded by Councilmember Krapohl, that the meeting adjourn. On a voice vote, the meeting declared the motion carried and the meeting adjourned at 9:22 p.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, JULY 3, 2017 @ 7:00 P.M. REPLAYS: WEDNESDAY, JULY 5, 2017 @ 8:00 A.M. AND FRIDAY, JULY 7, 2017 @ 8:00 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

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

Live Web streaming or Video on Demand: https://a2ctn.viebit.com Cable: Comcast Cable channel 16 or AT&T UVerse Channel 99

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

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

Requests made with less than two business days' notice may not be able to be accommodated.

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