



City of Ann Arbor

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

Meeting Agenda - Final-revised City Council

Monday, October 19, 2015

7:00 PM

Larcom City Hall, 301 E Huron St, Second Floor,
City Council chambers

City Council will meet in caucus the Sunday prior to each regular session at 7 p.m. in Council Chambers.

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ROLL CALL OF COUNCIL

APPROVAL OF AGENDA

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

AC-1 [15-1306](#) Agenda Response Memo - October 19, 2015
(City Administrator - Steven D. Powers, City Administrator)
(Added 10/19/15)

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. James D'Amour - Nixon Farm North and South Rezoning (C-2, C-3)
2. Wendy Carman - Conditional Zoning (C-2, C-3)
3. Pradeep Attibele - Nixon Farm North and South Rezoning (C-2, C-3)

4. Jack Cederquist - Nixon Farm North and South Rezoning (C-2, C-3)
5. Kami Meader - Nixon Road Traffic (DC-5)
6. Zhong Lee - Nixon Farm North and South Rezoning (C-2, C-3)
7. Mary Hiniker - Deer (DC-11)
8. Jane Klingsten - Northeast Area Planning (C-2)
9. Vince Caruso - Floodplain (DC-4)
10. Alan Haber - Library Lot

Alternates:

1. Rebecca Arends - Graffiti Alley, 521 E. Liberty
2. Jeff Hayner - Public Spaces and Graffiti

CC COMMUNICATIONS FROM COUNCIL

MC COMMUNICATIONS FROM THE MAYOR

MC-1 [15-1213](#) Appointments - Confirmations
(Mayor's Office)
(Revised 10/19/15)

MC-2 [15-1270](#) Appointments & Nominations
(Mayor's Office)
Attachments: John Kotarski Oct. 2015 app..pdf
(Added 10/19/15)

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 [15-1120](#) Resolution to Vacate Public Right-of-Way at 412 N. First Street (CPC Recommendation: Approval - 6 Yeas and 0 Nays) **(8 Votes Required)**
(City Attorney Services - Stephen K. Postema, City Attorney)
Attachments: ROW-L1276-P201.pdf, DRAWING 412 N. First.pdf, 412 N First ROW Vacation-9-29-2015 CPC Minutes.pdf, DTE Communication regarding Vacation of Public Right-of-way at 412 N. First Street.pdf
(See DB-1)

- PH-2 [15-1199](#) Resolution to Approve Argus Farm Stop Addition Site Plan, 325 W. Liberty Street (CPC Recommendation: Approval - 6 Yeas and 0 Nays)
(Community Services - Sumedh Bahl, Community Services Area Administrator)
Attachments: Argus Farm Stop Addition SP Staff Report with Attachments
(See DB-2)

A APPROVAL OF COUNCIL MINUTES

- A-1 [15-1259](#) Regular Session Meeting Minutes of October 5, 2015
(Jacqueline Beaudry, City Clerk)
Attachments: 10-05-15 Minutes, Council emails 10-5-2015_Redacted (2).pdf

CA CONSENT AGENDA

- CA-1 [15-1142](#) Resolution for Approval of Amendment No. 1 to the Professional Services Agreement with Tetra Tech of Michigan, PC for the Manchester Tank Coating Project (\$26,900.00)
(Water Treatment Plant Services - Craig Hupy, Public Services Area Administrator)
Attachments: Amendment_No 1_Tetra Tech_Manchester_20150909.pdf
- CA-2 [15-1144](#) Resolution to Approve Amendment No. 1 to the Services Agreement with Utilities Instrumentation Service for Electrical and Instrumentation Support Services (\$30,000.00)
(Water Treatment Plant Services - Craig Hupy, Public Services Area Administrator)
Attachments: UIS AMENDMENT No. 1 - October 2015.pdf

B ORDINANCES - SECOND READING

None.

C ORDINANCES - FIRST READING

C Unfinished Business:

- C-1 [14-1443](#) An Ordinance to Amend Section 10:148 of Chapter 126, Traffic (Pedestrian Crosswalks), Title X, of the Code of the City of Ann Arbor
(City Council)
Sponsors: Kunselman
Attachments: Amendment Chpt 126 10.148 - Traffic.pdf, Veto of ORD 13-31, Communication from Pedestrian Safety and Access Task Force - December 16, 2014.pdf
(Postponed from the 10/6/14, 1/5/15 and 9/8/15 regular sessions.)

- C-2 15-0786 An Ordinance to Amend Chapter 55 (Zoning), Zoning of 69 Acres from TWP (Township District) to R4A (Multiple-Family Dwelling District), Nixon Farm North Zoning, 3381 Nixon Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. Ord-15-15)

(Community Services - Sumedh Bahl, Community Services Area Administrator)

Attachments: NixonFarmsNorthOrdinance - Conditional Zoning, NixonFarmNorthStatement 10-14.pdf, NixonFarmsNorthStatement, 15-15 Nixon Farm North Rezoning Briefed.pdf, Ordinance to Zone Nixon Farm North (3381 Nixon Road).pdf, 12/16/15 Planning Staff Report, 12/16/14 Planning Commission Minutes, 10/21/14 Planning Staff Report, 10/21/14 Planning Commisison Minutes, Nixon Farm North Zoning Protest 8VOTES 08-14-15, Nixon North and South protest petitions 081215, Nixon Farm rezoning 100ft objection letters 081115, Letter of protest Nixon North - H. Peng 081015, Nixon Farm Concerns and Opposition Emails.pdf, Nixon Farm Opposition Email.pdf, Nixon Farm Protest Emails 8-6-15.pdf, Nixon Farm Protest Letters 8-7-15.pdf, Ann Arbor letter of rezoning objection, Nixon Farm Opposition emails 8-14-15.pdf, Nixon Farm Opposition Email 8-16-15.pdf, Nixon Farm Opposition Email 8-17-15.pdf, Nixon Farm Opposition Email 8-17-15.pdf, Nixon Farm Communication from Jason Minock.pdf, Toll Brothers memo request to postpone

(Postponed from the 8/17/15 and 9/8/15 regular sessions.) (Revised 10/16/15)

- C-3 15-0787 An Ordinance to Amend Chapter 55 (Zoning), Zoning of 41 Acres from TWP (Township District) to R4A (Multiple-Family Dwelling District), Nixon Farm South Zoning, 2999 Nixon Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-15-16)

(Community Services - Sumedh Bahl, Community Services Area Administrator)

Attachments: NixonFarmsSouthOrdinance - Conditional Zoning, NixonFarmsSouthStatement 10-14.pdf, NixonFarmsSouthStatement, Ordinance to Zone Nixon Farm South (2999 Nixon Road).pdf, Nixon Farm South Staff Report 12-16-14 w Attachments.pdf, 12/16/14 Planning Commission Minutes, Nixon Farm South Staff Report with Attachments 10-21-14.pdf, 10/21/14 Planning Commission Minutes, Nixon Farm South Zoning Protest 8VOTES 08-14-15, Northbury condo Nixon south protest 081315, Nixon Farm south protest letter 081315, Nixon North and South protest petitions 081215, 2765 Nixon Road protest Nixon South 081215, Lakehurst residents objections Nixon south 081215, Nixon Farm rezoning 100ft objection letters 081115, Nixon Farm Concerns and Opposition Emails.pdf, Nixon Farm Opposition Email.pdf, Nixon Farm Protest Emails 8-6-15.pdf, Nixon Farm Protest Letters 8-7-15.pdf, Ann Arbor letter of rezoning objection, Northbury condo vp president ltr 081415, Nixon Farm Opposition emails 8-14-15.pdf, Nixon Farm Opposition Email 8-16-15.pdf, Nixon Farm Opposition Email 8-17-15.pdf, Nixon Farm Communication from Jason Minock.pdf, Toll Brothers memo request to postpone

(Postponed from the 8/17/15 and 9/8/15 regular sessions.) (Revised 10/16/15)

D MOTIONS AND RESOLUTIONS

DC Unfinished Business - Council:

- DC-1 [15-1204](#) Resolution to Appoint Jarin Marocco to the City Environmental Commission
(City Council)
Sponsors: Briere
- DC-2 [15-1220](#) Resolution to Appoint Kristen Schweighoefer to the Housing Board of Appeals (**7 Votes Required**)
(Mayor's Office)
- DC-3 [15-0623](#) Resolution to Establish Speed Limits no Greater than 25 mph throughout Near-Downtown Residential Neighborhoods
(City Council)
Sponsors: Anglin and Eaton
Attachments: Memo to Mayor and Council 8-17-15 - Speed Limits no Greater than 25 mph
(Postponed from the 5/18/15, 6/15/15 and 8/17/15 regular sessions.)
- DC-4 [15-0901](#) Resolution to Direct the Ann Arbor Planning Commission to Review and Make Recommendations Regarding the Adoption of a Floodplain Management Overlay Ordinance
(City Council)
Sponsors: Eaton, Lumm and Anglin
Attachments: Developing a Floodplain Management Overlay Ordinance, UM Student Project Regarding Floodplain Management Overlay Ordinance, Floodplain Overlay Ordinance Report to Council_Final_2015-10-08, Floodplain Overlay Ordinance_Timeline Estimate
(Postponed from the 7/20/15 and 9/8/15 regular sessions.)

DC New Business - Council:

- DC-5 [15-1261](#) Resolution to Proceed with the Nixon Road Corridor Traffic Study and Amend the FY16 Budget (\$200,000.00) (**8 Votes Required**)
(City Council)
Sponsors: Lumm, Kailasapathy, Briere and Westphal
Attachments: Nixon Road Corridor Transportation Study_Draft Scope 10-8-15
(Revised 10/16/15)
- DC-6 [15-1293](#) Resolution Directing Staff to Discuss a Possible Relocation of the Arthur Miller House with The University of Michigan and Other Stakeholders
(City Council)

Sponsors: Briere, Krapohl and Grand

Attachments: 439SDivCompleteReport

(Added 10/16/15)

- DC-7 [15-1295](#) Resolution to Approve Amendment No. 2 with Ultimate Software Group, Inc. Contract and Appropriate Funds (\$127,464.00) from Information Technology Fund Fund Balance to Amend the FY 2016 IT Operating Budget to Fund the Continued Use of the Current Human Resource and Payroll Services Software (**8 Votes Required**)

(Christopher Taylor - City Council)

Sponsors: Taylor

(Added 10/16/15)

- DC-8 [15-1297](#) Resolution for Community Events Fund Disbursement from the FY 2016 Budget

Sponsors: Warpehoski

(Added 10/16/15)

- DC-9 [15-1104](#) Resolution to Approve a Request from SVP Corporation for a New Resort Class C Liquor License to be Located at 2721 Plymouth Road - d/b/a The Wine Seller

(Jacqueline Beaudry, City Clerk)

(Added 10/16/15)

- DC-10 [15-1179](#) Resolution to Approve a Request from Aquamarine Springs, LLC for a New Micro-Brewer, Small Wine-Maker, Small Distiller Liquor License and Dance/Entertainment Permit, to be Located at 507 S. Ashley Street

(Council Liquor License Review Committee - Jacqueline Beaudry, City Clerk)

Sponsors: Council Liquor License Review Committee

(Added 10/16/15)

- DC-11 [15-1300](#) Resolution to Establish a Public Hearing on Imposition of a Temporary Moratorium of the Prohibition Regarding the Possession and Discharge of Weapons in Public Places

(City Council)

Sponsors: Briere and Taylor

Attachments: Res Imposing Temp Moratorium _ Weapons_ Deer Cull.pdf

(Added 10/16/15) (Attachment added 10/16/15)

- DC-12 [15-1304](#) Resolution to Postpone Second Reading of the Rezoning and Site Plan Approval of Woodbury Club Apartments Planned Project

(City Council)

Sponsors: Briere

(Added 10/19/15)

DB New Business - Boards and Commissions:

- DB-1** [15-1120](#) Resolution to Vacate Public Right-of-Way at 412 N. First Street (CPC Recommendation: Approval - 6 Yeas and 0 Nays) **(8 Votes Required)**
(City Attorney Services - Stephen K. Postema, City Attorney)
Attachments: ROW-L1276-P201.pdf, DRAWING 412 N. First.pdf, 412 N First ROW Vacation-9-29-2015 CPC Minutes.pdf, DTE Communication regarding Vacation of Public Right-of-way at 412 N. First Street.pdf
(See PH-1)
- DB-2** [15-1199](#) Resolution to Approve Argus Farm Stop Addition Site Plan, 325 W. Liberty Street (CPC Recommendation: Approval - 6 Yeas and 0 Nays)
(Community Services - Sumedh Bahl, Community Services Area Administrator)
Attachments: Argus Farm Stop Addition SP Staff Report with Attachments
(See PH-2)
- DS New Business - Staff:**
- DS-1** [15-1141](#) Resolution to Award Contract for the Manchester Tank Miscellaneous Improvements and Tank Coating Project Contract 1 - Mechanical, Electrical and Miscellaneous Work to E&L Construction Group, Inc. (\$321,978.00)
(Water Treatment Plant Services - Craig Hupy, Public Services Area Administrator)
Attachments: ITB_4399_Contract No 1_Front End for Council Approval.pdf
- DS-2** [15-1143](#) Resolution to Award Contract for the Manchester Tank Miscellaneous Improvements and Tank Coating Project Contract 2 - Tank Coating, Art Painting, Metal Repairs and Miscellaneous Work to L.C. United Painting Co., Inc. (\$450,000.00)
(Water Treatment Plant Services - Craig Hupy, Public Services Area Administrator)
Attachments: ITB_4400_Contract No 2_Front End for Council Approval.pdf
- DS-3** [15-1180](#) Resolution to Approve the Purchase of Ice Control Salt through the Michigan Delivering Extended Agreements Locally (MIDEAL) from the Detroit Salt Company for Early Fill (\$54,230.00) and for Seasonal Backup Supply (\$235,339.00)
(Field Operations Services - Craig Hupy, Public Services Area Administrator)
Attachments: 1300338_Detroit_early_434890_7.pdf,
1300339_Detroit_seasonal_434891_7.pdf
- DS-4** [15-1186](#) Resolution to Accept and Allocate Michigan Supreme Court State Court Administrative Office Mental Health Court Grant Award and Approve Grant

Contract (\$282,000.00) (8 Votes Required)

(Fifteenth District Court Services - Shryl Samborn, 15th District Court Administrator)

Attachments: D15-SCAO_MHC_Contract_Sept2015

- DS-5** [15-1187](#) Resolution to Accept and Allocate Michigan Supreme Court State Court Administrative Office Drug Court Grant Award and Approve Grant Contract (\$142,000.00) **(8 Votes Required)**

(Fifteenth District Court Services - Shryl Samborn, 15th District Court Administrator)

Attachments: D15-SCAO_SobrietyCtContract_Sept2015

- DS-6** [15-1257](#) Resolution to Approve a Contract with Phoenix Contractors, Inc. for ITB No. 4406 - Council Chamber Renovations Project Phase 2 (\$117,700.00)

(Fleet & Facilities Services - Craig Hupy, Public Services Area Administrator)

Attachments: ITB 4406 - Council Reno Phase 2 092815.pdf, ITB - 4406 Bid Tab.pdf, ITB 4406 - Phoenix Bid.pdf, ITB 4406 - Non-engineered Plans

(Revised 10/19/15)

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:**

- F-1** [15-1092](#) Environmental Commission Recommendation to City Council Concerning an Ordinance Banning Pavement Sealcoats Containing High Levels of PAHs

(Environmental Commission)

Attachments: Additional Justification (2), Literature review and annotated bibliography from Coal Tar Free America (2), PAH Definition to include in ordinance or procedures (2)

- F-2** [15-1262](#) Communication from Susan Patton Regarding Sidewalk Waiver for Racquet Club on Geddes Ave.

Attachments: sidewalk waiver for Racquet Clun on Geddes Ave.pdf

- F-3** [15-1263](#) Communication from Kathe Bowen Regarding Changes to the Sidewalk Ordinance

Attachments: communication regarding sidewalk ordinance.pdf

G The following minutes were received for filing:

- G-1 [15-1032](#) City Planning Commission Meeting Minutes of July 21, 2015
(Planning and Development Services)
Attachments: 7-21-2015 CPC Minutes with Live Links2.pdf
- G-2 [15-1074](#) Environmental Commission Meeting Minutes for March 26, 2015
(Environmental Commission)
Attachments: City of Ann Arbor Environmental Commission Meeting Minutes - 3.26.2015
- G-3 [15-1126](#) Historic District Commission Meeting Minutes of August 13, 2015
(Planning and Development Services)
Attachments: 8-13-2015 HDC Minutes with Live Links-revised.pdf
- G-4 [15-1153](#) Public Market Advisory Commission Meeting Minutes of August 20, 2015
(Public Market Advisory Commission - Sarah DeWitt, Market Manager)
Attachments: PMAC Meeting Minutes 8.20.15.pdf
- G-5 [15-1201](#) City Planning Commission Meeting Minutes of August 18, 2015
(Planning and Development Services)
Attachments: 8-18-2015 Planning Commission Minutes with live Links.pdf
- G-6 [15-1055](#) City Election Commission Meeting Minutes of July 24, 2015
(City Clerk - Jacqueline Beaudry)
Attachments: 2015-07-24 Election Commission minutes
- G-7 [15-1260](#) Council Administration Committee Meeting Minutes of October 5, 2015
Attachments: Council Administration Committee Minutes 10-5-15.pdf
- G-8 [15-1255](#) Insurance Board Minutes - September 24, 2015
(Financial and Administrative Services - Tom Crawford, CFO)
Attachments: Insurance Board Minutes 09242015, Ann Arbor Insurance Board Loss Run - September, 2015.

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

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:**LIVE: MONDAY, OCTOBER 19, 2015 @ 7:00 A.M.****REPLAYS: TUESDAY, OCTOBER 20, 2015 @ 10:00 A.M. AND FRIDAY, OCTOBER 23, 2015 @ 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.