

City of Ann Arbor

301 E. Huron St.

Ann Arbor, MI 48104

<http://a2gov.legistar.com/Calendar.aspx>



Meeting Minutes

Tuesday, February 21, 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 7:04 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 Smith, seconded by Councilmember Warpehoski, that the Agenda be approved. On a voice vote, the Mayor declared the motion carried.

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

City Administrator Howard Lazarus submitted the following reports for information of Council:

AC-1 [17-0244](#) Memo from City Administrator - Enforcement of Prevailing Wage Requirements - February 14, 2017

Received and Filed

AC-2 [17-0285](#) Agenda Response Memo - February 21, 2017

Received and Filed

INT INTRODUCTIONS**INT-1 [17-0251](#) Proclamation for February Volunteer of the Month-Habitat for Humanity**

Mayor Taylor presented a proclamation to the University of Michigan Chapter of Habitat for Humanity for their work with the City's Give 365 program. A copy of the proclamation is on file in the City Clerk's Office.

Received and Filed

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. Jane Klingsten - Environment and Water

Jane Klingsten, Ward Two, spoke about the impacts to water and to the environment as a result of the Toll Brothers Nixon Farm development. She urged the City to protect the City's wetlands and not to rely on the DEQ for protection.

2. Jessica Prozinski - Solicitation of Immigrant Status Ordinance (C-1)

Jessica Prozinski, 446 Larkspur, spoke about C-1, Solicitation of Immigrant Status Ordinance, urging City Council to take more action to protect immigrants, than what is proposed in this ordinance. Ms. Prozinski expressed concern with the exceptions called out in the proposed ordinance for public safety officers.

3. Laticia Valdez - Solicitation of Immigrant Status Ordinance (C-1)

Laticia Valdez, resident of Ann Arbor, spoke about C-1 and urged Council to support the proposed ordinance. She suggested strengthening the ordinance with more defined protections for undocumented residents in Ann Arbor.

4. Keysha Wall - Solicitation of Immigrant Status Ordinance (C-1)

Keysha Wall, Organizer for Stop Trump Ann Arbor, spoke about C-1. Ms. Wall expressed concern about the limitations of the ordinance and urged

Council to remove the language allowing public safety officers to ask about immigration status.

5. Alexandra Shultz - Solicitation of Immigrant Status Ordinance (C-1)

Alexandra Shultz spoke in support of a strong ordinance protecting undocumented residents and urged Council to do more.

6. Leslie Stambaugh - Hillard Heintze Contract and the Solicitation of Immigrant Status Ordinance (CA-14 & C-1)

Leslie Stambaugh, Chair of the Human Rights Commission, spoke in support of CA-14, the contract with Hillard Heintze for an independent analysis of the Ann Arbor Police Department, stating the Human Rights Commission has worked on this issue for over two years. Ms. Stambaugh stated this vendor was supported unanimously by the Human Rights Commission.

7. Dwight Wilson - Professional Services Agreement with Hillard Heintze (CA-14)

Dwight Wilson, Human Rights Commissioner, spoke in support of CA-14, stating he worked on the sub-committee that studied this issue and the actions of the Ann Arbor Police Department. He stated Ann Arbor's policy should be a Human Rights model for other communities.

8. Kathy Griswold - RRFB on Fuller Road at the Crosswalk at Huron High & Entrance to Gallop Park (DC-4)

Kathy Griswold, Ward Two, spoke about the Huron High School crosswalk where a student was killed last Fall. She spoke in support of DC-4, which would improve the Huron High/Fuller Road crosswalk with an RRFB on Fuller Road and a pedestrian refuge island. She urged Council to approve this resolution and make the improvements to this crosswalk.

9. Alissa Beveridge - RRFB at Fuller Road Crosswalk (DC-4)

Alissa Beveridge, 2651 Geddes, A2 Safe Transport, urged Council to make the improvements to the Huron High crosswalk, including the installation of a new RRFB and a narrowed road.

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER EATON

Councilmember Eaton announced that he represents City Council on the

Ann Arbor Schools Transportation Safety Committee. This group met on February 7 and updates were provided regarding the Schools' grant applications for Safe Routes to School at Huron High and Northside Elementary.

Councilmember Eaton also reported on a neighborhood meeting regarding the proposed Circle K site plan. The developer is hosting this meeting at Morgan and York on Packard Road at 6:30 p.m. on Wednesday, February 22.

COUNCILMEMBER LUMM

Councilmember Lumm stated a public meeting regarding the Arlington Boulevard street resurfacing project will be held at Tappan Middle School on March 1 between 7 and 8:30 p.m.

COUNCILMEMBER GRAND

Councilmember Grand updated Council on the newly created Student Advisory Committee. She stated all members have been appointed and a first meeting will be scheduled soon.

COUNCILMEMBER SMITH

Councilmember Smith updated the public regarding the sinkhole at Seventh and Willow across from West Park. He stated this is due to a sanitary sewer main break and will be repaired in the next few days.

COUNCILMEMBER WARPEHOSKI

Councilmember Warpehoski addressed recent attacks on immigrant populations as well as the Muslim community. Councilmember Warpehoski stated the Muslim community is hosting an Open House on Sunday, March 19 from 4:30 to 8:30 p.m. at their mosque on 2301 Plymouth Road. He stated families are welcome and the public may observe the prayers and ask questions.

COUNCILMEMBER KAILASAPATHY

Councilmember Kailasapathy addressed the community's interest in sanctuary city status, stating while the City has to act quickly in response to decisions made at the federal level, there are other considerations as well, including the risk to those who are receiving federal housing dollars.

COUNCILMEMBER ACKERMAN

Councilmember Ackerman spoke about item CA-13, the Resolution to Approve Amendment 1 to the City/DDA Parking Agreement. He stated this amendment will bring an additional \$600,000 to the City's General Fund.

MC COMMUNICATIONS FROM THE MAYOR

MC-1 [17-0176](#) Appointments - Confirmations

Mayor Taylor requested confirmation of the following appointment that was presented to Council for consideration at the February 6, 2017 Regular Session:

Ann Arbor Public Art Commission

*Colleen Crawley-Filling Partial Term
Designer
1331 Culver Road
Ann Arbor, MI 48103
Term: May 31, 2017*

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

MC-2 [17-0252](#) Resolution to Appoint Alexandra Cacciari to the Public Market Advisory Commission (7 Votes Required)

Mayor Taylor presented the following resolution to nominate a member to the Public Market Advisory Commission for approval at a later date:

Public Market Advisory Commission

*Alexandra Cacciari-Filling remaining term of Jill Lada (Resigned)
Daily Vendor-Produce*

*2150 Warren Rd.
Ann Arbor, MI 48105
Term: Ending May 31, 2018*

Referred to the City Council due back on 3/6/2017

CA CONSENT AGENDA

Passed on consent agenda

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

Resolution to Approve Street Closings for Fool Moon - Friday, April 7, 2017

Resolution to Approve Street Closings for FestiFools Parade - Sunday, April 9, 2017

Resolution to Approve Street Closings for the 2017 Take Back the Night (Rally and March) - Thursday, April 6, 2017

Resolution to Approve Street Closure of North University Street between Thayer and Fletcher Streets for MUSIC Matters SpringFest on Friday, April 14, 2017

Resolution to Approve the Closing of Maynard Street for the Rock the District Special Event on Saturday, April 22, 2017 from 12:00 Noon until Midnight

Resolution to Approve Street Closing for the 5th Annual Ann Arbor Cinco de Mayo Party on Friday, May 5 to Saturday, May 6, 2017

Resolution to Close Streets for the 17th Annual Mayor's Green Fair, Friday, June 9, 2017

Resolution to Approve a Service Contract with the Domestic Violence Project, Inc., a.k.a. SafeHouse Center, for Confidential Victim Support Services (\$115,875.00)

Resolution to Approve the Purchase of the Cireson Business Management Solution Software and Professional Consulting Services (\$81,125.00), and

Appropriate the Necessary Funds **(8 Votes Required)**

Resolution to Approve a Professional Services Agreement with NTH Consultants, Ltd. for the Barton Dam Piezometer Installation and Slope Stability Analysis Project \$ 189,400.00 and Appropriate \$20,000.00 from General Fund, Fund Balance **(8 Votes Required)**

Resolution to Approve Amendment No. 1 to a Professional Services Agreement with Fishbeck, Thompson, Carr & Huber (\$16,591.23) for the Nichols Arboretum Sewer and Siphon Rehabilitation

Resolution to Approve Wage Increase for School Crossing Guards and Appropriate the Necessary Funds (\$12,913.00) **(8 Votes Required)**

Resolution to Approve Amendment No. 1 to the City/DDA Parking Agreement

Resolution to Approve a Professional Services Agreement with Hillard Heintze, LLC (NTE \$200,000.00) and Appropriate Necessary Funds (\$150,000.00) for Independent Analysis of Ann Arbor Police Department Community Engagement Practices **(8 Votes Required)**

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

None.

A APPROVAL OF COUNCIL MINUTES

A-1 [17-0196](#) Work Session of January 9, 2017 and Regular Session Meeting Minutes of February 6, 2017

A motion was made by Councilmember Ackerman, seconded by Councilmember Krapohl, that the Minutes of the Work Session of January 9, 2017 and the Regular Session Meeting Minutes of February 9, 2017 be approved as presented. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

None.

C ORDINANCES - FIRST READING

- C-1** [17-0257](#) An Ordinance to Amend the Code of the City of Ann Arbor by Adding a New Chapter Which New Chapter Shall be Designated as Chapter 120 (Solicitation of Immigrant Status) of Title IX of Said Code (Ordinance No. ORD-17-02)

A motion was made by Councilmember Eaton, supported by Councilmember Warpehoski, that the Ordinance be approved at First Reading.

A motion was made by Councilmember Eaton, seconded by Councilmember Kailasapathy, that the Ordinance be postponed at First Reading to the City Council and should be returned by 3/6/2017. On a voice vote, the Mayor declared the motion carried.

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

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

Resolution to Withdraw Objection to Renewal of Class C Liquor License and Permits Held by A2MI Old Carolina Barbeque Company, LLC (d/b/a Old Carolina Barbeque Company)(Business ID. No. 235153)(Liquor License No. 234843-2016), SAE Young Corporation (d/b/a Nagomi Sushi and Noodles)(Business ID No. 235045) (Liquor License No. 235762-2016) and 5Z Restaurants Ann Arbor, LLC (d/b/a BurgerFi)(Business ID No. 232181)(Liquor License No. 23085-2016) and Approve the Application for Renewal for the 2017-2018 License Year

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

Resolution Recognizing Orchard Hills Athletic Club as a Civic Nonprofit Organization Operating in Ann Arbor for the Purpose of Obtaining a Charitable Gaming License

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

Resolution to Amend the 2017 Council Calendar

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

Resolution to Install Rectangular Rapid Flashing Beacon (RRFB) on Fuller Road at the Crosswalk at Huron High School and the Entrance to Gallup Park (\$50,000.00)

Friendly Amendment by Warpehoski, supported by Smith:

RESOLVED, that City Council directs the City Administrator to purchase and install an [RRFB] A CROSSING BEACON SUCH AS AN RRFB, HAWK, OR RED RECTANGULAR RAPID FLASHING BEACON on Fuller Road at the Crosswalk at Huron High School and the entrance to Gallup Park as soon as possible and practical; and

RESOLVED, That City Council approves \$50,000.00 for this purpose with funding from either the Alternative Transportation Fund balance; [or] the General Fund balance; THE STREET, BRIDGE AND SIDEWALK MILLAGE; OR THE WASHTENAW COUNTY MILLAGE, at the City Administrator's discretion.

[Brackets] indicate deleted language. ALL CAPS indicate new language.

DB New Business - Boards and Commissions:

None.

DS New Business - Staff:

None.

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 Krapohl, seconded by Councilmember Ackerman 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 [17-0230](#) Ann Arbor SPARK Semi-Annual Report: City of Ann Arbor July 1, 2016 - December 31, 2016

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

G-1 [16-1002](#) Housing Board of Appeals Minutes for June 14, 2016

G-2 [16-1281](#) Building Board of Appeals Board Meeting Minutes of August 11, 2016

G-3 [16-1320](#) Housing Board of Appeals Meeting Minutes for July 12, 2016

G-4 [16-1360](#) Airport Advisory Committee Minutes - July 20, 2016

G-5 [16-1382](#) Environmental Commission Meeting Minutes August 2016

G-6 [16-1433](#) Housing Board of Appeals Meeting minutes of September 2016

G-7 [16-1539](#) Housing Board of Appeals Meeting Minutes of October 11, 2016

G-8 [16-1701](#) Building Board of Appeals Minutes November 10, 2016

G-9 [16-1751](#) Zoning Board of Appeals Minutes of August 24, 2016

G-10 [16-1752](#) Zoning Board of Appeals Minutes of September 28, 2016

G-11 [16-1800](#) Building Board of Appeals Meeting December 8, 2016

- G-12** [16-1802](#) Housing Board of Appeals December 13, 2016
- G-13** [17-0056](#) Environmental Commission Minutes of July 28, 2016
- G-14** [17-0075](#) Environmental Commission Minutes of December 1, 2016
- G-15** [17-0079](#) Airport Advisory Committee Minutes - November 16, 2016
- G-16** [17-0130](#) Council Liquor License Review Committee Meeting Minutes of January 6, 2017
- G-17** [17-0139](#) Cable Communications Commission Meeting Minutes of August 3, 2016
- G-18** [17-0151](#) Human Rights Commission Meeting Minutes, November 2016
- G-19** [17-0152](#) Human Rights Commission Meeting Minutes, December 2016
- G-20** [17-0153](#) Elizabeth Dean Fund Committee Meeting Minutes November 8, 2016
- G-21** [17-0158](#) Cable Communications Commission Meeting Minutes of November 2, 2016
- G-22** [17-0162](#) Downtown Development Authority Board and Executive, Partnerships, Finance, Operations, and Capital Improvements Committees Meeting Minutes from January 2017
- G-23** [17-0166](#) Downtown Area Citizens Advisory Council Meeting Minutes for January 31, 2017
- G-24** [17-0209](#) Council Policy Agenda Committee Meeting Minutes
- G-25** [17-0247](#) Taxicab Board Meeting Minutes of November 17, 2016

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Ed Vielmetti, 1210 Brooklyn, spoke about the Clerk's Report items, stating that minutes continue to be submitted to Council many months after the original board or commission meeting date.

Jane Klingsten, 3347 Elsinore, spoke about ADA issues and accessibility to public meetings and local government. She expressed concern about some of the programs used on the City's website, including Trakit and Legistar.

David Silkworth, Ward 5 resident, spoke about the upcoming Library Lot sale to CORE Spaces. He expressed his opposition to the proposal due to the large number of petition signatures submitted by voters to place this issue on the ballot. He stated the voters should decide and he urged Council to place this issue on the ballot.

Stephanie Preston, A2 Safe Transport, thanked Council for passing the resolution to fund an RRFB on Fuller Road at Huron High School.

Kathy Griswold, Ward Two, thanked Council, staff and City Administrator Howard Lazarus for their support of the resolution to fund an RRFB. She thanked Mr. Lazarus for his support of best engineering practices with regard to pedestrian safety.

Sara Rosenthal spoke in support of the proposal discussed tonight to strengthen the language in the Solicitation of Immigrant Status Ordinance. She urged Council to support human rights and work out the funding concerns.

Steve Carter, Ward 5, spoke about Ordinance C-1, stating Ann Arbor is wealthy and federal funding shouldn't be an issue when making this decision.

Jim Mogensen spoke about C-1, urging Council to support a strong ordinance. He talked about the funding issues.

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 Westphal, seconded by Councilmember Ackerman, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 8:48 p.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: TUESDAY, FEBRUARY 21, 2017 @ 7:00 P.M.

REPLAYS: WEDNESDAY FEBRUARY 22, 2017 @ 8:00 A.M. AND FRIDAY, FEBRUARY 24, 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.

Jacqueline Beaudry
Clerk of the Council

Anissa R. Bowden
Recording Secretary