

# City of Ann Arbor

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



## Meeting Minutes

Monday, September 16, 2013

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 Hieftje called the meeting to order at 7:07 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 Marcia Higgins, Councilmember Margie Teall, Councilmember Mike Anglin, Councilmember Sabra Briere, Councilmember Christopher Taylor, Councilmember Jane Lumm, Councilmember Sumi Kailasapathy and Councilmember Chuck Warpehoski

**Absent:** 1 - Councilmember Sally Petersen

**APPROVAL OF AGENDA**

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

**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. Thomas Partridge - Vote for Tom Partridge write-in candidate for Ann Arbor 5th Ward. Reform Council Rules and DDA. Build affordable housing throughout the City. End illegal discrimination and corruption in Ann Arbor City Government.**

*Thomas Partridge, Ann Arbor resident, asked that citizens vote for him as a write-in candidate for the 5th Ward City Council Member. He also addressed Council regarding the Council Rules, the restructuring of the DDA, the need for more affordable housing and he called for an end to discrimination.*

- 2. Mike Shriberg - Motion to Reconsider Fossil Fuel Resolution (DC-4)**

*Mike Shriberg, 1473 Pine Valley Blvd., member of the Energy Commission, addressed Council regarding the motion to reconsider the vote that defeated the Resolution to Urge the City Pension System to Divest from Top 200 Publicly Traded Fossil Fuel Companies. He stressed that the passage of this resolution would not harm the Pension system.*

**3. Wayne Appleyard - Motion to Reconsider Fossil Fuel Resolution (DC-4)**

*Wayne Appleyard, 5750 Prospect Hill, Chair of Ann Arbor Energy Commission, addressed Council regarding the motion to reconsider the vote that defeated the Resolution to Urge the City Pension System to Divest from Top 200 Publicly Traded Fossil Fuel Companies. He expressed the importance of the resolution, but noted that it is non-binding and would not reduce the viability of the Pension's investment funds.*

**4. Dina Kurz - Motion to Reconsider Fossil Fuel Resolution (DC-4)**

*Dina Kurz, 2731 Provincetown Ct., member of the Energy Commission, spoke to Council regarding the urgency behind the motion to reconsider the vote that defeated the Resolution to Urge the City Pension System to Divest from Top 200 Publicly Traded Fossil Fuel Companies. She said that passing this resolution would have little to no impact on Pension Fund members.*

**5. Jeff Hayner - Non-Motorized Trans. Crosswalk Ordinance**

*Jeff Hayner, 1807 Pontiac Tr., addressed Council regarding the City's Crosswalk Ordinance. He encouraged Council to model the City's crosswalk ordinance after State law.*

**6. Dave Marvin - Motion to Reconsider Fossil Fuel Resolution (DC-4)**

*Dave Marvin, 111 N. Ashley St. #7, addressed Council regarding the motion to reconsider the vote that defeated the Resolution to Urge the City Pension System to Divest from Top 200 Publicly Traded Fossil Fuel Companies. He urged Council to pass the resolution, which is complimentary to Ann Arbor's own Climate Action Plan. He also spoke about the need for change in Energy policies.*

**7. Laura Hobbs - Motion to Reconsider Fossil Fuel Resolution (DC-4)**

*Laura Hobbs, 1346 Geddes Ave., addressed Council regarding the motion to reconsider the vote that defeated the Resolution to Urge the City Pension System to Divest from Top 200 Publicly Traded Fossil Fuel Companies. She urged Council to have Ann Arbor stand with other cities in support of fossil fuel divestment. She said the passage of this resolution will show that Ann Arbor recognizes the harmful effects of climate change.*

**8. David Blanchard - Communication from Housing and Human Services Advisory Board**

*David Blanchard, 1230 Broadway St., addressed Council regarding a communication from the Housing and Human Services Advisory Board regarding the DDA Ordinance revisions. He urged Council to continue to protect priorities like affordable housing and to hold affordable housing harmless in any changes to DDA funding.*

**9. Larry Junck - Motion to Reconsider Fossil Fuel Resolution (DC-4)**

*Larry Junck, 2128 Wallingford, spoke in support of the proposed motion to reconsider the vote that defeated the Resolution to Urge the City Pension System to Divest from Top 200 Publicly Traded Fossil Fuel Companies. He said that this is a sound investment decision and it fits well with Ann Arbor's Climate Action Plan.*

**10. Kathy Griswold - Pedestrian Crosswalk Ordinance**

*Kathy Griswold, 3565 Fox Hunt Dr., addressed Council regarding the Pedestrian Crosswalk Ordinance. She urged Council to repeal this ordinance, noting her concerns about pedestrian safety.*

**COMMUNICATIONS FROM COUNCIL**

*COUNCILMEMBER ANGLIN*

*Councilmember Anglin said there was a meeting of the Coalition for Action for Remediation of Dioxane (CARD) on September 13, 2013. He updated Council on the CARD meeting and stated he would request that Pall start giving quarterly reports on the clean-up progress.*

*COUNCILMEMBER BRIERE*

*Councilmember Briere updated Council on the Planning Commission's review of the D1 Zoning. A final workshop/public meeting is scheduled for September 19, 2013 at the Workantile Exchange on Main Street at 7 p.m., she stated. This is an opportunity for the public to look at the recommendations from the consultant, and to talk about the effects and benefits and possible detriments of premiums, before a final recommendation goes to the Planning Commission and Planning Commission makes a recommendation to Council.*

*MAYOR HIEFTJE*

*Mayor Hieftje stated that he DIDN'T SEE ON THE AGENDA THAT [postponed] the nomination of Al McWilliams to the DDA WAS POSTPONED at the September 3 meeting and he will be bringing that nomination forward tonight under the Communications from the Mayor.*

*- Corrected with the approval of the minutes at the October 7, 2013 Regular Session of Council. All CAPS indicate new language; brackets indicate deleted language.*

**COMMUNICATIONS FROM THE CITY ADMINISTRATOR**

**U of M Street Closures Preliminary Report - Police Chief John Seto**

*UPDATE ON CLOSURE OF STREETS FOR U OF M FOOTBALL GAMES*

*Police Chief John Seto updated Council on the Main Street closures during the first three UM home football games. He stated that a more in-depth report would be provided at the October 7 City Council meeting following the upcoming September 24 neighborhood meeting at Pioneer High School scheduled to gather comments and feedback from the residents in the surrounding neighborhoods. Chief Seto stated the focus has been on the impacts to traffic patterns and parking around the stadium.*

Public Services Area Administrator Craig Hupy addressed Council regarding the street closures and the detour routes for traffic. He stated the detour has been tweaked with each game, including the timing of the light signals on major roads. Mr. Hupy stated there was a bottleneck at the light at Maple and Stadium and that has been corrected.

Councilmember Higgins suggested that Public Services also look at the light at Maple and Scio Church Roads.

Chief Seto and Mr. Hupy were available to answer any questions of Council.

#### PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

- PH-1 [13-1018](#) Resolution to Approve Honda Testing Facility Site Plan, 3947 Research Park Drive (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

*A public hearing was conducted on the proposed Resolution to approve the Honda Testing Facility Site Plan, located at 3947 Research Park Drive. Notice of public hearing was published September 9, 2013.*

*Tom Partridge, City resident, spoke in opposition to the resolution, expressing concerns about water runoff. He requested that the Chair of the City Planning Commission be available to explain the project to Council and the public.*

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

**Held and Closed**

Enactment No: R-13-292

#### COMMUNICATIONS FROM COUNCIL

*None.*

#### A APPROVAL OF COUNCIL MINUTES

- A-1 [13-1061](#) Regular Session Meeting Minutes of September 3, 2013

**A motion was made by Councilmember Taylor, seconded by Councilmember Warpehoski, that the Meeting Minutes of September 3, 2013 be approved as presented. On a voice vote, the Mayor declared the motion carried.**

#### CA CONSENT AGENDA

- CA-1 [13-0974](#) Resolution Awarding a Construction Contract to Fonson, Inc. for the Belmont Sanitary Sewer Extension Project (\$71,625.00; Bid No. ITB-4299)

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

Enactment No: R-13-288

**B ORDINANCES - SECOND READING****B Unfinished Business - Staff:**

- B-1**     [13-0188](#)     An Ordinance to Amend Sections 1:155, Section 1:156 and Add a New Section Which New Section Shall Be Designated as Section 1:160 of Chapter 7, Downtown Development Authority, Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-13-05)

**A motion was made by Councilmember Kunselman, seconded by Councilmember Kailasapathy, that the Ordinance be adopted at second reading.**

Enactment No: ORD-13-05

*Councilmember Warpehoski requested that the proposed new language be provided to Council for review prior to the October 21 meeting.*

**A motion was made by Councilmember Kunselman, seconded by Councilmember Kailasapathy, that the Ordinance be postponed until 10/21/13. The motion was withdrawn.**

Enactment No: ORD-13-05

**RECESS**

*Mayor Hieftje declared a recess at 8:20 p.m. and reconvened the meeting at 8:35 p.m.*

- [13-0188](#)     An Ordinance to Amend Sections 1:155, Section 1:156 and Add a New Section Which New Section Shall Be Designated as Section 1:160 of Chapter 7, Downtown Development Authority, Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-13-05)

**A motion was made by Councilmember Kunselman, seconded by Councilmember Kailasapathy, that the Ordinance be postponed until 10/21/2013. On a voice vote, the Mayor declared the motion carried.**

Enactment No: ORD-13-05

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

- C-1**     [13-0980](#)     An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 2.0 Acres from R1A (Single-Family Dwelling District) to PL (Public Land), 3875 East Huron River Drive (CPC Recommendation: Approval - 6 Years and 0 Nays) (Ordinance No. ORD-13-24)

**A motion was made by Councilmember Briere, seconded by Councilmember Lumm, that the Ordinance be approved on first reading. On a voice vote, the Mayor declared the motion carried.**

Enactment No: ORD-13-24

**D MOTIONS AND RESOLUTIONS**

**DC Unfinished Business - Council:**

*Councilmember Petersen arrived at 8:52 p.m.*

**Present:** 11 - Mayor John Hieftje, Councilmember Stephen Kunselman, Councilmember Marcia Higgins, Councilmember Margie Teall, Councilmember Mike Anglin, Councilmember Sabra Briere, Councilmember Christopher Taylor, Councilmember Jane Lumm, Councilmember Sumi Kailasapathy, Councilmember Sally Petersen and Councilmember Chuck Warpehoski

**DC-1 [13-0767](#) Resolution to Approve the 2013 City Council Rules**

**A motion was made by Councilmember Kunselman, seconded by Councilmember Taylor, that the Resolution be approved.**

Enactment No: R-13-289

**A motion was made by Councilmember Briere, seconded by Councilmember Kunselman, that a substitute set of Council Rules be presented for approval. On a voice vote, the Mayor declared the motion carried.**

Enactment No: R-13-289

**A motion was made by Councilmember Warpehoski, seconded by Councilmember Kailasapathy, that the Council Rules be amended as follows:**

**Rule 3:**

**...The agenda for Council Work Sessions will be prepared in accordance with the following order of business:**

**Call to Order**

**Work Session**

**Public Commentary – General [(Must begin no later than 8:45 p.m.)]**

**Adjournment...**

**Note: Brackets [ ] indicate deleted language.**

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

**Yeas:** 5 - Mayor Hieftje, Councilmember Teall, Councilmember Lumm, Councilmember Kailasapathy and Councilmember Warpehoski

**Nays:** 6 - Councilmember Kunselman, Councilmember Higgins, Councilmember Anglin, Councilmember Briere, Councilmember Taylor and Councilmember Petersen

Enactment No: R-13-289

**The question being the Resolution and the Council Rules as amended, on a voice vote, the Mayor declared the motion carried.**

Enactment No: R-13-289

**DC New Business - Council:**

- DC-2**    [13-1100](#)        Resolution Accepting North Main Huron River Corridor Vision Taskforce Report
- A motion was made by Councilmember Briere, seconded by Councilmember Kailasapathy, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-13-290
- DC-3**    [13-1112](#)        Resolution Recognizing Michigan Ability Partners (MAP) as a Civic Nonprofit Organization Operating in Ann Arbor for the Purpose of Obtaining a Charitable Gaming License
- A motion was made by Councilmember Kunselman, seconded by Councilmember Taylor, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-13-291
- DC-4**    [13-1109](#)        Motion to Reconsider the September 3, 2013 Vote that Defeated the Resolution to Urge the City of Ann Arbor Employees' Retirement System to Divest from the Top 200 Publicly-Traded Fossil Fuel Companies
- A motion was made by Councilmember Teall, seconded by Councilmember Warpehoski, that Council reconsider the vote that defeated the Resolution to Urge the City of Ann Arbor Employees' Retirement System to Divest from the Top 200 Publicly-Traded Fossil Fuel Companies. On a voice vote, the Mayor declared the motion carried.**
- DC-5**    [13-0867](#)        Resolution to Urge City of Ann Arbor Employees' Retirement System to Divest from the Top 200 Publicly-Traded Fossil Fuel Companies
- A motion was made by Councilmember Teall, seconded by Councilmember Warpehoski, that the Resolution be approved.**
- [13-0867](#)
- Resolution to Urge City of Ann Arbor Employees' Retirement System to Divest from the Top 200 Publicly-Traded Fossil Fuel Companies
- A motion was made by Councilmember Taylor, seconded by Councilmember Kunselman, that the Resolution be amended as follows:**
- Replace the 2nd to last RESOLVED Clause as follows:**
- ...RESOLVED, That the City Council acknowledges that compliance, if any, with the requests above must be consistent with the Retirement Board's fiduciary duties; and ...**
- On a voice vote, the Mayor declared the motion carried with one no-vote made by Councilmember Petersen.**
- A motion was made by Councilmember Briere, seconded by Councilmember Kunselman, that the Resolution be postponed until 10/21/2013. On a voice**



vote, the Mayor declared the motion carried.

**DB New Business - Boards and Commissions:**

- DB-1**    [13-1018](#)    Resolution to Approve Honda Testing Facility Site Plan, 3947 Research Park Drive (CPC Recommendation: Approval - 7 Yeas and 0 Nays)
- A motion was made by Councilmember Taylor, seconded by Councilmember Teall, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-13-292

**RECESS**

*Mayor Hieftje declared a recess at 10:09 p.m. and reconvened the meeting at 10:17 p.m.*

**DS New Business - Staff:**

- DS-1**    [13-0992](#)    Resolution Authorizing a Contract with Premier Truck Sales & Rental, Inc. for the Rental of Eight Rear Load Refuse Trucks (\$117,200.00)
- Councilmember Lumm requested additional information regarding employee costs.*
- A motion was made by Councilmember Taylor, seconded by Councilmember Briere, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-13-293

- DS-2**    [13-1008](#)    Resolution Vacating Existing Easement and Accepting New Public Utilities Easement at 1900 Manchester Road from Memorial Christian Church (**8 Votes Required**)
- A motion was made by Councilmember Taylor, seconded by Councilmember Warpehoski, 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-13-294

**E COMMUNICATIONS FROM THE MAYOR**

- E-1**    [13-1096](#)    Appointments - Confirmations
- Mayor Hieftje requested confirmation of the following nomination that was presented to Council for consideration at the April 1, 2013 Regular Session:*
- Human Rights Commission*
- Pamela J. Meadows - filling vacancy left by Victor C. Turner, Jr.  
718 Pomona*

*Ann Arbor, MI 48103*

*Term: September 16, 2013 - October 31, 2014*

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

[13-1139](#)

Appointment - Confirmation

*Mayor Hieftje requested confirmation of the following nomination that was presented to Council for consideration at the August 19, 2013 Regular Session:*

*Downtown Development Authority*

*Al McWilliams*

*551 S. Fourth Ave.*

*Ann Arbor, MI 48104*

*Term: September 16, 2013 - September 2, 2016*

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

**Yeas:** 6 - Mayor Hieftje, Councilmember Higgins, Councilmember Teall, Councilmember Briere, Councilmember Taylor and Councilmember Warpehoski

**Nays:** 5 - Councilmember Kunselman, Councilmember Anglin, Councilmember Lumm, Councilmember Kailasapathy and Councilmember Petersen

**E-2**

[13-1131](#)

Appointments & Nominations

*Mayor Hieftje presented the following nominations to Council for approval at a later date:*

*Employees' Retirement System Board of Trustees*

*Brock Hastie (Re-Appointment)*

*2806 Heather Way*

*Ann Arbor, MI 48104*

*Term: October 7, 2013 - October 6, 2016*

*Energy Commission*

*Erik Eibert (Replacing-Cliff Williams)*

*2028 Pauline Blvd. Apt. TB*

*Ann Arbor, MI 48103*

*Term: October 7, 2013 - October 6, 2016*

*Elizabeth Gibbons (Replacing-Josh Long)*

*1312 Wright St.*

*Ann Arbor, MI 48105*

*Term: October 7, 2013 - October 6, 2016*

**Referred to the City Council due back on 10/7/2013.**

**COMMUNICATIONS FROM COUNCIL**

*COUNCILMEMBER BRIERE*

*Councilmember Briere called the Council's attention to Item H-5 in the Clerk's Report, a communication from the City Planning Commission regarding the sale of the "Y-lot" property. The Planning Commission is urging the City Council to utilize an RFP/RFQ process.*

**F WRITTEN COMMUNICATIONS FROM THE CITY ADMINISTRATOR**

*None.*

**G COMMUNICATIONS FROM THE CITY ATTORNEY**

*None.*

**H & I CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS****H The following communications were referred as indicated:****Passed on consent agenda**

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

- H-1**    [13-1031](#)    Communication from Comcast regarding a change to the channel lineup - CTN
- H-2**    [13-1054](#)    Canvass of the August 6, 2013 Election
- H-3**    [13-1059](#)    Communication from the National League of Cities regarding notice of Membership Renewal - File
- H-4**    [13-1097](#)    Communication from Damena Karoly regarding Liberty Plaza "Pizza in the Park" - File
- H-5**    [13-1090](#)    Communication from the City Planning Commission: Resolution to Ask City Council to Utilize an RFQ/RFP Process that Conditions the Sale of the "Y-Lot" Property (CPC Recommendation - 7 years, 0 nays)

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

- I-1**    [13-0874](#)    City Planning Commission Meeting Minutes of June 18, 2013
- I-2**    [13-0986](#)    Park Advisory Commission Meeting Minutes of June 18, 2013
- I-3**    [13-1020](#)    Greenbelt Advisory Commission Meeting Minutes - May 2, 2013

- I-4 [13-1021](#) City Election Commission Meeting Minutes - May 20, 2013
- I-5 [13-1057](#) Greenbelt Advisory Commission Meeting Minutes June 6, 2013
- I-6 [13-1060](#) Cable Commission Meeting Minutes of March 26, 2013

**PUBLIC COMMENT - GENERAL (3 MINUTES EACH)**

*Tom Partridge, City resident, urged the public to register to vote. He also announced his write-in candidacy as a Fifth Ward Councilmember.*

*A member of the public addressed Council regarding fossil fuel divestment and other opportunities for making a statement. He also thanked Council for bringing the Pall Gelman Dioxane leak to the forefront again.*

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

*None.*

**ADJOURNMENT**

A motion was made by Councilmember Warpehoski, seconded by Councilmember Teall, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 10:43 p.m.

- [13-1165](#) Council Emails and Redaction List from September 16, 2013

**COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:**

**LIVE: MONDAY, SEPTEMBER 16, 2013, 7:00 P.M.**

**REPLAYS: TUESDAY, SEPTEMBER 17, 2013, 10:00 A.M. AND FRIDAY, SEPTEMBER 20, 2013, 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](http://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](http://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](mailto: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