

City of Ann Arbor

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



Action Minutes

Monday, October 6, 2014

7:00 PM

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

City Council

City Council meets in caucus the Sunday prior to each regular session at 7 p.m. in the Council Chamber.

CALL TO ORDER

Mayor Hieftje called the meeting of the Ann Arbor City Council to order at 7:11 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: 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 Teall, seconded by Councilmember Warpehoski, that the Agenda be approved as presented. On a voice vote, the Mayor declared the motion carried.

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

City Administrator Steve Powers presented the following written communications for information of Council:

14-1479 Memo from City Administrator regarding Land Acquisition - October 3, 2014

Attachments: Memo to Mayor and Council 10-3-14 - Land Aquisition

Received and Filed

14-1487 Memorandum to Mayor and Council regarding Public Art - October 6, 2014

Attachments: Memo to Mayor and Council 10-6-14 - Public Art

Received and Filed

14-1488 Memorandum from Craig Hupy regarding Street Funding - October 6, 2014

Attachments: Memo to Mayor and Council - Alternative Funding Research 10-6-14

Received and Filed

14-1489 Agenda Response Memo -October 6, 2014

Attachments: Agenda Responses 10-6-14

City Administrator Steve Powers submitted his Agenda Response Memo for information of Council.

Received and Filed

INT INTRODUCTIONS

INT-1 14-1447 Volunteer of the Month proclamation for October 2014- Youth Volunteer Corps

Attachments: Youth Vol. Corps Vol. of Mo. Oct.2014.pdf

Mayor Hieftje read a proclamation recognizing the October 2014 Volunteer of the Month, the Youth Volunteer Corps. The Youth Volunteer Corps have participated in the Give 365 program, supporting the Ann Arbor Parks.

A copy of the proclamation is on file in the City Clerk's Office.

Received and Filed

INT-2 14-1450 Proclamation for National Bullying Prevention Month

Attachments: National Bullying Prevention Mo. Proc..pdf

Mayor Hieftje read a proclamation declaring October as National Bullying Prevention Month. Mayor Hieftje stated he encourages the City of Ann Arbor schools, students, parents, recreation programs, religious institutions, and community organizations to engage in a variety of awareness and prevention activities designed to make our communities safer for all children, adolescents and adults.

Former Councilmember Sandi Smith and Jim Toy of the Jim Toy Center were present to accept the proclamation.

A copy of the proclamation is on file in the City Clerk's Office.

Received and Filed

INT-3 14-1456

Proclamation for the Interfaith Council for Peace 40th CROP Hunger Walk

Attachments: 40th CROP Hunger Walk.pdf

Mayor Hieftje read a proclamation recognizing the 40th annual CROP Hunger Walk, and declared Sunday, October 12, 2014 as CROP Walk Day in Ann Arbor. Mayor Hieftje urged the citizens of Ann Arbor to participate with the Interfaith Council for Peace and Justice to support this walk.

Bryan Weinert accepted the proclamation on behalf of the Interfaith Council for Peace and Justice.

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. Zoltan Jung - Traffic Calming Devices on Northside Avenue (CA-2)**

Zoltan Jung, of Northside Avenue, spoke in support of the proposed traffic calming measures, including speed humps and bump-outs, on Northside Avenue. He urged Council to fund the project in its entirety, stating this would make Northside a safer street.

2. Kathy Griswold - Traffic Ordinance and Trees and Other Vegetation Ordinance (C-3 and C-4)

Kathy Griswold, 3565 Fox Hunt, spoke about traffic issues, including the proposed Crosswalk ordinance changes and the proposed changes to the City's Vegetation ordinance. She urged Council to bring the crosswalk ordinance into compliance with State law for safety. Ms. Griswold asked that the changes to the vegetation ordinance be reviewed by the Pedestrian Safety and Access Taskforce.

3. Erica Briggs - Traffic Ordinance (C-3)

Erica Briggs, 719 W. Jefferson, spoke in support of the Northside traffic calming measures. She also spoke in opposition to the proposed changes to the crosswalk ordinance, stating that the changes would send a mixed message.

4. Tom Partridge - Elect Mark Schauer Governor and Elect Gary Peters U.S. Senator. Expand access to affordable housing, human rights and disability rights.

Tom Partridge, City resident, spoke about the upcoming election for Governor, urging Ann Arbor voters to vote for Mark Schauer for Governor and Gary Peters for U.S. Senator.

5. Diane Kreger - Traffic Calming Devices on Northside Avenue (CA-2)

Diane Kreger, 623 Northside, spoke in support of the proposed traffic calming measures for Northside Avenue, noting that even more measures could have been considered.

6. Kermit Schlansker - Factories

Kermit Schlansker, Saline resident, spoke about alternative energy and urged the creation of energy efficient housing.

7. Richard Clark - City's Proposed Operating Agreement with Uber and Lyft

Rick Clark, owner of Amazing Blue Taxi, spoke about the City's proposed operating agreements with Uber and Lyft. He spoke about the unethical business practices of Uber and their exploitation of drivers.

8. Richard Wunsch - Lyft and Uber

Richard Wunsch, taxi driver, spoke about the need for good taxi service. He stated Ann Arbor has good taxi drivers and good taxi service, but Uber is hurting their business.

9. Velma Neau - Uber & Lyft

Velma Neau, local taxi driver, expressed concern about the business practices of Uber and the unethical activities taking place by the drivers.

10. Alan Haber - Peace Day Report

Alan Haber, 531 Third Street, thanked Council for their efforts to make World Peace Day happen in Ann Arbor. He stated despite the rainy weather, people came together. He stated he would like to see more efforts to bring Ann Arbor's Sister Cities together as well.

CC COMMUNICATIONS FROM COUNCIL*COUNCILMEMBER ANGLIN*

Councilmember Anglin spoke about the Huron River valley. He stated PAC has long discussed the golf course along the river and the park along Fuller Road. He stated there is no better setting for a park than along the river. Councilmember Anglin stated the UM hospital is in this area and has plans for more parking. He stated the public needs to be aware of the plans that UM is considering.

COUNCILMEMBER WARPEHOSKI

Councilmember Warpehoski spoke about the Jackson/Huron construction project. He stated he spoke with MDOT regarding the project. The project consists of four stages, he stated. The current two stages will be wrapped up before the winter, but the project will not be fully completed. He said it will be a temporary reprieve for this winter.

Councilmember Warpehoski stated Chief Seto, Sheriff Clayton and members of the ACLU will be presenting Lessons from Ferguson: Local Responses to Militarization of the Police on Wednesday, October 15, 2014 at 7 p.m. at the Church of the Good Shepherd UCC, 2145 Independence Blvd. The public is welcome.

COUNCILMEMBER LUMM

Councilmember Lumm said MDOT has reviewed the condition of the medians along Washtenaw Avenue between US 23 and the Stadium Boulevard. She thanked City staff for their efforts to present her concerns to MDOT and to get this issue some attention.

MC COMMUNICATIONS FROM THE MAYOR

Mayor Hieftje welcomed the local high school students in attendance at the City Council meeting.

MC-1 14-1399**Appointment - Confirmation**

Attachments: Greg Farris app..pdf

Mayor Hieftje requested confirmation of the following appointment that was presented to City Council on September 15, 2104:

Airport Advisory Commission

*Greg Farris -Filling Vacancy
112 S. Revena Blvd.
Ann Arbor, MI 48103
Term: June 1, 2014 - May 31, 2017*

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

MC-2 14-1486 Appointments - Confirmations

Sponsors: Hieftje

Attachments: Sarah Mills app..pdf

Mayor Hieftje recommended the following nominations for approval at a later date:

Planning Commission

Sarah Mills -Filling rest of term for Diane Giannola

5 Parkview Place

Ann Arbor, MI 48103

Term: July 1, 2012 - June 30, 2015

Zoning Board of Appeals

Ben Carlisle Re-appointment

1317 Minerva

Ann Arbor, MI 48104

Term: June 1, 2014 - May 31, 2017

Referred to the City Council due back on 10/20/2014

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)**PH-1 14-1156** An Ordinance to Amend Section 5:652 of Chapter 63 (Stormwater Management and Soil Erosion and Sedimentation Control) of Title V of the Code of the City of Ann Arbor (Ordinance No. ORD-14-22)

Attachments: 14-22 Stormwater Management Ordinance Briefed and Approved, 14-22 Stormwater Management Ordinance Briefed.pdf, Ord amend Chpt 63 Sec 5-652 date..pdf, 2014 Rules County Resolution w cover memo DRAFT3..pdf, 14-22 Approval Notice

A public hearing was conducted on the proposed amendment to Section 5:652 of Chapter 63 (Stormwater Management and Soil Erosion and Sedimentation Control) of Title V of the Code of the City of Ann Arbor (Ordinance No. ORD-14-22). Notice of public hearing was published September 22, 2014.

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

Held and Closed

Enactment No: ORD-14-22

PH-2 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 - 7 Yeas and 0 Nays) (Ordinance No. ORD-14-21)

Attachments: 14-21 Platt Rod East Rezoning Briefed and Approved.pdf, 14-21 Platt Road East Rezoning Briefed.pdf, Ordinance to Rezone Platt Road East.pdf, 8/6/14 Planning Staff Report, CPC Minutes AAHC Platt 08-06-14.pdf, 14-21 Platt Road East Rezoning Approval Notice.pdf

A public hearing was conducted on the proposed amendment to Chapter 55, 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, located at 3451 Platt Road. Notice of public hearing was published September 11, 2014.

Tom Partridge, City resident, spoke in opposition, asking for more affordable housing in all projects.

Paul Zinyuk, 3304 Platt Road, spoke in opposition to the proposed project.

Tom Snoblen, 3424 Platt Road, spoke in opposition, stating traffic and other concerns about additional affordable housing projects in this area.

Abdul Al-Shehmani, 3451 Platt Road, spoke in opposition to the proposed project.

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

Held and Closed

Enactment No: ORD-14-21

PH-3 14-1347

An Ordinance to Amend Section 9:46 of Chapter 107 (Animals) of Title IX of The Code of The City of Ann Arbor (Dog Licensing)

Attachments: 14-23 Animals Ordinance Briefed and Approved, 14-23 Chapter 107 Dog License Amendments Briefed.pdf, Chapter 107 dog license amendments, 14-23 Approval Notice

A public hearing was conducted on the proposed amendment to Section 9:46 of Chapter 107 (Animals) of Title IX of The Code of The City of Ann Arbor (Dog Licensing). Notice of public hearing was published September 22, 2014.

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

Held and Closed

Enactment No: ORD-14-23

PH-4 14-1412 Resolution to Establish New Dog License Fees

A public hearing was conducted on the proposed Resolution to Establish New Dog License Fees. Notice of public hearing was published September 22, 2014.

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

Held and Closed

Enactment No: R-14-342

A APPROVAL OF COUNCIL MINUTES**A-1 14-1409** Work Session of September 8 and Regular Session Meeting Minutes of September 15, 2014

Attachments: 09-08-14 Draft Minutes, 09-15-14 Draft Minutes, Council emails 9-15-2014_Redacted

A motion was made by Councilmember Lumm, seconded by Councilmember Briere, that the Minutes be Approved as presented. On a voice vote, the Mayor declared the motion carried.

CA CONSENT AGENDA**CONSENT AGENDA ITEM REMOVED**

With unanimous consent of Council, the following items were removed from the Consent Agenda and placed at the end of same:

CA-2: Resolution to Approve the Installation of Traffic Calming Devices on Northside Avenue (\$31,640.00)

Passed on consent agenda

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

CA-1 14-1299 Resolution to Award a Purchase Order to Ellsworth Industries for Aggregate Materials and Haul out of Spoils (Not to exceed \$96,390.00)

Attachments: ITB 4341 Bid Tab, ITB 4341 - Operating Materials

Enactment No: R-14-330

CA-3 14-1362 Resolution Authorizing a Purchase Order to Washtenaw County for the City of Ann Arbor's Share of the Maintenance of the Shared 800 MHz Simulcast System (\$38,200.00)

Enactment No: R-14-331

CA-4 14-1415 Resolution Recognizing the Friends of the Pioneer Choirs as a Civic Nonprofit Organization Operating in Ann Arbor for the Purpose of Obtaining a Charitable Gaming License

Enactment No: R-14-332

CA-5 14-1463 Resolution Setting A Public Hearing on the Application of Mehindra GenZe, for an Industrial Facilities Exemption Certificate in Industrial Development District No. 2013-010

Sponsors: Petersen

Attachments: Mahindra Genze IFT Application

Enactment No: R-14-333

CA-2 14-1337 Resolution to Approve the Installation of Traffic Calming Devices on Northside Avenue (\$31,640.00)

Attachments: Final Consensus Plan_NORTHSIDE.pdf

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-14-334

B ORDINANCES - SECOND READING

B-1 14-1156 An Ordinance to Amend Section 5:652 of Chapter 63 (Stormwater Management and Soil Erosion and Sedimentation Control) of Title V of the Code of the City of Ann Arbor (Ordinance No. ORD-14-22)

Attachments: 14-22 Stormwater Management Ordinance Briefed and Approved, 14-22 Stormwater Management Ordinance Briefed.pdf, Ord amend Chpt 63 Sec 5-652 date..pdf, 2014 Rules County Resolution w cover memo DRAFT3..pdf, 14-22 Approval Notice

(The complete copy of the text of Ordinance No. ORD-14-22 is on file in the City Clerk's Office.)

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

Enactment No: ORD-14-22

- B-2 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 - 7 Yeas and 0 Nays) (Ordinance No. ORD-14-21)

Attachments: 14-21 Platt Rod East Rezoning Briefed and Approved.pdf, 14-21 Platt Road East Rezoning Briefed.pdf, Ordinance to Rezone Platt Road East.pdf, 8/6/14 Planning Staff Report, CPC Minutes AAHC Platt 08-06-14.pdf, 14-21 Platt Road East Rezoning Approval Notice.pdf

(The complete copy of the text of Ordinance No. ORD-14-21 is on file in the City Clerk's Office.)

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

Enactment No: ORD-14-21

- B-3 14-1347** An Ordinance to Amend Section 9:46 of Chapter 107 (Animals) of Title IX of The Code of The City of Ann Arbor (Dog Licensing)

Attachments: 14-23 Animals Ordinance Briefed and Approved, 14-23 Chapter 107 Dog License Amendments Briefed.pdf, Chapter 107 dog license amendments, 14-23 Approval Notice

(The complete copy of the text of Ordinance No. ORD-14-23 is on file in the City Clerk's Office.)

Mayor Hieftje requested that City staff consider expanding the animal licensing ordinance to include outdoor cats.

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

Enactment No: ORD-14-23

C ORDINANCES - FIRST READING

C New Business - Staff:

C-1 14-1351

An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 2.15 Acres from M1 (Limited Industrial District) to O (Office District), MAVD Financial Institution Rezoning, 2727 S. State Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-14-24)

Attachments: 14-24 MAVVD Financial Instituion Rezoning Briefed and Approved.pdf, MAVD Financial Institution Zoning Ordinance.pdf, 9/3/14 Planning Staff Report, Planning Commission Minutes 09-03-14.pdf

(The complete copy of the text of Ordinance No. ORD-14-24 is on file in the City Clerk's Office.)

A motion was made by Councilmember Eaton, seconded by Councilmember Teall, that the Ordinance be approved on First Reading to the City Council and should be returned for Second Reading on 11/6/2014. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-14-24

C-2 14-1425

An Ordinance to Amend the Code of the City of Ann Arbor by Repeal of Chapter 112, Non- Discrimination, of Title IX of said Code in its Entirety and Adding a New Chapter 112, Non-Discrimination, of Title IX of said Code (Ordinance No. ORD-14-25)

Sponsors: Human Rights Commission, Teall, Kailasapathy, Eaton, Taylor and Warpehoski

Attachments: 14-25 Chapter 112 Non-Discrimination Ordinance Briefed and Approved.pdf, Chapter 112 City Code 093014.pdf, HRC Resolution in Support of the Proposed NDO Restatement 9 24 14.pdf

(The complete copy of the text of Ordinance No. ORD-14-25 is on file in the City Clerk's Office.)

Councilmember Lumm requested staff to report back on the effect of the ordinance on other governmental entities.

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

Enactment No: ORD-14-25

C-3 14-1443 An Ordinance to Amend Section 10:148 of Chapter 126, Traffic, Title X, of the Code of the City of Ann Arbor

Sponsors: Kunselman

Attachments: Amendment Chpt 126 10.148 - Traffic.pdf, Veto of ORD 13-31

Council requested that staff provide more information regarding the pending changes to State law that may affect the ordinance, including timing and the nature of the changes. (City Administrator and City Attorney to provide requested information.)

Councilmember Taylor moved that the ordinance be amended to schedule the Public Hearing for the first meeting in December. The motion was withdrawn.

Councilmember Kunselman moved, seconded by Councilmember Eaton, that the Ordinance be approved at First Reading.

SUSPEND THE RULES

A motion was made by Councilmember Kunselman, seconded by Councilmember Eaton, that Council Rule 8 be suspended to allow one additional speaking time per member. On a voice vote, the Mayor declared the motion carried.

14-1443 An Ordinance to Amend Section 10:148 of Chapter 126, Traffic, Title X, of the Code of the City of Ann Arbor

Sponsors: Kunselman

Attachments: Amendment Chpt 126 10.148 - Traffic.pdf, Veto of ORD 13-31

A motion was made by Councilmember Teall, seconded by Councilmember Briere, that the Ordinance be Postponed at First Reading until 1/5/2015. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

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

Nays: 5 - Councilmember Kunselman, Councilmember Anglin, Councilmember Lumm, Councilmember Kailasapathy and Councilmember Eaton

C-4 14-1481 An Ordinance to Amend Sections 3:11, 3:14, 3:15, 3:16, and 3:17 of Chapter 40, Trees and Other Vegetation, of Title III of the Code of The City of Ann Arbor

Sponsors: Briere

Attachments: Ord Am Chpt 40

Councilmember Briere moved, seconded by Councilmember Warpehoski, that the Ordinance be approved at First Reading.

Enactment No:

Councilmember Briere requested that staff provide a list of appropriate plants that can be planted in the right-of-way.

A motion was made by Councilmember Warpehoski, seconded by Councilmember Eaton that the Ordinance be Postponed at First Reading until 1/5/2015. On a voice vote, the Mayor declared the motion carried.

Enactment No:

RECESS

Mayor Hieftje declared a recess at 10:10 p.m. and reconvened the meeting at 10:23 p.m.

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

DC-1 14-1444 Resolution for Public Legal Opinion Regarding Homeowner Tax Assessment

Sponsors: Eaton and Lumm

Attachments: Smith-57432

Councilmember Eaton moved, seconded by Councilmember Lumm, that the Resolution be approved.

Enactment No: R-14-335

14-1444**Resolution for Public Legal Opinion Regarding Homeowner Tax Assessment****Sponsors:** Eaton and Lumm**Attachments:** Smith-57432*Councilmember Warpehoski proposed the following amendment:**Revise Last Whereas Clause:**....in Smith v. Township of Forester [appears to be inconsistent] RAISES QUESTIONS with the City Attorney's April 2, 2014 public legal opinion....**[Brackets] indicate deleted language. ALL CAPS indicate new language.**The motion was considered friendly.**(This language was later modified again with a subsequent amendment.)***A motion was made by Councilmember Taylor, seconded by Councilmember Teall, that the Resolution be amended as follows:****Amend 1st Whereas Clause:****....The June 19, 2014 opinion of the Court in Smith v. Township of Forester [raises questions] WAS RELEASED AFTER the City Attorney's....****Note: Brackets [] Indicate deleted language. All CAPS indicate new language.****On a roll call, the vote was as follows with the Mayor declaring the motion carried:****Yeas:** 10 - Mayor Hieftje, Councilmember Kunselman, Councilmember Teall, Councilmember Anglin, Councilmember Briere, Councilmember Taylor, Councilmember Lumm, Councilmember Kailasapathy, Councilmember Petersen and Councilmember Warpehoski**Nays:** 1 - Councilmember Eaton

Enactment No: R-14-335

Councilmember Briere proposed the following amendment:

Revise 2nd RESOLVED Clause:

...prepare a [revised] UPDATED opinion....

The amendment was considered friendly.

Councilmember Petersen proposed the following amendment:

Revise 1st RESOLVED Clause:

RESOLVED, That the City Attorney [reconsider the advice given in his April 2, 2014 public legal opinion regarding homeowner tax assessment in light of] CONSIDER the June 19, 2014 opinion of the Court in Smith v. Township of Forester; and....

The amendment was considered friendly.

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

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

Enactment No: R-14-335

DC-2 14-1461

Resolution Calling on the Michigan Legislature to Ban Discrimination Based on Sexual Orientation and Gender Identity Without Further Delay

Sponsors: Briere, Taylor and Warpehoski

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

Enactment No: R-14-336

DB New Business - Boards and Commissions:

DB-1 14-1448

Resolution to Adopt Recommendations Regarding the Application of the City's Living Wage Ordinance (LWO)

Sponsors: Briere and Eaton

Attachments: Legislation Details (With Text).pdf, Living Wage Ordinance RECOMMENDATIONS.PDF, Living Wage and A2GF HS Spending Comparison_2012.pdf, Living Wage FINAL REPORT.pdf, Living Wage Nonprofit Impact 2012.pdf, Living Wage Report on Impact of Ann Arbor's LWO on Washtenaw County Non-Profit Human Service Providers (June 22 2013).pdf

A motion was made by Councilmember Briere, seconded by Councilmember Eaton, that the Resolution be approved.

14-1448

Resolution to Adopt Recommendations Regarding the Application of the City's Living Wage Ordinance (LWO)

Sponsors: Briere and Eaton

Attachments: Legislation Details (With Text).pdf, Living Wage Ordinance RECOMMENDATIONS.PDF, Living Wage and A2GF HS Spending Comparison_2012.pdf, Living Wage FINAL REPORT.pdf, Living Wage Nonprofit Impact 2012.pdf, Living Wage Report on Impact of Ann Arbor's LWO on Washtenaw County Non-Profit Human Service Providers (June 22 2013).pdf

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

Delete 2nd RESOLVED Clause in its entirety.

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

Yeas: 6 - Councilmember Kunselman, Councilmember Anglin, Councilmember Taylor, Councilmember Lumm, Councilmember Kailasapathy and Councilmember Petersen

Nays: 5 - Mayor Hieftje, Councilmember Teall, Councilmember Briere, Councilmember Warpehoski and Councilmember Eaton

RECESS

Mayor Hieftje declared a recess at 11:30 p.m. and 11:38 p.m.

14-1448 Resolution to Adopt Recommendations Regarding the Application of the City's Living Wage Ordinance (LWO)

Sponsors: Briere and Eaton

Attachments: Legislation Details (With Text).pdf, Living Wage Ordinance RECOMMENDATIONS.PDF, Living Wage and A2GF HS Spending Comparison_2012.pdf, Living Wage FINAL REPORT.pdf, Living Wage Nonprofit Impact 2012.pdf, Living Wage Report on Impact of Ann Arbor's LWO on Washtenaw County Non-Profit Human Service Providers (June 22 2013).pdf

Councilmember Taylor moved the following amendment, seconded by Councilmember Teall:

Add New 2nd Resolved Clause:

Resolved, That Council directs the City Administrator to either (i) increase general fund human services appropriations in the Administrator's budget at a rate equal to or greater than the rate of change in the most recent living wage; or (ii) present a budget amendment that would increase general fund human services appropriations on an annual basis at a rate equal to or greater than the rate of change in the most recent living wage;

The motion was withdrawn.

A motion was made by Councilmember Briere, seconded by Councilmember Eaton, that the Resolution be postponed until 10/20/2014. On a voice vote, the Mayor declared the motion carried.

DS Unfinished Business - Staff:**DS-1 14-1159** Resolution to Approve Fuller Park Parking Lot Land Lease with the University of Michigan (8 Votes Required)

Attachments: Fuller Lot Lease.pdf, Exhibit A-1.pdf, FULLER PARKING LEASE - PAC

Councilmember Briere moved, second by Councilmember Warpehoski, that the Resolution be approved.

14-1159 Resolution to Approve Fuller Park Parking Lot Land Lease with the University of Michigan (8 Votes Required)

Attachments: Fuller Lot Lease.pdf, Exhibit A-1.pdf, FULLER PARKING LEASE - PAC

A motion was made by Councilmember Taylor, seconded by Councilmember Eaton, that the Resolution be postponed until 11/6/2014. On a voice vote, the Mayor declared the motion carried.

DS New Business - Staff:

- DS-2 14-1273** Resolution to Approve the Purchase of Ice Control Salt through the Michigan Delivering Extended Agreements Locally (MIDEAL) from North American Salt Company for Early Fill (\$245,556.00) and Detroit Salt Company LLC (\$296,661.30) for Backup Supply
- Attachments:** 1300340 NAS Early.pdf, 1300339- Detroit seasonal.pdf
- A motion was made by Councilmember Petersen, seconded by Councilmember Warpehoski, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-14-337
- DS-3 14-1303** Resolution Authorizing a Contract with Premier Truck Sales & Rental, Inc. for the Rental of Eight Rear-Load Refuse Trucks (\$117,200.00)
- Attachments:** Leaf Truck Rental Contract-Premier - 8 Trucks Supplemental page 1.pdf, Leaf Truck Rental Contract-Premier - 8 Trucks Supplemental page 2.pdf, Leaf Truck Rental Contract-Premier - 8 Trucks.pdf
- A motion was made by Councilmember Briere, seconded by Councilmember Lumm, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-14-338
- DS-4 14-1228** Resolution to Approve a Contract with Emergency Restoration Company for the Asbestos Abatement and Restoration of the 2nd Floor in the Guy C. Larcom City Hall Building (\$177,900.00) and to Appropriate Funds (\$75,000.00) (8 Votes Required)
- Attachments:** ITB 4340 Bid Response - Emerg Restoration Co.pdf, ITB 4340 Bid Document.pdf
- Councilmember Petersen requested that the Commission on Disability Issues be consulted regarding accessibility improvements to the City Council Chamber.*
- 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-14-339
- DS-5 14-1363** Resolution to Approve a Contract with TEL Systems for the Community Television Network's Council Chambers Video Production System Upgrade (\$145,650.00)
- Attachments:** TEL Systems Contract.pdf
- 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-14-340

- DS-6 14-1352** Resolution of Intent to Vacate Roadway Rights in a 50-foot by 178-foot Area Fronting 2727 S. State Street (8 Votes Required)
Attachments: 9/3/14 Planning Staff Report, 2727 S. State St. vacation drawing.pdf
- 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 unanimously, thus satisfying the eight-vote requirement.**
- Enactment No: R-14-341
- DS-7 14-1412** Resolution to Establish New Dog License Fees
- A motion was made by Councilmember Lumm, seconded by Councilmember Petersen, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-14-342
- DS-8 14-1365** Resolution to Amend the Project Amount and Repayment Terms of the West Park Fairgrounds Drain Improvement Project (\$2,433,904.00)
- A motion was made by Councilmember Eaton, seconded by Councilmember Warpehoski, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-14-343

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER BRIERE

Councilmember Briere reminded Council that the Special Session for the City Administrator's personnel evaluation had been rescheduled for October 13 at 6pm.

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

- F-1 14-1413** Communication from Joshua Schuyler, Project Manager of Cardno ACT regarding Notice of Impacted Parties of Corrective Action regarding the Speedway located at 1300 N. Maple Road - Environmental Services
- Attachments:** Notice of Impacted Parties of Corrective Action regarding Speedway on Maple Road.pdf
- F-2 14-1419** AAATA Financial Operating Reports and Ridership Data for August 2014
- Attachments:** AAATA August 31 2014 Financial Operating combined.pdf, AAATA R2 Demand Respons graphs.pdf, AAATA R2 Fixed Route graphs.pdf, AAATA R2 Performance Reports.pdf, AAATA R2 Weekday riders.pdf
- F-3 14-1429** Communication from the State of Michigan Public Service Commission regarding notice of a Public Hearing scheduled for October 7, 2014, for DTE Customers in Case No. U-17302 - File
- Attachments:** Public Hearing Notice regarding DTE Customers.pdf
- F-4 14-1451** Communication from the State of Michigan Public Service Commission regarding Notice of a Public Hearing for Customers of DTE Electric Company in Case No. U-17689 Scheduled for October 7, 2014 - File
- Attachments:** DTE Public Hearing Notice U-17689.pdf
- F-5 14-1452** Communication from Faris Alassadi expressing concerns with the rezoning of Platt Road East Property - Planning and Development Services
- Attachments:** Platt Rd Rezoning Opposition Letter.pdf
- F-6 14-1460** Communication from Scio Township Zoning Board of Appeals regarding a Public Hearing Notice regarding Variances of Properties in the Township Scheduled for October 16, 2014 - Planning and Development Services
- Attachments:** Scio Twp ZBA Public Hearing Notice.pdf
- F-7 14-1482** Communication from Judy S. Shapiro, Protesting Ordinance No. ORD-14-21, Rezoning of 3451 Platt Road - Ann Arbor Housing Commission Platt Road East - Planning and Development Services
- Attachments:** Communication from Judy S. Shapiro Opposing Platt Road Rezoning
- F-8 14-1483** Communication from Judy Weinburger regarding her objection to the rezoning of 3451 Platt Road, Ann Arbor Housing Commission Platt Road East Project - Planning and Development Services
- Attachments:** Judy Weinburger Communication regarding 3451 Platt Road

- F-9 14-1484** Communication from Janet Seeburger regarding Opposition of the Proposed Rezoning of 3451 Platt Road - Planning and Development Services
Attachments: Communication from Janet Seeburger regarding 3451 Platt Road
- F-10 14-1485** Communication from William Brodovich regarding Opposition of the Proposed Rezoning of 3451 Platt Road - Planning and Development Services
Attachments: Communication from William Brodovich regarding 3451 Platt Road
- G** **The following minutes were received for filing:**
- G-1 14-1164** Zoning Board of Appeals Meeting Minutes of June 25, 2014 ZBA
Attachments: 6-25-2014 ZBA Minutes with Live Links-Approved with Revisions
- G-2 14-1294** Public Market Advisory Commission Meeting Minutes of June 26, 2014
Attachments: PMAC 6.26.14 Minutes
- G-3 14-1331** Building Board of Appeals Meeting Minutes of August 14, 2014
Attachments: BBA Minutes 8-14-14.pdf
- G-4 14-1348** Cable Commission Meeting Minutes of May 27, 2014
Attachments: CCCMinutesMay272014.pdf
- G-5 14-1349** Downtown Development Authority Meeting Minutes July & August 2014
Attachments: DDA Minutes July & August 2014.pdf
- G-6 14-1350** Downtown Area Citizen Advisory Council Meeting Minutes September 2, 2014
Attachments: Downtown Area Citizens Advisory Council Meeting Minutes 090214.pdf
- G-7 14-1397** Ann Arbor Housing Commission August 27, 2014 Board Meeting Minutes
Attachments: Minutes August 27 2014.pdf

- G-8 14-1406** Public Market Advisory Commission Meeting Minutes of August 21, 2014
Attachments: PMAC Meeting Minutes 8.21.14
- G-9 14-1414** Council Labor Committee Meeting Minutes of September 15, 2014
Attachments: Council Labor Committee Minutes 9-15-14.pdf
- G-10 14-1431** Ann Arbor Human Rights Commission Meeting Minutes of April 9, 2014
Attachments: HRC Meeting Minutes4-9-14.pdf
- G-11 14-1432** Ann Arbor Human Rights Commission Meeting Minutes of June 11, 2014
Attachments: HRC Meeting Minutes6-11-14.pdf
- G-12 14-1433** Ann Arbor Human Rights Commission Meeting Minutes of July 9, 2014
Attachments: HRC Meeting Minutes7-9-14.pdf
- G-13 14-1434** Ann Arbor Commission on Disability Issues Meeting Minutes of May 21, 2014
Attachments: 05212014 Meeting Minutes FINAL.pdf
- G-14 14-1435** Ann Arbor Commission on Disability Issues Meeting Minutes of June 18, 2014
Attachments: 06182014 Meeting Minutes FINAL.pdf
- G-15 14-1436** Ann Arbor Commission on Disability Issues Meeting Minutes of July 23, 2014
Attachments: 07232014 Meeting Minutes FINAL.pdf
- G-16 14-1372** Park Advisory Commission Meeting Minutes of August 19, 2014
Attachments: PAC Meeting Minutes 8-19-14.pdf
- G-17 14-1437** Ann Arbor-Ypsilanti Smart Zone LDFA Meeting Minutes - June 17, 2014
Attachments: LDFA 06.17.14 minutes
- G-18 14-1438** Ann Arbor-Ypsilanti SmartZone LDFA Meeting Minutes - July 15, 2014
Attachments: LDFA 07.15.14 minutes

G-19 14-1439 Ann Arbor-Ypsilanti SmartZone LDFA Board Meeting Minutes - August 21, 2014

Attachments: LDFA 08.21.14 minutes

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

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 Teall, seconded by Councilmember Warpehoski, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 11:58 p.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, OCTOBER 6, 2014, 7:00 P.M.

REPLAYS: TUESDAY, OCTOBER 7, 2014, 10:00 A.M. AND FRIDAY, OCTOBER 10, 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.