

City of Ann Arbor

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



Action Minutes

Monday, June 1, 2015

7:00 PM

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

City Council

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

CALL TO ORDER

Mayor Taylor called the meeting of the Ann Arbor City Council to order at 7:01 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: 10 - Councilmember Stephen Kunselman, Councilmember Mike Anglin, Councilmember Sabra Briere, Councilmember Jane Lumm, Councilmember Sumi Kailasapathy, Councilmember Jack Eaton, Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Graydon Krapohl and Councilmember Kirk Westphal

Absent: 1 - Councilmember Chuck Warpehoski

APPROVAL OF AGENDA

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

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

City Administrator Steve Powers presented his Agenda Response Memo to Council and reported on the following:

A Work Session on deer management issues would be rescheduled from June 8 to a date in June or July that would maximize public and Council attendance and participation. Information on a new date would be forthcoming.

The Ann Arbor Police and Fire Open House is scheduled for this Saturday, June 6. It is a family-friendly event and there will be opportunities for children to see and touch the public safety vehicles, said Mr. Powers. The event will be open to the public from 11 a.m. until 2 p.m.

AC-1 15-0703 Agenda Response Memo - June 1, 2015

Attachments: Agenda Responses 6-1-15

Received and Filed

INT INTRODUCTIONS

(Councilmember Warpehoski arrived at 7:08 p.m.)

Present: 11 - Councilmember Stephen Kunselman, Councilmember Mike Anglin, Councilmember Sabra Briere, Councilmember Jane Lumm, Councilmember Sumi Kailasapathy, Councilmember Chuck Warpehoski, Councilmember Jack Eaton, Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Graydon Krapohl and Councilmember Kirk Westphal

INT-1 15-0664 50th Anniversary of the City of Ann Arbor's Sister City Relationship with Tübingen, Germany - Introduction of Delegates

Mayor Taylor introduced the delegation from Tubingen, Germany, who were in attendance visiting Ann Arbor to celebrate the 50-year anniversary of the Sister City relationship between Tubingen and Ann Arbor.

Received and Filed

DC-1 15-0667 Resolution to Reaffirm Resolution R-165-6-65 of the City of Ann Arbor, Michigan which Extended an Invitation to the City of Tübingen, Germany, to Become a Sister-City

Attachments: Resolution R-166-6-65

See DC - MOTIONS AND RESOLUTIONS for action on this item.

Enactment No: R-15-170

INT-2 15-0668 June 1, 2015 Proclamation Honoring the Ann Arbor Branch of the Women's National Farm & Garden Association

Attachments: 2015 A2 Branch Women's Farm & Gdn. Assoc..pdf

Mayor Taylor read a proclamation honoring the Ann Arbor Branch of the Women's National Farm and Garden Association, recognizing the Association's over 68 years of service to the environment and its promotion of horticulture.

Received and Filed

INT-3 15-0074 Historic District Commission Annual Historic Preservation Awards

Attachments: 2015 HDC Awards Powerpoint Final, 31st Annual Ann Arbor Preservation Awards.pdf

Susan Weinberg, of the Historic District Commission, presented the annual Historic Preservation Awards to local residents and business owners. A copy of the awards presentation 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. Maggie Ladd - Ann Arbor Art Fairs (CA-8 & CA-9)

Maggie Ladd, representing the Ann Arbor Art Fairs, urged Council to approve the proposed date changes for the 2016 Art Fairs, allowing for a Thursday to Sunday Art Fair, moving from the current schedule of Wednesday to Saturday.

2. Ian Robinson - Resolution against the Elimination of Local Government's Authority to raise Local Labor Market Standards above State Minimums (DC-2)

Ian Robinson, 3435 Brentwood, spoke in favor of the resolution opposing State laws to eliminate local government authority to regulate local labor markets. He urged Council to approve the resolution.

3. Kermit Schlansker - Biomass Energy

Kermit Schlansker, 2960 Marshall, spoke about biomass energy and urged Council to support alternative energy sources and alternative power creation.

4. Jeff Hayner - Chapter 40, Trees & Other Vegetation and Chapter 49 Sidewalks of the City Code (C-1 & C-2)

Jeff Hayner, 1807 Pontiac Trail, expressed concern about the proposed changes to Chapter 40, Trees and other Vegetation, stating that a 12-inch height maximum for private property vegetation is over-reaching. He urged Council to be careful. He also expressed concerns about the proposed changes to Chapter 49, Sidewalks.

5. Robert McGee - Deer Management

Robert McGee, 2245 Placid Way, on behalf of the Ann Arbor Residents for Non-Lethal Deer Management, urged Council to consider non-lethal alternatives to a deer cull. He asked Council to consider all options and to listen to experts from the Humane Society on this issue.

CC COMMUNICATIONS FROM COUNCIL*COUNCILMEMBER BRIERE*

Councilmember Briere addressed some comments made by a public speaker regarding the proposed changes to Chapter 40, Trees and Vegetation. She stated the 12 inch height maximum is for grass, not flowers and other plants. She noted the height limit listed for plants with bloom heads is 42 inches in the lawn extensions.

COUNCILMEMBER KAILASAPATHY

Councilmember Kailasapathy spoke about her son, who has disabilities. She thanked the Ann Arbor Public Schools, noting that her son is able to graduate this June from Skyline High School with his peers. She stated AAPS should be recognized for their work with students with disabilities.

MC COMMUNICATIONS FROM THE MAYOR**MC-1 15-0627** Appointments - Confirmations*APPOINTMENTS APPROVED*

Mayor Taylor requested confirmation of the following appointments that were presented to Council at the regular session of May 18, 2015:

*Design Review Board**William Kinley (Re-Appointment)*

843 Asa Gray Dr.

Ann Arbor, MI 48105

Term: June 19, 2015 - May 31, 2018

Shannon Gibb- Randall (Re-Appointment)

200 Mark Hannah Pl.

Ann Arbor, MI 48103

Term: June 1, 2015 - May 31, 2018

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

MC-2 15-0702 Appointments - Confirmations

REFERRED

Mayor Taylor presented the following nominations for approval at a later date :

Downtown Development Authority

*Phil Weiss-officer of a downtown business
3449 Ashburnam Rd.
Ann Arbor, MI 48105
Term: June 1, 2015 - May 31, 2019*

Human Rights Commission

*Keta Jeon Cowan-filling vacancy of Neal Elyakin
2128 Stephen Terrace
Ann Arbor, MI 48103
Term: June 1, 2015 - May 31, 2018*

Public Market Advisory Commission

*Jillian Lada Re-appointment
3825 Nixon Rd.
Ann Arbor, MI 48105
Term: June 1, 2015 - May 31, 2018*

Referred to the City Council due back on 6/15/2015

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 15-0151

Resolution in Support of the Reimagine Washtenaw Corridor Improvement Study (CPC Recommendation - Approval: 7 Yeas, 0 Nays)

Attachments: Reimagine Washtenaw Substitute Resolution _May 28 2015_, Substitute Resolution on Reimagine Washtenaw Corridor Improvement Study, Reimagine Washtenaw Update 04-20-15 w Attach, Reimagine Washtenaw Council Questions 02-16-15, 12/16/14 Planning Staff Report, CPC Minutes 12-16-14.pdf

A public hearing was conducted on the proposed Resolution in Support of the Reimagine Washtenaw Corridor Improvement Study. Notice of public hearing was published May 25, 2015.

The following people spoke in support of the proposed resolution:

Jaime Magiera, 943 Dewey, and 4th Ward Council candidate, spoke in support of the proposed resolution.

Harvey Elliott, a resident at First and William, spoke in support of the proposed resolution, stating it is for safety for cyclists.

Bennet Wolpor, Thorn Oaks resident and avid cyclist, spoke in support.

John Weir, 4th Ward resident, spoke in support.

Shosana Hurand, 4th Ward resident, spoke in support.

Peter Houk, Co-chair of the Washtenaw Coalition on Walking and Biking, spoke in support of the proposal.

Luke Norman, Ann Arbor resident and cyclist, spoke in support.

An unidentified resident spoke in support.

John Ford, 2nd Ward resident, spoke in support.

John Waterman, Executive Director of PEAC, a disability advocate, spoke in support.

Ann Hunt, 2nd Ward resident, spoke in support of the plan, but asked Council if it is necessary to implement all provisions.

Rowena Norman, 533 S. Fourth

Arthur Prokosch, 1508 McIntyre

Chip Smith, 5th Ward resident, spoke in support of complete streets.

Carolyn Grawi, Executive Director of the Center for Independent Living, spoke in support stating it is more than just sidewalks.

Dewight Plotner, owner of Wheels in Motion

An unknown resident of Ypsilanti

Sanford Bledsoe, owner of the Espresso Bar

The following people spoke in opposition or expressed concern regarding the resolution:

Jeff Hayner, Pontiac Trail, spoke in opposition to the proposed resolution, stating a budget and source of funding are needed prior to approval of the plan.

Ethel Potts, 1014 Elder, expressed concerns with the plan including questions about traffic flow and turn lanes.

Brian Mansfield, Arlington Avenue resident, expressed concerns about the proposed plan and the widening of the street.

Ann Schriber, 2116 Dorset, spoke in opposition.

Kai Petainen, City resident, expressed concern with the current design for the median in the Reimagine Washtenaw plan.

Heather Allen expressed concerns with the plan, stating it is overkill to address needs of pedestrians and bicyclists.

Kathy Reisfield, Arlington Boulevard, expressed concern about the impacts of the plan

on existing residents.

James Walker spoke in opposition stating there is not enough room for the proposed Michigan left turns.

Kathy Griswold, 3565 Fox Hunt, stated she is an advocate for pedestrian safety, but that a better plan for Washtenaw is needed.

An unidentified new resident of Ann Arbor spoke in opposition, stating better plans can be designed to manage bicycle and vehicle traffic.

Michael Roddy, owner of 3411 Washtenaw, expressed concern about traffic and safety. Peter Eckstein, 2551 Londonderry

Don Salberg, 3105 Lexington, urged Council to not approve the plan as proposed.

Ed Vielmetti, 4th Ward resident

Madeline Gonzalez, 2091 Chalmers, stated she supports pedestrian improvements, but not this plan as proposed.

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

Held and Closed

Enactment No: R-15-184

RECESS

Mayor Taylor declared a recess at 9:20 p.m. and reconvened the meeting at 9:29 p.m.

PH-2 15-0508

Resolution to Approve AutoZone Site Plan, 2151 West Stadium Boulevard (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

Attachments: Autozone Staff Report with Attachments 04-07-15, AutoZone Planning Commission Minutes 04-07-15.pdf

A public hearing was conducted on the proposed Resolution to approve AutoZone Site Plan, 2151 West Stadium Boulevard. Notice of public hearing was published May 25, 2015.

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

Held and Closed

Enactment No: R-15-185

PH-3 15-0568

Resolution to Approve South Pond Village Site Plan and Development Agreement, 3850 East Huron River Drive (CPC Recommendation: Denial - 2 Yeas and 6 Nays)

Attachments: SouthPondDevAgreeREV.pdf, 4/7/15 Planning Staff Report, 4-7-2015
South Pond Village Meeting Minutes.pdf

A public hearing was conducted on the proposed Resolution to approve South Pond Village Site Plan and Development Agreement, 3850 East Huron River Drive. Notice of public hearing was published May 25, 2015.

The following people spoke at the public hearing:

Kym London, 1490 Woodcreek, urged Council to deny the plan, stating site access issues.

Jenny Allan, 1485 Chalmers, spoke in opposition, stating Chalmers cannot handle the additional traffic.

Jim Bardwell, 850 N. University, stating he previously collected signatures opposing the development, but noted that the developer has since made modifications to the plan that will set aside wetlands and preserve landmark trees. He stated he is no longer speaking in opposition.

Ethel Potts, 1014 Elder, expressed concern about the traffic impact to the residents on Chalmers.

Ginny Rezmierski, 1050 Elmwood, spoke in opposition.

A homeowner on Chalmers, spoke in opposition.

Amir Mortazawi, 1710 Woodcreek, urged Council to reject the plan.

Norman Hyman, representing the developer, stated there is no basis for Council to delay this project.

Edward Vielmetti, 4th Ward resident, questioned the traffic on Chalmers as well as whether some of the properties are still township islands.

Michael Hommel, Woodcreek Homeowners Association, stated his concern is with Chalmers being used for access to the site.

Tariq Ali, 1585 Meadowside, stated the access to the development cannot be on Chalmers.

Nancy Kaplan, 3065 Huntington Valley, spoke in opposition.

Shirley White-Black, 3595 E. Huron River Drive, spoke in opposition to the development, stating environmental concerns.

Harvey Kaplan, 3065 Hunting Valley, spoke in opposition due to the environmental concerns.

An unknown resident stated the City owns South Pond.

James D'Amour, 2771 Maplewood, spoke in opposition due to the environmental concerns.

There being no further comment, the Mayor declared the public hearing closed. (Note: The Mayor stated that if the resolution was later postponed, the public hearing would be continued to the next meeting for those speakers who did not speak tonight.)

Held and Continued to 6/15/2015.

A APPROVAL OF COUNCIL MINUTES

A-1 15-0686 Regular Session Meeting Minutes of May 18, 2015

Attachments: 05-18-15 Draft Minutes, Council emails 5-18-2015_Redacted.pdf

A motion was made by Councilmember Krapohl, seconded by Councilmember Warpehoski, that the Minutes of the Regular Session of May 18, 2015 be approved. On a voice vote, the Mayor declared the motion carried.

CA CONSENT AGENDA

CONSENT AGENDA ITEMS REMOVED

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

CA-7 Resolution to Approve W. Washington Street Closing for the Grizzly Peak 20th Anniversary Celebration - Saturday, August 8, 2015 from 1:00 PM until 2:00 AM on Sunday, August 9, 2015

Passed on consent agenda

A motion was made by Councilmember Briere, seconded by Councilmember Grand, that the following Consent Items be approved as presented. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement.

CA-1 15-0481 Resolution to Approve Multi-Year Purchase Order with Intelligent Document Solutions (IDS) (/ \$12,000.00 annually/5-yr total \$60,000.00)
Enactment No: R-15-171

CA-2 15-0552 Resolution Approving Purchase Order and Best Source with Hewlett Packard (HP) for Fire Apparatus Mobile Computers for FY2016 (NTE \$60,000.00)
Enactment No: R-15-172

CA-3 15-0507 Resolution to Amend the Contract with Fonson, Inc. for the Eighth Street Sanitary Manhole Replacement Project ITB#4337 (\$14,859.42)
Attachments: Ex. 1, Change Order No. 1, Ex. 2, Bulletin No 1 Response.pdf
Enactment No: R-15-173

CA-4 15-0565 Resolution to Approve Ferric Chloride Purchase from Kemira Water Solutions, Inc. for the Wastewater Treatment Plant, ITB-4385 (\$50,000.00 per year - estimated)
Attachments: Ferric Chloride bid.pdf
Enactment No: R-15-174

- CA-5 15-0535** Resolution to Approve an Amendment to the Michigan Department of Natural Resources Trust Fund (MNRTF) Grant Development Project Agreement for Gallup Park Livery and Site Renovations
Attachments: Gallup Grant Amendment.pdf
Enactment No: R-15-175
- CA-6 15-0636** Resolution to Approve the Closing of State Street from Monroe to Packard for the Slide the City Event on July 4, 2015
Attachments: Slide the City Map.pdf, Slide the City Info Pack.pdf, Slide the City Health Department Info.pdf
Enactment No: R-15-176
- CA-8 15-0661** Resolution to Approve Street Closings for the 2016 Ann Arbor Art Fairs - July 20, 2016 at 6:00 A.M. Through July 25, 2016 at 6:00 A.M.
Attachments: Ann Arbor Art Fair Street Closings Map.pdf, Res Art Fair Date Change Free Parking 050615
Enactment No: R-15-177
- CA-9 15-0637** Resolution to Approve Temporary Outdoor Sales, Service and Consumption of Alcoholic Beverages during the 2015 Ann Arbor Art Fair
Enactment No: R-15-178
- CA-10 15-0593** Resolution to Accept a Fair Food Network Grant for the Ann Arbor Farmer's Market for up to \$50,000.00 and Appropriate Funds (8 Votes Required)
Attachments: FFN DUFNB 2015 City of Ann Arbor
Enactment No: R-15-179
- CA-11 15-0680** Resolution to Revise Resolution 15-102 Approving Street Closures for the Ann Arbor Summer Festival's "Top of the Park" to Close North University Instead of East Washington
Sponsors: Taylor
Attachments: Top of the Park Map 2015.pdf, R-15-102
Enactment No: R-15-180

- CA-7 15-0660** Resolution to Approve W. Washington Street Closing for the Grizzly Peak 20th Anniversary Celebration - Saturday, August 8, 2015 from 1:00 PM until 2:00 AM on Sunday, August 9, 2015

Attachments: Grizzly Peak 20th Anniversary Map.pdf

Mayor Taylor requested a motion to recuse himself from discussion and voting on this resolution due to potential conflict of interest.

Councilmember Grand moved that Mayor Taylor be recused from the vote and discussion on CA-7 due to potential conflict of interest. Councilmember Lumm supported the motion. On a voice vote, the Mayor declared the motion carried.

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

Enactment No: R-15-181

B ORDINANCES - SECOND READING

None.

C ORDINANCES - FIRST READING

C Unfinished Business:

- C-1 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 (Ordinance No. ORD-15-09)

Sponsors: Briere

Attachments: 15-09 Ord Am Chpt 40 Briefed.pdf, Ord Am Chpt 40.pdf, Communication from Pedestrian Safety and Access Task Force - December 16, 2014.pdf

(The complete copy of the text of Ordinance No. ORD-15-09 is on file in the City Clerk's Office.)

Councilmember Lumm requested that staff provide information to residents regarding the proposed changes. She also asked for staff to provide details on how the ordinance would be implemented and enforced.

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

Enactment No: ORD-15-09

C-2 15-0143

An Ordinance to Amend Sections 4:60, 4:61 and 4:62, and to Delete Section 4:63 of Chapter 49 (Sidewalks) of Title IV of the Code of the City of Ann Arbor (Ordinance No. ORD-15-04)

Attachments: ORD15-04 Ch 49 As Amended 031615, Ord Amend Chpt 49 Briefed.pdf, Ord Amend Chpt 49.pdf, Communication from Linda Feldt regarding Pedestrian Safety and Access Task Force (2).pdf, Memo from Pedestrian Safety Task Force - Postponement Request, MEMO to Council for 4-20-15 from Disabilities Commission.pdf, Disabilities Commission Draft Resolution for Consideration 4-15.pdf, PSATF Letter to Mayor Council

Councilmember Briere moved, seconded by Councilmember Grand, that the Ordinance be adopted at First Reading.

Enactment No: ORD-15-04

(The complete copy of the text of Ordinance 15-04 is on file in the City Clerk's Office.)

A motion was made by Councilmember Lumm, seconded by Councilmember Grand, that the Ordinance be postponed until 7/6/2015. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-15-04

C New Business - Staff:**C-3 15-0610**

An Ordinance to Amend Sections 1:553(1) and (3) of Chapter 18 (Employees Retirement System), Title I of the Code of the City of Ann Arbor to Implement a Change in Board Composition Approved by Ballot Measure and Collective Bargaining (Ordinance No. ORD-15-10)

Attachments: 15-10 Pension Board Ord Amendment Briefed.pdf, Pension Board Ord Amendment.pdf

(The complete copy of the text of Ordinance No. ORD-15-10 is on file in the City Clerk's Office.)

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

Enactment No: ORD-15-10

- C-4 15-0657** An Ordinance to Amend Sections 1:748 of Chapter 21, Retiree Health Benefits Plan and Trust, Title I of the Code of the City of Ann Arbor to Implement a Change in Board Composition Consistent with the Pension Ordinance, Chapter 18, Employees Retirement System (Ordinance No. ORD-15-11)

Attachments: 15-11 VEBA Board Ord Amendment.pdf, VEBA Board Ord Amendment.pdf

(The complete copy of the text of Ordinance No. ORD-15-11 is on file in the City Clerk's Office.)

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

Enactment No: ORD-15-11

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

- DC-1 15-0667** Resolution to Reaffirm Resolution R-165-6-65 of the City of Ann Arbor, Michigan which Extended an Invitation to the City of Tübingen, Germany, to Become a Sister-City

Attachments: Resolution R-166-6-65

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

Enactment No: R-15-170

- DC-2 15-0688** Resolution against the Elimination of Local Governments' Authority to Raise Local Labor Market Standards above State Minimums

Sponsors: Taylor, Briere, Grand, Warpehoski, Westphal, Eaton, Kunselman and Krapohl

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

Enactment No: R-15-182

DC-3 15-0678 Resolution to Approve May 21, 2015 Recommendations of the Board of Insurance Administration, Including Approval of Workers' Compensation Coverage through Midwest Employers Casualty Company (\$65,227.00) and Agreement with CompOne Administrators, Inc., for Third Party Administrative Services (\$29,960.00)

Sponsors: Lumm

Attachments: 2015 Excess WC Renewal Exec Summary.pdf, CompOne WC TPA proposal.pdf, CompOne agreement.pdf, City of Ann Arbor TPA Services - Summary 2015

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

Enactment No: R-15-183

DB Unfinished Business - Boards and Commissions:

DB-1 15-0151 Resolution in Support of the Reimagine Washtenaw Corridor Improvement Study (CPC Recommendation - Approval: 7 Yeas, 0 Nays)

Attachments: Reimagine Washtenaw Substitute Resolution _May 28 2015_, Substitute Resolution on Reimagine Washtenaw Corridor Improvement Study, Reimagine Washtenaw Update 04-20-15 w Attach, Reimagine Washtenaw Council Questions 02-16-15, 12/16/14 Planning Staff Report, CPC Minutes 12-16-14.pdf

A motion was made by Councilmember Westphal, seconded by Councilmember Grand, that the Resolution be approved.

Enactment No: R-15-184

Councilmember Lumm moved the following substitute resolution, seconded by Councilmember Eaton:

Resolution Regarding Reimagine Washtenaw Corridor Improvement Study

Whereas, ReImagine Washtenaw is a cooperative, multi-jurisdictional planning, place-making, transportation, and economic development effort, led by Washtenaw County with stakeholders that include the Cities of Ann Arbor and Ypsilanti and Pittsfield and Ypsilanti Charter Townships, the Michigan Department of Transportation, and the Ann Arbor Area Transportation Authority, among others;

Whereas, Washtenaw County secured a \$3,000,000 Community Challenge Planning Grant from the Department of Housing and Urban Development (HUD), which funded, in part, a comprehensive transportation study of Washtenaw Avenue, known as the Corridor Improvement Study, completed in April 2014;

Whereas, the Corridor Improvement Study was the result of an 18-month planning process, involving significant public input, that provided a detailed plan for the future of the corridor that incorporates specific land use, transportation, non-motorized, and public transit goals;

Whereas, the success of the Corridor Improvement Study depends on all stakeholders working cooperatively to implement its provisions, including future public right-of-way limits necessary to improve the roadway in the future to provide for adequate vehicular travel lanes, non-motorized facilities;

Whereas, all four local units of government have adopted, or will adopt master plan and zoning regulations to ensure that future private land use patterns provide for walkable, vibrant, mixed-use districts that emphasize a sense of place, sustainable development, and integration with public transit;

Whereas, the Ann Arbor City Planning Commission recommended on December 16, 2014 that the Ann Arbor City Council support and endorse the recommendations of the Corridor Improvement Study;

Whereas, serious traffic congestion along the Ann Arbor portion of Washtenaw greatly inconveniences motorists and reduces the patronage of many of the auto-dependent businesses along the avenue.

Whereas, many citizens, business representatives, and engineers have raised concerns that elements of the Study could create even worse traffic congestion, making travel by commuters, shoppers and emergency vehicles more difficult and undercutting the wide geographic customer bases of most of the businesses on the Ann Arbor portion of the avenue;

Whereas, creating separate bike lanes on each side of the avenue directly adjacent to narrowed traffic lanes used by cars, buses, trucks, and emergency vehicles could be hazardous, especially in light of: a) the need for buses to pull over to the right side of the road to accommodate passengers; b) the danger that a green traffic light may invite collisions between cars turning right and cyclists riding through intersections; and c) the alarming growth of distracted driving along Washtenaw as well as other city streets;

Whereas, the City of Ann Arbor Urban and Community Forest Plan identifies protection, preservation, maintenance and expansion of Ann Arbor's tree canopy as an overarching goal, and acquisition of property along the corridor could result in the removal of trees lining the North side of Washtenaw Avenue; and

Whereas, the Study proposes eliminating the median vehicular lane (that currently accommodates vehicles turning off of or onto the avenue) in favor of a wide, planted median that would force vehicles (including emergency vehicles) to make cumbersome "Michigan lefts" It offers no evidence, however, that this move is appropriate for so heavily-travelled an artery or that the plan allows an adequate turning radius for large commercial and emergency vehicles;

Whereas, the means proposed for reducing the flow of vehicular traffic on the Ann Arbor segment of Washtenaw do not appear adequate to attain the 15% reduction that plan says is required and could divert traffic to roads already congested at the same times of day;

RESOLVED, that the Ann Arbor City Council:

- 1) endorses continued staff cooperation with the other municipalities to improve conditions along Washtenaw Avenue;
- 2) specifically endorses cooperation with AAATA to create several off-road bus superstops that will both encourage ridership and reduce traffic blockages;
- 3) endorses the goal of completion of the sidewalk system along the avenue, preferably in ways that will accommodate all forms of non-motorized transportation.
- 4) endorses the broad objectives on the Corridor Improvement Study to improve the experience of pedestrians, bikers and transit riders but recognizes that the highest priority for improving the Ann Arbor portion of Washtenaw must be improving the flow of vehicular traffic for the benefit of emergency vehicles, of commuters into and out of the city, and of the businesses along the avenue and their customers.
- 5) directs that the proposal in the study for a wide median--limiting direct left turns and requiring "Michigan lefts" at many places--should be evaluated by objective outside traffic engineers for their effects on traffic flow and be brought back to the Council before any implementation is planned or executed.

Enactment No: R-15-184

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

Yeas: 11 - Councilmember Kunselman, Councilmember Anglin, Councilmember Briere, Councilmember Lumm, Councilmember Kailasapathy, Councilmember Warpehowski, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Krapohl and Councilmember Westphal

Nays: 0

Enactment No: R-15-184

OPEN AGENDA

A motion was made by Councilmember Eaton, seconded by Councilmember Briere, that the Agenda be opened to allow immediate action on DB-3, Resolution to Approve South Pond Village Site Plan. On a voice vote, the Mayor declared the motion carried and DB-3 was placed on the floor for consideration.

DB New Business - Boards and Commissions:

DB-3 15-0568 Resolution to Approve South Pond Village Site Plan and Development Agreement, 3850 East Huron River Drive (CPC Recommendation: Denial - 2 Years and 6 Nays)

Attachments: SouthPondDevAgreeREV.pdf, 4/7/15 Planning Staff Report, 4-7-2015 South Pond Village Meeting Minutes.pdf

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

ALLOW ADDITIONAL PUBLIC COMMENT

Councilmember Lumm requested that the developer be allowed to address Council again regarding the proposed plan.

A motion was made by Councilmember Lumm that the developer be allowed to address Council on this issue. On roll call, the vote was as follows, with the Mayor declaring the motion failed, per Council Rule 7 (3 members objecting):

Yeas: 8 - Councilmember Anglin, Councilmember Briere, Councilmember Lumm, Councilmember Warpehoski, Councilmember Eaton, Mayor Taylor, Councilmember Grand and Councilmember Krapohl

Nays: 3 - Councilmember Kunselman, Councilmember Kailasapathy and Councilmember Westphal

15-0568 Resolution to Approve South Pond Village Site Plan and Development Agreement, 3850 East Huron River Drive (CPC Recommendation: Denial - 2 Years and 6 Nays)

Attachments: SouthPondDevAgreeREV.pdf, 4/7/15 Planning Staff Report, 4-7-2015 South Pond Village Meeting Minutes.pdf

A motion was made by Councilmember Eaton, seconded by Councilmember Briere, that the Resolution be postponed until 6/15/2015. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 11 - Councilmember Kunselman, Councilmember Anglin, Councilmember Briere, Councilmember Lumm, Councilmember Kailasapathy, Councilmember Warpehoski, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Krapohl and Councilmember Westphal

Nays: 0

15-0151

Resolution in Support of the Reimagine Washtenaw Corridor Improvement Study (CPC Recommendation - Approval: 7 Yeas, 0 Nays)

Attachments: Reimagine Washtenaw Substitute Resolution _May 28 2015_, Substitute Resolution on Reimagine Washtenaw Corridor Improvement Study, Reimagine Washtenaw Update 04-20-15 w Attach, Reimagine Washtenaw Council Questions 02-16-15, 12/16/14 Planning Staff Report, CPC Minutes 12-16-14.pdf

A motion was made by Councilmember Eaton, seconded by Councilmember Briere, that the Resolution be taken from the table. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 11 - Councilmember Kunselman, Councilmember Anglin, Councilmember Briere, Councilmember Lumm, Councilmember Kailasapathy, Councilmember Warpehoski, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Krapohl and Councilmember Westphal

Nays: 0

Enactment No: R-15-184

The question being, the motion made by Councilmember Lumm, seconded by Councilmember Eaton, that the Resolution be amended (approve substitute resolution). On a roll call, the vote was as follows with the Mayor declaring the motion defeated:

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

Nays: 6 - Councilmember Briere, Councilmember Warpehoski, Mayor Taylor, Councilmember Grand, Councilmember Krapohl and Councilmember Westphal

Enactment No: R-15-184

RECESS

Mayor Taylor called a recess at 12:02 a.m. and reconvened the meeting at 12:16 a.m.

15-0151 Resolution in Support of the Reimagine Washtenaw Corridor Improvement Study (CPC Recommendation - Approval: 7 Yeas, 0 Nays)

Attachments: Reimagine Washtenaw Substitute Resolution _May 28 2015_, Substitute Resolution on Reimagine Washtenaw Corridor Improvement Study, Reimagine Washtenaw Update 04-20-15 w Attach, Reimagine Washtenaw Council Questions 02-16-15, 12/16/14 Planning Staff Report, CPC Minutes 12-16-14.pdf

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

RESOLVED, That the Ann Arbor City Council hereby supports and endorses the recommendations of the Corridor Improvement Study, with the understanding that future, more detailed analysis will be required, as well as coordination with MDOT, in order to implement [all of] its provisions.

Note: [Brackets] indicate deleted language.

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

Enactment No: R-15-184

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

Yeas: 10 - Councilmember Kunselman, Councilmember Anglin, Councilmember Briere, Councilmember Kailasapathy, Councilmember Warpehoski, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Krapohl and Councilmember Westphal

Nays: 1 - Councilmember Lumm

Enactment No: R-15-184

DB-2 15-0508 Resolution to Approve AutoZone Site Plan, 2151 West Stadium Boulevard (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

Attachments: Autozone Staff Report with Attachments 04-07-15, AutoZone Planning Commission Minutes 04-07-15.pdf

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

Enactment No: R-15-185

DS New Business - Staff:

DS-1 15-0543 Resolution to Approve FY 16 Allocations to Non-Profit Entities for Human Services - \$1,246,329.00 (General Fund)

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

Enactment No: R-15-186

DS-2 15-0480

Resolution to Approve Agreement with Cutwater Asset Management (Approximately \$675,000.00; \$135, 000.00 annually for 5 years with a 2-Year Optional Renewal)

Attachments: Cutwater Asset Management Agreement

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

Enactment No: R-15-187

DS-3 15-0532

Resolution Awarding a Construction Contract to E. T. MacKenzie Company for the Hewett Drive, Russell Road, Russett Road, and Redeemer Avenue Water Main Replacement Project (\$1,609,990.00; Bid No. ITB-4378)

Attachments: ITB 4378_2013-034_Bid Tabulation.pdf, ITB 4378_2013-034 Contract Document_2015-05-08.pdf, Project Location Map.pdf

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

Enactment No: R-15-188

DS-4 15-0583

Resolution to Approve an Agreement for Professional Services for Construction Materials Testing with Testing Engineers & Consultants, Inc. (TEC) for the Hewett Drive, Russell Road, Russett Road, and Redeemer Avenue Water Main Replacement Project (\$49,510.00; RFP No. 921)

Attachments: 2013-034_H3R CMT PSA-TEC_2015-06-12.pdf

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

Enactment No: R-15-189

DS-5 15-0519

Resolution to Approve Amendment No. 3 to the Professional Services Agreement with Tetra Tech, Inc. for Environmental Consulting Services at the Ann Arbor Landfill (\$441,503.00) and to Appropriate Funds (\$53,510.00) (8 Votes Required)

Attachments: Amendment #3 TTI.pdf, Tetra Tech Geo executed PSA

A motion was made by Councilmember Briere, seconded by Councilmember Grand, 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-15-190

- DS-6 15-0518** Resolution to Award a Construction Contract to Bailey Excavating, Inc. (\$854,894.00, Bid No. ITB-4373) for the Devonshire, Belmont, Londonderry Water Main Replacement Project
- Attachments:** ITB 4373 Contract Documents Bailey, Bid Tab Final, Project Map
- A motion was made by Councilmember Lumm, seconded by Councilmember Westphal, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-15-191
- DS-7 15-0566** Resolution to Approve the Purchase of Polymer from Polydyne Inc. for the Wastewater Treatment Plant, ITB-4386 (\$218,800.00 per year estimated)
- Attachments:** POlymer ITB No 4386 5-2015.pdf
- A motion was made by Councilmember Krapohl, seconded by Councilmember Warpehoski, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-15-192
- DS-8 15-0517** Resolution to Approve a Contract with Maniaci/Watt, LLC for Mack Pool Interior Ceiling and Trim Painting (\$183,800.00) and Appropriate Funds (8 Votes Required)
- Attachments:** Ex. 1, ITB 4370 Mack Pool
- A motion was made by Councilmember Warpehoski, seconded by Councilmember Krapohl, 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-15-193
- DS-9 15-0523** Resolution to Approve Renewal of a Three-Year Enterprise Agreement with Microsoft Corporation and Related Three-year Payment Plan to Dell Marketing L.P. (\$773,407.02)
- Attachments:** DellQuote
- 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-15-194

COMMUNICATIONS FROM COUNCIL*COUNCILMEMBER KUNSELMAN*

Councilmember Kunselman stated he plans to bring a resolution to the next Regular Session of Council directing City staff to look into the creation of a "tiny homes" community at the City-owned 415 W. Washington site.

COUNCILMEMBER BRIERE

Councilmember Briere announced that CSPAN would be in town on Wednesday to recognize the local winners of the network's film competition.

Councilmember Briere also announced that on Saturday, June 13, "The Legacies Project" produced by Skyline High School students would be screened at the Michigan Theatre. The short films showcase interviews with senior citizens as a way to establish memories of the past. The films will show at the Michigan Theatre at 10:30 a.m.

COUNCILMEMBER WESTPHAL

Councilmember Westphal announced that the first ever Gun Violence Awareness Day would be held on Tuesday, June 2. To show support, wear orange clothing and use the hash tag #wearingorange on social media.

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 Grand, 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 15-0564 Communication from Comcast regarding Comcast/Time Warner Cable/Charter Transactions Terminated and the formation of GreatLand Connections - CTN, Attorney Services

Attachments: Comcast Communication 4-27-15.pdf

- F-2 15-0595** May 5, 2015 Election Canvass Report from the Washtenaw County Board of Canvassers - File
Attachments: May 5 2015 Canvass.pdf
- F-3 15-0669** Living Wage Increase Effective April 30, 2015
Attachments: living wage poster
- F-4 15-0685** Communication from the Ann Arbor Area Transportation Authority (AAATA) regarding their 2015 Tax Rate Request - City Assessor, City Treasurer
Attachments: AAATA Communication.pdf
- G The following minutes were received for filing:**
- G-1 15-0422** Historic District Commission Meeting Minutes of the March 12, 2015
Attachments: 3-12-2015 HDC Minutes with Live Links.pdf
- G-2 15-0536** City Planning Commission Special Meeting Minutes of March 10, 2015
Attachments: 3-10-2015 CPC Minutes with Live Links.pdf
- G-3 15-0562** Downtown Development Authority Meeting Minutes April 1, 2015 and DDA Partnerships & Economic Development Meeting of April 8, 2015
Attachments: DDA Minutes April 2015
- G-4 15-0594** Retiree Health Care Benefit Plan & Trust Board of Trustees (VEBA) Meeting Minutes of January, March, April, May, June, August, September, October, November and December 2014
Attachments: B VEBA Bd January 2014.pdf, B VEBA Bd March 2014.pdf, B VEBA Bd April 2014.pdf, B VEBA Bd May 2014.pdf, B VEBA Bd June 2014.pdf, B VEBA Bd July 2014.pdf, B VEBA Bd August 2014.pdf, B VEBA Bd September 2014.pdf, B VEBA Bd October 2014.pdf, B VEBA Bd November 2014.pdf, B VEBA Bd December 2014.pdf
- G-5 15-0666** Council Rules Committee Meeting Minutes of May 20, 2015
Attachments: Council Rules Committee Minutes 5-20-15.pdf
- G-6 15-0684** Cable Communications Commission Meeting Minutes of February 4, 2015
Attachments: CCCMinutesFeb042015

G-7 15-0679 Insurance Board Meeting Minutes - May 21, 2015

Attachments: Insurance Board Minutes 052115.pdf, Ann Arbor Insurance Board Loss Run - April 2015..pdf

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Kai Petainen, City resident, thanked Council for the thorough debate on several issues this evening.

Jaime Magiera, 4th Ward resident, thanked Council for tonight's discussion.

Ed Vielmetti, 4th Ward resident, concurred with the other speakers and thanked Council for the public debate this evening.

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 Krapohl, seconded by Councilmember Warpehoski, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 12:55 a.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, JUNE 1, 2015 @ 7:00 P.M.

REPLAYS: TUESDAY, JUNE 2, 2015 @ 10:00 A.M. AND FRIDAY, JUNE 5, 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.