

City of Ann Arbor

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



Meeting Minutes

Monday, December 15, 2014

7:00 PM

Washtenaw County Building, 220 N. Main St., board room....

City Council

City Council will meet in caucus the Sunday prior to each regular session at 7 p.m. in the Larcom Basement Conference room.

CALL TO ORDER

Mayor Taylor called the meeting of the Ann Arbor City Council to order at 7:01 p.m. in the Washtenaw County Administration Building, Board of Commissioners meeting room, 220 N. Main Street.

MOMENT OF SILENCE

Council stood for a moment of silence.

PLEDGE OF ALLEGIANCE

Mayor Taylor led Council in the recitation of the Pledge of Allegiance.

ROLL CALL OF COUNCIL

Present: 11 - Councilmember 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

APPROVAL OF AGENDA

A motion was made by Councilmember Briere, seconded by Councilmember Lumm, 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 written reports for information of Council and reported on the following:

Mr. Powers noted that the appointment of the City's new fire chief is on tonight's agenda. He stated a ceremonial swearing-in ceremony and welcoming will take place in early January.

Mr. Powers stated that Council has received the independent auditor's report. He stated the Audit Committee will meet with the City's auditors to review the report.

Mr. Powers stated that item B-1, the Main Street rezoning ordinance, has been revised. An updated copy has been provided in the Council's packet.

Mr. Powers reminded Council and the community that solid waste and recycling services would be delayed on Christmas Day and New Year's Day. He stated the usual Thursday collection would take place on Friday and Friday collection would take place on Saturday.

The City is providing four drop-off locations for undecorated Christmas trees from

December 15 through January 31. Locations include the parking lot adjacent to the drop-off station at 2950 E. Ellsworth, West Park parking lot, Gallup Boat launch parking lot, and the Olson Park parking lot.

- AC-1** [14-1698](#) Memorandum from City Administrator - Schedule Update for Pedestrian Safety and Access Task Force

Attachments: Memo from Administrator - PSATF 11-6-14

Received and Filed

- AC-2** [14-1781](#) Agenda Response Memo - December 15, 2014

Attachments: Agenda Responses 12-15-14

Received and Filed

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. Jim Mogensen - Purchase of Police Body Worn Cameras (DC-6)**

Jim Mogensen spoke about the Ann Arbor Police and the need for more transparency. He expressed some concern about the lack of openness in the past.

- 2. Lucia Heinold - Purchase of Police Body Worn Cameras (DC-6)**

Lucia Heinold, 1224 Wines, spoke in support for the purchase of Police body-worn cameras. She expressed concern for the possibility of abuse.

- 3. Lloyd Shelton - Law Enforcement Strategies (DC-6)**

Lloyd Shelton, City resident, spoke about a separate and unequal America. He urged the City Council to fire the police officer responsible for the shooting death of Aura Rosser.

- 4. Jeffery Harrold - Purchase of Police Body Worn Cameras (DC-6)**

Rev. Jeffery Harrold, 1393 King George Blvd., spoke in support of the purchase of body-worn cameras for police officers. He stated more transparency and trust in police is needed.

- 5. Shirley Beckley - Purchase of Police Body Worn Cameras (DC-6)**

Shirley Beckley asked that she be allowed to use her three minutes of speaking time for a moment of silence in recognition of Aura Rosser's three children.

6. Debra Kraus - Purchase of Police Body Worn Cameras (DC-6)

Not present.

7. Tom Partridge - Give Gift of Affordable Housing; Plan and Fund Affordable Housing (G-3, G-4)

Tom Partridge, City resident, urged Council to support policies and action to promote more affordable housing.

8. Gordon Smith - Camp Serenity

Gordon Smith, City resident, stated he is the founder of Camp Serenity. He stated the homeless are good neighbors on Burton Road, noting that the folks living there have cleaned up the area at their expense.

9. William Hampton - NAACP

William Hampton, President of local NAACP, spoke in support of the purchase of police body-worn cameras. He provided a letter of support for the purchase from the Ann Arbor NAACP. He urged the AAPD to be transparent and provide information regarding racial profiling within the Department.

10. Sheri Wander - Expand Shelter Services in Ann Arbor

Sheri Wander, member of non-profit Mission, spoke about the homeless camps in Ann Arbor. She stated the Mission group is a non-profit and is not endorsing or supporting the recall effort of Councilmember Kunselman. Not wearing her Mission hat, she spoke about the homeless situation and the importance of black lives.

Alternates:

1. Tracy Williams - Expand Shelter Service

Tracy Williams spoke about the need for additional service for the homeless.

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER KAILASAPATHY

Councilmember Kailasapathy updated Council regarding the last Human Rights Commission meeting. She stated the Commission discussed the shooting of Aura Rosser by an Ann Arbor police officer and passed a resolution to move forward with the research into the creation of a civilian oversight body of the Police Department. She stated the Human Rights Commission understands that police cannot oversee police.

COUNCILMEMBER BRIERE

Councilmember Briere presented the application of Jason Frenzel to be appointed to the Environmental Commission. She stated she and Councilmember Anglin will support a resolution to make this appointment on January 5.

Councilmember Briere stated she and Councilmember Grand are the Council appointed liaisons to the City/School committee. She stated this committee is meeting next week with representatives from the Ann Arbor Schools and Steve Powers, City Administrator.

Councilmember Briere thanked the public for their activism on the police shooting incident, stating that Ann Arbor has never been a complacent community. She stated she looks forward to the independent report on the incident.

COUNCILMEMBER GRAND

Councilmember Grand stated she is presenting a resolution to Council to reappoint Shannon Brines to the Greenbelt Advisory Commission. The resolution will be brought to Council for approval on January 5, she stated.

Councilmember Grand stated she is hosting office hours again for her constituents. Her next open office hours will be at Bryant Community Center on Tuesday at 9 a.m.

Councilmember Grand also thanked the public speakers who came out to speak regarding the police shooting incident and the proposed purchase of body-worn cameras.

COUNCILMEMBER WARPEHOSKI

Councilmember Warpehoski thanked the public who came out tonight to speak about the Aura Rosser shooting and the issue of police body cameras. He stated the formal City Council meeting is not the best forum for dialogue and suggested that another public meeting may be necessary. He stated he recognizes that the issue of racial inequality in policing is coming to light and needs to be discussed. Regarding the concerns of Mr. Shelton, who spoke this evening, Councilmember Warpehoski stated he cannot support the firing of the Ann Arbor police officer until the investigation has been completed.

Councilmember Warpehoski stated there will be a Capstone presentation by UM graduate students tomorrow at the Downtown Library at 4 p.m. regarding the Allen Creek Greenway. He urged those interested to attend.

COUNCILMEMBER KUNSELMAN

Councilmember Kunselman addressed concerns expressed regarding his previous comments about the Burton Road homeless camp and his position regarding the homeless population and the City's support of the shelter, noting that he and the Council as a body, recently approved additional funding to the Delonis Center on November 17. Councilmember Kunselman read the following Whereas clauses from that resolution:

Whereas, The local sheltering system was stretched beyond capacity to accommodate the overwhelming demand for safe, warm space during the near-constant emergency weather conditions;

Whereas, The Office of Community & Economic Development - on behalf of the City of Ann Arbor, Washtenaw County, and the local Continuum of Care Board - and the Washtenaw Housing Alliance convened a Winter Emergency Shelter/Warming Center Response work group in the fall of 2014;

Whereas, The workgroup proceeded to review the scope of the problem, surface and evaluate a set of possible solutions, and explore a variety of community partnerships and funding sources;

Whereas; The recommendations include funding the Shelter Association of Washtenaw County to support up to 50 additional spaces in a rotating, overnight warming center for the months of January 2015 to March 2015 to be housed in three local churches each hosting one month;

Whereas, The recommendations also include funding the Shelter Association of Washtenaw County to support a consistent, daytime warming center from November 2014 through March 2015 to be housed in its Delonis Center unless local churches are identified to host the daytime warming center as well;

Whereas, The recommendations also include funding Community Support & Treatment Services to support a 10% increase in funding available for emergency hotel and motel vouchers for the most vulnerable homeless residents on extreme weather days;

Whereas, These recommendations in total will cost no more than \$178,636.00;...

Councilmember Kunselman also read a letter from Ellen Schulmeister, Delonis Shelter Director, that was written to Ryan Stanton of MLive, regarding the capacity of the Delonis Shelter and a rebuttal to comments made by public speakers. Ms. Schulmeister's letter clarified that the shelter does not see the same folks at the warming shelter every single night and the numbers vary daily, making a number for capacity difficult to quantify. Her letter stated that support staff from CSTS check on known homeless camps and provide service, including providing hotel rooms in some cases. Councilmember Kunselman read that Ms. Schulmeister's letter stated that she answered affirmatively to Councilmember Kunselman's question as to whether the shelter could serve the needs of the campers, planning for 100 beds this winter.

COUNCILMEMBER EATON

Councilmember Eaton addressed the comments made against Councilmember Kunselman. He stated he supports Councilmember Kunselman and noted the speakers are misrepresenting him. Councilmember Eaton stated the homeless are setting up a camp on private property.

Councilmember Eaton thanked Councilmember Kailasapathy for her work on the Human Rights Commission.

COUNCILMEMBER LUMM

Councilmember Lumm thanked the Mayor for his compassion during a very difficult situation. She concurred with Councilmember Eaton's remarks as well.

Councilmember Lumm reported on the recent deer management public meeting. She stated it was very well attended, with 75 residents signing in. A website on the issue has been created at www.wc4eb.org.

COUNCILMEMBER BRIERE

Councilmember Briere reported out regarding the recent public meeting on the Nixon/DhuVarren/Green Road intersection. She stated there are two main concerns that were raised at the meeting: traffic studies were performed by the developers; and the studies did not extend far enough beyond the intersection.

[14-1778](#)

Resolution to Re-Appoint Shannon Brines as a Member of the City of Ann Arbor Greenbelt Advisory Commission

Sponsors: Grand

Referred to the City Council due back on 1/5/2015

Enactment No: R-15-003

[14-1780](#)

Resolution to Appoint Charles Jason Frenzel to the Environmental Commission

Sponsors: Briere and Anglin

Referred to the City Council due back on 1/5/2015

Enactment No: R-15-004

MC COMMUNICATIONS FROM THE MAYOR

Mayor Taylor spoke about the shooting death of Aura Rosser by an Ann Arbor police officer. He urged the community to be patient and to allow the independent investigation to be conducted thoroughly.

Mayor Taylor stated he attended the opening of the John Dingell multi-nodal transportation center in Dearborn. He stated this center is part of the ongoing effort to bring rail service to the region.

MC-1 [14-1695](#)

Appointments - Confirmations

Mayor Taylor requested confirmation of the following appointments that were presented at the December 1, 2014 Regular Session of Council:

Commission on Disability Issues

*Larry Leon Davis -filling vacancy
1504 Broadway St.
Ann Arbor, MI 48105
Term: June 1, 2014 - May 31, 2017*

Housing and Human Services Advisory Board

*Anna Erickson Re-Appointment
1507 Las Vegas Dr.
Ann Arbor, MI 48103
Term: June 1, 2014 - May 31, 2017*

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

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 [13-1067](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.39 Acre from TWP (Township District) to R1B (Single-Family Dwelling District), Rayer Property, 2640 Miller (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-14-26)

Attachments: 14-26 Briefed and Approved.pdf, 14-26 Rayer Rezoning Ordinance Briefed.pdf, Rayer Zoning Ordinance.pdf, 8/20/13 Planning Staff Report, 8/20/13 Planning Commission Minutes

A public hearing was conducted on the proposed amendment to Chapter 55 (Zoning), Rezoning of 0.39 Acre from TWP (Township District) to R1B (Single-Family Dwelling District), Rayer Property, located at 2640 Miller Road. Notice of public hearing was published November 24, 2014.

Tom Partridge, City resident, urged Council to support more affordable housing projects before proceeding with any additional rezoning of property.

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

Held and Closed

Enactment No: ORD-14-26

PH-2 [14-1649](#) Resolution to Approve Ann Arbor Housing Commission Platt Road East Planned Project Site Plan, 3451 Platt Road (CPC Recommendation: Approval - 6 Yeas and 0 Nays)

Attachments: 11/5/14 Planning Staff Report (Revised), Planning Commission Minutes - Platt Road East 11-05-14

A public hearing was conducted on the proposed Resolution to Approve Ann Arbor Housing Commission Platt Road East Planned Project Site Plan, 3451 Platt Road. Notice of public hearing was published December 8, 2014.

The following people spoke in support of the project:

Jean Carlberg, 1902 Independence, stated more affordable housing is needed in the City.

Tom Partridge

A resident at 2025 Churchill

Joan Doughty, Director of CAN

Wendy Carty-Saxon, 2926 Marshall

Julie Steiner, 502 Sunset

The following people spoke in opposition to the project:

Paul Zsenyuk, 3304 Platt, stated this is not the right location for affordable housing.

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

Held and Closed

Enactment No: R-14-414

PH-3 [14-1720](#)

Resolution to Vacate Roadway Rights in a 50-foot by 178-foot Area Fronting 2727 S. State Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays) **(8 Votes Required)**

Attachments: 9/3/14 Planning Staff Report, 9/3/14 Planning Commission Minutes.pdf, 2727 S. State St. vacation drawing.pdf

A public hearing was conducted on the proposed Resolution to Vacate Roadway Rights in a 50-foot by 178-foot Area Fronting 2727 S. State Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays). Notice of public hearing was published November 3 and November 13, 2014.

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

Held and Closed

Enactment No: R-14-415

A APPROVAL OF COUNCIL MINUTES

A-1 [14-1726](#)

Special Session of November 24, 2014 and Regular Session Meeting Minutes of December 1, 2014

Attachments: 11-24-14 Special Session Minutes, 12-01-15 Draft Minutes, Council emails 12-1-14_Redacted.pdf

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

CA CONSENT AGENDA

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

CA-6 Resolution to Approve a Contract with the Washtenaw County Sheriff's Office to provide Drug Abuse Screening Services to Sobriety Court, Mental Health Court and Veterans Treatment Court Defendants (\$69,373.20)

CA-7 Resolution to Approve a Service Contract with Home of New Vision to Provide Mental Health Treatment Services to Mental Health Court and Veterans Treatment Court Defendants (\$45,720.00)

*CA-8 Resolution to Appoint Fire Chief***Passed on consent agenda**

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

- CA-1** [14-1557](#) Approval of a Restrictive Deed Covenant on the City of Ann Arbor Landfill Property
Attachments: RDC for AALF 12-1-14.pdf
Enactment No: R-14-399
- CA-2** [14-1565](#) Approval of a Restrictive Deed Covenant on Southeast Area Park
Attachments: RDC for SE Area Park 12-1-14.pdf
Enactment No: R-14-400
- CA-3** [14-1566](#) Resolution to Approve an Environmental License Agreement with the Michigan Department of Transportation for Use of a Portion of Right-of-Way North of Southeast Area Park
Attachments: MDOT env lic agr AALF.pdf, Exhibit 1_Area of Environmental Contamination
Enactment No: R-14-401
- CA-4** [14-1614](#) Resolution Authorizing Sanitary Sewer and Water Improvement Charges for 2540 Emerald Avenue (\$13,110.41)
Enactment No: R-14-402
- CA-5** [14-1615](#) Resolution Authorizing Sanitary Sewer and Water Improvement Charges for 2550 Emerald Avenue (\$13,110.41)
Enactment No: R-14-403

Passed on consent agenda

A motion was made by Councilmember Anglin, seconded by Councilmember Briere, that the following Consent Items (CA-6 and CA-7) be approved as presented. On a voice vote, the Mayor declared the motion carried.

- CA-6** [14-1673](#) Resolution to Approve a Contract with the Washtenaw County Sheriff's Office to provide Drug Abuse Screening Services to Sobriety Court, Mental Health Court and Veterans Treatment Court Defendants (\$69,373.20)
Attachments: WCSO 15th DC Drug Screening Svcs
Enactment No: R-14-404

- CA-7** [14-1674](#) Resolution to Approve a Service Contract with Home of New Vision to Provide Mental Health Treatment Services to Mental Health Court and Veterans Treatment Court Defendants (\$45,720.00)

Attachments: Home of New Vision 15th DC Clinical Rehab Srvs

Enactment No: R-14-405

- CA-8** [14-1756](#) Resolution to Appoint Fire Chief

Sponsors: Briere, Krapohl, Warpehoski and Taylor

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-14-406

B ORDINANCES - SECOND READING

B Unfinished Business - Staff:

- B-1** [14-0814](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 1.1 Acres from D1 (Downtown Core Base District) to D2 (Downtown Interface Base District), 425 South Main Street City-Initiated Rezoning, 425 South Main Street (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-14-11) **(8 Votes Required)**

Attachments: 14-11 Briefed and Approved.pdf, Revised Ordinance 14-11 to Amend 425 S Main 12-15-14, 14-11 - 425 S Main St Rezoning Briefed, 14-11 - 425 S Main St Rezoning revised, 5/6/14 Planning Staff Report, 425 S. Main CPC Minutes 05-06-14.pdf, KRG investments 425 main zoning opposition, 425 S Main St Zoning Map, 14-11 425 S. Main St. Rezoning Approval Notice.pdf

A motion was made by Councilmember Briere, seconded by Councilmember Kailaspathy, that the Ordinance be approved on First Reading and should be returned by 1/5/2015. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-14-11

B New Business - Staff:

- B-2** [13-1067](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.39 Acre from TWP (Township District) to R1B (Single-Family Dwelling District), Rayer Property, 2640 Miller (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-14-26)

Attachments: 14-26 Briefed and Approved.pdf, 14-26 Rayer Rezoning Ordinance Briefed.pdf, Rayer Zoning Ordinance.pdf, 8/20/13 Planning Staff Report, 8/20/13 Planning Commission Minutes

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

Enactment No: ORD-14-26

C ORDINANCES - FIRST READING

RECESS

Mayor Taylor called a recess at 9:00 p.m. and reconvened the meeting at 9:07 p.m.

- C-1** [14-1728](#) An Ordinance to Amend Section 9:42 of Chapter 107 (Animals - Keeping Chickens) of Title IX of the Code of the City of Ann Arbor (Ordinance No. ORD-14-28)

Sponsors: Warpehoski

Attachments: 14-28 Chicken Ordinance Briefed and Approved .pdf, 14-28 Chicken Ordinance Briefed and Approved .docx, 14-28 ORD 14-28 As Amended 012015 Briefed, ORD 14-28 Proposed Amendment to include Grand Rapids notice, ORD 14-28 Proposed Amendment to include keeping ducks, ORD 14-28 Chapter 107 - Keeping Chickens proposed substitute, ORD 14-28 Keeping Chickens Chapter 107 as Amended 010515, 14-28 Briefed.pdf, Ord Am 9 42 Keeping Chickens.pdf, 14-28 Chicken Ordinance Approval Notice.pdf

A motion was made by Councilmember Warpehoski, seconded by Councilmember Westphal, that the Ordinance be approved on First Reading and should be returned by 1/5/2015. On a voice vote, the Mayor declared the motion carried, with one no-vote by Councilmember Lumm.

Enactment No: ORD-14-28

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

- DC-1** [14-1771](#) Resolution to Approve the Collective Bargaining Agreement with the Deputy Chiefs, Teamsters Local 214, effective January 1, 2015 - December 31, 2016

Sponsors: Kunselman, Taylor, Warpehoski, Grand and Lumm

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

Enactment No: R-14-407

- DC-2** [14-1770](#) Resolution to Approve the Collective Bargaining Agreement with the Command Officers Association of Michigan, effective January 1, 2015 - December 31, 2017

Sponsors: Kunselman, Taylor, Warpehoski, Grand and Lumm

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

Enactment No: R-14-408

DC-3 [14-1769](#)

Resolution to Approve the Collective Bargaining Agreement with the Police Professional Assistants, Teamsters Local 214, effective January 1, 2015 - December 31, 2017

Sponsors: Kunselman, Taylor, Warpehoski, Grand and Lumm

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-14-409

DC-4 [14-1768](#)

Resolution to Approve the Collective Bargaining Agreement with the Teamster Civilian Supervisors, Teamsters Local 214 effective January 1, 2015 - December 31, 2017

Sponsors: Kunselman, Taylor, Warpehoski, Grand and Lumm

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

Enactment No: R-14-410

DC-5 [14-1767](#)

Resolution to Approve the Collective Bargaining Agreement with the Ann Arbor Police Officers Association Effective January 1, 2015 - December 31, 2015

Sponsors: Kunselman, Taylor, Warpehoski, Grand and Lumm

Councilmember Briere requested that future collective bargaining agreement resolutions include the number of employees affected by the contract.

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-14-411

DC-6 [14-1777](#)

Resolution to Approve a Contract with L3 Mobile-Vision, Inc. (formerly L3 Communications Mobile-Vision, Inc.) for Upgrades to Police In-Car Video Camera Systems, Back Office Software, Electronic Storage and Body Worn Cameras (BWCs) and Appropriate the Necessary Funding for Acquisition and Installation from the Federal Equitable Sharing Fund Balance (\$173,760.00) **(8 Votes Required)**

Sponsors: Warpehoski, Kailasapathy and Taylor

A motion was made by Councilmember Kailasapathy, 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-14-412

DC-7 [14-1779](#)

Resolution to Support the Senate Adopted Transportation Funding Legislation and to Oppose the House Adopted Transportation Funding Legislation

Sponsors: Warpehoski, Taylor and Briere

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.

Enactment No: R-14-413

DB New Business - Boards and Commissions:

DB-1 [14-1649](#)

Resolution to Approve Ann Arbor Housing Commission Platt Road East Planned Project Site Plan, 3451 Platt Road (CPC Recommendation: Approval - 6 Yeas and 0 Nays)

Attachments: 11/5/14 Planning Staff Report (Revised), Planning Commission Minutes - Platt Road East 11-05-14

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

Enactment No: R-14-414

DB-2 [14-1720](#)

Resolution to Vacate Roadway Rights in a 50-foot by 178-foot Area Fronting 2727 S. State Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays) **(8 Votes Required)**

Attachments: 9/3/14 Planning Staff Report, 9/3/14 Planning Commission Minutes.pdf, 2727 S. State St. vacation drawing.pdf

A motion was made by Councilmember Eaton, seconded by Councilmember Lumm, 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-14-415

DB-3 [14-1677](#)

Resolution to Approve Participation Agreement with Scio Township and Washtenaw County Parks and Recreation for the Purchase of the Carol VanCurler Property in Scio Township, and Appropriate Funds, Not to exceed \$260,000.00 from the Open Space and Parkland Preservation Millage Proceeds **(8 Votes Required)**

Attachments: Van Curler Protected Map.pdf

A motion was made by Councilmember Grand, 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-14-416

DB-4 [14-1679](#)

Resolution to Approve Participation Agreement with Ann Arbor Township and Washtenaw County Parks and Recreation for the Purchase of Development Rights on the Novick Property in Ann Arbor Township, and Appropriate Funds, Not to Exceed \$20,000.00 from the Open Space and Parkland Preservation Millage Proceeds (**8 Votes Required**)

Attachments: Novick Protected Map v3.pdf

A motion was made by Councilmember Krapohl, 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-14-417

DB-5 [14-1723](#)

Resolution to Approve Amendment No. 1 to the Ann Arbor/Ypsilanti SmartZone Agreement between Michigan Economic Development Corporation, City of Ann Arbor, City of Ypsilanti, and the Local Development Finance Authority of the Cities of Ann Arbor and Ypsilanti

Attachments: Case-112281 Ann Arbor Ypsilanti Smart Zone Amend- execution copy 12 2 14

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

Yeas: 8 - Councilmember Kunselman, Councilmember Briere, Councilmember Lumm, Councilmember Warpehoski, Mayor Taylor, Councilmember Grand, Councilmember Krapohl and Councilmember Westphal

Nays: 3 - Councilmember Anglin, Councilmember Kailasapathy and Councilmember Eaton

Enactment No: R-14-418

DS **New Business - Staff:**

DS-1 [14-1684](#)

Resolution Authorizing General Obligation Limited Tax Refunding Bonds, Series 2015A (Not to exceed \$7,100,000.00)

Attachments: Refunding of 2005 BA Bonds Update Nov 18 14

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

Enactment No: R-14-419

DS-2 [14-1611](#)

Resolution to Approve Amendment No. 1 to the Professional Services

Agreement with Stantec Consulting Michigan, Inc. for Technical Engineering Services (\$250,000.00)

Attachments: Stantec PSA AMENDMENT No. 1 - December 2014.docx

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-14-420

DS-3 [14-1681](#) Resolution to Appropriate 100% of the Funds Received from the State of Michigan for Public Act 252 of 2014 for Road Maintenance (**8 Votes Required**)

A motion was made by Councilmember Eaton, seconded by Councilmember Lumm, 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-14-421

DS-4 [14-1683](#) Resolution to Approve an Increase to the Purchase Order to Carrier and Gable, Inc. for the Purchase of Traffic Signal Materials (\$250,000.00)

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.

Enactment No: R-14-422

DS-5 [14-1676](#) Resolution to Approve a Contract with the Washtenaw County Sheriff's Office for Weapons Screening Services in the Ann Arbor Justice Center for the 15th Judicial District Court (\$160,000.00)

Attachments: WCSO Justice Ctr Weapon Screening Svcs

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

Enactment No: R-14-423

DS-6 [14-1671](#) Resolution to Approve a Contract with Washtenaw County Community Support & Treatment Services to provide Mental Health Treatment Services to Sobriety Court and Mental Health Court Defendants (\$139,656.22)

Attachments: WCCSTS Mental Health Assessment Svcs

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

Enactment No: R-14-424

DS-7 [14-1675](#) Resolution to Approve a Service Contract with Dawn Farm to Provide

Drug Abuse Counseling and Rehabilitative Services to Sobriety Court and Mental Health Court Participants (\$109,215.00)

Attachments: Approved Resolution R-13-189 with Plan Exemption, Dawn Farms FY2015

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

Enactment No: R-14-425

DS-8 [14-1699](#)

Resolution to Enter an Easement Agreement with the University of Michigan for Water Main Easement at 3600 Varsity Drive **(8 Votes Required)**

Attachments: Drawing - UM Varsity Drive water main easement

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 unanimously, thus satisfying the eight-vote requirement.

Enactment No: R-14-426

DS-9 [14-1700](#)

Resolution to Enter an Easement Agreement with the University of Michigan for Water Main Easement at 830 Fuller and 426 North Ingalls (Nursing School) **(8 Votes Required)**

A motion was made by Councilmember Lumm, 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-14-427

DS-10 [14-1717](#)

Resolution to Release a 10 x 325-Foot Area of Water Main and Sanitary Sewer Easement at 800 Briarwood Circle **(8 Votes Required)**

A motion was made by Councilmember Eaton, 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-14-428

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER KUNSELMAN

Councilmember Kunselman further clarified previous remarks made regarding the homeless camp on Burton Road and statements made by MISSION members. Councilmember Kunselman noted that MISSION did not purchase a home on Stone School and Ellsworth. The 3.5 acre parcel is owned by Margaret Lynch and is behind on property taxes, he stated. Councilmember Kunselman noted that Margaret Lynch also owns 805 W. Huron, which is a known "hospitality house." Regarding 3501 Stone School Road, Councilmember Kunselman stated this parcel should be inspected for rental housing compliance as it is not owner-occupied.

COUNCILMEMBER BRIERE

Councilmember Briere thanked City Administrator Powers for his support to the Pedestrian Safety and Access Task Force. She noted that the task force meets at least once per month.

COUNCILMEMBER LUMM

Councilmember Lumm thanked the Ann Arbor Police Department for their work in solving the recent armed robbery case, specifically Lt. Bob Pfannes.

E COMMUNICATIONS FROM THE CITY ATTORNEY

City Attorney Stephen Postema recognized retiring Assistant City Attorney Bob West for his many years of service to the City.

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 Briere, 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** [14-1701](#) Public Market Operating Rules Proposed Changes
- Attachments:** PMAC Resolution on Operating Rule Changes.pdf, Public Market Operating Rules (clean copy - proposed rule changes).pdf, Public Market Operating Rules (proposed rule changes 11 13 14).pdf
- F-2** [14-1702](#) Communication from the MDEQ regarding a Water Resources Division Permit being Issued to The Regents of the University of Michigan Permit Number 14-81-0068-P - File
- Attachments:** MDEQ permit number 14-81-0068-P.pdf
- F-3** [14-1713](#) Public Notice Regarding DDA Parking Rate Increases - File
- Attachments:** Rate Increase Notice Jan 2015.pdf
- F-4** [14-1721](#) Communication from Comcast regarding New Prices to Select Xfinity TV Services - CTN
- Attachments:** comcast communication.pdf
- F-5** [14-1748](#) November 4, 2014 Election Canvass Report from the Washtenaw County Board of Canvassers

Attachments: 2014 General Election Results.pdf

G The following minutes were received for filing:

- G-1** [14-1269](#) Design Review Board Meeting Minutes of May 21, 2014
Attachments: 5-21-2014 Design Review Board Minutes with Live Links
- G-2** [14-1619](#) Park Advisory Commission Meeting Minutes of October 21, 2014
Attachments: PAC Final Meeting Minutes 10-21-14.pdf
- G-3** [14-1651](#) City Planning Commission Meeting Minutes of October 21, 2014
Attachments: 10-21-2014 CPC Minutes with Live Links
- G-4** [14-1666](#) Ann Arbor Housing Commission Board Meeting October 29, 2014 Minutes
Attachments: AAHC Board Minutes October 29 2014.pdf
- G-5** [14-1687](#) Insurance Board Meeting Minutes - November 18, 2014
Attachments: Insurance Board Minutes 111814, Ann Arbor Insurance Board Loss Run - October 2014.

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

KAI PETAINEN

Kai Petainen, City resident, spoke about the SmartZone and LDFA. He thanked Council for providing more detailed metrics to the public.

TOM PARTRIDGE

Tom Partridge, City resident, urged Council to end homelessness in Ann Arbor and create more affordable housing.

SETH BEST

Seth Best, 2941 Cascade, spoke out in support of LGBT rights.

An unidentified resident spoke about homeless issues, stating the shelter isn't the answer for everyone.

ED VIELMETTI

Ed Vielmetti, 1210 Brooklyn, spoke about the purchase of body-worn cameras for

police and implications these recordings would have for FOIA and the public's right to know. He stated he does not have high hopes for transparency.

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).

A motion was made by Councilmember Grand, seconded by Councilmember Warpehoski, that the Council enter into Closed Session under the Michigan Open Meetings Act to discuss pending litigation and attorney/client privileged communication as set forth or incorporated in MCLA 15.268 (e) and (h). On a roll call, the vote was as follows, with the Mayor declaring the motion carried and the meeting recessed in Closed Session at 11:05 p.m.:

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

RECONVENE IN OPEN SESSION

A motion was made by Councilmember Grand, seconded by Councilmember Krapohl, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 11:27 p.m.

OPEN THE AGENDA

A motion was made by Councilmember Briere, seconded by Councilmember Lumm, that the agenda be reopened to consider two resolutions from the City Attorney. On a voice vote, the Mayor declared the motion carried.

[14-1782](#)

Resolution Regarding *Wilkerson v Warner*, Federal District Court, Eastern District of Michigan Case No. 09-14558.

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

Enactment No: R-14-429

[14-1783](#)

Resolution Regarding *Soltis v City of Ann Arbor, et al*, Washtenaw County Trial Court Case No. 13-1115-CB.

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

Enactment No: R-14-430

ADJOURNMENT

A motion was made by Councilmember Briere, seconded by Councilmember Krapohl, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 11:29 p.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, DECEMBER 15, 2014, 7:00 P.M.

REPLAYS: TUESDAY, DECEMBER 16, 2014, 10:00 A.M. AND FRIDAY, DECEMBER 19, 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.

Jacqueline Beaudry
Clerk of the Council

Anissa R. Bowden
Recording Secretary