

City of Ann Arbor

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



Action Minutes

Monday, January 4, 2016

7:00 PM

Washtenaw County Administration Building, 220 N. Main St.,
Board room

City Council

City Council will meet in caucus the Sunday prior to each regular session at 3:30 p.m. in Council Chambers.

CALL TO ORDER

Mayor Taylor called the meeting of the Ann Arbor City Council to order at 7:00 p.m. in the Washtenaw County Board of Commissioners' Room, County Administration Building, 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: 10 - Councilmember Sabra Briere, Councilmember Jane Lumm, Councilmember Chuck Warpehoski, Councilmember Jack Eaton, Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Graydon Krapohl, Councilmember Kirk Westphal, Councilmember Zachary Ackerman and Councilmember Chip Smith

Absent: 1 - Councilmember Sumi Kailasapathy

APPROVAL OF AGENDA

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

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

Interim City Administrator Tom Crawford updated the City Council regarding the Michigan Department of Transportation's plans to repair M-14 and the effects on local traffic and streets. Mr. Crawford stated that starting in Spring 2016, MDOT will repair five miles of M-14, including bridges. An informational meeting regarding the project will be held on January 13 at Forsythe Middle School from 4-6 p.m. Closures are expected between March and August, with at least one lane open to Main Street at all times.

Mr. Crawford thanked the County Administrators for the use of the County's Board Room during the City's Council Chamber renovation. Mr. Crawford stated the Council Chamber is on schedule to be completed next week.

Mr. Crawford stated the City will not be holding a Work Session on January 11. He stated topics for 2016 are still being developed.

AC-1 16-0010 Agenda Response Memo - January 4, 2016

Attachments: Agenda Responses 1-4-16

Mr. Crawford presented his Agenda Response Memo for information of Council:

Received and Filed

INT INTRODUCTION

Councilmember Kailasapathy arrived at 7:08 p.m.

Present: 11 - Councilmember Sabra Briere, Councilmember Jane Lumm, Councilmember Sumi Kailasapathy, Councilmember Chuck Warpehoski, Councilmember Jack Eaton, Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Graydon Krapohl, Councilmember Kirk Westphal, Councilmember Zachary Ackerman and Councilmember Chip Smith

INT-1 15-1528 Introduction - Ann Arbor Climate Partnership Climate Plan Update
Mike Garfield, Ecology Center
Laura Rubin, Huron River Watershed Council
Mike Shriberg, National Wildlife Federation Great Lakes Program
Matthew Naud, Environmental Coordinator

Attachments: CAP - Revised 1 3 16

Matt Naud, City Environmental Coordinator, introduced a team of experts who worked with the City on the City's Climate Partnership and Climate Plan. Presenters included Mike Garfield of the Ecology Center, Laura Rubin of the Huron River Watershed Council, and Mike Shriberg of the National Wildlife Federation Great Lakes Program. A copy of the 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. Leslie Stambaugh - Resolution from the Human Rights Commission (F-1)

Leslie Stambaugh, on behalf of the Human Rights Commission, updated the City Council regarding the Commission's report and recommendations for strengthening Police-community relations. She urged Council to adopt the Human Right's Commission's recommendations, which are included in Item F-1 on the Council agenda.

2. Robert McGee - 2016 Budget

Robert McGee, 2245 Placid Way, representing the Ann Arbor Residents for Responsible Deer Management, spoke about the City's approved cull. He stated Ann Arbor asked the DNR for permission to waive the 450-foot safety zone and requested to shoot from vehicles. He urged Council to be safe if the deer cull is going to proceed.

3. Sabra Sanzotta - Lawsuit Filed Against City

Sabra Sanzotta, 3087 Glacier Way, representing Ann Arbor Residents for Public Safety, stated her group has filed a lawsuit against the City in an effort to stop the approved deer cull.

4. Paula Uche - Result of Development in Our City

Paula Uche, 482 Village Oaks Court, urged Council to repeal their approval of the deer cull and find an alternative, stating the large public opposition.

5. Skyler Faerber - Deer Cull

Skyler Faerber, a 13-year student at Scarlett Middle School, spoke in opposition to the deer cull and urged Council to find another solution.

6. Ellen Rowe - Deer Cull

Ellen Rowe, Ward One resident, spoke in opposition to the deer cull.

7. Manish Mehta - Deer Cull

Manish Mehta, a thirty-year resident of Ward Two, spoke in opposition to the City's deer cull.

8. Barry Powers - USDA Involvement in City Government

Barry Powers, attorney representing Sabra Sanzotta, stated he has served Mayor Taylor and other officials in a federal lawsuit to stop the deer cull.

9. Grant Schafer - Deer Cull and USDA Wildlife Services

Grant Schafer spoke about the questionable practices of the USDA Wildlife Services.

10. Kim Korona - Deer Cull

Kim Korona, Member of Ann Arbor FAWN, urged Council to consider a temporary moratorium on the deer cull to allow for further discussion, stating concerns about safety in the City's parks.

Alternates:

1. Jennifer Roberston - Deer Cull

2. Mirmala Hanke - Deer Cull

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER BRIERE

Councilmember Briere spoke about the deer cull and the City's communication efforts. She stated AAPS has rerouted several walking routes near City parks to ensure safety. Councilmember Briere also noted that all residents whose property abuts an affected City park have been notified of the cull activities. She stated any questions or concerns can be sent to deermanagement@a2gov.org. Councilmember Briere clarified that the City is not soliciting residents to sign a 450-foot waiver.

COUNCILMEMBER GRAND

Councilmember Grand reported that the Ann Arbor Housing Commission's Joint Policy and Financial Advisory Committee Recommendations would be presented to Council at the January 19 meeting as a Clerk's Report item.

Councilmember Grand stated the new Parks Passports are available now and can be picked up at any Park facility. The passport includes free golf, kayaking, swimming and ice skating. The Parks Passport was designed to encourage physical fitness and as way to introduce residents to new activities at no cost. Passports are available while supplies last.

MC COMMUNICATIONS FROM THE MAYOR

MC-1 15-1598

Appointments & Nominations

Attachments: Nickolas Buonodono app. 2015.pdf, Peter Woolf app. 2015.pdf

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

Housing Board of Appeals

Nickolas Buonodono

Home Owner

306 Highlake Ave.

Ann Arbor, MI 48103

Term: ending May 31, 2017

Public Market Advisory Commission

Peter Woolf Re-Appointment

1108 Mixtwood St.

Ann Arbor, MI 48103

Term: June 1, 2016-May 31, 2019

Zoning Board of Appeals

Nickolas Buonodono Re-Appointment

306 Highlake Ave.

Ann Arbor, MI 48103

Term: ending May 31, 2017

Referred to the City Council due back on 1/19/2016

CA CONSENT AGENDA**Passed on consent agenda**

A motion was made by Councilmember Smith, seconded by Councilmember Krapohl 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 15-1465

Resolution to Award a Construction Contract with United Resource LLC for the Sanitary Sewer Cleaning and Televising Project (\$232,669.00; Bid No. ITB-4409)

Attachments: Ex. 1 - ITB 4409 Bid Tab, Ex. 2 - ITB 4409 Contract Documents

Enactment No: R-16-001

CA-2 15-1448

Resolution to Appropriate Funds and Authorize Shared Funding with the Washtenaw County for Waste Diversion Site Feasibility Study for a new Drop-Off Station (\$34,805.00) **(8 Votes Required)**

Attachments: City of Ann Arbor and Washtenaw County MOU Signed

Enactment No: R-16-002

- CA-3 15-1477** Resolution to Appropriate Funds for and Approve a Budget in the Amount of \$105,000.00 and Accept Funding of up to \$90,000.00 from the Washtenaw County Office of Community and Economic Development for Design of an Addition to the Bryant Community Center **(8 Votes Required)**

Attachments: Ann Arbor Bryant Community Center Sub-Award Agreement 2015 Program Income.pdf, Bryant Agreement.pdf

Enactment No: R-16-003

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

None.

A APPROVAL OF COUNCIL MINUTES

- A-1 16-0002** Work Session of December 14, 2015 and Regular Session Meeting Minutes of December 21, 2015

Attachments: 12-14-15 Draft Minutes, 12-21-15 Draft Minutes, Council emails 12-21-2015_Redacted

A motion was made by Councilmember Krapohl, seconded by Councilmember Briere, that the Meeting Minutes of the Work Session of December 14 and the Regular Session of December 21, 2015 be approved. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

None.

C ORDINANCES - FIRST READING

C New Business - Staff:

- C-1 15-1535** An Ordinance to Amend Sections 1:272, 1:277, and 1:278 of Chapter 12 (Financing Local Public Improvements) of Title I of the Code of the City of Ann Arbor

Attachments: Chapter 12 - extend interim.pdf

A motion was made by Councilmember Lumm, seconded by Councilmember Warpehoski, that the Ordinance be approved on First Reading and returned by 1/19/2016. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-16-01

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

DC-1 16-0007 Resolution to Encourage Support to Fund the Fire Protection Grant Program

Sponsors: Ackerman, Smith, Briere, Grand, Taylor and Lumm

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

Enactment No: R-16-004

DB New Business - Boards and Commissions:

DB-1 15-1408 Resolution to Approve Grant Application to the USDA Agriculture Conservation Easement Program (ACEP) for the Purchase of Development Rights (PDR) on the Drake Farm in Lodi Township

Attachments: Drake North Protected Map v2.pdf

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

Enactment No: R-16-005

DS New Business - Staff:

None.

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER GRAND

Councilmember Grand spoke about CA-3, the Funding and Budget Appropriation for an addition to Bryant Community Center.

COUNCILMEMBER SMITH

Councilmember Smith stated Ann Arbor Sustainability Forums will be held at the Downtown Library from 7 p.m. to 8:30 p.m. on the first Thursday in January, February, March and April. He urged those interested to attend.

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

- F-1 15-1560** Resolution from the Human Rights Commission Urging City Council to Implement the Recommendations Set Forth in the Commission's Report, Civilian Police Review: Recommendations for Strengthening Police-Community Relations in Ann Arbor
- Attachments:** Police Oversight Resolution 11-4-15.pdf, Nov 4 Human Rights Commission minutes, Police Review Report 11-4-15e.pdf, HRCMemo to Council Dec 9 2015 meeting.docx, Police Oversight Report Comments Ruth Zweifler.docx, Police Oversight Report comments James Crowfoot part 2.docx, Police Oversight Report comments James Crowfoot.docx, Police Oversight Report comments Lucia Heinold.docx, Police Oversight Report comments Lynn Drickamer.docx
- F-2 15-1579** Notice of Public Hearing regarding Allen Creek Stadium-Hutchins-Kipke 5509-01 Drain Project and the HRGIDD Tree Planting 5504-05 Drain Project - Systems Planning
- Attachments:** Drain Commission Public Hearing Notices
- F-3 15-1580** Notice of Receipt of Petitions regarding 5509-01 Drain Project and 5504-05 Drain Project - Systems Planning
- Attachments:** Notice of Receipt of Petitions from Drain Commission
- F-4 15-1586** Michigan Department of Environmental Quality Notice of Public Hearing - WRD/Public Notice for File Number 15-81-0029-P - Systems Planning
- Attachments:** Ann Arbor Manchester Public Hearing Notice
- F-5 15-1587** AAATA Reports for the month ended November 30, 2015 - File
- Attachments:** AAATA 1.7_November Financials, AAATA R2 Performance Reports

- F-6 15-1596** Comcast Communication regarding Changes to the Channel Line Up - CTN, City Attorney
Attachments: Comcast Communication.pdf
- F-7 15-1597** Communication from Conlin, McKenney & Philbrick, P.C. regarding Notice of Intent to Establish the Kingsley Parkside Condominium Project - Planning and Development Services, City Attorney
Attachments: Kingsley Parkside Condo Notice of Intent.pdf
- F-8 16-0004** 2015 Local Officer Compensation Commission Determination
Attachments: 2015 Local Office Compensation Commission Determination.pdf
- G The following minutes were received for filing:**
- G-1 15-1590** AAATA Meeting Minutes of October 29 and November 19, 2015
Attachments: AAATA Board Meeting Minutes 10.29.15_Approved, AAATA Board Meeting Minutes 11.19.15_Approved, AAATA Minutes 11-19-15
- G-2 15-1593** Council Rules Committee Meeting Minutes of December 11, 2015
Attachments: Council Rules Committee Minutes 12-11-15.pdf
- G-3 15-1594** Council Administration Committee Meeting Minutes of December 21, 2015
Attachments: Council Admin. Minutes 12-21-15.pdf

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Edward Vielmetti, 1210 Brooklyn, spoke about pedestrian safety in Ann Arbor. He urged pedestrians and cyclists to wear reflective clothing.

Mirmala Hanke stated there has been a lot of misinformation presented regarding the deer in Ann Arbor. She stated there is no Lyme Disease here and no scientific evidence that the cull is necessary.

Lorraine Shapiro, 1484 Green Road, stated she is concerned about safety if the deer cull proceeds. She noted that the albino deer in Kensington Park was accidentally shot during a cull recently.

Sally Daniels, Ward Three resident, urged Council to reconsider their vote on the deer cull.

An unidentified speaker spoke in opposition to the City's deer cull, stating the City is hiding information and disrupting the quality of life of its residents.

Shunah Sii Rose, 2697 Arrowwood, spoke regarding the signage at the parks alerting the public to the deer cull. She stated they are not in multiple languages, as was reported, and they were only posted at the golf course after she complained.

Nina Foreman spoke in opposition to the City's deer cull.

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 Briere, seconded by Councilmember Westphal, that Council enter into Closed Session to discuss pending litigation as set forth in the Open Meetings Act, MCLA 15.268 (E). On a roll call, the vote was as follows with the Mayor declaring the motion carried and the meeting adjourned into Closed Session at 8:32 p.m.:

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

Nays: 0

MEETING RECONVENED

A motion was made by Councilmember Ackerman, seconded by Councilmember Grand, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 9:05 p.m.

ADJOURNMENT

A motion was made by Councilmember Grand, seconded by Councilmember Lumm, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 9:06 p.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, JANUARY 4, 2016 @ 7:00 P.M.

REPLAYS: TUESDAY, JANUARY 5, 2016 @ 10:00 A.M. AND FRIDAY, JANUARY 8, 2016 @ 7:30 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

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- **Video on Demand: Replay public meetings at your convenience online at <http://a2govtv.pegcentral.com/>**
- **Cable: Watch CTN Government Channel 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.