

City of Ann Arbor

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



Action Minutes

Monday, September 17, 2012

7:00 PM

City Hall, 301 E. Huron Street, Council Chamber, 2nd Floor
City Council meets in caucus the Sunday prior to each regular session at 7 p.m. in the Council Chamber.

City Council

CALL TO ORDER

Mayor Hieftje called the meeting to order at 7:07 p.m. in the Guy C. Larcom, Jr. Building, 2nd Floor Council Chambers, 301 E. Huron St.

MOMENT OF SILENCE

Council stood for a moment of silence.

PLEDGE OF ALLEGIANCE

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

ROLL CALL OF COUNCIL

Present: 10 - Mayor John Hieftje, Councilmember Stephen Kunselman, Councilmember Marcia Higgins, Councilmember Margie Teall, Councilmember Mike Anglin, Councilmember Sabra Briere, Councilmember Sandi Smith, Councilmember Tony Derezinski, Councilmember Christopher Taylor and Councilmember Jane Lumm

Absent: 1 - Councilmember Carsten Hohnke

APPROVAL OF AGENDA

A motion was made by Councilmember Briere, seconded by Councilmember Kunselman, that the Agenda be approved with the following changes:

Reconsider: Resolution to Approve Entering Into Ann Arbor Connector Alternatives Analysis Memorandum of Understanding and to Appropriate \$60,000.00 from the General Fund, Fund Balance

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

12-1084 Resolution to Approve Entering Into Ann Arbor Connector Alternatives Analysis Memorandum of Understanding and to Appropriate \$60,000.00 from the General Fund, Fund Balance (8 Votes Required)

A motion was made by Councilmember Teall, seconded by Councilmember Smith, that the Resolution be Reconsidered. On a voice vote, the Mayor declared the motion carried and the resolution was added to the agenda as DC-7.

INT INTRODUCTIONS

Councilmember Hohnke arrived at 7:13 p.m.

Present: 11 - Mayor John Hieftje, Councilmember Stephen Kunselman, Councilmember Marcia Higgins, Councilmember Margie Teall, Councilmember Mike Anglin, Councilmember Sabra Briere, Councilmember Sandi Smith, Councilmember Tony Derezinski, Councilmember Christopher Taylor, Councilmember Carsten Hohnke and Councilmember Jane Lumm

- INT-1 12-1185** Coordinated Funding Update - Mary Jo Callan, Community Development Director, Washtenaw County Office of Community and Economic Development

Sponsors: Teall

Mary Jo Callan, Director of Community Development, updated Council on the Coordinated Funding Partnership. Ms. Callan stated that a part of the original intent of the partnership was to identify areas of improvement in each partner's existing funding process and to make efficiencies in the delivery of funding to non-profits. A copy of the slide presentation and the outcomes are on file in the City Clerk's Office.

Received and Filed

- INT-2 12-1252** National Plug In Day Proclamation

Mayor Hieftje read a proclamation recognizing September 23, 2012 as National Plug-In Day. National Plug-In Day is a nationwide observance to draw global attention to the environmental, economic, and other benefits of plug-in electric vehicles. A copy of the proclamation is on file in the City Clerk's Office.

Received and Filed

PUBLIC COMMENTARY - RESERVED TIME (3 MINUTES PER SPEAKER)

*** (SPEAKERS ARE NOT PERMITTED TO GRANT THEIR RESERVED TIME TO AN ALTERNATE SPEAKER)**

*** ACCOMMODATIONS CAN BE MADE FOR PERSONS NEEDING ASSISTANCE WHILE ADDRESSING COUNCIL**

- 1. Thomas Partridge - Stand up for democratic progress. Fund access to housing, public transportation, and jobs. Re-elect President Obama and Elect Thomas Partridge. (DC-2)**

Thomas Partridge, Ann Arbor resident, addressed Council regarding standing up for democratic progress, funding access to housing, public transportation, and employment. He also addressed Council regarding the re-election of President Obama.

- 2. Ingrid Ault - Resolution to Create a Policy Directing Proceeds from Sale of Public Land (DC-2)**

Ingrid Ault, member of the Housing and Human Services Advisory Board, spoke in support of the proposed resolution to create a policy directing proceeds from the sale of public land. She said that public land is an asset and when it is sold it should be reinvested into the community.

- 3. Jean Carlberg - Affordable Housing Trust Fund (DC-2)**

Jean Carlberg, 1902 Independence Blvd., member of the Washtenaw Housing Alliance, spoke in support of the proposed resolution to create a policy directing proceeds from the sale of public land. She urged Council's support.

4. Kermit Schlansker - Global Warming

Kermit Schlansker, 2960 Marshall St., addressed Council regarding a plan to address global warming, including the planting of additional trees. He stated a sustainable society is needed.

5. Kathy Griswold - Sidewalk Gaps/Citizen Safety (DC-6)

Kathy Griswold, 3465 Fox Hunt Dr., spoke in support of the proposed resolution to development a program to fill sidewalk gaps in Ann Arbor. She said that Council has a responsibility to balance funding for short-term needs, as well as for strategic planning.

6. David DeVarti - Housing Trust Fund (DC-2)

David DeVarti, 1231 Baldwin Ave., spoke in support of the proposed resolution to create a policy directing proceeds from the sale of public land to the Affordable Housing Trust Fund.

COMMUNICATIONS FROM COUNCIL*COUNCILMEMBER DEREZINSKI*

Councilmember Derezinski updated Council on the Re-Imagine Washtenaw Avenue Initiative project. He said that the project has a lot of excitement from the community partners, including the City of Ann Arbor, Pittsfield Township, Ypsilanti Township and the City of Ypsilanti. The group has a lot of initiative and ideas for the future of this corridor.

Councilmember Derezinski also updated Council on the work coming from the Commission on Disability Issues. He stated their focus has been on access over the last few years and they are working on issues that affect an aging population.

COUNCILMEMBER SMITH

Councilmember Smith announced that two buildings in the First Ward have been successfully demolished, the Greek Orthodox Church on Main Street, and 219 E. Kingsley. The Kingsley site will soon be used as a neighborhood rain garden.

COUNCILMEMBER ANGLIN

Councilmember Anglin thanked Community Standards for their work on some nuisance issues on the west side of town.

Councilmember Anglin also announced that Dexter Avenue is approximately one-third of the way completed. He stated feedback has been very positive regarding the project.

MAYOR HIEFTJE

Mayor Hieftje said that he, Councilmembers Briere, Derezinski and Lumm attended a swearing-in ceremony of eight new Ann Arbor Police Officers on September 14, 2012. The ceremony was well attended with staff and family members, he said.

COMMUNICATIONS FROM THE CITY ADMINISTRATOR*UPDATE ON SAFETY SERVICES*

Police Chief John Seto updated Council on a few incidents that have taken place over the past few weeks. Since the University of Michigan Student Move-In, there have been large crowds on South University on weekend nights and some assaults have been reported in the student neighborhoods. Three robberies occurred on the same night. They have been able to respond with increased staffing and patrols, which is in addition to overtime that would generally be filled during football weekends in September. Chief Seto reported that he has also been meeting with the U of M Police Chief, coordinating information and making sure they are able to assist each other when needed. Supervisors have also been making contact and working with establishments in their areas. Officers have also been assigned weekend nights to patrol on foot and bicycles to respond to the large crowds on South University. Chief Seto said they will continue with this current staffing model, as long as needed.

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

- PH-1 12-0845** An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.2 Acre from R1C (Single-Family Dwelling District) to PL (Public Land District), 5 West Eden Court/Bryant Community Center, (CPC Recommendation: Approval - 6 Yeas and 0 Nays) (Ordinance No. ORD-12-26)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.2 acre from R1C (Single-Family Dwelling District) to PL (Public Land District), located at 5 West Eden Court/Bryant Community Center. Notice of public hearing was published September 9 and 10, 2012.

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

Held and Closed

Enactment No: ORD-12-26

- PH-2 12-0969** An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 1.1 Acres from TWP (Township District) to R1C (Single-Family Dwelling District), Ellis Properties, 3313 Dexter Avenue and Vacant Adjacent Lot (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-12-27)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 1.1 acres from TWP (Township District) to R1C (Single-Family Dwelling District), Ellis property, located at 3313 Dexter Avenue and vacant adjacent lot. Notice of public hearing was published September 9 and 10, 2012.

Thomas Partridge, City resident, spoke in opposition to the proposed rezoning, stating the need for affordable housing.

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

Held and Closed

Enactment No: ORD-12-27

COMMUNICATIONS FROM COUNCIL

None.

A APPROVAL OF COUNCIL MINUTES

- A-1 12-1222** Regular Session Meeting Minutes of September 4, 2012

A motion was made by Councilmember Hohnke, seconded by Councilmember Lumm, that the Regular Session Meeting Minutes of September 4, 2012 be approved as presented. On a voice vote, the Mayor declared the motion carried.

CA CONSENT AGENDA

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

CA-2 Resolution to Accept Board of Insurance Administration Minutes of August 23, 2012

Passed on consent agenda

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

CA-1 12-1170 Resolution to Accept Board of Insurance Administration Minutes of July 26, 2012

Enactment No: R-12-432

CA-2 12-1171 Resolution to Accept Board of Insurance Administration Minutes of August 23, 2012

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

Enactment No: R-12-433

B ORDINANCES - SECOND READING

B-1 12-0845 An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.2 Acre from R1C (Single-Family Dwelling District) to PL (Public Land District), 5 West Eden Court/Bryant Community Center, (CPC Recommendation: Approval - 6 Yeas and 0 Nays) (Ordinance No. ORD-12-26)

(The complete copy of the text of Ordinance No. ORD-12-26 is on file in the City Clerk's Office.)

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

Enactment No: ORD-12-26

- B-2 12-0969** An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 1.1 Acres from TWP (Township District) to R1C (Single-Family Dwelling District), Ellis Properties, 3313 Dexter Avenue and Vacant Adjacent Lot (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-12-27)

(The complete copy of the text of Ordinance No. ORD-12-27 is on file in the City Clerk's Office.)

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

Enactment No: ORD-12-27

C ORDINANCES - FIRST READING

None.

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

- DC-1 12-1203** Resolution to Direct Planning and Development Services Staff to Initiate the Rezoning of Six Parcels Fronting on Seneca Avenue, Onondaga Street and Geddes Avenue from R1B (Single-Family Dwelling District) to R1C (Single-Family Dwelling District)

Sponsors: Derezinski

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

Enactment No: R-12-434

- DC-5 12-1249** Resolution Directing City Council and the Mayor to Appoint a Committee to Study the Available Options for Use of the Proceeds from Sale of Downtown City Properties Located in the DDA District Boundaries

Sponsors: Anglin

A motion was made by Councilmember Anglin, seconded by Councilmember Lumm, that the Resolution be approved.

A motion was made by Councilmember Hohnke, seconded by Councilmember Derezinski, that the Resolution be postponed until 10/1/2012. On a voice vote, the Mayor declared the motion carried.

DC-2 12-1229 Resolution to Create a Policy Directing Proceeds from Sale of Public Land

Sponsors: Smith

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

A motion was made by Councilmember Higgins, seconded by Councilmember Briere, that the Resolution be Referred to the Budget Committee and should be returned to City Council by 10/15/2012. On a voice vote, the Mayor declared the motion carried.

RECESS

Mayor Hieftje declared a recess at 9:08 p.m. and reconvened the meeting at 9:25 p.m.

DC-3 12-1240 Resolution Directing Staff to Temporarily Suspend the City's Footing Drain Disconnection (FDD) Program Efforts within the Glen Leven and Morehead (Lansdowne Neighborhood) Areas

Sponsors: Higgins and Teall

A motion was made by Councilmember Higgins, seconded by Councilmember Teall, that the Resolution be approved.

An administrative amendment was made to update the public meeting to October 11 at 7:00 p.m. at Lawton Elementary School.

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

Enactment No: R-12-435

DC-4 12-1245 Resolution to Exempt Human Services Nonprofits from Chapter 23 of the City Code: Living Wage Requirements in City Contracts and Grants, for the Remainder of FY2013

Sponsors: Lumm and Smith

This resolution was withdrawn by Councilmember Smith.

DC-6 12-1250 Resolution to Develop Program to Fill Sidewalk Gaps

Sponsors: Anglin and Briere

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

Enactment No:

Councilmember Briere suggested the following amendment and it was considered friendly:

...RESOLVED, That Staff shall present its OPTIONS FOR FUNDING THIS PROGRAM to Council during the FY14 budget cycle.

Enactment No:

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

Delete all RESOLVED clauses and replace with the following:

RESOLVED, That the City Administrator be hereby directed to provide a report to City Council prior to September 15, 2013, regarding the feasibility, and if appropriate, methodology for filling sidewalk gaps throughout the City of Ann Arbor.

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

Yeas: 8 - Mayor Hieftje, Councilmember Kunselman, Councilmember Higgins, Councilmember Teall, Councilmember Briere, Councilmember Derezinski, Councilmember Taylor and Councilmember Hohnke

Nays: 3 - Councilmember Anglin, Councilmember Smith and Councilmember Lumm

Enactment No:

The question being the Resolution as amended, on a roll call, the vote was as follows with the Mayor declaring the motion defeated:

Yeas: 5 - Councilmember Teall, Councilmember Anglin, Councilmember Briere, Councilmember Taylor and Councilmember Lumm

Nays: 6 - Mayor Hieftje, Councilmember Kunselman, Councilmember Higgins, Councilmember Smith, Councilmember Derezinski and Councilmember Hohnke

Enactment No:

DC-7 12-1084

Resolution to Approve Entering Into Ann Arbor Connector Alternatives Analysis Memorandum of Understanding and to Appropriate \$60,000.00 from the General Fund, Fund Balance (8 Votes Required)

A motion was made by Councilmember Smith, seconded by Councilmember Teall, that the Resolution be approved.

A motion was made by Councilmember Smith, seconded by Councilmember Lumm, that the Resolution be Postponed until 10/15/2012. On a voice vote, the Mayor declared the motion carried.

DB New Business - Boards and Commissions:

None.

DS New Business - Staff:

- DS-1 12-1153** Resolution to Approve the Purchase of Ice Control Salt through the Michigan Delivering Extended Agreements Locally (MiDeal) from Detroit Salt Company (\$270,994.00)
- A motion was made by Councilmember Briere, seconded by Councilmember Smith, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-12-436
- DS-2 12-1137** Resolution to Amend the Fleet and Facility Unit FY 2013 Budget by Appropriating Funds from the Fleet Services Fund Balance and to Approve the Purchase of One Light Rescue Fire Apparatus from Ferrara Fire Apparatus, Inc. (RFP # 827 \$264,597.00) (8 Votes Required)
- A motion was made by Councilmember Derezinski, 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-12-437
- DS-3 12-1066** Resolution to Approve a Professional Service Agreement with DLZ Michigan, Inc. (\$137,176.65) and Establish a Project Budget for the 2012-2013 Bridge Inspection Program (\$165,000.00)
- A motion was made by Councilmember Higgins, seconded by Councilmember Hohnke, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-12-438
- DS-4 12-1183** Resolution to Approve City of Ann Arbor 2012 Hazard Mitigation Plan
- A motion was made by Councilmember Teall, seconded by Councilmember Briere, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-12-439

E COMMUNICATIONS FROM THE MAYOR

E-1 12-1155 Appointment - Nomination

Mayor Hieftje requested confirmation of the following appointment, which was placed on the table at the September 4, 2012 Regular Session:

Housing and Human Services Advisory Board

Rosemary Sarri- Filling vacancy

1505 Wall St.

Ann Arbor, MI 48105

Term: September 17, 2012-September 17, 2015

A motion was made by Councilmember Smith, seconded by Councilmember Briere, that Council concur with the recommendations of the Mayor.

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

E-2 12-1234 Appointments - Confirmations

Sponsors: Hieftje

Referred to the City Council due back on 10/1/2012.

COMMUNICATIONS FROM COUNCIL

Councilmembers Higgins and Hohnke left at 11:04 p.m.

COUNCILMEMBER KUNSELMAN

Councilmember Kunselman informed Council that a draft AATA budget has been received by the City and is included in tonight's packet as part of the City Clerk's Report. Councilmember Kunselman stated he met with AATA staff to discuss the Packard Road express options for bus service.

Councilmember Kunselman also stated he is looking into ordinance changes to address the issue of parked cars being used for long-term storage on City streets. He stated Community Standards needs more power for enforcement.

Present: 9 - Mayor John Hieftje, Councilmember Stephen Kunselman, Councilmember Margie Teall, Councilmember Mike Anglin, Councilmember Sabra Briere, Councilmember Sandi Smith, Councilmember Tony Derezinski, Councilmember Christopher Taylor and Councilmember Jane Lumm

Absent: 2 - Councilmember Marcia Higgins and Councilmember Carsten Hohnke

F WRITTEN COMMUNICATIONS FROM THE CITY ADMINISTRATOR**F-1 12-1159 AAPAC Annual Report 2012**

Received and Filed

F-2 12-1237 Ann Arbor Police Department Neighborhood Watch Invitation
Received and Filed

G COMMUNICATIONS FROM THE CITY ATTORNEY

None.

H & I CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

H The following communications were referred as indicated:

Passed on consent agenda

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

H-1 12-1219 Ann Arbor Transportation Authority (AATA) Draft Operating Budget for FY2013

I The following minutes were received for file:

I-1 12-1049 Historic District Commission Meeting Minutes of the June 14, 2012

I-2 12-1052 Zoning Board of Appeals Meeting Minutes of July 25, 2012

I-3 12-1148 City of Ann Arbor Retiree Health Care Benefit Plan & Trust Minutes for the Regular Board Meeting - July 19, 2012

I-4 12-1149 City of Ann Arbor Employees' Retirement System Minutes for the Regular Meeting - July 19, 2012

I-5 12-1151 Ann Arbor Housing Commission Regular Board Meeting Minutes - July 18, 2012

I-6 12-1186 Downtown Area Citizens Advisory Council Meeting Minutes - September 4, 2012

I-7 12-1188 Ann Arbor Downtown Development Authority Meeting Minutes and Annual Meeting Minutes - July 2, 2012

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Thomas Partridge, City resident, addressed Council regarding cutbacks in safety services and the tough economic times.

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

None.

ADJOURNMENT

A motion was made by Councilmember Derezinski, seconded by Councilmember Smith, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 11:10 p.m.

12-1279 City Council Emails - September 17, 2012

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, SEPTEMBER 17, 2012, 7:00 P.M.

REPLAYS: TUESDAY, SEPTEMBER 18, 2012 10:00 A.M. AND FRIDAY, SEPTEMBER 21, 2012, 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.

Persons with disabilities are encouraged to participate. Accommodations, including sign language interpreters, may be arranged by contacting the City Clerk's Office by telephone at 734-794-6140 or by written request addressed to the City Clerk's Office, 301 E. Huron Street, Ann Arbor, MI 48104, at least 24 hours in advance.

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