



City of Ann Arbor

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

Meeting Agenda - Final City Council

Monday, October 6, 2014

7:00 PM

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

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

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ROLL CALL OF COUNCIL

APPROVAL OF AGENDA

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

[14-1479](#) Memo from City Administrator regarding Land Acquisition - October 3, 2014

(City Administrator - Steven D. Powers, City Administrator)

Attachments: Memo to Mayor and Council 10-3-14 - Land Acquisition
(Added 10/3/14)

[14-1487](#) Memorandum to Mayor and Council regarding Public Art - October 6, 2014

(City Administrator - Steven D. Powers, City Administrator)

Attachments: Memo to Mayor and Council 10-6-14 - Public Art
(Added 10/6/14)

[14-1488](#) Memorandum from Craig Hupy regarding Street Funding - October 6, 2014

(City Administrator - Steven D. Powers, City Administrator)

Attachments: Memo to Mayor and Council - Alternative Funding Research 10-6-14
(Added 10/6/14)

[14-1489](#) Agenda Response Memo -October 6, 2014

(City Administrator - Steven D. Powers, City Administrator)

Attachments: Agenda Responses 10-6-14
(Added 10/6/14)

INT INTRODUCTIONS

- INT-1** [14-1447](#) Volunteer of the Month proclamation for October 2014- Youth Volunteer Corps
(Mayor's Office)
- INT-2** [14-1450](#) Proclamation for National Bullying Prevention Month
(Mayor's Office)
- INT-3** [14-1456](#) Proclamation for the Interfaith Council for Peace 40th CROP Hunger Walk
(Mayor's Office)

PUBLIC COMMENTARY - RESERVED TIME (3 MINUTES PER SPEAKER)

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

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

1. Zoltan Jung - Traffic Calming Devices on Northside Avenue (CA-2)
2. Kathy Griswold - Traffic Ordinance and Trees and Other Vegetation Ordinance (C-3 and C-4)
3. Erica Briggs - Traffic Ordinance (C-3)
4. Tom Partridge - Elect Mark Schauer Governor and Elect Gary Peters U.S. Senator. Expand access to affordable housing, human rights and disability rights.
5. Diane Kreger - Traffic Calming Devices on Northside Avenue (CA-2)
6. Kermit Schlansker - Factories
7. Richard Clark - City's Proposed Operating Agreement with Uber and Lyft
8. Richard Wunsch - Lyft and Uber
9. Velma Neau - Uber & Lyft

10. Alan Haber - Peace Day Report**CC COMMUNICATIONS FROM COUNCIL****MC COMMUNICATIONS FROM THE MAYOR**

MC-1 [14-1399](#) Appointment - Confirmation
(Mayor's Office)

MC-2 [14-1486](#) Appointments & Nominations
(Mayor's Office)
Sponsors: Hieftje
(Added 10/6/14)

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 [14-1156](#) An Ordinance to Amend Section 5:652 of Chapter 63 (Stormwater Management and Soil Erosion and Sedimentation Control) of Title V of the Code of the City of Ann Arbor (Ordinance No. ORD-14-22)
(Systems Planning Services - Craig Hupy, Public Services Area Administrator)
Attachments: 14-22 Stormwater Management Ordinance Briefed.pdf, Ord amend Chpt 63 Sec 5-652 date..pdf, 2014 Rules County Resolution w cover memo DRAFT3..pdf
(See B-1)

PH-2 [14-1248](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 3.1 Acres from R1C (Single Family Dwelling District) and R2A (Two-Family Dwelling District) to R4B (Multiple Family Dwelling District), Ann Arbor Housing Commission Platt Road East Rezoning, 3451 Platt Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-14-21)
(Community Services - Sumedh Bahl, Community Services Area Administrator)
Attachments: 14-21 Ann Arbor Housing Commission Ordinance Briefed.pdf, Ordinance to Rezone Platt Road East.pdf, 8/6/14 Planning Staff Report, CPC Minutes AAHC Platt 08-06-14.pdf
(See B-2)

PH-3 [14-1347](#) An Ordinance to Amend Section 9:46 of Chapter 107 (Animals) of Title IX of The Code of The City of Ann Arbor (Dog Licensing)
(City Clerk Services - Jacqueline Beaudry, City Clerk)
Attachments: 14-23 Chapter 107 dog license amendments Briefed.pdf, Chapter 107 dog license amendments
(See B-3)

PH-4 [14-1412](#) Resolution to Establish New Dog License Fees

(Jacqueline Beaudry, City Clerk)

(See DS-7)

A APPROVAL OF COUNCIL MINUTES

A-1 [14-1409](#) Work Session of September 8 and Regular Session Meeting Minutes of September 15, 2014

(City Clerk - Jacqueline Beaudry)

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

CA CONSENT AGENDA

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

(Public Services - Craig Hupy, Public Services Area Administrator)

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

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

(Project Management Services - Craig Hupy, Public Services Area Administrator)

Attachments: Final Consensus Plan_NORTHSIDE.pdf

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

(Public Services - Craig Hupy, Public Services Area Administrator)

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

(City Clerk Services - Jacqueline Beaudry, City Clerk)

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

(Financial and Administrative Services - Tom Crawford, CFO)

Sponsors: Petersen

Attachments: Mahindra Genze IFT Application

(Added 10/3/14)

B ORDINANCES - SECOND READING

- B-1** [14-1156](#) An Ordinance to Amend Section 5:652 of Chapter 63 (Stormwater Management and Soil Erosion and Sedimentation Control) of Title V of the Code of the City of Ann Arbor (Ordinance No. ORD-14-22)
- (Systems Planning Services - Craig Hupy, Public Services Area Administrator)
- Attachments:** 14-22 Stormwater Management Ordinance Briefed.pdf, Ord amend Chpt 63 Sec 5-652 date..pdf, 2014 Rules County Resolution w cover memo DRAFT3..pdf
- (See PH-1)
- B-2** [14-1248](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 3.1 Acres from R1C (Single Family Dwelling District) and R2A (Two-Family Dwelling District) to R4B (Multiple Family Dwelling District), Ann Arbor Housing Commission Platt Road East Rezoning, 3451 Platt Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-14-21)
- (Community Services - Sumedh Bahl, Community Services Area Administrator)
- Attachments:** 14-21 Ann Arbor Housing Commission Ordinance Briefed.pdf, Ordinance to Rezone Platt Road East.pdf, 8/6/14 Planning Staff Report, CPC Minutes AAHC Platt 08-06-14.pdf
- (See PH-2)
- B-3** [14-1347](#) An Ordinance to Amend Section 9:46 of Chapter 107 (Animals) of Title IX of The Code of The City of Ann Arbor (Dog Licensing)
- (City Clerk Services - Jacqueline Beaudry, City Clerk)
- Attachments:** 14-23 Chapter 107 dog license amendments Briefed.pdf, Chapter 107 dog license amendments
- (See PH-3)
- C** **ORDINANCES - FIRST READING**
- C** **New Business - Staff:**
- C-1** [14-1351](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 2.15 Acres from M1 (Limited Industrial District) to O (Office District), MAVD Financial Institution Rezoning, 2727 S. State Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays)
- (Community Services - Sumedh Bahl, Area Administrator)
- Attachments:** MAVD Financial Institution Zoning Ordinance.pdf, 9/3/14 Planning Staff Report
- C-2** [14-1425](#) An Ordinance to Amend the Code of the City of Ann Arbor by Repeal of Chapter 112, Non- Discrimination, of Title IX of said Code in its Entirety and Adding a New Chapter 112, Non-Discrimination, of Title IX of said Code

(City Council)

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

Attachments: Chapter 112 City Code 093014.pdf, HRC Resolution in Support of the Proposed NDO Restatement 9 24 14.pdf

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

(City Council)

Sponsors: Kunselman

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

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

(City Council)

Sponsors: Briere

Attachments: Ord Am Chpt 40

(Added 10/3/14 and Revised 10/6/14)

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

- DC-1 [14-1444](#) Resolution for Public Legal Opinion Regarding Homeowner Tax Assessment

(City Council)

Sponsors: Eaton and Lumm

Attachments: Smith-57432

- DC-2 [14-1461](#) Resolution Calling on the Michigan Legislature to Ban Discrimination Based on Sexual Orientation and Gender Identity Without Further Delay

(City Council)

Sponsors: Briere, Taylor and Warpehoski

(Added 10/3/14)

DB New Business - Boards and Commissions:

- DB-1 [14-1448](#) Resolution to Adopt Recommendations Regarding the Application of the City's Living Wage Ordinance (LWO)

(Housing and Human Services Advisory Board - Mary Jo Callan, Director)

Sponsors: Briere and Eaton

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

DS Unfinished Business - Staff:

DS-1 [14-1159](#) Resolution to Approve Fuller Park Parking Lot Land Lease with the University of Michigan (8 Votes Required)

(Community Services - Sumedh Bahl, Community Services Area Administrator)

Attachments: Fuller Lot Lease.pdf, Exhibit A-1.pdf, FULLER PARKING LEASE - PAC
(Postponed from the 8/18/14 Regular Session.)

DS New Business - Staff:

DS-2 [14-1273](#) Resolution to Approve the Purchase of Ice Control Salt through the Michigan Delivering Extended Agreements Locally (MIDEAL) from North American Salt Company for Early Fill (\$245,556.00) and Detroit Salt Company LLC (\$296,661.30) for Backup Supply

(Public Services - Craig Hupy, Public Services Area Administrator)

Attachments: 1300340 NAS Early.pdf, 1300339- Detroit seasonal.pdf

DS-3 [14-1303](#) Resolution Authorizing a Contract with Premier Truck Sales & Rental, Inc. for the Rental of Eight Rear-Load Refuse Trucks (\$117,200.00)

(Fleet & Facilities Services - Craig Hupy, Public Services Area Administrator)

Attachments: Leaf Truck Rental Contract-Premier - 8 Trucks Supplemental page 1.pdf,
Leaf Truck Rental Contract-Premier - 8 Trucks Supplemental page 2.pdf,
Leaf Truck Rental Contract-Premier - 8 Trucks.pdf

DS-4 [14-1228](#) Resolution to Approve a Contract with Emergency Restoration Company for the Asbestos Abatement and Restoration of the 2nd Floor in the Guy C. Larcom City Hall Building (\$177,900.00) and to Appropriate Funds (\$75,000.00) (8 Votes Required)

(Fleet & Facilities Services - Craig Hupy, Public Services Area Administrator)

Attachments: ITB 4340 Bid Response - Emerg Restoration Co.pdf, ITB 4340 Bid Document.pdf

DS-5 [14-1363](#) Resolution to Approve a Contract with TEL Systems for the Community Television Network's Council Chambers Video Production System Upgrade (\$145,650.00)

(Communications (CTN) Services - Greg McDonald, CTN Manager)

Attachments: TEL Systems Contract.pdf

- DS-6 [14-1352](#) Resolution of Intent to Vacate Roadway Rights in a 50-foot by 178-foot Area Fronting 2727 S. State Street (**8 Votes Required**)
(Community Services - Sumedh Bahl, Community Services Area Administrator)
Attachments: 9/3/14 Planning Staff Report, 2727 S. State St. vacation drawing.pdf
- DS-7 [14-1412](#) Resolution to Establish New Dog License Fees
(Jacqueline Beaudry, City Clerk)
(See PH-4)
- DS-8 [14-1365](#) Resolution to Amend the Project Amount and Repayment Terms of the West Park Fairgrounds Drain Improvement Project (\$2,433,904.00)
(Public Services - Craig Hupy, Public Services Area Administrator)

COMMUNICATIONS FROM COUNCIL

E COMMUNICATIONS FROM THE CITY ATTORNEY

F & G CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

F The following communications were referred as indicated:

- F-1 [14-1413](#) Communication from Joshua Schuyler, Project Manager of Cardno ACT regarding Notice of Impacted Parties of Corrective Action regarding the Speedway located at 1300 N. Maple Road - Environmental Services
(City Clerk Services)
Attachments: Notice of Impacted Parties of Corrective Action regarding Speedway on Maple Road.pdf
- F-2 [14-1419](#) AAATA Financial Operating Reports and Ridership Data for August 2014
(City Clerk Services)
Attachments: AAATA August 31 2014 Financial Operating combined.pdf, AAATA R2 Demand Resposn graphs.pdf, AAATA R2 Fixed Route graphs.pdf, AAATA R2 Performance Reports.pdf, AAATA R2 Weekday riders.pdf
- F-3 [14-1429](#) Communication from the State of Michigan Public Service Commission regarding notice of a Public Hearing scheduled for October 7, 2014, for DTE Customers in Case No. U-17302 - File
Attachments: Public Hearing Notice regarding DTE Customers.pdf
- F-4 [14-1451](#) Communication from the State of Michigan Public Service Commission regarding Notice of a Public Hearing for Customers of DTE Electric Company in Case No. U-17689 Scheduled for October 7, 2014 - File
(City Clerk Services)

Attachments: DTE Public Hearing Notice U-17689.pdf

- F-5 [14-1452](#) Communication from Faris Alassadi expressing concerns with the rezoning of Platt Road East Property - Planning and Development Services
- Attachments:** Platt Rd Rezoning Opposition Letter.pdf
- F-6 [14-1460](#) Communication from Scio Township Zoning Board of Appeals regarding a Public Hearing Notice regarding Variances of Properties in the Township Scheduled for October 16, 2014 - Planning and Development Services
- (City Clerk Services)
- Attachments:** Scio Twp ZBA Public Hearing Notice.pdf
- F-7 [14-1482](#) Communication from Judy S. Shapiro, Protesting Ordinance No. ORD-14-21, Rezoning of 3451 Platt Road - Ann Arbor Housing Commission Platt Road East - Planning and Development Services
- Attachments:** Communication from Judy S. Shapiro Opposing Platt Road Rezoning
(Added 10/6/14)
- F-8 [14-1483](#) Communication from Judy Weinburger regarding her objection to the rezoning of 3451 Platt Road, Ann Arbor Housing Commission Platt Road East Project - Planning and Development Services
- Attachments:** Judy Weinburger Communication regarding 3451 Platt Road
(Added 10/6/14)
- F-9 [14-1484](#) Communication from Janet Seeburger regarding Opposition of the Proposed Rezoning of 3451 Platt Road - Planning and Development Services
- Attachments:** Communication from Janet Seeburger regarding 3451 Platt Road
(Added 10/6/14)
- F-10 [14-1485](#) Communication from William Brodovich regarding Opposition of the Proposed Rezoning of 3451 Platt Road - Planning and Development Services
- Attachments:** Communication from William Brodovich regarding 3451 Platt Road
(Added 10/6/14)
- G The following minutes were received for filing:**
- G-1 [14-1164](#) Zoning Board of Appeals Meeting Minutes of June 25, 2014 ZBA
(Planning and Development Services)
- Attachments:** 6-25-2014 ZBA Minutes with Live Links-Approved with Revisions
- G-2 [14-1294](#) Public Market Advisory Commission Meeting Minutes of June 26, 2014

(Public Market Advisory Commission - Sarah DeWitt, Market Manager)

Attachments: PMAC 6.26.14 Minutes

- G-3** [14-1331](#) Building Board of Appeals Meeting Minutes of August 14, 2014
(Building Board of Appeals)
Attachments: BBA Minutes 8-14-14.pdf
- G-4** [14-1348](#) Cable Commission Meeting Minutes of May 27, 2014
(Cable Communications Commission)
Attachments: CCCMinutesMay272014.pdf
- G-5** [14-1349](#) Downtown Development Authority Meeting Minutes July & August 2014
(Downtown Development Authority)
Attachments: DDA Minutes July & August 2014.pdf
- G-6** [14-1350](#) Downtown Area Citizen Advisory Council Meeting Minutes September 2, 2014
(Downtown Development Authority)
Attachments: Downtown Area Citizens Advisory Council Meeting Minutes 090214.pdf
- G-7** [14-1397](#) Ann Arbor Housing Commission August 27, 2014 Board Meeting Minutes
(Ann Aobor Housing Commission - Jennifer Hall)
Attachments: Minutes August 27 2014.pdf
- G-8** [14-1406](#) Public Market Advisory Commission Meeting Minutes of August 21, 2014
(Public Market Advisory Commission - Sarah DeWitt, Market Manager)
Attachments: PMAC Meeting Minutes 8.21.14
- G-9** [14-1414](#) Council Labor Committee Meeting Minutes of September 15, 2014
(Council Labor Committee)
Attachments: Council Labor Committee Minutes 9-15-14.pdf
- G-10** [14-1431](#) Ann Arbor Human Rights Commission Meeting Minutes of April 9, 2014
(Human Resources - Robyn Wilkerson, Human Resources Director)
Attachments: HRC Meeting Minutes4-9-14.pdf
- G-11** [14-1432](#) Ann Arbor Human Rights Commission Meeting Minutes of June 11, 2014
(Human Resources - Robyn Wilkerson, Human Resources Director)

Attachments: HRC Meeting Minutes6-11-14.pdf

- G-12** [14-1433](#) Ann Arbor Human Rights Commission Meeting Minutes of July 9, 2014
(Human Resources - Robyn Wilkerson, Human Resources Director)
Attachments: HRC Meeting Minutes7-9-14.pdf
- G-13** [14-1434](#) Ann Arbor Commission on Disability Issues Meeting Minutes of May 21, 2014
(Human Resources - Robyn Wilkerson, Human Resources Director)
Attachments: 05212014 Meeting Minutes FINAL.pdf
- G-14** [14-1435](#) Ann Arbor Commission on Disability Issues Meeting Minutes of June 18, 2014
(Human Resources - Robyn Wilkerson, Human Resources Director)
Attachments: 06182014 Meeting Minutes FINAL.pdf
- G-15** [14-1436](#) Ann Arbor Commission on Disability Issues Meeting Minutes of July 23, 2014
(Human Resources - Robyn Wilkerson, Human Resources Director)
Attachments: 07232014 Meeting Minutes FINAL.pdf
- G-16** [14-1372](#) Park Advisory Commission Meeting Minutes of August 19, 2014
(Park Advisory Commission)
Attachments: PAC Meeting Minutes 8-19-14.pdf
- G-17** [14-1437](#) Ann Arbor-Ypsilanti Smart Zone LDFA Meeting Minutes - June 17, 2014
(Financial and Administrative Services - Tom Crawford, CFO)
Attachments: LDFA 06.17.14 minutes
- G-18** [14-1438](#) Ann Arbor-Ypsilanti SmartZone LDFA Meeting Minutes - July 15, 2014
(Financial and Administrative Services - Tom Crawford, CFO)
Attachments: LDFA 07.15.14 minutes
- G-19** [14-1439](#) Ann Arbor-Ypsilanti SmartZone LDFA Board Meeting Minutes - August 21, 2014
(Financial and Administrative Services - Tom Crawford, CFO)
Attachments: LDFA 08.21.14 minutes

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

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).

ADJOURNMENT

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

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

REPLAYS: TUESDAY, OCTOBER 7, 2014, 10:00 A.M. AND FRIDAY, OCTOBER 10, 2014, 7:30 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

Community Television Network Channel 16 live televised public meetings are also available to watch live online from CTN's website, www.a2gov.org/ctn, on "The Meeting Place" page (<http://www.a2gov.org/livemeetings>).

Live Web streaming is one more way, in addition to these listed below, to stay in touch with Ann Arbor City Council and board and commission actions and deliberations.

- **Video on Demand: Replay public meetings at your convenience online at www.a2gov.org/government/city_administration/communicationsoffice/ctn/Pages/VideoOnDemand.aspx**
- **Cable: Watch CTN Channel 16 public meeting programming via Comcast Cable channel 16.**

All persons are encouraged to participate in public meetings. Citizens requiring translation or sign language services or other reasonable accommodations may contact the City Clerk's office at 734.794.6140; via e-mail to: cityclerk@a2gov.org; or by written request addressed and mailed or delivered to:

**City Clerk's Office
301 E. Huron St.
Ann Arbor, MI 48104**

Requests need to be received at least two (2) business days in advance of the meeting.

A hard copy of this Council packet can be viewed at the front counter of the City Clerk's Office.