



City of Ann Arbor

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

Meeting Agenda - Final City Council

Monday, February 2, 2015

7:00 PM

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

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

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ROLL CALL OF COUNCIL

APPROVAL OF AGENDA

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

- AC-1 [15-0141](#) Agenda Response Memo - February 2, 2015
(City Administrator - Steven D. Powers, City Administrator)
Attachments: Agenda Responses 2-2-15 with attachment
(Added 2/2/15)

INT INTRODUCTIONS

- INT-1 [15-0121](#) Volunteer of the Month proclamation honoring the Student United Way
-University of Michigan
(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. **Karen Healy - License Agreement with DTE Energy for Solar Installation at the Airport (DC-3)**
2. **Annie Wolock - Amicus Brief Regarding DeBoer v. Rick Snyder (DC-5)**
3. **Audrey Wojtkowiak - Amicus Brief Regarding DeBoer v. Rick Snyder (DC-5)**
4. **Sandi Smith - Amicus Brief Regarding DeBoer v. Rick Snyder (DC-5)**
5. **Kathy Griswold - License Agreement with DTE Energy for Solar Installation at the Airport (DC-3)**
6. **Fred Eaton - Change of Control from Comcast to Midwest Cable (DC-4)**
7. **Blaine Coleman - Boycott Israel**
8. **Konstantin Tanin - Hidden Fees for Building**

CC COMMUNICATIONS FROM COUNCIL

15-0142 Resolution to Appoint a Member to the City Environmental Commission
(City Council)
Sponsors: Briere
Attachments: BobNeedhamResume
(Added 2/2/15)

MC COMMUNICATIONS FROM THE MAYOR

MC-1 **15-0060** Appointments - Confirmations
(Mayor's Office)

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

- PH-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)
- (City Council)
- Sponsors:** Warpehoski
- Attachments:** 14-28 ORD 14-28 As Amended 012015 Briefed, ORD 14-28 As Amended 012015, 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

(See B-1)

- PH-3 [14-1689](#) Resolution to Approve the Plum Market Site Plan, 3601 Plymouth Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays)
- (Community Services - Sumedh Bahl, Community Services Area Administrator)
- Attachments:** 11/18/14 Planning Staff Report, 11/18/14 Planning Commission Minutes
- (See DB-1)

A APPROVAL OF COUNCIL MINUTES

- A-1 [15-0125](#) Work Session of January 12, 2015 and Regular Session Meeting Minutes of January 20, 2015
- (Jacqueline Beaudry, City Clerk)
- Attachments:** 01-12-15 Draft Minutes, 01-20-15 Draft Minutes, Council 1-20-15_Redacted.pdf

CA CONSENT AGENDA

- CA-1 [14-1792](#) Resolution to Approve a Contract with RDC Construction Services, Inc. for Property Demolition, Clean Up and Site Restoration at 3013 Huron River Drive (\$65,600.00)
- (Community Services - Sumedh Bahl, Community Services Area Administrator)
- Attachments:** ITB Brokaw Property Demolition and Site Restoration Specifications.pdf
- CA-2 [14-1798](#) Resolution to Approve Street Closings for the Ann Arbor Marathon Running Event - Sunday, March 29, 2015
- (Community Services - Sumedh Bahl, Community Services Area Administrator)
- Attachments:** Ann Arbor Marathon Poster Map, 2015 Communication Plan.pdf

- CA-3** [15-0019](#) Resolution to Close Streets for the 15th Annual Mayor's Green Fair, Friday, June 12, 2015
(Community Services - Sumedh Bahl, Community Services Area Administrator)
Attachments: Mayor's Green Fair Map.pdf
- CA-4** [15-0045](#) Resolution to Approve Street Closings for the Shamrocks and Shenanigans 5K Run/Walk - Sunday, March 8, 2015
(Community Services - Sumedh Bahl, Community Services Area Administrator)
Attachments: Shamrocks and Shenanigans Map.pdf
- CA-5** [15-0068](#) Resolution to Approve Contract Amendment No. 1 with The Rehmann Group for Independent Audit Services (\$2,993.75)
(Financial and Administrative Services - Tom Crawford, CFO)
Attachments: Rehmann Inv, Rehmann Agr Amend #1, Rehmann Audit Agr

B ORDINANCES - SECOND READING

- B-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)
(City Council)
Sponsors: Warpehoski
Attachments: 14-28 ORD 14-28 As Amended 012015 Briefed, ORD 14-28 As Amended 012015, 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
(See PH-1)
- B-2** [14-1688](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 2.96 Acres from PUD (Planned Unit Development District) to C3 (Fringe Commercial District), Plum Market Rezoning, 3601 Plymouth Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-15-01)
(Community Services - Sumedh Bahl, Community Services Area Administrator)
Attachments: 15-01 Plum Market Ordinance Briefed.pdf, Plum Market Rezoning Ordinance, 11/18/14 Planning Staff Report, Planning Commission Minutes.pdf
(See PH-2)

C ORDINANCES - FIRST READING

C New Business - Staff:

- C-1 [14-1799](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.22 Acre from TWP (Township District) to R1C (Single-Family Dwelling District), Anderson-Pebbles Property, 375 Glenwood Street (CPC Recommendation: Approval - 9 Yeas and 0 Nays)
- (Community Services - Sumedh Bahl, Community Services Area Administrator)
- Attachments:** Anderson-Pebbles CC Ordinance.pdf, 5/6/14 Planning Staff Report, 5/6/14 Planning Commission Minutes

D MOTIONS AND RESOLUTIONS**DC Unfinished Business - Council:**

- DC-1 [15-0042](#) Resolution to Re-Appoint Stephanie Buttrey as a Member of the City of Ann Arbor Greenbelt Advisory Commission
- (City Council)
- Sponsors:** Grand
- DC-2 [15-0075](#) Resolution to Appoint Kenneth J. Winters to the Building Board of Appeals (**7 Votes Required**)
- (Mayor's Office - Christopher Taylor, Mayor)
- Sponsors:** Taylor
- DC **New Business - Council:**
- DC-3 [15-0114](#) Resolution to Approve a License Agreement with DTE Energy to Construct a Solar Installation at the Ann Arbor Municipal Airport
- (Public Services - Craig Hupy, Public Services Area Administrator)
- Sponsors:** Taylor, Briere and Anglin
- Attachments:** City of Ann Arbor - License Agreement 012615.pdf
- DC-4 [15-0122](#) Resolution to Consent to Assignment and Change of Control from Comcast Corporation to Midwest Cable, Inc.
- (Communications (CTN) Services - Lisa Wondrash, Communications Unit Manager)
- Sponsors:** Kunselman
- Attachments:** CCCSpecialMeetingMinutesJan202015.docx, Comcast FCC Form 394 and letter to City Clerk 6-17-14..pdf, 9-30-2014 letter from Comcast.pdf
- (Revised 2/2/15)

- DC-5 [15-0127](#) Resolution Authorizing the City of Ann Arbor to be Listed as a Supporting Municipality in an Amicus Brief to be filed with the United State Supreme Court in April DeBoer, et al., v. Rick Snyder, Governor of Michigan, et al

(Christopher Taylor - City Council)

Sponsors: Taylor, Briere, Grand, Warpehoski and Westphal

- DC-6 [15-0128](#) Resolution in Support of Municipal Intervention in DTE Electric Company Rate Case U-17767

(City Council)

Sponsors: Briere, Taylor, Anglin and Grand

Attachments: Petition to Intervene filed on behalf of municipal coalition, mp-sc-ca_ratecase2_211317_7, Summary of DTE Rate Case U-17767

- DC-7 [15-0138](#) Resolution Accepting Annual Renewal Recommendations of the Council Liquor License Review Committee and Setting Hearings for Non-Renewal of Liquor Licenses

(Council Liquor License Review Committee - City Council)

Sponsors: Council Liquor License Review Committee

(Added 1/30/15 and Revised 2/2/15)

DB New Business - Boards and Commissions:

- DB-1 [14-1689](#) Resolution to Approve the Plum Market Site Plan, 3601 Plymouth Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

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

Attachments: 11/18/14 Planning Staff Report, 11/18/14 Planning Commission Minutes
(See PH-3)

DS New Business - Staff:

- DS-1 [14-1791](#) Resolution to Approve a Contract with Brock Associates, Inc. to Replace the Wooden Picnic Shelter at Gallup Park (\$102,500.00)

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

Attachments: Picnic Shelter ITB 4358doc.pdf

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 [15-0022](#) Downtown Development Authority Annual Report FY 2014
(Downtown Development Authority)
Attachments: AA DDA Annual Report FY 2014
- F-2 [15-0023](#) Ann Arbor Downtown Development Authority Audit FY 2014
(Downtown Development Authority)
Attachments: AA DDA Audit FY 2014
- F-3 [15-0090](#) Communication from the Michigan Public Service Commission regarding a Public Hearing for Customers of DTE Electric Company in Case No. U-17767 scheduled for January 29, 2015 - File
(City Clerk Services)
Attachments: Michigan Public Services Commission DTE Public hearing Notice.pdf
- F-4 [15-0091](#) Communication from the Department of Licensing and Regulatory Affairs Bureau of Construction Codes regarding Public Hearing Notice on the Michigan Part 8-Electrical Code Rules (ORR#2013-111LR) Scheduled for February 10, 2015 - Planning and Development Services
(City Clerk Services)
Attachments: Dept. of Regulatory Affairs Constructuin Codes Public Hearing Norice.pdf
- F-5 [15-0092](#) Communication from the Ypsilanti City Clerk regarding a Resolution Approving Amendment #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 - File
(City Clerk Services - Jacqueline Beaudry, City Clerk)
Attachments: Ypsilanti City Communication re SmartZone.pdf
- F-6 [15-0001](#) Communication from the Office of the Great Seal regarding completion of the Betke Annexation, located at 2562 Newport - File
Attachments: Betke Annexation - 2562 Newport.pdf

- F-7 [15-0124](#) Communication from AAATA regarding their Financial Operating Reports and Ridership Data for December 2014 - File
(City Clerk Services)

Attachments: AAATA R1ab December 31 2014 Financial Operating.pdf, AAATA R2a Weekday rider graphs.pdf, AAATA R2b Performance Reports.pdf, AAATA R2c Quarterly Operating Statistics.pdf, AAATA R2c Quarterly service standard report.doc.docx, AAATA x Copy of Quarterly Productivity by Route.pdf
- G The following minutes were received for filing:**
- G-1 [14-1646](#) Airport Advisory Committee Minutes - September 17, 2014
(Fleet & Facilities Services - Matthew J Kulhanek, Manager)

Attachments: AAC minutes 091714.pdf
- G-2 [14-1647](#) Airport Advisory Committee Minutes - October 15, 2014
(Fleet & Facilities Services - Matthew J Kulhanek, Manager)

Attachments: AAC minutes 101514.pdf
- G-3 [14-1784](#) Public Market Advisory Commission Meeting Minutes of November 20, 2014
(Public Market Advisory Commission - Sarah DeWitt, Market Manager)

Attachments: PMAC Meeting Minutes 11.20.14
- G-4 [15-0012](#) Building Board of Appeals Meeting Minutes of December 11, 2014
(Building Board of Appeals)

Attachments: BBA Meeting Minutes 12-11-14.pdf
- G-5 [15-0032](#) Downtown Development Authority Meeting Minutes of December 2014
(Downtown Development Authority)

Attachments: DDA Minutes December 2014
- G-6 [15-0033](#) Downtown Area Citizen Advisory Council Meeting Minutes of January 6, 2015
(Downtown Development Authority)

Attachments: Downtown Area Citizen Advisory Council Meeting Minutes 010615
- G-7 [15-0038](#) Environmental Commission Minutes - October 23, 2014
(Environmental Commission - Matt Naud, Systems Planning)

Attachments: 10.23.2014 - City of Ann Arbor Environmental Commission Minutes

- G-8 [15-0040](#) Ann Arbor Commission on Disability Issues Meeting Minutes of September 17, 2014
(Human Resources - Robyn Wilkerson, Director)
Attachments: September 17 Disability Issues Meeting Minutes - FINAL
- G-9 [15-0041](#) Ann Arbor Commission on Disability Issues Meeting Minutes of October 15, 2014
(Human Resources - Robyn Wilkerson, Director)
Attachments: October 15 Disability Issues Meeting Minutes
- G-10 [15-0059](#) Audit Committee Meeting Minutes - January 8, 2015
(Financial and Administrative Services - Tom Crawford, CFO)
Attachments: Audit Committee Minutes 010815

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, FEBRUARY 2, 2015 @ 7:00 P.M.

REPLAYS: TUESDAY, FEBRUARY 3, 2015 @ 10:00 A.M. AND FRIDAY, FEBRUARY 5, 2015 @ 7:30 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

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

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

- Video on Demand: Replay public meetings at your convenience online at www.a2gov.org/government/city_administration/communicationsoffice/ctn/Pages/Vid eoOnDemand.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.