

City of Ann Arbor

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



Action Minutes

Monday, February 1, 2016

7:00 PM

Larcom City Hall, 301 E Huron St, Second floor, City Council
Chambers

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 to order at 7:00 p.m. in the Guy C. Larcom, Jr. Building, 2nd Floor Council Chambers, 301 E. Huron 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 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

APPROVAL OF AGENDA

Councilmember Warpehoski mentioned a concern by a Fifth Ward resident regarding the approval of the Rules.

A motion was made by Councilmember Krapohl, seconded by Councilmember Smith, that the Agenda be approved as presented. On a voice vote, the Mayor declared the motion carried.

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

Interim City Administrator Tom Crawford presented his Agenda Response memorandum and a deer management update report for information of Council. He also provided the following update:

The City's outdoor ice rinks at Burns, Allmendinger and Northside Parks have melted this week due to the warmer weather. He asked that residents not use the rinks until the weather allows for freezing again. Signage has been posted at each park alerting residents to the current status.

Mr. Crawford stated that the Work Session scheduled for February 29 was planned for budget discussions, but he would also like to utilize this opportunity to provide an update on the 1,4 Dioxane plume.

AC-1 16-0168 Agenda Response Memo - February 1, 2016

Attachments: Agenda Responses 2-1-16

Received and Filed

AC-2 16-0169 City of Ann Arbor Deer Management Plan Update - February 1, 2016

Attachments: City of Ann Arbor Deer Management Plan Update - 2-1-16

Mr. Crawford presented an update on the City's deer management efforts and provided a written report for information of Council.

Received and Filed

INT INTRODUCTIONS

INT-1 16-0085 Introduction of Karen Quinlan Valvo, Fifteenth Judicial District Court Judge

Judge Joe Burke and Judge Elizabeth Hines, along with Court Administrator Shyrl Samborn, introduced newly appointed 15th District Court Judge Karen Quinlan Valvo.

Received and Filed

INT-2 16-0051 Ann Arbor Public Art Commission Manchester Elevated Tank Project

Attachments: Manchester Tank Contest Winner.pdf.docx.pdf, Entry209.jpg, Entry209a.jpg

Brian Steglitz, Water Treatment Plant Manager, presented the winning Manchester Tank Art project. A copy of the winning design is on file in the City Clerk's Office.

Received and Filed

INT-3 16-0140 Proclamation for Groundcover News Vendor week

Attachments: Groundcover News Vendor week.pdf

Mayor Taylor presented a proclamation recognizing Groundcover News Week. 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. Jeff Hayner - Support for the Promulgation of 201 Cleanup Standards (DC-1)

Jeff Hayner, 1807 Pontiac Trl., urged Council to act regarding the 1,4 Dioxane Plume. He suggested the 201 Rules are not enough. He urged the City to take action locally.

2. Vince Caruso - Gelman (DC-1)

Vince Caruso, 556 Glendale Cir., a member of the Allen Creek Greenway Conservancy, thanked Council for its resolution regarding the 1,4 Dioxane Plume. He suggested a more strict cancer risk be used in evaluation of the plume and the resolution be amended. He also asked that Pall be required to share their monitoring data.

3. Paula Uche - Environmental Dioxane Plume Issues (DC-1)

Paula Uche, 482 Village Oaks, spoke about the 1,4 Dioxane Plume and the deer cull. She stated she is very concerned about the violence occurring in City parks, as a result of the City's deer cull.

4. Hope Carroll - Parks – Deer Cull

Hope Carroll, 250 Brookside Dr., spoke in opposition to the City's deer cull.

5. Nirmala Hanke - Deer

Nirmala Hanke, 2263 Manchester Rd., asked for a moment of silence regarding the deer. She expressed concern regarding illegal deer kill sites.

6. Cathy Shafer - Citizen Safety

Cathy Shafer, 455 Sumark Way, spoke in opposition to the City's deer cull, and raised questions regarding citizen safety and the violence of the kill.

7. Sally Daniels - Saving Tax Payer Dollars

Sally Daniels, 1847 Packard, spoke in opposition to the City's deer cull.

8. Leon Bryson - City Infrastructure

Leon Bryson, 636 Center Dr., Fifth Ward resident, spoke about the water crisis in Flint. He stated this could happen anywhere and infrastructure needs and improvement must be addressed. He spoke in support of DC-1.

9. Robert McGee - Transparency in Government

Robert McGee, 2245 Placid Way, spoke in opposition to the City's deer cull. He stated a Charter amendment initiative is being prepared for the November ballot to prevent any future deer culls in Ann Arbor.

10. Grant Shafer - Ann Arbor and Other Cities

Grant Shafer, 3400 Carpenter Rd. #717, Ypsilanti, MI 48197, spoke in opposition to the City's deer cull.

CC COMMUNICATIONS FROM COUNCIL**COUNCILMEMBER BRIERE**

Councilmember Briere encouraged residents to apply for the City's Boards and Commissions. She stated many City boards currently have vacancies, including the Commission on Disabilities Issues, ZBA, Elizabeth Dean Fund and many others.

Councilmember Briere also spoke about DC-1, the Resolution in Support for the Promulgation of 201 Clean-up Standards and the 1,4 Dioxane Plume. She stated the City is holding a Work Session on the subject on February 29 at 7:00 p.m.

COUNCILMEMBER LUMM

Councilmember Lumm addressed the public comments raised regarding the deer cull. She stated a speaker said the City never answered FAWN's questions. Councilmember Lumm stated the City's Communication Director Lisa Wondrash did respond and provided a thorough answer. She stated in response to speakers comments regarding dead deer, this is not cull related, but residents have called for years regarding found dead deer. She stated illegal hunting in the City is also not new and complaints of illegal activity have occurred in other years.

COUNCILMEMBER GRAND

Councilmember Grand spoke about the City's ice rinks. She stated some concerns have been raised about adult hockey games taking place during children's play. To address the issue, hours for "no sticks and pucks" have been posted. She stated there are also bins at the parks for skate donations.

COUNCILMEMBER WARPEHOSKI

Councilmember Warpehoski thanked Councilmember Lumm for her comments regarding the deer cull and her response to the public speakers, recognizing that Council often doesn't respond to public commentary during Council meetings. He stated Council does listen, but this isn't the forum generally for a back and forth discussion. He also stated the City continues to monitor progress regarding the cull.

MC COMMUNICATIONS FROM THE MAYOR

MC-1 16-0062

Appointments & Nominations

Attachments: Henry McQueen app..pdf, Robert Lyons Jr. app..pdf

APPOINTMENTS APPROVED

Mayor Taylor requested confirmation of the following appointments that were presented at the January 19, 2016 Regular Session of Council:

Airport Advisory Committee

*Robert Lyons Jr. -Partial term
2118 Yorktown Drive
Ann Arbor, MI 48105
Term: ending May 31, 2018*

Economic Development Corporation Board

*Henry McQueen- Partial term
3342 Yellowstone Drive
Ann Arbor, MI 48105
Term: ending May 31, 2018*

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

CA CONSENT AGENDA**Passed on consent agenda**

A motion was made by Councilmember Krapohl, seconded by Councilmember Lumm, 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 of CA-3, CA-4, and CA-6.

CA-1 15-1570

Resolution to Approve a Purchase Order with New World Systems for 5-year Software Support and Maintenance Agreement of the City's Financial System FY2016-FY2020 (\$260,094.00)

Attachments: Ann Arbor MI - SSMA special language.pdf, Tyler Addendum - New World Maintenance renewals.pdf

Enactment No: R-16-025

- CA-2 15-1578** Resolution to Approve Agreement between the City of Ann Arbor and the Downtown Development Authority for Sidewalk Repairs within the Downtown Development District during FY 2015, FY 2016 and FY 2017
Attachments: DDA Agr for Sidewalk Repairs - FY15 - FY17.docx
Enactment No: R-16-026
- CA-3 16-0008** Resolution to Approve Riverside Park Parking Lot Land Lease with the University of Michigan **(8 Votes Required)**
Attachments: Riverside2016Agreement.pdf, Exhibit A.pdf
Enactment No: R-16-027
- CA-4 16-0028** Resolution to Approve Participation Agreement with Legacy Land Conservancy for the Purchase of the Carol Proctor Landsberg Trust Property in Webster Township, and Appropriate Funds, not to Exceed \$157,140 from the Open Space and Parkland Preservation Millage Proceeds **(8 Votes Required)**
Attachments: Landsberg Aerial Map.pdf
Enactment No: R-16-028
- CA-5 16-0064** Resolution to Approve Contracts for Environmental Site Assessment Services per Request for Proposals # 932 with Tetra Tech, Envirollogic Technologies Inc., and DLZ Not to Exceed \$30,000.00 Each Firm with Two One-Year Renewal Options
Enactment No: R-16-029
- CA-6 16-0096** Resolution to Amend Ann Arbor City Budget for the Open Space Endowment Fund (Fund 0041) for Fiscal Year 2016 **(8 Votes Required)**
Enactment No: R-16-030
- CA-7 16-0048** Resolution to Approve Street Closings for the 2016 Take Back the Night (Rally and March) - Wednesday, April 6, 2016
Attachments: Take Back The Night Map.pdf
Enactment No: R-16-031
- CA-8 16-0053** Resolution to Approve Street Closure of Washington Street between Thayer and Fletcher Streets for the TEDxUofM event from 6:00 PM on Thursday, March 31, 2016 to 6:00 PM on Friday, April 1, 2016
Attachments: U of M TED x Map.pdf
Enactment No: R-16-032

CA-9 16-0099 Resolution to Approve Street Closings for FestiFools Parade - Sunday, April 3, 2016

Attachments: FestiFools Map.pdf

Enactment No: R-16-033

CA-1 16-0100 Resolution to Approve Street Closings for Fool Moon - Friday, April 1, 2016

Attachments: Fool Moon Map.pdf

Enactment No: R-16-034

CA-1 16-0102 Resolution to Approve the Renewal Contracts with Blue Cross Blue Shield of Michigan to Provide Health Care Coverage, Third Party Administrator Services and Excess Insurance Coverage to City Employees and Retirees and Their Dependents and Authorize the City Administrator to Execute the Necessary Documentation (\$1,320,352.00)

Attachments: 2016 Stop-loss Exhibit, CITY OF ANN ARBOR 2016 Schedule A

Enactment No: R-16-035

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

None.

A APPROVAL OF COUNCIL MINUTES

A-1 16-0123 Regular Session of January 19, 2016

Attachments: 01-19-16 Draft minutes, Council emails 1-19-2016.pdf

A motion was made by Councilmember Smith, seconded by Councilmember Warpehoski, that the Minutes of the Regular Session of January 19, 2016 be approved. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

None.

C ORDINANCES - FIRST READING

None.

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

DC-1 16-0163 Resolution in Support for the Promulgation of 201 Cleanup Standards

Sponsors: Smith, Eaton, Briere, Taylor, Warpehoski and Lumm

Councilmember Warpehoski spoke in support of the resolution and stated any exposure to 1,4 Dioxane is a cancer risk.

A motion was made by Councilmember Eaton, seconded by Councilmember Smith, 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-16-036

DC-2 16-0165 Resolution in Support of the Jewish Family Services' Application for the Gateways for Growth Challenge

Sponsors: Warpehoski

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

Enactment No: R-16-037

DC-3 16-0155 Resolution Accepting Annual Renewal Recommendations of the Council Liquor License Review Committee and Setting Hearings for Non-Renewal of Liquor Licenses

Sponsors: Council Liquor License Review Committee

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

Enactment No: R-16-038

DB New Business - Boards and Commissions:

None.

DS New Business - Staff:

None.

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER SMITH

Councilmember Smith reiterated Councilmember Briere's earlier comments regarding the need for citizen volunteers on the City's boards and commission, including the Environmental Commission.

COUNCILMEMBER BRIERE

Councilmember Briere spoke about two bills in Lansing that would put the City's historic districts at risk. She stated she plans to bring forward a resolution opposing the proposing changes.

COUNCILMEMBER WARPEHOSKI

Councilmember Warpehoski spoke about a City Council watching party. He also addressed the City's deer cull issue again.

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 Krapohl, that the Clerk's Report of Communications, Petitions and Referrals be approved as presented. On a voice vote, the Mayor declared the motion carried.

- F-1 16-0106** Communication from Comcast regarding Changes to Government Affairs Organization - CTN, City Attorney
Attachments: comcast communication.pdf

- F-2 16-0109** Public Hearing Notice from Barton Hills Village Zoning Board of Appeals regarding and Application for Variance for Property located at 326 Juniper Lane Scheduled for February 8, 2016 - Planning and Development Services
Attachments: Barton Hills Village Public Hearing Notice.pdf

F-3 16-0141 Notice of Public Hearing Concerning Public Corporations to be Assessed and Apportionment of Costs of "HRGIDD Tree Planting 5504-05 Drain Project - Planning and Development Services, Systems Planning

Attachments: Public Hearing Notice for HRGIDD Tree Planting 5504-05.pdf

F-4 16-0142 Notice of Public Hearing Concerning Public Corporations to be Assessed and Apportionment of Costs of Allen Creek Stadium-Hutchins-Kipke 5509-01 Drain Project - Planning and Development Services, Systems

Attachments: Public Hearing Notice of Allen Creek Stadium-Hutchins-Kipke 5509-01 Drain project.pdf

Filed.

G The following minutes were received for filing:

G-1 15-1418 Public Market Advisory Commission Meeting Minutes - 10.15.15

Attachments: PMAC Meeting Minutes 10.15.15

G-2 15-1548 Ann Arbor Housing Commission Board Meeting Minutes of November 18, 2015

Attachments: AAHC Nov 18 2015 Minutes.pdf

G-3 15-1559 Public Market Advisory Commission Minutes - 11.19.15

Attachments: PMAC Minutes 11.19.15.pdf

G-4 16-0020 Council Liquor License Review Committee Meeting Minutes of October 16, 2015

Attachments: 2015-10-16 liquor committee minutes

G-5 16-0043 Downtown Development Authority Board and Executive, Partnerships, Finance, Operations and Capital Improvements Committee Minutes of December 2015

Attachments: DDA Minutes December 2015

G-6 16-0045 Downtown Area Citizens Advisory Council Meeting Minutes for January 5, 2016

Attachments: Downtown Area Citizens Advisory Council Meeting Minutes 010516

- G-7 16-0065** Greenbelt Advisory Commission Meeting Minutes of October 2, 2014
Attachments: GAC Minutes10-2-14.pdf
- G-8 16-0066** Greenbelt Advisory Commission Meeting Minutes of November 6, 2014
Attachments: GAC Minutes 11-6-14.pdf
- G-9 16-0074** Audit Committee Meeting Minutes - January 14, 2016
Attachments: Special Audit Minutes 011416
- G-10 16-0097** Ann Arbor Disabilities Commission, October 21, 2016, Meeting Minutes
Attachments: October 21 2015 DraftMeeting Minutes
- G-11 16-0098** Ann Arbor Human Rights Commission, December 9, 2015, Meeting Minutes
Attachments: Minutes 12.9.2015 HRC Final
- G-12 16-0105** Ann Arbor Area Transportation Authority (AAATA) Meeting Minutes of December 17, 2015
Attachments: AAATA Minutes 12-17-15.pdf
- G-13 15-1567** Election Commission Meeting Minutes of October 23, 2015
Attachments: 2015-10-23 Election Commission Minutes
- G-14 15-1549** Taxicab Board Meeting Minutes of October 22, 2015
Attachments: 102215 Taxicab Board Minutes

Filed.

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Ed Vielmetti, 1210 Brooklyn, spoke about the City's program to provide bike lights to the public and encouraged folks to seek out the free lights and use them for safety. He also spoke about the upcoming Festifools event. Mr. Vielmetti urged Council to change the rule that the City has regarding not requiring written minutes at certain boards and commissions.

Phil Carroll, Ward Three, spoke about the deer cull and asked the City to continue to reduce the number of cull sites. He stated he monitors the cull site in Cedarbend Park and has concerns with this site and its proximity to the road.

An unidentified resident spoke about Cedarbend Park and her opposition to the City's deer cull. She also stated there is a bait pile very near Huron River Drive.

Robert McGee, 2245 Placid Way, spoke about Cedarbend Park, stating it is very dangerous and too close to student activity. He urged Council to remove this site from the list.

Kathy Griswold, 3565 Fox Hunt, spoke about an article in the Ann Arbor Observer regarding A2FixIt. She also questioned the design of crosswalks in the City that do not meet best practices. She also spoke about the emergency manager program and the City's former City Administrator, Roger Fraser.

Paula Uche, 482 Village Oaks, spoke about pedestrian safety and crosswalks. She urged the City to address the issue of pedestrian safety on Ann Arbor Saline Road if a new development is built there.

An unknown resident thanked the Council for their work and for trying to work with residents regarding the cull. She spoke in opposition to continued cull efforts and the behavior of the sharpshooters in City parks.

Lorraine Shapiro, Ward Two, spoke in opposition to the deer cull and expressed concern about a bait pile in Furstenberg Park and near Huron High School.

An unidentified resident spoke in opposition to the deer cull.

An unidentified resident spoke about the deer cull and noted that a large percentage of the audience in attendance was here to show opposition to the cull.

An unidentified resident spoke about working in the parks system and about the need for respect.

An unidentified resident spoke on behalf of FAWN and the recent lawsuit filed in Washtenaw County against the City and the City's deer cull. She urged Council to pursue non-lethal methods.

A resident named Dwight spoke in opposition to the City's deer cull. He stated deer culls do not work.

David Silkworth, Ward Five resident, spoke in opposition to the City's deer cull. He questioned whether the City's study included any scientific evidence. He asked for a moment of silence regarding the loss of the public's trust.

Kyle Lady, Ward Two resident, spoke in support of the City's decision-making process regarding the deer cull and stated he supports the decision of the City's leaders.

Michael Benson, Ward Two resident, addressed comments regarding the City's deer cull. He urged professional and respectful advocacy. He also spoke about the Taxicab Board and asked again for a Council representative to be appointed.

An unknown resident of Ypsilanti spoke in opposition to the deer cull stating it is dangerous and is forcing the deer to run into the roads. She urged Council to reconsider.

A Ward Four resident spoke in support of the Council's decision-making process and thanked Council and the staff for the public process.

A Ward Two resident spoke about the beauty of nature and spoke in opposition to the 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).

None.

ADJOURNMENT

A motion was made by Councilmember Lumm, seconded by Councilmember Ackerman, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 9:25 p.m.

16-0179 Council Emails and Redaction List from 2-1-16

Attachments: Council Emails 2-1-2016.pdf

Received and Filed

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, FEBRUARY 1, 2016 @ 7:00 P.M.

REPLAYS: TUESDAY, FEBRUARY 2, 2016 @10:00 A.M. AND FRIDAY, FEBRUARY 5, 2016 @ 7:30 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

CTN's Government Channel live televised public meetings are also available to watch live online from CTN's website, www.a2gov.org/watchctn. 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 <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.

Jacqueline Beaudry
Clerk of the Council

Anissa R. Bowden
Recording Secretary