

City of Ann Arbor

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



Action Minutes

Thursday, March 10, 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

Councilmember Warpehoski arrived at 7:06 p.m.

- Present:** 9 - Councilmember Sabra Briere, Councilmember Jane Lumm, Councilmember Sumi Kailasapathy, Councilmember Chuck Warpehoski, Councilmember Jack Eaton, Mayor Christopher Taylor, Councilmember Kirk Westphal, Councilmember Zachary Ackerman and Councilmember Chip Smith
- Absent:** 2 - Councilmember Julie Grand and Councilmember Graydon Krapohl

APPROVAL OF AGENDA

A motion was made by Councilmember Briere, seconded by Councilmember Ackerman, 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 Council on his recent meetings with City residents regarding non-lethal management efforts of the City's deer population.

AC-1 16-0362 Agenda Response Memo - March 10, 2016

Attachments: Agenda Responses 3-10-16

Mr. Crawford provided his Agenda Response Memo for information of Council.

Received and Filed

INT INTRODUCTIONS

None.

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. Dwight L. Wilson - Human Rights Commission Report (DC-3)

Dwight Wilson, a member of the Human Rights Commission, spoke in support of DC-3, Resolution to Receive Human Rights Commission's Report, Civilian Police Review: Recommendation for Strengthening Police-Community Relations in Ann Arbor, and urged Council's support.

2. Nick Kabbat - Human Rights Commission Report (DC-3)

Nick Kabbat, a University of Michigan Law student, spoke in support of Resolution DC-3.

3. Divy Taneja - Human Rights Commission Report (DC-3)

Divy Taneja, a University of Michigan Law student, spoke in support of DC-3 and urged Council to employ the independent auditor to study the Police, as recommended in the report.

4. Leslie Stambaugh - Human Rights Commission Report (DC-3)

Leslie Stambaugh, Human Rights Commission Chair, spoke in support of DC-3 and urged Council to retain an independent auditor of the Police Department.

5. Michelle Barney - Human Rights Commission Report (DC-3)

Michelle Barney, Ypsilanti resident, spoke in support of DC-3.

6. Robert McGee - Human Rights Commission Report (DC-3)

Robert McGee, 2245 Placid Way, spoke in support of DC-3 and discussed his experience with a Police Review Board as Mayor of Ferndale.

7. Dr. Janet Schwamb - Crosswalk on Huron Parkway (DC-5)

Dr. Janet Schwamb, principal of Huron High School, spoke in support of DC-5, a Resolution to Improve Pedestrian Crosswalk on Huron Parkway Near Huron High School.

8. Jeanice Swift - Crosswalk on Huron Parkway (DC-5)

Jeanice Swift, Superintendent of Ann Arbor Public Schools, spoke in support of DC-5, a Resolution to Improve Pedestrian Crosswalk on Huron Parkway Near Huron High School.

9. Kathy Griswold - Crosswalk Improvements (DC-5)

Kathy Griswold, 3565 Fox Hunt, spoke in support of DC-5, stating pedestrian improvements at Huron High School are long overdue.

10. Henry Herskovitz - Holocaust Comments (CC-Council Communications)

Henry Herskovitz, 404 Mark Hannah, addressed his previous remarks to Council about the Holocaust and Councilmember's Warpehoski's remarks regarding those comments at the last Council meeting.

CC COMMUNICATIONS FROM COUNCIL

Councilmember Briere presented two proposed appointments to the Environmental Commission for Council's consideration at a future meeting (referred to March 21 Council meeting).

COUNCILMEMBER ACKERMAN

Councilmember Ackerman stated that Councilmember Grand would be arriving late, as she had a scheduling conflict with the Thursday meeting. Councilmember Ackerman also expressed his feelings about Mr. Herskovitz's Holocaust comments and denounced such comments.

COUNCILMEMBER KAILASAPATHY

Councilmember Kailasapathy spoke about the Human Rights Commission resolution, DC-3, and urged Council's support.

COUNCILMEMBER WARPEHOSKI

Councilmember Warpehoski reminded the public that they can easily reach out to all of Council by emailing Council@a2gov.org. This email sends messages to each member, he said.

CC-1 16-0314**Resolution to Appoint Karie Slavik to the Environmental Commission**

Sponsors: Briere and Smith

Attachments: Karie Slavik app..pdf

Referred to the City Council due back on 3/21/2016.

CC-2 16-0315 Resolution to Re-Appoint Christopher Graham to the Environmental Commission

Sponsors: Briere and Smith

Referred to the City Council due back on 3/21/2016.

MC COMMUNICATIONS FROM THE MAYOR

MC-1 16-0201

Appointments & Confirmations

APPOINTMENTS APPROVED

Mayor Taylor recommended the following appointments at the February 16, 2016 regular session of Council:

Ann Arbor Area Transportation Authority

*Prashanth Gururaja -Partial term
708 N. Fifth Ave.
Ann Arbor, MI 48104
Term: Ending May 1, 2019*

Board of Review

*Katherine White -Reappointment
1849 Saxon Rd.
Ann Arbor, MI 48103
Term: Ending January 31, 2019*

*William Brogan -Filling vacancy
950 Northwood St.
Ann Arbor, MI 48103
Term: Ending January 31, 2018*

Board of Review Panel 2

*Robert White -Reappointment
1849 Saxon Rd.
Ann Arbor, MI 48103
Term: Ending January 31, 2017*

*Timothy Somers -Reappointment
2944 Whittier Ct.
Ann Arbor, MI 48104
Term: Ending January 31, 2019*

Housing Board of Appeals

*Jerry Schulte
3334 Yellowstone
Ann Arbor, MI 48105
Term: June 1, 2016-May 31, 2019*

Human Rights Commission

*Sharifa Kerene Moore -Filling partial term
1108 Fountain
Ann Arbor, MI 48103
Term: Ending May 31, 2018*

*David Baum -Filling remaining term of Charles Lewis (deceased)
1517 Brooklyn Ave.
Ann Arbor, MI 48104
Term: Ending May 31, 2017*

Local Development Finance Authority

*Heather Grisham -Filling remaining term of Eric Jacobson
2007 Audubon Drive
Ann Arbor, MI 48103
Term: Ending June 30, 2017*

Zoning Board of Appeals

*Nicole Eisenmann -Filling partial term
711 Argo
Ann Arbor, MI 48105
Term: Ending May 31, 2018*

A motion was made by Councilmember Smith, seconded by Councilmember Warpehoski, that Council concur with the recommendations of the Mayor. On a voice vote, the Mayor declared the motion carried.

MC-2 16-0245

Appointments - Nominations

Sponsors: Taylor

Attachments: 0001_5_Robin Grossheusch app..pdf, 0001_6_Hugh A. Flack, Jr. app..pdf, 0001_7_David R. Arnsdorf app..pdf, 0001_8_Gordon Berry app. 2016.pdf, 0001_10_Timothy Durham app..pdf, 0001_15_Ken Westerman App..pdf, John Mirsky app..pdf, Mike Appel app..pdf, R. Donald Wortman app..pdf

The following appointments were approved as a one-step process:

Building Board of Appeals

*Gordon Berry -Filling partial term
2225 Garden Homes Dr.
Ann Arbor, MI 48103
Term: Ending May 31, 2017*

*David Arnsdorf -Filling partial term
3450 Vintage Valley Rd.
Ann Arbor, MI 48105
Term: Ending May 31, 2017*

*Hugh A. Flack, Jr. -Filling partial term
831 Avon Rd.
Ann Arbor, MI 48104
Term: Ending May 31, 2017*

Elizabeth Dean Fund

*Ken Westerman -Filling partial term
715 Granger Ave.
Ann Arbor, MI 48104
Term: Ending May 31, 2017*

Housing Board of Appeals

*Robin Grosshuesch -Filling partial term
719 Spring St.
Ann Arbor, MI 48103
Term: Ending May 31, 2017*

*Timothy Durham
1409 Pomona Rd.
Ann Arbor, MI 48103
Term: June 1, 2016-May 31, 2019*

Zoning Board of Appeals

*Candice Briere Filling partial term
3029 Forest Creek Ct.
Ann Arbor, MI 48108
Term: Ending May 31, 2018*

A motion was made by Councilmember Ackerman, seconded by Councilmember Smith, that Council concur with the recommendations of the Mayor and approve the appointments in a one-step process. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement.

16-0386

Appointments - Nominations

Sponsors: Taylor

REFERRED

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

Energy Commission

*John Mirsky
505 Burson Place
Ann Arbor, MI 48104
Term: June 1, 2016-May 31, 2018*

Parks Advisory Commission

*Mike Appel Filling partial term of Melissa Stults (resigned)
613 N. Fifth Ave.
Ann Arbor, MI 48104
Term: Ending May 31, 2018*

Referred to the City Council due back on 3/21/2016.

CA CONSENT AGENDA ITEMS REMOVED

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

CA-17 Resolution to Authorize Professional Services Agreements with Orchard, Hiltz & McCliment, Inc. (OHM) for the Design of the Nixon/Green/Dhu Varren Intersection Improvement and the Nixon Road Corridor Traffic Study (RFP No. 955) (\$538,076.00)

CA-18 Resolution to Award a Contract with CB&I Environmental & Infrastructure, Inc., for Organics Management Plan (\$204,690.00) and Contingency (\$20,469.00) (RFP No. 951) and Appropriate Funds from Solid Waste Fund Fund Balance (\$125,159.00) (8 Votes Required)

CONSENT AGENDA

Passed on consent agenda

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

- CA-1 16-0251** Resolution to Approve Street Closings for the 8th Annual Box Car Race/Soap Box Derby - Sunday, April 10, 2016
Attachments: Box Car Derby Map.pdf
Enactment No: R-16-059
- CA-2 16-0255** Resolution to Approve Street Closings for the Ann Arbor Marathon Running Event - Sunday, April 3, 2016
Attachments: AA Marathon Maps Full and Half.pdf, AA Marathon 2016 communication plan.pdf, GeddesVinewoodAvonFlyerB2016, Revised Maps AA Marathon 1, AAATA-Ann Arbor Marathon Meeting Notes 3_3_2016.pdf
Enactment No: R-16-060
- CA-3 16-0276** Resolution to Close North University for the Townie Street Party - Monday, July 18, 2016
Attachments: Townie Street Party Map 2016.pdf
Enactment No: R-16-061
- CA-4 16-0277** Resolution to Close Streets for the Townie Street Party - Ann Arbor Mile-Dart for Art on Monday, July 18, 2016
Attachments: Ann Arbor Mile Map.pdf
Enactment No: R-16-062
- CA-5 16-0279** Resolution to Approve the Closing of Maynard Street for the Ann Arbor Music Festival on Saturday, April 16, 2016
Attachments: Ann Arbor Music Festival Map.pdf
Enactment No: R-16-063
- CA-6 16-0363** Resolution to Adopt FY 2016-18 Human Services Funding Process
Attachments: 2016-2018 Coordinated Funding Memorandum.pdf
Enactment No: R-16-064
- CA-7 16-0202** Resolution to Accept a Water Main Easement at 3945 S. State Street from JAG Briarwood, L.L.C **(8 Votes Required)**
Attachments: Drawing-3945 S. State Water Main Easement.pdf
Enactment No: R-16-065

- CA-8 16-0046** Resolution to Approve a Professional Services Agreement with Burton and Associates for the Stormwater Rate and Level of Service Analysis (RFP No. 945; \$172,615.00)
Attachments: final contract docs, 2007_08 Stormwater Utility Update Report
Enactment No: R-16-066
- CA-9 16-0111** Resolution to Approve the Purchase of Two Commercial Mowers/Snow Broom Combination Units and Three 16' Wide Area Mowers from Spartan Distributors (State of Michigan MiDeal Contract) (\$386,373.32)
Enactment No: R-16-067
- CA-1 16-0124**
0 Resolution to Approve the Purchase of One Asphalt Paver, One Asphalt Roller/Compactor and Two Trailers from Michigan Cat (State of Michigan MiDeal Contract) (\$225,618.00)
Enactment No: R-16-068
- CA-1 16-0178**
1 Resolution to Approve the Purchase of One Rear Loading Refuse Truck and One Side Loading Refuse Truck from Fredrickson Supply, LLC. (CoPro+ Contract) (\$454,590.00)
Enactment No: R-16-069
- CA-1 16-0183**
2 Resolution to Approve the Purchase of a Trailer Mounted Asphalt Crack Sealer from Bell Equipment Company (Ottawa County Road Commission Bid) for \$50,375.00
Enactment No: R-16-070
- CA-1 16-0200**
3 Resolution to Approve the Purchase of One Wheel Loader, One Mini Excavator and One Trailer from AIS Construction Equipment Corp. (State of Michigan MiDeal Contract \$271,792.92)
Enactment No: R-16-071
- CA-1 16-0210**
4 Resolution to Approve the Purchase of a Wood Chipper from Bandit Industries, Inc. (State of Michigan MiDeal Contract \$88,586.00)
Enactment No: R-16-072
- CA-1 16-0204**
5 Resolution to Approve the Purchase of Three Police Patrol Vehicles from Signature Ford (Macomb County Bid - \$80,124.00)
Attachments: Signature Patrol Bid Tab 2016.pdf
Enactment No: R-16-073

CA-1 16-0161 Resolution to Approve an Construction Contract with LiquiForce
6 Services (USA), Inc. for the East Huron Street (Business I-94) Sewer Lining Project in the Amount of \$283,500.00

Attachments: Huron - Glen Sanitary Sewer Lining Map.pdf

Enactment No: R-16-074

CA-1 16-0170 Resolution Authorizing a Purchase Order to Washtenaw County for the
9 City of Ann Arbor's Share of the Maintenance of the Shared 800 MHz Simulcast System (\$38,200.00)

Enactment No: R-16-075

CA-2 16-0056 Resolution to Approve the Purchase of Fuel Management Systems from
0 Orpak USA, Inc (RFP #946 - \$157,586.00)

Enactment No: R-16-076

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 15-0561

An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 53.61 Acres from TWP (Township District) to R4A (Multiple-Family Dwelling District), Woodbury Club Apartments, Southeast corner of Nixon Road and M-14 (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-15-13) **(8 Votes Required)**

Attachments: 15-13 Woodbury Club Apartments Rezoning Briefed.pdf, Ch. 55 Woodbury Club Apts. Zoning Ordinance.pdf, 10/21/14 Planning Staff Report, 10/21/14 Planning Commission Minutes, Memo from Planning Requiring 8 Votes on Woodbury Zoning.pdf, Edward Zelmanski letter.pdf, Madhu Prasad PA-C Protest Letter re Woodbury Club Apts. Zoning.pdf, Woodbury Club Zoning Protest Email from Rohit Mulgund.pdf, Arbor Hills - Woodbury Club Apts. Zoning Opposition Letter, Request to postpone Woodbury Club Zoning and Site plan, Protest email from BHood regarding Woodbury Zoning, Woodbury Club Protest emails 9-18-15.pdf, Signed Protest from Jing Wang.pdf, Woodbury Club Protest Letters from Barclay Park Condo Assoc..pdf, Alice Chi Protest Email re Woodbury Club Apts Rezoning.pdf, Protest Letter from Margaret Shih re ORD-15-13.pdf, Woodbury Club communication from James DAmour.pdf, Woodbury Club Property Communication.pdf

A public hearing was continued on the proposed amendment to Chapter 55 (Zoning), Rezoning of 53.61 Acres from TWP (Township District) to R4A (Multiple-Family Dwelling District), Woodbury Club Apartments, Southeast corner of Nixon Road and M-14. Notice of continued public hearing was published February 29, 2016.

The following people were present to speak:

William Quinn, representing Barclay Park Condominiums, urged Council to postpone action until all outstanding issues were addressed.

Bill Schneider, on behalf of Barclay Park Condominiums, spoke in opposition.

Dave Friedrichs, property manager for Barclay Park Condominiums, spoke in support of a postponement, stating complexities in the proposed development agreement still needed to be worked out.

There being no further comment, the Mayor declared the hearing closed (continued due to later postponement of the rezoning).

Held and Continued to the City Council due back on 5/2/2016.

Enactment No: ORD-15-13

PH-2 15-0563

Resolution to Approve the Woodbury Club Apartments Planned Project Site Plan and Development Agreement, Southeast Corner of Nixon Road and M-14 (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

Attachments: 10/21/14 Planning Staff Report, 10/21/14 Planning Commission Minutes, WoodburyClubDevAgree 3-9-16.pdf, WoodburyClubDevAgree 3-3-16.pdf, WoodburyClubDevAgree 1-14, Woodbury Club Apts. Development Agreement Revised 9-18-15, Woodbury Development Agreement Revised 7-18-15, Edward Zelmanski letter.pdf, Barclay Assoc - Woodbury Club Wetlands Protest Letter, Request to postpone Woodbury Club Zoning and Site plan, Arbor Hills - Woodbury Club Apts. Site Plan Opposition Letter, Woodbury Club Protest Letters from Barclay Park Condo Assoc..pdf, Woodbury Club communication from James DAmour.pdf

A public hearing was continued on the proposed Resolution to Approve the Woodbury Club Apartments Planned Project Site Plan and Development Agreement, Southeast Corner of Nixon Road and M-14. Notice of continued public hearing was published February 29, 2016.

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

Held and Continued to the City Council due back on 5/2/2016.

PH-3 15-1589

An Ordinance to Amend and Replace Sections 1:271, 1:272, 1:273, 1:274, 1:275, 1:277, and 1:278 of Chapter 12 (Financing Local Public Improvements) of Title I, Sections 1:281, 1:282, 1:284, 1:286, 1:292, 1:293, 1:295, 1:299, 1:300 and 1:301 of Chapter 13 (Special Assessments) of Title I, Sections 2:21, 2:22b, 2:22c and 2:23 of Chapter 27 (Water Capital Recovery Charges) of Title II, and Sections 2:41.2f and 2:42.4 of Chapter 28 (Sanitary Sewer Capital Recovery Charges) of Title II of the Code of the City of Ann Arbor (Ordinance No. ORD-16-03)

Attachments: 16-03 Chpts 12, 13, 27 & 28 amendments Briefed.pdf, Chpts 12, 13, 27 & 28 amendments.pdf, Chpts 12, 13, 27 & 28 change comparison.pdf, Memo to Mayor and Council_Capital Cost Study 3-8-16

A public hearing was conducted on the proposed Ordinance to Amend and Replace Sections 1:271, 1:272, 1:273, 1:274, 1:275, 1:277, and 1:278 of Chapter 12 (Financing Local Public Improvements) of Title I, Sections 1:281, 1:282, 1:284, 1:286, 1:292, 1:293, 1:295, 1:299, 1:300 and 1:301 of Chapter 13 (Special Assessments) of Title I, Sections 2:21, 2:22b, 2:22c and 2:23 of Chapter 27 (Water Capital Recovery Charges) of Title II, and Sections 2:41.2f and 2:42.4 of Chapter 28 (Sanitary Sewer Capital Recovery Charges) of Title II of the Code of the City of Ann Arbor. Notice of public hearing was published February 22, 2016.

The following people were present to speak at the hearing:

A local developer spoke in opposition, stating the changes were burdensome to commercial property owners.

A homeowner who recently paid improvement charges on his new house spoke in support of the proposed changes and urged Council to provide some retroactive relief to those who recently connected.

An unidentified resident stated he built a single family home in 2014 and the current connection fees are cost prohibitive. He spoke in support of the ordinance.

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

Held and Closed

Enactment No: ORD-16-03

PH-4 16-0187

Resolution to Approve Banyan Court Site Condominium Site Plan and Development Agreement, 1654 South Maple Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

Attachments: January 20, 2016 Planning Staff Report, Banyan DevAgree 3-3-16.pdf

A public hearing was conducted on the Resolution to Approve Banyan Court Site Condominium Site Plan and Development Agreement, 1654 South Maple Road. Notice of public hearing was published February 29, 2016.

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

Held and Closed

Enactment No: R-16-083

A APPROVAL OF COUNCIL MINUTES**A-1 16-0281** Work Session of February 8, 2016 and Regular Session Meeting Minutes of February 16, 2016

Attachments: 02-08-16 Draft Minutes, 02-16-16 Draft Minutes, Council emails 2-16-2016_Redacted

A motion was made by Councilmember Smith, seconded by Councilmember Briere, that the Work Session Minutes of February 8 and the Regular Session Minutes of February 16, 2016 be approved as presented. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING**B New Business - Staff:****B-1 15-1589** An Ordinance to Amend and Replace Sections 1:271, 1:272, 1:273, 1:274, 1:275, 1:277, and 1:278 of Chapter 12 (Financing Local Public Improvements) of Title I, Sections 1:281, 1:282, 1:284, 1:286, 1:292, 1:293, 1:295, 1:299, 1:300 and 1:301 of Chapter 13 (Special Assessments) of Title I, Sections 2:21, 2:22b, 2:22c and 2:23 of Chapter 27 (Water Capital Recovery Charges) of Title II, and Sections 2:41.2f and 2:42.4 of Chapter 28 (Sanitary Sewer Capital Recovery Charges) of Title II of the Code of the City of Ann Arbor (Ordinance No. ORD-16-03)

Attachments: 16-03 Chpts 12, 13, 27 & 28 amendments Briefed.pdf, Chpts 12, 13, 27 & 28 amendments.pdf, Chpts 12, 13, 27 & 28 change comparison.pdf, Memo to Mayor and Council_Capital Cost Study 3-8-16

A motion was made by Councilmember Briere, seconded by Councilmember Lumm, that the Ordinance be adopted on Second Reading.

Enactment No: ORD-16-03

(The complete copy of the text of Ordinance No. ORD-16-03 is on file in the City Clerk's Office.)

Councilmember Briere requested that staff provide Council with the number of new connections made in the last six months. She requested this information be provided prior to the next meeting.

A motion was made by Councilmember Warpehoski, seconded by Councilmember Westphal, that the Ordinance be postponed at Second Reading until 3/21/2016. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-16-03

B Unfinished Business - Staff:

B-2 15-0561

An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 53.61 Acres from TWP (Township District) to R4A (Multiple-Family Dwelling District), Woodbury Club Apartments, Southeast corner of Nixon Road and M-14 (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-15-13) **(8 Votes Required)**

Attachments: 15-13 Woodbury Club Apartments Rezoning Briefed.pdf, Ch. 55 Woodbury Club Apts. Zoning Ordinance.pdf, 10/21/14 Planning Staff Report, 10/21/14 Planning Commission Minutes, Memo from Planning Requiring 8 Votes on Woodbury Zoning.pdf, Edward Zelmanski letter.pdf, Madhu Prasad PA-C Protest Letter re Woodbury Club Apts. Zoning.pdf, Woodbury Club Zoning Protest Email from Rohit Mulgund.pdf, Arbor Hills - Woodbury Club Apts. Zoning Opposition Letter, Request to postpone Woodbury Club Zoning and Site plan, Protest email from BHood regarding Woodbury Zoning, Woodbury Club Protest emails 9-18-15.pdf, Signed Protest from Jing Wang.pdf, Woodbury Club Protest Letters from Barclay Park Condo Assoc..pdf, Alice Chi Protest Email re Woodbury Club Apts Rezoning.pdf, Protest Letter from Margaret Shih re ORD-15-13.pdf, Woodbury Club communication from James DAmour.pdf, Woodbury Club Property Communication.pdf

A motion was made by Councilmember Ackerman, seconded by Councilmember Lumm, that the Ordinance be adopted at Second Reading.

Enactment No: ORD-15-13

(The complete copy of the text of Ordinance No. ORD-15-13 is on file in the City Clerk's Office.)

A motion was made by Councilmember Ackerman, seconded by Councilmember Smith, that the Ordinance be postponed at Second Reading until 5/2/2016. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-15-13

DB Unfinished Business - Boards and Commissions:

Councilmember Grand arrived at 8:28 p.m.

Present: 10 - Councilmember Sabra Briere, Councilmember Jane Lumm, Councilmember Sumi Kailasapathy, Councilmember Chuck Warpehoski, Councilmember Jack Eaton, Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Kirk Westphal, Councilmember Zachary Ackerman and Councilmember Chip Smith

Absent: 1 - Councilmember Graydon Krapohl

DB-1 15-0563

Resolution to Approve the Woodbury Club Apartments Planned Project Site Plan and Development Agreement, Southeast Corner of Nixon Road and M-14 (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

Attachments: 10/21/14 Planning Staff Report, 10/21/14 Planning Commission Minutes, WoodburyClubDevAgree 3-9-16.pdf, WoodburyClubDevAgree 3-3-16.pdf, WoodburyClubDevAgree 1-14, Woodbury Club Apts. Development Agreement Revised 9-18-15, Woodbury Development Agreement Revised 7-18-15, Edward Zelmanski letter.pdf, Barclay Assoc - Woodbury Club Wetlands Protest Letter, Request to postpone Woodbury Club Zoning and Site plan, Arbor Hills - Woodbury Club Apts. Site Plan Opposition Letter, Woodbury Club Protest Letters from Barclay Park Condo Assoc..pdf, Woodbury Club communication from James DAmour.pdf

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

A motion was made by Councilmember Briere, seconded by Councilmember Eaton, that the Resolution be postponed to the City Council and should be returned by 5/2/2016. On a voice vote, the Mayor declared the motion carried.

C ORDINANCES - FIRST READING

None.

D MOTIONS AND RESOLUTIONS**DC Unfinished Business - Council:****DC-1 15-0659**

Resolution Directing the City Administrator to Work with Pittsfield Township to Gain Approval of the Airport Runway Extension

Sponsors: Eaton and Briere

Attachments: Airport Worksession 0216 - Response to Comments

A motion was made by Councilmember Briere, seconded by Councilmember Eaton, that the Resolution be approved. On a roll call, the vote was as follows with the Mayor declaring the motion defeated:

Yeas: 3 - Councilmember Briere, Councilmember Kailasapathy and Councilmember Eaton

Nays: 7 - Councilmember Lumm, Councilmember Warpehoski, Mayor Taylor, Councilmember Grand, Councilmember Westphal, Councilmember Ackerman and Councilmember Smith

Absent: 1 - Councilmember Krapohl

Enactment No:

DC New Business - Council:**DC-2 16-0246** Resolution to Clarify Membership Requirements and Approve Amended Bylaws of the Commission on Disability Issues

Sponsors: Westphal

Attachments: CDI amended bylaws-1-20-16 track changes.pdf, CDI amended bylaws-1-20-16 clean.pdf

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

Enactment No: R-16-077

DC-3 16-0300 Resolution to Receive Human Rights Commission's Report Entitled: *Civilian Police Review: Recommendation for Strengthening Police-Community Relations in Ann Arbor*

Sponsors: Kailasapathy, Krapohl, Warpehoski and Eaton

Attachments: Recommendations for Strengthening Police-Community Relations

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

Enactment No: R-16-078

DC-4 16-0312 Resolution to Appropriate \$2,800.00 from General Fund Fund Balance to Supplement the Bike Light Giveaway Program for Ann Arbor Residents **(8 Votes Required)**

Sponsors: Grand, Westphal and Ackerman

A motion was made by Councilmember Grand, seconded by Councilmember Westphal, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried unanimously with ten members present, thus satisfying the eight-vote requirement.

Enactment No: R-16-079

DC-5 16-0324 Resolution to Improve Pedestrian Crosswalk on Huron Parkway Near Huron High School **(8 Votes Required)**

Sponsors: Lumm, Westphal and Kailasapathy

A motion was made by Councilmember Lumm, seconded by Councilmember Westphal, 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-16-080

RECESS

Mayor Taylor declared a recess at 9:13 p.m. and reconvened the meeting at 9:21 p.m.

DC-6 16-0326

Resolution Directing the City Administrator to Develop a Budget and Timeline for a Pilot Organics Collection Program

Sponsors: Briere, Smith and Ackerman

Councilmember Briere recommended the following amendment, which was considered friendly by the Council:

2nd RESOLVED Clause:

Change Administrator's due date to April 8, 2016.

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-16-081

DC-7 16-0339

Resolution to Approve the Purchase of 25.67 Acres of Parcel Tax ID Number I-09-325-008, Located at the Northeast Corner of Nixon and Dhu Varren Roads and Appropriate \$277,000.00 from the Open Space and Parkland Preservation Millage Proceeds **(8 Votes Required)**

Sponsors: Grand

Attachments: Nixon - Woodbury Purchase Maps.pdf

A motion was made by Councilmember Grand, seconded by Councilmember Ackerman, that the Resolution be approved.

A motion was made by Councilmember Ackerman, seconded by Councilmember Briere, that the Resolution be postponed to the City Council and should be returned by 5/2/2016. On a voice vote, the Mayor declared the motion carried.

DC-8 16-0357

Resolution to Approve Transfer of Funds from the Ann Arbor Affordable Housing Trust Fund to the Ann Arbor Housing Commission (\$729,879.00)

Sponsors: Ackerman and Briere

Attachments: FINAL-Ann Arbor Affordable Housing Fund Grant Agreement

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

Enactment No: R-16-082

DB New Business - Boards and Commissions:

- DB-2 16-0187** Resolution to Approve Banyan Court Site Condominium Site Plan and Development Agreement, 1654 South Maple Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays)
- Attachments:** January 20, 2016 Planning Staff Report, Banyan DevAgree 3-3-16.pdf
- 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-16-083

DS New Business - Staff:

- CA-1 16-0162** Resolution to Authorize Professional Services Agreements with Orchard, Hiltz & McCliment, Inc. (OHM) for the Design of the Nixon/Green/Dhu Varren Intersection Improvement and the Nixon Road Corridor Traffic Study (RFP No. 955) (\$538,076.00)
- 7**
- Attachments:** OHM Advisors Response.pdf
- A motion was made by Councilmember Briere, seconded by Councilmember Lumm, that the Resolution be approved.**
- A motion was made by Councilmember Lumm, seconded by Councilmember Eaton, that the Resolution be postponed to the City Council and should be returned by 3/21/2016. On a voice vote, the Mayor declared the motion carried.**
- CA-1 16-0110** Resolution to Award a Contract with CB&I Environmental & Infrastructure, Inc., for Organics Management Plan (\$204,690.00) and Contingency (\$20,469.00) (RFP No. 951) and Appropriate Funds from Solid Waste Fund Fund Balance (\$125,159.00) **(8 Votes Required)**
- 8**
- Attachments:** RFP 951 CBI Organics Management Plan Contract, CBI organics Proposal
- A motion was made by Councilmember Ackerman, seconded by Councilmember Grand, that the Resolution be approved. On a roll call, the vote was as follows with the Mayor declaring the motion carried:**
- Yeas:** 9 - Councilmember Briere, Councilmember Lumm, Councilmember Kailasapathy, Councilmember Warpehoski, Mayor Taylor, Councilmember Grand, Councilmember Westphal, Councilmember Ackerman and Councilmember Smith
- Nays:** 1 - Councilmember Eaton
- Absent:** 1 - Councilmember Krapohl
- Enactment No: R-16-084

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER WARPEHOSKI

Councilmember Warpehoski spoke about handbill litter in the City, particularly with the unwanted MLive paper deliveries to City residents. He stated he has discussed the issue with MLive, including his concern about the amount of unwanted paper that ends up as trash.

COUNCILMEMBER GRAND

Councilmember Grand thanked Council for excusing her tardiness to the meeting. She also stated she is planning to bring a Tobacco 21 policy to Ann Arbor.

COUNCILMEMBER BRIERE

Councilmember Briere spoke about the April 18 Town Hall hosted by Representative Jeff Irwin regarding the 1,4 Dioxane Plume. She also stated she will be traveling to Lansing to speak to the State Attorney on this issue.

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

F-1 16-0243 Living Wage Increase Effective April 30, 2016

Attachments: 2016_2017 Living Wage Poster

F-2 16-0260 AAATA FY 2015 Audited Financial Statements and Management Letter

Attachments: 79235 Ann Arbor Area Transportation Authority AU260 Final 0915.pdf, 79235 Ann Arbor Area Transportation Authority Audit Final 0915.pdf

- F-3 16-0261** Public Hearing Notice from Pittsfield Township regarding Conditional Use Permit #16-02, Zingermans - Tenant Improvements - Planning and Development Services
Attachments: Pittsfield Township Public Hearing Notice.pdf
- F-4 16-0269** AAATA Financial Reports - January 2016
Attachments: AAATA 3 Financial Reports Jan 31 2016.pdf, AAATA 4a Weekday rider graphs.pdf, AAATA 4b Performance Reports.pdf
- F-5 16-0302** Communication from Ann Arbor Builders, Inc. regarding Notice of Intent to Construct the Banyan Court Site Condominiums Project - Planning and Development Services, City Attorney Services
Attachments: Banyan Court Site Condominiums Notice of Intent.pdf
- F-6 16-0295** Organics Pilots and Multi-Family Recycling Resolution
- F-7 16-0368** Disability Commission Recommendation for Huron Parkway RRFB
Attachments: CODI Resolution - Huron Parkway RRFB_March 9
- G The following minutes were received for filing:**
- G-1 15-1537** Building Board of Appeals Minutes November 18, 2015
Attachments: BBA Meeting Minutes 11-18-15.pdf
- G-2 16-0129** December 16, 2015 ZBA Meeting Minutes with Live Links
Attachments: 12-16-2015 ZBA Minutes with Live Links.pdf
- G-3 16-0156** December 15, 2015 City Planning Commission Meeting Minutes
Attachments: 12-15-2015 CPC Minutes with Live Links-revised.pdf
- G-4 16-0181** Downtown Development Authority Board and Executive, Partnerships, Finance, Operations and Capital Improvements Committee Meeting Minutes of January 2016
Attachments: DDA Minutes January 2016
- G-5 16-0182** Downtown Area Citizens Advisory Council Meeting Minutes for February 2, 2016
Attachments: Downtown Area Citizens Advisory Council Meeting Minutes 020216

- G-6 16-0214** Election Commission Meeting Minutes of December 21, 2015
Attachments: 2015-12-15 Election Commission Minutes
- G-7 16-0234** January 20, 2016 City Planning Commission Meeting Minutes
Attachments: 1-20-2016 CPC Minutes with Live Links.pdf
- G-8 16-0235** February 2, 2016 City Planning Commission Meeting Minutes
Attachments: 2-2-2016 CPC Minutes with Live Links.pdf
- G-9 16-0240** Human Rights Commission Meeting Minutes January 13, 2016
Attachments: January 13 2016 Final Minutes
- G-10 16-0247** City of Ann Arbor Employees' Retirement System Meeting Minutes of January 21, 2016
Attachments: B BDMTG JANUARY 2016
- G-11 16-0248** Retiree Health Care Benefit Plan & Trust Meeting Minutes of January 21, 2016
Attachments: B VEBA Bd January 2016
- G-12 16-0250** Council Labor Committee Meeting Minutes of February 1, 2016
Attachments: Council Labor Committee Minutes 2-1-16.pdf
- G-13 16-0268** AAATA Board Meeting Minutes 01.21.16
Attachments: AAATA Board Meeting Minutes 01.21.16_Approved.pdf

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

EDWARD VIELMETTI

Edward Vielmetti, Fourth Ward resident, spoke about his experience voting at Ward 4, Precinct 3 and the fact that the AutoMARK voter assist terminal for persons with disabilities was not working. He also expressed his frustration with the election inspector who worked at that precinct and asked that this worker be reassigned to another location.

KATHY GRISWOLD

Kathy Griswold, Second Ward resident, spoke about the culture that prevents the City from addressing long-time pedestrian safety projects. She encouraged Council and the City Administrator to change this culture.

KATHY SCHAFER

Kathy Schafer, Ward Four, thanked Councilmembers Ackerman and Warpehoski for their comments regarding Mr. Herskovitz's statement on the Holocaust. She also thanked the City for listening to neighbor concerns regarding the deer cull.

LORRAINE SHAPIRO

Lorraine Shapiro stated she hoped that Council would consider future deer management efforts that take into account the community's values and that all stakeholders are included in the decision-making process.

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 Smith, seconded by Councilmember Eaton, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 10:17 p.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: THURSDAY, MARCH 10, 2016 @ 7:00 P.M.

REPLAYS: FRIDAY, MARCH 11, 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