

City of Ann Arbor

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



Meeting Minutes

Monday, June 16, 2014

7:00 PM

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

City Council

CALL TO ORDER

Mayor Hieftje called the meeting to order at 7:09 p.m. in the Guy C. Larcom, Jr. Building, 2nd Floor Council Chambers, 301 E. Huron St.

MOMENT OF SILENCE

Council stood for a moment of silence.

PLEDGE OF ALLEGIANCE

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

ROLL CALL OF COUNCIL

Present: 11 - Mayor John Hieftje, Councilmember Stephen Kunselman, Councilmember Margie Teall, Councilmember Mike Anglin, Councilmember Sabra Briere, Councilmember Christopher Taylor, Councilmember Jane Lumm, Councilmember Sumi Kailasapathy, Councilmember Sally Petersen, Councilmember Chuck Warpehoski and Councilmember Jack Eaton

APPROVAL OF AGENDA

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

Add: DS-17 Resolution Regarding Goldstone v. Warner, Washtenaw County Trial Court Case No. 1358 NO.

Mayor Hieftje reminded Council that the Closed Session would need to happen before 11 p.m. unless Council Rules are suspended.

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

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

City Administrator Steve Powers submitted the following reports for information of Council:

POLICE AND FIRE AWARDS CEREMONY AND OPEN HOUSE

City Administrator Steve Powers thanked Police Chief John Seto and the Police and Fire staff who delivered two events on Saturday, June 13, 2014. An awards ceremony took place on Saturday honoring police and fire employees, as well as citizens, for their service, bravery and contributions back to the community. The event was followed by an open house where everyone had an opportunity to learn about and explore a City fire truck, walking through a smoke house, and watching an extrication drill. Mr. Powers thanked employees who organized the event and acknowledged those who were recognized for their bravery and service.

DEDICATION OF THE NEW ANN ARBOR SKATE PARK

Mr. Powers announced that on Saturday, June 21, 2014, the dedication of the Ann Arbor Skate Park, with a ribbon cutting ceremony and celebrity skate demonstrations would take place at the new park beginning at 11 a.m. The event is expected to end at 6 p.m.

STREET RESURFACING AND CONSTRUCTION PROJECTS

Administrator Powers thanked residents for their patience as the City continues to roll out road and street resurfacing construction projects. Projects on Pontiac Trail, Newport Road and Fuller Road have been added to the existing City projects.

[14-0985](#)

Agenda Response Memo - June 16, 2014

City Administrator Steve Powers submitted his Agenda Response Memo for information of Council.

Received and Filed

INT INTRODUCTIONS

INT-1 [14-0952](#)

Introduction of Ann Arbor Police K-9 Murray and Officer Maguire

Chief Seto introduced K9 Murray and partner Officer Pat McGuire, Ann Arbor's newest K9 Unit. K9 Murray and Officer McGuire finished first in narcotics detection, fourth in tracking, and finished first overall in a recent re-certification event in which 50 K9 Teams participated. K9 Murray was named in honor of Ann Arbor Police Officer Vada Murray who passed away in 2011 after 20 years of service to Ann Arbor. Officer Murray's work ethic and exceptional police work lives on through K9 Murray.

Received and Filed

INT-2 [14-0545](#)

Historic District Commission Annual Historic Preservation Awards

Tom Stulberg, Chair of the Historic District Commission, presented the Historic Preservation Awards to citizens and business owners in Ann Arbor. A list of recipients and awards are on file in the City Clerk's Office.

Received and Filed

RECESS

Mayor Hieftje declared a recess at 7:30 p.m. and reconvened the meeting at 7:37 p.m.

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. Vivienne Armentrout - Professional Services Agreement with The Greenway Collaborative, Inc. to Support the Pedestrian Safety and Access Task Force (DS-13)

Vivienne Armentrout, 920 Vesper Rd., spoke in support of the proposed Resolution to Approve the Professional Services Agreement with The Greenway Collaborative, Inc. to Support the Pedestrian Safety and Access Task Force.

2. Kai Petainen - Contract with Ann Arbor SPARK for Economic Development Services (CA-7)

Kai Petainen, 2222 Fuller Ct., addressed Council regarding the proposed Resolution to Approve the Contract with Ann Arbor SPARK for Economic Development Services. He asked Council to look into the job creation numbers quoted by SPARK.

3. Linda Feldt - Professional Services Agreement with The Greenway Collaborative, Inc. to Support the Pedestrian Safety and Access Task Force (DS-13)

Linda Feldt, 3 Keppler Ct., spoke in support of the proposed Resolution to Approve the Professional Services Agreement with The Greenway Collaborative, Inc. to Support the Pedestrian Safety and Access Task Force.

4. Jeff Hayner - Contract with Ann Arbor SPARK for Economic Development Services (CA-7) & Professional Services Agreement with Widgery Studio, LLC to Fabricate and Install Public Art at the Stadium Boulevard Bridges (DB-4)

Jeff Hayner, 1807 Pontiac Tr., addressed Council regarding the proposed Resolution to Approve the Contract with Ann Arbor SPARK for Economic Development Services. He stated less money should be provided to SPARK and urged Council to reconsider the resolution.

5. David DeVarti - Contract with Ann Arbor SPARK for Economic Development Services (CA-7)

David DeVarti, 1231 Baldwin Ave., spoke in opposition to the proposed Resolution to Approve a contract with Ann Arbor SPARK for Economic Development Services and asked that Council disapprove or table the resolution.

6. Tom Partridge - Improved affordable housing and economic development funding needed. Support Mark Schauer for Governor. (G-3, DS-16, DS-7, CA-7)

Tom Partridge, Ann Arbor resident, addressed Council regarding affordable housing and the upcoming Governor's election.

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER PETERSEN

Councilmember Petersen announced that the LDFA would meet on June 17, 2014 at 8:15 a.m. in Council Chambers. Members of the board have had discussions with the MEDC regarding the possibility of an independent audit of the SmartZone.

COUNCILMEMBER KUNSELMAN

Councilmember Kunselman reported that as the Nuisance Committee, he has asked staff to start using the blight funds available for the demolition of problem buildings.

He identified buildings on Cherry Tree, Summit and Main, and Springbrook.

Councilmember Kunselman provided other councilmember with some historical DDA records, including old rosters, that he located at the Bentley Library. Copies of the documents are on file in the City Clerk's Office.

COUNCILMEMBER KAILASAPATHY

Councilmember Kailasapathy spoke about the construction on Pontiac Trail, stating the road would be closed at Skydale. She reminded the public that beginning June 17, stop signs on Nixon Road would be removed and Nixon Road traffic would not stop. Traffic on Green and DhuVarren additionally did not have a stop sign at Nixon Road. She urged residents to be cautious in this area.

COUNCILMEMBER LUMM

Councilmember Lumm concurred with Councilmember Kailasapathy's comments and stated she has received several complaints already. Councilmember Lumm stated that the Police are aware and will be monitoring traffic in the area.

COUNCILMEMBER TEALL

Councilmember Teall announced that the Michigan Theater Board signed a purchase agreement to keep the State Theater as a "theater." She thanked all those involved in the process and expressed her gratitude for the strength of the Foundation.

COUNCILMEMBER ANGLIN

Councilmember Anglin advised Council that the Environmental Commission has three vacant positions and that he and Councilmember Briere are providing three names for Council's consideration. The names will be returned on July 7 for a vote.

CC-1 [14-0982](#) Resolution to Nominate and Appoint New Members to the City of Ann Arbor Environmental Commission

Referred to the City Council due back on 7/7/2014.

Enactment No: R-14-231

CC-2 [14-0984](#) DDA Historical Records

Received and Filed.

MC COMMUNICATIONS FROM THE MAYOR

SAFETY SERVICES AWARDS CEREMONY

Mayor Hieftje also acknowledged those recognized at the annual Safety Services Awards Ceremony held on Saturday, June 12, 2014.

MC-1 [14-0904](#) Appointments - Confirmations

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

MC-2 [14-0981](#) Nominations & Appointments

Referred to the City Council due back on 7/7/2014.

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 [14-0767](#) Resolution to Approve the Anderson-Pebbles Annexation, 0.22 Acre, 375 Glenwood Street (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

A public hearing was conducted on the proposed resolution to approve the Anderson-Pebbles Annexation, 0.22 Acre, located at 375 Glenwood Street. Notice of public hearing was published June 16, 2014.

Tom Partridge spoke in opposition.

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

Held and Closed

Enactment No: R-14-202

PH-2 [14-0861](#) Resolution to Approve Bank of Ann Arbor Headquarters Addition Site Plan, 125 South Fifth Avenue (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

A public hearing was conducted on the proposed resolution to approve Bank of Ann Arbor Headquarters Addition Site Plan, located at 125 South Fifth Avenue. Notice of public hearing was published June 16, 2014.

Ray Detter, Downtown Citizen's Advisory Council, spoke in support of the proposed site plan.

Tom Partridge requested that additional handicap accessible parking be provided.

Edward Vielmetti addressed Council regarding the landscaping on the proposed Bank of Ann Arbor Site Plan.

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

Held and Closed

Enactment No: R-14-203

PH-3 [14-0862](#) Resolution to Approve 116-120 West Huron Street Site Plan and Development Agreement, 116-120 W. Huron St. (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

A public hearing was conducted on the proposed resolution to approve 116-120 W. Huron Street Site Plan and Development Agreement, located at 116-120 W. Huron Street. Notice of public hearing was published June 16, 2014.

Ray Detter, Downtown Citizen's Advisory Council, spoke in support of the proposed site plan.

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

Held and Closed

Enactment No: R-14-204

PH-4 [14-0902](#)

Public Hearing on Proposed Scio Church Sidewalk Special Assessment

A public hearing was conducted on the proposed Scio Church Sidewalk Special Assessment. Notice of public hearing was published June 2, 2014.

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

Held and Closed

PH-5 [14-0903](#)

Public Hearing on Proposed Barton Road Sidewalk Special Assessment Project

A public hearing was conducted on the proposed Barton Road Sidewalk Special Assessment Project. Notice of public hearing was published June 2, 2014.

Jeff Hayner, City resident, spoke in support of the project.

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

Held and Closed

A APPROVAL OF COUNCIL MINUTES

A-1 [14-0913](#)

Work Session of May 12 and Regular Session Meeting Minutes of June 2, 2014

A motion was made by Councilmember Anglin, seconded by Councilmember Teall, that the Work Session Minutes of May 12, 2014 and the Regular Session Minutes of June 2, 2014 be approved as presented. On a voice vote, the Mayor declared the motion carried.

CA CONSENT AGENDA

CONSENT AGENDA ITEMS REMOVED

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

CA-1 Resolution to Approve Purchase Agreement with DTE to Convert 223 Mercury Vapor Cobrahead Streetlights to LED (\$69,555.00/\$58,997.00 after rebates)

CA-7 Resolution to Approve a Contract with Ann Arbor SPARK for Economic Development Services (\$75,000.00)

CA-10 Resolution to Approve Amendment Number One to Professional Services

Contract with Reiser and Frushour, PLLC to Provide Legal Representation as Court Appointed Counsel to Indigent Defendants (\$40,000.00)

Passed on consent agenda

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

- CA-2** [14-0712](#) Resolution to Approve Professional Services Agreement with Black & Veatch Ltd. for the Water & Wastewater System Capital Cost Recovery Study (RFP No. 885, \$62,800.00)
Enactment No: R-14-187
- CA-3** [14-0716](#) Resolution to Approve Purchase of Hydrofluorosilicic Acid for Water Treatment from PVS Nolwood Chemicals, Bid No. ITB-4336 (estimated \$34,000.00/yr)
Enactment No: R-14-188
- CA-4** [14-0773](#) Resolution to Amend Service Purchase Order for Stormwater Services with the Washtenaw County Water Resources Commissioner (\$30,000.00 Annual Increase for FY14 & FY15)
Enactment No: R-14-189
- CA-5** [14-0775](#) Resolution to Approve Contract With Recycle Ann Arbor for Solid Waste Student Move-Out Services (\$35,000.00/yr)
Enactment No: R-14-190
- CA-6** [14-0779](#) Resolution to Award Contract for Eighth Street Sanitary Sewer Manhole Replacement (ITB-4337) to Fonson, Inc. (\$47,193.00)
Enactment No: R-14-191
- CA-8** [14-0869](#) Resolution to Approve Amendment Number One to Contract with the Washtenaw County Sheriff's Office to provide Drug Abuse Screening and Monitoring Services for Mental Health Court (\$44,200.00)
Enactment No: R-14-192
- CA-9** [14-0878](#) Resolution to Approve Amendment Number One to Contract with Washtenaw County Community Support & Treatment Services for Mental Health Treatment Services to Sobriety Court and Mental Health Court Participants (\$76,242.00)
Enactment No: R-14-193
- CA-11** [14-0909](#) Resolution to Approve Street Closings for the Firecracker 5K - Friday, July 4, 2014

Enactment No: R-14-194

CA-12 [14-0910](#)

Resolution to Approve Additional Street Closings for Sonic Lunch - Thursday, July 10, 2014 and Thursday, July 31, 2014

Enactment No: R-14-195

CA-13 [14-0911](#)

Resolution to Approve Street Closing for the 2014 Washtenaw Indie Awards, Saturday, June 28, 2014.

Enactment No: R-14-196

CA-14 [14-0839](#)

Resolution to Approve a Contract with Governmental Consultant Services, Inc. for Lobbying Services (\$48,000.00)

Approved

Enactment No: R-14-223

CA-15 [14-0921](#)

Resolution to Approve May 22, 2014 Recommendations of the Board of Insurance Administration, Including Worker's Compensation Renewal with Accident Fund (\$66,142.00)

Enactment No: R-14-197

CA-1 [14-0682](#)

Resolution to Approve Purchase Agreement with DTE to Convert 223 Mercury Vapor Cobrahead Streetlights to LED (\$69,555.00/\$58,997.00 after rebates)

Councilmembers asked for additional information regarding the de-commissioned versus non-working cobra head lights in the downtown.

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

Enactment No: R-14-198

CA-7 [14-0850](#)

Resolution to Approve a Contract with Ann Arbor SPARK for Economic Development Services (\$75,000.00)

A motion was made by Councilmember Kailasapathy, seconded by Councilmember Petersen that the Resolution be approved.

Councilmembers requested better numbers be provided by SPARK regarding job creation.

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

Yeas: 6 - Councilmember Kunselman, Councilmember Anglin, Councilmember Briere, Councilmember Lumm, Councilmember Kailasapathy and Councilmember Eaton

Nays: 5 - Mayor Hieftje, Councilmember Teall, Councilmember Taylor, Councilmember Petersen and Councilmember Warpehoski

- CA-10** [14-0912](#) Resolution to Approve Amendment Number One to Professional Services Contract with Reiser and Frushour, PLLC to Provide Legal Representation as Court Appointed Counsel to Indigent Defendants (\$40,000.00)
- A motion was made by Councilmember Warpehoski, seconded by Councilmember Eaton, to allow Councilmember Taylor to abstain from the discussion and vote due to a possible conflict of interest. On a voice vote, the Mayor declared the motion carried.*
- The question being the Resolution as presented, on a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-14-199

B ORDINANCES - SECOND READING

None.

C ORDINANCES - FIRST READING

C New Business - Staff:

- C-1** [14-0814](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 1.1 Acres from D1 (Downtown Core Base District) to D2 (Downtown Interface Base District), 425 South Main Street City-Initiated Rezoning, 425 South Main Street (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-14-11)
- It was noted that Planning staff had not provided copies of the Planning Commission minutes that referred to these two zoning issues.*
- A motion was made by Councilmember Warpehoski, seconded by Councilmember Briere, that the Ordinance be approved on First Reading. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: ORD-14-11

RECESS

Mayor Hieftje declared a recess at 8:55 p.m. and reconvened the meeting at 9:05 p.m.

- C-2** [14-0818](#) An Ordinance to Amend Chapter 55 (Zoning), Section 5:10.20.A Downtown Character Overlay Zoning Districts Building Massing Standards (CPC Recommendation: Approval - 6 Yeas and 3 Nays) (Ordinance No. ORD-14-12)
- A motion was made by Councilmember Briere, seconded by Councilmember Lumm, that the Ordinance be approved at First Reading.**
- Enactment No: ORD-14-12
- A motion was made by Councilmember Briere, seconded by Councilmember**

Eaton, that the Ordinance be referred to the Planning Commission. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 8 - Councilmember Kunselman, Councilmember Anglin, Councilmember Briere, Councilmember Lumm, Councilmember Kailasapathy, Councilmember Petersen, Councilmember Warpehoski and Councilmember Eaton

Nays: 3 - Mayor Hieftje, Councilmember Teall and Councilmember Taylor

Enactment No: ORD-14-12

MOTION TO RECONSIDER C-1

C-1 [14-0814](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 1.1 Acres from D1 (Downtown Core Base District) to D2 (Downtown Interface Base District), 425 South Main Street City-Initiated Rezoning, 425 South Main Street (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-14-11)

A motion was made by Councilmember Taylor, seconded by Councilmember Lumm, that the Ordinance be reconsidered. Councilmember Taylor noted that he voted on the prevailing side of the previous motion to approve. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-14-11

A motion was made by Councilmember Taylor, seconded by Councilmember Eaton, that the Ordinance be tabled. On a voice vote, the Mayor declared the motion carried with one no-vote made by Councilmember Warpehoski.

Enactment No: ORD-14-11

MOTION TO RECONSIDER C-2

C-2 [14-0818](#) An Ordinance to Amend Chapter 55 (Zoning), Section 5:10.20.A Downtown Character Overlay Zoning Districts Building Massing Standards (CPC Recommendation: Approval - 6 Yeas and 3 Nays) (Ordinance No. ORD-14-12)

A motion was made by Councilmember Warpehoski, seconded by Councilmember Briere, that the Ordinance be reconsidered. Councilmember Warpehoski noted that he voted on the prevailing side of the previous motion to refer the ordinance to the Planning Commission. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-14-12

A motion was made by Councilmember Kunselman, seconded by Councilmember Lumm, that the Ordinance be amended as follows:

Main Street	4 stories	2 stories	5 feet	180 feet	Not applicable
[100] 60 feet	None	Not applicable			

From any lot line within 25 feet of any R zoning district, each story above the fourth story shall have a side and/or rear setback at least equal to the height of

that story, applied from the edge of the story below.

Note: [] Brackets indicate deleted language.

On a voice vote, the Mayor declared the motion carried with one no-vote made by Councilmember Taylor.

Enactment No: ORD-14-12

Council requested that this ordinance be considered before C-1 on the July 21 meeting.

The question being the Ordinance be as amended on First Reading, on a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-14-12

MOTION TO REMOVE C-1 FROM THE TABLE

- C-1** [14-0814](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 1.1 Acres from D1 (Downtown Core Base District) to D2 (Downtown Interface Base District), 425 South Main Street City-Initiated Rezoning, 425 South Main Street (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-14-11)

A motion was made by Councilmember Briere, seconded by Councilmember Eaton, that the Ordinance be removed from the table to the City Council. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-14-11

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

Enactment No: ORD-14-11

RECESS

Mayor Hieftje declared a recess at 9:51 p.m. and reconvened the meeting at 9:58 p.m.

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

- DC-1** [14-0959](#) Resolution to Improve Liberty Plaza

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

A motion was made by Councilmember Petersen, seconded by Councilmember Eaton, that the Resolution be referred to the Park Advisory Commission.

The motion was withdrawn.

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

amend 1st, 3rd and 5th RESOLVED clauses as follows:

RESOLVED, That City Council directs the City Administrator to work collaboratively with the property owners adjacent to and near Liberty Plaza, the general public, PAC, the Ann Arbor District Library, and the DDA to develop AN INTEGRATED PLAN FOR THE LIBRARY BLOCK EXTENDING FROM LIBERTY PLAZA TO THE LIBRARY LOT INCLUDING a conceptual design for an improved Liberty Plaza;

RESOLVED, That the conceptual design for an improved Liberty Plaza recognize and account for open space on the west boundary of the Library Lot;

RESOLVED, That the collaborative effort be funded by the Parks & Recreation Services FY2015 budget's \$23,577.00 from the Parks Millage Administrative Policy;

RESOLVED, That multiple opportunities for public input and participation be provided to help shape a vision for THE LIBRARY BLOCK, HOW THE TWO PARKS WOULD BEST COMPLEMENT EACH OTHER, AND POTENTIALLY INCLUDING A REDESIGNED [a re-imagined] Liberty Plaza;

RESOLVED, That staff provide PAC and Council funding scenarios and options for the capital construction costs;

RESOLVED, That staff provides PAC and Council a detailed estimated annual operating budget, along with funding scenarios, for the maintenance, security, and programming costs required to RUN TWO SUCCESSFUL URBAN PARKS AT LIBERTY PLAZA AND THE LIBRARY LOT; and

RESOLVED, That the INTEGRATED PLAN, conceptual design, construction cost estimates, and estimated annual operating budget be shared with PAC by December 2014 and Council in January 2015.

A vote was not taken.

A motion was made by Councilmember Warpehoski, seconded by Councilmember Kunselman, that the Resolution and proposed Amendment be referred to the Park Advisory Commission and postponed until the August 7, 2014 regular session of Council, with feedback on costs and timelines on both the resolution and amendment, provided to Council. On a voice vote, the Mayor declared the motion carried.

Passed on consent agenda

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

DC-2 [14-0978](#)

Resolution to Approve the 2014 Ann Arbor Jaycees Summer Carnival at Pioneer High School - June 25 to June 29, 2014

Enactment No: R-14-200

- DC-3** [14-0980](#) Resolution to Close State Street between William and Washington for Kids Day on Saturday, June 28, 2014 from 10:00 AM until 3:00 PM
Enactment No: R-14-201

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).

A motion was made by Councilmember Eaton, seconded by Councilmember Lumm, that Council enter into Closed session to discuss pending litigation as set forth or incorporated in MCLA 15.268(E). On a roll call, the vote was as follows with the Mayor declaring the motion defeated:

- Yeas:** 6 - Mayor Hieftje, Councilmember Kunselman, Councilmember Briere, Councilmember Lumm, Councilmember Kailasapathy and Councilmember Eaton
- Nays:** 5 - Councilmember Teall, Councilmember Anglin, Councilmember Taylor, Councilmember Petersen and Councilmember Warpehoski

SUSPEND COUNCIL RULES

A motion was made by Councilmember Warpehoski, seconded by Councilmember Teall, that the Council suspend Rule 1 of Council Rules in order to go into Closed session after 11 p.m. On a voice vote, the Mayor declared the motion carried.

DB New Business - Boards and Commissions:

- DB-1** [14-0767](#) Resolution to Approve the Anderson-Pebbles Annexation, 0.22 Acre, 375 Glenwood Street (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

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

Enactment No: R-14-202

- DB-2** [14-0861](#) Resolution to Approve Bank of Ann Arbor Headquarters Addition Site Plan, 125 South Fifth Avenue (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

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

Enactment No: R-14-203

- DB-3** [14-0862](#) Resolution to Approve 116-120 West Huron Street Site Plan and Development Agreement, 116-120 W. Huron St. (CPC

Recommendation: Approval - 8 Yeas and 0 Nays)

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

Enactment No: R-14-204

DB-4 [14-0896](#)

Resolution to Approve Amendment #1 to the Professional Services Agreement with Widgery Studio, LLC to Fabricate and Install Public Art at the Stadium Boulevard Bridges

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

Enactment No: R-14-205

DB-5 [14-0680](#)

Resolution to Appropriate and Authorize \$37,500.00 from the Ann Arbor Housing Trust Fund (AAHTF) to Support the Washtenaw County Housing Needs Assessment (**8 Votes Required**)

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

Enactment No: R-14-206

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

Amend Second Resolved Clause as follows:

...from the [AAHTF] GENERAL FUND FUND BALANCE...

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

Yeas: 5 - Councilmember Kunselman, Councilmember Anglin, Councilmember Kailasapathy, Councilmember Warpehoski and Councilmember Eaton

Nays: 6 - Mayor Hieftje, Councilmember Teall, Councilmember Briere, Councilmember Taylor, Councilmember Lumm and Councilmember Petersen

Enactment No: R-14-206

The question being the Resolution as originally presented, on a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 11 - Mayor Hieftje, Councilmember Kunselman, Councilmember Teall, Councilmember Anglin, Councilmember Briere, Councilmember Taylor, Councilmember Lumm, Councilmember Kailasapathy, Councilmember Petersen, Councilmember Warpehoski and Councilmember Eaton

Nays: 0

Enactment No: R-14-206

DS New Business - Staff:

- DS-1** [14-0907](#) Resolution to Approve a Contract with NuView, Inc. to Replace the City's Human Resource and Payroll System (\$570,900.00) and Approve a Project Budget of \$641,740.00 **(8 Votes Required)**
- A motion was made by Councilmember Teall, seconded by Councilmember Kailasapathy, 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-14-207
- DS-2** [14-0857](#) Resolution to Transfer Funds from the Park Maintenance and Capital Improvements Millage Fund to the Stormwater Fund to Authorize State Revolving Fund (SRF) Debt Payment and Loan Forgiveness for Stormwater and Rain Garden Components of the Skate Park Project (Not To Exceed \$157,264.00)
- A motion was made by Councilmember Anglin, seconded by Councilmember Taylor, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-14-208
- DS-3** [14-0872](#) Resolution to Approve Amendment Number One to Contract with Dawn Farm for Drug Abuse Counseling and Rehabilitative Services (\$108,174.00)
- A motion was made by Councilmember Teall, seconded by Councilmember Lumm, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-14-209
- DS-4** [14-0778](#) Resolution No. 2 - Pontiac Trail Sidewalk and Curb/Gutter Improvements (\$72,218.49)
- A motion was made by Councilmember Kailasapathy, seconded by Councilmember Briere, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-14-210
- DS-5** [14-0854](#) Resolution No. 3 - Establishing a Public Hearing for the Pontiac Trail Special Assessment Project
- A motion was made by Councilmember Briere, seconded by Councilmember Kailasapathy, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-14-211
- DS-6** [14-0855](#) Resolution No. 3 - Establishing a Public Hearing for the Stone School Road Special Assessment Project
- A motion was made by Councilmember Taylor, seconded by Councilmember Kunselman, that the Resolution be approved. On a voice vote, the Mayor**

declared the motion carried.

Enactment No: R-14-212

DS-7 MOVED TO DB-5 ON 6/16/14

DS-8 [14-0849](#) Resolution to Approve a Contract with Emergency Restoration Company for the Renovation of Restrooms and Locker Rooms in Fire Stations #3 & #4 (\$149,500.00) and Appropriation of Funds (\$50,000.00) **(8 Votes Required)**

A motion was made by Councilmember Warpehoski, seconded by Councilmember Briere, 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-14-213

DS-9 [14-0783](#) Resolution to Approve Award of a Construction Contract to Lanzo Lining Services, Inc. - Michigan for the 2014 Sewer Lining Project (\$1,566,121.00; Bid No. ITB-4322)

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

Enactment No: R-14-214

DS-10 [14-0777](#) Resolution to Award a Construction Contract with Douglas N. Higgins, Inc. (\$1,324,357.50, Bid No. ITB-4333) for the Arbor Oaks Phase II Watermain Replacement Project

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

Enactment No: R-14-215

DS-11 [14-0665](#) Resolution to Approve the Installation of Traffic Calming Devices on Larchmont Drive and Appropriate and Amend the FY 2015 Local Street Traffic Calming Budget (\$55,000.00) **(8 Votes Required)**

A motion was made by Councilmember Lumm, seconded by Councilmember Petersen, 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-14-216

DS-12 [14-0771](#) Resolution to Approve a Professional Service Agreement with Northwest Consultants, Inc. for the Fuller Road, Maiden Lane, E. Medical Center Drive Bridges Rehabilitation Project (\$187,184.00)

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

Enactment No: R-14-217

DS-13 [14-0670](#)

Resolution to Appropriate and Approve a Professional Services Agreement with The Greenway Collaborative, Inc. to Support the Pedestrian Safety and Access Task Force (\$75,000.00) **(8 Votes Required)**

A motion was made by Councilmember Warpehoski, seconded by Councilmember Briere, 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-14-218

DS-14 [14-0770](#)

Resolution to Appropriate Funds and Approve Contract with Recycle Ann Arbor for Multi-Family Recycling Incentive Pilot Program (\$95,694.00) **(8 Votes Required)**

A motion was made by Councilmember Teall, seconded by Councilmember Kunselman, 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-14-219

DS-15 [14-0776](#)

Resolution to Appropriate Funds and Reimburse Resource Recovery Systems for Capital Repair of Baler Infeed Conveyor at the Material Recovery Facility (\$39,480.04) **(8 Votes Required)**

A motion was made by Councilmember Warpehoski, seconded by Councilmember Briere, 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-14-220

DS-16 [14-0918](#)

Resolution to Amend Ann Arbor Downtown Development Authority Budget for Fiscal Year 2014 **(8 Votes Required)**

A motion was made by Councilmember Lumm, seconded by Councilmember Briere, 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-14-221

DS-17 [14-0986](#)

Resolution Regarding *Goldstone v. Warner*, Washtenaw County Trial Court Case No. 13-58 NO.

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

Enactment No: R-14-222

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER BRIERE

Councilmember Briere offered Mr. Paul Krutko from SPARK the opportunity to answer questions of Council regarding the tabling of the SPARK contract for Economic Development Services.

[14-1045](#)

Appointment - Nomination

Mayor Hieftje announced that he was informed by Assistant City Attorney Chris Frost that the Council appointment to the Planning Commission can be made by the Mayor. It is not necessary for a Council resolution. He requested that Councilmember Briere be reappointed through November 17.

A motion was made by Councilmember Warpehoski, seconded by Councilmember Lumm, that the appointment of Councilmember Briere to the Planning Commission be approved in a one-step process. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement.

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

F-1 [14-0906](#) Communication from Scio Township regarding West Bay Application to Drill Oil/Gas in Scio Township

F-2 [14-0915](#) Communication from Senator Rebekah Warren regarding Exploratory Oil Drilling in Scio Township

G The following minutes were received for filing:

G-1 [14-0662](#) Zoning Board of Appeals Meeting Minutes of February 26, 2014

G-2 [14-0683](#) City Council Liquor License Review Committee - February 21, 2014

G-3 [14-0789](#) Housing Commission Meeting Minutes for March 19, 2014

G-4 [14-0840](#) Housing Commission Board Minutes of the April 9, 2014

- G-5** [14-0897](#) Council Liquor License Review Committee Meeting Minutes of April 25, 2014
- G-6** [14-0922](#) Insurance Board Meeting Minutes - May 22, 2014

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Kai Petainen addressed Council regarding the job creation numbers provided by SPARK.

Ed Vielmetti noted that it was out of order for Council to discuss the SPARK contract after they tabled it.

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).

A motion was made by Councilmember Teall, seconded by Councilmember Briere, that Council enter into Closed Session to discuss pending litigation as set forth or incorporated in MCLA 15.268(E). On a roll call, the vote was as follows with the Mayor declaring the motion carried: (The meeting recessed at 12:39 a.m.)

Yeas: 11 - Mayor Hieftje, Councilmember Kunselman, Councilmember Teall, Councilmember Anglin, Councilmember Briere, Councilmember Taylor, Councilmember Lumm, Councilmember Kailasapathy, Councilmember Petersen, Councilmember Warpehoski and Councilmember Eaton

Nays: 0

MEETING RECONVENED

A motion was made by Councilmember Briere, seconded by Councilmember Warpehoski, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 1:05 a.m.

ADJOURNMENT

A motion was made by Councilmember Kailasapathy, seconded by Councilmember Kunselman, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 1:05 a.m.

- [14-1076](#) City Council Emails and Redactions List - June 16, 2014

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, JUNE 16, 2014, 7:00 P.M.

REPLAYS: TUESDAY, JUNE 17, 2014, 10:00 A.M. AND FRIDAY, JUNE 20, 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.

Jacqueline Beaudry
Clerk of the Council

Anissa R. Bowden
Recording Secretary