

City of Ann Arbor

301 E. Huron St.

Ann Arbor, MI 48104

<http://a2gov.legistar.com/Calendar.aspx>



Meeting Minutes

Monday, July 17, 2017

7:00 PM

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

City Council

CALL TO ORDER

Mayor Christopher Taylor called the meeting of the Ann Arbor City Council to order at 7:02 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 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, Councilmember Chip Smith and Councilmember Jason Frenzel

APPROVAL OF AGENDA

It was noted that Councilmember Smith added DC-5 to the agenda after the Friday deadline printed in Council Rules. Councilmember Lumm requested a roll call vote to approve the agenda and confirm the addition of DC-5 to the agenda.

A motion was made by Councilmember Lumm, seconded by Councilmember Ackerman, that the Agenda be approved to include the addition of item DC-5:

Resolution Requesting ICE Stay the Deportation of Ann Arbor Resident Lourdes Salazar-Bautista

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

Yeas: 11 - Councilmember Lumm, Councilmember Kailasapathy, Councilmember Warpehoski, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Krapohl, Councilmember Westphal, Councilmember Ackerman, Councilmember Smith and Councilmember Frenzel

Nays: 0

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

City Administrator Howard S. Lazarus presented the following reports for information of Council and also reported on the following:

Traffic closures and street construction throughout the City, including the scheduled July 18 reopening of Stadium Boulevard.

Officer Scott King from the Ann Arbor Police Department was in attendance at tonight's meeting.

City Clerk Jacqueline Beaudry introduced the new deputy city clerk of elections, Mr. David Levine.

AC-1 [17-1102](#) Memorandum from City Administrator: Solid Waste/Recycling Update - July 17, 2017

Received and Filed

AC-2 [17-1100](#) Agenda Response Memo - July 17, 2017

Received and Filed

INT INTRODUCTIONS

INT-1 [17-1040](#) Safe School Zone Grant Funds Presentation

Mayor Taylor was presented with a check for \$30,000 for a Safe School Zone Grant. A copy of the presentation 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. Robert McGee - Deer

Robert McGee spoke about the City's deer cull program.

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER LUMM

Councilmember Lumm spoke about the Safe Schools Grant presentation.

COUNCILMEMBER GRAND

Councilmember Grand thanked outgoing member Shannon Brines for his service to the Greenbelt Advisory Commission.

COUNCILMEMBER WARPEHOSKI

Councilmember Warpehoski reminded Council and the public that a WATS meeting was scheduled for tomorrow evening at the West branch of the District Library from 5-7 p.m.

COUNCILMEMBER ACKERMAN

Councilmember Ackerman announced that the Bryant Community Center would be hosting a dinner on Wednesday at 6pm for the WC Office of Community and Economic Development with discussion regarding affordable housing.

COUNCILMEMBER SMITH

Councilmember Smith spoke about the upcoming vigil for local resident

Lourdes Salazar Bautista. Councilmember Smith stated the vigil is scheduled for 6:30 p.m. at St. Mary's Parish, 331 Thompson Street. Ms. Salazar Bautista is currently scheduled for deportation.

COUNCILMEMBER FRENZEL

Councilmember Frenzel spoke about housing affordability and the history of segregation in the City. He urged folks to find more information at www.ewashtenaw.org/affordablehousing.

MC COMMUNICATIONS FROM THE MAYOR

None.

CA CONSENT AGENDA

CONSENT AGENDA ITEMS REMOVED

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

CA-17 Resolution to Approve a Lease with Ann Arbor Rowing Club for Use of Bandemer Park (8 Votes Required)

Passed on consent agenda

A motion was made by Councilmember Ackerman, seconded by Councilmember Grand, 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 requirements of CA-2, CA-3, CA-10 and CA-13.

Resolution to Approve June 22, 2017 Recommendations of the Board of Insurance Administration

Resolution to Release Part of a Right-of-Way Agreement Recorded at Liber 1145, Page 249 and Accept a Revised Right-of-Way Easement at 3500 Washtenaw Ave from Washtenaw Commons, LLC and NEJ-Washtenaw, LLC **(8 Votes Required)**

Resolution to Accept a Water Main Easement at 3500 Washtenaw Avenue from Washtenaw Commons, LLC and NEJ-Washtenaw, LLC **(8 Votes Required)**

Resolution to Approve Interagency Agreement for Collaborative Technology and Services Schedule 27 with Washtenaw County (\$1,077,266.00)

Resolution to Approve Amendment No. 1 to the Agreement with the Washtenaw County Sheriff's Office to Provide Drug Abuse Screening Services to Veterans Treatment Court, Mental Health Court, and Sobriety Court Participants (\$4,000 amendment; \$29,007.21 total contract)

Resolution to Approve the Services Agreement with Pleune Service Company for Water Treatment Plant HVAC and Chiller Maintenance Services- RFP #17-08 (\$178,405.00)

Resolution to Award Contract for the South Industrial Tank Coating Project to L & T Painting, Inc., ITB 4498 (\$646,100.00)

Resolution to Approve Amendment No. 2 to the Professional Services Agreement with Environmental Consulting and Technology, Inc. for the Sister Lakes Stormwater Retrofit Project Engineering Design Services (\$9,500.00)

Resolution to Approve Amendment No. 1 to the Professional Services Agreement with Tetra Tech of Michigan, PC, for Water Treatment Professional Engineering Services (\$100,000.00)

Resolution to Award a Construction Contract to Strawser Construction, Inc. (ITB. 4478, \$3,900,794.97) for the 2017 Street Surface Treatment Project, and Appropriate \$2,759,862.00 from Unobligated Major Street Fund Balance and \$276,000.00 from Unobligated Local Street Fund Balance (**8 Votes Required**)

Resolution to Approve the Purchase of Aggregate Materials and Excavation Waste Hauling Services from Farmer and Underwood Trucking (\$227,208.60; ITB-4500)

Resolution to Approve Purchase of Sodium Hydroxide (Caustic Soda) for Water Treatment from JCI Jones Chemical, Inc. Bid No. 4487 (estimated \$199,100.00/year)

Resolution to Accept and Appropriate Safe School Zone Grant Funds for the Installation of Changeable Speeds Signs on Fuller Road and Huron Parkway (\$30,000.00) (**8 Votes Required**)

Resolution to Approve Street Closings for the Electric Bolt 8K Run/Walk
July 30, 2017

Resolution to Approve E. Washington Street Closing for the Arbor Brewing
Company 22nd Anniversary Celebration - Friday, August 4, 2017 from 1:00
PM until 1:00 AM on Saturday, August 5, 2017

Resolution to Approve a Purchase Order for Northwest Pools for the
Purchase of Pool Chemicals (\$34,682.00)

Resolution to Approve Changes to Traffic Patterns and Parking on Certain
City Streets for the 2017 University of Michigan Student Move-In Program
from August 30 - September 01, 2017

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 [17-0933](#) An Ordinance to Amend Sections 2:63 and 2:69 of Chapter 29 (Amend
Water and Stormwater Rates) of Title II of the Code of the City of Ann Arbor
*A public hearing was conducted on the proposed amendment to Sections
2:63 and 2:69 of Chapter 29 (Amend Water and Stormwater Rates) of
Title II of the Code of the City of Ann Arbor. Notice of public hearing was
published June 26, 2017. There being no one present for comment, the
Mayor declared the hearing closed.*

Held and Closed

Held and Closed

Resolution to Approve 143 Hill Street Planned Project Site Plan, 139 and
143 Hill Street (CPC Recommendation: Approval -8 Yeas and 0 Nays)

*A public hearing was conducted on the proposed Resolution to Approve
143 Hill Street Planned Project Site Plan, 139 and 143 Hill Street. Notice
of public hearing was published July 10, 2017. There being no one
present for comment, the Mayor declared the hearing closed.*

Held and Closed

Resolution to Vacate Right-of-Way/Alley at 3500 Washtenaw and Accept in
Its Place Solid Waste and Sanitary Sewer Easements from Washtenaw
Commons, LLC and NEJ-Washtenaw, LLC **(8 Votes Required)**

*A public hearing was conducted on the proposed Resolution to Vacate
Right-of-Way/Alley at 3500 Washtenaw and Accept in Its Place Solid*

Waste and Sanitary Sewer Easements from Washtenaw Commons, LLC and NEJ-Washtenaw, LLC. Notice of public hearing was published June 15, 2017. There being no one present for comment, the Mayor declared the hearing closed.

Held and Closed

Resolution No. 4 - Confirming the Miller Maple Sidewalk Special Assessment

A public hearing was conducted on the proposed amendment to Resolution No. 4 - Confirming the Miller Maple Sidewalk Special Assessment. Notice of public hearing was published June 26, 2017. There being no one present for comment, the Mayor declared the hearing closed.

A APPROVAL OF COUNCIL MINUTES

A-1 [17-1074](#) Regular Session Meeting Minutes of July 3, 2017

A motion was made by Councilmember Ackerman, seconded by Councilmember Kailasapathy, that the Minutes of the Regular Session of July 3, 2017 be approved. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

B-1 [17-0933](#) An Ordinance to Amend Sections 2:63 and 2:69 of Chapter 29 (Amend Water and Stormwater Rates) of Title II of the Code of the City of Ann Arbor
(The complete copy of the text of Ordinance No. ORD-17-13 is on file in the City Clerk's Office.)

A motion was made by Councilmember Warpehoski, seconded by Councilmember Krapohl, that the Ordinance be adopted on Second Reading. On a voice vote, the Mayor declared the motion carried.

C ORDINANCES - FIRST READING

C New Business - Staff:

C-1 [17-0994](#) An Ordinance to Amend Title VII of the Code of the City of Ann Arbor by Repealing Chapter 95 (Medical Marijuana Licenses for Medical Marijuana

Dispensaries) of Title VII of the Code of the City of Ann Arbor and By Adding a New Chapter 96 (Medical Marijuana Facilities) to Title VII of the Code of the City of Ann Arbor

A motion was made by Councilmember Frenzel, seconded by Councilmember Smith, that the Ordinance be approved on First Reading.

(The complete copy of the text of this proposed ordinance is on file in the City Clerk's Office.)

A motion was made by Councilmember Smith, seconded by Councilmember Frenzel, that the Ordinance be tabled. On a voice vote, the Mayor declared the motion carried.

- C-2** **17-0716** An Ordinance to Amend Sections 5.10.19, 5:10.20, 5:64, 5:65, 5:68 and 5:70 of Chapter 55 (Zoning) and Sections 5:169 of Chapter 59 (Off-Street Parking) of Title V of the Code of the City of Ann Arbor (Zoning Premiums/Design Requirements) (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

Councilmember Ackerman presented a substitute ordinance, which was presented to Council and the public as part of the Council agenda packet. It was decided by the Body to accept the substitute ordinance as a friendly amendment.

Councilmember Ackerman moved, seconded by Councilmember Westphal, that the Ordinance be approved on First Reading.

(The complete copy of the text of Ordinance No. ORD-17-14 is on file in the City Clerk's Office.)

The question being, a motion made by Councilmember Ackerman, seconded by Councilmember Westphal, that the Ordinance be approved as amended on First Reading and should be returned by 8/21/2017. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-17-14

D MOTIONS AND RESOLUTIONS

DC Unfinished Business - Council:

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

thus satisfying the seven-vote requirement.

Resolution to Appoint Stefanie Stauffer to the Greenbelt Advisory Commission (**7 Votes Required**)

DC New Business - Council:

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

Resolution to Extend the Working Timeframe of the Medical Marijuana Ordinance Review Committee

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

Resolution to Approve a Professional Services Agreement with Stantec Consulting Michigan, Inc. to Update the City's 2012 Hazard Mitigation Plan (\$142,725)

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

Resolution to Recommend Approval of Issuance of a Downtown Development District Liquor License to Ganesh Sai Restaurant Inc.

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

Resolution Requesting ICE Stay the Deportation of Ann Arbor Resident Lourdes Salazar-Bautista

DB New Business - Boards and Commissions:

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

Resolution to Approve 143 Hill Street Planned Project Site Plan, 139 and 143 Hill Street (CPC Recommendation: Approval -8 Yeas and 0 Nays)

DS New Business - Staff:

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

Resolution No. 4 - Confirming the Miller Maple Sidewalk Special Assessment

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

Resolution to Approve a Lease with Ann Arbor Rowing Club for Use of Bandemer Park (**8 Votes Required**)

A motion was made by Councilmember Ackerman, seconded by Councilmember Grand, that the Resolution be postponed to the City Council and should be returned by 8/21/2017. On a voice vote, the Mayor declared the motion carried.

Resolution to Approve a Lease with Ann Arbor Rowing Club for Use of Bandemer Park (**8 Votes Required**)

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 Krapohl, that the following Consent Items be approved as presented. On a voice vote, the Mayor declared the motion carried.

F-1 [17-0855](#) Formation of the Zero Waste Subcommittee

Enactment No: R-17-214

F-2 [17-1072](#) Communication from Evan Pratt, Water Resources Commissioner regarding Notice of Receipt of Petition regarding the HRGIDD NPS-Tree

Planting 2017 5504-06 Drain Project - Systems Planning, City Attorney

- F-3** [17-1073](#) Communication from Scio Township Zoning Board of Appeals regarding Public Hearing Notice of Variance #1593, Bowers & Associates, for Timothy & Emily Marshall - Planning and Development Services

Filed.

G **The following minutes were received for filing:**

- G-1** [17-0854](#) Environmental Commission Minutes April 27, 2017
- G-2** [17-0958](#) Transportation Commission Meeting Minutes 5-17-2017
- G-3** [17-1013](#) Insurance Board Meeting Minutes - June 22, 2017
- G-4** [17-1038](#) Council Policy Agenda Committee Meeting Minutes for June 27, 2017
- G-5** [17-1054](#) Council Administrative Committee Meeting Minutes of 6-19-17

Filed.

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Kathy Griswold, Ward 2, spoke about building design standards.

COMMUNICATIONS FROM COUNCIL

None.

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 Westphal, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 8:33 p.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, JULY 17, 2107 @ 7:00 P.M.

REPLAYS: WEDNESDAY JULY 19, 2017 @ 8:00 A.M. AND FRIDAY, JULY 21, 2017 @ 8:00 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

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Live Web streaming or Video on Demand: <https://a2ctn.viebit.com>

Cable: Comcast Cable channel 16 or AT&T UVerse Channel 99

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

Requests made with less than two business days' notice may not be able to be accommodated.

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