

City of Ann Arbor

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



Action Minutes

Monday, October 19, 2015

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 7 p.m. in Council Chambers.

CALL TO ORDER

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

MOMENT OF SILENCE

Council stood for a moment of silence.

PLEDGE OF ALLEGIANCE

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

ROLL CALL OF COUNCIL

Present: 9 - Councilmember Stephen Kunselman, Councilmember Jane Lumm, Councilmember Sumi Kailasapathy, Councilmember Chuck Warpehoski, Councilmember Jack Eaton, Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Graydon Krapohl and Councilmember Kirk Westphal

Absent: 2 - Councilmember Mike Anglin and Councilmember Sabra Briere

APPROVAL OF AGENDA

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

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

City Administrator Steve Powers submitted his Agenda Response Memo for information of Council and also reported on the following:

The Downtown Development Authority is hosting a Regional Transit Authority Meeting at the DDA office on Tuesday, October 20, 2015 from 4-8 p.m.

Yesterday, Sunday, October 18 was the City's annual Trick or Treat on the River event. Paddlers on the river encountered Big Foot, trolls, pirates and forest animals with more than 700 trick or treaters taking part. Over 100 volunteers assisted the City in the management of the event, said Mr. Powers.

AC-1 15-1306 Agenda Response Memo - October 19, 2015

Attachments: Agenda Responses 10-19-15 with attachments

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**

Present: 10 - Councilmember Stephen Kunselman, Councilmember Sabra Briere, Councilmember Jane Lumm, Councilmember Sumi Kailasapathy, Councilmember Chuck Warpehoski, Councilmember Jack Eaton, Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Graydon Krapohl and Councilmember Kirk Westphal

Absent: 1 - Councilmember Mike Anglin

1. James D'Amour - Nixon Farm North and South Rezoning (C-2, C-3)

James, D'Amour, 2771 Maplewood, spoke in opposition to the proposed Nixon North and Nixon South rezoning and proposed development. He expressed concerns regarding flooding and also inquired about parkland preservation as part of the project.

2. Wendy Carman - Conditional Zoning (C-2, C-3)

Wendy Carman, 2340 Georgetown, spoke in opposition to the proposed Nixon North and South development projects and asked Council to take more time.

3. Pradeep Attibele - Nixon Farm North and South Rezoning (C-2, C-3)

Not present.

4. Jack Cederquist - Nixon Farm North and South Rezoning (C-2, C-3)

Jack Cederquist, 2145 Ardenne, urged Council to postpone the rezoning of Nixon Farm North and South.

5. Kami Meader - Nixon Road Traffic (DC-5)

Kami Meader, 3140 Dunwoodie, spoke in support of DC-5, a Resolution to Proceed with the Nixon Road Corridor Traffic Study, stating the Nixon Road traffic gets worse by the week.

6. Zhong Lee - Nixon Farm North and South Rezoning (C-2, C-3)

Zhong Lee, Foxfire resident, stated there has not been enough time to review the proposed conditional zoning. He requested that Council postpone the issue.

7. Mary Hiniker - Deer (DC-11)

Mary Hiniker, 2989 Hickory Lane, stated she is speaking on behalf of Ruth Wagman, a resident on Wynnstone Road. Ms. Hiniker read a letter by Ms. Wagman opposing the deer cull.

8. Jane Klingsten - Northeast Area Planning (C-2)

Jane Klingsten, 3347 Elsinore, spoke about Nixon North and South and urged Council to postpone the vote until details about the entire Northeast area planning are decided.

9. Vince Caruso - Floodplain (DC-4)

Vince Caruso, 556 Glendale, spoke in support of the Resolution to Direct the Planning Commission to Review and Make Recommendations Regarding the Adoption of a Floodplain Management Overlay Ordinance.

10. Alan Haber - Library Lot

Alan Haber, 531 Third Street, spoke about the RFP process for the development of the Library Lot. He urged Council to let the voters decide how to proceed with the property.

Alternates:**1. Rebecca Arends - Graffiti Alley, 521 E. Liberty**

Rebecca Arends, 2787 Arrowwood, spoke about "Graffiti Alley." She stated she was speaking on behalf of the property owners surrounding this alley, noting that neighboring businesses are affected by the aerosol spray, human waste and trash.

2. Jeff Hayner - Public Spaces and Graffiti

CC COMMUNICATIONS FROM COUNCIL*COUNCILMEMBER KAILASAPATHY*

Councilmember Kailasapathy spoke about the recent passing of Human Rights Commission member Charles Lewis.

COUNCILMEMBER EATON

Councilmember Eaton reported that Councilmember Anglin was home sick and sends his regrets.

COUNCILMEMBER GRAND

Councilmember Grand stated she is hosting the event, Rick's Run for Kids, this Sunday at Gallup Park. The run begins at 9:00 a.m.

COUNCILMEMBER WARPEHOSKI

Councilmember Warpehoski reported on an upcoming public law enforcement forum with Washtenaw County officials. He stated interim Police Chief Jim Baird will be a panelist. The event is being held this Wednesday, October 21 at the County Learning Center on Hogback from 12 - 2:30 p.m.

COUNCILMEMBER BRIERE

Councilmember Briere updated Council and the public on two public hearings scheduled at the Environmental Commission. The hearings on two ordinances will be held this Thursday at 7:00 p.m. The first hearing is on the proposed idling ordinance. The second public hearing is regarding the materials used for sealing driveways.

MC COMMUNICATIONS FROM THE MAYOR

Mayor Taylor clarified that the City Administrator search committee would consist of five Council Members, not four, as was previously stated. He stated the Council Administration Committee met today and scheduled another meeting for November 9 at 4pm to discuss the City Administrator search process, get a status update from the current City Administrator regarding ongoing projects, and to talk to the City Administrator about "Lessons Learned." Mayor Taylor also stated that the Council Administration Committee has also scheduled a regular calendar going forward, with meetings scheduled for 4pm before the second Council meeting of the month (Third Monday).

MC-1 15-1213

Appointments - Confirmations

Attachments: Michael B. Daniel app..pdf, Brian Butrico app..pdf, Angela Rasmussen app..pdf, Lisa Stelter app..pdf, Lauren London app..pdf

Mayor Taylor requested confirmation of the following appointments that were presented to Council for consideration at the October 5, 2015 Regular Session:

Housing Board of Appeals

*Angela Rasmussen- Partial Term
1265 Kuehnle
Ann Arbor, MI 48103
Term: term ending May 31, 2018*

*Lisa Stelter- Partial Term
1400 Saunders Crescent
Ann Arbor, MI 48103
Term: term ending May 31, 2018*

Parks Advisory Commission

*Lauren London-Partial Term
2720 White Oak Drive
Ann Arbor, MI 48103
Term: term ending May 31, 2018*

Zoning Board of Appeals

*Michael B. Daniel- Partial Term
201 S. First Street, Apt. 325
Ann Arbor, MI 48104
Term: term ending May 31, 2018*

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

MC-2 15-1270

Appointments & Nominations

Attachments: John Kotarski Oct. 2015 app..pdf, James Adams app..pdf, Stephen Ranzini app. 2015.pdf

Mayor Taylor presented the following nominations to Council for approval at a later date:

Ann Arbor Public Art Commission

*John Kotarski--Filling partial term
1230 Saunders Crescent
Ann Arbor, MI 48103
Term: ending May 31, 2018*

Economic Development Corporation Board

*Stephen L. Ranzini Re-Appointment
101 North Main St. Unit 1004
Ann Arbor, MI 48104
Term: ending May 31, 2021*

*James C. Adams -Filling partial term
3 Northwick Ct.
Ann Arbor, MI 48105
Term: ending May 31, 2019*

A motion was made that the Appointment be referred to the City Council and should be returned by 11/5/2015. On a voice vote, the Mayor declared the motion carried.

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)**PH-1 15-1120**

Resolution to Vacate Public Right-of-Way at 412 N. First Street (CPC Recommendation: Approval - 6 Yeas and 0 Nays) **(8 Votes Required)**

Attachments: ROW-L1276-P201.pdf, DRAWING 412 N. First.pdf, 412 N First ROW Vacation-9-29-2015 CPC Minutes.pdf, DTE Communication regarding Vacation of Public Right-of-way at 412 N. First Street.pdf

A public hearing was conducted on the proposed Resolution to Vacate Public Right-of-Way at 412 N. First Street. Notice of public hearing was published September 14, 2015.

Jeff Hayner, 1807 Pontiac Trail, spoke in opposition, urging Council to preserve the public right-of-way.

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

Held and Closed

Enactment No: R-15-347

- PH-2 15-1199** Resolution to Approve Argus Farm Stop Addition Site Plan, 325 W. Liberty Street (CPC Recommendation: Approval - 6 Yeas and 0 Nays)
- Attachments:** Argus Farm Stop Addition SP Staff Report with Attachments
- A public hearing was conducted on the proposed Resolution to Approve Argus Farm Stop Addition Site Plan, 325 W. Liberty Street. Notice of public hearing was published October 12, 2015.*
- Edward Vielmetti, 1210 Brooklyn Avenue, spoke in support of the proposed addition.*
- There being no further comment, the Mayor declared the hearing closed.*
- Held and Closed**
- Enactment No: R-15-348

A APPROVAL OF COUNCIL MINUTES

- A-1 15-1259** Regular Session Meeting Minutes of October 5, 2015
- Attachments:** 10-05-15 Minutes, Council emails 10-5-2015_Redacted (2).pdf
- A motion was made by Councilmember Westphal, seconded by Councilmember Briere, that the Regular Session Meeting Minutes of October 5, 2015 be approved. On a voice vote, the Mayor declared the motion carried.**

CA CONSENT AGENDA

Passed on consent agenda

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

- CA-1 15-1142** Resolution for Approval of Amendment No. 1 to the Professional Services Agreement with Tetra Tech of Michigan, PC for the Manchester Tank Coating Project (\$26,900.00)
- Attachments:** Amendment_No 1_Tetra Tech_Manchester_20150909.pdf
- Enactment No: R-15-335
- CA-2 15-1144** Resolution to Approve Amendment No. 1 to the Services Agreement with Utilities Instrumentation Service for Electrical and Instrumentation Support Services (\$30,000.00)
- Attachments:** UIS AMENDMENT No. 1 - October 2015.pdf
- Enactment No: R-15-336

B ORDINANCES - SECOND READING

None.

C ORDINANCES - FIRST READING**C Unfinished Business:**

C-1 14-1443 An Ordinance to Amend Section 10:148 of Chapter 126, Traffic (Pedestrian Crosswalks), Title X, of the Code of the City of Ann Arbor

Sponsors: Kunselman

Attachments: Amendment Chpt 126 10.148 - Traffic.pdf, Veto of ORD 13-31, Communication from Pedestrian Safety and Access Task Force - December 16, 2014.pdf

Councilmember Kunselman moved, seconded by Councilmember Kailasapathy, that the Ordinance be approved at First Reading.

A motion was made by Councilmember Kunselman, seconded by Councilmember Westphal, that the Ordinance be postponed indefinitely. On a voice vote, the Mayor declared the motion carried.

C-2 15-0786 An Ordinance to Amend Chapter 55 (Zoning), Zoning of 69 Acres from TWP (Township District) to R4A (Multiple-Family Dwelling District) WITH CONDITIONS, Nixon Farm North Zoning, 3381 Nixon Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. Ord-15-15) **(8 Votes Required)**

Attachments: NixonFarmsNorthOrdinance - Conditional Zoning, NixonFarmNorthStatement 10-14.pdf, NixonFarmsNorthStatement, 15-15 Nixon Farm North Rezoning Briefed.pdf, Ordinance to Zone Nixon Farm North (3381 Nixon Road).pdf, 12/16/15 Planning Staff Report, 12/16/14 Planning Commission Minutes, 10/21/14 Planning Staff Report, 10/21/14 Planning Commisison Minutes, Nixon Farm North Zoning Protest 8VOTES 08-14-15, Nixon North and South protest petitions 081215, Nixon Farm rezoning 100ft objection letters 081115, Letter of protest Nixon North - H. Peng 081015, Nixon Farm Concerns and Opposition Emails.pdf, Nixon Farm Opposition Email.pdf, Nixon Farm Protest Emails 8-6-15.pdf, Nixon Farm Protest Letters 8-7-15.pdf, Ann Arbor letter of rezoning objection, Nixon Farm Opposition emails 8-14-15.pdf, Nixon Farm Opposition Email 8-16-15.pdf, Nixon Farm Opposition Email 8-17-15.pdf, Nixon Farm Opposition Email 8-17-15.pdf, Nixon Farm Communication from Jason Minock.pdf, Toll Brothers memo request to postpone

Councilmember Briere moved, seconded by Councilmember Krapohl, that the Ordinance be approved at First Reading.

Enactment No: ORD-15-15

A motion was made by Councilmember Kailasapathy, seconded by Councilmember Eaton, that the Ordinance be postponed at First Reading until 12/21/2015. On a roll call, the vote was as follows with the Mayor declaring the motion defeated:

Yeas: 4 - Councilmember Kunselman, Councilmember Lumm, Councilmember Kailasapathy and Councilmember Eaton

Nays: 6 - Councilmember Briere, Councilmember Warpehoski, Mayor Taylor, Councilmember Grand, Councilmember Krapohl and Councilmember Westphal

Absent: 1 - Councilmember Anglin

Enactment No: ORD-15-15

The question being, the motion made by Councilmember Briere, seconded by Councilmember Krapohl, that the Ordinance be approved on First Reading, on a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 6 - Councilmember Briere, Councilmember Warpehoski, Mayor Taylor, Councilmember Grand, Councilmember Krapohl and Councilmember Westphal

Nays: 4 - Councilmember Kunselman, Councilmember Lumm, Councilmember Kailasapathy and Councilmember Eaton

Absent: 1 - Councilmember Anglin

Enactment No: ORD-15-15

C-3 15-0787

An Ordinance to Amend Chapter 55 (Zoning), Zoning of 41 Acres from TWP (Township District) to R4A (Multiple-Family Dwelling District) WITH CONDITIONS, Nixon Farm South Zoning, 2999 Nixon Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-15-16)

Attachments: NixonFarmsSouthOrdinance - Conditional Zoning, NixonFarmsSouthStatement 10-14.pdf, NixonFarmsSouthStatement, Ordinance to Zone Nixon Farm South (2999 Nixon Road).pdf, Nixon Farm South Staff Report 12-16-14 w Attachments.pdf, 12/16/14 Planning Commission Minutes, Nixon Farm South Staff Report with Attachments 10-21-14.pdf, 10/21/14 Planning Commission Minutes, Nixon Farm South Zoning Protest 8VOTES 08-14-15, Northbury condo Nixon south protest 081315, Nixon Farm south protest letter 081315, Nixon North and South protest petitions 081215, 2765 Nixon Road protest Nixon South 081215, Lakehurst residents objections Nixon south 081215, Nixon Farm rezoning 100ft objection letters 081115, Nixon Farm Concerns and Opposition Emails.pdf, Nixon Farm Opposition Email.pdf, Nixon Farm Protest Emails 8-6-15.pdf, Nixon Farm Protest Letters 8-7-15.pdf, Ann Arbor letter of rezoning objection, Northbury condo vp president ltr 081415, Nixon Farm Opposition emails 8-14-15.pdf, Nixon Farm Opposition Email 8-16-15.pdf, Nixon Farm Opposition Email 8-17-15.pdf, Nixon Farm Communication from Jason Minock.pdf, Toll Brothers memo request to postpone

A motion was made by Councilmember Briere, seconded by Councilmember Grand, that the Ordinance be approved on First Reading. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 6 - Councilmember Briere, Councilmember Warpehoski, Mayor Taylor, Councilmember Grand, Councilmember Krapohl and Councilmember Westphal

Nays: 4 - Councilmember Kunselman, Councilmember Lumm, Councilmember Kailasapathy and Councilmember Eaton

Absent: 1 - Councilmember Anglin

Enactment No: ORD-15-16

RECESS

Mayor Taylor declared a recess at 9:10 p.m.

MEETING RECONVENED

Mayor Taylor called the meeting back to order at 9:22 p.m.

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

- DC-1 15-1204** Resolution to Appoint Jarin Marocco to the City Environmental Commission
- Sponsors:** Briere
- Attachments:** JarinMaroccoEnvironmentalCommittee.pdf
- A motion was made by Councilmember Briere, seconded by Councilmember Westphal, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-15-337
- DC-2 15-1220** Resolution to Appoint Kristen Schweighoefer to the Housing Board of Appeals (**7 Votes Required**)
- Attachments:** Kristin Schweighoefer app..pdf
- A motion was made by Councilmember Briere, seconded by Councilmember Kunselman, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the seven-vote requirement.**
- Enactment No: R-15-338
- DC-3 15-0623** Resolution to Establish Speed Limits no Greater than 25 mph throughout Near-Downtown Residential Neighborhoods
- Sponsors:** Anglin and Eaton
- Attachments:** Memo to Mayor and Council 8-17-15 - Speed Limits no Greater than 25 mph
- A motion was made by Councilmember Eaton, seconded by Councilmember Briere, that the Resolution be approved.**
- Councilmember Eaton withdrew the motion and proposed resolution.**
- DC-4 15-0901** Resolution to Direct the Ann Arbor Planning Commission to Review and Make Recommendations Regarding the Adoption of a Floodplain Management Overlay Ordinance
- Sponsors:** Eaton, Lumm and Anglin
- Attachments:** Developing a Floodplain Management Overlay Ordinance, UM Student Project Regarding Floodplain Management Overlay Ordinance, Floodplain Overlay Ordinance Report to Council_Final_2015-10-08, Floodplain Overlay Ordinance_Timeline Estimate
- A motion was made by Councilmember Eaton, seconded by Councilmember Lumm, that the Resolution be approved.**
- Enactment No:

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

Amend the last two Resolved Clauses to read as follows:

RESOLVED, that City Council directs the Ann Arbor City Planning Commission to review the draft ordinance and recommend work plan prioritization of the proposed ordinance, and

RESOLVED, that City Council requests that the Ann Arbor’s City Planning Commission report back on its recommended action on the proposed ordinance to Council on or before the December City Council budget retreat.

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

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

Nays: 5 - Councilmember Briere, Mayor Taylor, Councilmember Grand, Councilmember Krapohl and Councilmember Westphal

Absent: 1 - Councilmember Anglin

Enactment No:

The question being, a motion made by Councilmember Eaton, seconded by Councilmember Lumm, that the Resolution be approved, on a roll call, the vote was as follows with the Mayor declaring the motion defeated:

Yeas: 4 - Councilmember Kunselman, Councilmember Lumm, Councilmember Kailasapathy and Councilmember Eaton

Nays: 6 - Councilmember Briere, Councilmember Warpehoski, Mayor Taylor, Councilmember Grand, Councilmember Krapohl and Councilmember Westphal

Absent: 1 - Councilmember Anglin

Enactment No:

DC New Business - Council:

DC-5 15-1261 Resolution to Proceed with the Nixon Road Corridor Traffic Study and Amend the FY16 Budget (\$200,000.00) (8 Votes Required)

Sponsors: Lumm, Kailasapathy, Briere and Westphal

Attachments: Nixon Road Corridor Transportation Study_Draft Scope 10-8-15

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-15-339

DC-6 15-1293 Resolution Directing Staff to Discuss a Possible Relocation of the Arthur Miller House with The University of Michigan and Other Stakeholders

Sponsors: Briere, Krapohl and Grand

Attachments: 439SDivCompleteReport

A motion was made by Councilmember Briere, 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, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Krapohl and Councilmember Westphal

Nays: 1 - Councilmember Kunselman

Absent: 1 - Councilmember Anglin

Enactment No: R-15-340

DC-7 15-1295 Resolution to Approve Amendment No. 2 with Ultimate Software Group, Inc. Contract and Appropriate Funds (\$127,464.00) from Information Technology Fund Fund Balance to Amend the FY 2016 IT Operating Budget to Fund the Continued Use of the Current Human Resource and Payroll Services Software (**8 Votes Required**)

Sponsors: Taylor

A motion was made by Councilmember Briere, seconded by Councilmember Krapohl, 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-15-341

DC-8 15-1297 Resolution for Community Events Fund Disbursement from the FY 2016 Budget

Sponsors: Warpehoski

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

Enactment No: R-15-342

DC-9 15-1104 Resolution to Approve a Request from SVP Corporation for a New Resort Class C Liquor License to be Located at 2721 Plymouth Road - d/b/a The Wine Seller

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.

Enactment No: R-15-343

DC-10 15-1179

Resolution to Approve a Request from Aquamarine Springs, LLC for a New Micro-Brewer, Small Wine-Maker, Small Distiller Liquor License and Dance/Entertainment Permit, to be Located at 507 S. Ashley Street

Sponsors: Council Liquor License Review Committee

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

Enactment No: R-15-344

DC-11 15-1300

Resolution to Establish a Public Hearing on Imposition of a Temporary Moratorium of the Prohibition Regarding the Possession and Discharge of Weapons in Public Places

Sponsors: Briere and Taylor

Attachments: Res Imposing Temp Moratorium _ Weapons_ Deer Cull.pdf

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

Enactment No: R-15-345

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

RESOLVED, That City Council of the City of Ann Arbor hereby sets a public hearing for [November 5, 2015] NOVEMBER 16, 2015 at 7:00 p.m.....

(Change date from November 5 to November 16.)

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

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

Nays: 7 - Councilmember Briere, Councilmember Lumm, Councilmember Warpehoski, Mayor Taylor, Councilmember Grand, Councilmember Krapohl and Councilmember Westphal

Absent: 1 - Councilmember Anglin

Enactment No: R-15-345

Councilmember Kunselman requested that the names and addresses of all speakers be recorded.

Councilmember Kailasapathy requested that City staff publicly communicate details about the proposed cull, in advance of the November 16 hearing, to minimize the misinformation that has been raised at previous public hearings and in communications from residents to Council.

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

Enactment No: R-15-345

DC-12 15-1304

Resolution to Postpone Second Reading of the Rezoning and Site Plan Approval of Woodbury Club Apartments Planned Project

Sponsors: Briere

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

Enactment No: R-15-346

DB New Business - Boards and Commissions:**DB-1 15-1120**

Resolution to Vacate Public Right-of-Way at 412 N. First Street (CPC Recommendation: Approval - 6 Yeas and 0 Nays) **(8 Votes Required)**

Attachments: ROW-L1276-P201.pdf, DRAWING 412 N. First.pdf, 412 N First ROW Vacation-9-29-2015 CPC Minutes.pdf, DTE Communication regarding Vacation of Public Right-of-way at 412 N. First Street.pdf

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 unanimously, thus satisfying the eight-vote requirement.

Enactment No: R-15-347

DB-2 15-1199

Resolution to Approve Argus Farm Stop Addition Site Plan, 325 W. Liberty Street (CPC Recommendation: Approval - 6 Yeas and 0 Nays)

Attachments: Argus Farm Stop Addition SP Staff Report with Attachments

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

Enactment No: R-15-348

DS New Business - Staff:

- DS-1 15-1141** Resolution to Award Contract for the Manchester Tank Miscellaneous Improvements and Tank Coating Project Contract 1 - Mechanical, Electrical and Miscellaneous Work to E&L Construction Group, Inc. (\$321,978.00)
- Attachments:** ITB_4399_Contract No 1_Front End for Council Approval.pdf
- A motion was made by Councilmember Grand, seconded by Councilmember Krapohl, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-15-349
- DS-2 15-1143** Resolution to Award Contract for the Manchester Tank Miscellaneous Improvements and Tank Coating Project Contract 2 - Tank Coating, Art Painting, Metal Repairs and Miscellaneous Work to L.C. United Painting Co., Inc. (\$450,000.00)
- Attachments:** ITB_4400_Contract No 2_Front End for Council Approval.pdf
- A motion was made by Councilmember Grand, seconded by Councilmember Krapohl, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-15-350
- DS-3 15-1180** Resolution to Approve the Purchase of Ice Control Salt through the Michigan Delivering Extended Agreements Locally (MIDEAL) from the Detroit Salt Company for Early Fill (\$54,230.00) and for Seasonal Backup Supply (\$235,339.00)
- Attachments:** 1300338_Detroit_early_434890_7.pdf,
1300339_Detroit_seasonal_434891_7.pdf
- A motion was made by Councilmember Briere, seconded by Councilmember Warpehoski, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-15-351
- DS-4 15-1186** Resolution to Accept and Allocate Michigan Supreme Court State Court Administrative Office Mental Health Court Grant Award and Approve Grant Contract (\$282,000.00) **(8 Votes Required)**
- Attachments:** D15-SCAO_MHC_Contract_Sept2015
- A motion was made by Councilmember Krapohl, seconded by Councilmember Warpehoski, 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-15-352

DS-5 15-1187 Resolution to Accept and Allocate Michigan Supreme Court State Court Administrative Office Drug Court Grant Award and Approve Grant Contract (\$142,000.00) **(8 Votes Required)**

Attachments: D15-SCAO_SobrietyCtContract_Sept2015

A motion was made by Councilmember Krapohl, seconded by Councilmember Grand, 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-15-353

DS-6 15-1257 Resolution to Approve a Contract with Phoenix Contractors, Inc. for ITB No. 4406 - Council Chamber Renovations Project Phase 2 (\$117,700.00)

Attachments: ITB 4406 - Council Reno Phase 2 092815.pdf, ITB - 4406 Bid Tab.pdf, ITB 4406 - Phoenix Bid.pdf, ITB 4406 - Non-engineered Plans

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

Yeas: 7 - Councilmember Briere, Councilmember Warpehoski, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Krapohl and Councilmember Westphal

Nays: 3 - Councilmember Kunselman, Councilmember Lumm and Councilmember Kailasapathy

Absent: 1 - Councilmember Anglin

Enactment No: R-15-354

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER BRIERE

Councilmember Briere announced that Judge Joseph Burke in the 15th District Court has been appointed Chief Judge.

COUNCILMEMBER LUMM

Councilmember Lumm requested more information about the Council Administration meeting scheduled on November 9 and the planned discussion on "Lessons Learned" from the City Administrator. She stated if this discussion serves as a type of exit interview, she would like this information reported out to Council.

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

F-1 15-1092 Environmental Commission Recommendation to City Council Concerning an Ordinance Banning Pavement Sealcoats Containing High Levels of PAHs

Attachments: Additional Justification (2), Literature review and annotated bibliography from Coal Tar Free America (2), PAH Definition to include in ordinance or procedures (2)

F-2 15-1262 Communication from Susan Patton Regarding Sidewalk Waiver for Racquet Club on Geddes Ave.

Attachments: sidewalk waiver for Racquet Clun on Geddes Ave.pdf

F-3 15-1263 Communication from Kathe Bowen Regarding Changes to the Sidewalk Ordinance

Attachments: communication regarding sidewalk ordinance.pdf

G The following minutes were received for filing:

G-1 15-1032 City Planning Commission Meeting Minutes of July 21, 2015

Attachments: 7-21-2015 CPC Minutes with Live Links2.pdf

G-2 15-1074 Environmental Commission Meeting Minutes for March 26, 2015

Attachments: City of Ann Arbor Environmental Commission Meeting Minutes - 3.26.2015

G-3 15-1126 Historic District Commission Meeting Minutes of August 13, 2015

Attachments: 8-13-2015 HDC Minutes with Live Links-revised.pdf

G-4 15-1153 Public Market Advisory Commission Meeting Minutes of August 20, 2015

Attachments: PMAC Meeting Minutes 8.20.15.pdf

- G-5 15-1201** City Planning Commission Meeting Minutes of August 18, 2015
Attachments: 8-18-2015 Planning Commission Minutes with live Links.pdf
- G-6 15-1055** City Election Commission Meeting Minutes of July 24, 2015
Attachments: 2015-07-24 Election Commission minutes
- G-7 15-1260** Council Administration Committee Meeting Minutes of October 5, 2015
Attachments: Council Administration Committee Minutes 10-5-15.pdf
- G-8 15-1255** Insurance Board Minutes - September 24, 2015
Attachments: Insurance Board Minutes 09242015, Ann Arbor Insurance Board Loss Run - September, 2015.

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

EDWARD VIELMETTI

Edward Vielmetti, 1210 Brooklyn, spoke about a security mistake he discovered on the City's eTrakit permit software. He stated that late last week he discovered a form attached to eTrakit that included a customer's credit card information. Mr. Vielmetti thanked the City Clerk and City Administrator for their response to the situation and noted that attachments in eTrakit have been disabled. He urged Council to consider IT infrastructure and open data questions in their search for a new administrator.

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 Krapohl, seconded by Councilmember Lumm, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 11:09 p.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, OCTOBER 19, 2015 @ 7:00 A.M.

REPLAYS: TUESDAY, OCTOBER 20, 2015 @ 10:00 A.M. AND FRIDAY, OCTOBER 23, 2015 @ 7:30 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

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

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

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