

City of Ann Arbor

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



Action Minutes

Monday, July 18, 2016

7:00 PM

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

City Council

City Council will meet in caucus the Sunday prior to each regular session at 3:30 p.m. in Council Chambers.

CALL TO ORDER

Mayor Taylor called the meeting 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

Councilmember Warpehoski arrived at 7:07 p.m.

Present: 11 - Councilmember Sabra Briere, Councilmember Jane Lumm, Councilmember Sumi Kailasapathy, Councilmember Chuck Warpehoski, Councilmember Jack Eaton, Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Graydon Krapohl, Councilmember Kirk Westphal, Councilmember Zachary Ackerman and Councilmember Chip Smith

APPROVAL OF AGENDA

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

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

City Administrator Howard S. Lazarus presented his Agenda Response Memorandum for information of Council and also reported on the following:

Mr. Lazarus thanked Council for the opportunity to provide input on behalf of City Staff. Mr. Lazarus stated he typically likes to start these types of reports with both a safety message and at least one success story. On the safety side:

- This past year, the city experienced the lowest number of recordable injuries (56) since 2006. Reducing the number of recordable injuries has a positive impact on City expenditures. Improvements like these are reflective of the safety culture in an organization, he stated and he said he wanted to recognize the entire City staff for creating a safer workplace.
- Successful completion of a lead-remediation / re-painting project on our 150' Manchester Tank Water Tower that completed operations in late May. This project involved lead remediation and re-painting of the tower using an outside contractor. Successful collaboration with the neighborhood, the contractor, Public Works, the Safety Unit, and the Water Treatment Service Unit achieved a 100% safety record during the project and resulted in limited citizen complaints and minimal environmental impacts. The Safety Unit completed lead testing throughout the project with results below regulatory requirements.

Mr. Lazarus also presented the following success story regarding the Material Recovery Facility. Since cancellation of the operator's contract, 100% of the recyclables picked up within the City of Ann Arbor have been routed to recycling facilities or stored for routing to recycling facilities for processing. Staff has done a remarkable job in finding processing capacity and arranging transportation for our recyclables, and kept faith with the City's core sustainability values. At the August 4th City Council meeting, staff will be providing resolutions for City Council's consideration confirming the emergency purchase orders with Waste Management, Royal Oak Recycling, and Western Washtenaw Recycling Authority for the changes in the MRF operations and materials handling. Chicago Bridge & Iron (CB&I) is working with the City to develop a new contract that is fair and reasonable and which provides proper incentives for all parties. They are also providing a tip floor throughput analysis because staff strongly believe the former operator was exceeding plant capacity and thus was the root of some of the operational issues. This change is within contract contingency and no Council Action is required.

Mr. Lazarus also provided some feedback on concerns expressed by the Human Rights Commission. Mr. Lazarus stated he had discussions with both Police Chief Baird and Fire Chief Collins on four of the basic tenets of our path forward. First, both Police and Fire are pursuing accreditation from the appropriate agencies. Accreditation ensures an outside party looks at your processes to ensure your

departments are following best practices. Second, Mr. Lazarus stated he has asked both Chiefs to include in their budget requests sufficient funds to support diversity in recruiting initiatives. Third, staff is initiating the process to develop a Request for Proposals to secure an Auditor as was requested in the HRC report. Mr. Lazarus stated he anticipates having robust stakeholder engagement in the development of the criteria for the Auditor. Finally, and in concert with the output of the Auditor, we are looking forward to Council's development of a Public Safety Advisory Commission. Mr. Lazarus stated he will formalize these steps in a memorandum back to Council over the next week so that they can provide oversight and accountability of and for these actions.

Finally, Mr. Lazarus stated he looks forward to experiencing his first Art Fair with his fellow Ann Arborites. He stated that Chief Baird, Chief Collins, and the AAPD and AAFD have taken all prudent measures to ensure a safe and enjoyable atmosphere, and please stop and say thank you to our finest and bravest if you have the opportunity.

AC-1 16-1079 Agenda Response Memo - July 18, 2016

Attachments: Agenda Responses 7-18-16

Received and Filed

INT INTRODUCTIONS

None.

PUBLIC COMMENTARY - RESERVED TIME (3 MINUTES PER SPEAKER)

*** (SPEAKERS ARE NOT PERMITTED TO GRANT THEIR RESERVED TIME TO AN ALTERNATE SPEAKER)**

*** ACCOMMODATIONS CAN BE MADE FOR PERSONS NEEDING ASSISTANCE WHILE ADDRESSING COUNCIL**

1. Michael Miller - Tobacco Regulation Ordinance (C-1)

Michael Miller, representing St. Joseph Mercy Health System, spoke in support of C-1, the Tobacco 21 Ordinance, and urged Ann Arbor to be a leader in the Tobacco 21 movement.

2. Mary Ivers - Lease Agreement between the City of Ann Arbor and The Regents of the University of Michigan The Community Dental Center (CA-16)

Mary Ivers, 920 E. Ann Street, spoke in support of CA-16, stating the Community Dental Center is an asset for the City, and serves patients who may not otherwise have dental care or access to dental treatment.

3. Wayne Colquitt - Lease Agreement between the City of Ann Arbor and The Regents of the University of Michigan The Community Dental Center (CA-16)

Wayne Colquitt, 1908 Austin Ave., stated he is a former dentist. He spoke in support of the lease for the UM Community Dental Center and spoke of its benefits for the entire community.

4. Blaine Coleman - Boycott Israel

Blaine Coleman, City resident, urged Council to boycott Israel and to approve the Human Rights Commission recommendations regarding Police oversight.

5. Mozghan Savabiessahani - Boycott Israel

Mozghan Savabiessahani, City resident, urged Council to boycott Israel.

6. Lorraine Shapiro - FOIA Redaction

Lorraine Shapiro, 1484 Green Road, spoke about her recent FOIA request and the City's decision to redact many of the documents related to her request. She urged the City to be more transparent.

7. Cathy Shafer - Organization FAAWN

Cathy Shafer, 455 Sumark Way, representing FAAWN, spoke about the City's deer management plan and urged the City to include FAAWN in its planning process. She also questioned if there are really enough deer in Ann Arbor to warrant a management plan.

8. Lynn Borset - Library Lot Petitions

Lynn Borset, 322 Virginia Avenue, speaking on behalf of Ann Arbor Committee for the Community Commons, stated the signatures fell short of the requirements, but noted this was due to technical disqualifications. She stated more than enough voters have signed the petitions. She urged Council to place the issue on the ballot themselves.

9. Murphy Austin - Ann Arbor Human Rights Commission Community Police Recommendations

Murphy Austin, 817 Berkshire Road, Ward Two, spoke in support of the Human Rights Commission's recommendations regarding a Civilian Police Oversight Review Board and an audit of the Ann Arbor Police Department. He urged Council to proceed.

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER KRAPOHL

Councilmember Krapohl spoke about the Human Rights Commission's recommendations regarding a civilian oversight board for Police. He stated the City does want some oversight.

COUNCILMEMBER KAILASAPATHY

Councilmember Kailasapathy also spoke about the Human Rights Commission and a civilian oversight board for Police. She stated the auditor will not make that determination.

COUNCILMEMBER WARPEHOSKI

Councilmember Warpehoski thanked staff for the improvements in the condition of the sewer smell in the Arborview neighborhood. He stated longer term solutions need to be explored.

MC COMMUNICATIONS FROM THE MAYOR**MC-1 16-0985 Appointments - Confirmations**

Attachments: Julie Weatherbee App. 2016.pdf

Mayor Taylor requested confirmation of the following appointment that was presented to City Council on July 7, 2016:

City Planning Commission

*Julie Weatherbee
837 S. Main St.
Ann Arbor, MI 48104
Term: July 1, 2016-June 30, 2019
Filling vacancy of Jeremy Peters*

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

MC-2 16-1051 Resolution to Appoint Luay Shalabi to the Human Rights Commission (7 Votes Required)

Sponsors: Taylor

Attachments: Luay Shalabi application 2016.pdf

A motion was made by Councilmember Briere, seconded by Councilmember Lumm, that the Resolution be postponed to the City Council and should be returned by 8/4/2016. On a voice vote, the Mayor declared the motion carried.

CA CONSENT AGENDA

Mayor Taylor requested the removal of CA-5 from the Consent Agenda.

CONSENT AGENDA ITEM REMOVED

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

CA-5 Resolution to Approve W. Washington Street Closing for Oktoberfest - October 7-9, 2016, Requested by Grizzly Peak Brewing Company and the Blue Tractor

Passed on consent agenda

A motion was made by Councilmember Briere, seconded by Councilmember Lumm that the following Consent Items be approved as presented. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirements of CA-15 and CA-16.

CA-1 16-0970 Resolution to Approve an Additional Street Closing for Sonic Lunch on Thursday, August 25, 2016

Attachments: Sonic Lunch Map.pdf

Enactment No: R-16-280

CA-2 16-0962 Resolution to Close South State Street Between William and Liberty for the State Street Midnight Event on July 31 - August 1, 2016

Attachments: State Street Midnight Event Map

Enactment No: R-16-281

CA-3 16-0986 Resolution to Approve Street Closings for the Electric Bolt 8K Run/Walk July 31, 2016

Attachments: Electric Bolt Map.pdf

Enactment No: R-16-282

- CA-4 16-0987** Resolution to Approve Street Closings for the “Dancing in the Streets” Special Event - September 4, 2016

Attachments: Dancing in the Streets Map.pdf

Enactment No: R-16-283

- CA-6 16-0990** Resolution to Approve E. Washington Street Closing for Oktoberfest - October 7-9, 2016, Requested by Arbor Brewing Company

Attachments: Oktoberfest East Washington St Map

Enactment No: R-16-284

- CA-7 16-0988** Resolution to Approve Changes to Traffic Patterns and Parking on Certain City Streets for the 2016 University of Michigan Student Move-In Program from August 31 - September 2, 2016

Attachments: U of M Student Move-In Closings Map

Enactment No: R-16-285

- CA-8 16-0885** Resolution to Approve an Agreement with Parsons Brinckerhoff Michigan, Inc. for Project Management and Construction Engineering Services for the Stadium Boulevard Reconstruction Project (\$1,654,078.01)

Attachments: pbm - psa - ce and pm services - 160119, memorandum - stadium - revised project approach - final - 160226

Enactment No: R-16-286

- CA-9 16-0895** Resolution to Approve a Cost-sharing Agreement with the Michigan Department of Transportation for the Stadium Boulevard Reconstruction Project - South Main Street to Kipke Drive (\$7,738,700.00)

Attachments: mdot - city-state agreement - unexecuted - 160610, project limits drawing - june 2016, memorandum - stadium - revised project approach - final - 160226

Enactment No: R-16-287

- CA-10 16-0906** Resolution to Approve an Agreement with the Michigan Department of Transportation for the West Stadium Boulevard RRFB Project

Attachments: West Stadium RRFB MDOT Agreement, West Stadium RRFB Location Map

Enactment No: R-16-288

CA-11 16-0893 Resolution to Approve a Professional Service Agreement with DLZ Michigan, Inc. (\$119,741.32) and Establish a Project Budget for the 2016/2017 Bridge Inspection Program (\$141,800.00)

Attachments: psa - 2016-2017 bridge inspection project - 160606

Enactment No: R-16-289

CA-12 16-0927 Resolution to Award the Contract for the 2016 Sidewalk Cutting to Precision Concrete Cutting, Inc. (ITB No. 4418, \$215,400.00)

Attachments: ITB_4418_Document FINAL, ITB 4418 Addendum 1, Precision contract C pages rev, ITB 4418 Bid Tab, PCC Bid Submittal, City Map 2012-16 Work Areas, Termination letter Ann Arbor

Enactment No: R-16-290

CA-13 16-0945 Resolution Authorizing the Purchase of Bituminous Paving Material, ITB - #4448 - Cadillac Asphalt, LLC (\$150,000.00 Annually)

Attachments: ITB 4448.pdf

Enactment No: R-16-291

CA-14 16-0894 Resolution to Allocate 8 Footing Drain Disconnect Credits from Near North Apartments to the Ann Arbor Housing Commission properties at 655 North Maple, 701 Henry and 3451 Platt

Enactment No: R-16-292

CA-15 16-0891 Resolution to Approve the Transfer of 909 Evelyn Court to the Ann Arbor Housing Commission **(8 Votes Required)**

Attachments: 909 Evelyn Appraisal.PDF

Enactment No: R-16-293

CA-16 16-0737 Resolution to Approve Lease Agreement between the City of Ann Arbor and The Regents of the University of Michigan for the Lease of 406 N. Ashley Street - The Community Dental Center **(8 Votes Required)**

Attachments: UMDental Lease UM 2016, UM SNIE at CDC, Community Dental Clinic Information, CDC LOS 7-11-16, UWay CDC support

Enactment No: R-16-294

CA-5 16-0989 Resolution to Approve W. Washington Street Closing for Oktoberfest - October 7-9, 2016, Requested by Grizzly Peak Brewing Company and the Blue Tractor

Attachments: Oktoberfest West Washington St Map

Mayor Taylor requested that he be recused from the discussion and vote on this item due to potential conflict of interest.

Councilmember Westphal moved, seconded by Councilmember Grand, that Mayor Taylor be recused the discussion and vote on CA-5 due to potential conflict of interest. On a voice vote, the motion carried. (Mayor Taylor left the room.)

Mayor Pro-Tem Briere continued the discussion.

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

Enactment No: R-16-295

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 16-0900 Resolution to Approve the 685 South Wagner Annexation, 0.5 Acre, East Side of S. Maple, North of Liberty Street (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

Attachments: 685 S. Wagner Annex & Zoning Staff Report with Attachments, 685 S Wagner Annexation Letter to Scio Twp.doc

A public hearing was conducted on the proposed Resolution to Approve the 685 South Wagner Annexation, 0.5 Acre, East Side of S. Maple, North of Liberty Street. Notice of public hearing was published July 11, 2016.

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

Held and Closed

Enactment No: R-16-297

PH-2 16-0629 Resolution to Approve Balfour Senior Living Center Site Plan, 2830 S. Main Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

Attachments: Balfour Senior Center Staff Report with Attachments

A public hearing was conducted on the proposed Resolution to Approve Balfour Senior Living Center Site Plan, 2830 S. Main Street. Notice of public hearing was published July 11, 2016.

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

Held and Closed

Enactment No: R-16-298

PH-3 16-0992

Resolution to Approve the 615, 633, and 637 South Main Brownfield Plan

Sponsors: Brownfield Plan Review Committee

Attachments: Brownfield Plan BRC Approved, Communication re 615 S. Main from J. Bradley Moore.pdf

A public hearing was conducted on the proposed Resolution to Approve the 615, 633, and 637 South Main Brownfield Plan. Notice of public hearing was published July 11, 2016.

The following people were present to speak at the hearing:

James Harless of SME, the Brownfield Plan consultant, was available to answer any questions regarding the plan.

Ethel Potts, 1014 Elder Boulevard, expressed concerns about projects being approved for development just to gain brownfield remediation. She urged Council to consider the plan, not just the brownfield clean-up.

Frank Styles, developer, spoke about the project and was available to answer questions of Council.

Ed Vielmetti, 4th Ward resident, stated there have been several brownfield projects along the Allen Creek Greenway.

Rita Mitchell, 621 Fifth Street, questioned if there was actually polluted material entering the creek and will future testing occur.

Lucy Miller, 319 Mosley, spoke in opposition.

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

Held and Closed

Enactment No: R-16-299

PH-4 16-0807

Resolution to Approve Residences at 615 South Main Planned Project Site Plan and Development Agreement, at 615 South Main Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

Attachments: 615 S Main Staff Report with Attachments-May 17 CPC-Final revised, 615 S Main Staff Report with Attachments for 4-5-2016 CPC, 615 S Main CPM report, Design Review Board Report for 615 South

Main-DRAFT, 615 S Main Development Agreement FINA.pdf, 4-5-2016
 CPC Minutes for 615 S Main Site Plan, 5-17-2016 CPC Minutes for 615
 S Main Site Plan, Revised 615 S Main Site Plan-2016-6-30.pdf

A public hearing was continued on the proposed Resolution to Approve Residences at 615 South Main Planned Project Site Plan and Development Agreement, at 615 South Main Street. Notice of public hearing was originally published June 30 and notice of continued hearing was published July 14, 2016.

The following people were present to speak at the hearing:

A representative of Collegiate Development Group

Ethel Potts, 1041 Elder Boulevard, expressed concern about the impact to the existing local businesses on the site.

Rita Mitchell, 621 Fifth, spoke in opposition.

Kathy Griswold, 3565 Fox Hunt, spoke about the process and expressed concern about the plans not being reviewed by professional engineers. She urged Council to review the plans and the construction.

Brad Moore, J. Bradley Moore Architects, spoke about the project and introduced his team.

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

Held and Closed

Enactment No: R-16-300

A APPROVAL OF COUNCIL MINUTES

A-1 16-0993 Work Session of June 13 and Regular Session Meeting Minutes of July 7, 2016

Attachments: 06-13-16 Draft Work Session Minutes, 07-07-16 Draft Minutes, Council emails 7-7-2016_Redacted.pdf

A motion was made by Councilmember Lumm, seconded by Councilmember Ackerman, that the Work Session Meeting Minutes of June 13 and Regular Session Meeting Minutes of July 7, 2016 be approved. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

None.

C ORDINANCES - FIRST READING

C-1 16-1054

An Ordinance to Add a New Section 9:328a, to Amend Sections 9:328, 9:329 and 9:333, and to Repeal Sections 9:330, 9:331, and 9:332 of Chapter 118, Tobacco Regulation, of Title IX of the Code of the City of Ann Arbor (Ordinance No. ORD-16-17)

Sponsors: Grand, Warpehoski, Westphal, Briere and Taylor

Attachments: 16-17 Tobacco Regulation Chapter 118 Briefed as Amended, Tobacco Regulation Chapter 118

Councilmembers asked the City Attorney if the ordinance changes were permissible under current State law. Another question was raised whether persons 18-21 working in retail stores could continue to sell tobacco as part of their employment.

(The complete copy of the text of Ordinance No. ORD-16-17 is on file in the City Clerk's Office.)

An amendment was proposed by Councilmember Grand, seconded by Councilmember Warpehoski, that the following section be amended as follows:

9:328(b)

Delete:

[A person shall not sell, give or furnish any cigarette, cigar, chewing tobacco, snuff or tobacco in any other form to a person under 21 years of age.]

Replace with: A person shall not sell, give or furnish a tobacco product in any form to a person under 21 years of age. "Tobacco Product" means any product that contains tobacco, is derived from tobacco, or contains synthetically produced nicotine and is intended for human consumption. "Tobacco Product" does not include any cessation product specifically approved by the United States Food and Drug Administration for use in treating nicotine or tobacco dependence.

The amendment was considered friendly.

A motion was made by Councilmember Grand, seconded by Councilmember Westphal, that the Ordinance be approved as amended on First Reading to the City Council, due back on 8/4/2016. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 10 - Councilmember Briere, Councilmember Lumm, Councilmember Kailasapathy, Councilmember Warpehoski, Mayor Taylor, Councilmember Grand, Councilmember Krapohl, Councilmember Westphal, Councilmember Ackerman and Councilmember Smith

Nays: 1 - Councilmember Eaton

Enactment No: ORD-16-17

D MOTIONS AND RESOLUTIONS**DC New Business - Council:****DC-1 16-1051 Resolution to Appoint Luay Shalabi to the Human Rights Commission (7 Votes Required)**

Sponsors: Taylor

Attachments: Luay Shalabi application 2016.pdf

(See MC-2 for discussion and vote.)

DC-2 16-1052 Resolution to Appoint Councilmember Sabra Briere to the Planning Commission (1-Step Appointment, 8 Votes Required)

Sponsors: Taylor

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

Enactment No: R-16-296

DC-3 16-1055 Resolution to Amend Council Rules to Include a New Council Ethics Rule 5 - Improper Use of Position - Gifts

Sponsors: Council Rules Committee

Attachments: COUNCIL ETHICS RULE 5

Councilmember Eaton moved, seconded by Councilmember Lumm, that the resolution be amended as follows (the amendment was considered friendly.):

As proposed:

"This rule does not apply to attendance at educational events hosted by nonprofit or governmental entities to which Councilmembers are invited or attend. Nor does it apply to reimbursement for, or fee waiver for, travel, food, and lodging expenses to an educational event related to municipal issues provided by a nonprofit or governmental entity. If a Councilmember attends such an event, the Councilmember shall provide to the City Clerk for posting as a Council Communication: a list of expenses reimbursed and provided and the nature of the educational event. When a reimbursement is offered by an entity whose governing body is composed of members appointed or approved by the Mayor or Council, that entity will communicate the availability of the reimbursement opportunity to the full Council and Council shall determine which Council member(s) will accept the offer of reimbursement."

Substitute:

When a fee waiver or reimbursement for travel, food, and lodging expenses is offered by an entity whose governing body is composed of members appointed or approved by the Mayor or Council, this rule shall be applied as follows: A Councilmember shall not accept any reimbursement from that entity, unless the entity has communicated the availability of the reimbursement opportunity to the full Council and Council has determined by a vote at an open meeting which Councilmember(s) can accept the offer of reimbursement, and the Councilmember is among those voted to accept the offer of reimbursement.

Otherwise, this rule does not apply to fee waiver or reimbursement for travel, food, and lodging expenses for an educational event related to municipal issues provided by a nonprofit or governmental entity. However, if a Councilmember attends such an event, the Councilmember shall provide to the City Clerk for posting as a Council communication at the first Council meeting after the expenses have been reimbursed: a list of all expenses reimbursed and the nature of the educational event.

A motion was made by Councilmember Eaton, seconded by Councilmember Smith, that the Resolution be approved.

RECESS

Mayor Taylor called a recess at 8:50 p.m. and reconvened the meeting at 9:00 p.m.

16-1055

Resolution to Amend Council Rules to Include a New Council Ethics Rule 5 - Improper Use of Position - Gifts

Sponsors: Council Rules Committee

Attachments: COUNCIL ETHICS RULE 5

A motion was made by Councilmember Eaton, seconded by Councilmember Krapohl, that the Resolution be referred to the Council Rules Committee. On a voice vote, the Mayor declared the motion carried.

DB New Business - Boards and Commissions:

DB-1 16-0900 Resolution to Approve the 685 South Wagner Annexation, 0.5 Acre, East Side of S. Maple, North of Liberty Street (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

Attachments: 685 S. Wagner Annex & Zoning Staff Report with Attachments, 685 S Wagner Annexation Letter to Scio Twp.doc

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

Enactment No: R-16-297

DB-2 16-0629 Resolution to Approve Balfour Senior Living Center Site Plan, 2830 S. Main Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

Attachments: Balfour Senior Center Staff Report with Attachments

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

Enactment No: R-16-298

DB-3 16-0992 Resolution to Approve the 615, 633, and 637 South Main Brownfield Plan

Sponsors: Brownfield Plan Review Committee

Attachments: Brownfield Plan BRC Approved, Communication re 615 S. Main frim J. Bradley Moore.pdf

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

Enactment No: R-16-299

DB-4 16-0807 Resolution to Approve Residences at 615 South Main Planned Project Site Plan and Development Agreement, at 615 South Main Street (CPC

Recommendation: Approval - 8 Yeas and 0 Nays)

Attachments: 615 S Main Staff Report with Attachments-May 17 CPC-Final revised, 615 S Main Staff Report with Attachments for 4-5-2016 CPC, 615 S Main CPM report, Design Review Board Report for 615 South Main-DRAFT, 615 S Main Development Agreement FINA.pdf, 4-5-2016 CPC Minutes for 615 S Main Site Plan, 5-17-2016 CPC Minutes for 615 S Main Site Plan, Revised 615 S Main Site Plan-2016-6-30.pdf

A motion was made by Councilmember Smith, 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: 11 - Councilmember Briere, Councilmember Lumm, Councilmember Kailasapathy, Councilmember Warpehoski, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Krapohl, Councilmember Westphal, Councilmember Ackerman and Councilmember Smith

Nays: 0

Enactment No: R-16-300

DS New Business - Staff:

None.

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER EATON

Councilmember Eaton stated he plans to bring a resolution to the next meeting requesting Council place the citizen-initiated ballot question pertaining to the Library Lot on the ballot for voter consideration.

COUNCILMEMBER GRAND

Councilmember Grand stated she will not be in attendance for the July 25 Work Session. She also encouraged voters to get out to vote in the August 2 Primary.

COUNCILMEMBER BRIERE

Councilmember Briere stated she plans to bring back an idling ordinance in September.

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

- F-1** **16-0815** Resolution from Environmental Commission Opposing Oil Transport Through the Enbridge Energy Line 5 Pipeline
Sponsors: Environmental Commission
- F-2** **16-0981** Communication from the State of Michigan Public Service Commission regarding a Public Hearing Notice for DTE Customers in Case No. U-18091 Scheduled for July 21, 2016 - City Attorney, Systems Planning
Attachments: DTE Public Hearing Notice U-18091.pdf
- F-3** **16-0991** Communication to City Council from the City Taxicab Board Regarding Proposed Ordinance to Create Transportation Commission
Sponsors: Taxicab Board

G The following minutes were received for filing:

- G-1** **16-0632** City Election Commission Meeting Minutes of April 12, 2016
Attachments: 2016-04-12 Election Commission Minutes
- G-2** **16-0836** Environmental Commission Meeting Minutes of May 26, 2016
Attachments: Environmental Commission FormalMinutes May 26, 2016

- G-3** **16-0934** LDFA-SmartZone Board Meeting Minutes of April 19, 2016
Attachments: LDFA Board Minutes April 19, 2016
- G-4** **16-0955** Taxicab Board Meeting Minutes of May 26, 2016
Attachments: 052616 Taxicab Board Minutes
- G-5** **16-0968** Ann Arbor Area Transportation Authority Meeting Minutes of May 19,
and June 8, 2016
Attachments: AAATA Board Meeting Minutes 05.19.16_Aproved.pdf, AAATA Board
Meeting Minutes 06.08.16_Aproved.pdf
- G-6** **16-0972** Environmental Commission Meeting Minutes of January 22, 2015
Attachments: City of Ann Arbor Environmental Commission Meeting Minutes -
1.22.2015.pdf
- G-7** **16-0973** Environmental Commission Meeting Minutes of August 27, 2015
Attachments: City of Ann Arbor Environmental Commission Meeting Minutes -
8.27.2015
- G-8** **16-0974** Environmental Commission Meeting Minutes of October 22, 2015
Attachments: City of Ann Arbor Environmental Commission Meeting Minutes -
10.22.2015.pdf
- G-9** **16-0975** Environmental Commission Meeting Minutes of December 3, 2015
Attachments: City of Ann Arbor Environmental Commission Meeting Minutes -
12.3.2015.pdf
- G-10** **16-0977** Insurance Board Meeting Minutes of June 23, 2016
Attachments: Insurance Board Minutes 06232016, Ann Arbor Insurance Board Loss
Run -June, 2016.

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Phil Carroll, member of FAAWN, welcomed new City Administrator Howard Lazarus and urged him to work with FAAWN regarding any future deer management plans.

Grant Shafer, Pittsfield Township resident and member of FAAWN, spoke about deer and Lyme disease, stating a deer cull is not a method for controlling the spread of Lyme Disease.

Ethel Potts, 1041 Elder Blvd., spoke about the approval of the 615 S. Main project, stating a different project could have been considered.

Kathy Griswold, 2nd Ward resident, thanked the AAATA for the flashing bracelets they were distributing to help illuminate pedestrians while waiting for the bus.

Beverly Strassman, 5th Ward resident, spoke in opposition to the approval of the 615 S. Main project, expressing concern that it was unanimously approved and is very poorly designed.

Edward Vielmetti, 4th Ward resident, spoke about the Consent Agenda and the Council's approval of over \$10,000,000.00 in projects, including \$9,000,000 in expenditures for Stadium Boulevard reconstruction. He urged Council to pull these big-ticket items off of the Consent Agenda for some discussion.

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 Smith, seconded by Councilmember Warpehoski, that Council enter into Closed Session under MCL 15.268 (H) to discuss Attorney/Client privileged communications. On a roll call, the vote was as follows with the Mayor declaring the motion carried and the meeting recessed into Closed Session at 9:58 p.m.:

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

Nays: 0

MEETING RECONVENED

A motion was made by Councilmember Grand, seconded by Councilmember

Ackerman, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 10:33 p.m.

ADJOURNMENT

A motion was made by Councilmember Grand, seconded by Councilmember Ackerman, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 10:33 p.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, JULY 18, 2016 @ 7:00 P.M.

REPLAYS: WEDNESDAY, JULY 20, 2016 @ 8:00 A.M. AND FRIDAY, JULY 22, 2016 @ 8:00 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

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

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

- **Video on Demand:** Replay public meetings at your convenience online at <http://a2govtv.pegcentral.com/>
- **Cable:** Watch CTN Government Channel public meeting programming via Comcast Cable channel 16.

All persons are encouraged to participate in public meetings. Citizens requiring translation or sign language services or other reasonable accommodations may contact the City Clerk's office at 734.794.6140; via e-mail to: cityclerk@a2gov.org; or by written request addressed and mailed or delivered to:

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

Requests 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