



# City of Ann Arbor

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

## Meeting Agenda - Final-revised City Council

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Thursday, August 4, 2016

7:00 PM

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

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

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ROLL CALL OF COUNCIL

APPROVAL OF AGENDA

**AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR**

AC-1 [16-1153](#) Agenda Response Memo - August 4, 2016  
(City Administrator - Howard S. Lazarus, City Administrator)  
**Attachments:** Agenda Responses 8-4-16 Final  
(Added 8/4/16)

**INT INTRODUCTIONS**

**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. Frank Wilhelme - Library Lot Resolution (DC-6)
2. Douglas Aikenhead - Public Vote on Library Lot (DC-6)

3. **Kathy Boris - Ann Arbor City Charter - Designate a Civic Center (DC-6)**
4. **Lynn Borset - Library Lot Proposal (DC-6)**
5. **Rita Mitchell - Resolution regarding Public Vote – Library Lot (DC-6)**
6. **Kathy Griswold - Transportation Safety Violating Federal and State Laws**
7. **Dan Meisler - Human Rights Commission Proposal for a Citizens Review Board for AAPD**

**CC COMMUNICATIONS FROM COUNCIL**

**MC COMMUNICATIONS FROM THE MAYOR**

- MC-1 [16-1120](#) Resolution to Reappoint Two Members to the Ann Arbor-Ypsilanti SmartZone LDFA Board

(Mayor's Office)

**Sponsors:** Taylor

- MC-2 [16-1132](#) Appointments & Nominations

(Mayor's Office)

**CA CONSENT AGENDA**

- CA-1 [16-1053](#) Resolution Recognizing Haiti Nursing Foundation as a Civic Nonprofit Organization Operating in Ann Arbor for the Purpose of Obtaining a Charitable Gaming License

(City Clerk Services - Jacqueline Beaudry)

- CA-2 [16-1093](#) Resolution to Approve Street Closure of State Street between South University and William Streets for the University of Michigan Office of New Student Programming's Post-Convocation Events on Friday, September 2, 2016 from 5:00 PM until 12:00 Midnight on Saturday, September 3, 2016

(Community Services - Derek Delacourt, Community Services Area Administrator)

**Attachments:** Post Convocation Picnic Map.pdf

- CA-3**    [16-1094](#)    Resolution to Approve Street Closure of North University between Fletcher and Thayer Streets for the University of Michigan Go Blue Mix on Saturday, September 3, 2016 from 4:00 PM until Sunday, September 4, 2016 at 12:00 AM  
(Community Services - Derek Delacourt, Community Services Area Administrator)  
**Attachments:**    Go Blue Mix Map
- CA-4**    [16-0916](#)    Resolution to Approve a Services Agreement with Utilities Instrumentation Service for Electrical and Instrumentation Support Services (\$120,000.00)  
(Water Treatment Plant Services - Craig Hupy, Public Services Area Administrator)  
**Attachments:**    RFP\_975\_Document, RFP\_975\_ProposalTab, RFP\_975\_UIS Proposal, FEE\_UIS
- CA-5**    [16-0950](#)    Resolution to Approve a Contract with Spence Brothers for Water Treatment Plant Steere Farm Well Engine Replacement Project - ITB #4440 (\$2,945,500.00)  
(Water Treatment Plant Services - Craig Hupy, Public Services Area Administrator)  
**Attachments:**    Spence Brothers ITB 4440, Spence Brothers Contract Steere Farm ITB 4440
- CA-6**    [16-0967](#)    Resolution for Approval of Amendment No. 1 to the Professional Services Agreement with Tetra Tech of Michigan, PC for the Steere Farm Engine Replacement Project (\$119,931.00)  
(Water Treatment Plant Services - Craig Hupy, Public Services Area Administrator)
- CA-7**    [16-0915](#)    Resolution to Approve a Services Agreement with Sea-Side Diving, Inc. for Dive Inspection Services (\$75,000.00)  
(Water Treatment Plant Services - Craig Hupy, Public Services Area Administrator)  
**Attachments:**    RFP\_974\_Document, RFP\_974\_Addendum1, RFP\_974\_ProposalTab, RFP\_974\_SeaSide, FEE\_SeaSide
- CA-8**    [16-0963](#)    Resolution to Award a Construction Contract to Verdeterre Contracting, Inc. for the Orchard Hills Water Main Extension Project (\$153,293.50; Bid No. ITB-4439)  
(Public Services - Craig Hupy, Public Services Area Administrator)  
**Attachments:**    Ex. 1, ITB 4439, Ex. 2, Bid Tab
- CA-9**    [16-1099](#)    Resolution to Ratify the Emergency Purchase Order Request for Recycling Processing with Royal Oak Recycling (\$42,000.00)  
(Public Services - Craig Hupy, Public Services Area Administrator)  
**Attachments:**    Royal Oak Recycling Emergency Auth.pdf

- CA-10** [16-1100](#) Resolution to Ratify the Emergency Purchase Order Request for Recycling Processing with Western Washtenaw Recycling Authority (\$36,000.00)  
(Public Services - Craig Hupy, Public Services Area Administrator)  
**Attachments:** Western Washtenaw Recycling Emergency Auth.pdf
- CA-11** [16-1104](#) Resolution to Ratify the Emergency Purchase Order Request for City Owned MRF/Transfer Station Facility Evaluation and Temporary Operating Services with Waste Management of Michigan, Inc. (\$295,690.00)  
(Public Services - Craig Hupy, Public Services Administrator)  
**Attachments:** Waste Management Recycling Emergency Auth.pdf
- CA-12** [16-0959](#) Resolution to Approve Purchase of eCopy ShareScan Elements Software and eCopy Connector Licensing from Hasselbring Clark (\$27,270.00)  
(Financial and Administrative Services - Tom Shewchuk, Director)  
**Attachments:** Ann Arbor City of eCopy ShareScan Quotation June 2016.pdf
- CA-13** [16-0960](#) Resolution to Approve Addition of Licensing Products to Existing Three-Year Support Agreement with Microsoft Corporation via Dell Marketing (\$30,927.10)  
(Information Technology Services - Tom Shewchuk, Director)  
**Attachments:** Visio Project Licenses City of Ann Arbor Additional Prod 5-20.pdf
- CA-14** [16-0969](#) Resolution to Approve a Purchase Order to Cogsdale Corporation for Annual Software Maintenance and Support Agreement for FY2017 (\$83,010.00)  
(Information Technology Services - Tom Shewchuk, Director)

**PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)**

- PH-1** [16-1049](#) Resolution to Approve New Farmers Market Enclosure Site, 315 Detroit Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays)  
(Community Services - Derek Delecourt, Community Services Area Administrator)  
**Attachments:** July 12, 2016 Staff Report with Attachments, farmers\_market\_process document update\_april\_2016, 7-12-2016 CPC Minutes for Farmers Market.pdf, June PAC Memo Farmers Market Infrastructure Project  
(See DB-1)

- PH-2 [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)

(City Council)

**Sponsors:** Grand, Warpehoski, Westphal, Briere and Taylor

**Attachments:** 16-17 Tobacco Regulation Chapter 118 Briefed as Amended, Tobacco Regulation Chapter 118, Tobacco Ordinance Communication.pdf, Tobacco Ordinance Communication from Kendall Stagg.pdf

(See B-1)

- PH-3 [16-0831](#) An Ordinance to Amend Section 5:1(1), 5:10.2, 5:10.4, 5:10.5 and 5:10.10 of Chapter 55 (Zoning Ordinance) of Title V of the Code of the City of Ann Arbor (Accessory Dwelling Units) (Ordinance No. ORD-16-16)

(Community Services - Derek Delacourt, Community Services Area Administrator)

**Attachments:** 16-16 ADU Ordinance - As Amended at First Reading 070716 Briefed.pdf, ADU Ordinance - As Amended at First Reading 070716, ADU Ordinance - 7-7-16 Council.pdf, ADU Staff Report with Attachments-4-19-2016, City council ADU 1st reading memo 6-30 edits FINAL.pdf

(See B-2)

- PH-4 [16-0829](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 2.0 Acres from M1 (Limited Industrial District) to R4D With Conditions (Multiple-Family Dwelling District with Conditions), Kingsley Condominiums Conditional Rezoning, 221 Felch Street and 214 West Kingsley Street (CPC Recommendation: Denial - 5 Yeas and 3 Nays) (Ordinance No. ORD-16-15)

(Community Services - Derek Delacourt, Community Services Area Administrator)

**Attachments:** 16-15 Kingsley Condominiums Rezoning Ordinance Briefed.pdf, Ordinance (Kingsley Condominiums, 221 Felch).pdf, Conditional Zoning Statement of Conditions (Draft 5-26-16).pdf, May 4, 2016 Draft Development Agreement.pdf, May 17, 2016 Planning Staff Report, 3-1-2016 CPC Minutes for Kingsley Condos-221 Felch Site Plan, 4-5-2016 CPC Minutes for Kingsley Condos-221 Felch Site Plan, 5-17-2016 CPC Minutes for Kingsley Condos-221 Felch Site Plan, Letter of Support for Kingsley Condos.pdf, Ann Arbor RR Kingsley rezoning exception letter

(See B-3)

- PH-5**    [16-0830](#)    Resolution to Approve Kingsley Condominiums Planned Project Site Plan and Development Agreement, 221 Felch Street and 214 West Kingsley Street (CPC Site Plan Recommendation: Denial - 5 Years and 3 Nays)  
(Community Services - Derek Delacourt, Community Services Area Administrator)
- Attachments:**    May 17, 2016 Planning Staff Report, Development Agreement 7-29-16, KingsleyCondominiumsDevelopmentAgreement7-19.docx, 3-1-2016 CPC Minutes for Kingsley Condos-221 Felch Site Plan.pdf, 4-5-2016 CPC Minutes for Kingsley Condos-221 Felch Site Plan.pdf, 5-17-2016 CPC Minutes for Kingsley Condos-221 Felch Site Plan.pdf, Ann Arbor RR Kingsley rezoning exception letter
- (See DB-2)
- PH-6**    [16-0994](#)    Resolution to Approve the 221 & 223 Felch Street and 214 West Kingsley Street Brownfield Plan
- Sponsors:**    Eaton, Smith, Warpehoski and Westphal
- Attachments:**    Kingsley Condo Brownfield Plan 01 25 2016
- (See DB-3)

**A        APPROVAL OF COUNCIL MINUTES**

- A-1**    [16-1139](#)    Regular Session Meeting Minutes of July 18, 2016  
(Jacqueline Beaudry, City Clerk)
- Attachments:**    07-18-16 Draft Minutes, Council emails 7-18-2016.pdf

**B        ORDINANCES - SECOND READING**

- B-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)  
(City Council)
- Sponsors:**    Grand, Warpehoski, Westphal, Briere and Taylor
- Attachments:**    16-17 Tobacco Regulation Chapter 118 Briefed as Amended, Tobacco Regulation Chapter 118, Tobacco Ordinance Communication.pdf, Tobacco Ordinance Communication from Kendall Stagg.pdf
- (See PH-2) (Attachment added 7/29/16) (Attachment added 8/4/16)

- B-2**     [16-0831](#)     An Ordinance to Amend Section 5:1(1), 5:10.2, 5:10.4, 5:10.5 and 5:10.10 of Chapter 55 (Zoning Ordinance) of Title V of the Code of the City of Ann Arbor (Accessory Dwelling Units) (Ordinance No. ORD-16-16)

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(See PH-3)

- B-3**     [16-0829](#)     An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 2.0 Acres from M1 (Limited Industrial District) to R4D With Conditions (Multiple-Family Dwelling District with Conditions), Kingsley Condominiums Conditional Rezoning, 221 Felch Street and 214 West Kingsley Street (CPC Recommendation: Denial - 5 Yeas and 3 Nays) (Ordinance No. ORD-16-15)

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(See PH-4) (Attachment Added 8/4/16)

**C     ORDINANCES - FIRST READING**

**D     MOTIONS AND RESOLUTIONS**

**D     Unfinished Business Council:**

- DC-1**     [16-1051](#)     Resolution to Appoint Luay Shalabi to the Human Rights Commission (**7 Votes Required**)

(Mayor's Office)

**Sponsors:**     Taylor

**Attachments:**    Luay Shalabi application 2016.pdf

(Postponed from the 7/18/16 Regular Session)

**DC     New Business - Council:**

- DC-2 [16-1128](#) Resolution for Community Events Fund Disbursements from the FY 2017 Budget  
(City Administrator - Community Events Fund Committee)  
**Sponsors:** Grand and Warpehoski
- DC-3 [16-1135](#) Resolution to Amend Rule 5A of the City Council Rules  
(City Council)  
**Sponsors:** Warpehoski
- DC-4 [16-1137](#) Resolution to Order November 8, 2016, Election and to Determine Ballot Question for Charter Amendment for the 2017 Street, Bridge, and Sidewalk Millage if August 2, 2016, Ballot Question for Street, Bridge, and Sidewalk Millage Fails (**7 Votes Required**)  
(City Council)  
**Sponsors:** Lumm and Eaton
- DC-5 [16-1138](#) Resolution of Intent on the Use and Administration of the Street, Bridge, and Sidewalk Millage Funds  
**Sponsors:** Lumm and Eaton  
**Attachments:** 2016 Use Resolution Attachment A JLumm 8-4-16
- DC-6 [16-1136](#) Resolution to Order Election, Approve Charter Amendment of the Ann Arbor City Charter to Add a New Section Defining and Designating a District as a Civic Center Commons to Chapter 1, Name and Boundaries, of the City Charter and Determine the Ballot Language for This Amendment (**7 Votes Required**)  
(City Council)  
**Sponsors:** Eaton, Briere, Lumm and Kailasapathy  
(Added 8/2/16)
- DB New Business - Boards and Commissions:**
- DB-1 [16-1049](#) Resolution to Approve New Farmers Market Enclosure Site, 315 Detroit Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays)  
(Community Services - Derek Delecourt, Community Services Area Administrator)  
**Attachments:** July 12, 2016 Staff Report with Attachments, farmers\_market\_process document update\_april\_2016, 7-12-2016 CPC Minutes for Farmers Market.pdf, June PAC Memo Farmers Market Infrastructure Project  
(See PH-1) (Attachments added 8/4/16)



- DB-2 [16-0830](#) Resolution to Approve Kingsley Condominiums Planned Project Site Plan and Development Agreement, 221 Felch Street and 214 West Kingsley Street (CPC Site Plan Recommendation: Denial - 5 Years and 3 Nays)  
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(See PH-5) (Development Agreement Revised 7/29/16)
- DB-3 [16-0994](#) Resolution to Approve the 221 & 223 Felch Street and 214 West Kingsley Street Brownfield Plan
- Sponsors:** Eaton, Smith, Warpehoski and Westphal
- Attachments:** Kingsley Condo Brownfield Plan 01 25 2016  
(See PH-6)

DS New Business - Staff:

COMMUNICATIONS FROM COUNCIL

E COMMUNICATIONS FROM THE CITY ATTORNEY

F & G CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

F The following communications were referred as indicated:

- F-1 [16-1102](#) LDFA Term Expirations  
(City Clerk - Jacqueline Beaudry)
- F-2 [16-1119](#) Public Hearing Notice from the Michigan Department of Environmental Quality regarding WRD/Public Notice for File No. 2G5-C4MR-KXZY - Systems Planning  
**Attachments:** DEQ Public Notice Announcement.pdf
- F-3 [16-1124](#) Communication from Cheri Arwood Executive Administrator of the State of Michigan regarding receipt of proposed City of Ann Arbor Charter Amendment for the November 2016 General Election - File  
(City Clerk Services)  
**Attachments:** City Charter Amendment Communication from State.pdf

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

- G-1**    [16-0925](#)    Zoning Board of Appeals Meeting Minutes of May 25, 2016  
(Planning and Development Services)  
**Attachments:**    5-25-2016 ZBA Minutes with Live Links.pdf
- G-2**    [16-0941](#)    Park Advisory Commission Meeting Minutes of May 17, 2016  
(Public Market Advisory Commission)  
**Attachments:**    PAC Meeting Minutes for May 17 2016
- G-3**    [16-1017](#)    Downtown Development Authority Board and Executive, Partnerships,  
Finance, Operations and Capital Improvement Committees meeting  
Minutes of June 2016  
(Downtown Development Authority)  
**Attachments:**    DDA Minutes June 2016
- G-4**    [16-1018](#)    Downtown Area Citizens Advisory Council Meeting Minutes of July 5 2016  
(Downtown Development Authority)  
**Attachments:**    Downtown Area Citizens Advisory Council Meeting Minutes 070716
- G-5**    [16-1092](#)    Ann Arbor Human Rights Commission, June 8, 2016, Meeting Minutes  
(Human Rights Commission - Robyn Wilkerson)  
**Attachments:**    HRC Meeting Minutes June 8, Final
- G-6**    [16-1059](#)    Ann Arbor Housing Commission Board Meeting Minutes of June 15, 2016  
  
(Ann Arbor Housing Commission)  
**Attachments:**    Housing\_Commission\_16-06-15\_Action\_Minutes.pdf
- G-7**    [16-0997](#)    City Election Commission Meeting Minutes of April 22, 2016  
(Jacqueline Beaudry)  
**Attachments:**    2016-4-22 Election Commission Minutes

**PUBLIC COMMENT - GENERAL (3 MINUTES EACH)**

**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).**

**ADJOURNMENT****COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:**

**LIVE: THURSDAY, AUGUST 4, 2016 @ 7:00 P.M.**

**REPLAYS: FRIDAY AUGUST 5, 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](http://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](mailto: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.