

# City of Ann Arbor

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



## Action Minutes

Monday, October 7, 2013

7:00 PM

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

**City Council**

**CALL TO ORDER**

*Mayor Hieftje called the meeting to order at 7:11 p.m. in the Guy C. Larcom, Jr. Building, 2nd Floor Council Chambers, 301 E. Huron St.*

**MOMENT OF SILENCE**

*Council stood for a moment of silence.*

**PLEDGE OF ALLEGIANCE**

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

**ROLL CALL OF COUNCIL**

- Present:** 8 - Mayor John Hieftje, Councilmember Stephen Kunselman, Councilmember Margie Teall, Councilmember Mike Anglin, Councilmember Sabra Briere, Councilmember Jane Lumm, Councilmember Sumi Kailasapathy and Councilmember Chuck Warpehoski
- Absent:** 3 - Councilmember Marcia Higgins, Councilmember Christopher Taylor and Councilmember Sally Petersen

**APPROVAL OF AGENDA**

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

**Move: DS-1 Resolution to Accept Thirty-Four Sidewalks for Public Use (8 Votes Required) (Consider after C-1.)**

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

## COMMUNICATIONS FROM THE CITY ADMINISTRATOR

### ANN ARBOR AREA TRANSPORTATION AUTHORITY MEETING

City Administrator Steve Powers announced that the Ann Arbor Area Transportation Authority (AAATA) would be hosting a community meeting at the Ann Arbor Community Center on October 8, 2013 at 7 p.m., to explore the locations and designs for a downtown Ann Arbor Commuter Rail Station related to the Washtenaw and Livingston line, also known as WALLY. The WALLY is a proposed 27-mile long, north-south commuter rail service that would connect Ann Arbor and Howell, with several intermediate stops.

### REMOVAL OF TREES

The City's tree planting contractor, Margolis Nursery, has started the process of removing 100 trees in areas that are part of this fiscal year's tree planting plan. Trees slated for removal have been painted with a green dot. Residents have been notified of those removals and removal of those trees will begin this week and would continue into the winter months. Trees removed will have their stumps ground and the sites will be replanted during the spring of 2014.

### MAIN STREET FOOTBALL CLOSURE UPDATE

Administrator Powers announced that a report from Police Chief Seto regarding the Main Street closures for the football season has been added to the Clerk's Communications section of the Agenda. Chief Seto was available to answer questions of Council regarding the report.

## INT INTRODUCTIONS

### INT-1 13-1249 Proclamation honoring Concordia University Football Team

Attachments: Concordia Univ. Football team

Mayor Hieftje read a proclamation honoring the Concordia University Football Team for their work with the GIVE 365 Volunteer Program and the Ann Arbor Parks System, including work at several recreation facilities and parks, assisting with special events, facility maintenance and set up, and participating in the adopt-a-facility at Fuller Park Pool. A copy of the proclamation 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. Diane Kreger - Resolution to Appropriate and Amend the FY 2014 General Fund Budget for the Completion of Traffic Calming Projects (DC-4)**

*Diane Kreger, 623 Northside Ave., spoke in support of the proposed resolution to fund and complete traffic calming projects. She spoke about the need for traffic calming measures on Northside Avenue.*

**2. James Billingslea - Resolution to Appropriate and Amend the FY 2014 General Fund Budget for the Completion of Traffic Calming Projects (DC-4)**

*James Billingslea, 2007 Delafield, spoke in support of the proposed Resolution to Appropriate and Amend the FY 2014 General Fund Budget for the Completion of Traffic Calming Projects. He said that calming measures are not luxuries for neighborhoods, they are measures essential to the safety of residents and pedestrians and cyclists.*

**3. Jeff Hayner - Resolution to Waive Attorney-Client Privilege (DC-5)**

*Jeff Hayner, 1807 Pontiac Trl., addressed Council regarding the Resolution to Waive Attorney-Client Privilege and urged Council to adopt a conflict of interest and ethics policy to restore public trust in City government.*

**4. Tom Partridge - Write in Tom Partridge for 5th Ward Council seat. End crime, corruption and discrimination in housing, public transportation and city planning. Replace Mayor Hieftje, Governor Snyder and Ohio Speaker of the House of Representatives Congressman Boehner.**

*Tom Partridge, Ann Arbor resident, addressed Council regarding his write-in candidacy for 5th Ward Council. He addressed Council regarding ending crime, corruption and discrimination in housing, public transportation and city planning and replacing Mayor Hieftje, Governor Snyder and Ohio Speaker of the House of Representatives Congressman Boehner.*

**5. Peter Zetlin - Resolution to Waive Attorney-Client Privilege (DC-5)**

*Peter Zetlin, 803 Duncan, addressed Council regarding community values as it related to the appointment of Mr. McWilliams to the Downtown Development Authority. Mr. Zetlin asked that Council rescind the appointment and remove Mr. McWilliams from the DDA.*

**6. Alissa Ruelle - Resolution to Appropriate and Amend the FY 2014 General Fund Budget for the Completion of Traffic Calming Projects (DC-4)**

*Alissa Ruelle, 901 Pomona Rd., spoke in support of the proposed Resolution to Appropriate and Amend the FY 2014 General Fund Budget for the Completion of Traffic Calming Projects.*

**7. Sheila Henley - Resolution to Appropriate and Amend the FY 2014 General Fund Budget for the Completion of Traffic Calming Projects (DC-4)**

*Sheila Henley, 818 Pomona Rd., spoke in support of the proposed Resolution to Appropriate and Amend the FY 2014 General Fund Budget for the Completion of Traffic Calming Projects. She spoke about the need for traffic calming measures on her street.*

**8. Mary Underwood - Resolution to Waive Attorney-Client Privilege (DC-5)**

*Mary Underwood, 1219 Traver St., expressed concern with the appointment of Al McWilliams to the DDA.*

**9. Zoltan Jung - Resolution to Appropriate and Amend the FY 2014 General Fund Budget for the Completion of Traffic Calming Projects (DC-4)**

*Zoltan Jung, 610 Barton Dr., asked that Council spoke in support of the effort to increase funding for traffic calming measures.*

**10. Lisa Richardson - Resolution to Appropriate and Amend the FY 2014 General Fund Budget for the Completion of Traffic Calming Projects (DC-4)**

*Lisa Richardson, 1212 Wells St., urged Council to approve the resolution to increase traffic calming projects in the City.*

**COMMUNICATIONS FROM COUNCIL***COUNCILMEMBER BRIERE*

*Councilmember Briere addressed comments made by a public speaker about the appointment process. She said that Council has frequently appointed members to a task force at the same time that they approve the resolution creating the task force. This happens often because task forces are given a very limited time to complete their work and it has been a practice of Council to get the task force right away following their creation.*

*Councilmember Briere announced that a meeting to talk about the intersection of Dhu Varren, Green and Nixon Roads has been scheduled for October 8, 2013 at 6:30 p.m. at Clague Middle School in the Media Center.*

*Councilmember Briere thanked Council for the opportunity to attend the Michigan Association of Planners meeting in Kalamazoo over the past weekend. Discussions took place regarding complete streets, traffic calming and how to make the community an age-friendly place.*

*COUNCILMEMBER LUMM*

*Councilmember Lumm said that a couple of councilmembers met with staff last week about possibly repealing the current Pedestrian Crosswalk Ordinance and replacing it with language consistent with that in the Michigan Uniform Traffic Code. Councilmember Lumm said that she has had a few communications with staff about addressing education efforts in regards to the Pedestrian Crosswalk Ordinance and possibly posting signage regarding how bicyclists should approach crosswalks.*

*Councilmember Lumm thanked the city administrator for announcing that the City is moving forward with tree removal efforts in the City.*

*COUNCILMEMBER ANGLIN*

*Councilmember Anglin spoke about the City's priorities as budgets are tighter. He stated the health, safety and welfare of residents always needs to be a priority. He urged staff to find alternative sources of funding for traffic calming projects and other important neighborhood concerns.*

**COMMUNICATIONS FROM THE MAYOR**

*Councilmember Anglin stated he had concerns with non-residents being appointed to City boards.*

**1. 13-1131 Appointments - Confirmations***APPOINTMENTS APPROVED*

*Mayor Hieftje requested confirmation of the following appointments that were nominated at the September 16, 2013 regular session of Council:*

*Employees' Retirement System Board of Trustees*

*Brock Hastie (Re-Appointment)  
2806 Heather Way  
Ann Arbor, MI 48104  
Term: October 7, 2013 - October 6, 2016*

*Energy Commission*

*Erik Eibert (Replacing-Cliff Williams)  
2028 Pauline Blvd. Apt. TB  
Ann Arbor, MI 48103  
Term: October 7, 2013 - October 6, 2016*

*Elizabeth Gibbons (Replacing-Josh Long)  
1312 Wright St.  
Ann Arbor, MI 48105  
Term: October 7, 2013 - October 6, 2016*

*Housing and Human Services Advisory Board*

*Kyle Hunter (Filling Vacancy)  
2319 Walter Dr.  
Ann Arbor, MI 48103  
Term: October 7, 2013 - October 6, 2016*

*Recreation Advisory Commission*

*Katie Lewit (Filling Vacancy)  
1685 Northbrook Dr.  
Ann Arbor, MI 48103  
September 1, 2013 - August 31, 2016*

**A motion was made by Councilmember Briere, seconded by Councilmember Teall, that Council concur with the recommendations of the Mayor. On a voice vote, the Mayor declared the motion carried with one no-vote by Councilmember Anglin.**

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

**PH-1 13-0909**

An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 1.44 Acres from PUD (Planned Unit Development District) to Revised PUD (Planned Unit Development District), Shell Gas Station/Tim Horton's Revised PUD Zoning and Supplemental Regulations, 2679 Ann Arbor-Saline Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-13-23)

**Attachments:** 13-23 Briefed and Approved.pdf, ORD-13-23 Briefed, Shell Service Station REVISED PUD Zoning as Amended 090313, Shell PUD Ordinance and Revised Supp, 7/16/13 Planning Staff Report, Shell Service Station Public Hearing Notice.docx, Shell Gas Station - Tim Horton's Rezoning Approval Notice.pdf

*A public hearing was conducted on the proposed amendment to Chapter 55, Rezoning of 1.44 Acres from PUD (Planned Unit Development District) to Revised PUD (Planned Unit Development District), Shell Gas Station/Tim Horton's Revised PUD Zoning and Supplemental Regulations, located at 2679 Ann Arbor-Saline Road. Notice of public hearing was published September 12, 2013.*

*Tom Partridge, City resident, expressed concern with the proposed rezoning. John Jarema, 504 Galen Circle, spoke in opposition to the proposed rezoning.*

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

**Held and Closed**

Enactment No: ORD-13-23

**PH-2 13-0908**

Resolution to Approve Shell Gas Station/Tim Horton's Revised PUD Site Plan, 2679 Ann Arbor-Saline Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

**Attachments:** 7/16/13 Planning Staff Report, Public Hearing Notices - All.docx

*A public hearing was conducted on the proposed Resolution to Approve Shell Gas Station/Tim Horton's Revised PUD Site Plan, located at 2679 Ann Arbor-Saline Road. Notice of public hearing was published September 26, 2013.*

*Tom Partridge, City resident, spoke in opposition to the proposed site plan for the Tim Horton's/Shell Gas Station, stating a traffic study was needed.*

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

**Held and Closed**

Enactment No: R-13-303



**PH-3 13-1046**

Resolution to Approve Belle Tire Site Plan, 590 W. Ellsworth Road  
(CPC Recommendation: Approval - 7 Yeas and 0 Nays)

**Attachments:** 8/20/13 Planning Staff Report, Public Hearing Notices - All.docx

*A public hearing was conducted on the proposed Resolution to Approve Belle Tire Site Plan, 590 W. Ellsworth Road. Notice of public hearing was published September 26, 2013.*

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

**Held and Closed**

Enactment No: R-13-310

**PH-4 13-1086**

Resolution to Approve the Rayer Annexation, 0.39 Acres, 2640 Miller Avenue (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

**Attachments:** Rayer Annexation and Zoning Staff Report with Attachments, Public Hearing Notices - All.docx

*A public hearing was conducted on the proposed Resolution to Approve the Rayer Annexation, 0.39 Acres, located at 2640 Miller Avenue. Notice of public hearing was published September 26, 2013.*

*Tom Partridge, City resident, spoke in opposition.*

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

**Held and Closed**

Enactment No: R-13-311

**PH-5 13-1155** Resolution to Adjust Liquor License Fees for Annual Renewal and New On-Premise License Applications and Eliminate Fees and Local Review for Transfer License and SDD/SDM Applications in Compliance with New Michigan Liquor Control Commission (MLCC) Processes

**Sponsors:** Council Liquor License Review Committee

**Attachments:** Cost Analysis Liquor Fees for Council, Public Hearing Notices - All.docx

*A public hearing was conducted on the proposed Resolution to Adjust Liquor License Fees for Annual Renewal and New On-Premise License Applications and Eliminate Fees and Local Review for Transfer License and SDD/SDM Applications in Compliance with New Michigan Liquor Control Commission (MLCC) Processes. Notice of public hearing was published September 26, 2013.*

*Jeff Hayner, 1807 Pontiac Trail, spoke in support of the proposed reductions to new liquor license fees and expressed concern with the proposed increase in the annual renewal fee.*

*Tom Partridge, City resident, expressed concerned with the reduction in liquor license fees, stating the revenue was needed.*

*An unidentified resident spoke in support of reduced fees. He stated the City should make it easier for businesses to open.*

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

**Held and Closed**

Enactment No: R-13-304

**A APPROVAL OF COUNCIL MINUTES**

**A-1 13-1166** Special and Work Session Minutes of September 9, 2013 and Regular Session Minutes of September 16, 2013

**Attachments:** 09-16-13 Approved Minutes as Amended, 09-09-13 Special Session Minutes, 09-09-13 Work Session minutes, 09-16-13 Draft Minutes, Council emails 9-16-13\_Redacted

**A motion was made by Councilmember Kunselman, seconded by Councilmember Warpehoski, that the Work Session Meeting Minutes of September 9, 2013 and the Regular Session Meeting Minutes of September 16, 2013 be approved.**

A motion was made by Councilmember Kunselman, seconded by Councilmember Kailasapathy, that the Regular Session Minutes of September 16, 2013 be amended as follows:

**COMMUNICATIONS FROM COUNCIL**

Mayor Hieftje stated that he **PRETENDED HE** postponed the nomination of Al McWilliams....

**ALL CAPS** indicate new language.

(This amendment language was withdrawn.)

A motion was made by Councilmember Kunselman, seconded by Councilmember Lumm, that the Regular Session Minutes of September 16, 2013 be amended as follows:

**COMMUNICATIONS FROM COUNCIL**

Mayor Hieftje stated that he **DIDN'T SEE ON THE AGENDA THAT** [postponed] the nomination of Al McWilliams to the DDA **WAS POSTPONED** at the September 3 meeting and he will be bringing that nomination forward tonight under the Communications from the Mayor.

**Note:** All CAPS indicate new language. [ ] Brackets indicate deleted language.

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

The question being the Work Session Minutes of September 9 and the Regular Session Minutes September 16, 2013 as amended, on a voice vote, the Mayor declared the motion carried.

**CA CONSENT AGENDA**

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

*CA-5 Resolution to Approve the Professional Services Agreement with The Azimuth Group, Inc. for Organizational Development (RFP No. 863; \$53,010.00)*

**Passed on consent agenda**

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

**CA-1 13-1045**

Resolution to Approve a Contract with TSP Services, Inc. for the Demolition of Farmhouse, Barns and Outbuildings at Wheeler Service Center, ITB-4268 (\$57,940.00)

**Attachments:** ITB-4268\_contract

Enactment No: R-13-295

- CA-2 13-1089** Resolution to Approve a Purchase Order to Telvent USA for Fiber Optic Network (FON) Asset Management Software for (\$41,520.00)  
Enactment No: R-13-296
- CA-3 13-1092** Resolution to Approve Schedule 17 of the Interagency Agreement for Collaborative Technology and Services for Additional Enterprise Backup Services (Washtenaw County, Provider) (\$80,643.00)  
**Attachments:** Schedule 17 - Additional EMC-Avamar Backup Capacity  
Enactment No: R-13-297
- CA-4 13-1093** Resolution to Transfer Delinquent Water Utility, Board Up, Clean Up, Vacant Property Inspection, Housing Inspection, Fire Inspection, Fire Alarm, Police Alarm and Graffiti Removal Invoices to the December 2013 City Tax Roll  
**Attachments:** COMBINED SCHEDULE A-2013-10-7.pdf  
Enactment No: R-13-298
- CA-6 13-1167** Resolution to Approve Street Closings for the Ann Arbor Thanksgiving Day Turkey Trot - Thursday, November 28, 2013  
**Attachments:** Turkey Trot Map  
Enactment No: R-13-299
- CA-7 13-1050** Resolution to Approve the Purchase of One Turf Aerator and One Thatcher/Seeder from Spartan Distributors (State of Michigan Bid \$29,988.98)  
Enactment No: R-13-300
- CA-8 13-1042** Resolution to Approve the Purchase of One Fire Department Light Rescue Vehicle from Red Holman GMC (\$26,777.00)  
**Attachments:** Red Holman Bid Tab  
Enactment No: R-13-301
- CA-5 13-1159** Resolution to Approve the Professional Services Agreement with The Azimuth Group, Inc. for Organizational Development (RFP No. 863; \$53,010.00)  
**Attachments:** Azimuth Professional Services Agreement
- A motion was made by Councilmember Briere, seconded by Councilmember Teall, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-13-302

**B ORDINANCES - SECOND READING****B New Business - Staff:**

- B-1 13-0909** An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 1.44 Acres from PUD (Planned Unit Development District) to Revised PUD (Planned Unit Development District), Shell Gas Station/Tim Horton's Revised PUD Zoning and Supplemental Regulations, 2679 Ann Arbor-Saline Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-13-23)

**Attachments:** 13-23 Briefed and Approved.pdf, ORD-13-23 Briefed, Shell Service Station REVISED PUD Zoning as Amended 090313, Shell PUD Ordinance and Revised Supp, 7/16/13 Planning Staff Report, Shell Service Station Public Hearing Notice.docx, Shell Gas Station - Tim Horton's Rezoning Approval Notice.pdf

*(The complete copy of the text of Ordinance No. ORD-13-23 is on file in the City Clerk's Office.)*

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

Enactment No: ORD-13-23

- DB-1 13-0908** Resolution to Approve Shell Gas Station/Tim Horton's Revised PUD Site Plan, 2679 Ann Arbor-Saline Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

**Attachments:** 7/16/13 Planning Staff Report, Public Hearing Notices - All.docx

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

Enactment No: R-13-303

**C ORDINANCES - FIRST READING****RECESS**

*Mayor Hieftje declared a recess at 8:45 p.m. and reconvened the meeting at 8:56 p.m.*

**Unfinished Business - Staff:**

- C-1 13-0346** An Ordinance to Amend Sections 4:51, 4:58, and 4:60 of Chapter 49 (Sidewalks) of Title IV of the Code of the City of Ann Arbor (Ordinance No. ORD-13-15)
- Attachments:** 13-15 Briefed.pdf, Sidewalk Category Chart, Updated Memorandum - Chapter 47 Sidewalks, ORD 13-15 REVISED AND RETURNED TO FIRST READING, Summary of Citizen Responses - crosslot paths (2), chapter 49 amendment - 6-3-13 Briefed, chapter 49 amendment - 6-3-13, Memo for LegistarCrosslot Ordinance vf
- (The complete copy of the text of Ordinance No. ORD-13-15 is on file in the City Clerk's Office.)*
- Councilmember Anglin requested that communication be sent to affected homeowners regarding the proposed ordinance amendments.*
- A motion was made by Councilmember Briere, seconded by Councilmember Kailasapathy, that the Ordinance be approved on First Reading. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: ORD-13-15
- DS-1 13-0699** Resolution to Accept Thirty-Four Sidewalks for Public Use (8 Votes Required)
- Attachments:** Crosslots Package Rev 10.02.13, Crosslots Package.pdf, Summary of Citizen Responses - crosslot paths (2)
- A motion was made by Councilmember Lumm, seconded by Councilmember Briere, that the Resolution be approved.**
- A motion was made by Councilmember Lumm, seconded by Councilmember Briere, that the Resolution be Postponed until 10/21/2013. On a voice vote, the Mayor declared the motion carried.**
- C New Business - Staff:**
- C-2 13-1094** Amendment to Ordinance No. 13-19 Authorizing Sewage Disposal System Revenue Refunding Bonds, Series 2013 (Roll Call Vote - One Reading Only) (ORD-13-26)
- Attachments:** 13-26 Briefed and Approved.pdf, Revised BH01-#1890954-v2-A2 Amendment to Ordinance \_ 2013 Sewer System Refunding, BH01-#1890954-v1-A2\_Amendment\_to\_Ordinance\_\_2013\_Sewer\_System\_Refunding
- (The complete copy of the text of Ordinance No. ORD-13-26 is on file in the City Clerk's Office.)*
- A motion was made by Councilmember Teall, seconded by Councilmember Briere, that the Ordinance be adopted on First Reading. On a roll call, the vote was as follows with the Mayor declaring the motion carried:**
- Yeas:** 8 - Mayor Hieftje, Councilmember Kunselman, Councilmember Teall, Councilmember Anglin, Councilmember Briere, Councilmember Lumm, Councilmember Kailasapathy and Councilmember Warpehoski
- Nays:** 0

**Absent:** 3 - Councilmember Higgins, Councilmember Taylor and Councilmember Petersen

Enactment No: ORD-13-26

## D MOTIONS AND RESOLUTIONS

### DC New Business - Council:

**DC-1 13-1155** Resolution to Adjust Liquor License Fees for Annual Renewal and New On-Premise License Applications and Eliminate Fees and Local Review for Transfer License and SDD/SDM Applications in Compliance with New Michigan Liquor Control Commission (MLCC) Processes

**Sponsors:** Council Liquor License Review Committee

**Attachments:** Cost Analysis Liquor Fees for Council, Public Hearing Notices - All.docx

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

Enactment No: R-13-304

**DC-2 13-1241** Recommendation for Ann Arbor to Apply for 100 Resilient Cities Centennial Challenge Grant

**Sponsors:** Briere, Warpehoski and Hieftje

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

**Yeas:** 8 - Mayor Hieftje, Councilmember Kunselman, Councilmember Teall, Councilmember Anglin, Councilmember Briere, Councilmember Lumm, Councilmember Kailasapathy and Councilmember Warpehoski

**Nays:** 0

**Absent:** 3 - Councilmember Higgins, Councilmember Taylor and Councilmember Petersen

Enactment No: R-13-305

**DC-3 13-1183** Resolution to Approve North University Street Closing from Thayer to Fletcher for the University of Michigan Victors for Michigan Campaign

**Sponsors:** Hieftje

**Attachments:** Victors for Michigan Map

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

Enactment No: R-13-306

**DC-4 13-1242**

Resolution to Appropriate and Amend the FY 2014 General Fund Budget for the Completion of Traffic Calming Projects (\$55,000.00) (8 Votes Required)

**Sponsors:** Kailasapathy, Briere, Lumm and Taylor

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

Enactment No: R-13-307

*Councilmember Lumm questioned what efforts would be needed to reallocate street fund monies, that have been allocated to Public Art, back to their originating funds*

**A motion was made by Councilmember Kunselman, seconded by Councilmember Kailasapathy, that the Resolution be Postponed until 10/21/2013. On a roll call, the vote was as follows with the Mayor declaring the motion defeated:**

**Yeas:** 3 - Mayor Hieftje, Councilmember Kunselman and Councilmember Anglin

**Nays:** 5 - Councilmember Teall, Councilmember Briere, Councilmember Lumm, Councilmember Kailasapathy and Councilmember Warpehoski

**Absent:** 3 - Councilmember Higgins, Councilmember Taylor and Councilmember Petersen

Enactment No: R-13-307

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

**Yeas:** 8 - Mayor Hieftje, Councilmember Kunselman, Councilmember Teall, Councilmember Anglin, Councilmember Briere, Councilmember Lumm, Councilmember Kailasapathy and Councilmember Warpehoski

**Nays:** 0

**Absent:** 3 - Councilmember Higgins, Councilmember Taylor and Councilmember Petersen

Enactment No: R-13-307

**DC-5 13-1263**

Resolution to Waive Attorney-Client Privilege

**Sponsors:** Briere and Warpehoski

**Attachments:** City Attorney opinion regarding DDA appt

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

**Yeas:** 7 - Mayor Hieftje, Councilmember Kunselman, Councilmember Teall, Councilmember Briere, Councilmember Lumm, Councilmember Kailasapathy and Councilmember Warpehoski

**Nays:** 1 - Councilmember Anglin



**Absent:** 3 - Councilmember Higgins, Councilmember Taylor and Councilmember Petersen

Enactment No: R-13-308

**CLOSED SESSION UNDER THE MICHIGAN OPEN MEETINGS ACT TO DISCUSS LAND ACQUISITION(S) AS SET FORTH OR INCORPORATED IN MCLA 15.268 (D).**

**A motion was made by Councilmember Teall, seconded by Councilmember Briere, that Council enter into Closed Session to discuss Land Acquisition. On a roll call, the vote was as follows with the Mayor declaring the motion carried (The meeting recessed at 10:47 p.m.):**

**Yeas:** 8 - Mayor Hieftje, Councilmember Kunselman, Councilmember Teall, Councilmember Anglin, Councilmember Briere, Councilmember Lumm, Councilmember Kailasapathy and Councilmember Warpehoski

**Nays:** 0

**Absent:** 3 - Councilmember Higgins, Councilmember Taylor and Councilmember Petersen

**MEETING RECONVENED**

**A motion was made by Councilmember Warpehoski, seconded by Councilmember Teall, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 11:00 p.m.**

**RECESS**

*Mayor Hieftje declared a recess at 11:01 p.m. and reconvened the meeting at 11:07 p.m.*

**DB New Business - Boards and Commissions:**

**DB-2 13-0271 Resolution to Adopt City of Ann Arbor Solid Waste Resource Plan**

**Attachments:** WasteLessFive-YearPlan As Amended 100713, Environmental Commission Resolution - Solid Waste Resource Plan - 2-28-13, WasteLessFive-YearPlanDraft 2-28-13 forPublicReview.pdf

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

Enactment No: R-13-309

A motion was made by Councilmember Lumm, seconded by Councilmember Kailasapathy, that the Solid Waste Resource Plan be amended as follows:

Eliminate from the Solid Waste Resource Plan all references to every other week or bi-weekly curbside refuse collection.

Page 4 - Pilot expanded food waste composting to include all plate scrapings, and if successful, pilot providing year-round weekly compost collection [and bi-weekly refuse collection] for single-family residential routes

Page 10 - [For example, the plan suggests that the expansion of the food waste program to year-round collection including meats and oils would be accompanied by a move to bi-weekly curbside refuse collection. This would allow the cost savings from the bi-weekly refuse collection to pay for the expansion of the food waste collection program. This is an approach that is being used by a growing number of cities, including Portland Oregon.]

Page 15 - [ACTION: Consider biweekly curbside refuse collection in coordination with composting of all food waste collected weekly year-round. Expansion of food waste collection would reduce the need for curbside refuse collection. Savings from biweekly curbside refuse collection could be used to pay for expansion of food waste collection.]

Councilmember Kailasapathy offered the following amendment that was considered friendly:

Remove the reference to "Pay as You Throw" on Page 15.

Page 15 - [ACTION: Continue to evaluate and provide recommendations for waste reduction incentives such as Pay-as-You-Throw.]

Note: [ ] Brackets indicate deleted language.

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

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

**Nays:** 2 - Mayor Hieftje and Councilmember Teall

**Absent:** 3 - Councilmember Higgins, Councilmember Taylor and Councilmember Petersen

Enactment No: R-13-309

The question being the resolution and Solid Waste Resource Plan as amended, on a voice vote, the Mayor declared the motion carried.

Enactment No: R-13-309

- DB-3 13-1046** Resolution to Approve Belle Tire Site Plan, 590 W. Ellsworth Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays)  
**Attachments:** 8/20/13 Planning Staff Report, Public Hearing Notices - All.docx  
**A motion was made by Councilmember Briere, seconded by Councilmember Teall, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**  
Enactment No: R-13-310
- DB-4 13-1086** Resolution to Approve the Rayer Annexation, 0.39 Acres, 2640 Miller Avenue (CPC Recommendation: Approval - 9 Yeas and 0 Nays)  
**Attachments:** Rayer Annexation and Zoning Staff Report with Attachments, Public Hearing Notices - All.docx  
**A motion was made by Councilmember Anglin, seconded by Councilmember Warpehoski, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**  
Enactment No: R-13-311
- DS New Business - Staff:**
- DS-2 13-1063** Resolution Authorizing an Annual Purchase Order for U.P.M. High Performance Cold Patch Material per ITB-4298 from Barrett Paving Materials, Inc. (Not to Exceed \$116,500.00 Annually)  
**Attachments:** Barrett ITB 4298 (2).pdf, ITB 4298 Cold Patch 09\_01\_2013 - 08\_31\_2015 bid tab form  
**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.**  
Enactment No: R-13-312
- DS-3 13-0947** Resolution to Accept an Easement for Water Main from the University of Michigan (2850 South Industrial Highway) (8 Votes Required)  
**A motion was made by Councilmember Kunselman, seconded by Councilmember Lumm, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried unanimously with eight members present, thus satisfying the eight-vote requirement.**  
Enactment No: R-13-313

#### COMMUNICATIONS FROM COUNCIL

*Police Chief John Seto updated Council on the Main Street closures during football Saturdays. He noted that a complete report has been provided regarding their experience after three home games, as well as the outcome of a community meeting that was held. A copy of the report is on file in the City Clerk's Office.*

**RE-OPEN THE AGENDA**

A motion was made by Councilmember Warpehoski, seconded by Councilmember Briere, that council re-open the Agenda. On a voice vote, the Mayor declared the motion carried.

**13-1284** Motion to Reconsider the September 16, 2013 Vote that Approved the Confirmation of Al McWilliams to the Downtown Development Authority Board

Sponsors: Warpehoski

Attachments: Al McWilliams confirmation

A motion was made by Councilmember Warpehoski, seconded by Councilmember Briere, that Council reconsider the September 16, 2013 vote that approved the confirmation of Al McWilliams to the Downtown Development Authority Board.

A motion was made by Councilmember Warpehoski, seconded by Councilmember Briere, that the motion to reconsider the September 16, 2013 vote that approved the confirmation of Al McWilliams to the Downtown Development Authority Board be postponed until 10/21/2013. On a voice vote, the Mayor declared the motion carried.

**E COMMUNICATIONS FROM THE CITY ATTORNEY**

*None.*

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

**F** The following communications were referred as indicated:

**Passed on consent agenda**

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

**F-1 13-1182** U of M Street Closures Report

Attachments: Main Street Closure Final Report to Council, Resolution for Main Street Closures - Approved 8-8-13

**F-2 13-1108** Communication from F. Pat & Coralynn McIntee regarding Safety Aid Convenience for Accessible Parking at the Thompson St. Structure

Attachments: parking structure communication

- F-3 13-1110** Communication from Susan Pollay, Executive Director of the DDA regarding response to Mr. & Mrs. McIntee regarding the Thompson St. Parking Structure  
**Attachments:** parking structure communication from susan pollay
- F-4 13-1111** Communication from Kelli Sobel, Executive Director of the State Tax Commission regarding the New Audit of minimum Assessing Requirements (AMAR)  
**Attachments:** state tax commission communication
- F-5 13-1116** Communication from the Michigan Liquor Control Commission (MLCC) regarding notice of a Canceled Class C Liquor License belonging to The Regents of The University of Michigan  
**Attachments:** MLCC Communication
- F-6 13-1119** Communication from the Department of Licensing and regulatory Affairs Bureau of Construction Codes regarding Notice of Public Hearing of the Michigan Rehabilitation Code for Existing Buildings (ORR#2012-099 LR) and Part 4. Michigan Building Code (ORR@2012-100 LR) Scheduled for October 24, 2013  
**Attachments:** Construction Codes Public Hearing Notice
- F-7 13-1146** Communication from Aysha Kasham, Attorney & Agent of Dynasty Enterprises, LLC regarding notice of Intent to take Reservations, Construction Units and Record Master Deed in a Proposed Residential Site Condominium Project to be Known as Maple Village - Planning and Development Services  
**Attachments:** communication from Aysha Kasham
- F-8 13-1147** Communication from Alan Israel, Pittsfield Township Clerk, regarding notice of Public Hearing on October 9, 2013 to Receive Comment on the State Street Corridor Improvement Authority Development and Tax Increment Financing Plan - Finance, Assessor  
**Attachments:** Communication from Alan Israel Pittsfield Twp Clerk
- F-9 13-1160** Ann Arbor Transportation Authority Month End Reports  
**Attachments:** AAATA Aug 2013 Notes, AAATA August 2013 Performance Reports, AATA Aug 2013 Operating, AATA Aug 2013 Report to Treas

- F-10 13-1162** Communication from Donald G. Wheatley regarding request to create an Industrial Development District for the property located at 1901 E. Ellsworth - Assessor  
**Attachments:** 1901 E. Ellsworth IDD Request
- F-11 13-1163** Communication from the Secretary of State Ruth Johnson regarding receipt and filing of the Ann Arbor Area Transportation Authority Articles of Incorporation - Attorney  
**Attachments:** Secretary of Sate Communication re AAATA
- F-12 13-1176** Communication from the State of Michigan Public Service Commission regarding Notice of Hearing for the Electric Customers of DTE Electric Company in Case No. U-17322 scheduled for October 8, 2013 - File  
**Attachments:** DTE Public Hearing Notice
- F-13 13-1179** Communication from Barton Hills Village Board of Zoning Appeals regarding notice of a Public Hearing for a variance submitted by Marc Weiser, for the construction of a safety fence in the setback of property at 530 Hillspur Road - Planning and Development Services  
**Attachments:** Barton Hills Village Public Hearing Notice  
  
*Filed.*
- G The following minutes were received for filing:**
- G-1 13-1084** Downtown Area Citizens Advisory Council Meeting Minutes - September 3, 2013  
**Attachments:** Downtown Area Citizens Advisory Council Meeting Minutes 090313
- G-2 13-1085** Downtown Development Authority (DDA) - Minutes of July 3, 2013 and Annual Board Meeting  
**Attachments:** 070313.min, Annual 2013.min
- G-3 13-1103** Airport Advisory Committee Minutes - July 17, 2013  
**Attachments:** AAC minutes 071713.pdf
- G-4 13-1136** Council Labor Committee Meeting Minutes of September 4, 2013  
**Attachments:** Council Labor Committee Minutes 9-4-13

- G-5 13-1137** Joint DDA Council Committee Meeting Minutes of August 26, 2013 and September 10, 2013  
**Attachments:** Joint DDA Council Committee Minutes 8-26-13, Joint DDA Council Committee Minutes 9-10-13
- G-6 13-1138** Council Rules Committee Meeting Minutes of September 10, 2013  
**Attachments:** Council Rules Committee Minutes 9-10-13
- G-7 13-1144** Council Liquor License Review Committee - February 15, 2013  
**Attachments:** 2013-02-15 liquor committee minutes
- G-8 13-1148** Council Labor Committee Meeting Minutes of March 15, 2013  
**Attachments:** Council Labor Committee Minuts 3-15-13
- G-9 13-1149** Budget Committee Meeting Minutes of August 21, 2012  
**Attachments:** Budget Committee Minutes 8-21-12
- G-10 13-1153** Council Liquor License Review Committee - August 16, 2013  
**Attachments:** 2013-08-16 liquor committee minutes
- G-11 13-1168** Economic Collaborative Task Force Meeting Minutes of July 25, 2013  
**Attachments:** Economic Collaborative Task Force Minutes 7-25-13
- G-12 13-1169** Ann Arbor Public Art Commission Meeting Minutes - June 2013  
**Attachments:** AAPAC June 2013 Minutes.pdf  
*Filed.*

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

*Eldred Bruce Meadows, 718 Pomona Road, invited Council to visit the Ann Arbor Islamic Center.*

**ADJOURNMENT**

**A motion was made by Councilmember Warpehoski, seconded by Councilmember Briere, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 12:15 a.m.**

**13-1312** City Council Emails and Redaction List - October 7, 2013

Attachments: Council emails 10-7-2013

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

**LIVE: MONDAY, OCTOBER, 7, 2013, 7:00 P.M.**

**REPLAYS: TUESDAY, OCTOBER 8, 2013, 10:00 A.M. AND FRIDAY, OCTOBER 11, 2013, 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](http://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](http://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](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 need to be received at least two (2) business days in advance of the meeting.

A hard copy of this Council packet can be viewed at the front counter of the City Clerk's Office.



**Jacqueline Beaudry**  
**Clerk of the Council**

**Anissa R. Bowden**  
**Recording Secretary**