

City of Ann Arbor

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



Action Minutes

Monday, June 2, 2014

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 7:05 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 Sabra Briere, Councilmember Jane Lumm, Councilmember Sumi Kailasapathy, Councilmember Sally Petersen, Councilmember Chuck Warpehoski and Councilmember Jack Eaton
- Absent:** 3 - Councilmember Margie Teall, Councilmember Mike Anglin and Councilmember Christopher Taylor

APPROVAL OF AGENDA

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

Move: CLOSED SESSION (Consider before DS-1)

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

COMMUNICATIONS FROM THE CITY ADMINISTRATOR*EVENTS IN ANN ARBOR*

City Administrator Steve Powers reported on the follow events happening in Ann Arbor:

FARMERS MARKET EVENING HOURS

Evening hours at the Farmers Market are from 4 p.m. to 8 p.m. and will start on June 4, 2014.

RED FISH BLUE FISH TEACH A KID TO FISH DAY

Red Fish Blue Fish Teach a Kid to Fish Day is scheduled to take place at the Gallup Canoe Livery, located at 3000 Fuller Road, on Sunday, June 8, 2014 from 9:30 a.m. to 11:00 a.m.

FULL MOON PADDLE ON GALLUP POND

Full Moon Paddle is scheduled for Friday, June 13, 2014 from 8 p.m. to 11 p.m. at the Gallup Canoe Livery.

SAFETY SERVICES AWARDS CEREMONY AND FAMILY OPEN HOUSE

The Safety Services Awards Ceremony and Family Open House is scheduled for Saturday, June 14, 2014. The ceremony will recognize citizens who have helped protect the safety of the community, as well as special awards for police and firefighters.

Administrator Powers encouraged the community to participate in all events and activities.

Mayor Hieftje said the City had a great kick-off to the summer festivals season over the past weekend, including the Dexter-Ann Arbor Run and the Taste of Ann Arbor. Mayor Hieftje said that Councilmember Petersen represented City Council very well in the half-marathon.

14-0905**Agenda Response Memo - June 2, 2014**

Attachments: Agenda Responses 6-2-14

City Administrator Steve Powers submitted his Agenda Response Memo for information of Council.

Received and Filed

INT INTRODUCTION

INT-1 14-0881 Volunteer of the Month Proclamation Honoring the U-M International Center

Attachments: U-M International Ctr. -Vol. of mo. June 2, 2014

Mayor Hieftje read a proclamation in appreciation of the University of Michigan International Center, which included students, scholars and families who have dedicated themselves to volunteering in the assistance of the Ann Arbor Parks. (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. Amanda Carlisle - Resolution to Establish a Policy for the Distribution of Proceeds from the Sale of the Development Rights on 319 S. Fifth Ave- Library Lot (DC-1)

Amanda Carlisle, 1317 Minerva Rd., Executive Director of the Washtenaw Housing Alliance, urged Council to support the proposed Resolution to Establish a Policy for the Distribution of Proceeds from the Sale of the Development Rights on 319 S. Fifth Ave- Library Lot.

2. David Jsa - Resolution to Affirm the Continuing Public Purpose of the Ann Arbor/Ypsilanti SmartZone Local Development Financing Authority and Approve Application to MEDC for Extension of its Term (DC-4)

David Jsa, Ann Arbor resident, co-founder of Seelio, spoke in support of the proposed Resolution to Affirm the Continuing Public Purpose of the Ann Arbor/Ypsilanti SmartZone Local Development Financing Authority.

3. Jean Carlberg - Resolution to Establish a Policy for the Distribution of Proceeds from the Sale of the Development Rights on 319 S. Fifth Ave- Library Lot (DC-1)

Jean Carlberg, 1902 Independence Blvd., spoke in support of the proposed Resolution to Establish a Policy for the Distribution of Proceeds from the Sale of the Development Rights on 319 S. Fifth Ave- Library Lot. She said that City Council has a rare opportunity to receive money to put into the Affordable Housing Trust Fund.

4. Jim Mogensen - Resolution to Establish a Policy for the Distribution of Proceeds from the Sale of the Development Rights on 319 S. Fifth Ave- Library Lot (DC-1)

Jim Mogensen, 330 Chidister St., representing Religious Action for Affordable Housing, spoke in support of the proposed Resolution to Establish a Policy for the Distribution of Proceeds from the Sale of the Development Rights on 319 S. Fifth Ave- Library Lot. He said that it is important to have money available when affordable housing projects are ready to move forward.

5. Seth Best - Resolution to Establish a Policy for the Distribution of Proceeds from the Sale of the Development Rights on 319 S. Fifth Ave- Library Lot (DC-1)

Seth Best, 2949 Cascade Dr., addressed Council regarding the proposed Resolution to Establish a Policy for the Distribution of Proceeds from the Sale of the Development Rights on 319 S. Fifth Ave- Library Lot. He asked that Council consider using part of the proceeds for a warming center.

6. Frank Burdick - Resolution to Approve Amendment No. 4 to the Professional Services Agreement with CDM Smith Michigan, Inc. for the Footing Drain Disconnection Program (DS-1)

Frank Burdick, 2049 Winsted, spoke in opposition to the proposed Resolution to Approve Amendment No. 4 to the Professional Services Agreement with CDM Smith Michigan, Inc. for the Footing Drain Disconnection Program. Mr. Burdick asked that Council vote no on the proposed resolution.

7. Tom Partridge - Resolution to Amend Ann Arbor City Budget for Fiscal Year 2014 (DS-6)

Tom Partridge, Ann Arbor resident, addressed Council regarding the proposed Resolution to Amend Ann Arbor City Budget for Fiscal Year 2014 and spoke in support of the proposed Resolution to Establish a Policy for the Distribution of Proceeds from the Sale of the Development Rights on 319 S. Fifth Ave- Library Lot.

8. Greg Hammerman - Resolution to Affirm the Continuing Public Purpose of the Ann Arbor/Ypsilanti SmartZone Local Development Financing Authority and Approve Application to MEDC for Extension of its Term (DC-4)

Greg Hammerman, 1310 Granger, owner of Techstreet, spoke in support of the proposed Resolution to Affirm the Continuing Public Purpose of the Ann Arbor/Ypsilanti SmartZone Local Development Financing Authority.

9. Jeff Hayner - Resolution to Amend Ann Arbor City Budget for Fiscal Year 2014 (DS-6)

Jeff Hayner, 1807 Pontiac Trl., asked that Council set aside the LDFA vote until more public input could be had and the advocacy of the programs could be shown.

Councilmember Taylor arrived at 7:40 p.m.

Present: 9 - Mayor John Hieftje, Councilmember Stephen Kunselman, Councilmember Sabra Briere, Councilmember Christopher Taylor, Councilmember Jane Lumm, Councilmember Sumi Kailasapathy, Councilmember Sally Petersen, Councilmember Chuck Warpehoski and Councilmember Jack Eaton

Absent: 2 - Councilmember Margie Teall and Councilmember Mike Anglin

10. Henry Herskovitz - Remembering Israel's Attack on the USS Liberty

Henry Herskovitz, 404 Mark Hannah Pl., addressed Council regarding remembering Israel's attack on the USS Liberty.

CC COMMUNICATIONS FROM COUNCIL*COUNCILMEMBER PETERSEN*

Councilmember Petersen said that the next City Council Work Session, scheduled for June 9, 2014, would focus on City Ethics Policies. Carla Miller from City Ethics.org and City Attorney Stephen Postema would provide an overview of city ethics policies and implementation strategies, including a specific focus on conflict of interest and standards of conduct. She added that those two areas and others would become important as the City begins to develop its own Council Rules on ethics.

Prior to the Work Session meeting, the City Attorney would provide a public education document that provides the legal framework for city ethics policies in Michigan.

COUNCILMEMBER LUMM

Councilmember Lumm thanked City residents who have recently been coming into the City Clerk's Office to license their dogs. She said that the City Clerk's Office has seen an increase in dog registration due to the recent news attention to the matter.

COUNCILMEMBER KUNSELMAN

Councilmember Kunselman thanked staff for the recent repaving of St. Aubin's service drive near Packard and Platt roads.

Councilmember Kunselman announced that he would be bringing forward a resolution in July to tender the offer of a purchase of eight acres on Burton Road.

COUNCILMEMBER EATON

Councilmember Eaton said that Councilmember Anglin sends his regrets for not attending the meeting, due to illness.

Councilmember Teall arrived at 7:40 p.m.

Present: 10 - Mayor John Hieftje, Councilmember Stephen Kunselman, Councilmember Margie Teall, Councilmember Sabra Briere, Councilmember Christopher Taylor, Councilmember Jane Lumm, Councilmember Sumi Kailasapathy, Councilmember Sally Petersen, Councilmember Chuck Warpehoski and Councilmember Jack Eaton

Absent: 1 - Councilmember Mike Anglin

MC COMMUNICATIONS FROM THE MAYOR

MC-1 14-0846

Appointments - Confirmations

Attachments: Larry Eiler app., Andy Baker -White app., Amanda Carlisle app.

APPOINTMENTS APPROVED

Mayor Hieftje recommended the following appointments at the May 19, 2014 regular session of Council:

Economic Development Corporation

*Larry Eiler-Replacing Daniel Blakemore
4712 Breezewood Ct.
Ann Arbor, MI 48103
Term: June 1, 2014-May 31, 2020*

Housing & Human Services Advisory Board

*Andy Baker-White -Filling Vacancy
2005 Ridge Ave.
Ann Arbor, MI 48104
Term: June 1, 2014-May 31, 2017*

*Amanda Carlisle-Filling Vacancy
1317 Minerva Rd.
Ann Arbor, MI 48104
Term: June 1, 2014-May 31, 2017*

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

MC-2 14-0904 Appointments - Confirmations

REFERRED

Mayor Hieftje presented the following nominations for approval at a later date:

City Planning Commission

*Wendy Woods Re-Appointment
2034 Liberty Heights
Ann Arbor, MI 48103
Term: July 1, 2014-June 30, 2017*

*Eleanore Adenekan Re-Appointment
1958 Lindsay Lane
Ann Arbor, MI 48104
Term: July 1, 2014-June 30, 2017*

Ann Arbor Commission on Disability Issues

*Linda Evans Re-Appointment
2124 Pauline Blvd. #206
Ann Arbor, MI 48103
Term: June 1, 2014-May 31, 2017*

*Larry Keeler Re-Appointment
1020 Pennsylvania
Ann Arbor, MI 48103
Term: June 1, 2014-May 31, 2017*

Referred to the City Council due back on 6/16/2014.

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 14-0679

An Ordinance to Amend Sections 2:63, 2:64, and 2:69 of Chapter 29 (Water, Sewer, and Stormwater Rates) of Title II of the Code of the City of Ann Arbor (Ordinance No. ORD-14-07)

Attachments: 14-07 Water and Sewer Rates Briefed and Approved.pdf, 14-07 Water Stormwater Rates Ordinance Briefed.pdf, Chpt 29 - 2014 Rates Ord.pdf, 14-07 Water and Sewer Rate Approval Notice.pdf

A public hearing was conducted on the proposed amendments to Sections 2:63, 2:64, and 2:69 of Chapter 29 (Water, Sewer, and Stormwater Rates) of Title II of the Code of the City of Ann Arbor. Notice of public hearing was published May 29, 2014.

Tom Partridge, City resident, expressed concern with the proposed amendment and how it would affect the most vulnerable residents in the City.

Jeff Hayner, 1807 Pontiac Trail, expressed concern with the rising rates of water and sewer and questioned the changes to the current tiered structure.

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

Held and Closed

Enactment No: ORD-14-07

PH-2 14-0630

An Ordinance to Amend Sections 5.1; 5.10.12; 5:10.21; and 5:10.23 of Chapter 55 (Zoning) regarding Drive-Thru Facilities and Permitted Uses (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-14-06)

Attachments: 14-06 Drive-Thru Facilities Ordinance Briefed and Approved.pdf, 14-06 Drive-Thru Facilities Ordinance Briefed.pdf, Drive-thru Facility Text Amendments 04-01-14.pdf, 4/1/14 Planning Staff Report, Drive-Thru Minutes 04-01-14.pdf, Drive-Thru Facilities Approval Notice.pdf

A public hearing was conducted on the proposed amendments to Sections 5.1; 5.10.12; 5:10.21; and 5:10.23 of Chapter 55 (Zoning) regarding Drive-Thru Facilities and Permitted Uses. Notice of public hearing was published May 19, 20114.

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

Held and Closed

Enactment No: ORD-14-06

PH-3 14-0192

An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.24 Acre from R4A (Multiple-Family Residential District) to R2B (Two-Family and Student Dwelling District), Pampreen Property, 515 Oxford (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-14-05)

Attachments: 14-05 Pampreen Rezoning Ordinance Briefed and Approved.pdf, 14-05 Pampreen Rezoning Ordinance Briefed and Approved.docx, 14-05 515 Oxford Rezoning Briefed.pdf, 515 OXFORD Zoning Ordinance.pdf, 1/23/14 Planning Staff Report, 14-05 Pampreen Rezoning Approval Notice.pdf

A public hearing was conducted on the proposed amendment to Chapter 55 (Zoning), Rezoning of 0.24 Acre from R4A (Multiple-Family Residential District) to R2B (Two-Family and Student Dwelling District), Pampreen Property, 515 Oxford. Notice of public hearing was published May 19, 2014.

Tom Partridge, City resident, stated the property should include affordable housing units.

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

Held and Closed

Enactment No: ORD-14-05

PH-4 14-0746

Resolution to Approve 515 Oxford Planned Project Site Plan, 515 Oxford Road (CPC Recommendation: Approval - 6 Yeas and 0 Nays)

Attachments: 4/15/14 Planning Staff Report, 4-15-2014-CPC Minutes-515 Oxford SEU & Planned Project SP.pdf

A public hearing was conducted on the proposed Resolution to Approve 515 Oxford Planned Project Site Plan, 515 Oxford Road. Notice of public hearing was published May 22, 2014.

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

Held and Closed

Enactment No: R-14-179

PH-5 14-0601 Resolution to Approve Ruth's Chris Site Plan, 314 S. Fourth Avenue
(CPC Recommendation: Approval - 9 Yeas and 0 Nays)

Attachments: 4/1/14 Planning Staff Report, Ruths Chris Minutes 04-01-14.pdf

A public hearing was conducted on the proposed Resolution to Approve Ruth's Chris Site Plan, located at 314 S. Fourth Avenue. Notice of public hearing was published May 22, 2014.

Steve Fry, representing the owners, was present to answer questions of Council.

Tom Partridge, City resident, spoke in opposition.

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

Held and Closed

Enactment No: R-14-180

A APPROVAL OF COUNCIL MINUTES

A-1 14-0899 Regular Session Meeting Minutes of May 19, 2014

Attachments: 05-19-14 Draft Minutes, Council emails 5-19-2014_Redacted.pdf

A motion was made by Councilmember Warpehoski, seconded by Councilmember Lumm, that the Regular Session Meeting Minutes of May 19, 2014 be approved as presented. On a voice vote, the Mayor declared the motion carried.

CA 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-4 Resolution Authorizing Sanitary Sewer and Water Improvement Charges for 3980 Platt Road. (\$28,444.20)

Passed on consent agenda

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

CA-1 14-0555 Resolution to Approve Street Closing for the NJATC Opening Ceremony Dinner - Sunday, July 27, 2014

Attachments: NJATC Opening Ceremony Dinner Map.pdf

Enactment No: R-14-168

- CA-2 14-0700** Resolution to Approve Street Closings for the UA Block Party and Plumbers & Pipefitters 5K - Monday, August 11, 2014
Attachments: UA Block Party Map.pdf, UA Plumbers and Pipe Fitters 5K Map.pdf
Enactment No: R-14-169
- CA-3 14-0745** Resolution to Approve a Purchase Order with Trojan Technologies Inc. for Disinfection System Replacement Parts at the Wastewater Treatment Plant (\$57,335.85)
Enactment No: R-14-170
- CA-4 14-0786** Resolution Authorizing Sanitary Sewer and Water Improvement Charges for 3980 Platt Road (\$28,444.20)
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.
Enactment No: R-14-171

B ORDINANCES - SECOND READING

- B-1 14-0679** An Ordinance to Amend Sections 2:63, 2:64, and 2:69 of Chapter 29 (Water, Sewer, and Stormwater Rates) of Title II of the Code of the City of Ann Arbor (Ordinance No. ORD-14-07)
Attachments: 14-07 Water and Sewer Rates Briefed and Approved.pdf, 14-07 Water Stormwater Rates Ordinance Briefed.pdf, Chpt 29 - 2014 Rates Ord.pdf, 14-07 Water and Sewer Rate Approval Notice.pdf
(The complete copy of the text of Ordinance No. ORD-14-07 is on file in the City Clerk's Office.)
A request was made that staff provide to Council a comparison of rates from other Michigan cities.
A motion was made by Councilmember Briere, seconded by Councilmember Taylor, that the Ordinance be adopted on Second Reading. On a voice vote, the Mayor declared the motion carried.
Enactment No: ORD-14-07

B-2 14-0630

An Ordinance to Amend Sections 5.1; 5.10.12; 5:10.21; and 5:10.23 of Chapter 55 (Zoning) regarding Drive-Thru Facilities and Permitted Uses (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-14-06)

Attachments: 14-06 Drive-Thru Facilities Ordinance Briefed and Approved.pdf, 14-06 Drive-Thru Facilities Ordinance Briefed.pdf, Drive-thru Facility Text Amendments 04-01-14.pdf, 4/1/14 Planning Staff Report, Drive-Thru Minutes 04-01-14.pdf, Drive-Thru Facilities Approval Notice.pdf

(The complete copy of the text of Ordinance No. ORD-14-06 is on file in the City Clerk's Office.)

Councilmember Briere moved, seconded by Councilmember Warpehoski, that the Ordinance be adopted on Second Reading.

Enactment No: ORD-14-06

A motion was made by Councilmember Eaton, seconded by Councilmember Kailasapathy, that the Ordinance be referred to the Planning Commission to consider changes to the residential zonings. On a roll call, the vote was as follows with the Mayor declaring the motion defeated:

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

Nays: 6 - Mayor Hieftje, Councilmember Kunselman, Councilmember Briere, Councilmember Taylor, Councilmember Petersen and Councilmember Warpehoski

Absent: 1 - Councilmember Anglin

Enactment No: ORD-14-06

The question being the Ordinance as originally presented, on a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-14-06

B-3 14-0192

An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.24 Acre from R4A (Multiple-Family Residential District) to R2B (Two-Family and Student Dwelling District), Pampreen Property, 515 Oxford (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-14-05)

Attachments: 14-05 Pampreen Rezoning Ordinance Briefed and Approved.pdf, 14-05 Pampreen Rezoning Ordinance Briefed and Approved.docx, 14-05 515 Oxford Rezoning Briefed.pdf, 515 OXFORD Zoning Ordinance.pdf, 1/23/14 Planning Staff Report, 14-05 Pampreen Rezoning Approval Notice.pdf

(The complete copy of the text of Ordinance No. ORD-14-05 is on file in the City Clerk's Office.)

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

Enactment No: ORD-14-05

RECESS

Mayor Hieftje declared a recess at 8:36 p.m. and reconvened the meeting at 8:46 p.m.

C ORDINANCES - FIRST READING

- C-1 14-0761** An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 2.42 Acres from PL (Public Land District) to R4A (Multiple-Family Dwelling District), Green/Baxter Court Apartments Rezoning, 1701-1747 Green Road (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-14-08)

Attachments: 14-08 Green-Baxter Court Apartments Rezoning Ordinance Briefed.pdf, Ordinance.pdf, AAHC Rezoning Staff Report 05-06-14 with Attachments-reduced.pdf

(The complete copy of the text of Ordinance No. ORD-14-08 is on file in the City Clerk's Office.)

A motion was made by Councilmember Petersen, seconded by Councilmember Lumm, that the Ordinance be approved on First Reading. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-14-08

- C-2 14-0762** An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.94 Acre from PL (Public Land District) to D2 (Downtown Interface District), Baker Commons Rezoning, 106 Packard Street (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-14-10)

Attachments: 14-10 Baker Commons Ordinance Briefed.pdf, Baker Commons Rezoning Ordinance.pdf, AAHC Rezoning Staff Report 05-06-14 with Attachments-reduced.pdf

(The complete copy of the text of Ordinance No. ORD-14-10 is on file in the City Clerk's Office.)

A motion was made by Councilmember Taylor, seconded by Councilmember Teall, that the Ordinance be approved on First Reading. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-14-10

- C-3 14-0763** An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 3.3 Acres from R1C (Single Family Dwelling District) to R4B (Multiple-Family Dwelling District), Maple Meadows Rezoning, 800-890 South Maple Road (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-14-09)

Attachments: 14-09 Maple Meadows Rezoning Ordinance Briefed.pdf, Ordinance.pdf, AAHC Rezoning Staff Report 05-06-14 with Attachments-reduced.pdf

(The complete copy of the text of Ordinance No. ORD-14-09 is on file in the City Clerk's Office.)

A motion was made by Councilmember Warpehoski, seconded by Councilmember Teall, that the Ordinance be approved on First Reading. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-14-09

D MOTIONS AND RESOLUTIONS

DC Unfinished Business - Council:

- DC-1 14-0543** Resolution to Establish a Policy for the Distribution of Proceeds from the Sale of the Development Rights on 319 S. Fifth Ave. (the Library Lot)

Sponsors: Hieftje, Briere, Taylor and Warpehoski

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

Enactment No: R-14-172

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

1ST RESOLVED Clause:

RESOLVED, That City Council direct the City Administrator to allocate 25 [50]% of any and all proceeds, after fees and closing costs, from the sale of development rights at 319 S. Fifth Avenue to the Affordable Housing Fund AND 25% OF ANY AND ALL PROCEEDS, AFTER FEES AND CLOSING COSTS, FROM THE SALE OF DEVELOPMENT RIGHTS AT 319 S. FIFTH AVENUE TO THE ANN ARBOR HOUSING COMMISSION; and

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

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

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

Nays: 7 - Mayor Hieftje, Councilmember Teall, Councilmember Briere, Councilmember Taylor, Councilmember Lumm, Councilmember Petersen and Councilmember Warpehoski

Absent: 1 - Councilmember Anglin

Enactment No: R-14-172

The question being the Resolution as originally presented, on a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 7 - Mayor Hieftje, Councilmember Teall, Councilmember Briere, Councilmember Taylor, Councilmember Kailasapathy, Councilmember Petersen and Councilmember Warpehoski

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

Absent: 1 - Councilmember Anglin

Enactment No: R-14-172

DC-2 14-0815

Resolution to Remove Funding for Larcom Building Re-skin from Capital Improvements Plan

Sponsors: Lumm, Kailasapathy and Eaton

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

Enactment No: R-14-173

RECESS

Mayor Hieftje declared a recess at 9:56 p.m. and reconvened the meeting at 10:05 p.m.

14-0815

Resolution to Remove Funding for Larcom Building Re-skin from Capital Improvements Plan

Sponsors: Lumm, Kailasapathy and Eaton

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

Add RESOLVED Clause:

RESOLVED, THAT CITY COUNCIL RECOMMENDS STAFF DEVELOP A PROJECT TO ADDRESS THE ENERGY EFFICIENCY OF THE WINDOWS AND WALLS.

On a voice vote, the Mayor declared the motion carried with one no-vote by Councilmember Lumm.

Enactment No: R-14-173

14-0815 Resolution to Remove Funding for Larcom Building Re-skin from Capital Improvements Plan

Sponsors: Lumm, Kailasapathy and Eaton

The question being the Resolution as amended, on a voice vote, the Mayor declared the motion carried with one no-vote by Councilmember Teall.

Enactment No: R-14-173

DC New Business - Council:**DC-3 14-0754** Resolution to Approve a Five-Year Partnership Agreement with Community Action Network for Operation of Bryant and Northside Community Centers (Not to Exceed \$130,000.00/per year)

Sponsors: Kunselman and Taylor

Attachments: CAN City Partnership Agreement - Community Centers 2014 - 2019

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

Enactment No: R-14-174

DC-4 14-0858 Resolution to Affirm the Continuing Public Purpose of the Ann Arbor/Ypsilanti SmartZone Local Development Financing Authority and Approve Application to MEDC for Extension of its Term

Sponsors: Petersen

Attachments: Ann Arbor Ypsilanti LDFA Extension Executive Summary, SmartZone TIF Extension Application December 2013.pdf, LDFA - Memorandum to AA City Council - 05_29_14 (3).pdf, LDFA Extension Exec Summary - revised final.pdf

A motion was made by Councilmember Petersen, seconded by Councilmember Taylor, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried with one no-vote made by Councilmember Kailasapathy.

Enactment No: R-14-175

DC-5 14-0645 Resolution to Approve a Request from Bravo Brio Restaurant Group, Inc. for a New Resort Class C License Located at 760 Briarwood Circle - d/b/a Bravo!

Sponsors: Council Liquor License Review Committee

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

Enactment No: R-14-176

DC-6 14-0647 Resolution to Approve a Request from P.F. Chang's China Bistro, Inc., for a New Resort Class C Liquor License to be located at 720 Briarwood Circle, d/b/a P.F. Chang's China Bistro

Sponsors: Council Liquor License Review Committee

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

Enactment No: R-14-177

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 Eaton, seconded by Councilmember Kailasapathy, that Council enter into Closed session to discuss pending litigation as set forth in MCLA 15.268 (E). On a roll call, the vote was as follows with the Mayor declaring the motion carried and the meeting recessed at 10:50 p.m.:

Yeas: 10 - Mayor Hieftje, Councilmember Kunselman, Councilmember Teall, Councilmember Briere, Councilmember Taylor, Councilmember Lumm, Councilmember Kailasapathy, Councilmember Petersen, Councilmember Warpehoski and Councilmember Eaton

Nays: 0

Absent: 1 - Councilmember Anglin

MEETING RECONVENED

A motion was made by Councilmember Warpehoski, seconded by Councilmember Petersen, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 11:29 p.m.

RECESS

Mayor Hieftje declared a recess at 11:30 p.m. and reconvened the meeting at 11:36 p.m.

DC-7 14-0901 Resolution for Community Events Fund Disbursements from the FY 2014 Budget

Sponsors: Briere and Warpehoski

Attachments: Resolution for Community Events FY14 - Approved 9-3-13

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

Enactment No: R-14-178

DB New Business - Boards and Commissions:

- DB-1 14-0746** Resolution to Approve 515 Oxford Planned Project Site Plan, 515 Oxford Road (CPC Recommendation: Approval - 6 Yeas and 0 Nays)
- Attachments:** 4/15/14 Planning Staff Report, 4-15-2014-CPC Minutes-515 Oxford SEU & Planned Project SP.pdf

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

Enactment No: R-14-179

- DB-2 14-0601** Resolution to Approve Ruth's Chris Site Plan, 314 S. Fourth Avenue (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

Attachments: 4/1/14 Planning Staff Report, Ruths Chris Minutes 04-01-14.pdf

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

Enactment No: R-14-180

DS Unfinished Business - Staff:

- DS-1 14-0389** Resolution to Approve Amendment No. 4 to the Professional Services Agreement with CDM Smith Michigan, Inc. (Formerly CDM Michigan, Inc.) for the Footing Drain Disconnection Program (\$143,440.00)

Attachments: CDM Amendment #4.pdf

A motion was made by Councilmember Eaton, seconded by Councilmember Teall, 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 Briere, Councilmember Taylor, Councilmember Lumm, Councilmember Petersen and Councilmember Warpehoski

Nays: 2 - Councilmember Kailasapathy and Councilmember Eaton

Absent: 1 - Councilmember Anglin

Enactment No: R-14-181

DS New Business - Staff:

- DS-2 14-0685** Stone School Road Reconstruction Project - Resolution No. 2; Sidewalk Special Assessment District No. 44; Curb and Gutter Special Assessment District No. 503
- Attachments:** special assessment - breakdown of assessable items by parcel - 140423, special assessment roll - stone school rd - city assessors office - 140502, special assessment resolution no 1 - approved 131107
- A motion was made by Councilmember Kunselman, seconded by Councilmember Taylor, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-14-182
- DS-3 14-0686** Resolution to Approve a Professional Services Agreement with Parsons Brinckerhoff Michigan, Inc. (\$299,911.54) for the South State Street Transportation Corridor Study
- Attachments:** S. State Street Study Agreement 04302014.pdf
- A motion was made by Councilmember Taylor, seconded by Councilmember Briere, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-14-183
- DS-4 14-0696** Resolution to Adopt the City of Ann Arbor Urban and Community Forest Management Plan
- Attachments:** Urban and Community Forest Management Plan, EnvironmentalCommissionResolution_042414, ParkAdvisoryCommissionResolution_041514
- A motion was made by Councilmember Briere, seconded by Councilmember Taylor, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-14-184
- DS-5 14-0704** Resolution to Accept a Fair Food Network Grant for the Ann Arbor Farmer's Market for \$32,000.00 and Appropriate Funds (8 Votes Required)
- Attachments:** DUFB Grant Ann Arbor Farmers Market.pdf
- A motion was made by Councilmember Teall, seconded by Councilmember Eaton, 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-14-185

DS-6 14-0856 Resolution to Amend Ann Arbor City Budget for Fiscal Year 2014 (8 Votes Required)

Attachments: FY 2014 Budget Amendment Attachment.pdf

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

Enactment No: R-14-186

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER TEALL

Councilmember Teall announced that Cinetopia Film Festival starts this week at the Michigan Theater in Ann Arbor, as well as in Detroit.

MAYOR HIEFTJE

Mayor Hieftje noted that there was a celebration for the 45th Birthday of the Ozone House. The Mayor also noted that the Mayor's Green Fair will be held on Friday, June 6, 2014 and would be followed by the opening of the Summer Festival and the Top of the Park.

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

F-1 14-0806 May 6, 2014 Special Election Canvass Report from the Washtenaw County Board of Canvassers

Attachments: May 6 2014 Canvass - AAATA.pdf

F-2 14-0853 Canvass of the May 19, 2014 Main Street Area Business Improvement Zone (BIZ) Election - cc: City Attorney, City Assessor, City Treasurer

Attachments: BIZ canvass 2014

- F-3 14-0847** AAATA April 2014 Financial Operating Reports and Ridership Data
- Attachments:** AAATA April 2014 Financial Operating combined.pdf, AAATA R2 Demand Respons graphs.pdf, AAATA R2 Fixed Route graphs.pdf, AAATA R2 Performance Reports.pdf, AAATA R2 Weekday riders.pdf
- F-4 14-0748** Communication from Docomomo-US/Michigan regarding the Brigham House and Studio rezoning and site plan proposal - Planning and Development Services
- Attachments:** Brigham home and studio.pdf
- F-5 14-0848** Communication from Washtenaw County Public Health Department Regarding Washtenaw County Clean-Up Days
- Attachments:** 5.12.14 Press Release - Spring Environmental Clean-Up Days
- F-6 14-0519** Environmental Commission Bylaws
- Attachments:** BY-LAWs - Environmental Commission - 04112013
- F-7 14-0655** Resolution recommending City Council adopt the Urban and Community Forest Management Plan
- Attachments:** UCFMP_FINAL
- F-8 14-0697** Resolution in Support of Ann Arbor's Current Compost-Bin Leaf Collection Program
- F-9 14-0713** Landowner Registry Program for the Greenbelt
- Attachments:** Landowner Registry Program Memo 2014.pdf, Greenbelt Brochure.pdf
- Filed.*
- G The following minutes were received for filing:**
- G-1 14-0234** Energy Commission Minutes of January 14, 2014
- Attachments:** Energy Commission Minutes 1-14-14.pdf
- G-2 14-0429** Design Review Board Meeting Minutes of February 19, 2014
- Attachments:** 2-19-2014 Design Review Board Minutes with Live Links
- G-3 14-0656** Environmental Commission Meeting Minutes of March 27, 2014
- Attachments:** 03.27.2014 - City of Ann Arbor Environmental Commission Minutes

- G-4 14-0727** City Planning Commission Meeting Minutes of March 4, 2014
Attachments: 3-4-2014 CPC Minutes with Live Links
- G-5 14-0730** City Planning Commission Meeting Minutes of March 18, 2014
Attachments: 3-18-2014 CPC Minutes with Live Links
- G-6 14-0765** Downtown Area Citizens Advisory Council Meeting Minutes of May 6, 2014
Attachments: Downtown Area Citizen Advisory Council Meeting Minutes 050614
- G-7 14-0788** Council Rules Committee Meeting Minutes of May 6, 2014
Attachments: council rules committee minutes 5-6-14.pdf
Filed.

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Tom Partridge thanked Council for approving the resolution that would distribute funds to affordable housing, pending the sale of development rights at the Library Lot.

Mark Koroi, a local attorney, addressed Council regarding the Bob Dascola lawsuit and the City's handling of the case.

Caleb Poirier, City resident, addressed Council regarding the homeless camps and the need for help, including trash removal and toilets. He asked the City to be proactive and not to ignore the problem.

Elizabeth Kurtz addressed Council regarding the immediate needs of the homeless. She added that she had little access to laundry facilities and bathing needs when she was homeless.

Judy Bonnell-Wenzel, City resident, addressed Council regarding support for a commons at the Library Lot and spoke in general about the homeless and their needs.

ADJOURNMENT

A motion was made by Councilmember Eaton, seconded by Councilmember Lumm, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 12:31 a.m.

- 14-0960** City Council Emails and Redactions List - June 2, 2014
Attachments: 06-02-2014 Council emails_Redacted

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, JUNE 2, 2014, 7:00 P.M.

REPLAYS: TUESDAY, JUNE 3, 2014, 10:00 A.M. AND FRIDAY, JUNE 6, 2014, 7:30 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

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

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

- Video on Demand: Replay public meetings at your convenience online at www.a2gov.org/government/city_administration/communicationsoffice/ctn/Pages/VideoOnDemand.aspx
- Cable: Watch CTN Channel 16 public meeting programming via Comcast Cable channel 16.

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

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

Requests need to be received at least two (2) business days in advance of the meeting.

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

Jacqueline Beaudry
Clerk of the Council

Anissa R. Bowden
Recording Secretary