

City of Ann Arbor

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



Action Minutes

Monday, June 18, 2018

7:00 PM

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

City Council

CALL TO ORDER

Mayor Taylor called the meeting of the Ann Arbor City Council to order at 7:02 p.m. in the Guy C. Larcom, Jr. Building, 2nd Floor Council Chambers, 301 E. Huron Street.

MOMENT OF SILENCE

Council stood for a moment of silence.

PLEDGE OF ALLEGIANCE

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

ROLL CALL OF COUNCIL

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

APPROVAL OF AGENDA

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

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

City Administrator Howard S. Lazarus thanked Officer Michael Alvarez of the AAPD for his attendance at this evening's meeting. He also thanked the Parks Department staff for their excellent work on the Fuller Pool repairs last weekend.

Mr. Lazarus also submitted the following reports for information of Council and updated Council on the following:

AC-1 [18-1081](#) Memorandum from City Administrator - 2018 Deer Management Program Final Report - June 18, 2018

Attachments: 2018 Deer Management Program Final Report.pdf

Received and Filed

AC-2 [18-1098](#) Agenda Response Memo and eComments - June 18, 2018

Attachments: Agenda Responses 6-18-18 Final.pdf, eComments 061818.pdf

Received and Filed

- AC-3** [18-1097](#) City Administrator's Report - June 18, 2018
Attachments: 180618 City Administrator's Update.pdf

Received and Filed**INT INTRODUCTIONS**

- INT-1** [18-1100](#) Proclamation for Youth Voter Engagement Day 2018
Sponsors: Taylor
Attachments: Youth Voter Engagement Day 2018.pdf
Mayor Taylor introduced the Proclamation for Youth Voter Engagement Day 2018. A copy of the proclamation is on file in the City Clerk's Office.

Received and Filed

- INT-2** [18-1101](#) 2018 LGBTQ Pride Month Proclamation
Attachments: LGBTQ Pride Month 2018.pdf
Mayor Taylor read a proclamation recognizing LGBTQ Pride Month in Ann Arbor. A representative of the Jim Toy Center accepted the proclamation and encouraged Ann Arbor residents to attend Pride celebrations on August 3, 4 and 5.

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. Peter Nagourney - Petition for the Center of the City Charter Amendment and to Authorize Submission to the Governor and Attorney General for Approval for the November 6, 2018 Ballot (CA-24)**

Peter Nagourney, resident, spoke about CA-24, the certification of the petitions regarding the Library Lot. He stated the City has erroneously entered into a sales agreement for this property after the certification by the City Clerk of the petitions.

2. Kathy Griswold - Resolution to Oppose SB 0637 - Small Wireless Facilities (DB-3)

Kathy Griswold, 3565 Fox Hunt, thanked Council for their action opposing SB0637 - Small Wireless Facilities (DB-3).

3. Cathy Stroud - Quality of Life in Ann Arbor

Cathy Stroud, resident, spoke in opposition to the City's plan to install additional roundabouts on City streets.

4. Henry Herskovitz - August Primary Election - Ward 5

Henry Herskovitz, resident, spoke about the upcoming August 7 Primary and his concerns regarding some of the local candidates.

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER KAILASAPATHY

Councilmember Kailasapathy responded to citizen comments regarding the proposed Nixon Road corridor improvements. She encouraged residents to take the City's online survey regarding the proposal, which includes seven roundabouts in the area. She stated many residents have expressed concerns and criticisms about this proposal.

COUNCILMEMBER LUMM

Councilmember Lumm also spoke about the public engagement meeting regarding the Nixon Road corridor improvement project. Councilmember Lumm stated the meeting was well run by staff. She also reminded residents that this project is being planned to address traffic congestion problems in the area. She also encouraged residents to take the survey on the City's website.

COUNCILMEMBER GRAND

Councilmember Grand stated the Greenbelt Advisory Commission is still seeking a Plant or Animal Biologist for appointment. She encouraged anyone qualified and interested to apply using the application on the City's website or to contact her directly.

COUNCILMEMBER WARPEHOSKI

Councilmember Warpehoski spoke about solar installation for homeowners, stating the Legislature has recently passed a bill that would remove the current requirement of assessing the installation as an improvement, which previously took away a lot of the benefit for the homeowner.

MC COMMUNICATIONS FROM THE MAYOR

None.

CA CONSENT AGENDA**Passed on consent agenda**

Councilmember Warpehoski requested that staff ensure that event organizers are notifying businesses and residents regarding racecourses and related street closures.

A motion was made by Councilmember Warpehoski, seconded by Councilmember Lumm, that the following Consent Agenda Items be approved

as presented. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirements of CA-4, CA-7, CA-10 and CA-25.

- CA-1** [18-0946](#) Resolution to Dissolve the Ann Arbor Hospitality Committee
- Attachments:*** R-127-3-84 establishing Hospitality Committee.pdf
- Enactment No: R-18-224
- CA-2** [18-0874](#) Resolution to Approve Temporary Outdoor Sales, Service and Consumption of Alcoholic Beverages during the 2018 Ann Arbor Art Fair
- Enactment No: R-18-225
- CA-3** [18-0947](#) Resolution to Approve Amendment No. 1 to the Agreement with Washtenaw County on behalf of its Sheriff's Office to Provide Drug Abuse Screening Services to Veterans Treatment Court, Mental Health Court, and Sobriety Court Participants (\$4,500.00 amendment; \$42,485.00 total contract)
- Attachments:*** 2018 WCSO Community Corrections Amendment No 1.pdf
- Enactment No: R-18-226
- CA-4** [18-0961](#) Resolution to Approve a Master Services Agreement with ImageTrend, Inc. for Fire Service Record Management Software, Maintenance and Support Services, Including Additional Data Migration Services, and Appropriation of Needed Funds (\$89,362.15) **(8 Votes Required)**
- Attachments:*** Business Case ImageTrend 5-22-18.pdf, Business Case ImageTrend 5-22-18.doc, Ann Arbor ImageTrend MSA EXT.pdf
- Enactment No: R-18-227
- CA-5** [18-0958](#) Resolution to Approve a Purchase Order to AmeriNet of Michigan, Inc. for 3-Year Network Equipment Maintenance and Support FY2019-FY2021 (\$219,453.46)
- Attachments:*** Amerinet Best Source-SFP.pdf, Amerinet City of Ann Arbor Extreme Networks 2018 (3) Year Support Renewal Quote 6-5-2018.pdf, Discount Letter for City of Ann Arbor.pdf
- Enactment No: R-18-228
- CA-6** [18-0959](#) Resolution to Approve Purchase of Palo Alto Firewall Maintenance and

Support from AmeriNet of Michigan, Inc. (\$126,745.86) (GSA contract GS-35F-0511T)

Attachments: Amerinet City of Ann Arbor Palo Alto Networks 2018 (3) Year Support Renewal Quote 5-11-2018.pdf, DEALERS_PALOALTONETWORKS_GS-35F-0511T.XLS, tcs_general_GS-35F-0511T.pdf

Enactment No: R-18-229

CA-7 [18-0983](#) Resolution to Accept a Water Main Easement at 2255 W. Stadium Blvd from Onyx Management, LLC (**8 Votes Required**)

Attachments: Reinhart Bldg Water Main Map.pdf

Enactment No: R-18-230

CA-8 [18-0953](#) Resolution Authorizing Sanitary Sewer Capital Recovery Charges for 3055 Geddes Ave. (\$25,954.00)

Enactment No: R-18-231

CA-9 [18-1010](#) Resolution in Support of Fiscal Responsibility to Save Michigan's Communities

Enactment No: R-18-232

CA-10 [18-0951](#) Resolution to Amend Ann Arbor City Budget for Fiscal Year 2018 (**8 Votes Required**)

Attachments: City Budget Amendment for FY2018 attachment.pdf

Enactment No: R-18-233

CA-11 [18-1007](#) Resolution to Approve Street Closings for ICC Championship Street Festival on Friday, July 27, 2018 from 6:00 AM to 2:00 AM on Saturday, July 28, 2018

Attachments: ICC Street Festival

Enactment No: R-18-234

CA-12 [18-1009](#) Resolution to Authorize Special Event Provisions and to Approve Street Closings for the Relevant Sports International Champions Cup Soccer Game on July 28, 2018

Attachments: ICC Soccer Closures.pdf, Champions Cup Soccer Restricted Permit Area Map.pdf

Enactment No: R-18-235

CA-13 [18-1012](#) Resolution to Close Catherine Street for the Ann Arbor Pride Celebration - August 3-5, 2018

Attachments: Outfest Map

Enactment No: R-18-236

CA-14 [18-1011](#) Resolution to Approve Street Closures for University of Michigan Football Games for the 2018 Season

Attachments: Main St closure - broad, Main St closure - close, Main St closure - west neighborhood

Enactment No: R-18-237

CA-15 [18-0851](#) Resolution to Award a Contract to Crimboli Nursery, Inc. for the Purchase, Delivery and Planting of Trees along City Street Rights-of-Way (\$331,400.00; Bid No. ITB-4533)

Attachments: Service Agreement between Crimboli Nursery Inc for Street Tree Planting FY19.docx, ITB_4533_FY19StreetTreePlanting.pdf, ITB_4533_BidTab.pdf, FY19_StreetTreePlantingPlan.pdf

Enactment No: R-18-238

CA-16 [18-0875](#) Resolution to Approve a Professional Services Agreement for Construction Materials Testing with CTI and Associates, Inc. for the Scio Church Road Improvements Project (RFP No. 18-02; \$31,491.00)

Attachments: PSA CTI.pdf, PSA CTI_rev.d.pdf

Enactment No: R-18-239

CA-17 [18-0911](#) Resolution Approving a Cost-Sharing Contract (No. 18-5196) with the Michigan Department of Transportation (MDOT) to Facilitate Federal Funding of Preventative Maintenance and Safety Improvements on Seventh Street

Attachments: 2017-039 7th HSIP 200513A Location Map.pdf, 2017-039_7th CPM & PMI_MDOT-City Contract 18-5196.pdf

Enactment No: R-18-240

- CA-18** [18-0968](#) Resolution to Approve Change Order No. 1 with Strawser Construction, Inc. for the 2017 Street Surface Treatment Project (ITB No. 4478; \$100,000.00)

Enactment No: R-18-241

- CA-19** [18-0987](#) Resolution to Approve Amendment No. 1 to the Service Contract with Metro Controls, Inc. for On-Call Mechanical Services (\$250,000.00)
Attachments: Contract_Amendment_1.pdf, metro_signed_contract_20150716.pdf

Enactment No: R-18-242

- CA-20** [18-0901](#) Resolution to Ratify Emergency Contract with United Lawnscape, LLC for Seasonal Mowing and Trimming (\$44,940.00)
Attachments: Emergency Change Order Authorization.pdf, United Lawnscape GSA 5-23-18.pdf, Approved Resolution R-15-114.pdf, FINAL BID ANALYSIS.pdf, Change Order _1 Revena Place.pdf

Enactment No: R-18-243

- CA-21** [18-1018](#) Resolution Approving a Contract with the Shelter Association of Washtenaw County for the 2017-18 Winter Emergency Shelter and Warming Center (\$72,000.00)
Attachments: SAWC_City of AA_Warming Center Contract FY17_18

Enactment No: R-18-244

- CA-22** [18-0861](#) Resolution to Approve a Contract with Governmental Consultant Services, Inc. for Lobbying Services (\$48,000.00)
Attachments: GCSI PSA 2018_2019 EXT 4-25-18 .pdf

Enactment No: R-18-245

- CA-23** [18-0860](#) Resolution to Approve a Contract with Ann Arbor SPARK for Economic Development Services (\$75,000.00)
Attachments: SPARK PSA 18-19 EXT 4-25-18.pdf

Enactment No: R-18-246

CA-24 [18-1023](#) Resolution to Approve Ballot Language for the Citizen-Initiated Petition for the Center of the City Charter Amendment and to Authorize Submission to the Governor and Attorney General for Approval for the November 6, 2018 Ballot

Enactment No: R-18-247

CA-25 [18-0956](#) Resolution to Approve Amendment No. 6 to the Carlisle/Wortman Professional Services Agreements for Building Official Services, Amend the FY18 Budget and Appropriate Necessary Funds to Conclude the Current Service Contract (**8 Votes Required**)

Enactment No: R-18-248

CA-26 [18-1051](#) Resolution to Approve Street Closings for the 2018 Ann Arbor Jaycees Fourth of July Parade - Wednesday, July 4, 2018

Attachments: 4th of July Parade Map.pdf

Enactment No: R-18-249

CA-27 [18-1052](#) Resolution to Approve Street Closings for the Firecracker 5K - Wednesday, July 4, 2018

Attachments: Firecracker 5K Map

Enactment No: R-18-250

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 [18-0734](#) Resolution No. 4 - Confirming the Federal Commerce Green Road Sidewalk Special Assessment

Attachments: Federal Comm Green Rd Sidewalk Special Assessment Roll.pdf

A public hearing was conducted on the proposed Resolution No. 4 - Confirming the Federal Commerce Green Road Sidewalk Special Assessment. Notice of public hearing was published June 4, 2018.

Michael Mixer, President of Chapel Hill Homeowners Association, spoke in opposition to the proposed assessment, stating in some places there will be duplicate sidewalks and also expressed concern about the proposed costs associated with the assessment.

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

Held and Closed

Enactment No: R-18-262

PH-2 [18-0377](#)

An Ordinance to Amend Sections 5:1 and 5:10.4 of Chapter 55 (Zoning) of the Code of the City of Ann Arbor to Modify the Definition of Fraternity or Sorority House and Amend Corresponding Special Exception Use Standards (Ordinance No. ORD-18-06)

Attachments: 18-06 Fraternity Special Exception Ordinance Briefed.pdf, Fraternity Special Exception Ordinance.pdf, Memorandum to CPC - 8-11 .pdf, Planning Commission Minutes August 15, 2017.pdf, Letter of Opposition from Stephen Bernstein.pdf, AASAC Zoning Law Letter of Support.pdf

A public hearing was continued on the proposed amendment to Sections 5:1 and 5:10.4 of Chapter 55 (Zoning) of the Code of the City of Ann Arbor to Modify the Definition of Fraternity or Sorority House and Amend Corresponding Special Exception Use Standards. Notice of public hearing was published April 9, 2018 and June 14, 2018.

Josh Wineglass, UM graduate and Theta Chi advisor, stated this is unfair to the owners of these houses.

A woman representing a local sorority house spoke in opposition.

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

Held and Continued to the City Council due back on 7/16/2018

Enactment No: ORD-18-06

PH-3 [18-0565](#)

An Ordinance to Amend Sections 2:61 through 2:64, and 2:69, and to Repeal Section 2:73 of Chapter 29 (Change Water, Sewer, and Stormwater Rates) of Title II of the Code of the City of Ann Arbor (Ordinance No. ORD-18-12)

Attachments: 18-12 Briefed and Approved.pdf, 18-12 Water Sewer and Stormwater Rates Ordinance Briefed.pdf, Chapter_29_W_S_SW_Ordinance.pdf, 18-12 Approval Notice.pdf

A public hearing was continued on the proposed amendment Sections 2:61 through 2:64, and 2:69, and to Repeal Section 2:73 of Chapter 29 (Change Water, Sewer, and Stormwater Rates) of Title II of the Code of the City of Ann Arbor. Notice of public hearing was published May 17, 2018 and June 14, 2018.

The following persons were present to speak at the hearing:

A Ward 5 resident spoke in opposition.

Anna Attarian, 3490 Gettysburg, spoke in opposition.

Jeff Hayner, 1807 Pontiac Trail, spoke in opposition, stating concerns that the cost burden is being shifted from renters to homeowners.

Bill Rosen, Newport Homeowners Association, spoke in opposition, stating water rates need to be fair and equitable.

Elizabeth Jowl, 5th Ward, spoke in opposition.

Tim Rhodes, 448 S. First, spoke in opposition, stating this proposal is not fair to homeowners.

Joe Hood, Ward 4 resident, spoke in opposition, stating the system is in disrepair.

A Ward 1 resident questioned whether the City publicizes the peak usage, stating she would have adjusted her water use if she was using during peak times.

A Skyline High School student expressed concern about moving the burden of cost to single-family users.

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

Held and Closed

Enactment No: ORD-18-12

PH-4 [18-0931](#)

Resolution to Approve 1101 South University Site Plan, 1101 South University (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

Attachments: 1101 S Univ Staff Report w Attachments-Update4-17-18.pdf

A public hearing was conducted on the proposed Resolution to Approve 1101 South University Site Plan, 1101 South University. Notice of public hearing was published June 11, 2018.

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

Held and Closed

Enactment No: R-18-258

A **APPROVAL OF COUNCIL MINUTES**

A-1 [18-1064](#)

Regular Session Meeting Minutes of June 4, 2018

Attachments: 06-04-18 Draft Minutes.pdf, Council Emails 6-4-2018.pdf

A motion was made by Councilmember Ackerman, seconded by Councilmember Grand, that the Minutes of the Regular Session of June 4, 2018 be approved. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

B Unfinished Business - Staff:

- B-1** [18-0377](#) An Ordinance to Amend Sections 5:1 and 5:10.4 of Chapter 55 (Zoning) of the Code of the City of Ann Arbor to Modify the Definition of Fraternity or Sorority House and Amend Corresponding Special Exception Use Standards (Ordinance No. ORD-18-06)

Attachments: 18-06 Fraternity Special Exception Ordinance Briefed.pdf, Fraternity Special Exception Ordinance.pdf, Memorandum to CPC - 8-11 .pdf, Planning Commission Minutes August 15, 2017.pdf, Letter of Opposition from Stephen Bernstein.pdf, AASAC Zoning Law Letter of Support.pdf

A motion was made by Councilmember Ackerman, seconded by Councilmember Westphal, that the Ordinance be adopted at Second Reading.

Enactment No: ORD-18-06

(The complete copy of the text of Ordinance No. ORD-18-06 is on file in the City Clerk's Office.)

A motion was made by Councilmember Ackerman, seconded by Councilmember Lumm, that the Ordinance be postponed at Second Reading to the City Council and should be returned by 7/16/2018. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-18-06

- B-2** [18-0565](#) An Ordinance to Amend Sections 2:61 through 2:64, and 2:69, and to Repeal Section 2:73 of Chapter 29 (Change Water, Sewer, and Stormwater Rates) of Title II of the Code of the City of Ann Arbor (Ordinance No. ORD-18-12)

Attachments: 18-12 Briefed and Approved.pdf, 18-12 Water Sewer and Stormwater Rates Ordinance Briefed.pdf, Chapter_29_W_S_SW_Ordinance.pdf, 18-12 Approval Notice.pdf

(The complete copy of the text of Ordinance No. ORD-18-12 is on file in the City Clerk's Office.)

Councilmember Bannister requested that Public Services staff provide residents with information on when the best times are to use water during the day, as was requested by a resident during the public hearing.

A motion was made by Councilmember Smith, seconded by Councilmember Warpehoski, that the Ordinance be adopted on Second Reading. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 7 - Councilmember Warpehoski, Mayor Taylor, Councilmember Grand, Councilmember Krapohl, Councilmember Westphal, Councilmember Ackerman and Councilmember Smith

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

Enactment No: ORD-18-12

RECESS

Mayor Taylor declared a recess at 10:00 p.m. and reconvened the meeting at 10:12 p.m.

C ORDINANCES - FIRST READING

C New Business - Staff:

- C-1** [18-0902](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.34 Acre from TWP (Township District) to R1C (Single-Family Dwelling District), Maxey Property, 2955 & 2965 Kimberley, (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-18-16)

Attachments: Maxey Zoning Ordinance.pdf, Planning Commission Staff Report

(The complete copy of the text of Ordinance No. ORD-18-16 is on file in the City Clerk's Office.)

A motion was made by Councilmember Ackerman, seconded by Councilmember Grand, that the Ordinance be approved on First Reading to the City Council and should be returned by 7/16/2018. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-18-16

- C-3** [18-0963](#) An Ordinance to Replace Previously Repealed Chapter 9 (Model Neighborhood Policy Board) of Title I of the Code of the City of Ann Arbor with a New Chapter, Which New Chapter Shall be Designated as

Chapter 9 (City Seal and Flag) of Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-18-17)

Attachments: 18-17 Briefed.pdf, City Seal and Flag Ordinance.pdf

(The complete copy of the text of Ordinance No. ORD-18-17 is on file in the City Clerk's Office.)

A motion was made by Councilmember Ackerman, seconded by Councilmember Grand, that the Ordinance be approved on First Reading to the City Council and should be returned by 7/2/2018. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-18-17

D MOTIONS AND RESOLUTIONS

D Unfinished Business - Council:

DC-1 [18-0988](#) Resolution to Re-Appoint Christopher Graham and Appoint Dr. John Callewaert to the Environmental Commission

Sponsors: Smith

Attachments: John Callewaert app. 2018 (1).pdf

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

Enactment No: R-18-251

DC-2 [18-0989](#) Resolution to Reappoint Allison Skinner to the Environmental Commission **(7 Votes Required)**

Sponsors: Smith

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

Enactment No: R-18-252

DC New Business - Council:

DC-3 [18-0975](#) Resolution to Terminate Covenants and Restrictions and an Easement in

a Portion of the Michigan Theater Property **(8 Votes Required)**

Sponsors: Taylor

Attachments: DEED QC to MTF 4646-419.pdf, Parcel Illustration.pdf

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

Enactment No: R-18-253

DC-4 [18-1072](#) Resolution Opposing the Addition of a Citizenship Question to the 2020 Census

Sponsors: Warpehoski, Grand, Krapohl, Westphal and Taylor

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

Enactment No: R-18-254

CONSIDERATION OF C-2

It was noted that C-2 was missed during Ordinances - First Reading.

C-2 [18-0904](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 1.05 Acres from TWP (Township District) to R1A (Single Family Dwelling District), Malooley-Gordon, 2410 Newport Road (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

Attachments: 18-18 Briefed.pdf, 2410 Newport Ordinance.pdf, 2410 Newport Malooley Annexation & Zoning Staff Report w Attachments.pdf, 2410 Newport Annexation - Council Report.pdf

(The complete copy of the text of Ordinance No. ORD-18-18 is on file in the City Clerk's Office.)

A motion was made by Councilmember Warpehoski, seconded by Councilmember Smith, that the Ordinance be approved on First Reading to the City Council and should be returned by 7/16/2018. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-18-18

DC-5 [18-1062](#) Resolution to Approve Third Amendment to Professional Services Agreement with Bodman, PLC, for Legal Services Relative to 1,4-Dioxane from Gelman Sciences, Inc., dba Pall Life Sciences (\$150,000.00) and to Appropriate Funds (\$150,000.00) **(8 Votes Required)**

Sponsors: Taylor

Attachments: Bodman PLC Gelman Am No. 3.pdf

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

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

Nays: 0

Enactment No: R-18-255

DC-6 [18-1027](#) Resolution to Enter an Agreement with DTE Gas Company Regarding Easements for the Allen Creek Railroad Berm Opening Project

Sponsors: Taylor

Attachments: DTE-Allen Creek Berm Agreement.pdf

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

Enactment No: R-18-256

DC-7 [18-1089](#) Resolution to Approve the First Amendment to Professional Services Agreement with Butzel Long for Legal Services Related to the Sale of the Above Ground Development Rights of 319 S. Fifth Ave. (\$75,000.00 amendment/NTE total \$100,000.00)

Sponsors: Taylor

Attachments: First Amendment.pdf

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

Yeas: 7 - Councilmember Warpehoski, Mayor Taylor, Councilmember Grand, Councilmember Krapohl, Councilmember Westphal, Councilmember Ackerman and Councilmember Smith

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

Enactment No: R-18-257

DB New Business - Boards and Commissions:

DB-1 [18-0931](#) Resolution to Approve 1101 South University Site Plan, 1101 South University (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

Attachments: 1101 S Univ Staff Report w Attachments-Update4-17-18.pdf

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

Enactment No: R-18-258

DB-2 [18-1003](#) Resolution to Adopt the City's Legislative Agenda for FY2019

Attachments: City's Legislative Agenda FY19.pdf

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

Enactment No: R-18-259

DB-3 [18-1067](#) Resolution to Oppose SB 0637 - Small Wireless Facilities

Sponsors: Lumm, Smith, Warpehoski and Kailasapathy

Attachments: 180614 - Recommended City Position on Small Wireless Facilities (Final)_.pdf

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

Enactment No: R-18-260

DS **Unfinished Business - Staff:**

DS-1 [18-0634](#) Resolution to Update and Adjust Parking Fine Schedule

Attachments: Exp Meter Benchmark Results - 12-13-17.pdf, Parking Fine Analysis 2018.pdf, Parking Fines - Feedback.pdf

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

Enactment No: R-18-261

[18-0634](#)

Resolution to Update and Adjust Parking Fine Schedule

Attachments: Exp Meter Benchmark Results - 12-13-17.pdf, Parking Fine Analysis 2018.pdf, Parking Fines - Feedback.pdf

Councilmember Warpehoski moved the following amendment, supported by Councilmember Ackerman:

Resolved, That effective August 1, 2018 the parking fine schedule be adjusted to modify the expired meter fines as follows:

Effective	Delinquent				
	Discounted	Fine	14 days	30 days	Default
1-Aug-18	\$15	\$30	\$60	\$70	\$80

Resolved, That staff not consider a Phase 2 adjustment prior to January 1, 2020.

Councilmember Lumm further moved, that the fine be amended from \$30 to \$25.

Enactment No: R-18-261

The question being, the motion made by Councilmember Warpehoski, seconded by Councilmember Ackerman, that the Resolution be amended, and further amended as proposed by Councilmember Lumm, on a roll call, the vote was as follows with the Mayor declaring the motion carried:

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

Nays: 1 - Councilmember Westphal

Enactment No: R-18-261

The question being, the motion made by Councilmember Westphal, seconded by Councilmember Smith, that the Resolution be approved as amended, on a voice vote, the Mayor declared the motion carried.

Enactment No: R-18-261

DS New Business - Staff:

DS-2

[18-0734](#)

Resolution No. 4 - Confirming the Federal Commerce Green Road Sidewalk Special Assessment

Attachments: Federal Comm Green Rd Sidewalk Special Assessment Roll.pdf

A motion was made by Councilmember Lumm, seconded by Councilmember

Westphal, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.

Enactment No: R-18-262

E COMMUNICATIONS FROM THE CITY ATTORNEY

None.

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

F The following communications were referred as indicated:

Passed on consent agenda

A motion was made by Councilmember Krapohl, seconded by Councilmember Warpehoski, that the Clerk's Report of Communications, Petitions, and Referrals be approved as presented. On a voice vote, the Mayor declared the motion carried.

F-1 [18-0838](#) Support for City Council Resolution R-17-261 the Resolution of Intent Regarding Washtenaw County Millage to Support Community Mental Health Department, County Sheriff Operations, and Policing Jurisdictions Rebate

F-2 [18-0978](#) Communication from Evan Pratt regarding HRGIDD NPS-Tree Planting 5504-07 Drain Project - Systems Planning
Attachments: Communication from Evan Pratt regarding HRGIDD NPS-Tree Planting 5504-07 Drain Project.pdf

F-3 [18-1096](#) Ann Arbor SPARK Semi-Annual Report - July 1, 2017 - December 31, 2017
Attachments: 2.2.18 FINAL SPARK 2017 Metrics City of Ann Arbor .pdf

G The following minutes were received for filing:

G-1 [18-0337](#) February 6, 2018 City Planning Commission Meeting Minutes

Attachments: 2-6-2018 CPC Minutes .pdf

G-2 [18-0495](#) March 6, 2018 City Planning Commission Meeting Minutes

Attachments: 3-6-2018 CPC Minutes with Live Links.pdf

G-3 [18-0678](#) April 3, 2018 City Planning Commission Meeting Minutes

Attachments: 4-3-2018 Planning Commission Meeting Minutes with Live Links .pdf

G-4 [18-0700](#) Minutes of the March 20, 2018 PAC Meeting

Attachments: 3-20-2018 PAC Minutes .pdf

G-5 [18-0877](#) Airport Advisory Committee Minutes - March 21, 2018

Attachments: AAC Minutes 032118.pdf

G-6 [18-0881](#) LDFA Board Meeting Minutes - April 17, 2018

Attachments: LDFA Board Meeting Minutes - April 17, 2018.pdf

G-7 [18-0895](#) Ann Arbor Housing Commission April 11, 2018 Board Minutes

Attachments: AAHC Board Minutes April 18, 2018.pdf

G-8 [18-0909](#) Minutes from the May 3, 2018 meeting of the Advisory Task Force
Regarding The Community Policing Commission

Attachments: MeetingMinutes15-May-2018-02-58-07.pdf

G-9 [18-0976](#) Election Commission Meeting Minutes of the April 17, 2018

Attachments: 2018-04-17 Election Commission Minutes.pdf

G-10 [18-1014](#) Insurance Board Meeting Minutes - May 24, 2018

Attachments: Insurance Board Minutes 052418.pdf, Insurance Board Loss Run May 2018.pdf

G-11 [18-1024](#) Council Policy Agenda Committee meeting minutes for May 29, 2018

Attachments: Council Policy Agenda Committee Meeting Minutes for 18.05.29.pdf

G-12 [18-1068](#) Council Administration Committee Minutes - May 7, 2018

Attachments: Council Admin Minutes 5-7-18.pdf

G-13 [18-1070](#) Council Administration Committee Minutes - April 16, 2018

Attachments: Admin Committee Minutes 4-16-18 - .docx

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

A Ward 5 resident and advisor of Alpha Phi sorority spoke about the proposed Zoning Amendment changes for fraternity and sorority houses.

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER KRAPOHL

Councilmember Krapohl stated there is an LDFA meeting tomorrow at 8:15 a.m. at the DDA building if anyone is interested in attending.

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 Kailasapathy, seconded by Councilmember Smith, that the Council enter into Closed Session under the Michigan Open Meetings Act to discuss pending litigation and attorney/client privileged communication as set forth in MCLA 15.268 (E) and (H). On a roll call, the vote was as follows with the Mayor declaring the motion carried and the meeting adjourned in Closed Session at 11:02 p.m:

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

Nays: 0

MEETING RECONVENED

A motion was made by Councilmember Lumm, seconded by Councilmember Krapohl, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 11:18 p.m.

REOPEN AGENDA

A motion was made by Councilmember Warpehoski, seconded by Councilmember Smith, that the Agenda be re-opened. On a voice vote, the Mayor declared the motion carried.

AMEND THE AGENDA

A motion was made by Councilmember Eaton, seconded by Councilmember Warpehoski, that the Agenda be approved as amended:

Add:

Resolution Regarding *Mayberry v City of Ann Arbor*, Eastern District Federal District Court Case No. 16-14063.

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

[18-1103](#)

Resolution Regarding *Mayberry v City of Ann Arbor*, Eastern District Federal District Court Case No. 16-14063

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

Enactment No: R-18-263

ADJOURNMENT

A motion was made by Councilmember Grand, seconded by Councilmember Westphal, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 11:20 p.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, JUNE 18, 2018 @ 7:00 P.M.

REPLAYS: WEDNESDAY, JUNE 20, 2018 @ 8:00 A.M. AND FRIDAY, JUNE 22, 2018 @ 8:00 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

CTN's Government Channel live televised public meetings can be viewed in a variety of ways:

Live Web streaming or Video on Demand: <https://a2ctn.viebit.com>

Cable: Comcast Cable channel 16 or AT&T UVerse Channel 99

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

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

Requests made with less than two business days' notice may not be able to be accommodated.

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