

# **City of Ann Arbor**

*301 E. Huron St.*

*Ann Arbor, MI 48104*

*<http://a2gov.legistar.com/Calendar.aspx>*



## **Meeting Minutes - Draft**

**Monday, May 6, 2019**

**7:00 PM**

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

**City Council**

**Council meets in Caucus at 7:00 p.m. on the Sunday prior to each Regular Session.**

**CALL TO ORDER**

*Mayor Christopher Taylor called the Regular Session of the Ann Arbor City Council to order at 7:08 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 Jack Eaton, Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Zachary Ackerman, Councilmember Chip Smith, Councilmember Anne Bannister, Councilmember Jeff Hayner, Councilmember Kathy Griswold, Councilmember Elizabeth Nelson and Councilmember Ali Ramlawi

**APPROVAL OF AGENDA**

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

**AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR**

*City Administrator Howard S. Lazarus presented the following written reports for information of Council:*

**AC-1**     [19-0929](#)     May 6, 2019 Agenda Response Memo and eComments

**Received and Filed**

**AC-2**     [19-0953](#)     City Administrator's Report - May 6, 2019

**Received and Filed**

**INT**     **INTRODUCTIONS**

*None.*

**PUBLIC COMMENTARY - RESERVED TIME (3 MINUTES PER SPEAKER)**

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

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

- 1. Tom Stulberg - An Ordinance to Amend Section 5.15 and Section 5.16.6 of Chapter 44 Accessory Dwelling Units (C-2)**

*Tom Stulberg, 1202 Traver, spoke in opposition to the proposed amendments to Chapter 44, related to Accessory Dwelling Units.*

- 2. Mark Koroï - Resolution to Replace Councilmember Ackerman with Councilmember Ramlawi on the Independent Community Police Oversight Commission (DC-3)**

*Mark Koroï spoke about the DC-3, the resolution that would replace Councilmember Ackerman on the ICPOC with Councilmember Ramlawi. Mr. Koroï spoke in favor of the proposed resolution and stated a minority representative from Council was needed.*

- 3. David Silkworth - Resolution Encouraging the Listing of Gelman Site as a "Superfund" Site (DC-5)**

*David Silkworth, Ward 5, spoke in support of the proposed resolution encouraging the listing of the Gelman plume as a federal "Superfund" site.*

- 4. Eric Lipson - Resolution Encouraging the Listing of Gelman Site as a "Superfund" Site (DC-5)**

*Eric Lipson, Ward 4, spoke about DC-5, the proposed resolution to encourage the listing of the Gelman site as a "superfund" site.*

5. **Lu Anne Bullington - Crosswalk Ordinance (F-1)**

*(Not present.)*

6. **Doug Kelbaugh - Climate Change**

*Doug Kelbaugh, Ann Street, spoke about the need for climate action and dramatic change in behavior.*

**CC COMMUNICATIONS FROM COUNCIL***COUNCILMEMBER GRAND*

*Councilmember Grand thanked all of the audience members who attended the reception this evening to discuss affordable housing, climate action and mental health.*

*Councilmember Grand stated May is Commuter Challenge month and urged residents and staff to walk or bike to work when possible.*

*Councilmember Grand highlighted the introduction of CC-3, appointments to the Greenbelt Commission and noted the confirmation of these appointments would come back to City Council on May 20.*

*COUNCILMEMBER RAMLAWI*

*Councilmember Ramlawi reminded residents about the Council Caucus meetings, which are held each Sunday prior to Regular Session. He stated the next Caucus would be held on Sunday, May 19, but would be at 3:00 p.m. instead of the regular 7:00 p.m. start.*

*Councilmember Ramlawi stated the ICPOC had its first meeting last week and he welcomes the opportunity to serve as a Council liaison, as well as a member of the Human Rights Commission.*

*COUNCILMEMBER HAYNER*

*Councilmember Hayner noted that he has officially been a member of Council for six months. He thanked his constituents for the opportunity to serve.*

*Councilmember Hayner also noted the passing of longtime Ypsilanti City Council Member Pete Murdock. Councilmember Hayner stated he hoped that the Cities of Ann Arbor and Ypsilanti could improve their relationship in the future and work together more.*

*COUNCILMEMBER GRISWOLD*

*Councilmember Griswold also spoke about the rescheduled start time for Caucus on Sunday, May 19.*

**COUNCILMEMBER ACKERMAN**

*Councilmember Ackerman highlighted the number of local farmer's markets that have opened around time and encouraged residents to support them.*

**CC-1**     [19-0719](#)     Resolution to Reappoint Stephen Brown to the Environmental Commission

**Sponsors:**     Bannister and Smith

**Referred to the City Council due back on 5/20/2019**

**CC-2**     [19-0807](#)     Resolution to Reappoint Jonathan Overpeck to the Environmental Commission (7 Votes Required)

**Sponsors:**     Smith and Bannister

**Referred to the City Council due back on 5/20/2019**

**CC-3**     [19-0849](#)     Resolution to Reappoint Jennifer Fike and John Ramsburgh to the Greenbelt Advisory Commission

**Sponsors:**     Grand

**Referred to the City Council due back on 5/20/2019**

**MC**     **COMMUNICATIONS FROM THE MAYOR**

**MC-1**    **19-0880**    Appointments - Confirmations

*Mayor Taylor recommended the following nominations for approval at a later date:*

*Airport Advisory Committee  
Melanie McNicholas -Reappointment  
405 Eberwhite Blvd.  
Ann Arbor, MI 48103  
Term: June 1, 2019-May 31, 2022*

*Ann Arbor Area Transportation Authority  
Raymond Hess -Replacing Eli Cooper (resigned)  
1920 Alhambra Dr.  
Ann Arbor, MI 48103  
Term: Ending May 1, 2024*

*Ann Arbor Public Art Commission  
David Esau -Reappointment  
2011 Brampton Ct.  
Ann Arbor, MI 48103  
Term: June 1, 2019-May 31, 2022*

*Building Board of Appeals  
David Arnsdorf -Reappointment  
3450 Vintage Valley Rd.  
Ann Arbor, MI 48105  
Term: June 1, 2019-May 31, 2021*

*Hugh Flack, Jr. -Reappointment  
831 Avon Rd.  
Ann Arbor, MI 48104  
Term: June 1, 2019-May 31, 2021*

*Robert Hart -Reappointment  
3425 Gettysburg Rd.  
Ann Arbor, MI 48105  
Term: June 1, 2019-May 31, 2021*

*Cable Communications Commission  
David Pittman  
2474 Arrowwood Trail*

*Ann Arbor, MI 48105  
Term: June 1, 2019-May 31, 2024*

*John Torgersen -Reappointment  
2035 Weldon Blvd.  
Ann Arbor, MI 48103  
Term: June 1, 2019-May 31, 2024*

*City Planning Commission  
Erica Briggs -Reappointment  
204 Mark Hannah Place  
Ann Arbor, MI 48103  
Term: July 1, 2019-June 30, 2022*

*Scott Trudeau -Reappointment  
526 N. Main St.  
Ann Arbor, MI 48104  
Term: July 1, 2019-June 30, 2022*

*Julie Weatherbee -Reappointment  
837 S. Main St.  
Ann Arbor, MI 48104  
Term: July 1, 2019-June 30, 2022*

*Commission on Disability Issues  
Kathleen Mozak-Betts -Reappointment  
106 Packard St.  
Ann Arbor, MI 48104  
Term: June 1, 2019-May 31, 2022*

*Larry Keeler -Reappointment  
1020 Pennsylvania Ave.  
Ann Arbor, MI 48103  
Term: June 1, 2019-May 31, 2022*

*Tim Hull-Reappointment  
2475 Lancashire Dr.  
Ann Arbor, MI 48105  
Term: June 1, 2019-May 31, 2022*

*Design Review Board  
Corry Buckwalter  
Urban Planner*



2124 Brockman Blvd.  
Ann Arbor, MI 48104  
Term: June 1, 2019-May 31, 2022

Gary Cooper -Reappointment  
2900 Brockman Blvd.  
Ann Arbor, MI 48104  
Term: June 1, 2019-May 31, 2022

Downtown Area Citizens' Advisory Council  
Donald Duquette -Reappointment  
505 E. Huron St.  
Ann Arbor, MI 48104  
Term: June 1, 2019-May 31, 2022

Joan French -Reappointment  
505 E. Huron St.  
Ann Arbor, MI 48104  
Term: June 1, 2019-May 31, 2022

Hugh Sonk -Reappointment  
505 E. Huron St.  
Ann Arbor, MI 48104  
Term: June 1, 2019-May 31, 2022

John Chamberlin -Reappointment  
315 Second St.  
Ann Arbor, MI 48103  
Term: June 1, 2019-May 31, 2022

Kathleen Nolan -Reappointment  
223 E. Ann St.  
Ann Arbor, MI 48104  
Term: June 1, 2019-May 31, 2022

Downtown Development Authority  
Phillip Weiss -Reappointment  
3449 Ashburnam Rd.  
Ann Arbor, MI 48105  
Term: June 1, 2019-May 31, 2023

Elizabeth Dean Fund Committee  
Ken Westerman -Reappointment

715 Granger Ave.  
Ann Arbor, MI 48104  
Term: June 1, 2019-May 31, 2021

Monica Milla -Reappointment  
3320 Fernwood Ave.  
Ann Arbor, MI 48108  
Term: June 1, 2019-May 31, 2021

Energy Commission  
Mark Clevey -Reappointment  
2917 Brockman Blvd.  
Ann Arbor, MI 48104  
Term: June 1, 2019-May 31, 2022

Jay Zocher -Reappointment  
3617 Larchmont  
Ann Arbor, MI 48105  
Term: June 1, 2019-May 31, 2022

Carlene Colvin-Garcia -Reappointment  
690 Barton Dr.  
Ann Arbor, MI 48105  
Term: June 1, 2019-May 31, 2022

*Historic District Commission*

David Rochlen -Reappointment  
454 Second St.  
Ann Arbor, MI 48103  
Term: June 1, 2019-May 31, 2022

Housing Board of Appeals  
Jerry Schulte -Reappointment  
3334 Yellowstone Dr.  
Ann Arbor, MI 48105  
Term: June 1, 2019-May 31, 2022

Housing & Human Services Advisory Board  
Eleanor Pollack -Reappointment  
515 Detroit St.  
Ann Arbor, MI 48104  
Term: June 1, 2019-May 31, 2022

*James Daniel -Reappointment*  
2769 Arrowwood Trl.  
Ann Arbor, MI 48105  
Term: June 1, 2019-May 31, 2022

*Nora Wright -Reappointment*  
2008 Morton Ave.  
Ann Arbor, MI 48104  
Term: June 1, 2019-May 31, 2022

*Human Rights Commission*  
*Keta Cowan*  
2128 Stephen Terrace  
Ann Arbor, MI 48103  
Term: June 1, 2019-May 31, 2022

*Linda Winkler -Reappointment*  
625 Second St.  
Ann Arbor, MI 48103  
Term: June 1, 2019-May 31, 2022

*Huron River Watershed Commission*  
*Cheryl Darnton-Reappointment*  
601 Eberwhite  
Ann Arbor, MI 48103  
Term: June 1, 2019-May 31, 2021

*Richard Norton -Reappointment*  
524 Third St.  
Ann Arbor, MI 48103  
Term: June 1, 2019-May 31, 2021

*Local Development Finance Authority*

*Stephen Rapundalo -Reappointment*  
3106 Bluett Rd.  
Ann Arbor, MI 48105  
Term: July 1, 2019-June 30, 2023

*Park Advisory Commission*  
*Paige Morrison -Reappointment*  
410 W. Keech Ave.

*Ann Arbor, MI 48103  
Term: June 1, 2019-May 31, 2022*

*Public Market Advisory Commission  
Peter Woolf -Reappointment  
1108 Mixtwood St.  
Ann Arbor, MI 48103  
Term: June 1, 2019-May 31, 2022*

*Recreation Advisory Commission*

*Katie Lewit -Reappointment  
1685 Northbrook Dr.  
Ann Arbor, MI 48103  
Term: June 1, 2019-May 31, 2022*

*Glen Nelson -Reappointment  
1323 S. Forest Ave.  
Ann Arbor, MI 48104  
Term: June 1, 2019-May 31, 2022*

*Transportation Commission  
Linda Diane Feldt -Reappointment  
3 Keppler Ct.  
Ann Arbor, MI 48103  
Term: June 1, 2019-May 31, 2022*

*Robert Gordon -Reappointment  
2330 Fernwood Ave.  
Ann Arbor, MI 48104  
Term: June 1, 2019-May 31, 2022*

*Zoning Board of Appeals  
Julie Weatherbee -Reappointment  
837 S. Main St.  
Ann Arbor, MI 48104  
Term: June 1, 2019-May 31, 2022*

*Todd Grant -Reappointment  
2775 Antietam Court  
Ann Arbor, MI 48105  
Term: June 1, 2019-May 31, 2022*

**Referred to the City Council due back on 5/20/2019**

**MC-2**     [19-0892](#)     Resolution to Appoint Peter Greenfield to the Airport Advisory Committee (7 Votes Required)

**Sponsors:**     Taylor

**Referred to the City Council due back on 5/20/2019**

**MC-3**     [19-0893](#)     Resolution to Appoint Bonnie Gabowitz to the Cable Communications Commission (7 Votes Required)

**Sponsors:**     Taylor

**Referred to the City Council due back on 5/20/2019**

**MC-4**     [19-0894](#)     Resolution to Appoint Dale Leslie and Tim Marshall to the Economic Development Corporation (7 Votes Required)

**Sponsors:**     Taylor

**Referred to the City Council due back on 5/20/2019**

**MC-5**     [19-0895](#)     Resolution to Appoint Wayne Appleyard to the Energy Commission (7 Votes Required)

**Sponsors:**     Taylor

**Referred to the City Council due back on 5/20/2019**

**MC-6**     [19-0898](#)     Resolution to Appoint Molly Maciejewski to the Huron River Watershed Council (7 Votes Required)

**Sponsors:**     Taylor

**Referred to the City Council due back on 5/20/2019**

**MC-7**     [19-0899](#)     Resolution to Appoint Mohamed Al-Azem to the Human Rights Commission (7 Votes Required)

**Sponsors:**     Taylor

**Referred to the City Council due back on 5/20/2019**

**MC-8**     [19-0900](#)     Resolution to Appoint Paula Sorrell to the Local Development Finance Authority (7 Votes Required)

**Sponsors:**     Taylor

**Referred to the City Council due back on 5/20/2019**

**MC-9**     [19-0902](#)     Resolution to Appoint Patricia Jenkins to the Housing Commission (7 Votes Required)

**Sponsors:**     Taylor

**Referred to the City Council due back on 5/20/2019**

**MC-10**   [19-0903](#)     Resolution to Appoint Howard Lazarus and Tom Crawford to the Ann Arbor Building Authority

**Sponsors:**     Taylor

**Referred to the City Council due back on 5/20/2019**

**CA     CONSENT AGENDA**

**CONSENT AGENDA ITEMS REMOVED**

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

*CA-10 Resolution to Approve a Contract with Liberty Security Group Inc. for Guest Services at the Guy C. Larcom City Hall (\$102,500.00) RFP #19-01*

*CA-15 Resolution to Authorize Professional Services Agreements with Tetra Tech of Michigan, PC for up to \$500,000.00 Hubbell, Roth, & Clark, Inc. for up to \$500,000.00 and OHM Advisors for up to \$300,000.00, all for General Civil Engineering Services (RFP #19-05)*

*CA-16 Resolution to Award Construction Contracts to E.T. MacKenzie Company and Inner City Contracting LLC. For On-Call Construction Services in the Amount of \$250,000.00 each per Year for a Period of Three Fiscal Years (RFP No. 19-04)*

*CA-22 Resolution to Award a Construction Contract to Fonson Company, Inc. (ITB No. 4569, \$853,846.00) and Appropriate the Remaining Fund Balance of \$1,285,227.00 from the Maintenance Facility Capital Projects Fund and Amend the Existing Maintenance Facility Construction Project for the W.R. Wheeler (Swift Run) Service Center PUD Non-motorized Improvements - Phase 2 Project (8 Votes Required)*

*CA-17 Resolution to Award a Construction Contract to Cadillac Asphalt LLC (ITB. 4570, \$8,995,000.00) for the 2019 Street Resurfacing/Restoration Project, and to Appropriate \$675,000.00 from the Major Street Fund and \$1,917,500.00 from the Local Street Fund (8 Votes Required)*

**Passed on consent agenda**

**A motion was made by Councilmember Smith, seconded by Councilmember Nelson, that the following Consent Items be approved as presented. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement of CA-8 and CA-13.**

**CA-1      19-0829      Enactment No:      R-19-188      Approved**

Resolution to Close N. Fourth Avenue and E. Ann Street for the 24th Annual African-American Downtown Festival, Friday, May 31, 2019 to Saturday, June 1, 2019

**CA-2      19-0660      Enactment No:      R-19-189      Approved**

Resolution to Close North University for the Townie Street Party - Sunday, July 14, 2019 to Wednesday, July 17, 2019

**CA-3      19-0662      Enactment No:      R-19-190      Approved**

Resolution to Close Streets for the Townie Street Party - Ann Arbor Mile-Dart for Art on Monday, July 16, 2018

**CA-4      19-0704      Enactment No:      R-19-191      Approved**

Resolution to Approve Street Closings for the 2019 Rolling Sculpture Car Show - Friday, July 12, 2019

**CA-5      19-0706      Enactment No:      R-19-192      Approved**

Resolution to Approve Street Closing for the NTI Block Party - Wednesday, July 31, 2019 from Noon to Midnight

**CA-6      19-0858      Enactment No:      R-19-193      Approved**

Resolution to Approve Street Closings for the UA Block Party and Plumbers & Pipefitters 5K - Monday, August 12, 2019

**CA-7      19-0776      Enactment No:      R-19-194      Approved**

Resolution to Approve the 2019 Ann Arbor Jaycees Summer Carnival at Pioneer High School - June 17 to June 24, 2019

**CA-8      19-0575      Enactment No:      R-19-195      Approved**

Resolution to Award Construction Contract for the Geddes Dam Gate Recoating and Repairs Project to Gerace Construction Company, Inc. (\$828,000), to Appropriate Funds, and to Amend the Project Budget (8 Votes Required)



Item CA-9 was moved to DC-2.

**CA-11    19-0655    Enactment No:    R-19-196    Approved**

Resolution to Approve Schedule 30 to the Interagency Agreement for Collaborative Technology and Services for a Merit Networks Shared Internet Connection with Washtenaw County and the Ann Arbor Area Transportation Authority (AAATA) (\$38,743.34 over a 6-year period)

**CA-12    19-0726    Enactment No:    R-19-197    Approved**

Resolution Levying Certain Delinquent Water Utility, Board Up, Clean Up, Vacant Property Inspection Fees, Housing Inspection Fees, and Fire Inspection Fees as Special Assessments and Ordering Collection Thereof

**CA-13    19-0729    Enactment No:    R-19-198    Approved**

Resolution to Accept a Sanitary Sewer Easement at 609, 611, 613 and 615 Ironwood Drive from Charles Zent and Pamela Gearhart (8 Votes Required)

**CA-14    19-0871    Enactment No:    R-19-199    Approved**

Resolution Recognizing The Word of Life DBA: University Christian Outreach as a Civic Nonprofit Organization Operating in Ann Arbor for the Purpose of Obtaining a Charitable Gaming License

**CA-18    19-0730    Enactment No:    R-19-200    Approved**

Resolution to approve a Professional Services Agreement with Materials Testing Consultants, Inc. for Material Testing Services for the 2019 Street Resurfacing/Restoration Project (\$139,530.00)

**CA-19    19-0576    Enactment No:    R-19-201    Approved**

Resolution to Award a Construction Contract to J. Ranck Electric, Inc. (ITB No. 4574) for 2019 RRFB Installations (\$95,750.00)

**CA-20    19-0580    Enactment No:    R-19-202    Approved**

Resolution to Award a Construction Contract to Douglas N. Higgins, Inc. for the 2019 Miscellaneous Utility Project (\$1,512,263.50)

**CA-21    19-0630    Enactment No:    R-19-203    Approved**

Resolution to Approve a Professional Services Agreement with Professional Services Industries, Inc., for Material Testing Services for the 2019 Miscellaneous Utility Project (\$37,250.00).

**CA-10    19-0604    Enactment No:    R-19-204    Approved**

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

**Yeas:** 6 - Councilmember Lumm, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith and Councilmember Nelson

**Nays:** 5 - Councilmember Eaton, Councilmember Bannister, Councilmember Hayner, Councilmember Griswold and Councilmember Ramlawi

Resolution to Approve a Contract with Liberty Security Group Inc. for Guest Services at the Guy C. Larcom City Hall (\$102,500.00) RFP #19-01

**CA-15    19-0635    Enactment No:    R-19-205    Approved**

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

**Yeas:** 10 - Councilmember Lumm, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Bannister, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

**Nays:** 1 - Councilmember Hayner

Resolution to Authorize Professional Services Agreements with Tetra Tech of Michigan, PC for up to \$500,000.00 Hubbell, Roth, & Clark, Inc. for up to \$500,000.00 and OHM Advisors for up to \$300,000.00, all for General Civil Engineering Services (RFP #19-05)

**CA-16    19-0640    Enactment No:    R-19-206    Approved**

**A motion was made by Councilmember Hayner, 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:** 10 - Councilmember Lumm, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Bannister, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

**Nays:** 1 - Councilmember Hayner

Resolution to Award Construction Contracts to E.T. MacKenzie Company and Inner City Contracting LLC. For On-Call Construction Services in the Amount of \$250,000.00 each per Year for a Period of Three Fiscal Years (RFP No. 19-04)

**CA-22    19-0694    Enactment No:    R-19-207    Approved**

**A motion was made by Councilmember Hayner, 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, thus satisfying the eight-vote requirement:**

**Yeas:** 10 - Councilmember Lumm, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Bannister, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

**Nays:** 1 - Councilmember Hayner

Resolution to Award a Construction Contract to Fonson Company, Inc. (ITB No. 4569, \$853,846.00) and Appropriate the Remaining Fund Balance of \$1,285,227.00 from the Maintenance Facility Capital Projects Fund and Amend the Existing Maintenance Facility Construction Project for the W.R. Wheeler (Swift Run) Service Center PUD Non-motorized Improvements - Phase 2 Project (8 Votes Required)

CA-17    19-0745    Enactment No:    R-19-208    **Approved**

**A motion was made by Councilmember Nelson, 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 unanimously, thus satisfying the eight-vote requirement:**

**Yeas:** 11 - Councilmember Lumm, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Bannister, Councilmember Hayner, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

**Nays:** 0

Resolution to Award a Construction Contract to Cadillac Asphalt LLC (ITB. 4570, \$8,995,000.00) for the 2019 Street Resurfacing/Restoration Project, and to Appropriate \$675,000.00 from the Major Street Fund and \$1,917,500.00 from the Local Street Fund (8 Votes Required)

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

PH-1    19-0717    Enactment No:    **Held and Closed**

**Held and Closed**

Resolution to Approve the 309 N. Ashley Brownfield Plan (BRC Recommendation: Approval - 4 Yeas and 0 Nays)

*A public hearing was conducted on the proposed Resolution to Approve the 309 N. Ashley Brownfield Plan. Notice of public hearing was published April 25, 2019.*

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

PH-2    18-2007    Enactment No:    **Held and Closed**

**Held and Closed**

Resolution to Approve 309 North Ashley Street Site Plan and Development Agreement, (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

*A public hearing was conducted on the proposed Resolution to Approve 309 North Ashley Street Site Plan and Development Agreement. Notice of public hearing was published April 25, 2019.*



**PH-6**      [19-0607](#)      An Ordinance to Amend Section 2:64 of Chapter 29 (Sewer Rates) of Title II of the Code of the City of Ann Arbor (ORD-19-12)  
*A public hearing was conducted on the proposed Amendment to Section 2:64 of Chapter 29 (Sewer Rates) of Title II of the Code of the City of Ann Arbor. Notice of public hearing was published April 25, 2019.*

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

**Held and Closed**

**PH-7**      [19-0609](#)      An Ordinance to Amend Sections 2:69 of Chapter 29 (Stormwater Rates) of Title II of the Code of the City of Ann Arbor (ORD-19-13)  
*A public hearing was conducted on the proposed Amendment to Sections 2:69 of Chapter 29 (Stormwater Rates) of Title II of the Code of the City of Ann Arbor. Notice of public hearing was published April 25, 2019.*

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

**Held and Closed**

**PH-8**      **19-0707**      **Enactment No:**      **Held and Closed**

**Held and Closed**

Resolution to Approve FY 2020 Fee Adjustments for the Community Services Area

*A public hearing was conducted on the proposed Resolution to Approve FY 2020 Fee Adjustments for the Community Services Area. Notice of public hearing was published April 25, 2019.*

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

**PH-9**      **19-0601**      **Enactment No:**      **Held and Closed**

**Held and Closed**

Resolution to Approve Fiscal Year 2020 Fee Adjustments for Public Services Area - Engineering, Public Works, Systems Planning, and Water Treatment Services Unit



**Yeas:** 8 - Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

**Nays:** 3 - Councilmember Lumm, Councilmember Bannister and Councilmember Hayner

**B-2**      [19-0607](#)      An Ordinance to Amend Section 2:64 of Chapter 29 (Sewer Rates) of Title II of the Code of the City of Ann Arbor (ORD-19-12)

*(The complete text of ORD-19-12 is on file in the City Clerk's Office.)*

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

**B-3**      [19-0609](#)      An Ordinance to Amend Sections 2:69 of Chapter 29 (Stormwater Rates) of Title II of the Code of the City of Ann Arbor (ORD-19-13)

*(The complete text of ORD-19-13 is on file in the City Clerk's Office.)*

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

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

**C**      **New Business:**

**C-1**      [19-0654](#)      An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of 2.25 Acres from TWP (Township District) to R1A (Single Family Dwelling District), Admiraal/O'Brien Property, 1448 Warrington Drive (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (ORD-19-14)

*(The complete text of ORD-19-14 is on file in the City Clerk's Office.)*

**A motion was made by Councilmember Ackerman, seconded by Councilmember Lumm, that the Ordinance be approved on First Reading and should be returned by 6/3/2019. On a voice vote, the Mayor declared the motion carried.**

Enactment No: ORD-19-14



- C-2**      [19-0722](#)      An Ordinance to Amend Section 5.15 (Table 5-15) and Section 5.16.6 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Accessory Dwelling Units)

**A motion was made by Councilmember Ackerman, seconded by Councilmember Grand, that the Ordinance be approved on First Reading. On a roll call, the vote was as follows with the Mayor declaring the motion defeated:**

**Yeas:**    5 -    Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith and Councilmember Hayner

**Nays:**    6 -    Councilmember Lumm, Councilmember Eaton, Councilmember Bannister, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

Enactment No:

#### RECESS

*Mayor Taylor called a recess at 9:22 p.m. and reconvened the meeting at 9:45 p.m.*

- C-3**      [19-0560](#)      An Ordinance to Amend Section 5.15 (Table 5-15), Section 5.16.3, 5.16.7 and 5.37.2 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Temporary Outdoor Activities) (ORD-19-15) *(The complete text of ORD-19-15 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 and should be returned by 6/3/2019. On a voice vote, the Mayor declared the motion carried.**

Enactment No: ORD-19-15

- C-4**      [19-0725](#)      An Ordinance to Amend Section 5.15 (Table 5-15), Section 5.16.3, and 5.37.2 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Mobile Food Vending Service) (ORD-19-16) *(The complete text of ORD-19-16 is on file in the City Clerk's Office.)*

**A motion was made by Councilmember Ackerman, seconded by Councilmember Smith, that the Ordinance be approved on First Reading and should be returned by 6/3/2019. On a voice vote, the Mayor declared the motion carried.**

Enactment No: ORD-19-16

**D MOTIONS AND RESOLUTIONS**

**DC Unfinished Business - Council:**

**DC-1 19-0710 Enactment No: R-19-209 Approved**

**Sponsors:** Grand

**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 unanimously, thus satisfying the seven-vote requirement.**

Resolution to Appoint Rosanne Bloomer to the Greenbelt Advisory Commission (7 Votes Required)

**DC New Business - Council:**

**DC-2 19-0857 Enactment No: R-19-210 Approved**

**Sponsors:** Taylor and Lumm

**A motion was made by Councilmember Lumm, seconded by Councilmember Ackerman, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried unanimously with eleven-members present.**

Resolution Recognizing the Service of Interim Police Chief Robert Pfannes

**DC-3 19-0878 Enactment No: R-19-211 Approved**

**Sponsors:** Ramlawi and Ackerman

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

**Councilmember Hayner noted that he was a dissenting vote.**

Resolution to Replace Councilmember Ackerman with Councilmember Ramlawi on the Independent Community Police Oversight Commission

DC-4      19-0896      Enactment No:      R-19-212      Approved

**Sponsors:**      Lumm and Nelson

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

Resolution to Authorize Settlement of Levenson v City of Ann Arbor, 22nd Circuit Court, Case No. 15-1284-NO

DC-5      19-0887      Enactment No:

**Sponsors:**      Griswold, Bannister and Hayner

**A motion was made by Councilmember Griswold, seconded by Councilmember Hayner, that the Resolution be approved.**

Resolution Directing City Administrator to Take Steps to Organize Meeting with State-Lawsuit Intervenors to Explore Requesting Environmental Protection Agency's Active Involvement with the Gelman Site and its Listing as a "Superfund" Site

19-0887      Enactment No:      Amended

**Sponsors:**      Griswold, Bannister, Hayner, Taylor, Eaton, Ramlawi and Ackerman

**Amended**

Resolution Directing City Administrator to Take Steps to Organize Meeting with State-Lawsuit Intervenors to Explore Requesting Environmental Protection Agency's Active Involvement with the Gelman Site and its Listing as a "Superfund" Site

*Councilmember Hayner moved the following amendment, supported by Councilmember Griswold:*

*Replace existing resolution language in its entirety with the following:*

*Resolution Directing City Administrator to Take Steps to Organize Meeting with State-Lawsuit Intervenors to Explore Requesting Environmental Protection Agency's Active Involvement with the Gelman Site and its Listing as a "Superfund" Site*

*Whereas, The City and its residents have worked for decades to require Gelman to delineate, and clean up City ground water contaminated by*

*1,4-dioxane (“Dioxane”) that originated at the Gelman Sciences (“Gelman”) Wagner Road facility (the “Contamination”), and to protect City ground water from further spreading of the Contamination;*

*Whereas, As part of that work, The City sued Gelman in state and federal court more than 10 years ago, and ultimately agreed to settle that lawsuit;*

*Whereas, The State of Michigan (“State”) has for decades separately litigated against, and otherwise regulated, Gelman to enforce State environmental laws that apply to the Contamination;*

*Whereas, Following the State’s recent tightening of its standards for Dioxane groundwater pollution, as part of the City’s continuing efforts, it, along with others, intervened in the State’s ongoing lawsuit against Gelman pending in Washtenaw County Trial Court;*

*Whereas, Since its intervention was allowed in 2017, the City has engaged in settlement negotiations over a potential new consent judgment;*

*Whereas, Negotiations aside, the City is not satisfied with the progress of the delineation, containment and remediation of the Contamination;*

*Whereas, The City recognizes that the Contamination may pose a long-term threat to public health and the security of the City’s municipal water system; and*

*Whereas, The City believes that delineation, containment and remediation of the Contamination may be bolstered by the United States Environmental Protection Agency’s (“EPA”) active involvement and enforcement of the Comprehensive Environmental Response, Compensation, and Liability Act (“CERCLA”), the “Superfund” Act, as it applies to the Contamination;*

*RESOLVED, That the City Council directs the City Administrator, by July 1, 2019, to take all reasonable steps to convene a meeting with the other State-Lawsuit intervenors to explore requesting EPA’s active involvement with the Gelman site and its listing as a “Superfund” site under CERCLA by, among other things, soliciting a concurrence letter from the Governor; and,*

*RESOLVED, That the City Council authorizes the City Administrator to take such further actions that are consistent with the purposes of this*



DC-8      19-0912      **Enactment No:**      **R-19-215**      **Approved**

**Sponsors:**      Lumm, Ramlawi, Taylor and Eaton

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

**Yeas:** 10 - Councilmember Lumm, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Bannister, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

**Nays:** 1 - Councilmember Hayner

Resolution to Negotiate Potential Purchase of "Canoe Fan" Artwork Installation in Gallup Park

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

DB-1      19-0717      **Enactment No:**      **R-19-216**      **Approved**

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

Resolution to Approve the 309 N. Ashley Brownfield Plan (BRC Recommendation: Approval - 4 Yeas and 0 Nays)

DB-2      18-2007      **Enactment No:**      **R-19-217**      **Approved**

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

Resolution to Approve 309 North Ashley Street Site Plan and Development Agreement, (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

DB-3      19-0403      **Enactment No:**

**A motion was made by Councilmember Ackerman, seconded by Councilmember Grand, that the Resolution be approved.**

Resolution to Approve Bristol Ridge Site Plan and Development Agreement, 2750 Pontiac Trail (CPC Recommendation: Approval - 8 Yeas

and 0 Nays)

**19-0403 Enactment No:**

Resolution to Approve Bristol Ridge Site Plan and Development Agreement, 2750 Pontiac Trail (CPC Recommendation: Approval - 8 Years and 0 Nays)

*Councilmember Hayner requested that he be recused due to potential conflict of interest.*

*A motion was made by Councilmember Ramlawi, seconded by Councilmember Smith, that Councilmember Hayner be recused. On a voice vote, the Mayor declared the motion carried and Councilmember Hayner was excused from the discussion and debate on the motion.*

**19-0403 Enactment No:**

**Postponed**

**A motion was made by Councilmember Ackerman, seconded by Councilmember Smith, that the Resolution be postponed and should be returned by 6/3/2019. On a voice vote, the Mayor declared the motion carried.**

Resolution to Approve Bristol Ridge Site Plan and Development Agreement, 2750 Pontiac Trail (CPC Recommendation: Approval - 8 Years and 0 Nays)

**DB-4 19-0703 Enactment No: R-19-218**

**Approved**

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

Resolution to Approve the Allen Annexation, 0.6 Acre, 595 Riverview Drive (CPC Recommendation: Approval - 9 Years and 0 Nays)

**DS New Business - Staff:**

**DS-1 19-0707 Enactment No: R-19-219**

**Approved**

**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.**

Resolution to Approve FY 2020 Fee Adjustments for the Community Services Area

**DS-2      19-0601      Enactment No:      R-19-220      Approved**

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

Resolution to Approve Fiscal Year 2020 Fee Adjustments for Public Services Area - Engineering, Public Works, Systems Planning, and Water Treatment Services Unit

**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 Smith, seconded by Councilmember Ramlawi, 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      [19-0773](#)      Crosswalk Ordinance - Background Materials and Proposed Ordinance Revision**

**F-2      [18-0783](#)      Crosswalk Ordinance Additional Comments from the Transportation Commission**

**F-3      [19-0793](#)      Transportation Commission Resolution - FY 2020 Proposed Budget**

**F-4      [19-0837](#)      Park Advisory Commission Resolution on the Fiscal Year 2020 Proposed Budget and Fiscal Year 2021 Budget Plan for Parks and Recreation Services**

**F-5      [19-0852](#)      Charlotte Jameson - Resignation from the Energy Commission.**



- F-6**      [19-0875](#)      Eli Cooper - Resignation from the Ann Arbor Area Transportation Authority Board
- F-7**      [19-0806](#)      First Quarter 2019 Investment Portfolio Report
- F-8**      [19-0809](#)      Communication from Conlin, McKenney & Philbrick, P.C. regarding Notice of Intent to Establish Condominium Project Kingsley Parkside - Assessor, Planning and Development Services, City Attorney
- F-9**      [19-0869](#)      Communication from Conlin, McKenney & Philbrick, P.C. regarding Notice of Intent to Establish Condominium Project Malletts Wood II - Assessor, Planning and Development Services, City Attorney
- F-10**     [19-0813](#)      Communication from the State of Michigan Public Service Commission regarding Public Hearing Notice to Customers of DTE Electric Company in Case No. U-20471, scheduled for April 26, 2019 - City Attorney, Energy (Systems Planning, City Attorney)
- F-11**     [19-0909](#)      Communication from the State of Michigan Public Service Commission regarding Public Hearing Notice to Customers of DTE Electric Company in Case No. U-20364, scheduled for May 14, 2019 - City Attorney, Energy, Systems Planning
- G**        **The following minutes were received for filing:**
- G-1**      [19-0398](#)      February 5, 2019 City Planning Commission Meeting Minutes
- G-2**      [19-0433](#)      Minutes of the February 27, 2019 Zoning Board of Appeals Meeting
- G-3**      [19-0532](#)      Minutes of the February 26, 2019 PAC Meeting
- G-4**      [19-0568](#)      February 21, 2019 PMAC Meeting Minutes

- G-5**     [19-0579](#)     Minutes of the February 11, 2019 Brownfield Plan Review Committee Meeting
  
- G-6**     [19-0658](#)     AAHC Board Minutes March 20, 2019
  
- G-7**     [19-0668](#)     Downtown Development Authority Board, Executive, Partnerships, Capital Improvements and Operations Committees Minutes of March 2019
  
- G-8**     [19-0718](#)     Downtown Area Citizens Advisory Council Meeting Minutes for April 2, 2019
  
- G-9**     [19-0748](#)     Human Rights Commission, 2019 Minutes - Jan and Feb
  
- G-10**    [19-0749](#)     Commission on Disability Issues, February 2019 Minutes
  
- G-11**    [19-0843](#)     City of Ann Arbor Employees' Retirement System Board Meeting Minutes of March 22, 2019
  
- G-12**    [19-0844](#)     Retiree Health Care Benefit Plan & Trust Board Meeting Minutes of March 22, 2019
  
- G-13**    [19-0850](#)     City Council Caucus Minutes of April 14, 2019
  
- G-14**    [19-0845](#)     Council Policy Agenda Committee minutes from March 26, 2019

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

*Kai Petainen, resident, spoke about the City's efforts with the Gelman Plume dioxane clean-up. He also noted that it was disappointing that no one came to speak at the public hearings.*

**COMMUNICATIONS FROM COUNCIL****COUNCILMEMBER HAYNER**

*Councilmember Hayner spoke about the Boards and Commissions appointment process. He encouraged those who are seeking reappointment to come to the Council meeting and speak about their achievements.*

**COUNCILMEMBER BANNISTER**

*Councilmember Bannister stated she, Councilmember Griswold, and Councilmember Nelson released a press release encouraging the public to apply for open Board and Commission seats. She urged the City Administrator to promote the application process.*

**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).**

*None.*

**ADJOURNMENT**

**A motion was made by Councilmember Smith, seconded by Councilmember Ramlawi, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 11:36 p.m.**

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

**LIVE: MONDAY, MAY 6, 2019 @ 7:00 P.M.**

**REPLAYS: WEDNESDAY, MAY 8, 2019 @ 8:00 A.M. AND FRIDAY, MAY 10, 2019 @ 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:**

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

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**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.**