

City of Ann Arbor

301 E. Huron St.

Ann Arbor, MI 48104

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



Meeting Minutes

Monday, June 19, 2017

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: 9 - Councilmember Jane Lumm, Councilmember Sumi Kailasapathy, Councilmember Chuck Warpehoski, Councilmember Jack Eaton, Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Kirk Westphal, Councilmember Zachary Ackerman and Councilmember Chip Smith

Absent: 2 - Councilmember Graydon Krapohl and Councilmember Jason Frenzel

APPROVAL OF AGENDA

A motion was made by Councilmember Warpehoski, seconded by Councilmember Smith, 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 his Agenda Response Memorandum for information of Council. He also presented the following other reports:

Thank you AAPD Officer Jeff Shafer for attending tonight's meeting of Council.

Mr. Lazarus stated the School Zone Safety Project was provided to Council and will be made public.

The Changing Driver Behavior Study has begun. This study is being

conducted by Western Michigan University.

The Police and Fire Departments Open House will be held on Saturday, June 24.

The City's Idling limits ordinance goes into effect on July 1. More information is available on the City's website.

The City's new online water utility payment software has been launched.

AC-1 [17-0971](#) Agenda Response Memo - June 19, 2017

Received and Filed

INT INTRODUCTIONS

INT-1 [17-0903](#) Demonstration of Public eComment Tool for Agenda Items

City Clerk Jacqueline Beaudry presented information about the City's new eComment tool that is available on the Agenda and Minutes page for City Council. The new eComment allows residents to share their comments on Council agenda items without attending the meeting or signing up to speak. eComment will be available for residents beginning with the July 3 City Council meeting. A copy of the presentation is available in the City Clerk's Office.

Received and Filed

INT-2 [17-0948](#) Volunteers of the Month Proclamation for June 19, 2017 - Bohnsack, Dillard and Schram

Mayor Taylor presented Volunteers of the Month Proclamations for June to local residents, Kevin Bohnsack, Marguerite Dillard, and Jeff Schram for their work with the Adopt-A-Park program in Glacier Highlands, Windemere, and Greenbrier Parks. A copy of the presentation is on file in the City Clerk's Office.

Received and Filed

INT-3 [17-0962](#) TBLGQ Pride Month proclamation for June 2017

Mayor Taylor presented a proclamation to Jim Toy regarding TBLGQ Pride month of June 2017, noting that Mr. Toy was the first openly gay

man in Michigan. A copy of the proclamation is on file in 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. Kathy Griswold - Transparency and the Police Survey

Kathy Griswold, Ward 2, expressed concerns regarding the lack of transparency in the Police audit and the public survey process. She stated it is very difficult to locate the survey, noting that it is on the consultant's website, not the City of Ann Arbor.

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER LUMM

Councilmember Lumm asked if City Administrator Lazarus could provide a response regarding the train station schedule. She noted that at the June 5 Council meeting the schedule provided stated plans would be released this week.

Mr. Lazarus replied that he would follow up with a written response.

COUNCILMEMBER SMITH

Councilmember Smith provided an update on the Medical Marijuana Ordinance Review Committee. He stated the committee has completed their work by the June 30 deadline and would have the recommended ordinance to Council at the July 3 meeting. He also stated the committee plans to request that their charge be continued to allow their input regarding the Planning Commission's recommended changes to the zoning ordinance.

MC COMMUNICATIONS FROM THE MAYOR

MC-1 [17-0844](#) Appointment - Confirmations*APPOINTMENTS APPROVED*

Mayor Taylor requested confirmation of the following appointment that was presented at the June 5, 2017 Regular Session of Council:

Commission on Disability Issues

Patti Smith

2327 Fernwood Avenue

Ann Arbor, MI 48104

Term: Partial Term ending May 31, 2020

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

MC-2 [17-0949](#) Appointments and Nominations

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

Ann Arbor Area Transportation Authority

Kyra Sims-Filling remaining term of Stephen Wade (Resigned as of July 1, 2017)

220 Lyn Anne Ct.

Ann Arbor, MI 48103

Term: July 1, 2017-May 1, 2020

Historic District Commission

Anna Epperson

734 Miller Ave.

Ann Arbor, MI 48103

Term: June 1, 2017-May 31, 2020

Housing and Human Services Advisory Board

Anna Foster

618 Gott St.

*Ann Arbor, MI 48103
Term: June 1, 2017-May 31, 2020*

Parks Advisory Commission

*Robert Galardi -Reappointment
315 Second St.
Ann Arbor, MI 48103
Term: June 1, 2017-May 31, 2020*

Referred to the City Council due back on 7/3/2017.

CA CONSENT AGENDA

Passed on consent agenda

A motion was made by Councilmember Smith, seconded by Councilmember Westphal, 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 requirements of CA-1, CA-5, CA-6 and CA-7.

Resolution to Accept a Fair Food Network Grant for the Ann Arbor Farmers Market for \$50,000.00 and Appropriate Funds (**8 votes required**)

Resolution to Approve Street Closings for the UA Block Party and Plumbers & Pipefitters 5K - Monday, August 14, 2017

Resolution to Approve Street Closings for the 2017 Rolling Sculpture Car Show - Friday, July 14, 2017

Resolution to Approve Street Closing for the NTI Block Party - Wednesday, August 2, 2017

Resolution to Release a Portion of a Public Utilities Easement at Golf View Lane recorded at Liber 4463, Page 859 of Deeds, Washtenaw County Records (**8 Votes Required**)

Resolution to Accept an Easement for Public Right-of-Way at 3355 Geddes Road from Robert D. Carroll (**8 Votes Required**)

Resolution to Approve Participation in 2016 Fire Prevention and Safety Grant (FPSG) from the US Department of Homeland Security

(\$123,500.00), and Appropriate Share of Matching Grant Funds (\$5,880.00) (Community Smoke and Weather Bed Shaking Alarms) (**8 Votes Required**)

Resolution Authorizing Sanitary Sewer Capital Recovery Charges for 2685 Geddes Ave. (\$23,719.00)

Resolution to Approve a Services Agreement with Recycle Ann Arbor for Spring/Fall Student Move-In/Out (Estimated: \$51,587.00 FY18; \$53,110.61 FY19; \$54,679.93 FY 20; Optional \$56,296.33 FY21; \$57,961.22 FY22; and Contingency of \$10,000.00 per fiscal year)

Resolution to Award a Contract to Margolis Companies, Inc. for the Purchase, Delivery and Planting of Trees along City Street Rights-of-Way (\$327,455.00; Bid No. ITB-4481)

Resolution to Approve a Contract Agreement with the Michigan Department of Transportation for the Miller Maple Sidewalk Project (\$450,564.50)

Resolution No. 3 - Establishing a Public Hearing for the Miller Maple Sidewalk Special Assessment Project

Resolution to Award a Contract with Carrigan Development, Inc. for the South Main Street Water Main Extension Project (\$74,100.00)

Resolution to Approve Contract with Honeywell International, Inc., for Municipal Facility Energy Audits (\$30,000.00)

Resolution to Extend the Contract with P.K. Contracting, Inc. for the Pavement Marking Maintenance - FY18 Project (\$350,000.00)

Resolution to Approve the Purchase of a Compact Excavator from AIS Construction Equipment Corporation (MiDeal Contract #071B7700090; \$49,261.52)

Resolution to Approve the Purchase of a Tandem Axle Dump Truck with Log Loader from D & K Truck Company (ITB #4499; \$219,756.00)

Resolution for Approval of Emergency Amendment No. 1 to the Agreement with the Downtown Development Authority for the Construction of the South University Streetscape Improvements Project (\$531,035.84)

Resolution to Approve a Contract with Governmental Consultant Services,

Inc. for Lobbying Services (\$48,000.00)

Resolution to Approve a Contract with Ann Arbor SPARK for Economic Development Services (\$75,000.00)

Resolution to Approve Amendment No. 2 to the Professional Services Agreement with Dykema Gossett PLLC for Legal Services Relative to the IRS IDR for the City of Ann Arbor Capital Improvement Bonds, Series 2009-A Bond Issue (\$10,000.00 amendment/\$35,000.00 total contract)

Resolution to Approve a Professional Services Agreement with Municipal Consulting Services, LLC for a Non-Union Compensation Study (\$61,118.22)

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

- PH-1** [17-0399](#) An Ordinance to Amend Sections 9:101, 9:103, 9:104, 9:105, 9:108, 9:109, 9:114, 9:115, 9:116, And 9:118, and to Delete Section 9:111, of Chapter 111, Fire Prevention, of Title IX of the Code of the City of Ann Arbor (Ordinance ORD-17-09)

A public hearing was conducted on the proposed amendment to Sections 9:101, 9:103, 9:104, 9:105, 9:108, 9:109, 9:114, 9:115, 9:116, And 9:118, and to Delete Section 9:111, of Chapter 111, Fire Prevention, of Title IX of the Code of the City of Ann Arbor (Ordinance ORD-17-09). Notice of public hearing was published June 12, 2017.

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

Held and Closed

Held and Closed

Resolution to Approve Holiday Inn Express & Suites Site Plan, 3853 Research Park Drive (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

A public hearing was conducted on the proposed Resolution to Approve Holiday Inn Express & Suites Site Plan, 3853 Research Park Drive. Notice of public hearing was published June 12, 2017.

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

Held and Closed

Resolution to Approve the Maxey Annexation, 0.34 Acre, 2955 and 2965 Kimberley Road (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

A public hearing was conducted on the proposed Resolution to Approve the Maxey Annexation, 0.34 Acre, 2955 and 2965 Kimberley Road.

Notice of public hearing was published June 12, 2017.

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

Held and Closed

Resolution to Approve Circle K Site Plan, 1420 E. Stadium Boulevard (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

A public hearing was conducted on the proposed Resolution to Approve Circle K Site Plan, 1420 E. Stadium Boulevard. Notice of public hearing was published June 12, 2017.

The following persons were present for comment:

Ed Vielmetti, Fourth Ward, spoke in support, stating it is the best of the alternatives that have been presented.

Lindsey McDivitt, 1419 Iroquois, spoke in support and thanked Council for their work getting an alternative plan from the developer. She spoke in support of the walls that will serve as a barrier for the neighbors.

A resident at 1420 Iroquois spoke in support and urged Council to require the developer to place noise-absorbing pads under the garbage dumpsters.

Scott Munzel, attorney for the developer, was present and available to answer any questions.

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

A APPROVAL OF COUNCIL MINUTES**A-1 [17-0923](#) Regular Session Meeting Minutes of June 5, 2017**

A motion was made by Councilmember Lumm, seconded by Councilmember Ackerman, that the Minutes of the Regular Session of June 5, 2017 be approved. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

- B-1** [17-0399](#) An Ordinance to Amend Sections 9:101, 9:103, 9:104, 9:105, 9:108, 9:109, 9:114, 9:115, 9:116, And 9:118, and to Delete Section 9:111, of Chapter 111, Fire Prevention, of Title IX of the Code of the City of Ann Arbor (Ordinance ORD-17-09)

(The complete copy of the text of Ordinance No. ORD-17-09 is on file in the City Clerk's Office.)

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

- B-2** [17-0879](#) An Ordinance to Amend Section 8:525 of Chapter 105, Housing Code, of Title VIII of the Code of the City of Ann Arbor (Ordinance No. ORD-17-08)

(The complete copy of the text of Ordinance No. ORD-17-08 is on file in the City Clerk's Office.)

A motion was made by Councilmember Ackerman, seconded by Councilmember Smith, 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 - Staff:**

- C-1** [17-0878](#) An Ordinance to Amend Sections 8:501 and 8:511 and to Repeal Sections 8:522 and 8:524 of Chapter 105, Housing Code, of Title VIII of the Code of the City of Ann Arbor (Ordinance No. ORD-17-10)

(The complete copy of the text of Ordinance No. ORD-17-10 is on file in the City Clerk's Office.)

A motion was made by Councilmember Westphal, seconded by Councilmember Grand, that the Ordinance be approved on First Reading to the City Council and should be returned by 7/3/2017. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-17-10

- C-2** [17-0907](#) An Ordinance to Amend Sections 3:42, 3:43, 3:44, 3:45, 3:46, 3:47, 3:48 and 3:50 of Chapter 41, Cemeteries, of Title III of the Code of the City of Ann Arbor (Ordinance No. ORD-17-11)

(The complete copy of the text of Ordinance No. ORD-17-11 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 7/3/2017. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-17-11

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

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

Resolution Directing the City Administrator to Update and Revive the City of Ann Arbor's "Green Fleets Policy"

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 Committing the City of Ann Arbor to Adopt, Honor and Uphold Paris Climate Agreement Goals

Resolution to Approve the Request from Racquet Club for a New Club Liquor License to be held in Conjunction with an Outdoor Service Area, located at 3010 Hickory Lane, d/b/a Racquet Club of Ann Arbor

Councilmembers Lumm, Grand and Mayor Taylor requested to be recused due to potential conflict of interest.

Councilmember Eaton moved, seconded by Councilmember Warpehoski, that Councilmembers Lumm, Grand and Mayor Taylor be recused. On a voice, the Mayor declared the motion carried.

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

Resolution to Approve the Request from Racquet Club for a New Club Liquor License to be held in Conjunction with an Outdoor Service Area, located at 3010 Hickory Lane, d/b/a Racquet Club of Ann Arbor

DB New Business - Boards and Commissions:

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

Resolution to Approve Holiday Inn Express & Suites Site Plan, 3853 Research Park Drive (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

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.

Resolution to Approve the Maxey Annexation, 0.34 Acre, 2955 and 2965 Kimberley Road (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

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

Resolution to Approve Circle K Site Plan, 1420 E. Stadium Boulevard (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

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

Resolution to Approve Bylaws of the Ann Arbor Transportation Commission

DS New Business - Staff:

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

Resolution to Amend Ann Arbor City Budget for Fiscal Year 2017 (**8 Votes Required**)

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

Resolution to Adopt the City's Legislative Policy Agenda for Fiscal Year 2018 (FY18)

E COMMUNICATIONS FROM THE CITY ATTORNEY

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

- F-1** [17-0775](#) Review of the Draft 2017 Report to City Council - Continued
- F-2** [17-0906](#) Communication from the State of Michigan Public Service Commission regarding Notice of Hearing for Electric Customers of DTE Electric Company in Case No. U-18344 Scheduled for June 22, 2017 - City Attorney, Systems Planning
- F-3** [17-0916](#) Communication from Evan Pratt, Chair of the Washtenaw County Drainage Board regarding Notice of Hearing of Necessity in the HRGIDD NPS-Tree Planting 2017 5504-06 Drain Project Scheduled for June 19, 2017 - Systems Planning
- F-4** [17-0966](#) State of Michigan Public Service Commission Hearing Notice for DTE Customers in Case No. U-18332 Scheduled for July 11, 2017 - City Attorney, Systems Planning

G The following minutes were received for filing:

- G-1** [17-0270](#) City Planning Commission Meeting Minutes of December 20, 2016
- G-2** [17-0651](#) Environmental Commission Minutes of 3-23-2017

- G-3 [17-0773](#) Airport Advisory Committee Minutes - March 29, 2017

- G-4 [17-0774](#) Design Review Board Meeting Minutes of March 15, 2017

- G-5 [17-0783](#) Transportation Commission Meeting Minutes of 4-19-2017

- G-6 [17-0793](#) Ann Arbor Housing Commission April 12, 2017 Board Minutes

- G-7 [17-0799](#) Human Rights Commission Meeting Minutes - April 2017

- G-8 [17-0824](#) LDFA Board Meeting Minutes - April 18, 2017

- G-9 [17-0913](#) Insurance Board Meeting Minutes - May 25, 2017

- G-10 [17-0702](#) Ann Arbor Public Art Commission Meeting Minutes - May 3, 2017

- G-11 [17-0952](#) Council Admin. Committee Meeting Minutes - May 15, 2017

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Edward Vielmetti, Fourth Ward, spoke about the City's social media efforts and also noted that the City's Police survey is not transparent and is very difficult for residents to locate.

Kathy Griswold thanked a member of the City's Engineering Department for her work on safety. She also spoke about science and the need for transportation safety standards.

COMMUNICATIONS FROM COUNCIL

None.

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 Westphal, seconded by Councilmember Lumm, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 8:44 p.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, JUNE 19, 2017 @ 7:00 P.M.

REPLAYS: WEDNESDAY, JUNE 21, 2017 @ 8:00 A.M. AND FRIDAY, JUNE 23, 2017 @ 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.

Jacqueline Beaudry
Clerk of the Council

Anissa R. Bowden
Recording Secretary