



# City of Ann Arbor

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

## Meeting Agenda - Final-revised City Council

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Monday, August 19, 2024

7:00 PM

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

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This meeting will be broadcast live on CTN Cable Channel 16, ATT Channel 99, and online at [a2gov.org/watchCTN](http://a2gov.org/watchCTN)

To sign up for public comment, call the City Clerk's Office between 8am - 5pm at 734-794-6140 on the day of the meeting.

Public commentary can be made in person or by calling Zoom at: 877-853-5247 or 888-788-0099

Enter Meeting ID 942 1273 2148

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ROLL CALL OF COUNCIL

APPROVAL OF AGENDA

### AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

AC-1 [24-1548](#) Agenda Response Memo and eComments - August 19, 2024  
(City Administrator)

**Attachments:** 240819 Agenda Response Memo.pdf  
(Added 8/19/24)

AC-2 [24-1576](#) City Administrator's Report - August 19, 2024  
(City Administrator - Milton Dohoney Jr., City Administrator)

**Attachments:** 240819 City Administrator's ReportFinal.pdf  
(Added 8/19/24)

### INT INTRODUCTIONS

INT-1 [24-1467](#) Ann Arbor Area Transportation Authority  
(City Administrator - Milton Dohoney Jr., City Administrator)

**PUBLIC COMMENTARY (3 MINUTES PER SPEAKER, 45 MINUTES TOTAL)**

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

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

**TO PARTICIPATE ONLINE, CALL ZOOM AT: 877 853 5247 or 888 788 0099  
ENTER MEETING ID 942 1273 2148**

**PHONE CALLERS CAN PRESS \*9 TO RAISE HANDS AND \*6 TO UNMUTE THEIR PHONES WHEN CALLED UPON TO SPEAK.**

1. Odell Palacio - Home Occupations in Residential Neighborhood Resolution (DC-3) (phone)
2. Tom Stulberg - Ordinance Regarding Planning Commission Modifications (C-1); Home Occupations in Residential Neighborhood Resolution (DC-3) (phone)
3. Kathy Griswold - Resolution Regarding Police Staffing (CA-12); Blue Ribbon Panel to Avoid Tax Increase (in person)
4. Henry Herskovitz - Holocaust Education in AAPS (in person)
5. Ralph Mckee - Street Lighting (in person)
6. Evan Souliotis - Departmental Accountability (in person)
7. Adam Goodman - Vision Zero (phone)

**CC COMMUNICATIONS FROM COUNCIL**

**MC COMMUNICATIONS FROM THE MAYOR**

**CA CONSENT AGENDA**

CA-1 [24-1495](#) Resolution to Approve a Street Closure of Washington Street between Fletcher and Thayer Streets for the Eli Lilly Mobile Research Unit on Wednesday, September 4, 2024 from 7:00 AM until 10:00 PM  
(Community Services - Derek Delacourt, Community Services Area Administrator)

**Attachments:** Eli Lilly Mobile Research Lab Map

- CA-2 [24-1432](#) Resolution to Direct the City Administrator to Contract for Real Estate Brokerage or Seller's Agent Services for the Sale of 415 W. Washington  
(Community Services - Derek Delacourt, Community Services Area Administrator)
- CA-3 [24-1400](#) Resolution to Approve a Two (2) Year Purchase Order with AJAX Materials Corporation for Bituminous Patching Materials, ITB-4749 (\$168,250.00 Annually)  
(Public Works - Sue McCormick, Interim Public Services Area Administrator)  
**Attachments:** ITB\_4749\_Document.pdf, ITB\_4749\_Addendum1.pdf, Ajax Paving Materials Bid.pdf, Bid Tab ITB 4749.pdf
- CA-4 [24-1402](#) Resolution to Approve the Purchase of Ice Control Salt through the Michigan Delivering Extended Agreements Locally (MiDEAL) from Compass Minerals America Inc. for Early Fill (\$58,990.00) and for Seasonal Backup Supply (\$217,200.00)  
(Public Works - Sue McCormick, Interim Public Services Area Administrator)  
**Attachments:** FY25 Compass Minerals 180000000787. Early.pdf, FY25 Compass Minerals 180000000787seasonal.pdf
- CA-5 [24-1404](#) Resolution to Approve a Two (2) Year Purchase Order for Aggregate Materials and Hauling Services for Excavation and Street Sweeping Waste from Stone Transport Limited Partnership, ITB-4750 (\$349,385.00 Annually)  
(Public Works - Sue McCormick, Interim Public Services Area Administrator)  
**Attachments:** ITB 4750 Bid Tab.pdf, ITB\_4750\_Document.pdf, Stone Transport LP Bid.pdf
- CA-6 [24-1407](#) Resolution to Approve a Two (2) Year General Services Agreement with Miller-Boldt Inc., for On-Call Mechanical Services for Public Works, ITB-4750 (Not-to-Exceed \$200,000.00)  
(Public Works - Sue McCormick, Interim Public Services Area Administrator)  
**Attachments:** ITB\_4751\_Document.pdf, ITB 4751 Bid Tab.pdf, Miller-Boldt Bid.pdf, MILLER-BOLDT INC - General Services Agreement (GSA).pdf
- CA-7 [24-1411](#) Resolution to Approve Amendment No. 1 to the Professional Services Work Statement Agreement with Access Michigan, LLC for the Wheeler Center Rooftop Cooling Units (Additional \$34,000.00 for a Contract Total of \$254,000.00 including contingency), and to appropriate \$34,000.00 from the Wheeler Service Center Fund Balance **(8 Votes Required)**  
(Public Works - Sue McCormick, Interim Public Services Area Administrator)

**Attachments:** ACCESS MI PROPOSAL 18243 TO COAA - SAMSUNG COOLING - T&C REMOVED.pdf, ACCESS MICHIGAN LLC - Amendment.pdf, 2024-05-16\_ACCESS MICHIGAN LLC - Work Statement Agreement (WSA).pdf, R-24-141.pdf

CA-8 [24-1413](#)

Resolution to Approve a Professional Services Agreement with Carbon Activated Corporation for Furnishing of Granular Activated Carbon RFP 24-29 (\$402,600.00)

(Water Treatment Plant Services - Molly Maciejewski, Water Treatment Services Manager)

**Attachments:** CARBON ACTIVATED CORPORATION - Professional Services Agreement (PSA) (4).pdf, RFP\_24-29\_Document.pdf, RFP\_24-29\_ProposalTab.pdf

CA-9 [24-1417](#)

Resolution to Approve a Construction Contract with Michels Construction, Inc. (Michels) in the amount of \$9,355,700.00 for the Barton Dam Right Embankment Remediation Project (RFP 24-03) and to Appropriate \$500,000.00 from the General Capital Fund Balance **(8 Votes Required)**

(Water Treatment Plant Services - Molly Maciejewski, Water Treatment Services Manager)

**Attachments:** Michels Construction Inc - Construction Agreement rev.pdf, Construction Proposal Evaluation Results\_Michels\_20240322\_Legistar.pdf, RFP\_24-03\_ProposalTab.pdf, Michels Construction, Inc. - RFP No. 24-03 -Barton Dam Right Embankment Remediation Proposal.pdf

CA-10 [24-1418](#)

Resolution to Approve Amendment No. 4 to the Professional Services Agreement with NTH Consultants, Ltd. for the Barton Dam Right Embankment Remediation (Amendment Amount \$1,700,000.00; Total Contract Amount \$2,871,287.77)

(Water Treatment Plant Services - Molly Maciejewski, Water Treatment Services Manager)

**Attachments:** NTH CONSULTANTS LTD - Amendment 4.pdf, CONTRACT - 0 for NTH CONSULTANTS, LTD - WATER TREATMENT 1-26-2022.pdf, R-21-452\_Legislation Details.pdf, R-22-332.pdf, R-23-341 NTH.pdf, R-24-191 NTH.pdf

CA-11 [24-1439](#)

Resolution to Authorize the Purchase of Three Western Star Swap Loader Chassis with Underbody Snowplows and Six Swap Loader Bodies from D & K Truck Company and Appropriate Funding (State of Michigan MiDeal - \$1,031,541.87) **(8 Votes Required)**

(Fleet & Facilities Services - John Fournier, Deputy City Administrator)

**Attachments:** DK Single Axle Quote 071924.pdf, MiDeal - 240000000095.pdf

CA-12 [24-1333](#)

Resolution to Eliminate Two (2) Police Office Positions and Add One (1) Lieutenant Position

(Police Services - Andre Anderson, Police Chief)

- CA-13 [24-1453](#) Resolution Recognizing Children’s Literacy Network as a Civic Nonprofit Organization Operating in Ann Arbor for the Purpose of Obtaining a Charitable Gaming License  
(City Clerk - Jacqueline Beaudry)  
**Attachments:** CLN application for resolution\_0724\_Redacted.pdf
- CA-14 [24-1504](#) ~~Resolution to Approve the Creation of the Ann Arbor State Street Social District and the List of Participating Establishments~~  
(City Attorney Services - Atleen Kaur, City Attorney)  
**Attachments:** AA State Street Social District Management Plan.pdf  
(Deleted from Agenda 8/19/24)
- CA-15 [24-1502](#) Resolution to Accept and Appropriate Inflation Reduction Act Grant Funds from the USDA Forest Service as a Subaward through American Forests for City Tree Canopy Projects (\$1,000,000.00) (**8 Votes Required**)  
(Community Services - Derek Delacourt, Community Services Area Administrator)  
**Attachments:** AnnArbor\_AF Federal SubAward\_24-CA-11132544-010-014\_updated.pdf  
(Attachment Added 8/15/24)
- CA-16 [24-1415](#) Resolution to Approve a Professional Services Agreement with Baker and Associates for Inspection Services (\$124,178.47) (RFP No. 24-35) and Establish a Project Budget for the 2024-2025 Bridge Inspection Program (\$175,000.00)  
(Engineering - Nicholas Hutchinson, City Engineer)  
**Attachments:** PSA Rev.pdf

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

**FOR ZOOM MEETINGS, PHONE CALLERS CAN PRESS \*9 TO RAISE HANDS AND \*6 TO UNMUTE THEIR PHONES WHEN CALLED UPON TO SPEAK.**

- PH-1 [24-1031](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 27.65 Acres from R4A (Multiple-Family District) to R4D (Multiple-Family District) with the Condition that the Maximum Height is 75 Feet, Owl Creek Phase 2 Rezoning, 3380 Nixon Road (CPC Recommendation: Approval - 9 Years and 0 Nays) (ORD-24-14)  
(Community Services - Derek Delacourt, Community Services Area Administrator)  
**Attachments:** ORD-24-14 Briefed.pdf, 3380 Nixon Conditional Rezoning - Ordinance and Statment of Conditions v2.pdf, 3380 Nixon Conditional Rezoning - Ordinance and Statment of Conditions.pdf, 2024-02-16\_CPC\_Owl Creek 2 Staff Report.pdf, 2-22-24 Planning Commission Meeting Minutes.pdf  
(See B-1)

- PH-2 [24-1009](#) Resolution to Approve the 3380 Nixon Road - Owl Creek Phase 2 Site Plan and Development Agreement (CPC Recommendation: Approval - 9 Yeas and 0 Nays)
- (City Planning Commission - Derek Delacourt, Community Services Area Administrator)
- Attachments:** 2024-02-16\_CPC\_Owl Creek 2 Staff Report.pdf, 3380-Nixon-Rd-23015 Site Plan\_v2.pdf, 2024-08-07\_3380 Nixon DA COUNCIL.pdf, FINAL - February 22, 2024 City Planning Commission Meeting Minutes.pdf
- (See DS-1)

**A APPROVAL OF COUNCIL MINUTES**

- A-1 [24-1539](#) Regular Meeting Minutes of August 8, 2024
- (City Clerk - Jacqueline Beaudry)
- Attachments:** 08-08-24 Draft Minutes.pdf, Council Emails 8.8\_Redacted.pdf
- (Added 8/12/24)

**B ORDINANCES - SECOND READING**

- B-1 [24-1031](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 27.65 Acres from R4A (Multiple-Family District) to R4D (Multiple-Family District) with the Condition that the Maximum Height is 75 Feet, Owl Creek Phase 2 Rezoning, 3380 Nixon Road (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (ORD-24-14)
- (Community Services - Derek Delacourt, Community Services Area Administrator)
- Attachments:** ORD-24-14 Briefed.pdf, 3380 Nixon Conditional Rezoning - Ordinance and Statment of Conditions v2.pdf, 3380 Nixon Conditional Rezoning - Ordinance and Statment of Conditions.pdf, 2024-02-16\_CPC\_Owl Creek 2 Staff Report.pdf, 2-22-24 Planning Commission Meeting Minutes.pdf
- (See PH-1)

**DS New Business - Staff:**

- DS-1 [24-1009](#) Resolution to Approve the 3380 Nixon Road - Owl Creek Phase 2 Site Plan and Development Agreement (CPC Recommendation: Approval - 9 Yeas and 0 Nays)
- (City Planning Commission - Derek Delacourt, Community Services Area Administrator)
- Attachments:** 2024-02-16\_CPC\_Owl Creek 2 Staff Report.pdf, 3380-Nixon-Rd-23015 Site Plan\_v2.pdf, 2024-08-07\_3380 Nixon DA COUNCIL.pdf, FINAL - February 22, 2024 City Planning Commission Meeting Minutes.pdf
- (See PH-2)

**C ORDINANCES - FIRST READING**

- C-1 [24-0577](#) An Ordinance to Amend Sections 1:175 Through 1:185 of Chapter 8 -

Organization of Boards and Commissions of Title I Administration of The Code of The City of Ann Arbor (Planning Commission Modifications)

(Community Services - Derek Delacourt, Community Services Area Administrator)

**Attachments:** 2024 7-24 CPC Ordinance Changes - Chapter 8.pdf

- C-2 [24-1443](#) An Ordinance to Amend Sections 5.20.3 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Vehicular Use Area Buffer) CPC Recommendation: Approval (6 years, 0 days)

(City Planning Commission - Derek Delacourt, Community Services Area Administrator)

**Attachments:** Ordinance (Vehicular Use Area Buffer), Draft Ord 24-02 as Recommended by CPC, ORD-24-02 Briefed and Approved, June 6, 2023 Staff Report (CLUB), June 6, 2023 Planning Commission Minutes

**D MOTIONS AND RESOLUTIONS**

**DC New Business - Council:**

- DC-1 [24-1541](#) Resolution in Support of Michigan's Drive Safe Bills

(City Council)

**Sponsors:** Akmon and Briggs

(Added 8/13/24)

- DC-2 [24-1551](#) Resolution for Community Events Fund Disbursements from the FY 2025 Budget

(City Council)

**Sponsors:** Disch and Radina

(Added 8/15/24)

- DC-3 [24-1560](#) Resolution to Consider Allowing More Flexibility for Home Occupations in Residential Neighborhoods

(City Council)

**Sponsors:** Song, Eyer, Cornell, Watson and Harrison

(Added 8/15/24)

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

**DS New Business - Staff:**

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 MCL 15.268 (1) (C), (D) (E), AND (H).

## E & F CLERK'S REPORT OF COMMUNICATIONS

### E The following communications were referred as indicated:

- E-1 [24-1348](#) June 2024 Quarterly Investment Report  
(Treasury Services - Michael Pettigrew, Treasurer)  
**Attachments:** 06-30-2024 City of Ann Arbor.pdf
- E-2 [24-1489](#) Communication from the State of Michigan Public Service Commission Regarding Notice of a Hearing for Electric Customers of DTE Electric Company in Case No. U-21658 Scheduled for August 22, 2024 - Sustainability - City Attorney  
(City Council - Jacqueline Beaudry)  
**Attachments:** DTE Communication U-21658.pdf
- E-3 [24-1496](#) Communication from Comcast Regarding Bally Sports Channel Changes, Effective August 1, 2024 - CTN, City Attorney  
(City Clerk - Jacqueline Beaudry)  
**Attachments:** Comcast Communication - Bally.pdf
- E-4 [24-1521](#) Communication from Michigan Governor Gretchen Whitmer Regarding Two City of Ann Arbor Citizen-Initiated Charter Amendment Proposals for the November 5, 2024 Election  
(City Clerk - Jacqueline Beaudry)  
**Attachments:** 2024-08-09 Confirmation Receipt Letter (60 Day Notice) w Attach- City of Ann Arbor.pdf  
(Added 8/13/24)
- E-5 [24-1543](#) Kurt Svoboda- Resignation from the Recreation Advisory Commission  
(City Clerk)  
**Attachments:** Svoboda Resignation\_Redacted.pdf  
(Added 8/15/24)
- E-6 [24-1578](#) Communications from Ann Arbor SPARK Regarding Support of the Resolution to Consider Allowing More Flexibility for Home Occupations in Residential Neighborhoods  
(City Clerk - Jacqueline Beaudry)



**Attachments:** SPARK LOS - Flexibility for Home Occupations.pdf  
(Added 8/19/24)

**F The following minutes were received for filing:**

- F-1 [24-1104](#) June 4, 2024 City Planning Commission Meeting Minutes  
(City Planning Commission)  
**Attachments:** June 4, 2024 City Planning Commission Meeting Minutes.pdf
- F-2 [24-1115](#) Minutes of the May 15, 2024 Design Review Board Meeting  
(Design Review Board)  
**Attachments:** 5-15-2024\_DRB\_Final\_Meeting\_Minutes.pdf
- F-3 [24-1117](#) May 22, 2024 ZBA Meeting Minutes  
(Zoning Board of Appeals)  
**Attachments:** May 22, 2024 ZBA Meeting Minutes.pdf
- F-4 [24-1130](#) GAC Meeting Minutes May 2, 2024  
**Attachments:** 5\_2\_24 GAC MEETING MINUTES.pdf
- F-5 [24-1264](#) PAC Meeting Minutes - May 21, 2024  
**Attachments:** 5\_21\_24 PAC MEETING MINUTES.pdf
- F-6 [24-1375](#) Airport Advisory Committee Minutes - May 15, 2024  
(Fleet & Facilities Services - Matthew J Kulhanek)  
**Attachments:** AAC Minutes 051524.pdf
- F-7 [24-1452](#) Election Commission Meeting Minutes of July 16, 2024  
(City Clerk - Jacqueline Beaudry)  
**Attachments:** Election Commission Minutes 071624.pdf
- F-8 [24-1104](#) June 4, 2024 City Planning Commission Meeting Minutes  
(City Planning Commission)  
**Attachments:** June 4, 2024 City Planning Commission Meeting Minutes.pdf

**G COMMUNICATIONS FROM THE CITY ATTORNEY**

**PUBLIC COMMENT - CONTINUED (3 MINUTES EACH - IF NECESSARY)**

**\*THIS SECTION IS FOR SPEAKERS WHO SIGNED UP FOR PUBLIC COMMENTARY BUT WERE UNABLE TO SPEAK AT THE BEGINNING OF THE MEETING DUE TO THE 45-MINUTE TIME LIMIT.**

**FOR ZOOM MEETINGS, PHONE CALLERS CAN PRESS \*9 TO RAISE HANDS AND \*6 TO UNMUTE THEIR PHONES WHEN CALLED UPON TO SPEAK.**

**ADJOURNMENT**

**COMMUNITY TELEVISION NETWORK (CTN) COMCAST CHANNEL 16, AT&T CHANNEL 99:**

**LIVE: MONDAY, AUGUST 19, 2024 @ 7:00 P.M.**

**REPLAY: FRIDAY, AUGUST 23, 2024 @ 8:00 P.M.**

**REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE**

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

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

**Videos are also available for a nominal fee by contacting CTN at (734) 794-6150.**

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

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

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

**A hard copy of this Council packet can be made available upon request during regular business hours.**