



City of Ann Arbor

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

Meeting Agenda - Final-revised City Council

Monday, August 15, 2016

7:00 PM

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

City Council will meet in caucus the Sunday prior to each regular session at 3:30 p.m. in Council Chambers.

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ROLL CALL OF COUNCIL

APPROVAL OF AGENDA

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

AC-1 [16-1206](#) Agenda Response Memo - August 15, 2016
(City Administrator - Howard S. Lazarus, City Administrator)
Attachments: Agenda Responses 8-15-16 Final
(Added 8/15/16)

INT INTRODUCTIONS

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. Harold Kirchen - ADUs
2. George Gaston - Fuller Parking Lot (CA-4)

3. Sally Daniels - Non-violent Values

4. Eric Lipson - Transparency

5. Kathy Griswold - Safety

CC COMMUNICATIONS FROM COUNCIL

MC COMMUNICATIONS FROM THE MAYOR

MC-1 [16-1132](#) Appointments - Confirmations
(Mayor's Office)

MC-2 [16-1168](#) Appointments & nominations for 8/15/16
(Mayor's Office)

CA CONSENT AGENDA

CA-1 [16-1117](#) Resolution to Approve Application Fees for Pole Attachment Permits with DTE (\$41,250.00)
(Information Technology Services - Tom Shewchuk, IT Director)

CA-2 [16-1006](#) Resolution to Approve Purchase Order to Azteca Systems for CityWorks Enterprise License and Annual Maintenance and Support Agreement for FY2017 (\$83,000.00)
(Information Technology Services - Tom Shewchuk, IT Director)

CA-3 [16-1129](#) Resolution to Accept and Appropriate Emergency Management Performance Grant Funds and Approve FY 2016 Funding Assistance Grant Agreement for Ann Arbor Emergency Management Program (\$41,842.00) **(8 Votes Required)**
(Fire Services - Larry Collins, Fire Chief)

CA-4 [16-1103](#) Resolution to Recommend Approval of the Fuller Park Parking Lot Land Lease with the University of Michigan **(8 Votes Required)**
(Community Services - Derek Delacourt, Community Services Area Administrator)
Attachments: Fuller Park Land Lease 2016_17 - Revised 8-10-16, Fuller Park Parking Lots Map 2016.pdf
(Attachment added 8/12/16)

- CA-5 [16-1097](#) Resolution to Approve a Contract with Nationwide Construction Group to Supply and Install Fencing for the Off-Leash Dog Park at Broadway Park (\$46,143.70)
(Community Services - Derek Delacourt, Community Services Area Administrator)
Attachments: ITB 4451 Broadway Park Dog Park Fencing, Drawing for Fence Bid
- CA-6 [16-0954](#) Resolution to Approve the Restated and Amended Hazardous Materials Response Authority Agreement for Washtenaw County and Adjacent Communities
(City Attorney Services - Stephen K. Postema, City Attorney)
Attachments: HMTA Restated Act 7 Agreement.pdf
- CA-7 [16-1147](#) Resolution to Approve a Grant of Easement for Electrical Utility Service to DTE Electrical Company at the Ann Arbor Airport **(8 Votes Required)**
(City Attorney Services - Stephen K. Postema, City Attorney)
Attachments: Drawing - DTE easement at Ann Arbor Airport.pdf
- CA-8 [16-1000](#) Resolution to Approve an Agreement with the Michigan Department of Transportation for the Seventh Street Traffic Signal Interconnect Project (\$829,640.00)
(Project Management Services - Craig Hupy, Public Services Area Administrator)
Attachments: City - State Agreement.pdf
- CA-9 [16-1005](#) Resolution No. 2 - Stone School Sidewalk Project - Sidewalk Special Assessment
(Project Management Services - Craig Hupy, Public Services Administrator)
Attachments: Stone School Sidewalk Assessments Dist 47
- CA-10 [16-1043](#) Resolution to Prohibit On-Street Parking on the Northbound (East) side of Newport Road between Miller Avenue and M-14
(Project Management Services - Craig Hupy, Public Services Area Administrator)
Attachments: Newport Road Lane Configuration.pdf, TCO_Newport_Miller to M-14_Remove Parking.pdf, Newport Road Bike Lane Public Meeting Notes.pdf

- CA-11** [16-1080](#) Resolution to Accept a Hazard Mitigation Grant and Appropriate Funds from the Federal Emergency Management Agency for the Purchase and Demolition of 128 Felch Street (\$399,999.00) **(8 Votes Required)**
(Systems Planning Services - Craig Hupy, Public Services Area Administrator)
Attachments: 128 Felch - 4195 HMGP Grant Agreement_Ann Arbor Acquisition.pdf, 128 Felch Floodplain Map.pdf
- CA-12** [16-1095](#) Resolution to Accept a Hazard Mitigation Assistance Grant and Appropriate Funds from FEMA for a Project to Create an Opening in the Railroad Berm to Reduce the Floodplain of Allen Creek (\$3,085,550.00) **(8 Votes Required)**
(Systems Planning Services - Craig Hupy, Public Services Area Administrator)
Attachments: ACRRB Grant Agreement.pdf, Allen Creek Railroad Berm Opening Project - Description and Timeline.pdf, Alen Creek Railroad Berm Opening Study - FINAL REPORT.pdf
- CA-13** [16-1050](#) Resolution to Approve New Election Inspector Pay Scales
(City Clerk - Jacqueline Beaudry)
Sponsors: Election Commission
Attachments: Election Inspector Pay rates 2016 chart
- PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)**
- PH-1** [16-1085](#) Resolution to Approve 611 East University Site Plan and Development Agreement, (CPC Recommendation: Approval - 7 Yeas and 0 Nays)
(Community Services - Derek Delacourt, Community Services Area Administrator)
Attachments: 611-617 E University Staff Report with Attachments-6-7-16, 611 E University DA
(See DB-1)
- PH-2** [15-0568](#) Resolution to Approve South Pond Village Site Plan and Development Agreement, 3850 East Huron River Drive (CPC Recommendation: Denial - 1 Yeas and 7 Nays)
(Community Services - Derek Delacourt, Community Services Area Administrator)
Attachments: 4-4-16 South Pond Development Agreement.pdf, 2/17/16 South Pond Staff Report with Attachments, 2/17/16 CPC Minutes for South Pond Site Plan and Wetland Use Permit, 8/6/15 South Pond Response, 8/5/15 South Pond Alternative Plan, 4/7/15 South Pond Village Meeting Minutes.pdf, 4/7/15 Planning Staff Report, 6/21/16 South Pond Staff Report, 6/21/16 CPC Minutes for South Pond, South Pond City Council letter 080916.pdf, August 9 2016 Letter to Council Re South Pond Village.pdf, Communication from Norman Hyman regarding South Pond.pdf
(See DB-2) (Continued from the 6/1/15, 6/15/15 and 8/6/15 Regular Sessions)

A APPROVAL OF COUNCIL MINUTES

- A-1 [16-1166](#) Work Session of July 25 and Regular Session Meeting Minutes of August 4, 2016

(City Clerk - Jacqueline Beaudry)

Attachments: 07-25-16 Draft Minutes, 08-04-16 Draft Minutes, Council emails 8-4-2016_Redacted

B ORDINANCES - SECOND READING

None.

C ORDINANCES - FIRST READING

None.

D MOTIONS AND RESOLUTIONS**Unfinished Business - Council:**

- DC-1 [16-1055](#) Resolution to Amend Council Rules to Include a New Council Ethics Rule 5 - Improper Use of Position - Gifts

(City Council)

Sponsors: Council Rules Committee

Attachments: COUNCIL ETHICS RULE 5 v2 8-12-16.pdf, COUNCIL ETHICS RULE 5
(Added 8/12/16)

- DC-2 [16-1207](#) Resolution to Authorize Waiver of Notice for Affordable Housing Covenant for #105 Ashley Mews (**8 Votes Required**)

(City Council)

Sponsors: Smith

(Added 8/15/16)

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

- DB-1 [16-1085](#) Resolution to Approve 611 East University Site Plan and Development Agreement, (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

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

Attachments: 611-617 E University Staff Report with Attachments-6-7-16, 611 E University DA

(See PH-1)

- DB-2 [15-0568](#) Resolution to Approve South Pond Village Site Plan and Development Agreement, 3850 East Huron River Drive (CPC Recommendation: Denial - 1 Yeas and 7 Nays)

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

Attachments: 4-4-16 South Pond Development Agreement.pdf, 2/17/16 South Pond Staff Report with Attachments, 2/17/16 CPC Minutes for South Pond Site Plan and Wetland Use Permit, 8/6/15 South Pond Response, 8/5/15 South Pond Alternative Plan, 4/7/15 South Pond Village Meeting Minutes.pdf, 4/7/15 Planning Staff Report, 6/21/16 South Pond Staff Report, 6/21/16 CPC Minutes for South Pond, South Pond City Council letter 080916.pdf, August 9 2016 Letter to Council Re South Pond Village.pdf, Communication from Norman Hyman regarding South Pond.pdf

(See PH-2) (Continued from the 6/1/15, 6/15/15 and 8/6/15 Regular Sessions)

DS New Business - Staff:

COMMUNICATIONS FROM COUNCIL

E COMMUNICATIONS FROM THE CITY ATTORNEY

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

F The following communications were referred as indicated:

- F-1 [16-1111](#) Second Quarter 2016 Investment Portfolio Report
(Financial and Administrative Services - Matthew V. Horning, Treasurer)

Attachments: Investment Portfolio Report 6-30-16

- F-2 [16-1125](#) Communication from Jim Murray, President of AT&T regarding their Annual Video Report dated July 15, 2016 - Communications

(City Clerk Services)

Attachments: AT&T Annual Video Report.pdf

- F-3 [16-1126](#) Communication from Stephen Guerra of Makower Abbate Guerra PLLC regarding Notice of Intent to Establish the North Oaks Condominium Project - City Attorney, Planning and Development Services
(City Clerk Services)
Attachments: North Oaks Condo Notice.pdf
- F-4 [16-1127](#) Communication from Scott Munzel Attorney at Law, regarding Notice of Intent to Establish Condominium Project 450 W. Stadium Boulevard - City Attorney, Planning and Development Services
(City Clerk)
Attachments: 460 W. Stadium Blvd Condo Project Notice.pdf
- F-5 [16-1134](#) Communication from Comcast regarding Billing Changes Effective August 29, 2016 - City Attorney, CTN
(City Clerk Services)
Attachments: comcast communication.pdf
- F-6 [16-1178](#) Communication from the State of Michigan Public Service Commission regarding Public Hearing Notice to DTE Customers in Case No. U-1822 - Systems Planning, City Attorney
(City Clerk Services)
Attachments: DTE Pulic Hearing Notice re U-18122.pdf
- F-7 [16-1180](#) SPARK Semi-Annual Report to the City of Ann Arbor - January 1 - June 30, 2016
(City Administrator - Howard S. Lazarus)
Attachments: SPARK Semi-Annual Report to City Jan-June 2016
(Added 8/12/16)
- G The following minutes were received for filing:**
- G-1 [16-0832](#) Public Market Advisory Commission Meeting Minutes of May 19, 2016
(Public Market Advisory Commission - Sarah DeWitt, Manager)
Attachments: May 19, 2016 PMAC Meeting Minutes
- G-2 [16-1013](#) June 7, 2016 City Planning Commission Meeting Minutes
(Planning and Development Services)
Attachments: 6-7-2016 CPC Minutes with Live Links.pdf

- G-3 [16-1014](#) June 21, 2016 City Planning Commission Meeting Minutes
(Planning and Development Services)
Attachments: 6-21-2016 CPC Minutes with Live Links.pdf
- G-4 [16-1107](#) City of Ann Arbor Employees' Retirement System Meeting Minutes of June 16, 2016
Attachments: BDMTG June 2016
- G-5 [16-1108](#) City of Ann Arbor Employees' Retirement System Special-Call Board Meeting Minutes of June 29, 2016
Attachments: SPEC BDMTG June 29 2016
- G-6 [16-1109](#) Retiree Health Care Benefit Plan & Trust (VEBA) Meeting Minutes of June 16, 2016
Attachments: VEBA Bd June 2016
- G-7 [16-1110](#) City Election Commission Meeting Minutes of July 12, 2016
(City Clerk - Jacqueline Beaudry)
Attachments: 2016-07-12 Election Commission Minutes
- G-8 [16-1146](#) Ann Arbor Public Art Commission Meeting Minutes - June 2016
(Public Services - Craig Hupy)
Attachments: AAPAC Meeting Minutes - June 2016.pdf
- G-9 [16-1170](#) Council Rules Committee Meeting Minutes of July 21, 2016
(Council Rules Committee)
Attachments: Council Rules Committee Minutes 7-21-16.pdf
- G-10 [16-1171](#) Council Administration Committee Meeting Minutes of June 20 and July 18, 2016
(Council Administration Committee)
Attachments: Council Admin. Committee Minutes 6-20-16.pdf, Council Admin. Committee Minutes 7-18-16.pdf

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

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).

ADJOURNMENT**COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:****LIVE: THURSDAY, AUGUST 4, 2016 @ 7:00 P.M.****REPLAYS: FRIDAY AUGUST 5, 2016 @ 8:00 P.M.****REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE**

CTN's Government Channel live televised public meetings are also available to watch live online from CTN's website, www.a2gov.org/watchctn.

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

- Video on Demand: Replay public meetings at your convenience online at <http://a2govtv.pegcentral.com/>
- Cable: Watch CTN Government Channel public meeting programming via Comcast Cable channel 16.

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

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

Requests 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.