

City of Ann Arbor

301 E. Huron St. Ann Arbor, MI 48104 http://a2gov.legistar.co m/Calendar.aspx

Meeting Agenda - Final-revised City Council

Thursday, November 9, 2017

7:00 PM

Larcom City Hall, 301 E Huron St, Second floor, City 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 17-1820 City Administrator's Report - November 8, 2017

(City Administrator - Howard S. Lazarus, City Adminstrator)

Attachments: 171108 - City Administrator's Update.pdf

AC-2 17-1830 Agenda Response Memo - November 9, 2017

(City Administrator - Howard S. Lazarus, City Administrator)

Attachments: Agenda Responses 11-9-17Final.pdf

INT INTRODUCTIONS

CA-12 17-1653 Resolution in Support and Appreciation of City of Ann Arbor Employees

who are Military Service Veterans

(City Administrator - Howard S. Lazarus, City Administrator)

<u>Attachments:</u> City Veterans.pdf (Added to Introductions 11/3/17)

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
- CC COMMUNICATIONS FROM COUNCIL
- MC COMMUNICATIONS FROM THE MAYOR

MC-1 <u>17-1666</u> Appointments - Confirmations

(Mayor's Office)

MC-2 <u>17-1766</u> Appointments & Nominations

(Mayor's Office)
(Revised 11/6/17)

CA CONSENT AGENDA

CA-1 17-1376 Resolution to Approve the Purchase of Automotive and Truck Replacement

Parts with Related Equipment, Accessories, and Services from NAPA Auto Parts (National Joint Powers Alliance; Not To Exceed \$45,000.00)

(Fleet & Facilities Services - Craig Hupy, Public Services Area Administrator)

<u>Attachments:</u> NJPA Award-NAPA_062916.pdf, NAPA Contract 062916.pdf

CA-2 17-1430 Resolution to Approve Agreement with the Washtenaw County Water

Resources Commissioner to Support and Fund the 2018-2019 Rain Garden Program Partnership (\$192,000.00 over two years; City Cost

\$30,000.00)

(Systems Planning Services - Craig Hupy, Public Services Area Administrator)

Attachments: Agreement City-County.docx

CA-3 17-1431 Resolution to Approve a Professional Services Agreement with Tex Hahn

Communications, Inc. for the Public Outreach and Marketing Plan for

Utilities (RFP No. 17-17, \$135,170.00)

(Systems Planning Services - Craig Hupy, Public Services Area Administrator)

<u>Attachments:</u> attachments A-F.pdf, Work_Plan.pdf, PSA.docx

CA-4 17-1528 Resolution to Approve Change Order No. 1 to a Construction Contract with

Liquiforce Services (USA), Inc. in the Amount of \$314,700.42 for the

Nichols Arboretum Sewer and Siphon Rehabilitation

		(Engineering - Craig A. Hupy, Public Services Area Administrator)
		Attachments: liquiforce - resolution awarding contract - approved - 161220.pdf, liquiforce - signed change order no 1 - 170920.pdf
CA-5	<u>17-1559</u>	Resolution No. 1 - Prepare Plans and Specifications for Proposed Scio Church Road Sidewalk and Curb and Gutter Special Assessment Project
		(Engineering - Craig Hupy, Public Services Area Administrator)
		Attachments: Scio Church Location.pdf
CA-6	<u>17-1567</u>	Resolution to Approve Amendment No. 2 to the Professional Services Agreement with Stantec Consulting Michigan, Inc., for Water Treatment Professional Engineering Services (\$200,000.00)
		(Water Treatment Plant Services - Craig Hupy, Public Services Area Administrator)
		<u>Attachments:</u> Amendment_No_2_PSA_Stantec_Oct 17.pdf
CA-7	<u>17-1568</u>	Resolution to Approve Amendment No. 1 to the Professional Services Agreement with Fishbeck, Thompson, Carr & Huber, Inc., for Water Treatment Professional Engineering Services (\$200,000.00)
		(Water Treatment Plant Services - Craig Hupy, Public Services Area Administrator)
		<u>Attachments:</u> Amendment_No_1_PSA_FTCH_20170911.pdf
CA-8	<u>17-1586</u>	Resolution to Approve an Amendment to the Purchase Order with Boone & Darr Inc., for On-Call HVAC Services (Not to Exceed \$45,000.00)
		(Fleet & Facilities Services - Craig Hupy, Public Services Area Administrator)
		Attachments: HVAC Quotes FY2018.pdf, 2015 PO Terms.pdf
CA-9	17-1592	Resolution to Authorize a Sole Source Purchase Order to Gridsmart Technologies, Inc. in the amount of \$126,672.00 for Traffic Signal Detection Devices.
		(Public Works - Craig Hupy, Public Services Area Administrator)
CA-10	<u>17-1658</u>	Resolution to Ratify Emergency Change Request and Approve Change Order to Purchase Order, and Appropriate Funds, for Waste Removal and Clean Up at Material Recovery Facility (MRF) with Global Green Services Group, LLC (GGSC) (\$23,900.00) (8 Votes Required)
		(Public Services - Craig Hupy, Public Services Area Administrator)
CA-11	<u>17-1593</u>	Resolution to Approve the Purchase of Two Ice Resurfacing Machines from Frank Zamboni & Co., Inc. (National Joint Powers Alliance; \$193,855.95)
		(Fleet & Facilities Services - Craig Hupy, Public Services Area Administrator)
		Attachments: Zamboni 546 Proposal - Propane.pdf, Zamboni 546 Proposal - Gas.pdf, Zamboni - Col and ND Documents.pdf, NJPA Contract - Zamboni.pdf

CA-12 <u>17-1653</u>	Resolution in Support and Appreciation of City of Ann Arbor Employees who are Military Service Veterans
	(City Administrator - Howard S. Lazarus, City Administrator)
	<u>Attachments:</u> City Veterans.pdf
CA-13 <u>17-1665</u>	Resolution to Release an Easement for Sanitary and Storm Sewers and Water Main Records at Liber 646, Page 402 of Deeds, Washtenaw County Records (8 Votes Required)
	(City Attorney Services - Stephen K. Postema, City Attorney)
	<u>Attachments:</u> 1801 Miller Easement.pdf
CA-14 <u>17-1695</u>	Resolution to Approve a Contract with Aquatic Renovation Systems, Inc. to Install a PVC Pool Liner at Veterans Memorial Park Pool (\$134,805.00)
	(Community Services - Derek Delacourt, Community Services Area Administrator)
	<u>Attachments:</u> ITB_4513_Veterans Memorial Park Pool Liner Replacement_Spec Book Contract.pdf
CA-15 <u>17-1740</u>	Resolution to Approve Street Closings for the University of Michigan Trail to the Victors 5K on Sunday, April 8, 2018
	(Community Services - Derek Delacourt, Community Services Area Administrator)
	<u>Attachments:</u> Trail to the Victors 5K Map, Trail to the Victors Barricade Plan
CA-16 <u>17-1747</u>	Resolution to Accept a Quitclaim Deed from Washtenaw County for Land Near the Ann-Ashley Structure (Old Jail Site) (8 Votes Required)
	(City Attorney Services - Stephen K. Postema, City Attorney)
	Attachments: Quitclaim Deed.pdf
CA-17 <u>17-1764</u>	Resolution to Approve Increase in Contract Contingencies for Turnkey Network Solutions (\$135,000.00) and J. Ranck Electric, Inc. (\$60,000.00) for the Construction of the City Fiber Optic Network (FON) RFP 973
	(Tom Shewchuk - Tom Crawford, CFO)
	(Revised 11/3/17)
CA-18 <u>17-1755</u>	Resolution to Ratify the Pilot Project to Test Staggered Parking on Granger Avenue Between South State Street and Packard Street
	(Engineering - Craig Hupy, Public Services Area Administrator)
	<u>Sponsors:</u> Eaton and Krapohl
	Attachments: Granger Survey Letter, Card, and Results.pdf
CA-19 <u>17-1756</u>	Resolution to Approve a Fiber and Conduit Use Agreement with Ann Arbor SPARK

(Information Technology Services - Tom Shewchuk, Director)

Attachments: SPARK Fiber Conduit Use Agr.pdf

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 <u>17-1591</u>

An Ordinance to Amend the Code of the City of Ann Arbor by Repeal of Chapter 15, Emergency and Disaster Management, Title I, of the Code and Adding a New Chapter 15, Emergency and Disaster Management, Title I of Said Code (Ordinance No. ORD-17-18)

(Howard S. Lazarus - City Administrator)

Attachments:

17-18 Emergency and Disaster Management Ordinance Briefed and Approved.pdf, 17-18 Emergency and Disaster Management Ordinance

Briefed.pdf,

Chapter_15___EMERGENCY_AND_DISASTER_MANAGEMENT_2017.pdf

(See B-1)

PH-2 17-0994

An Ordinance to Amend Title VII of the Code of the City of Ann Arbor by Repealing Chapter 95 (Medical Marijuana Licenses for Medical Marijuana Dispensaries) of Title VII of the Code of the City of Ann Arbor and By Adding a New Chapter 96 (Medical Marijuana Facilities) to Title VII of the Code of the City of Ann Arbor (Ordinance No. ORD-17-19)

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

Sponsors: Smith and Frenzel

<u>Attachments:</u> 17-19 Medical Marijuana Ordinance Briefed and Approved.pdf, 17-19

Medical Marijuana Facilities Ordinance Briefed.pdf, Amend Title VII

(See B-2)

PH-3 17-1759

Resolution to Approve Fees for New Medical Marijuana Facilities Annual

(City Clerk - Jacqueline Beaudry)

(See DS-1)

PH-4 17-1419

An Ordinance to Amend Chapter 55 (Zoning), Zoning of 6.4 Acres from PUD (Planned Unit Development) to C1A/R (Campus Business Residential District) WITH CONDITIONS, 1140 Broadway Rezoning, (CPC Recommendation: Approval - 6 Yeas and 1 Nays) (Ordinance No. ORD-17-17)

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

Attachments:

17-18 Emergency and Disaster Management Ordinance Briefed and Approved.pdf, 17-17 1140 Broadway Rezoning Briefed.pdf, 1140 Broadway Conditional Zoning Stmt of Conditions FINAL.pdf, Conditional Zoning Statement 9-20-17.pdf, July 5, 2017 Planning Staff Report, August 1, 2017 Planning Staff Report, Petitioner's Offer of Conditions (7-26-17), 8-1-2017 -- 1140 Broadway Project Minutes.pdf, 8-23-2017 -- 1140 Broadway Project Minutes from ZBA.pdf, Objection Communication from Harpreet Singh.pdf, Yuqing Zhang Objection Letter re 1140 Broadway.pdf, 1140 Broadway Objection Letters.pdf, Map.pdf, Resinding Letters Regarding 1140 Broadway.pdf

(See B-3)

PH-5 17-1420

Resolution to Approve 1140 Broadway Planned Project Site Plan and Development Agreement, with Modifications to Chapter 62 Landscaping and Screening (CPC Recommendation: Approval - 6 Yeas and 1 Nays)

(Community Services - Derek Delacourt, Area Administrator)

Attachments:

July 5, 2017 Planning Staff Report, August 1, 2017 Planning Staff Report, 1140 Broadway Development Agreement 11-2-17.pdf, 8-1-2017 -- 1140 Broadway Project Minutes.pdf, 8-23-2017 -- 1140 Broadway Project Minutes from ZBA.pdf

(See DB-1)

PH-6 17-1758

Resolution to Approve the 1140 Broadway Brownfield Plan

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

Attachments: 1140 Broadway Brownfield Plan 10-25-17 v2.pdf

(See DB-2)

A APPROVAL OF COUNCIL MINUTES

A-1 <u>17-1779</u>

Work Session of October 9, 2017 and Regular Session Meeting Minutes of October 16, 2017

(City Clerk - Jacqueline Beaudry)

Attachments: 10-09-17 Draft Minutes.pdf, 10-16-17 Meeting Minutes.pdf, Council emails

10-16-2017.pdf

B ORDINANCES - SECOND READING

B-1 <u>17-1591</u>

An Ordinance to Amend the Code of the City of Ann Arbor by Repeal of Chapter 15, Emergency and Disaster Management, Title I, of the Code and Adding a New Chapter 15, Emergency and Disaster Management, Title I of Said Code (Ordinance No. ORD-17-18)

(Howard S. Lazarus - City Administrator)

Attachments:

17-18 Emergency and Disaster Management Ordinance Briefed and Approved.pdf, 17-18 Emergency and Disaster Management Ordinance

Briefed.pdf.

Chapter_15___EMERGENCY_AND_DISASTER_MANAGEMENT_2017.pdf

(See PH-1)

B-2 17-0994

An Ordinance to Amend Title VII of the Code of the City of Ann Arbor by Repealing Chapter 95 (Medical Marijuana Licenses for Medical Marijuana Dispensaries) of Title VII of the Code of the City of Ann Arbor and By Adding a New Chapter 96 (Medical Marijuana Facilities) to Title VII of the Code of the City of Ann Arbor (Ordinance No. ORD-17-19)

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

Sponsors: Smith and Frenzel

Attachments: 17-19 Medical Marijuana Ordinance Briefed and Approved.pdf, 17-19

Medical Marijuana Facilities Ordinance Briefed.pdf, Amend Title VII

(See PH-2)

B-3 17-1419

An Ordinance to Amend Chapter 55 (Zoning), Zoning of 6.4 Acres from PUD (Planned Unit Development) to C1A/R (Campus Business Residential District) WITH CONDITIONS, 1140 Broadway Rezoning, (CPC Recommendation: Approval - 6 Yeas and 1 Nays) (Ordinance No. ORD-17-17)

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

Attachments:

17-18 Emergency and Disaster Management Ordinance Briefed and Approved.pdf, 17-17 1140 Broadway Rezoning Briefed.pdf, 1140 Broadway Conditional Zoning Stmt of Conditions FINAL.pdf, Conditional Zoning Statement 9-20-17.pdf, July 5, 2017 Planning Staff Report, August 1, 2017 Planning Staff Report, Petitioner's Offer of Conditions (7-26-17), 8-1-2017 -- 1140 Broadway Project Minutes.pdf, 8-23-2017 -- 1140 Broadway Project Minutes from ZBA.pdf, Objection Communication from Harpreet Singh.pdf, Yuqing Zhang Objection Letter re 1140 Broadway.pdf, 1140 Broadway Objection Letters.pdf, Map.pdf, Resinding Letters Regarding 1140 Broadway.pdf

(See PH-4) (Revised 11/3/17, 11/6/17 and 11/7/17)

C ORDINANCES - FIRST READING

C-1 <u>17-1441</u>

An Ordinance to Amend Chapter 55 (Zoning), Rezoning 0.59 Acre from TWP (Township District) to R1A (Single-Family Dwelling District), DuBuc Property, 2945 Devonshire Road (CPC Recommendation: Approval 8 Yeas and 0 Nays) (Ordinance No. ORD-17-20)

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

<u>Attachments:</u> 17-20 2945 Devonshire Zoning Council Ordinance Briefed.pdf, 2945

Devonshire Zoning Council Ordinance.docx, 2945 Devonshire A&Z Staff Report with Attachments.pdf, 11-1-2017 CPC Meeting Minutes-2945 Devonshire Annex & Zon.pdf, DuBuc Completed Annexation

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Communication from State.pdf

An Ordinance to Amend Chapter 55 (Zoning) related to Medical Marijuana Facilities (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

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(Community Services - Derek Delacourt, Area Administrator)

Sponsors: Ackerman

Attachments: 17-21 AN ORDINANCE TO AMEND CHAPTER 55 Medical Marijuana

Facilities Briefed.pdf, AN ORDINANCE TO AMEND CHAPTER 55 Medical

Marijuana Facilities 11-3-17.pdf, Med MJ Zoning Staff Report w

Attachment-101717.pdf

(Added 11/3/17)

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

DC-1 17-1730 Resolution in Support of the Do Not Stand Idly By Campaign

(Council Policy Agenda Committee)

Sponsors: Warpehoski

Attachments: DNSIB public offficials commitment.pdf

DC-2 17-1788 Resolution in Support of Additional Pedestrian Safety Improvements at

Huron High School Including Street Lighting, Consistent Traffic

Enforcement and Assignment of Crossing Guards

(City Council)

Sponsors: Lumm, Westphal and Taylor

DC-3 17-1798 Resolution Supporting Vision Zero Implementation, Including Near- and

Long-Term Roadway Safety Measures at Huron High School and Citywide

(City Council)

Sponsors: Westphal, Smith and Grand

(Added 11/7/17)

DB New Business - Boards and Commissions:

DB-1 17-1420 Resolution to Approve 1140 Broadway Planned Project Site Plan and

Development Agreement, with Modifications to Chapter 62 Landscaping and Screening (CPC Recommendation: Approval - 6 Yeas and 1 Nays)

(Community Services - Derek Delacourt, Area Administrator)

Attachments: July 5, 2017 Planning Staff Report, August 1, 2017 Planning Staff Report,

1140 Broadway Development Agreement 11-2-17.pdf, 8-1-2017 -- 1140 Broadway Project Minutes pdf, 8-23-2017 -- 1140 Broadway Broiget

Broadway Project Minutes.pdf, 8-23-2017 -- 1140 Broadway Project

Minutes from ZBA.pdf

(See PH-5) (Revised 11/3/17)

DB-2 17-1758 Resolution to Approve the 1140 Broadway Brownfield Plan

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

<u>Attachments:</u> 1140 Broadway Brownfield Plan 10-25-17 v2.pdf (See PH-6)

DS New Business - Staff:

DS-1 17-1759 Resolution to Approve Fees for New Medical Marijuana Facilities Annual Permits

(City Clerk - Jacqueline Beaudry)

(See PH-3)

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	<u>17-1596</u>	Communication from Elizabeth Ong regarding Speeding Cars on Hill Street
		(City Clerk - Jacqueline Beaudry)
		Attachments: Elizabeth Ong Communication Regarding Speeding down Hill Street.pdf
F-2	<u>17-1713</u>	Resolution Regarding the Proposed Ann Arbor Station Attachments: RESOLUTION REGARDING THE PROPOSED ANN ARBOR STATION_final.pdf
F-3	<u>17-1772</u>	Communication from the State of Michigan Public Service Commission Regarding Notice of Hearing for DTE Electric Company in Case No U-18043 Scheduled for November 28, 2017 - Systems Planning, City Attorney
		(City Clerk - Jacqueline Beaudry)
		Attachments: DTE Communication Regarding U-18403.pdf
F-4	<u>17-1789</u>	Communication from the Council Rules Committee regarding Proposed Changes to the Council Rules and a Proposed Ordinance Change to be Introduced in December 2017
		(Council Rules Committee)
		Attachments: Chapter 25 Procedures for Removal of Councilmembers.pdf, Council Ethics RuleOct draft.pdf, Proposed Council Rule (002).pdf
F-5	<u>17-1802</u>	Communication from the Office of the Great Seal regarding the Completion of the Bibby and McCowan Annexations - All Departments

(City Clerk - Jacqueline Beaudry)

		Attachments: Great Seal Communication Regarding Completion of Bibby Annexation.pdf, Great Seal Communication Regarding Completion of McCowan Annexation.pdf
F-6	<u>17-1822</u>	Communication from the State of Michigan Department of Environmental Quality regarding WRD/Public Notice for Regents of the University of Michigan, File Number HN8-9JN9-TQGYA - Public Services
		(City Clerk - Jacqueline Beaudry)
		<u>Attachments:</u> Communication from the State of Michigan Department of Environmental Quality.pdf
		(Added 9/8/17)
G	The following	ng minutes were received for filing:
G-1	<u>17-1139</u>	Land Acquisition Committee Meeting Minutes November 1, 2016
		Attachments: LAC Minutes 11-1-16.pdf, LAC_2016 11_presentation
G-2	<u>17-1140</u>	Joint Park Advisory Commission and Greenbelt Advisory Commission Meeting Minutes of June 6, 2017
		Attachments: GAC-LAC Minutes 6-6-17.pdf
G-3	<u>17-1595</u>	Election Commission Meeting Minutes of August 31, 2017
		(Jacqueline Beaudry)
		<u>Attachments:</u> 2017-08-31Election Commission Minutes.pdf
G-4	<u>17-1594</u>	Downtown Development Authority Board and Executive, Partnerships, Finance, Operations, and Capital Improvements Committees Meeting Minutes from September 2017
		Attachments: DDA Minutes September 2017
G-5	<u>17-1673</u>	LDFA Board Meeting Minutes - September 19, 2017
		(Local Development Finance Authority (LDFA) - Tom Crawford, CFO)
		<u>Attachments:</u> LDFA Board Meeting Minutes - Sept 19 2017.pdf
G-6	<u>17-1693</u>	Human Rights Commission, September 2017 Meeting Minutes
		(Human Rights Commission - Robyn Wilkerson)
		<u>Attachments:</u> Final September Minutes.pdf
G-7	<u>17-1743</u>	Commission on Disability Issues Meeting Minutes of September 2017
		(Robyn Wilkerson)
		<u>Attachments:</u> Final September Minutes.pdf
G-8	<u>17-1751</u>	Ann Arbor Area Transportation Authority (AAATA) Meeting Minutes of

		September 28, 2017 <u>Attachments:</u> AAATA Board Meeting Minutes 09.28.17_Approved.pdf
G-9	<u>17-1753</u>	Employees' Retirement system Board Meeting Minutes of September 21, 2017
		Attachments: B BD MTG Minutes 9.21.17.pdf
G-10	<u>17-1790</u>	Council Rules Committee Minutes - October 26, 2017 (City Attorney Services - Stephen K. Postema, City Attorney)
		Attachments: Council Rules Committee Minutes 10-26-17 docy

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

COMMUNICATIONS FROM COUNCIL

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, NOVEMBER 9, 2017 @ 7:00 P.M. REPLAYS: FRIDAY, NOVEMBER 10, 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.