

City of Ann Arbor

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



Action Minutes

Monday, December 16, 2013

7:00 PM

City Hall, 301 E. Huron Street, Council Chamber, 2nd Floor
City Council meets in caucus the Sunday prior to each regular
session at 7 p.m. in the Council Chamber.

City Council

CALL TO ORDER

Mayor Hieftje called the meeting to order at 7:09 p.m. in the Guy C. Larcom, Jr. Building, 2nd Floor Council Chambers, 301 E. Huron St.

MOMENT OF SILENCE

Council stood for a moment of silence.

PLEDGE OF ALLEGIANCE

Mayor Hieftje led Council in the recitation of the Pledge of Allegiance.

ROLL CALL OF COUNCIL

Present: 11 - Mayor John Hieftje, Councilmember Stephen Kunselman, Councilmember Margie Teall, Councilmember Mike Anglin, Councilmember Sabra Briere, Councilmember Christopher Taylor, Councilmember Jane Lumm, Councilmember Sumi Kailasapathy, Councilmember Sally Petersen, Councilmember Chuck Warpehoski and Councilmember Jack Eaton

APPROVAL OF AGENDA

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

COMMUNICATIONS FROM THE CITY ADMINISTRATOR*SOLID WASTE AND RECYCLING PICK-UP*

City Administrator Steve Powers announced that solid waste and recycling collection would be delayed by one day each week over the Christmas and New Year's holidays, with no service on Wednesday. Friday collections during both weeks will occur on Saturday.

COUNCIL AGENDA RESPONSE MEMORANDUMS

Mr. Powers announced that Council Agenda Response Memorandums would now be provided with the Council Agenda materials, under Reports from the City Administrator, as requested by several councilmembers. This would allow the information to be more readily accessible to the public.

UPDATE ON WEEKEND STORM

Public Services Area Administrator Craig Hupy updated Council and the public on the weekend storm and the City's response. The final tally of snowfall over the weekend was over five inches within the City limits. There were considerable winds with the event, which caused the snow to blow and drift making removal and street clearing more challenging. Mr. Hupy stated the typical goal is to have all streets cleared within 24 hours of an event, but this time, it took 26 hours to get all travel lanes cleared. Traffic islands and crosswalks were cleared on Monday, he stated.

13-1554

Council Agenda Response Memo 12/16/13

Attachments: Agenda Responses 12-16-13

Received and Filed**INT INTRODUCTIONS**

INT-1 13-1541 December 16, 2013 Proclamation honoring the Ann Arbor Hands on Museum, the Ann Arbor Public Art Commission, the Ann Arbor Art Center in Collaboration with the Detroit Institute of Art's Inside / Out Program

Attachments: DIA's inside out program

John Kotarski, commissioner on the Ann Arbor Public Art Commission, gave a presentation to Council regarding the summer DIA program, Inside / Out. The Inside / Out program consisted of seven masterpiece re-creations displayed outside on buildings in and around the downtown, including one on Fire Station One and one on the Justice Center. Tours were set up while the pieces were on display to showcase the art to the community.

Mayor Hieftje thanked Mr. Kotarski and read a proclamation recognizing the important contributions of the Ann Arbor Public Art Commission in cooperation with the DIA, the Ann Arbor Art Center and the Hands on Museum for their endeavors to expose the public to the DIA master works of art and to promote the City's own public art. A copy of the proclamation is on file in the City Clerk's Office.

Representatives from the Hands On Museum and the Ann Arbor Art Center were also present to accept the award.

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. Ray Gholston - Resolution to Allocate Funds from the Sale of 350 S. Fifth Avenue (aka the Old Y Lot) (DC-5)

Ray Gholston, 312 W. Huron, spoke in support of the proposed Resolution to Allocate Funds from the Sale of 350 S. Fifth Avenue (aka the Old Y Lot). He stated more transitional and affordable housing is needed in Ann Arbor.

2. Tracy Williams - Resolution to Allocate Funds from the Sale of 350 S. Fifth Avenue (aka the Old Y Lot) (DC-5)

Tracy Williams, P.O. Box 7174, spoke in support of the proposed Resolution to Allocate Funds from the Sale of 350 S. Fifth Avenue (aka the Old Y Lot). He said that December 21, 2013 is Homeless Remembrance Day and it is timely that Council has the chance to do something to help homeless women, men and children. Affordable housing and support is needed for those living outside.

3. Mary Browning - Resolution to Allocate Funds from the Sale of 350 S. Fifth Avenue (aka the Old Y Lot) (DC-5)

Mary Browning, 1229 Wines Dr., spoke in support of the proposed Resolution to Allocate Funds from the Sale of 350 S. Fifth Avenue (aka the Old Y Lot). She said that more affordable housing is needed, including the replacement of the 100 units.

4. Ryan Sample - Resolution to Allocate Funds from the Sale of 350 S. Fifth Avenue (aka the Old Y Lot) (DC-5)

Ryan Sample, 312 W. Huron, spoke in support of the proposed Resolution to Allocate Funds from the Sale of 350 S. Fifth Avenue (aka the Old Y Lot). He stated City Council needs to help the homeless community.

5. Jim Mogensen - Resolution to Allocate Funds from the Sale of 350 S. Fifth Avenue (aka the Old Y Lot) (DC-5)

Jim Mogensen, 330 Chidester St., spoke in support of the proposed Resolution to Allocate Funds from the Sale of 350 S. Fifth Avenue (aka the Old Y Lot). He also gave a history of the City's involvement with the YMCA and the purchase of the old Y site.

6. Tom Partridge - Give the Christmas gift of protection to our most vulnerable residents. Protect residents rights to discrimination-free planning, property sales proceeds allocations. Request the resignations of Mayor Hieftje and Governor Snyder.

Tom Partridge, Ann Arbor resident, addressed Council regarding giving a Christmas gift of protection to our most vulnerable residents. Mr. Partridge spoke about the need to protect the civil and human rights of the most vulnerable residents.

7. Barbara Lucas - Food Waste Resolution (DS-2)

Barbara Lucas, 1211 Wright St., spoke in support of the Resolution with WeCare Organics to Expand Food Composting.

8. Jean Carlberg - Affordable Housing (DC-5)

Jean Carlberg, 1902 Independence Blvd., addressed Council regarding affordable housing and urged Council to allocate the proceeds from the sale of the Y Lot to the Affordable Housing Trust Fund. She spoke in support of the Resolution to Allocate Funds from the Sale of 350 S. Fifth Avenue.

9. Suzanne Williams - Resolution to Allocate Funds from the Sale of 350 S. Fifth Avenue (aka the Old Y Lot) (DC-5)

Suzanne Williams, 1327 White St., spoke in support of the proposed Resolution to Allocate Funds from the Sale of 350 S. Fifth Avenue (aka the Old Y Lot) and for funding for affordable housing in Ann Arbor.

10. James Hill - Resolution to Allocate Funds from the Sale of 350 S. Fifth Avenue (aka the Old Y Lot) (DC-5)

James Hill, 3501 Stone School, spoke in support of the proposed Resolution to Allocate Funds from the Sale of 350 S. Fifth Avenue (aka the Old Y Lot) and urged Council to support the resolution as well.

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER BRIERE

Councilmember Briere addressed comments made by the public regarding the policy of the Delonis Shelter to allow folks to come in off of the streets when the daytime temperatures drop below 10 degrees. Councilmember Briere said she spoke with Ellen Schulmeister from the Delonis Center regarding the switch from 25 degrees to 10 degrees. She reminded the public that the policy was always 10 degrees and there was a period when the Delonis Center raised the threshold to 25 degrees, but unfortunately, the Center does not have the staff or resources to maintain the 25 degree threshold. Changing from 10 degrees to 25 degrees resulted in 70 additional days where the shelter opened to accommodate folks in the daytime in a period from October to April. Councilmember Briere reminded the public that the Delonis Shelter is not equipped to operate as a day shelter. She stated the issues surrounding the community's need for a daytime warming shelter cannot be solved by the Delonis Shelter alone.

COUNCILMEMBER ANGLIN

Councilmember Anglin stated a meeting was held on the Old West Side with Seventh Street neighbors to discuss the safety on Seventh Street initiative and the future vision for Seventh Street. He thanked City staff for their interest in this issue.

COUNCILMEMBER EATON

Councilmember Eaton expressed his disappointment that the agenda did not include any appointments to the Local Officers Compensation Commission. He noted that by State law this committee must meet in odd-numbered years to review Council's compensation for the upcoming two-year period. Since this is the last Council meeting of the year and the LOCC currently does not have a quorum of members to meet, they will be unable to meet and fill their statutory requirements this year, he noted. Councilmember Eaton stated the law requires the appointment of seven members and for the committee to meet once in the odd-numbered years to make their findings regarding Council compensation.

COUNCILMEMBER BRIERE

Councilmember Briere spoke about the available proceeds from the sale of the former Y Lot. She noted that the dollar amount that may be available to allocate to the Affordable Housing Trust Fund is estimated at \$1,384,300.00. Until the sale is final and closed, an exact amount will not be known, she stated.

MC COMMUNICATIONS FROM THE MAYOR

Mayor Hieftje responded to Councilmember Eaton's remarks regarding the Local Officers Compensation Commission. He noted that the Commission did meet, but did not have a quorum and they were unable to do business. Mayor Hieftje stated that appointments to the LOCC must be made by September 30 so he was unable to make any new appointments at this time. Mayor Hieftje stated he was advised by Assistant City Attorney Mary Fales that if the Commission does not make changes, the existing status quo is in place.

MILLER MANOR UPDATE

Mayor Hieftje requested an update on Miller Manor from Jennifer Hall, Executive Director of the Housing Commission. Jennifer Hall spoke about the former YMCA building and the need for affordable housing in an SRO (single room occupancy) setting with a front desk person. Ms. Hall stated the advantage to having a front desk person is to monitor the traffic coming in and out of the building and to ensure that vulnerable residents are not taken advantage of or abused. She advised Council on her long-term plans to convert Miller Manor to a facility with those types of services, including 24-hour front desk security and onsite case managers. They are currently looking at funding opportunities.

MC-1 13-1496**Appointment - Confirmation**

Attachments: Edith Bletcher.doc, Edith Bletcher app.

APPOINTMENTS APPROVED

Mayor Hieftje recommended the following appointments at the December 2, 2013 regular session of Council:

Elizabeth Dean Fund Committee

Edith Bletcher- replacing Al Gallup

834 Brown St.

Ann Arbor, MI 48104

Term: December 16, 2013 - July 31, 2015

A motion was made by Councilmember Eaton, seconded by Councilmember Teall, that the Appointment be Approved. On a voice vote, the Mayor declared the motion carried.

MC-2 13-1553 Appointments - Confirmations

Attachments: Kristin Tomey app.

APPOINTMENTS - REFERRED

Mayor Hieftje recommended the following appointments for approval at a later date:

Ann Arbor Public Art Commission

Kristin Tomey - Filling vacancy (of Wiltrud Simbeurger)

811 W. Liberty St.

Ann Arbor, MI 48103

Term: January 6, 2014 - December 31, 2016

Historic District Commission

Benjamin Bushkuhl - Reappointment

3186 Bolgos Circle

Ann Arbor, MI 48105

Term: January 6, 2014 - December 6, 2016

Referred to the City Council due back on 1/6/2013.

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)**PH-1 13-1319** An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.51 Acre from TWP (Township District) to R1A (Single Family Dwelling District), Higgins Property, 2121 Victoria Circle (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-13-29)

Attachments: ORD-13-29 Briefed and Approved.pdf, ORD-13-29 Briefed.pdf, Higgins Zoning Ordinance.pdf, April 16, 2013 Planning Staff Report, April 16, 2013 Planning Commission Minutes, ORD-13-29 Approval Notice.pdf

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.51 acre from TWP (Township District) to R1A (Single-Family Dwelling District), Higgins property, located at 2121 Victoria Circle. Notice of public hearing was published November 28, 2013.

Tom Partridge, City resident, spoke in opposition to the proposed rezoning.

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

Held and Closed

Enactment No: ORD-13-29

- PH-2 13-1320** An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.51 Acre from TWP (Township District) to R1A (Single Family Dwelling District), Weller Property, 2119 Victoria Circle (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-13-30)
- Attachments:** ORD-13-30 Briefed and Approved.pdf, ORD-13-30 Briefed.pdf, Weller Zoning Ordinance.pdf, April 16, 2013 Planning Staff Report, April 16, 2013 Planning Commission Minutes
- A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.51 acre from TWP (Township District) to R1A (Single-Family Dwelling District), Weller property, located at 2119 Victoria Circle. Notice of public hearing was published November 28, 2013.*
- There being no one present for comment, the Mayor declared the hearing closed.*
- Held and Closed**
- Enactment No: ORD-13-30

- PH-3 13-1477** Resolution to Approve a City Policy Regarding Removal of On-Street Metered Public Parking Spaces
- Sponsors:** Taylor
- Attachments:** Proposed Amendments for Meter Removal Policy (16-dec-2013).pdf
- A public hearing was conducted on the proposed Resolution to approve a City Policy Regarding removal of On-Street Metered Public Parking Spaces. Notice of public hearing was published December 12, 2013.*
- Tom Partridge spoke in opposition and stated additional handicapped parking spaces are needed.*
- There being no further comment, the Mayor declared the hearing closed.*
- Held and Closed**

A APPROVAL OF COUNCIL MINUTES

- A-1 13-1527** Regular Session Meeting Minutes of December 2, 2013
- Attachments:** 12-2-13 Draft Minutes, council emails 12-2-2013_Redacted
- A motion was made by Councilmember Briere, seconded by Councilmember Kunselman, that the Minutes be Approved as presented. On a voice vote, the Mayor declared the motion carried.**

CA CONSENT AGENDA

Passed on consent agenda

A motion was made by Councilmember Warpehoski, seconded by Councilmember Teall, that the following Consent Items be approved as presented. On a voice vote, the Mayor declared the motion carried.

- CA-1 13-1390** Resolution to Approve Contract Amendment Number One with Waste Management of Michigan for Commercial Waste Franchise Collection Services

Attachments: Amendment #1 Waste Management - 2013-11-18.docx

Enactment No: R-13-389

- CA-2 13-1387** Resolution to Approve Purchase of 300-Gallon Capacity Carts from Snyder Industries - ITB 4307 (not-to-exceed \$42,000.00 per year, for four years)

Enactment No: R-13-390

B ORDINANCES - SECOND READING

- B-1 13-1319** An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.51 Acre from TWP (Township District) to R1A (Single Family Dwelling District), Higgins Property, 2121 Victoria Circle (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-13-29)

Attachments: ORD-13-29 Briefed and Approved.pdf, ORD-13-29 Briefed.pdf, Higgins Zoning Ordinance.pdf, April 16, 2013 Planning Staff Report, April 16, 2013 Planning Commission Minutes, ORD-13-29 Approval Notice.pdf

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

Enactment No: ORD-13-29

- B-2 13-1320** An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.51 Acre from TWP (Township District) to R1A (Single Family Dwelling District), Weller Property, 2119 Victoria Circle (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-13-30)

Attachments: ORD-13-30 Briefed and Approved.pdf, ORD-13-30 Briefed.pdf, Weller Zoning Ordinance.pdf, April 16, 2013 Planning Staff Report, April 16, 2013 Planning Commission Minutes

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

Enactment No: ORD-13-30

C ORDINANCES - FIRST READING

None.

D MOTIONS AND RESOLUTIONS**DC Unfinished Business - Council:****DC-1 13-1477** Resolution to Approve a City Policy Regarding Removal of On-Street Metered Public Parking Spaces

Sponsors: Taylor

Attachments: Proposed Amendments for Meter Removal Policy (16-dec-2013).pdf

Councilmember Taylor proposed a substitute resolution with the following changes. The substitution was considered friendly.

1st RESOLVED Clause:

- ...Given that there is a finite amount of curb area in the public right of way, space-removal fees shall not be waived or offset by relocating parking meters to any other location in the City public right-of-way, **UNLESS SUCH METERS ARE LOCATED ON THE PARCEL(S) ASSOCIATED WITH THE DEVELOPMENT OR PROJECT.**

- *The City of Ann Arbor shall pass through space-removal fees received to the DDA for use in connection with the parking system, AND AS WITH OTHER COMPONENTS OF PLAN REVIEW, CHARGE THE PROJECT FOR THE [less] costs attributable to the City's implementation of this policy. ...*

All CAPS indicate new language. Brackets [] indicate deleted language.

A motion was made by Councilmember Taylor, seconded by Councilmember Teall, that the Resolution be approved.

13-1477 Resolution to Approve a City Policy Regarding Removal of On-Street Metered Public Parking Spaces

Sponsors: Taylor

Attachments: Proposed Amendments for Meter Removal Policy (16-dec-2013).pdf

Councilmember Kailasapathy stated the resolution should include language directing the \$45,000 fee to be collected in a sinking fund.

Councilmember Anglin stated that a discussion was needed regarding accessible parking.

A motion was made by Councilmember Taylor, seconded by Councilmember Teall, that the Resolution be postponed until 1/6/2014. On a voice vote, the Mayor declared the motion carried.

DC New Business - Council:

DC-2 13-1506

Resolution Instructing the City Administrator to Develop a Non-Motorized Transportation Plan Implementation Strategy

Sponsors: Taylor, Briere, Teall and Warpehoski

Attachments: 2013 Update to Non-motorized Transportation Plan 9/10/13

A motion was made by Councilmember Taylor, seconded by Councilmember Briere, that the Resolution be approved.

Enactment No: R-13-391

RECESS - 9:15 p.m. to 9:27 p.m.

Mayor Hieftje declared a recess at 9:15 p.m. and reconvened the meeting at 9:27 p.m.

13-1506

Resolution Instructing the City Administrator to Develop a Non-Motorized Transportation Plan Implementation Strategy

Sponsors: Taylor, Briere, Teall and Warpehoski

Attachments: 2013 Update to Non-motorized Transportation Plan 9/10/13

Councilmember Kailasapathy moved the following amendment, supported by Councilmember Eaton (the amendment was considered friendly):

3rd Whereas Clause:

...WHEREAS, MEMBERS OF THE COMMUNITY HAVE EXPRESSED STRONG SUPPORT FOR WELL-ENGINEERED PEDESTRIAN MIDBLOCK CROSSWALK DESIGN;

[Whereas, The 2013 Update to the Non-Motorized Transportation Plan contains recommendations regarding the installation of Rectangular Rapid Flashing Beacon ("RRFB") devices at identified midblock crosswalks;]

New 4th Whereas Clause:

WHEREAS, THE LATEST CRASH STATISTICS SHOW THAT THE MAJORITY OF PEDESTRIAN CRASHES OCCUR AT DOWNTOWN INTERSECTIONS;

2nd RESOLVED Clause:

RESOLVED, That the City Council directs the City Administrator to report to City Council by [February]MARCH 1, 2014, his plan to fund, effect, and otherwise implement the 2013 Update to the Non-Motorized Transportation Plan's ACTIONABLE RECOMMENDATIONS TO IMPROVE MIDBLOCK CROSSWALKS[recommended midblock deployments of RRFBs];

New 4th RESOLVED Clause:

RESOLVED, THE CITY COUNCIL DIRECTS THE CITY ADMINISTRATOR TO REPORT TO THE CITY COUNCIL BY MARCH 1, 2014, HIS PLAN TO DIRECT THE CITY'S TRAFFIC ENGINEERS TO RECOMMEND SOLUTIONS TO IMPROVE PEDESTRIAN SAFETY IN DOWNTOWN; ...

Note: All CAPS indicate new language. Brackets [] indicate deleted language.

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

Enactment No: R-13-391

DC-3 13-1530 Resolution Instructing the City Administrator to Allocate FY2015 Community Events Monies to the Benefit of The Ann Arbor Street Art Fair

Sponsors: Taylor and Lumm

Attachments: 2014 AASAF Map 11.22.pdf, AASAFExpenses2013-2.pdf, AASAFMultiYearP&L-2.pdf, AASAFNeed Statement-2.pdf

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

Enactment No: R-13-392

DC-4 13-1533 Resolution to Increase General Fund Safety Services Budget by \$125,000.00 to Fund Police Overtime for Traffic Enforcement (8 Votes Required)

Sponsors: Kunselman, Lumm and Eaton

A motion was made by Councilmember Kunselman, seconded by Councilmember Lumm, that the Resolution be approved.

Enactment No: R-13-393

A motion was made by Councilmember Taylor, seconded by Councilmember Briere, that the Resolution be postponed until 1/6/2014. On a roll call, the vote was as follows with the Mayor declaring the motion defeated:

Yeas: 3 - Mayor Hieftje, Councilmember Briere and Councilmember Taylor

Nays: 8 - Councilmember Kunselman, Councilmember Teall, Councilmember Anglin, Councilmember Lumm, Councilmember Kailasapathy, Councilmember Petersen, Councilmember Warpehoski and Councilmember Eaton

Enactment No: R-13-393

The question being the Resolution as originally presented, on a roll call, the vote was as follows with the Mayor declaring the motion carried and the eight-vote requirement satisfied:

Yeas: 10 - Councilmember Kunselman, Councilmember Teall, Councilmember Anglin, Councilmember Briere, Councilmember Taylor, Councilmember Lumm, Councilmember Kailasapathy, Councilmember Petersen, Councilmember Warpehoski and Councilmember Eaton

Nays: 1 - Mayor Hieftje

Enactment No: R-13-393

MOTION TO SUSPEND COUNCIL RULE #1

A motion was made by Councilmember Eaton, seconded by Councilmember Warpehoski, to suspend Council Rule 1 regarding Council adjourning to Closed Session prior to 11:00 p.m. On a voice vote, the Mayor declared the motion carried.

DC-5 13-1548

Resolution to Allocate Funds from the Sale of 350 S. Fifth Avenue (aka the Old Y Lot) (8 Votes Required)

Sponsors: Briere, Warpehoski and Taylor

A motion was made by Councilmember Briere, seconded by Councilmember Warpehoski, that the Resolution be approved.

Enactment No: R-13-394

A motion was made by Councilmember Lumm, seconded by Councilmember Eaton, that the Resolution be amended as follows:

Last RESOLVED Clause:

...RESOLVED, That the City Administrator will transfer to the Affordable Housing Fund \$[1,384,300] 692,150, which is 50% OF the total of the proceeds from the sale of the Y lot.

On a roll call, the vote was as follows with the Mayor declaring the motion defeated:

Yeas: 2 - Councilmember Lumm and Councilmember Eaton

Nays: 9 - Mayor Hieftje, Councilmember Kunselman, Councilmember Teall, Councilmember Anglin, Councilmember Briere, Councilmember Taylor, Councilmember Kailasapathy, Councilmember Petersen and Councilmember Warpehoski

Enactment No: R-13-394

The question being the Resolution as originally presented, on roll call, the vote was as follows with the Mayor declaring the motion carried and satisfying the eight-vote requirement:

Yeas: 11 - Mayor Hieftje, Councilmember Kunselman, Councilmember Teall, Councilmember Anglin, Councilmember Briere, Councilmember Taylor, Councilmember Lumm, Councilmember Kailasapathy, Councilmember Petersen, Councilmember Warpehoski and Councilmember Eaton

Nays: 0

Enactment No: R-13-394

DC-6 13-1550

Resolution Confirming the Termination of the Memorandum of Understanding Between the City and University Regarding Fuller Road Station

Sponsors: Kunselman

A motion was made by Councilmember Kunselman, seconded by Councilmember Briere, that the Resolution be approved.

A motion was made by Councilmember Kunselman, seconded by Councilmember Eaton, that the Resolution be postponed until 1/6/2014. On a voice vote, the Mayor declared the motion carried.

DS Unfinished Business - Staff:

- DS-1 13-1154** Resolution to Approve Changes to Bylaws of the Ann Arbor City Planning Commission
- Attachments:** BylawsIntro_06-28-13, Final Approved CPC Bylaws 07-16-13
- A motion was made by Councilmember Briere, seconded by Councilmember Taylor, that the Resolution be approved.**
- A motion was made by Councilmember Briere, seconded by Councilmember Teall, that the Resolution be postponed until 2/3/2014. On a voice vote, the Mayor declared the motion carried.**
- DS New Business - Staff:**
- DS-2 13-1420** Resolution to Approve Contract Amendment Number 2 with WeCare Organics to Allow Expanded Food Composting (\$14,950.00), Approve Selling Compost Carts for \$25.00 and to Appropriate \$64,550.00 from the Solid Waste Enterprise Fund Balance (8 Votes Required)
- Attachments:** AMEND #2 WeCare Agreement 12-3-13.docx, Compost Cart estimated landfill savings, Solid Waste Worker Comp History
- A motion was made by Councilmember Briere, seconded by Councilmember Teall, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement.**
- Enactment No: R-13-395
- DS-3 13-1422** Resolution to Accept and Appropriate a USDA Forest Service Great Lakes Restoration Initiative Grant (\$50,000.00) (8 Votes Required)
- Attachments:** City of Ann Arbor - Targeted Maintenance Program.pdf
- A motion was made by Councilmember Teall, 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.**
- Enactment No: R-13-396
- DS-4 13-1396** Resolution to Reimburse Resource Recovery Systems for Capital Repair of Baler at the Material Recovery Facility (\$62,613.77) and Appropriate Funds (8 Votes Required)
- Attachments:** Baler rebuild - \$62,613.77
- A motion was made by Councilmember Briere, seconded by Councilmember Warpehoski, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement.**
- Enactment No: R-13-397

COMMUNICATIONS FROM COUNCIL*COUNCILMEMBER WARPEHOSKI*

Councilmember Warpehoski noted that he often forwards amendments and other documents to the media during Council meetings. Councilmember Warpehoski stated that because this practice violates the current Council Rules, he always publicly announces when he does so. Councilmember Warpehoski noted that he failed to make this announcement at the last meeting despite Tweeting information during the meeting. However, he stated, he feels this is in the public's interest and good for transparency. As a new member of the Rules Committee, Councilmember Warpehoski stated he hoped to update this rule to reflect current practice and to improve transparency.

MAYOR HIEFTJE

Mayor Hieftje spoke about the recent Council retreat and the discussion regarding the average time of Council meetings, often adjourning well past midnight. He stated one suggestion was to time councilmembers during their speaking times and adhere to the Rules regarding Council Speaking Times. Mayor Hieftje said that prior to implementing any changes, he would discuss options with the city clerk and city administrator, including having the city clerk use the timer.

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

F-1 13-1482 Communication from Comcast regarding new prices to select Video services and equipment that will start January 1, 2014 - CTN

Attachments: Comcast Communication.pdf

F-2 13-1505 Communication dated November 22, 2013 from the Michigan Department of Treasury, Cary Jay Vaughn, CPA, Audit Manager, regarding the City of Ann Arbor FY 2013 Audit Report - cc: Tom Crawford, CFO and Karen Lancaster, Finance Director

Attachments: state treasury letter re audit 11222013

- F-3 13-1525** Communication from Mayor John Hieftje, dated December 9, 2013, Vetoing Ordinance No. 13-31 - Traffic, Pedestrians Crossing Streets, approved December 2, 2013
Attachments: Veto of Ord-13-31
- F-4 13-1556** Communication from Debra Clayton of The Guild of Artists & Artisans regarding support from the City of Ann Arbor for the Ann Arbor Art Fair - File
Attachments: Letter for Ann Arbor Street Art Fair 11 25 2013.pdf
- G The following minutes were received for filing:**
- G-1 13-0048** Public Market Advisory Commission Minutes of December 20, 2012
Attachments: Meeting Minutes 12.20.12.pdf
- G-2 13-0183** Council Labor Committee Meeting Minutes of February 13, 20, and 25, 2013
Attachments: Council Labor Committee Minutes 2-13-13, Council labor Committee Minutes 2-20-13, Council labor Committee Minutes 2-25-13
- G-3 13-0190** Building Board of Appeals Minutes of January 10, 2013
Attachments: BBA 1-10-13.pdf
- G-4 13-1504** Ann Arbor Downtown Development Authority Meeting Minutes - November 6, 2013
Attachments: DDA Minutes November 2013
- G-5 13-1121** City Planning Commission Meeting Minutes of July 16, 2013
Attachments: 7-16-2013 CPC Meeting Minutes with Live Links
- G-6 13-1296** City Planning Commission Meeting Minutes of August 7, 2013
Attachments: 8-7-2013 CPC Minutes with Live Links
- G-7 13-1297** City Planning Commission Meeting Minutes of August 20, 2013
Attachments: 8-20-2013 CPC Minutes with Live Links
- G-8 13-1360** City Planning Commission Meeting Minutes of September 10, 2013
Attachments: 9-10-2013 CPC Minutes with Live Links

G-9 13-1361 September 17, 2013 City Planning Commission Meeting Minutes

Attachments: 9-17-2013 CPC Minutes with Live Links

G-10 13-1479 Ann Arbor Public Art Commission Meeting Minutes - August 2013

Attachments: AAPAC Meeting Minutes Aug 2013.pdf

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Yousef Rabhi, Washtenaw County Commissioner, thanked Council for their service.

David DeVarti, 1231 Baldwin, thanked Council for their vote to allocate the proceeds from the sale of the former Y Lot to affordable housing. He stated this was a very important issue to the community.

Edward Vielmetti, 1210 Brooklyn, spoke about the upcoming Building Board of Appeals meeting and the proposed demolition of eight properties. He also expressed concern about the timely submission of minutes from this board.

Seth Best, 1940 W. Liberty, thanked Council for their vote for affordable housing and for the homeless community. He also invited Council and the public to Friday's Pizza in the Park event at 7:00 p.m.

Kai Petainen, resident, spoke about the upcoming Winter Classic game at Michigan Stadium, noting all of the out-of-town visitors that will be here.

Caleb Poirier, 2721 Braeburn Circle, thanked Council for their vote for affordable housing and spoke about the concept of "little spaces."

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).

A motion was made by Councilmember Eaton, seconded by Councilmember Lumm, that Council enter into Closed Session to discuss land acquisition and attorney/client privileged communication under the Michigan Open Meetings Act, MCL 15.268 (D) and (H). On a roll call, the vote was as follows and the Mayor declared the motion carried and the meeting recessed at 12:01 a.m.:

Yeas: 10 - Mayor Hieftje, Councilmember Kunselman, Councilmember Teall, Councilmember Anglin, Councilmember Taylor, Councilmember Lumm, Councilmember Kailasapathy, Councilmember Petersen, Councilmember Warpehoski and Councilmember Eaton

Nays: 1 - Councilmember Briere

MEETING RECONVENED

A motion was made by Councilmember Eaton, seconded by Councilmember Anglin, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 12:34 a.m.

ADJOURNMENT

A motion was made by Councilmember Kunselman, seconded by Councilmember Briere, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 12:34 a.m.

14-0014 Council Emails and Redaction List from the December 16, 2013 Meeting

Attachments: Council e-mails 12-16-2013 redacted.pdf

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, DECEMBER 16, 2013, 7:00 P.M.

REPLAYS: TUESDAY, DECEMBER 17, 2013, 10:00 A.M. AND FRIDAY, DECEMBER 20, 2013, 7:30 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

Community Television Network Channel 16 live televised public meetings are also available to watch live online from CTN's website, www.a2gov.org/ctn, on "The Meeting Place" page (<http://www.a2gov.org/livemeetings>).

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 www.a2gov.org/government/city_administration/communicationsoffice/ctn/Pages/VideoOnDemand.aspx
- Cable: Watch CTN Channel 16 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 need to be received at least two (2) business days in advance of the meeting.

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