City of Ann Arbor

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



Action Minutes

Monday, June 16, 2014

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 Lumm, that the Agenda be approved with the following changes:

Add: DS-17 Resolution Regarding Goldstone v. Warner, Washtenaw County Trial Court Case No. 1358 NO.

Mayor Hieftje reminded Council that the Closed Session would need to happen before 11 p.m. unless Council Rules are suspended.

On a voice vote, the Mayor declared the motion carried.

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

City Administrator Steve Powers submitted the following reports for information of Council:

POLICE AND FIRE AWARDS CEREMONY AND OPEN HOUSE

City Administrator Steve Powers thanked Police Chief John Seto and the Police and Fire staff who delivered two events on Saturday, June 13, 2014. An awards ceremony took place on Saturday honoring police and fire employees, as well as citizens, for their service, bravery and contributions back to the community. The event was followed by an open house where everyone had an opportunity to learn about and explore a City fire truck, walking through a smoke house, and watching an extrication drill. Mr. Powers thanked employees who organized the event and acknowledged those who were recognized for their bravery and service.

DEDICATION OF THE NEW ANN ARBOR SKATE PARK

Mr. Powers announced that on Saturday, June 21, 2014, the dedication of the Ann Arbor Skate Park, with a ribbon cutting ceremony and celebrity skate demonstrations would take place at the new park beginning at 11 a.m. The event is expected to end at 6 p.m.

STREET RESURFACING AND CONSTRUCTION PROJECTS

Administrator Powers thanked residents for their patience as the City continues to roll out road and street resurfacing construction projects. Projects on Pontiac Trail, Newport Road and Fuller Road have been added to the existing City projects.

14-0985 Agenda Response Memo - June 16, 2014

Attachments: Agenda Responses 6-16-14, Memo to Council - SPARK 6-11-14, 2013 Ann Arbor SPARK Success, 2013 ROI Ann Arbor SPARK, AnnArborCityResults14

City Administrator Steve Powers submitted his Agenda Response Memo for information of Council.

Received and Filed

INT INTRODUCTIONS

INT-1 14-0952 Introduction of Ann Arbor Police K-9 Murray and Officer Maguire

Sponsors: Hieftje

Attachments: 2014_K-9_Murray_Certification_Honors

Chief Seto introduced K9 Murray and partner Officer Pat McGuire, Ann Arbor's newest K9 Unit. K9 Murray and Officer McGuire finished first in narcotics detection, fourth in tracking, and finished first overall in a recent re-certification event in which 50 K9 Teams participated. K9 Murray was named in honor of Ann Arbor Police Officer Vada Murray who passed away in 2011 after 20 years of service to Ann Arbor. Officer Murray's work ethic and exceptional police work lives on through K9 Murray.

Received and Filed

INT-2 14-0545 Historic District Commission Annual Historic Preservation Awards

Attachments: HDC 2014 Awards Handout.pdf, HDC Powerpoint Presentation.pdf

Tom Stulberg, Chair of the Historic District Commission, presented the Historic Preservation Awards to citizens and business owners in Ann Arbor. A list of recipients and awards are on file in the City Clerk's Office.

Received and Filed

RECESS

Mayor Hieftje declared a recess at 7:30 p.m. and reconvened the meeting at 7:37 p.m.

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. Vivienne Armentrout - Professional Services Agreement with The Greenway Collaborative, Inc. to Support the Pedestrian Safety and Access Task Force (DS-13)

> Vivienne Armentrout, 920 Vesper Rd., spoke in support of the proposed Resolution to Approve the Professional Services Agreement with The Greenway Collaborative, Inc. to Support the Pedestrian Safety and Access Task Force.

2. Kai Petainen - Contract with Ann Arbor SPARK for Economic Development Services (CA-7)

Kai Petainen, 2222 Fuller Ct., addressed Council regarding the proposed Resolution to Approve the Contract with Ann Arbor SPARK for Economic Development Services. He asked Council to look into the job creation numbers quoted by SPARK.

3. Linda Feldt - Professional Services Agreement with The Greenway Collaborative, Inc. to Support the Pedestrian Safety and Access Task Force (DS-13)

Linda Feldt, 3 Keppler Ct., spoke in support of the proposed Resolution to Approve the Professional Services Agreement with The Greenway Collaborative, Inc. to Support the Pedestrian Safety and Access Task Force.

4. Jeff Hayner - Contract with Ann Arbor SPARK for Economic Development Services (CA-7) & Professional Services Agreement with Widgery Studio, LLC to Fabricate and Install Public Art at the Stadium Boulevard Bridges (DB-4)

Jeff Hayner, 1807 Pontiac Tr., addressed Council regarding the proposed Resolution to Approve the Contract with Ann Arbor SPARK for Economic Development Services. He stated less money should be provided to SPARK and urged Council to reconsider the resolution.

5. David DeVarti - Contract with Ann Arbor SPARK for Economic Development Services (CA-7)

David DeVarti, 1231 Baldwin Ave., spoke in opposition to the proposed Resolution to Approve a contract with Ann Arbor SPARK for Economic Development Services and asked that Council disapprove or table the resolution.

6. Tom Partridge - Improved affordable housing and economic development funding needed. Support Mark Schauer for Governor. (G-3, DS-16, DS-7, CA-7)

Tom Partridge, Ann Arbor resident, addressed Council regarding affordable housing and the upcoming Governor's election.

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER PETERSEN

Councilmember Petersen announced that the LDFA would meet on June 17, 2014 at 8:15 a.m. in Council Chambers. Members of the board have had discussions with the MEDC regarding the possibility of an independent audit of the SmartZone.

COUNCILMEMBER KUNSELMAN

Councilmember Kunselman reported that as the Nuisance Committee, he has asked staff to start using the blight funds available for the demolition of problem buildings. He identified buildings on Cherry Tree, Summit and Main, and Springbrook.

Councilmember Kunselman provided other councilmember with some historical DDA records, including old rosters, that he located at the Bentley Library. Copies of the documents are on file in the City Clerk's Office.

COUNCILMEMBER KAILASAPATHY

Councilmember Kailasapathy spoke about the construction on Pontiac Trail, stating the road would be closed at Skydale. She reminded the public that beginning June 17, stop signs on Nixon Road would be removed and Nixon Road traffic would not stop. Traffic on Green and DhuVarren additionally did not have a stop sign at Nixon Road. She urged residents to be cautious in this area.

COUNCILMEMBER LUMM

Councilmember Lumm concurred with Councilmember Kailasapathy's comments and stated she has received several complaints already. Councilmember Lumm stated that the Police are aware and will be monitoring traffic in the area.

COUNCILMEMBER TEALL

Councilmember Teall announced that the Michigan Theater Board signed a purchase agreement to keep the State Theater as a "theater." She thanked all those involved in the process and expressed her gratitude for the strength of the Foundation.

COUNCILMEMBER ANGLIN

Councilmember Anglin advised Council that the Environmental Commission has three vacant positions and that he and Councilmember Briere are providing three names for Council's consideration. The names will be returned on July 7 for a vote.

CC-1	14-0982	Resolution to Nominate and Appoint New Members to the City of Ann Arbor Environmental Commission	
		<u>Sponsors:</u>	Briere and Anglin
		<u>Attachments:</u>	Benjamin M. Muth app., Allison Skinner app., Mark Clevey app.
		Referred to the	e City Council due back on 7/7/2014.
CC-2	14-0984	DDA Historic	al Records
		<u>Sponsors:</u>	Kunselman
		<u>Attachments:</u>	DDA Historical records
		Received and	Filed.
МС	COMMUNICATIO	ONS FROM THE	MAYOR
		SAFETY SERV	/ICES AWARDS CEREMONY
			lso acknowledged those recognized at the annual Safety Services ony held on Saturday, June 12, 2014.
MC-1	14-0904	Appointment	s - Confirmations
		Briere, that Co	made by Councilmember Petersen, seconded by Councilmember uncil concur with the recommendations of the Mayor. On a voice or declared the motion carried.
MC-2	14-0981	Appointment	s - Confirmations
		<u>Attachments:</u>	Audrey Wojtkowiak apppdf
		Referred to the	e City Council due back on 7/7/2014.
РН	PUBLIC HEARIN	GS (3 MINUTE	S PER SPEAKER)
PH-1	14-0767		Approve the Anderson-Pebbles Annexation, 0.22 Acre, od Street (CPC Recommendation: Approval - 9 Yeas and
		<u>Attachments:</u>	5/6/14 Planning Staff Report, Anderson-Pebbles Letter to Township.docx
		Anderson-Pebl	g was conducted on the proposed resolution to approve the bles Annexation, 0.22 Acre, located at 375 Glenwood Street. Notice of was published June 16, 2014.
		Tom Partridge	spoke in opposition.
		There being no	further comment, the Mayor declared the hearing closed.
		Held and Closed	

Enactment No: R-14-202

PH-2	14-0861	Resolution to Approve Bank of Ann Arbor Headquarters Addition Site Plan, 125 South Fifth Avenue (CPC Recommendation: Approval - 8 Yeas and 0 Nays)
		Attachments: 5/20/14 Planning Staff Report
		A public hearing was conducted on the proposed resolution to approve Bank of Ann Arbor Headquarters Addition Site Plan, located at 125 South Fifth Avenue. Notice of public hearing was published June 16, 2014.
		Ray Detter, Downtown Citizen's Advisory Council, spoke in support of the proposed site plan.
		Tom Partridge requested that additional handicap accessible parking be provided.
		Edward Vielmetti addressed Council regarding the landscaping on the proposed Bank of Ann Arbor Site Plan.
		There being no further comment, the Mayor declared the hearing closed.
		Held and Closed
		Enactment No: R-14-203
PH-3	14-0862	and Closed etement No: R-14-203 polution to Approve 116-120 West Huron Street Site Plan and elopment Agreement, 116-120 W. Huron St. (CPC commendation: Approval - 8 Yeas and 0 Nays) <u>chments:</u> 5/20/14 Planning Staff Report, 06/11/14 Draft Development Agreement blic hearing was conducted on the proposed resolution to approve 116-120 W. In Street Site Plan and Development Agreement, located at 116-120 W. Huron et. Notice of public hearing was published June 16, 2014.
		- · ·
		A public hearing was conducted on the proposed resolution to approve 116-120 W. Huron Street Site Plan and Development Agreement, located at 116-120 W. Huron Street. Notice of public hearing was published June 16, 2014.
		Ray Detter, Downtown Citizen's Advisory Council, spoke in support of the proposed site plan.
		There being no further comment, the Mayor declared the hearing closed.
		Held and Closed
		Enactment No: R-14-204
PH-4	14-0902	Public Hearing on Proposed Scio Church Sidewalk Special Assessment
		Attachments: Scio Church Sidewalk Special Assessment roll
		A public hearing was conducted on the proposed Scio Church Sidewalk Special Assessment. Notice of public hearing was published June 2, 2014.
		There being no one present for comment, the Mayor declared the hearing closed.
		Held and Closed

PH-5 14-0903 Public Hearing on Proposed Barton Road Sidewalk Special Assessment Project Assessment Project

Attachments: Barton Road Assessment Roll

A public hearing was conducted on the proposed Barton Road Sidewalk Special Assessment Project. Notice of public hearing was published June 2, 2014.

Jeff Hayner, City resident, spoke in support of the project.

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

Held and Closed

A APPROVAL OF COUNCIL MINUTES

A-1 14-0913 Work Session of May 12 and Regular Session Meeting Minutes of June 2, 2014

<u>Attachments:</u> 05-12-14 Draft Work Session minutes, 06-02-14 Draft Minutes, 06-02-2014 Council emails_Redacted.pdf

A motion was made by Councilmember Anglin, seconded by Councilmember Teall, that the Work Session Minutes of May 12, 2014 and the Regular Session Minutes of June 2, 2014 be approved as presented. On a voice vote, the Mayor declared the motion carried.

CA CONSENT AGENDA

CONSENT AGENDA ITEMS REMOVED

With unanimous consent of Council, the following items were removed from the Consent Agenda and placed at the end of same:

CA-1 Resolution to Approve Purchase Agreement with DTE to Convert 223 Mercury Vapor Cobrahead Streetlights to LED (\$69,555.00/\$58,997.00 after rebates)

CA-7 Resolution to Approve a Contract with Ann Arbor SPARK for Economic Development Services (\$75,000.00)

CA-10 Resolution to Approve Amendment Number One to Professional Services Contract with Reiser and Frushour, PLLC to Provide Legal Representation as Court Appointed Counsel to Indigent Defendants (\$40,000.00)

Passed on consent agenda

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

CA-2 14-0712		Resolution to Approve Professional Services Agreement with Black & Veatch Ltd. for the Water & Wastewater System Capital Cost Recovery Study (RFP No. 885, \$62,800.00)		
		Attachments: Exhibit A&B_Scope and Fee_051414		
		Enactment No: R-14-187		
CA-3	14-0716	Resolution to Approve Purchase of Hydrofluorosilicic Acid for Water Treatment from PVS Nolwood Chemicals, Bid No. ITB-4336 (estimated \$34,000.00/yr)		
		Attachments: Bidsheet4336-PVS.pdf, Bid 4336 PVS.pdf		
		Enactment No: R-14-188		
CA-4	14-0773	Resolution to Amend Service Purchase Order for Stormwater Services with the Washtenaw County Water Resources Commissioner (\$30,000.00 Annual Increase for FY14 & FY15)		
		Attachments: R-10-333		
		Enactment No: R-14-189		
CA-5	14-0775	Resolution to Approve Contract With Recycle Ann Arbor for Solid Waste Student Move-Out Services (\$35,000.00/yr)		
		Attachments: Recycle Ann Arbor response - RFP #896, Recycle Ann Arbor Price Proposal - RFP #896, Solid Waste - Student Moveout Services Agreement - Recycle Ann Arbor - June 16 2014.pdf	9	
		Enactment No: R-14-190		
CA-6	14-0779	Resolution to Award Contract for Eighth Street Sanitary Sewer Manhole Replacement (ITB-4337) to Fonson, Inc. (\$47,193.00)		
		Enactment No: R-14-191		
CA-8	14-0869	Resolution to Approve Amendment Number One to Contract with the Washtenaw County Sheriff's Office to provide Drug Abuse Screening and Monitoring Services for Mental Health Court (\$44,200.00)		
		Attachments: Executed Contract 15DC Specialty Courts-WCSO Community Corrections, 15DCSpecialtyCourts-WCSOCommunityCorrectionsAmendmentC 2014	ne	
Enactment No:		Enactment No: R-14-192		

CA-9 14-0878		Resolution to Approve Amendment Number One to Contract with Washtenaw County Community Support & Treatment Services for Mental Health Treatment Services to Sobriety Court and Mental Health Court Participants (\$76,242.00)		
		<u>Attachments:</u>	15D-CSTS Executed Contract 2014, 15DC-CSTS 2014 Contract Amendment 2014	
		Enactment No:	R-14-193	
CA-11	14-0909	Resolution to July 4, 2014	Approve Street Closings for the Firecracker 5K - Friday,	
		<u>Attachments:</u>	Firecracker 5K Map.pdf	
		Enactment No:	R-14-194	
CA-12	14-0910	Thursday, Jul	Approve Additional Street Closings for Sonic Lunch - y 10, 2014 and Thursday, July 31, 2014	
		<u>Attachments:</u>	Sonic Lunch Map.pdf	
		Enactment No:	R-14-195	
CA-13	14-0911		Approve Street Closing for the 2014 Washtenaw Indie rday, June 28, 2014.	
		<u>Attachments:</u>	Washtenaw Indie Awards Map.pdf	
		Enactment No:	R-14-196	
CA-14	14-0839		Approve a Contract with Governmental Consultant for Lobbying Services (\$48,000.00)	
		<u>Attachments:</u>	Government Consultants contract FY15	
		Approved		
		Enactment No:	R-14-223	
CA-15	14-0921	of Insurance /	Approve May 22, 2014 Recommendations of the Board Administration, Including Worker's Compensation Accident Fund (\$66,142.00)	
		Enactment No:	R-14-197	

CA-1	14-0682 Resolution to Approve Purchase Agreement with DTE to Configuration Mercury Vapor Cobrahead Streetlights to LED (\$69,555.00/) after rebates)		•	
		<u>Attachments:</u>	SIGNED_Master Agreement Municipal Streetlighting DTE.pdf, ExhibitA-MasterAgreement-2014LEDs.pdf	
			s asked for additional information regarding the de-commissioned ing cobra head lights in the downtown.	
		Councilmember	nade by Councilmember Kunselman, seconded by [.] Taylor, that the Resolution be approved. On a voice vote, the the motion carried.	
		Enactment No: F	R-14-198	
CA-7	14-0850		Approve a Contract with Ann Arbor SPARK for Economic Services (\$75,000.00)	
		<u>Attachments:</u>	SPARK contract 15	
			nade by Councilmember Kailasapathy, seconded by · Petersen that the Resolution be approved.	
		Councilmembers creation.	s requested better numbers be provided by SPARK regarding job	
		Kailasapathy, th	nade by Councilmember Eaton, seconded by Councilmember nat the Resolution be tabled. On a roll call, the vote was as Mayor declaring the motion carried:	
		Brie	ncilmember Kunselman, Councilmember Anglin, Councilmember re, Councilmember Lumm, Councilmember Kailasapathy and incilmember Eaton	
			or Hieftje, Councilmember Teall, Councilmember Taylor, Incilmember Petersen and Councilmember Warpehoski	
CA-10	14-0912	Services Cont	Approve Amendment Number One to Professional ract with Reiser and Frushour, PLLC to Provide Legal n as Court Appointed Counsel to Indigent Defendants	
		<u>Attachments:</u>	N&R-R&F Contract+Assignment Executed 19 Sep 13, R&F 2014 Amendment 1	
		A motion was made by Councilmember Warpehoski, seconded by Councilmember Eaton, to allow Councilmember Taylor to abstain from the discussion and vote due to a possible conflict of interest. On a voice vote, the Mayor declared the motion carried.		
		The question be declared the mo	eing the Resolution as presented, on a voice vote, the Mayor otion carried.	
		Enactment No: F	R-14-199	

B ORDINANCES - SECOND READING

None.

C ORDINANCES - FIRST READING

C New Business - Staff:

C-1	14-0814	An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 1.1 Acres
		from D1 (Downtown Core Base District) to D2 (Downtown Interface
		Base District), 425 South Main Street City-Initiated Rezoning, 425
		South Main Street (CPC Recommendation: Approval - 9 Yeas and 0
		Nays) (Ordinance No. ORD-14-11)

Attachments: 14-11 - 425 S Main St Rezoning Briefed, 14-11 - 425 S Main St Rezoning revised, 5/6/14 Planning Staff Report, KRG investments 425 main zoning opposition

It was noted that Planning staff had not provided copies of the Planning Commission minutes that referred to these two zoning issues.

A motion was made by Councilmember Warpehoski, seconded by Councilmember Briere, that the Ordinance be approved on First Reading. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-14-11

RECESS

Mayor Hieftje declared a recess at 8:55 p.m. and reconvened the meeting at 9:05 p.m.

- C-2 14-0818 An Ordinance to Amend Chapter 55 (Zoning), Section 5:10.20.A Downtown Character Overlay Zoning Districts Building Massing Standards (CPC Recommendation: Approval - 6 Yeas and 3 Nays) (Ordinance No. ORD-14-12)
 - Attachments: 14-12 Downtown Character Overlay Zoning Districts Ordinance as Amended on 61614.pdf, Downtown Character Overlay Zoning Districts Ordinance as Amended on 61614, 5/6/14 Planning Staff Report, Ordinance

A motion was made by Councilmember Briere, seconded by Councilmember Lumm, that the Ordinance be approved at First Reading.

Enactment No: ORD-14-12

A motion was made by Councilmember Briere, seconded by Councilmember Eaton, that the Ordinance be referred to the Planning Commission. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

- Yeas: 8 Councilmember Kunselman, Councilmember Anglin, Councilmember Briere, Councilmember Lumm, Councilmember Kailasapathy, Councilmember Petersen, Councilmember Warpehoski and Councilmember Eaton
- Nays: 3 Mayor Hieftje, Councilmember Teall and Councilmember Taylor

Enactment No: ORD-14-12

MOTION TO RECONSIDER C-1

- C-1 14-0814 An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 1.1 Acres from D1 (Downtown Core Base District) to D2 (Downtown Interface Base District), 425 South Main Street City-Initiated Rezoning, 425 South Main Street (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-14-11)
 - Attachments: 14-11 425 S Main St Rezoning Briefed, 14-11 425 S Main St Rezoning revised, 5/6/14 Planning Staff Report, KRG investments 425 main zoning opposition

A motion was made by Councilmember Taylor, seconded by Councilmember Lumm, that the Ordinance be reconsidered. Councilmember Taylor noted that he voted on the prevailing side of the previous motion to approve. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-14-11

A motion was made by Councilmember Taylor, seconded by Councilmember Eaton, that the Ordinance be tabled. On a voice vote, the Mayor declared the motion carried with one no-vote made by Councilmember Warpehoski.

Enactment No: ORD-14-11

MOTION TO RECONSIDER C-2

- C-2 14-0818 An Ordinance to Amend Chapter 55 (Zoning), Section 5:10.20.A Downtown Character Overlay Zoning Districts Building Massing Standards (CPC Recommendation: Approval - 6 Yeas and 3 Nays) (Ordinance No. ORD-14-12)
 - Attachments: 14-12 Downtown Character Overlay Zoning Districts Ordinance as Amended on 61614.pdf, Downtown Character Overlay Zoning Districts Ordinance as Amended on 61614, 5/6/14 Planning Staff Report, Ordinance

A motion was made by Councilmember Warpehoski, seconded by Councilmember Briere, that the Ordinance be reconsidered. Councilmember Warpehoski noted that he voted on the prevailing side of the previous motion to refer the ordinance to the Planning Commission. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-14-12

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

Main Street 4 stories2 stories5 feet180 feetNot applicable[100] 60 feetNoneNot applicable

From any lot line within 25 feet of any R zoning district, each story above the fourth story shall have a side and/or rear setback at least equal to the height of that story, applied from the edge of the story below.

Note: [] Brackets indicate deleted language.

On a voice vote, the Mayor declared the motion carried with one no-vote made by Councilmember Taylor.

Enactment No: ORD-14-12

Council requested that this ordinance be considered before C-1 on the July 21 meeting.

The question being the Ordinance be as amended on First Reading, on a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-14-12

MOTION TO REMOVE C-1 FROM THE TABLE

C-1 14-0814 An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 1.1 Acres from D1 (Downtown Core Base District) to D2 (Downtown Interface Base District), 425 South Main Street City-Initiated Rezoning, 425 South Main Street (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-14-11)

Attachments: 14-11 - 425 S Main St Rezoning Briefed, 14-11 - 425 S Main St Rezoning revised, 5/6/14 Planning Staff Report, KRG investments 425 main zoning opposition

A motion was made by Councilmember Briere, seconded by Councilmember Eaton, that the Ordinance be removed from the table to the City Council. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-14-11

A motion was made by Councilmember Briere, seconded by Councilmember Lumm, that the Ordinance be approved on First Reading. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-14-11

RECESS

Mayor Hieftje declared a recess at 9:51 p.m. and reconvened the meeting at 9:58 p.m.

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

DC-1 14-0959 Liberty Plaza Improvement Resolution

Sponsors: Hieftje, Taylor, Briere and Teall

Attachments: DC-1 Councilmember Lumm Amendment Liberty Plaza Improvement

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

A motion was made by Councilmember Petersen, seconded by Councilmember Eaton, that the Resolution be referred to the Park Advisory Commission.

The motion was withdrawn.

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

amend 1st, 3rd and 5th RESOLVED clauses as follows:

RESOLVED, That City Council directs the City Administrator to work collaboratively with the property owners adjacent to and near Liberty Plaza, the general public, PAC, the Ann Arbor District Library, and the DDA to develop AN INTEGRATED PLAN FOR THE LIBRARY BLOCK EXTENDING FROM LIBERTY PLAZA TO THE LIBRARY LOT INCLUDING a conceptual design for an improved Liberty Plaza;

RESOLVED, That the conceptual design for an improved Liberty Plaza recognize and account for open space on the west boundary of the Library Lot;

RESOLVED, That the collaborative effort be funded by the Parks & Recreation Services FY2015 budget's \$23,577.00 from the Parks Millage Administrative Policy;

RESOLVED, That multiple opportunities for public input and participation be provided to help shape a vision for THE LIBRARY BLOCK, HOW THE TWO PARKS WOULD BEST COMPLEMENT EACH OTHER, AND POTENTIALLY INCLUDING A REDESIGNED [a re-imagined] Liberty Plaza;

RESOLVED, That staff provide PAC and Council funding scenarios and options for the capital construction costs;

RESOLVED, That staff provides PAC and Council a detailed estimated annual operating budget, along with funding scenarios, for the maintenance, security, and programming costs required to RUN TWO SUCCESSFUL URBAN PARKS AT LIBERTY PLAZA AND THE LIBRARY LOT; and

RESOLVED, That the INTEGRATED PLAN, conceptual design, construction cost estimates, and estimated annual operating budget be shared with PAC by December 2014 and Council in January 2015.

A vote was not taken.

A motion was made by Councilmember Warpehoski, seconded by Councilmember Kunselman, that the Resolution and proposed Amendment be referred to the Park Advisory Commission and postponed until the August 7, 2014 regular session of Council, with feedback on costs and timelines on both the resolution and amendment, provided to Council. On a voice vote, the Mayor declared the motion carried.

Passed on consent agenda

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

DC-2 14-0978 Resolution to Approve the 2014 Ann Arbor Jaycees Summer Carnival at Pioneer High School - June 25 to June 29, 2014

Sponsors: Briere

Attachments: AA Jaycees Summer Carnival Map.pdf

Enactment No: R-14-200

DC-3 14-0980 Resolution to Close State Street between William and Washington for Kids Day on Saturday, June 28, 2014 from 10:00 AM until 3:00 PM

<u>Sponsors:</u> Briere

Attachments: Kids Day Map.pdf

Enactment No: R-14-201

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 pending litigation as set forth or incorporated in MCLA 15.268(E). On a roll call, the vote was as follows with the Mayor declaring the motion defeated:

- Yeas: 6 Mayor Hieftje, Councilmember Kunselman, Councilmember Briere, Councilmember Lumm, Councilmember Kailasapathy and Councilmember Eaton
- **Nays:** 5 Councilmember Teall, Councilmember Anglin, Councilmember Taylor, Councilmember Petersen and Councilmember Warpehoski

SUSPEND COUNCIL RULES

A motion was made by Councilmember Warpehoski, seconded by Councilmember Teall, that the Council suspend Rule 1 of Council Rules in order to go into Closed session after 11 p.m. On a voice vote, the Mayor declared the motion carried.

DB	New Business	- Boards and	Commissions:
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DB-1	14-0767		Resolution to Approve the Anderson-Pebbles Annexation, 0.22 Acre, 375 Glenwood Street (CPC Recommendation: Approval - 9 Yeas and 0 Nays)		
		<u>Attachments:</u>	5/6/14 Planning Staff Report, Anderson-Pebbles Letter to Township.docx		
		Councilmembe	made by Councilmember Kunselman, seconded by er Warpehoski, that the Resolution be approved. On a voice vote, lared the motion carried.		
		Enactment No:	R-14-202		
DB-2	14-0861		Approve Bank of Ann Arbor Headquarters Addition Site uth Fifth Avenue (CPC Recommendation: Approval - 8 Nays)		
		<u>Attachments:</u>	5/20/14 Planning Staff Report		
			made by Councilmember Taylor, seconded by Councilmember e Resolution be approved. On a voice vote, the Mayor declared ried.		
		Enactment No:	R-14-203		
DB-3	14-0862	Development	Approve 116-120 West Huron Street Site Plan and t Agreement, 116-120 W. Huron St. (CPC ation: Approval - 8 Yeas and 0 Nays)		
		<u>Attachments:</u>	5/20/14 Planning Staff Report, 06/11/14 Draft Development Agreement		
			made by Councilmember Briere, seconded by Councilmember that the Resolution be approved. On a voice vote, the Mayor notion carried.		
		Enactment No:	R-14-204		
DB-4	14-0896	Agreement w	Approve Amendment #1 to the Professional Services with Widgery Studio, LLC to Fabricate and Install Public Art m Boulevard Bridges		
		<u>Attachments:</u>	Widgery Studio PSA.pdf, Widgery Studio - Amendment # 1 to PSA.pdf, Stadium Bridges Presentation PPT		
			made by Councilmember Eaton, seconded by Councilmember Resolution be approved. On a voice vote, the Mayor declared the I.		
		Enactment No:	R-14-205		

DB-5	14-0680	Arbor Hou	n to Appropriate and Authorize \$37,500.00 from the Ann using Trust Fund (AAHTF) to Support the Washtenaw County Needs Assessment (8 Votes Required)			
		<u>Attachment</u>	Housing Needs Assessment RFP, HHSAB Housing Needs Assessment Funding Request, HHSAB Minutes_4-10-14			
			vas made by Councilmember Teall, seconded by Councilmember ki, that the Resolution be approved.			
		Enactment	No: R-14-206			
			vas made by Councilmember Kunselman, seconded by mber Eaton, that the Resolution be amended as follows:			
		Amend Sec	Amend Second Resolved Clause as follows:			
		from the	[AAHTF] GENERAL FUND FUND BALANCE			
		On a roll ca defeated:	all, the vote was as follows with the Mayor declaring the motion			
		Yeas: 5 -	Councilmember Kunselman, Councilmember Anglin, Councilmember Kailasapathy, Councilmember Warpehoski and Councilmember Eaton			
		Nays: 6-	Mayor Hieftje, Councilmember Teall, Councilmember Briere, Councilmember Taylor, Councilmember Lumm and Councilmember Petersen			
		Enactment No: R-14-206				
		The question being the Resolution as originally presented, on a roll call, the vote was as follows with the Mayor declaring the motion carried:				
		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-14-206			
DS	New Business -	Staff:				
DS-1	14-0907	City's Hur	n to Approve a Contract with NuView, Inc. to Replace the man Resource and Payroll System (\$570,900.00) and a Project Budget of \$641,740.00 (8 Votes Required)			
		<u>Attachments</u>	Master Software License and Maintenance Agreement Template Rev J R - Ho, NuView-PS Statement of Work_City of Ann Arbor 5132014 _3_Final NuView Re			
		Kailasapat	vas made by Councilmember Teall, seconded by Councilmember hy, that the Resolution be approved. On a voice vote, the Mayor ne motion carried unanimously, thus satisfying the eight-vote nt.			
		Enactment	No: R-14-207			

DS-2	14-0857	Resolution to Transfer Funds from the Park Maintenance and Capital Improvements Millage Fund to the Stormwater Fund to Authorize State Revolving Fund (SRF) Debt Payment and Loan Forgiveness for Stormwater and Rain Garden Components of the Skate Park Project (Not To Exceed \$157,264.00)		
		A motion was made by Councilmember Anglin, seconded by Councilmember Taylor, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.		
		Enactment No: R-14-208		
DS-3 14-0872		Resolution to Approve Amendment Number One to Contract with Dawn Farm for Drug Abuse Counseling and Rehabilitative Services (\$108,174.00)		
		Attachments: 7 Nov 13 15DC-Dawn Inc 2014 Executed Contract, Approved Resolution R-13-189 with Plan Exemption, Dawn Inc Amendment 1		
		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.		
		Enactment No: R-14-209		
DS-4	14-0778	Resolution No. 2 - Pontiac Trail Sidewalk and Curb/Gutter Improvements (\$72,218.49)		
		Attachments: Pontiac Trail Special Assessments, 2012028SpclAsmt		
		A motion was made by Councilmember Kailasapathy, seconded by Councilmember Briere, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.		
		Enactment No: R-14-210		
DS-5	14-0854	Resolution No. 3 - Establishing a Public Hearing for the Pontiac Trail Special Assessment Project		
		Attachments: Pontiac Trail Sidewalk & Curb&Gutter SAD Notice 5-20-14, Pontiac Trail Sidewalk & Curb&Gutter Special Assessment Resolution No. 3 5-20-14		
		A motion was made by Councilmember Briere, seconded by Councilmember Kailasapathy, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.		
		Enactment No: R-14-211		
DS-6	14-0855	Resolution No. 3 - Establishing a Public Hearing for the Stone School Road Special Assessment Project		
		Attachments: Stone School Rd. SAD Notice, Stone School SAD Roll		
		A motion was made by Councilmember Taylor, seconded by Councilmember Kunselman, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.		

Enactment No: R-14-212

DS-7 MOVED TO DB-5 ON 6/16/14

DS-8	14-0849	Company for Stations #3 &	n to Approve a Contract with Emergency Restoration for the Renovation of Restrooms and Locker Rooms in Fire 3 & #4 (\$149,500.00) and Appropriation of Funds 00) (8 Votes Required)		
		<u>Attachments:</u>	ITB - 4335 Bid Tab.pdf, ITB 4335 - Final Bid Specs.pdf, Emerg Restor Bid Form.pdf, Emerg Restor Contract - Full.pdf		
		A motion was made by Councilmember Warpehoski, seconded by Councilmember Briere, 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-14-213		
DS-9 14-0783		Resolution to Approve Award of a Construction Contract to Lanzo Lining Services, Inc Michigan for the 2014 Sewer Lining Project (\$1,566,121.00; Bid No. ITB-4322)			
		<u>Attachments:</u>	ITB 4322_2014 Sewer Lining Project Bid Tabulation.pdf, ITB 4322_2014 Sewer Lining Project Contract Document.pdf, 2014 Sewer Lining Locations.pdf		
		A motion was made by Councilmember Eaton, seconded by Councilmember Briere, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.			
		Enactment No:	R-14-214		
DS-10	14-0777	Inc. (\$1,324,3	Award a Construction Contract with Douglas N. Higgins, 357.50, Bid No. ITB-4333) for the Arbor Oaks Phase II eplacement Project		
		<u>Attachments:</u>	Higgins Contract.pdf, BID TABULATION.pdf		
		Councilmembe	made by Councilmember Kunselman, seconded by er Taylor, that the Resolution be approved. On a voice vote, the d the motion carried.		
		Enactment No:	R-14-215		
DS-11	14-0665	Larchmont D	Approve the Installation of Traffic Calming Devices on rive and Appropriate and Amend the FY 2015 Local Calming Budget (\$55,000.00) (8 Votes Required)		
		<u>Attachments:</u>	Larchmont Final Consensus 4-10-14		
		Petersen, that	made by Councilmember Lumm, seconded by Councilmember the Resolution be approved. On a voice vote, the Mayor declared ried unanimously, thus satisfying the eight-vote requirement.		
		Enactment No:	R-14-216		

DS-12	14-0771	Northwest Consu	prove a Professional Service Agreement with ultants, Inc. for the Fuller Road, Maiden Lane, E. Drive Bridges Rehabilitation Project (\$187,184.00)
		<u>Attachments:</u> NC	CI Maiden Lane Bridge PSA.pdf
			e by Councilmember Briere, seconded by Councilmember the Resolution be approved. On a voice vote, the Mayor n carried.
		Enactment No: R-14	4-217
DS-13 14-0670		Agreement with	propriate and Approve a Professional Services The Greenway Collaborative, Inc. to Support the ty and Access Task Force (\$75,000.00) (8 Votes
		Ap 89 TG	chibit 1: Pedestrian Safety TF-Proposed Approach_Final Draft_with opendices, Exhibit 2: Pedestrian Safety TF-Probable Timeline, RFP 3: Pedestrian Safety & Access Task Force Facilitation Services, GC - PSA with Greenways Collaborative- Ped Safety Task Force 28-2014.pdf
		Councilmember Br	e by Councilmember Warpehoski, seconded by riere, that the Resolution be approved. On a voice vote, the e motion carried unanimously, thus satisfying the eight-vote
		Enactment No: R-14	4-218
DS-14	14-0770	•	propriate Funds and Approve Contract with Recycle Ilti-Family Recycling Incentive Pilot Program Votes Required)
		Pro	AA Response - RFP 888 - MF Recycling Incentive, RAA Fee oposal - RFP 888, Multi-Family Recycling Incentive Pilot Agreement Recycle Ann Arbor - 5-16-14
		Kunselman, that th	e by Councilmember Teall, seconded by Councilmember ne Resolution be approved. On a voice vote, the Mayor on carried unanimously, thus satisfying the eight-vote
		Enactment No: R-14	4-219
DS-15	14-0776	Systems for Cap	propriate Funds and Reimburse Resource Recovery ital Repair of Baler Infeed Conveyor at the Material (\$39,480.04) (8 Votes Required)
		<u>Attachments:</u> MF	RF baler infeed invoice
		Councilmember Br	e by Councilmember Warpehoski, seconded by riere, that the Resolution be approved. On a voice vote, the e motion carried unanimously, thus satisfying the eight-vote
		Enactment No: R-14	4-220

DS-16	14-0918	Resolution to Amend Ann Arbor Downtown Development Authority Budget for Fiscal Year 2014 (8 Votes Required)			
		Attachments: Budget FY 15 Approved by Board 3-5-14, Budget FY 14 - Proposed Revision DDA			
		A motion was made by Councilmember Lumm, seconded by Councilmember Briere, 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-14-221			
DS-17	14-0986	Resolution Regarding Goldstone v. Warner, Washtenaw County Trial Court Case No. 13-58 NO.			
		A motion was made by Councilmember Lumm, seconded by Councilmember Taylor, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.			
		Enactment No: R-14-222			
	COMMUNICATIONS FROM COUNCIL				
		COUNCILMEMBER BRIERE			
		Councilmember Briere offered Mr. Paul Krutko from SPARK the opportunity to answer questions of Council regarding the tabling of the SPARK contract for Economic Development Services.			
	14-1045	Appointment - Nomination			
		<u>Sponsors:</u> Hieftje			
		Mayor Hieftje announced that he was informed by Assistant City Attorney Chris Frost that the Council appointment to the Planning Commission can be made by the Mayor. It is not necessary for a Council resolution. He requested that Councilmember Briere be reappointed through November 17.			
		A motion was made by Councilmember Warpehoski, seconded by Councilmember Lumm, that the appointment of Councilmember Briere to the Planning Commission be approved in a one-step process. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement.			
E	COMMUNICATIO	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 Teall, seconded by Councilmember Lumm, that the following Consent Items be approved as presented. On a voice vote, the Mayor declared the motion carried.			
F-1	14-0906	Communication from Scio Township regarding West Bay Application to Drill Oil/Gas in Scio Township			
		<u>Attachments:</u>	Scio Twp Communiction re West Bay Application to Drill Oil gas in Scio Twp.pdf		
F-2	14-0915	Communication from Senator Rebekah Warren regarding Exploratory Oil Drilling in Scio Township			
		<u>Attachments:</u>	Comments Regarding Permit Application #AI40053 (1)		
G	The following m	inutes were received for filing:			
G-1	14-0662	Zoning Board of Appeals Meeting Minutes of February 26, 2014			
		<u>Attachments:</u>	2-26-2014 ZBA Minutes with Live Links		
G-2	14-0683	City Council Liquor License Review Committee - February 21, 2014			
		<u>Attachments:</u>	2014-02-21 liquor committee minutes		
G-3	14-0789	Housing Commission Meeting Minutes for March 19, 2014			
		<u>Attachments:</u>	Minutes March 19 2014.pdf		
G-4	14-0840	Housing Commission Board Minutes of the April 9, 2014			
		<u>Attachments:</u>	6137_M_Housing_Commission_14-04-09_Meeting_Minutespdf		
G-5	14-0897	Council Liquor License Review Committee Meeting Minutes of April 25, 2014			
		<u>Attachments:</u>	2014-04-25 liquor committee minutes as AMENDED, 2014-04-25 liquor committee minutes		
G-6	14-0922	Insurance Board Meeting Minutes - May 22, 2014			
		<u>Attachments:</u>	Loss Run Report to Council 042414, Insurance Board Minutes 052214		

City Council

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Kai Petainen addressed Council regarding the job creation numbers provided by SPARK.

Ed Vielmetti noted that it was out of order for Council to discuss the SPARK contract after they tabled it.

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 Teall, seconded by Councilmember Briere, that Council enter into Closed Session to discuss pending litigation as set forth or incorporated in MCLA 15.268(E). On a roll call, the vote was as follows with the Mayor declaring the motion carried: (The meeting recessed at 12:39 a.m.)

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

MEETING RECONVENED

A motion was made by Councilmember Briere, seconded by Councilmember Warpehoski, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 1:05 a.m.

ADJOURNMENT

A motion was made by Councilmember Kailasapathy, seconded by Councilmember Kunselman, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 1:05 a.m.

14-1076 City Council Emails and Redactions List - June 16, 2014

Attachments: Council emails 6-16-2014_Redacted

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, JUNE 16, 2014, 7:00 P.M. REPLAYS: TUESDAY, JUNE 17, 2014, 10:00 A.M. AND FRIDAY, JUNE 20, 2014, 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/Vide oOnDemand.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