

City of Ann Arbor

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



Action Minutes

Monday, May 18, 2015

7:00 PM

Larcom City Hall, 301 E Huron St, Second Floor, City Council
chambers

City Council

City Council will meet in caucus the Sunday prior to each regular session at 7 p.m. in Council Chambers.

CALL TO ORDER

Mayor Taylor called the meeting of the Ann Arbor City Council to order at 7:00 p.m. in the Guy C. Larcom, Jr. Building, 2nd Floor Council Chambers, 301 E. Huron Street.

MOMENT OF SILENCE

Council stood for a moment of silence.

PLEDGE OF ALLEGIANCE

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

ROLL CALL OF COUNCIL

Present: 10 - Councilmember Stephen Kunselman, Councilmember Mike Anglin, Councilmember Sabra Briere, Councilmember Jane Lumm, Councilmember Sumi Kailasapathy, Councilmember Jack Eaton, Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Graydon Krapohl and Councilmember Kirk Westphal

Absent: 1 - Councilmember Chuck Warpehoski

APPROVAL OF AGENDA

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

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

City Administrator Steve Powers reported on the following:

BUILDING OFFICIAL

The City has started the recruitment process for a new building official and the process will remain open until a candidate is selected, said Mr. Powers. The City will continue to retain Carlisle Wortman for building official work and responsibilities until a new official is in place with the City.

A2BLOOMS

Mr. Powers reported that A2Blooms was a success despite the rainy weather. Over 150 volunteers came out for the Give365 event to plant, mulch and beautify tree and landscape beds in the downtown area. Over 7,000 flowers were planted in 23 beds across downtown, and 30 tree beds were mulched and trees pruned.

ART IN THE SKY

June 1 is the deadline for submitting designs for the Manchester water tower project.

ART ON THE STREET

Wrapping power boxes with art graphics will be underway 5/18/15 to 5/23/15.

WATER TREATMENT PLANT OPEN HOUSE

108 people visited the water treatment plant during the open house on May 9. It was an opportunity for the City to be a good neighbor and show off a critically important public asset, said Mr. Powers.

PEDESTRIAN SAFETY & ACCESS TASK FORCE MAY MEETING

The Pedestrian Safety & Access Task Force community-wide meeting previously scheduled for Thursday, May 28, 2015 has been moved to July 8, 2015 to give the Task Force additional time to develop a list of draft recommendations to meet the City Council requested completion date of August 2015. The meeting will provide the community an opportunity for feedback and to suggest prioritization regarding the Task Force's draft recommendations. An online feedback opportunity for the public will be made available in July 2015.

AC-1 15-0658 Agenda Response Memo - May 18, 2015

Attachments: Agenda Responses 5-18-15 Final

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

Received and Filed

INT INTRODUCTIONS

None.

(Councilmember Warpehoski arrived at 7:03 p.m.)

Present: 11 - Councilmember Stephen Kunselman, Councilmember Mike Anglin, Councilmember Sabra Briere, Councilmember Jane Lumm, Councilmember Sumi Kailasapathy, Councilmember Chuck Warpehoski, Councilmember Jack Eaton, Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Graydon Krapohl and Councilmember Kirk Westphal

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. Mary Hiniker - Deer Amendment (DS-5)

Mary Hiniker, 2989 Hickory, spoke in opposition to a budget amendment that would increase funding for deer management. She urged Council to consider all options.

2. Jonathan Bulkley - Vote in Favor of Greenway Allocation (DS-5)

Jonathan Bulkley, 1915 Scottwood Ave., spoke in support of funding of the Allen Creek Greenway in the City Administrator's budget.

3. Melinda Morris - Greenway Allen Creek (DS-5)

Melinda Morris, 2205 Runnymede Blvd., member of Allen Creek Greenway Conservancy, spoke in support of the Allen Creek Greenway and encouraged Council to approve the funding as proposed in the budget.

4. Alice Ralph - Greenway Allen Creek (DS-5)

Alice Ralph, 1607 E. Stadium Blvd., member of the Allen Creek Greenway Conservancy, spoke in support of the proposed budget for the Allen Creek Greenway Master Plan and encouraged Council to support the funding.

5. Robert McGee - Deer Management (DS-5)

Robert McGee, 2245 Placid Way, addressed Council regarding the proposed deer management funding in the budget and urged Council to look at non-lethal options for management.

6. Jeffrey Hayner - Appointment Confirmations (MC-1)

Jeffrey Hayner, 1807 Pontiac Trl., expressed concern about the proposed appointments to the DDA and requested a roll call vote.

7. David Barrett - Greenway (DS-5)

David Barrett, 1810 Alhambra Dr., encouraged Council to move forward with the master plan to the Allen Creek Greenway.

8. Jeri Schneider - Deer Management (DS-5)

Jeri Schneider, 2677 Arrowwood Trl., expressed concern about an amendment to increase deer management funding, stating a cull is not necessary.

9. Nancy Goldstein - Allen Creek Greenway (DS-5)

Nancy Goldstein, resident on Second Street, asked Council to support the funding for the Allen Creek Greenway Master Plan.

10. Mollie Ruth - Greenway (DS-5)

Mollie Ruth, 916 Lennox St., encouraged Council to approve funding for the Allen Creek Greenway Master Plan.

CC COMMUNICATIONS FROM COUNCIL*COUNCILMEMBER KAILASAPATHY*

Councilmember Kailasapathy reported that a study committee of the Human Rights Commission did study the issue of creating a Civilian Oversight Board for the AAPD and has recommended that a formal oversight board be created. She stated an exact name of the board has not yet been determined.

COUNCILMEMBER ANGLIN

Councilmember Anglin spoke about the history of the Allen Creek Greenway and the 2005 grassroots effort and the creation of the Friends of the Allen Creek Greenway. He stated he is happy to see this initiative finally moving forward.

COUNCILMEMBER LUMM

Councilmember Lumm informed the public that proposed FY16 budget amendments were just added to Legistar and were available for viewing on the City's webpage.

COUNCILMEMBER WESTPHAL

Councilmember Westphal invited the public to come out for the Memorial Day Parade on May 25, 2015.

COUNCILMEMBER BRIERE

Councilmember Briere addressed public comments regarding political donations, stating it is no more a conflict of interest for a councilmember to accept a donation from their neighbor, than a business person or a member of a board or commission.

MC COMMUNICATIONS FROM THE MAYOR

MC-1 15-0528

Appointments - Confirmations

APPOINTMENTS APPROVED

Mayor Taylor recommended the following appointments at the May 4, 2015 regular session of Council:

Ann Arbor Area Transportation Authority

*Mike Allemang -Replacing Anya Dale
3465 Vintage Valley Rd.
Ann Arbor, MI 48105
Term: May 2, 2015 - May 1, 2020*

*Stephen Wade- Replacing Roger Kerson
715 W. Madison Apt.#5
Ann Arbor, MI 48103
Term: May 2, 2015-May 1, 2020*

Elizabeth Dean Fund

*Benjamin Muth Re-appointment
507 S. First St.
Ann Arbor, MI 48103
Term: August 1, 2015 - May 31, 2016*

*Edith Bletcher Re-appointment
834 Brown St.
Ann Arbor, MI 48104
Term: August 1, 2015-May 31, 2016*

*Jane Immonen Re-appointment
2900 Renfrew St.
Ann Arbor, MI 48105
Term: August 1, 2015-May 31, 2017*

*Susan Perry Re-appointment
1708 Fair
Ann Arbor, MI 48103
Term: August 1, 2015-May 31, 2017*

Energy Commission

*Noah Levin-Filling vacancy
836 Sunrise Ct.
An Arbor, MI 48103
Term: June 1, 2015 - May 31, 2018*

Parks Advisory Commission

*Alan Jackson Re-appointment
1705 David Ct.
Ann Arbor, MI 48105*

Term: June 4, 2015 - May 31, 2018

Planning Commission

Sarah Mills Re-appointment

5 Parkview Place

Ann Arbor, MI 48103

Term: July 1, 2015 - June 30, 2018

Alex Milshteyn Re-appointment

315 Second St.

Ann Arbor, MI 48103

Term: July 1, 2015-June 30, 2018

Public Market Advisory Commission

Karlene Goetz Re-appointment

7554 Riga Hwy.

Riga, MI 49276

Term: August 8, 2015 - May 31, 2018

Taxicab Board

Kyle Lady (filling a vacancy)

729 Skynob Drive

Ann Arbor, MI 48105

Term: May 18, 2015 - May 31, 2017

With unanimous consent of Council the following appointments were moved separately:

Downtown Development Authority

Joan Lowenstein Re-appointment

502 Burson

Ann Arbor, MI 48104

Term: September 7, 2015-May 31, 2019

John Mouat Re-appointment

719 w. Washington

Ann Arbor, MI 48103

Term: September 7, 2015 - May 31, 2019

A motion was made by Councilmember Briere, seconded by Councilmember Westphal, that Council concur with the recommendations of the Mayor, excepting the two appointments to the DDA. On a voice vote, the Mayor declared the motion carried.

APPOINTMENTS APPROVED

Mayor Taylor recommended the following appointments at the May 4, 2015 regular session of Council:

*Downtown Development Authority**Joan Lowenstein Re-appointment**502 Burson**Ann Arbor, MI 48104**Term: September 7, 2015-May 31, 2019*

A motion was made by Councilmember Grand, seconded by Councilmember Krapohl, that Council concur with the recommendations of the Mayor. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 6 - Councilmember Briere, Councilmember Warpehoski, Mayor Taylor, Councilmember Grand, Councilmember Krapohl and Councilmember Westphal

Nays: 5 - Councilmember Kunselman, Councilmember Anglin, Councilmember Lumm, Councilmember Kailasapathy and Councilmember Eaton

APPOINTMENTS APPROVED

Mayor Taylor recommended the following appointments at the May 4, 2015 regular session of Council:

*Downtown Development Authority**John Mouat Re-appointment**719 w. Washington**Ann Arbor, MI 48103**Term: September 7, 2015 - May 31, 2019*

A motion was made by Councilmember Briere, seconded by Councilmember Grand, that Council concur with the recommendations of the Mayor. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 9 - Councilmember Kunselman, Councilmember Anglin, Councilmember Briere, Councilmember Lumm, Councilmember Warpehoski, Mayor Taylor, Councilmember Grand, Councilmember Krapohl and Councilmember Westphal

Nays: 2 - Councilmember Kailasapathy and Councilmember Eaton

MC-2 15-0627 Appointments - Confirmations

REFERRED

Mayor Taylor presented the following appointments for approval at a later date :

Design Review Board

William Kinley (Re-Appointment)

843 Asa Gray Dr.

Ann Arbor, MI 48105

Term: June 19, 2015-May 31, 2018

Shannon Gibb- Randall (Re-Appointment)

200 Mark Hannah Pl.

Ann Arbor, MI 48103

Term: June 1, 2015-May 31, 2018

Referred to the City Council due back on 6/1/2015.

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)**PH-1 15-0460** An Ordinance to Amend Sections 2:63, 2:64, and 2:69 of Chapter 29 (Increase Water, Sewer, and Stormwater Rates) of Title II of the Code of the City of Ann Arbor (Ordinance No. ORD-15-06)

Attachments: Chapter 29 Ordinance 15-06 Briefed and Approved.pdf, Chapter 29 Ordinance Changes 15-06 Briefed.pdf, Chapter 29 Ordinance Changes.pdf, Typical Residential Bill and Rate Comparison, 15-06 Approval Notice.pdf

A public hearing was conducted on the proposed Ordinance to Amend Sections 2:63, 2:64, and 2:69 of Chapter 29 (Increase Water, Sewer, and Stormwater Rates) of Title II of the Code of the City of Ann Arbor. Notice of public hearing was published May 14, 2015.

Leon Bryson, Ann Arbor resident, expressed concern with the water rate increase. He asked Council to show a plan for the use of the increased revenue collected.

Edward Vielmetti, 4th Ward resident, spoke in opposition to the proposed increase.

Jeff Hayner, 1807 Pontiac Trail, spoke in opposition to the proposed increase.

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

Held and Closed

Enactment No: ORD-15-06

A APPROVAL OF COUNCIL MINUTES

- A-1 15-0560** Work Session of April 13, 2015 and Regular Session Meeting Minutes of May 4, 2015

Attachments: 04-13-15 Draft Minutes, 05-04-15 Draft Minutes, Council emails 5-4-2015_Redacted

A motion was made by Councilmember Briere, seconded by Councilmember Westphal, that the Work Session Minutes of April 13, 2015 and the Regular Session Minutes of May 4, 2015 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 Lumm, seconded by Councilmember Krapohl, that the following Consent Items be approved as presented. On a voice vote, the Mayor declared the motion carried.

- CA-1 15-0504** Resolution to Adopt Revised Fund Balance Policy

Attachments: Section6-Fund Balance Policy FY16 DRAFT

Enactment No: R-15-159

- CA-2 15-0534** Resolution to Approve April 23, 2015 Recommendations of the Board of Insurance Administration

Enactment No: R-15-160

- CA-3 15-0510** Resolution to Approve Street Closings for the Firecracker 5K - Saturday, July 4, 2015

Attachments: Firecracker 5K Map.pdf

Enactment No: R-15-161

- CA-4 15-0533** Resolution to Approve Street Closings for Sonic Lunch - Thursdays, June 4, June 11, June 25 and August 27, 2015

Attachments: Sonic Lunch Map.pdf

Enactment No: R-15-162

B ORDINANCES - SECOND READING

- B-1 15-0460** An Ordinance to Amend Sections 2:63, 2:64, and 2:69 of Chapter 29 (Increase Water, Sewer, and Stormwater Rates) of Title II of the Code of the City of Ann Arbor (Ordinance No. ORD-15-06)

Attachments: Chapter 29 Ordinance 15-06 Briefed and Approved.pdf, Chapter 29 Ordinance Changes 15-06 Briefed.pdf, Chapter 29 Ordinance Changes.pdf, Typical Residential Bill and Rate Comparison, 15-06 Approval Notice.pdf

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

Enactment No: ORD-15-06

C ORDINANCES - FIRST READING

- C-1 15-0493** An Ordinance to Amend Chapter 55 (Zoning), Sections 5:10.20 and 5:10.20.A Downtown Character Overlay Zoning Districts Building Massing Standards (CPC Recommendation: Approval - 7 Years and 0 Nays) (Ordinance No. ORD-15-07)

Attachments: Chapter 55 Zoning 15-07 Briefed.pdf, Ordinance to Amend Chapter 55.pdf, March 17, 2015 Planning Staff Report, E Huron CPC Minutes 02-03-15, E Huron CPC Minutes 03-17-15

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

Enactment No: ORD-15-07

- C-2 15-0494** An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.34 Acres from D1 (Downtown Core Base District) to D2 (Downtown Interface Base District), 336 East Ann Street, and 3.8 Acres from East Huron 2 and Midtown Character Overlay Districts to East Huron 1 Character Overlay District, 211, 219, 301, 331, 337, 341 East Huron Street and 336 East Ann Street, City-Initiated Rezoning, (CPC Recommendation: Approval - 7 Years and 0 Nays) (Ordinance No. ORD-15-08)

Attachments: 15-08 Downtown Zoning Ordinance Revision Briefed.pdf, Downtown Zoning Ordinance Revision.pdf, March 17, 2015 Planning Staff Report, E Huron CPC Minutes 02-03-15.pdf, E Huron CPC Minutes 03-17-15.pdf, Proposed Zoning Changes Map.pdf, Proposed Char Overlay Dist Location Map.pdf

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

Enactment No: ORD-15-08

D MOTIONS AND RESOLUTIONS**DC New Business - Council:**

DC-1 15-0514 Resolution to Appoint Robert Gordon and Doug Allen to the Greenbelt Advisory Commission (7 Votes Required for Doug Allen)

Sponsors: Grand

Attachments: Robert Gordon App, Douglas Allen App

A motion was made by Councilmember Grand, seconded by Councilmember Westphal, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the seven-vote requirement.

Enactment No: R-15-163

DC-2 15-0623 Resolution to Establish Speed Limits no Greater than 25 mph throughout Near-Downtown Residential Neighborhoods

Sponsors: Anglin and Eaton

A motion was made by Councilmember Anglin, seconded by Councilmember Eaton, that the Resolution be approved.

A motion was made by Councilmember Eaton, seconded by Councilmember Lumm, that the Resolution be postponed until 6/15/2015. On a voice vote, the Mayor declared the motion carried.

DC-3 15-0626 Resolution Establishing the City of Ann Arbor-Ann Arbor Housing Commission Joint Policy and Financial Advisory Committee and Appointing Members

Sponsors: Grand

Councilmember Eaton requested that the phrase "from the City" be changed to "to the City" in the Fifth Whereas Clause. This change was considered friendly by the Council.

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

Enactment No: R-15-164

DC-4 15-0659 Resolution Directing the City Administrator to Work with Pittsfield Township to Gain Approval of the Airport Runway Extension

Sponsors: Eaton and Briere

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

A motion was made by Councilmember Kunselman, seconded by Councilmember Krapohl, that the Resolution be postponed until 7/20/2015. On a voice vote, the Mayor declared the motion carried.

DB New Business - Boards and Commissions:

None.

DS New Business - Staff:

DS-1 15-0440 Resolution to Award a Construction Contract to Evergreen Civil, LLC in the amount of \$327,231.00 for the McKinley-White-Arch Storm Culvert Abandonment Project

Attachments: ITB 4353 Bid Summary, ITB 4353 Contract Doc, MWA Project Area Map

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

Enactment No: R-15-165

DS-2 15-0515 Resolution to Approve City of Ann Arbor Fire Department as a Funding Participant of the 2014 Fire Prevention and Safety (FP&S) Grant from the US Department of Homeland Security (\$251,116.00), and Appropriate Share of Matching Grant Funds to the Fire Service Unit (\$3,631.00) (8 Votes Required)

Attachments: 2014 FEMA Fire Prevention & Safety Cost Brkdwn and Attach A.pdf

A motion was made by Councilmember Eaton, 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-15-166

RECESS

Mayor Taylor declared a recess at 8:47 p.m. and reconvened the meeting at 8:58 p.m.

DS-3 15-0276 Resolution to Approve Fiscal Year 2016 Fee Adjustments and New Fees for the Community Services Area

Attachments: Parks FY16_Fees.pdf, FY16_Comparative_Fee_DataCS.pdf, Planning FY16_Fees.pdf

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

Enactment No: R-15-167

DS-4 15-0459

Resolution to Approve Fiscal Year 2016 Fee Adjustments for Public Services Area - Project Management, Systems Planning, and Field Operations

Attachments: Proj Mgmt Systems Planning Proposed Fees 16 FINAL (2).pdf, Solid Waste.pdf, Traffic Sign Signal.pdf, Utilities and Meter Operations.pdf, Forestry.pdf

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

Enactment No: R-15-168

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

Strike from the proposed Project Management Fee schedule:

Developer Offset Mitigation Verification - Footing Drain Disconnection of a single or two-family home and the Developer Offset Mitigation Verification - All Other (per hour) - \$140 (NEW)

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

Enactment No: R-15-168

The question being the Resolution as originally presented, on a voice vote, the Mayor declared the motion carried.

Enactment No: R-15-168

DS-5 15-0497

Resolution to Adopt Ann Arbor City Budget and Related Property Tax Millage Rates for Fiscal Year 2016 (7 Votes Required)

Attachments: FY16 Budget Amendments as Approved by Ann Arbor City Council on 051815, Draft Budget Amendments for FY16, List of FY16-17 Budget Questions - Final 5-18-15 REVISED, Budget Responses 3-6-15, Budget Responses 3-20-15, Budget Responses 3-27-15, Budget Responses 4-10-15, Budget Responses 4-24-15, Budget Responses 5-1-15, Budget Responses 5-8-15, Budget Responses 5-13-15, Budget Responses 5-14-15, Budget Responses 5-15-15 NEW, Budget Response -5-18-15 NEW

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

Enactment No: R-15-169

It was noted that staff will alert Council if the funds are not used for outdoor skate rink purposes, such as due to weather.

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

Amendment #1

FUND THREE OUTDOOR ICE RINKS FOR FY2016 AS A ONE-TIME PILOT

WHEREAS, COUNCIL DESIRES TO FUND THREE OUTDOOR ICE RINKS FOR FY2016 AS A ONE-TIME PILOT PROGRAM; AND

WHEREAS, THE GENERAL FUND COST FOR THE ICE RINKS IS \$89,169.00 PER THE 4/20/2015 REPORT TO COUNCIL (FILE NUMBER 15-0473);

RESOLVED, THE GENERAL FUND FY2016 PARKS BUDGET BE INCREASED BY \$89,169.00 FUNDED BY A ONE-TIME USE OF GENERAL FUND FUND BALANCE.

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

Enactment No: R-15-169

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

Amendment #2

INCREASE GENERAL FUND BUDGET FOR COMMUNITY-FACING CLIMATE ACTION PROGRAMS

WHEREAS, CITY COUNCIL PASSED RESOLUTION 14-095 DIRECTING STAFF TO DRAFT RECOMMENDATIONS ON COMMUNITY ENERGY EFFICIENCY;

WHEREAS, CITY COUNCIL RECEIVED A RECOMMENDATION FROM STAFF ON MAY 5, 2014, DETAILING THE RESOURCES NECESSARY TO MAKE SIGNIFICANT PROGRESS ON CREATING AND IMPLEMENTING ADDITIONAL COMMUNITY ENERGY EFFICIENCY, CONSERVATION, AND RENEWABLE ENERGY PROGRAMS THAT FURTHER THE CLIMATE ACTION PLAN'S ADOPTED TARGETS, REDUCE OUR COMMUNITY GHG EMISSIONS, PROVIDE ECONOMIC BENEFIT TO OUR COMMUNITY AND HELP TO PRESERVE OUR QUALITY OF LIFE ("COMMUNITY-FACING CLIMATE ACTION PROGRAMS");

WHEREAS, THE CITY OF ANN ARBOR WILL NOT ACHIEVE THE GOALS ARTICULATED THE CLIMATE ACTION PLAN IF WE DO NOT INVEST IN STAFFING AND COMMUNITY-FACING CLIMATE ACTION PROGRAMS;

WHEREAS IN FY2015 \$85,000.00 WAS ALLOCATED TO CONTRACT SUPPORT FROM THE CLEAN ENERGY COALITION AND ECOLOGY CENTER TO SUPPORT COMMUNITY ENERGY EFFICIENCY AND THE ANN ARBOR CLIMATE PARTNERSHIP;

WHEREAS, IN FY2015 THE CITY OF ANN ARBOR FURTHER ADVANCED ITS SUSTAINABILITY GOALS VIA A 0.5 FTE SUSTAINABILITY ASSOCIATE, FUNDED \$40,000.00 FROM THE CITY OF ANN ARBOR AND \$40,000.00 FROM GRANT FUNDING;

WHEREAS, THE CITY ADMINISTRATOR HAS ASKED STAFF TO PREPARE A BUSINESS PLAN FOR SUSTAINABILITY FOR CONSIDERATION IN DEVELOPING THE FY2017 BUDGET TO ATTEMPT TO QUANTIFY HOW THE CITY ORGANIZATION AND COMMUNITY BENEFIT FROM SUSTAINABILITY;

WHEREAS, A NON-RECURRING AMENDMENT OF \$85,000.00 WOULD ALLOW CONTINUATION OF THE CURRENT LEVEL COMMUNITY ENERGY EFFICIENCY PROGRAMS WHILE THE BUSINESS PLAN IS DEVELOPED;

WHEREAS, A NON-RECURRING AMENDMENT OF \$80,000.00 WOULD ALLOW CONTINUATION OF THE CURRENT SUSTAINABILITY ASSOCIATE EFFORT WHILE THE BUSINESS PLAN IS DEVELOPED; AND

WHEREAS, GRANT FUNDING HAS NOT YET BEEN OBTAINED FOR THESE PROGRAMS;

RESOLVED, THAT THE GENERAL FUND FY2016 SYSTEMS PLANNING EXPENDITURE BUDGET BE INCREASED BY \$165,000.00 FUNDED BY A ONE-TIME USE OF FUND BALANCE TO SUPPORT THE EFFORT OF A SUSTAINABILITY ASSOCIATE FTE (\$80,000.00) AND COMMUNITY-FACING CLIMATE ACTION

PROGRAMS (\$85,000.00), WHILE ALTERNATIVE FUNDING IS BEING OBTAINED.

SPONSORS: TAYLOR, BRIERE

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

Yeas: 9 - Councilmember Kunselman, Councilmember Anglin, Councilmember Briere, Councilmember Kailasapathy, Councilmember Warpehoski, Mayor Taylor, Councilmember Grand, Councilmember Krapohl and Councilmember Westphal

Nays: 2 - Councilmember Lumm and Councilmember Eaton

Enactment No: R-15-169

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

Amendment #3

CREATE A COMPREHENSIVE ORGANICS MANAGEMENT PLAN

WHEREAS, THERE IS A STRONG ETHIC OF CONSERVATION AND ENVIRONMENTAL STEWARDSHIP AMONG THE RESIDENTS OF ANN ARBOR;

WHEREAS, ANN ARBOR RESIDENTS PUT THESE VALUES INTO PRACTICE, CURRENTLY RECYCLING AND COMPOSTING ROUGHLY HALF OF THEIR SOLID WASTE EACH YEAR;

WHEREAS, THE WASTE LESS: SOLID WASTE RESOURCE PLAN ADOPTED IN OCTOBER 2013 SET GOALS OF INCREASING SINGLE FAMILY DIVERSION RATES FROM 50% TO 60% AND TOTAL CITYWIDE DIVERSION RATES FROM 31% TO 40% BY 2017;

WHEREAS, THE MOST RECENT WASTE SORT CONDUCTED BY THE CITY OF ANN ARBOR FOUND THAT OVER 40% OF THE MATERIAL MAKING ITS WAY TO THE LANDFILL FROM ANN ARBOR WAS COMPRISED OF POTENTIALLY RECOVERABLE ORGANIC WASTE, MUCH OF IT FOOD AND WOOD WASTE;

WHEREAS, THE CITY OF ANN ARBOR SPENDS HUNDREDS OF THOUSANDS OF DOLLARS EACH YEAR TO SEND UNRECOVERED MATERIALS TO A PRIVATE LANDFILL;

WHEREAS, MEANINGFUL INCREASES IN ORGANICS COLLECTION WILL REQUIRE A HOST OF INTER-RELATED STRATEGIES IN ORDER TO MAXIMIZE THE RECOVERY OF THESE MATERIALS IN A COST-EFFECTIVE AND EFFICIENT MANNER;

WHEREAS, SUCH STRATEGIES MIGHT INCLUDE: YEAR-ROUND ORGANICS COLLECTION IN THE RESIDENTIAL, COMMERCIAL AND INSTITUTIONAL SECTORS; SOURCE REDUCTION EDUCATION AND OUTREACH TO REDUCE THE VOLUME OF FOOD WASTE; COORDINATION AND SUPPORT OF FOOD RESCUE PROGRAMS IN THE COMMUNITY; HOME COMPOSTING DEMONSTRATION AND OUTREACH; URBAN WOOD/FORESTRY WASTE RECOVERY; FATS/OILS/GREASE (FOG) MANAGEMENT; CITIZEN AND BUSINESS INPUT IN THE DESIGN OF COLLECTION PROGRAMS; AND A REVIEW OF BEST PRACTICES IN OTHER COMMUNITIES;

WHEREAS, ANN ARBOR CITY COUNCIL VIEWS MINIMIZATION OF WASTE AND THE CONSERVATION OF NATURAL RESOURCES TO BE A PRIORITY OF THE COMMUNITY, AND THEREFORE DESIRES TO CREATE MOMENTUM TO DRIVE THIS AGENDA FORWARD IN A THOUGHTFUL MANNER; AND

WHEREAS, THE SOLID WASTE UNRESTRICTED FUND BALANCE AT JUNE 30, 2014 WAS \$14.2 MILLION, AND THE ADMINISTRATOR'S PROPOSED OPERATING BUDGET SHOWS A \$300,000.00 SURPLUS IN THE SOLID WASTE ENTERPRISE FUND;

RESOLVED, THAT \$100,000.00 BE ALLOCATED IN THE 2015/16 SOLID WASTE

OPERATING BUDGET TO CREATE A COMPREHENSIVE ORGANICS MANAGEMENT PLAN FOR CITY COUNCIL TO CONSIDER, INCLUDING FUNDING AND PROGRAM RECOMMENDATIONS FOR FISCAL 2016/17 AND FOLLOWING; AND

RESOLVED, THE SOLID WASTE FUND FY2016 EXPENDITURE BUDGET BE INCREASED BY \$100,000.00 FUNDED BY A ONE-TIME USE OF FUND BALANCE; AND

RESOLVED, THAT STAFF IS DIRECTED TO COORDINATE THIS PLANNING PROCESS, PROVIDING AN UPDATE TO CITY COUNCIL ON ITS PROGRESS NO LATER THAN DECEMBER 1, 2015; AND

RESOLVED, THAT STAFF WILL WORK WITH THE ENVIRONMENTAL COMMISSION IN THE DEVELOPMENT AND ORGANIZATION OF THIS EFFORT IN ORDER TO ENGAGE THE WIDER COMMUNITY AND PROVIDE TRANSPARENCY THROUGHOUT THE PLAN DEVELOPMENT PROCESS.

Sponsors: Grand, Krapohl and Westphal

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

Enactment No: R-15-169

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

Amendment #4

REDUCE LDFA EXPENDITURE BUDGET AND ALLOCATE FUNDS TO LDFA FUND BALANCE FOR INFRASTRUCTURE DEVELOPMENT

WHEREAS, ECONOMIC DEVELOPMENT REQUIRES ADEQUATE SUPPORTING INFRASTRUCTURE;

WHEREAS, INFRASTRUCTURE DEVELOPMENT WILL SUPPORT EXISTING BUSINESSES AND ATTRACT NEW BUSINESSES;

WHEREAS, MODERN INFRASTRUCTURE IMPROVEMENTS BENEFIT THE ENTIRE COMMUNITY AND HENCE UPHOLDS THE VALUES OF OUR CITY;

WHEREAS, COUNCIL DESIRES THE LDFA TO REDUCE THEIR EXPENDITURE BUDGET IN ORDER TO ACCUMULATE FUND BALANCE FOR THE MUNICIPAL FIBER PROJECT;

WHEREAS, THE 2002 LDFA TIF PLAN SECTION III ITEM 3 STATES: "IN THE EVENT SUFFICIENT REVENUES BECOME AVAILABLE THROUGH THIS PLAN, INVESTMENT MAY BE MADE TO FACILITATE THE EXPANSION OF HIGH-SPEED TELECOMMUNICATIONS INFRASTRUCTURE THROUGHOUT THE DISTRICT

WHEREAS, THE LDFA EXPENDITURE BUDGET HAS INCREASED 44% FROM FY2015 TO FY2016;

WHEREAS, COUNCIL HAS IDENTIFIED AREAS OF REDUCTION WHERE THE EXPENDITURE BUDGET HAS INCREASED AND COULD BE ROLLED BACK TO FY2015 EXPENDITURE LEVELS INCLUDING: BUSINESS ACCELERATOR STAFFING, INCUBATOR EXPANSION, INTERNSHIP/TALENT TRAINING, AND MARKETING;

RESOLVED, THAT THE SMART ZONE LDFA FUND EXPENDITURE BUDGET BE DECREASED BY \$500,000.00; AND

RESOLVED, COUNCIL REQUESTS THAT THE EXCESS REVENUES IN THE AMOUNT OF \$500,000.00 BE SET ASIDE AS RESTRICTED FUND BALANCE FOR FUTURE INFRASTRUCTURE DEVELOPMENT.

Sponsors: Kailasapathy, Lumm, Eaton and Anglin

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

Yeas: 4 - Councilmember Anglin, Councilmember Lumm, Councilmember Kailasapathy and Councilmember Eaton

Nays: 7 - Councilmember Kunselman, Councilmember Briere, Councilmember Warpehoski, Mayor Taylor, Councilmember Grand, Councilmember Krapohl and Councilmember Westphal

Enactment No: R-15-169

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

Amendment #5

INCREASE FY16 BUDGET FOR DEER MANAGEMENT TO \$90,000.00 AND DIRECT THE CITY ADMINISTRATOR TO PRESENT TO COUNCIL FOR CONSIDERATION A DEER FEEDING BAN ORDINANCE AND PREPARE FOR COUNCIL A REPORT IDENTIFYING ONGOING DEER MANAGEMENT FUNDING REQUIREMENTS

WHEREAS, IN RESPONSE TO CITIZEN CONCERNS PARTICULARLY IN THE FIRST AND SECOND WARDS REGARDING GROWING DEER POPULATIONS AND THE DAMAGE BEING CAUSED TO THE NATURAL ENVIRONMENT AND NATIVE SPECIES AS WELL AS CONCERNS RELATED TO PUBLIC HEALTH AND SAFETY, CITY COUNCIL COMMENCED A COLLABORATIVE STUDY PROCESS IN MAY 2014 TO DIMENSION THE SEVERITY OF THE ISSUE AND TO BEGIN EVALUATION OF ALTERNATIVE DEER MANAGEMENT STRATEGIES AND APPROACHES;

WHEREAS, IN AUGUST 2014, CITY COUNCIL ACCEPTED THE ADMINISTRATOR'S INITIAL REPORT AND AUTHORIZED \$20,000.00 TO CONTINUE THE STUDY AND EVALUATION OF ALTERNATIVES;

WHEREAS, OVER THE LAST NINE MONTHS, THE CITY HAS CONDUCTED A VERY THOROUGH STUDY AND ANALYSIS WITH EXTENSIVE PUBLIC ENGAGEMENT INCLUDING A PUBLIC SURVEY AND THREE PUBLIC FORUMS WHERE ALTERNATIVE DEER MANAGEMENT APPROACHES (LETHAL AND NON-LETHAL) AND THEIR RELATIVE EFFECTIVENESS HAVE BEEN REVIEWED AND DISCUSSED;

WHEREAS, THE CITY HAS ISSUED ITS FINAL REPORT "RECOMMENDATIONS FOR DEER MANAGEMENT IN ANN ARBOR" (DATED MAY 7, 2015) WHICH:

- INDICATED THAT "MANY RESIDENTS FROM WARDS 1 AND 2 REPORTED MANY NEGATIVE INTERACTIONS WITH DEER, INCLUDING SIGNIFICANT PROPERTY DAMAGE FROM DEER OCCUPATIONS OF BACKYARDS"**
- RECOMMENDED THAT "THE CITY SHOULD SET AN OVERALL GOAL OF REDUCING DEER-HUMAN NEGATIVE INTERACTIONS. THE FIRST AREA OF FOCUS SHOULD BE WARDS 1 AND 2. THE RECOMMENDED PROCESS IS IMPLEMENTATION OF A SERIES OF ANNUAL CULLS, BEGINNING IN THE WINTER OF 2016, ON CITY PROPERTY IN WARDS 1 AND 2";**

WHEREAS, THE CITY REPORT ALSO RECOMMENDS THE CITY "IMPLEMENT A CITY WIDE DEER FEEDING BAN AS SOON AS POSSIBLE" WHICH WOULD REQUIRE ADOPTION BY CITY COUNCIL OF A CITY ORDINANCE AND CITY STAFF HAVE DEVELOPED DRAFT ORDINANCE LANGUAGE FOR COUNCIL CONSIDERATION;

WHEREAS, ADDITIONAL RECOMMENDATIONS OF THE REPORT INCLUDE ANNUAL SURVEYS AND COUNTS TO MEASURE PROGRESS AND MONITOR TRENDS, CITY-PROVIDED DEER MANAGEMENT RESOURCES AND MATERIALS (VIA THE WEBSITE OR AT CITY HALL), AND DEVELOPING A PROCESS TO MEASURE ENVIRONMENTAL IMPACT ON THE CITY'S NATURAL AREAS;

WHEREAS, ALTHOUGH CITY COUNCIL HAS NOT YET DETERMINED THE COURSE OF ACTION AND COUNCIL WILL AUTHORIZE THE EXPENDITURES

WHEN THAT DECISION IS MADE, IT IS FISCALLY PRUDENT TO INCLUDE IN THE FY16 BUDGET AN ADEQUATE PROVISION TO COVER THE COSTS OF THE REPORT'S RECOMMENDED ACTIONS;

WHEREAS, A CITIZEN-BASED GROUP WASHTENAW CITIZENS FOR ECOLOGICAL BALANCE (WC4EB) HAS EXTENSIVELY RESEARCHED THE DEER MANAGEMENT ALTERNATIVES AVAILABLE TO THE CITY (AND THEIR COSTS) AND HAS SUGGESTED A BUDGET PROVISION OF \$90,000.00 FOR THE FIRST YEAR;

WHEREAS, \$90,000.00 IS A REASONABLE FIRST YEAR BUDGET PROVISION GIVEN THAT THE CITY REPORT ESTIMATES FIRST YEAR COSTS OF \$58,000.00 TO \$78,000.00, BUT EXCLUDES THE COSTS FOR STAFF TIME AND PROVISIONS FOR UNANTICIPATED COSTS AND GIVEN THAT THE PROPOSED FY17 PLAN PROVISION OF \$20,000 IS BELOW CITY AND WC4EB PROJECTIONS FOR ONGOING COSTS;

WHEREAS, REGARDLESS OF DEER MANAGEMENT APPROACH ADOPTED BY COUNCIL, THERE WILL BE ONGOING COSTS IN FY17 AND BEYOND;

[WHEREAS AN ADDITIONAL \$50,000.00 IS REQUIRED TO ESTABLISH A \$90,000.00 FY16 BUDGET FOR DEER MANAGEMENT AS THE PROPOSED BUDGET CURRENTLY REFLECTS A GENERAL FUND EXPENDITURE PROVISION OF \$40,000.00;

WHEREAS, THE PROPOSED FY16 GENERAL FUND BUDGET INCLUDES A \$30,000.00 PROVISION FOR PUBLIC ART TRANSITION AND A PUBLIC ART TRANSITION PROVISION WAS ALSO INCLUDED IN THE FY15 BUDGET. YEAR-TO-DATE THROUGH TEN MONTHS OF FY15, NO ACTUAL TRANSITION COSTS HAVE BEEN INCURRED AGAINST THAT \$80,000.00 FY15 PROVISION (JUST \$40,000.00 IN COSTS ASSOCIATED WITH THE STADIUM BRIDGE ART PROJECT COST OVERRUN) AND IT IS EXPECTED THE \$40,000.00 BALANCE WILL FLOW TO THE GENERAL FUND FUND BALANCE AT THE END OF FY15;]

[RESOLVED, THAT THE ONE-TIME FY16 GENERAL FUND EXPENDITURE LINE ITEM FOR DEER MANAGEMENT BE INCREASED FROM \$40,000.00 TO \$90,000.00 WITH THE FUNDING FOR THE \$50,000.00 INCREASE AS FOLLOWS:

- \$30,000.00 – REMOVING THE PUBLIC ART RECURRING EXPENDITURE FROM THE FY16 GF BUDGET
- \$20,000.00 – ONE-TIME USE OF GENERAL FUND FUND BALANCE POTENTIALLY REIMBURSED BY UNIVERSITY OF MICHIGAN COST PARTICIPATION]

RESOLVED, THAT CITY COUNCIL DIRECTS THE CITY ADMINISTRATOR TO:

- 1) PRESENT TO CITY COUNCIL FOR CONSIDERATION AS SOON AS POSSIBLE AN ORDINANCE THAT WOULD BAN DEER FEEDING CITY-WIDE AS RECOMMENDED IN THE REPORT, AND
- 2) DISCUSS POTENTIAL COST PARTICIPATION WITH THE UNIVERSITY OF MICHIGAN, AND
- 3) PREPARE FOR COUNCIL WITHIN 30 DAYS AFTER COUNCIL'S DECISION ON A COURSE OF ACTION A REPORT THAT IDENTIFIES THE ONGOING FUNDING REQUIRED TO CONTINUE THE APPROACH ADOPTED BY COUNCIL INTO THE FUTURE AS WELL AS ANY POSSIBLE FUNDING SOURCES THAT MAY BE AVAILABLE BEYOND THE CITY'S GENERAL FUND.

Sponsors: Lumm, Kailasapathy, Eaton

Enactment No: R-15-169

A motion was made by Councilmember Warpehoski, seconded by Councilmember Briere, that the proposed amendment be further amended as follows:

DELETE WHEREAS #10 and #11.

AMEND 1st RESOLVED Clause as follows:

RESOLVED, that the one-time FY16 General Fund expenditure line item for Deer Management be increased from \$40,000 to [~~\$90,000~~] \$80,000 with the funding for the [~~\$50,000~~] \$40,000 increase as follows:

[~~\$30,000 – removing the public art recurring expenditure from the FY16 GF budget \$20,000 –]~~

FROM A one-time use of General Fund fund balance potentially reimbursed by University of Michigan cost participation.

ALL CAPS indicates new language. [Brackets] indicates deleted language.

It was considered friendly to change the \$80,000 back to \$90,000 (\$50,000 increase).

The entire amendment to the amendment was considered friendly.

Enactment No: R-15-169

Amendment #5 as amended.

The question being the motion made by Councilmember Lumm, seconded by Councilmember Eaton, as amended in a friendly way, that the Resolution be approved as follows:

Amendment 6 As Amended- Increase FY16 Budget for Deer Management to \$90,000 and Direct the City Administrator to Present to Council for Consideration a Deer Feeding Ban Ordinance and Prepare for Council a Report Identifying Ongoing Deer Management Funding Requirements

WHEREAS, IN RESPONSE TO CITIZEN CONCERNS PARTICULARLY IN THE FIRST AND SECOND WARDS REGARDING GROWING DEER POPULATIONS AND THE DAMAGE BEING CAUSED TO THE NATURAL ENVIRONMENT AND NATIVE SPECIES AS WELL AS CONCERNS RELATED TO PUBLIC HEALTH AND SAFETY, CITY COUNCIL COMMENCED A COLLABORATIVE STUDY PROCESS IN MAY 2014 TO DIMENSION THE SEVERITY OF THE ISSUE AND TO BEGIN EVALUATION OF ALTERNATIVE DEER MANAGEMENT STRATEGIES AND APPROACHES; AND

WHEREAS, IN AUGUST 2014, CITY COUNCIL ACCEPTED THE ADMINISTRATOR'S INITIAL REPORT AND AUTHORIZED \$20,000 TO CONTINUE THE STUDY AND EVALUATION OF ALTERNATIVES; AND

WHEREAS, OVER THE LAST NINE MONTHS, THE CITY HAS CONDUCTED A VERY THOROUGH STUDY AND ANALYSIS WITH EXTENSIVE PUBLIC ENGAGEMENT INCLUDING A PUBLIC SURVEY AND THREE PUBLIC FORUMS WHERE ALTERNATIVE DEER MANAGEMENT APPROACHES (LETHAL AND NON-LETHAL) AND THEIR RELATIVE EFFECTIVENESS HAVE BEEN REVIEWED AND DISCUSSED; AND

WHEREAS, THE CITY HAS ISSUED ITS FINAL REPORT "RECOMMENDATIONS FOR DEER MANAGEMENT IN ANN ARBOR" (DATED MAY 7, 2015) WHICH:

- **INDICATED THAT "MANY RESIDENTS FROM WARDS 1 AND 2 REPORTED MANY NEGATIVE INTERACTIONS WITH DEER, INCLUDING SIGNIFICANT PROPERTY DAMAGE FROM DEER OCCUPATIONS OF BACKYARDS"**
- **RECOMMENDED THAT "THE CITY SHOULD SET AN OVERALL GOAL OF REDUCING DEER-HUMAN NEGATIVE INTERACTIONS. THE FIRST AREA OF FOCUS SHOULD BE WARDS 1 AND 2. THE RECOMMENDED PROCESS IS IMPLEMENTATION OF A SERIES OF ANNUAL CULLS, BEGINNING IN THE WINTER OF 2016, ON CITY PROPERTY IN WARDS 1 AND 2"; AND**

WHEREAS, THE CITY REPORT ALSO RECOMMENDS THE CITY "IMPLEMENT A CITY WIDE DEER FEEDING BAN AS SOON AS POSSIBLE" WHICH WOULD REQUIRE ADOPTION BY CITY COUNCIL OF A CITY ORDINANCE AND CITY STAFF HAVE DEVELOPED DRAFT ORDINANCE LANGUAGE FOR COUNCIL CONSIDERATION: AND

WHEREAS, ADDITIONAL RECOMMENDATIONS OF THE REPORT INCLUDE ANNUAL SURVEYS AND COUNTS TO MEASURE PROGRESS AND MONITOR TRENDS, CITY-PROVIDED DEER MANAGEMENT RESOURCES AND MATERIALS (VIA THE WEBSITE OR AT CITY HALL), AND DEVELOPING A PROCESS TO MEASURE ENVIRONMENTAL IMPACT ON THE CITY'S NATURAL AREAS; AND

WHEREAS, ALTHOUGH CITY COUNCIL HAS NOT YET DETERMINED THE

COURSE OF ACTION AND COUNCIL WILL AUTHORIZE THE EXPENDITURES WHEN THAT DECISION IS MADE, IT IS FISCALLY PRUDENT TO INCLUDE IN THE FY16 BUDGET AN ADEQUATE PROVISION TO COVER THE COSTS OF THE REPORT'S RECOMMENDED ACTIONS; AND

WHEREAS, A CITIZEN-BASED GROUP WASHTENAW CITIZENS FOR ECOLOGICAL BALANCE (WC4EB) HAS EXTENSIVELY RESEARCHED THE DEER MANAGEMENT ALTERNATIVES AVAILABLE TO THE CITY (AND THEIR COSTS) AND HAS SUGGESTED A BUDGET PROVISION OF \$90,000 FOR THE FIRST YEAR; AND

WHEREAS, \$90,000 IS A REASONABLE FIRST YEAR BUDGET PROVISION GIVEN THAT THE CITY REPORT ESTIMATES FIRST YEAR COSTS OF \$58,000 TO \$78,000, BUT EXCLUDES THE COSTS FOR STAFF TIME AND PROVISIONS FOR UNANTICIPATED COSTS AND GIVEN THAT THE PROPOSED FY17 PLAN PROVISION OF \$20,000 IS BELOW CITY AND WC4EB PROJECTIONS FOR ONGOING COSTS; AND

WHEREAS, REGARDLESS OF DEER MANAGEMENT APPROACH ADOPTED BY COUNCIL, THERE WILL BE ONGOING COSTS IN FY17 AND BEYOND.

RESOLVED, THAT THE ONE-TIME FY16 GENERAL FUND EXPENDITURE LINE ITEM FOR DEER MANAGEMENT BE INCREASED FROM \$40,000 TO \$90,000 WITH THE FUNDING FOR THE \$50,000 FROM A ONE-TIME USE OF GENERAL FUND BALANCE, POTENTIALLY REIMBURSED BY UNIVERSITY OF MICHIGAN OR COMMUNITY COST PARTICIPATION; AND

RESOLVED, THAT CITY COUNCIL DIRECTS THE CITY ADMINISTRATOR TO:

- 1) PRESENT TO CITY COUNCIL FOR CONSIDERATION AS SOON AS POSSIBLE AN ORDINANCE THAT WOULD BAN DEER FEEDING CITY-WIDE AS RECOMMENDED IN THE REPORT, AND
- 2) DISCUSS POTENTIAL COST PARTICIPATION WITH THE UNIVERSITY OF MICHIGAN, AND
- 3) PREPARE FOR COUNCIL WITHIN 30 DAYS AFTER COUNCIL'S DECISION ON A COURSE OF ACTION A REPORT THAT IDENTIFIES THE ONGOING FUNDING REQUIRED TO CONTINUE THE APPROACH ADOPTED BY COUNCIL INTO THE FUTURE AS WELL AS ANY POSSIBLE FUNDING SOURCES THAT MAY BE AVAILABLE BEYOND THE CITY'S GENERAL FUND.

Sponsors: Lumm, Kailasapathy, Eaton

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

Enactment No: R-15-169

START HERE

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

Amendment 6

ESTABLISH GENERALD FUND ACCOUNT/FUND FOR NEW STREET LIGHTS WITH ALLOCATIONS TO THE ACCOUNT/FUND OF \$225,000.00 OVER TWO YEARS

WHEREAS, PUBLIC SAFETY IS A CORE, ESSENTIAL CITY SERVICE AND A SERVICE PRIORITY HIGHLY VALUED BY MANY COMMUNITY RESIDENTS AND TAXPAYERS;

WHEREAS, ADEQUATE STREET LIGHTING IS A SIGNIFICANT CONTRIBUTOR TO THE PERCEPTION OF SAFETY IN OUR NEIGHBORHOODS;

WHEREAS, THE CITY HAS HAD IN PLACE A MORATORIUM ON NEW STREETLIGHTS SINCE 2006 AND NO NEW STREETLIGHTS HAVE BEEN ADDED EXCEPT THOSE RELATED TO SPECIFIC DEVELOPMENT PROJECTS;

WHEREAS, CITY COUNCIL IN FEBRUARY LIFTED THE MORATORIUM ON NEW STREETLIGHTS AND DESIRES THAT THE CITY ADOPT AN OBJECTIVE PROCESS TO BEGIN TO CONSIDER REQUESTS FOR NEW STREETLIGHTS;

WHEREAS, THE PROPOSED FY17 PLAN INCLUDES A \$400,000.00 PROVISION FOR STREET LIGHT MAINTENANCE AND REPLACEMENT, BUT STAFF HAS INDICATED THAT FUNDING IS NOT INTENDED FOR NEW STREETLIGHTS AND THERE IS NO FUNDING PROVIDED IN THE FY16 BUDGET OR FY17 PLAN FOR NEW STREETLIGHTS;

WHEREAS, STAFF HAS INDICATED THEY HAVE DEVELOPED THE CRITERIA WITH WHICH TO EVALUATE THE PRIORITY OF NEW STREETLIGHT REQUESTS;

WHEREAS, THE PROPOSED FY16 GENERAL FUND CAPITAL BUDGET INCLUDES \$140,000.00 FOR COUNCIL CHAMBER RENOVATIONS OF WHICH \$5,000.00 IS FOR AN ADA-ACCESSIBLE PODIUM AND \$8,500.00 IS FOR DEMOLITION, ASBESTOS ABATEMENT, AND AIR MONITORING/TESTING; AND

WHEREAS, THE PROPOSED FY16 GENERAL FUND BUDGET RESULTS IN A \$2.1 MILLION SURPLUS WITH A \$1.6 MILLION CONTINGENCY AND OVER THE TWO-YEAR PERIOD (FY16 AND FY17), A \$300,000.00 SURPLUS IS PROJECTED WITH \$4.8 MILLION IN CONTINGENCY;

RESOLVED, THAT THE CITY ESTABLISH A NEW, DEDICATED GENERAL FUND ACCOUNT/FUND FOR THE PURPOSE OF FUNDING NEW STREETLIGHTS;

RESOLVED, THAT WITHIN 90 DAYS, THE CITY ADMINISTRATOR PRESENTS TO COUNCIL FOR APPROVAL A PROPOSED PROCESS TO EVALUATE AND FUND NEW STREETLIGHT REQUESTS AS WELL AS POSSIBLE SOURCES OF ONGOING FUNDING FOR NEW STREETLIGHTS;

RESOLVED, THAT \$125,000.00 IS ALLOCATED TO THE "NEW STREETLIGHT" GENERAL FUND ACCOUNT/FUND IN FY16 WITH FUNDING FROM A \$125,000.00

REDUCTION IN THE FY16 PROJECT BUDGET FOR COUNCIL CHAMBER RENOVATION;

RESOLVED, THAT \$100,000.00 IS ALLOCATED TO THE "NEW STREETLIGHT" GENERAL FUND ACCOUNT/FUND IN FY17 WITH FUNDING FROM UTILIZING 25% OF THE \$400,000.00 PROVISION ESTABLISHED IN FY17 FOR STREETLIGHT MAINTENANCE AND REPLACEMENT; AND

RESOLVED, THAT THE ADMINISTRATOR MAY PRESENT TO COUNCIL FOR CONSIDERATION OTHER SOURCES OF FUNDING TO SUBSTITUTE FOR THOSE IDENTIFIED ABOVE.

Sponsors: Lumm, Kailasapathy, Eaton

Enactment No: R-15-169

A motion was made by Councilmember Warpehoski, seconded by Councilmember Briere, that amendment #6 be further amended as follows:

Amendment to Amendment #6

REPLACE 3RD RESOLVED WITH:

RESOLVED: "THAT THE GENERAL FUND FY2016 BUDGET BE INCREASED BY \$100,000.00 BY A ONE-TIME USE OF GENERAL FUND BALANCE AND THESE FUNDS BE ALLOCATED TO THE "NEW STREETLIGHT" GENERAL FUND ACCOUNT/FUND IN FY16"

STRIKE LAST 2 RESOLVED CLAUSES:

[RESOLVED, THAT \$100,000.00 IS ALLOCATED TO THE "NEW STREETLIGHT" GENERAL FUND ACCOUNT/FUND IN FY17 WITH FUNDING FROM UTILIZING 25% OF THE \$400,000.00 PROVISION ESTABLISHED IN FY17 FOR STREETLIGHT MAINTENANCE AND REPLACEMENT;

RESOLVED, THAT THE ADMINISTRATOR MAY PRESENT TO COUNCIL FOR CONSIDERATION OTHER SOURCES OF FUNDING TO SUBSTITUTE FOR THOSE IDENTIFIED ABOVE.]

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

Enactment No: R-15-169

A motion was made by Councilmember Lumm, seconded by Councilmember Kailasapathy, that amendment #6 be further amended as follows:

Amendment #6

Amend final RESOLVED Clause:

THAT \$100,000 BE ALLOCATED FROM A ONE-TIME USE OF UNDERSTATED PARKING REVENUE.

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

Yeas: 5 - Councilmember Anglin, Councilmember Lumm, Councilmember Kailasapathy, Councilmember Warpehoski and Councilmember Eaton

Nays: 6 - Councilmember Kunselman, Councilmember Briere, Mayor Taylor, Councilmember Grand, Councilmember Krapohl and Councilmember Westphal

Enactment No: R-15-169

The question being amendment #6 as amended as follows:

Amendment #6

ESTABLISH GENERAL FUND ACCOUNT/FUND FOR NEW STREETLIGHTS WITH ALLOCATIONS TO THE ACCOUNT/FUND OF \$100,000.00

WHEREAS, PUBLIC SAFETY IS A CORE, ESSENTIAL CITY SERVICE AND A SERVICE PRIORITY HIGHLY VALUED BY MANY COMMUNITY RESIDENTS AND TAXPAYERS;

WHEREAS, ADEQUATE STREET LIGHTING IS A SIGNIFICANT CONTRIBUTOR TO THE PERCEPTION OF SAFETY IN OUR NEIGHBORHOODS;

WHEREAS, THE CITY HAS HAD IN PLACE A MORATORIUM ON NEW STREETLIGHTS SINCE 2006 AND NO NEW STREETLIGHTS HAVE BEEN ADDED EXCEPT THOSE RELATED TO SPECIFIC DEVELOPMENT PROJECTS;

WHEREAS, CITY COUNCIL IN FEBRUARY LIFTED THE MORATORIUM ON NEW STREETLIGHTS AND DESIRES THAT THE CITY ADOPT AN OBJECTIVE PROCESS TO BEGIN TO CONSIDER REQUESTS FOR NEW STREETLIGHTS;

WHEREAS, THE PROPOSED FY17 PLAN INCLUDES A \$400,000.00 PROVISION FOR STREET LIGHT MAINTENANCE AND REPLACEMENT, BUT STAFF HAS INDICATED THAT FUNDING IS NOT INTENDED FOR NEW STREETLIGHTS AND THERE IS NO FUNDING PROVIDED IN THE FY16 BUDGET OR FY17 PLAN FOR NEW STREETLIGHTS;

WHEREAS, STAFF HAS INDICATED THEY HAVE DEVELOPED THE CRITERIA WITH WHICH TO EVALUATE THE PRIORITY OF NEW STREETLIGHT REQUESTS;

WHEREAS, THE PROPOSED FY16 GENERAL FUND CAPITAL BUDGET INCLUDES \$140,000.00 FOR COUNCIL CHAMBER RENOVATIONS OF WHICH \$5,000.00 IS FOR AN ADA-ACCESSIBLE PODIUM AND \$8,500.00 IS FOR DEMOLITION, ASBESTOS ABATEMENT, AND AIR MONITORING/TESTING; AND

WHEREAS, THE PROPOSED FY16 GENERAL FUND BUDGET RESULTS IN A \$2.1 MILLION SURPLUS WITH A \$1.6 MILLION CONTINGENCY AND OVER THE TWO-YEAR PERIOD (FY16 AND FY17), A \$300,000.00 SURPLUS IS PROJECTED WITH \$4.8 MILLION IN CONTINGENCY;

RESOLVED, THAT THE CITY ESTABLISH A NEW, DEDICATED GENERAL FUND ACCOUNT/FUND FOR THE PURPOSE OF FUNDING NEW STREETLIGHTS;

RESOLVED, THAT WITHIN 90 DAYS, THE CITY ADMINISTRATOR PRESENTS TO COUNCIL FOR APPROVAL A PROPOSED PROCESS TO EVALUATE AND FUND NEW STREETLIGHT REQUESTS AS WELL AS POSSIBLE SOURCES OF ONGOING FUNDING FOR NEW STREETLIGHTS; AND

RESOLVED, THAT THE GENERAL FUND FY2016 BUDGET BE INCREASED BY \$100,000.00 BY A ONE-TIME USE OF GENERAL FUND FUND BALANCE AND THESE FUNDS BE ALLOCATED TO THE "NEW STREETLIGHT" GENERAL FUND ACCOUNT/FUND IN FY16.

Sponsors: Lumm, Kailasapathy, Eaton

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

Enactment No: R-15-169

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

Amendment 7

INCREASE GENERAL FUND BUDGET TO PROVIDE THE MENTAL HEALTH COURT WITH ADDITIONAL FUNDING FOR DRUG TESTING

WHEREAS, THE MENTAL HEALTH COURT HAS BEEN EFFECTIVE IN REDUCING RECIDIVISM AND PROVIDING TREATMENT TO RESIDENTS IN NEED;

WHEREAS, DRUG AND ALCOHOL TESTING IS AN ESSENTIAL, YET UNDERFUNDED, COMPONENT IN KEEPING MENTAL HEALTH COURT PARTICIPANTS ACCOUNTABLE;

WHEREAS, THE COUNCIL DESIRES TO PROVIDE ADDITIONAL FUNDING TO THE MENTAL HEALTH COURT FOR DRUG AND ALCOHOL TESTING; AND

WHEREAS, THE GENERAL FUND COST FOR THE ADDITIONAL FUNDING IS \$15,000.00;

RESOLVED, THE GENERAL FUND FY2016 DISTRICT COURT BUDGET BE INCREASED BY \$15,000.00 FUNDED BY A ONE-TIME USE OF GENERAL FUND FUND BALANCE.

Sponsors: Grand, Krapohl

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

Enactment No: R-15-169

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

Amendment 8

AMEND BUDGET TO INCREASE HUMAN SERVICES FUNDING FOR LIVING WAGE INCREASE

WHEREAS, COUNCIL PASSED A RESOLUTION TO ADOPT RECOMMENDATIONS REGARDING THE APPLICATION OF THE CITY'S LIVING WAGE ORDINANCE (FILE NO. 14-1448) IN OCTOBER 2014;

WHEREAS, THIS RESOLUTION DIRECTED THE HUMAN SERVICES FUNDING TO KEEP UP WITH LIVING WAGE ADJUSTMENTS IN THE CITY'S HUMAN SERVICES ALLOCATION;

WHEREAS, THE ADJUSTMENT AMOUNT FOR THE FY2016 HAS BEEN IDENTIFIED AS \$1,700.00; AND

WHEREAS, THE COUNCIL DESIRES THE COUNTY TO ESTABLISH A SIMILAR POLICY OF ADJUSTMENTS;

RESOLVED, THE GENERAL FUND COMMUNITY DEVELOPMENT FY2016 BUDGET BE INCREASED BY \$1,700.00 FUNDED BY A ONE-TIME USE OF FUND BALANCE; AND

RESOLVED, THE \$1,700.00 AMOUNT SHOULD ONLY BE DISBURSED SUBJECT TO THE COUNTY ADOPTING AND FUNDING AN EQUIVALENT POLICY.

Sponsors: Briere, Taylor, Warpehoski

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

Enactment No: R-15-169

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

Amendment 9

ADD MOREHEAD-DELAWARE PEDESTRIAN BRIDGE TO FY 2016 CAPITAL BUDGET

WHEREAS, THE CITY OWNED AND MAINTAINED A PEDESTRIAN BRIDGE IN THE LANSDOWNE NEIGHBORHOOD THAT CROSSED THE LANS BASIN FROM MOREHEAD COURT TO DELAWARE COURT;

WHEREAS, THE CITY CLOSED THE PEDESTRIAN BRIDGE IN 2009 DUE TO SAFETY CONCERNS RELATED TO STRUCTURAL DEFICIENCIES;

WHEREAS, THE CITY REMOVED THE BRIDGE IN 2010;

WHEREAS, ON SEPTEMBER 6, 2011, THE ANN ARBOR COUNCIL APPROVED AN AMENDMENT TO THE FY 2012 BUDGET TO ALLOCATE \$120,000.00 TO RECONSTRUCT THE PEDESTRIAN BRIDGE IN THE LANSDOWNE NEIGHBORHOOD;

WHEREAS, THE REPLACEMENT OF THE PEDESTRIAN BRIDGE WAS DELAYED TO ACCOMMODATE THE NEED TO RESTORE WEIRS OWNED BY ADJACENT PROPERTY OWNERS;

WHEREAS, THE PROPERTY OWNERS COMPLETED REPAIRS TO THE WEIRS IN 2015;

WHEREAS, THE MOREHEAD-DELAWARE PEDESTRIAN BRIDGE (CIP R-AT-16-05) WAS ADDED TO THE CIP FOR COMPLETION IN FY2020; AND

WHEREAS, COUNCIL DESIRES TO FUND THIS PROJECT IN FY2016;

RESOLVED, THAT THE PUBLIC SERVICES ADMINISTRATION EXPENDITURE BUDGET BE INCREASED BY \$450,000.00 FUNDED WITH GENERAL FUND FUND BALANCE; AND

RESOLVED, THAT THE GENERAL CAPITAL PROJECTS FUND REVENUE AND EXPENDITURE BUDGETS BE INCREASED BY \$450,000.00 FUNDED WITH A TRANSFER FROM THE GENERAL FUND.

Sponsor: Eaton

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

Yeas: 7 - Councilmember Kunselman, Councilmember Anglin, Councilmember Briere, Councilmember Lumm, Councilmember Kailasapathy, Councilmember Eaton and Councilmember Krapohl

Nays: 4 - Councilmember Warpehoski, Mayor Taylor, Councilmember Grand and Councilmember Westphal

Enactment No: R-15-169

RECESS

Mayor Taylor declared a recess at 11:53 p.m. and reconvened the meeting at 12:00 a.m.

15-0497**Resolution to Adopt Ann Arbor City Budget and Related Property Tax Millage Rates for Fiscal Year 2016 (7 Votes Required)**

Attachments: FY16 Budget Amendments as Approved by Ann Arbor City Council on 051815, Draft Budget Amendments for FY16, List of FY16-17 Budget Questions - Final 5-18-15 REVISED, Budget Responses 3-6-15, Budget Responses 3-20-15, Budget Responses 3-27-15, Budget Responses 4-10-15, Budget Responses 4-24-15, Budget Responses 5-1-15, Budget Responses 5-8-15, Budget Responses 5-13-15, Budget Responses 5-14-15, Budget Responses 5-15-15 NEW, Budget Response -5-18-15 NEW

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

Amendment 10**INCREASE POLICE STAFFING IN THE FY 16 BUDGET AND FY17 PLAN BY TWO OFFICERS**

WHEREAS, PUBLIC SAFETY IS A CORE, ESSENTIAL CITY SERVICE AND A SERVICE PRIORITY HIGHLY VALUED BY MANY COMMUNITY RESIDENTS AND TAXPAYERS;

WHEREAS, OVER THE LAST TEN YEARS, THE NUMBER OF SWORN OFFICERS IN THE AAPD HAS BEEN REDUCED BY 37 OFFICERS (23% - FROM 159 IN FY05 TO 122 IN FY15) AND THE ADMINISTRATOR'S PROPOSED FY16 BUDGET AND FY17 PLAN REFLECT NO CHANGE IN POLICE STAFFING FROM FY15;

WHEREAS, POLICE CHIEF SETO HAS INDICATED THAT ENHANCING PUBLIC SAFETY AND THE PERCEPTION OF SAFETY IS BEST ACHIEVED BY EVOLVING FROM A "REACTIVE" POLICE FORCE TO A MORE "PRO-ACTIVE" FORCE, WHICH REQUIRES ADDITIONAL OFFICERS;

WHEREAS, ADDING RESOURCES TO THE SMALL, THREE-PERSON COMMUNITY ENGAGEMENT UNIT WOULD RESULT IN INCREASED TRAFFIC ENFORCEMENT AND OUTREACH IN OUR NEIGHBORHOODS AS WELL AS INCREASED FOOT AND BIKE PATROLS IN THE DOWNTOWN AREA, BOTH COMMUNITY-IDENTIFIED NEEDS;

WHEREAS, ON JUNE 3, 2013, CITY COUNCIL FORMALLY REQUESTED THE DDA ALLOCATE FUNDING FOR DOWNTOWN BEAT COPS, BUT THE DDA CHOSE NOT TO ACCOMMODATE THE REQUEST DESPITE AN INCREASE IN THEIR TIF REVENUES OF \$1.6 MILLION (42%) IN JUST THREE YEARS (FROM \$3.7M IN FY13 TO \$5.3 MILLION IN FY16);

WHEREAS THE CITY PROJECTS THE DDA'S TIF REVENUES WILL INCREASE A FURTHER 13% (\$675,000) IN FY17. THESE UPDATED CITY PROJECTIONS FOR DDA TIF REVENUE IN FY16 AND FY17 ARE \$250,000.00 AND \$775,000.00 HIGHER, RESPECTIVELY, THAN THE DDA'S RECENTLY-APPROVED BUDGETS FOR THE TWO YEARS WHICH PROVIDES A CLEAR OPPORTUNITY TO ASSIST THE CITY IN IMPROVING PUBLIC SAFETY IN THE DOWNTOWN AREA WITHOUT JEOPARDIZING OTHER BUDGETED PROGRAMS;

WHEREAS, IN RESPONSE TO BUDGET QUESTIONS, STAFF INDICATED THAT PARKING-RELATED CITY REVENUES HAVE BEEN UNDERSTATED AND THAT \$59,000.00 IN RECURRING REVENUES ARE AVAILABLE AND THAT THE ADMINISTRATOR'S OPERATING CONTINGENCY (A SEPARATE CONTINGENCY FROM THE \$1.3M CONTINGENCY IN NON-DEPARTMENTAL FOR LABOR AND CONTRACT SETTLEMENTS) IS BEING INCREASED YEAR-TO-YEAR BY \$67,026.00 (36%);

WHEREAS, STAFFING HAS INCREASED IN THE HUMAN RESOURCES UNIT FROM 11.75 FTE IN FY13 TO 13.13 FTE PROPOSED FOR FY16 INCLUDING A 0.50 FTE INCREASE FROM FY15 TO FY16, AND IN RESPONSE TO A BUDGET QUESTION, STAFF INDICATED THE PROPOSED GENERAL FUND CONSULTING BUDGET INCLUDES \$30,000.00 OF RECURRING CONSULTING COSTS IN HUMAN RESOURCES;

WHEREAS, THE FIELD OPERATIONS UNIT HAS, FOR FOUR CONSECUTIVE YEARS (FY11 THRU FY14), UNDERSPENT THEIR GENERAL FUND CONTRACTED SERVICES BUDGET BY SIGNIFICANT AND CONSISTENT AMOUNTS RANGING FROM \$91,000.00 TO \$115,000.00, AND YTD IN FY15 HAS A \$189,000.00 UNSPENT BALANCE; AND

WHEREAS, STAFF HAS INDICATED THE PROPOSED FY16 BUDGET AND FY17 PLAN DO NOT REFLECT ANY SPECIFIC COST SAVINGS TARGETS OR PROGRAMMATIC COST SAVINGS;

RESOLVED, THAT THE RECOMMENDED FY16 BUDGET BE AMENDED TO INCREASE THE BUDGETED FTE IN THE POLICE DEPARTMENT BY TWO (149 FTE TO 151 FTE) AND THAT POLICE GENERAL FUND EXPENDITURES BE INCREASED BY \$154,470.00 TO REFLECT THE TWO ADDITIONAL OFFICERS;

RESOLVED, THAT COUNCIL DESIRES TO PROVIDE ONGOING FUNDING FOR THESE TWO OFFICERS IN FUTURE BUDGETS;

RESOLVED, THAT THE POLICE CHIEF SHALL DETERMINE HOW TO DEPLOY THE TWO ADDITIONAL OFFICERS, BUT THAT COUNCIL SUGGESTS THEY BE DEPLOYED IN THE COMMUNITY ENGAGEMENT UNIT;

RESOLVED, THAT IN LIGHT OF THEIR HIGHER-THAN-ANTICIPATED TIF REVENUES, CITY COUNCIL REQUESTS THE DDA RE-CONSIDER ALLOCATING AT LEAST \$154,470.00 [OF FUNDING TO THE CITY'S GENERAL FUND BEGINNING IN FY16 TO] SUPPORT PUBLIC SAFETY EFFORTS IN THE DOWNTOWN AREA;

RESOLVED, THAT IN THE EVENT THE DDA CHOOSES NOT TO PROVIDE FUNDING SUPPORT, THE \$154,470.00 INCREASE IN THE FY16 POLICE GENERAL FUND EXPENDITURES IS FUNDED BY THE FOLLOWING:

- \$59,000.00 INCREASE IN RECURRING REVENUE
- \$67,026.00 DECREASE IN RECURRING EXPENDITURE BY MAINTAINING ADMINISTRATOR'S OPERATING CONTINGENCY AT THE FY15 ADOPTED BUDGET LEVEL OF \$182,974.00
- \$28,444.00 DECREASE IN RECURRING EXPENDITURES IN THE HUMAN RESOURCES UNIT AND/OR IN FIELD OPERATIONS CONTRACTED SERVICE EXPENDITURES AT THE DISCRETION OF THE CITY ADMINISTRATOR; AND

RESOLVED, THAT THE ADMINISTRATOR MAY PRESENT TO COUNCIL OTHER

RECURRING EXPENDITURE REDUCTIONS TO SUBSTITUTE FOR THOSE IDENTIFIED ABOVE AND THAT WITHIN 120 DAYS, THE ADMINISTRATOR SHALL REPORT TO CITY COUNCIL THE STATUS OF HIRING/DEPLOYING THE NEW OFFICERS AND THE SOURCE OF FUNDING SELECTED.

Sponsor: Lumm, Eaton

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

Yeas: 5 - Councilmember Kunselman, Councilmember Anglin, Councilmember Lumm, Councilmember Kailasapathy and Councilmember Eaton

Nays: 6 - Councilmember Briere, Councilmember Warpehoski, Mayor Taylor, Councilmember Grand, Councilmember Krapohl and Councilmember Westphal

Enactment No: R-15-169

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

Amendment 11

RESTORE FALL LEAF AND HOLIDAY TREE PICKUP SERVICES

WHEREAS, THE CITY PROVIDED FALL LEAF PICKUP AND HOLIDAY TREE PICKUP SERVICES TO RESIDENTS UNTIL 2011;

WHEREAS, LEAF PICKUP IS A BASIC SERVICE THAT RESIDENTS AND TAXPAYERS REASONABLY EXPECT THEIR TAXES WOULD PAY FOR, PARTICULARLY GIVEN THAT TAXPAYERS PAY \$12 MILLION ANNUALLY IN A DEDICATED SOLID WASTE MILLAGE;

WHEREAS, IN LIEU OF CITY BULK PICKUPS, THE CITY'S LEAF MANAGEMENT PROGRAM INSTRUCTS RESIDENTS TO PLACE LEAVES IN BAGS OR COMPOST CARTS, OPTIONS WHICH ARE SIMPLY NOT PRACTICAL FOR MANY RESIDENTS CONSIDERING THE VOLUME OF THEIR LEAVES. AS A RESULT, THE ELIMINATION OF THE CITY'S TWICE A YEAR LEAF PICKUP SERVICE SIMPLY SHIFTED THE COSTS OF DISPOSAL FROM THE CITY TO THOSE RESIDENTS WHO NOW PAY TWICE – THROUGH THE SOLID WASTE MILLAGE AND TO HIRE PRIVATE HAULERS;

WHEREAS, HOLIDAY TREE PICKUP OFFERS A CONVENIENCE TO RESIDENTS THAT CAN BE PROVIDED FOR THE MINIMAL COST OF \$26,780.00 ANNUALLY. FURTHER, RESTORING HOLIDAY TREE PICKUP WOULD ELIMINATE THE NEED FOR RESIDENTS TO DRIVE TO THE DROP-OFF INDIVIDUALLY RESULTING IN AN ENVIRONMENTAL BENEFIT AS WELL AS THE CONVENIENCE;

WHEREAS, THE COSTS TO RESTORE LEAF PICKUP WOULD BE A ONE-TIME CAPITAL COST OF \$418,000.00 AND INCREASED RECURRING OPERATING COSTS OF \$302,300.00. INCLUDING HOLIDAY TREE PICKUP, THE RECURRING COST INCREASE TO RESTORE BOTH SERVICES FOR RESIDENTS WOULD BE \$329,080.00;

WHEREAS, THE SOLID WASTE UNRESTRICTED FUND BALANCE AT JUNE 30, 2014 WAS \$14.2 MILLION – AN INCREASE OF \$2.5 MILLION (21%) OVER JUNE 30, 2013 AND EQUIVALENT TO ABOUT 100% OF SOLID WASTE ANNUAL OPERATING EXPENSES – AND THE \$418,000.00 ONE-TIME EQUIPMENT EXPENDITURE REQUIRED WOULD UTILIZE A SMALL PORTION (2.9%) OF THE \$14.2 MILLION JUNE 2014 FUND BALANCE;

WHEREAS, FOR FOUR CONSECUTIVE YEARS (FY11 THRU FY14), THE BUDGETED SOLID WASTE FUND EXPENDITURES IN THE FIELD OPERATIONS SERVICE UNIT HAVE EXCEEDED ACTUAL EXPENDITURES BY AMOUNTS WELL IN EXCESS OF THE \$329,080.00 REQUIRED TO RESTORE THESE SERVICES TO RESIDENTS, CONFIRMING THE INDICATION FROM STAFF A YEAR AGO THAT THE COSTS OF RESTORING THE SERVICES COULD BE CONTAINED WITHIN THE CURRENT BUDGETS; AND

WHEREAS, THE PROJECTED RECURRING COST OF \$329,080.00 TO RESTORE THESE SERVICES TO RESIDENTS REPRESENTS APPROXIMATELY 2% OF ANNUAL SOLID WASTE EXPENDITURES;

RESOLVED, THAT THE RECOMMENDED FY16 BUDGET AND FY17 PLAN FOR THE SOLID WASTE FUND (0072) BE AMENDED TO RESTORE (2) FALL LEAF PICKUPS AND HOLIDAY TREE PICKUP SERVICES FOR RESIDENTS;

RESOLVED, THAT THE ONE-TIME EXPENDITURE OF \$418,000.00 IN FY16 IS FUNDED BY A ONE-TIME USE OF SOLID WASTE FUND BALANCE;

RESOLVED, THAT THE RECURRING EXPENDITURES OF \$329,080.00 FOR THE COSTS OF RESTORING LEAF AND HOLIDAY TREE PICKUP ARE OFFSET BY EQUAL EXPENDITURE REDUCTIONS IN THE FIELD OPERATIONS SERVICE UNIT'S SOLID WASTE FUND EXPENDITURES RESULTING IN NO NET INCREASE TO THE FY16 BUDGET AND FY17 PLAN SOLID WASTE EXPENDITURES RECOMMENDED BY THE ADMINISTRATOR; AND

RESOLVED, THAT THE ADMINISTRATOR MAY PRESENT TO COUNCIL OTHER RECURRING EXPENDITURE REDUCTIONS IN THE SOLID WASTE FUND TO SUBSTITUTE FOR THOSE IDENTIFIED ABOVE.

Sponsor: Lumm, Kailasapathy, Eaton

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

- Yeas:** 4 - Councilmember Anglin, Councilmember Lumm, Councilmember Kailasapathy and Councilmember Eaton
- Nays:** 7 - Councilmember Kunselman, Councilmember Briere, Councilmember Warpehoski, Mayor Taylor, Councilmember Grand, Councilmember Krapohl and Councilmember Westphal

Enactment No: R-15-169

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

Amendment 12

**COUNCIL DIRECTIVE REGARDING EMPLOYEE PENSION PLAN
RE-STRUCTURING FOR NEW HIRES**

WHEREAS, THE CITY CURRENTLY OFFERS EMPLOYEES A DEFINED BENEFIT PENSION PLAN;

WHEREAS, AT JUNE 30, 2014, THE CITY'S PENSION PLAN WAS 82.88% FUNDED WITH AN UNFUNDED LIABILITY OF \$89.6 MILLION (ASSETS OF \$433.9 MILLION; LIABILITIES OF \$523.5 MILLION);

WHEREAS, UNFUNDED PENSION LIABILITIES AND UNSUSTAINABLE LEGACY COSTS HAVE BEEN A SIGNIFICANT NATIONAL ISSUE FOR MANY YEARS AND IN RESPONSE, RECOGNIZING THAT DEFINED CONTRIBUTION (401-K TYPE) PLANS ARE MORE SUSTAINABLE IN THE LONG TERM, MOST EMPLOYERS HAVE TRANSITIONED AWAY FROM TRADITIONAL DEFINED BENEFIT RETIREMENT PLANS FOR THEIR NEW HIRES;

WHEREAS, NUMEROUS STUDIES HAVE DOCUMENTED THE EVOLUTION AND SUBSTANTIAL SHIFT IN RETIREMENT PLAN STRUCTURES OFFERED BY EMPLOYERS. A BUREAU OF LABOR STATISTICS STUDY INDICATED THAT IN MARCH 2012, THE PROPORTION OF PRIVATE SECTOR WORKERS NATIONALLY PARTICIPATING IN A DEFINED BENEFIT PLAN HAD FALLEN TO 17% (A STUDY BY THE EMPLOYEE BENEFITS RESEARCH INSTITUTE IDENTIFIED THE PERCENTAGE AS 14%). A FEDERAL RESERVE BOARD SURVEY OF HOUSEHOLDS FOUND THAT THE PERCENTAGE OF HOUSEHOLDS COVERED BY A DEFINED BENEFIT PENSION HAD FALLEN TO 31% IN 2010;

WHEREAS, THE STATE OF MICHIGAN AS WELL AS OUR TWO LOCAL PUBLIC UNIVERSITIES – UM AND EMU – OFFER DEFINED CONTRIBUTION RETIREMENT PLANS TO NEW EMPLOYEES;

WHEREAS, BY ADOPTING A DEFINED CONTRIBUTION RETIREMENT STRUCTURE FOR NEW HIRES, THE CITY WOULD BE REDUCING BOTH THE ONGOING COST AND RISK TO TAXPAYERS AND WOULD THEN BE PROVIDING THE SAME TYPE OF BENEFIT TO CITY EMPLOYEES PROVIDED TO MOST ANN ARBOR RESIDENTS AND TAXPAYERS WHO ARE ASKED TO PAY THE COSTS;

WHEREAS, THE NEW DEFINED CONTRIBUTION PLAN STRUCTURE WOULD APPLY ONLY TO NEW HIRES. CURRENT RETIREES AND CURRENT EMPLOYEES WOULD NOT BE AFFECTED AND WOULD REMAIN ON THEIR CURRENT DEFINED BENEFIT PLANS;

WHEREAS, THE SUCCESSFUL CONVERSION BY SO MANY OTHER EMPLOYERS HAS DEMONSTRATED THE ADMINISTRATIVE CHALLENGES CAN BE OVERCOME AND THE STATE OF MICHIGAN HAS PASSED LEGISLATION (PA 329) MAKING IT EASIER FOR LOCAL GOVERNMENT UNITS TO TRANSITION TO A DEFINED CONTRIBUTION PLAN WHEN AN UNFUNDED LIABILITY EXISTS IN THEIR DEFINED BENEFIT PLAN, AND

WHEREAS, THE CITY COUNCIL SHOULD PROVIDE CLEAR DIRECTION TO THE CITY ADMINISTRATOR WITH REGARD TO OVERALL COMPENSATION AND BENEFIT STRATEGIES (PARTICULARLY NOW AS COUNCIL IS ESTABLISHING FINANCIAL PLANS FOR THE NEXT TWO YEARS), AND WHILE THIS TOPIC HAS BEEN DISCUSSED ON OCCASION FOR THREE YEARS, LITTLE PROGRESS HAS BEEN MADE AND NO CLEAR DIRECTION HAS BEEN PROVIDED BY COUNCIL;

RESOLVED, THE CITY COUNCIL DIRECTS THE CITY ADMINISTRATOR TO PREPARE WITHIN EXISTING RESOURCES A REVISED RETIREMENT PLAN DESIGN, IN COLLABORATION WITH COUNCIL'S BUDGET AND LABOR COMMITTEE, FOR NEW HIRES THAT INCLUDES A DEFINED CONTRIBUTION ELEMENT AND RESULTS IN LOWER COSTS TO THE CITY. THIS PLAN DESIGN AS WELL AS IMPLEMENTATION STEPS WILL BE PRESENTED TO COUNCIL BY DECEMBER 31, 2015, WITH THE INTENT THAT THE REVISED PLAN WILL BE APPLIED TO ALL NEW EMPLOYEES HIRED AFTER DECEMBER 31, 2016 UNLESS IN CONFLICT WITH EXISTING BARGAINING UNIT CONTRACTS.

Sponsor: Lumm and Kailasapathy

(The motion withdrawn by the maker.)

Enactment No: R-15-169

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

Amendment 13

REQUEST DDA BUDGET TO ADDRESS FUNDING OF KERRYTOWN STREETLIGHTS

WHEREAS, DDA TIF REVENUE WAS \$4.4 MILLION IN FY14 AND ESTIMATED AT \$5.1 MILLION IN FY15. THE PARKING FUND REVENUE WAS \$19.9 MILLION IN FY14 AND ESTIMATED AT \$21.3 MILLION IN FY15;

WHEREAS, COUNCIL DESIRES THE DDA TO CONTRIBUTE FUNDING FOR THE KERRYTOWN STREETLIGHT REPLACEMENT PROJECT;

WHEREAS, COUNCIL HAS IDENTIFIED THE \$300K AMBASSADOR PROGRAM AS AN AREA WHERE THE EXPENDITURE BUDGET COULD BE REPURPOSED TO MEET THIS FUNDING NEED;

RESOLVED, THE COUNCIL REQUESTS THE DDA IN FY2016 TO SET ASIDE AND RESTRICT \$300K FOR THE KERRYTOWN STREET LIGHTS REPLACEMENT TO OCCUR AT THE APPROPRIATE TIME IN COORDINATION WITH THE CITY'S OTHER KERRYTOWN WORK.

Sponsors: Kailasapathy, Eaton, Anglin, Lumm and Briere

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

Enactment No: R-15-169

The question being the motion made by Councilmember Briere, seconded by Councilmember Kunselman, that the Resolution be approved as amended, on a roll call, the vote was as follows with the Mayor declaring the motion carried unanimously, thus satisfying the 7-vote requirement:

Yeas: 11 - Councilmember Kunselman, Councilmember Anglin, Councilmember Briere, Councilmember Lumm, Councilmember Kailasapathy, Councilmember Warpehoski, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Krapohl and Councilmember Westphal

Nays: 0

Enactment No: R-15-169

COMMUNICATIONS FROM COUNCIL**MAYOR TAYLOR**

Mayor Taylor addressed comments made regarding the City's Deer Management Plan, stating a public input process is needed and any decisions made would be open and transparent. He stated it is his expectation that a Work Session on the subject will be held and the public will be included in that process. He encouraged staff to include folks from both sides of the issue to attend and present at a Work Session. He stated he would like to publicly invite Stephanie Boyles Griffin, senior director of wildlife response, innovations and services for the Humane Society of United States, to speak.

COUNCILMEMBER LUMM

Councilmember Lumm concurred that it is important to have both sides represented in the Deer Management discussion. She suggested Kristen Bissell from MDNR, in addition to Ms. Boyles Griffin.

COUNCILMEMBER BRIERE

Councilmember Briere updated Council about a Community Engagement conference she would be attending in Dayton, Ohio, noting that City funds were not used to pay for the trip.

Councilmember Briere spoke about the Washtenaw ID project. She stated the project allows folks who do not have other forms of ID to apply for a County ID card. Those targeted for the program include the homeless, mentally ill, and undocumented residents.

COUNCILMEMBER WARPEHOSKI

Councilmember Warpehoski spoke about the Lansdowne Bridge project, stating the City did not allow the bridge to fall into disrepair, but the bridge was not able to be repaired or replaced until the surrounding property owners restored their own weirs surrounding the bridge.

Councilmember Warpehoski also spoke about a possible Ann Arbor to Ferguson Work Session or meeting.

COUNCILMEMBER KUNSELMAN

Councilmember Kunselman reminded Council that a delegation from Ann Arbor's Sister City Tübingen would be in attendance at the June 1 Council meeting.

COUNCILMEMBER LUMM

Councilmember suggested having a Work Session to discuss 415 W. Washington and

the Allen Creek Greenway.

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

- F-1 15-0547** Living Wage Increase Effective May 1, 2015
Attachments: LW_Poster_2015-2016
- F-2 15-0558** Communication from Fink & Valvo Attorneys and Counselors regarding First Amendment to McKinley Parking Agreement - File
Attachments: McKinley Parking Agreement First Amendment to McKinley Parking Agreement.pdf
- F-3 15-0559** Communication from the State of Michigan Public Service Commission regarding a Public Hearing for Electric Customers of DTE Electric Company in Case No. U-17761 scheduled for May 12, 2015 - Attorney's Office, Energy
Attachments: DTE Public Hearing Notice U-17761.pdf
- F-4 15-0570** Communication from the State of Michigan Public Service Commission regarding a Public Hearing for DTE Electric Company Customers in Case No. U-17319-R - Systems Planning, City Attorney
Attachments: DTE Public Hearing Notice U-17319-R.pdf
- F-5 15-0603** Letter from Pedestrian Safety and Access Task Force - May 6, 2015
Attachments: PSATF Letter to Mayor & Council
- F-6 15-0611** Resolution from Ann Arbor Energy Commission Supporting Proposed Budget Amendment Funding Community Energy and Climate Programs

- F-7 15-0612** LDFA - Ann Arbor Council Annual Report for Fiscal Year 2014
Attachments: LDFA - AA Council Annual Report FY2014
- F-8 15-0615** June 30, 2015 LDFA Board Appointments
- F-9 15-0622** May 13, 2015 Historic District Commission Resolution regarding 415 W. Washington Budget Recommendation
Attachments: 415 W Washington Approved Resolution 05-13-15
- F-10 15-0642** Communications from Evan Pratt, Chair of the Drainage Board for the Huron River Green Infrastructure Drain, regarding two Public Hearing Notices Scheduled for May 18, 2015 - Systems Planning, Planning and Development Services
Attachments: HRGIDD Public Hearing Notices
- G The following minutes were received for filing:**
- G-1 15-0210** December 16, 2014 City Planning Commission Meeting Minutes
Attachments: 12-16-2014 CPC Minutes with Live Links.pdf
- G-2 15-0320** February 18, 2015 City Planning Commission Meeting Minutes
Attachments: 2-18-2015 CPC Minutes with Live Links.pdf
- G-3 15-0436** City Election Commission Meeting Minutes of February 13, 2015
Attachments: 2015-02-13 Election Commission minutes AS AMENDED
- G-4 15-0450** LDFA Board Meeting Minutes - March 17, 2015
Attachments: LDFA MeetingMinutes as amended 04212015
- G-5 15-0458** Ann Arbor Housing Commission Board Meeting March 18, 2015 Minutes
Attachments: AAHC Board Minutes March 18 2015.pdf
- G-6 15-0496** February 3, 2015 City Planning Commission Meeting Minutes
Attachments: 2-3-2015 CPC Minutes with Live Links.pdf

- G-7 15-0546** Insurance Board Meeting Minutes - April 23, 2015
Attachments: Insurance Board Minutes 042315, Ann Arbor Insurance Board Loss Run - March, 2015.
- G-8 15-0550** Ann Arbor Public Art Commission Meeting Minutes - January 29, 2014
Attachments: AAPAC Jan 2014 Minutes.pdf
- G-9 15-0551** Ann Arbor Public Art Commission Meeting Minutes - January 21, February 25 and April 15, 2015
Attachments: AAPAC Jan 2015 Minutes.pdf, AAPAC Feb 2015 Minutes.pdf, AAPAC April 2015 Minutes.pdf
- G-10 15-0555** Council Rules Committee Meeting Minutes of April 23, 2015
Attachments: Council Rules Committee Minutes 4-23-15.pdf
- G-11 15-0584** Council Administration Committee Meeting Minutes of April 20, 2015
Attachments: Council Admin. Committee Minutes 4-20-15.pdf
- G-12 15-0590** Employees' Retirement System Board Meeting Minutes of January, March, April, May, June, July, August, September, October, November and December 2014
Attachments: Employees Retirement System Minutes 1-16-14.pdf, Employees Retirement System Minutes 3-20-14.pdf, Employees Retirement System Minutes 4-17-14.pdf, Employees Retirement System Minutes 5-15-14.pdf, Employees Retirement System Minutes 6-19-14.pdf, Employees Retirement System Minutes 7-17-14.pdf, Employees Retirement System Minutes 8-21-14.pdf, Employees Retirement System Minutes 9-18-14.pdf, Employees Retirement System Minutes 10-6-14.pdf, Employees Retirement System Minutes 11-20-14.pdf, Employees Retirement System Minutes 12-18-14.pdf

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Ed Vielmetti, Fourth Ward resident, thanked Council for the public debate and discussion regarding the approval of the FY16 budget.

Kai Petainen, City resident, thanked Chief Seto for his many years of service to Ann Arbor.

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).

None.

ADJOURNMENT

A motion was made by Councilmember Krapohl, seconded by Councilmember Warpehoski, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 1:17 a.m.

15-0689

Attachments: Council emails 5-18-2015_Redacted.pdf

Received and Filed

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, MAY 18, 2015 @ 7:00 P.M.

REPLAYS: TUESDAY, MAY 19, 2015 @ 10:00 A.M. AND FRIDAY, MAY 22, 2015 @ 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