

City of Ann Arbor

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



Meeting Minutes

Monday, April 4, 2016

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 3:30 p.m. in Council Chambers.

CALL TO ORDER

Mayor Taylor called the meeting 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 Jane Lumm, Councilmember Sumi Kailasapathy, Councilmember Chuck Warpehoski, Councilmember Jack Eaton, Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Graydon Krapohl, Councilmember Kirk Westphal, Councilmember Zachary Ackerman and Councilmember Chip Smith

Absent: 1 - Councilmember Sabra Briere

APPROVAL OF AGENDA

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

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

AC-1 [16-0502](#) Agenda Response Memo - April 4, 2016

Interim City Administrator Tom Crawford presented his Agenda Response Memo for information of Council.

Received and Filed

INT INTRODUCTIONS

INT-1 [16-0481](#) Proclamation for April 4th, 2016: National Service Recognition Day

Mayor Taylor read a proclamation recognizing April 4, 2016 as National Service Recognition Day. Members of the AmeriCorps and SeniorCorps were present to accept the proclamation. A copy of the proclamation is on file in the City Clerk's Office.

Received and Filed

PUBLIC COMMENTARY - RESERVED TIME (3 MINUTES PER SPEAKER)

*** (SPEAKERS ARE NOT PERMITTED TO GRANT THEIR RESERVED TIME TO AN ALTERNATE SPEAKER)**

*** ACCOMMODATIONS CAN BE MADE FOR PERSONS NEEDING ASSISTANCE WHILE ADDRESSING COUNCIL**

1. Jeff Hayner - Open Discussion with DDA for Modification of the City/DDA Parking Agreement (DC-1)

Jeff Hayner, 1807 Pontiac Trail, expressed concern about the proposed modifications to the City/DDA Parking agreement. He also spoke in opposition to DC-3, the Resolution of Intent on the Use and Administration of the Street, Bridge, and Sidewalk Millage Funds.

2. Kathy Griswold - Construction Contract to P. K. Contracting, Inc. for Pavement Marking Maintenance (CA-12)

Kathy Griswold, 3565 Fox Hunt, spoke about CA-12, a construction contract with P.K. Contracting for Pavement Marking Maintenance, expressing concern about the lack of best practices with pavement marking.

3. Henry Herskovitz - Holocaust Comments

Henry Herskovitz, 404 Mark Hannah, addressed his previous comments regarding the Holocaust and Council Member Ackerman's reaction to his comments.

4. Lefiest Galimore - Youth Employment

Lefiest Galimore, 3139 Plymouth, spoke about the importance of community engagement and the need to empower young people.

5. Nirmala Hanke - Safety in Parks

Nirmala Hanke, 2263 Manchester, spoke about safety concerns in the City parks during the recently concluded deer cull.

6. Sabra Sanzotta - Budget

Sabra Sanzotta, 3087 Glazier Way, spoke about the City's budget and the use of taxpayer funds to appease a special interest group, stating the deer cull was not supported by the community, but only a minority of vocal residents involved in the WC4EB, Washtenaw Citizens For Ecological Balance.

7. David Silkworth - Deer Management Program

David Silkworth, 2048 Charlton, spoke about the special interest group, WC4EB, and Councilmember Lumm's close connection to the group during the City's deer cull discussions.

8. Jennifer Robertson - New City Administrator

Jennifer Robertson, 1310 Glendaloch, spoke about corruption and cronyism.

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER KRAPOHL

Councilmember Krapohl updated Council and the public regarding his medical treatment and health. He thanked everyone for their support and stated he is able to continue to serve the public.

COUNCILMEMBER WARPEHOSKI

Councilmember Warpehoski addressed the recent hate speech that was chalked on the University of Michigan campus. He thanked the community members who came together in support of the Muslim community and promoted peace and inclusiveness.

COUNCILMEMBERS WARPEHOSKI, EATON, KAILASAPATHY, GRAND, WESTPHAL AND MAYOR TAYLOR

Councilmembers addressed public comments regarding Councilmember Lumm's relationship with the pro-deer cull group, WC4EB, stating that constituent outreach and working directly with residents is not unethical or cronyism. Members stated Councilmember Lumm is very responsive to her constituents. Councilmember Westphal encouraged all involved in the conversation to remain respectful of each other and of dissenting opinions.

COUNCILMEMBER GRAND

Councilmember Grand spoke about the Sheriff's youth engagement program and stated she is in touch with staff to make this happen. Councilmember Grand also stated there is a community meeting on June 30 for the Southeast Area. The meeting will take place at Scarlett Middle School.

COUNCILMEMBER ACKERMAN

Councilmember Ackerman reminded the public that there is a public Meet and Greet of the new City Administrator candidates on Thursday, April 14. The Meet and Greet is open to the public and will be held in the Justice Center Lobby from 5:30 to 7:30 p.m. He encouraged all to attend.

COUNCILMEMBER LUMM

Councilmember Lumm thanked her colleagues for their support and kind words.

MC COMMUNICATIONS FROM THE MAYOR

Mayor Taylor provided the following update regarding the City Administrator search:

The Council Administrator Committee is acting as the Search Committee for the new City Administrator. The committee met on March 28 and recommended that the City proceed with interviewing four candidates:

*Thomas Couch, Bulloch County Georgia County Administrator
Paul Featherstone, Ashville North Carolina Assistant City Administrator
Howard Lazarus, Austin Texas Director of Public Works
Christian Sigman, Hamilton County Ohio County Administrator*

A public reception was scheduled for Thursday, April 14, with internal and external interview panels on Friday, April 15 and interviews with City Council on Saturday, April 16.

The Administration Committee will meet on Monday, April 18 to review the interview summaries and to finalize a recommendation to the entire Council. It is expected that the Council Administration Committee will provide a resolution with a recommendation for a new City Administrator at the April 18 City Council meeting.

MC-1 [16-0370](#)**Appointment - Confirmation**

Mayor Taylor requested confirmation of the following appointment that was presented at the March 21, 2016 Regular Session:

Elizabeth Dean Fund

*R. Donald Wortman Filling Vacancy
2029 Delaware Dr.
Ann Arbor, MI 48103
Term: Ending May 31, 2017*

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

MC-2 [16-0478](#)**Nominations & Appointments**

Mayor Taylor recommended the following nominations for approval at a later date:

Ann Arbor Public Art Commission

*Bob Miller Re-appointment
801 W. Liberty St.
Ann Arbor, MI 48103
Term: Ending May 31, 2018*

Cable Communications Commission

*John A. Torgersen -Filling Partial Term
2035 Weldon
Ann Arbor, MI 48103
Term: Ending May 31, 2019*

Design Review Board

Lori Singleton -Filling partial term of Shannan Gibb Randall (resigned)

1139 Pomona Rd.
Ann Arbor, MI 48103
Term: Ending May 31, 2018

Downtown Development Authority

Keith Orr Re-appointment
1710 Fair St.
Ann Arbor, MI 48103
Term: June 1, 2016-May 31, 2020

Energy Commission

Mark Clevey Re-appointment
2917 Brockman Blvd.
Ann Arbor, MI 48104
Term: June 1, 2016-May 31, 2019

Referred to the City Council due back on 4/18/2016

CA CONSENT AGENDA

Passed on consent agenda

A motion was made by Councilmember Warpehoski, seconded by Councilmember Krapohl, that the following Consent Items be approved as presented. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement.

- CA-1** [16-0342](#) Resolution to Approve Street Closings for the 2016 “Taste of Ann Arbor” and “Taste of Ann Arbor Beer Garden” Special Event - Sunday, June 5, 2016
Enactment No: R-16-112
- CA-2** [16-0430](#) Resolution to Approve Street Closing for The Event on Main - Thursday, June 23, 2016
Enactment No: R-16-113
- CA-3** [16-0453](#) Resolution to Approve the Closing of Streets for the 2016 Glacier Highlands Neighborhood Association Annual Memorial Day Parade, Monday, May 30, 2016
Enactment No: R-16-114
- CA-4** [16-0454](#) Resolution to Approve Street Closings for the 2016 Ann Arbor Jaycees Fourth of July Parade - Monday, July 4, 2016
Enactment No: R-16-115
- CA-5** [16-0455](#) Resolution to Approve Street Closings for the 2016 Rolling Sculpture Car Show - Friday, July 8, 2016

Enactment No: R-16-116

- CA-6** [16-0366](#) Resolution to Accept an Easement for Sanitary Sewer at 2225 Traverwood Drive from Traverwood Apartments, LLC (**8 Votes Required**)

Enactment No: R-16-117

- CA-7** [16-0367](#) Resolution to Accept a Water Main Easement at 2225 Traverwood Drive from Traverwood Apartments, LLC (**8 Votes Required**)

Enactment No: R-16-118

- CA-8** [16-0431](#) Resolution to Accept an Easement for Sanitary Sewer at 2575 S. State Street from Car Ger Mi Ann Arb LLC (**8 Votes Required**)

Enactment No: R-16-119

- CA-9** [16-0262](#) Resolution to Authorize Professional Services Agreements with Stantec Consulting Michigan, Inc. (\$200,000.00); Alfred Benesch and Company (\$175,000.00); Perimeter Engineering, LLC, (\$150,000.00); and OHM Advisors, Inc. (\$175,000.00) for General Construction Inspection Services

Enactment No: R-16-120

- CA-1** [16-0280](#)
0 Resolution to Award a Construction Contract to Doan Construction Company (Bid No. 4417) for the 2016 Ramp & Sidewalk Repair Project (\$1,648,829.00)

Enactment No: R-16-121

- CA-1** [16-0283](#)
1 Resolution to Award the Contract for the 2016 Sidewalk Cutting to Sidewalks Plus USA (ITB No. 4418, \$197,940.00)

Enactment No: R-16-122

- CA-1** [16-0303](#)
2 Resolution to Award a Construction Contract to P.K. Contracting, Inc. for Pavement Marking Maintenance (\$243,077.25; Bid No. ITB No. 4420)

Enactment No: R-16-123

- CA-1** [16-0306](#)
3 Resolution to Award a Continuing Service Contract with E.T. MacKenzie Company for On-Call Construction Services in the Amount of \$250,000.00 per Year for a Period of Three Years (\$750,000.00; RFP No. #954)

Enactment No: R-16-124

- CA-1** [16-0316](#)
4 Resolution to Approve the Purchase of Utilities Materials from Michigan Meter Technology Group, Inc. (\$189,480.00; Bid No. ITB-4415)

Enactment No: R-16-125

- CA-1** [16-0317](#) Resolution to Approve the Purchase of Utility Materials from HD Supply
5 Waterworks (\$354,764.44; Bid No. ITB-4415)

Enactment No: R-16-126

- CA-1** [16-0325](#) Resolution to Award a Purchase Order for the Steere Farm Well Pump
6 #741 Replacement to Layne Christensen Company (\$21,111.00)

Enactment No: R-16-127

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

None.

A APPROVAL OF COUNCIL MINUTES

- A-1** [16-0458](#) Regular Session Minutes of March 21, 2016

A motion was made by Councilmember Smith, seconded by Councilmember Krapohl, that the Minutes of the Regular Session of March 21, 2016 be approved. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

None.

C ORDINANCES - FIRST READING

None.

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

- DC-1** [16-0475](#) Resolution to Direct the City Administrator to Open Discussions with the
Downtown Development Authority for Modification of the City/DDA
Parking Agreement

A motion was made by Councilmember Grand, seconded by Councilmember Smith, that the Resolution be approved. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 9 - Councilmember Lumm, Councilmember Kailasapathy, Councilmember Warpehoski, Mayor Taylor, Councilmember Grand, Councilmember Krapohl, Councilmember Westphal, Councilmember Ackerman and Councilmember Smith

Nays: 1 - Councilmember Eaton

Absent: 1 - Councilmember Briere

Enactment No: R-16-128

DC-2 [16-0485](#)

Resolution to Order Election and to Determine Ballot Question for Charter Amendment for the 2017 Street, Bridge, and Sidewalk Millage (**7 Votes Required**)

A motion was made by Councilmember Smith, seconded by Councilmember Ackerman, that the Resolution be approved.

Enactment No: R-16-129

[16-0485](#)

Resolution to Order Election and to Determine Ballot Question for Charter Amendment for the 2017 Street, Bridge, and Sidewalk Millage (**7 Votes Required**)

The following amendments were offered by Councilmember Smith, and supported by Councilmember Westphal, and were considered friendly by the body:

Add new Resolved Clause:

RESOLVED, That a special election be held on August 2, 2016;

Amend:

RESOLVED, That August 2, 2016 is designated as the day for holding a SPECIAL election on the proposed Charter amendment;

Amend Ballot Question:

Shall the Charter be amended to authorize a NEW tax up to 2.125 mills for street and bridge repair and for sidewalk repair and construction for 2017 through 2021 to replace the previously authorized tax up to 2.125 mills for street and bridge reconstruction and resurfacing and for sidewalk repair for 2012 through 2016, which will raise in the first year of levy the estimated revenue of \$11,249,000?

ALL CAPS indicate new language.

The question being, a motion made by Councilmember Smith, seconded by Councilmember Ackerman, that the Resolution be approved as amended, on a roll call, the vote was as follows with the Mayor declaring the motion carried and satisfying the seven-vote requirement:

Yeas: 7 - Councilmember Warpehoski, Mayor Taylor, Councilmember Grand, Councilmember Krapohl, Councilmember Westphal, Councilmember Ackerman and Councilmember Smith

Nays: 3 - Councilmember Lumm, Councilmember Kailasapathy and Councilmember Eaton

Absent: 1 - Councilmember Briere

Enactment No: R-16-129

DC-3 [16-0486](#)

Resolution of Intent on the Use and Administration of the Street, Bridge, and Sidewalk Millage Funds

A motion was made by Councilmember Smith, seconded by Councilmember Krapohl, that the Resolution be approved. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 7 - Councilmember Warpehoski, Mayor Taylor, Councilmember Grand, Councilmember Krapohl, Councilmember Westphal, Councilmember Ackerman and Councilmember Smith

Nays: 3 - Councilmember Lumm, Councilmember Kailasapathy and Councilmember Eaton

Absent: 1 - Councilmember Briere

Enactment No: R-16-130

DC-4 [16-0495](#)

Resolution to Order Election and to Determine Ballot Question for Charter Amendment for the 2017 Street and Bridge Resurfacing and Reconstruction and Sidewalk Repair Millage **(7 Votes Required)**

The motion made by Councilmember Lumm, seconded by Councilmember Eaton, that the Resolution be approved, was withdrawn.

Withdrawn

DC-5 [16-0496](#)

Resolution of Intent on the Use and Administration of the Street, Bridge, and Sidewalk Millage Funds

The motion made by Councilmember Eaton, seconded by Councilmember Lumm, that the Resolution be approved, was withdrawn.

Withdrawn

DB New Business - Boards and Commissions:

None.

DS New Business - Staff:

None.

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER WARPEHOSKI

Councilmember Warpehoski updated Council on the Sheriff's Youth Community Engagement program and noted that Brown Chapel AME Church in Ypsilanti has played a major role in the initiative.

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 Warpehoski, that the Clerk's Report of Communications, Petitions and Referrals be approved as presented. On a voice vote, the Mayor declared the motion carried.

- F-1** [16-0304](#) Resolution in Favor of a 20-Year License Renewal for Fermi 2
- F-2** [16-0305](#) Resolution to Support the Carbon Fee and Dividend Plan Proposed by the Citizens' Climate Lobby
- F-3** [16-0447](#) AAATA February 2016 Month End Reports
- F-4** [16-0459](#) Downtown Street Design Manual and Standard Details
- F-5** [16-0465](#) Communication from Ann Arbor Township Board of Trustees regarding a Resolution Supporting a Petition to USEPA for the Gelman Sciences, Inc. Site to be Designated as USEPA Superfund Site
- F-6** [16-0466](#) Communication from Washtenaw County Board of Canvassers regarding Canvass of Votes Cast at the March 8, 2016 Presidential Primary Election - File
- F-7** [16-0500](#) Communication from the University of Michigan Nursing Staff 6A regarding the Installation of a Pedestrian Bridge on Fuller Road
- F-8** [16-0503](#) Communication from Dave Askins regarding Councilmember Job Description

G The following minutes were received for filing:

- G-1** [16-0361](#) Ann Arbor Commission on Disability Issues, January 20, 2016, Meeting Minutes
- G-2** [16-0364](#) Human Rights Commission, February 10, 2016, Meeting Minutes
- G-3** [16-0389](#) Park Advisory Commission Meeting Minutes for January 26, 2016
- G-4** [16-0406](#) Ann Arbor Housing Commission Board Meeting Minutes of January 20,

2016

- G-5** [16-0426](#) City of Ann Arbor Employees' Retirement System Meeting Minutes of February 18, 2016
- G-6** [16-0427](#) Retiree Health Care Benefit Plan & Trust Meeting Minutes of February 18, 2016
- G-7** [16-0449](#) Ann Arbor Public Art Commission Meeting Minutes - February 17, 2016
- G-8** [16-0451](#) AAATA Board Meeting Minutes of February 18, 2016
- G-9** [16-0467](#) Council Administration Committee Meeting Minutes of March 10, March 21 and March 28, 2016

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Kathy Griswold, 3565 Fox Hunt, thanked Council for the discussion regarding pedestrian safety. She urged Council to prioritize pedestrian safety and not to only use millage money for the effort.

Lorraine Shapiro, 2nd Ward, addressed Councilmember Lumm's communications with those supporting the deer cull and questioned her ethics.

Lisa Abrams, 3rd Ward, spoke in opposition to the City's recent deer cull.

David Silkworth, 5th Ward, spoke about ethics and stated sharing emails prior to a public debate is unethical.

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 Ackerman, seconded by Councilmember Westphal, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 9:11 p.m.

[16-0514](#) Council Emails and Redaction List of April 4, 2016

Received and Filed

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, APRIL 4, 2016 @ 7:00 P.M.

REPLAYS: TUESDAY APRIL 5, 2016 @ 10:00 A.M. AND FRIDAY APRIL 8, 2016 @ 7:30 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

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

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

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

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

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

Requests made with less than two business days notice may not be able to be accommodated.

A hard copy of this Council packet can be viewed at the front counter of the City Clerk's Office.

**Jacqueline Beaudry
Clerk of the Council**

**Anissa R. Bowden
Recording Secretary**