

City of Ann Arbor

301 E. Huron St.

Ann Arbor, MI 48104

<http://a2gov.legistar.com/Calendar.aspx>



Meeting Minutes

Monday, March 5, 2018

7:00 PM

**Larcom City Hall, 301 E Huron St, Second floor, City Council
Chambers**

City Council

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: 11 - 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, Councilmember Chip Smith and Councilmember Anne Bannister

APPROVAL OF AGENDA

A motion was made by Councilmember Ackerman, 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 Howard Lazarus submitted the following reports for information of Council:

AC-1 [18-0421](#) Agenda Responses and eComments - March 5, 2018

City Administrator Howard Lazarus submitted his Agenda Response Memo for information of Council.

Received and Filed

AC-2 [18-0422](#) City Administrator's Report - March 5, 2018

City Administrator Howard S. Lazarus submitted his Administrator's Report for information of Council.

Received and Filed

INT INTRODUCTIONS

None.

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. Blaine Coleman - Boycott Israel

Blaine Coleman, P.O. Box 7038, urged Council to boycott Israel and he asked for City Council to hold a public hearing on the resolution from the Human Rights Commission.

2. Mozhgan Savabieasfahani - Boycott Israel

Mozhgan Savabieasfahani, P.O. Box 7038, urged City Council to boycott Israel.

3. Kermit Schlansker - New Construction

Kermit Schlansker, 2960 Marshall Street, spoke about new construction and its impact on global warming.

4. Glenn Nelson - Revenue from the Mental Health Services and Public Safety Millage

Glenn Nelson, 1323 S. Forest Ave., spoke about the City's proposed use of the refund that will be given to the City from the County Mental Health and Public Safety Millage. He urged Council to use the money to support mental health services and improve service in this area, not on other Council priorities.

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER LUMM

Councilmember Lumm spoke about her Agenda Questions and stated several questions were not answered. She stated she would like a follow-up regarding the AAPD contract language regarding vehicle replacement and whether the provision could be easily renegotiated.

She also asked for a follow-up regarding Toll Brothers and whether the development agreement addressed any cost sharing for infrastructure improvements, including the Nixon corridor.

Councilmember Lumm also addressed the City Administrator's report and several City grant applications, particularly for sidewalk improvements on Fuller Road near Huron High School. She asked for more information on this project, especially if there are any plans to move the crosswalk location.

COUNCILMEMBER ACKERMAN

Councilmember Ackerman stated a community meeting would be held on Thursday, March 22 from 5-7pm at the Senior Center to discuss the upcoming DTE substation projects. DTE will be available to discuss all aspects of the project, including impacts to neighbors.

COUNCILMEMBER SMITH

Councilmember Smith spoke about the Environmental Commission Work Session held on February 22, regarding the Solid Waste Fund fund balance and the 5-year Solid Waste plan. Councilmember Smith stated the Commission is expecting an update from the consultant regarding the future of the MRF.

COUNCILMEMBER GRAND

Councilmember Grand thanked Mayor Taylor and Superintendent Jeanice Swift for their advocacy and urged the public to continue to support the AAPS and their students on the upcoming scheduled walk-out in support of gun regulations.

Councilmember Grand also reported that the Greenbelt Commission is seeking two new members, a real estate professional and a biologist. Councilmember Grand urged residents who meet these qualifications to

apply.

MC COMMUNICATIONS FROM THE MAYOR

MC-1 [18-0326](#) Nominations and Appointments

APPOINTMENTS APPROVED

Mayor Taylor requested confirmation of the following appointment that was presented to City Council at the February 20, 2018 Regular Session:

Ann Arbor Housing Commission

Thierry Batalonga -Filling remainder of Gwyneth Hayes (Resigned)

Resident position

2370 E. Stadium Blvd.

Ann Arbor, MI 48104

Term: Ending May 4, 2020

A motion was made by Councilmember Grand, seconded by Councilmember Lumm, that Council concur with the recommendations of the Mayor. On a voice vote, the Mayor declared the motion carried.

CA CONSENT AGENDA

Passed on consent agenda

A motion was made by Councilmember Smith, seconded by Councilmember Krapohl, that the following Consent Agenda Items be approved as presented. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirements of CA-8, CA-9, and CA-15.

CA-1 18-0259 Enactment No: R-18-071 Approved

Resolution to Approve Street Closing for the 6th Annual Ann Arbor Cinco de Mayo Party on Saturday, May 5 to Sunday, May 6, 2018

CA-2 18-0344 Enactment No: R-18-072 Approved

Resolution to Approve Street Closings for the 10th Annual Box Car Race/Soap Box Derby - Sunday, April 8, 2018

CA-3 18-0345 Enactment No: R-18-073 Approved

Resolution to Approve the Closing of Streets for the 2018 Glacier Highlands Neighborhood Association Annual Memorial Day Parade, Monday, May 28, 2018

CA-4 18-0346 Enactment No: R-18-074 Approved

Resolution to Approve Street Closings for the Burns Park Run - Sunday, May 6, 2018 from 7:00 AM until 11:00 AM

CA-5 18-0347 Enactment No: R-18-075 Approved

Resolution to Approve Street Closing for the ALLIANCE (National Training Institute) Opening Ceremony Dinner - Sunday, July 29 to Monday, July 30, 2018

CA-6 18-0348 Enactment No: R-18-076 Approved

Resolution to Approve Street Closing for the NTI Block Party - Wednesday, August 1 from 12:00 Noon to Midnight on Thursday, August 2, 2018

CA-7 18-0349 Enactment No: R-18-077 Approved

Resolution to Approve the Closing of Monroe Street for the Monroe Street Fair, Saturday, April 7, 2018

CA-8 18-0305 Enactment No: R-18-078 Approved

Resolution to Accept a Water Main Easement at 505 Riverview Drive from Daniel Leung and Joy Tien Leung as Trustees of the Daniel Leung and Joy Tien Leung Living Trust dated March 3, 2016 **(8 Votes Required)**

CA-9 18-0329 Enactment No: R-18-079 Approved

Resolution to Accept a Solid Waste Easement at 410 First Condominiums from 410 First Street, L.L.C. and 410 First Condominium Association **(8 Votes Required)**

CA-10 18-0354 Enactment No: R-18-080 Approved

Resolution to Temporarily Relocate Precincts 1-1, 1-4, 1-12 and 4-1 for the May 8 Special Election due to Construction Projects at the Michigan Union and Ann Arbor Community Center

CA-11 18-0356 Enactment No: R-18-081 Approved

Resolution to Temporarily Relocate Precincts 1-1, 1-12 and 4-1 for the August 7 and November 6, 2018 Elections due to Construction at the Michigan Union

CA-12 18-0160 Enactment No: R-18-082 Approved

Resolution to Approve an Agreement with Washtenaw County on Behalf of its Sheriff's Office to Provide Drug Abuse Screening Services to Sobriety Court, Veterans Treatment Court, and Mental Health Court Participants (\$37,985.00)

CA-13 18-0161 Enactment No: R-18-083 Approved

Resolution to Approve an Agreement with Dawn, Inc., d/b/a Dawn Farm, to Provide Drug Abuse Counseling and Rehabilitative Services to Sobriety Court, Veterans Treatment Court, and Mental Health Court Participants (\$171,570.00)

CA-14 18-0218 Enactment No: R-18-084 Approved

Resolution to Approve a Service Agreement with Home of New Vision to Provide Mental Health and Substance Abuse Treatment Services to Mental Health Court Defendants (\$27,405.00)

CA-15 18-0205 Enactment No: R-18-085 Approved

Resolution to Approve a Contract with Yellowfin BI North America, Inc. for a Business Intelligence (Big Data)/Data Visualization Platform for FY18 - FY23 (\$257,100.00) **(8 Votes Required)**

CA-16 18-0163 Enactment No: R-18-086 Approved

Resolution to Authorize a Professional Services Agreement with Hubbell, Roth and Clark, Inc. for Engineering Services for Guardrail Evaluation and Design - Task 2 - RFP No. 978 (\$39,178.50)

CA-17 18-0171 Enactment No: R-18-087 Approved

Resolution to Approve a Professional Services Agreement for Construction Materials Testing with Testing Engineers and Consultants, Inc. for the North Fifth Avenue Reconstruction Project (RFP No. 960; \$56,536.00)

CA-18 **18-0204** **Enactment No:** **R-18-088** **Approved**

Resolution to Award Purchase Order to Amtrak for the Engineering Review of the Barton Raw Water Intake and Pump Station Improvements Project (\$20,328.00)

CA-19 **18-0255** **Enactment No:** **R-18-089** **Approved**

Resolution to Approve Amendment No. 1 to the Services Agreement with Utilities Instrumentation Service for Electrical and Instrumentation Services (\$75,000.00)

CA-20 **18-0355** **Enactment No:** **R-18-090** **Approved**

Resolution to Approve the Purchase of a Vehicle from Berger Chevrolet (Oakland County Bid - \$30,854.00)

PH **PUBLIC HEARINGS (3 MINUTES PER SPEAKER)**

PH-1 [18-0189](#) An Ordinance to Amend Section 9:61, 9:62 and 9:68 of Chapter 108, Disorderly Conduct, of Title IX of the Code of the City of Ann Arbor (Ordinance No. ORD-18-03)

A public hearing was conducted on the proposed amendment to Section 9:61, 9:62 and 9:68 of Chapter 108, Disorderly Conduct, of Title IX of the Code of the City of Ann Arbor. Notice of public hearing was published February 26, 2018.

Ed Vielmetti, resident, asked Council to amend the ordinance to include gender-neutral pronouns.

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

Held and Closed

PH-2 [18-0232](#) An Ordinance to Amend Sections 10:69, 10:70, 10:71, 10:72, 10:73 and 10:75 of Chapter 126, Traffic, of Title X of the Code of the City of Ann Arbor (Ordinance No. ORD-18-04)

A public hearing was conducted on the proposed amendment to Sections 10:69, 10:70, 10:71, 10:72, 10:73 and 10:75 of Chapter 126, Traffic, of Title X of the Code of the City of Ann Arbor. Notice of public hearing was published February 26, 2018.

There being no one present for comment, the Mayor declared the

hearing closed.

Held and Closed

A APPROVAL OF COUNCIL MINUTES

- A-1** [18-0389](#) Work Session of January 22 and Regular Session Meeting Minutes of February 20, 2018

A motion was made by Councilmember Ackerman, seconded by Councilmember Lumm, that the Work Session Minutes of January 22, 2018 and the Regular Session Meeting Minutes of February 20, 2018 be approved as presented. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

- B-1** [18-0189](#) An Ordinance to Amend Section 9:61, 9:62 and 9:68 of Chapter 108, Disorderly Conduct, of Title IX of the Code of the City of Ann Arbor (Ordinance No. ORD-18-03)

(The complete copy of the text of Ordinance No. ORD-18-03 is on file in the City Clerk's Office.)

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

- B-2** [18-0232](#) An Ordinance to Amend Sections 10:69, 10:70, 10:71, 10:72, 10:73 and 10:75 of Chapter 126, Traffic, of Title X of the Code of the City of Ann Arbor (Ordinance No. ORD-18-04)

(The complete copy of the text of Ordinance No. ORD-18-04 is on file in the City Clerk's Office.)

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

C ORDINANCES - FIRST READING

C New Business - Staff:

- C-1** **18-0182** An Ordinance to Amend Chapter 55 (Zoning), Zoning of 10.44 Acres from TWP (Township District) to PL (Public Land), 1200 and 1400 Chalmers Drive (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-18-05)

(The complete copy of the text of Ordinance No. ORD18-05 is on file in the City Clerk's Office.)

A motion was made by Councilmember Lumm, seconded by Councilmember Westphal, that the Ordinance be approved on First Reading to the City Council and should be returned by 4/2/2018. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-18-05

D MOTIONS AND RESOLUTIONS

DC Unfinished Business - Council:

- DC-1 18-0328 Enactment No: R-18-091 Approved**

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

Resolution to Appoint Mohamed Al-Azem to the Human Rights Commission
(7 Votes Required)

DC New Business - Council:

- DC-2 18-0267 Enactment No: R-18-092 Approved**

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

Resolution to Accept Conveyance of Land for Public Park at North Oaks Condominium (Nixon Farms North) from Toll MI VI Limited Partnership **(8 Votes Required)**

DB New Business - Boards and Commissions:

None.

DS **New Business - Staff:**
 None.

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 Smith, 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 [18-0256](#) Living Wage Increase Effective April 30, 2018
- F-2 [18-0334](#) Public Notice Regarding DDA Parking Rate Increases
- F-3 [18-0353](#) Communication from the Ann Arbor Downtown Authority - Public Notice Regarding Parking Rate Increases
- F-4 [18-0358](#) Communications from Barton Hills Village Zoning Board of Appeals and the Solar Panel Permit Review regarding Public Hearing Notices Scheduled for March 12, 2018
- F-5 [18-0032](#) Notice of Upcoming Expiration Dates for the Terms of Office for Members of Councilmember Nominated Commissions during 2018
- F-6 [18-0394](#) Scio Township Zoning Board of Appeals Public Hearing Notice regarding property code #H-08-13-103-007, Scheduled for March 15, 2018 - Planning and Development Services

G **The following minutes were received for filing:**

- G-1** [17-1681](#) Ann Arbor Energy Commission Meeting Minutes of the September 12, 2017
- G-2** [17-1905](#) Land Acquisition Committee Meeting Minutes September 19, 2017
- G-3** [17-2121](#) Public Market Advisory Commission Meeting Minutes of November 16, 2017
- G-4** [18-0023](#) December 13, 2017 ZBA Minutes with Live Links
- G-5** [18-0148](#) Park Advisory Commission Meeting Minutes of the December 19, 2017
- G-6** [18-0195](#) Council Liquor License Review Committee Meeting Minutes of January 12, 2018
- G-7** [18-0265](#) Downtown Development Authority Board and Executive, Partnerships, Finance, Operations and Capital Improvements Committees Meeting Minutes from January 2018
- G-8** [18-0266](#) Downtown Area Citizens Advisory Council Meeting Minutes for February 6 2018
- G-9** [18-0274](#) HBA MINUTES OCTOBER 10, 2017
- G-10** [18-0307](#) Public Market Advisory Commission Meeting Minutes of December 21, 2017
- G-11** [18-0330](#) Employees' Retirement System Board Meeting Minutes of December 21, 2017
- G-12** [18-0331](#) Employees' Retirement System Board Meeting Minutes of January 18, 2018
- G-13** [18-0332](#) Retiree Health Care Benefit Plan & Trust Board Meeting Minutes of December 21, 2017

- G-14** [18-0333](#) Retiree Health Care Benefit Plan & Trust Board Meeting Minutes of January 18, 2018
- G-15** [18-0042](#) Audit Committee Meeting Minutes - December 15, 2017

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

None.

COMMUNICATIONS FROM COUNCIL

None.

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 Lumm, seconded by Councilmember Grand, that meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 7:36 p.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, MARCH 5, 2018 @ 7:00 P.M.

REPLAYS: WEDNESDAY, MARCH 7, 2018 @ 8:00 A.M. AND FRIDAY, MARCH 9, 2018 @ 8:00 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

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Cable: Comcast Cable channel 16 or AT&T UVerse Channel 99

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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.

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