City of Ann Arbor

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



Meeting Minutes

Thursday, August 9, 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 7:01 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

Councilmembers Ackerman and Warpehoski arrived at 7:05 p.m.

Present: 10 - Councilmember Jane Lumm, Councilmember Sumi

Kailasapathy, Councilmember Chuck Warpehoski, Councilmember Jack Eaton, Mayor Christopher Taylor,

Councilmember Julie Grand, Councilmember Kirk Westphal, Councilmember Zachary Ackerman,

Councilmember Chip Smith and Councilmember Anne

Bannister

Absent: 1 - Councilmember Graydon Krapohl

APPROVAL OF AGENDA

A motion was made by Councilmember Lumm, 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

Acting City Administrator Craig Hupy presented the following reports for information of Council:

AC-1 <u>18-1356</u> Memorandum from City Administrator - City Initiated Township Island Annexations Update - August 2, 2018

Received and Filed

AC-2 18-1377 Memorandum from City Administrator - Street Tree Care - August 9, 2018

Received and Filed

AC-3 18-1381 City Administrator's Report - August 9, 2018

Received and Filed

AC-4 18-1383 Agenda Response Memo and eComments - August 9, 2018

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. Gay MacGregor Huron Street/Ashley Street Proposed Resolutions (CA-25 & CA-26)

Gay MacGregor, 111 N. Ashley, spoke in support of two-way traffic on First and Ashley Streets.

2. Andy Burkhardt - People Friendly Streets (CA-25 & CA-26)

Andy Burkhardt, 633 Barber, spoke in support of CA-25 and CA-26, people-friendly streets, and especially for protected bike lanes, stating bicyclists use the streets to dodge potholes in the bike lanes.

3. Craig Stephan - First and Ashley Project (CA-25 & CA-26)

Craig Stephan, 2752 Holyoke, expressed concern about adding protected bike lanes, due to the condition of the City's streets and bike lanes.

4. Dilip Das - DDA Bike Infrastructure

Dilip Das, 1217 Lutz, thanked Councilmember Warpehoski for his service and stated safer non-motorized routes to downtown are needed.

5. Adam Goodman - People Friendly Streets (CA-25 & CA-26)

Adam Goodman, 400 Virginia, spoke in support of protected bike lanes.

6. Ray Detter - People Friendly Streets (CA-25 & CA-26)

Ray Detter, 120 N. Division, spoke in support of People Friendly Streets.

7. Steven Kronenberg - Bike Infrastructure

Steven Kronenberg, 910 Pine Tree, spoke in support of improved bike infrastructure.

8. Kathleen Stroud - Roundabouts on Nixon

Kathleen Stroud, 2271 Placid Way, urged the City Administrator not to approve the proposal to add seven new roundabouts to Nixon Road.

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER WARPEHOSKI

Councilmember Warpehoski stated he would not be present at the next City Council meeting on Thursday, August 23.

COUNCILMEMBER KAILASAPATHY

Councilmember Kailasapathy provided an update regarding the Ann Arbor Community Center. She stated the property has been sold by the Community Center, despite having originally received the property in 1957 for \$1.00. She stated the County Clerk is looking into whether any deed restrictions remain on the property.

MC COMMUNICATIONS FROM THE MAYOR

MC-1 <u>18-1153</u> Appointments - Confirmations

Mayor Taylor requested confirmation of the following appointment that was presented to Council for consideration at the July 16, 2018 Regular Session:

Downtown Development Authority

Tyler Kinley-Resident of the DDA District Real Estate Management & Development 201 S. 1st St. Ann Arbor, MI 48104

Term: Ending May 31, 2022

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

MC-2 <u>18-1357</u> Nominations and Appointments

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

Ann Arbor Area Transportation Authority Board

Eric Mahler -Reappointment 3267 Turnberry Ann Arbor, MI 48108 Term: Ending May 1, 2023

Building Board of Appeals

Paul Darling -Reappointment Architect 1430 Hatcher Crescent Ann Arbor, MI 48103 Term: Ending May 31, 2020

Transportation Commission

Molly Kleinman -Filling remaining term of Melissa Stults (resigned) 1447 Harpst St. Ann Arbor, MI 48104 Term: Ending May 31, 2020

Referred to the City Council due back on 8/23/2018

CA CONSENT AGENDA

CONSENT AGENDA ITEMS REMOVED

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

CA-25 Resolution to Approve Restoration of Two-way Traffic on First and Ashley Streets

CA-26 Resolution to Support Huron Street Transportation Improvements

Passed on consent agenda

A motion was made by Councilmember Grand, seconded by Councilmember Lumm, that the following Consent Agenda Items be approved as presented. On a voice vote, the Mayor declared the motion carried, thus satisfying the eight-vote requirement of CA-1, CA-2, CA-3, CA-4, CA-5, and the seven-vote requirement of CA-11.

CA-1 18-1163 Enactment No: R-18-297 Approved

Resolution to Accept an Easement for Sidewalk at 615 S. Main Street from CCSHP Ann Arbor I, LLC (8 Votes Required)

CA-2 18-1195 Enactment No: R-18-298 Approved

Resolution to Accept a Water Main Easement at 2555 South State Street from The Public Schools of the City of Ann Arbor (8 Votes Required)

CA-3 18-1196 Enactment No: R-18-299 Approved

Resolution to Accept a Water Main Easement at Burns Park Elementary School from The Public Schools of the City of Ann Arbor (8 Votes Required)

CA-4 18-1197 Enactment No: R-18-300 Approved

Resolution to Accept a Water Main Easement at Mitchell Elementary School from The Public Schools of the City of Ann Arbor (8 Votes Required)

CA-5 18-1199 Enactment No: R-18-301 Approved

Resolution to Accept an Amendment to a Public Utilities System Easement at Forsythe Middle School and Wines Elementary School from The Public Schools of the City of Ann Arbor (8 Votes Required)

CA-6 18-1283 Enactment No: R-18-302 Approved

Resolution to Recommend Approval of Issuance of a Downtown Development District Liquor License to La Taqueria Ann Arbor, LLC

CA-7 18-1284 Enactment No: R-18-303 Approved

Resolution to Approve a Request from Townies Brewery LLC for a New Micro-Brewer and Small Wine-Maker to be Located at 2350 W. Liberty Street

CA-8 18-1318 Enactment No: R-18-304 Approved

Resolution to Approve Street Closings for the "Dancing in the Streets" Special Event - September 2, 2018

CA-9 18-1319 Enactment No: R-18-305 Approved

Resolution to Approve Street Closure of Washington Street between State and Fletcher for the University of Michigan Center for Campus Involvement's Festifall Event on Friday, September 7, 2018 from 5:00 AM until 11:00 PM with a Rain Date of Tuesday, September 11, 2018

CA-10 18-1321 Enactment No: R-18-306 Approved

Resolution to Approve Street Closing of Liberty between State and Maynard for Literature vs Traffic from 7:00 AM on Tuesday, October 23, 2018 until 4:00 AM on Wednesday, October 24, 2018 with a Rain Date of October 30-31, 2018

CA-11 18-1160 Enactment No: R-18-307 Approved

Resolution to Order Election, Determine Ballot Question for Charter Amendment for Approval of the Park Maintenance and Capital Improvements Millage for 2019 through 2024, and Reaffirm the Park Maintenance and Capital Improvements Administrative Millage Policy (7 Votes Required)

CA-12 18-0919 Enactment No: R-18-308 Approved

Resolution to Approve a Three Year Agreement with Cogsdale Corporation for Annual Software Maintenance and Support for FY2019 - FY2021 (\$320,172.54)

CA-13 18-1175 **Enactment No:** R-18-309 **Approved** Resolution to Approve a Fiber and Conduit Use Agreement with Merit Network, Inc. 18-1214 **CA-14 Enactment No:** R-18-310 **Approved** Resolution to Approve June 28, 2018 Recommendations of the Board of Insurance Administration **CA-15** 18-0927 **Enactment No:** R-18-311 **Approved** Resolution to Approve the Purchase of Polymer from BASF Corporation for the Wastewater Treatment Plant, Bid No. ITB-4539 (\$193,070.00 estimated) **CA-16** 18-1150 **Enactment No:** R-18-312 **Approved** Resolution to Approve Purchase of Clarifloc C-308P for Water Treatment from SNF Polydyne Inc; Bid No.4536 (estimated \$33,480.00) **CA-17** 18-1025 **Enactment No:** R-18-313 **Approved** Resolution to Approve the Purchase of Janitorial Supplies from Lansing Sanitary Supply (MiDeal; Not To Exceed \$60,000.00) **CA-18** 18-1132 **Enactment No:** R-18-314 Approved Resolution to Approve the Purchase of an Automated Side Loading Refuse Truck from Fredrickson Supply, LLC. (Sourcewell - \$334,642.24) **CA-19** 18-1161 **Enactment No:** R-18-315 **Approved** Resolution to Approve the Sale of Surplus Fire Equipment CA-20 18-1164 **Enactment No:** R-18-316 Approved Resolution to Approve a Two-Year Contract with Boone & Darr Inc. for On-Call Mechanical Services (Not to Exceed \$180,000.00) (RFP #18-25) **CA-21** 18-1194 **Enactment No:** R-18-317 **Approved**

Parts with Related Equipment, Accessories, and Services from NAPA Auto Parts (Sourcewell; Not To Exceed \$60,000.00)

Resolution to Approve the Purchase of Automotive and Truck Replacement

CA-22 18-1122 Enactment No: R-18-318

Approved

Resolution to Authorize a Sole-Source Purchase Order to Carrier & Gable, Inc. for Traffic Signal Materials and Supplies (\$627,000.00)

CA-23 18-1133 Enactment No: R-18-319

Approved

Resolution to Approve an Michigan Natural Resources Trust Fund Grant Agreement for the Allen Creek Railroad Berm Opening Project and Accept and Appropriate up to \$300,000.00 in Grant Funds (8 Votes Required)

CA-24 18-1146 Enactment No: R-18-320

Approved

Resolution to Award a Construction Contract IPR Great Lakes, LLC (\$1,399,976.50, Bid No. ITB-4540) for the 2018 Sanitary Sewer Lining Project

CA-25 18-1200 Enactment No: R-18-321

Approved

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

Resolution to Approve Restoration of Two-way Traffic on First and Ashley Streets

CA-26 18-1201 Enactment No:

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

Resolution to Support Huron Street Transportation Improvements

18-1201 Enactment No:

Amended

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

Add the following Whereas and RESOLVED Clause:

Whereas, the Jackson/Huron corridor lacks an adequate density of safe pedestrian crossings outside of the project area,

RESOLVED, That City Council requests that MDOT explore improved pedestrian safety infrastructure throughout the

Jackson/Huron Corridor, including HAWK, RRFB, or other pedestrian-activated signals in the vicinity of Veterans Memorial Park, Arbana, and at Rackham Auditorium.

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

Resolution to Support Huron Street Transportation Improvements

18-1201 Enactment No: R-18-322 Approved as Amended

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

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

Councilmember Bannister

Nays: 1 - Councilmember Lumm

Absent: 1 - Councilmember Krapohl

Resolution to Support Huron Street Transportation Improvements

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 An Ordinance to Amend Chapter 55 (Zoning), Rezoning of .41 Acre from R4B (Multiple-Family Dwelling District) to O (Office District), 2455 South Main Rezoning, (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-18-19)

A public hearing was conducted on the proposed amendment to Chapter 55 (Zoning), Rezoning of .41 Acre from R4B (Multiple-Family Dwelling District) to O (Office District), 2455 South Main Rezoning, located at 2455 S. Main Street. Notice of public hearing was published July 12, 2018.

There being no one present for comment, the Mayor declared the hearing closed.

Held and Closed

PH-2 18-1131 Enactment No: Held and Closed

Held and Closed

Resolution to Approve 115 Research Drive Site Plan, 115 Research Drive (CPC Recommendation: Approval - 6 Yeas and 0 Nays)

A public hearing was conducted on the proposed Resolution to Approve 115 Research Drive Site Plan, 115 Research Drive. Notice of public hearing was published August 2, 2018.

There being no one present for comment, the Mayor declared the hearing closed.

A APPROVAL OF COUNCIL MINUTES

A-1 <u>18-1326</u> Regular Session of July 16, 2018

A motion was made by Councilmember Ackerman, seconded by Councilmember Lumm, that the Minutes of the Regular Session of July 16, 2018 be approved. On a voice vote, the Mayor declared the motion carried.

- B ORDINANCES SECOND READING
- B-1 An Ordinance to Amend Chapter 55 (Zoning), Rezoning of .41 Acre from R4B (Multiple-Family Dwelling District) to O (Office District), 2455 South Main Rezoning, (CPC Recommendation: Approval 9 Yeas and 0 Nays) (Ordinance No. ORD-18-19)

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.

- C ORDINANCES FIRST READING
- C New Business Staff:
- C-1 18-1147 An Ordinance to Amend Section 1:207 of Chapter 8 (Organization of Boards and Commissions) and to Repeal Chapter 85 (Taxicabs) of the Code of the City of Ann Arbor (Ordinance No. ORD-18-23)

A motion was made by Councilmember Ackerman, seconded by Councilmember Westphal, that the Ordinance be approved on First Reading to the City Council and should be returned by 8/23/2018. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-18-23

C-2 18-1077

An Ordinance to Amend the Zoning Map, Being a Part of Section 5:10.2 of Chapter 55 of Title V of the Code of the City of Ann Arbor, Zoning of 6.4 Acres from C1A/R (Campus Business Residential District) WITH CONDITIONS to C1A/R WITH CONDITIONS (AS AMENDED), 1140 Broadway Rezoning, (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-18-24)

A motion was made by Councilmember Ackerman, seconded by Councilmember Westphal, that the Ordinance be approved on First Reading to the City Council and should be returned by 9/4/2018. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-18-24

- D MOTIONS AND RESOLUTIONS
- B Unfinished Business Council:

DC-1 18-1182 Enactment No: R-18-323 Approved

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

Resolution to Appoint Stephen Brown to the Environmental Commission

- DC New Business Council:
- DC-2 18-1323 Enactment No: R-18-324 Approved

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

Resolution in Support of the Michigan Civil Rights Commission

DC-3 18-1361 Enactment No: R-18-325 Approved

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

Resolution for Community Events Fund Disbursements from the FY19

Budget

DC-4 18-1395 Enactment No: R-18-326

Approved

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

Resolution Requesting Governor Snyder to Sign New Emergency Rule 19 to Enable Existing Medical Marijuana Facilities in Ann Arbor to Continue to Operate Beyond September 15, 2018, Without Having Obtained a State Operating License

DB New Business - Boards and Commissions:

DB-1 18-1131 Enactment No: R-18-327 Approved

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

Resolution to Approve 115 Research Drive Site Plan, 115 Research Drive (CPC Recommendation: Approval - 6 Yeas and 0 Nays)

DS New Business - Staff:

DS-1 18-1317 Enactment No: R-18-328 Approved

A motion was made by Councilmember Warpehoski, 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: 10 - Councilmember Lumm, Councilmember Kailasapathy,

Councilmember Warpehoski, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Westphal, Councilmember Ackerman, Councilmember

Smith and Councilmember Bannister

Nays: 0

Absent: 1 - Councilmember Krapohl

Resolution Authorizing Publication of Notice of Intent to Issue General Obligation Capital Improvement Bonds to Fund Downtown Development Authority Project (Not To Exceed \$15,500,000.00) (6 Votes Roll Call)

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 Lumm 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	<u>18-1203</u>	Second Quarter 2018 Investment Portfolio Report
F-2	18-1232	Communication from Daniel Fine, Managing Director of Ann Arbor Crowne Plaza, dba The Kensington Hotel for a request the Establishment of a Commercial Rehabilitation District - City Assessor
F-3	<u>18-1264</u>	Communication from Mark J. Kriger, LaRene & Kriger, PLC regarding Resolution Passed by the Ann Arbor City Council to add an "Explanatory Caption" to a Ballot Proposal that will Appear on the November City of Ann Arbor Ballot
F-4	<u>18-1274</u>	Jack Bernard's Resignation from the AAATA
F-5	<u>18-1280</u>	Communication from the State of Michigan Public Service Commission regarding Public Hearing Notice to Customers of DTE Electric Company in Case No. U-20162, scheduled for July 25, 2018 - City Attorney, Energy (Systems Planning, City Attorney)
F-6	<u>18-1308</u>	Communication from the Attorney General's Office regarding Receipt of Proposed Language for the November 2018 General Election Ballot
F-7	<u>18-1324</u>	Communication from AT&T Michigan regarding its Submittal of the Eleventh Annual Video Report to the Michigan Public Service Commission - CTN

G	The following minutes were received for filing:		
G-1	<u>18-0758</u>	Land Acquisition Committee Meeting Minutes of March 20, 2018	
G-2	<u>18-1044</u>	Zoning Board of Appeals Meeting Minutes of May 23, 2018	
G-3	<u>18-1176</u>	Election Commission Meeting Minutes of May 31, 2018	
G-4	<u>18-1215</u>	Insurance Board Meeting Minutes - June 28, 2018	
G-5	<u>18-1227</u>	Airport Advisory Committee Minutes - May 16, 2018	
G-6	<u>18-1278</u>	Council Liquor License Review Committee Meeting Minutes of May 11, 2018	
G-7	<u>18-1304</u>	Elizabeth Dean Fund Committee Meeting Minutes 03/13/2018 and 04/09/2018	
G-8	<u>18-1310</u>	Employees' Retirement System Board Meeting Minutes of July 19, 2018	
G-9	<u>18-1312</u>	Retiree Health Care Benefit Plan & Trust Board Meeting Minutes of July 19, 2018	
G-10	<u>18-1234</u>	Downtown Development Authority Board, Executive, Partnerships, Capital Improvements, Operations and Finance Committee Minutes of June 2018	
G-11	<u>18-1263</u>	Downtown Area Citizens Advisory Council Meeting Minutes for July 10, 2018	
G-12	<u>18-1271</u>	LDFA Board Meeting Minutes - June 19, 2018	
G-13	<u>18-1359</u>	Council Policy Agenda Committee Meeting minutes for 7/31/18	

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Edward Vielmetti, Ward 4 resident, stated he received a cease and desist order from the City Attorney's Office regarding the use of the City's logo on his local blog. He asked the Mayor to respond to this issue.

Kai Petainen, resident, also spoke about the new City Seal Ordinance. He also congratulated councilmembers regarding the election.

Kathy Griswold, Ward 2 Council candidate, spoke about pedestrian safety. She also expressed concerns about the proposed lane changes on Huron Street.

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 Westphal, seconded by Councilmember Lumm, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 9:01 p.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: THURSDAY, AUGUST 9, 2018 @ 7:00 P.M. REPLAYS: FRIDAY, AUGUST 10, 2018 @ 8:00 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

CTN's Government Channel live televised public meetings can be viewed in a variety of ways:

Live Web streaming or Video on Demand: https://a2ctn.viebit.com Cable: Comcast Cable channel 16 or AT&T UVerse Channel 99 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.