City of Ann Arbor

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



Meeting Minutes - Final

Monday, May 6, 2019

7:00 PM

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

City Council

Council meets in Caucus at 7:00 p.m. on the Sunday prior to each Regular Session.

CALL TO ORDER

Mayor Christopher Taylor called the Regular Session of the Ann Arbor City Council to order at 7:08 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 Jack Eaton,
Mayor Christopher Taylor, Councilmember Julie Grand,
Councilmember Zachary Ackerman, Councilmember Chip
Smith, Councilmember Anne Bannister, Councilmember
Jeff Hayner, Councilmember Kathy Griswold,
Councilmember Elizabeth Nelson and Councilmember Ali

Name | mail | ma

Ramlawi

APPROVAL OF AGENDA

A motion was made by Councilmember Smith, seconded by Councilmember Lumm, 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 S. Lazarus presented the following written reports for information of Council:

AC-1 19-0929 May 6, 2019 Agenda Response Memo and eComments

Received and Filed

AC-2 <u>19-0953</u> City Administrator's Report - May 6, 2019

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
- Tom Stulberg An Ordinance to Amend Section 5.15 and Section 5.16.6 of Chapter 44
 Accessory Dwelling Units (C-2)

Tom Stulberg, 1202 Traver, spoke in opposition to the proposed amendments to Chapter 44, related to Accessory Dwelling Units.

2. Mark Koroi - Resolution to Replace Councilmember Ackerman with Councilmember Ramlawi on the Independent Community Police Oversight Commission (DC-3)

Mark Koroi spoke about the DC-3, the resolution that would replace Councilmember Ackerman on the ICPOC with Councilmember Ramlawi. Mr. Koroi spoke in favor of the proposed resolution and stated a minority representative from Council was needed.

3. David Silkworth - Resolution Encouraging the Listing of Gelman Site as a "Superfund" Site (DC-5)

David Silkworth, Ward 5, spoke in support of the proposed resolution encouraging the listing of the Gelman plume as a federal "Superfund" site.

4. Eric Lipson - Resolution Encouraging the Listing of Gelman Site as a "Superfund" Site (DC-5)

Eric Lipson, Ward 4, spoke about DC-5, the proposed resolution to encourage the listing of the Gelman site as a "superfund" site.

5. Lu Anne Bullington - Crosswalk Ordinance (F-1)

(Not present.)

6. Doug Kelbaugh - Climate Change

Doug Kelbaugh, Ann Street, spoke about the need for climate action and dramatic change in behavior.

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER GRAND

Councilmember Grand thanked all of the audience members who attended the reception this evening to discuss affordable housing, climate action and mental health.

Councilmember Grand stated May is Commuter Challenge month and urged residents and staff to walk or bike to work when possible.

Councilmember Grand highlighted the introduction of CC-3, appointments to the Greenbelt Commission and noted the confirmation of these appointments would come back to City Council on May 20.

COUNCILMEMBER RAMLAWI

Councilmember Ramlawi reminded residents about the Council Caucus meetings, which are held each Sunday prior to Regular Session. He stated the next Caucus would be held on Sunday, May 19, but would be at 3:00 p.m. instead of the regular 7:00 p.m. start.

Councilmember Ramlawi stated the ICPOC had its first meeting last week and he welcomes the opportunity to serve as a Council liaison, as well as a member of the Human Rights Commission.

COUNCILMEMBER HAYNER

Councilmember Hayner noted that he has officially been a member of Council for six months. He thanked his constituents for the opportunity to serve.

Councilmember Hayner also noted the passing of longtime Ypsilanti City Council Member Pete Murdock. Councilmember Hayner stated he hoped that the Cities of Ann Arbor and Ypsilanti could improve their relationship in the future and work together more.

COUNCILMEMBER GRISWOLD

Councilmember Griswold also spoke about the rescheduled start time for Caucus on Sunday, May 19.

COUNCILMEMBER ACKERMAN

Councilmember Ackerman highlighted the number of local farmer's markets that have opened around time and encouraged residents to support them.

CC-1 <u>19-0719</u> Resolution to Reappoint Stephen Brown to the Environmental Commission

Sponsors: Bannister and Smith

Referred to the City Council due back on 5/20/2019

CC-2 19-0807 Resolution to Reapppoint Jonathan Overpeck to the Environmental

Commission (7 Votes Required)

Sponsors: Smith and Bannister

Referred to the City Council due back on 5/20/2019

CC-3 19-0849 Resolution to Reappoint Jennifer Fike and John Ramsburgh to the

Greenbelt Advisory Commission

Sponsors: Grand

Referred to the City Council due back on 5/20/2019

MC COMMUNICATIONS FROM THE MAYOR

MC-1 19-0880 Appointments & Nominations for May 6, 2019

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

Airport Advisory Committee

Melanie McNicholas -Reappointment

405 Eberwhite Blvd.

Ann Arbor, MI 48103 Term: June 1, 2019-May 31, 2022

Ann Arbor Area Transportation Authority
Raymond Hess -Replacing Eli Cooper (resigned)
1920 Alhambra Dr.
Ann Arbor, MI 48103
Term: Ending May 1, 2024

Ann Arbor Public Art Commission David Esau -Reappointment 2011 Brampton Ct. Ann Arbor, MI 48103 Term: June 1, 2019-May 31, 2022

Building Board of Appeals
David Arnsdorf -Reappointment
3450 Vintage Valley Rd.
Ann Arbor, MI 48105
Term: June 1, 2019-May 31, 2021

Hugh Flack, Jr. -Reappointment 831 Avon Rd. Ann Arbor, MI 48104 Term: June 1, 2019-May 31, 2021

Robert Hart -Reappointment 3425 Gettysburg Rd. Ann Arbor, MI 48105 Term: June 1, 2019-May 31, 2021

Cable Communications Commission David Pittman 2474 Arrowwood Trail Ann Arbor, MI 48105 Term: June 1, 2019-May 31, 2024

John Torgersen -Reappointment 2035 Weldon Blvd. Ann Arbor, MI 48103 Term: June 1, 2019-May 31, 2024

City Planning Commission

Erica Briggs -Reappointment 204 Mark Hannah Place Ann Arbor, MI 48103 Term: July 1, 2019-June 30, 2022

Scott Trudeau -Reappointment 526 N. Main St. Ann Arbor, MI 48104 Term: July 1, 2019-June 30, 2022

Julie Weatherbee -Reappointment 837 S. Main St. Ann Arbor, MI 48104 Term: July 1, 2019-June 30, 2022

Commission on Disability Issues Kathleen Mozak-Betts -Reappointment 106 Packard St. Ann Arbor, MI 48104 Term: June 1, 2019-May 31, 2022

Larry Keeler -Reappointment 1020 Pennsylvania Ave. Ann Arbor, MI 48103 Term: June 1, 2019-May 31, 2022

Tim Hull-Reappointment 2475 Lancashire Dr. Ann Arbor, MI 48105 Term: June 1, 2019-May 31, 2022

Design Review Board Corry Buckwalter Urban Planner 2124 Brockman Blvd. Ann Arbor, MI 48104 Term: June 1, 2019-May 31, 2022

Gary Cooper -Reappointment 2900 Brockman Blvd. Ann Arbor, MI 48104 Term: June 1, 2019-May 31, 2022 Downtown Area Citizens' Advisory Council Donald Duquette -Reappointment 505 E. Huron St. Ann Arbor, MI 48104 Term: June 1, 2019-May 31, 2022

Joan French -Reappointment 505 E. Huron St. Ann Arbor, MI 48104 Term: June 1, 2019-May 31, 2022

Hugh Sonk -Reappointment 505 E. Huron St. Ann Arbor, MI 48104 Term: June 1, 2019-May 31, 2022

John Chamberlin -Reappointment 315 Second St. Ann Arbor, MI 48103 Term: June 1, 2019-May 31, 2022

Kathleen Nolan -Reappointment 223 E. Ann St. Ann Arbor, MI 48104 Term: June 1, 2019-May 31, 2022

Downtown Development Authority Phillip Weiss -Reappointment 3449 Ashburnam Rd. Ann Arbor, MI 48105 Term: June 1, 2019-May 31, 2023

Elizabeth Dean Fund Committee Ken Westerman -Reappointment 715 Granger Ave. Ann Arbor, MI 48104 Term: June 1, 2019-May 31, 2021

Monica Milla -Reappointment 3320 Fernwood Ave. Ann Arbor, MI 48108 Term: June 1, 2019-May 31, 2021 **Energy Commission** Mark Clevey -Reappointment 2917 Brockman Blvd. Ann Arbor, MI 48104 Term: June 1, 2019-May 31, 2022

Jay Zocher -Reappointment 3617 Larchmont Ann Arbor, MI 48105 Term: June 1, 2019-May 31, 2022

Carlene Colvin-Garcia -Reappointment 690 Barton Dr. Ann Arbor, MI 48105 Term: June 1, 2019-May 31, 2022

Historic District Commission

David Rochlen -Reappointment 454 Second St. Ann Arbor, MI 48103 Term: June 1, 2019-May 31, 2022

Housing Board of Appeals Jerry Schulte -Reappointment 3334 Yellowstone Dr. Ann Arbor, MI 48105 Term: June 1, 2019-May 31, 2022

Housing & Human Services Advisory Board Eleanor Pollack -Reappointment 515 Detroit St. Ann Arbor, MI 48104

Term: June 1, 2019-May 31, 2022

James Daniel -Reappointment 2769 Arrowwood Trl. Ann Arbor, MI 48105 Term: June 1, 2019-May 31, 2022

Nora Wright -Reappointment 2008 Morton Ave. Ann Arbor, MI 48104

Term: June 1, 2019-May 31, 2022

Human Rights Commission Keta Cowan 2128 Stephen Terrace Ann Arbor, MI 48103 Term: June 1, 2019-May 31, 2022

Linda Winkler -Reappointment 625 Second St. Ann Arbor, MI 48103 Term: June 1, 2019-May 31, 2022

Huron River Watershed Commission Cheryl Darnton-Reappointment 601 Eberwhite Ann Arbor, MI 48103 Term: June 1, 2019-May 31, 2021

Richard Norton -Reappointment 524 Third St. Ann Arbor, MI 48103 Term: June 1, 2019-May 31, 2021

Local Development Finance Authority

Stephen Rapundalo -Reappointment 3106 Bluett Rd. Ann Arbor, MI 48105 Term: July 1, 2019-June 30, 2023

Park Advisory Commission
Paige Morrison -Reappointment
410 W. Keech Ave.
Ann Arbor, MI 48103
Term: June 1, 2019-May 31, 2022

Public Market Advisory Commission Peter Woolf -Reappointment 1108 Mixtwood St. Ann Arbor, MI 48103 Term: June 1, 2019-May 31, 2022 Recreation Advisory Commission

Katie Lewit -Reappointment 1685 Northbrook Dr. Ann Arbor, MI 48103 Term: June 1, 2019-May 31, 2022

Glen Nelson -Reappointment 1323 S. Forest Ave. Ann Arbor, MI 48104 Term: June 1, 2019-May 31, 2022

Transportation Commission Linda Diane Feldt -Reappointment 3 Keppler Ct. Ann Arbor, MI 48103 Term: June 1, 2019-May 31, 2022

Robert Gordon -Reappointment 2330 Fernwood Ave. Ann Arbor, MI 48104 Term: June 1, 2019-May 31, 2022

Zoning Board of Appeals
Julie Weatherbee -Reappointment
837 S. Main St.
Ann Arbor, MI 48104
Term: June 1, 2019-May 31, 2022

Todd Grant -Reappointment 2775 Antietam Court Ann Arbor, MI 48105 Term: June 1, 2019-May 31, 2022

Referred to the City Council due back on 5/20/2019

MC-2 Resolution to Appoint Peter Greenfield to the Airport Advisory Committee (7 Votes Required)

Sponsors: Taylor

Referred to the City Council due back on 5/20/2019

MC-3 19-0893 Resolution to Appoint Bonnie Gabowitz to the Cable Communications

		Commission (7 Votes Required)					
		Sponsors: Taylor					
		Referred to the City Council due back on 5/20/2019					
MC-4	<u>19-0894</u>	Resolution to Appoint Dale Leslie and Tim Marshall to the Economic Development Corporation (7 Votes Required)					
		<u>Sponsors:</u> Taylor					
		Referred to the City Council due back on 5/20/2019					
MC-5	<u>19-0895</u>	Resolution to Appoint Wayne Appleyard to the Energy Commission (7 Votes Required)					
		Sponsors: Taylor					
		Referred to the City Council due back on 5/20/2019					
MC-6	<u>19-0898</u>	Resolution to Appoint Molly Maciejewski to the Huron River Watershed Council (7 Votes Required)					
		<u>Sponsors:</u> Taylor					
		Referred to the City Council due back on 5/20/2019					
MC-7	<u>19-0899</u>	Resolution to Appoint Mohamed Al-Azem to the Human Rights Commission (7 Votes Required)					
		<u>Sponsors:</u> Taylor					
		Referred to the City Council due back on 5/20/2019					
MC-8	<u>19-0900</u>	Resolution to Appoint Paula Sorrell to the Local Development Finance Authority (7 Votes Required)					
		<u>Sponsors:</u> Taylor					
		Referred to the City Council due back on 5/20/2019					
MC-9	<u>19-0902</u>	Resolution to Appoint Patricia Jenkins to the Housing Commission (7 Votes Required)					
		Sponsors: Taylor					
		Referred to the City Council due back on 5/20/2019					

MC-10 19-0903

Resolution to Appoint Howard Lazarus and Tom Crawford to the Ann Arbor Building Authority

Sponsors: Taylor

Referred to the City Council due back on 5/20/2019

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-10 Resolution to Approve a Contract with Liberty Security Group Inc. for Guest Services at the Guy C. Larcom City Hall (\$102,500.00) RFP #19-01

CA-15 Resolution to Authorize Professional Services Agreements with Tetra Tech of Michigan, PC for up to \$500,000.00 Hubbell, Roth, & Clark, Inc. for up to \$500,000.00 and OHM Advisors for up to \$300,000.00, all for General Civil Engineering Services (RFP #19-05)

CA-16 Resolution to Award Construction Contracts to E.T. MacKenzie Company and Inner City Contracting LLC. For On-Call Construction Services in the Amount of \$250,000.00 each per Year for a Period of Three Fiscal Years (RFP No. 19-04)

CA-22 Resolution to Award a Construction Contract to Fonson Company, Inc. (ITB No. 4569, \$853,846.00) and Appropriate the Remaining Fund Balance of \$1,285,227.00 from the Maintenance Facility Capital Projects Fund and Amend the Existing Maintenance Facility Construction Project for the W.R. Wheeler (Swift Run) Service Center PUD Non-motorized Improvements - Phase 2 Project (8 Votes Required)

CA-17 Resolution to Award a Construction Contract to Cadillac Asphalt LLC (ITB. 4570, \$8,995,000.00) for the 2019 Street Resurfacing/Restoration Project, and to Appropriate \$675,000.00 from the Major Street Fund and \$1,917,500.00 from the Local Street Fund (8 Votes Required)

Passed on consent agenda

A motion was made by Councilmember Smith, seconded by Councilmember Nelson, 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 of CA-8 and CA-13.

CA-1 19-0829 Enactment No: R-19-188

Approved

Resolution to Close N. Fourth Avenue and E. Ann Street for the 24th Annual African-American Downtown Festival, Friday, May 31, 2019 to Saturday, June 1, 2019

CA-2 19-0660 Enactment No: R-19-189

Approved

Resolution to Close North University for the Townie Street Party - Sunday, July 14, 2019 to Wednesday, July 17, 2019

CA-3 19-0662 Enactment No: R-19-190

Approved

Resolution to Close Streets for the Townie Street Party - Ann Arbor Mile-Dart for Art on Monday, July 15, 2019

CA-4 19-0704 Enactment No: R-19-191

Approved

Resolution to Approve Street Closings for the 2019 Rolling Sculpture Car Show - Friday, July 12, 2019

CA-5 19-0706 Enactment No: R-19-192

Approved

Resolution to Approve Street Closing for the NTI Block Party - Wednesday, July 31, 2019 from Noon to Midnight

CA-6 19-0858 Enactment No: R-19-193

Approved

Resolution to Approve Street Closings for the UA Block Party and Plumbers & Pipefitters 5K - Monday, August 12, 2019

CA-7 19-0776 Enactment No: R-19-194

Approved

Resolution to Approve the 2019 Ann Arbor Jaycees Summer Carnival at Pioneer High School - June 17 to June 24, 2019

CA-8 19-0575 Enactment No: R-19-195

Approved

Resolution to Award Construction Contract for the Geddes Dam Gate

Recoating and Repairs Project to Gerace Construction Company, Inc. (\$828,000), to Appropriate Funds, and to Amend the Project Budget (**8 Votes Required**)

Item CA-9 was moved to DC-2.

CA-11 19-0655 Enactment No: R-19-196

Approved

Resolution to Approve Schedule 30 to the Interagency Agreement for Collaborative Technology and Services for a Merit Networks Shared Internet Connection with Washtenaw County and the Ann Arbor Area Transportation Authority (AAATA) (\$38,743.34 over a 6-year period)

CA-12 19-0726 Enactment No: R-19-197

Approved

Resolution Levying Certain Delinquent Water Utility, Board Up, Clean Up, Vacant Property Inspection Fees, Housing Inspection Fees, and Fire Inspection Fees as Special Assessments and Ordering Collection Thereof

CA-13 19-0729 Enactment No: R-19-198

Approved

Resolution to Accept a Sanitary Sewer Easement at 609, 611, 613 and 615 Ironwood Drive from Charles Zent and Pamela Gearhart (8 Votes Required)

CA-14 19-0871 Enactment No: R-19-199

Approved

Resolution Recognizing The Word of Life DBA: University Christian Outreach as a Civic Nonprofit Organization Operating in Ann Arbor for the Purpose of Obtaining a Charitable Gaming License

CA-18 19-0730 Enactment No: R-19-200

Approved

Resolution to approve a Professional Services Agreement with Materials Testing Consultants, Inc. for Material Testing Services for the 2019 Street Resurfacing/Restoration Project (\$139,530.00)

CA-19 19-0576 Enactment No: R-19-201

Approved

Resolution to Award a Construction Contract to J. Ranck Electric, Inc. (ITB No. 4574) for 2019 RRFB Installations (\$95,750.00)

CA-20 19-0580 Enactment No: R-19-202

Approved

Resolution to Award a Construction Contract to Douglas N. Higgins, Inc. for

the 2019 Miscellaneous Utility Project (\$1,512,263.50)

CA-21 19-0630 Enactment No: R-19-203 Approved

Resolution to Approve a Professional Services Agreement with Professional Services Industries, Inc., for Material Testing Services for the 2019 Miscellaneous Utility Project (\$37,250.00).

CA-10 19-0604 Enactment No: R-19-204 Approved

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

Yeas: 6 - Councilmember Lumm, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith and Councilmember Nelson

Nays: 5 - Councilmember Eaton, Councilmember Bannister,
Councilmember Hayner, Councilmember Griswold and
Councilmember Ramlawi

Resolution to Approve a Contract with Liberty Security Group Inc. for Guest Services at the Guy C. Larcom City Hall (\$102,500.00) RFP #19-01

CA-15 19-0635 Enactment No: R-19-205 Approved

A motion was made by Councilmember Hayner, seconded by Councilmember Ackerman, 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 Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Bannister, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

Nays: 1 - Councilmember Hayner

Resolution to Authorize Professional Services Agreements with Tetra Tech of Michigan, PC for up to \$500,000.00 Hubbell, Roth, & Clark, Inc. for up to \$500,000.00 and OHM Advisors for up to \$300,000.00, all for General Civil Engineering Services (RFP #19-05)

CA-16 19-0640 Enactment No: R-19-206 Approved

A motion was made by Councilmember Hayner, seconded by Councilmember Grand, 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 Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Bannister, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

Nays: 1 - Councilmember Hayner

Resolution to Award Construction Contracts to E.T. MacKenzie Company and Inner City Contracting LLC. For On-Call Construction Services in the Amount of \$250,000.00 each per Year for a Period of Three Fiscal Years (RFP No. 19-04)

CA-22 19-0694 Enactment No: R-19-207 Approved

A motion was made by Councilmember Hayner, seconded by Councilmember Grand, that the Resolution be approved. On a roll call, the vote was as follows with the Mayor declaring the motion carried, thus satisfying the eight-vote requirement:

Yeas: 10 - Councilmember Lumm, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Bannister, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

Nays: 1 - Councilmember Hayner

Resolution to Award a Construction Contract to Fonson Company, Inc. (ITB No. 4569, \$853,846.00) and Appropriate the Remaining Fund Balance of \$1,285,227.00 from the Maintenance Facility Capital Projects Fund and Amend the Existing Maintenance Facility Construction Project for the W.R. Wheeler (Swift Run) Service Center PUD Non-motorized Improvements - Phase 2 Project (8 Votes Required)

CA-17 19-0745 Enactment No: R-19-208 Approved

A motion was made by Councilmember Nelson, 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 unanimously, thus satisfying the eight-vote requirement:

Yeas: 11 - Councilmember Lumm, Councilmember Eaton, Mayor

Taylor, Councilmember Grand, Councilmember Ackerman,

Councilmember Smith, Councilmember Bannister, Councilmember Hayner, Councilmember Griswold,

Councilmember Nelson and Councilmember Ramlawi

Nays: 0

Resolution to Award a Construction Contract to Cadillac Asphalt LLC (ITB. 4570, \$8,995,000.00) for the 2019 Street Resurfacing/Restoration Project, and to Appropriate \$675,000.00 from the Major Street Fund and \$1,917,500.00 from the Local Street Fund (8 Votes Required)

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 19-0717 Enactment No:

Held and Closed

Held and Closed

Resolution to Approve the 309 N. Ashley Brownfield Plan (BRC Recommendation: Approval - 4 Yeas and 0 Nays)

A public hearing was conducted on the proposed Resolution to Approve the 309 N. Ashley Brownfield Plan. Notice of public hearing was published April 25, 2019.

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

PH-2 18-2007 Enactment No:

Held and Closed

Held and Closed

Resolution to Approve 309 North Ashley Street Site Plan and Development Agreement, (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

A public hearing was conducted on the proposed Resolution to Approve 309 North Ashley Street Site Plan and Development Agreement. Notice of public hearing was published April 25, 2019.

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

PH-3 19-0403 Enactment No:

Held and Closed

Held and Closed

Resolution to Approve Bristol Ridge Site Plan and Development

Agreement, 2750 Pontiac Trail (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

A public hearing was conducted on the proposed Resolution to Approve Bristol Ridge Site Plan and Development Agreement, 2750 Pontiac Trail. Notice of public hearing was published April 25, 2019.

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

PH-4 19-0703 Enactment No:

Held and Closed

Held and Closed

Resolution to Approve the Allen Annexation, 0.6 Acre, 595 Riverview Drive (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

A public hearing was conducted on the proposed Resolution to Approve the Allen Annexation, 0.6 Acre, 595 Riverview Drive. Notice of public hearing was published April 25, 2019.

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

PH-5 19-0608

An Ordinance to Amend Section 2:63 of Chapter 29 (Water Rates) of Title II of the Code of the City of Ann Arbor (ORD-19-11)

A public hearing was conducted on the proposed Amendment to Section 2:63 of Chapter 29 (Water Rates) of Title II of the Code of the City of Ann Arbor. Notice of public hearing was published April 25, 2019.

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

Held and Closed

PH-6 19-0607

An Ordinance to Amend Section 2:64 of Chapter 29 (Sewer Rates) of Title II of the Code of the City of Ann Arbor (ORD-19-12)

A public hearing was conducted on the proposed Amendment to Section 2:64 of Chapter 29 (Sewer Rates) of Title II of the Code of the City of Ann Arbor. Notice of public hearing was published April 25, 2019.

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

Held and Closed

PH-7 19-0609

An Ordinance to Amend Sections 2:69 of Chapter 29 (Stormwater Rates) of Title II of the Code of the City of Ann Arbor (ORD-19-13)

A public hearing was conducted on the proposed Amendment to Sections 2:69 of Chapter 29 (Stormwater Rates) of Title II of the Code of the City of Ann Arbor. Notice of public hearing was published April 25, 2019.

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

Held and Closed

PH-8 19-0707 E

Enactment No:

Held and Closed

Held and Closed

Resolution to Approve FY 2020 Fee Adjustments for the Community Services Area

A public hearing was conducted on the proposed Resolution to Approve FY 2020 Fee Adjustments for the Community Services Area. Notice of public hearing was published April 25, 2019.

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

PH-9 19-0601

Enactment No:

Held and Closed

Held and Closed

Resolution to Approve Fiscal Year 2020 Fee Adjustments for Public Services Area - Engineering, Public Works, Systems Planning, and Water Treatment Services Unit

A public hearing was conducted on the proposed Resolution to Approve Fiscal Year 2020 Fee Adjustments for Public Services Area - Engineering, Public Works, Systems Planning, and Water Treatment Services Unit. Notice of public hearing was published April 25, 2019.

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

PH-10 19-0805

Enactment No:

Held and Closed

Held and Closed

Resolution to Adopt Ann Arbor City Budget and Related Property Tax Millage Rates for Fiscal Year 2020

A public hearing was conducted on the proposed Resolution to Adopt Ann Arbor City Budget and Related Property Tax Millage Rates for Fiscal Year 2020. Notice of public hearing was published April 25, 2019.

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

A APPROVAL OF COUNCIL MINUTES

A-1 <u>19-0830</u> Work Session of April 8 and Special and Regular Session Meeting Minutes of April 15, 2019

A motion was made by Councilmember Smith, seconded by Councilmember Nelson, that the Work Session of April 8 and Special and Regular Session Meeting Minutes of April 15, 2019 be approved. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

B-1 An Ordinance to Amend Section 2:63 of Chapter 29 (Water Rates) of Title II of the Code of the City of Ann Arbor (ORD-19-11)

(The complete text of ORD-19-11 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 roll call, the vote was as follows with the Mayor declaring the motion carried:

- Yeas: 8 Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi
- Nays: 3 Councilmember Lumm, Councilmember Bannister and Councilmember Hayner
- B-2 19-0607 An Ordinance to Amend Section 2:64 of Chapter 29 (Sewer Rates) of Title II of the Code of the City of Ann Arbor (ORD-19-12)

(The complete text of ORD-19-12 is on file in the City Clerk's Office.)

A motion was made by Councilmember Grand, seconded by

Councilmember Ackerman, that the Ordinance be adopted on Second Reading. On a voice vote, the Mayor declared the motion carried.

B-3 An Ordinance to Amend Sections 2:69 of Chapter 29 (Stormwater Rates) of Title II of the Code of the City of Ann Arbor (ORD-19-13)

(The complete text of ORD-19-13 is on file in the City Clerk's Office.)

A motion was made by Councilmember Smith, seconded by Councilmember Hayner, 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:
- C-1

 19-0654

 An Ordinance to Amend Chapter 55 (Unified Development Code),
 Rezoning of 2.25 Acres from TWP (Township District) to R1A (Single
 Family Dwelling District), Admiraal/O'Brien Property, 1448 Warrington
 Drive (CPC Recommendation: Approval 8 Yeas and 0 Nays) (ORD-19-14)

 (The complete text of ORD-19-14 is on file in the City Clerk's Office.)

A motion was made by Councilmember Ackerman, seconded by Councilmember Lumm, that the Ordinance be approved on First Reading and should be returned by 6/3/2019. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-19-14

C-2 19-0722 An Ordinance to Amend Section 5.15 (Table 5-15) and Section 5.16.6 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Accessory Dwelling Units)

A motion was made by Councilmember Ackerman, seconded by Councilmember Grand, that the Ordinance be approved on First Reading. On a roll call, the vote was as follows with the Mayor declaring the motion defeated:

- Yeas: 5 Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith and Councilmember Hayner
- Nays: 6 Councilmember Lumm, Councilmember Eaton,
 Councilmember Bannister, Councilmember Griswold,
 Councilmember Nelson and Councilmember Ramlawi

Enactment No:

RECESS

Mayor Taylor called a recess at 9:22 p.m. and reconvened the meeting at 9:45 p.m.

C-3 19-0560

An Ordinance to Amend Section 5.15 (Table 5-15), Section 5.16.3, 5.16.7 and 5.37.2 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Temporary Outdoor Activities) (ORD-19-15)

(The complete text of ORD-19-15 is on file in the City Clerk's Office.)

A motion was made by Councilmember Ackerman, seconded by Councilmember Grand, that the Ordinance be approved on First Reading and should be returned by 6/3/2019. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-19-15

C-4 19-0725

An Ordinance to Amend Section 5.15 (Table 5-15), Section 5.16.3, and 5.37.2 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Mobile Food Vending Service) (ORD-19-16)

(The complete text of ORD-19-16 is on file in the City Clerk's Office.)

A motion was made by Councilmember Ackerman, seconded by Councilmember Smith, that the Ordinance be approved on First Reading and should be returned by 6/3/2019. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-19-16

D MOTIONS AND RESOLUTIONS

DC Unfinished Business - Council:

DC-1 19-0710 Enactment No: R-19-209

Approved

Sponsors: Grand

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 unanimously, thus satisfying the seven-vote requirement.

Resolution to Appoint Rosanne Bloomer to the Greenbelt Advisory

Commission (7 Votes Required)

DC New Business - Council:

DC-2 19-0857 Enactment No: R-19-210 Approved

Sponsors: Taylor and Lumm

A motion was made by Councilmember Lumm, seconded by Councilmember Ackerman, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried unanimously with eleven-members present.

Resolution Recognizing the Service of Interim Police Chief Robert Pfannes

DC-3 19-0878 Enactment No: R-19-211 Approved

Sponsors: Ramlawi and Ackerman

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

Councilmember Hayner noted that he was a dissenting vote.

Resolution to Replace Councilmember Ackerman with Councilmember Ramlawi on the Independent Community Police Oversight Commission

DC-4 19-0896 Enactment No: R-19-212 Approved

Sponsors: Lumm and Nelson

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

Resolution to Authorize Settlement of Levenson v City of Ann Arbor, 22nd Circuit Court, Case No. 15-1284-NO

DC-5 19-0887 Enactment No:

Sponsors: Griswold, Bannister and Hayner

A motion was made by Councilmember Griswold, seconded by Councilmember Hayner, that the Resolution be approved.

Resolution Supporting the Environmental Protection Agency's Active Involvement with the Gelman Site and Encouraging its Listing of the same as a "Superfund" Site

19-0887 Enactment No: Amended

Sponsors: Griswold, Bannister, Hayner, Taylor, Eaton, Ramlawi and

Ackerman

Amended

Resolution Directing City Administrator to Take Steps to Organize Meeting with State-Lawsuit Intervenors to Explore Requesting Environmental Protection Agency's Active Involvement with the Gelman Site and its Listing as a "Superfund" Site

Councilmember Hayner moved the following amendment, supported by Councilmember Griswold:

Replace existing resolution language in its entirety with the following:

Resolution Directing City Administrator to Take Steps to Organize
Meeting with State-Lawsuit Intervenors to Explore Requesting
Environmental Protection Agency's Active Involvement with the Gelman
Site and its Listing as a "Superfund" Site

Whereas, The City and its residents have worked for decades to require Gelman to delineate, and clean up City ground water contaminated by 1,4-dioxane ("Dioxane") that originated at the Gelman Sciences ("Gelman") Wagner Road facility (the "Contamination"), and to protect City ground water from further spreading of the Contamination;

Whereas, As part of that work, The City sued Gelman in state and federal court more than 10 years ago, and ultimately agreed to settle that lawsuit;

Whereas, The State of Michigan ("State") has for decades separately litigated against, and otherwise regulated, Gelman to enforce State environmental laws that apply to the Contamination;

Whereas, Following the State's recent tightening of its standards for Dioxane groundwater pollution, as part of the City's continuing efforts, it, along with others, intervened in the State's ongoing lawsuit against Gelman pending in Washtenaw County Trial Court;

Whereas, Since its intervention was allowed in 2017, the City has engaged in settlement negotiations over a potential new consent judgment;

Whereas, Negotiations aside, the City is not satisfied with the progress of the delineation, containment and remediation of the Contamination;

Whereas, The City recognizes that the Contamination may pose a long-term threat to public health and the security of the City's municipal water system; and

Whereas, The City believes that delineation, containment and remediation of the Contamination may be bolstered by the United States Environmental Protection Agency's ("EPA") active involvement and enforcement of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), the "Superfund" Act, as it applies to the Contamination;

RESOLVED, That the City Council directs the City Administrator, by July 1, 2019, to take all reasonable steps to convene a meeting with the other State-Lawsuit intervenors to explore requesting EPA's active involvement with the Gelman site and its listing as a "Superfund" site under CERCLA by, among other things, soliciting a concurrence letter from the Governor; and,

RESOLVED, That the City Council authorizes the City Administrator to take such further actions that are consistent with the purposes of this resolution.

Sponsored by: Councilmembers Griswold, Bannister and Hayner

The motion was considered friendly by the Body.

19-0887 Enactment No: R-19-213 Approved as Amended

The question being, a motion made by Councilmember Griswold, seconded by Councilmember Hayner, that the Resolution be approved as amended, on a voice vote, the Mayor declared the motion carried.

Resolution Directing City Administrator to Take Steps to Organize Meeting with State-Lawsuit Intervenors to Explore Requesting Environmental Protection Agency's Active Involvement with the Gelman Site and its Listing as a "Superfund" Site

DC-6 19-0905 Enactment No: Approved

Sponsors: Ramlawi

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

Yeas: 3 - Councilmember Lumm, Councilmember Griswold and Councilmember Ramlawi

Nays: 8 - Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Bannister, Councilmember Hayner and

Councilmember Nelson

Resolution Directing the City Administrator to Provide a Revised Residential Water Rate Structure

DC-7 19-0906 Enactment No: R-19-214 Approved

Sponsors: Council Policy Agenda Committee

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

Resolution to Adopt the FY 2019-2020 City Council Legislative Policy Agenda

DC-8 19-0912 Enactment No: R-19-215 Approved

Sponsors: Lumm, Ramlawi, Taylor and Eaton

A motion was made by Councilmember Lumm, seconded by Councilmember Ramlawi, 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 Eaton, Mayor

Taylor, Councilmember Grand, Councilmember Ackerman,

Councilmember Smith, Councilmember Bannister, Councilmember Griswold, Councilmember Nelson and

Councilmember Ramlawi

Nays: 1 - Councilmember Hayner

Resolution to Negotiate Potential Purchase of "Canoe Fan" Artwork Installation in Gallup Park

DB New Business - Boards and Commissions:

DB-1 19-0717 Enactment No: R-19-216

Approved

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

Resolution to Approve the 309 N. Ashley Brownfield Plan (BRC Recommendation: Approval - 4 Yeas and 0 Nays)

DB-2 18-2007 Enactment No: R-19-217

Approved

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

Resolution to Approve 309 North Ashley Street Site Plan and Development Agreement, (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

DB-3 19-0403 Enactment No:

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

Resolution to Approve Bristol Ridge Site Plan and Development Agreement, 2750 Pontiac Trail (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

19-0403 Enactment No:

Resolution to Approve Bristol Ridge Site Plan and Development Agreement, 2750 Pontiac Trail (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

Councilmember Hayner requested that he be recused due to potential conflict of interest.

A motion was made by Councilmember Ramlawi, seconded by Councilmember Smith, that Councilmember Hayner be recused. On a voice vote, the Mayor declared the motion carried and Councilmember Hayner was excused from the discussion and debate on the motion.

19-0403 Enactment No:

Postponed

A motion was made by Councilmember Ackerman, seconded by Councilmember Smith, that the Resolution be postponed and should be returned by 6/3/2019. On a voice vote, the Mayor declared the motion carried.

Resolution to Approve Bristol Ridge Site Plan and Development Agreement, 2750 Pontiac Trail (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

DB-4 19-0703 Enactment No: R-19-218 Approved

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

Resolution to Approve the Allen Annexation, 0.6 Acre, 595 Riverview Drive (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

DS New Business - Staff:

DS-1 19-0707 Enactment No: R-19-219 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 to Approve FY 2020 Fee Adjustments for the Community Services Area

DS-2 19-0601 Enactment No: R-19-220 Approved

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

Resolution to Approve Fiscal Year 2020 Fee Adjustments for Public Services Area - Engineering, Public Works, Systems Planning, and Water Treatment Services Unit

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 Ramlawi, 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>19-0773</u>	Crosswalk Ordinance - Background Materials and Proposed Ordinance Revision
F-2	<u>18-0783</u>	Crosswalk Ordinance Additional Comments from the Transportation Commission
F-3	<u>19-0793</u>	Transportation Commission Resolution - FY 2020 Proposed Budget
F-4	<u>19-0837</u>	Park Advisory Commission Resolution on the Fiscal Year 2020 Proposed Budget and Fiscal Year 2021 Budget Plan for Parks and Recreation Services
F-5	<u>19-0852</u>	Charlotte Jameson - Resignation from the Energy Commission.
F-6	<u>19-0875</u>	Eli Cooper - Resignation from the Ann Arbor Area Transportation Authority Board
F-7	<u>19-0806</u>	First Quarter 2019 Investment Portfolio Report
F-8	<u>19-0809</u>	Communication from Conlin, McKenney & Philbrick, P.C. regarding Notice of Intent to Establish Condominium Project Kingsley Parkside - Assessor, Planning and Development Services, City Attorney
F-9	<u>19-0869</u>	Communication from Conlin, McKenney & Philbrick, P.C. regarding Notice of Intent to Establish Condominium Project Malletts Wood II - Assessor, Planning and Development Services, City Attorney
F-10	19-0813	Communication from the State of Michigan Public Service Commission regarding Public Hearing Notice to Customers of DTE Electric Company in Case No. U-20471, scheduled for April 26, 2019 - City Attorney, Energy (Systems Planning, City Attorney)
F-11	<u>19-0909</u>	Communication from the State of Michigan Public Service Commission regarding Public Hearing Notice to Customers of DTE Electric Company in

Case No. U-20364, scheduled for May 14, 2019 - City Attorney, Energy, Systems Planning

G The following minutes were received for filing:

G-1	<u>19-0398</u>	February 5, 2019 City Planning Commission Meeting Minutes
G-2	<u>19-0433</u>	Minutes of the February 27, 2019 Zoning Board of Appeals Meeting
G-3	<u>19-0532</u>	Minutes of the February 26, 2019 PAC Meeting
G-4	<u>19-0568</u>	February 21, 2019 PMAC Meeting Minutes
G-5	<u>19-0579</u>	Minutes of the February 11, 2019 Brownfield Plan Review Committee Meeting
G-6	<u>19-0658</u>	AAHC Board Minutes March 20, 2019
G-7	<u>19-0668</u>	Downtown Development Authority Board, Executive, Partnerships, Capital Improvements and Operations Committees Minutes of March 2019
G-8	<u>19-0718</u>	Downtown Area Citizens Advisory Council Meeting Minutes for April 2, 2019
G-9	<u>19-0748</u>	Human Rights Commission, 2019 Minutes - Jan and Feb
G-10	<u>19-0749</u>	Commission on Disability Issues, February 2019 Minutes
G-11	<u>19-0843</u>	City of Ann Arbor Employees' Retirement System Board Meeting Minutes of March 22, 2019
G-12	<u>19-0844</u>	Retiree Health Care Benefit Plan & Trust Board Meeting Minutes of March 22, 2019

G-13	19-0850	Citv	Council	Caucus	Minutes	of April 14	1. 2019

G-14 19-0845 Council Policy Agenda Committee minutes from March 26, 2019

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Kai Petainen, resident, spoke about the City's efforts with the Gelman Plume dioxane clean-up. He also noted that it was disappointing that no one came to speak at the public hearings.

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER HAYNER

Councilmember Hayner spoke about the Boards and Commissions appointment process. He encouraged those who are seeking reappointment to come to the Council meeting and speak about their achievements.

COUNCILMEMBER BANNISTER

Councilmember Bannister stated she, Councilmember Griswold, and Councilmember Nelson released a press release encouraging the public to apply for open Board and Commission seats. She urged the City Administrator to promote the application process.

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 Smith, seconded by Councilmember Ramlawi, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 11:36 p.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, MAY 6, 2019 @ 7:00 P.M.
REPLAYS: WEDNESDAY, MAY 8, 2019 @ 8:00 A.M. AND FRIDAY, MAY 10, 2019 @ 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.