

**Ann Arbor City Council Regular Session: March 17, 2014
Email Redactions List Pursuant to Council Resolution R-09-386**

	A	B	C	D	E	F	G
1	Sent Time	<u>Received</u> Time	TO	From	CC	Redactions	Reason for Redaction
2		7:21 PM	John Hieftje, Sumi Kailasapathy, Sabra Briere, Sally Petersen, Christopher Taylor, Stephen Kunselman, Margie Teall, Jack Eaton, Chuck Warpehoski, Mike Anglin	Jane Lumm	Jacqueline Beaudry, Barbara Bach	Email address	Privacy
3		7:22 PM	Jack Eaton	Jane Lumm		Email address	Privacy
4		8:17 PM	All City Council Members, Steve Powers	Sabra Briere	Jacqueline Beaudry		
5		8:32 PM	Jane Lumm	Barbara Bach		Email address	Privacy
6		9:25 PM	All City Council Members, Steve Powers	Jacqueline Beaudry	Steve Powers, Stephen Postema, Anissa Bowden		
7		11:01 PM	Sabra Briere	Donald Salberg		Email address	Privacy
8		11:06 PM	All City Council	Christopher Taylor	Jacqueline Beaudry, Steve Powers, Stephen Postema,		
9		11:14 PM	Jacqueline Beaudry	Christopher Taylor			
10		11:15 PM	Anissa Bowden	Jacqueline Beaudry	Steve Powers, Stephen Postema, All City Council Members		
11		11:32 PM	All City Council Members	John Hieftje	Jacqueline Beaudry		
12		11:36 PM	Steve Powers	John Hieftje			

Ann Arbor City Council Regular Session: March 17, 2014
Email Redactions List Pursuant to Council Resolution R-09-386

	A	B	C	D	E	F	G
13		11:48 PM	All City Council Members, Jacqueline Beaudry, Stephen Postema, Steve Powers	Christopher Taylor			

Alexa, Jennifer

From: Taylor, Christopher (Council)
Sent: Monday, March 17, 2014 11:48 PM
To: *City Council Members (All); Beaudry, Jacqueline; Postema, Stephen; Powers, Steve
Subject: Amendment

RESOLVED, that the City Attorney is directed to prepare a memorandum for public education and distribution regarding the limitations on private business use of City public parking facilities financed with outstanding federally tax-advantaged bond issues (i.e., tax-exempt and tax credit bond issues) (Bond Financed Decks) (the "Public Memorandum");

RESOLVED, That the City Attorney file the Public Memorandum, along with the materials attached to it, with the City Clerk as a public record.

Alexa, Jennifer

From: Hieftje, John
Sent: Monday, March 17, 2014 11:36 PM
To: Powers, Steve
Subject: FW: DC-5

-----Original Message-----

From: Hieftje, John
Sent: Monday, March 17, 2014 11:32 PM
To: *City Council Members (All)
Cc: Beaudry, Jacqueline
Subject: FW: DC-5

Resolved: Ann Arbor City Council directs the City Administrator to report back to council by May 5th 2014 with a plan to make significant progress on creating and implementing additional community energy efficiency, conservation, and renewable energy programs that further the Climate Action Plan's adopted targets, reduce our community GHG emissions, provide economic benefit to our community and help to preserve our quality of life.

Alexa, Jennifer

From: Hieftje, John
Sent: Monday, March 17, 2014 11:32 PM
To: *City Council Members (All)
Cc: Beaudry, Jacqueline
Subject: FW: DC-5

Resolved: Ann Arbor City Council directs the City Administrator to report back to council by May 5th 2014 with a plan to make significant progress on creating and implementing additional community energy efficiency, conservation, and renewable energy programs that further the Climate Action Plan's adopted targets, reduce our community GHG emissions, provide economic benefit to our community and help to preserve our quality of life.

Alexa, Jennifer

From: Beaudry, Jacqueline
Sent: Monday, March 17, 2014 11:15 PM
To: Bowden (King), Anissa
Cc: Powers, Steve; Postema, Stephen; *City Council Members (All)
Subject: FW: Amendment

Jacqueline Beaudry, City Clerk

City Clerk's Office | Guy C. Larcom City Hall | 301 E. Huron, 2nd Floor · Ann Arbor · MI · 48104
734.794.6140 (O) · 734.994.8296 (F) |
jbeaudry@a2gov.org | www.a2gov.org

 Think Green! Please don't print this e-mail unless absolutely necessary.

From: Taylor, Christopher (Council)
Sent: Monday, March 17, 2014 11:14 PM
To: Beaudry, Jacqueline
Subject: RE: Amendment

From: Taylor, Christopher (Council)
Sent: Monday, March 17, 2014 11:06 PM
To: *City Council Members (All)
Cc: Beaudry, Jacqueline; Powers, Steve; Postema, Stephen
Subject: Amendment

RESOLVED, that the City Attorney is directed to prepare a memorandum for public education and distribution regarding the laws governing the manner in which the City Assessor is required to assess homes and the effect of a reduction of the assessment for one year by the Board of Review and/or the Michigan Tax Tribunal on the property tax assessment for the subsequent year (the "Public Memorandum");

RESOLVED, That the City Attorney file the Public Memorandum, along with the materials referenced in the next to last **WHEREAS** clause, with the City Clerk as a public record.

Alexa, Jennifer

From: Taylor, Christopher (Council)
Sent: Monday, March 17, 2014 11:14 PM
To: Beaudry, Jacqueline
Subject: RE: Amendment

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To: *City Council Members (All)
Cc: Beaudry, Jacqueline; Powers, Steve; Postema, Stephen
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Alexa, Jennifer

From: Taylor, Christopher (Council)
Sent: Monday, March 17, 2014 11:06 PM
To: *City Council Members (All)
Cc: Beaudry, Jacqueline; Powers, Steve; Postema, Stephen
Subject: Amendment

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RESOLVED, That the City Attorney file the Public Memorandum, along with the materials attached to it, with the City Clerk as a public record.

Alexa, Jennifer

From: Donald Salberg [REDACTED]
Sent: Monday, March 17, 2014 11:01 PM
To: Briere, Sabra
Subject: Re: About Agenda Item Concerning a Resolution to Authorize the City Administrator to Hire a Real Estate Broker to Offer the Sale of Development Rights above the Library Parking Structure

Ms. Briere,

Why draft changes for just select properties on Main Street and Huron Street, but expand consideration to all properties within downtown confines?

Donald Salberg

From: "Sabra Briere" <SBriere@a2gov.org>
To: "Donald Salberg" [REDACTED]
Sent: Monday, March 17, 2014 6:09:32 PM
Subject: RE: About Agenda Item Concerning a Resolution to Authorize the City Administrator to Hire a Real Estate Broker to Offer the Sale of Development Rights above the Library Parking Structure

Dear Dr. Salberg,

You are correct. 413 E. Huron did not turn out well - but this was not a piece of public property. It was a development on privately-owned property.

On public property, the City can specify exactly what it expects, and only approve a site agreement (and sale of the development rights) if it likes what it sees. There really is some room to negotiate. Of course, if the City sells the land before there is a development agreement, specifying exactly what will be built, then the developer can build to fit the zoning - and not necessarily provide a design for the public good.

And to your other point about D1 zoning, right now the City Planning Commission is carrying out the wishes of Council, and drafting changes to zoning that will affect parcels on Huron and Main. Really.

Sabra

Sabra Briere
First Ward Councilmember
(734)995-3518 (home)
(734)277-6578 (cell)

Emails received and sent to me as a Councilmember regarding City matters are generally subject to disclosure under the Freedom of Information Act.

-----Original Message-----

From: Donald Salberg [mailto:[REDACTED]]
Sent: Mon 3/17/2014 6:01 PM
To: Briere, Sabra
Subject: Re: About Agenda Item Concerning a Resolution to Authorize the City Administrator to Hire a Real Estate Broker

to Offer the Sale of Development Rights above the Library Parking Structure

Ms. Briere,

I respect what you say and appreciate an open and inquisitive mind which I know that you have.

I am not convinced that you will be able to control what is built on any public property that is sold unless the details are specified IN WRITING in the sale's contract. I state this because the situation with 413 East Huron Street did not turn out well, at least for me. The big problem with the 413 East Huron Street development is that the D1 zoning limited any restrictions or directions that could be imposed on the developers. The three remaining publicly owned properties being considered for development (according to the Connect William Street plan) remain zoned for D1 construction, as I understand. Consideration for re-zoning downtown properties which I hoped would be studied has not been authorized by City Council and I expect will never be approved. So developers who purchase public properties as they come up for sale will likely have essentially a free hand and therefore more 413 East Huron Street-like monstrosities can be built.

I guess one advantage to my being older is that, if I am disgusted with new construction downtown, I will not have to suffer with it for very long.

Sincerely,

Donald Salberg

----- Original Message -----

From: "Sabra Briere" <SBriere@a2gov.org>

To: "Donald Salberg" [REDACTED]

Sent: Monday, March 17, 2014 7:15:18 AM

Subject: RE: About Agenda Item Concerning a Resolution to Authorize the City Administrator to Hire a Real Estate Broker to Offer the Sale of Development Rights above the Library Parking Structure

RE: About Agenda Item Concerning a Resolution to Authorize the City Administrator to Hire a Real Estate Broker to Offer the Sale of Development Rights above the Library Parking Structure

Dear Dr. Salberg,

In high school I was on the debate team. I look at all sides of an issue and - if pressed - can generally represent each side.

I am not committed to selling the land, or to hiring a broker to sell the land. Just to honesty. And my internal honesty keeps me from pretending that, if I agree to sell the land, I can control what happens on it.

Sabra Briere
First Ward Councilmember
(734)995-3518 (home)
(734)277-6578 (cell)

Emails received and sent to me as a Councilmember regarding City matters are generally subject to disclosure under the Freedom of Information Act.

-----Original Message-----

From: Donald Salberg [mailto:[REDACTED]]

Sent: Sun 3/16/2014 9:03 AM

To: Briere, Sabra

Subject: Re: About Agenda Item Concerning a Resolution to Authorize the City Administrator to Hire a Real Estate Broker to Offer the Sale of Development Rights above the Library Parking Structure

Dear Ms. Briere,

Thoughtful and thought provoking as usual! I enjoy communicating with you because you show me the "other" sides of issues and so clearly, though I do not always agree with your positions on them.

In discussing the varied life of a building and the fact that it may be home to many different business entities over time, the senior living apartment building at 101 South Fourth Street comes to mind. I had heard that it was originally a Sheraton Hotel a long time ago (? more than forty years). Since its construction it has had a number of different owners and has been in bankruptcy at least once, as I understand. The building is hardly revered in Ann Arbor and some, like myself, easily find it forgettable. Has the building provided good service over the years? In retrospect should it have been built at all? How has it improved the downtown?

Personally, as a 39 year resident of the city, who waxes romantic at times regarding the charm and attractiveness of the downtown (and most of the rest of Ann Arbor) I am fearful of the changes that a 15-story building will impose on the downtown and how our Alton Dow designed four story library will withstand having a building towering over it next door. Believe me I can clearly imagine such a building dominating a two block square area surrounding the library and not improving the skyline nor providing any attractiveness.

I hope that you and your City Council colleagues give my point of view a little consideration and ask yourself if approving construction on the library lot will definitely benefit Ann Arbor more than it would harm it. As you agree, once built a 15-story building must be considered a permanent addition to the architecture of the city. As a physician (retired now) I have always tried to follow the professional dictum: primum non nocere! (First, do no harm)

Respectfully,

Don Salberg

----- Original Message -----

From: "Sabra Briere" <SBriere@a2gov.org>

To: "Donald Salberg" [REDACTED]

Sent: Sunday, March 16, 2014 7:28:33 AM

Subject: RE: About Agenda Item Concerning a Resolution to Authorize the City Administrator to Hire a Real Estate Broker to Offer the Sale of Development Rights above the Library Parking Structure

RE: About Agenda Item Concerning a Resolution to Authorize the City Administrator to Hire a Real Estate Broker to Offer the Sale of Development Rights above the Library Parking Structure

Dear Dr. Salberg,

I'm happy to see you survived the Ides of March. Spring must be coming!

As to your query, you are correct. The resolution does not establish the firm use of any building.

The resolution also cites mixed-use development, in several places. I believe the drafter of the resolution is stating that a building with a mix of uses - retail, office and residential - will be best on that site.

You are also correct that any building constructed - anywhere - is semi-permanent. It is likely to remain for more than 40 years. The design of the building exterior, therefore, has a significant impact on the community. The use, however, is

mutable. A building that intentionally is designed to be a hotel can be converted to senior apartments (like Courthouse Square); a building that is intentionally designed to hold a factory can be converted to retail/restaurant/office (like Kerrytown). So the proposed use at the time the building is constructed is less impactful on our heritage than the design of the building.

The City didn't save any money by not spending it. It just didn't spend any money. So the Edwards Brothers' property doesn't play a role in the decisions.

I'm not in any hurry, though. I look forward to learning where others on Council are.

Sabra Briere
First Ward Councilmember
(734)995-3518 (home)
(734)277-6578 (cell)

Emails received and sent to me as a Councilmember regarding City matters are generally subject to disclosure under the Freedom of Information Act.

-----Original Message-----

From: Donald Salberg [mailto:]

Sent: Sun 3/16/2014 2:21 AM

To: Briere, Sabra

Subject: About Agenda Item Concerning a Resolution to Authorize the City Administrator to Hire a Real Estate Broker to Offer the Sale of Development Rights above the Library Parking Structure

Dear City Councilwoman Briere,

I understand that the agenda for the City Council meeting on March 17th includes a resolution to approve a designated area for a park over part of the library parking lot. Included along with that resolution is the following additional resolution:

"One of the modifications is the reference within the resolution to a separate act: a resolution to authorize the City Administrator to hire a broker to seek bids that would allow the City to sell (at least some of) the buildable area on the Library Lane parking structure site."

The resolution does not mention what enterprise will be developed above the library parking structure. In the past, when I inquired of every City Council person what businesses would occupy the 15-story D1 buildings that the DDA desires to have constructed on the four public properties owned by the City and included in its Connect William Street plan, no one responded. During several personal conversations with some of the same City Council members no one had any ideas.

The approval of the resolution by the City Council members will be bothersome especially since Dennis Dahlmann and Bill Martin intend to construct an apartment building and a hotel, respectively, that will test the Ann Arbor market for these types of construction. Would it not be wise to await the success or failure of these two formidable projects before allowing developers to speculate with construction on the remaining Connect William Street properties?

Furthermore, any large building constructed next to the library will be permanent, whether it's operations are successful or not, and will adversely impact the appearance and character of downtown Ann Arbor and especially of our beloved and valuable library.

With the City saving \$12.8 million by not purchasing the Edwards Brothers Malloy property on State Street, I am unaware of any financial urgency that would require the sale of development rights above the library parking structure at this time.

I encourage you to vote "NO" on the resolution to sell any development rights above the library parking structure.

Thank you,

Donald Salberg

Alexa, Jennifer

From: Beaudry, Jacqueline
Sent: Monday, March 17, 2014 9:25 PM
To: *City Council Members (All)
Cc: Powers, Steve; Postema, Stephen; Bowden (King), Anissa
Subject: FW: DC-1 amendment with friendly changes


With the friendly amendments as approved.

RESOLVED, That City Council approve the reservation of the site for an urban public park of approximately **between approximately 6,500 and** 12,000 square feet on the surface of the Library Lane Structure bounded by the Fifth Avenue sidewalk on the west, the Library Lane Street curb to the south, the western entry to the central elevator to the east, and the southern curb of the service alley on the north (see two related site plans) **with the northern boundary to be determined at a future date.** This portion of the surface of the Library Lane Structure shall be added to the PROS Plan and remain a City-owned, public park;

(underlined text deleted, bolded text added)

Jacqueline Beaudry, City Clerk

City Clerk's Office | Guy C. Larcom City Hall | 301 E. Huron, 2nd Floor · Ann Arbor · MI · 48104
734.794.6140 (O) · 734.994.8296 (F) |
jbeaudry@a2gov.org | www.a2gov.org

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From: Briere, Sabra
Sent: Monday, March 17, 2014 8:17 PM
To: *City Council Members (All); Powers, Steve
Cc: Beaudry, Jacqueline
Subject: DC-1 amendment

To the first resolve clause:

RESOLVED, That City Council approve the reservation of the site for an urban public park of approximately **between approximately 6,500 and** 12,000 square feet on the surface of the Library Lane Structure bounded by the Fifth Avenue sidewalk on the west, the Library Lane Street curb to the south, the western entry to the central elevator to the east, and the southern curb of the service alley on the north (see two related site plans) **with the northern boundary to be determined at a future date.** This portion of the surface of the Library Lane Structure shall be added to the PROS Plan and remain a City-owned, public park;

(underlined text deleted, bolded text added)

Sabra Briere
First Ward City Council
Ann Arbor
734-995-3518
734-277-6578 (cell)

Sent from my iPad

Alexa, Jennifer

From: Barbara Bach [REDACTED]
Sent: Monday, March 17, 2014 8:32 PM
To: Lumm, Jane
Subject: Question

Iis this person buying this property?
Why are we using his recommendations?

Sent from my iPad

Alexa, Jennifer

From: Briere, Sabra
Sent: Monday, March 17, 2014 8:17 PM
To: *City Council Members (All); Powers, Steve
Cc: Beaudry, Jacqueline
Subject: DC-1 amendment

To the first resolve clause:

RESOLVED, That City Council approve the reservation of the site for an urban public park of approximately **between approximately 6,500 and** 12,000 square feet on the surface of the Library Lane Structure bounded by the Fifth Avenue sidewalk on the west, the Library Lane Street curb to the south, the western entry to the central elevator to the east, and the southern curb of the service alley on the north (see two related site plans) **with the northern boundary to be determined at a future date.** This portion of the surface of the Library Lane Structure shall be added to the PROS Plan and remain a City-owned, public park;

(underlined text deleted, bolded text added)

Sabra Briere
First Ward City Council
Ann Arbor
734-995-3518
734-277-6578 (cell)

Sent from my iPad

Alexa, Jennifer

From: Lumm, Jane
Sent: Monday, March 17, 2014 7:22 PM
To: Eaton, Jack
Subject: FW: Library lot resolution
Attachments: Document2.docx; ATT25902213.htm

From: Lumm, Jane
Sent: Mon 3/17/2014 7:21 PM
To: Hieftje, John; Kailasapathy, Sumi; Briere, Sabra; Petersen, Sally; Taylor, Christopher (Council); Kunselman, Stephen; Teall, Margie; JEaton@a2gov.org; Warpehoski, Chuck; Anglin, Mike
Cc: Beaudry, Jacqueline; 'Barbara Bach'
Subject: FW: Library lot resolution

Dear all, Barbara asked me to share her public speaking comments with council. Her comments are attached FYI. Jackie, please enter into the public record. Thank you, Jane

Sent from my iPhone

Begin forwarded message:

From: Barbara Bach [REDACTED]
Date: March 17, 2014 at 6:40:28 PM EDT
To: barbara bach [REDACTED], Will Hathaway [REDACTED]
Cc: Jane Lumm <janelumm@comcast.net>
Subject: Library lot resolution

The PAC recommendations call for the AADL to be strongly represented in the planning process.

- **YES.. I can't wait.** Once we designated the boundaries of this space as an Urban Park, let the planning begin.
- **Can't you imagine the wealth of resources we will have with our Public Library's involvement in both design and programming?**
- **A Puppet stage, shows and readings in the park for parents and families**
- **A contest board... public and outside and accessible that tracks how many new readers or visitors to the Park's reading nook?**
- **Changing exhibits... techies... whatever else our Library supports.**

Resources from the Ark and Performance Network Theater and Films with Michigan Theater...

I could go on.....

Since the PAC's planning process can commence after the designation of the park's boundaries, there will be ample opportunity for the AADL to provide input about such factors as design features and programming.

The PAC recommendations assert that development on and off site (Library Lane) with accompanying increases in activity is

essential for the future success of this site.

The resolution agrees about the need for activation .. another phrase for success and activity IN the park.

- **YES.** We have a great base for pedestrian walk throughs...
- Underground parking structure... Yes those people who park have to surface!!
- We have retail and restaurants on one side, historic sites... and of course great Library traffic in and out of the building which is on whole side of the park.
- Heck... we can increase that traffic. Give people an attraction... and a purpose... and a place to gather... there might be standing room only since the space is only one residential lot size.

•

We don't need three sides of retail "for eyes on the park" ... we need a good design and attractions for "eyes IN the park" ...

The best coffee, the best place to sit, the best place to meet, the best Library to visit...

Open your doors city council and go breath out of doors and help our Library friends with your enthusiasm.... I have some spare to give...

It's a great start to provide a small urban park for urban people... whether they are visitors, employees, or residents.

The resolution encourages adjacent properties to think creatively WITH the City... It is up to the AADL and other neighbors whether they choose to participate.

Please vote enthusiastically YES tonight and start the ball rolling.

Barbara Bach



March 17, 2014

Alexa, Jennifer

From: Lumm, Jane
Sent: Monday, March 17, 2014 7:21 PM
To: Hieftje, John; Kailasapathy, Sumi; Briere, Sabra; Petersen, Sally; Taylor, Christopher (Council); Kunselman, Stephen; Teall, Margie; JEataon@a2gov.org; Warpehoski, Chuck; Anglin, Mike
Cc: Beaudry, Jacqueline; Barbara Bach
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Attachments: Document2.docx; ATT25902213.htm

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Date: March 17, 2014 at 6:40:28 PM EDT
To: barbara bach [REDACTED], Will Hathaway [REDACTED]
Cc: Jane Lumm <janelumm@comcast.net>
Subject: Library lot resolution

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Barbara Bach



March 17, 2014