

City of Ann Arbor

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



Action Minutes

Monday, November 21, 2016

7:00 PM

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

City Council

City Council will meet in caucus the Sunday prior to each regular session at 3:30 p.m. in Council Chambers.

CALL TO ORDER

Mayor Taylor called the meeting of the Ann Arbor City Council to order at 7:03 p.m. in the Guy C. Larcom, Jr. Building, 2nd Floor Council Chambers, 301 E. Huron Street.

MOMENT OF SILENCE

Council stood for a moment of silence.

PLEDGE OF ALLEGIANCE

Mayor Taylor led Council in the recitation of the Pledge of Allegiance.

ROLL CALL OF COUNCIL

- Present:** 10 - Councilmember Sabra Briere, Mayor Christopher Taylor, Councilmember Jane Lumm, Councilmember Sumi Kailasapathy, Councilmember Chuck Warpehoski, Councilmember Jack Eaton, Councilmember Julie Grand, Councilmember Graydon Krapohl, Councilmember Kirk Westphal and Councilmember Chip Smith
- Absent:** 1 - Councilmember Zachary Ackerman

APPROVAL OF AGENDA

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

ADMINISTRATION OF OATH OF OFFICE

City Clerk Jacqueline Beaudry administered the Oath of Office to newly re-elected Councilmembers and the Mayor:

- Mayor Christopher Taylor*
- Sumi Kailasapathy - Ward 1*
- Kirk Westphal - Ward 2*
- Julie Grand - Ward 3*
- Graydon Krapohl - Ward 4*
- Chuck Warpehoski - Ward 5*

ORGANIZATION OF NEW COUNCIL

16-1653 Resolution Electing 2017 Mayor Pro Tem and Establishing Order of Succession for Acting Mayor

Sponsors: Taylor

Councilmember Briere moved, seconded by Councilmember Grand, that the Resolution be approved.

Enactment No: R-16-440

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

Nominate Council Member Chuck Warpehoski as Mayor Pro Tem

On a voice vote, the Mayor declared the motion carried, with one dissenting vote by Councilmember Eaton.

Enactment No: R-16-440

The question being, a motion made by Councilmember Briere, seconded by Councilmember Grand, that the Resolution be approved as amended, on a voice vote, the Mayor declared the motion carried, with one dissenting vote by Councilmember Eaton.

Enactment No: R-16-440

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

AC-1 16-1673 Agenda Response Memo - November 21, 2016

Attachments: Agenda Responses 11-21-16 Final.pdf

Acting City Administrator Larry Collins presented the City Administrator's Agenda Response Memorandum for information of Council.

Received and Filed

INT INTRODUCTIONS

None.

PUBLIC COMMENTARY - RESERVED TIME (3 MINUTES PER SPEAKER)

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

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

1. Alissa Beveridge - Safe Streets

Alissa Beveridge, 2651 Geddes, spoke about safe streets and urged Ann Arbor to make crosswalk improvements a priority.

2. Kathy Griswold - Budgeting for Pedestrian Safety

Kathy Griswold, 3565 Fox Hunt, spoke about the recent pedestrian death at Huron High School. She encouraged the public to come speak to City Council at their upcoming planning session and to urge Council to make pedestrian safety a priority in next year's budget.

3. Alan Haber - Library Lot

Alan Haber, 531 Third Street, spoke about his failed Library Lot petition. He stated the First Amendment allows for the right to petition. He urged Council to overturn staff and bureaucracy and place this issue on the next City ballot.

4. Ethel Potts - Honoring Council Member Briere

Ethel Potts, 1014 Elder Boulevard, thanked Councilmember Sabra Briere for her many years of service to the community.

5. Khita Whyatt - Hate Crimes

Khita Whyatt, University of Michigan professor, stated she was a victim of a hate crime. She urged Council and the Ann Arbor community to stand against this type of crime in Ann Arbor, stating it can be very difficult for victims to come forward.

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER WARPEHOSKI

Councilmember Warpehoski addressed the last speaker's comments regarding hate crimes. He urged victims to come forward and to seek help and support.

COUNCILMEMBER KAILASAPATHY

Councilmember Kailasapathy also spoke about the recent reports of hate-based crime in Ann Arbor, stating it is very personal to her, as she is a former refugee herself. She stated she will never vote in favor or support deportation efforts. She stated whether legal or illegal, all persons deserve compassion.

COUNCILMEMBER LUMM

Councilmember Lumm noted that the Ann Arbor Police have maintained a presence at Huron High School during peak hours, and will continue to do so until the lighting is improved at the crossings.

MAYOR TAYLOR

Mayor Taylor addressed recent reports of hate crime in Ann Arbor. He stated Ann Arbor will not stand for hate and bigotry and he commits to continuing to defend the innocent. Mayor Taylor stated Ann Arbor rejects harassment in all forms.

MC COMMUNICATIONS FROM THE MAYOR

MC-1 16-1552 Appointments - Confirmations

Attachments: Brock Hastie app. 2016.pdf, Erica Briggs app. 2016.pdf, E. Merrill Dudley App. 2016.pdf, David Esau app. 2016.pdf

Mayor Taylor requested confirmation of the following appointments that were presented at the November 10, 2016 regular session for consideration of Council:

Ann Arbor Employees Retirement Systems Board of Trustees

Brock Hastie-Reappointment

2806 Heather Way

Ann Arbor, MI 48104

Term: January 1, 2017 - December 31, 2019

Ann Arbor Public Art Commission

David Esau-Partial term

2011 Brampton Ct.

Ann Arbor, MI 48103

Term: Ending May 31, 2019

Elizabeth Dean Fund

Elisabeth Merrill C. Dudley-Partial term

1126 Fair oaks Parkway

Ann Arbor, MI 48104

Term: Ending May 31, 2018

Planning Commission

Erica Briggs-Partial term

204 Mark Hannah Place

Ann Arbor, MI 48103

Term: Ending June 30, 2019

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

MC-2 16-1657

Communication from the Mayor

Attachments: Letter from RAC appointing member to PAC.pdf

Mayor Taylor presented a report to Council from the Recreation Advisory Commission regarding its recent PAC representative appointment.

Received and Filed

CA CONSENT AGENDA

CONSENT AGENDA ITEMS REMOVED

With unanimous consent of Council, CA-8 Resolution to Approve Change Order No. 2 with Tri-City Groundbreakers, Inc. for the Geddes Avenue Improvements Project, was removed from the Consent Agenda and placed under New Business - Staff.

Passed on consent agenda

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

- CA-1 16-1581** Resolution to Accept a Water Main Easement at 2295 S. State Street from Stinedurf Properties, LLC **(8 Votes Required)**
Attachments: Drawing - water main easement 2295 S. State
- Enactment No: R-16-441
- CA-2 16-1585** Resolution to Accept a Storm Sewer Easement at 312 Glendale Drive from Glendale Orchard LLC **(8 Votes Required)**
Attachments: Drawing - storm sewer easement at 312 Glendale
- Enactment No: R-16-442
- CA-3 16-1579** Resolution to Approve October 27, 2016, Recommendations of the Board of Insurance Administration
- Enactment No: R-16-443
- CA-4 16-1566** Resolution to Approve a Purchase Order to Environmental Systems Research Institute (ESRI) for the Annual Geographic Information System Software Maintenance and License Agreement (\$51,600.00)
- Enactment No: R-16-444
- CA-5 16-1517** Resolution to Approve an Increase to the Spartan Distributors, Inc., of Auburn Hills, Michigan, Sole Source Purchase Order for Miscellaneous Equipment Parts, Service and Repairs for Irrigation and Toro Turf Maintenance Equipment (\$55,000.00)

Enactment No: R-16-445

CA-6 16-1549 Resolution to Accept and Appropriate a Grant Award from the Office on Violence Against Women at the U.S. Department of Justice (\$391,097.00) **(8 Votes Required)**

Enactment No: R-16-446

CA-7 16-1515 Resolution for Approval of Amendment No. 1 to the Professional Services Agreement with Stantec Consulting Michigan, Inc. for the Container Storage Building (\$44,400.00)

Attachments: Stantec PSA, Amendment No 1

Enactment No: R-16-447

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 16-1522 An Ordinance to Add a New Chapter 120 (Closed Captioning) to Title IX of the Code of the City of Ann Arbor (Ordinance No. ORD-16-24)

Sponsors: Westphal

Attachments: 16-24 Closed Captioning Ordinance Briefed.pdf, R-16-145, Closed captioning ordinance memo.pdf, CDI resolution to support closed captioning ordinance.pdf, Closed Captioning Chapter 120 Briefed.pdf

A public hearing was conducted on the proposed Ordinance to Add a New Chapter 120 (Closed Captioning) to Title IX of the Code of the City of Ann Arbor. Notice of public hearing was published November 17, 2016.

Mayor Taylor stated this ordinance will likely be postponed until January 2017. He stated the hearing would be continued at that time.

The following people were present to speak at the public hearing:

Edward Vielmetti, 1210 Brooklyn, questioned why the City Council meetings do not have closed captioning capabilities.

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

Held and Continued to the City Council

Enactment No: ORD-16-24

PH-2 16-1528 An Ordinance to Amend Sections 7:91, 7:92, 7:93, 7:94, 7:95, 7:96,

7:97, 7:98, 7:100, 7:101, 7:102, 7:103, and 7:104, Repeal Section 7:99 and Revise the Title of Chapter 82, Littering and Distribution of Handbills, of Title VII of the Code of the City of Ann Arbor (Ordinance No. ORD-16-25)

Sponsors: Warpehoski, Taylor, Westphal, Krapohl, Grand and Lumm

Attachments: Chapter 82 Briefed and Approved as Amended on 112116, Proposed Amendment to Chapter 82, 16-25
Chapter_82__LITTERING_AND_DISTRIBUTION_OF_PRINT MATERIALS.pdf,
Chapter_82__LITTERING_AND_DISTRIBUTION_OF_PRINT MATERIALS.pdf

A public hearing was conducted on the proposed Ordinance to Amend Sections 7:91, 7:92, 7:93, 7:94, 7:95, 7:96, 7:97, 7:98, 7:100, 7:101, 7:102, 7:103, and 7:104, Repeal Section 7:99 and Revise the Title of Chapter 82, Littering and Distribution of Handbills, of Title VII of the Code of the City of Ann Arbor. Notice of public hearing was published November 17, 2016.

The following person was present to speak at the hearing:

Edward Vielmetti, 1210 Brooklyn, spoke in opposition, stating First Amendment rights of the Press.

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

Held and Closed

Enactment No: ORD-16-25

PH-3 16-0956

An Ordinance to Discontinue the Taxicab Board and Establish a Transportation Commission by Repealing and Replacing Section 1:207 of Chapter 8 of Title I and Amending Chapter 85 of Title VII of the Code of the City of Ann Arbor (Ordinance No. ORD-16-26)

Sponsors: Ackerman, Warpehoski, Westphal, Taylor and Taxicab Board

Attachments: ORD16-26 Briefed and Approved as Amended on 112116, 16-26 Transportation Commission Ordinance-Briefed as amended 11-10-16.pdf, Transportation Commission Ordinance-Briefed as amended at First Reading 111016, Transportation Commission Ordinance-Briefed-revised 11-8-16, July 18 2016 Taxicab Board Memo to Council, Transportation Commission Ordinance-Briefed.pdf

A public hearing was conducted on the proposed Ordinance to Discontinue the Taxicab Board and Establish a Transportation Commission by Repealing and Replacing Section 1:207 of Chapter 8 of Title I and Amending Chapter 85 of Title VII of the Code of the City of Ann Arbor. Notice of public hearing was published November 21, 2016.

The following persons were present to speak at the hearing:

*Michael Benson, Chair of the Taxicab Board, spoke in support of the ordinance, stating transportation issues are broader than the scope of the Taxicab Board.
Kathy Griswold, 3565 Fox Hunt, spoke in support, stating public safety is paramount.
Josh Bosman, Taxicab Board member, spoke in support, stating a Transportation Commission would provide a much broader and more diverse perspective.
Michael Fern, owner of a local transportation business, spoke in support.*

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

Held and Closed

Enactment No: ORD-16-26

PH-4 16-1312

An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 7.7 Acres from R1C (Single-Family Dwelling District) to R1E (Single-Family Dwelling District) WITH CONDITIONS, Weber Rezoning, 2857 Packard Road (CPC Recommendation: Approval - 6 Yeas and 1 Nays) (Ordinance No. ORD-16-20)

Attachments: 2857 Packard Conditional Zoning Conversion Memo 2-17-16, 2857 Packard Conditional Rezoning Ordinance with Conditions - proposed amendment, 16-20 Weber Rezoning Briefed.pdf, 2857 Packard Revised Area Plan Layout, 2857 Packard Conditional Agreement, Weber Area Plan Staff Report with Attachments, Weber Rezoning_LegalAttachment_CC_Template.pdf, Protest Letter from Joyce Kerestes regarding Weber Rezoning.pdf, Weber Zoning Letter RSH.pdf, e knorpp letter.pdf, WEBER ZONING PROTESTS 112116

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 7.7 Acres from R1C (Single-Family Dwelling District) to R1E (Single-Family Dwelling District), Weber Rezoning, 2857 Packard Road. Notice of public hearing was published October 31, 2016.

The following persons were present to speak at the hearing:

An unidentified neighbor of the parcel, spoke in opposition, stating concerns about the rezoning being based only on a proposed Area Plan.

Ethel Potts, 1014 Elder, spoke in opposition.

Jason Mann, owner of adjacent parcel, expressed concerns about traffic and privacy.

Randy Houston, owner of adjacent parcel, spoke in opposition, stating concerns about open space and the change in character of the area.

Stefan Trendau, Fuller Court

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

Held and Closed

Enactment No: ORD-16-20

PH-5 16-1311 Resolution to Approve the Weber Area Plan, 2857 Packard Road (CPC Recommendation: Approval - 6 Yeas and 1 Nays)

Attachments: Weber Area Plan Staff Report with Attachments

A public hearing was conducted on the proposed Resolution to Approve the Weber Area Plan, 2857 Packard Road. Notice of public hearing was published November 14, 2016.

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

Held and Closed

PH-6 16-1518 Resolution to Approve the South Maple Avalon Apartments Annexation, 4.9 Acres, 1110 and 1132 South Maple Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

Attachments: October 18, 2016 Planning Staff Report, October 18, 2016 Planning Commission Minutes (Draft)

A public hearing was conducted on the proposed Resolution to Approve the South Maple Avalon Apartments Annexation, 4.9 Acres, 1110 and 1132 South Maple Road. Notice of public hearing was published November 14, 2016.

Wendy Carty-Saxon, representing Avalon Housing, spoke in support of the annexation and was available to answer any questions of Council.

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

Held and Closed

Enactment No: R-16-450

A APPROVAL OF COUNCIL MINUTES**A-1 16-1654** Special and Work Session Meeting Minutes of October 24 and Regular Session Meeting Minutes of November 10, 2016

Attachments: 10-24-16 Special Session Minutes, Special session emails 10-24-2016, 10-24-16 Work Session Minutes, 11-10-16 Draft Minutes, Council emails 11-10-2016_12-34-35_Redacted

A motion was made by Councilmember Smith, seconded by Councilmember Krapohl, that the Minutes of the Special and Work Sessions of October 24 and the Regular Session of November 10, 2016 be approved. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING**B-1 16-1522** An Ordinance to Add a New Chapter 120 (Closed Captioning) to Title IX of the Code of the City of Ann Arbor (Ordinance No. ORD-16-24)

Sponsors: Westphal

Attachments: 16-24 Closed Captioning Ordinance Briefed.pdf, R-16-145, Closed captioning ordinance memo.pdf, CDI resolution to support closed captioning ordinance.pdf, Closed Captioning Chapter 120 Briefed.pdf

A motion was made by Councilmember Westphal, seconded by Councilmember Lumm, that the Ordinance be adopted at Second Reading.

Enactment No: ORD-16-24

A motion was made by Councilmember Westphal, seconded by Councilmember Lumm, that the Ordinance be postponed at Second Reading to the City Council and should be returned by 1/3/2017 (First Meeting in January 2017). On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-16-24

B-2 16-1528 An Ordinance to Amend Sections 7:91, 7:92, 7:93, 7:94, 7:95, 7:96, 7:97, 7:98, 7:100, 7:101, 7:102, 7:103, and 7:104, Repeal Section 7:99 and Revise the Title of Chapter 82, Littering and Distribution of Handbills, of Title VII of the Code of the City of Ann Arbor (Ordinance No. ORD-16-25)

Sponsors: Warpehoski, Taylor, Westphal, Krapohl, Grand and Lumm

Attachments: Chapter 82 Briefed and Approved as Amended on 112116, Proposed Amendment to Chapter 82, 16-25
Chapter_82__LITTERING_AND_DISTRIBUTION_OF_PRINT MATERIALS.pdf,
Chapter_82__LITTERING_AND_DISTRIBUTION_OF_PRINT MATERIALS.pdf

Councilmember Warpehoski moved, seconded by Councilmember Westphal, that the Ordinance be adopted at Second Reading.

Enactment No: ORD-16-25

The following amendments were proposed and considered friendly by the Body:

ADD:

7:97 (1) b. iv. CAUSE SOLICITED PRINTED MATTER TO BE THROWN OR DEPOSITED UPON THAT PORTION OF RESIDENTIAL PRIVATE PROPERTY THAT IS NOT A SIDEWALK, STREET, OR "LAWN EXTENSION" IF THE DELIVERY OF THE PRINTED MATTER IS MADE PURSUANT TO AN EXPRESS INVITATION OR PERMISSION FOR DELIVERY.

ADD:

7:97 (2) c. NO PERSON SHALL CAUSE UNSOLICITED PRINTED MATTER TO BE PLACED UPON, ATTACHED TO, OR HUNG FROM A MAILBOX OR ANY APPARATUS THAT SUPPORTS THE MAILBOX.

REVISE:

7:97 (2) a. No Person shall cause Unsolicited Printed Matter to be [thrown or] deposited upon any Residential Private Property except [for] BY (i) PLACING AND SECURING IT on the porch nearest the Front Door, or [securely attached] (ii) ATTACHING IT SECURELY to the Front Door, or (iii) PUTTING IT through a mail slot on the Front Door, or (iv) PUTTING IT between the exterior Front Door and the interior Front Door, or [by] (v) handing it personally to the owner, occupant or lessee of the Residential Private Property.

[Brackets] indicate deleted language. ALL CAPS indicate new language.

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

Enactment No: ORD-16-25

B-3 16-0956 An Ordinance to Discontinue the Taxicab Board and Establish a Transportation Commission by Repealing and Replacing Section 1:207 of Chapter 8 of Title I and Amending Chapter 85 of Title VII of the Code of the City of Ann Arbor (Ordinance No. ORD-16-26)

Sponsors: Ackerman, Warpehoski, Westphal, Taylor and Taxicab Board

Attachments: ORD16-26 Briefed and Approved as Amended on 11/21/16, 16-26 Transportation Commission Ordinance-Briefed as amended 11-10-16.pdf, Transportation Commission Ordinance-Briefed as amended at First Reading 11/10/16, Transportation Commission Ordinance-Briefed-revised 11-8-16, July 18 2016 Taxicab Board Memo to Council, Transportation Commission Ordinance-Briefed.pdf

It was considered friendly by the Body to change the effective date of the ordinance until after a quorum of members of the new Transportation Commission are appointed.

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

Enactment No: ORD-16-26

B-4 16-1312 An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 7.7 Acres from R1C (Single-Family Dwelling District) to R1E (Single-Family Dwelling District) WITH CONDITIONS, Weber Rezoning, 2857 Packard Road (CPC Recommendation: Approval - 6 Yeas and 1 Nays) (Ordinance No. ORD-16-20)

Attachments: 2857 Packard Conditional Zoning Conversion Memo 2-17-16, 2857 Packard Conditional Rezoning Ordinance with Conditions - proposed amendment, 16-20 Weber Rezoning Briefed.pdf, 2857 Packard Revised Area Plan Layout, 2857 Packard Conditional Agreement, Weber Area Plan Staff Report with Attachments, Weber Rezoning_LegalAttachment_CC_Template.pdf, Protest Letter from Joyce Kerestes regarding Weber Rezoning.pdf, Weber Zoning Letter RSH.pdf, e knorpp letter.pdf, WEBER ZONING PROTESTS 11/21/16

A motion was made by Councilmember Grand, seconded by Councilmember Lumm, that the Ordinance be adopted at Second Reading.

Enactment No: ORD-16-20

Councilmember Grand moved, seconded by Councilmember Lumm, that the substitute Conditional Zoning Ordinance be considered. The motion to consider the substitute zoning was considered friendly by the Body.

A motion was made by Councilmember Grand, seconded by Councilmember Lumm, that the Ordinance be approved as amended on First Reading to the City Council, due back on 12/19/2016. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 8 - Councilmember Briere, Mayor Taylor, Councilmember Lumm, Councilmember Warpehoski, Councilmember Grand, Councilmember Krapohl, Councilmember Westphal and Councilmember Smith

Nays: 2 - Councilmember Kailasapathy and Councilmember Eaton

Absent: 1 - Councilmember Ackerman

Enactment No: ORD-16-20

RECESS

Mayor Taylor declared a recess at 9:00 p.m. and reconvened the meeting at 9:15 p.m.

C ORDINANCES - FIRST READING

C-1 16-1595 An Ordinance to Amend the Code of the City of Ann Arbor by Adding a New Section Which New Section Shall Be Designated as Section 10:18 of Chapter 126, Traffic, Title X, of Said Code

Sponsors: Briere, Smith, Warpehoski, Taylor and Westphal

Attachments: Safe Passing Ordinance as Amended on 112116, Safe Passing Ordinance _New Code Sec.docx, Safe Passing Ordinance _New Code Sec.pdf

Councilmember Warpehoski moved, seconded by Councilmember Briere, to amend the ordinance to change the effective date to thirty days after publication. The amendment was considered friendly by the Body.

A motion was made by Councilmember Smith, seconded by Councilmember Warpehoski, that the Ordinance be approved as amended on First Reading to the City Council and should be returned by 12/5/2016. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-16-27

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

DC-1 16-1558 Resolution to Reappoint Julie Lynch to the Ann Arbor Employees' Retirement Board of Trustees (**7 Votes Required**)

Attachments: Julie Lynch app. 2016.pdf

A motion was made by Councilmember Briere, seconded by Councilmember Krapohl, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the seven-vote requirement.

Enactment No: R-16-448

DC-2 16-1422 Resolution to Approve a Request from Divergent Brewing Company, LLC for a New Micro-Brewer and Beer and Wine Tasting Liquor License to be Located at 2290 S. Industrial

Sponsors: Council Liquor License Review Committee

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

Enactment No: R-16-449

DB New Business - Boards and Commissions:

DB-1 16-1311 Resolution to Approve the Weber Area Plan, 2857 Packard Road (CPC Recommendation: Approval - 6 Yeas and 1 Nays)

Attachments: Weber Area Plan Staff Report with Attachments

A motion was made by Councilmember Grand, supported by Councilmember Briere, that the Resolution be approved.

A motion was made by Councilmember Grand, seconded by Councilmember Lumm, that the Resolution be postponed to the City Council and should be returned by 12/19/2016. On a voice vote, the Mayor declared the motion carried.

DB-2 16-1518 Resolution to Approve the South Maple Avalon Apartments Annexation, 4.9 Acres, 1110 and 1132 South Maple Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

Attachments: October 18, 2016 Planning Staff Report, October 18, 2016 Planning Commission Minutes (Draft)

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

Enactment No: R-16-450

DS New Business - Staff:

CA-8 16-1411 Resolution to Approve Change Order No. 2 with Tri-City Groundbreakers, Inc. for the Geddes Avenue Improvements Project

(\$1,094,047.81)

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.

Enactment No: R-16-451

COMMUNICATIONS FROM COUNCIL

MAYOR TAYLOR

Mayor Taylor updated Council and the public regarding the First Ward Council vacancy. Mayor Taylor reminded interested candidates that the deadline to apply is Wednesday, November 23 at 2:00 p.m. At that time, the interview questions and the candidates, would be published on Legistar, he stated.

COUNCILMEMBER WARPEHOSKI

Councilmember Warpehoski thanked Council for appointing him Mayor Pro Tem. He also spoke about Council committee assignments that would be presented to Council for approval on December 5.

E COMMUNICATIONS FROM THE CITY ATTORNEY

None.

F & G CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

F The following communications were referred as indicated:

Passed on consent agenda

A motion was made by Councilmember Krapohl, seconded by Councilmember Smith, that the Clerk's Report of Communications, Petitions, and Referrals be approved as presented. On a voice vote, the Mayor declared the motion carried.

F-1 16-1658 Communication from Dykema Gossett PLLC regarding 611 E. University, Ann Arbor, Michigan (the "Project")

Attachments: 611 E. University The Project.pdf

G The following minutes were received for filing:

- G-1 16-1301** City Planning Commission Meeting Minutes of August 16, 2016
Attachments: 8-16-2016 CPC Minutes with Live Links.pdf
- G-2 16-1375** Taxicab Board Meeting Minutes of July 21, 2016 and September 22, 2016
Attachments: 072116 Taxicab Board Minutes, 092216 Taxicab Board Minutes
- G-3 16-1473** LDFA Smartzone Board Meeting Minutes - September 20, 2016
Attachments: LDFA Minutes - Sept. 20, 2016
- G-4 16-1516** Ann Arbor Housing Commission Board Meeting Minutes of August 17, 2016
Attachments: Ann Arbor Housing_Commission_16-08-17_Action_Minutes
- G-5 16-1572** Downtown Development Authority Board and Executive, Finance, Operations and Capital Improvement Committees meeting minutes from October 2016
Attachments: DDA Minutes October 2016
- G-6 16-1580** Insurance Board Meeting Minutes - October 27, 2016
Attachments: Insurance Board Loss Report - Sept 2016, Insurance Board Minutes 102716
- G-7 16-1584** Elizabeth Dean Fund Committee Minutes of July 20, 2016, August 17, 2016 and September 21, 2016
Attachments: DFCMeetingMinutes_072016.pdf, DFCMeetingMinutes_081716.pdf, DFCMeetingMinutes_092116.pdf

- G-8** **16-1667** Council Administration Committee Meeting Minutes of 9-19-16 and 10-17-16
Attachments: Admin Committee Minutes 9-19-16.pdf, Admin Committee Minutes 10-17-16.pdf
- G-9** **16-1668** Council Rules Committee Meeting Minutes of October 20, 2016
Attachments: Council Rules Committee Minutes 10-20-16.pdf

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Edward Vielmetti, 1210 Brooklyn, objected to the Mayor stating that speakers needed to "have endured" the meeting, in order to speak at the end. He encouraged Mayor Taylor to drop that from his remarks regarding public comment.

Steve Carter, Ward 5 resident and cyclist, spoke in opposition to the safe passing ordinance, stating it will only make drivers more hostile to bicyclists.

Michael Benson, Taxicab Board member, thanked Council for their support and approval of the new Transportation Commission ordinance. He also spoke about the recent hate crimes in Ann Arbor and encouraged Council to consider an ordinance regarding hate or ethnic intimidation.

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 Briere, seconded by Councilmember Lumm, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 11:18 p.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, NOVEMBER 21, 2016 @ 7:00 A.M.

REPLAYS: WEDNESDAY NOVEMBER 23, 2016 @ 8:00 A.M. AND FRIDAY NOVEMBER 25, 2016 @ 8:00 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

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

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

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

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

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

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

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