

# City of Ann Arbor

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



## Action Minutes

Thursday, November 10, 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 7:00 p.m. in the Guy C. Larcom, Jr. Building, 2nd Floor Council Chambers, 301 E. Huron Street.*

**MOMENT OF SILENCE**

*Council stood for a moment of silence.*

**PLEDGE OF ALLEGIANCE**

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

**ROLL CALL OF COUNCIL**

**Present:** 11 - Councilmember Sabra Briere, Councilmember Jane Lumm, Councilmember Sumi Kailasapathy, Councilmember Chuck Warpehoski, Councilmember Jack Eaton, Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Graydon Krapohl, Councilmember Kirk Westphal, Councilmember Zachary Ackerman and Councilmember Chip Smith

**APPROVAL OF AGENDA**

**Councilmember Krapohl moved, seconded by Councilmember Ackerman, that the Agenda be approved.**

**APPROVAL OF AGENDA**

**A motion was made by Councilmember Krapohl, seconded by Councilmember Smith, that the Agenda be approved as amended:**

**REMOVE DS-1**

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

**AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR**

*City Administrator Howard S. Lazarus presented his Agenda Response Memo and the following reports for information of Council. He also encouraged residents to recognize Veteran's Day on Friday, November 11, 2016.*

**AC-1 16-1575 FY17 Winter Pilot Parking Restrictions Memorandum**

**Attachments:** 161025 - FY17 Winter Pilot Parking Restrictions (2)

**Received and Filed**

**AC-2 16-1594** Communications from the City Administrator - November 10, 2016

**Attachments:** 161110 - Communications from the City Administrator

**Received and Filed**

**AC-3 16-1586** Response to Resolution R-16-352, Resolution Directing the City Administrator to Review Traffic Calming, Speed Limits, and Design Speed for Road Reconstructions.

**Attachments:** 161106 - Memo and Technical Paper Responding to Resolution 16-352

**Received and Filed**

**AC-4 16-1616** Agenda Response Memo - November 10, 2016

**Attachments:** Agenda Responses 11-10-16

**Received and Filed**

**INT INTRODUCTIONS**

**INT-1 16-1574** NAP Volunteer of the Month proclamation honoring Tom Wiseman and Julie Armitage

**Attachments:** NAP Vol. of Mo. Tom Wiseman & Julie Armitage Proc..pdf

*Mayor Taylor presented a proclamation honoring the NAP Volunteers of the Month, Tom Wiseman and Julie Armitage. A copy of the proclamation is on file in the City Clerk's Office.*

**Received and Filed**

**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. Andy Blyler - Winter Pilot Parking Restrictions Program (AC-1)**

*Andy Blyler, 603 W. Washington, spoke in support of the proposed Winter Pilot Parking Restrictions Program. He urged Council to include W. Washington in the program.*

**2. Judith Hoffman - Traffic Resolution (AC-3)**

*Judith Hoffman urged Council to hire more crossing guards, stating a guard is needed for Community High School at Fifth and Detroit Streets.*

**3. Peter Houk - Formation of Transportation Commission Ordinance (C-4)**

*Peter Houk, 2025 Yeoman, member of the Washtenaw Bicycling and Walking Coalition, spoke in support of C-4, the ordinance to create a new Transportation Commission.*

**4. Michael Benson - 1st Reading of the Transportation Commission Ordinance (C-4)**

*Michael Benson, Chair of the Taxicab Board, spoke in support of C-4, stating the creation of the Transportation Commission ordinance was a year-long process for the Taxicab Board. He thanked Council for their support.*

**5. Stephanie Preston - Installation of Streetlights at Fuller Rd. Crosswalk (DC-4)**

*Stephanie Preston spoke in support of DC-4 and the installation of streetlights at Fuller Road near Huron High School. She urged Council to make this a priority.*

**6. Kyle Lady - Transportation Commission Ordinance (C-4)**

*Kyle Lady, member of the Taxicab Board, spoke in support of C-4, the proposed ordinance to create a Transportation Commission.*

**7. Janet Schwamb - Crosswalks (DC-4)**

*Janet Schwamb, Principal of Huron High School, spoke in support of DC-4, and urged Council to make pedestrian safety at Huron High a priority.*

**8. Jeanice Swift - Traffic Safety/Pedestrian Safety (DC-4)**

*Jeanice Swift, Superintendent of Ann Arbor Public Schools, spoke in support of DC-4 and urged Council to make student and pedestrian safety a priority in Ann Arbor.*

**9. Andy Thomas, AAPS Board Member - School Zone Safety (DC-4)**

*Andy Thomas, AAPS Board Member, spoke in support of DC-4, and urged Council to make school crossings a safety priority.*

**10. Kathy Griswold - Pedestrian Safety Funding (DC-4)**

*Kathy Griswold, 3565 Fox Hunt Drive, spoke in support of DC-4 and urged Council to be leaders on pedestrian safety. She asked Council to take action now.*

**CC COMMUNICATIONS FROM COUNCIL**

**COUNCILMEMBER SMITH**

*Councilmember Smith stated residents on the City's northwest side of town are currently without power.*

*Councilmember Smith stated he is hosting a coffee hour at Mighty Good Coffee tomorrow at 10:00 a.m. He urged residents to join him and have a conversation.*

*Councilmember Smith addressed some of the recent tragedies in Ann Arbor involving young people, stating it has been a tough few months for our community. He urged drivers to slow down and pay attention.*

**COUNCILMEMBER KRAPOHL**

*Councilmember Krapohl spoke about Veteran's Day, which is Friday, November 11, 2016, and the anniversary of the Marine Corps.*

**COUNCILMEMBER GRAND**

*Councilmember Grand spoke about the community's response to recent tragedies.*

**COUNCILMEMBER LUMM**

*Councilmember Lumm spoke about pedestrian safety and the tragedy at Huron High School.*

**COUNCILMEMBER WESTPHAL**

*Councilmember Westphal spoke about the tragedy at Huron High School. He expressed his commitment to find the necessary resources to make student and pedestrian safety a priority moving forward.*

**COUNCILMEMBER WARPEHOSKI**

*Councilmember Warpehoski thanked the community for coming together following the recent tragic events. Councilmember Warpehoski stated he pledged to do better.*

COUNCILMEMBER BRIERE

*Councilmember Briere spoke about pedestrian safety and access.*

COUNCILMEMBER EATON

*Councilmember Eaton thanked the community and the public schools for their advocacy around public safety. He thanked Kathy Griswold for her long-time advocacy on this issue for over twenty years. He encouraged the community to continue to advocate and to hold Council accountable.*

**MC COMMUNICATIONS FROM THE MAYOR**

**MC-1 16-1453 Appointments - Confirmations**

**Attachments:** Glenn Nelson app. 2016.pdf, Wayne Appleyard app. 2016.pdf

*Mayor Taylor requested confirmation of the following appointments that were presented to Council at the October 17, 2016 Regular Session:*

*Recreation Advisory Commission*

*Glenn Nelson-Filling Partial term*

*1323 S. Forest Ave.*

*Ann Arbor, MI 48104*

*Term: Ending May 31, 2019*

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

**MC-2 16-1552 Appointments & Nominations**

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

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

*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*

**Referred to the City Council due back on 11/21/2016**

**MC-3 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

*Mayor Taylor presented the following appointment resolution for approval at a later date:*

*Ann Arbor Employees' Retirement Board of Trustees*

*Julie Lynch -Reappointment*

*4189 Lori Lynn Lane*

*Whitmore Lake, MI 48189*

*Term: January 1, 2017-December 31, 2019*

**Referred to the City Council due back on 11/21/2016**



## CA CONSENT AGENDA

Passed on consent agenda

A motion was made by Councilmember Briere, seconded by Councilmember Ackerman, 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-1 through CA-8 and CA-15.

**CA-1 16-1439** Resolution to Accept a Sanitary Sewer Easement at Maple Village Shopping Mall from Brixmor Holdings 1 SPE, LLC **(8 Votes Required)**

Attachments: Drawing - Maple Village sanitary easement

Enactment No: R-16-407

**CA-2 16-1441** Resolution to Accept a Water Main Easement at Maple Village Shopping Mall from Brixmor Holdings 1 SPE, LLC **(8 Votes Required)**

Attachments: Drawing - Maple Village water main easement

Enactment No: R-16-408

**CA-3 16-1504** Resolution to Accept an Easement for Sanitary and Storm Sewers at 2321 Jackson Avenue from 2321 Jackson, LLC **(8 Votes Required)**

Attachments: Drawing - 2321 Jackson Utility easement

Enactment No: R-16-409

**CA-4 16-1505** Resolution to Accept an Easement for Sidewalk at 2321 Jackson Avenue from 2321 Jackson, LLC **(8 Votes Required)**

Attachments: Drawing - 2321 Jackson sidewalk easement

Enactment No: R-16-410

**CA-5 16-1527** Resolution to Accept a Water Main Easement at 3850 Research Park Drive from Stellar Hospitality Ann Arbor, LLC **(8 Votes Required)**

Attachments: Drawing - 3850 Research Park water main easement

Enactment No: R-16-411

- CA-6 16-1398** Resolution to Accept and Appropriate Michigan Supreme Court State Court Administrative Office Drug Court Grant Funds and Approve Grant Contract (\$139,000.00) **(8 Votes Required)**

Attachments: SCAO-D15\_SobrietyCourtContract

Enactment No: R-16-424

- CA-7 16-1401** Resolution to Accept and Allocate Michigan Supreme Court State Court Administrative Office Michigan Veterans Treatment Court Grant Award and Approve Grant Contract (\$60,000.00) **(8 Votes Required)**

Attachments: SCAO-D15\_VeteransCourtContract

Enactment No: R-16-412

- CA-8 16-1402** Resolution to Accept and Allocate Michigan Supreme Court State Court Administrative Office Mental Health Court Grant Award and Approve Grant Contract (\$200,000.00) **(8 Votes Required)**

Attachments: SCAO-D15\_MentalHealthCourt

Enactment No: R-16-413

- CA-9 16-1378** Resolution to Extend Toter Cart Purchases and Authorize Up to Five Additional Years (not-to-exceed \$131,000.00 per year)

Enactment No: R-16-414

- CA-10 16-1434** Resolution Authorizing a Purchase Order to Motorola Solutions, Inc. (State of Michigan MiDeal Contract #071B2200101 \$470,696.96) to Purchase Radios Compatible with Michigan's Public Safety Communications System

Enactment No: R-16-415

- CA-11 16-1461** Resolution to Amend an Approved Purchase Order of Two Refuse Trucks (Fredrickson Supply, LLC - \$19,191.45)

Attachments: Fredrickson-Loadmaster truck correction

Enactment No: R-16-416

**CA-12 16-1508** Resolution to Approve Change Order No. 1 with Douglas N Higgins, Inc. for the Ferdon Wells Storm Sewer Rehabilitation Project (\$81,247.39; Bid No. 4433)

Attachments: Contract Modification #1

Enactment No: R-16-417

**CA-13 16-1460** Resolution to Approve Amendments to the Professional Services Agreements with Stantec Consulting Michigan, Inc. (\$75,000.00) and Alfred Benesch and Company (\$45,000.00) for Construction Inspection Services

Attachments: Stantec Inspection Amendment 1.pdf, ABC Inspection Amendment 1.pdf

Enactment No: R-16-418

**CA-14 16-1410** Resolution to Approve Change Order No. 1 with Doan Construction Company (Bid No. 4417) for the 2016 Ramp & Sidewalk Repair Project (\$800,000.00)

Enactment No: R-16-419

**CA-15 16-1459** Resolution to Approve Amendment No. 5 to the Carlisle/Wortman Professional Services Agreements for Building Official Services, Amend the FY16 Budget and Appropriate Necessary Funds (\$500,000.00) (**8 Votes Required**)

Enactment No: R-16-420

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

**PH-1 16-0644** An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 5.34 Acres from TWP (Township District) to R4B (Multiple-Family Dwelling District), Mirafzali Family LLC, 2250 Ann Arbor-Saline Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (**8 Votes Required at Second Reading**)

Attachments: 16-19 Mirafzali Zoning Ordinance Briefed as Amended on 111016, 2250 Ann Arbor Saline Conditional Zoning Conversion Memo (002), 2250 Ann Arbor Saline Rezoning Ordinance - Revised 11-10-16, 2250 Ann Arbor Saline Petitioner Zoning Conditions, 2250 Ann Arbor Saline Statement of Conditions, 16-19 Mirafzali Zoning Ordinance Briefed.pdf, 2250 Ann

Arbor Saline Zoning Ordinance CC, 8-3-16 2250 Ann Arbor Saline Staff Report with Attachments 8-3-16-rev, 8-3-2016 CPC Minutes with Live Links.pdf, 7-21-15 CPC Minutes with Live Links, Protest Petition 2250 Ann Arbor Saline Road, Support Letter from Joyce Krantz regarding Mirafzali 2250 Ann Arbor-Saline Road Rezoning.pdf

*A public hearing was conducted on the proposed Ordinance to Amend Chapter 55 (Zoning), Rezoning of 5.34 Acres from TWP (Township District) to R4B (Multiple-Family Dwelling District), Mirafzali Family LLC, 2250 Ann Arbor-Saline Road. Notice of public hearing was published October 24, 2016.*

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

*Ralph Dixon, 520 Lambeth  
Bob Parnes, 2067 Ascot  
Paula Uche, 482 Village Oaks  
Ken Timmer, 2112 Ascot  
Ruth Dixon, 520 Lambeth  
Eric Macks, 2155 Ascot  
The owner of 521 Lambeth*

*Tom Burke, attorney for the developer, was present to speak about the proposed changes and the conditional zoning proposal. He was available to answer any questions of Council.*

*Barry Gates, 2017 Marra, spoke in support.*

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

**Held and Closed**

Enactment No: ORD-16-19

**PH-2 16-1547**

Resolution to Approve 2250 Ann Arbor-Saline Road Site Plan, Development Agreement and Wetland Use Permit, 2250 Ann Arbor-Saline Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

**Attachments:** August 3, 2016 2250 Ann Arbor Saline Staff Report with Attachments, 2250 Ann Arbor Saline DEV AGR - JUNE 2016, August 3, 2016 CPC Minutes for 2250 Ann Arbor Saline Road Site Plan for Council Approval, October 20, 2015 CPC Minutes

*A public hearing was conducted on the Resolution to Approve 2250 Ann Arbor-Saline Road Site Plan, Development Agreement and Wetland Use Permit, 2250 Ann Arbor-Saline Road. Notice of public hearing was published October 31, 2016.*

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

*Ken Timmer, 2112 Ascot, spoke in opposition to the project. He thanked Councilmember Briere for her years of advocacy.*

*Bob Parnes, 2067 Ascot, spoke in opposition.*

*Ralph Dixon, 520 Lambeth, spoke in opposition.*

*Paula Uche, 482 Village Oaks, spoke in opposition, stating the mitigation will adversely affect upper Village Oaks.*

*Eric Lipson, 1318 Rosewood, spoke in opposition.*

*Greg Avair, 2085 Ascot*

*Penny Shelbern, neighbor, spoke in opposition.*

*Tom Burke, attorney for the developer, spoke in support of the project and was available to answer any questions of Council.*

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

**Held and Closed**

## **A APPROVAL OF COUNCIL MINUTES**

### **A-1 16-1557** Work Session Minutes of October 10, 2016 and Regular Session Minutes of October 17, 2016

**Attachments:** 10-17-16 Draft Minutes, 10-10-16 Work Session Minutes.pdf, Council Emails 2016-10-17-2016

**A motion was made by Councilmember Briere, seconded by Councilmember Ackerman, that the Minutes of the Work Session of October 10 and the Regular Session of October 17, 2016 be approved. On a voice vote, the Mayor declared the motion carried.**

## **B ORDINANCES - SECOND READING**

### **16-0644** An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 5.34 Acres from TWP (Township District) to R4B (Multiple-Family Dwelling District), Mirafzali Family LLC, 2250 Ann Arbor-Saline Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays) **(8 Votes Required at Second Reading)**

**Attachments:** 16-19 Mirafzali Zoning Ordinance Briefed as Amended on 111016, 2250 Ann Arbor Saline Conditional Zoning Conversion Memo (002), 2250 Ann Arbor Saline Rezoning Ordinance - Revised 11-10-16, 2250 Ann Arbor Saline Petitioner Zoning Conditions, 2250 Ann Arbor Saline Statement of Conditions, 16-19 Mirafzali Zoning Ordinance Briefed.pdf, 2250 Ann Arbor Saline Zoning Ordinance CC, 8-3-16 2250 Ann Arbor Saline Staff Report with Attachments 8-3-16-rev, 8-3-2016 CPC Minutes with Live Links.pdf, 7-21-15 CPC Minutes with Live Links, Protest Petition 2250 Ann Arbor Saline Road, Support Letter from Joyce Krantz regarding Mirafzali 2250 Ann Arbor-Saline Road Rezoning.pdf

Enactment No: ORD-16-19

*Councilmember Briere moved, seconded by Councilmember Ackerman, that Council substitute the proposed ordinance at Second Reading, with the proposed substitute ordinance with Conditional Zoning.*

*The substitute ordinance was considered friendly.*

**A motion was made by Councilmember Briere, seconded by Councilmember Ackerman, that the Ordinance be approved on First Reading to the City Council, due back on 12/5/2016. On a roll call, the vote was as follows with the Mayor declaring the motion carried:**

**Yeas:** 10 - Councilmember Briere, Councilmember Lumm, Councilmember Warpehoski, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Krapohl, Councilmember Westphal, Councilmember Ackerman and Councilmember Smith

**Nays:** 1 - Councilmember Kailasapathy

Enactment No: ORD-16-19

## RECESS

*The Mayor declared a recess at 9:10 p.m. and reconvened the meeting at 9:20 p.m.*

## C ORDINANCES - FIRST READING

### C New Business - Staff:

**C-1 16-1421** An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 8.48 Acres from TWP (Township District) to R1A Zoning (Single-Family Residential District), Windy Crest Partnership, 305 Meadow Creek Drive (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-16-23)

**Attachments:** Windy Crest Ordinance, Windy Crest AZ Staff Report w Attachments 5-17-2016, Great Seal Approval of Windy Crest Anne, 5-17-2016 CPC

## Minutes for 305 Meadow Creek Dr Annexation Zoning

**A motion was made by Councilmember Ackerman, seconded by Councilmember Grand, that the Ordinance be approved 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-16-23

**C-2      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:**      R-16-145, Closed captioning ordinance memo.pdf, CDI resolution to support closed captioning ordinance.pdf, Closed Captioning Chapter 120 Briefed.pdf

*Councilmember Lumm requested information regarding possible exceptions to the ordinance, such as for sports bars.*

*Councilmember Warpehoski asked if the enforcement of the ordinance could be a warning instead of a fine. City Attorney Postema stated he would research this question before Second Reading.*

*It was also requested that some outreach be conducted with local businesses regarding the impacts of the ordinance.*

**A motion was made by Councilmember Westphal, seconded by Councilmember Briere, that the Ordinance be approved on First Reading to the City Council and should be returned by 11/21/2016. On a voice vote, the Mayor declared the motion carried.**

Enactment No: ORD-16-24

**C-3      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 and Grand

**Attachments:**      Chapter\_82\_\_LITTERING\_AND\_DISTRIBUTION\_OF\_PRINT MATERIALS.pdf

*Councilmember Westphal moved, seconded by Councilmember Briere that the ordinance be amended as follows:*

*DELETE:*

*7:97 (2) A:*

*...on the porch nearest the front door...."*

*The motion was withdrawn.*

**A motion was made by Councilmember Warpehoski, seconded by Councilmember Westphal, that the Ordinance be approved on First Reading to the City Council and should be returned by 11/21/2016. On a voice vote, the Mayor declared the motion carried.**

Enactment No: ORD-16-25

**C-4 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:** 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

*Councilmember Ackerman moved, seconded by Councilmember Grand, that the Ordinance be amended. The amendments were considered friendly.*

**A motion was made by Councilmember Ackerman, seconded by Councilmember Warpehoski, that the Ordinance be approved as amended on First Reading to the City Council and should be returned by 11/21/2016. On a voice vote, the Mayor declared the motion carried.**

Enactment No: ORD-16-26

**D MOTIONS AND RESOLUTIONS**

**DC Unfinished Business - Council:**

**DC-1 16-1404**

Resolution to Consider an Allen Creek Greenway Master Plan Phase II Project

**Sponsors:** Eaton and Krapohl

**Attachments:** Draft Resolution Allen Creek Greenway Resolution



*Councilmember Eaton moved that a substitute resolution be considered.*

*Councilmember Krapohl supported the proposed substitute and the amendment was considered friendly by the Body.*

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

Enactment No: R-16-425

**DC-2      16-1465      Resolution to Reappoint Wayne Appleyard to the Energy Commission (7 Votes Required)**

**Sponsors:**      Taylor

**Attachments:**      Wayne Appleyard app. 2016.pdf

**A motion was made by Councilmember Briere, seconded by Councilmember Smith, that the resolution be approved. On a roll call, the vote was as follows with the Mayor declaring the motion carried:**

**Yeas:**    9 -    Councilmember Briere, Councilmember Kailasapathy, Councilmember Warpehoski, Mayor Taylor, Councilmember Grand, Councilmember Krapohl, Councilmember Westphal, Councilmember Ackerman and Councilmember Smith

**Nays:**    2 -    Councilmember Lumm and Councilmember Eaton

Enactment No: R-16-426

**DC      New Business - Council:**

**DC-3      16-1546      Resolution Establishing the City of Ann Arbor City Council Policy Agenda Committee and Appointing Initial Members**

**Sponsors:**      Warpehoski

*Councilmember Warpehoski proposed that the following Councilmembers be appointed to the Commission:*

*Councilmembers Lumm, Smith, Eaton and Warpehoski (The amendment was considered friendly.)*

*Councilmember Eaton moved to amend the Resolution as follows (the amendment was considered friendly):*

*Add New Resolved Clause:*

*Resolved, that the Policy Agenda Committee shall be considered as a 'public body' as defined under Michigan's Open Meetings Act and shall conduct its business in accordance with the requirements of the Michigan Open Meetings Act.*

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

Enactment No: R-16-427

**DC-4 16-1561**

Resolution to Prioritize the Installation of Streetlights at the Fuller Road Crosswalk at Huron High School and the Entrance to Gallup Park and to Evaluate Pedestrian Crosswalk Locations Near Ann Arbor Schools and Identify Where Lighting or Other Crosswalk Improvements May Be Appropriate

**Sponsors:** Lumm, Kailasapathy, Westphal, Eaton, Grand, Briere and Taylor

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

Enactment No: R-16-428

**DC-5 16-1592**

Resolution to Set Process for Filling Anticipated Vacant Council Seat

**Sponsors:** Council Administration Committee

*It was agreed that the resolution should be administratively changed to reflect the setting of the special meeting for 7:00 p.m. with a public reception beginning at 6:00 p.m.*

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

Enactment No: R-16-429

**DB New Business - Boards and Commissions:**

**DB-1 16-1547** Resolution to Approve 2250 Ann Arbor-Saline Road Site Plan, Development Agreement and Wetland Use Permit, 2250 Ann Arbor-Saline Road (CPC Recommendation: Approval - 7 Years and 0 Nays)

**Attachments:** August 3, 2016 2250 Ann Arbor Saline Staff Report with Attachments, 2250 Ann Arbor Saline DEV AGR - JUNE 2016, August 3, 2016 CPC Minutes for 2250 Ann Arbor Saline Road Site Plan for Council Approval, October 20, 2015 CPC Minutes

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

**A motion was made by Councilmember Briere, seconded by Councilmember Eaton, that the Resolution be postponed to the City Council and should be returned by 12/5/2016. On a voice vote, the Mayor declared the motion carried.**

**DB-2 16-1525** Resolution to Approve Grant Application to the USDA Agricultural Conservation Easement Program (ACEP) for the Purchase of Development Rights (PDR) on Properties in Lodi and Scio Townships

**Attachments:** Rogers Aerial Map, Rogers Protected Map, DeVine-Koselka Aerial Map, DeVine-Koselka Protected Map

**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.**

Enactment No: R-16-430

**DS Unfinished Business - Staff:**

**DS-1 16-1308** Resolution to Approve the Modification of Deed Restrictions Placed on 350 S. Fifth as a Condition of Sale of the Formerly City-Owned Property to Fifth Fourth, LLC (**8 Votes Required**)

**Attachments:** Letter to City, dahlmann covenants and deed restriction amendments\_201609081132, 2016-0923\_William Street Plaza\_Exterior Renderings, Letter from Habitat 350 S. Fifth Ave 10-26-16

**Deleted from Agenda**

**DS New Business - Staff:**

**COMMUNICATIONS FROM COUNCIL**

*None.*

**E COMMUNICATIONS FROM THE CITY ATTORNEY**

*None.*

**F & G CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS****F The following communications were referred as indicated:****Passed on consent agenda**

A motion was made by Councilmember Lumm, seconded by Councilmember Ackerman, that the following Consent Items be approved as presented. On a voice vote, the Mayor declared the motion carried.

**F-1 16-1454 Third Quarter 2016 Investment Portfolio Report**

**Attachments:** 2016 Q3 Portfolio Report

**F-2 16-1554 Communication from Comcast regarding changes to the channel line effective November 17, 2016 - CTN**

**Attachments:** Comcast Communication .pdf

**G The following minutes were received for filing:****G-1 16-1179 LDFA - SmartZone Board Meeting Minutes - July 19, 2016**

**Attachments:** LDFA Board Minutes - July 19, 2016

**G-2 16-1438 Downtown Development Authority Board and Executive, Partnerships, Capital Improvements, Finance and Operations Committee Minutes for September 2016**

**Attachments:** DDA Minutes September 2016

- G-3**      **16-1444**      Minutes of the July 12, 2016 Ann Arbor Energy Commission Meeting  
  
**Attachments:**      Energy Commission Minutes 7-12-16.pdf
- G-4**      **16-1466**      Housing and Human Services Advisory Board meeting minutes from April and May 2016  
  
**Attachments:**      HHSAB Minutes\_4-14-16, HHSAB minutes\_5-12-16
- G-5**      **16-1514**      Insurance Board Meeting Minutes - September 29, 2016  
  
**Attachments:**      Insurance Board Minutes 092916, Insurance Board Loss Report - Aug 2016
- G-6**      **16-1521**      Commission on Disability Issues, Meeting Minutes - FINAL, September 21, 2016  
  
**Attachments:**      CODI September Meeting Minutes FINAL
- G-7**      **16-1523**      City of Ann Arbor Employees' Retirement System Meeting Minutes of September 15, 2016  
  
**Attachments:**      B-1 BDMTG SEPTEMBER 2016
- G-8**      **16-1524**      Retiree Health Care Benefit Plan & Trust Meeting Minutes of September 15, 2016  
  
**Attachments:**      B-1 VEBA Bd September 2016
- G-9**      **16-1529**      Ann Arbor Area Transportation Authority Meeting Minutes of September 2016  
  
**Attachments:**      01-AAATA Board Meeting Minutes 09.15.16\_Aproved.pdf
- G-10**      **16-1551**      Council Administration Committee Meeting Minutes of September 6, 2016  
  
**Attachments:**      Council Admin Committee Minutes 9-6-16.pdf

**PUBLIC COMMENT - GENERAL (3 MINUTES EACH)**

*Grant Shafer, Pittsfield Township resident, urged Council to suspend the deer cull and direct the funding for deer cull activities to pedestrian safety.*

*Eric Lipson, 1318 Rosewood, spoke about pedestrian safety and asked to be appointed to the Transportation Commission. He also spoke about the Pioneer High School crosswalk at Stadium and Hutchins.*

*Sally Petersen, Ward Two resident, spoke about pedestrian safety. She stated she agreed with the first speaker than the deer cull should be suspended in favor of funding for pedestrian safety.*

*David Silkworth, Fifth Ward, spoke in support of additional funding for pedestrian crosswalks and safety.*

*Kathy Griswold, Second Ward resident, spoke about pedestrian safety and best practices. She urged Council to fully fund pedestrian safety programs.*

*Kyle Lady, Taxicab Board member and resident of the Fifth Ward, thanked the Council for their support for the Transportation Commission. He also spoke about access to pharmacy services in Ann Arbor, stating the only 24-hour pharmacy in the City has now closed.*

*Kai Petainen, First Ward, spoke about Councilmember Briere leaving. He thanked her for her service and support and her respect for residents and ideas.*

*Michael Benson, Second Ward, spoke about the proposed Transportation Commission. He also addressed the newly approved Charter amendment changing Council terms to four years.*

**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 Ackerman, seconded by Councilmember Westphal, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 11:15 p.m.**

**COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:**

**LIVE: THURSDAY, NOVEMBER 10, 2016 @ 7:00 P.M.**

**REPLAYS: MONDAY, NOVEMBER 14, 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](http://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](mailto: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.