



City of Ann Arbor

Formal Minutes

Planning Commission, City

301 E. Huron St.
Ann Arbor, MI 48104
[http://a2gov.legistar.com/
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Wednesday, January 18, 2017

7:00 PM

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

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1 CALL TO ORDER

Chair Ken Clein called the meeting to order at 7:02 p.m.

2 ROLL CALL

Planning Manager Brett Lenart called the roll.

Present 9 - Woods, Briggs, Clein, Mills, Milshteyn, Gibb-Randall,
Trudeau, Weatherbee, and Ackerman

3 APPROVAL OF AGENDA

Moved by Mills, seconded by Gibb-Randall to approve the agenda as presented. The agenda was unanimously approved.

4 INTRODUCTIONS

None

5 MINUTES OF PREVIOUS MEETING

5-a **[17-0095](#)** November 15, 2016 City Planning Commission Meeting Minutes

Moved by Milshteyn, seconded by Weatherbee, to approve the minutes. On a voice vote, the Chair declared the motion passed.

5-b [17-0096](#) December 6, 2016 City Planning Commission Meeting Minutes

Moved by Milshteyn, seconded by Weatherbee, to approve the minutes. On a voice vote, the Chair declared the motion passed.

6 **REPORTS FROM CITY ADMINISTRATION, CITY COUNCIL, PLANNING MANAGER, PLANNING COMMISSION OFFICERS AND COMMITTEES, WRITTEN COMMUNICATIONS AND PETITIONS**

6-a **City Council**

Councilmember Ackerman reported that regarding the downtown, the Council and DDA had two mandatory joint sessions to discuss issues of mutual relevance; this particular meeting focused on parking and staff are exploring the possibility of opening the parking contract between the DDA (who manages the City's downtown parking system) and the City (who holds the assets). She shared some of the suggestions offered by a consultant as well as City staff.

Another downtown issue discussed by the Council was Active Use Zoning, and last night in a vote of 10-1 voted to refer the issue to the City Planning Commission. He explained that they are following up on this item since it was tabled back in 2009, and if approved would ban non-active uses, such as banks and offices, on the first floor of downtown buildings, with the idea of creating more walk-able stretches downtown.

Regarding the train station, Council voted 8-3 to move forward with a contract for design, with the total funding from the City being \$ 500,000 and the matching funding coming from the Feds to complete a \$ 2,500,000 design. He explained that the environmental assessment is yet to be issued and will determine the Federal government's direction on the most appropriate site for a train station.

Ackerman further reported that the Glen project, which was voted on by Planning Commission with only 1 nay vote and all the others in favor of the project as it moved on to Council, has been referred back to the Planning Commission to review, due to concerns from Council about stormwater over-flow, and possibly pushing the petitioner to look at the Hillside Terrace and this new site as one unit.

6-b Planning Manager

Planning Manager Brett Lenart reported that 615 S. Main was a project previously approved by both City Planning Commission and Council and included retaining the historic façade of the old buggy factory and integrating that into the façade of the new project. He reported the whole site has been demolished, including the historic façade part, noting that the demolition was done with the Planning Division's approval through an Administrative Amendment. He explained that the façade was in very poor structural condition and could not be saved but the developer will be re-constructing the façade and using as much of the re-claimed brick as possible.

Commissioner Weatherbee suggested that the developer try to use as much of the re-claimed brick as possible on the south curving corner that will be one of the most visible sides.

Commissioner Gibb-Randall suggested the developer keep the neighborhood as well as the Commission up to date, by possibly posting a rendering of the finished project on site or periodically providing the Commission with an update or keeping everyone up to date through a website where interested people could go to get answers.

6-c Planning Commission Officers and Committees

Commissioner Mills updated the Commission and public on the Allen Creek Greenway Citizen's Advisory Committee. She described a recent meeting where the Citizen Advisory Committee provided feedback on proposed routes. A public workshop is scheduled for February 16th 6:30-8:30 at City Hall, and the Planning Commission workshop will be on February 1st.

Chair Clein reported on the meeting for ZORO [Zoning Ordinance Re-Organization Ordinance], noting it will be presented at a future working session in the spring, and then move on for subsequent consideration.

6-d Written Communications and Petitions

[17-0097](#) Various Correspondences to the City Planning Commission

Received and Filed

7 AUDIENCE PARTICIPATION (Persons may speak for three minutes about an item that is NOT listed as a public hearing on this agenda. Please state your name and address for the record.)

None

8 PUBLIC HEARINGS SCHEDULED FOR NEXT BUSINESS MEETING

None

9 REGULAR BUSINESS - Staff Report, Public Hearing and Commission Discussion of Each Item

(If an agenda item is tabled, it will most likely be rescheduled to a future date. If you would like to be notified when a tabled agenda item will appear on a future agenda, please provide your email address on the form provided on the front table at the meeting. You may also call Planning and Development Services at 734-794-6265 during office hours to obtain additional information about the review schedule or visit the Planning page on the City's website (www.a2gov.org).)

(Public Hearings: Individuals may speak for three minutes. The first person who is the official representative of an organized group or who is representing the petitioner may speak for five minutes; additional representatives may speak for three minutes. Please state your name and address for the record.)

(Comments about a proposed project are most constructive when they relate to: (1) City Code requirements and land use regulations, (2) consistency with the City Master Plan, or (3) additional information about the area around the petitioner's property and the extent to which a proposed project may positively or negatively affect the area.)

- 9-a** **17-0099** Northsky Development Wetland Use Permit - A request to discharge stormwater from the Northsky site plan (2701 Pontiac Trail) project, into City regulated wetlands on parcels across Pontiac Trail. Staff Recommendation: Postponement

Lenart provided the staff report, explaining that Northsky Development was a project that was approved by City Council in March of 2016. He said a component of the site has always included a stormwater drainage that went through a culvert under the street to an adjacent wetland; this permit is a clean-up matter that requires a wetland use permit, under City code, for the use of that culvert and drainage of stormwater into the adjacent wetland. Lenart noted that the permit wasn't included in the first go-round of the project review that is why it is being included now. He said there is no change to the approved site plan, as developed. He said unfortunately, as the review is being finalized the department is still waiting for revised calculations, ensuring the final diameter of the particular culvert is the necessary size, which is the reason for the request

for postponement.

PUBLIC HEARING:

Noting no public speakers, the Chair declared the public hearing closed unless the item is postponed.

Moved by Milshteyn, seconded by Mills, to postpone agenda item until further calculations are available for the Wetland Use Permit for the NorthSky Site Plan (2701 Pontiac Trail).

COMMISSION DISCUSSION:

None

On a voice vote, the Chair declared the motion passed unanimously.

Vote: 9-0

Yeas: 9 - Wendy Woods, Erica Briggs, Kenneth Clein, Sarah Mills, Alex Milshteyn, Shannan Gibb-Randall, Scott Trudeau, Julie Weatherbee, and Zachary Ackerman

Nays: 0

- 9-b [17-0100](#) FY 2018-2023 Capital Improvements Plan (CIP) - The FY2018-2023 CIP is a plan for City capital investments to be undertaken over the next six years. This plan describes projects that address needs for municipal and park facilities, transportation improvements and utility infrastructure, along with proposed costs and scheduling. Upon adoption by the City Planning Commission, the CIP becomes a supporting document for the City's master plan. The CIP is also used as the source document for the City's capital budget planning. Staff Recommendation: Approval

Deb Gosselin, City's Systems Planning Department, provided the staff report.

Gosselin reviewed for the Commission and the public what a Capital Improvements Plan [CIP] is and how does the City develops it. She reviewed the highlights of this plan as well as particular projects that have been of interest to the public.

She explained that the CIP is a six (6) year plan for capital improvements; the CIP is mandated by State law, The Municipal Planning Act (PA 33 of 2008) and is used to implement the City Master Plan and assist in the financial planning. 'Capital Improvements' are physical improvements that we make to assets (anything you can touch

and feel) owned by the City. Baseline projects are at \$100,000 or more for physical improvements and studies that could lead to a Capital Improvement are at a benchmark of \$50,000.

Plan is developed by organizing the projects into three (3) asset groups; Municipal Facilities (City owned buildings, Fire stations, Parks and Recreation, and Solid Waste), Transportation, and Utilities.

Transportation is the largest group. It includes alternative transportation, airport, and automotive transportation improvements. City maintains 16 bridges, other transportation projects (misc. projects in right of way, e.g. signs, traffic signals, retaining walls), Downtown Development Authority [DDA] streetscape projects.

Parking facilities are managed by the DDA, but are the City's asset. New streets are the smallest category. New streets are very rare. Biggest of the transportation groups are street construction. These reconstruction projects tend to be few in number, but of a high value. Capital preventative maintenance is also included, such as; crack sealing, and other treatments that are of a lower cost, but extends the life of a road or other asset.

Utilities, includes the distribution system and water treatment plant; Stormwater and storm conveyance and water, and its distribution system and treatment plant.

The plan is put together through project identification; first is to identify projects to be included in the Capital Improvements Plan. From September through November, the City's Public Services Department, Project Management, Public Works, Finance, Community Development, as well as DDA, and the Housing Commission work in an inclusive process. For the first time this year the University of Michigan participated in all asset meetings to hear about City projects and express needs that they saw.

Staff is critical to developing the plan; they rely on studies, Master Plans, and other documents that lead to development of projects. The City is working to identify projects sooner for long term planning purposes (within the 6 year scope). Community and Neighborhood groups as well as the University, and also individuals can forward projects for consideration into the Capital Improvement Plan.

After projects are listed, the City scores and prioritizes projects through a

ten (10) point scoring process where many factors are considered, such as; The Sustainability Framework Goals, Safety/Compliance/Emergency Preparedness, Funding, Coordination with Other Projects, Master Plan Objectives, User Experience (Level of Service), Innovation, Opportunity to advance regional Planning/Partnerships, System Influence/Capacity (how does it affect current capacity), Operations & Maintenance costs. Different asset groups can weight criteria in different ways for evaluation purposes. Then that evaluation results in a score and rank.

Programming is done by starting with evaluation of priorities; financial availability and prioritization then are both considered in programming. The Planning Commission considers and adopts the Plan which the City Council then uses when approving the City budget.

Gosselin noted that 2015-2016 City fiscal years have dropped off the plan. She said that 113 projects were completed in the past year, plus they 'crack-sealed' 38 miles of roads in the City. In the proposed 2018-2023 CIP there are 439 projects with a total value of a little over \$1Billion of improvements. She explained that 163 new projects have been added since the previous year's plan, some of which are projected to continue beyond 2023.

[For a complete record of the presentation, please see linked video format]

PUBLIC HEARING:

Larry Deck, 3050 Lorraine Street, Ann Arbor, said he had sent an email late today regarding the three gaps in the Border to Border Trail; he was happy to see two of the gaps included in the current CIP and requested that the third gap also be added, if possible. That gap exists where Fuller Road crosses Huron River near Mitchell Field. He said the bridge was built about 30 years ago with a cement pad left under the bridge, intended for connection of the trails in a scenic and safe area crossing from the south to the north of Fuller. He said the connection is currently in the City's Parks and Recreation Plan [PROS] and the Non-motorized Plan. Deck said this completion would not only serve the Border to Border Trails but the Campus to Campus Bike Trail as well and it is anticipated this project would draw outside funding, involving some private funding. He concluded that they would like to propose this third and last gap be added to the proposed CIP.

Jim Allen, 595 Riverview Drive, Ann Arbor, said he and his wife have

lived at this location for 29 years, and would like the sewer project to progress as soon as possible. He said they are part (50%) of a group of homeowners(8) that would like the opportunity to access this system as quickly as possible, due to concerns about the long term viability of their septic system, and the proposed project date of 2018 isn't soon enough. Allen said if they may need to sell their house, he would anticipate that they would need to address their drain field prior to any sale, and it would be preferential to connect to sewer. He said they are sympathetic with other neighbors who don't have a current need, but for themselves, they see it as an immediate need.

Kay Wilson, 614 Riverview Drive, Ann Arbor, spoke on behalf of neighbor John Wade, who has resided at 559 Riverview Drive, Ann Arbor, since 1993, and was unable to come due to illness. She read an email from Wade that expressed long-time support for extending utilities to their property, originally intending by 2006. He wrote, 'we are most anxious for sanitary sewer; an engineered field would be necessary for replacement, which is expensive, and a matter of when, not if. We believe a sanitary project in our community is the best choice. Please note that we do not wish any economic hardships on neighbors through forced connections if undesired. Perhaps a connection fee could be paid over time and we request the City bring the utility services to our street as soon as possible'.

Dan Barry, 614 Riverview Drive, Ann Arbor, said he and his wife have lived at this location for 17 years, and they have a septic field that is functioning marginally (they have been advised that it could become quickly saturated and quit working), and will result in a need for elevated maintenance costs and activities, such as septic hauling each month. He noted that absorption style septic systems are designed for a 25-30 year life-span and most of the septic fields in their neighborhood are older than that and are close to failing. They would like to obtain City sewer service, but they are currently not close enough to their property. He said some houses in their area have already experienced failures; septic field run-off is a source of Huron River pollution which can be prevented, since public sewer utilities are known to be a safer alternative to individual septic fields. He asked for this project be approved and completed as soon as possible for the public good as well as the good of individual homeowners. He said their neighbors, David and Stacy Markel on Dover Place, Ann Arbor, who couldn't attend the meeting tonight, wanted also to give their support of this project, adding they are City residents but don't have sewer and water utilities.

Anca Trandafirescu and Glen Wilcox, 519 Riverview, Ann Arbor, (read from a prepared statement) residents at this location since 2006, said they object to a more fundamental issue, that of the required connection costs (based on 2014 City quotes) up toward \$110,000 for connection to City Water and Sewer services. She said this constitutes ¼ of my home's current assessed value and 100% of the equity that she has built since moving in over 10 years ago, so such a cost would set her back 10 years. She said she is lucky because she has a good income and a good financial situation, but that is not the case for all residents. The City's position since 2003 has been that new residents should support the costs of these expansions of the utility system. She said they don't believe the amounts are reasonable, and they don't need these City services. She said there is little case law dealing with development fees, and they intend to question these fees legally if the City pursues this project.

Julie Seagraves, 540 Riverview Drive, Ann Arbor, resident at this location for 26 years, said she was speaking on behalf of herself, her next door neighbor, the Hildebrands at 580 Riverview Drive, the Cutler-Fesslers at 537 Riverview Drive, the Fagan-Forsters at 3081 Dover Place, and the neighbors who just previously spoke; all of them object to moving forward with this project as part of the Capital Improvements Plan in the 2018 fiscal year. She said the Hildebrands and Cutler-Fesslers have new septic services, and for her personally, she does not need this service at this time, but what concerns her the most, is the cost that she would have to bare. She said previously, they were told that they would have to hook up within 90 days of service being available and they would certainly have to hook up in order to sell their houses. The improvement charges for the sanitary sewer and water service for hook-up to her house is estimated to cost between \$80-100,000. She said, 'as a single-family income, with 2 kids in college, and having spent working 30 years in the non-profit sector as a fundraiser, I simply can't afford that; it's the cost of another mortgage, which would be \$800 per month even if spread out over a 10-15 year period'. She said this would force her out of her home of 26 years, which seems inconsistent to her with City Council's goal of maintaining and providing more affordable housing. She said if her septic field failed she has been told she could pump out her septic system monthly for far less than \$800. She requested that this project be pushed back or ways to be found for people like her to be able to stay in their homes.

Kathy Griswald, said the City had a pedestrian crash on January 6th and January 17th. She said City staff had made statements in an interview that they did not believe crosswalks were as safe as they could be. She

said she considers that criminal, given the ordinances we have in Ann Arbor. She continued, we have underfunded infrastructure for over a decade; having had a moratorium on new streetlights since 2006. She said when that was finally lifted \$100,000 was set aside in 2015, and another \$100,000 in 2016, but it took almost 18 months to develop the criteria to even start spending that money. The crosswalk on Fuller, where Justin Tang was killed in the dark (10-25-2016), the County Prosecutor found no fault of the driver, because the driver could not see the young man. That had been identified to Council repeatedly through Ann Arbor Fix-It notifications. A friend of the Mayor called him repeatedly to identify how dangerous the crosswalk was, noting she walked her child to school because it was such a dangerous crosswalk. Griswald said she provided this information because our crosswalks are not safe and the CIP does not reflect the commitment of our new City Administrator that fiscal restraints will no longer impede safe crosswalks. She urged the Commission to make sure we have safe crosswalks for our children.

Casey Klobucar, 716 Fountain Street, Ann Arbor, said he has lived in other communities, like Detroit, the East side and he has seen more advanced efforts done to plow roads than in Ann Arbor, especially roads that students and other drivers need to use to get to school. He said he was in a car accident while on his way to Skyline High School on Maple Road. He said he was going 20 miles per hour and he rear-ended a car; the roads were not plowed at the time school was scheduled. While he was not sure what the City could have done, he believes there should be a deliberate focus on the amount of plowing on City roads. He said he has seen snow accumulation that becomes problematic with the addition of ice, rain and temperature drops. He believes the issue is becoming worse and requires attention, especially around his school.

Dave Royce, 16 Westbury, Ann Arbor, said he has been a part of the Dhu Varren intersection project, along with the new projects in the area. He said one of the issues is that the projects are moving ahead before the traffic study has been completed. He said in looking at the CIP he doesn't see any projects listed for the area between Huron Parkway and north of Nixon, along Dhu Varren; he wants to make sure this project is on the list.

Noting no further public speakers, the Chair declared the public hearing closed unless the item is postponed.

Moved by Mills, Seconded by Trudeau, that the City Planning Commission Approve the following resolution:

Whereas, Section 1:185 of the Ann Arbor City Code requires that the

City Planning Commission annually prepare a Capital Improvements Program, identifying public improvements that will be needed within the ensuing six years, in the general order of priority;

Whereas, The FY2018-2023 Capital Improvements Plan (CIP) has been drafted by City asset category teams and reviewed by the City Planning Commission; and

Whereas, A duly-noticed public hearing on the draft plan was held by the City Planning Commission on January 18, 2017;

Resolved, That the City Planning Commission hereby approves the FY2018-2023 Capital Improvements Plan as a supporting document for the City's Master Plan; and

Resolved, That the City Planning Commission recommends that City Council approve the FY2018-2023 Capital Improvements Plan as the basis for the FY2018/2019 Capital Budget.

COMMISSION DISCUSSION:

The Commission took into consideration the presented petition and discussed the matter. [For a complete record of the discussion, please see linked video format]

Ackerman asked if the Fire Station A & B improvements are consistent with the strategic plan and if they are coming from that process.

Gosselin said more details could be found on the budget impact sheets.

Ackerman asked if the \$133,000 listed for 415 W. Washington would be enough to pay for demolition if that is the final direction.

Gosselin explained that consultants will work with the City to evaluate the potential of a demolition of the building under the Historic District Standards and rules.

Gosselin explained that the Fuller/Maiden Lane Intersection is funded to a roundabout, and they are coordinating Border to Border work and other work in the vicinity. She said regarding the Border to Border connection question that Mr. Deck raised, there is a signalized intersection vs. a crossing signal, and in prioritizing they felt that by putting two of the Border to Border gap improvements, they would likely have a better

chance of getting grant funding instead of competing against themselves, so to say. She said grant sources are limited, so they have to prioritize, the projects. She said the Parks and Recreations Open Space Plan [PROS plan] references the connection, but she was not sure of the detail.

The Commission suggested that the third gap connection of the Border to Border trail could be added in future years of the CIP.

Briggs asked for clarification on the comments on the Riverview Drive issue.

Gosselin explained that when the sewer and water has been installed and is available the residents don't have to connect and won't be forced to connect, but if they annex into the city, they need to connect within 90 days. The improvement charges are significant; they were shifted from a past special-assessment process, to this connection fee and improvement charges.

Briggs said we should look at where this cost is borne in the future; Planning Commission should be involved in the process. She said the Commission is asked to vote on this tonight, and she suggested making the presentation ahead of time, even though the Commission received the draft CIP back in December. She said she is concerned about their ability to consider public comment and make potential amendments. She would also like a greater degree of detail on the prioritization; she thought prioritization should include equity as a component, adding that some communities use that factor up to 50%. She stated that our pedestrian alternative transportation requirements seem pedestrian-heavy, it should be inclusive of bicycle infrastructure as well. She supported the addition of the Border to Border piece as a placeholder in the plan.

Clein explained that due to multiple staffing changes in the past 18 months, along with not having a full Commission, the CIP Committee had not been active, so the schedule had been thrown off. He said he believed the regular schedule would go back to normal following this CIP round.

Mills asked if the Commission should add a placeholder for intersection improvements, while they may not rise to the threshold individually, they could rise to the level when several are aggregated together. Commissioner Clein confirmed that intersection crosswalks are also typically included in larger street reconstruction activities. He asked if

online ticketing system could be used to identify projects in the future.

Gibb-Randall asked what the best way is for projects to be included on a project list, and how they can get that information to the CIP list in a productive way. She asked about federal funding and other sources, and how the City plans for potential changes from those sources.

Goselin explained the standard procedure.

Weatherbee said she agrees with comments about a link to A2 Fix It for potential projects. She felt the City should get away from transportation and alternative transportation; it should not be about cars versus other things. She said we should work to integrate these in a more complete way in the future.

Milshteyn said he would encourage a review of cost for the Village Oaks/Chaucer Court Regional Stormwater Detention System, since it seems lower than originally anticipated. He asked for further information about the partnership with the University of Michigan. He asked to be provided with a framework for requests, and would like a report next year on the success of this work. He also asked about the likelihood that projects will happen as scheduled in the CIP plan.

Gosselin said a high percentage of them will be completed.

Woods suggested residents contact their City Council members, since they have a good opportunity for getting a response versus an online system. Woods asked about the City's rainy day fund to deal with a crisis.

Gosselin responded that the City tries to build in the ability to respond to such situations through fund balances.

Trudeau asked how State roads factor into the prioritization. He commented that he would appreciate the opportunity to dive deeper into the data and consider ways to incorporate visuals in the document.

Chair Clein asked about prior year funds relative to expenditure and allocation.

Gosselin said completed projects would not show up.

Clein encouraged project coordination on the South State Street project and the University project schedules. He asked about wet weather, long

term project.

Gosselin responded it is an allocation of funds, but the specific projects haven't been identified yet.

Mills asked about substantial deviation in totals.

Gosselin said they are typically driven by large projects.

Mills requested to add the Border to Border connection, where Fuller Road crosses Huron River near Mitchell Field, to the plan.

Amendment:

Moved by Ackerman, Seconded by Mills, to amend the Capital Improvements Plan to add the Border to Border Trail connection, where Fuller Road crosses Huron River near Mitchell Field, to FY2022 of the Capital Improvements Plan [CIP].

Vote on Amendment:

On a voice vote, the Chair declared the motion passed unanimously.

Vote: 9-0

Yeas: 9 - Wendy Woods, Erica Briggs, Kenneth Clein, Sarah Mills, Alex Milshteyn, Shannan Gibb-Randall, Scott Trudeau, Julie Weatherbee, and Zachary Ackerman

Nays: 0

Vote on Main Motion:

On a voice vote, the vote was as following with the Chair declaring the motion carried unanimously. Vote:9-0

Yeas: 9 - Wendy Woods, Erica Briggs, Kenneth Clein, Sarah Mills, Alex Milshteyn, Shannan Gibb-Randall, Scott Trudeau, Julie Weatherbee, and Zachary Ackerman

Nays: 0

10 AUDIENCE PARTICIPATION (Persons may speak for three minutes on any item.)

Kathy Griswold, stated that a Stephanie Preston had sent a message to City Council that there were conflicting meeting events; a workshop on the resurfacing of Arlington Boulevard and the Planning Commission

meeting. She commented that everyone should put everything into the A2-Fix-It system.

11 **COMMISSION PROPOSED BUSINESS**

Woods asked about the status of the upcoming CPC Annual Retreat.

Lenart said he is hoping to have it on the Commissioner's calendars within the next 6-8 weeks.

12 **ADJOURNMENT**

The meeting was unanimously adjourned at 9:55 p.m.

Ken Clein, Chair
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These meetings are typically broadcast on Ann Arbor Community Television Network Channel 16 live at 7:00 p.m. on the first and third Tuesdays of the month and replayed the following Thursdays at 8:00 AM and Saturdays at 8:00 PM. Recent meetings can also be streamed online from the CTN Video On Demand page of the City's website (www.a2gov.org).

The complete record of this meeting is available in video format at www.a2gov.org/ctn, or is available for a nominal fee by contacting CTN at (734) 794-6150.