

City of Ann Arbor

301 E. Huron St.

Ann Arbor, MI 48104

<http://a2gov.legistar.com/Calendar.aspx>



Meeting Minutes

Tuesday, January 3, 2017

7:00 PM

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

City Council

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: 9 - Councilmember Jane Lumm, Councilmember Sumi Kailasapathy, Councilmember Chuck Warpehoski, Councilmember Jack Eaton, Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Kirk Westphal, Councilmember Zachary Ackerman and Councilmember Jason Frenzel

Absent: 2 - Councilmember Graydon Krapohl and Councilmember Chip Smith

APPROVAL OF AGENDA

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

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

City Administrator Howard S. Lazarus reminded Council of the upcoming joint Work Session scheduled with the DDA on January 9 at 7pm at the CTN Studios, 2805 S. Industrial.

AC-1 [17-0030](#) Agenda Responses - January 3, 2017

City Administrator Lazarus presented his Agenda Response Memorandum for information of Council.

Received and Filed

INT INTRODUCTION

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**

2. Phil Carroll - Stop the Deer Cull

Phil Carroll, 1006 Lincoln, urged Council to reconsider its approval of the deer cull. He stated he also only recently learned of the DNR's prohibition of the City's sterilization efforts.

1. David Silkworth - Pedestrian Safety

David Silkworth, Fifth Ward, expressed concern about the City's current pedestrian safety ordinance. He urged Council to temporarily rescind the ordinance and address the necessary safety issues.

CC COMMUNICATIONS FROM COUNCIL

None.

MC COMMUNICATIONS FROM THE MAYOR

MC-1 [16-1759](#) Appointments - Confirmations

Mayor Taylor requested confirmation of the following appointments that were presented at the December 19, 2016 meeting for consideration of Council:

Commission on Disability Issues

*Timothy Hull
Disclosed ADA Disability
2475 Lancashire Dr.
Ann Arbor, MI 48105
Term: Ending May 31, 2019*

Recreation Advisory Commission

*Kelsey Zimmerman
2041 Charlton St.
Ann Arbor, MI 48103
Term: Ending May 31, 2019*

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

MC-2 [17-0011](#) Appointments & Nominations

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

Ann Arbor Public Art Commission

*Allison Buck
431 4th St.
Ann Arbor, MI 48103
Term: Partial term ending May 31, 2017*

Commission on Disability Issues

*Kathleen Mozak-Betts
ADA Disclosed Disability
1302 Brookfield Dr.
Ann Arbor, MI 48103
Term: Partial term ending May 31, 2019*

Medical Marijuana Ordinance Advisory Committee

*Brian Fenech
Attorney
1305 Hutchins Ave.
Ann Arbor, MI 48103
Term: Until task fulfilled*

*Jonah Copi
Director-Ann Arbor Wellness Clinic
225 Briarcrest Dr.
Ann Arbor, MI 48104
Term: Until task fulfilled*

*Craig Stoller
Doctor of Chiropractic Medicine
2265 Stellar St.
Ann Arbor, MI 48104
Term: Until task fulfilled*

Transportation Commission

*Linda Diane Feldt
3 Keppler Ct.
Ann Arbor, MI 48103
Term: Initial term ending May 31, 2019*

*Michael Finn
Transportation Business- Sic Transit Cycles
807 N. Main St.
Ann Arbor, MI 48104
Term: Initial term ending May 31, 2019*

*Robert Gordon
2328 Fernwood
Ann Arbor, MI 48104
Term: Initial term ending May 31, 2019*

*Cyrus Naheedy
500 Snyder Ave.
Ann Arbor, MI 48103
Term: Initial term ending May 31, 2018*

*Stephanie Preston
1941 Geddes Ave.
Ann Arbor, MI 48104
Term: Initial term ending May 31, 2018*

*Bradley Parsons
2936 Saint Aubin Ave.
Ann Arbor, MI 48108
Term: Initial term ending May 31, 2017*

*Melissa Stults
2320 Walter Dr.
Ann Arbor, MI 48103*

Term: Initial term ending May 31, 2017

Zoning Board of Appeals

Todd Grant

Attorney

2775 Antietam Court

Ann Arbor, MI 48105

Term: Partial term ending May 31, 2019

Referred to the City Council due back on 1/17/2017

CA CONSENT AGENDA

Passed on consent agenda

A motion was made by Councilmember Frenzel, seconded by Councilmember Grand, that the following Consent Items be approved as presented. On a voice vote, the Mayor declared the motion carried unanimously with nine members present, thus satisfying the eight-vote requirement of CA-1.

Approved

Resolution to Accept an Easement for Public Nonmotorized and Pedestrian Travel from CCSHP Ann Arbor I, LLC **(8 Votes Required)**

Resolution to Approve December 15, 2016, Recommendations of the Board of Insurance Administration

Resolution to Approve a Construction Contract with Smith's Waterproofing, LLC for the E. Stadium Boulevard Bridges Deck Sealing Project (\$35,276.85)

Resolution to Authorize Professional Services Agreements with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. (Bergmann) for \$674,656.50 for the design of the Allen Creek Railroad Berm Opening Project

Resolution to Approve Change Order No. 2 with Cadillac Asphalt, LLC for the 2015 Street Resurfacing Project (\$285,002.24; ITB No. 4371)

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)

A public hearing was continued 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 continued public hearing was published December 26, 2016.

Ed Vielmetti, Fourth Ward resident, spoke in support of the ordinance and closed captioning, but also encouraged the City to provide closed captioning of their own channels.

Kevin Spangler, owner of a pedicab business, introduced himself.

Michael Benson, Second Ward resident, spoke in support of the ordinance, but urged Council to take it a step further and include an amendment requiring the City to use closed captioning at its meetings.

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

Held and Continued to the City Council due back on 2/6/2017

- PH-2** [16-1692](#) An Ordinance to Amend the Code of the City of Ann Arbor by Repeal of Chapter 18, Employees Retirement System, Title I, of the Code and Adding a New Chapter 18, Employees Retirement System, Title I of Said Code (Ordinance No. ORD-16-28)

A public hearing was conducted on the proposed amendment to the Code of the City of Ann Arbor by Repeal of Chapter 18, Employees Retirement System, Title I, of the Code and Adding a New Chapter 18, Employees Retirement System, Title I of Said Code. Notice of public hearing was published December 26, 2016.

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

Held and Closed

Held and Closed

Resolution No. 4 - Confirming the Stone School Road Sidewalk Special Assessment

A public hearing was conducted on the proposed Resolution No. 4 -

Confirming the Stone School Road Sidewalk Special Assessment. Notice of public hearing was published December 22, 2016.

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

A APPROVAL OF COUNCIL MINUTES

- A-1** [17-0003](#) Special Session Meeting Minutes of November 14 and 28, 2016 and Regular Session of December 19, 2016

A motion was made by Councilmember Lumm, seconded by Councilmember Westphal, that the Special Session Meeting Minutes of November 14 and 28 and Regular Session Meeting Minutes of December 19, 2016 be approved with corrections:

Add City Council First Ward Vacancy Interview Questions to the minutes of November 28.

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

B ORDINANCES - SECOND READING

B Unfinished Business - Staff:

- 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)

Councilmember Westphal moved, supported by Councilmember Ackerman, that the Ordinance be adopted on Second Reading.

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 2/6/2017. On a voice vote, the Mayor declared the motion carried.

New Business - Staff:

- B-2** [16-1692](#) An Ordinance to Amend the Code of the City of Ann Arbor by Repeal of Chapter 18, Employees Retirement System, Title I, of the Code and Adding a New Chapter 18, Employees Retirement System, Title I of Said Code

(Ordinance No. ORD-16-28)

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

C ORDINANCES - FIRST READING

None.

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

DB New Business - Boards and Commissions:

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

Resolution to Approve the Carlberg Annexation, 0.17 Acres, 2501 Victoria Avenue (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

DS New Business - Staff:

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

Resolution No. 4 - Confirming the Stone School Road Sidewalk Special Assessment

COMMUNICATIONS FROM COUNCIL

None.

E COMMUNICATIONS FROM THE CITY ATTORNEY

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 Ackerman, seconded by Councilmember Lumm, 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 [16-1762](#) Resignation Letter and Communication from Boards and Commissions
- F-2 [16-1795](#) Letter of Opposition to the Proposed Zoning Change and Development at 3365 Jackson Road (the "Lockwood Independent Living Senior House Development) - Planning and Development Services
- F-3 [16-1796](#) Letter dated December 8, 2016 from Governor Rick Snyder Accepting the Latest Washtenaw County Hazardous Material Authority Board Reinstatement Papers
- F-4 [16-1801](#) Communication from the DEQ regarding Corrected Documents for Public Hearing and Public Notice for Nixon Road - Dhu Varren Road - Green Road Intersection Reconstruction - Systems Planning
- F-5 [17-0001](#) Communication from the State of Michigan Office of the Great Seal regarding a Completed Annexation of the Windy Crest Property, Located at 305 Meadow Creek Drive
- F-6 [17-0005](#) Communication from the State of Michigan Public Service Commission regarding Notice of a Public Hearing for the Electric Customers of DTE Electric Company in Case No. u-18150 Scheduled for January 10, 2017 - City Attorney, Energy (Systems Planning)
- F-7 [17-0008](#) Communication from the State of Michigan Public Service Commission regarding Notice of a Public Hearing for the Electric Customers of DTE Electric Company in Case No. U-18195 Scheduled for January 12, 2017 - City Attorney, Systems Planning
- G **The following minutes were received for filing:**
- G-1 [16-1588](#) Ann Arbor Energy Commission Meeting Minutes of October 11, 2016

- G-2** [16-1662](#) Taxicab Board Meeting Minutes of October 27, 2016
- G-3** [16-1758](#) Human Rights Commission September 2016 Meeting Minutes
- G-4** [16-1766](#) Park Advisory Commission Meeting Minutes of November 15, 2016
- G-5** [16-1777](#) City of Ann Arbor Employees' Retirement System Board Meeting Minutes of November 17, 2016
- G-6** [16-1778](#) Retiree Health Care Benefit Plan & Trust Board Meeting Minutes of November 17, 2016
- G-7** [17-0007](#) Insurance Board Meeting Minutes - December 15, 2016

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Paula Uche, resident, spoke about the City's deer cull and urged Council to consider expanding the definition of non-lethal methods to include public education.

Ed Vielmetti, Fourth Ward, spoke about the City's current technology and urged staff to upgrade its Trakit and Legistar software systems.

Kathy Griswold, Second Ward resident, spoke about pedestrian safety and suggested that the City create a citywide newsletter for residents.

Michael Benson, Second Ward resident, spoke about the need to upgrade Legistar, including the addition of the Boards and Commissions module. He also stated a Boards and Commissions orientation program is needed.

David Silkworth, Fifth Ward resident, urged Council to temporarily repeal the pedestrian ordinance due to safety concerns.

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 Grand, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 7:48 p.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: TUESDAY JANUARY 3, 2017 @ 7:00 P.M.

REPLAYS: WEDNESDAY, JANUARY 4, 2017 @ 8:00 A.M. AND FRIDAY, JANUARY 6, 2017 @ 8:00 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

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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.

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