

City of Ann Arbor

301 E. Huron St.
Ann Arbor, MI 48104
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Action Minutes

Monday, November 14, 2016

7:00 PM

Special Session

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 Special 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.

READING OF ORDER AND NOTICE OF CALL OF SPECIAL SESSION

City Clerk Jacqueline Beaudry read the order and notice of call of Special Session.

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

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

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 16-1442 An Ordinance to Amend Sections 3:2 and 3:3 of Chapter 39 (Parks - General Regulations) of Title III of the Code of the City of Ann Arbor (Ordinance No. ORD-16-21)

Attachments: 16-21 Chapter 39 Parks and Regulations Amendments.pdf, Chapter 39 Amendments.pdf, Chapter 39 Amendments.pdf

A public hearing was conducted on the proposed amendment to Sections 3:2 and 3:3 of Chapter 39 (Parks - General Regulations) of Title III of the Code of the City of Ann Arbor. Notice of public hearing was published October 31, 2016.

The following people were present to speak at the hearing:

Bernie Banet, 838 Heather Way, representing the Citizens for Ecological Balance, spoke in support.

An unidentified resident of the Second Ward spoke in support.

Grant Shafer, Pittsfield Township resident, spoke in opposition.

Richard Taylor, 2814 Renfrew Street, spoke in favor of hunting rights and the need for ecological balance.

Esther Kirschenbaum, Ann Arbor resident, spoke in opposition to the cull, and urged other residents to employ alternative gardening techniques.

Shunah Sii Rose, First Ward, spoke in opposition, stating she does not want guns in the City's parks.

Margaret Singer, 3920 Waldenwood, spoke in support, stating the deer population is unchecked and causing damage to cars and the environment.

Katie Carlson, Ward 4 resident, spoke in opposition, citing animal rights, and stated the cull is a slaughter.

Abdul Kazito, Huron High School student, spoke about animal right and suggested animal preserves would be a solution.

Alan Pagliari, Ann Arbor resident, spoke in opposition, urging residents to drive more cautiously and plant deer resistant gardens.

Kai Petainen, First Ward resident, spoke about the costs of the program. He also expressed concern about the investment holdings of White Buffalo.

An unknown resident spoke in support of the deer cull and the need to protect the environment.

A speaker named Teagan spoke in opposition to cull, expressing concern about the process.

Sally Daniels, 3rd Ward, spoke in opposition to any firearms in the City's parks.

Kristine Siefert, Ann Arbor resident, spoke in opposition to the deer cull.

Lorraine Shapiro, 2nd Ward, spoke in opposition. She spoke in support of non-lethal methods and offered to donate over \$12,000.00 to cover the additional costs needed for non-lethal methods.

Sarah Byers, Ward 1, spoke in opposition to the ordinance changes and the deer cull. A 25-year Ann Arbor resident named Gabriella spoke in opposition, stating it is sad for Ann Arbor to do this.

Lauren Sargent, resident, spoke in opposition, stating the deer cull is a solution in search of a problem.

Marcia Mai, 5th Ward, spoke in opposition, stating the issue is too divisive for the community.

Grace Fredkin, 5th Ward, spoke in opposition, stating animal rights and a need for

better understanding of ecological balance.

Ann Andrus, resident, spoke in opposition to guns in the City's parks.

Dave Stewart, resident, spoke in opposition.

Dwight Smith, resident, spoke in opposition, stating distracted driving is the problem, not deer.

Robert Sims, 2nd Ward resident, stated Lyme Disease is now in Ann Arbor.

Barry Powers, attorney, spoke in opposition.

Eileen Lisa-Stronczer spoke about alternative non-lethal methods.

Robert McGee, Ann Arbor residents for non-lethal methods for deer management, spoke in opposition.

Kurt Sonen, Ward 2 resident, spoke in support.

An unidentified 2nd Ward homeowner spoke about safety and community priorities.

She urged Council to reprioritize funds from deer culling to pedestrian safety.

Tonya Hilgendorf, Ward 2, President of Huron Valley Humane Society, spoke in opposition.

John Golden, Ward 5, encouraged Council to do what is right.

Phil Carroll, Ward 3, FAAWN member, spoke in opposition, urging Council to vote no.

Robin King, Huntington Place, spoke in opposition, and urged Council to respect the deer.

Hillary Handwerger, 2nd Ward, spoke in support of the ordinance, stating the number of deer/car collisions.

Cathy Shafer, Ward 4, spoke in opposition to firearms and spoke only in support of non-lethal methods. She urged peace.

Ray Dalton, Ward 5, spoke in opposition to shooting in parks.

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

Held and Closed

Enactment No: ORD-16-21

PH-2 16-1443

An Ordinance to Amend Section 9:261, 9:262, 9:263, 9:269 and 9:274 of Chapter 115 (Weapons and Explosives) of Title IX of the Code of the City of Ann Arbor (Ordinance No. ORD-16-22)

Attachments: 16-22 Chapter 115 Weapons and Explosives Amendment.pdf, Chapter 115 Amendment.pdf, Chapter 115 Amendment.pdf

A public hearing was conducted on the proposed amendment to Sections 9:261, 9:262, 9:263, 9:269 and 9:274 of Chapter 115 (Weapons and Explosives) of Title IX of the Code of the City of Ann Arbor. Notice of public hearing was published October 31, 2016.

The following people were present to speak at the hearing:

Grant Shafer, Pittsfield Township, spoke in opposition and urged Council to shift the funding for deer cull to pedestrian safety.

An unidentified Ward 2 resident spoke in opposition, stating Council does not share her values.

Bernie Banet, 2nd Ward, spoke in support of the ordinance changes, stating deer are hurting the City's parks.

An unidentified resident stated Lyme Disease does not come with deer.

Lauren Sargent, longtime resident, spoke in opposition to the ordinance change and urged Council to address pedestrian safety first.

Dwight Smith, Ann Arbor resident, spoke in opposition.

Sabra Sanzotta, 3078 Glazier Way, urged Council to do the right thing and to listen to the people. She also volunteered resources to help fund the non-lethal methods approach.

An unidentified 2nd Ward resident spoke in support of the cull.

David Silkworth, 5th Ward resident, expressed concern with the public process and spoke in opposition.

An unidentified speaker spoke in opposition.

Eileen Lisa-Stronczer spoke in opposition, stating the rest of the taxpayers should not have to pay for a cull. She urged Council to look at non-lethal methods.

Jaime Magiera, 4th Ward resident, asked that Council consider its community values.

Bob McGee, 2245 Placid Way, clarified a comment about a sterilization method that is not approved in Michigan.

An unidentified Ward 2 resident stated people and deer can co-exist.

An unidentified resident thanked Council for their research.

Lisa Abrams, Ward 3, encouraged Council to do the right thing and vote for peace. She thanked City staff for listening to FAAWN.

An unidentified resident spoke in opposition to the cull, stating the problem with car crashes with deer is due to distracted driving.

Hassan Kahrobai, Ward 1 resident, spoke in opposition.

A resident named Gabriella spoke in opposition to the use of firearms in the City's parks.

A member of Washtenaw Citizens for Ecological Balance spoke about the need for an urban deer management policy.

An unidentified City Park user spoke in opposition to the use of firearms in the City's parks.

An unidentified FAAWN member urged Council to vote no on firearms and to support

non-lethal methods.

Mirmala Hanke, Ward 2, spoke in opposition.

An unidentified Huron High student urged Council to be innovative and create change.

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

Held and Closed

Enactment No: ORD-16-22

Mayor Taylor declared a brief recess at 9:12 p.m. and reconvened the meeting at 9:23 p.m.

B ORDINANCES - SECOND READING

- B-1 16-1442** An Ordinance to Amend Sections 3:2 and 3:3 of Chapter 39 (Parks - General Regulations) of Title III of the Code of the City of Ann Arbor (Ordinance No. ORD-16-21)

Attachments: 16-21 Chapter 39 Parks and Regulations Amendments.pdf, Chapter 39 Amendments.pdf, Chapter 39 Amendments.pdf

A motion was made by Councilmember Grand, seconded by Councilmember Westphal, that the Ordinance be adopted on Second Reading. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 8 - Councilmember Lumm, Councilmember Kailasapathy, Councilmember Warpehoski, Councilmember Eaton, Councilmember Grand, Councilmember Krapohl, Councilmember Westphal and Councilmember Ackerman

Nays: 3 - Councilmember Briere, Mayor Taylor and Councilmember Smith

Enactment No: ORD-16-21

- B-2 16-1443** An Ordinance to Amend Section 9:261, 9:262, 9:263, 9:269 and 9:274 of Chapter 115 (Weapons and Explosives) of Title IX of the Code of the City of Ann Arbor (Ordinance No. ORD-16-22)

Attachments: 16-22 Chapter 115 Weapons and Explosives Amendment.pdf, Chapter 115 Amendment.pdf, Chapter 115 Amendment.pdf

A motion was made by Councilmember Lumm, seconded by Councilmember Westphal, that the Ordinance be adopted on Second Reading. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 8 - Councilmember Lumm, Councilmember Kailasapathy, Councilmember Warpehoski, Councilmember Eaton, Councilmember Grand, Councilmember Krapohl, Councilmember Westphal and Councilmember Ackerman

Nays: 3 - Councilmember Briere, Mayor Taylor and Councilmember Smith

Enactment No: ORD-16-22

D - MOTIONS AND RESOLUTIONS

DS - New Business - Staff:

16-1634 Agenda Response Memo - November 14, 2016

Attachments: Agenda Responses 11-14-16

Received and Filed

DS-1 16-1576 Resolution to Approve a Contract with White Buffalo, Inc. for Combined Surgical Sterilization and Sharpshooting Management Services for the City's Deer Population (\$153,940), Amend the FY17 Budget and Appropriate Necessary Funds (\$97,795) **(8 Votes Required)**

Attachments: White Buffalo PSA 110716

A motion was made by Councilmember Lumm, seconded by Councilmember Westphal, 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 Lumm, Councilmember Kailasapathy, Councilmember Warpehoski, Councilmember Eaton, Councilmember Grand, Councilmember Krapohl, Councilmember Westphal and Councilmember Ackerman

Nays: 2 - Mayor Taylor and Councilmember Smith

Enactment No: R-16-431

DS-2 16-1577 Resolution to Approve a Contract with NatureWrite, LLC for Monitoring and Assessment of Deer Impacts in Ann Arbor Natural Areas (\$33,000), Amend the FY17 Budget and Appropriate Necessary Funds (\$15,750) **(8 Votes Required)**

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 unanimously, thus satisfying the eight-vote requirement.

Enactment No: R-16-432

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Grant Shafer, Pittsfield Township resident, spoke about the deer cull and Council's priorities regarding pedestrian safety. He also questioned the process and transparency.

Kathy Griswold, 2nd Ward resident, spoke about a DDA retreat at the Residence Inn. She expressed concern about the need for this group to have a retreat at a hotel. She also spoke about pedestrian safety and Council priorities.

Jaime Magiera, 4th Ward resident, spoke about the cull and the studies published regarding deer management methods and successes. He urged Council to move beyond culling as the only approach.

Robert McGee, representing FAWN, spoke about the deer cull and deer management process. He thanked Council for their time and attention. He also thanked other residents for standing up for their beliefs.

Dwight Smith, resident, spoke in opposition to the cull.

ADJOURNMENT

A motion was made by Councilmember Lumm, seconded by Councilmember Grand, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 11:36 p.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, NOVEMBER 14, 2016 @ 7:00 P.M.

REPLAYS: WEDNESDAY NOVEMBER 16, 2016 @ 8:00 A.M. AND FRIDAY NOVEMBER 18, 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.