

# City of Ann Arbor

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



## Action Minutes - Draft

Tuesday, January 22, 2019

7:00 PM

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

**City Council**

**CALL TO ORDER**

*Mayor Christopher Taylor called the meeting of the Ann Arbor City Council to order at 7:02 p.m. in the Guy C. Larcom, Jr. Building, 2nd Floor Council Chambers, 301 E. Huron Street.*

**MOMENT OF SILENCE**

*Council stood for a moment of silence.*

**PLEDGE OF ALLEGIANCE**

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

**ROLL CALL OF COUNCIL**

- Present:** 10 - Councilmember Jane Lumm, Councilmember Jack Eaton, Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Zachary Ackerman, Councilmember Anne Bannister, Councilmember Jeff Hayner, Councilmember Kathy Griswold, Councilmember Elizabeth Nelson and Councilmember Ali Ramlawi
- Absent:** 1 - Councilmember Chip Smith

**APPROVAL OF AGENDA**

**A motion was made by Councilmember Ramlawi, seconded by Councilmember Nelson, that the Agenda be approved as presented. On a voice vote, the Mayor declared the motion carried.**

**AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR**

*City Administrator Howard Lazarus thanked Boards and Commissions Coordinator Kelly Beattie for the Boards and Commissions recognition event that he organized over the weekend at the Michigan Theatre, stating the event was a great success.*

*Mr. Lazarus thanked Officer Eric Chinn of the Ann Arbor Police Department for his attendance this evening.*

*Mr. Lazarus also submitted the following written reports for information of Council:*

**AC-1**      [19-0074](#)      Legislative Retrospective for 2018

**Attachments:**      190109\_LegislativeRetrospective2018.pdf

**Received and Filed**

**AC-2**     [19-0131](#)     Memorandum from City Administrator: Response to Resolution R-18-497 - Resolution to Address Crosswalk Improvements and Maintenance - January 15, 2019

**Attachments:**     190115 - Resolution to Resolution R-18-497.pdf

**Received and Filed**

**AC-3**     [19-0133](#)     Memorandum from City Administrator - Response to Resolution R-18-480 - Resolution to Improve Transparency of City Boards, Task Forces, Commissions and Committees - January 16, 2019

**Attachments:**     190116 Response to R-18-480 - Resolution to Improve Transparency of City Boards Task Forces Commissions and CommitteeFinal.pdf

**Received and Filed**

**AC-4**     [19-0139](#)     Memorandum from City Administrator: Prevailing Wage Report - January 16, 2019

**Attachments:**     190116 Prevailing Wage UpdateFinalpdf.pdf

**Received and Filed**

**AC-5**     [19-0161](#)     Agenda Response Memo and eComments - January 22, 2019

**Attachments:**     ecomments\_export 012219.pdf, Agenda Responses 1-22-19 Final.pdf

**Received and Filed**

**AC-6**     [19-0162](#)     City Administrator's Report - January 22, 2019

**Attachments:**     190122 City Administrator's Update Final.pdf

**Received and Filed**

**INT     INTRODUCTIONS**

*None.*

**PUBLIC COMMENTARY - RESERVED TIME (3 MINUTES PER SPEAKER)**

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

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

**1. David Silkworth - Pedestrian Safety (AC-2)**

*David Silkworth, 2048 Charlton, spoke about the recent pedestrian accidents that occurred within crosswalks, stating many mid-block crossings are not well lighted. He urged Council to make changes to the City's crosswalks a priority.*

**2. Barbara Clark - Crosswalk Safety (AC-2)**

*Barbara Clark, 532 Liberty Point, stated she is the mother of the driver who struck a pedestrian within a crosswalk on Huron Street. She stated her son was not speeding or texting, but he did not see a pedestrian in a mid-block crossing that was not properly lighted. She stated her son is devastated by this accident.*

**3. Claire DuVernoy - Pedestrian Safety (AC-2)**

*Claire DuVernoy, 641 Geddes Ridge, spoke about pedestrian safety concerns and urged Council to take action.*

**4. Tanya Ridella-Mehlos - Pedestrian Safety (AC-2)**

*Tanya Ridella-Mehlos, 2048 Charlton, spoke about pedestrian safety and urged Council to take action on this issue.*

**5. Maureen Weinhold - Crosswalks at High Schools (AC-2)**

*Maureen Weinhold, 616 W. Madison Street, expressed concern about the crosswalks at Ann Arbor's high schools, noting that some students have been killed. She stated other towns have crossing guards at all levels of their public schools, including at the high schools.*

**6. Yvonne Lassalle - Pedestrian Safety (AC-2)**

*Yvonne Lassalle, 2113 Delaware Drive, spoke about pedestrian safety and the driving culture within Ann Arbor. She also suggested that the City consider installing raised crosswalks, which force vehicles to slow down.*

**7. Nick Tobier - 5th Avenue and Kerrytown Market**

*Nick Tobier, 239 Murray Avenue, accompanied by his wife, spoke about their daughter walking to Community High School and the dangerous crosswalk on Fifth Avenue. Ms. Tobier asked that the City enforce the pedestrian crossing laws in this area.*

**8. Grant Shafer - Peace and Safety**

*Grant Shafer, 3400 Carpenter Road, #717, Pittsfield Township resident, spoke about the City's deer cull and objected to recent councilmember statements about the behavior of deer cull protestors.*

**9. Michelle Woolford - Greenbelt Purchase (DC-1)**

*Michelle Woolford, Northfield Township resident and farm owner, asked Council to please reconsider the recent vote on the City Greenbelt purchase of the Lepkowski farm. She stated the preservation of this property would allow her family to preserve their farm and still retire.*

**10. Blaine Coleman - Free Marzieh Hashemi (Jailed U.S. Iranian Journalist)**

*Blaine Coleman, P.O. Box 9038, spoke about an Iranian journalist who is a U.S. citizen and is currently being held in prison by President Trump. He urged Council to invite the journalist to speak to Ann Arbor City Council and bring attention to her imprisonment.*

**CC COMMUNICATIONS FROM COUNCIL**

**COUNCILMEMBER RAMLAWI**

*Councilmember Ramlawi spoke about pedestrian safety and thanked the residents who came out to speak on the issue. Councilmember Ramlawi said the current pace of accidents for the year is very high.*

*Councilmember Ramlawi also spoke about the Dr. Martin Luther King, Jr. holiday. He urged City staff to make this a holiday for sanitation workers, stating Dr. King died showing solidarity with these workers.*

*He urged citizens to continue to apply for the Independent Police Oversight Commission.*

*Councilmember Ramlawi thanked staff for looking into prevailing wage of City-hired contractors.*

**COUNCILMEMBER GRISWOLD**

*Councilmember Griswold thanked the residents who came out to tonight's meeting to speak on pedestrian safety. She stated she plans to introduce a resolution regarding improvements to the City's crosswalk planning process. She stated Representative Ronnie Peterson is also working on a bill at the State level.*

*A2Safe Transport will be hosting a reception at 6:30 p.m. in the lobby of City Hall before the next meeting on February 4.*

**COUNCILMEMBER GRAND**

*Councilmember Grand thanked the public speakers who came out to talk about pedestrian safety.*

*Councilmember Grand also urged residents to continue to apply to be members of the new Independent Police Oversight Commission.*

**COUNCILMEMBER HAYNER**

*Councilmember Hayner noted that the current Rules do not limit high dollar resolutions from being placed on the Consent Agenda. He asked the Council Rules Committee to look at this as they propose changes to the current Rules.*

**MC COMMUNICATIONS FROM THE MAYOR**

*Mayor Taylor thanked residents who came out this evening to discuss pedestrian safety. He stated the City continues to study this issue and does not yet have a solution. He stated the current downtown traffic environment was not designed for pedestrians and the City continues to try to improve pedestrian crossing and design better systems for all users.*

**CA CONSENT AGENDA**

**CONSENT AGENDA ITEMS REMOVED**

*With unanimous consent of Council, the following Consent Agenda item was removed from the Consent Agenda and placed at the end of same:*

*CA-9 Resolution to Approve the Collective Bargaining Agreement between the City of Ann Arbor and Local 693 of the International Association of Fire Fighters (Ann Arbor Firefighters Union) effective January 1, 2017 - December 31, 2019*

**Passed on consent agenda**

**A motion was made by Councilmember Nelson, seconded by Councilmember Ackerman, that the following Consent Agenda Items be approved as presented. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirements of CA-1, CA-2, CA-3, CA-4, CA-13, CA-17, and CA-20.**

**CA-1     [19-0023](#)     Resolution to Accept an Easement for Public Right-of-Way at Maple Village Shopping Center from Brixmor Holdings 1 SPE, LLC **(8 Votes Required)****

**Attachments:**     Maple Village ROW Map.pdf

Enactment No: R-19-009

**CA-2     [19-0024](#)     Resolution to Accept a Sidewalk Easement at Maple Village Shopping Center from Brixmor Holdings 1 SPE, LLC **(8 Votes Required)****

**Attachments:**     Maple Village Sidewalk Map.pdf

Enactment No: R-19-010

**CA-3     [19-0025](#)     Resolution to a Release Two Water Main Easements (Liber 1465, Page**

861 and Liber 5178, Page 777) and Accept a New Water Main Easement at Maple Village Shopping Center from Brixmor Holdings 1 SPE, LLC **(8 Votes Required)**

**Attachments:** Maple Village Water Map.pdf, 1974 easement to be released.pdf, 2016 easement to be released.pdf

Enactment No: R-19-011

**CA-4**     [19-0026](#)     Resolution to Partially Release a Sanitary Sewer Easement (Liber 1006, Pages 401, 404, 407) and Accept a New Sanitary Sewer Easement at Maple Village Shopping Center from Brixmor Holdings 1 SPE, LLC **(8 Votes Required)**

**Attachments:** Maple Village Sanitary Map.pdf, 1962 indentures.pdf

Enactment No: R-19-012

**CA-5**     [19-0059](#)     Resolution to Approve an Agreement Transferring an Abandoned Sewer at Maple Village to Brixmor Holdings 1 SPE, LLC

**Attachments:** Maple Village Sewer Transfer Agreement.pdf

Enactment No: R-19-013

**CA-6**     [18-2186](#)     Resolution Authorizing Sanitary Sewer Capital Recovery Charges for 3 Maple Village Ct. (\$5,982.00)

Enactment No: R-19-014

**CA-7**     [18-2187](#)     Resolution Authorizing Water Capital Recovery Charges for 3 Maple Village Ct. (\$2,696.00)

Enactment No: R-19-015

**CA-8**     [19-0006](#)     Resolution to Approve Distributions from the City's Police and Firemen's Relief Fund (\$100,000.00)

**Sponsors:** Taylor

**Attachments:** Police and Firemen's Relief Fund Distribution Letter.pdf

Enactment No: R-19-016

**CA-10**   [19-0065](#)   Resolution to Approve an Agreement for Occupational Health Services



with Michigan Urgent Care, PC

**Attachments:** Michigan Urgent Care - Ann Arbor PSA EXT 10-22-18.pdf

Enactment No: R-19-017

- CA-11**    [19-0066](#)    Resolution to Approve the Renewal of the City's Contract with Blue Cross Blue Shield of Michigan to Provide Administrative Claims Processing Services and Stop-Loss Coverage for the City's Health Care Plan on Behalf of Employees and Retirees and their Dependents, and to Authorize the City Administrator to Execute the Necessary Documentation (\$1,905,892.00)

**Attachments:** 2019 BCBSM ASC Contract Renewal Package.pdf, 2019 ASC Contract Renewal Signature Page BCBSM.pdf

Enactment No: R-19-018

- CA-12**    [19-0067](#)    Resolution to Approve the Amendment and Renewal of the City's Contract with EyeMed Vision Care, LLC to Provide Vision Benefit Coverage to City Employees and their Eligible Dependents, and to Authorize the City Administrator to Execute the Necessary Documentation (\$344,964.00)

**Attachments:** City of Ann Arbor 2019 Renewal.pdf

Enactment No: R-19-019

- CA-13**    [19-0068](#)    Resolution to Authorize Additional Payments to Unum Life Insurance Company of America for Associated Group Term Life, Accident, and Disability Insurance Policies for City Employees and their Eligible Dependents (\$93,312.15) **(8 Votes Required)**

Enactment No: R-19-020

- CA-14**    [19-0069](#)    Resolution to Authorize Payments to Unum Life Insurance Company of America and to Renew Associated Group Term Life, Accident, and Disability Insurance Policies for City Employees and their Eligible Dependents, and to Authorize the City Administrator to Execute the Necessary Documentation (\$1,340,685.00)

Enactment No: R-19-021

- CA-15**    [19-0071](#)    Resolution to Approve the Renewal of the City's Contract with Part D Advisors, Inc. to Fulfill Administrative and Actuarial Services Related to

Medicare Part D Subsidies for the City and to Authorize the City Administrator to Execute the Necessary Documentation

Enactment No: R-19-022

**CA-16**    [19-0072](#)    Resolution to Approve Amendment No. 4 to the Hosted Human Resources and Payroll System Agreement with Ultimate Software Group, Inc., (\$25,000.00)

**Attachments:**    CA-16 Addendum to the ACA Service Supplement.pdf, CA-16 UltiPro ACA Distribution Services Supplement.pdf

Enactment No: R-19-023

**CA-17**    [18-2001](#)    Resolution to Approve General Services Agreement for Digital Scanning Services with Layton Document Systems, Inc. (\$182,224.47) **(8 Votes Required)**

**Attachments:**    RFP 18-20 Final.pdf, RFP 18-20 Addendum 1.pdf, RFP 18-20 GSA.pdf

Enactment No: R-19-024

**CA-18**    [18-2098](#)    Resolution to Approve the Purchase of Utility Materials from Core and Main LP (\$333,287.32; Bid No. ITB-4554)

**Attachments:**    Bid Tab ITB\_4554\_Utility\_Infrastructure\_Materials.pdf, ITB 4554 Bid Document.pdf, 2018 Utility Bid (ITB No. 4554) Pricing Details.pdf

Enactment No: R-19-025

**CA-19**    [18-2184](#)    Resolution to Approve Change Order No. 3 with Strawser Construction, Inc. for the 2017 Street Surface Treatment Project (ITB No. 4478; \$43,029.76)

**Attachments:**    2016-020 Street Surface Trtmnts-2017 CM 3\_2018-12-07\_SIGNED.pdf

Enactment No: R-19-026

**CA-20**    [18-2185](#)    Resolution to Approve Change Order No. 5 with Doan Construction Co. for the 2018 Annual Sidewalk Program Project and Appropriate \$50,778.06 **(8 Votes Required)**

**Attachments:**    SidewalkRepairProgram2018 MAPS.pdf, 2018-021A Draft Contract Modification 5 .pdf

Enactment No: R-19-027

**CA-21**    [19-0005](#)    Resolution to Award Contract for the Water Treatment Plant Architectural and Structural Repairs - ITB No. 4553 (\$2,156,037.65) to RAM Construction Services of Michigan, Inc.

**Attachments:**    ITB\_4553\_BidTab.pdf, Contract\_ITB 4553\_WTP 2018 ArchStruct Repairs.pdf, ITB 4553\_Addendum 1\_12.6.2018.pdf

Enactment No: R-19-028

**CA-22**    [19-0009](#)    Resolution to Approve Amendment No. 1 to the Professional Services Agreement with StructureTec Corporation for the Water Treatment Plant 2018 Architectural and Structural Repairs, RFP No. 18-10 (\$135,375.00)

**Attachments:**    R-18-128 Legislation Details.pdf, StructureTec Amend 1\_PSA.pdf

Enactment No: R-19-029

**CA-23**    [19-0010](#)    Resolution to Approve a Progressive Design-Build Agreement for Professional Services with J. Ranck Electric, Inc. for Phase 1 of the Water Treatment Plant SCADA System Modernization Project (\$210,198.00)

**Attachments:**    SCADA CIP Design-Builder Agreement - Final.pdf, RFP\_18-31\_ProposalTab.pdf, RFP18-31 Averaged Scoring Summary.pdf

Enactment No: R-19-030

**CA-9**    [19-0045](#)    Resolution to Approve the Collective Bargaining Agreement between the City of Ann Arbor and Local 693 of the International Association of Fire Fighters (Ann Arbor Firefighters Union) effective January 1, 2017 - December 31, 2019

**Attachments:**    IAFF 2017-2019 Current CLEAN.pdf

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

**Yeas:**    9 -    Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Bannister, Councilmember Hayner, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

**Nays:**    1 -    Councilmember Lumm

**Absent:**    1 -    Councilmember Smith

Enactment No: R-19-031

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

- PH-1**     [18-1826](#)     An Ordinance to Amend Section 2:64 of Chapter 29 (Change Sewer Rates) of Title II of the Code of the City of Ann Arbor (Ordinance No. ORD-18-33)
- Attachments:**     ORD-18-33 Briefed and Approved.pdf, ORD-18-33 Briefed.pdf, sewer 2-64 only ord.pdf, 18-33 Water and Sewer Rates Ordinance.pdf, W S Rates Ordinance\_January2019.pdf, 18-33 Water Sewer and Stormwater Rates Approval Notice.pdf
- A public hearing was conducted on the proposed Ordinance to Amend Section 2:64 of Chapter 29 (Change Sewer Rates) of Title II of the Code of the City of Ann Arbor (Ordinance No. ORD-18-33). Notice of public hearing was published January 10, 2019.*
- Diane Giannola, City resident, expressed concern about the City's water rates and the possibility of multi-family and condominium owners subsidizing single-family residents.*
- There being no further comment, the Mayor declared the hearing closed.*
- Held and Closed**
- Enactment No: ORD-18-33
- PH-2**     [18-1945](#)     An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of two adjacent lots totaling 1.6 Acres from R1C (Single-Family Dwelling District) to R2A (Two-Family District) 3786 & 3802 Platt Road Rezoning (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-18-34)
- Attachments:**     18-34 3786 and 3802 Platt Road Rezoning Ordinance Briefed and Approved.pdf, 18-34 3786 & 3802 Platt Rd Rezoning Ordinance Briefed.pdf, 3786 and 3802 Platt Ordinance.pdf, 3786 3802 Area Plan Staff Report.pdf, Zoning Map.pdf, Aerial Photo, Platt Rezoning Minutes .pdf, 18-34 3786 and 3802 Platt Road Rezoning Approval Notice.pdf
- A public hearing was conducted on the proposed Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of two adjacent lots totaling 1.6 Acres from R1C (Single-Family Dwelling District) to R2A (Two-Family District) 3786 & 3802 Platt Road Rezoning (Ordinance No. ORD-18-34). Notice of public hearing was published December 20, 2018.*
- There being no one present for comment, the Mayor declared the hearing closed.*
- Held and Closed**
- Enactment No: ORD-18-34
- PH-3**     [18-1946](#)     Resolution to Approve the 3786 & 3802 Platt Road Area Plan (CPC

Recommendation: Approval - 8 Yeas and 0 Nays)

**Attachments:** 3786 3802 Area Plan Staff Report.pdf

*A public hearing was conducted on the proposed Resolution to Approve the 3786 & 3802 Platt Road Area Plan. Notice of public hearing was published January 10, 2019.*

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

**Held and Closed**

Enactment No: R-19-033

**PH-4**      [18-1993](#)

An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.76 Acre from TWP (Township District) to R1D (Single-Family Residential District), Flannery Property, 2883 Stone School Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-18-35)

**Attachments:** 18-35 2883 Stone School Rezoning Ordinance Briefed and Approved.pdf, 18-35 2883 Stone School - Flannery Rezoning Ordinance.pdf, 2883 Stone School - Flannery - R1D Ordinance.pdf, Flannery A&Z Staff Report with Attachments.pdf, 10-3-2018 CPC Minutes with Live Links.pdf, 18-35 Flannery Rezoning Approval Notice.pdf

*A public hearing was conducted on the proposed amendment to Chapter 55 (Zoning), Rezoning of 0.76 Acre from TWP (Township District) to R1D (Single-Family Residential District), Flannery Property, located at 2883 Stone School Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-18-35). Notice of public hearing was published December 20, 2018.*

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

**Held and Closed**

Enactment No: ORD-18-35

**PH-5**      [19-0001](#)

An Ordinance to Amend Sections 7:605 and 7:607 of Chapter 96 (Medical Marijuana Facilities) of Title VII of the Code of the City of Ann Arbor (Ordinance No. ORD-19-01)

**Attachments:** 19-01 Medical Marijuana Facilities Ordinance Briefed and Approved.pdf, 19-01 Medical Marijuana Facilities Ordinance Briefed.pdf, Ordinance Amendment to 7:605 7:607.pdf, 19-01 Medical Marijuana Facilities Approval Notice.pdf

*A public hearing was conducted on the proposed Ordinance to Amend Sections 7:605 and 7:607 of Chapter 96 (Medical Marijuana Facilities) of Title VII of the Code of the City of Ann Arbor (Ordinance No. ORD-19-01). Notice of public hearing was published January 10, 2019.*

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

**Held and Closed**

Enactment No: ORD-19-01

- PH-6**     [19-0021](#)     An Ordinance to Amend Sections 1:240D, 1:240E and 1:240F of Chapter 9 (City Seal and Flag) of Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-19-02)

**Sponsors:**     Taylor

**Attachments:**     19-02 City Seal and Flag Ordinance Briefed and Approved.pdf, 19-02 Flag and Seal Ordinance Amendment Briefed.pdf, Flag and Seal Ordinance Amendment, 19-02 City Seal and Flag Approval Notice.pdf

*A public hearing was conducted on the proposed Ordinance to Amend Sections 1:240D, 1:240E and 1:240F of Chapter 9 (City Seal and Flag) of Title I of the Code of the City of Ann Arbor. Notice of public hearing was published January 10, 2019.*

*Edward Vielmetti, resident, urged the City to repeal this ordinance in its entirety.*

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

**Held and Closed**

Enactment No: ORD-19-02

- PH-7**     [18-2109](#)     Resolution to Approve the Ganger Annexation, 0.52 Acre, 2660 Apple Way (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

**Attachments:**     2660 Apple Way Planning Staff Report w Attachments-11-19-2018.pdf, Ganger Annexation Letter to Township.docx

*A public hearing was conducted on the proposed Resolution to Approve the Ganger Annexation, .52 Acre, located at 2660 Apple Way. Notice of public hearing was published January 20, 2019.*

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

**Held and Closed**

Enactment No: R-19-034

- PH-8**     [18-2059](#)     Resolution to Approve ITC Phoenix Utility Substation Planned Project Site Plan, at 2001 Dhu Varren Road (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

**Attachments:**     Citizen Participation Meeting Packet.pdf, ITC Substation CPC Minutes from 11-20-2018 Meeting.pdf, Staff Report for 2001 Dhu Varren - ITC Phoenix Utility Substation .pdf

*A public hearing was conducted on the proposed Resolution to Approve ITC Phoenix Utility Substation Planned Project Site Plan, located at 2001 Dhu Varren Road. Notice of public hearing was published January 10, 2019.*

*Adelaide Pascaris, Manager, Area Government and Community Affairs for ITC, spoke about 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**

Enactment No: R-19-035

**A APPROVAL OF COUNCIL MINUTES**

**A-1**      [19-0082](#)      Regular Session Meeting Minutes of January 7, 2019

**Attachments:**    01-07-19 Draft Minutes.pdf, Council Emails 1-7-2019.pdf

**A motion was made by Councilmember Ramlawi, seconded by Councilmember Nelson, that the Regular Session Meeting Minutes of January 7, 2019 be approved. On a voice vote, the Mayor declared the motion carried.**

**B ORDINANCES - SECOND READING**

**B-1**      [18-1826](#)      An Ordinance to Amend Section 2:64 of Chapter 29 (Change Sewer Rates) of Title II of the Code of the City of Ann Arbor (Ordinance No. ORD-18-33)

**Attachments:**    ORD-18-33 Briefed and Approved.pdf, ORD-18-33 Briefed.pdf, sewer 2-64 only ord.pdf, 18-33 Water and Sewer Rates Ordinance.pdf, W S Rates Ordinance\_January2019.pdf, 18-33 Water Sewer and Stormwater Rates Approval Notice.pdf

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

Enactment No: ORD-18-33

**B-2**      [18-1945](#)      An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of two adjacent lots totaling 1.6 Acres from R1C (Single-Family Dwelling District) to R2A (Two-Family District) 3786 & 3802 Platt Road Rezoning (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-18-34)

**Attachments:** 18-34 3786 and 3802 Platt Road Rezoning Ordinance Briefed and Approved.pdf, 18-34 3786 & 3802 Platt Rd Rezoning Ordinance Briefed.pdf, 3786 and 3802 Platt Ordinance.pdf, 3786 3802 Area Plan Staff Report.pdf, Zoning Map.pdf, Aerial Photo, Platt Rezoning Minutes .pdf, 18-34 3786 and 3802 Platt Road Rezoning Approval Notice.pdf

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

Enactment No: ORD-18-34

**B-3**      [18-1993](#)      An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.76 Acre from TWP (Township District) to R1D (Single-Family Residential District), Flannery Property, 2883 Stone School Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-18-35)

**Attachments:** 18-35 2883 Stone School Rezoning Ordinance Briefed and Approved.pdf, 18-35 2883 Stone School - Flannery Rezoning Ordinance.pdf, 2883 Stone School - Flannery - R1D Ordinance.pdf, Flannery A&Z Staff Report with Attachments.pdf, 10-3-2018 CPC Minutes with Live Links.pdf, 18-35 Flannery Rezoning Approval Notice.pdf

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

Enactment No: ORD-18-35

**B-4**      [19-0001](#)      An Ordinance to Amend Sections 7:605 and 7:607 of Chapter 96 (Medical Marijuana Facilities) of Title VII of the Code of the City of Ann Arbor (Ordinance No. ORD-19-01)

**Attachments:** 19-01 Medical Marijuana Facilities Ordinance Briefed and Approved.pdf, 19-01 Medical Marijuana Facilities Ordinance Briefed.pdf, Ordinance Amendment to 7:605 7:607.pdf, 19-01 Medical Marijuana Facilities Approval Notice.pdf

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

Enactment No: ORD-19-01

**B-5**      [19-0021](#)      An Ordinance to Amend Sections 1:240D, 1:240E and 1:240F of Chapter 9 (City Seal and Flag) of Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-19-02)

**Sponsors:** Taylor



**Attachments:** 19-02 City Seal and Flag Ordinance Briefed and Approved.pdf, 19-02 Flag and Seal Ordinance Amendment Briefed.pdf, Flag and Seal Ordinance Amendment, 19-02 City Seal and Flag Approval Notice.pdf

**A motion was made by Councilmember Eaton, seconded by Councilmember Hayner, that the Ordinance be adopted on Second Reading.**

Enactment No: ORD-19-02

**A motion was made by Councilmember Eaton, seconded by Councilmember Hayner, that the Ordinance be amended as follows:**

**Replace proposed Ordinance as follows:**

**The City of Ann Arbor ordains:**

**Section 1. That Chapter 9 of Title I of the Code of the City of Ann Arbor be repealed.**

**Section 2. This Ordinance shall take effect on the tenth day following legal publication.**

**On a roll call, the vote was as follows with the Mayor declaring the motion defeated:**

- Yeas:** 5 - Councilmember Eaton, Councilmember Bannister, Councilmember Hayner, Councilmember Griswold and Councilmember Nelson
- Nays:** 5 - Councilmember Lumm, Mayor Taylor, Councilmember Grand, Councilmember Ackerman and Councilmember Ramlawi
- Absent:** 1 - Councilmember Smith

Enactment No: ORD-19-02

**The question being, the motion made by Councilmember Eaton, seconded by Councilmember Hayner, that the Ordinance as originally presented be adopted on Second Reading, on a voice vote, the Mayor declared the motion carried.**

Enactment No: ORD-19-02

## **C ORDINANCES - FIRST READING**

- C-1**      [19-0089](#)      An Ordinance to Amend Chapter 108 (Disorderly Conduct) of Title IX of the Code of the City of Ann Arbor to Add a New Section 9:69 (Trespass) (Ordinance No. ORD-19-03)

**Sponsors:**      Grand and Ramlawi

**Attachments:**      Trespass Ordinance 9.69.pdf

**A motion was made by Councilmember Ramlawi, seconded by Councilmember Grand, that the Ordinance be approved on First Reading. On a**

voice vote, the Mayor declared the motion carried.

Enactment No: ORD-19-03

## D MOTIONS AND RESOLUTIONS

### DC New Business - Council:

**DC-1**     [19-0202](#)     Motion to Reconsider the January 7, 2019 Vote that Defeated Resolution to Approve the Purchase of a Conservation Easement on the Lepkowski Property in Northfield Township and to Appropriate \$478,867.00

**Sponsors:**     Ramlawi

**Attachments:**     File 18-2188 DEFEATED.pdf

**A motion was made by Councilmember Ramlawi, seconded by Councilmember Grand, that the Motion to Reconsider be approved. On a voice vote, the Mayor declared the motion carried.**

[18-2188](#)     Resolution to Approve the Purchase of a Conservation Easement on the Lepkowski Property in Northfield Township and to Appropriate \$478,867.00 (**8 Votes Required**)

**Attachments:**     Lepkowski Aerial Map.pdf, Lepkowski Protected Map.pdf

**A motion was made by Councilmember Grand, seconded by Councilmember Hayner, that the Resolution be approved.**

**A motion was made by Councilmember Ramlawi, seconded by Councilmember Eaton, that the Resolution be postponed until 2/19/2019. On a voice vote, the Mayor declared the motion carried.**

### RECESS

*Mayor Taylor declared a recess at 9:19 p.m. and reconvened the meeting at 9:28 p.m.*

**DC-2**     [19-0168](#)     Resolution in Support of Federal Employees Affected by the Current Government Shutdown

**Sponsors:**     Taylor, Ramlawi, Grand, Eaton, Griswold, Lumm, Ackerman and Bannister

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

Mayor declared the motion carried.

Enactment No: R-19-032

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

**DB-1**     [18-1946](#)     Resolution to Approve the 3786 & 3802 Platt Road Area Plan (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

**Attachments:**     3786 3802 Area Plan Staff Report.pdf

**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.**

Enactment No: R-19-033

**DB-2**     [18-2109](#)     Resolution to Approve the Ganger Annexation, 0.52 Acre, 2660 Apple Way (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

**Attachments:**     2660 Apple Way Planning Staff Report w Attachments-11-19-2018.pdf, Ganger Annexation Letter to Township.docx

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

Enactment No: R-19-034

**DB-3**     [18-2059](#)     Resolution to Approve ITC Phoenix Utility Substation Planned Project Site Plan, at 2001 Dhu Varren Road (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

**Attachments:**     Citizen Participation Meeting Packet.pdf, ITC Substation CPC Minutes from 11-20-2018 Meeting.pdf, Staff Report for 2001 Dhu Varren - ITC Phoenix Utility Substation .pdf

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

Enactment No: R-19-035

**DS Unfinished Business:**

**DS-1**     [18-1331](#)     Resolution to Authorize a Professional Services Agreements with Orchard, Hiltz & McCliment, Inc. (OHM) for the Lower Town Area Mobility

Study (RFP No. 18-21) (\$579,478.00) and Appropriate Funding from the Major Street Fund Balance (\$649,478.00) **(8 Votes Required)**

**Attachments:** Response to R-17-472 Lowertown Area Mobility Study Final.pdf, psa.ohm.lower.town.area.mobility.pdf, PROPOSAL\_OHM.pdf, PROPOSAL\_HRC.pdf, PROPOSAL\_Bergmann.pdf, 2019.01.15.psaV2.ohm.lower.town.area.mobility.pdf, 190116 181331 Lower Town Study MemoFinal.pdf

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

**A motion was made by Councilmember Griswold, seconded by Councilmember Grand, that the Resolution be postponed until 2/19/2019. On a roll call, the vote was as follows with the Mayor declaring the motion carried:**

**Yeas:** 7 - Councilmember Lumm, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Bannister, Councilmember Griswold and Councilmember Nelson

**Nays:** 3 - Councilmember Eaton, Councilmember Hayner and Councilmember Ramlawi

**Absent:** 1 - Councilmember Smith

**DS New Business - Staff:**

**DS-2**      [19-0148](#)      Resolution to Direct the City Attorney to Settle *Kailasapathy v City of Ann Arbor, et al.*, Case No. 18-682-CZ by Stipulating to an Injunction

**Sponsors:**      Lumm

**Attachments:**      Final Stipulation in CM Case

*\*Stephen K. Postema, City Attorney, stated that Councilmember Bannister could not vote on the motion.*

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

**Yeas:** 8 - Councilmember Lumm, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

**Nays:** 1 - Councilmember Hayner

**Absent:** 1 - Councilmember Smith

**Recused:** 1 - Councilmember Bannister

Enactment No: R-19-036

**E COMMUNICATIONS FROM THE CITY ATTORNEY**

*Mr. Postema acknowledged the retirement of Nancy Niemela, Assistant City Attorney, and thanked her for her service to the City.*

**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 Grand, 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**      [19-0099](#)      Joshua Rego - Resignation from the Environmental Commission  
**Attachments:**      Josh Rego - Resignation from Environmental Commission.pdf
- F-2**      [19-0114](#)      Communication from Pittsfield Charter Township Planning Commission regarding Notice of a Public Hearing on RZ#18-04 Wacker Chemical Corporation Scheduled for January 17, 2019 - Planning  
**Attachments:**      Pittsfield Township Planning Commission Public Hearing Notice.pdf
- F-3**      [19-0115](#)      Communication from Evan Pratt, Water Resources Commission regarding Notice of Receipt of Petition Regarding the Miller Creek Ann Arbor "MCAA Pepper Pike 5626.14" Drain Project  
**Attachments:**      Miller Creek Ann Arbor MCAA Pepper Pike 5626.14 Drain Project Petition Notice.pdf
- F-4**      [19-0165](#)      Communication from the Washtenaw County Board of Commissioners regarding a Resolution Opposing Michigan State Senate Bill 1031  
**Attachments:**      Washtenaw County Board of Commissioners Resolution regarding State Senate Bill 1031.pdf  
  
*Filed.*

**G The following minutes were received for filing:**

- G-1**      [18-0278](#)      Transportation Commission Meeting Minutes 1-18-2018  
***Attachments:***      January\_Minutes\_FINAL.pdf
- G-2**      [18-0906](#)      Public Market Advisory Commission Meeting Minutes of April 19, 2018  
***Attachments:***      April 19, 2018 PMAC Meeting Minutes.pdf
- G-3**      [18-2143](#)      Transportation Commission Meeting Minutes 11-14-2018  
***Attachments:***      November Meeting Minutes\_DRAFT.pdf, November Meeting Minutes\_FINAL.pdf
- G-4**      [18-2165](#)      Ann Arbor Housing Commission Board Minutes of October 17, 2018  
***Attachments:***      AAHC Board Minutes 10.17.2018.pdf
- G-5**      [19-0007](#)      Employees' Retirement System Board Meeting Minutes of November 15, 2018  
***Attachments:***      B Board Mins 11.15.18.pdf
- G-6**      [19-0008](#)      Retiree Health Care Benefit Plan & Trust Board Meeting Minutes of November 15, 2018  
***Attachments:***      B VEBA Mins 11.15.18.pdf
- G-7**      [19-0016](#)      Ann Arbor Board of Review Meeting Minutes - December 11, 2018  
***Attachments:***      2018 December Board of Review Minutes.pdf  
*Filed.*

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

*Kai Petainen, City resident, thanked Council for the discussion regarding contract approvals and the City seal ordinance.*

**COMMUNICATIONS FROM COUNCIL***COUNCILMEMBER BANNISTER*

*Councilmember Bannister thanked the City Attorney for recommending settlement of her lawsuit against the City. She also thanked Council for supporting the settlement. She read a statement regarding her position on the approval of contracts and stated she hopes Council will only approve contracts that are written and ready for Council's review.*

*COUNCILMEMBER HAYNER*

*Councilmember Hayner spoke about his position on development and the proposed mobility study. He also talked about the use of planning documents and the City's approval of development.*

**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 Nelson, seconded by Councilmember Ramlawi, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 10:55 p.m.**

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

**LIVE: TUESDAY, JANUARY 22, 2019 @ 7:00 P.M.**

**REPLAYS: WEDNESDAY, JANUARY 23, 2019 @ 8:00 A.M. AND FRIDAY, JANUARY 25, 2019 @ 8:00 P.M.**

**REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE**

**CTN's Government Channel live televised public meetings can be viewed in a variety of ways:**

**Live Web streaming or Video on Demand: <https://a2ctn.viebit.com>  
Cable: Comcast Cable channel 16 or AT&T UVerse Channel 99**

**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.**

**Jacqueline Beaudry  
Clerk of the Council**

**Anissa R. Bowden  
Recording Secretary**