

City of Ann Arbor

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



Action Minutes

Monday, December 5, 2016

7:00 PM

Please Note: There will be not be a CAUCUS meeting on 12/4/16.

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

City Council

City Council will meet in caucus the Sunday prior to each regular session at 3:30 p.m. in Council Chambers.

CALL TO ORDER

Mayor Taylor called the meeting of the Ann Arbor City Council to order at 7:03 p.m. in the Guy C. Larcom, Jr. Building, 2nd Floor Council Chambers, 301 E. Huron Street.

MOMENT OF SILENCE

Council stood for a moment of silence.

PLEDGE OF ALLEGIANCE

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

ROLL CALL OF COUNCIL

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

APPROVAL OF AGENDA

A motion was made by Councilmember Briere, seconded by Councilmember Lumm, that the Agenda be approved with the following changes:

Move DC-2 and DC-3 to the end of the agenda.

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

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

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

AC-1 16-1734 Agenda Response Memo - December 5, 2016

Attachments: Agenda Responses 12-5-16 Final.pdf

Received and Filed

INT INTRODUCTIONS

INT-1 16-1696**State Legislative Tribute to Councilmember Briere for her Years of Service**

State Senator Rebekah Warren and State Representative Jeff Irwin presented a tribute to Councilmember Briere recognizing her years of service to the City and her retirement from City Council.

Received and Filed

PUBLIC COMMENTARY - RESERVED TIME (3 MINUTES PER SPEAKER)

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

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

1. John Kotarski - Art Association for Artist Selection Services for Stormwater Manhole Cover Art Project (CA-3)

John Kotarski, Ann Arbor Public Art Commission, spoke in support of CA-3, the manhole cover art project.

2. Dave Askins - In Support of Chuck Bultman as Councilmember (DC-3)

David Askins, 330 Mulholland, spoke in support of candidate Chuck Bultman for the First Ward City Council vacancy.

3. Alissa Beveridge - School Speed Safety

Alissa Beveridge, 2651 Geddes, spoke about pedestrian safety and urged other residents to attend City Council's upcoming Planning Session on December 12 at 4:00 p.m. at the Downtown Library.

4. Judith Hoffman - Pedestrian Safety Around Schools

Judith Hoffman, 1258 Ferdon, spoke about pedestrian safety and urged Council to make this issue a priority.

5. Jonah Copi - Medical Marijuana Licensing (DC-5)

Jonah Copi, 4th Ward resident, spoke in support of DC-5, regarding Medical Marijuana licensing.

6. John Floyd - Recent Election

John Floyd, Fifth Ward resident, expressed concerns regarding the City's recent Charter Amendment to switch to four-year terms in even years only.

CC COMMUNICATIONS FROM COUNCIL*COUNCILMEMBER KAILASAPATHY*

Councilmember Kailasapathy reported on the recent Audit Committee meeting, stating concerns about the audit statement regarding the Housing Commission.

COUNCILMEMBER EATON

Councilmember Eaton reported on the status of the Packard Square project, stating the project is in trouble. He stated there are current lawsuits regarding the project. Information will be available for residents at a public meeting on December 21 from 5:30 p.m. to 7:00 p.m. at Cobblestone Farm.

COUNCILMEMBER LUMM

Councilmember Lumm reported out regarding the status of the Geddes Avenue road construction project and the projected schedule for the reopening of Geddes to traffic.

COUNCILMEMBER ACKERMAN

Councilmember Ackerman also addressed the Housing Commission audit.

COUNCILMEMBER WESTPHAL

Councilmember Westphal spoke about composting and reminded residents not to push leaves into the streets, which would ultimately end up in the storm drains. He urged residents to compost and bag their own leaves, stating the City no longer provides leaf collection by street sweeping.

COUNCILMEMBER WARPEHOSKI

Councilmember Warpehoski addressed a public speaker's comments regarding the Council election term changes. Councilmember Warpehoski noted that turnout is greater in even years, not just in November, but also in the August primaries, which often determine the outcome of local races.

MC COMMUNICATIONS FROM THE MAYOR

Mayor Taylor encouraged residents who are interested in serving on the new Transportation Commission to apply.

MC-1 16-1674 Appointments and Nominations

Attachments: Peter Honeyman app. 2016.pdf, John Chamberlin app. 2016.pdf, Donald Duquette app. 2016.pdf, Hugh Sonk app. 2016.pdf, Nate Stevens app. 2016.pdf, Joan French app. 2016.pdf, Kathleen Nolan app. 2016.pdf, Chaz Stuckens app. 2016.pdf, Sean Wright app. 2016.pdf, David Zinn app. 2016.pdf

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

Ann Arbor Public Art Commission

David Zinn-Partial term

432 Fifth St.

Ann Arbor, MI 48103

Term: Ending May 31, 2019

Cable Communications Commission

Sean Wright-Partial term

2933 Leslie Park Circle

Ann arbor, MI 48105

Term: Ending May 31, 2021

Downtown Area Citizens Advisory Council

Chaz Stucken-Partial term

318 W. Liberty

Ann Arbor, MI 48103

Term: Ending May 31, 2018

Kathleen Nolan-Partial term

223 E. Ann St.

Ann Arbor, MI 48104

Term: Ending May 31, 2019

Joan French-Partial term

505 E. Huron St.

Ann Arbor, MI 48104

Term: Ending May 31, 2019

Hugh Sonk-Partial term

505 E. Huron

Ann Arbor, MI 48104

Term: Ending May 31, 2019

Nate Stevens-Partial term

332 E. William St.

Ann Arbor, MI 48104

Term: Ending May 31, 2018

*Donald Duquette- Partial term
505 E. Huron St.
Ann Arbor, MI 48104
Term: Ending May 31, 2019*

*Peter Honeyman-Partial term
113 S. Fourth Ave.
Ann Arbor, MI 48104
Term: Ending May 31, 2018*

*John Chamberlin- Partial term
315 Second St.
Ann Arbor, MI 48103
Term: Ending May 31, 2019*

Referred to the City Council due back on 12/19/2016

MC-2 16-1652

Resolution to Appoint Raymond Detter as Near-Downtown Neighborhood Liaison to the Downtown Area Citizens Advisory Council

Sponsors: Taylor

Attachments: Ray Detter resolution.pdf

Mayor Taylor presented the following Resolution for approval at a later date:

Resolution to Appoint Raymond Detter as Near-Downtown Neighborhood Liaison to the Downtown Area Citizens Advisory Council

Referred to the City Council due back on 12/19/2016

CONSENT AGENDA ITEMS REMOVED

With unanimous consent of Council, the following Consent Agenda item was removed from the Consent Agenda and placed under D - New Business - Staff:

CA-3 Resolution to Approve a Professional Services Agreement with Ann Arbor Art Association for Artist Selection Services for the Stormwater Manhole Cover Art Project (\$27,000.00, RFP No. 982)

CA CONSENT AGENDA

Passed on consent agenda

A motion was made by Councilmember Briere, seconded by Councilmember Grand, that the following Consent Items be approved as presented. On a voice

vote, the Mayor declared the motion carried.

- CA-1 16-1647** Resolution to Accept a Sanitary Sewer Easement at Country Village Condominium from Country Village Condominium Association (**8 Votes Required**)
Attachments: Drawing - Country Village sanitary easement

Enactment No: R-16-452
- CA-2 16-1648** Resolution to Accept a Water Main Easement at Country Village Condominium from Country Village Condominium Association (**8 Votes Required**)
Attachments: Drawing - Country Village water main easement

Enactment No: R-16-453
- CA-4 16-1556** Resolution to Approve an Increase to the Saladino Construction Co. Inc. Purchase Order for Miscellaneous Concrete Repairs ITB #4393 (\$154,200.00)
Attachments: R-15-264 Saladino.pdf

Enactment No: R-16-454
- CA-5 16-1550** Resolution No. 1 - Prepare Plans and Specifications for the Proposed Miller/Maple Sidewalk Project - Sidewalk and Curb and Gutter Special Assessment Project
Attachments: Location Map

Enactment No: R-16-455
- CA-6 16-1548** Resolution to Approve a Contract Agreement with the Michigan Department of Transportation for the Stone School Road Sidewalk Project (\$148,900.00)
Attachments: City State Agreement Doc, Location Map

Enactment No: R-16-456
- CA-7 16-1565** Resolution No. 3 - Establishing a Public Hearing for the Stone School Sidewalk Special Assessment Project
Attachments: Stone School Sidewalk Special Assessment Roll 11-16.doc, stone school Notice 11.16.docx
-

Enactment No: R-16-457

- CA-8 16-1568** Resolution to Amend the Police Unit Safety Services FY 2017 Budget by Appropriating Funds from the General Fund's Fund Balance (\$39,752.50) and to Approve the Purchase of Five Police Patrol Vehicles from Berger Chevrolet (Oakland County Bid - \$182,236.50) **(8 Votes Required)**

Attachments: Berger Patrol Bid Tab 2017

Enactment No: R-16-458

- CA-9 16-1569** Resolution to Approve the Purchase of One Single Axle Utility Dump Truck and One Tandem Axle Utility Dump Truck from D & K Truck Company (ITB #4457; \$319,423.00)

Attachments: ITB 4457 Bid Tab, ITB_4457_Document, D&K Truck - Crysteel Bid Utility

Enactment No: R-16-459

- CA-10 16-1570** Resolution to Approve the Purchase of Two Single Axle Forestry Dump Trucks from D & K Truck Company (ITB #4456; \$296,741.00)

Attachments: ITB 4456 Bid Tab, ITB_4456_Document, D&K Truck - Crysteel Bid

Enactment No: R-16-460

- CA-11 16-1578** Resolution to Approve the Purchase of Two Tandem Axle Plow/Spreader Dump Trucks from D & K Truck Company (ITB #4458; \$410,846.00)

Attachments: D&K Truck - Plow Truck Bid, ITB 4458 Bid Tab, ITB 4458 - Plow Trucks

Enactment No: R-16-461

- CA-12 16-1583** Resolution to Approve Golf Cart Lease with CCB'S, LLC (\$69,951.72/yr)

Attachments: GolfITB_4455_Document, GolfITB_4455_Addendum1, GolfITB_4455_BidTab

Enactment No: R-16-462

- CA-13 16-1589** Resolution to Approve a Purchase Order with Johnson Outdoors for the

Purchase of Tandem Kayaks and Associated Parts (NTE \$62,500.00)

Attachments: ITB_4462_Document, ITB_4462_BidTab, BID_JohnsonOutdoors, BID_Outdoorplay

Enactment No: R-16-463

CA-14 16-1590

Resolution to Approve Participation in 2016 Assistance to Firefighters Regional Grant (AFG) from the US Department of Homeland Security (\$2,007,592.00), and Appropriate if Necessary Share of Matching Grant Funds (\$13,835.09) (Fund Extrication Equipment Replacement) (**8 Votes Required**)

Attachments: Appendix A for Extrication Equip AFG 11-16, Appendix A for Extrication Equip AFG 11-16

Enactment No: R-16-464

CA-15 16-1591

Resolution to Approve Participation in 2016 Assistance to Firefighters Regional Grant (AFG) from the US Department of Homeland Security (\$669,955.00), and Appropriate Share of Matching Grant Funds (\$10,984.55) (Fund Thermal Cameras Purchase) (**8 Votes Required**)

Attachments: Appendix A for Thermal Camera Equip AFG 11-16, Appendix A for Thermal Camera Equip AFG 11-16

Enactment No: R-16-465

CA-16 16-1596

Resolution to Award a Contract to Manpower Inc. of Southeastern Michigan for Temporary Solid Waste Employees (RFP No 985).

Attachments: FEE_Manpower.pdf, Manpower Inc RFP 985.pdf, RFP_985_Addendum1.pdf, RFP_985.pdf

Enactment No: R-16-466

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 16-1421

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

Attachments: 16-23 Windy Crest Rezoning Briefed and Approved.pdf, 16-23 Windy Crest Rezoning Ordinance Briefed.pdf, Windy Crest Ordinance, Windy

Crest AZ Staff Report w Attachments 5-17-2016, Great Seal Approval of Windy Crest Anne, 5-17-2016 CPC Minutes for 305 Meadow Creek Dr Annexation Zoning

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 8.48 Acres from TWP (Township District) to R1A Zoning (Single-Family Residential District), Windy Crest Partnership, 305 Meadow Creek Drive. Notice of public hearing was published November 17, 2016.

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

Held and Closed

Enactment No: ORD-16-23

PH-2 16-0644

An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 5.34 Acres from TWP (Township District) to R4B (Multiple-Family Dwelling District), Mirafzali Family LLC, 2250 Ann Arbor-Saline Road WITH CONDITIONS (CPC Recommendation: Approval - 7 Yeas and 0 Nays) **(8 Votes Required at Second Reading) (Ordinance No. ORD-16-19)**

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

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 5.34 Acres from TWP (Township District) to R4B (Multiple-Family Dwelling District), Mirafzali Family LLC, 2250 Ann Arbor-Saline Road WITH CONDITIONS. Notice of public hearing was published November 17, 2016.

The following people spoke in opposition:

*An unknown resident on Ascot
Chuck Wilkins, 2083 Ascot
Ruth Dixon, 520 Lambeth
Mike Manz, 2147 Ascot
Malini Raghavan, 2122 Ascot
Ralph Dixon, 520 Lambeth
Paula Uche, 482 Village Oaks
Ken Timmer, 2112 Ascot
Steve Kennel, 2091 Ascot
An unknown resident of Village Oaks*

Bradley Moore, representing the developer, introduced the project to Council and was available to answer any questions.

Scott Betzoldt of Midwestern Consulting, representing the developer, stated he is the project engineer and was available to answer any questions of the Council.

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

Held and Closed

Enactment No: ORD-16-19

PH-3 16-1547

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

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

A public hearing was continued on the proposed Resolution to Approve 2250 Ann Arbor-Saline Road Site Plan, Development Agreement and Wetland Use Permit, 2250 Ann Arbor-Saline Road. Notice of continued public hearing was published December 1, 2016.

The following people were present to speak in opposition:

Jeff Hayner, Ward One, expressed concern about the environmental impacts.

Ken Timmer, 2112 Ascot

Ralph Dixon, 520 Lambeth, stating the project does not fit the character of the area.

A resident of 2024 Ascot

An unidentified speaker

Paula Uche, 482 Village Oaks

Malini Raghavan, 2122 Ascot

Bradley Moore, architect, spoke on behalf of the developer.

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

Held and Closed

Enactment No: R-16-467

PH-4 16-1595

An Ordinance to Amend the Code of the City of Ann Arbor by Adding a New Section Which New Section Shall Be Designated as Section 10:18 of Chapter 126, Traffic, Title X, of Said Code

Sponsors: Briere, Smith, Warpehoski, Taylor and Westphal

Attachments: 16-27 Traffic Ordinance Briefed and Approved.pdf, Chapter 126 as Amended by City Council on 120516, 16-27 Traffic Ordinance Briefed.pdf, Safe Passing Ordinance as Amended on 112116, Safe Passing Ordinance _New Code Sec.docx, Safe Passing Ordinance _New Code Sec.pdf

A public hearing was conducted on the proposed Ordinance to amend the Code of the City of Ann Arbor by Adding a New Section Which New Section Shall Be Designated as Section 10:18 of Chapter 126, Traffic, Title X, of Said Code. Notice of public hearing was published December 1, 2016.

The following people were present to speak at the hearing:

Steve Carter, Ward 5, spoke in opposition, stating the ordinance was too confusing. He stated bicyclists should be treated differently than pedestrians.

Kathy Griswold, 2nd Ward

Peter Houk, Washtenaw Coalition on Walking and Bicycling spoke in support. He urged Council to make the ordinance less ambiguous.

Jeff Hayner, Ward 1, spoke in opposition and stated the proposed ordinance is unenforceable and confusing.

Grant Shafer, Pittsfield Township resident, urged Council to enforce the current speed limits.

A resident on Ascot expressed concern about enforcement and education.

Randy Parrish, Ward 3, spoke in support.

Kai Petainen, Ward 1

A Common Cycle Board member spoke in support and encouraged a culture of safety.

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

Held and Closed

Enactment No: ORD-16-27

RECESS

Mayor Taylor declared a recess at 9:00 p.m. and reconvened the meeting at 9:06 p.m.

A APPROVAL OF COUNCIL MINUTES

A-1 16-1700 Special Session of November 1 and Regular Session Meeting Minutes of November 21, 2016

Attachments: 11-01-16 Meeting Minutes, 11-21-16 Draft Minutes, Council Emails Nov. 21

A motion was made by Councilmember Briere, seconded by Councilmember Westphal, that the Minutes of the Special Session of November 1 and Regular Session of November 21, 2016 be approved. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

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

Attachments: 16-23 Windy Crest Rezoning Briefed and Approved.pdf, 16-23 Windy Crest Rezoning Ordinance Briefed.pdf, Windy Crest Ordinance, Windy Crest AZ Staff Report w Attachments 5-17-2016, Great Seal Approval of Windy Crest Anne, 5-17-2016 CPC Minutes for 305 Meadow Creek Dr Annexation Zoning

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

Enactment No: ORD-16-23

- B-2 16-0644** An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 5.34 Acres from TWP (Township District) to R4B (Multiple-Family Dwelling District), Mirafzali Family LLC, 2250 Ann Arbor-Saline Road WITH CONDITIONS (CPC Recommendation: Approval - 7 Yeas and 0 Nays) **(8 Votes Required at Second Reading) (Ordinance No. ORD-16-19)**

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

A motion was made by Councilmember Ackerman, seconded by Councilmember Eaton, 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 Briere, Councilmember Warpehoski, Mayor Taylor, Councilmember Grand, Councilmember Krapohl, Councilmember Westphal, Councilmember Ackerman and Councilmember Smith

Nays: 3 - Councilmember Lumm, Councilmember Kailasapathy and Councilmember Eaton

Enactment No: ORD-16-19

B-3 16-1595

An Ordinance to Amend the Code of the City of Ann Arbor by Adding a New Section Which New Section Shall Be Designated as Section 10:18 of Chapter 126, Traffic, Title X, of Said Code

Sponsors: Briere, Smith, Warpehoski, Taylor and Westphal

Attachments: 16-27 Traffic Ordinance Briefed and Approved.pdf, Chapter 126 as Amended by City Council on 120516, 16-27 Traffic Ordinance Briefed.pdf, Safe Passing Ordinance as Amended on 112116, Safe Passing Ordinance _New Code Sec.docx, Safe Passing Ordinance _New Code Sec.pdf

Councilmember Westphal moved, seconded by Councilmember Grand, that the Ordinance be amended as follows:

Section 10:18, 1-6

Remove the phrase, "if conditions allow" from Sections 1-6.

The amendment was considered friendly by the Body.

A motion was made by Councilmember Westphal, seconded by Councilmember Smith, that the Ordinance be adopted on Second Reading.

Enactment No: ORD-16-27

A motion was made by Councilmember Eaton, seconded by Councilmember Lumm, that the Ordinance be referred. On a roll call, the vote was as follows with the Mayor declaring the motion defeated:

Yeas: 3 - Councilmember Lumm, Councilmember Kailasapathy and Councilmember Eaton

Nays: 8 - Councilmember Briere, Councilmember Warpehoski, Mayor Taylor, Councilmember Grand, Councilmember Krapohl, Councilmember Westphal, Councilmember Ackerman and Councilmember Smith

Enactment No: ORD-16-27

The question being, the motion made by Councilmember Westphal, seconded by Councilmember Smith, that the Ordinance be adopted as amended on Second Reading, on a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 11 - Councilmember Briere, Councilmember Lumm, Councilmember Kailasapathy, Councilmember Warpehoski, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Krapohl, Councilmember Westphal, Councilmember Ackerman and Councilmember Smith

Nays: 0

Enactment No: ORD-16-27

C ORDINANCES - FIRST READING

D MOTIONS AND RESOLUTIONS

DB Unfinished Business - Boards and Commissions:

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

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

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

Yeas: 8 - Councilmember Briere, Councilmember Warpehoski, Mayor Taylor, Councilmember Grand, Councilmember Krapohl, Councilmember Westphal, Councilmember Ackerman and Councilmember Smith

Nays: 3 - Councilmember Lumm, Councilmember Kailasapathy and Councilmember Eaton

Enactment No: R-16-467

DC New Business - Council:

DC-1 16-1697 Resolution to Establish 2017 Council Calendar

Sponsors: Taylor

Councilmember Warpehoski moved, seconded by Councilmember Smith, that the Resolution be approved.

Enactment No: R-16-468

16-1697 Resolution to Establish 2017 Council Calendar

Sponsors: Taylor

A motion was made by Councilmember Eaton, seconded by Councilmember Smith, that the Resolution be amended as follows:

Amend calendar to include Joint Work Session with the DDA on November 13, 2016

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

Enactment No: R-16-468

The question being, a motion made by Councilmember Warpehoski, seconded by Councilmember Smith, that the Resolution be approved as amended, on a voice vote, the Mayor declared the motion carried.

Enactment No: R-16-468

DC-4 16-1706 Resolution Directing City Administrator to Develop New Administrative Policies Regarding Prevailing Wage Requirements

Sponsors: Taylor, Briere, Eaton, Ackerman and Smith

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

Enactment No: R-16-469

DC-5 16-1712 Resolution to Establish a Committee to Review and Make Recommendations on Ann Arbor's Existing Medical Marijuana Ordinance

Sponsors: Briere

Councilmember Briere offered the following amendments, supported by Councilmember Smith, which were considered friendly:

Resolution to Establish a Committee to Review and Make Recommendations on Ann Arbor's Existing Medical Marijuana Ordinance

Amend first RESOLVE clause to read:

Resolved that the City of Ann Arbor establishes a committee to make recommendations regarding which changes, if any, would be needed in order for our ordinances to comply with Michigan law;

Amend third RESOLVE clause to read:

Resolved, that this committee will be nominated by the Mayor and appointments approved by the City Council by the second meeting in January, with recommendations submitted to the Planning Commission and City Council by June 30, 2017.

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

Enactment No: R-16-470

RECESS

Mayor Taylor declared a recess at 11:14 p.m. and reconvened the meeting at 11:20 p.m.

DC-6 16-1725 Resolution to Appoint Councilmember Julie Grand to the Greenbelt Advisory Commission

Sponsors: Warpehoski

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

Enactment No: R-16-471

DC-7 16-1726 Resolution to Appoint Councilmember Zach Ackerman to the Planning Commission

Sponsors: Warpehoski

A motion was made by Councilmember Warpehoski, seconded by Councilmember Smith, that the Resolution be approved.

Enactment No: R-16-472

A motion was made by Councilmember Lumm, seconded by Councilmember Kailasapathy, that the Resolution be considered after DC-3 (Re-open the Agenda). On a roll call, the vote was as follows with the Mayor declaring the motion defeated:

Yeas: 4 - Councilmember Lumm, Councilmember Kailasapathy, Mayor Taylor and Councilmember Ackerman

Nays: 7 - Councilmember Briere, Councilmember Warpehoski, Councilmember Eaton, Councilmember Grand, Councilmember Krapohl, Councilmember Westphal and Councilmember Smith

Enactment No: R-16-472

The question being, the motion made by Councilmember Warpehoski, seconded by Councilmember Smith, that the Resolution be approved, on a voice vote, the Mayor declared the motion carried.

Enactment No: R-16-472

DC-8 16-1727 Resolution to Appoint Councilmember Graydon Krapohl to the Local Development Financing Authority

Sponsors: Warpehoski

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

Enactment No: R-16-473

DC-9 16-1728 Resolution to Approve 2017 Council Committee Appointments

Sponsors: Warpehoski

A motion was made by Councilmember Warpehoski, seconded by Councilmember Smith, that the Resolution be approved.

A motion was made by Councilmember Warpehoski, seconded by Councilmember Smith, that the Resolution be postponed to the City Council and should be returned by 12/19/2016. On a voice vote, the Mayor declared the motion carried.

DC-10 16-1729 Resolution to Appoint Councilmembers to the Environmental Commission

Sponsors: Warpehoski

A motion was made by Councilmember Warpehoski, seconded by Councilmember Smith, that the Resolution be approved.

A motion was made by Councilmember Warpehoski, seconded by Councilmember Smith, that the Resolution be postponed to the City Council and should be returned by 12/19/2016. On a voice vote, the Mayor declared the motion carried.

DC-11 16-1730 Resolution to Dissolve Inactive Committees

Sponsors: Warpehoski

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

Enactment No: R-16-474

DC-12 16-1679 Resolution to Release a Water Main Easement recorded at Liber 5112, Page 539 of Deeds, Washtenaw County Records and Accept in Its Place a Water Main Easement at 701 N. Maple Road from the Ann Arbor Housing Commission **(8 Votes Required)**

Sponsors: Taylor

Attachments: Drawing-701 Maple water main easement

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 unanimously, thus satisfying the eight-vote requirement.

Enactment No: R-16-475

DC-13 16-1680 Resolution to Release a Sanitary Sewer Easement recorded at Liber 5112, Page 540 of Deeds, Washtenaw County Records and Accept in Its Place a Sanitary Sewer Easement at 701 N. Maple Road from the Ann Arbor Housing Commission **(8 Votes Required)**

Sponsors: Taylor

Attachments: Drawing-701 Maple sanitary easement

A motion was made by Councilmember Briere, seconded by Councilmember Westphal, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried with ten members seated, thus satisfying the eight-vote requirement.

(Councilmember Warpehoski was absent from the table.)

Enactment No: R-16-476

DC-14 16-1681 Resolution to Accept a Storm Sewer Easement at 701 N. Maple Road from the Ann Arbor Housing Commission **(8 Votes Required)**

Sponsors: Taylor

Attachments: Drawing-701 Maple storm easement

A motion was made by Councilmember Briere, seconded by Councilmember Ackerman, 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-16-477

DC-15 16-1682 Resolution to Accept an Easement for Ingress, Egress, and Access at 701 N. Maple Road from the Ann Arbor Housing Commission **(8 Votes Required)**

Sponsors: Taylor

Attachments: Drawing-701 Maple access easement

A motion was made by Councilmember Briere, 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-16-478

DS New Business - Staff:

CA-3 16-1553 Resolution to Approve a Professional Services Agreement with Ann Arbor Art Association for Artist Selection Services for the Stormwater Manhole Cover Art Project (\$27,000.00, RFP No. 982)

Attachments: psa - RFP 982 manhole cover artist selection services.pdf

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

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

Nays: 1 - Councilmember Kailasapathy

Enactment No: R-16-479

DC-2 16-1687 Resolution to Accept the Resignation of Council Member Sabra Briere

Sponsors: Taylor

Attachments: Briere Resignation Letter.pdf

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

Enactment No: R-16-480

Present: 10 - 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

DC-3 16-1688 Resolution to Appoint a New Council Member to Fill the Vacancy in the First Ward

Sponsors: Taylor

A motion was made by Councilmember Warpehoski, seconded by Councilmember Smith, that the Resolution be approved.

Enactment No: R-16-481

16-1688 Resolution to Appoint a New Council Member to Fill the Vacancy in the First Ward

Sponsors: Taylor

A motion was made by Councilmember Warpehoski, seconded by Councilmember Smith, that the Resolution be amended as follows:

Appoint Jason Frenzel to the First Ward Vacancy

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

Yeas: 7 - Councilmember Warpehoski, Mayor Taylor, Councilmember Grand, Councilmember Krapohl, Councilmember Westphal, Councilmember Ackerman and Councilmember Smith

Nays: 3 - Councilmember Lumm, Councilmember Kailasapathy and Councilmember Eaton

Enactment No: R-16-481

The question being, a motion made by Councilmember Warpehoski, seconded by Councilmember Smith, that the Resolution be approved as amended, on a voice vote, the Mayor declared the motion carried.

Enactment No: R-16-481

COMMUNICATIONS FROM COUNCIL

Mayor Taylor and Councilmembers offered kind words and well wishes to outgoing Councilmember Sabra Briere.

E COMMUNICATIONS FROM THE CITY ATTORNEY

None.

F & G CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

F The following communications were referred as indicated:

Passed on consent agenda

A motion was made by Councilmember 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 16-1633 DDA Audit FY2016

Attachments: Ann Arbor DDA Audit FY 2016

F-2 16-1686 November 8, 2016 General Election Canvass Report

Attachments: Washtenaw County Canvass November 8 2016.pdf

F-3 16-1732 Communication from Barton Hills Village Zoning Board of Appeals regarding Notice of Public Hearing Scheduled for December 12, 2016 regarding Construction on a Property Located at 304 Juniper Lane - Planning and Development Services

Attachments: Barton Hills Village ZBA Public Hearing Notice.pdf

G The following minutes were received for filing:

- G-1 16-1445** Park Advisory Commission Meeting Minutes of September 20, 2016
Attachments: PAC Meeting Minutes 9-20-16
- G-2 16-1467** Public Market Advisory Commission Meeting Minutes of August 18, 2016
Attachments: August 18, 2016 PMAC Meeting Minutes.pdf
- G-3 16-1632** Ann Arbor Housing Commission October 26, 2016 Minutes
Attachments: ActionMinutes October 26 2016
- G-4 16-1636** Park Advisory Commission Meeting Minutes of October 18, 2016
Attachments: PAC Meeting Minutes 10-18-16
- G-5 16-1665** Council Liquor License Review Committee Meeting Minutes of May 26, 2016
Attachments: 2016-05-26 liquor committee minutes
- G-6 16-1669** City of Ann Arbor Employees' Retirement System Meeting Minutes of October 20, 2016
Attachments: B-1 BDMTG OCTOBER 2016
- G-7 16-1670** City of Ann Arbor Employees' Retirement System Special Call Board Minutes of November 8, 2016
Attachments: B-2 Spec Mtg Minutes 11-8-2016
- G-8 16-1671** Retiree Health Care Benefit Plan & Trust Meeting Minutes of October 20, 2016

Attachments: B-1 VEBA Bd October 2016

G-9 **16-1677** Housing and Human Services Advisory Board Minutes from November 10, 2016

Attachments: HHSAB minutes_9-08-16.pdf

G-10 **16-1694** Council Admin. Committee Minutes of 11-10-16

Attachments: Admin Committee Minutes 11-10-16.pdf

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Former Councilmember Briere spoke to Council and provided her final remarks and thoughts to City Council.

Edward Vielmetti, Fourth Ward, spoke about the difficulty for persons with disabilities to hire a vehicle from Detroit Metro Airport to Ann Arbor. He urged Council and the future Transportation Commission to look into this issue.

Jeff Hayner, First Ward, thanked outgoing Councilmember Briere for her service. He stated he has expressed interest in serving on a Board or Commission in past years and has been overlooked. He urged the Mayor to expand the appointment process to include more residents.

Dwight Smith, resident, thanked Councilmember Briere for respectfully representing Ann Arbor.

Kai Petainen, First Ward, thanked outgoing Councilmember Briere for her many years of service.

Michael Benson, Taxicab Board Chair, thanked Councilmember Briere for her many years of service to the City. He also spoke about HB4737, which has immediate effect, repealing the Limo Act and disbanding all Taxicab Boards in the State. He stated local control is removed, but it does regulate TNCs. He also talked about the Taxicab Board's upcoming ordinance proposing regulation of pedicabs.

Ethel Potts, 1041 Elder Boulevard, thanked Councilmember Briere for her service.

CLOSED SESSION UNDER THE MICHIGAN OPEN MEETINGS ACT, INCLUDING BUT NOT LIMITED TO, LABOR NEGOTIATIONS STRATEGY, PURCHASE OR LEASE OF REAL PROPERTY, PENDING LITIGATION AND ATTORNEY/CLIENT PRIVILEGED COMMUNICATIONS SET FORTH OR INCORPORATED IN MCLA 15.268 (C), (D) (E), AND (H).

None.

ADJOURNMENT

A motion was made by Councilmember Ackerman, seconded by Councilmember Westphal, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 1:10 a.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, DECEMBER 5, 2016 @ 7:00 P.M.

REPLAYS: WEDNESDAY, DECEMBER 7, 2016 @ 8:00 A.M. AND FRIDAY, DECEMBER 9, 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.