

City of Ann Arbor

301 E. Huron St.

Ann Arbor, MI 48104

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



Meeting Minutes

Thursday, August 10, 2017

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: 9 - Councilmember Jane Lumm, Councilmember Sumi Kailasapathy, Councilmember Jack Eaton, Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Graydon Krapohl, Councilmember Kirk Westphal, Councilmember Chip Smith and Councilmember Jason Frenzel

Absent: 2 - Councilmember Chuck Warpehoski and Councilmember Zachary Ackerman

APPROVAL OF AGENDA

A motion was made by Councilmember Grand, seconded by Councilmember Lumm, 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 S. Lazarus presented the following written reports for information of Council and reported on the following:

Thank you to Officer Justin Kandt of the AAPD for attending tonight's meeting.

Thank you to City Clerk Jacqueline Beaudry and her staff for a successful election on Tuesday, August 8. Mr. Lazarus noted that there were no major incidents to report from Tuesday.

AC-1 [17-1200](#) School Safety Improvements Update - End of July 2017

Received and Filed

AC-2 [17-1202](#) Agenda Response Memo - August 10, 2017

Received and Filed

AC-3 [17-1204](#) Memorandum Regarding Ann Arbor Materials Recovery Facility (MRF)
Update - August 10, 2017

Received and Filed

INT INTRODUCTIONS

INT-1 [17-1177](#) Proclamation honoring MSTEM students at the University of Michigan

Mayor Taylor presented a proclamation honoring MSTEM students from the University of Michigan for their work with the Give 365 Program, volunteering at Gallup Park on Huron River Day. A copy of the proclamation is on file in the City Clerk's Office.

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. Jessica Prozinski - Iraqi Christians Deportation Resolution (DC-3)

Jessica Prozinski, 446 Larkspur, spoke in support of DC-3, opposing the deportation of Kamiran Taymour, and all Iraqi Christians who have been arrested in recent ICE raids.

2. Crystal Jabiro - Iraqi Christians Deportation Resolution (DC-3)

Crystal Jabiro, an attorney for Code Legal Aid, spoke in support of DC-3, and urged Council to support the resolution and to help stop the deportation of Iraqi Christians.

3. Lois Kamoi - Iraqi Christians Deportation Resolution (DC-3)

Lois Kamoi, 2070 Chalmers, thanked Council for their support of her son-in-law, Kamiran Taymour, and urged Council to support the resolution. She stated his life would be at risk if he is deported to Iraq.

4. Zilan Taymour - Iraqi Christians Deportation Resolution (DC-3)

Not present.

6. Shano Taymour - Iraqi Christians Deportation Resolution (DC-3)

Shano Taymour, 2365 Sandalwood, sister of Kamiran Taymour, spoke in support of DC-3, stating her brother and other family members will be targeted in Iraq if he is deported, noting that her family members worked as translators for the U.S. military.

7. Glenn Hieber - 1140 Broadway

Glenn Hieber, 1118 Maiden Lane, precinct delegate for Precinct 1-6, spoke in opposition to the 1140 Broadway plan and criticized City staff for not allowing more public comment.

Councilmember Ackerman arrived at 7:25 p.m.

Present: 10 - Councilmember Jane Lumm, Councilmember Sumi Kailasapathy, Councilmember Jack Eaton, Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Graydon Krapohl, Councilmember Kirk Westphal, Councilmember Zachary Ackerman, Councilmember Chip Smith and Councilmember Jason Frenzel

Absent: 1 - Councilmember Chuck Warpehoski

8. John Godfrey - Planning Commission Proposal for Solar Energy in Residential Areas

John Godfrey, 2809 Brockman, acknowledged the speakers who spoke out regarding a local resident's pending deportation. Mr. Godfrey spoke about the Planning Commission's proposed ordinance for solar energy projects in residential areas, stating installations in front yards are not appropriate. He urged the City to properly notify the public of this proposal before moving forward with adoption.

5. Ray Gammo - Iraqi Christians Deportation Resolution (DC-3)

Ray Gammo spoke about DC-3 and urged Council to support the resolution and to fight the deportation of Kamiran Taymour.

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER ACKERMAN

Councilmember Ackerman spoke about the public process surrounding the 1140 Broadway project. He spoke about the role of the planning staff and the rules and requirement for public input. He stated that a public process and a vote taken by a public body should not reflect on staff.

COUNCILMEMBER GRAND

Councilmember Grand noted CC-1, the proposed reappointed of Stephanie Buttrey to the Greenbelt Advisory Commission, stating a vote would occur at the next meeting.

Councilmember Grand thanked all of the speakers who came out this evening.

Councilmember Grand stated she was very grateful to see the approval of RRFBs on the Consent Agenda.

- CC-1** [17-1142](#) Resolution to Appoint Stephanie Buttrey to the Greenbelt Advisory Commission

Referred to the City Council due back on 8/21/2017.

MC COMMUNICATIONS FROM THE MAYOR

None.

CA CONSENT AGENDA

Passed on consent agenda

A motion was made by Councilmember Smith, seconded by Councilmember Eaton, that the following Consent Agenda Items be approved as presented. On a voice vote, the Mayor declared the motion carried.

Resolution to Approve Street Closure of State Street between South University and William Streets for the University of Michigan Office of New Student Programming's Post-Convocation Events on Friday, September 1, 2017 from 5:00 PM until 12:00 Midnight on Saturday, September 2, 2017

Resolution to Approve Street Closings for the "Dancing in the Streets" Special Event - September 3, 2017

Resolution to Approve Street Closures for University of Michigan Football Games for the 2017 Season

Resolution to Approve Closing of East and West Washington Streets for Oktoberfest from 8:00 AM on Friday, September 29, 2017 to 1:00 AM on Sunday, October 1, 2017

Resolution to Accept Grant from the Water Research Foundation (\$100,000.00), Approve a Multi-Funded Research Agreement with the Water Research Foundation (\$341,649.00), and Approve a Research Agreement with the University of Michigan (\$204,366.00)

Resolution to Approve Amendment No. 1 to the Professional Services Agreement with NTH Consultants, Ltd. for the Barton Dam Piezometer Installation and Slope Stability Analysis Project - RFP989 (\$ 26,400.00)

Resolution to Award a Construction Contract to J. Ranck Electric, Inc. (Bid No. 4504) for the Installation of RRFBs at Various Locations (\$196,400.00)

Resolution to Approve an Agreement with the Michigan Department of Transportation for the Fuller Road RRFB Project

Resolution to Approve the Purchase of a LED Video Wall Array for the City of Ann Arbor Traffic Operation Center from Video Visions, Inc. (ITB #4501; \$77,149.00)

Resolution to Approve an Agreement with the Washtenaw County Sheriff's Office for Weapons Screening Services in the Ann Arbor Justice Center (NTE \$390,000.00)

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 [17-0874](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning 20 City-Initiated Annexed Properties from TWP (Township District) to R1C, R1D (Single

Family Dwelling District), and M-1 (Limited Industrial District) (CPC Recommendation: Approval - 8 Yeas and 0 Nays) Recommendation: Approval (Ordinance No. ORD-17-12)

A public hearing was conducted on the proposed amendment to Chapter 55, Rezoning of 20 City-Initiated Annexed Properties from TWP (Township District) to R1C, R1D (Single Family Dwelling District), and M-1 (Limited Industrial District). Notice of public hearing was published July 20, 2017.

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

Held and Closed

A APPROVAL OF COUNCIL MINUTES

A-1 [17-1146](#) Regular Session Meeting Minutes of July 17, 2017

A motion was made by Councilmember Krapohl, seconded by Councilmember Lumm, that the Minutes of the Regular Session of July 17, 2017 be approved as presented. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

B-1 [17-0874](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning 20 City-Initiated Annexed Properties from TWP (Township District) to R1C, R1D (Single Family Dwelling District), and M-1 (Limited Industrial District) (CPC Recommendation: Approval - 8 Yeas and 0 Nays) Recommendation: Approval (Ordinance No. ORD-17-12)

(The complete copy of the text of Ordinance No. ORD-17-02 is on file in the City Clerk's Office.)

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

C ORDINANCES - FIRST READING

None.

D MOTIONS AND RESOLUTIONS**DC New Business - Council:**

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

Resolution for Community Events Fund Disbursements from the FY 2018 Budget

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

Resolution to Recommend Approval of Issuance of a Downtown Development District Liquor License to Michigan Theater Foundation, Inc.

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

Resolution Opposing the Deportation of Kamiran Taymour and all Iraqi Christians Arrested in Recent ICE Raids

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.

Resolution to Waive the Right of First Refusal for Unit 1 of Ann Arbor Tally Hall Condominium

DB New Business - Boards and Commissions:

None.

DS New Business - Staff:

None.

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 Frenzel, 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** [17-1113](#) Notice of Intent to Construct the NorthSky East and West Condominium Projects - Planning and Development Services, City Attorney

- F-2** [17-1131](#) Communication from the State of Michigan Public Service Commission regarding Notice of Hearing for Electric Customers of DTE Electric Company in Case No. U-18262 - Engineering, City Attorney

- F-3** [17-1132](#) Communication from Yvette Collins, Director-External/Regulatory Affairs of AT&T Michigan regarding the AT&T Michigan Annual Report July 13, 2017 - CTN, City Attorney

- F-4** [17-1137](#) Various Communications Received from Comcast - CTN, City Attorney

- F-5** [17-1150](#) Communication from Merle Foss, regarding Notification of Property Located at 3015 Miller Road - City Attorney

- F-6** [17-1158](#) Communication from Ann Arbor Township Regarding the Application of Kenneth and Shirley Koch to be Included in the State Farmland and Open Space Preservation Program Commonly Called PA 116 - City Attorney

- F-7** [17-1166](#) Communication from Pittsfield Township Planning Commission Regarding a Public Hearing on Wetland Permit #17-01 Dynamics Building Expansion Scheduled for August 17, 2017 - Planning and Development Services

- F-8** [17-1165](#) Ann Arbor SPARK Semi-Annual Report - January 1, 2017 - June 30, 2017

G The following minutes were received for filing:

- G-1 [017-0407](#) Zoning Board of Appeals Meeting Minutes of February 22, 2017
- G-2 [17-0630](#) Zoning Board of Appeals Meeting Minutes of March 22, 2017
- G-3 [17-1014](#) Ann Arbor Public Art Commission Meeting Minutes - July 2017
- G-4 [17-1042](#) Ann Arbor Energy Commission Meeting Minutes of February 14, 2017
- G-5 [17-1043](#) Ann Arbor Energy Commission Meeting Minutes of the April 6, 2017
- G-6 [17-1064](#) Local Development Financial Authority Board Meeting Minutes - June 6, 2017
- G-7 [17-1071](#) Downtown Development Authority Board and Executive, Partnerships, Finance, Operations, Capital Improvement Committees and Board Retreat Minutes from June 2017
- G-8 [17-1089](#) City Election Commission Meeting Minutes of May 22, 2017
- G-9 [17-1111](#) Housing and Human Services Advisory Board Minutes of July 13, 2017
- G-10 [17-1119](#) Employees' Retirement System Board Meeting Minutes of June 15, 2017
- G-11 [17-1120](#) Retiree Health Care Benefit Plan & Trust Board Meeting Minutes of June 15, 2017

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Kathy Griswold, Ward 2, spoke about the recent election cycle. Ms. Griswold acknowledged the work of staff regarding the improvements to pedestrian safety. She also thanked City staff for their "can do" attitude, noting this is a change from previous years.

Kai Petainen, resident, thanked City staff for the new eComment tool in Legistar, noting that he used the tool to provide comments on the agenda this evening. He also spoke about being a resident green card holder.

Edward Vielmetti, Ward 4, spoke about the liquor license approval for the State Theatre. He spoke about the Council Liquor License Review Committee and their work. He urged Council to notify residents when licenses are proposed near a neighborhood and to provide more notice of upcoming liquor license agenda items.

Jim McIntosh, Ward 2, spoke about traffic safety and the behavior of drivers.

COMMUNICATIONS FROM COUNCIL

None.

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).

A motion was made by Councilmember Krapohl, seconded by Councilmember Smith, that Council enter into Closed Session under the Michigan Open Meetings Act, MCLA 15.268(H) to discuss attorney/client privileged communications. On a roll call, the vote was as follows with the Mayor declaring the motion carried at the meeting adjourned in Closed Session at 8:14 p.m.:

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

Nays: 0

Absent: 1 - Councilmember Warpehoski

RECONVENE IN OPEN SESSION

A motion was made by Councilmember Grand, seconded by Councilmember Lumm, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 8:44 p.m.

ADJOURNMENT

A motion was made by Councilmember Westphal, seconded by Councilmember Frenzel, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 8:44 p.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: THURSDAY, AUGUST 10, 2017 @ 7:00 P.M.

REPLAYS: FRIDAY, AUGUST 11, 2017 @ 8:00 P.M. AND SATURDAY, AUGUST 12, 4:00 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

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Live Web streaming or Video on Demand: <https://a2ctn.viebit.com>

Cable: Comcast Cable channel 16 or AT&T UVerse Channel 99

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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