

City of Ann Arbor

301 E. Huron St.

Ann Arbor, MI 48104

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



Meeting Minutes

Monday, April 16, 2018

7:00 PM

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

City Council

CALL TO ORDER

Mayor Taylor called the meeting of the Ann Arbor City Council to order at 7:00 p.m. in the Guy C. Larcom, Jr. Building, 2nd Floor Council Chambers, 301 E. Huron Street.

MOMENT OF SILENCE

Council stood for a moment of silence.

PLEDGE OF ALLEGIANCE

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

ROLL CALL OF COUNCIL

Present: 11 - 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, Councilmember Chip Smith and Councilmember Anne Bannister

APPROVAL OF AGENDA

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

Move DS-1 to just after Consent Agenda

Move DC-7 after DC-4

Moved Closed Session and DC-1 and DC-2 to the end of the DC Section

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

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

City Administrator Howard Lazarus submitted the following reports for information of Council and updated on the following items of interest:

Mr. Lazarus thanked Police Officer Steve Van Alstine for his attendance at tonight's meeting.

Mr. Lazarus updated City Council on the latest art installation on display in the Council Chamber.

AC-1 [18-0570](#) Government Finance Officers Association (GFOA) - Certificate of Achievement for Excellence in Financial Reporting for CAFR FY17

Received and Filed

AC-2 [18-0614](#) Memorandum from City Administrator: Update on Council Resolution R-17-422 - April 9, 2018

Received and Filed

AC-3 [18-0699](#) City Administrator's Report - April 16, 2018

Received and Filed

AC-4 [18-0701](#) Agenda Response Memo and eComments - April 16, 2018

Received and Filed

INT INTRODUCTIONS

INT-1 [18-0568](#) Introduction of Unified Development Code Adoption Draft

Kevin McDonald, Assistant City Attorney, introduced Council and the public to the new Unified Development Code (UDC). He stated the draft Code is on the agenda for First Reading this evening. Mr. McDonald reviewed the changes and described how the new Code would be organized, replacing previous chapters of City Code related to planning and zoning. He stated some of the highlighted changes include the new format, clear definitions for every permitted use and new and clarified definitions for building height, floor area ratio, and finished grade.

Other highlighted changes include natural features codified, site plan submittal requirements and enforcement procedures.

A copy of the presentation is on file in the City Clerk's Office.

Received and Filed

INT-2 [18-0547](#) Presentation of the City Administrator's Proposed FY2019 Budget

Mr. Howard S. Lazarus, City Administrator, presented his recommended budget to City Council for FY2019. Mr. Lazarus noted that per City Charter, Council is required to approve its budget by the second meeting in May each year. He noted that this proposed budget is the second year of a two-year plan.

Mr. Lazarus highlighted some of the upcoming Council priority funding initiatives, including pedestrian safety, public safety, affordable housing, climate action and resource management.

Mr. Lazarus stated there is limited incorporation of proceeds from the County Safety millage in the FY19 budget proposal, as the City does not yet know when the monies from the millage will be made available from the County to the City.

Mr. Lazarus noted that Parks Maintenance is being moved from Public Works to Parks. He stated this would be accomplished at no additional costs and with no new FTEs.

Mr. Lazarus stated the City plans to consolidate transportation resources, including the hiring of a Transportation Manager.

Updates to personnel costs were discussed, including labor contracts and non-union benefits.

Mr. Lazarus noted that there are some financial uncertainties, including pension funding, state shared revenue, water quality regulation, revenue from marijuana, development and annexations and possible changes to parking meter enforcement.

A copy of the presentation 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. Sandra Andrade - Support Waste Management in Budget (INT-1)

Sandra Andrade, representing the Main Street Area Association spoke in support of a proposed item in the budget regarding a study of the City's Solid Waste Plan. She also spoke in opposition to any proposed increases to parking enforcement hours.

2. Alice Carter - Millage Spending from November 2017

Alice Carter, west side resident, spoke in opposition to the City's proposed priority spending of their County millage rebate funds for climate action. She stated most voters did not understand that they were voting for a rebate for the City that would be used for purposes other than mental health or public safety.

3. Tom Porter - Proposed FY 2019 Budget - Allocation of Millage Funds (INT-1)

Tom Porter, 212 W. Summit, addressed Council regarding the budget for FY19 and the City's plans to address climate action. He stated this should be Council's top priority. He stated he was aware of the City's plans to spend the millage rebate funds on climate action and he urged Council to keep this promise.

4. Glenn Nelson - Use of Revenue from Mental Health Services Millage (INT-1)

Glenn Nelson, 1325 S. Forest, spoke about the City's plans for the County millage rebate funds and urged Council to commit the resources from the millage for mental health as was presented to the voters.

5. Tom Stulberg - Y-Lot (DC-1)

Tom Stulberg, 1202 Traver, was not present.

6. Elizabeth Nelson - City Purchase of Y-Lot (DC-1)

Elizabeth Nelson, 1319 Ardmoor, spoke about the City's possible purchase of the Y Lot. She asked Council to state a goal and a purpose for why they are purchasing this property. She stated this issue has been going on since 2003, not 2012.

7. Jessica Letaw - Y-Lot (DC-1)

Jessica Letaw, 535 Fifth Street, spoke in support of DC-1, the buyback of the Y Lot by the City.

8. Paquetta Palmer - Y-Lot (DC-1)

Paquetta Palmer, 734 Gott #2, spoke in support of the buyback of the Y Lot. She stated this is an opportunity for the City to address affordable housing and to be inclusive and diverse.

9. Greg Pratt - Y-Lot (DC-1)

Greg Pratt, 3580 Oakwood Street, spoke in favor of the City purchasing the Y Lot to address affordable housing issues. He stated Council has the opportunity today to do something right for people downtown.

10. Jack Jennings - Y-Lot (DC-1)

Jack Jennings, 533 Fifth Street, was not present.

Alternates:**1. Andrew Stumpff - Y-Lot (DC-1)**

Andrew Stumpff, 618 S. Ashley, urged Council to purchase back the Y Lot from Mr. Dahlman. He stated this is an obvious economic gain for the City, and is not speculative.

2. Jarod Malestein - Y-Lot (DC-1)

Jared Malestein, 867 N. Maple Road, spoke in support of the purchase of the Y Lot. He stated that voting No on this resolution simply gives any profit of the value of the land to the developer. He urged Council to consider a land lease of the property and to let the community determine how best to use the site.

CC COMMUNICATIONS FROM COUNCIL**COUNCILMEMBER KAILASAPATHY**

Councilmember Kailasapathy updated Council and the public on the Police Oversight Task Force meeting that will be held this Friday at 5:30 p.m. She urged interested residents to continue to attend meetings and provide input.

MC COMMUNICATIONS FROM THE MAYOR

Mayor Taylor stated he plans to bring a resolution to the next meeting regarding open internet.

MC-1 [18-0625](#) Nominations and appointments for April 16, 2018

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

Housing and Human Services Advisory Board

James Daniel-Full term appointment

2769 Arrowwood Trail

Ann Arbor, MI 48105

Term: Ending May 31, 2019

Referred to the City Council due back on 5/7/2018

MC-2 [18-0626](#) Resolution to Appoint Steven Daniels to the Housing Commission (**7 Votes Required**)

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

Resolution to Appoint Steven Daniels to the Housing Commission (7 Votes Required)

Referred to the City Council due back on 5/7/2018

CONSENT AGENDA ITEMS REMOVED

With unanimous consent of Council, the following Consent Agenda item was removed from the Consent Agenda and placed after DC-6:

CA-10 Resolution to Approve a Services Agreement with Aptim Environmental and Infrastructure, Inc. (Aptim) for Solid Waste Resource Management Plan (2019-2023) (\$250,000.00)

CA **CONSENT AGENDA****Passed on consent agenda**

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

CA-1 18-0546 Enactment No: R-18-119 Approved

Resolution to Quitclaim a Reversionary Right to the University of Michigan at the Dental School **(8 Votes Required)**

CA-2 18-0541 Enactment No: R-18-120 Approved

Resolution to Approve March 22, 2018 Recommendations of the Board of Insurance Administration

CA-3 18-0476 Enactment No: R-18-121 Approved

Resolution to Approve Amendment Number 1 to Schedule 21 of the Interagency Agreement for Collaborative Technology and Services with the Ann Arbor Downtown Development Authority (DDA) for Network Infrastructure Services

CA-4 18-0363 Enactment No: R-18-122 Approved

Resolution to Approve a Contract Agreement with the Michigan Department of Transportation for the Pauline Boulevard Water Main Replacement Project (\$658,233.00)

CA-5 18-0441 Enactment No: R-18-123 Approved

Resolution to Approve a Professional Services Agreement for Construction Materials Testing with TTL Associates, Inc. for the Crest, Buena Vista, Washington Water Main Replacement Project (RFP No. 18-02; \$28,366.00)

CA-6 18-0442 Enactment No: R-18-124 Approved

Resolution to Award a Construction Contract to Bailey Excavating, Inc. for the Crest, Buena Vista, Washington Water Main Replacement Project (\$1,749,825.00)

CA-7 18-0387 Enactment No: R-18-125 Approved

Resolution to Approve a Professional Services Agreement between the City and DiClemente Siegel Design Inc. for Work Related to the Larcom City Hall Primary Chiller Replacement Project (\$42,100.00)

CA-8 18-0527 Enactment No: R-18-126 Approved

Resolution to Approve the Purchase of Heavy Equipment/Truck Tires and

Tire Repair Services from Shrader Tire & Oil (MiDeal; Not To Exceed \$125,000.00)

CA-9 18-0532 Enactment No: R-18-127 Approved

Resolution to Approve the Purchase of a Vehicle from Jorgensen Ford (MiDeal Bid - \$28,132.00)

CA-11 18-0460 Enactment No: R-18-128 Approved

Resolution to Approve the Professional Services Agreement with StructureTec Corporation ("StructureTec"), for the Water Treatment Plant Architectural and Structural Repairs Project Engineering Services (\$133,950.00)

CA-12 18-0544 Enactment No: R-18-129 Approved

Resolution to Appoint Mike Kennedy as the City of Ann Arbor Fire Chief

CA-13 18-0627 Enactment No: R-18-130 Approved

Resolution to Appoint Michael Gonzales as the City of Ann Arbor Interim City Assessor

CA-14 18-0628 Enactment No: R-18-131 Approved

Resolution to Appoint Robert Pfannes as the City of Ann Arbor Interim Police Chief

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

None.

A APPROVAL OF COUNCIL MINUTES

A-1 [18-0587](#) Regular Session Meeting Minutes of April 2, 2018

A motion was made by Councilmember Krapohl, seconded by Councilmember Grand, that the Minutes of the Regular Session of April 2, 2108 be approved. On a voice vote, the Mayor declared the motion carried.

DS-1 18-0583 Enactment No:

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

Resolution to Approve the Third Thursday of July Annually as the Opening Day of the Ann Arbor Art Fair, to Approve Street Closings for the Annual Ann Arbor Art Fair, to Affirm the Requirements for Temporary Outdoor Sales, Service and Consumption of Alcohol and the Standards For Temporary Outdoor Sales on Private Property, and to Affirm the Allocation of Fees Among the Art Fair Organizations

18-0583 Enactment No:

Amended

A motion was made by Councilmember Ackerman, seconded by Councilmember Warpehoski, that the Resolution be amended with the following substitute resolution:

Whereas, The Ann Arbor Art Fair is an established community event in the City of Ann Arbor sponsored by five separate organizations, each covering separate but adjacent portions of downtown Ann Arbor held beginning on the third Thursday of July each year and ending on or before the following Sunday, with the Wednesday before being utilized for event setup and related City site inspections;

Whereas, Five organizations sponsor the Art Fair (“the organizations”), which are State Street Area

Association, The South University Merchants Association, Inc., The Ann Arbor Street Art Fair, Inc., Michigan Guild of Artists and Artisans d/b/a The Guild of Artists and Artisans, Washtenaw Non-Profits;

Whereas, The organizations annually request street closings and related services from the City to permit a successful event;

Whereas, Advanced planning for future Art Fairs will allow both the separate organizations and the City Administration to budget for services, allow for and calendar City scheduled and DDA scheduled public improvement projects within the boundaries of the Art Fair outside of the Art Fair dates and other cooperative efforts;

Whereas, City Council is permitted under Chapter 47, Streets and Sidewalks, and Chapter 79, Solicitors and Peddlers, of the Ann Arbor City Code to restrict the issuance of permits during special events, or at times when congestion in the City or a part of the City

is too great to allow sidewalk occupancy, and has historically restricted issuance of such permits during Art Fair; and

Whereas, Chapter 55 of the Ann Arbor City Code establishes the requirements for temporary outdoor sales on private property;

RESOLVED, That the dates of Art Fair be established as beginning on the third Thursday of July each year and ending on or before the following Sunday with the Wednesday before being utilized for event setup and related City site inspections;

RESOLVED, That City Council approve the closing of the streets identified in the attached Street Closure map beginning on the third Wednesday of July until the third Sunday of July, which closures are subject to the following restrictions:

- Streets must be barricaded using AAPD-approved barricades and designated locations to insure restriction of traffic;
- Parking is prohibited on designated streets identified on the Buffer and Street Closure map attached to this resolution except and limited to vehicles that clearly display Art Fair Authorized permits.
- Annual Sidewalk Occupancy Permits are invalid within the Art Fair boundaries except for sidewalk occupancy allowed by Art Fair organizations on those streets closed by City Council for the Art Fair. Each organization must file a list of Art Fair Sidewalk Occupancy Permit the organization has issued with the City Clerk prior to the start of the Art Fair and issued authorization permits must be displayed by the vendor on-site during the Art Fair '
- Peddler/Solicitor Permits, including permits for pedicabs, are invalid within the Art Fair boundaries during the Art Fair from the time scheduled for setup to begin until the streets within the boundaries are released for vehicular traffic
- Commercial Quadricycle Permits are invalid within the Art Fair boundaries during Art Fair from the time scheduled for setup to begin until the streets within the boundaries are released for vehicular traffic.
- Temporary Outdoor Liquor Permits within the City right of way shall be processed in accordance with MLCC requirements and separately reviewed and approved by Ann Arbor Police Services.

RESOLVED, That fees for the use and cost of City services to be provided within the boundaries of each fair be calculated, assessed,

and allocated among the organizations that sponsor the Art Fair based on the following formula:

City Service Cost Allocation

Organization	Square Footage	Percentage of Total
State Street Area Association	303,163	30%
The South University Merchants Association, Inc	205,007	20%
The Ann Arbor Street Art Fair, Inc.	225,747	23%
Michigan Guild of Artists and Artisans d/b/a The Guild of Artists and Artisans	250,015	25%
Washtenaw Non-Profits	17,110	2%
Total	1,001,042	100%

RESOLVED, That the fees to be paid to the City by each organization are intended to cover City services as necessary to support the event;

RESOLVED, That as has historically been the practice, the organizations apply for a permit and when issued the permit specify the amount of fees to be charged to the organizations for each of the City services listed above;

RESOLVED, That each organization be liable to the City for a percentage of the total fee amount to be calculated based on the percentages set forth in the above table, except that as with past Art Fairs the Washtenaw Non-Profits be required to pay no more than \$300.00;

RESOLVED, That all fees shall be paid no later than 30-days in advance of the Wednesday of Art Fair;

RESOLVED, That City Council approve liquor licensee requests for temporary authorization for outdoor sales, service and consumption of alcoholic beverages during Art Fair within the defined areas in the City's right-of-ways within the boundaries of the Art Fair reviewed and approved by Ann Arbor Police Services;

RESOLVED, That each fair organization shall provide insurance coverage satisfactory to the City Attorney in connection with the occupancy and use of City public right of ways during the dates of the Ann Arbor Art Fair, inclusive of setup and take-down dates,

which insurance shall name the City of Ann Arbor as an additional insured;

RESOLVED, That City Council rescinds all previous resolutions regarding temporary outdoor sales or displays of goods and services on private property within the Street Closure Map;

RESOLVED, That for the 2018 Art Fair only, City Council authorizes the issuance of zoning compliance permits under Section 5:10.15(2) (h) of the Ann Arbor City Code, subject to permittee compliance with the following standards:

1. Outdoor sales areas located more than 50 feet from the public right-of-way (sidewalk or alley) require a 10-foot wide emergency access/escape passageway.
2. A 6-foot wide pedestrian passage between sales and display booths shall be maintained. The 6 feet shall be measured from the element of the booth projecting furthest horizontally into the required passage. No canopy, awning, overhang or other element shall project into the required pedestrian passage.
3. For every 50 lineal feet of booth, a 10-foot wide aisle way shall be provided.
4. The maximum length of travel, measured from the most remote point on the private property to the public right-of-way along the natural and unobstructed line of travel shall not exceed 200 feet. The path of travel must be under the control of or available to all person(s) using the private property.
5. Booths and associated pedestrian passageways arranged so as to form a dead-end, or where there is not a connection at both ends of the passageway leading to the public right-of-way, shall be designed so that the length of the dead-end aisle is not more than 22 times the least width of the aisle.
6. Booth material shall be made of fire retardant material.
7. There shall be no open flames for cooking, demonstration, or entertainment purposes.
8. Each private property area shall be equipped with fire extinguishers arranged so that no point of the private property areas shall be more than 75 feet from an extinguisher. The fire extinguishers shall be class 2-A 10-BC
9. Wiring for temporary electrical power shall comply with the requirements of the current National Electrical Code.
10. A Zoning Compliance Permit application form must be filled out, submitted to, and approved by the City for all proposed areas on

private property no later than June 29, 2018;

11. The above standards apply to owners of commercially zoned property fronting on the streets closed by this Resolution;

RESOLVED, That beginning with the 2019 Art Fairs and subsequent Art Fairs, all outdoor sales on private property may only occur in accordance with Section 5:10.15(2)(f) of the City Code;

RESOLVED, That the Mayor's Art Fair Committee is dissolved and City staff assigned by the City Administrator shall meet with representatives of each fair organization and other stakeholders as necessary to implement this resolution and to resolve issues related to the Art Fair;

RESOLVED, That the Ann Arbor Downtown Development Authority is encouraged to continue to support free parking for church attendees as needed as long as the Art Fair continues to be scheduled on dates that include a Sunday;

RESOLVED, That the City Clerk be directed to mail to any current Commercial Quadricycle permit holder a certified copy of this Resolution as notice of prohibited operation during the Art Fairs and in 2019 and thereafter include a copy of this resolution with any application packet for such a permit; and

RESOLVED, That the City Clerk be directed to mail a copy of this resolution to the Ann Arbor Downtown Development Authority to advise the Authority of City Council's recommendation and support.

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

Resolution to Approve the Third Thursday of July Annually as the Opening Day of the Ann Arbor Art Fair, to Approve Street Closings for the Annual Ann Arbor Art Fair, to Affirm the Requirements for Temporary Outdoor Sales, Service and Consumption of Alcohol and the Standards For Temporary Outdoor Sales on Private Property, and to Affirm the Allocation of Fees Among the Art Fair Organizations

The City Attorney also suggested a clerical edit that was considered friendly by the Body:

RESOLVED, That for the 2018 Art Fair only, City Council authorizes the issuance of zoning compliance permits under Section 5:10.15(2)(h) of the Ann Arbor City Code, subject to permittee compliance with the following standards: [Art Fairs and subsequent Art Fairs,]

[Brackets] indicate deleted language.

18-0583 Enactment No: R-18-132 **Approved as Amended**

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

Resolution to Approve the Third Thursday of July Annually as the Opening Day of the Ann Arbor Art Fair, to Approve Street Closings for the Annual Ann Arbor Art Fair, to Affirm the Requirements for Temporary Outdoor Sales, Service and Consumption of Alcohol and the Standards For Temporary Outdoor Sales on Private Property, and to Affirm the Allocation of Fees Among the Art Fair Organizations

B ORDINANCES - SECOND READING

None.

C ORDINANCES - FIRST READING

C New Business - Staff:

C-1 [18-0446](#) An Ordinance to Repeal Sections 4:16 through 4:20 and Section 4:30 of Chapter 47 (Streets and Curb Cuts) of Title IV; and Chapter 55 (Zoning), Chapter 56 (Prohibited Land Uses), Chapter 57 (Subdivision and Land Use Control), Chapter 59 (Off-Street Parking), Chapter 60 (Wetlands), Chapter 61 (Signs and Outdoor Advertising), Chapter 62 (Landscaping and Screening), Chapter 63 (Soil Erosion and Sedimentation Control), of Title V; and Chapter 104 (Fences) of Title VIII of the Code of the City of Ann Arbor and to Amend the Code of the City of Ann Arbor with a New Chapter 55 (Unified Development Code) of Title V of Said Code (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-18-08)

(The complete copy of the text of Ordinance No. ORD-18-08 is on file in the City Clerk's Office.)

A motion was made by Councilmember Ackerman, seconded by Councilmember Westphal, that the Ordinance be approved at First Reading.

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

Set the Public Hearing and Second Reading for the first meeting in June.

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

Yeas: 6 - Councilmember Lumm, Councilmember Kailasapathy, Councilmember Warpehoski, Councilmember Eaton, Councilmember Smith and Councilmember Bannister

Nays: 5 - Mayor Taylor, Councilmember Grand, Councilmember Krapohl, Councilmember Westphal and Councilmember Ackerman

The question being, a motion made by Councilmember Ackerman, seconded by Councilmember Westphal, that the Ordinance be approved on First Reading to the City Council and should be returned by 6/4/2018, on a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-18-08

- C-2** **18-0450** An Ordinance to Amend Sections 1:4 and 1:17 of Chapter 1 (Adoption, Contents and Interpretation) and Sections 1:191 and 1:239 of Chapter 8 (Organization of Boards and Commissions) of Title I; Section 2:5 of Chapter 26 (Solid Waste Management), Section 2:69 of Chapter 29 (Water, Sewer and Stormwater Rates), and Section 2:211 of Chapter 33 (Stormwater System) of Title II; Section 7:414 of Chapter 94 (Junk Yards) of Title VII; Section 8:509 of Chapter 105 (Housing Code) of Title VIII; Section 9:42 of Chapter 107 (Animals), Section 9:79 of Chapter 109 (Liquor), and Section 9:366 of Chapter 119 (Noise Control) of Title IX; and Section 10:63 of Chapter 126 (Traffic) of Title X of the Code of the City of Ann Arbor (Ordinance No. ORD-18-09)

(The complete copy of the text of Ordinance No. ORD-18-09 is on file in the City Clerk's Office.)

A motion was made by Councilmember Ackerman, seconded by Councilmember Westphal, that the Ordinance be approved on First Reading to the City Council and should be returned by 6/4/2018. On a voice vote, the Mayor declared the motion carried.

Resolution to Direct That the City Administrator and City Planning Commission Evaluate Increasing the Minimum Distance Between Medical Marijuana Provisioning Centers

DC-7 18-0681 Enactment No: R-18-135 Approved

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

Resolution to Direct the City Administrator and City Attorney to Prepare an Ordinance Amendment that Limits the Number of Medical Marijuana Facilities within the City and to Impose a Temporary Moratorium On the Issuance of Provisioning Center Permits With Exceptions

DC-5 18-0648 Enactment No: R-18-136 Approved

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

Resolution in Support of Legislation Reinstating State Historic Preservation Tax Credits: Senate Bill 469 and House Bill 5178

DC-6 18-0635 Enactment No: R-18-137 Approved

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

Resolution to Authorize the Mayor to Submit an Application to the Bloomberg Philanthropies Public Art Challenge for the Art Project "Float" by Wonderfool Productions

CA-10 18-0457 Enactment No: R-18-138 Approved

A motion was made by Councilmember Lumm, seconded by Councilmember Eaton, that the Resolution be approved. 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: 4 - Councilmember Lumm, Councilmember Kailasapathy, Councilmember Eaton and Councilmember Bannister

Resolution to Approve a Services Agreement with Aptim Environmental and Infrastructure, Inc. (Aptim) for Solid Waste Resource Management Plan (2019-2023) (\$250,000.00)

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 Westphal, seconded by Councilmember Grand, that the Council enter into Closed Session under the Michigan Open Meetings Act to discuss pending litigation and attorney/client privileged communications as set forth in MCLA 15.268 (E) and (H). On a roll call, the vote was as follows with the Mayor declaring the motion carried and the meeting adjourned in Closed Session at 10:54 p.m.:

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

Nays: 0

MEETING RECONVENED

A motion was made by Councilmember Westphal, seconded by Councilmember Grand, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened in Open Session at 12:37 a.m.

DC-1 18-0552 Enactment No:

A motion was made by Councilmember Lumm, seconded by Councilmember Krapohl, that the Resolution be approved.

Resolution to Amend the Budget and Appropriate Funds Not to exceed \$4,200,000.00 from the General Fund Balance to Effect the City's Ownership of 350 South Fifth Avenue **(\$4,200,000.00) (8 Votes Required)**

It was noted that a Special Session would be ordered by the Mayor for Monday, April 23, 2018 if DC-1 and DC-2 are postponed. Additional companion resolutions may also be included in the Mayor's order.

18-0552 Enactment No: Postponed

A motion was made by Councilmember Lumm, seconded by Councilmember Ackerman, that the Resolution be postponed to the City Council and should be returned by 4/23/2018. On a voice vote, the Mayor declared the motion carried.

Resolution to Amend the Budget and Appropriate Funds Not to exceed \$4,200,000.00 from the General Fund Balance to Effect the City's Ownership of 350 South Fifth Avenue **(\$4,200,000.00) (8 Votes Required)**

DC-2 18-0554 Enactment No:

A motion was made by Councilmember Eaton, seconded by Councilmember Krapohl, that the Resolution be approved.

Resolution Authorizing Notice and Issuance of General Obligation Bonds - 350 South Fifth Avenue **(6 Votes Roll Call)**

18-0554 Enactment No: Postponed

A motion was made by Councilmember Eaton, seconded by Councilmember Krapohl, that the Resolution be postponed to the City Council and should be returned by 4/23/2018. On a voice vote, the Mayor declared the motion carried.

Resolution Authorizing Notice and Issuance of General Obligation Bonds - 350 South Fifth Avenue **(6 Votes Roll Call)**

DB New Business - Boards and Commissions:

None.

DS New Business - Staff:

E COMMUNICATIONS FROM THE CITY ATTORNEY

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

F The following communications were referred as indicated:

Passed on consent agenda

A motion was made by Councilmember Lumm, 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** [18-0469](#) Huron St (3rd to Division) Materials - Transportation Commission Resolution of Support
- F-2** [18-0470](#) Speed Reduction Committee Recommendations
- F-3** [18-0574](#) Communication from Comcast regarding Important Information on Channel Lineup Changes - Communications, City Attorney
Filed.
- G** **The following minutes were received for filing:**
- G-1** [17-1432](#) Design Review Board Minutes of May 17, 2017
- G-2** [18-0253](#) Zoning Boards of Appeals Meeting Minutes of January 24, 2018
- G-3** [18-0415](#) Historic District Commission Meeting Minutes of November 16, 2017
- G-4** [18-0416](#) Historic District Commission Meeting Minutes of December 14, 2017
- G-5** [18-0418](#) Design Review Board Meeting Minutes of February 21, 2018
- G-6** [18-0463](#) Airport Advisory Committee Minutes - January 17, 2018
- G-7** [18-0468](#) Transportation Commission Meeting Minutes 2-14-18
- G-8** [18-0473](#) LDFA Board Meeting Minutes - January 16, 2018
- G-9** [18-0542](#) Insurance Board Meeting Minutes - March 22, 2018

- G-10** [18-0569](#) Council Policy Agenda Committee meeting minutes for March 27, 2018
Filed.

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Jessica Letaw, City resident, thanked Council for their diligent work.

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER BANNISTER

Councilmember Bannister urged her colleagues to obey the City Council Code of Ethics and refrain from making comments regarding the Y Lot debate on social media. She stated there has been bullying and intimidation by some members of Council towards others.

COUNCILMEMBER WESTPHAL

Councilmember Westphal reminded Council and the public of the history of "Connecting William Street." He urged Council to look this project up on the DDA website.

COUNCILMEMBER WARPEHOSKI

Councilmember Warpehoski spoke about the history of the Y Lot project and spoke about the efforts Council has made in affordable housing efforts, besides the development of this site.

COUNCILMEMBER LUMM

Councilmember Lumm addressed some misrepresentations being talked about regarding the Y Lot site, including how easily it could be "flipped" on the market if acquired by the City. She also urged colleagues to maintain a level of decorum in their debate.

ADJOURNMENT

A motion was made by Councilmember Smith, seconded by Councilmember Krapohl, that the meeting adjourn. On a voice vote,

the Mayor declared the motion carried and the meeting adjourned at 1:00 a.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, APRIL 16, 2018 @ 7:00 P.M.

REPLAYS: WEDNESDAY, APRIL 18, 2018 @ 8:00 A.M. AND FRIDAY, APRIL 20, 2018 @ 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; 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.