

City of Ann Arbor

301 E. Huron St.

Ann Arbor, MI 48104

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



Meeting Minutes

Monday, December 18, 2017

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 7:05 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 Ackerman, seconded by Councilmember Lumm, that the Agenda be approved with the following changes:

Move DC-3 and DC-4 to Consent Agenda.

Add DS-3, Reconsideration of Vote to Approve Broadway Brownfield Plan (17-1758).

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

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

City Administrator Howard Lazarus submitted the following written reports for information of Council and reported on the following:

Mr. Lazarus welcomed the City's new Assistant Fire Chiefs, Mike Kennedy and Marc Tyler, and Deputy Chief of Police Jason Forsberg.

Mr. Lazarus reported on Ann Arbor's first snowfall of the season and reminded residents that they can pick up free salt at 721 N. Main and various city parks. Residents need to bring their own shovel and bucket to collect the salt.

Trash collection service will be delayed the week of December 25, as no service will take place on Monday, December 25.

Mr. Lazarus thanked AAPD Officer Ron Ross and Fire Marshal Kathleen Summersgill for their attendance at tonight's meeting.

AC-1 [17-1942](#) Staff Response to Resolution R-17-361 - Crosswalk Ordinance Review

Received and Filed

AC-2 [17-2101](#) City Administrator's Report - December 18, 2017

Received and Filed

AC-3 [17-2100](#) Agenda Response Memo and eComments - December 18, 2017

Received and Filed

INT INTRODUCTIONS

INT-1 [17-1937](#) Student Advisory Council Report Presentation

A student member of the City's Student Advisory Council presented a report on the committee's activity for the last year. He thanked Council for their support of this group. A copy of the report 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. Bill Burnham - Inglis House

Bill Burnham, 2303 Highland Drive, spoke in favor of the proposed reconsideration of the vote to postpone the Inglis House Historic District ordinance. He urged Council to defeat the ordinance tonight due to the deed restrictions that have been included in the sale of the property.

2. Kathy Griswold - DC-6 and Pedestrian Safety

Kathy Griswold, 3365 Fox Hunt, spoke about pedestrian safety issues in the City.

3. Ken Garber - Staff Review of Mobility in Lowertown Area (DC-6)

Ken Garber, 2387 Hilldale, spoke about the proposed resolution requesting staff review of mobility in Lowertown, stating this was needed before the Broadway vote.

4. Kermit Schlansker - Ann Arbor needs Heat

Kermit Schlansker, Saline resident, spoke about the need for alternative energy sources.

5. Ellen Rowe - Deer Cull

Ellen Rowe spoke in opposition to the City's deer cull.

6. Grant Shafer - Deer versus plants

Grant Shafer, Pittsfield Township resident, spoke in opposition to the City's deer cull.

7. Blaine Coleman - Rest in Peace Marcia Federbush

Blaine Coleman, resident, spoke about the recent passing of Marcia Federbush, a local women's rights activist. Mr. Coleman also noted her activism in support of Palestinians in recent years.

8. Susan Hutton - Recycling

Susan Hutton, chair of the City's Environmental Commission, spoke about the City's recycling programs.

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER WESTPHAL

Councilmember Westphal spoke about signs on private property and stated the sign ordinance needs to be updated. He stated the City has a new app that allows you to upload photos of signs around town and provide feedback and suggestions.

Councilmember Westphal stated the City has started taking applications for its new Citizens Academy. He urged residents to apply and stated he is excited to see this program at the City.

MC COMMUNICATIONS FROM THE MAYOR**MC-1 [17-1911](#) Nominations - Confirmations***APPOINTMENTS APPROVED*

Mayor Taylor requested confirmation of the following appointments that were presented to City Council at the December 4, 2017 regular session:

Huron River Watershed Council

*Janis Bobrin
Environmental Planner
3465 Vintage Valley Rd.
Ann Arbor, MI 48105
Term: May 31, 2019*

*Cheryl Darnton
Environmental Activist/Teacher
601 Eberwhite
Ann Arbor, MI 48103
Term: May 31, 2019*

Elizabeth Dean Fund Committee

*Monica Milla
3320 Fernwood Ave.
Ann Arbor, MI 48108
Term: May 31, 2019*

A motion was made by Councilmember Smith, seconded by Councilmember Eaton, that the Appointments be approved. On a

voice vote, the Mayor declared the motion carried.

MC-2 [17-1967](#) Appointments and Nominations for 12/18/17

APPOINTMENTS REFERRED

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

Downtown Development Authority
Jessica Letaw
533 Fifth St.
Ann Arbor, MI 48103
Term: Ending May 31, 2021

Huron River Watershed Council
Richard Norton
524 Third St.
Ann Arbor, MI 48103
Term: Ending May 31, 2019

Referred to the City Council due back on 1/8/2018

CA CONSENT AGENDA

Passed on consent agenda

Councilmember Lumm asked the City Administrator to provide more information regarding the DTE project near Nixon Road.

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

CA-1 17-1865 Enactment No: R-17-452 Approved

Resolution to Approve Purchase of Fire Prevention Bureau Vehicle Computer Mounting Equipment (\$17,207.80), Upgrade Eight (8) Existing Computers to Tablets (\$5200.00) and Appropriate Needed Funds (\$22,407.80) (Mobile Tablet Equipment) (8 Votes Required)

CA-2 17-1933 Enactment No: R-17-453 Approved

Resolution Recognizing Vocal Arts Ensemble of Ann Arbor as a Civic Nonprofit Organization Operating in Ann Arbor for the Purpose of Obtaining a Charitable Gaming License

CA-3 17-1924 Enactment No: R-17-454 Approved

Resolution to Approve Amendment No. 3 to the Professional Services Agreement with Dykema Gossett PLLC for Legal Services Relative to the IRS IDR for the City of Ann Arbor Capital Improvement Bonds, Series 2009-A and Appropriate the Necessary Funds (\$10,000.00 amendment/\$45,000.00 total contract) **(8 Votes Required)**

CA-4 17-1590 Enactment No: R-17-455 Approved

Resolution to Transfer Management Responsibilities for City of Ann Arbor's 457 Employee Savings Plan to the City of Ann Arbor Employees Retirement System

CA-5 17-1929 Enactment No: R-17-456 Approved

Resolution to Approve to the City's Contract with Delta Dental Plan of Michigan, Inc., for Claims Administration Services for the City's Dental Plan, and to Authorize the City Administrator to Execute the Necessary Documentation (\$850,000)

CA-6 17-1931 Enactment No: R-17-457 Approved

Resolution to Approve the Amendment and Renewal of the City's Contracts with Flores & Associates, LLC to Provide Flexible Spending and Health Reimbursement Account Administration to City Employees and Their Dependents and Authorize the City Administrator to Execute the Necessary Documentation (\$130,000.00)

CA-7 17-1932 Enactment No: R-17-458 Approved

Resolution to Approve Amendment No. 2 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

CA-8 17-1922 Enactment No: R-17-459 Approved

Resolution to Approve Renewal of Lease Agreement with 2725/2805 Associates, LLC (successor to First Industrial, L.P.) for Administrative and Video Production Space for the City Community Television Network (2805

S. Industrial Highway, Ste. 200 Eisenhower Corporate Park) (**8 Votes Required**)

CA-9 17-1608 Enactment No: R-17-460 Approved

Resolution Approving a Cost-Sharing Contract (No. 17-5486) with the Michigan Department of Transportation (MDOT) to Facilitate Federal Funding of Preventative Maintenance on South State Street

CA-10 17-1796 Enactment No: R-17-461 Approved

Resolution to Authorize Execution of Change Order No. 1 to the Construction Contract with J. Ranck Electric, Inc. (Bid No. 4504) for the Installation of additional RRFBs (\$100,000.00)

CA-11 17-1927 Enactment No: R-17-462 Approved

Resolution to Approve a Contribution Agreement with AAPS for the Scio Church / Pioneer Sidewalk (AAPS to reimburse up to \$62,000.00)

CA-12 17-1624 Enactment No: R-17-463 Approved

Resolution to Approve an Amendment to Increase the Watertap, Inc. Renewal Agreement for Additional Materials and Services for Water Main Repair by \$100,000.00

CA-13 17-1900 Enactment No: R-17-464 Approved

Resolution to Increase the Not-to-Exceed Limit for FY 2018 and for Subsequent Renewal Periods for the Contract with Bell Equipment for Rental of Refuse Trucks (NTE \$150,000.00, plus a \$20,000.00 Contingency)

CA-14 17-1805 Enactment No: R-17-465 Approved

Resolution to Approve a Professional Services Agreement with Quantum Spatial, Inc. for the 2018 Ortho Imagery and Impervious Surface GIS Data Update (RFP #17-28, \$37,951.85)

CA-15 17-1918 Enactment No: R-17-466 Approved

Resolution to Approve Construction of an Additional Drive Approach on Huron Parkway, South of Hubbard Street to Service the DTE Apex Substation

DC-3 17-2017 Enactment No: R-17-467 Approved

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 (\$440,000)

DC-4 17-2062 Enactment No: R-17-468 Approved

Resolution to Approve the Collective Bargaining Agreement with the Teamster Civilian Supervisors, Teamsters Local 214 effective January 1, 2018 - December 31, 2020

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 [17-1749](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.54 Acre from PUD (Planned Unit Development District) to PUD (Planned Unit Development District), The Glen Mixed Use Development PUD Zoning and Supplemental Regulations, 201, 213, 215, 217 Glen Avenue and 1025 East Ann Street (Ordinance No. ORD-17-22) (CPC Recommendation: Approval - 6 Years and 1 Nays)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.54 Acre from PUD (Planned Unit Development District) to PUD (Planned Unit Development District), The Glen Mixed Use Development PUD Zoning and Supplemental Regulations, 201, 213, 215, 217 Glen Avenue and 1025 East Ann Street. Notice of public hearing was published November 30, 2017.

The following persons were present to speak at the hearing:

Chris Crockett, Old Fourth Ward, urged Council to protect the Old Fourth Ward if this PUD is approved. She noted concerns about parking and the conversion of Ann Street from a one-way street.

Jeff Crockett, 506 E. Kingsley, expressed concern about the impact of the project on the existing neighbors in the Old Fourth Ward.

An unknown speaker spoke in support.

Shelly Hicks- Berman spoke in support of the project and stated there is a need for hotel space near the UM Hospital.

Alan Harris, board member of Ronald McDonald House, spoke in support, stating the need for hotel space near Mott Children's Hospital.

Victor Munoz, 3131 Creek Drive, spoke in support.

Noah Kaplan, business owner, spoke in support.

Jill Schloff, resident, spoke in support of the project and the environmental clean-up.

An unidentified resident spoke in support.

Kai Petainen, resident, spoke in support.

A Fifth Ward resident spoke in support.

Nicky Melvin, resident, spoke in support, stating the need for environmental clean-up and for downtown meeting space.

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

Held and Closed

PH-2 17-1750 Enactment No: Held and Closed

Held and Closed

Resolution to Approve The Glen Mixed Use Development PUD Site Plan and Development Agreement, 201, 213, 215, 217 Glen Avenue and 1025 East Ann Street (CPC Recommendation: Approval - 6 Yeas and 1 Nays)

A public hearing was conducted on the proposed Resolution to Approve The Glen Mixed Use Development PUD Site Plan and Development Agreement, 201, 213, 215, 217 Glen Avenue and 1025 East Ann Street. Notice of public hearing was published December 11, 2017.

Norm Tyler, 126 N. Division, expressed concern about the conversion of Ann Street to a two-way street and also requested stricter parking restrictions be put in place in the Old Fourth Ward neighborhood.

Mary Ivers, 920 E. Ann Street, spoke in opposition to the conversion of Ann Street to a two-way street. She also asked that the construction noise and vibrations be monitored, noting the age of many neighboring historic homes.

Jeff Crockett, 506 E. Kingsley, concurred with the concerns regarding

parking and the conversion of Ann Street to two-way traffic.

Eileen Tyler, 126 N. Division, urged Council to allow for the expansion of the residential parking permit program in the Old Fourth Ward. She also urged Council to keep Ann Street as a one-way street.

Julie Ritter, 920 Catherine, expressed concern about the traffic and parking associated with this development. She urged Council to widen Glen Avenue.

Chris Crockett, 506 E. Kingsley, concurred with other comments regarding traffic flow and residential parking in the Old Fourth Ward.

Ray Detter, 120 N. Division, spoke about neighbor concerns.

Craig Singer, developer, spoke about the project and was available to answer any questions.

Scott Bonney, representing the developer, presented the project to Council.

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

PH-3 **17-1859** An Ordinance to Amend Sections 9:81 and 9:82 of Chapter 109 (Liquor) of Title IX of the Code of the City of Ann Arbor (Ordinance No. ORD-17-23)
A public hearing was conducted on the proposed amendment to Sections 9:81 and 9:82 of Chapter 109 (Liquor) of Title IX of the Code of the City of Ann Arbor. Notice of public hearing was published December 11, 2017.

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

Held and Closed

PH-4 **17-1726** **Enactment No:** **Held and Closed**

Held and Closed

Resolution to Approve Rainbow Child Care Site Plan, 2600 Nixon (CPC Recommendation: Approval - 6 Yeas and 0 Nays)

A public hearing was conducted on the proposed Resolution to Approve Rainbow Child Care Site Plan, 2600 Nixon. Notice of public hearing was published December 7, 2017.

17-1918 Enactment No: **Reconsidered**

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

Resolution to Approve Construction of an Additional Drive Approach on Huron Parkway, South of Hubbard Street to Service the DTE Apex Substation

17-1918 Enactment No: **Postponed**

A motion was made by Councilmember Lumm, seconded by Councilmember Westphal, that the Resolution be postponed to the City Council and should be returned by 1/16/2018. On a voice vote, the Mayor declared the motion carried.

Resolution to Approve Construction of an Additional Drive Approach on Huron Parkway, South of Hubbard Street to Service the DTE Apex Substation

B ORDINANCES - SECOND READING

B Unfinished Business - Staff:

B-1 **[17-1762](#)** An Ordinance to Amend Chapter 55 (Zoning) related to Medical Marijuana Facilities (Ordinance No. ORD-17-21) (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

(The complete copy of the text of Ordinance No. ORD-17-21 is on file in the City Clerk's Office.)

A motion was made by Councilmember Smith, seconded by Councilmember Krapohl, that the Ordinance be approved.

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

Section 15. This ordinance shall take effect and be of force on February 12, 2018.

The motion was considered friendly.

Amended

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

**(3) Additional medical marijuana facility location restrictions:
(a) No parcel containing a medical marijuana provisioning center shall be located within [600] 800 feet of a parcel on which another medical marijuana provisioning center is located.**

[Change 600 feet to 800 feet.]

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

Yeas: 4 - Councilmember Lumm, Councilmember Kailasapathy, Councilmember Warpehoski and Councilmember Ackerman

Nays: 7 - Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Krapohl, Councilmember Westphal, Councilmember Smith and Councilmember Bannister

The question being, the motion that was made by Councilmember Smith, seconded by Councilmember Krapohl, that the Ordinance be adopted as amended on Second Reading, on a voice vote, the Mayor declared the motion carried.

B New Business - Staff:

- B-2** [17-1749](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.54 Acre from PUD (Planned Unit Development District) to PUD (Planned Unit Development District), The Glen Mixed Use Development PUD Zoning and Supplemental Regulations, 201, 213, 215, 217 Glen Avenue and 1025 East Ann Street (Ordinance No. ORD-17-22) (CPC Recommendation: Approval - 6 Yeas and 1 Nays)

(The complete copy of the text of Ordinance No. ORD-17-22 is on file in the City Clerk's Office.)

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

Councilmember Ackerman moved the amended supplemental regulations, which were considered friendly by the Body.

Amended

CLOSED SESSION

A motion was made by Councilmember Eaton, seconded by Councilmember Smith, that Council enter into Closed Session under the Michigan Open Meetings Act to discuss Attorney/Client Privileged Communications as set forth in MCLA 15.268 (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 10:00 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

RECONVENE IN OPEN SESSION

A motion was made by Councilmember Eaton, seconded by Councilmember Krapohl, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 10:09 p.m.

17-1749 An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.54 Acre from PUD (Planned Unit Development District) to PUD (Planned Unit Development District), The Glen Mixed Use Development PUD Zoning and Supplemental Regulations, 201, 213, 215, 217 Glen Avenue and 1025 East Ann Street (Ordinance No. ORD-17-22) (CPC Recommendation: Approval - 6 Yeas and 1 Nays)

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

B-3 **17-1859** An Ordinance to Amend Sections 9:81 and 9:82 of Chapter 109 (Liquor) of Title IX of the Code of the City of Ann Arbor (Ordinance No. ORD-17-23)

(The complete copy of the text of Ordinance No. ORD-17-23 is on file in the City Clerk's Office.)

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.

C ORDINANCES - FIRST READING

C New Business - Staff:

- C-1** [17-0670](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.32 Acre from TWP (Township District) to R1C (Single Family Dwelling District), Bibby Property, south of Dexter Road west of N. Maple Road (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-17-24)

(The complete copy of the text of Ordinance No. ORD-17-24 is on file in the City Clerk's Office.)

A motion was made by Councilmember Smith, seconded by Councilmember Warpehoski, that the Ordinance be approved on First Reading to the City Council and should be returned by 1/16/2018. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-17-24

- C-2** [17-1406](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.66 Acre from TWP (Township District) to R1C (Single Family Dwelling District), McCowan Properties, 2633, 2647 and 2651 Dexter Road (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-17-25)

(The complete copy of the text of Ordinance No. ORD-17-25 is on file in the City Clerk's Office.)

A motion was made by Councilmember Smith, seconded by Councilmember Warpehoski, that the Ordinance be approved on First Reading to the City Council and should be returned by 1/16/2018. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-17-25

- C-3** [17-1947](#) An Ordinance to Amend the Code of the City of Ann Arbor by Adding a New Chapter, which New Chapter Shall Be Designated as Chapter 6,

Procedures for Removal of Councilmembers, of Title I of Said Code
(Ordinance No. ORD-17-26)

*(The complete copy of the text of Ordinance No. ORD-17-26 is on file in
the City Clerk's Office.)*

**A motion was made by Councilmember Krapohl, seconded by
Councilmember Smith, that the Ordinance be approved on First
Reading to the City Council and should be returned by 1/8/2018. On
a voice vote, the Mayor declared the motion carried.**

Enactment No: ORD-17-26

17-2053 Motion to Reconsider the December 4, 2017 Vote to Postpone First
Reading of the Inglis House Historic District Ordinance to January 8, 2018
(File 17-1769)

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

17-1769 An Ordinance to Amend Chapter 103 (Historic Preservation) of Title VIII of
the Code of the City of Ann Arbor by Adding Section 8:425.15 Establishing
the Inglis House Historic District (Inglis House Study Committee
Recommendation: Approval - 3 Yeas and 0 Nays)

**A motion was made that the Ordinance be postponed at First
Reading to the City Council and should be returned by 1/8/2018. On
a voice vote, the Mayor declared the motion defeated.**

*(The complete copy of the text of this ordinance is on file in the City
Clerk's Office.)*

**The question being, a motion made by Councilmember Lumm,
seconded by Councilmember Westphal, that the Ordinance be
approved on First Reading to the City Council, on a voice vote, the
Mayor declared the motion defeated.**

D MOTIONS AND RESOLUTIONS

DC Unfinished Business - Council:

DC-1 17-1913 Enactment No: R-17-469 Approved

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

voice vote, the Mayor declared the motion carried.

Resolution to Appoint Molly Maciejewski to the Huron River Watershed Council (7 Votes Required)

DC New Business - Council:

DC-2 17-1953 Enactment No: R-17-470 Approved

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

Resolution to Approve 2018 Council Rules

DC-5 17-2064 Enactment No: R-17-471 Approved as Amended

A motion was made by Councilmember Smith, seconded by Councilmember Eaton, that the resolution be approved as amended to include the updated list of existing businesses. On a voice vote, the Mayor declared the motion carried.

Resolution Authorizing the City Clerk to sign "Attestation E" for Existing Medical Marijuana Facilities to Continue to Operate Temporarily Without a State License

DC-6 17-2063 Enactment No: R-17-472 Approved

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

Resolution Requesting Staff Review of Mobility in the Lowertown Area

DB New Business - Boards and Commissions:

DB-1 17-1750 Enactment No:

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

Resolution to Approve The Glen Mixed Use Development PUD Site Plan and Development Agreement, 201, 213, 215, 217 Glen Avenue and 1025 East Ann Street (CPC Recommendation: Approval - 6 Yeas and 1 Nays)

17-1750 Enactment No: Amended

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

Amend Development Agreement:

Add New language:

(P-13) The DEVELOPER will pay to the City, in addition to the \$43,540 amount required by P-12 above, an amount of \$17,340 to support the cost of further traffic analysis to determine the feasibility of two way traffic on Ann Street, from Glen Avenue to the approximate location of the proposed curb cut for the Site Plan, and corresponding design considerations for implementation. The DEVELOPER will pay this amount to the CITY within 30 days of written notice of commencement of the study.

The DEVELOPER also agrees to pay all costs for identified improvements in the study, as additional traffic mitigation costs, up to \$250,000. If the estimated cost of required improvements exceed \$250,000, the DEVELOPER agrees to pay a reasonable share of the costs of improvements for all costs over \$250,000 to be negotiated with the City. The DEVELOPER will pay the CITY for the costs of the improvements, within 90 days of written notice of commencement of engineering design leading to construction or purchase order for materials.

The City may decide to have the DEVELOPER proceed with identified improvements in its sole discretion, and if no additional improvements are made, no additional payments will be required by DEVELOPER.

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

Resolution to Approve The Glen Mixed Use Development PUD Site Plan and Development Agreement, 201, 213, 215, 217 Glen Avenue and 1025 East Ann Street (CPC Recommendation: Approval - 6 Yeas and 1 Nays)

17-1750 Enactment No: R-17-473 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 Glen Mixed Use Development PUD Site Plan and Development Agreement, 201, 213, 215, 217 Glen Avenue and 1025 East Ann Street (CPC Recommendation: Approval - 6 Yeas and 1 Nays)

17-1726 Enactment No:

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

Resolution to Approve Rainbow Child Care Site Plan, 2600 Nixon (CPC Recommendation: Approval - 6 Yeas and 0 Nays)

DB-2 17-1726 Enactment No: Postponed

A motion was made by Councilmember Lumm, seconded by Councilmember Westphal, that the Resolution be postponed to the City Council and should be returned by 1/16/2018. On a voice vote, the Mayor declared the motion carried.

Resolution to Approve Rainbow Child Care Site Plan, 2600 Nixon (CPC Recommendation: Approval - 6 Yeas and 0 Nays)

Councilmember Lumm requested that the neighbors' petition be added to the record.

DB-3 17-1746 Enactment No: R-17-474 Approved

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

Resolution to Approve Midas Site Plan, at 3180 Washtenaw Avenue (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

DB-4 17-1835 Enactment No: R-17-475 Approved

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

Resolution to Adopt The Treeline - Allen Creek Urban Trail Master Plan (Adopted by the CPC on November 8, 2017 - 8 Yeas, 0 Nays)

DS New Business - Staff:

DS-1 17-1778 Enactment No: R-17-476 Approved

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

Resolution No. 4 - Confirming the East Stadium Boulevard Sidewalk Special Assessment

DS-2 17-1926 Enactment No: R-17-477 Approved

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

Resolution Confirming Application for, and Acceptance and Appropriation of the 2017 Edward Byrne Memorial Justice Assistance Grant from the United States Department of Justice, Bureau of Justice Assistance to Police Services (\$17,930.00) **(8 Votes Required)**

DS-3 [17-2117](#) Motion to Reconsider the December 4, 2017 Vote that Approved the Resolution to Approve the 1140 Broadway Brownfield Plan (File 17-1758)

A motion was made by Councilmember Eaton, seconded by Councilmember Bannister, that the motion to reconsider be approved. On a roll call, the vote was as follows with the Mayor declaring the motion defeated:

Yeas: 5 - Councilmember Lumm, Councilmember Kailasapathy, Councilmember Eaton, Mayor Taylor and Councilmember Bannister

Nays: 6 - Councilmember Warpehoski, Councilmember Grand, Councilmember Krapohl, Councilmember Westphal, Councilmember Ackerman and Councilmember Smith

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 Krapohl, 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 [17-1840](#) Staff Response to R-17-361

- F-2 [17-1912](#) November 7, 2017 Official Election Results - Canvass

- F-3 [17-1934](#) Communications from Comcast regarding Channel Line-Up and Price Changes - CTN, City Attorney

- F-4 [17-1979](#) Communication from the Counsel of the Economic Development Corp. of the City of Ann Arbor Peter A Long, regarding the 2017 Annual Report of the EDC - Finance, City Administrator

- F-5 [17-2018](#) City of Ann Arbor Audit Report- June 30, 2017

G The following minutes were received for filing:

- G-1 [17-1783](#) Zoning Board of Appeals Meeting Minutes of October 25, 2017

- G-2 [17-1829](#) Airport Advisory Committee Minutes - September 20, 2017

- G-3 [17-1843](#) Public Market Advisory Commission Meeting Minutes of October 19, 2017

- G-4 [17-1890](#) Ann Arbor Housing Commission October 25, 2017 Board Minutes

- G-5 [17-1930](#) Council Policy Agenda Committee Meeting Minutes for November 28, 2017

- G-6 [17-1936](#) Council Labor Committee Meeting Minutes of November 20, 2017

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Lisa Abrams, resident, spoke about the deer cull and urged Council not to allow biased members to participate in the sterilization project.

Mark Koroï, local attorney, spoke about a Police Department oversight board.

Kai Petainen, resident, wished Council well and thanked the City Administrator for his service.

Ed Vielmetti, Fourth ward resident, stated he attended the Council Administration Committee meeting. He urged the Committee to post their agendas in advance of the meeting.

Jeff Hayner, First ward resident, also spoke about some committee meetings not being very transparent. He urged Council to adopt rules that require agendas be posted before committee meetings. He also spoke about the concern that the Lowertown Mobility study is too late.

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER SMITH

Councilmember Smith thanked City staff for their work on today's agenda items and all of the changes that came before the meeting.

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 Warpehoski, that Council enter into Closed Session under the Michigan Open Meetings Act to discuss pending litigation as set forth in MCLA 15.268 (E). On a roll call, the vote was as follows with the Mayor declaring the motion carried and the meeting adjourned in Closed Session at 11:48 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 Lumm, seconded by Councilmember Warpehoski, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened in Open Session at 11:50 p.m.

A motion was made by Councilmember Ackerman, seconded by Councilmember Grand, that the Agenda be reopened and amended as follows:

Add:

Resolution Regarding Dickerson v. City of Ann Arbor, 22nd Circuit Court, Case No. 17-793-CZ.

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

17-2118 Enactment No: R-17-478 **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 Regarding *Dickerson v City of Ann Arbor, 22nd Circuit Court, Case No. 17-793-CZ.*

ADJOURNMENT

A motion was made by Councilmember Westphal, seconded by Councilmember Lumm, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 11:52 p.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, DECEMBER 18, 2017 @ 7:00 P.M.

REPLAYS: WEDNESDAY, DECEMBER 20, 2017 @ 8:00 A.M. AND FRIDAY, DECEMBER 22, 2017 @ 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.

**Jacqueline Beaudry
Clerk of the Council**

**Anissa R. Bowden
Recording Secretary**