

City of Ann Arbor

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



Meeting Minutes

Monday, December 21, 2015

7:00 PM

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 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: 10 - Councilmember Sabra Briere, Councilmember Jane Lumm, 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

Absent: 1 - Councilmember Sumi Kailasapathy

APPROVAL OF AGENDA

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

Move:
DB-3 to just after PH-1
DS-1 to just after PH-2

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

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

AC-1 [15-1572](#) Agenda Response Memo - December 21, 2015

Attachments: Agenda Responses 12-21-15

Interim City Administrator Tom Crawford presented his Agenda Response Memo for information of Council.

Received and Filed

INT INTRODUCTIONS

None.

PUBLIC COMMENTARY - RESERVED TIME (3 MINUTES PER SPEAKER)

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

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

1. Rosalind Wares - Deer Cull (DC-2)

Rosalind Wares spoke in opposition to any park closures, stating the closure of so many parks all winter was not acceptable.

2. Andy Poli - Deer Cull (DC-2)

Andy Poli, 2111 Tibbits Court, spoke in opposition to the approved deer cull, urging Council to find a more intelligent solution.

3. Mirmala Hanke - Deer Cull (DC-2)

Mirmala Hanke urged Council to cancel the contract with the USDA and to work with the Humane Society on a humane solution.

4. Nancy Witter - Deer Cull (DC-2)

Nancy Witter, 235 Brookside, thanked Mayor Taylor for his vote against the deer cull and urged Council to reconsider the closure of City parks for the cull.

5. Shunah Sii Rose - Access to City Parks (DC-2)

Shunah Sii Rose, 2697 Arrowwood Trail, spoke in opposition to any park closures, stating these closures will affect the lives of many Ann Arbor residents.

6. Sarah Byers - Deer Cull (DC-2)

Sarah Byers, 1308 Traver, spoke in opposition to the deer cull and the closing of parks. She asked Council questions regarding other possible solutions.

7. David Silkworth - Deer Cull (DC-2)

David Silkworth, 2048 Charlton, Ward 5, spoke in opposition to the deer cull and the closing of City parks. He also objected to the targeting of pregnant deer.

8. Karen Freedland - Deer Cull (DC-2)

Karen Freedland, 870 Belfield, 2nd Ward, spoke in opposition to the deer cull and offered to personally fund the first sterilization effort.

9. Louis Daher - Deer Cull (DC-2)

Louis Daher, 415 Manor, expressed concern about the cull and the impacts on the

City's biodiversity and the environment. He thanked Councilmember Warpehoski for his blog and stated he concurred with his comments.

10. Jane Klingsten - Zoning and Site Planning

Jane Klingsten, 3347 Elsinore, spoke about the City's process for planning and zoning and the public engagement process.

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER EATON

Councilmember Eaton informed Council that Councilmember Kailasapathy sent her regrets as she was not able to attend this evening's meeting.

COUNCILMEMBER GRAND

Councilmember Grand thanked City staff for the citywide mailing of postcards to residents regarding information on the snow shoveling ordinance changes. She stated the cards hit mailboxes this week and provide great information for residents regarding recent changes.

Councilmember Grand stated she attended the Open House of the Muslim Community Association over the weekend. She stated the MCA regularly offers classes on learning Islam and are very informative. She encouraged others to attend.

Councilmember Grand congratulated Councilmember Ackerman on his recent graduation from the University of Michigan.

COUNCILMEMBER LUMM

Councilmember Lumm stated that the Geddes Avenue construction project has concluded for the season, noting the barricades will be removed in a few days. She noted that the project would pick up again in March 2016.

COUNCILMEMBER BRIERE

Councilmember Briere addressed questions regarding the processing of the deer meat from the cull. She stated the meat will be clean and healthy and will be donated to Food Gatherers for charity.

MC COMMUNICATIONS FROM THE MAYOR

MC-1 [15-1524](#)

Appointments - Confirmations

Mayor Taylor requested confirmation of the following appointments that were presented to Council at the December 7, 2015 regular session of Council:

Employees' Retirement System Board of Trustees

*Alexa Nerdrum Re-Appointment
Citizen trustee
3176 Lakewood Dr.
Ann Arbor, MI 48103
Term: January 1, 2016 - December 31, 2018*

Housing & Human Services Advisory Board

*Amy Freundl-partial term
At-Large Representative
3588 Plymouth Rd. #184
Ann Arbor, MI 48105
Term: ending May 31, 2017*

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

CA CONSENT AGENDA

Passed on consent agenda

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

- CA-1** [15-1420](#) Resolution to Approve a Purchase Order with Trojan Technologies for Replacement Parts at the Wastewater Treatment Plant (\$85,000.00)
Attachments: Trojan FY 2016 quote.pdf
Enactment No: R-15-409
- CA-2** [15-1489](#) Resolution to Approve a Contract with the Washtenaw County Sheriff's Office for Weapons Screening Services in the Ann Arbor Justice Center (\$160,000.00)
Attachments: D15_WCSO_LobbySecurity_2016
Enactment No: R-15-410
- CA-3** [15-1485](#) Resolution to Approve a Professional Services Agreement with Fiberlink, Inc. for Fiber Optic Network (FON) Design and Engineering Services (Total Contract NTE \$476,256.00)
Attachments: RFP_930_Document
Enactment No: R-15-411
- CA-4** [15-1512](#) Resolution to Approve a Purchase Order to Environmental Systems Research Institute (ESRI) for the Annual Geographic Information System Software Maintenance and License Agreement (\$52,576.00)
Enactment No: R-15-412

CA-5 [15-1446](#) Resolution Authorizing Sanitary Sewer and Water Improvement Charges for 582 Archwood Dr. (\$14,756.12)

Enactment No: R-15-413

CA-6 [15-1514](#) Resolution to Approve November 19, 2015 Recommendations of the Board of Insurance Administration

Enactment No: R-15-414

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 [15-1457](#) Resolution to Approve 220 W. Ann St. Site Plan (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

Attachments: 220 W Ann Staff Report with Attachments, 10-20-2015 CPC Minutes with Live Links1

A public hearing was conducted on the proposed Resolution to Approve 220 W. Ann St. Site Plan. Notice of public hearing was published December 13 and December 17, 2015.

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

Held and Closed

Enactment No: R-15-415

(See DB section for complete resolution text.)

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

Enactment No: R-15-415

PH-2 [15-1366](#) Resolution Approving the Issuance of Bonds by the Wisconsin Public Finance Authority for University Corporation for Advanced Internet Development (a/k/a Internet2)

A public hearing was conducted on the proposed Resolution Approving the Issuance of Bonds by the Wisconsin Public Finance Authority for University Corporation for Advanced Internet Development (a/k/a Internet2). Notice of public hearing was published November 23, 2015.

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

Held and Closed

Enactment No: R-15-416

(See DS section for complete resolution text.)

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.

Enactment No: R-15-416

PH-3 [15-0786](#)

An Ordinance to Amend Chapter 55 (Zoning), Zoning of 69 Acres from TWP (Township District) to R4A (Multiple-Family Dwelling District) WITH CONDITIONS, Nixon Farm North Zoning, 3381 Nixon Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. Ord-15-15) **(8 Votes Required)**

Attachments: ORD 15-15 Nixon North with Conditions Briefed and Approved.pdf, NixonFarmsNorthOrdinance - Conditional Zoning, Nixon Farm North Conditional Zoning 12-17-15, NixonFarmNorthStatement 10-14.pdf, NixonFarmsNorthStatement, 15-15 Nixon Farm North Rezoning Briefed.pdf, Ordinance to Zone Nixon Farm North (3381 Nixon Road).pdf, 12/16/14 Planning Staff Report, Nixon Agenda Questions and Responses July-Nov 2015, 12/16/14 Planning Commission Minutes, 10/21/14 Planning Staff Report, 10/21/14 Planning Commisison Minutes, Nixon Farm North Zoning Protest 8VOTES 08-14-15, Nixon North and South protest petitions 081215, Nixon Farm rezoning 100ft objection letters 081115, Letter of protest Nixon North - H. Peng 081015, Nixon Farm Concerns and Opposition Emails.pdf, Nixon Farm Opposition Email.pdf, Nixon Farm Protest Emails 8-6-15.pdf, Nixon Farm Protest Letters 8-7-15.pdf, Ann Arbor letter of rezoning objection, Nixon Farm Opposition emails 8-14-15.pdf, Nixon Farm Opposition Email 8-16-15.pdf, Nixon Farm Opposition Email 8-17-15.pdf, Nixon Farm Opposition Email 8-17-15.pdf, Nixon Farm Communication from Jason Minock.pdf, Toll Brothers memo request to postpone, Xiaoping Shen Communication Email re Nixon Farm Development.pdf, Nixon Area Neighborhood letter 11-24-15.pdf

A public hearing was continued on the proposed amendment to Chapter 55, rezoning of 69 Acres from TWP (Township District) to R4A (Multiple-Family Dwelling District) WITH CONDITIONS, Nixon Farm North Zoning, 3381 Nixon Road. Notice of continued public hearing was published December 17, 2015.

The following people were present to speak at the hearing:

Brad Schafer, Pittsfield Township resident, spoke in opposition and questioned the decisions being made regarding development in the City.

An unknown speaker spoke in opposition, stating the traffic study was flawed.

Usha Jindal, 3219 Kilburn, spoke in opposition stating traffic and environmental concerns.

A resident of Northbury Condominiums questioned the possibility of a future commercial development, as indicated on the site plan.

William Quinn, President of Barclay Park Condos, spoke in opposition.

Kami Meader, 3140 Dunwoodie, expressed concern about the legality of the conditional zoning and the MDEQ wetland permit.

Amy Seeto, 3111 Cedarbrook, expressed concern about the traffic impact to the area.

Tarek Joseph, 2860 Lakehurst, spoke in opposition, stating quality of life concerns.

An unidentified Ward 2 resident spoke in opposition.

Rita Mitchell, 621 Fifth Street, spoke in opposition.

Jason Gal, 2930 Lakehurst, expressed concern about stormwater and flooding.

Clark Charnetski, 2646 Traver, spoke in support of the proposed Toll Brothers project, stating it was the best project that he has seen proposed over the years.

Jeff Hayner, 1807 Pontiac Trail, spoke in opposition and expressed concern regarding environmental impacts.

An unidentified Foxfire resident spoke in opposition.

An unidentified Foxfire resident spoke in opposition.

An unidentified resident urged Council to vote no.

Jane Klingsten, 3347 Elsinore, spoke in opposition and questioned the validity of the wetlands permit. She urged Council to wait and address the outstanding issues before proceeding.

Tom Wieder, attorney on behalf of area residents, stated the conditional zoning being proposed is contract zoning and would be subject to legal challenges.

Susan Blake, 1213 Morningside, spoke in opposition.

James D'Amour, 2771 Maplewood, representing the Huron Valley Sierra Club, spoke in opposition.

Vince Caruso, 556 Glendale, spoke in opposition, citing climate change and the fact that wetland mitigation doesn't work.

Cynthia Lunan, 312 Mark Hannah, urged Council to listen to the concerns of the residents who live around this site.

Alan Haber, 531 Third Street, urged Council to slow down and stop increasing density around the City.

A resident of Foxfire subdivision expressed concern about the proposed future commercial development.

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

Held and Closed

Enactment No: ORD-15-15

PH-4 [15-0953](#)

Resolution to Approve Nixon Farm North Site Plan and Development Agreement with Modifications to Chapter 62 Landscaping and Screening, and Wetland Use Permit, 3381 Nixon Road (CPC Site Plan Recommendation: Denial - 5 Yeas and 2 Nays) (CPC Modifications and Wetland Use Permit Recommendation: Approval - 7 Yeas and 0 Nays)

Attachments: NixonFarmNorthDevAgree11-13rev, NixonFarmNorthDevAgree11-12rev, Site Plan for Council Approval NORTH 12-18-15, Nixon Farm Traffic Mitigation Agreement 12-18, TrafficMitigationAgreement 11-12, 12/16/14 Planning Staff Report, 10/21/14 Planning Staff Report, 12/16/14 Planning Commission Minutes, 10/21/14 Planning Commission Minutes, Nixon_Farms_Traffic Agreement Draft 8-14-15, Exhibit B - Conceptual Plan, Site Plan for Council Approval NORTH

A public hearing was continued on the proposed Resolution to Approve Nixon Farm North Site Plan and Development Agreement with Modifications to Chapter 62 Landscaping and Screening, and Wetland Use Permit, 3381 Nixon Road. Notice of continued public hearing was published December 17, 2015.

The following people were present to speak at the hearing:

Tom Wieder, attorney for neighbor Wendy Carman, expressed concern about the legality of the conditional zoning and the issuance of the MDEQ permit.

Jeff Hayner, 1807 Pontiac Trail, spoke in opposition and expressed concern about the environmental impacts.

Justin Gal, 2930 Lakehurst, expressed concern about stormwater and flooding.

Jeff Brainard, representing Toll Brothers, was available to answer any questions of Council.

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

Held and Closed

Enactment No: R-15-417

PH-5 [15-0787](#)

An Ordinance to Amend Chapter 55 (Zoning), Zoning of 41 Acres from TWP (Township District) to R4A (Multiple-Family Dwelling District) WITH CONDITIONS, Nixon Farm South Zoning, 2999 Nixon Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-15-16) **(8 Votes Required)**

Attachments: ORD 15-16 Nixon South with Conditions Briefed and Approved.pdf, NixonFarmsSouthOrdinance - Conditional Zoning, Nixon Farm South Conditional Zoning 12-17-15, NixonFarmsSouthStatement 10-14.pdf, NixonFarmsSouthStatement, Ordinance to Zone Nixon Farm South (2999 Nixon Road).pdf, Nixon Farm South Staff Report 12-16-14 w Attachments.pdf, Nixon Agenda Questions and Responses July-Nov 2015, 12/16/14 Planning Commission Minutes, Nixon Farm South Staff Report with Attachments 10-21-14.pdf, 10/21/14 Planning Commission Minutes, Nixon Farm South Zoning Protest 8VOTES 08-14-15, Northbury condo Nixon south protest 081315, Nixon Farm south protest letter 081315, Nixon North and South protest petitions 081215, 2765 Nixon Road protest Nixon South 081215, Lakehurst residents objections Nixon south 081215, Nixon Farm rezoning 100ft objection letters 081115, Nixon Farm Concerns and Opposition Emails.pdf, Nixon Farm Opposition Email.pdf, Nixon Farm Protest Emails 8-6-15.pdf, Nixon Farm Protest Letters 8-7-15.pdf, Ann Arbor letter of rezoning objection, Northbury condo vp president ltr 081415, Nixon Farm Opposition emails 8-14-15.pdf, Nixon Farm Opposition Email 8-16-15.pdf, Nixon Farm Opposition Email 8-17-15.pdf, Nixon Farm Communication from Jason Minock.pdf, Toll Brothers memo request to postpone, Xiaoping Shen Communication Email re Nixon Farm Development.pdf, Nixon Area Neighborhood letter 11-24-15.pdf

A public hearing was continued on the proposed amendment to Chapter 55 (Zoning), Zoning of 41 Acres from TWP (Township District) to R4A (Multiple-Family Dwelling District) WITH CONDITIONS, Nixon Farm South Zoning, 2999 Nixon Road. Notice of continued public hearing was published December 17, 2015.

The following people were present to speak at the hearing:

Kathy Griswold, 3565 Fox Hunt, spoke in opposition.

Tarek Joseph, 2860 Lakehurst, reminded Council that this decision will be irreversible.

Tom Wieder, attorney, continued his comments regarding legal concerns and concern about the overall process.

Clark Chametski, 2646 Traver Boulevard, spoke in support.

Justin Gal, 2930 Lakehurst, spoke in opposition.

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

Held and Closed

Enactment No: ORD-15-16

PH-6 [15-0954](#)

Resolution to Approve Nixon Farm South Site Plan and Development Agreement, with Modifications to Chapter 62 Landscaping and Screening, and Wetland Use Permit, 2999 Nixon Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

Attachments: NixonFarmSouthDevAgree11-13rev, NixonFarmSouthDevAgree11-12rev, Site Plan for Council Approval SOUTH 12-18-15, Nixon Farm Traffic Mitigation Agreement 12-18, TrafficMitigationAgreement 11-12, 12/16/14 Planning Staff Report, 10/21/14 Planning Staff Report, 12/16/14 Planning Commission Minutes, 10/21/14 Planning Commission Minutes, Nixon_Farms_Traffic Agreement Draft 8-14-15, Exhibit B - Conceptual Plan, Site Plan for Council Approval SOUTH

A public hearing was continued on the proposed Resolution to Approve Nixon Farm South Site Plan and Development Agreement, with Modifications to Chapter 62 Landscaping and Screening, and Wetland Use Permit, 2999 Nixon Road. Notice of continued public hearing was published December 17, 2015.

*The following people were present to speak at the hearing:
Fred Mayer, Northbury Condo Association, expressed concern about the notation on the site plan regarding future commercial use.
James D'Amour, 2771 Maplewood, spoke in opposition.*

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

Held and Closed

Enactment No: R-15-418

RECESS

Mayor Taylor called a recess at 9:15 p.m. and reconvened the meeting at 9:26 p.m.

A APPROVAL OF COUNCIL MINUTES

A-1 [15-1563](#)

Regular Session Meeting Minutes of December 7, 2015

Attachments: 12-07-15 Draft Minutes, Council emails 12-7-2015_Redacted

A motion was made by Councilmember Briere, seconded by Councilmember Ackerman, that the Minutes of the Regular Session of December 7, 2015 be approved. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

B Unfinished Business - Staff:

B-1 [15-0786](#)

An Ordinance to Amend Chapter 55 (Zoning), Zoning of 69 Acres from

TWP (Township District) to R4A (Multiple-Family Dwelling District) WITH CONDITIONS, Nixon Farm North Zoning, 3381 Nixon Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. Ord-15-15) **(8 Votes Required)**

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A motion was made by Councilmember Briere, seconded by Councilmember Ackerman, that the Ordinance be adopted on Second Reading. On a roll call, the vote was as follows with the Mayor declaring the motion carried and satisfying the eight-vote requirement:

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

Nays: 2 - Councilmember Lumm and Councilmember Eaton

Absent: 1 - Councilmember Kailasapathy

Enactment No: ORD-15-15

DB-1 [15-0953](#)

Resolution to Approve Nixon Farm North Site Plan and Development Agreement with Modifications to Chapter 62 Landscaping and Screening, and Wetland Use Permit, 3381 Nixon Road (CPC Site Plan Recommendation: Denial - 5 Yeas and 2 Nays) (CPC Modifications and Wetland Use Permit Recommendation: Approval - 7 Yeas and 0 Nays)

Attachments: NixonFarmNorthDevAgree11-13rev, NixonFarmNorthDevAgree11-12rev, Site Plan for Council Approval NORTH 12-18-15, Nixon Farm Traffic Mitigation Agreement 12-18, TrafficMitigationAgreement 11-12, 12/16/14 Planning Staff Report, 10/21/14 Planning Staff Report, 12/16/14 Planning Commission Minutes, 10/21/14 Planning Commission Minutes, Nixon_Farms_Traffic Agreement Draft 8-14-15, Exhibit B - Conceptual Plan, Site Plan for Council Approval NORTH

A motion was made by Councilmember Briere, seconded by Councilmember Smith, 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: 2 - Councilmember Lumm and Councilmember Eaton

Absent: 1 - Councilmember Kailasapathy

Enactment No: R-15-417

B-2 [15-0787](#)

An Ordinance to Amend Chapter 55 (Zoning), Zoning of 41 Acres from TWP (Township District) to R4A (Multiple-Family Dwelling District) WITH CONDITIONS, Nixon Farm South Zoning, 2999 Nixon Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-15-16) **(8 Votes Required)**

Attachments: ORD 15-16 Nixon South with Conditions Briefed and Approved.pdf, NixonFarmsSouthOrdinance - Conditional Zoning, Nixon Farm South Conditional Zoning 12-17-15, NixonFarmsSouthStatement 10-14.pdf, NixonFarmsSouthStatement, Ordinance to Zone Nixon Farm South (2999 Nixon Road).pdf, Nixon Farm South Staff Report 12-16-14 w Attachments.pdf, Nixon Agenda Questions and Responses July-Nov 2015, 12/16/14 Planning Commission Minutes, Nixon Farm South Staff Report with Attachments 10-21-14.pdf, 10/21/14 Planning Commission Minutes, Nixon Farm South Zoning Protest 8VOTES 08-14-15, Northbury condo Nixon south protest 081315, Nixon Farm south protest letter 081315, Nixon North and South protest petitions 081215, 2765 Nixon Road protest Nixon South 081215, Lakehurst residents objections Nixon south 081215, Nixon Farm rezoning 100ft objection letters 081115, Nixon Farm Concerns and Opposition Emails.pdf, Nixon Farm Opposition Email.pdf, Nixon Farm Protest Emails 8-6-15.pdf, Nixon Farm Protest Letters 8-7-15.pdf, Ann Arbor letter of rezoning objection, Northbury condo vp president ltr 081415, Nixon Farm Opposition emails 8-14-15.pdf, Nixon Farm Opposition Email 8-16-15.pdf, Nixon Farm Opposition Email 8-17-15.pdf, Nixon Farm Communication from Jason Minock.pdf, Toll Brothers memo request to postpone, Xiaoping Shen Communication Email re Nixon Farm Development.pdf, Nixon Area Neighborhood letter 11-24-15.pdf

A motion was made by Councilmember Briere, seconded by Councilmember Ackerman, that the Ordinance be adopted on Second Reading. On a roll call, the vote was as follows with the Mayor declaring the motion carried and satisfying the eight-vote requirement:

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

Nays: 2 - Councilmember Lumm and Councilmember Eaton

Absent: 1 - Councilmember Kailasapathy

Enactment No: ORD-15-16

DB-2 [15-0954](#)

Resolution to Approve Nixon Farm South Site Plan and Development Agreement, with Modifications to Chapter 62 Landscaping and Screening, and Wetland Use Permit, 2999 Nixon Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

Attachments: NixonFarmSouthDevAgree11-13rev, NixonFarmSouthDevAgree11-12rev, Site Plan for Council Approval SOUTH 12-18-15, Nixon Farm Traffic Mitigation Agreement 12-18, TrafficMitigationAgreement 11-12, 12/16/14 Planning Staff Report, 10/21/14 Planning Staff Report, 12/16/14 Planning Commission Minutes, 10/21/14 Planning Commission Minutes, Nixon_Farms_Traffic Agreement Draft 8-14-15, Exhibit B - Conceptual Plan, Site Plan for Council Approval SOUTH

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

Enactment No: R-15-418

[15-0954](#)

Resolution to Approve Nixon Farm South Site Plan and Development Agreement, with Modifications to Chapter 62 Landscaping and Screening, and Wetland Use Permit, 2999 Nixon Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

Attachments: NixonFarmSouthDevAgree11-13rev, NixonFarmSouthDevAgree11-12rev, Site Plan for Council Approval SOUTH 12-18-15, Nixon Farm Traffic Mitigation Agreement 12-18, TrafficMitigationAgreement 11-12, 12/16/14 Planning Staff Report, 10/21/14 Planning Staff Report, 12/16/14 Planning Commission Minutes, 10/21/14 Planning Commission Minutes, Nixon_Farms_Traffic Agreement Draft 8-14-15, Exhibit B - Conceptual Plan, Site Plan for Council Approval SOUTH

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

RESOLVED, That City Council approve the Nixon Farm South Site Plan with authorized activity in the natural feature open space, including Modifications to Chapter 62 Landscape and Screening Ordinance and Wetland Use Permit, upon the condition that 1) the Development Agreement is signed by all parties, 2) the Traffic Mitigation Agreement is signed by all parties, 3) all terms of the Development Agreement and Traffic Mitigation Agreement are satisfied, and 4) THAT THE FUTURE COMMERCIAL NOTATION ON THE SITE PLAN IS REMOVED.

ALL CAPS indicates new language.

Enactment No: R-15-418

The question being, the motion made by Councilmember Briere, seconded by Councilmember Grand, that the Resolution be approved as amended, 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: 2 - Councilmember Lumm and Councilmember Eaton

Absent: 1 - Councilmember Kailasapathy

Enactment No: R-15-418

C ORDINANCES - FIRST READING

None.

D MOTIONS AND RESOLUTIONS

DB Unfinished Business - Boards and Commissions:

DB-3 [15-1457](#) Resolution to Approve 220 W. Ann St. Site Plan (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

Attachments: 220 W Ann Staff Report with Attachments, 10-20-2015 CPC Minutes with Live Links1

(See PH-1 for vote on this item.)

Enactment No: R-15-415

DC New Business - Council:

DC-1 [15-1564](#) Resolution to Amend the 2016 Council Calendar

Sponsors: Taylor

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.

Enactment No: R-15-419

DC-2 [15-1569](#) Resolution Concerning Park and Nature Area Closures

Sponsors: Briere and Smith

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

Enactment No: R-15-420

[15-1569](#) Resolution Concerning Park and Nature Area Closures

Sponsors: Briere and Smith

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

Remove Furstenberg Park from list of parks in 2nd RESOLVED Clause.

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

Yeas: 7 - Councilmember Lumm, Councilmember Warpehoski, Councilmember Eaton, Councilmember Grand, Councilmember Krapohl, Councilmember Westphal and Councilmember Ackerman

Nays: 3 - Councilmember Briere, Mayor Taylor and Councilmember Smith

Absent: 1 - Councilmember Kailasapathy

Enactment No: R-15-420

The question being, the motion made by Councilmember Briere, seconded by Councilmember Smith, that the Resolution be approved as amended, on a roll call, the vote was as follows with the Mayor declaring the motion carried:

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

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

Absent: 1 - Councilmember Kailasapathy

Enactment No: R-15-420

DB New Business - Boards and Commissions:

DS New Business - Staff:

DS-1 [15-1366](#) Resolution Approving the Issuance of Bonds by the Wisconsin Public Finance Authority for University Corporation for Advanced Internet Development (a/k/a Internet2)
(See PH-2 for vote on this item.)

Enactment No: R-15-416

COMMUNICATIONS FROM COUNCIL

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 Krapohl, that the following Consent Items be approved as presented. On a voice vote, the Mayor declared the motion carried.

- F-1** [15-1490](#) Ann Arbor Area Transportation Authority Board Month End Reports for October 2015
- Attachments:** AAATA R3ab Financial Report Oct 30 2015.pdf, AAATA R4 Performance Reports.pdf
- F-2** [15-1491](#) Comcast Communication regarding Price Changes Effective January 1, 2016 - CTN, City Attorney
- Attachments:** Comcast Communication.pdf
- G** **The following minutes were received for filing:**
- G-1** [15-1075](#) Environmental Commission Meeting Minutes for June 25, 2015
- Attachments:** City of Ann Arbor Environmental Commission Meeting Minutes - 6.25.2015
- G-2** [15-1189](#) Building Board of Appeals Minutes July 29, 2015
- Attachments:** BBA Minutes 7-29-15.pdf
- G-3** [15-1302](#) Ann Arbor Housing Commission Board Meeting Minutes of September 16, 2015
- Attachments:** Minutes Sept 16 2015 AAHC Board meeting.pdf
- G-4** [15-1328](#) Ann Arbor Commission on Disability Issues Minutes of October 21, 2015
- Attachments:** Ann Arbor Commission on Disability Issues Minutes 10-21-15.docx
- G-5** [15-1334](#) City Election Commission Meeting Minutes of October 13, 2015
- Attachments:** 2015-10-13 Election Commission minutes
- G-6** [15-1400](#) Historic District Commission Meeting Minutes of October 8, 2015
- Attachments:** 10-8-2015 HDC Minutes with Live Links2.pdf
- G-7** [15-1405](#) Ann Arbor Energy Commission Meeting Minutes of October 13, 2015
- Attachments:** Energy Commission Minutes 10-13-15.pdf
- G-8** [15-1421](#) Airport Advisory Committee Minutes - September 16, 2015
- Attachments:** AAC Minutes 091615.pdf

- G-9** [15-1427](#) September 29, 2015 City Planning Commission Meeting Minutes
Attachments: 9-29-2015 CPC Minutes with Live Links1.pdf
- G-10** [15-1428](#) October 20, 2015 City Planning Commission Meeting Minutes
Attachments: 10-20-2015 CPC Minutes with Live Links1.pdf
- G-11** [15-1479](#) Ann Arbor Area Transportation Authority Board Meeting Minutes of September 17, 2015 and October 29, 2015
Attachments: AAATA Minutes 9-17-15.pdf, AAATA Minutes 10-29-15.pdf
- G-12** [15-1504](#) Employees' Retirement System Minutes September and October 2015
Attachments: Employees Retirement System Minutes October 2015.pdf, Employees Retirement System Minutes September 2015.pdf, Employees Retirement System Special Minutes October 20, 2015.pdf
- G-13** [15-1506](#) Retiree Health Care Benefit Plan & Trust Minutes of August, September and October 2015
Attachments: Retiree Health Care Benefit Plan & Trust Minutes August 2015.pdf, Retiree Health Care Benefit Plan & Trust Minutes October 2015.pdf, Retiree Health Care Benefit Plan & Trust Minutes September 2015.pdf
- G-14** [15-1516](#) Downtown Development Authority Board and Executive and Operations Committee Minutes of November 2015
Attachments: DDA Minutes November 2015
- G-15** [15-1522](#) Insurance Board Meeting Minutes - November 19, 2015
Attachments: Insurance Board Minutes 11192015, Ann Arbor Insurance Board Loss Run - October 2015
- G-16** [15-1532](#) Elizabeth Dean Fund Committee Meeting Minutes March 10, 2015, April 14, 2015, July 14, 2015, August 11, 2015 (no quorum), October 13, 2015, and November 10, 2015.
Attachments: MeetingMinutes_031015_FINAL.pdf, MeetingMinutes_041415_FINAL.pdf, MeetingMinutes_071415_Final.pdf, MeetingMinutes_081115_FINAL.pdf, MeetingMinutes_101315_FINAL.docx.pdf, MeetingMinutes_111015_FINAL.pdf
- G-17** [14-1584](#) Ann Arbor Energy Commission Minutes of the October 14, 2014
Attachments: Energy Commission Minutes 10-14-14.pdf

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Edward Vielmetti, 1210 Brooklyn, urged Council to staff the Elizabeth Dean Fund Committee meetings and also requested that Council honor Rule 7 and allow him to speak for additional time (request was granted).

Odile Haber spoke about the importance of voting and democracy.

Kai Petainen thanked Mayor Taylor for his first year in office, but urged Council to be more transparent with plans regarding Fuller Station.

Cynthia Lunan, Ward 5 resident, expressed concern about the deer cull and the parks closure.

Phillis Engelbert expressed concern about reports that were not included in the consultant's study of the deer cull.

Mark Koroi, local attorney, spoke about non-partisan elections in the City. He stated the current system of August primary elections excludes students.

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 Grand, seconded by Councilmember Ackerman, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 12:14 a.m.

[15-1591](#)

Council Emails and Redaction List of 12/21/15 - Filed

Attachments: Council emails 12-21-2015_Redacted

Received and Filed

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, DECEMBER 21, 2015 @ 7:00 P.M.

REPLAYS: TUESDAY, DECEMBER 22, 2015 AT 10:00 A.M. AND FRIDAY, DECEMBER 25, 2015 @ 7:30 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 need to be received at least two (2) business days in advance of the meeting.

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