

City of Ann Arbor

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



Action Minutes

Tuesday, September 4, 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:** 9 - Councilmember Jane Lumm, Councilmember Sumi Kailasapathy, Councilmember Chuck Warpehoski, Councilmember Jack Eaton, Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Zachary Ackerman, Councilmember Chip Smith and Councilmember Anne Bannister
- Absent:** 2 - Councilmember Graydon Krapohl and Councilmember Kirk Westphal

APPROVAL OF AGENDA

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

Add PH-2, Public Hearing Regarding Chapter 55, Medical Marijuana Provisioning Center Location Restriction, ORD-18-21

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

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

City Administrator Howard S. Lazarus submitted the following reports for information of Council:

- AC-1** [18-1496](#) Memorandum from City Administrator: Update on FY19 Budget Amendment No. 1 - August 29, 2018

Attachments: 180829 Pavement Update.pdf

Received and Filed

- AC-2** [18-1497](#) Memorandum: Airport Environmental Assessment Study Background Information - August 29, 2018

Attachments: 180829 Airport EA History Memo.pdf

Received and Filed

- AC-3** [18-1502](#) Memorandum from City Administrator: Crosswalk Streetlight Implementation - August 30, 2018
Attachments: 180830 Crosswalk Streetlight Implementation MemoFinal.pdf

Received and Filed

- AC-4** [18-1523](#) Agenda Response Memo and eComments - September 4, 2018
Attachments: Agenda Responses 9-4-18Final.pdf

Received and Filed

- AC-5** [18-1522](#) City Administrator's Report - September 4, 2018
Attachments: 180904 City Administrator's UpdateFinal.pdf

Received and Filed**INT INTRODUCTIONS**

Mayor Taylor recognized City Public Works Director, Molly Maciejewski, for her recent award from the American Water Works Association.

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. Charles Ream - Medical Marijuana Provisioning Center Location Restriction (B-1)

Charles Ream, 1911 Packard, advocate for medical marijuana, spoke in opposition to B-1, an Ordinance to Amend Chapter 55, Medical Marijuana Provisioning Center Location Restriction.

2. Andrew McGill - Lease Agreement between the City and Solo Aviation Inc. (CA-18)

Andrew McGill, 5221 Crooked Stick Dr., spoke in opposition to the City's plan to expand the City's airport.

3. Blaine Coleman - Boycott Israel

Blaine Coleman, P.O. Box 7030, urged Council to boycott Israel and to hold a public hearing on the issue.

4. Mozhgan Savabieasfahani - Boycott Israel

Mozhgan Savabieasfahani, P.O. Box 7030, urged Council to boycott Israel.

5. Mike Clarren - Ballot Initiative

Mike Clarren, 317 S. Division, spoke about the Library Lot Ballot Proposal and the Appeals Court decision regarding the City's proposed Explanatory Caption.

6. Greg Peterson - Annexation of Township Islands

Greg Peterson, 11223 Sand Crane Way, expressed concern about the City's forced annexation of township islands. He asked for evidence that this process will actually simplify duplicate services.

7. Robert Brown - Annexation of Township Islands

Robert Brown, 630 Hampstead Lane, spoke in opposition to the City's forced annexation of township islands.

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER LUMM

Councilmember Lumm responded to several public speakers' concerns regarding the annexation process of township islands. She requested a copy of the City and Township agreement from 1994 on this issue to provide to concerned township residents.

Councilmember Lumm also spoke about the City Administrator's report regarding the budget amendment which authorized additional funding for street repair. She thanked the City Administrator for staff's honesty on the current state of the street repair progress.

COUNCILMEMBER KAILASAPATHY

Councilmember Kailasapathy updated Council regarding the work of the Police Oversight Task Force. She stated the Task Force has recommended an oversight ordinance be approved. She stated the September 13 Work Session will address this topic.

COUNCILMEMBER WARPEHOSKI

Councilmember Warpehoski talked about Council transparency and stated many residents find proposed Council amendments difficult to follow. He stated he will begin posting amendments on Google docs unless there is an objection from Council regarding a Rules violation.

MC COMMUNICATIONS FROM THE MAYOR

MC-1 [18-1472](#) Appointments - Confirmations

Attachments: Kathleen Mozak Betts 2018.pdf

APPOINTMENTS APPROVED

Mayor Taylor requested confirmation of the following appointment that was presented to City Council at the August 23, 2018 Regular Session:

Ann Arbor Area Transportation Authority Board

Kathleen Mozak-Betts -Partial term

106 Packard St.

Ann Arbor, MI 48104

Term: Ending May 1, 2023

A motion was made by Councilmember Ackerman, seconded by Councilmember Grand, that Council concur with the recommendations of the Mayor. On a voice vote, the Mayor declared the motion carried.

MC-2 [18-1493](#)

Resolution to Appoint Debra Poster to the Commission on Disability Issues (7 Votes Required)

Attachments: Debra Poster app. 2018.pdf

REFERRED

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

Commission on Disability Issues

Debra Poster-Partial Term

1064 Rabbit Run Circle

Ann Arbor, MI 48103

Term: Ending May 31, 2021

Referred to the City Council due back on 9/17/2018.

MC-3 [18-1492](#)

Nominations and Appointments

Attachments: Kristen Harrison application 2018.pdf, Henry McQueen App. 2018.pdf

REFERRED

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

Commission on Disability Issues

Kristen Harrison-Partial Term

3053 Geddes Ave.

Ann Arbor, MI 48104

Term: Ending May 31, 2021

Economic Development Corporation

Henry McQueen-Partial Term

3342 Yellowstone Dr.

Ann Arbor, MI 48105

Term: Ending May 31, 2024

Referred to the City Council due back on 9/17/2018.

CA CONSENT AGENDA

Passed on consent agenda

A motion was made by Councilmember Smith, seconded by Councilmember Warpehoski 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 requirements of CA-1, CA-14, CA-15, CA-16, CA-17, and CA-18.

- CA-1** [18-1454](#) Resolution to Accept a Sanitary Sewer Easement at 485 Rock Creek Drive from the Robert M. Howe and Joan F. Howe Trust dated October 19, 2016 **(8 Votes Required)**

Attachments: 485 Rock Creek Sanitary Sewer Easement.pdf

Enactment No: R-18-339

- CA-2** [18-1363](#) Resolution Authorizing Sanitary Sewer Capital Recovery Charges for 3122 Geddes Ave. (\$25,954.00)

Enactment No: R-18-340

- CA-3** [18-1365](#) Resolution Authorizing Sanitary Sewer Capital Recovery Charges for 3151 Geddes Ave. (\$25,954.00)

Enactment No: R-18-341

- CA-4** [18-1366](#) Resolution Authorizing Sanitary Sewer Capital Recovery Charges for 3125 Geddes Ave. (\$25,954.00)

Enactment No: R-18-342

- CA-5** [18-1351](#) Resolution to Authorize a Sole Source Purchase Order to Bell Equipment Company, of Lake Orion, Michigan, for Fleet Parts (Not to Exceed \$80,000.00)

Attachments: Trackless Authorization.pdf, Elgin Authorization.pdf, Heil Authorization.pdf

Enactment No: R-18-343

- CA-6** [18-1352](#) Resolution to Authorize a Sole Source Purchase Order to Fredrickson Supply LLC, of Wyoming, Michigan, for Fleet Parts and Service (Not to Exceed \$50,000.00)

Attachments: Labrie Authorization.pdf

Enactment No: R-18-344

- CA-7** [18-1353](#) Resolution to Authorize a Sole Source Purchase Order to Interstate Truck Source Inc., of Romulus, Michigan, for Fleet Parts and Service (Not to Exceed \$90,000.00)

Attachments: Mack Authorization.pdf

Enactment No: R-18-345

- CA-8** [18-1354](#) Resolution to Authorize a Sole Source Purchase Order to Cummins Bridgeway LLC, of New Hudson, Michigan, for Fleet Parts and Service (Not to Exceed \$70,000.00)

Enactment No: R-18-346

- CA-9** [18-1466](#) Resolution to Ratify the Issuance of an Emergency Purchase Order to Sutphen Corporation for the Repair of Ann Arbor Fire Department Tower 1 by the City Administrator (\$79,392.35)

Attachments: Sutphen Emergency Repair.pdf

Enactment No: R-18-347

- CA-10** [18-1462](#) Resolution to Permanently Relocate Precinct 1-4 from the Ann Arbor Community Center, 625 N. Main Street, to Second Baptist Church, 850 Red Oak Drive, beginning with the Statewide General Election on Tuesday, November 6, 2018

Sponsors: Election Commission

Attachments: AACC termination letter 0518.pdf

Enactment No: R-18-348

- CA-11** [18-1463](#) Resolution to Approve New Election Inspector Pay Scales

Enactment No: R-18-349

- CA-12** [18-1369](#) Resolution Authorizing Issuance of a Purchase Order to Washtenaw County for the City of Ann Arbor's FY19 Share of the Maintenance of the Shared 800 MHz Simulcast System (\$25,600.00)

Enactment No: R-18-350

- CA-13** [18-1382](#) Resolution to Approve a Work Order with Microsoft Corporation to enter one year of Premier Support (\$50,000.00)

Attachments: Microsoft Premier Renewal ESWO_City of Ann Arbor_FY19_Ren_8.9.18.pdf

Enactment No: R-18-351

- CA-14** [18-1368](#) Resolution to Approve a 3-year Contract and Corresponding Purchase Orders to Azteca Systems, LLC for CityWorks Enterprise License and Annual Maintenance and Support Agreement for FY2019 - FY2021 (\$83,000.00/fiscal year) and Appropriate Washtenaw County Reimbursement of Its Share of the Costs (\$20,000/year) (**8 Votes Required**)

Attachments: Ann Arbor- Renewal.pdf, FINAL Cityworks - Ann Arbor MI - Standard License Agreement_August_2018.pdf

Enactment No: R-18-352

- CA-15** [18-1380](#) Resolution to Authorize a Municipal Street Lighting Purchase Agreement

with DTE Energy and to Appropriate Funds for the Conversion of 378 - DTE Owned Mercury Vapor Street Lights to LED (\$65,354.00) **(8 Votes Required)**

Attachments: City of Ann Arbor Budget Letter for 2018 MV Conversion Project New Fixture.pdf

Enactment No: R-18-353

CA-16 [18-1433](#) Resolution to Approve Budget Adjustment for Ann Arbor Housing Fund and Appropriate \$100,000 to the Ann Arbor Housing Commission for an Emergency Sewer Repair at Broadway Terrace **(8 Votes Required)**

Enactment No: R-18-354

CA-17 [18-1470](#) Resolution to Amend the Budget and Appropriate Funds Not to Exceed \$200,000 from the General Fund Balance to the Ann Arbor Housing Commission to Advance Funds for an Emergency Sewer Repair, Water and Electrical Repair, Insulation, and Restoration of 1508 Broadway Terrace **(8 Votes Required)**

Enactment No: R-18-355

CA-18 [18-1355](#) Resolution to Approve a Lease Agreement between the City and Solo Aviation Inc. for Office Space Located at the Ann Arbor Municipal Airport **(8 Votes Required)**

Attachments: Solo Aviation Lease 0818.pdf

Enactment No: R-18-356

CA-19 [18-1362](#) Resolution to Approve a Grant Contract with the Michigan Department of Transportation for Work Related to the Environmental Assessment Study for the Safety Extension of Runway 6/24 at the Ann Arbor Municipal Airport (\$279,100.00)

Attachments: MDOT-Aero Grant 2018-0714.pdf

Enactment No: R-18-357

CA-20 [18-1364](#) Resolution to Approve a Professional Services Agreement between the City and Mead & Hunt Inc. for Work Related to the Environmental Assessment Study for the Safety Extension of Runway 6/24 at the Ann Arbor Municipal Airport (\$275,592.01)

Attachments: Mead Hunt EA Contract.pdf

Enactment No: R-18-358

CA-21 [18-1358](#) Resolution to Approve a Reimbursement Agreement with the Federal Aviation Administration for Work Related to the Environmental Assessment Study for the Safety Extension of Runway 6/24 at the Ann Arbor Municipal Airport (\$27,914.50)

Attachments: ARB Draft RA Version 02.docx

Enactment No: R-18-359

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 [18-1077](#) An Ordinance to Amend the Zoning Map, Being a Part of Section 5:10.2 of Chapter 55 of Title V of the Code of the City of Ann Arbor, Zoning of 6.4 Acres from C1A/R (Campus Business Residential District) WITH CONDITIONS to C1A/R WITH CONDITIONS (AS AMENDED), 1140 Broadway Rezoning, (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-18-24)

Attachments: 18-24 1140 Broadway Rezoning Ordinance Briefed and Approved.pdf, 18-24 1140 Broadway Rezoning Ordinance Briefed.pdf, Ordinance (1140 Broadway Additional Conditions).pdf, Conditional Zoning Amended Statement of Conditions.pdf, May 1, 2018 Planning Staff Memo, May 16, 2018 Planning Staff Report, June 5, 2018 Planning Staff Report, 6-5-2018 CPC Minutes .pdf, 5-16-2018 CPC Minutes with Live Links.pdf, 18-24 1140 Broadway Rezoning Approval Notice.pdf

A public hearing was conducted on the proposed Ordinance to amend the Zoning Map, Being a Part of Section 5:10.2 of Chapter 55 of Title V of the Code of the City of Ann Arbor, Zoning of 6.4 Acres from C1A/R (Campus Business Residential District) WITH CONDITIONS to C1A/R WITH CONDITIONS (AS AMENDED), 1140 Broadway Rezoning. Notice of public hearing was published August 16, 2018.

The following persons were present to speak in opposition at the public hearing:

An unknown resident asked questions regarding placing the proposed conditions on each individual parcel in the development.

Ethel Potts, Elder Boulevard, stated this project is poor planning.

Ryan Dybdahl, 1216 Broadway

Laura Strowe, 1327 Broadway

Philip Stoll, 1314 Broadway, urged Council to table this project.

Jeff Hayner, 1807 Pontiac Trail, read a letter of opposition from his neighbor at 1632 Broadway.

Glen Hieber, 1118 Maiden Lane

Tom Stulberg, 1202 Traver Road

Andrew Strowe, 1327 Broadway, urged Council to postpone action.

Nancy Stoll, 1314 Broadway

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

Held and Closed

Enactment No: ORD-18-24

PH-2 [18-1125](#)

An Ordinance to Amend Section 5.17.3G of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Medical Marijuana Provisioning Center Location Restriction) (Ordinance No. ORD-18-21)

Attachments: 18-21 Unified Development Code - Medical Marijuana Provisioning Center Location Restriction Ordinance Briefed.pdf, Chapter 55 UDC Medical Marijuana Provisioning Center ORD As Amended at First Reading.pdf, Proposed Provisioning Center UDC Ordinance Amendment 600 to 1,000 feet.pdf, Impact to current petitions.pdf

A public hearing was conducted on the proposed amendment to Section 5.17.3G of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Medical Marijuana Provisioning Center Location Restriction) (Ordinance No. ORD-18-21). The public hearing was added to the Agenda at the approval of agenda.

The following persons were present to speak at the hearing:

An unknown speaker spoke in opposition to further restrictions on the City's Medical Marijuana Provisioning Center locations.

Jeff Hayner, 1807 Pontiac Trail, questioned the addition of this hearing to the agenda without public notice.

Lauren Merz, 1233 Island Drive, a medical student at the University of Michigan, spoke in support of the Ordinance, stating the need to protect children.

Ryan Olthoff, 1233 Island Drive, spoke in support of the proposed amendment.

Anastasia Hryhorczuk, a medical doctor and resident at 3308 Dobson Place spoke in support.

Ken Pituch, pediatric palliative care doctor at the University of Michigan Children's Hospital, spoke in support. He stated he has supported medical marijuana for children in certain cases, but still supports location restrictions.

Kai Petainen, resident, also noted that the public hearing was not noticed to the public prior to the meeting.

Jeremy Adler, physician at the University of Michigan, spoke in support, stating there is a detrimental effect on children unnecessarily exposed to marijuana at an early age.

M. Grace Boxer, Waldenwood Drive, and physician at the University of Michigan, spoke in support.

An unidentified speaker working as a preschool director spoke in support.

Ryan Dybdahl, 1216 Broadway, spoke in support. He urged Council not to normalize marijuana use any more than it already has been.

An employee of UM Hospital spoke in support and urged Council to protect children.

Allison Long, resident, spoke in support.

Angela Weyand, Ward 5 physician, spoke in support.

Brian Fenech, Ward 4, spoke in opposition, noting that dispensaries have been operating in Ann Arbor for over a decade. He asked for statistics regarding marijuana and children from Ann Arbor.

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

Held and Closed

Enactment No: ORD-18-21

A APPROVAL OF COUNCIL MINUTES

A-1 [18-1483](#) Regular Session Meeting Minutes of August 23, 2018

Attachments: 08-23-18 Draft Minutes.pdf, Council emails 8-23-2018.pdf

A motion was made by Councilmember Lumm, seconded by Councilmember Ackerman, that the Regular Session Meeting Minutes of August 23, 2018 be approved. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

B Unfinished Business - Staff:

B-1 [18-1125](#) An Ordinance to Amend Section 5.17.3G of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Medical Marijuana Provisioning Center Location Restriction) (Ordinance No. ORD-18-21)

Attachments: 18-21 Unified Development Code - Medical Marijuana Provisioning Center Location Restriction Ordinance Briefed.pdf, Chapter 55 UDC Medical Marijuana Provisioning Center ORD As Amended at First Reading.pdf, Proposed Provisioning Center UDC Ordinance Amendment 600 to 1,000 feet.pdf, Impact to current petitions.pdf

(The complete copy of the text of Ordinance No. ORD-18-21 is on file in the City Clerk's Office.)

A motion was made by Councilmember Lumm, seconded by Councilmember Kailaspathy, that the Ordinance be adopted on Second Reading. On a roll call, the vote was as follows with the Mayor declaring the motion defeated:

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

Nays: 6 - Councilmember Warpehoski, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith and Councilmember Bannister

Absent: 2 - Councilmember Krapohl and Councilmember Westphal

Enactment No: ORD-18-21

RECESS

Mayor Taylor declared a recess at 9:02 p.m. and reconvened the meeting at 9:13 p.m.

B New Business - Staff:

B-2 [18-1077](#) An Ordinance to Amend the Zoning Map, Being a Part of Section 5:10.2

of Chapter 55 of Title V of the Code of the City of Ann Arbor, Zoning of 6.4 Acres from C1A/R (Campus Business Residential District) WITH CONDITIONS to C1A/R WITH CONDITIONS (AS AMENDED), 1140 Broadway Rezoning, (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-18-24)

Attachments: 18-24 1140 Broadway Rezoning Ordinance Briefed and Approved.pdf, 18-24 1140 Broadway Rezoning Ordinance Briefed.pdf, Ordinance (1140 Broadway Additional Conditions).pdf, Conditional Zoning Amended Statement of Conditions.pdf, May 1, 2018 Planning Staff Memo, May 16, 2018 Planning Staff Report, June 5, 2018 Planning Staff Report, 6-5-2018 CPC Minutes .pdf, 5-16-2018 CPC Minutes with Live Links.pdf, 18-24 1140 Broadway Rezoning Approval Notice.pdf

(The complete copy of the text of Ordinance No. ORD-18-24 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. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

- Yeas:** 6 - Councilmember Lumm, Councilmember Warpehoski, Mayor Taylor, Councilmember Grand, Councilmember Ackerman and Councilmember Smith
- Nays:** 3 - Councilmember Kailasapathy, Councilmember Eaton and Councilmember Bannister
- Absent:** 2 - Councilmember Krapohl and Councilmember Westphal

Enactment No: ORD-18-24

C ORDINANCES - FIRST READING

C New Business - Staff:

- C-1** [18-1277](#) An Ordinance to Amend Section 9:106. - Periodic Fire Safety Inspections Required of Chapter 111 of Title IX of the Ann Arbor City Code (Ordinance No. ORD-18-27)

Attachments: Ordinance to Amend Chapter 111.pdf, 18-27 Periodic Fire Safety Inspections Required Ordinance Briefed.pdf

(The complete copy of the text of Ordinance No. ORD-18-27 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 9/17/2018. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-18-27

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

DC-1 [18-1514](#) Resolution Confirming Next Steps in Community Participation and Engagement in Developing the City Budget and Spending Priorities

Sponsors: Lumm

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

Enactment No: R-18-360

Councilmember Warpehoski moved the following amendment:

Add New RESOLVED Clause as follows:

RESOLVED, CONSISTENT WITH RESOLUTION 18-1174, CITY COUNCIL DIRECTS STAFF TO ADOPT AN EQUITY-FOCUSED APPROACH TO THIS PROCESS BY PROACTIVELY SEEKING INPUT FROM UNDERREPRESENTED CONSTITUENCIES AND DISAGGREGATING RESULTS BY RACE AND OTHER FACTORS TO THE EXTENT POSSIBLE.

The amendment was considered friendly by the Body.

Amended

Enactment No: R-18-360

[18-1514](#) Resolution Confirming Next Steps in Community Participation and Engagement in Developing the City Budget and Spending Priorities

Sponsors: Lumm

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

Enactment No: R-18-360

DC-2 [18-1519](#) Resolution to Direct that the City Administrator and City Planning Commission Evaluate Rezoning of Certain Properties Along South Ashley Street and Properties in the Area of Davis Avenue, Hoover Avenue, Edgewood Place, Wilder Place, and Main Street

Sponsors: Smith

Attachments: Proposed Areas to Be Rezoned.pdf

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.

Enactment No: R-18-361

DB Unfinished Business - Boards and Commissions:

- DB-1** [18-1372](#) Resolution to Approve Budget Adjustment for USDA-NRCS ACEP Reimbursement on the Purchase of Development Rights on the Donald H. Drake Trust Property in Lodi Township, and Appropriate Additional Funds, Not to Exceed \$141,120.00, from the Open Space and Parkland Preservation Millage (**8 Votes Required**)

Attachments: Drake North Aerial Map_.pdf, Drake North Protected Map v2 (002).pdf

A motion was made by Councilmember Grand, seconded by Councilmember Ackerman, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement.

Enactment No: R-18-362

- DB-2** [18-1337](#) Resolution to Approve Participation Agreement with Ann Arbor Township and Washtenaw County Parks and Recreation and Appropriate \$59,640.00 from the Open Space and Parkland Preservation Millage for Purchase of a Conservation Easement on the Koch Property (**8 Votes Required**)

Attachments: Koch Aerial Map.pdf, Koch Protected Map Updated.pdf

A motion was made by Councilmember Grand, seconded by Councilmember Ackerman, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement.

Enactment No: R-18-363

- DB-3** [18-1338](#) Resolution to Approve Participation Agreement with Webster Township and Washtenaw County Parks and Recreation and Appropriate \$91,800.00 from the Open Space and Parkland Preservation Millage for Purchase of a Conservation Easement on the Ford-Goldsmith property (**8 Votes Required**)

Attachments: Ford and Goldsmith Aerial Map.pdf, Ford and Goldsmith Protected Map.pdf

A motion was made by Councilmember Grand, seconded by Councilmember Ackerman, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement.

Enactment No: R-18-364

DB New Business - Boards and Commissions:

DB-4 [18-1330](#) Resolution to Approve Second Amendment to Articles of Incorporation of the Economic Development Corporation of the City of Ann Arbor

Attachments: 180710 EDC Letter - Proposed Amendments.pdf, EDC Amendment 1 and Articles of Inc.pdf

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.

Enactment No: R-18-365

DS New Business - Staff:

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 Lumm, 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 [18-1458](#) Communication from Comcast regarding Channel Lineup Changes

Attachments: Comcast Communication.pdf

F-2 [18-1459](#) Communications from the Attorney General's Office Regarding Approval of Proposed Charter Amendments to Sections 1.4 and 12.4

Attachments: Approval of Proposed Charter Amendment Sec. 12.4.pdf, Approval of Proposed Charter Amendment Section 1.4

F-3 [18-1465](#) August 7, 2018 Election Canvass

Attachments: August 7, 2018 Canvass.pdf

F-4 [18-1469](#) Communication from Assistant Attorney General George Elworth regarding City of Ann Arbor Proposed Amendment by Initiative Petition

Attachments: Attorney General Communication re Initiative Petition.pdf

F-5 [18-1515](#) Communication from Washtenaw County Water Resources Commission Evan Pratt, P.E. regarding Notice of Day of Review of the Drain District Apportionments Scheduled for August 29, 2018 - Planning and Development Services and Public Services

Attachments: Hearing notice of Drain District Apportionments.pdf

F-6 [18-1516](#) Communication from the State of Michigan Public Service Commission regarding Public Hearing Notice to Customers of DTE Electric Company in Case No. U-20172, scheduled for September 13, 2018 - City Attorney, Energy, Systems Planning

Attachments: DTE Public Hearing Notice.pdf

F-7 [18-1500](#) Communications from Governor Snyder and Samantha West, Executive Administrator Legal Division of the SOS regarding Ann Arbor City Charter Amendment Proposals

Attachments: Governor Snyder Communications Regarding Proposed Charter Amendments.pdf

G **The following minutes were received for filing:**

- G-1** [18-1040](#) Minutes of the April 12, 2018, HDC Meeting
Attachments: 4-12-2018 HDC Meeting Minutes with Live Links.pdf
- G-2** [18-1281](#) Public Market Advisory Commission Meeting Minutes of June 21, 2018
Attachments: June 21, 2018 PMAC Meeting Minutes.pdf
- G-3** [18-1455](#) Employees' Retirement System Board Meeting Minutes of July 19, 2018
Attachments: B July 19 2018 Minutes.pdf
- G-4** [18-1456](#) Retiree Health Care Benefit Plan & Trust Board Minutes of July 19, 2018
Attachments: B July 19 2018 VEBA Minutes.pdf
- G-5** [18-1410](#) Transportation Commission Meeting Minutes of July 18, 2018
Attachments: July Meeting Minutes_DRAFT.pdf

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Kai Petainen, resident, spoke about the increased amount of partying on the Huron River, stating it is generating a lot of garbage and litter around the river. He also stated underage drinking and partying is being ignored on the river by law enforcement.

Jeff Hayner, Ward 1, concurred with Mr. Petainen and stated some of the revenue generated from the Argo Cascades needs to be directed back to river clean-up.

Edward Vielmetti, Ward 4, expressed concern about zero-based budgeting surveys.

John Campbell, resident, spoke about the City's medical marijuana ordinances.

Michael Benson, resident, addressed the confusion regarding the postponed ordinance and the public hearing, stating he thought public hearings always returned with postponed items. He also requested that only one person speak at the podium at a time.

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER GRAND

Councilmember Grand responded to the public comments regarding activities happening at the Argo Cascades. She stated the issue was previously discussed at the Park Advisory Commission and the AAPD did enforce for a period of time.

COUNCILMEMBER ACKERMAN

Councilmember Ackerman addressed a comment regarding medical marijuana advertising and stated it is regulated by the State. He requested staff follow-up on the pedicabs that are advertising marijuana businesses.

COUNCILMEMBER WARPEHOSKI

Councilmember Warpehoski addressed a concern raised about Council-initiated rezonings, stating in some cases this could prevent by-right development proposals and unwanted projects.

COUNCILMEMBER SMITH

Councilmember Smith announced his upcoming coffee hour this week at Argus Farm Stop.

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 Smith, seconded by Councilmember Warpehoski, that the Council enter into Closed Session under the Michigan Open Meetings Act to discuss Pending Litigation (Gelman case) 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 10:20 p.m.:

Yeas: 9 - Councilmember Lumm, Councilmember Kailasapathy, Councilmember Warpehoski, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith and Councilmember Bannister

Nays: 0

Absent: 2 - Councilmember Krapohl and Councilmember Westphal

MEETING RECONVENED

A motion was made by Councilmember Smith, seconded by Councilmember Warpehoski, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 11:27 p.m.

ADJOURNMENT

A motion was made by Councilmember Warpehoski, seconded by Councilmember Lumm, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 11:27 p.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: TUESDAY, SEPTEMBER 4, 2018 @ 7:00 P.M.

REPLAYS: WEDNESDAY, SEPTEMBER 5, 2018 @ 8:00 A.M. AND FRIDAY, SEPTEMBER 7, 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.