

City of Ann Arbor

301 E. Huron St.

Ann Arbor, MI 48104

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



Meeting Minutes - Final

Monday, April 15, 2019

7:00 PM

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

City Council

Council meets in Caucus at 7:00 p.m. on the Sunday prior to each Regular Session.

CALL TO ORDER

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

MOMENT OF SILENCE

Council stood for a moment of silence.

PLEDGE OF ALLEGIANCE

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

ROLL CALL OF COUNCIL

Present: 11 - Councilmember Jane Lumm, Councilmember Jack Eaton, Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Zachary Ackerman, Councilmember Chip Smith, Councilmember Anne Bannister, Councilmember Jeff Hayner, Councilmember Kathy Griswold, Councilmember Elizabeth Nelson and Councilmember Ali Ramlawi

APPROVAL OF AGENDA

A motion was made by Councilmember Ramlawi, seconded by Councilmember Ackerman, that the Agenda be approved.

APPROVAL OF AGENDA

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

Move: DC-5 before C-3.

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

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

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

Construction season is upon the City. He updated Council on current projects.

The City awarded a Sustainability grant to Leslie Science and Nature Center.

Mr. Lazarus thanked Officer Elders of the AAPD for his attendance at the meeting.

Copies of the written reports are on file in the City Clerk's Office.

- AC-1** [19-0665](#) Government Finance Officers Association (GFOA) - Certificate of Achievement for Excellence in Financial Reporting for CAFR FY18
Received and Filed
- AC-2** [19-0713](#) Ann Arbor SPARK Semi-Annual Report: City of Ann Arbor - July 1, 2018 - December 31, 2018
Received and Filed
- AC-3** [19-0731](#) April 15 Council Agenda Response Memo and eComments
Received and Filed
- AC-4** [19-0794](#) Response to Council Resolution R-18-497 - Resolution to Address Crosswalk Improvements and Maintenance - Monthly Report April 15, 2019
Received and Filed
- AC-5** [19-0782](#) City Administrator's Report - April 15, 2019
Received and Filed

INT INTRODUCTIONS

INT-1 [19-0530](#) City Administrator's Presentation to Council of the Proposed FY 2020 City Budget

Mr. Lazarus presented the City Administrator's proposed FY20 budget to the public and City Council. A copy of the proposed budget is on file in the City Clerk's Office.

Received and Filed

INT-2 [19-0750](#) Proclamation recognizing Earth Day 2019 & Encouraging Ann Arborite's Participation

Mayor Taylor read a proclamation declaring April 22, 2019 as the City's 49th annual Earth Day. He presented the proclamation to the City's manager of the Office of Sustainability and Innovation, Missy Stults.

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

Received and Filed

PUBLIC COMMENTARY - RESERVED TIME (3 MINUTES PER SPEAKER)

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

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

1. Alan Haber - Proclamation recognizing Earth Day (INT-2)

Alan Haber, resident, thanked Council for the Earth Day proclamation. He also encouraged residents to attend a celebration of Earth Day at the Center of the City Park on Easter Sunday.

2. Barry Lonik - Resolution to Approve Participation in the Purchase of a Conservation Easement on the Haas Property (CA-15)

Barry Lonik, representative of Scio Township Conservation program, spoke in support of Item CA-15, the Haas property conservation easement. He encouraged City Council to support the project with the use of Greenbelt funds.

3. Glen Nelson - Resolution to Override Mayor's Veto of R-19-137 (DC-3)

Glenn Nelson, representing Citizens for Mental Health, spoke about the Mayor's veto and the resolution (DC-3) to override the veto. He urged Council to recognize all of the voices on this issue.

4. Elizabeth Brooks - Resolution No. 3 Establishing a Public Hearing for Northside STEAM (DS-1)

Elizabeth Brooks, representing the neighbors of the 1600 block of Traver, spoke in opposition to Resolution No. 3, establishing a public hearing for the Northside STEAM safe routes to school sidewalk special assessment project.

5. Fadwa Ashur - Restructuring the Human Rights Commission

Fadwa Ashur spoke about a need to restructure the City's Human Rights Commission, stating there is not a strong enough voice on the Commission for certain minorities. She urged Council to restructure the Commission and include more minority members.

6. Frank Speek - Spin Scooters (CA-41)

Frank Speek, representing Spin Scooters, urged Council to support CA-41, the resolution to approve a license agreement with Spin for the operation of electric scooters in the City. He stated Spin does not operate until an agreement is reached with a community.

CC COMMUNICATIONS FROM COUNCIL**COUNCILMEMBER SMITH**

Councilmember Smith stated a meeting of Ward 5 precinct delegates will be held on April 23 at the Westgate Library to discuss issues in the ward, including affordable housing.

COUNCILMEMBER BANNISTER

Councilmember Bannister thanked the public and members of Council who attended Sunday's Caucus meeting. She stated the meetings would continue on the Sunday prior to each Regular Session.

Councilmember Bannister stated a meeting will be held for Ward 1 regarding crosswalk safety and she encouraged residents to continue to use A2FixIt for repair and maintenance needs.

Councilmember Bannister encouraged residents to apply for open seats on the City's Boards and Commissions, noting that vacancies currently exist on the Planning Commission.

Councilmember Bannister thanked Mr. Alan Haber for his leadership regarding Earth Day celebrations.

COUNCILMEMBER GRAND

Councilmember Grand thanked the Ward 3 neighbors who came out to discuss proposed development on Packard Road.

Councilmember Grand highlighted Items CC-1, the proposed appointment to the Greenbelt Advisory Commission, noting the resolution will come back at the next meeting for approval. She also pointed out Item F-6, the report from the Student Advisory Council.

Councilmember Grand stated PAC would look at proposed input for the Center of the City Task Force applications, noting that they hope to have the applications on the web soon.

Councilmember Grand also addressed a public speaker's comments

regarding diversity on the HRC, noting that currently five of eight members identify as a minority and LGTBQ is also represented on the Commission.

COUNCILMEMBER HAYNER

Councilmember Hayner also spoke about the PAC meeting and their input on the Center of the City Task Force application process.

He stated Ward 1 residents would also be at PAC tomorrow to speak about the possibility of acquiring the property on Barton Drive that recently burned.

Councilmember Hayner spoke about the large turnout and success of the annual Hash Bash.

COUNCILMEMBER GRISWOLD

Councilmember Griswold spoke about the condition of the City's roads and water quality.

COUNCILMEMBER LUMM

Councilmember Lumm thanked City Administrator Howard Lazarus for his budget presentation.

CC-1 [19-0710](#) Resolution to Appoint Rosanne Bloomer to the Greenbelt Advisory Commission (7 Votes Required)

Sponsors: Grand

Referred to the City Council due back on 5/6/2019

MC **COMMUNICATIONS FROM THE MAYOR**

None.

CA **CONSENT AGENDA**

CONSENT AGENDA ITEMS REMOVED

With unanimous consent of Council, the following Consent Agenda items were removed from the Consent Agenda and placed at the end of same:

CA-37 Resolution to Amend the Budget and Appropriate Funds Not to Exceed \$60,000 from the County Mental Health Millage Fund Balance to the Ann Arbor Housing Commission for Operating Support (8 Votes Required)

CA-30 Resolution to Approve an Agreement with the Downtown Development Authority for the William Street Improvement Project (\$1,329,964.00)

CA-41 Resolution to Approve an Interim Right-of-Way License Agreement with Spin, Inc., for the Operation of Electric Scooters in the City of Ann Arbor

Passed on consent agenda

A motion was made by Councilmember Smith, seconded by Councilmember Ackerman, that the following Consent Agenda Items be approved as presented. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirements of CA-14, CA-15, CA-16, CA-17, and CA-27.

CA-1 19-0649 Enactment No: R-19-140 Approved

Resolution to Approve Street Closings for the Burns Park Run - Sunday, May 5, 2019 from 7:00 AM until 11:00 AM

CA-2 19-0653 Enactment No: R-19-141 Approved

Resolution to Close Ashley and North 1st Streets between Huron and Washington for the Treeverb Music Festival on Saturday, June 1, 2019 from 6:00 AM until Midnight

CA-3 19-0641 Enactment No: R-19-142 Approved

Resolution to Approve Street Closings for the Dexter-Ann Arbor Run on Sunday, June 2, 2019

CA-4 19-0643 Enactment No: R-19-143 Approved

Resolution to Approve Street Closings for the 2019 Taste of Ann Arbor Special Event - Sunday, June 2, 2019

CA-5 19-0650 Enactment No: R-19-144 Approved

Resolution to Approve Street Closing for the A2 Tech 360 (Tech Trek) Event - Friday, June 7, 2019

CA-6 19-0644 Enactment No: R-19-145 Approved

Resolution to Approve Street Closing for the Live on Washington Event - Saturday, June 8, 2019

CA-7 19-0645 Enactment No: R-19-146 Approved

Resolution to Approve Street Closings for the 2019 Ann Arbor Summer Festival's "Top of the Park" - June 8, 2019 through July 10, 2019

CA-8 19-0652 Enactment No: R-19-147 Approved

Resolution to Close West Washington Street for the Ann Arbor YMCA Community Block Party on Sunday, June 9, 2019 from 9:00 AM until 8:00 PM

CA-9 19-0651 Enactment No: R-19-148 Approved

Resolution to Approve Closing Maynard Street for the Movies on Maynard Events on Thursday, June 13, 2019 and Friday, September 20, 2019

CA-10 19-0647 Enactment No: R-19-149 Approved

Resolution to Approve Street Closing for The Event on Main - Thursday, June 20 - Friday June 21, 2019

CA-11 19-0419 Enactment No: R-19-150 Approved

Resolution to Approve Street Closings for the Firecracker 5K - Thursday, July 4, 2019

CA-12 19-0420 Enactment No: R-19-151 Approved

Resolution to Approve Street Closings for the 2019 Ann Arbor Jaycees Fourth of July Parade - Thursday, July 4, 2019

CA-13 19-0648 Enactment No: R-19-152 Approved

Resolution to Approve Street Closings for Sonic Lunch - Thursday, July 25 and August 22, 2019

CA-14 19-0590 Enactment No: R-19-153 Approved

Resolution to Approve Purchase of Park Land at 3301 Geddes Road from Windy Crest Partnership LLC, Approve a Participation Agreement with Washtenaw County Parks and Recreation Commission, and Appropriate \$108,500.00 from Open Space and Parkland Preservation Millage Proceeds (8 Votes Required)

CA-15 19-0587 Enactment No: R-19-154 Approved

Resolution to Approve Participation in the Purchase of a Conservation Easement on the Haas Property in Scio Township, Approve a Participation Agreement with Scio Township and Washtenaw County Parks and Recreation Commission, and Appropriate \$97,667.00 (8 Votes Required)

CA-16 19-0589 Enactment No: R-19-155 Approved

Resolution to Accept a Donation of Park Land at 1110 and 1132 S. Maple (Hickory Way Apartments) from Avalon Nonprofit Housing Corporation (8 Votes Required)

CA-17 19-0629 Enactment No: R-19-156 Approved

Resolution to Accept an Easement for Public Right-of-Way at 1110 and 1132 S. Maple Road from Avalon Nonprofit Housing Corporation (8 Votes Required)

CA-18 19-0510 Enactment No: R-19-157 Approved

Resolution to Approve Amendment No. 2 to Extend the Professional Services Agreement with Tetra Tech of Michigan, PC, for Water Treatment Professional Engineering Services (\$200,000)

CA-19 19-0504 Enactment No: R-19-158 Approved

Resolution to Approve Amendment No. 3 to Extend the Professional Services Agreement with Fishbeck, Thompson, Carr & Huber, Inc., for Water Treatment Professional Engineering Services (\$250,000.00)

CA-20 19-0509 Enactment No: R-19-159 Approved

Resolution to Approve Amendment No. 3 to Extend the Professional Services Agreement with Stantec Consulting Michigan, Inc., for Water Treatment Professional Engineering Services (\$200,000)

CA-21 19-0512 Enactment No: R-19-160 Approved

Resolution to Adopt Final Project Plan for the Water Treatment Plant UV Disinfection System Project and Designate an Authorized Project Representative

CA-22 19-0511 Enactment No: R-19-161 Approved

Resolution for Approval of Amendment No. 1 to the Professional Services Agreement with LG Design, Inc., for Professional Engineering Services for the Water Treatment Plant UV Disinfection System Project ITB No. 4568 (\$229,255.00)

CA-23 19-0514 Enactment No: R-19-162 Approved

Resolution to Award Contract for the Water Treatment Plan UV Disinfection System Project to Weiss Construction Co., LLC (\$2,582,770.00)

CA-24 19-0515 Enactment No: R-19-163 Approved

Resolution to Award Contract for the WTP Ammonia Feed System Modifications Project to Goyette Mechanical Co. (\$195,850.00)

CA-25 19-0402 Enactment No: R-19-164 Approved

Resolution to Approve a Construction Contract with M-K Construction Company, Inc. for the Southside Interceptor Sanitary Diversion Project (\$1,245,166.64)

CA-26 19-0422 Enactment No: R-19-165 Approved

Resolution to Approve a Professional Services Agreement with CTI and Associates, Incorporated for Material Testing Services for the Southside Interceptor Sanitary Diversion Project (\$25,430.00)

CA-27 19-0430 Enactment No: R-19-166 Approved

Resolution to Award a Construction Contract to E.T. Mackenzie Company for the Hoover, Greene, Hill Improvement Project (\$4,692,900.00; Bid No.

ITB 4563 and Appropriate the University of Michigan's Contribution of \$1,100,000.00 (8 Votes Required)

CA-28 19-0486 Enactment No: R-19-167 Approved

Resolution to Approve a Professional Services Agreement with Testing Engineers & Consultants, Inc. for Material Testing Services for the Hoover, Greene, & Hill Improvement Project (\$63,550.00)

CA-29 19-0441 Enactment No: R-19-168 Approved

Resolution to Approve a Contract with the Michigan Department of Transportation for the Jackson Avenue Safety Improvements Project (\$169,000.00)

CA-31 19-0541 Enactment No: R-19-169 Approved

Resolution No. 1 - Prepare Plans and Specifications for the Proposed 1425 Pontiac Single Lot Special Assessment District #54 for the Argo Sidewalk Gap Project

CA-32 19-0493 Enactment No: R-19-170 Approved

Resolution to Award a 2-Year Contract for Right-of-Way Mowing and Landscaping Services to RNA Facilities Management ITB # 4572 (up to \$79,443.10/annually; \$158,886.20 for two years)

CA-33 19-0513 Enactment No: R-19-171 Approved

Resolution to Approve an Increase to the Purchase Order with Badger Meter Inc. for the Purchase of Water Meters in the Amount of \$50,442.00 for a total approved purchase of \$75,000.00

CA-34 19-0387 Enactment No: R-19-172 Approved

Resolution to Amend the Criteria for the Residential Parking Program

CA-35 19-0442 Enactment No: R-19-173 Approved

Resolution to Approve an Amendment to the Pharmacy Benefit Management Agreement with Express Scripts Inc.

CA-36 19-0481 Enactment No: R-19-174 Approved

Resolution to Approve a Purchase Order for Annual Maintenance and Support of TRAKiT System to Superior, LLC, a CentralSquare Company for

FY2019 (\$48,638.00)

CA-38 19-0637 Enactment No: R-19-175 Approved

Resolution to Approve March 28, 2019 Recommendations of the Board of Insurance Administration

CA-39 19-0574 Enactment No: R-19-176 Approved

Resolution to Amend the Purchase Order to Boone & Darr Inc. for On-Call Mechanical Services (Not to Exceed \$120,000.00)

CA-40 19-0584 Enactment No: R-19-177 Approved

Resolution to Approve the Purchase of a Hybrid Police Vehicle from Signature Ford (Macomb County Bid - \$36,519.00)

CA-37 19-0594 Enactment No:

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

Resolution to Amend the Budget and Appropriate Funds Not to Exceed \$60,000 from the County Mental Health Millage Fund Balance to the Ann Arbor Housing Commission for Operating Support (8 Votes Required)

19-0594 Enactment No: Amended

Amended

Resolution to Amend the Budget and Appropriate Funds Not to Exceed \$60,000 from the County Mental Health Millage Fund Balance to the Ann Arbor Housing Commission for Operating Support (8 Votes Required)

The following amendment was offered by Councilmember Eaton and supported by Councilmember Ramlawi:

...Whereas, the AAHC is requesting a \$60,000 appropriation from the [City's County Mental Health Millage Fund] FISCAL YEAR 2020 AFFORDABLE HOUSING FUNDING ESTABLISHED IN RESOLUTION 19-0565;

RESOLVED, That City Council appropriate funds [and increase the revenue and expenditure budgets of the Affordable Housing portion of the County Mental Health Millage Fund by] IN THE AMOUNT OF \$60,000 FROM THE FISCAL YEAR 2020 BUDGET AS ESTABLISHED BY

RESOLUTION 19-0565; and

RESOLVED, That the City Administrator be authorized to take all appropriate actions to implement this resolution.

Councilmember Grand offered a friendly amendment to remove the Housing Fund as the source and change to the GENERAL FUND FUND BALANCE. The amendment to the amendment was considered friendly.

The amendment as amended was considered friendly.

*[Brackets] indicate deleted language.
ALL CAPS indicate new language.*

19-0594 **Enactment No: R-19-178** **Approved as Amended**

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

Resolution to Amend the Budget and Appropriate Funds Not to Exceed \$60,000 from the County Mental Health Millage Fund Balance to the Ann Arbor Housing Commission for Operating Support (8 Votes Required)

CA-30 19-0443 **Enactment No: R-19-179** **Approved**

A motion was made by Councilmember Smith, seconded by Councilmember Hayner, that the Resolution be approved. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 10 - Councilmember Lumm, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Bannister, Councilmember Hayner, Councilmember Nelson and Councilmember Ramlawi

Nays: 1 - Councilmember Griswold

Resolution to Approve an Agreement with the Downtown Development Authority for the William Street Improvement Project (\$1,329,964.00)

CA-41 19-0656 Enactment No: R-19-180

Approved

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

Resolution to Approve an Interim Right-of-Way License Agreement with Spin, Inc., for the Operation of Electric Scooters in the City of Ann Arbor

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

- PH-1** **19-0275** An Ordinance to Amend Chapter 55 (Zoning), Zoning of 0.6 Acre from C2B (Business Service District) to R2A (Two-Family Dwelling District), including 606, 610, 614, 616, 618, 622, and 628 South Ashley Street (CPC Recommendation: Denial - 0 Yeas and 8 Nays) (ORD-19-06) (8 Votes Required)

A public hearing was conducted on the proposed amendment to Chapter 55 (Zoning), Zoning of 0.6 Acre from C2B (Business Service District) to R2A (Two-Family Dwelling District), including 606, 610, 614, 616, 618, 622, and 628 South Ashley Street. Notice of public hearing was published March 28, 2019.

The following persons were present to speak at the hearing:

Terry Drent, representing Central Property Development, stated she owns and operates 614 S. Ashley and it is an existing office. She stated the rezoning would make her property non-confirming. She urged Council to exclude 614 S. Ashley from this zoning.

Mary Jean Raab, owner of Washtenaw Dairy and the property next to the Dairy, 602 and 606 S. Ashley, spoke in opposition, stating both of these properties were acquired for commercial use. She stated the neighboring home was also acquired for potential commercial expansion.

A resident of the neighborhood spoke in opposition and stated his support for Washtenaw Dairy.

Stephon Bagne from Clark Hill, representing Washtenaw Dairy, spoke in opposition and stated he was told the inclusion of 606 S. Ashley was a clerical error.

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

Held and Closed

PH-2 **19-0343** An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of 58 Lots from R4C (Multiple-Family Dwelling District) to R1D (Single Family Dwelling District) and 4 Lots from R4C (Multiple-Family Dwelling District) to R1E (Single Family Dwelling District), West Hoover Avenue/West Davis Avenue Area Rezoning, (CPC Recommendation: Denial - 5 Yeas and 3 Nays) (ORD-19-07)

A public hearing was conducted on the proposed amendment to Chapter 55 (Unified Development Code), Rezoning of 58 Lots from R4C (Multiple-Family Dwelling District) to R1D (Single Family Dwelling District) and 4 Lots from R4C (Multiple-Family Dwelling District) to R1E (Single Family Dwelling District), West Hoover Avenue/West Davis Avenue Area Rezoning. Notice of public hearing was published March 28, 2019.

The following persons were present to speak at the hearing:

The owner of 506 and 512 W. Hoover, GHP Madison, LLC and representing 309 W. Hoover, spoke in opposition, stating her properties would become non-conforming.

The owner of 1002 Byron Court spoke in opposition.

Joseph Huber, 302 W. Hoover, spoke in support, stating more homes will conform after the rezoning than currently conform under the existing zoning.

A resident of the neighborhood spoke in support.

Lesli Hoey, 901 Edgewood, spoke in opposition, stating more density and affordable housing is needed and multi-family zoning could achieve this.

Jeffrey Starman, 413 W. Hoover

Jennifer Langenburg, property manager for 413 W. Hoover, spoke in opposition, stating her property was built as multi-family originally.

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

Held and Closed

PH-3 19-0621 Enactment No: **Held and Closed**

Held and Closed

Resolution to Approve the Picazo/Erb-Downward Annexation, 1.16 Acres, 2705 Newport Road (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

A public hearing was conducted on the proposed Resolution to approve the Picazo/Erb-Downward Annexation, 1.16 Acres, 2705 Newport Road. Notice of public hearing was published April 7 and April 11, 2019.

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

PH-4 19-0458 Enactment No: **Held and Closed**

Held and Closed

Resolution to Approve 327 E. Hoover Site Plan (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

A public hearing was conducted on the proposed Resolution to approve 327 E. Hoover Site Plan. Notice of public hearing was published April 7 and April 11, 2019.

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

A APPROVAL OF COUNCIL MINUTES

A-1 [19-0692](#) Regular Session Meeting Minutes of April 1, 2019

A motion was made by Councilmember Ramlawi, seconded by Councilmember Ackerman, that the Regular Session Meeting Minutes of April 1, 2019 be approved. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

- B-1** [19-0275](#) An Ordinance to Amend Chapter 55 (Zoning), Zoning of 0.6 Acre from C2B (Business Service District) to R2A (Two-Family Dwelling District), including 606, 610, 614, 616, 618, 622, and 628 South Ashley Street (CPC Recommendation: Denial - 0 Yeas and 8 Nays) (ORD-19-06) (8 Votes Required)

**It was noted that 606 S. Ashley was not intended to be included in the proposed rezoning and it was considered a friendly amendment to remove it had the ordinance been approved.*

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 defeated:

Yeas: 0

Nays: 11 - Councilmember Lumm, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Bannister, Councilmember Hayner, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

- B-2** [19-0343](#) An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of 58 Lots from R4C (Multiple-Family Dwelling District) to R1D (Single Family Dwelling District) and 4 Lots from R4C (Multiple-Family Dwelling District) to R1E (Single Family Dwelling District), West Hoover Avenue/West Davis Avenue Area Rezoning, (CPC Recommendation: Denial - 5 Yeas and 3 Nays) (ORD-19-07)

A motion was made by Councilmember Smith, seconded by Councilmember Nelson, 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: 9 - Councilmember Lumm, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Bannister, Councilmember Nelson and Councilmember Ramlawi

Nays: 2 - Councilmember Hayner and Councilmember Griswold

RECESS

Mayor Taylor declared a recess at 9:10 p.m. and reconvened the meeting at 9:22 p.m.

C ORDINANCES - FIRST READING**C New Business - Staff:**

- C-1** [19-0453](#) An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of 0.96 Acre from TWP (Township District) to R1C (Single-Family District), Dantzler Property, 2861 Stone School (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (ORD-19-09)
- A motion was made by Councilmember Grand, seconded by Councilmember Ackerman, that the Ordinance be approved on First Reading and should be returned by 5/20/2019. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: ORD-19-09
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- C-2** [19-0457](#) An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of 0.52 Acre from TWP (Township District) to R1B (Single-Family District), Ganger Property, 2660 Apple Way (CPC Recommendation: Approval - 7 Yeas and 0 Nays)
- A motion was made by Councilmember Ackerman, seconded by Councilmember Lumm, that the Ordinance be approved on First Reading and should be returned by 5/20/2019. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: ORD-19-10
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- DC-5** **19-0724** **Enactment No:**
- Sponsors:** Lumm, Eaton and Griswold
- A motion was made by Councilmember Lumm, seconded by Councilmember Eaton, that the Resolution be approved.**
- Resolution to Revise the City of Ann Arbor's Water Rate Structure Adopted in July 2018

19-0724 Enactment No: Amended

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

**Residential Customer Class – [three tier structure that increases the specific rates and breakpoints in effect prior to July 2018 proportionally by the amount necessary to capture the same additional revenue captured from the residential class in the 2018 re-structuring, thereby maintaining the same high to low rate range of 3.8 times that existed prior to July 2018 (Arcadis Residential Options 2 & 4 adjusted to mirror structure in place before July 2018)]
THREE TIER STRUCTURE BASED ON EITHER RESIDENTIAL OPTION 2 OR OPTION 4, OR A COMBINATION OF BOTH, OF THE ARCADIS REPORT DELIVERED TO CITY COUNCIL ON MARCH 11, 2019**

[Brackets] indicate deleted language. ALL CAPS indicate new language.

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

Yeas: 5 - Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith and Councilmember Nelson

Nays: 6 - Councilmember Lumm, Councilmember Eaton, Councilmember Bannister, Councilmember Hayner, Councilmember Griswold and Councilmember Ramlawi

Resolution to Revise the City of Ann Arbor's Water Rate Structure Adopted in July 2018

19-0724 Enactment No: Amended

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

Remove the Commercial Class from the RESOLVED Clause.

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

Yeas: 1 - Councilmember Ramlawi

Nays: 10 - Councilmember Lumm, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Bannister, Councilmember Hayner, Councilmember Griswold and Councilmember Nelson

Resolution to Revise the City of Ann Arbor's Water Rate Structure Adopted in July 2018

19-0724 Enactment No: **Approved**

The question being, the motion as originally made by Councilmember Lumm, seconded by Councilmember Eaton, that the Resolution be approved, on a roll call, the vote was as follows with the Mayor declaring the motion defeated:

Yeas: 5 - Councilmember Lumm, Councilmember Eaton, Councilmember Bannister, Councilmember Hayner and Councilmember Griswold

Nays: 6 - Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Nelson and Councilmember Ramlawi

Resolution to Revise the City of Ann Arbor's Water Rate Structure Adopted in July 2018

C-3 **19-0608** An Ordinance to Amend Section 2:63 of Chapter 29 (Water Rates) of Title II of the Code of the City of Ann Arbor

A motion was made by Councilmember Smith, seconded by Councilmember Grand, that the Ordinance be approved on First Reading, due back on 5/6/2019. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 6 - Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith and Councilmember Nelson

Nays: 5 - Councilmember Lumm, Councilmember Bannister, Councilmember Hayner, Councilmember Griswold and Councilmember Ramlawi

Enactment No: ORD-19-11

- C-4** [19-0607](#) An Ordinance to Amend Section 2:64 of Chapter 29 (Sewer Rates) of Title II of the Code of the City of Ann Arbor

A motion was made by Councilmember Smith, seconded by Councilmember Grand, that the Ordinance be approved on First Reading and should be returned by 5/6/2019. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-19-12

- C-5** [19-0609](#) An Ordinance to Amend Sections 2:69 of Chapter 29 (Stormwater Rates) of Title II of the Code of the City of Ann Arbor (ORD-19-13)

A motion was made by Councilmember Smith, seconded by Councilmember Ramlawi, that the Ordinance be approved on First Reading and should be returned by 5/6/2019. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-19-13

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

- DC-1 19-0673 Enactment No: R-19-181 Approved**

Sponsors: Taylor

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.

Resolution to Amend the 2019 Council Calendar

- DC-2 19-0712 Enactment No: R-19-182 Approved**

Sponsors: Taylor and Nelson

A motion was made by Councilmember Smith, seconded by Councilmember Grand, that the Resolution be approved. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 10 - Councilmember Lumm, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Bannister, Councilmember Hayner, Councilmember Griswold and Councilmember Nelson

Nays: 1 - Councilmember Ramlawi

Resolution to Express the City of Ann Arbor's Support for HB 4025, Regarding the Tax Treatment of So-called 'Dark Stores'

DC-3 19-0720 Enactment No: **Approved**

Sponsors: Ramlawi

A motion was made by Councilmember Ramlawi, seconded by Councilmember Lumm, that the Resolution be approved. On a roll call, the vote was as follows with the Mayor declaring the motion defeated, not satisfying the eight-vote requirement:

Yeas: 7 - Councilmember Lumm, Councilmember Eaton, Councilmember Bannister, Councilmember Hayner, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

Nays: 4 - Mayor Taylor, Councilmember Grand, Councilmember Ackerman and Councilmember Smith

Resolution to Override Mayor's Veto of R-19-137 (8 Votes Required)

DC-4 19-0721 Enactment No: R-19-183 **Approved**

Sponsors: Ramlawi, Smith, Hayner, Eaton and Bannister

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

Resolution to Close Spring Street between Miller and Cherry on Sunday, May 5, 2019 for the Water Hill MusicFest Continued Special Event

DB New Business - Boards and Commissions:

DB-1 19-0621 Enactment No: R-19-184 **Approved**

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

Resolution to Approve the Picazo/Erb-Downward Annexation, 1.16 Acres, 2705 Newport Road (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

DB-2 19-0458 Enactment No: R-19-185 Approved

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

Resolution to Approve 327 E. Hoover Site Plan (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

DS New Business - Staff:

DS Unfinished Business - Staff:

DS-1 19-0567 Enactment No: R-19-186 Approved

A motion was made by Councilmember Hayner, seconded by Councilmember Grand, that the Resolution be approved. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 9 - Councilmember Lumm, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

Nays: 2 - Councilmember Bannister and Councilmember Hayner

Resolution No. 3 Establishing a Public Hearing on May 20, 2019 for the Northside STEAM Safe Routes to School Sidewalk Gap Special Assessment Project

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 Smith, seconded by Councilmember Ramlawi, 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 [19-0619](#) Environmental Commission Work Plan for 2019
- F-2 [19-0664](#) Communication from Evan Pratt Regarding the Huron River Green Infrastructure Drainage District
- F-3 [19-0686](#) Communication from Conlin, McKenney & Philbrick, P.C. regarding Notice of Intent to Establish Condominium Project 515 North Fifth Avenue Condominium - City Attorney
- F-4 [19-0699](#) Communication from Evan Pratt, Washtenaw County Water Resources Commissioner, regarding Notice of Hearing of Necessity, HRGIDD NPS-Tree Planting 5504-08 Drain Project (cc: Jen Lawson, Water Quality Manager)
- F-5 [19-0697](#) Communication from City Clerk Jacqueline Beaudry Regarding Receipt of Veto of Resolution R-19-137 by Mayor Christopher Taylor on Friday, April 5, 2019
- F-6 [19-0732](#) University of Michigan Student Advisory Council 2018 Annual Report

Sponsors: Grand

G The following minutes were received for filing:

- G-1 [19-0213](#) City Planning Commission Meeting Minutes of December 18, 2018
- G-2 [19-0306](#) City Planning Commission Meeting Minutes of January 15, 2019

- G-3** [19-0326](#) Public Market Advisory Commission Meeting Minutes of January 17, 2019

- G-4** [19-0344](#) Land Acquisition Commission Meeting Minutes of July 17, 2018

- G-5** [19-0435](#) Design Review Board Meeting Minutes of February 13, 2019

- G-6** [19-0445](#) LDFA Board Meeting Minutes of December 11, 2018

- G-7** [19-0478](#) January 10, 2019 Historic District Commission Meeting Minutes

- G-8** [19-0497](#) Airport Advisory Committee Minutes of January 16, 2019

- G-9** [19-0500](#) Transportation Commission Meeting Minutes of February 20, 2019

- G-10** [19-0545](#) Council Policy Agenda Committee Meeting Minutes of March 6, 2019

- G-11** [19-0557](#) Ann Arbor Housing Commission Board Minutes of December 19, 2018

- G-12** [19-0585](#) Meeting minutes for the Environmental Commission 2-28-19

- G-13** [19-0591](#) City of Ann Arbor Employees' Retirement System Board Meeting Minutes of February 21, 2019

- G-14** [19-0592](#) Retiree Health Care Benefit Plan & Trust Board Meeting Minutes of February 21, 2019

- G-15** [19-0638](#) Insurance Board Meeting Minutes of March 28, 2019

- G-16** [19-0639](#) Ann Arbor 2019 March Board of Review Meeting Minutes

G-17 [19-0702](#) City Council Caucus Minutes of March 17 and March 31, 2019

G-18 [19-0445](#) LDFA Board Meeting Minutes of December 11, 2018

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

An unknown speaker spoke in opposition to the Northside STEAM special assessment sidewalk project, noting parking concerns, in addition to the costs of the project.

Kai Petainen, resident, spoke about a FOIA he filed with the federal government.

Mike Clarren, resident, thanked Council for the Caucus meetings and urged Council to increase speaking times at the beginning of the meetings. He also urged Council to attend Earth Day festivities and spoke about the future of transportation.

COMMUNICATIONS FROM COUNCIL

None.

CLOSED SESSION UNDER THE MICHIGAN OPEN MEETINGS ACT, INCLUDING BUT NOT LIMITED TO, LABOR NEGOTIATIONS STRATEGY, PURCHASE OR LEASE OF REAL PROPERTY, PENDING LITIGATION AND ATTORNEY/CLIENT PRIVILEGED COMMUNICATIONS SET FORTH OR INCORPORATED IN MCLA 15.268 (C), (D) (E), AND (H).

A motion was made by Councilmember Eaton, seconded by Councilmember Ramlawi, that Council enter into Closed Session under the Michigan Open Meetings Act to discuss pending litigation (Levenson v. City of Ann Arbor) 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 12:02 a.m.:

Yeas: 11 - Councilmember Lumm, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Bannister, Councilmember Hayner, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

Nays: 0

MEETING RECONVENED

A motion was made by Councilmember Grand, seconded by Councilmember Ackerman, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 12:15 a.m.

ADJOURNMENT

A motion was made by Councilmember Grand, seconded by Councilmember Lumm, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 12:15 a.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, APRIL 15, 2019 @ 7:00 P.M.

REPLAYS: WEDNESDAY, APRIL 17, 2019 @ 8:00 A.M. AND FRIDAY, APRIL 19, 2019 @ 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.