



# City of Ann Arbor

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

## Meeting Agenda - Final City Council

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Monday, December 4, 2017

7:00 PM

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

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### CALL TO ORDER

### MOMENT OF SILENCE

### PLEDGE OF ALLEGIANCE

### ROLL CALL OF COUNCIL

### APPROVAL OF AGENDA

### AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

AC-1 [17-1919](#) City Administrator's Report - December 4, 2017  
(City Administrator - Howard S. Lazarus, City Administrator)  
**Attachments:** 171204 - City Administrator's Update.pdf  
(Added 12/4/17)

AC-2 [17-1925](#) Winter 2018 Deer Management Plan Update  
(City Administrator - Howard S. Lazarus, City Administrator)  
**Attachments:** Winter 2018 Deer Implementation Plan.pdf  
(Added 12/4/17)

AC-3 [17-1920](#) Agenda Response Memo and eComments - December 4, 2017  
(City Administrator - Howard S. Lazarus, City Administrator)  
**Attachments:** Agenda Responses 12-4-17.pdf, 12-4-17 eComments.pdf  
(Added 12/4/17)

### INT INTRODUCTIONS

**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. **Robert McGee - Deer Sterilization Volunteers (AC-2)**
2. **Sabra Sanzotta - Deer Management Plan Regarding Neighborhoods (AC-2)**
3. **Bill Burhham - Historic Preservation Ordinance Regarding Inglis House Historic Distinct (C-1)**
4. **Bridget Bly - Inglis House Project (C-1)**
5. **James D'Amour - A2 Commits to 100% Clean Energy (DC-2)**
6. **Sara Abrams - Making the World a Better Place**
7. **Sally Daniels - Public Safety**
8. **Lorraine Shapiro - Public Safety**
9. **Tom Stulberg - The Glen**

**CC COMMUNICATIONS FROM COUNCIL****MC COMMUNICATIONS FROM THE MAYOR**

**MC-1** [17-1850](#) Appointments - Confirmations  
(Mayor's Office)

**MC-2** [17-1913](#)  
Resolution to Appoint Molly Maciejewski to the Huron River Watershed Council (**7 Votes Required**)  
(Mayor's Office)  
(Added 12/1/17)

MC-3 [17-1911](#) Nominations and Appointments  
(Mayor's Office)  
(Added 12/4/17)

CA **CONSENT AGENDA**

CA-1 [17-1866](#) Resolution to Accept an Easement for Public Right-of-Way at 1430 South Maple Road from Grace Bible Church of Ann Arbor, Michigan **(8 Votes Required)**  
(City Attorney Services - Stephen K. Postema, City Attorney)

**Attachments:** Grace Bible Church Right of Way.pdf

CA-2 [17-1867](#) Resolution to Accept a Water Main Easement at 1430 South Maple Road from Grace Bible Church of Ann Arbor, Michigan **(8 Votes Required)**  
(City Attorney Services - Stephen K. Postema, City Attorney)

**Attachments:** Grace Bible Church Water Main.pdf

CA-3 [17-1874](#) Resolution to Accept an Easement for Sidewalks and Public Utilities at Pioneer High School from the Public Schools of the City of Ann Arbor (AAPS) **(8 Votes Required)**  
(City Attorney Services - Stephen K. Postema, City Attorney)

**Attachments:** Scio Church AAPS Easement Maps.pdf

CA-4 [17-1881](#) Resolution to Accept an Easement for Sidewalk at 75 Scio Church Road from 75 Scio Church L.L.C. **(8 Votes Required)**  
(City Attorney Services - Stephen K. Postema, City Attorney)

**Attachments:** 75 Scio Church Map ExA.pdf

CA-5 [17-1780](#) Resolution to Approve a Purchase Order to Environmental Systems Research Institute (ESRI) for the Annual Geographic Information System Software Maintenance and License Agreement (\$51,600.00)  
(Information Technology Services - Tom Shewchuk, ITSU Director)

CA-6 [17-1725](#) Resolution Authorizing Sanitary Sewer Capital Recovery Charges for 2665 Geddes Ave. (\$25,954.00)  
(Financial and Administrative Services - Matthew V. Horning, Treasurer)

- CA-7 [17-1748](#) Resolution to Approve a Services Agreement with WeCare Denali, LLC for Compost Facility Operations and Management (Estimated at \$92,158.00 for FY18; \$184,316.00 for FY19; \$192,694.00 for FY20; \$196,883.00 for FY21; \$201,072.00 for FY22)  
(Public Services - Craig Hupy, Public Services Area Administrator)
- CA-8 [17-1777](#) Resolution to Ratify Emergency Change Order Request to the Construction Contract with E.T. MacKenzie Company for the Plymouth Road and Green Road Water Main Replacement Project (\$474,645.84)  
(Engineering - Craig Hupy, Public Services Area Administrator)
- CA-9 [17-1793](#) Resolution to Approve a Contract with Allied Building Service Inc., for the Replacement of the Emergency Generator in Fire Station #1 (\$268,800.00)  
(Fleet & Facilities Services - Craig Hupy, Public Services Area Administrator)  
**Attachments:** ITB 4516 Bid Tab.pdf, ITB\_4516\_Document.pdf, ITB 4516 ADDENDUM #1 .pdf, Allied Bldg Service Bid.pdf, Allied Bldg Service Contract.pdf
- CA-10 [17-1849](#) Resolution to Ratifying the Issuance of an Emergency Purchase Order to Otis Elevator Corporation for the Replacement of Elevator Belts at the Larcom City Hall (\$33,790.00) and to Appropriate Funds (\$33,790.00) (**8 Votes Required**)  
(Fleet & Facilities Services - Craig Hupy, Public Services Area Administrator)  
**Attachments:** Otis Repair Quote 1117.pdf, Otis Emergency Authorization.pdf
- CA-11 [17-1882](#) Resolution to Terminate Development Agreement with Grace Bible Church, 1300 South Maple  
(Planning and Development Services - Derek Delacourt, Community Services Area Administrator)  
**Attachments:** Termination of GBC Development Agreement.docx, Grace Bible Church Development Agreement 2008.pdf

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

- PH-1 [17-1419](#) An Ordinance to Amend Chapter 55 (Zoning), Zoning of 6.4 Acres from PUD (Planned Unit Development) to C1A/R (Campus Business Residential District) WITH CONDITIONS, 1140 Broadway Rezoning (CPC Recommendation: Approval - 6 Yeas and 1 Nays) (Ordinance No. ORD-17-17)

(Community Services - Derek Delacourt, Community Services Area Administrator)

**Attachments:** 17-17 1140 Broadway Rezoning Briefed 11-20-17.pdf, 17-17 1140 Broadway Rezoning Briefed.pdf, 1140 Broadway Conditional Zoning Stmt of Conditions FINAL.pdf, Conditional Zoning Statement 9-20-17.pdf, July 5, 2017 Planning Staff Report, August 1, 2017 Planning Staff Report, Petitioner's Offer of Conditions (7-26-17), 8-1-2017 -- 1140 Broadway Project Minutes.pdf, 8-23-2017 -- 1140 Broadway Project Minutes from ZBA.pdf, Objection Communication from Harpreet Singh.pdf, Yuqing Zhang Objection Letter re 1140 Broadway.pdf, 1140 Broadway Objection Letters.pdf, Map.pdf, Resinding Letters Regarding 1140 Broadway.pdf, 1140 Broadway Objection Letter from Diane Wiener.pdf, Objection Letter regarding 1140 Broadway from Taisir Hasan.pdf, Objection Material regarding 1140 Broadway from Linda Ebbeler.pdf, 1140 Broadway Rezoning Comments from Susan Friedlaender.pdf, 1140 Broadway Objection letter - Hawkins.pdf, B-1 Letters Rescinding Objections to 1140 Broadway.pdf

(See B-1) (Continued from the 11/9/17 and 11/20/17 regular sessions)

- PH-2 [17-1420](#) Resolution to Approve 1140 Broadway Planned Project Site Plan and Development Agreement, with Modifications to Chapter 62 Landscaping and Screening (CPC Recommendation: Approval - 6 Yeas and 1 Nays)

(Community Services - Derek Delacourt, Area Administrator)

**Attachments:** July 5, 2017 Planning Staff Report, August 1, 2017 Planning Staff Report, 1140 Broadway Development Agreement 11-2-17.pdf, 8-1-2017 -- 1140 Broadway Project Minutes.pdf, 8-23-2017 -- 1140 Broadway Project Minutes from ZBA.pdf, 1140 Broadway Revised Plan Update Memo to Council 12-4-17.pdf

(See DB-1) (Continued from the 11/9/17 and 11/20/17 regular sessions)

- PH-3 [17-1758](#) Resolution to Approve the 1140 Broadway Brownfield Plan

(Community Services - Derek Delacourt, Community Services Area Administrator)

**Attachments:** 1140 Broadway Brownfield Plan 10-25-17 v2.pdf

(See DB-2) (Continued from the 11/9/17 and 11/20/17 regular sessions)

- PH-4 [17-1441](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning 0.59 Acre from TWP (Township District) to R1A (Single-Family Dwelling District), DuBuc Property, 2945 Devonshire Road (Ordinance No. ORD-17-20) (CPC Recommendation: Approval 8 Yeas and 0 Nays)

(Planning Commission, City - Derek Delacourt, Community Services Area Administrator)

**Attachments:** 17-20 2945 Devonshire Zoning Council Ordinance Briefed.pdf, 2945 Devonshire Zoning Council Ordinance.docx, 2945 Devonshire A&Z Staff Report with Attachments.pdf, 11-1-2017 CPC Meeting Minutes-2945 Devonshire Annex & Zon.pdf, DuBuc Completed Annexation Communication from State.pdf

(See B-2)

- PH-5 [17-1762](#) An Ordinance to Amend Chapter 55 (Zoning) related to Medical Marijuana Facilities (Ordinance No. ORD-17-21) (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

(Community Services - Derek Delacourt, Area Administrator)

**Sponsors:** Ackerman

**Attachments:** 17-21 Medical Marijuana Ordinance Briefed AS AMENDED.pdf, 17-21 AN ORDINANCE TO AMEND CHAPTER 55 Medical Marijuana Facilities Briefed.pdf, AN ORDINANCE TO AMEND CHAPTER 55 Medical Marijuana Facilities 11-3-17.pdf, Med MJ Zoning Staff Report w Attachment-101717.pdf

(See B-3)

- PH-6 [17-1754](#) Resolution to Approve the Malooley-Gordon Annexation, 1.05 Acres, 2410 Newport Road (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

(Planning Commission, City - Derek Delacourt, Community Services Area Administrator)

**Attachments:** 2410 Newport Malooley Annexation & Zoning Staff Report.pdf, 2410 Newport Rd Aerial Map Zoom.pdf, 2410 Newport Rd Zoning Map.pdf

(See DB-3)

- PH-7 [17-1768](#) Resolution to Approve the Flannery Annexation, 0.76 Acre, 2883 Stone School Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

(Planning Commission, City - Derek Delacourt, Community Services Area Administrator)

**Attachments:** Flannery A&Z Staff Report with Attachments.pdf

(See DB-4)

## A APPROVAL OF COUNCIL MINUTES

- A-1 [17-1907](#) Work Sessions of November 13 and 16, 2017 and Regular Session Meeting Minutes of November 20, 2017  
(City Clerk - Jacqueline Beaudry)  
**Attachments:** 11-13-17 Draft Minutes.pdf, 11-16-17 Draft Minutes.pdf, 11-20-17 Draft Minutes.pdf, Council emails 11-20-2017.pdf
- B ORDINANCES - SECOND READING**
- B Unfinished Business - Staff:**
- B-1 [17-1419](#) An Ordinance to Amend Chapter 55 (Zoning), Zoning of 6.4 Acres from PUD (Planned Unit Development) to C1A/R (Campus Business Residential District) WITH CONDITIONS, 1140 Broadway Rezoning (CPC Recommendation: Approval - 6 Yeas and 1 Nays) (Ordinance No. ORD-17-17)  
(Community Services - Derek Delacourt, Community Services Area Administrator)  
**Attachments:** 17-17 1140 Broadway Rezoning Briefed 11-20-17.pdf, 17-17 1140 Broadway Rezoning Briefed.pdf, 1140 Broadway Conditional Zoning Stmt of Conditions FINAL.pdf, Conditional Zoning Statement 9-20-17.pdf, July 5, 2017 Planning Staff Report, August 1, 2017 Planning Staff Report, Petitioner's Offer of Conditions (7-26-17), 8-1-2017 -- 1140 Broadway Project Minutes.pdf, 8-23-2017 -- 1140 Broadway Project Minutes from ZBA.pdf, Objection Communication from Harpreet Singh.pdf, Yuqing Zhang Objection Letter re 1140 Broadway.pdf, 1140 Broadway Objection Letters.pdf, Map.pdf, Resinding Letters Regarding 1140 Broadway.pdf, 1140 Broadway Objection Letter from Diane Wiener.pdf, Objection Letter regarding 1140 Broadway from Taisir Hasan.pdf, Objection Material regarding 1140 Broadway from Linda Ebbeler.pdf, 1140 Broadway Rezoning Comments from Susan Friedlaender.pdf, 1140 Broadway Objection letter - Hawkins.pdf, B-1 Letters Rescinding Objections to 1140 Broadway.pdf  
  
(See PH-1) (Postponed from the 11/9/17 and 11/20/17 regular sessions) (Attachment Added 12/1/17) (Revised 12/4/17)

**New Business - Staff:**

- B-2**     [17-1441](#)     An Ordinance to Amend Chapter 55 (Zoning), Rezoning 0.59 Acre from TWP (Township District) to R1A (Single-Family Dwelling District), DuBuc Property, 2945 Devonshire Road (Ordinance No. ORD-17-20) (CPC Recommendation: Approval 8 Yeas and 0 Nays)

(Planning Commission, City - Derek Delacourt, Community Services Area Administrator)

**Attachments:**    17-20 2945 Devonshire Zoning Council Ordinance Briefed.pdf, 2945 Devonshire Zoning Council Ordinance.docx, 2945 Devonshire A&Z Staff Report with Attachments.pdf, 11-1-2017 CPC Meeting Minutes-2945 Devonshire Annex & Zon.pdf, DuBuc Completed Annexation Communication from State.pdf

(See PH-4)

- B-3**     [17-1762](#)     An Ordinance to Amend Chapter 55 (Zoning) related to Medical Marijuana Facilities (Ordinance No. ORD-17-21) (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

(Community Services - Derek Delacourt, Area Administrator)

**Sponsors:**       Ackerman

**Attachments:**    17-21 Medical Marijuana Ordinance Briefed AS AMENDED.pdf, 17-21 AN ORDINANCE TO AMEND CHAPTER 55 Medical Marijuana Facilities Briefed.pdf, AN ORDINANCE TO AMEND CHAPTER 55 Medical Marijuana Facilities 11-3-17.pdf, Med MJ Zoning Staff Report w Attachment-101717.pdf

(See PH-5)

## **C        ORDINANCES - FIRST READING**

### **C        New Business - Staff:**

- C-1**     [17-1769](#)     An Ordinance to Amend Chapter 103 (Historic Preservation) of Title VIII of the Code of the City of Ann Arbor by Adding Section 8:425.15 Establishing the Inglis House Historic District (Inglis House Study Committee Recommendation: Approval - 3 Yeas and 0 Nays)

(Inglis House Historic District Study Committee - Derek Delacourt, Community Services Area Administrator)

**Attachments:**    October 18 Special Meeting Minutes, Inglis House Historic District Ordinance.pdf, INGLIS HOUSE HISTORIC DISTRICT STUDY COMMITTEE FINAL REPORT, Map-Inglis House Historic District.pdf

- C-2**     [17-1859](#)     An Ordinance to Amend Sections 9:81 and 9:82 of Chapter 109 (Liquor) of Title IX of the Code of the City of Ann Arbor

(City Attorney Services - Stephen K. Postema, City Attorney's Office)

**Attachments:**    Ordinance Amendment - Minor in Possession of Alcohol.pdf



**D MOTIONS AND RESOLUTIONS****DC New Business - Council:**

- DC-1 [17-1895](#) Resolution to Establish 2018 Council Calendar  
(City Council - Mayor Taylor)  
**Sponsors:** Taylor
- DC-2 [17-1899](#) Resolution Committing the City of Ann Arbor to Using 100% Clean and Renewable Energy for City Operations  
(City Council)  
**Sponsors:** Smith and Warpehoski  
**Attachments:** GHG Protocol Scope Definitions (2).pdf
- DC-3 [17-1901](#) A Resolution Recognizing City Staff Responding to the Water Supply Ruptured Line Repairs of November 18-22, 2017  
(City Administrator - Howard S. Lazarus, City Administrator)  
**Sponsors:** Taylor
- DC-4 [17-1915](#) Resolution to Approve 2018 Council Committee Appointments  
(City Council)  
**Sponsors:** Warpehoski  
**Attachments:** 2018 Council Committee Appointments.pdf  
(Added 12/1/17)
- DC-5 [17-1909](#) Resolution to Appoint Councilmembers Bannister and Smith to the Environmental Commission  
(City Council)  
**Sponsors:** Warpehoski  
(Added 12/1/17)
- DC-6 [17-1908](#) Resolution to Appoint Councilmember Grand to the Greenbelt Advisory Commission  
(City Council)  
**Sponsors:** Warpehoski  
(Added 12/1/17)

- DC-7 [17-1910](#) Resolution to Appoint Councilmember Ackerman to the Planning Commission  
(City Council)  
**Sponsors:** Warpehoski  
(Added 12/1/17)
- DB **Unfinished Business - Staff:**
- DB-1 [17-1420](#) Resolution to Approve 1140 Broadway Planned Project Site Plan and Development Agreement, with Modifications to Chapter 62 Landscaping and Screening (CPC Recommendation: Approval - 6 Yeas and 1 Nays)  
(Community Services - Derek Delacourt, Area Administrator)  
**Attachments:** July 5, 2017 Planning Staff Report, August 1, 2017 Planning Staff Report, 1140 Broadway Development Agreement 11-2-17.pdf, 8-1-2017 -- 1140 Broadway Project Minutes.pdf, 8-23-2017 -- 1140 Broadway Project Minutes from ZBA.pdf, 1140 Broadway Revised Plan Update Memo to Council 12-4-17.pdf  
(See PH-2) (Postponed from the 11/9/17 and 11/20/17 regular sessions) (Attachment Added 12/1/17)
- DB-2 [17-1758](#) Resolution to Approve the 1140 Broadway Brownfield Plan  
(Community Services - Derek Delacourt, Community Services Area Administrator)  
**Attachments:** 1140 Broadway Brownfield Plan 10-25-17 v2.pdf  
(See PH-3) (Postponed from the 11/9/17 and 11/20/17 regular sessions)
- DB **New Business - Boards and Commissions:**
- DB-3 [17-1754](#) Resolution to Approve the Malooley-Gordon Annexation, 1.05 Acres, 2410 Newport Road (CPC Recommendation: Approval - 8 Yeas and 0 Nays)  
(Planning Commission, City - Derek Delacourt, Community Services Area Administrator)  
**Attachments:** 2410 Newport Malooley Annexation & Zoning Staff Report.pdf, 2410 Newport Rd Aerial Map Zoom.pdf, 2410 Newport Rd Zoning Map.pdf  
(See PH-6)
- DB-4 [17-1768](#) Resolution to Approve the Flannery Annexation, 0.76 Acre, 2883 Stone School Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays)  
(Planning Commission, City - Derek Delacourt, Community Services Area Administrator)  
**Attachments:** Flannery A&Z Staff Report with Attachments.pdf  
(See PH-7)
- DS **New Business - Staff:**

**E COMMUNICATIONS FROM THE CITY ATTORNEY****F & G CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS****F The following communications were referred as indicated:**

- F-1 [17-1807](#) Third Quarter 2017 Investment Portfolio Report  
(Financial and Administrative Services - Matthew V. Horning, Treasurer)  
**Attachments:** City of Ann Arbor Investment Portfolio Report - September 30 2017.pdf

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

- G-1 [17-1454](#) Ann Arbor Public Art Commission Meeting Minutes - September 2017  
(Public Services - Craig Hupy, Public Services Administrator)  
**Attachments:** AAPAC Meeting Minutes - July 2017.pdf, Coleman Jewitt Memorial Slides 9.14.17.pdf, AAPAC year-end report 2017.pdf
- G-2 [17-1791](#) Local Development Finance Authority Board Meeting Minutes - October 17, 2017  
(Local Development Finance Authority (LDFA) - Tom Crawford, CFO)  
**Attachments:** LDFA Board Meeting Minutes - October 17, 2017.pdf
- G-3 [17-1857](#) Energy Commission Meeting Minutes of October 10, 2017  
**Attachments:** Energy Commission Minutes 10-10-17.pdf
- G-4 [17-1868](#) Employees' Retirement System Board Meeting Minutes of October 19, 2017  
**Attachments:** B RS Board Mins 10.19.17.pdf
- G-5 [17-1873](#) Ann Arbor Area Transportation Authority Board Meeting Minutes of October 19, 2017  
**Attachments:** AAATA Board Meeting Minutes 10.19.17\_Approved.pdf

**PUBLIC COMMENT - GENERAL (3 MINUTES EACH)****COMMUNICATIONS FROM COUNCIL**

**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).**

**ADJOURNMENT**

**COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:**

**LIVE: MONDAY, DECEMBER 4, 2017 @ 7:00 P.M.**

**REPLAYS: WEDNESDAY, DECEMBER 6, 2017 @ 8:00 A.M. AND FRIDAY, DECEMBER 8, 2017 @ 8:00 P.M.**

**REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE**

**CTN's Government Channel live televised public meetings can be viewed in a variety of ways:**

**Live Web streaming or Video on Demand: <https://a2ctn.viebit.com>**

**Cable: Comcast Cable channel 16 or AT&T UVerse Channel 99**

**All persons are encouraged to participate in public meetings. Citizens requiring translation or sign language services or other reasonable accommodations may contact the City Clerk's office at 734.794.6140; via e-mail to: [cityclerk@a2gov.org](mailto: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.**