

City of Ann Arbor

301 E. Huron St.

Ann Arbor, MI 48104

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



Meeting Minutes - Final

Tuesday, February 19, 2019

7:00 PM

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

City Council

CALL TO ORDER

Mayor Christopher Taylor called the Regular Session 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

Councilmembers Grand and Smith arrived at 7:02 p.m.

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 Lumm, seconded by Councilmember Ackerman, that the Agenda be approved as presented. 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 and presented on the following:

The City's A2 Fix It system has been upgraded with categories for scooters and crosswalk maintenance.

Mr. Lazarus stated his written report includes a copy of the Ann Arbor Fire Department's annual report. He encouraged Council Members to review the report.

Mr. Lazarus reported on farmland preservation, equity and inclusion

efforts, and the Clerk's Office new online permanent absentee voter list sign-up.

Mr. Lazarus announced that City Clerk Jacqueline Beaudry was appointed to Secretary of State Jocelyn Benson's new team of advisors related to the implementation of the newly approved Proposal 3.

The City of Ann Arbor was recognized as a Breastfeeding Friendly Employer for its designation of a specific room for breastfeeding mothers.

Mr. Lazarus reminded Council of the upcoming budget Work Session on February 25.

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

AC-1 [19-0316](#) Agenda Response Memo and eComments - February 19, 2019

Received and Filed

AC-2 [19-0317](#) City Administrator's Update - February 19, 2019

Received and Filed

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. Lawrence Dolph - Lockwood of Ann Arbor PUD Zoning, 3365 Jackson Road (C-2)

Lawrence Dolph, family member of the original donors of the land that became Dolph Park, spoke in opposition to any building in the surrounding area due to the environmental concerns regarding the Gelman dioxane plume.

2. Priscilla Cheever - Lockwood of Ann Arbor PUD Zoning, 3365 Jackson Road (C-2)

Priscilla Cheever, Lakewood resident, spoke in opposition to the proposed Lockwood of Ann Arbor, 3365 Jackson Road rezoning. She stated the proposed development is out of scale with the existing neighborhood and there are environmental concerns regarding the existing dioxane plume.

3. Philip McMillion - Lockwood of Ann Arbor PUD Zoning, 3365 Jackson Road (C-2)

Phil McMillion, resident, spoke in opposition to the proposed Lockwood of Ann Arbor PUD zoning (C-2). He expressed concern about parking.

4. Elizabeth Collins - Lockwood of Ann Arbor PUD Zoning, 3365 Jackson Road (C-2)

Elizabeth Collins, resident, spoke in opposition to the proposed Lockwood of Ann Arbor PUD zoning, stating environmental issues and concern with the impact to the existing neighborhood.

5. Amanda Carlisle - Lockwood of Ann Arbor PUD Zoning, 3365 Jackson Road (C-2)

Amanda Carlisle, Executive Director of the Washtenaw Housing Alliance, spoke in support of the proposed Lockwood of Ann Arbor PUD Zoning, stating the developer's commitment to stable and affordable housing as part of the project.

6. Vince Caruso - Lockwood of Ann Arbor PUD Zoning, 3365 Jackson Road (C-2)

Vince Caruso, board member of Allen Creek Watershed Group and a founding member of CARD, spoke in opposition to the proposed Lockwood development due to its proximity to the Gelman plume and other environmental concerns, including wetland protection and preservation of the steep slopes on the site.

7. Ariel Ryan - Lockwood of Ann Arbor PUD Zoning, 3365 Jackson Road (C-2)

Ariel Ryan, resident, spoke in opposition to the proposed Lockwood of Ann Arbor PUD Zoning, stating "good enough" should not be acceptable. She encouraged Ann Arbor to do better planning on this site.

8. Amber Hughson - Amendment to Independent Community Police Oversight Commission (C-3)

Amber Hughson read a statement by Dwight Wilson, a member of the Human Rights Commission, regarding the proposed amendment to the Independent Community Police Oversight Commission. His letter expressed his opposition to a proposed amendment that would allow

exceptions for City employees to serve on the ICPOC.

9. Jennifer Fike - Conservation Easement on the Lepkowski Property (DB-1)

Jennifer Fike, Ward 1, Greenbelt Advisory Commission chair, thanked Council for reconsidering the vote on the Lepkowski Property for a conservation easement. She urged Council to approve this property for participation in the Greenbelt program.

10. Tom Stulberg - PUD Ordinances (C-1, C-2)

Tom Stulberg, Ward 1, spoke about the City's approval of PUD projects and urged Council to vote no on the Lockwood project.

Alternates:

1. David Silkworth - Lockwood of Ann Arbor PUD Zoning, 3365 Jackson Road (C-2)

2. Jean Cares - Conservation Easement on the Lepkowski Property (DB-1)

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER GRISWOLD

Councilmember Griswold announced that Council would be resuming Caucus meetings on Sunday evenings beginning on Sunday, March 3 at 7pm. She stated the meeting would be announced on Legistar.

Councilmember Griswold stated she attended an MDOT meeting regarding crosswalks.

COUNCILMEMBER GRAND

Councilmember Grand provided an update on the ICPOC (Independent Community Police Oversight Commission) appointment process. She stated the ordinance amendment on tonight's agenda is due to the realization that certain temporary employees, such as election inspectors, were excluded from possible appointment. She clarified that the ordinance amendment would not allow police officers to be appointed to the Commission.

COUNCILMEMBER BANNISTER

Councilmember Bannister stated she is joining Councilmember Griswold at the upcoming Caucus meeting/coffee hour scheduled for March 3 at 7pm.

Councilmember Bannister stated she and Councilmember Ackerman serve on the HHSAB (Housing and Human Services Advisory Board). The HHSAB had a meeting on February 14, but did not have a quorum. She said the HHSAB still plans to have a resolution to Council at their next meeting regarding the County mental health millage spending priorities.

COUNCILMEMBER LUMM

Councilmember Lumm also spoke about the appointment process for members to the newly formed ICPOC.

Councilmember Lumm spoke about the County mental health millage fund priorities. She stated there is a currently a study taking place to survey residents about the community's priorities.

MC COMMUNICATIONS FROM THE MAYOR**MC-1 [19-0200](#) Appointments - Confirmations****APPOINTMENTS APPROVED**

Mayor Taylor recommended approval of the following appointments that were presented to Council at the February 4 Regular Session of Council:

Commission on Disability Issues

*Christiana Allen-Pipkin -Filling Partial Term
3610 Partridge Path
Ann Arbor, MI 48108
Term: Ending May 31, 2020*

Human Rights Commission

Dilip Das -Filling Partial Term

1217 Lutz Ave.
Ann Arbor, MI 48103
Term: Ending May 31, 2021

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

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-5 Resolution to Approve Street Closings for the Ann Arbor Marathon Running Event - Sunday, March 24, 2019

CA-12 Resolution to Approve Public Art Enhancement Recommendations for FY2020 - FY2026 Capital Improvement Projects

Passed on consent agenda

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

CA-1 19-0153 Enactment No: R-19-061 Approved

Resolution to Close Streets for the 19th Annual Mayor’s Green Fair, Friday, June 14, 2019

CA-2 19-0237 Enactment No: R-19-062 Approved

Resolution to Approve Street Closings for FestiFools Parade - Sunday, April 7, 2019

CA-3 19-0240 Enactment No: R-19-063 Approved

Resolution to Approve Street Closings for Fool Moon - Friday, April 5, 2019

CA-4 19-0241 Enactment No: R-19-064 Approved

Resolution to Approve the Closing of Monroe Street for the Monroe Street Fair, Saturday, April 6, 2019

CA-6 19-0130 Enactment No: R-19-065 Approved

Resolution to Approve a Construction Contract with All Season Gutters to Install New Gutters at the Farmers Market (\$29,099.00)

CA-7 19-0028 Enactment No: R-19-066 Approved

Resolution to Authorize the Purchase of a 2020 Vactor Combination Sewer and Catch Basin Cleaner from Jack Doheny Companies (Sourcewell Bid - \$448,490.00)

CA-8 19-0105 Enactment No: R-19-067 Approved

Resolution to Accept and Appropriate the Second Phase of a Hazard Mitigation Assistance Grant from FEMA to Construct Openings in the Railroad Berm to reduce the Floodplain of Allen Creek (\$4,360,980.00) (**8 Votes Required**)

CA-9 19-0107 Enactment No: R-19-068 Approved

Resolution to Award a Construction Contract to J. Ranck Electric, Inc. for the 2019 Streetlight Replacement Project (\$546,924.00, Bid No. ITB-4557)

CA-10 19-0141 Enactment No: R-19-069 Approved

Resolution to Approve the Purchase of Golf Course Maintenance Equipment from Spartan Distributors (NIPA - \$129,325.57)

CA-11 19-0150 Enactment No: R-19-070 Approved

Resolution to Increase the Sole Source Purchase Order with Jack Doheny Companies Inc. for the Purchase of Parts and Service for Water, Sanitary and Storm Sewer Equipment (\$50,000.00 annually)

CA-13 19-0233 Enactment No: R-19-071 Approved

Resolution to Approve a Collaborative Agreement with the Treeline Conservancy for Development of the Treeline Trail

CA-14 18-1641 Enactment No: R-19-072 Approved

Resolution to Approve a 5-Year Contract with the Huron River Watershed

Council to Support Stormwater Permit Requirements (\$229,611.00 total, for 5 years)

CA-5 19-0243 Enactment No:

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

Resolution to Approve Street Closings for the Ann Arbor Marathon Running Event - Sunday, March 24, 2019

Councilmember Smith stated he was proposing a postponement of this item at the request of staff.

19-0243 Enactment No: Postponed

A motion was made by Councilmember Smith, seconded by Councilmember Eaton, that the Resolution be postponed to the City Council and should be returned by 3/4/2019. On a voice vote, the Mayor declared the motion carried.

Resolution to Approve Street Closings for the Ann Arbor Marathon Running Event - Sunday, March 24, 2019

CA-12 19-0088 Enactment No: R-19-073 Approved

A motion was made by Councilmember Lumm, 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: 6 - Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Nelson and Councilmember Ramlawi

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

Resolution to Approve Public Art Enhancement Recommendations for FY2020 - FY2026 Capital Improvement Projects

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 19-0017 Enactment No: Held and Closed

Held and Closed

Resolution to Approve 830 Henry Street Site Plan and Development Agreement, 814-830 Henry Street (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

A public hearing was conducted on the proposed Resolution to Approve 830 Henry Street Site Plan and Development Agreement, 814-830 Henry Street. Notice of public hearing was published January 31, 2019.

The following persons were present to speak at the hearing:

Rob Burrows, team member with Prentice Partners, stated he was representing the petitioner and was available to answer any questions of Council.

A resident at 810 Henry expressed concern about the lack of parking for the proposal.

David Silkworth, Ward 5

James D'Amour, resident, expressed concern about the proposed development.

Adam Hughes, of Prentice Partners, read letters of support that the developer had received.

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

A APPROVAL OF COUNCIL MINUTES

- A-1** [19-0244](#) Regular Session of February 4, 2019 and Work Session Meeting Minutes of February 11, 2019

A motion was made by Councilmember Smith, seconded by Councilmember Nelson, that the Regular Session Meeting Minutes of February 4 and the Work Session Meeting Minutes of February 11, 2019 be approved. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

C ORDINANCES - FIRST READING

- C-1** [19-0132](#) An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of 3.77 Acres from PUD (Planned Unit Development District) to PUD (Planned Unit Development District), Malletts Wood 1 & 2 PUD Zoning and Supplemental Regulations, 3300 Cardinal Avenue (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-19-04)

A motion was made by Councilmember Ackerman, seconded by Councilmember Grand, that the Ordinance be approved on First Reading to the City Council and should be returned by 3/18/2019. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-19-04

- C-2** [19-0163](#) An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of 3.52 Acres from R1C (Single-Family Residential District) to PUD (Planned Unit Development District), Lockwood of Ann Arbor PUD Zoning and Supplemental Regulations, 3365 Jackson Road (CPC Recommendation: Approval - 6 Yeas and 1 Nays)

A motion was made by Councilmember Smith, seconded by Councilmember Ramlawi, that the Ordinance be approved at First Reading.

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 Ramlawi, seconded by Councilmember Eaton, that Council enter into Closed Session under the Michigan Open Meetings, MCL15.268 (H) to discuss attorney/client privileged communication. On a roll call, the vote was as follows with the Mayor declaring the motion carried and the meeting adjourned in Closed Session at 9:24 p.m.:

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

Nays: 1 - Councilmember Smith

MEETING RECONVENED

A motion was made by Councilmember Eaton, seconded by Councilmember Smith, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened in Open Session at 9:31 p.m.

19-0163 An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of 3.52 Acres from R1C (Single-Family Residential District) to PUD (Planned Unit Development District), Lockwood of Ann Arbor PUD Zoning and Supplemental Regulations, 3365 Jackson Road (CPC Recommendation: Approval - 6 Yeas and 1 Nays)

**The public hearing was scheduled with the postponement of this item.*

A motion was made by Councilmember Eaton, seconded by Councilmember Smith, that the Ordinance be postponed at First Reading until 3/18/2019, at which time a Public Hearing will be scheduled and held. On a voice vote, the Mayor declared the motion carried, WITH ONE DISSENTING VOTE BY COUNCILMEMBER HAYNER.

[Amended with the Approval of the Minutes on March 4, 2019.]

RECESS

Mayor Taylor declared a recess at 9:34 p.m.

MEETING RECONVENED

Mayor Taylor reconvened the meeting at 9:44 p.m.

C-3 **19-0271** An Ordinance to Amend Chapter 8 (Organization of Boards and Commissions), Section 1:210, Title I of the Code of the City of Ann Arbor to Allow Council to Waive City Employment Restriction (Independent Community Police Oversight Commission) (Ordinance No. ORD-19-05)

Sponsors: Lumm, Grand, Ramlawi and Ackerman

A motion was made by Councilmember Ramlawi, seconded by Councilmember Smith, that the Ordinance be approved at First Reading.

Councilmember Eaton moved the following amendment, seconded by Councilmember Nelson:

1-214. – Composition of the Commission.

(1) Membership. The Commission shall consist of 11 voting members, 1 of which shall be a youth member, to be appointed by 1 or more of the City Council liaisons to the Human Rights Commission or liaisons to the Commission with the approval of the City Council. In making appointments of members to the Commission, City Council liaisons to the Human Rights Commission and the Commission shall appoint persons who, insofar as possible, represent the City's diverse population—especially those who tend to have significant negative interactions with the police and are committed to improving police and community relations. Persons who are current employees of the City or who have been employed by the City, including active or former police officers, within 5 years of nomination shall not be eligible for appointment. THE REQUIREMENTS IN THE PRECEDING SENTENCE MAY BE WAIVED BY A RESOLUTION APPROVED BY AT LEAST 7 MEMBERS OF CITY COUNCIL FOR CURRENT AND FORMER EMPLOYEES WHO ARE OR WERE CLASSIFIED AS TEMPORARY EMPLOYEES AND WHO RECEIVED FEWER THAN SEVEN PAY CHECKS IN ANY YEAR FROM THE CITY.

ALL CAPS indicate new language.

The amendment was considered friendly by the Body.

Amended

The question being, the motion made by Councilmember Ramlawi, seconded by Councilmember Smith, that the Ordinance be approved as amended on First Reading to the City Council, due back on 3/4/2019. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 8 - Councilmember Lumm, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Bannister and Councilmember Ramlawi

Nays: 3 - Councilmember Hayner, Councilmember Griswold and Councilmember Nelson

Enactment No: ORD-19-05

D MOTIONS AND RESOLUTIONS

DC Unfinished Business - Council:

DC-1 19-0201 Enactment No: R-19-074 Approved

Sponsors: Taylor

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

Resolution to Appoint Diana Cass to the Human Rights Commission (**7 Votes Required**)

DC New Business - Council:

DC-2 18-2100 Enactment No:

Sponsors: Smith and Ramlawi

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

Resolution to Amend the Old West Side Residential Parking District - West Mosley Street and Appropriate General Fund Unobligated Fund Balance (\$1,000.00) (**8 Votes Required**)

18-2100 Enactment No: Postponed

A motion was made by Councilmember Smith, seconded by Councilmember Ramlawi, that the Resolution be postponed until 3/4/2019. On a voice vote, the Mayor declared the motion carried.

Resolution to Amend the Old West Side Residential Parking District - West Mosley Street and Appropriate General Fund Unobligated Fund Balance (\$1,000.00) (**8 Votes Required**)

DC-3 19-0284 Enactment No:

Sponsors: Eaton

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

Resolution Establishing Center of the City Task Force

19-0284 Enactment No: Postponed

A motion was made by Councilmember Eaton, seconded by

Councilmember Smith, that the Resolution be postponed until 4/1/2019. On a voice vote, the Mayor declared the motion carried.

Resolution Establishing Center of the City Task Force

DC-4 19-0299 Enactment No: R-19-075 Approved

Sponsors: Taylor

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

Resolution to Direct the City Attorney to Stay Proceedings in Peters Building Co. and Robert Weber v. City of Ann Arbor, Case No. 18-822-NZ, in Order for City Council to Consider an Alternative Site Plan

DC-5 19-0279 Enactment No: Approved

Sponsors: Nelson

A motion was made by Councilmember Nelson, 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: 4 - Councilmember Eaton, Councilmember Bannister, Councilmember Griswold and Councilmember Nelson

Nays: 7 - Councilmember Lumm, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Hayner and Councilmember Ramlawi

Resolution Supporting the Compliance of the Process to Identify and Appoint Members to Independent Community Police Oversight Commission with City Ordinance

DC-6 19-0300 Enactment No:

Sponsors: Council Rules Committee

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

Resolution to Amend Council Rules 1, 5B, 5D, 5E, and 5F

Councilmember Lumm inquired if the proposed Rule changes would also be applied to Council-sponsored items.

19-0300 Enactment No: Referred

A motion was made by Councilmember Eaton, seconded by Councilmember Smith, that the Resolution be referred to the Council Rules Committee. On a voice vote, the Mayor declared the motion carried.

Resolution to Amend Council Rules 1, 5B, 5D, 5E, and 5F

DB Unfinished Business - Boards and Commissions:

DB-1 18-2188 Enactment No: R-19-076 Approved

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

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

Nays: 1 - Councilmember Lumm

Resolution to Approve the Purchase of a Conservation Easement on the Lepkowski Property in Northfield Township and to Appropriate \$478,867.00 **(8 Votes Required)**

DB New Business - Boards and Commissions:

DB-2 19-0017 Enactment No: R-19-077 Approved

A motion was made by Councilmember Eaton, seconded by Councilmember Smith, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried, WITH ONE DISSENTING VOTE BY COUNCILMEMBER HAYNER.

[Amended with the Approval of the Minutes on March 4, 2019.]

Resolution to Approve 830 Henry Street Site Plan and Development Agreement, 814-830 Henry Street (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

DS Unfinished Business - Staff:

DS-1 18-1331 Enactment No: **Approved**

A motion was made by Councilmember Ackerman, seconded by Councilmember Smith, that the Resolution be approved. On a roll call, the vote was as follows with the Mayor declaring the motion defeated, without meeting the eight-vote requirement:

Yeas: 7 - Councilmember Lumm, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Nelson and Councilmember Ramlawi

Nays: 4 - Councilmember Eaton, Councilmember Bannister, Councilmember Hayner and Councilmember Griswold

Resolution to Authorize a Professional Services Agreements with Orchard, Hiltz & McCliment, Inc. (OHM) for the Lower Town Area Mobility Study (RFP No. 18-21) (\$579,478.00) and Appropriate Funding from the Major Street Fund Balance (\$649,478.00) **(8 Votes Required)**

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 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 [19-0234](#) Communication from Evan Pratt regarding Notice of Hearing of Necessity on Millers Creek Ann Arbor Drainage Project MCAA Pepper Pike 5626.01 Drain Project Scheduled for February 19, 2019

F-2 [18-2151](#) Transportation Commission 2017 and 2018 Annual Report

F-3 [19-0283](#) Communication from Wendy's - The Wendy's Company regarding the Resolution that the Ann Arbor City Council recently passed regarding the Fair Food Program

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

G-1 [18-2126](#) Design Review Board Meeting Minutes of October 17, 2018

G-2 [18-2137](#) City Planning Commission Meeting Minutes of December 4, 2018

G-3 [19-0052](#)
Design Review Board Meeting Minutes of December 19, 2018

G-4 [19-0079](#) Historic District Commission Meeting Minutes of December 13, 2018

G-5 [19-0083](#) Transportation Commission Meeting Minutes 12-19-2018

G-6 [19-0104](#) Airport Advisory Committee Minutes - November 14, 2018

G-7 [19-0108](#)
Zoning Board of Appeals Meeting Minutes of December 5, 2018

G-8 [19-0135](#) Council Policy Agenda Committee Meeting Minutes of November 27th, 2018

G-9 [19-0156](#) Environmental Commission Meeting Minutes of 12-6-18

G-10 [19-0224](#) Council Administration Committee Minutes - January 22, 2019

G-11 [19-0235](#) Audit Committee Meeting Minutes - January 29, 2019

G-12 [19-0268](#) Retiree Health Care Benefit Plan & Trust Board Meeting Minutes of June 21, 2018

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

An unknown speaker addressed comments that were made at the meeting this evening regarding "undue influence." He stated some Council Members have bullied others.

Lauren Tatarsky, former member of the Police Oversight Task Force, urged Council to be transparent in the appointment process of the ICPOC.

Kai Petainen, resident, spoke about the recent FOIA he filed with the City and thanked the City Attorney's Office staff for their work.

COMMUNICATIONS FROM COUNCIL**COUNCILMEMBER RAMLAWI**

Councilmember Ramlawi announced his upcoming constituent coffee hour at Argus Farm Stop.

COUNCILMEMBER HAYNER

Councilmember Hayner spoke about the public's trust of City government.

Councilmember Hayner spoke about the 830 Henry project and the need for a roundabout at the intersection of Stadium and Henry.

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 Griswold, seconded by Councilmember Hayner, that Council enter into Closed Session under the Michigan Open Meetings Act to discuss pending litigation and attorney client privileged communication under MCLA 15.268 (E) and (H) to discuss Trinitas v. City of Ann Arbor and International Transmission Company v. City of Ann Arbor. On a roll call, the vote was as follows with the Mayor declaring the motion carried and the meeting adjourned in Closed Session at 11:48 p.m:

Yeas: 11 - Councilmember Lumm, Councilmember 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 Ramlawi, seconded by Councilmember Smith, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened in Open Session at 12:08 a.m.

A motion was made by Councilmember Eaton, seconded by Councilmember Smith, that the Agenda be opened to add the following:

Resolution to Approve Consent Judgments in ITC State-Pioneer Transmission Line Project Cases

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

19-0341 Enactment No: R-19-078 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 Consent Judgments in ITC State-Pioneer Transmission Line Project Cases

ADJOURNMENT

A motion was made by Councilmember Nelson, seconded by Councilmember Ramlawi, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 12:10 a.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: TUESDAY, FEBRUARY 19, 2019 @ 7:00 P.M.
REPLAYS: WEDNESDAY, FEBRUARY 20, 2019 @ 8:00 A.M. AND FRIDAY, FEBRUARY 22, 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.

Jacqueline Beaudry
Clerk of the Council

Anissa R. Bowden
Recording Secretary