

City of Ann Arbor

301 E. Huron St.

Ann Arbor, MI 48104

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



Meeting Minutes

Tuesday, January 17, 2017

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 7:02 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 Sumi Kailasapathy, Councilmember Chuck Warpehoski, Councilmember Jack Eaton, Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Graydon Krapohl, Councilmember Kirk Westphal, Councilmember Zachary Ackerman, Councilmember Chip Smith and Councilmember Jason Frenzel

APPROVAL OF AGENDA

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

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

AC-1 [17-0106](#) Agenda Responses - January 17, 2017

City Administrator Howard S. Lazarus presented his Agenda Response Memorandum for information of Council.

Received and Filed

INT INTRODUCTIONS

None.

PUBLIC COMMENTARY - RESERVED TIME (3 MINUTES PER SPEAKER)

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

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

1. KP Unnikrishnan - Agreement for Professional Services with Neumann/Smith Architecture (CA-10)

KP Unnikrishnan spoke in opposition to the expansion of the Ann Arbor Train Station, stating a new and expanded station will not increase ridership.

2. Ethel Potts - Agreement for Professional Services with Neumann/Smith Architecture (CA-10)

Ethel Potts, 1014 Elder Boulevard, spoke in opposition to CA-10, regarding the proposed new Ann Arbor Train Station. She questioned why this contract was placed on the Consent Agenda.

3. Rita Mitchell- Agreement for Professional Services with Neumann/Smith Architecture (CA-10)

Rita Mitchell, 621 Fifth Street, spoke in opposition to CA-10, regarding the design of a new train station. She questioned the completeness of the documents included for Council and the public's review.

4. Kathy Griswold - Agreement for Professional Services with Neumann/Smith Architecture (CA-10)

Kathy Griswold, 3565 Fox Hunt, spoke in opposition to the construction of a new train station.

5. Jessica Provinski - DACA Immigrant Resolution (DC-2)

Jessica Provinski spoke in support of DC-2, urging President Obama to defend DACA (Deferred Action for Child Arrivals Program Youth).

6. Kate Stenvig - DACA Immigrant Resolution (DC-2)

Kate Stenvig, organizer with BAMN, spoke in support of the DACA resolution. She urged Council to pass the resolution requesting President Obama act to protect DACA.

7. Tyler Wood - DACA Immigrant Resolution (DC-2)

Tyler Wood, member of BAMN, spoke in support of DC-2, regarding support for DACA.

8. Timothy Hunter - DACA Immigrant Resolution (DC-2)

Timothy Hunter, English teacher in Washtenaw County, spoke in support of DC-2, urging President Obama to protect DACA immigrants.

9. Sonja Knighton - DACA Immigrant Resolution (DC-2)

Sonja Knighton, 2490 Arrowwood, spoke in support of DC-2, regarding DACA protection.

10. David Shafer - Student Advisory Council to Appoint a City Council Representative (DC-3)

David Shafer, current student body President at the University of Michigan, spoke in favor of DC-3, regarding a Student Advisory Council.

CC COMMUNICATIONS FROM COUNCIL**COUNCILMEMBER GRAND**

Councilmember Grand addressed a concern regarding items being placed by staff on the Consent Agenda. She stated it is likely that CA-10 will be pulled, but that it is a decision of Council. Staff places items on Consent Agenda as a practice, not to hide items from Council or the public.

MC COMMUNICATIONS FROM THE MAYOR**MC-1 [17-0011](#) Appointments - Confirmations**

Mayor Taylor requested confirmation of the following appointments that were presented on the January 3, 2017 agenda for consideration:

Ann Arbor Public Art Commission

*Allison Buck
431 4th St.
Ann Arbor, MI 48103*

Term: Partial term ending May 31, 2017

Commission on Disability Issues

Kathleen Mozak-Betts

ADA Disclosed Disability

1302 Brookfield Dr.

Ann Arbor, MI 48103

Term: Partial term ending May 31, 2019

Medical Marijuana Ordinance Advisory Committee

Brian Fenech

Attorney

1305 Hutchins Ave.

Ann Arbor, MI 48103

Term: Until task fulfilled

Jonah Copi

Director-Ann Arbor Wellness Clinic

225 Briarcrest Dr.

Ann Arbor, MI 48104

Term: Until task fulfilled

Craig Stoller

Doctor of Chiropractic Medicine

2265 Stellar St.

Ann Arbor, MI 48104

Term: Until task fulfilled

Transportation Commission

Linda Diane Feldt

3 Keppler Ct.

Ann Arbor, MI 48103

Term: Initial term ending May 31, 2019

Michael Firn

Transportation Business- Sic Transit Cycles

807 N. Main St.

Ann Arbor, MI 48104

Term: Initial term ending May 31, 2019

*Robert Gordon
2328 Fernwood
Ann Arbor, MI 48104
Term: Initial term ending May 31, 2019*

*Cyrus Naheedy
500 Snyder Ave.
Ann Arbor, MI 48103
Term: Initial term ending May 31, 2018*

*Stephanie Preston
1941 Geddes Ave.
Ann Arbor, MI 48104
Term: Initial term ending May 31, 2018*

*Bradley Parsons
2936 Saint Aubin Ave.
Ann Arbor, MI 48108
Term: Initial term ending May 31, 2017*

*Melissa Stults
2320 Walter Dr.
Ann Arbor, MI 48103
Term: Initial term ending May 31, 2017*

Zoning Board of Appeals

*Todd Grant
Attorney
2775 Antietam Court
Ann Arbor, MI 48105
Term: Partial term ending May 31, 2019*

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

MC-2 [17-0059](#) Nominations & Appointments

Mayor Taylor recommended the following nominations for approval at a later date:

Ann Arbor Housing Commission

*Audrey Wojtkowiak -Reappointment
523 Longshore B
Ann Arbor, MI 48105
Term: May 2, 2017 - May 2, 2022*

Board of Review

*Doris Preston -Reappointment
428 Sunset Rd.
Ann Arbor, MI 48103
Term: February 1, 2017 - January 31, 2020*

*Board of Review Panel 2
Robert White -Reappointment
1849 Saxon
Ann Arbor, MI 48103
Term: February 1, 2017 - January 31, 2020*

Historic District Commission

*David Rochlen
Architect
454 Second St.
Ann Arbor, MI 48103
Term: Partial term ending May 31, 2019*

Local Officers Compensation Commission

*Shoshana Hurand
111 Allen Dr.
Ann Arbor, MI 48103
Term: Filling remaining term of Jason Morgan
Term ending September 30, 2020*

Referred to the City Council due back on 2/6/2017

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 under New Business (DS section):

CA-10 Resolution to Appropriate \$151,600.00 from General Fund to Major Grant Fund (00MG) Ann Arbor Station Project Budget and to Approve an Agreement for Professional Services with Neumann/Smith Architecture for Ann Arbor Station Preliminary Design and Engineering (\$2,135,310.67) (8 Votes Required)

Passed on consent agenda

A motion was made by Councilmember Ackerman, seconded by Councilmember Lumm, 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-2, CA-8 and CA-9.

Resolution to Approve the Purchase of Golf Course Maintenance Equipment from Spartan Distributors (MiDeal - \$354,770.92) and to Appropriate Funds (\$354,770.92) **(8 Votes Required)**

Resolution to Approve a Budget in the Amount of \$345,000.00 and Accept and Appropriate Funding of Up to \$210,000.00 from the Washtenaw County Office of Community and Economic Development for Construction of an Addition to the Bryant Community Center **(8 Votes Required)**

Resolution to Approve a Service Contract with Dawn, Inc., d/b/a Dawn Farm, to Provide Drug Abuse Counseling and Rehabilitative Services to Sobriety Court, Veterans Treatment Court and Mental Health Court Participants (\$141,735.00)

Resolution to Approve a Contract with the Washtenaw County Sheriff's Office to Provide Drug Abuse Screening Services to Veterans Treatment Court, Mental Health Court and Sobriety Court Participants (\$25,007.21)

Resolution to Approve a Professional Services Agreement with OHM Advisors for Streetlight Condition Assessment (\$143,296.00; RFP No. 983)

Resolution to Approve the Purchase of Vehicles from Todd Wenzel Buick GMC (Oakland County Bid - \$83,342.00)

Resolution to Approve the Purchase of Vehicles from Berger Chevrolet (Oakland County Bid - \$299,200.00)

Resolution to Approve the Purchase of Vehicles from Signature Ford

(Macomb County Bid - \$283,969.00) and to Appropriate Funds (\$23,040.00) **(8 Votes Required)**

Resolution to Accept an Easement for Public Right-of-Way at 2999 and 3381 Nixon Road (North Oaks Condominium) from Toll MI VI Limited Partnership **(8 Votes Required)**

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

Held and Closed

Resolution to Approve Hillside Memory Care Site Plan, 312 Glendale Drive (CPC Recommendation: Approval - 6 Yeas and 1 Nay)

A public hearing was conducted on the proposed Resolution to Approve Hillside Memory Care Site Plan, located at 312 Glendale Drive. Notice of public hearing was published January 9, 2017.

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

Diane Robins, 1914 Old Orchard Court, expressed concern about the increase in stormwater runoff and the impact to the neighbors.

Vince Caruso, 556 Glendale Circle, representing the Allen Creek Greenway Conservancy

Kathy Boris, 1726 Charlton

Ethel Potts, 1014 Elder Boulevard

Priscilla Parker, 1706 Charlton, expressed concern about flooding and environmental impacts.

John Ramsburgh, 1804 Orchard Street, urged Council to postpone this project until neighbor issues are addressed.

A resident at 1914 Old Orchard Court

Lyn Borset, 322 Virginia

Susan Cybulski, 112 Kenwood, spoke about the need to look at the entire site, including the existing Hillside Terrace.

Rita Mitchell, 621 Fifth

David Silkworth, 2048 Charlton, urged Council to postpone approval and allow Planning to spend a little more time on this project.

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

Held and Closed

Resolution to Adopt the 2016- 2020 Parks and Recreation Open Space Plan (Adopted by the CPC on December 6, 2016 - 7 Yeas, 0 Nays)

A public hearing was conducted on the proposed Resolution to Adopt the 2016- 2020 Parks and Recreation Open Space Plan. Notice of public hearing was published January 9, 2017.

The following persons were present to speak at the hearing:

An unidentified resident spoke in support and thanked staff for the good work.

Rita Mitchell, 621 Fifth, concurred that the PROS plan was well done. She urged Council to continue to support and protect the parks.

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

A APPROVAL OF COUNCIL MINUTES

- A-1** [17-0070](#) Work Session Meeting Minutes of December 12, 2016 and Regular Session of January 3, 2017

A motion was made by Councilmember Ackerman, seconded by Councilmember Grand, that the Minutes of the Work Session of December 12, 2016 and the Regular Session of the January 3, 2017 be approved. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

None.

C ORDINANCES - FIRST READING

None.

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

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

Resolution to Approve a Request by KVA, LLC to Transfer Ownership of a 2016 Class C and SDM Licensed Business with Sunday Sales Permit to Bardhyl Mullalli and Approve Outdoor Service Area, dba Quickie Burger at 800 S. State Street

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

Resolution to Urge President Obama and Ann Arbor's State Legislators to Take Action to Protect Deferred Action for Child Arrivals Program Youth

A motion was made by Councilmember Ackerman, supported by Councilmember Grand, that the Resolution be approved.

Resolution to Approve a Memorandum of Understanding Regarding a Student Advisory Council and to Appoint a City Council Representative

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

Resolution to Approve a Memorandum of Understanding Regarding a Student Advisory Council and to Appoint a City Council Representative

A motion was made by Councilmember Ackerman, seconded by Councilmember Lumm, that the Resolution be amended to appoint Councilmember Grand as the Council Representative. The motion was considered friendly by the Body.

A motion was made by Councilmember Westphal, seconded by Councilmember Lumm, 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 Kailasapathy, Councilmember Warpehoski, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Krapohl, Councilmember Westphal, Councilmember Smith and Councilmember Frenzel

Nays: 1 - Councilmember Ackerman

Resolution to Request Planning Staff and City Planning Commission Evaluate Regulations to Encourage Active Street-Level Uses on Downtown Shopping Streets

OPEN THE AGENDA

A motion was made by Councilmember Ackerman, seconded by Councilmember Kailasapathy, that the Agenda be opened. On a voice vote, the Mayor declared the motion carried.

AMEND THE AGENDA

A motion was made by Councilmember Ackerman, seconded by Councilmember Warpehoski, that the Agenda be amended and approved as follows:

Move:

CA-10 (Consider after DS-1)

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

DB New Business - Boards and Commissions:

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

Resolution to Approve Hillside Memory Care Site Plan, 312 Glendale Drive
(CPC Recommendation: Approval - 6 Yeas and 1 Nay)

A motion was made by Councilmember Smith, seconded by Councilmember Warpehoski, that the Resolution be referred to the Planning Commission. On a voice vote, the Mayor declared the motion carried.

Resolution to Approve Hillside Memory Care Site Plan, 312 Glendale Drive
(CPC Recommendation: Approval - 6 Yeas and 1 Nay)

Council requested that Planning Commission look at the site in context with the existing Hillside Terrace site, including the proposed parking plan and the layout.

Councilmember Westphal also requested a report on stormwater management from current projects.

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 Adopt the 2016- 2020 Parks and Recreation Open Space Plan (Adopted by the CPC on December 6, 2016 - 7 Yeas, 0 Nays)

DS New Business - Staff:

A motion was 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 carried:

Yeas: 11 - Councilmember Lumm, Councilmember Kailasapathy, Councilmember Warpehoski, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Krapohl, Councilmember Westphal, Councilmember Ackerman, Councilmember Smith and Councilmember Frenzel

Nays: 0

Resolution Authorizing the Issuance and Sale of 2017 Court and Police Facilities Refunding Bonds (Limited Tax General Obligation) (Roll Call Vote Required - One Reading)

A motion was made by Councilmember Ackerman, 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 and the eight-vote requirement satisfied:

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

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

Resolution to Appropriate \$151,600.00 from General Fund to Major Grant Fund (OOMG) Ann Arbor Station Project Budget and to Approve an Agreement for Professional Services with Neumann/Smith Architecture for Ann Arbor Station Preliminary Design and Engineering (\$2,135,310.67) (**8 Votes Required**)

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 Warpehoski, seconded by Councilmember Smith, 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** [17-0027](#) Communication from the Office of the Great Seal regarding Approval of the Petition to the State of Michigan Boundary Commission to Annex Various Parcels from the Charter Township of Ann Arbor - All Departments

- F-2** [17-0028](#) Communication from Secretary of State Ruth Johnson regarding receipt and filing of the City of Ann Arbor Charter Amendment Approved by the Electorate at the General Election on November 8, 2016 - File

- F-3** [17-0029](#) Communications from Comcast regarding Various Line Up and Rate Changes - City Attorney, CTN

- F-4** [17-0067](#) Resignation of Sean Wright from the Cable Communications Commission

G The following minutes were received for filing:

- G-1** [16-1336](#) Park Advisory Commission Meeting Minutes of July 19, 2016

- G-2** [16-1563](#) City Election Commission Meeting Minutes of July 22, 2016 and October 18, 2016

- G-3** [16-1785](#) LDFA Smartzone Board Meeting Minutes - October 18, 2016

- G-4** [17-0014](#) Ann Arbor Public Art Commission Meeting Minutes of September 21, 2016

- G-5** [17-0077](#) Council Admin. Committee Meeting Minutes of November 21, 2016

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Tim Hull, resident, spoke about transportation issues, including the need for reliable bus service in middle class neighborhoods, not just around campus.

Kai Petainen, First Ward, spoke in support of a new train station, but urged Council to be transparent, honest, and to engage the public in the process.

Stephanie Preston, A2 Safe Transport, thanked staff and Council for the pedestrian safety improvements, including a lighted crosswalk at Huron High School. She expressed concern about the placement of the new school zone signs and urged Council to consider where the signs are placed in relation to other speed signs.

Paula Uche, Ward Four, spoke about the safety of residents walking in the parks who may be unaware of the deer cull activities. She also spoke about the use of trains in Europe. Ms. Uche thanked Council for their support of DACA. She urged Council to declare Ann Arbor a sanctuary city.

An unidentified resident spoke in support of affordable housing and urged Council to address the affordability of downtown living. He also spoke about the future of autonomous vehicles and how that will affect transit.

COMMUNICATIONS FROM COUNCIL**COUNCILMEMBER SMITH**

Councilmember Smith spoke about the new Transportation Commission, stating their first meeting is being scheduled for Wednesday, February 15, 7pm in Council Chamber. He stated this new Commission is planning to meet monthly on the third Wednesday.

COUNCILMEMBER LUMM

Councilmember Lumm thanked staff for their outreach efforts regarding the deer management program.

COUNCILMEMBER FRENZEL

Councilmember Frenzel updated Council and the public regarding upcoming energy events and a solar availability challenge by ward.

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

None.

ADJOURNMENT

A motion was made by Councilmember Westphal, seconded by Councilmember Lumm, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 10:55 p.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: TUESDAY, JANUARY 17, 2017 @7:00 P.M.

REPLAYS: WEDNESDAY, JANUARY 18, 2017 @ 8:00 A.M. AND FRIDAY, JANUARY 20, 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; 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