

# City of Ann Arbor

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



## Action Minutes

Thursday, August 23, 2018

7:00 PM

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

**City Council**

**CALL TO ORDER**

*Acting Mayor Pro Tem Jane Lumm called the meeting to order at 7:04 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**

*Acting Mayor Pro Tem Lumm led Council in the recitation of the Pledge of Allegiance.*

**ROLL CALL OF COUNCIL**

- Present:** 7 - Councilmember Jane Lumm, Councilmember Jack Eaton, Councilmember Julie Grand, Councilmember Kirk Westphal, Councilmember Zachary Ackerman, Councilmember Chip Smith and Councilmember Anne Bannister
- Absent:** 4 - Councilmember Sumi Kailasapathy, Councilmember Chuck Warpehoski, Mayor Christopher Taylor and Councilmember Graydon Krapohl

**APPROVAL OF AGENDA**

**A motion was made by Councilmember Ackerman, seconded by Councilmember Eaton, that the Agenda be approved as presented. On a voice vote, the Acting Mayor Pro Tem declared the motion carried.**

**AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR**

*City Administrator Howard Lazarus submitted the following reports for information of Council and updated on the following:*

*The City is working with the Scouts for an Eagle Scout badge day in City Government.*

*For more information on the City's Natural Area Preservation events, visit [www.a2gov.org/NAP](http://www.a2gov.org/NAP)*

*Ann Arbor was recently featured on the Cooking Channel's "Cheap Eats" program.*

*The AAPD is holding a swearing-in ceremony tomorrow in Council Chambers at 12:00 p.m.*

*Thank you AAPD Officer Ryan Scott for attending tonight's meeting.*

**AC-1**     [18-1453](#)

Memorandum from City Administrator: Community Participation and

## Engagement in Developing City Budget - August 16, 2018

**Attachments:** 180816 Citizen Priorities for Budgets Memo Final.pdf

Received and Filed

**AC-2**     [18-1473](#)     City Administrator's Report - August 23, 2018

**Attachments:** 180823 City Administrator's UpdateREV.pdf

Received and Filed

**AC-3**     [18-1474](#)     Agenda Response Memo and eComments - August 23, 2018

**Attachments:** Agenda Responses 8-23-18Final.pdf, ecomments\_export 08-23-18.pdf

Received and Filed

**INT    INTRODUCTIONS****INT-1**     [18-1333](#)     Proclamation for Lafora Body Disease Awareness Day, August 24, 2018

**Attachments:** Lafora Body Disease Awareness Day.pdf

*Acting Mayor Pro Tem Lumm read a proclamation announcing August 24, 2018 as Lafora Body Disease Awareness Day. 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.     Kathy Griswold - Crosswalk Safety**

*Kathy Griswold, City Council Candidate Ward 2, spoke about the need for crosswalk repairs and a need for standards in crosswalk design.*

**2.     Sandra Peterson - Annexation of Township Parcels**

*Sandra Peterson, Ann Arbor Township resident, expressed concern about the annexation of her in-laws property on Newport Road, stating the expense of connecting to the City's water and sewer system when their current well and septic system is working.*

**3. Greg Peterson - Annexation of Township Parcels**

*Greg Peterson, Ann Arbor Township resident, spoke about the City's forced annexation of residents along Newport Road, stating the expenses required to connect to the City's utilities are unaffordable for most residents. He urged the City to reconsider this action.*

**4. Glenn Nelson - Use of the Mental Health and Public Safety Funds**

*Glenn Nelson, City resident, a leader of citizens for mental health and public safety, spoke about the City's millage rebate. He urged Council to use the millage funds for their intended purpose and to have a community conversation on the subject.*

**CC COMMUNICATIONS FROM COUNCIL**

*COUNCILMEMBER BANNISTER*

*Councilmember Bannister responded to Mr. Nelson's comments and stated she sits on the Community Corrections Advisory Board for the County. She stated there is an increase in acute mental illness within the corrections system and a conversation needs to continue regarding how Ann Arbor will respond to this crisis.*

*COUNCILMEMBER LUMM*

*Councilmember Lumm spoke about the Administrator's Report on a Community Participation and Engagement process in Development of the City Budget. She thanked Mr. Lazarus and Mr. Crawford for their work on this issue.*

**MC COMMUNICATIONS FROM THE MAYOR**

**MC-1**     [18-1357](#)     Appointments - Confirmations

**Attachments:**     Molly Kleinman app.2018.pdf, Paul Darling app. 2018.pdf, Eric Mahler app. 2018.pdf

*Acting Mayor Pro Tem Lumm requested confirmation of the following appointments that were presented to City Council for consideration at the August 9, 2018 Regular Session:*

*Ann Arbor Area Transportation Authority Board*

*Eric Mahler -Reappointment  
3267 Turnberry  
Ann Arbor, MI 48108  
Term: Ending May 1, 2023*

*Building Board of Appeals*

*Paul Darling -Reappointment  
Architect  
1430 Hatcher Crescent  
Ann Arbor, MI 48103  
Term: Ending May 31, 2020*

*Transportation Commission*

*Molly Kleinman -Filling remaining term of Melissa Stults (resigned)  
1447 Harpst St.  
Ann Arbor, MI 48104  
Term: Ending May 31, 2020*

**A motion was made by Councilmember Grand, seconded by Councilmember Westphal, that the Appointments be approved. On a voice vote, the Acting Mayor Pro Tem declared the motion carried.**

**MC-2**     [18-1472](#)

Nominations and Appointments

**Attachments:**     Kathleen Mozak Betts 2018.pdf

*REFERRED*

*Acting Mayor Pro Tem Lumm presented the following appointment on behalf of Mayor Taylor, for approval at a later date:*

*Ann Arbor Area Transportation Authority Board*

*Kathleen Mozak-Betts -Partial term  
106 Packard St.  
Ann Arbor, MI 48104  
Term: Ending May 1, 2023*

**Referred to the City Council due back on 9/4/2018**

**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-4 Resolution to Approve Budget Adjustment for USDA-NRCS ACEP Reimbursement on the Purchase of Development Rights on the Donald H. Drake Trust Property in Lodi Township, and Appropriate Additional Funds, Not to Exceed \$141,120.00, from the Open Space and Parkland Preservation Millage (8 Votes Required)*

*CA-7 Resolution to Approve Participation Agreement with Ann Arbor Township and Washtenaw County Parks and Recreation and Appropriate \$59,640.00 from the Open Space and Parkland Preservation Millage for Purchase of a Conservation Easement on the Koch Property (8 Votes Required)*

**Passed on consent agenda**

**A motion was made by Councilmember Smith, seconded by Councilmember Eaton, that the following Consent Items be approved as presented. On a voice vote, the Acting Mayor Pro Tem declared the motion carried.**

- CA-1**     [18-1178](#)     Resolution to Approve a Three-Year Contract with Du-All Cleaning Inc. (Du-All) for Janitorial Services at the Wastewater Treatment Plant (\$74,274.00) ITB #4542

**Attachments:**     Janitorial bid 2018 ITB 4542.pdf, Janitorial ITB\_4542\_Addendum1.pdf, Janitorial ITB\_4542\_Addendum2.pdf, Bid tab ITB 4542 Janitorial Services WWTP.pdf, ITB 4542 Du-All bid.pdf, ITB 4542 Janitorial Contract 2018.pdf

Enactment No: R-18-329

- CA-2**     [18-1334](#)     Resolution to Approve Change Order No. 1 with CLI Concrete Leveling Inc. for the 2018 Sidewalk Leveling Project (\$24,910.00)

**Attachments:**     2018-021B CLI, 2018 Sidewalk Leveling Cont Mod 1.pdf

Enactment No: R-18-330

- CA-3**     [18-1335](#)     Resolution to Award a Construction Contract to P.K. Contracting, Inc. for

Pavement Marking Maintenance (\$405,451.25; Bid No. ITB No. 4532)

**Attachments:** ITB\_4532\_Document.pdf, ITB 4532\_PMM - FY2019\_Bid Summary.pdf

Enactment No: R-18-331

**CA-5**     [18-1298](#)     Resolution Approving Purchase Orders with Oakland County for CLEMIS Information Services for FY19 - FY23 (\$523,710.00)

**Attachments:** 2018 CLEMIS Agreement.pdf

Enactment No: R-18-332

**CA-6**     [18-1374](#)     Resolution to Approve Closing of East and West Washington Streets for Oktoberfest from 8:00 AM on Friday, September 28, 2018 to 1:00 AM on Sunday, September 30, 2018

**Attachments:** Oktoberfest East Washington St Map, Oktoberfest West Map

Enactment No: R-18-333

**CA-8**     [18-1297](#)     Resolution to Approve Purchases from Phoenix Safety Outfitters, LLC for Fire Department Personal Protective Firefighting Turnout Gear for Five Years (\$275,000.00)

**Attachments:** Phoenix Safety Outfitters ITB 4545

Enactment No: R-18-334

**CA-4**     [18-1372](#)     Resolution to Approve Budget Adjustment for USDA-NRCS ACEP Reimbursement on the Purchase of Development Rights on the Donald H. Drake Trust Property in Lodi Township, and Appropriate Additional Funds, Not to Exceed \$141,120.00, from the Open Space and Parkland Preservation Millage (**8 Votes Required**)

**Attachments:** Drake North Aerial Map\_.pdf, Drake North Protected Map v2 (002).pdf

*It was noted that 8-vote items would need to be postponed due to the lack of eight Council Members present.*

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

**A motion was made by Councilmember Eaton, seconded by Councilmember Ackerman, that the Resolution be postponed to the City Council and should be returned by 9/4/2018. On a voice vote, the Acting Mayor Pro Tem declared the motion carried.**

- CA-7**     [18-1337](#)     Resolution to Approve Participation Agreement with Ann Arbor Township and Washtenaw County Parks and Recreation and Appropriate \$59,640.00 from the Open Space and Parkland Preservation Millage for Purchase of a Conservation Easement on the Koch Property (**8 Votes Required**)

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

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

**A motion was made by Councilmember Ackerman, seconded by Councilmember Grand, that the Resolution be postponed to the City Council and should be returned by 9/4/2018. On a voice vote, the Acting Mayor Pro Tem declared the motion carried.**

**PH     PUBLIC HEARINGS (3 MINUTES PER SPEAKER)**

- PH-1**     [18-1124](#)     An Ordinance to Amend Section 5.29.4 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Special Exception Use as a Type I Citizen Participation Application) (Ordinance No. ORD-18-20)

**Attachments:**     ORD18-20 As Amended.pdf, 18-20 Unified Development Code - Special Exception Use Ordinance Briefed.pdf, v2 7-16 Proposed SUBSTITUTE UDC Ordinance - SEUs Type I Citizen Participation.pdf, Proposed UDC Ordinance - SEUs Type I Citizen Participation.pdf, October Effective Date Recommendation.pdf

*A public hearing was conducted on the proposed Ordinance to amend Section 5.29.4 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Special Exception Use as a Type I Citizen Participation Application) (Ordinance No. ORD-18-20). Notice of public hearing was published July 19, 2018.*

*The following persons were present to speak at the hearing:*

*Edward Vielmetti, Ward 4, urged the City to improve its Communications regarding major issues in the City.*

*Jeff Hayner, Ward 1, stated more notice is always better.*

*Brian Fenech, Ward 4, stated he is concerned about the requirement for additional hearings for those who have already begun the SEU process.*

*There being no further comment, the Acting Mayor Pro Tem declared the hearing closed.*

**Held and Closed**

Enactment No: ORD-18-20



**PH-2**     [18-1125](#)

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

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

*A public hearing was conducted on the proposed Ordinance to Amend Section 5.17.3G of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Medical Marijuana Provisioning Center Location Restriction) (Ordinance No. ORD-18-21). Notice of public hearing was published July 19, 2018.*

*The following persons were present to speak at the hearing:*

*Chuck Ream, Packard Road, spoke in opposition, and urged Council not to step backwards in regards to medical cannabis. He stated Ann Arbor has long been an advocate for cannabis rights.*

*Brian Fenech, Ward 4, suggested Council postpone action until more Members were present. He also urged Council not to penalize those already in the permitting process with the City.*

*Kelly Walkovich, pediatrician, spoke in support of the ordinance, and stated the risks to children from marijuana are real.*

*A pediatrician with Michigan Medicine spoke in support for the 1000 feet distance, and stated children should not be exposed to marijuana.*

*Gregory Yanik, pediatric oncologist, spoke in support.*

*Edward Vielmetti, Ward 4*

*Lori Shulman, Adolescent Social Worker, spoke in support.*

*A resident, spoke in support for 1000 feet and stated as a parent, he is supportive of marijuana restrictions near schools.*

*An owner of a local preschool urged Council to support restrictions in the vicinity of daycare centers.*

*There being no further comment, the Acting Mayor Pro Tem declared the hearing closed.*

**Held and Closed**

Enactment No: ORD-18-21

**PH-3**     [18-1130](#)

An Ordinance to Amend Section 5.15 (Table 5-15) and Section 5.37.2 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Marijuana-Infused Product Processor) (Ordinance No. ORD-18-22)

**Attachments:** 18-22 Unified Development Code - Marijuana-Infused Product Processor Ordinance Briefed.pdf, ProcessorOrdinance.pdf, 5-16-2018 CPC Minutes with Live Links.pdf

*A public hearing was conducted on the proposed Ordinance to Amend Section 5.15 (Table 5-15) and Section 5.37.2 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Marijuana-Infused Product Processor) (Ordinance No. ORD-18-22). Notice of public hearing was published July 19, 2018.*

*There being no one present for comment, the Acting Mayor Pro Tem declared the hearing closed.*

**Held and Closed**

Enactment No: ORD-18-22

**PH-4**      [18-1147](#)

An Ordinance to Amend Section 1:207 of Chapter 8 (Organization of Boards and Commissions) and to Repeal Chapter 85 (Taxicabs) of the Code of the City of Ann Arbor (Ordinance No. ORD-18-23)

**Attachments:** ORD18-23 Taxicabs As Amended on 082318.pdf, 18-23 Boards and Commissions Taxicabs Ordinance Briefed.pdf, Organization of Boards and Commissions and Taxicabs Ordinance.pdf

*A public hearing was conducted on the proposed Ordinance to Amend Section 1:207 of Chapter 8 (Organization of Boards and Commissions) and to Repeal Chapter 85 (Taxicabs) of the Code of the City of Ann Arbor (Ordinance No. ORD-18-23). Notice of public hearing was published August 16, 2018.*

*The following persons were present to speak at the hearing:*

*Michael Benson, former Chair of the City's Taxicab Board, urged Council to keep Chapter 85 in the City's Ordinance, stating the City's protections and policies go beyond State law.*

*Jeff Hayner, Ward 1, concurred with Mr. Benson, and urged Council to keep Chapter 85 on the City's books. He also spoke about the City's pedicab industry and the possible need to regulate.*

*Edward Vielmetti, Ward 4, spoke in opposition to the elimination of Chapter 85. He also questioned the need for a separate Airport Advisory Committee, which could be under the authority of the Transportation Commission.*

*There being no further comment, the Acting Mayor Pro Tem declared the hearing closed.*

**Held and Closed**

Enactment No: ORD-18-23

**A APPROVAL OF COUNCIL MINUTES**

**A-1**      [18-1384](#)      Regular Session Meeting Minutes of August 9, 2018

**Attachments:**    08-09-18 Meeting Minutes.pdf, Council Emails 8-9-2018.pdf

**A motion was made by Councilmember Smith, seconded by Councilmember Westphal, that the Regular Session Meeting Minutes of August 9, 2018 be approved. On a voice vote, the Acting Mayor Pro Tem declared the motion carried.**

**B      ORDINANCES - SECOND READING****B-1**      [18-1124](#)      An Ordinance to Amend Section 5.29.4 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Special Exception Use as a Type I Citizen Participation Application) (Ordinance No. ORD-18-20)

**Attachments:**    ORD18-20 As Amended.pdf, 18-20 Unified Development Code - Special Exception Use Ordinance Briefed.pdf, v2 7-16 Proposed SUBSTITUTE UDC Ordinance - SEUs Type I Citizen Participation.pdf, Proposed UDC Ordinance - SEUs Type I Citizen Participation.pdf, October Effective Date Recommendation.pdf

*(The complete copy of the text of Ordinance No. ORD-18-20 is on file in the City Clerk's Office.)*

**A motion was made by Councilmember Westphal, seconded by Councilmember Ackerman, that the Ordinance be adopted on Second Reading.**

Enactment No: ORD-18-20

*Councilmember Ackerman moved to change the effective date of the Ordinance to October 31, 2018. The motion was seconded by Councilmember Westphal and was considered friendly by the Body.*

**Amended**

Enactment No: ORD-18-20

**The question being, the motion made by Councilmember Westphal, seconded by Councilmember Ackerman, that the Ordinance be adopted as amended on Second Reading, on a voice vote, the Acting Mayor Pro Tem declared the motion carried with one dissenting vote by Councilmember Smith.**

Enactment No: ORD-18-20

**B-2**      [18-1125](#)      An Ordinance to Amend Section 5.17.3G of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Medical Marijuana Provisioning Center Location Restriction) (Ordinance No. ORD-18-21)

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

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

**A motion was made by Councilmember Smith, seconded by Councilmember Westphal, that the Ordinance be adopted on Second Reading.**

Enactment No: ORD-18-21

**A motion was made by Councilmember Smith, seconded by Councilmember Eaton, that the Ordinance be postponed at Second Reading to the City Council and should be returned by 9/4/2018. On a voice vote, the Acting Mayor Pro Tem declared the motion carried.**

Enactment No: ORD-18-21

**B-3**      [18-1130](#)

An Ordinance to Amend Section 5.15 (Table 5-15) and Section 5.37.2 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Marijuana-Infused Product Processor) (Ordinance No. ORD-18-22)

**Attachments:** 18-22 Unified Development Code - Marijuana-Infused Product Processor Ordinance Briefed.pdf, ProcessorOrdinance.pdf, 5-16-2018 CPC Minutes with Live Links.pdf

*(The complete copy of the text of Ordinance No. ORD-18-22 is on file in the City Clerk's Office.)*

**A motion was made by Councilmember Ackerman, seconded by Councilmember Grand, that the Ordinance be adopted on Second Reading. On a voice vote, the Acting Mayor Pro Tem declared the motion carried with one dissenting vote by Councilmember Bannister.**

Enactment No: ORD-18-22

**B-4**      [18-1147](#)

An Ordinance to Amend Section 1:207 of Chapter 8 (Organization of Boards and Commissions) and to Repeal Chapter 85 (Taxicabs) of the Code of the City of Ann Arbor (Ordinance No. ORD-18-23)

**Attachments:** ORD18-23 Taxicabs As Amended on 082318.pdf, 18-23 Boards and Commissions Taxicabs Ordinance Briefed.pdf, Organization of Boards and Commissions and Taxicabs Ordinance.pdf

*(The complete copy of the text of Ordinance No. ORD-18-23 is on file in the City Clerk's Office.)*

**A motion was made by Councilmember Grand, seconded by Councilmember Westphal, that the Ordinance be adopted on Second Reading.**

Enactment No: ORD-18-23

*Note: The proposed amended was further amended, and considered friendly by the Body, to change the word, "may" to "shall."*

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

**3.(e)**

**Report annually to the City Council and the City Administrator regarding the activities of the Transportation Commission, which may reflect the effectiveness of the City's transportation strategy process and make recommendations for any changes thereto.**

**On a voice vote, the Acting Mayor Pro Tem declared the motion carried.**

Enactment No: ORD-18-23

**A motion was made by Councilmember Eaton, seconded by Councilmember Westphal, that the Ordinance be postponed at Second Reading to the City Council and should be returned by 9/17/2018. On a voice vote, the Acting Mayor Pro Tem declared the motion carried.**

Enactment No: ORD-18-23

**C ORDINANCES - FIRST READING**

**C New Business - Staff:**

- C-1**      [18-1117](#)      An Ordinance to Amend the Zoning Map, Being a Part of Section 5:10.2 of Chapter 55 of Title V of the Code of the City of Ann Arbor, Rezoning of 0.76 Acre from R4C (Multiple Family District) to C2B (Business Service District) WITH CONDITIONS, 151 East Hoover (including 200 E. Davis Ave., 202 E. Davis Ave., 204 E. Davis Ave, 913 Brown St., 915 Brown St., 917 Brown St., 919 Brown St.) (CPC Recommendation: Approval - 6 Yeas and 0 Nays)

**Attachments:**    151 E Hoover Zoning Ordinance for Council.pdf, Updated Staff Report after June 19 2018 CPC Action w attachments.pdf, Hoover Conditional Zoning Statement.pdf

*(The complete copy of the text of Ordinance No. ORD-18-25 is on file in the City Clerk's Office.)*

**A motion was made by Councilmember Eaton, seconded by Councilmember Smith, that the Ordinance be approved on First Reading to the City Council and should be returned by 9/17/2018. On a voice vote, the Acting Mayor Pro Tem declared the motion carried.**

Enactment No: ORD-18-25

- C-2**      [18-1208](#)      An Ordinance to Amend Sections 2:41.2a Through 2:41.2f, 2:43.1, 2:43.4, 2:44.2, 2:44.4, 2:45.2, 2:45.5, 2:47.2, 2:49.3, 2:49.5 Through 2:49.8, and 2:50.2 of Chapter 28 (Sanitary Sewer) of Title II of the Code of the City of Ann Arbor

**Attachments:**      Sewer Use Ord 2016 amendments (003).pdf

*(The complete copy of the text of Ordinance No. ORD-18-26 is on file in the City Clerk's Office.)*

**A motion was made by Councilmember Grand, seconded by Councilmember Westphal, that the Ordinance be approved on First Reading to the City Council and should be returned by 9/17/2018. On a voice vote, the Acting Mayor Pro Tem declared the motion carried.**

Enactment No: ORD-18-26

**D      MOTIONS AND RESOLUTIONS**

**DC      New Business - Council:**

- DC-1**      [18-1457](#)      Resolution Authorizing the City of Ann Arbor to be Listed as a Supporting Municipality in an Amicus Brief to be filed with the Court of Appeals for the District of Columbia Circuit in State of California, et al. v. United States Environmental Protection Agency, et al. (Case No. 18-1114, consolidated with 180-1118, 18-1139, 18-1162)

**Sponsors:**      Smith and Krapohl

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

Enactment No: R-18-335

- [18-1457](#)      Resolution Authorizing the City of Ann Arbor to be Listed as a Supporting Municipality in an Amicus Brief to be filed with the Court of Appeals for the District of Columbia Circuit in State of California, et al. v. United States Environmental Protection Agency, et al. (Case No. 18-1114, consolidated with 180-1118, 18-1139, 18-1162)

**Sponsors:**      Smith and Krapohl

*Councilmember Smith proposed a substitute resolution, which was seconded by Councilmember Eaton, and considered friendly by the Body.*

**Amended**

Enactment No: R-18-335

The question being, a motion made by Councilmember Smith, seconded by Councilmember Eaton, that the Resolution be approved as amended, on a voice vote, the Acting Mayor Pro Tem declared the motion carried.

Enactment No: R-18-335

**DC-2**     [18-1193](#)

Resolution Setting a Public Hearing on September 17, 2018, to Receive Public Comment on the Proposed Commercial Rehabilitation District No. 2018-001

**Sponsors:**         Grand

**Attachments:**     Attachment 1 - Legal Description.pdf, Vesting Deed-2668.154.pdf, Kensington Request Memo EXT.pdf, Application 8-16-18.pdf

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

Enactment No: R-18-336

**DC-3**     [18-1432](#)

Resolution to Award a Construction Contract to Fonson Company, Inc. for the Rock Creek Sanitary Sewer Repair Project (\$231,030.00, Bid No. ITB-4526)

**Sponsors:**         Lumm

**Attachments:**     ITB 4526 Bid Tabulation.pdf, ITB 4526 Contract Documents.pdf, ITB 4526 Plans.pdf

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

Enactment No: R-18-337

**DB     New Business - Boards and Commissions:**

**DB-1**     [18-1338](#)

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

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

*It was noted that the Resolution would need to be postponed due to the lack of eight members present.*

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

A motion was made by Councilmember Grand, seconded by Councilmember Westphal, that the Resolution be postponed to the City Council and should be returned by 9/4/2018. On a voice vote, the Acting Mayor Pro Tem declared the motion carried.

- DB-2**     [18-1339](#)     Resolution to Authorize a Grant Application to the USDA Agricultural Conservation Easement Program (ACEP) for the Purchase of a Conservation Easement on the Russell Property in Lodi Township

**Attachments:**     Russell Aerial Map.pdf, Russell Protected Map\_2018.pdf

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

Enactment No: R-18-338

- 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 Ackerman, that the Clerk's Report of Communications, Petitions and Referrals be approved as presented. On a voice vote, the Acting Mayor Pro Tem declared the motion carried.

- F-1**     [18-1360](#)     Ann Arbor SPARK Semi-Annual Report - January 1, 2018 - June 30, 2018

**Attachments:**     7.30.18 FINAL City of Ann Arbor metrics 6 30 18.pdf



- F-2**      [18-1241](#)      Communication from the Transportation Commission regarding First & Ashley and William Street Transportation Resolution
- Attachments:***      DRAFT\_RESOLUTION OF SUPPORT FOR First Ashley William Key Concepts 7.13.18.pdf, DDA BOARD RESOLUTION First Ashley William Transportation Improvements 071118.pdf, RESOLUTION OF SUPPORT FOR First Ashley William Key Concepts 7.13.18\_FINAL.pdf
- F-3**      [18-1292](#)      Communication from the Transportation Commission regarding Resolution to Support Vision Zero Related Activities
- Attachments:***      Vision Zero Resolution\_DRAFT.pdf, Vision Zero Resolution\_FINAL.pdf
- F-4**      [18-1408](#)      Communication from Samantha West of the Attorney General's Office regarding Receipt of the City of Ann Arbor Proposed Charter Amendment
- Attachments:***      Communication from Samantha West of the Attorney General's Office Regarding Receipt of Ann Arbor City Charter Amendment.pdf
- F-5**      [18-1438](#)      Communication from Governor Snyder regarding Approval of the Ann Arbor City Proposed Charter Amendment of Section 12.4
- Attachments:***      Approval of Charter Amendment Section 12.4.pdf
- F-6**      [18-1442](#)      Communication from the Michigan Municipal League regarding their Michigan Municipal League Annual Meeting Notice
- Attachments:***      MML Annual Meeting Notice.pdf
- F-7**      [18-1460](#)      Communication from Pittsfield Charter Township regarding Zoning Board of Appeals Public Hearing Notices scheduled for August 27, 2018 - Planning and Development Services
- Attachments:***      Pittsfield Township Public Hearing Notices.pdf
- G**      **The following minutes were received for filing:**
- G-1**      [18-1216](#)      Parks Advisory Commission Meeting Minutes of May 15, 2018
- Attachments:***      5-15-2018 PAC Minutes .pdf

- G-2**      [18-1223](#)      Land Acquisition Committee Meeting Minutes of May 15, 2018  
***Attachments:***      Minutes of the 5-15-2018 LAC Meeting .pdf
- G-3**      [18-1238](#)      Transportation Commission Meeting Minutes 6-20-18  
***Attachments:***      June 20 Meeting Minutes\_DRAFT.pdf, June 20 Meeting  
Minutes\_FINAL.pdf
- G-4**      [18-1299](#)      Zoning Board of Appeals Meeting Minutes of June 27, 2018  
***Attachments:***      Minutes of the 6-27-2018 ZBA Meeting .pdf
- G-5**      [18-1322](#)      Election Commission Meeting Minutes of July 17, 2018  
***Attachments:***      Proposed July 17 2018 Election Commission Meeting Minutes.pdf,  
Approved July 17 2018 Election Commission Meeting Minutes.pdf
- G-6**      [18-1332](#)      Board of Review Minutes - July 2018  
  
***Attachments:***      2018 JULY BOARD OF REVIEW MINUTES.pdf
- G-7**      [18-1370](#)      Insurance Board Meeting Minutes - July 26, 2018  
***Attachments:***      Insurance Board Minutes 072618.pdf, Insurance Board Loss Run July  
2018.pdf

**PUBLIC COMMENT - GENERAL (3 MINUTES EACH)**

*Michael Benson, Ward 1 resident, thanked City Council for taking another look at Chapter 85 before eliminating completely.*

*Edward Vielmetti, Ward 4, spoke about the need for additional bicycle parking in the downtown. He thanked City staff and the DDA for the new bicycle rack in front of Workantile.*

*Mark Koroi, local attorney, spoke about the recent election and congratulated the winners.*

#### **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).**

*None.*

#### **ADJOURNMENT**

**A motion was made by Councilmember Smith, seconded by Councilmember Ackerman, that the meeting adjourn. On a voice vote, the Acting Mayor Pro Tem declared the motion carried and the meeting adjourned at 9:03 p.m.**

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

**LIVE: THURSDAY, AUGUST 23, 2018 @7:00 P.M.**

**REPLAYS: SATURDAY, AUGUST 25, 2018 @8:00 A.M., SUNDAY, AUGUST 26, 2018 @ 8:00 P.M., AND FRIDAY, AUGUST 31, 2018 @9:00 A.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.