

**Ann Arbor City Council Regular Session: September 6, 2016
Email Redactions List Pursuant to Council Resolution R-09-386**

| | A | B | C | D | E | F | G |
|---|------------------|-------------|-----------------|--------------------|---|-----------------------------|-----------------------------|
| | <u>Received</u> | | | | | | |
| 1 | <u>Sent Time</u> | <u>Time</u> | <u>TO</u> | <u>From</u> | <u>CC</u> | <u>Redactions</u> | <u>Reason for Redaction</u> |
| 2 | 7:06 PM | | Michael A | Jane Lumm | | | |
| 3 | 7:34 PM | | Jane Lumm | Tzyy-Shuh Chang | | Email address, address | Privacy |
| 4 | 7:38 PM | | Jane Lumm | Tzyy-Shuh Chang | | Email address, address | Privacy |
| 5 | 7:51 PM | | Chip Smith | Aaron Burman | | Email address, phone number | Privacy |
| 6 | 10:15 PM | | City Council | Kevin McDonald | Stephen Postema, Jacqueline Beaudry, Howard Lazarus, Mary Joan Fales | | |
| 7 | 10:48 PM | | Stephen Postema | Jacqueline Beaudry | Christopher Taylor | | |
| 8 | 11:13 PM | | Kirk Westphal | Dave Friedrichs | William Quinn, Usha Jindal, Jane Klingsten, Jane Lumm | | |

Alexa, Jennifer

From: Lumm, Jane
Sent: Tuesday, September 06, 2016 7:06 PM
To: MichaelA@sharmusic.com
Subject: Fwd: SPV Q

Michael, I received this response from the City Attorney's Office. I rec'd. the OK to share, and feel free to pass along. Thanks, Jane

Sent from my iPhone

Begin forwarded message:

From: "McDonald, Kevin" <KMcDonald@a2gov.org>
Date: September 6, 2016 at 6:47:35 PM EDT
To: "Lumm, Jane" <JLumm@a2gov.org>
Cc: "Lazarus, Howard" <HLazarus@a2gov.org>, "Higgins, Sara" <SHiggins@a2gov.org>, "Postema, Stephen" <SPostema@a2gov.org>, "Westphal, Kirk" <KWestphal@a2gov.org>, "Taylor, Christopher (Mayor)" <CTaylor@a2gov.org>, "Kailasapathy, Sumi" <SKailasapathy@a2gov.org>, "Briere, Sabra" <SBriere@a2gov.org>, "Grand, Julie" <JGrand@a2gov.org>, "Ackerman, Zach" <ZAckerman@a2gov.org>, "Krapohl, Graydon" <GKrapohl@a2gov.org>, "Eaton, Jack" <JEaton@a2gov.org>, "Warpehoski, Chuck" <CWarpehoski@a2gov.org>, "Smith, Chip" <ChSmith@a2gov.org>
Subject: RE: SPV Q

The owner of each parcel may sign the petition. Currently, the developer would sign for any parcel the developer owns, and this would continue to be the case when the parcel is divided into the 73 proposed condominium units. As each condominium unit is sold, the owner of each unit would sign the petition.

Kevin S. McDonald | Senior Assistant City Attorney
City of Ann Arbor | 301 E. Huron Street, PO Box 8647 | Ann Arbor, Michigan 48107
734.794.6183 Direct | 734.794.6170 Office | 734.994.4954 Fax | kmcdonald@a2gov.org

CONFIDENTIALITY NOTICE: The information in this transmission is intended only for the individual or entity named above. It may be legally privileged and confidential.

From: Lumm, Jane
Sent: Tuesday, September 06, 2016 5:34 PM
To: McDonald, Kevin <KMcDonald@a2gov.org>
Cc: Lazarus, Howard <HLazarus@a2gov.org>; Higgins, Sara <SHiggins@a2gov.org>; Postema, Stephen <SPostema@a2gov.org>; Westphal, Kirk <KWestphal@a2gov.org>; Taylor, Christopher (Mayor) <CTaylor@a2gov.org>; Kailasapathy, Sumi <SKailasapathy@a2gov.org>; Briere, Sabra <SBriere@a2gov.org>; Grand, Julie <JGrand@a2gov.org>; Ackerman, Zach <ZAckerman@a2gov.org>; Krapohl, Graydon <GKrapohl@a2gov.org>; Eaton, Jack <JEaton@a2gov.org>; Warpehoski, Chuck <CWarpehoski@a2gov.org>; Smith, Chip <ChSmith@a2gov.org>
Subject: SPV Q

Kevin, I am following-up on a Q re: the paving of Chalmers' requirement that > 50% of the affected property owners must submit a petition to pave/improve Chalmers. The Q -- is the SPV developer the proxy for the future 73 SPV homeowners?

Thanks! Jane

Sent from my iPhone

Alexa, Jennifer

From: Tzyy-Shuh Chang [REDACTED] on behalf of Shuh Chang [REDACTED]
Sent: Tuesday, September 06, 2016 7:34 PM
To: Lumm, Jane
Subject: RE: Reservation about the approval of the Woodbury Club Apartments off Nixon

Appreciate your attention to my emails. Again, I am not against development. I believe that citizens should have their right to use their property at their will with minimal restrictions.

Having said that, I would urge the City to step up on enforcing regulations and rules on the construction traffics and activities to minimize their impact on existing residents. And, I believe this kind of regulations and rules should be based on the density of existing residents in a given zone.

Please kindly consider this.

Regards,
Shuh Chang

From: Lumm, Jane [mailto:JLumm@a2gov.org]
Sent: Monday, September 05, 2016 6:53 PM
To: [REDACTED]
Subject: RE: Reservation about the approval of the Woodbury Club Apartments off Nixon

Dear Mr. Chang,

Thank you for taking the time to share your first-hand perspective and reservations regarding the Woodbury Club Apt. development and the need for better construction worker signage in this area – your description of your relative's very close call with the construction site worker is a very important and helpful illustration of why better signage and regulations should be in place to address the safety concerns now posed. I will follow-up on your concerns with staff to see what improved signage can be provided.

I also understand why you would request that we postpone/delay approval while the Toll Brothers project is being constructed. These are two large development projects which will have impacts on existing roadways during the lengthy construction period (several years), and it is unfortunate, for all the reasons you note, that these projects will be undertaken more/less simultaneously. I do believe there are valid reasons to not approve the Woodbury Club project as now proposed, but also think delaying it until Nixon Farms North and South are completed is not possible given that the Toll Brothers project will take several years to complete. Breathing room would be a great thing, I agree, and I very much wish this were possible.

Kind regards, Jane Lumm

From: Tzyy-Shuh Chang [mailto:[REDACTED]] **On Behalf Of** Shuh Chang
Sent: Thursday, September 1, 2016 9:59 PM
To: Smith, Chip <ChSmith@a2gov.org>
Cc: CityCouncil <CityCouncil@a2gov.org>
Subject: RE: Reservation about the approval of the Woodbury Club Apartments off Nixon

Mr. Smith,

Appreciate your reply and hope you truly understand our concern. I am not against further development in this area. But, it is really interrupting our day to day life.

There was a concrete case this morning. One of my relative driving east bound on Dhu Varren at around 7:30AM. There was a man, standing right in the middle of Dhu Varren by the Toll Brothers site, without posting any warning signs on Dhu Varren ahead of his position. My relative almost hit him because of the low hanging, shinny sun, which impaired the eye sight. The man did not even escape when a vehicle approaching him. This was so dangerous. This man, don't know whether he works for Toll Brothers or the City's inspection department, had some kind of measurement instrument.

As a resident in the northeast corner, we don't need more of this at this moment. And, the City should impose strict regulations on these workers, to post warning signs at least 100 ft ahead if they are to occupy the road. They should not assume that the drivers would see them. Sometimes, the sun plays a role that you and I would never be able to imagine.

Sincerely,
Shuh Chang

From: Smith, Chip [mailto:ChSmith@a2gov.org]
Sent: Tuesday, August 30, 2016 10:29 PM
To: Tzyy-Shuh Chang
Subject: RE: Reservation about the approval of the Woodbury Club Apartments off Nixon

Thanks for sharing your thoughts.

Best regards,

Chip Smith
Ann Arbor City Council - Ward 5
734-709-2022

Emails sent and received by me as a Council member regarding Ann Arbor City matters are generally subject to disclosure under the Freedom of Information Act (FOIA).

From: Tzyy-Shuh Chang [REDACTED]
Sent: Tuesday, August 30, 2016 9:30 PM
To: CityCouncil
Subject: Reservation about the approval of the Woodbury Club Apartments off Nixon

Dear Councilmen and Councilwomen,

I am writing this email to express my reservation on your up coming voting to approve hte Woodbury Club Apartment off Nixon Road, as proposed by Bleznak Real Estate.

With the major development work currently undergoing by the Nixon/Dhu Varren intersection, an approval for an additional concurrent development could be more than problematic to the local residents who commute on a daily basis on Nixon. The construction traffic, along with the impact to the surrounding environment by the construction activities is already causing disturbance to the residents in the form of traffic impedance, road surface conditions, and the exposed dusty/muddy zones.

Please **deny** or **set aside** this development plan at this moment and allow the surrounding residents the room to breathe. This development should not be considered until the existing development by Toll Brothers is completed or near completed.

Sincerely,
Shuh Chang

No virus found in this message.
Checked by AVG - www.avg.com
Version: 2016.0.7752 / Virus Database: 4647/12880 - Release Date: 08/25/16

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Internal Virus Database is out of date.

Alexa, Jennifer

From: Tzyy-Shuh Chang [REDACTED] on behalf of Shuh Chang [REDACTED]
Sent: Tuesday, September 06, 2016 7:38 PM
To: Lumm, Jane
Subject: RE: Reservation about the approval of the Woodbury Club Apartments off Nixon

Just one thing to add, as an example. I really have no idea where to file a complaint or even a charge against a worker who violate the regulations and rules.

Maybe I have been ignorant. But, an enforcement unit at the City would be a great setup for the residents.

From: Shuh Chang [REDACTED]
Sent: Tuesday, September 06, 2016 7:34 PM
To: 'Lumm, Jane'
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Kind regards, Jane Lumm

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734-709-2022

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Shuh Chang

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Version: 2016.0.7752 / Virus Database: 4647/12880 - Release Date: 08/25/16
Internal Virus Database is out of date.

Alexa, Jennifer

From: Aaron Burman [REDACTED]
Sent: Tuesday, September 06, 2016 7:51 PM
To: Smith, Chip
Subject: RE: MRF RFP

Thank you for pulling it from the agenda. I've got to run with the boys, but here are a couple comments:

I mentioned it at the end, but the City should not be allowing WM to utilize the baler for nonCity recycling tons unless they will be paying the city for that privilege. The city is even paying for the wire to bale other material. This is the opposite of best practice contracting that they are advocating.

The City should not allow the next contractor to bale material.

The City should have a 3rd party do the equipment inspection to ensure that the RFP for operation of the MRF is fair for all parties and the assessment is unbiased.

Let me know if you have any other questions.

Best,

Aaron

On Aug 24, 2016 6:53 PM, "Smith, Chip" <ChSmith@a2gov.org> wrote:
please come give public comment. I've also attached a draft of a resolution CM Briere and I are going to bring to the 9/6 council meeting. Any feedback is appreciated.

I'm out of town next week, but could grab a coffee friday morning if that works.

cs

Chip Smith
Ann Arbor City Council - Ward 5
[734-709-2022](tel:734-709-2022)

Emails sent and received by me as a Council member regarding Ann Arbor City matters are generally subject to disclosure under the Freedom of Information Act (FOIA).

From: Aaron Burman [REDACTED]
Sent: Wednesday, August 24, 2016 1:15 PM
To: Smith, Chip
Subject: MRF RFP

Hi Chip,

I just wanted to reach out to see if you can pressure the City to allow other methods of transferring the single stream recyclables. The idea of baling the material, which compresses all of the materials together reduces shipping costs but drastically reduces the ability of the material to be separated and marketed at a high value. In addition to glass being broken and any potential value lost, the plastics are much less likely to be accurately handled because the equipment is designed to separate based on shape. Residue rates will likely rise to >25%

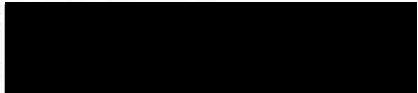
with this method. At a minimum the City should encourage other methods (loading loose into transfer trailers, similar to waste) and force bidders to justify that their proposal will result in high diversion and not compromise the value of the material. Baling will reduce costs to ship the material and benefits companies that own landfills and can cheaply dispose of residue.

Let me know if you have a few minutes to talk about this. I'd like to come give public comment at the next City Council meeting. It looks like that isn't until Sept 6.

Best,

Aaron

Aaron Burman



Alexa, Jennifer

From: McDonald, Kevin
Sent: Tuesday, September 06, 2016 10:15 PM
To: *City Council Members (All)
Cc: Postema, Stephen; Beaudry, Jacqueline; Lazarus, Howard; Fales, Mary Joan
Subject: Proposed Amended Resolution 9-2-16 (003)
Attachments: Proposed Amended Resolution 9-2-16 (003).pdf

Attached is an amended resolution incorporating the requirement of the sale of the eastern parcel to the City. Previous proposed amendments are shown in track changes and tonight's proposed amendments regarding the sale of the eastern parcel are highlighted in the draft.

Kevin S. McDonald | Senior Assistant City Attorney
City of Ann Arbor | 301 E. Huron Street, PO Box 8647 | Ann Arbor, Michigan 48107
734.794.6183 Direct | 734.794.6170 Office | 734.994.4954 Fax | kmcdonald@a2gov.org

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Alexa, Jennifer

From: Beaudry, Jacqueline
Sent: Tuesday, September 06, 2016 10:48 PM
To: Postema, Stephen
Cc: Taylor, Christopher (Mayor)
Subject: Closed Session?

Do you have a Closed Session tonight? It's almost 11pm.

Alexa, Jennifer

From: Dave Friedrichs <dave@meadowmgmt.com>
Sent: Tuesday, September 06, 2016 11:13 PM
To: Westphal, Kirk
Cc: kirk@kirkforcouncil.org; William Quinn; 'Usha Jindal'; 'Jane Kiyoko Ueda Klingsten'; Lumm, Jane
Subject: Errors and Omissions

Kirk –

You were eloquent in explaining that 4 – 5' of extra height makes little difference to the homeowners neighboring Woodbury. Tell me if I'm correct in thinking that you may have been mistaken in your understanding of the measurement you cited to others on Council (convincing them of how LITTLE our opposition to a height variation mattered).

Confirm if you would be return email that you knew as you spoke that the Woodbury buildings are each nearly 300' feet long and the 4 – 5' of additional height you willingly conceded on Barclay's behalf is measured to the MIDPOINT between eave and ridge – and NOT to the actual high point of the ridge of the building.

I do so hope that you understood the details of the Planned Project exception you belittled and voted to grant. Of course, since several others on Council undoubtedly did not know the "fine points" as you must, certainly it would have been more forthright if you'd said 4 – 5' actually comes closer to 15' of extra height on these particular buildings!

Regardless, your argument and vote endorsed placing 3-stories of rental tenants just 12" from the minimum set back allowed to Barclay's property line – as Phase I of the Woodbury Club Apartments build, an actual building height of nearly 50' feet. The tenants are sure to rain light and noise onto the ground level condo owners who, surprisingly, will no longer be able to use their patios and backyards as they historically have.

When I finally heard of Woodbury and looked into it, I learned that the only Barclay Park co-owner who attended the Developer's meeting in 2014 put her condo up for sale and was gone from the neighborhood within six months. No wonder!

In my opinion, your vote for the Woodbury Club site plan and the rezoning of 54 acres to R4 is a GREAT disservice to the citizens of Ward 2.

Time may tell – and then perhaps not - just how short-sighted and environmentally foolish the decision is.

How convenient that an intermission could allow an absent owner to call-in and give you and others the assurances needed to close the deal in his favor!

With deep disappointment,
Dave Friedrichs



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www.avast.com