

City of Ann Arbor

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



Action Minutes

Monday, December 17, 2018

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 meeting of the Ann Arbor City Council to order at 7:09 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 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 Ackerman, seconded by Councilmember Smith, 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 written reports for the information of Council and also reported on the following:

Mr. Lazarus stated a review of the special events process would be coming forward as well as the results of the changing driver behavior study, which will be posted on the City's website.

Mr. Lazarus thanked AAPD Officer Christopher Hoffman for his attendance at the Council meeting.

AC-1 [18-2101](#)

Memorandum: PFAS Update - December 10, 2018

Attachments: 181210 PFAS Memo to Council.pdf

Received and Filed

AC-2 [18-2106](#) Memorandum from City Administrator: STEAM Safe Routes to School - December 11, 2018

Attachments: 181211 STEAM design revisions MemoFinal.pdf

Received and Filed

AC-3 [18-2131](#) FY19 Deer Management Program Update - December 14, 2018

Attachments: 181214 - Deer Management Program UpdateFinal.pdf

Received and Filed

AC-4 [18-2177](#) City Administrator's Report - December 17, 2018

Attachments: 181217 City Administrator's UpdateFinal .pdf

Received and Filed

AC-5 [18-2176](#) Agenda Response Memo and eComments - December 17, 2018

Attachments: Agenda Responses 12-17-18Final.pdf

Received and Filed

AC-6 [18-2183](#) Memorandum in Response to Resolution R-18-361 - Resolution to Direct that the City Administrator and City Planning Commission Evaluate Rezoning of Certain Properties

Attachments: 181217 Memorandum in Response R-18-361.pdf

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. Scott Newell - Memo from City Administrator: STEAM Safe Routes to School (AC-2)

Scott Newell, 1621 Traver St., urged the Council to postpone the STEAM Safe Routes to School resolution to allow for more time to finalize the plan and allow for greater community participation. He believes that with additional time, the project will serve as a model that can be implemented City-wide.

2. Jeremy Moghtader - STEAM Safe Routes to School Sidewalk Gap Project (DS-1)

Jeremy Moghtader, 864 Dhu Varren Road, spoke in support of the proposed resolution regarding STEAM Safe Routes to School Sidewalk Gap Project.

3. Will Hathaway - Resolution to Direct the City Attorney Regarding the 319 S. Fifth Avenue a/k/a the "Library Lot" (DS-3)

Will Hathaway, 3424 Stowe Street, urged Council to accept the settlement proposals and resolve the lawsuits regarding the Library Lot.

4. Frank Wilhelme - Resolution to Direct the City Attorney Regarding the 319 S. Fifth Avenue a/k/a the "Library Lot" (DS-3)

Frank Wilhelme, 1405 Lutz, urged the City to settle the lawsuits regarding the Library Lot and respect the will of the voters.

5. Jenny Rodgers - Utilization of County Mental Health & Public Safety Millage Proceeds (DC-3)

Jenny Rodgers, 1332 White Street, believes that by conducting a new survey, the Council is going against the will of the voters in 2017 who wanted the County millage rebate funds to be directed towards affordable housing, mental health, and climate action.

6. Erica Ackerman - Utilization of County Mental Health & Public Safety Millage Proceeds (DC-3)

Erica Ackerman, 1506 Morton Ave., addressed Council regarding the resolution to conduct a citizen survey on the use of the City's millage rebate funds, as passed in 2017. She urged Council that the rebate funds be used for climate action as original approved.

7. Thomas Wieder - Library Lot Petition (DS-3)

Thomas Wieder, 2445 Newport, urged Council to settle the lawsuit with Core Spaces without the use of a formal resolution.

8. Lori Saginaw - Police Oversight (CA-9)

Lori Saginaw, 1205 Olivia Avenue, expressed concern on how the process is moving forward with the creation of the Independent Community Police Oversight Commission. She implored the City to have more transparency moving forward. She opposed the resolution creating a FTE to assist the Commission, with the person reporting to the City Administrator.

9. Sargeant Donovan-Smith - Police Oversight Commission (CA-9)

Sargeant Donovan-Smith, 332, E. William, opposed the proposed resolution regarding the creation of an FTE for the Police Oversight Commission.

10. Alan Roebuck - Excessive Water Bill and Water Usage going over a Certain Amount (DC-4)

(Mr. Roebuck, the first assigned speaker, was missing at the start of Public Comment, but asked to speak at the end of Public Commentary when he returned. The first alternate was also permitted to speak.)

Alan Roebuck, 675 Vine Court, expressed concern with the lack of a notification system for residents with a water leak. He urged the City to develop a system that would allow residents to be electronically notified if their water usage went above a certain level.

Alternates:

1. Ryan Hughes - Utilization of County Mental Health & Public Safety Millage Proceeds (DC-3)

Ryan Hughes, 214 Charles Street, spoke in opposition to the proposed resolution providing Council guidance on the citizen survey regarding utilization of the County mental health and public safety millage proceeds.

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER RAMLAWI

Councilmember Ramlawi discussed how the City will begin to replace older water meters with smart meters that will allow for the detection of leaks to be communicated to residents with greater timeliness.

COUNCILMEMBER GRAND

Councilmember Grand stated she met with Councilmember Ramlawi and members of the Human Rights Commission last week to discuss the process for the appointment of members to the Independent Community Police Oversight Commission. She stated the application for the ICPOC is now available on the City's website to help attract candidates and that the HRC will be assisting in the selection of members for Council approval.

COUNCILMEMBER GRISWOLD

Councilmember Griswold stated she would be preparing a resolution to prohibit the calling out of an individual Council Member by name during debate similar to the Ann Arbor School Board policy. She also thanked the City staff for their tremendous effort in orienting the new members of the Council and the creation of DC-2. She urged residents to report crosswalks they feel are a safety risk using the A2 Fix It website.

COUNCILMEMBER HAYNER

Councilmember Hayner responded to a public speaker regarding a water leak. Councilmember Hayner recommended that Mr. Roebeck have his tenant reach out to the City about a rate adjustment for the water leak. He also stated he will be working with the City Administrator on the condition of the alleys in the downtown neighborhood and that he would like to see stricter enforcement of the City's no-idling ordinance, especially in regards to party busses.

MC COMMUNICATIONS FROM THE MAYOR**MC-1** [18-2009](#) Appointments - Confirmations

Attachments: Jay Zocher app. 2018.pdf, William Brogan App. 2018.pdf, Katherine White app. 2018.pdf, Timothy Somers app. 2018.pdf

APPOINTMENTS APPROVED

Mayor Taylor recommended the following appointments at the December 3, 2018 regular session of Council:

Board of Review Panel I

*William Brogan
950 Northwood St.
Ann Arbor, MI 48103
Term: Ending January 31, 2021*

*Katherine White
1849 Saxon Rd.
Ann Arbor, MI 48103
Term: February 1, 2019-January 31, 2022*

Board of Review Panel II

*Timothy Somers
2944 Whittier
Ann Arbor, MI 48104
Term: February 1, 2019-January 31, 2022*

Energy Commission

*Jay Zocher -Filling remaining term of Sarah Peleg (Resigned)
3617 Larchmont Dr.
Ann Arbor, MI 48105
Term: Ending May 31, 2019*

A motion was made by Councilmember Smith, seconded by Councilmember Ramlawi, that Council concur with the recommendations of the Mayor. 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-9 Resolution to Add a Full-Time Equivalent for a Staff Liaison to Support the Independent Community Police Oversight Commission and Human Rights Commission

CA-3 Resolution to Accept a Sanitary Sewer Easement at 1939 Jackson Avenue and 312 Glendale Drive from GSB Holdings LLC and Glendale Orchard LLC (8 Votes Required)

CA-4 Resolution to Accept a Water Main Easement at 1939 Jackson Avenue and 312 Glendale Drive from GSB Holdings LLC and Glendale Orchard LLC (8 Votes Required)

Passed on consent agenda

A motion was made by Councilmember Lumm, seconded by Councilmember Hayner, that the following Consent Items be approved as presented. On a voice vote, the Mayor declared the motion carried unanimously with eleven members present, thus satisfying the eight-vote requirement of CA-1, CA-2 and CA-7.

CA-1 [18-1198](#) Resolution to Accept a Water Main Easement at Thurston Elementary School from The Public Schools of the City of Ann Arbor **(8 Votes Required)**

Attachments: Thurston Elementary Water Map.pdf

Enactment No: R-18-488

CA-2 [18-1981](#) Resolution to Release a Portion of an Easement for Sanitary Sewer Recorded at Liber 299, Page 131 of Deeds, Washtenaw County Records **(8 Votes Required)**

Attachments: 485 Rock Creek Easement Vacation.pdf

Enactment No: R-18-489

CA-5 [18-1925](#) Resolution to Approve a Purchase Order to Environmental Systems Research Institute, Inc. (ESRI) for the Annual Geographic Information System Software Maintenance and License Agreement (\$51,600.00)

Attachments: Esri_Quotation_25868821.pdf

Enactment No: R-18-503

- CA-6** [18-2056](#) Resolution Recognizing the House by the Side of the Road as a Civic Nonprofit Organization Operating in Ann Arbor for the Purpose of Obtaining a Charitable Gaming License
Attachments: House by the Side of the Road Charitable Gaming License Request.pdf

Enactment No: R-18-491
- CA-7** [18-2011](#) Resolution to Accept and Appropriate Additional Federal Grant Funds and Approve Amendments #1-4 of the Sub-Contract with the Regents of the University of Michigan for the Ann Arbor Test Environment Project (\$75,010.00) **(8 Votes Required)**
Attachments: UMTRI Contract.pdf, Amendment #3.pdf, Amendment #4.pdf, Amendment #2.pdf

Enactment No: R-18-492
- CA-8** [18-2016](#) Resolution to Petition the Washtenaw County Water Resources Commissioner to Create a new Drainage District and Undertake a Project to Design and Construct Stormwater Management Control Measures for the Pepper Pike section of Millers Creek (Total Project Cost: \$1,500,000.00)
Attachments: Ch 20 Petition Request no spec assessment (002).pdf

Enactment No: R-18-493
- CA-9** [18-2022](#) Resolution to Add a Full-Time Equivalent for a Staff Liaison to Support the Independent Community Police Oversight Commission and Human Rights Commission

A motion was made by Councilmember Eaton, seconded by Councilmember Smith, 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, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Bannister, Councilmember Hayner, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

Nays: 1 - Councilmember Eaton

Enactment No: R-18-494
- CA-3** [18-2005](#) Resolution to Accept a Sanitary Sewer Easement at 1939 Jackson Avenue and 312 Glendale Drive from GSB Holdings LLC and Glendale Orchard LLC **(8 Votes Required)**

Attachments: Hillside Sanitary Esmnt Map.pdf

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

Yeas: 9 - Councilmember Lumm, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Bannister, Councilmember Nelson and Councilmember Ramlawi

Nays: 2 - Councilmember Hayner and Councilmember Griswold

Enactment No: R-18-490

CA-4 [18-2006](#)

Resolution to Accept a Water Main Easement at 1939 Jackson Avenue and 312 Glendale Drive from GSB Holdings LLC and Glendale Orchard LLC **(8 Votes Required)**

Attachments: Hillside Water Esmnt Map.pdf

A motion was made by Councilmember Ackerman, 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: 8 - Councilmember Lumm, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Nelson and Councilmember Ramlawi

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

Enactment No: R-18-495

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 [18-2062](#)

Resolution to Vacate the Alley in Block 7 of the Plat of Hamilton, Rose, and Sheehan's Addition to the City of Ann Arbor (CPC Recommendation: Approval - 8 Yeas and 0 Nays) **(8 Votes Required)**

Attachments: Map - Alley aerial overlay.pdf, Map - Alley parcel overlay.pdf, 1505 White Staff Report with Attachments.pdf, Vacation East Park Place.pdf, Map - Alley and Stadium Blvd.pdf, Map - Alley as platted.pdf

A public hearing was conducted on the proposed Resolution to Vacate the Alley in Block 7 of the Plat of Hamilton, Rose, and Sheehan's Addition to the City of Ann Arbor. Notice of the public hearing was published November 15, 2018.

There being no one present for comment, the Mayor declared the hearing closed.

Held and Closed

Enactment No: R-18-502

A APPROVAL OF COUNCIL MINUTES

A-1 [18-2079](#) Regular Session Meeting Minutes of December 3, 2018

Attachments: 12-03-18 Draft Minutes.pdf, Council emails 12-3-18.pdf

A motion was made by Councilmember Nelson, seconded by Councilmember Smith, that the Regular Session Meeting Minutes of December 3, 2018 be approved. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

None.

C ORDINANCES - FIRST READING

C New Business - Staff:

C-1 [18-1826](#) An Ordinance to Amend Sections 2:63 and 2:64 of Chapter 29 (Change Water, Sewer, and Stormwater Rates) of Title II of the Code of the City of Ann Arbor (Ordinance No. ORD-18-33)

Attachments: 18-33 Water and Sewer Rates Ordinance.pdf, W S Rates Ordinance_January2019.pdf

A motion was made by Councilmember Smith, seconded by Councilmember Hayner, that the Ordinance be approved on First Reading. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-18-33

C-2 [18-1945](#) An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of two adjacent lots totaling 1.6 Acres from R1C (Single-Family Dwelling District) to R2A (Two-Family District) 3786 & 3802 Platt Road Rezoning (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-18-34)

Attachments: 18-34 3786 & 3802 Platt Rd Rezoning Ordinance.pdf, 3786 and 3802 Platt Ordinance.pdf, 3786 3802 Area Plan Staff Report.pdf, Zoning Map.pdf, Aerial Photo, Platt Rezoning Minutes .pdf

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

Enactment No: ORD-18-34

C-3 [18-1993](#)

An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.76 Acre from TWP (Township District) to R1D (Single-Family Residential District), Flannery Property, 2883 Stone School Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-18-35)

Attachments: 18-35 2883 Stone School - Flannery Rezoning Ordinance.pdf, 2883 Stone School - Flannery - R1D Ordinance.pdf, Flannery A&Z Staff Report with Attachments.pdf, 10-3-2018 CPC Minutes with Live Links.pdf

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

Enactment No: ORD-18-35

D **MOTIONS AND RESOLUTIONS**

DC **New Business - Council:**

DC-1 [18-2072](#)

Resolution Recognizing Stone School Cooperative Nursery Inc. as a Civic Nonprofit Organization Operating in Ann Arbor for the Purpose of Obtaining a Charitable Gaming License

Sponsors: Grand and Ackerman

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.

Enactment No: R-18-496

DC-2 [18-2117](#)

Resolution to Address Crosswalk Improvements and Maintenance

Sponsors: Griswold and Bannister

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

Enactment No: R-18-497

DC-3 [18-2118](#)

Resolution Providing Council Guidance on the Citizen Survey to Obtain Community Input on the Utilization of County Mental Health & Public Safety Millage Proceeds

Sponsors: Lumm, Eaton, Bannister and Ramlawi

A motion was made by Councilmember Lumm, seconded by Councilmember Ramlawi that the resolution be approved.

Enactment No: R-18-498

[18-2118](#)

Resolution Providing Council Guidance on the Citizen Survey to Obtain Community Input on the Utilization of County Mental Health & Public Safety Millage Proceeds

Sponsors: Lumm, Eaton, Bannister and Ramlawi

Councilmember Lumm moved the following amendment:

Amend First RESOLVED as follows:

...RESOLVED, That City Council provides the following general guidance for the survey;

- The survey should be closed in order to generate statistically valid results*
- The survey should include a broad cross-section of Ann Arbor residents (not be limited to those voting in the November [2018] 2017 election) and be of sufficient size to be statistically significant*
- The survey scope should be limited to soliciting input on use of the millage proceeds*
- The survey should be simple, straightforward and provide a background and purpose statement similar in scope and content to the following:*

"In November [2018] 2017, Washtenaw County voters passed a Mental Health and Public Safety Millage that allocates millage dollars back to jurisdictions with their own police forces. The dollars are not restricted/designated in any way and can be used by those jurisdictions as they decide. For the City of Ann Arbor, the new revenue stream is in excess of \$2M annually for eight years or about \$20M over the eight-year period.

...

Note: [] Brackets indicate deleted language. All CAPS indicate new language.

The amendment was considered friendly by the Body.

Amended

Enactment No: R-18-498

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

Amend the First RESOLVED Clause:

RESOLVED, That City Council provides the following general guidance for the survey;

- The survey should be closed in order to generate statistically valid results
- The survey should include a broad cross-section of Ann Arbor residents (not be limited to those voting in the November 2017 election) and be of sufficient size to be statistically significant
- The survey scope should be limited to soliciting input on use of the millage proceeds
- The survey should be simple, straightforward and provide a background and purpose statement similar in scope and content to the following:

“In November 2017, Washtenaw County voters passed a Mental Health and Public Safety Millage that allocates millage dollars back to jurisdictions with their own police forces. The dollars are not restricted/designated in any way and can be used by those jurisdictions as they decide. For the City of Ann Arbor, the new revenue stream is in excess of \$2M annually for eight years or about \$20M over the eight-year period.

The purpose of this survey is to obtain statistically valid community input with regard to how the new millage dollars should be spent. The responses will help inform Ann Arbor City Council as it establishes a City budget for fiscal year 2018-2019 and financial plan for fiscal year 2019-2020.”

- The survey choices should be defined, and at a minimum should include the program/service areas (1) identified most frequently as spending priorities in the recent general budget survey (2) listed in Council’s September 2017 resolution of intent and (3) identified in the title and text of the November 2017 millage proposal. Under these three criteria, the program service areas would include road re-surfacing and repair; affordable housing; safe drinking water initiative; pedestrian safety improvements; climate action/energy efficiency programs; water and sewer infrastructure improvements; public safety; mental health/human service programs:

· THE SURVEY SHOULD PROVIDE A BRIEF SUMMARY OF CURRENT FUNDING LEVELS FOR THE SERVICE AREAS INCLUDED IN THE SURVEY.

- The survey respondents could be asked to allocate by percentage (adding to 100%) how they believe the millage proceeds should be spent among the defined list of programs/service areas. An “other” category would provide respondents the opportunity to identify an area not listed:

Note: [] Brackets indicate deleted language. All CAPS indicate new language.

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

Enactment No: R-18-498

The question being, the motion made by Councilmember Lumm, seconded by Councilmember Ramlawi, that the Resolution be approved as amended. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 9 - Councilmember Lumm, Councilmember Eaton, Mayor Taylor, Councilmember Ackerman, Councilmember Bannister, Councilmember Hayner, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

Nays: 2 - Councilmember Grand and Councilmember Smith

Enactment No: R-18-498

RECESS

Mayor Taylor declared a recess at 9:17 p.m. and reconvened the meeting at 9:32 p.m.

[18-2119](#)

Resolution Directing the City Administrator to Develop and Present to Council by March 31, 2019* a List of Feasible Alternatives to Revise the Recently-Adopted Water Rate Re-structuring Ordinance to Mitigate the Adverse Impacts of the Ordinance on Single-Family Residential Customers (**Title corrected to reflect amended date*)

Sponsors: Lumm, Bannister, Eaton, Griswold and Ramlawi

The resolution was friendly amended as follows:

Second RESOLVED Clause:

...RESOLVED, That it is Council's expectation that:

** the Administrator will provide the report by [February 28] MARCH 31, 2019 in order to provide time for ordinance provisions prior to Spring 2019*

Note: [] Brackets indicate deleted language. All CAPS indicate new language.

Enactment No: R-18-499

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

Yeas: 8 - Councilmember Lumm, Councilmember Eaton, Councilmember Ackerman, Councilmember Bannister, Councilmember Hayner, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

Nays: 3 - Mayor Taylor, Councilmember Grand and Councilmember Smith

Enactment No: R-18-499

DC-5 [18-2120](#)

Resolution to Encourage Support to Fund the Fire Protection Grant Program - Michigan House Bill 6348 (Substitute S-1)

Sponsors: Lumm, Smith, Hayner and Ackerman

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

Enactment No: R-18-500

DC-6 [18-2130](#)

A Motion to Reconsider Resolution R-18-475 - Resolution to Approve 2019 Council Committee Appointments

Sponsors: Eaton

A motion was made by Councilmember Eaton, seconded by Councilmember Nelson, that Resolution R-18-475 be reconsidered. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

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

Nays: 1 - Councilmember Ackerman

[18-2032](#)

Resolution to Approve 2019 Council Committee Appointments

Sponsors: Lumm and Taylor

A motion was made by Councilmember Nelson, seconded by Councilmember Griswold, that the Resolution be amended as follows:

Amend the First RESOLVED Clause:

...RESOLVED, The 2019 Council appointments shall be:

**Airport Advisory Committee
[Elizabeth Nelson] KATHY GRISWOLD**

...

Note: [] Brackets indicate deleted language. All CAPS indicate new language.

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

Enactment No: R-18-475

A motion was made by Councilmember Eaton, seconded by Councilmember Bannister, that the Resolution be amended as follows:

Amend the First RESOLVED Clause:

...RESOLVED, The 2019 Council appointments shall be:

...Independent Community Police Oversight Commission
Zach Ackerman
[Jane Lumm] ELIZABETH NELSON...

Note: [] Brackets indicate deleted language. All CAPS indicate new language.

On a roll call, the vote was as follows with the Mayor declaring the motion defeated:

Yeas: 3 - Councilmember Eaton, Councilmember Bannister and Councilmember Nelson

Nays: 8 - Councilmember Lumm, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Hayner, Councilmember Griswold and Councilmember Ramlawi

Enactment No: R-18-475

The question being, the motion made by Councilmember Eaton, seconded by Councilmember Nelson, that the Resolution be approved as amended. On a voice vote, the Mayor declared the motion carried.

Enactment No: R-18-475

DC-7 [18-2178](#)

Resolution to Add “The Center of the City” to the list of Available Public Park Rental Facilities

Sponsors: Hayner

A motion was made by Councilmember Hayner, seconded by Councilmember Griswold, that the Resolution be referred to the Park Advisory Commission. On a voice vote, the Mayor declared the motion carried.

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

DS **Unfinished Business - Staff:**

DS-1 [18-1749](#)

Resolution No. 2 - Northside STEAM Safe Routes to School Sidewalk Gap Project - Sidewalk Special Assessment

Attachments: Northside STEAM SRTS Sidewalk Properties.pdf, Northside STEAM SRTS Sidewalk Assessment.pdf, AAPS Letter A2STEAM_Huron City Resolutions 12_03_18.pdf, 181211 STEAM design revisions MemoFinal.pdf, Northside STEAM SRTS Sidewalk AssessmentREV 12.12.18.pdf

A motion was made by Councilmember Bannister, seconded by Councilmember Hayner, that the resolution be approved.

Enactment No: R-18-501

A motion was made by Councilmember Bannister, seconded by Councilmember Eaton, that the Resolution be postponed until 1/22/2019. On a roll call, the vote was as follows with the Mayor declaring the motion defeated:

Yeas: 5 - Councilmember Eaton, Councilmember Bannister, Councilmember Hayner, Councilmember Griswold and Councilmember Nelson

Nays: 6 - Councilmember Lumm, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith and Councilmember Ramlawi

Enactment No: R-18-501

[18-1749](#)

Resolution No. 2 - Northside STEAM Safe Routes to School Sidewalk Gap Project - Sidewalk Special Assessment

Attachments: Northside STEAM SRTS Sidewalk Properties.pdf, Northside STEAM SRTS Sidewalk Assessment.pdf, AAPS Letter A2STEAM_Huron City Resolutions 12_03_18.pdf, 181211 STEAM design revisions MemoFinal.pdf, Northside STEAM SRTS Sidewalk AssessmentREV 12.12.18.pdf

A motion was made by Councilmember Hayner, seconded by Councilmember Grand, to amend the Resolution as follows:

Striking the last 2 Whereas Clauses:

...[Whereas, Failure to continue the with the grant process will result in the City being penalized on future Transportation Alternatives Program (TAP) competitive grant applications, which includes the Safe Routes to School Program, for a period of at least two years.

Whereas, If the attached Resolution (and subsequent special assessment resolutions) is not approved, absent an alternative appropriation, the resulting funding shortfall will necessitate holding back the project from bidding, and will result in the forfeiture of the grant.] ...

Note: [] Brackets indicate deleted language. All CAPS indicate new language.

The amendment was considered friendly by the Body.

Amended

Enactment No: R-18-501

The question being, the motion made by Councilmember Bannister, seconded by Councilmember Hayner, that the resolution be approved as amended. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 9 - Councilmember Lumm, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

Nays: 2 - Councilmember Bannister and Councilmember Hayner

Enactment No: R-18-501

DS New Business - Staff:

DS-2 [18-2062](#)

Resolution to Vacate the Alley in Block 7 of the Plat of Hamilton, Rose, and Sheehan's Addition to the City of Ann Arbor (CPC

Recommendation: Approval - 8 Yeas and 0 Nays) **(8 Votes Required)**

Attachments: Map - Alley aerial overlay.pdf, Map - Alley parcel overlay.pdf, 1505 White Staff Report with Attachments.pdf, Vacation East Park Place.pdf, Map - Alley and Stadium Blvd.pdf, Map - Alley as platted.pdf

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.

Enactment No: R-18-502

DS-3 [18-2138](#) Resolution to Direct the City Attorney Regarding the 319 S. Fifth Avenue a/k/a/ the "Library Lot"

Sponsors: Taylor

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

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 Ackerman, seconded by Councilmember Lumm, 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 [18-2110](#) Communication from the Economic Development Corp. regarding their 2018 Annual Report of the EDC

Attachments: 2018 Annual Report of the EDC.pdf

G The following minutes were received for filing:

G-1 [18-1511](#) City Planning Commission Meeting Minutes of October 17, 2017

Attachments: 10-17-2017 CPC Minutes with Live Links.pdf

- G-2** [18-1785](#) City Planning Commission Meeting Minutes of October 2, 2018
Attachments: 10-2-2018 CPC Minutes .pdf
- G-3** [18-1786](#) City Planning Commission Meeting Minutes of March 20, 2018
Attachments: 3-20-2018 CPC Minutes.pdf
- G-4** [18-1860](#) Transportation Commission Meeting Minutes 10-17-2018
Attachments: October Meeting Minutes_DRAFT.pdf, October Meeting Minutes_FINAL.pdf
- G-5** [18-1937](#) Airport Advisory Committee Minutes - September 19, 2018
Attachments: AAC Minutes 091918.pdf
- G-6** [18-2053](#) Council Policy Agenda Committee Meeting Minutes of November 27, 2018
Attachments: 18.11.27 Council Policy Agenda Committee meeting minutes.pdf
- G-7** [18-2074](#) Ann Arbor Public Art Commission Meeting Minutes - September 2018
Attachments: AAPAC Minutes - September 2018.pdf
- G-8** [18-1120](#) Environmental Commission Meeting Minutes of 4-26-18
Attachments: Minutes Environmental Commission 4-26-18.pdf

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

An unidentified resident thanked Council and members of the community who worked to ensure that the Library Lot would be preserved as a park.

Lester Wyborny, 1642 Traver, expressed concern regarding the approval of the Safe Routes to School resolution.

Luis Vasquez, 1442 Pontiac Trail, expressed concerns with the idea of the Library Lot being a park. He also urged City Council to devote the majority of the Community Mental Health Millage money to affordable housing and earmark the remaining money for climate change remediation.

Peter Eckstein, 2551 Londonderry, asked a question of the City Administrator.

Kai Petainen, 2222 Fuller Ct, wished a happy holidays to the City Council.

I. W. Winsten, on behalf of Core Spaces, asked Council to be clearer on the tabled resolution, and asked the Council if Core Spaces should suspend their efforts to comply with their contract.

Tina Carmichael, PTO President of the Ann Arbor STEAM School, stated the past two weeks have been productive in the sidewalk discussion, but she found it hard to find a common ground with some of the residents opposing the project.

Alan Haber, 531 3rd St, urged City Council to respect the will of the voters and settle the lawsuits regarding the Library Lot.

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER ACKERMAN

Councilmember Ackerman deferred his time to allow the City Administrator to respond to the public comment regarding the City's contract with Core Spaces. City Administrator Lazarus confirmed the City could not currently proceed with closing on the contract with Core Spaces.

COUNCILMEMBER BANNISTER

Councilmember Bannister in response to I.W. Winsten's request for a clearer resolution from the City, stated she hoped that the Council would direct the City Attorney to accept the settlement proposals and move forward with the will of the voters and create an urban park at the center of the city.

COUNCILMEMBER HAYNER

Councilmember Hayner apologized to the constituents of Ward 1 for not pushing to postpone the STEAM Safe Routes to School Resolution until further changes could be made. He stated he would be discussing options with the City Administrator on extending repayment options on the proposed assessments. He also will be coming forward with resolutions next year regarding re-valuing trees on site plans, as well as creating a pilot program that will allow for non-profits to make a payment in lieu of taxes.

COUNCILMEMBER GRISWOLD

Councilmember Griswold thanked everyone who stayed until the ended of the meeting. She stated she believes that the Safe Routes to School process showed a deficiency in the process. She also discussed the need for the City to improve crosswalk visibility and urged residents to report crosswalks that need attention, via the A2Fix It system.

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

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, DECEMBER 17, 2018 @ 7:00 P.M.

REPLAYS: WEDNESDAY, DECEMBER 19, 2018 @ 8:00 A.M. AND FRIDAY, DECEMBER 21, 2018 @ 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.

Steve Gerhart
Acting Clerk of the Council

Anissa R. Bowden
Recording Secretary

