

# **City of Ann Arbor**

*301 E. Huron St.*

*Ann Arbor, MI 48104*

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



## **Meeting Minutes**

**Monday, November 20, 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 to order at 7:00 p.m. in the Guy C. Larcom, Jr. Building, 2nd Floor Council Chambers, 301 E. Huron Street.*

**MOMENT OF SILENCE**

*Council stood for a moment of silence.*

**PLEDGE OF ALLEGIANCE**

*Mayor Taylor led Council in the recitation of the Pledge of Allegiance.*

**ROLL CALL OF COUNCIL**

**Present:** 10 - Councilmember Jane Lumm, 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 Anne Bannister

**Absent:** 1 - Councilmember Sumi Kailasapathy

**APPROVAL OF AGENDA**

**A motion was made by Councilmember Ackerman, seconded by Councilmember Grand, that the Agenda be approved with the following changes:**

**Move DC-1 to Consent Agenda.**

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

**ADMINISTRATION OF OATH OF OFFICE**

*City Clerk Jacqueline Beaudry administered the oath of office to newly elected and re-elected City Councilmembers:*

*Anne Bannister - Ward 1*

*Jane Lumm - Ward 2*

*Zachary Ackerman - Ward 3*

*Jack Eaton - Ward 4*

*Chip Smith - Ward 5*

**ORGANIZATION OF NEW COUNCIL**

**17-1832** Resolution Electing 2018 Mayor Pro Tem and Establishing Order of Succession for Acting Mayor

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

**17-1832** Resolution Electing 2018 Mayor Pro Tem and Establishing Order of Succession for Acting Mayor

**A motion was made by Councilmember Smith, seconded by Councilmember Ackerman, that the Resolution be approved as amended with Councilmember Warpehoski being elected Mayor Pro Tem.**

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

Enactment No: R-17-425

**AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR**

*City Administrator Howard Lazarus submitted the following written reports for information of Council:*

**AC-1** **17-1836** Update on Winter 2018 Deer Management Planning Efforts

**Received and Filed**

**AC-2** **17-1872** Agenda Response Memo and eComments - November 20, 2017

**Received and Filed**

**AC-3** **17-1871** City Administrator's Report - November 20, 2017

**Received and Filed**

**AC-4** **17-1875** Memo from City Administrator: Barton Dam Embankment and Raw Water Break - November 20, 2017

**Received and Filed**

**INT INTRODUCTION**

**INT-1**     [17-1797](#)     Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award: Finance and Administrative Services  
*Mr. Lazarus presented Tom Crawford, CFO, with the GFOA Distinguished Budget Award and thanked Mr. Crawford and his team for their work on the City's budget.*

**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. Tom Stulberg - Hoover and Green Development**

*Tom Stulberg, 1202 Traver, spoke in opposition to proposed development in the area of Hoover and Green Roads.*

**2. Glenn Hieber - Local Parks**

*Withdrawn.*

**3. Trustee Angela Davis - Winter Parking Restrictions**

*Angela Davis, resident on Garden Circle, spoke about the City's winter parking restrictions and stated she does not think Garden Circle should be a pilot program.*

**CC COMMUNICATIONS FROM COUNCIL**

*COUNCILMEMBER LUMM*

*Councilmember Lumm requested a status update regarding the pilot program regarding snow plowing and parking restrictions.*

**MC COMMUNICATIONS FROM THE MAYOR**

**MC-1**     [17-1766](#)     Appointments - Confirmations*APPOINTMENTS APPROVED*

*Mayor Taylor requested approval of the following nominations that were presented to City Council at the November 9, 2017 Regular Session:*

*Commission on Disability Issues  
Nikolas Koscielniak-Filling Partial term  
708 Pauline Blvd.  
Ann Arbor, MI 48103  
Term: Ending May 31, 2020*

*Matthew Solomon-Filling partial term  
1500 Chandler Rd.  
Ann Arbor, MI 48105  
Term: Ending May 31, 2020*

*Employees' Retirement System Board of Trustees  
Anthony DiGiovanni  
1380 Emily Ct.  
Ann Arbor, MI 48104  
Term: January 1, 2018-December 31, 2020*

*Jordan Schreier-Filling partial term  
2260 Tilsby Ct.  
Ann Arbor, MI 48103  
Term: Ending December 31, 2020*

*Recreation Advisory Commission  
Angela Johnson-Filling partial term  
2012 Manchester Rd.  
Ann Arbor, MI 48104  
Term: Ending May 31, 2020*

*Ruth Kraut -Filling partial term  
1127 Clair Circle  
Ann Arbor, MI 48103  
Term: Ending May 31, 2020*

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

**MC-2**     [17-1850](#)     Nominations and Appointments

*REFERRED*

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

*Airport Advisory Committee*

*Theresa Whiting -Reappointment*

*Flight Instructor*

*3276 Alpine Dr.*

*Ann Arbor, MI 48108*

*Term: Ending May 31, 2020*

*Economic Development Corporation*

*Tom Crawford -Reappointment*

*CFO, City of Ann Arbor*

*1310 Harbrooke Ave.*

*Ann Arbor, MI 48103*

*Term: Ending May 31, 2023*

**Referred to the City Council due back on 12/4/2017**

**CA     CONSENT AGENDA**

**Passed on consent agenda**

**A motion was made by Councilmember Grand, seconded by Councilmember Ackerman, that the following Consent Agenda Items be approved as presented. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirements of CA-2 and DC-1.**

**CA-1     17-1741     Enactment No:     R-17-426     Approved**

Resolution No. 3 - Establishing a Public Hearing for the East Stadium Boulevard Sidewalk Special Assessment Project

**CA-2     17-1774     Enactment No:     R-17-427     Approved**

Resolution to Appropriate Necessary Funds for Return of DDA Grant Award for Farmers Market Project (\$175,000.00) **(8 Votes Required)**

CA-3    17-1799    **Enactment No:**    R-17-428    **Approved**

Resolution to Approve City of Ann Arbor 2017 Hazard Mitigation Plan Update

DC-1    17-1858    **Enactment No:**    R-17-429    **Approved**

Resolution to Approve the 2017-2019 Ann Arbor Police Officers Association Collective Bargaining Agreement Mandated by the Act 312 Award (**8 Votes Required**)

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

PH-1    [17-1419](#)    An Ordinance to Amend Chapter 55 (Zoning), Zoning of 6.4 Acres from PUD (Planned Unit Development) to C1A/R (Campus Business Residential District) WITH CONDITIONS, 1140 Broadway Rezoning (CPC Recommendation: Approval - 6 Yeas and 1 Nays) (Ordinance No. ORD-17-17)

*A public hearing was conducted on the proposed amendment to Chapter 55, Zoning of 6.4 Acres from PUD (Planned Unit Development) to C1A/R (Campus Business Residential District) WITH CONDITIONS, located at 1140 Broadway. Notice of public hearing was published October 12 and November 16, 2017.*

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

*Mary Underwood, 1219 Traver*

*Timothy Cheek, 1541 Broadway*

*Mitch Gerczak, 1223 Traver*

*Lisa Lenninger, 1407 Broadway*

*David Sturza, 1515 Pontiac Trail*

*Janet Cannon, 1220 Pontiac Trail, requested more affordable housing and commercial space.*

*Geoff Leggett, 1312 Broadway, urged Council to vote no tonight.*

*Pat Mcauley, 1418 Broadway, urged Council to vote no tonight.*

*John Rinne, 710 Indianola*

*Gail Piepenburg, 1610 Long Shore*

*Rita Mitchell, 621 Fifth*

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

*Andrew Stumpff, Fifth Ward*

*Jessica Letaw, Fifth Ward*

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

**Held and Closed**

**PH-2      17-1420      Enactment No:      Held and Closed**

**Held and Closed**

Resolution to Approve 1140 Broadway Planned Project Site Plan and Development Agreement, with Modifications to Chapter 62 Landscaping and Screening (CPC Recommendation: Approval - 6 Yeas and 1 Nays)

*A public hearing was conducted on the proposed Resolution to Approve 1140 Broadway Planned Project Site Plan and Development Agreement, with Modifications to Chapter 62 Landscaping and Screening. Notice of public hearing was published October 30, and November 16, 2017.*

*The following persons were present to speak in opposition to the proposed site plan:*

*John Gehring, 1407 Broadway  
Robert Piepenburg, 1610 Long Shore  
Dave Barber, 1638 Broadway  
Mary Underwood, 1219 Traver*

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

**PH-3      17-1758      Enactment No:      Held and Closed**

**Held and Closed**

Resolution to Approve the 1140 Broadway Brownfield Plan

*A public hearing was conducted on the proposed Resolution to Approve the 1140 Broadway Brownfield Plan. Notice of public hearing was published October 30 and November 16, 2017.*

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

*Brian Trim, 1548 Broadway, asked for the super majority vote to be required in order to postpone the proposal tonight.  
Doug Kelbaugh, Ann Street, urged Council to approve the plan.  
John Floyd, Ward 5, spoke about the need for retail spaces if the development does not have parking for residents.*

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

**PH-4      17-1551      Enactment No:      Held and Closed**



**Held and Closed**

Resolution to Approve Weber Site Plan and Development Agreement, 2857 Packard Road (CPC Recommendation: Approval - 0 Yeas and 7 Nays)

*A public hearing was conducted on the proposed Resolution to Approve Weber Site Plan and Development Agreement, located at 2857 Packard Road. Notice of public hearing was published November 13, 2017.*

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

*James D'Amour, Vice-Chair, Sierra Club of Huron Valley, spoke in opposition, stating a major impact to local natural features.*

*Karen White, 2719 Cranbrook, spoke in opposition.*

*Rita Mitchell, 621 Fifth, spoke in opposition, stating the need to preserve the landmark trees on the site.*

*Tina Fix, Midwestern Consulting Engineers, spoke about the project, and was available to answer any questions of Council.*

*Jim Haeussler, Peters Building Company, spoke about the project, and urged Council to make a decision this evening.*

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

**A APPROVAL OF COUNCIL MINUTES****A-1 [17-1831](#) Regular Session Meeting Minutes of November 9, 2017**

**A motion was made by Councilmember Krapohl, seconded by Councilmember Lumm, that the Minutes of the Regular Session of November 9, 2017 be approved. On a voice vote, the Mayor declared the motion carried.**

**B ORDINANCES - SECOND READING****B Unfinished Business - Staff:****B-1 [17-1419](#) An Ordinance to Amend Chapter 55 (Zoning), Zoning of 6.4 Acres from PUD (Planned Unit Development) to C1A/R (Campus Business Residential District) WITH CONDITIONS, 1140 Broadway Rezoning (CPC Recommendation: Approval - 6 Yeas and 1 Nays) (Ordinance No. ORD-17-17)**

**A motion was made by Councilmember Ackerman, seconded by**

**Councilmember Grand, that the Ordinance be adopted at Second Reading.**

**A motion was made by Councilmember Ackerman, seconded by Councilmember Grand, that the Ordinance be postponed at Second Reading to the City Council, due back on 12/4/2017. On a roll call, the vote was as follows with the Mayor declaring the motion carried:**

**Yeas:** 7 - Councilmember Warpehoski, Mayor Taylor, Councilmember Grand, Councilmember Krapohl, Councilmember Westphal, Councilmember Ackerman and Councilmember Smith

**Nays:** 3 - Councilmember Lumm, Councilmember Eaton and Councilmember Bannister

**Absent:** 1 - Councilmember Kailasapathy

## **C ORDINANCES - FIRST READING**

### **RECESS**

*Mayor Taylor declared a recess at 9:26 p.m. and reconvened the meeting at 9:38 p.m.*

## **C New Business - Staff:**

- C-1**      [17-1749](#)    An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.54 Acre from PUD (Planned Unit Development District) to PUD (Planned Unit Development District), The Glen Mixed Use Development PUD Zoning and Supplemental Regulations, 201, 213, 215, 217 Glen Avenue and 1025 East Ann Street (Ordinance No. ORD-17-22) (CPC Recommendation: Approval - 6 Yeas and 1 Nays)

**A motion was made by Councilmember Ackerman, seconded by Councilmember Krapohl, that the Ordinance be approved on First Reading to the City Council and should be returned by 12/18/2017. On a voice vote, the Mayor declared the motion carried.**

Enactment No: ORD-17-22

## **D MOTIONS AND RESOLUTIONS**

## **DC New Business - Council:**

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

**DB-1 17-1420 Enactment No:**

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

Resolution to Approve 1140 Broadway Planned Project Site Plan and Development Agreement, with Modifications to Chapter 62 Landscaping and Screening (CPC Recommendation: Approval - 6 Yeas and 1 Nays)

**17-1420 Enactment No: Postponed**

**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 12/4/2017. On a voice vote, the Mayor declared the motion carried.**

Resolution to Approve 1140 Broadway Planned Project Site Plan and Development Agreement, with Modifications to Chapter 62 Landscaping and Screening (CPC Recommendation: Approval - 6 Yeas and 1 Nays)

**DB-2 17-1758 Enactment No:**

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

Resolution to Approve the 1140 Broadway Brownfield Plan

**17-1758 Enactment No: Postponed**

**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 12/4/2017. On a voice vote, the Mayor declared the motion carried.**

Resolution to Approve the 1140 Broadway Brownfield Plan

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

**DB-3 17-1551 Enactment No: Approved**

**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 defeated.**

Resolution to Approve Weber Site Plan and Development Agreement,  
2857 Packard Road (CPC Recommendation: Approval - 0 Yeas and 7  
Nays)

**DS New Business - Staff:**

**E COMMUNICATIONS FROM THE CITY ATTORNEY**

**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 [17-1800](#) DDA Annual Report 2017**

**F-2 [17-1801](#) DDA Audit 2017**

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

**G-1 [17-0481](#) Public Market Advisory Commission Meeting Minutes of March 23, 2017**

**G-2 [17-1160](#) April 18, 2017 City Planning Commission Meeting Minutes**

**G-3 [17-1161](#) May 2, 2017 City Planning Commission Meeting Minutes**

**G-4 [17-1162](#) City Planning Commission Meeting Minutes of May16, 2017**

**G-5 [17-1163](#) June 6, 2017 City Planning Commission Meeting Minutes**

- G-6**     [17-1238](#)     August 23, 2017 ZBA Minutes with Live Links
- G-7**     [17-1494](#)     Park Advisory Commission Meeting Minutes of July 18, 2017
- G-8**     [17-1517](#)     Public Market Advisory Commission Meeting Minutes of July 20, 2017
- G-9**     [17-1584](#)     Zoning Board of Appeals Meeting Minutes of September 27, 2017
- G-10**    [17-1609](#)     Building Board of Appeals Meeting Minutes of August 17, 2017
- G-11**    [17-1705](#)     Park Advisory Commission Meeting Minutes of September 19, 2017
- G-12**    [17-1715](#)     Transportation Commission Meeting Minutes 9-13-2017
- G-13**    [17-1731](#)     Public Market Advisory Commission Meeting Minutes of September 21, 2017
- G-14**    [17-1738](#)     Ann Arbor Housing Commission September 27, 2017 Board Minutes
- G-15**    [17-1781](#)     Downtown Development Authority Board and Executive, Partnerships, Finance, Operations and Capital Improvements Committees Meeting Minutes from October 2017
- G-16**    [17-1804](#)     Insurance Board Meeting Minutes - October 19, 2017
- G-17**    [17-1771](#)     Ann Arbor Public Art Commission Meeting Minutes - November 2017

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

*John Floyd, Ward 5, spoke about the planning process. He stated the current process is broken.*

*Ed Vielmetti, Ward 4, stated he drove to the City's water plant to check out*

*the water main repair situation. He urged the City to notify City residents of the problem.*

#### **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).**

**A motion was made by Councilmember Smith, seconded by Councilmember Eaton, that Council enter into Closed Session under the Michigan Open Meetings to discuss pending litigation and attorney/client privileged communication as set forth in MCLA 15.268 (E) and (H). On a roll call, the vote was as follows with the Mayor declaring the motion carried and the meeting adjourned in Closed Session at 10:13 p.m.:**

**Yeas:** 10 - Councilmember Lumm, Councilmember Warpehoski, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Krapohl, Councilmember Westphal, Councilmember Ackerman, Councilmember Smith and Councilmember Bannister

**Nays:** 0

**Absent:** 1 - Councilmember Kailasapathy

#### **MEETING RECONVENED**

**A motion was made by Councilmember Grand, seconded by Councilmember Westphal, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 10:33 p.m.**

#### **ADJOURNMENT**

**A motion was made by Councilmember Warpehoski, seconded by Councilmember Bannister, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 10:33 p.m.**

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

**LIVE: MONDAY, NOVEMBER 20, 2017 @ 7:00 P.M.**

**REPLAYS: WEDNESDAY, NOVEMBER 22, 2017 @ 8:00 A.M. AND FRIDAY, NOVEMBER 24, 2017 @ 8:00 P.M.**

**REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE**

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**Cable: Comcast Cable channel 16 or AT&T UVerse Channel 99**

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**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.**