

# City of Ann Arbor

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



## Action Minutes

Monday, December 4, 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**

*Councilmember Smith arrived at 7:03 p.m.*

**Present:** 11 - Councilmember Jane Lumm, Councilmember Sumi Kailasapathy, Councilmember Chuck Warpehoski, Councilmember Jack Eaton, Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Graydon Krapohl, Councilmember Kirk Westphal, Councilmember Zachary Ackerman, Councilmember Chip Smith and Councilmember Anne Bannister

**APPROVAL OF AGENDA**

**A motion was made by Councilmember Krapohl, seconded by Councilmember Warpehoski, 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 presented the following written reports for information of Council and also reported on the following:*

*City curbside compost collection ends on Friday, December 8.*

*Thank you Ann Arbor police officer Justin Merkel for attendance at tonight's meeting.*

*Pedestrian gateway markers were taken down for snowplow season and will return in the Spring.*

**AC-1**      [17-1919](#)      City Administrator's Report - December 4, 2017

**Attachments:**      171204 - City Administrator's Update.pdf

**Received and Filed**

**AC-2**     [17-1925](#)     Winter 2018 Deer Management Plan Update

**Attachments:**     Winter 2018 Deer Implementation Plan.pdf

**Received and Filed**

**AC-3**     [17-1920](#)     Agenda Response Memo and eComments - December 4, 2017

**Attachments:**     Agenda Responses 12-4-17.pdf, 12-4-17 eComments.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.     Robert McGee - Deer Sterilization Volunteers (AC-2)**

*Robert McGee, 2245 Placid Way, encouraged Council to continue to save the City's deer by continuing the sterilization program as opposed to culling.*

**2.     Sabra Sanzotta - Deer Management Plan Regarding Neighborhoods (AC-2)**

*Sabra Sanzotta, 3087 Glazier Way, spoke in opposition to the deer cull taking place in neighborhood parks and backyards. She stated accidents can and do happen. She urged Council to proceed with caution.*

**3.     Bill Burnham - Historic Preservation Ordinance Regarding Inglis House Historic Distinct (C-1)**

*Bill Burnham, 2303 Highland, spoke about the Inglis House sale and urged Council to consider a postponement of the proposed historic district until deed restrictions could be placed on the property during the upcoming sale. He stated the deed restrictions are the preferred method of protecting the property versus the creation of an historic district.*

**4.     Bridget Bly - Inglis House Project (C-1)**

*Bridget Bly, 12 Regent Drive, spoke in favor of a postponement of the Inglis House Historic District until the proposed deed restrictions could be put in place.*

**5. James D'Amour - A2 Commits to 100% Clean Energy (DC-2)**

*James D'Amour, 2771 Maplewood, spoke in support of DC-2, the City's commitment to 100% use of renewable resources for City operations.*

**6. Sara Abrams - Making the World a Better Place**

*Sara Abrams, 2745 Ember Way, spoke in opposition to the City's deer cull.*

**7. Sally Daniels - Public Safety**

*Sally Daniels, 1847 Packard, spoke in opposition to the City's deer cull, particularly regarding the elimination of the 450-foot rule. She stated residents' safety has been compromised.*

**8. Lorraine Shapiro - Public Safety**

*Lorraine Shapiro, 2nd Ward, spoke in opposition to the City's deer cull.*

**9. Tom Stulberg - The Glen**

*Tom Stulberg, 1202 Traver, spoke about the history of The Glen project.*

**CC COMMUNICATIONS FROM COUNCIL**

**COUNCILMEMBER LUMM**

*Councilmember Lumm spoke about the DTE Transmission line project that started today in the Nixon, Green, Dhu Varren area. Councilmember Lumm stated she was surprised to learn via MLive of the start of the project and the timing. She asked staff for more information regarding the timing and coordination of this project with other work in the area.*

**COUNCILMEMBER EATON**

*Councilmember Eaton spoke about the implementation of the medical marijuana law, including the requirement by the State to certify the continuing operation of existing facilities.*

**COUNCILMEMBER ACKERMAN**

*Councilmember Ackerman spoke about the ZORO zoning project and its implementation. A public meeting will be held on December 12 at 7pm in the Council Chamber. There were also be staff open office hours during the month of January as an opportunity for the public to discuss the new ordinance.*

**MC COMMUNICATIONS FROM THE MAYOR****MC-1**     [17-1850](#)     Appointments - Confirmations

**Attachments:**     Theresa Whiting app. 2017.pdf

Mayor Taylor requested confirmation of the following appointments that were presented to City Council for consideration at the November 20, 2017 Regular Session:

*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*

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

**MC-2**     [17-1913](#)

**Resolution to Appoint Molly Maciejewski to the Huron River Watershed Council (7 Votes Required)**

**Attachments:**     Molly Maciejewski app. 2017.pdf

*Mayor Taylor presented a resolution of appointment for approval at a later date:*

*Huron River Watershed Council*

*Molly Maciejewski  
4251 Stone School Rd.  
Ann Arbor, MI 48108  
Term: Ending May 31, 2019*

*Sponsored by: Mayor Taylor*

**Referred to the City Council due back on 12/18/2017**

**MC-3**     [17-1911](#)

**Nominations and Appointments**

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

*Huron River Watershed Council*

*Janis Bobrin  
Environmental Planner  
3465 Vintage Valley Rd.  
Ann Arbor, MI 48105  
Term: May 31, 2019*

*Cheryl Darnton  
Environmental Activist/Teacher  
601 Eberwhite  
Ann Arbor, MI 48103  
Term: May 31, 2019*

*Elizabeth Dean Fund Committee*

*Monica Milla  
3320 Fernwood Ave.  
Ann Arbor, MI 48108  
Term: May 31, 2019*

**Referred to the City Council due back on 12/18/2017**

**CA CONSENT AGENDA**

**Passed on consent agenda**

**A motion was made by Councilmember Grand, seconded by Councilmember Lumm, that the following Consent Agenda items be approved as presented. On a voice vote, the Mayor declared the motion carried.**

**CA-1     [17-1866](#)     Resolution to Accept an Easement for Public Right-of-Way at 1430 South Maple Road from Grace Bible Church of Ann Arbor, Michigan (**8 Votes Required**)**

**Attachments:**     Grace Bible Church Right of Way.pdf

Enactment No: R-17-430

**CA-2     [17-1867](#)     Resolution to Accept a Water Main Easement at 1430 South Maple Road from Grace Bible Church of Ann Arbor, Michigan (**8 Votes**)**

**Required)**

**Attachments:** Grace Bible Church Water Main.pdf

Enactment No: R-17-431

- CA-3**     [17-1874](#)     Resolution to Accept an Easement for Sidewalks and Public Utilities at Pioneer High School from the Public Schools of the City of Ann Arbor (AAPS) **(8 Votes Required)**

**Attachments:** Scio Church AAPS Easement Maps.pdf

Enactment No: R-17-432

- CA-4**     [17-1881](#)     Resolution to Accept an Easement for Sidewalk at 75 Scio Church Road from 75 Scio Church L.L.C. **(8 Votes Required)**

**Attachments:** 75 Scio Church Map ExA.pdf

Enactment No: R-17-433

- CA-5**     [17-1780](#)     Resolution to Approve a Purchase Order to Environmental Systems Research Institute (ESRI) for the Annual Geographic Information System Software Maintenance and License Agreement (\$51,600.00)

Enactment No: R-17-434

- CA-6**     [17-1725](#)     Resolution Authorizing Sanitary Sewer Capital Recovery Charges for 2665 Geddes Ave. (\$25,954.00)

Enactment No: R-17-435

- CA-7**     [17-1748](#)     Resolution to Approve a Services Agreement with WeCare Denali, LLC for Compost Facility Operations and Management (Estimated at \$92,158.00 for FY18; \$184,316.00 for FY19; \$192,694.00 for FY20; \$196,883.00 for FY21; \$201,072.00 for FY22)

Enactment No: R-17-436

- CA-8**     [17-1777](#)     Resolution to Ratify Emergency Change Order Request to the Construction Contract with E.T. MacKenzie Company for the Plymouth Road and Green Road Water Main Replacement Project (\$474,645.84)



Enactment No: R-17-437

- CA-9**     [17-1793](#)     Resolution to Approve a Contract with Allied Building Service Inc., for the Replacement of the Emergency Generator in Fire Station #1 (\$268,800.00)

**Attachments:**     ITB 4516 Bid Tab.pdf, ITB\_4516\_Document.pdf, ITB 4516 ADDENDUM #1 .pdf, Allied Bldg Service Bid.pdf, Allied Bldg Service Contract.pdf

Enactment No: R-17-438

- CA-10**     [17-1849](#)     Resolution to Ratifying the Issuance of an Emergency Purchase Order to Otis Elevator Corporation for the Replacement of Elevator Belts at the Larcom City Hall (\$33,790.00) and to Appropriate Funds (\$33,790.00) (**8 Votes Required**)

**Attachments:**     Otis Repair Quote 1117.pdf, Otis Emergency Authorization.pdf

Enactment No: R-17-439

- CA-11**     [17-1882](#)     Resolution to Terminate Development Agreement with Grace Bible Church, 1300 South Maple

**Attachments:**     Termination of GBC Development Agreement.docx, Grace Bible Church Development Agreement 2008.pdf

Enactment No: R-17-440

**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)

**Attachments:**     17-17 1140 Broadway Rezoning Briefed and Approved.pdf, 17-17 1140 Broadway Rezoning Briefed 11-20-17.pdf, 17-17 1140 Broadway Rezoning Briefed.pdf, 1140 Broadway Conditional Zoning Stmt of Conditions FINAL.pdf, Conditional Zoning Statement 9-20-17.pdf, July 5, 2017 Planning Staff Report, August 1, 2017 Planning Staff Report, Petitioner's Offer of Conditions (7-26-17), 8-1-2017 -- 1140 Broadway Project Minutes.pdf, 8-23-2017 -- 1140 Broadway Project Minutes from ZBA.pdf, Objection Communication from Harpreet Singh.pdf, Yuqing Zhang Objection Letter re 1140 Broadway.pdf, 1140 Broadway Objection Letters.pdf, Map.pdf, Resinding Letters Regarding 1140 Broadway.pdf, 1140 Broadway Objection Letter from Diane Wiener.pdf,

Objection Letter regarding 1140 Broadway from Taisir Hasan.pdf,  
 Objection Material regarding 1140 Broadway from Linda Ebbeler.pdf,  
 1140 Broadway Rezoning Comments from Susan Friedlaender.pdf,  
 1140 Broadway Objection letter - Hawkins.pdf, B-1 Letters Rescinding  
 Objections to 1140 Broadway.pdf, 1140 Broadway Rezoning Approval  
 Notice.pdf

*A public hearing was continued 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, 1140 Broadway Rezoning. Notice of public hearing was published October 12, November 16 and December 4, 2017.*

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

*Tom Blackwell, 1640 Broadway, spoke in opposition.*

*Ellen Ramsburg, 1503 Cambridge, spoke in opposition, stating the proposal disregards the City's master plan.*

*Jonathan Levine, 456 Hilldale, spoke in support.*

*David Barber, 1638 Broadway, spoke in opposition, and urged Council to vote with the majority of residents.*

*A resident of 1541 Broadway read his wife's statement of opposition to the rezoning.*

*David Haig, First Ward, spoke in support of the rezoning.*

*Rita Mitchell, 621 Fifth, spoke in opposition to the rezoning and urged Council to listen to the neighbors.*

*Jan Adams-Watson, 1824 Pontiac, spoke in opposition to the rezoning.*

*Jeff Crockett, 506 E. Kingsley, spoke in support of the project and the proposed rezoning.*

*Chris Crockett, 506 E. Kingsley, spoke in support of the project and the proposed rezoning.*

*Jim Moran, 611 Long Shore, spoke in support of the project.*

*Glenn Hieber, a former precinct delegate, spoke in opposition.*

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

**A motion was made that the Ordinance be Held and Closed. On a voice vote, the [Enter Title] declared the motion carried.**

Enactment No: ORD-17-17

**PH-2**      [17-1420](#)

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)

**Attachments:** July 5, 2017 Planning Staff Report, August 1, 2017 Planning Staff Report, 1140 Broadway Development Agreement 11-2-17.pdf, 8-1-2017 -- 1140 Broadway Project Minutes.pdf, 8-23-2017 -- 1140 Broadway Project Minutes from ZBA.pdf, 1140 Broadway Revised Plan Update Memo to Council 12-4-17.pdf

*A public hearing was continued 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, November 16 and December 4, 2017.*

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

*Phil Stoll, 1314 Broadway, spoke in opposition.*

*Jeff Hayner, 1807 Pontiac Trail, spoke in opposition.*

*Laura Strowe, 1327 Broadway, spoke in opposition.*

*Karen Hart, 1233 Bending, spoke in support.*

*Nancy Stoll, 1314 Broadway, spoke about the super majority vote and expressed her disappointment that the vote has changed again, stating it feels unfair.*

*Robert Piepenburg, 1610 Long Shore, spoke in opposition.*

*Cheryl Dawdy, 611 Long Shore, spoke in support of the project.*

*Paul Green, 1615 Harbal, expressed concern about the number of parking spaces proposed.*

*Mary Underwood, 1219 Traver, expressed concern about the development process and the removal of the eight-vote majority.*

*Jeff Crockett, 506 E. Kingsley, spoke in support.*

*Glenn Hieber, 1118 Maiden Lane Court, spoke in opposition.*

*Pat McCauley, 1418 Broadway, spoke in opposition and stated Council should consider why most of the residents on Broadway are opposed.*

*An unknown resident spoke in opposition, stating the proposed project wouldn't even qualify to be built downtown in a D2 zoning.*

*Andrew Pieknik, 711 Argo, spoke in opposition.*

*Steve Kaplan, 406 N. Division, spoke in support of development on the site.*

*David Sturza, 1515 Pontiac Trail, stated neighbors are looking for a mixed-use development.*

*Chris Crockett, 506 E. Kingsley, spoke in support of the site plan.*

*Maris Laporter, 1303 Pear, spoke about the site plan and the need for more retail space.*

*Jim Moran, 611 Long Shore Drive, spoke in support and discussed the history of the project.*

*Tom Stulberg, 1202 Traver, spoke in opposition.*

*Ray Detter, 120 N. Division, spoke about historic preservation and stated he is supporting the proposed project.*

*Chuck Boltman, 1009 Broadway, spoke about density and urged Council to approve more density for the site. He urged Council to approve the project.*

*Doug Kelbaugh, Ann Street, spoke in support of the project.*

*Jonathan Levine, 456 Hilldale, spoke about the parking proposed for the project and stated additional parking is not needed.*

*An unknown speaker spoke in support of the project.*

*Ken Garber, 2387 Hilldale, spoke in opposition.*

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

**Held and Closed**

Enactment No: R-17-448

**RECESS**

*Mayor Taylor declared a recess at 9:23 p.m. and reconvened the meeting at 9:33 p.m.*

**PH-3**     [17-1758](#)

**Resolution to Approve the 1140 Broadway Brownfield Plan**

**Attachments:**     1140 Broadway Brownfield Plan 10-25-17 v2.pdf

*A public hearing was conducted on the proposed Resolution to Approve the 1140 Broadway Brownfield Plan. Notice of public hearing was published October 30, November 16 and December 4, 2107.*

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

*Jeff Hayner, 1807 Pontiac Trail, spoke in opposition.*

*Maris Laporter, 1303 Pear, spoke in opposition, stating any developer will pay for the clean-up.*

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

**Held and Closed**

Enactment No: R-17-449

**PH-4**     [17-1441](#)

**An Ordinance to Amend Chapter 55 (Zoning), Rezoning 0.59 Acre from TWP (Township District) to R1A (Single-Family Dwelling District), DuBuc Property, 2945 Devonshire Road (Ordinance No. ORD-17-20) (CPC Recommendation: Approval 8 Yeas and 0 Nays)**

**Attachments:**     17-20 2945 Devonshire Zoning Council Ordinance Briefed.pdf, 17-20 2945 Devonshire Zoning Council Ordinance Briefed.pdf, 2945 Devonshire Zoning Council Ordinance.docx, 2945 Devonshire A&Z Staff Report with Attachments.pdf, 11-1-2017 CPC Meeting Minutes-2945 Devonshire Annex & Zon.pdf, DuBuc Completed Annexation Communication from State.pdf, 2945 Devonshire Rd Dubuc Rezoning Approval Notice.pdf

*A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.59 Acre from TWP (Township District) to R1A (Single-Family Dwelling District), DuBuc Property, 2945 Devonshire Road. Notice of public hearing was published November 20, 2017.*

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

**Held and Closed**

Enactment No: ORD-17-20

**PH-5**      [17-1762](#)

An Ordinance to Amend Chapter 55 (Zoning) related to Medical Marijuana Facilities (Ordinance No. ORD-17-21) (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

**Sponsors:**      Ackerman

**Attachments:**      17-21 Medical Marijuana Ordinance Briefed AS AMENDED.pdf, 17-21 AN ORDINANCE TO AMEND CHAPTER 55 Medical Marijuana Facilities Briefed.pdf, AN ORDINANCE TO AMEND CHAPTER 55 Medical Marijuana Facilities 11-3-17.pdf, Med MJ Zoning Staff Report w Attachment-101717.pdf

*A public hearing was conducted on the proposed amendment to Chapter 55, related to Medical Marijuana Facilities. Notice of public hearing was published November 20, 2017.*

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

*Alison Ireton, Ann Arbor attorney representing local dispensaries, spoke in opposition to the proposed requirement for medical marijuana facilities to obtain a special exception use permit from the Planning Commission prior to being issued a permit.*

*Brian Fenech, Ward 4, spoke in opposition to the proposed requirement for medical marijuana facilities to obtain a special exception use permit from the Planning Commission. He noted that this requirement might force facilities to discuss security plans and other confidential details in public.*

*Craig Aronoff, Ann Arbor attorney, spoke in opposition to the City's proposed requirement for a special exception use to be obtained at the Planning Commission.*

*Lance Boldrey, attorney with Dykema, spoke in opposition to the proposed requirement that existing dispensaries obtain special exception use permits.*

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

**Held and Closed**

Enactment No: ORD-17-21

**PH-6**      [17-1754](#)

Resolution to Approve the Malooley-Gordon Annexation, 1.05 Acres, 2410 Newport Road (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

**Attachments:**      2410 Newport Malooley Annexation & Zoning Staff Report.pdf, 2410 Newport Rd Aerial Map Zoom.pdf, 2410 Newport Rd Zoning Map.pdf

*A public hearing was conducted on the proposed Resolution to Approve the Malooley-Gordon Annexation, 1.05 Acres, 2410 Newport Road. Notice of public hearing was published December 4, 2017.*

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

**Held and Closed**

Enactment No: R-17-450

- PH-7**      [17-1768](#)      Resolution to Approve the Flannery Annexation, 0.76 Acre, 2883 Stone School Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

**Attachments:**      Flannery A&Z Staff Report with Attachments.pdf

*A public hearing was conducted on the proposed Resolution to Approve the Flannery Annexation, 0.76 Acre, 2883 Stone School Road. Notice of public hearing was published December 4, 2017.*

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

**Held and Closed**

Enactment No: R-17-451

**A      APPROVAL OF COUNCIL MINUTES**

- A-1**      [17-1907](#)      Work Sessions of November 13 and 16, 2017 and Regular Session Meeting Minutes of November 20, 2017

**Attachments:**      11-13-17 Draft Minutes.pdf, 11-16-17 Draft Minutes.pdf, 11-20-17 Draft Minutes.pdf, Council emails 11-20-2017.pdf

**A motion was made by Councilmember Lumm, seconded by Councilmember Westphal, that the Work Sessions of November 13 and 16, 2017 and the Regular Session Meeting Minutes of November 20, 2017 be approved as presented. 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)

**Attachments:**      17-17 1140 Broadway Rezoning Briefed and Approved.pdf, 17-17 1140 Broadway Rezoning Briefed 11-20-17.pdf, 17-17 1140 Broadway Rezoning Briefed.pdf, 1140 Broadway Conditional Zoning Stmt of Conditions FINAL.pdf, Conditional Zoning Statement 9-20-17.pdf, July

5, 2017 Planning Staff Report, August 1, 2017 Planning Staff Report, Petitioner's Offer of Conditions (7-26-17), 8-1-2017 -- 1140 Broadway Project Minutes.pdf, 8-23-2017 -- 1140 Broadway Project Minutes from ZBA.pdf, Objection Communication from Harpreet Singh.pdf, Yuqing Zhang Objection Letter re 1140 Broadway.pdf, 1140 Broadway Objection Letters.pdf, Map.pdf, Resinding Letters Regarding 1140 Broadway.pdf, 1140 Broadway Objection Letter from Diane Wiener.pdf, Objection Letter regarding 1140 Broadway from Taisir Hasan.pdf, Objection Material regarding 1140 Broadway from Linda Ebbeler.pdf, 1140 Broadway Rezoning Comments from Susan Friedlaender.pdf, 1140 Broadway Objection letter - Hawkins.pdf, B-1 Letters Rescinding Objections to 1140 Broadway.pdf, 1140 Broadway Rezoning Approval Notice.pdf

**A motion was made by Councilmember Ackerman, seconded by Councilmember Grand, that the Ordinance be adopted on Second Reading. 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:** 4 - Councilmember Lumm, Councilmember Kailasapathy, Councilmember Eaton and Councilmember Bannister

Enactment No: ORD-17-17

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

- B-2**      [17-1441](#)      An Ordinance to Amend Chapter 55 (Zoning), Rezoning 0.59 Acre from TWP (Township District) to R1A (Single-Family Dwelling District), DuBuc Property, 2945 Devonshire Road (Ordinance No. ORD-17-20) (CPC Recommendation: Approval 8 Yeas and 0 Nays)
- Attachments:**      17-20 2945 Devonshire Zoning Council Ordinance Briefed.pdf, 17-20 2945 Devonshire Zoning Council Ordinance Briefed.pdf, 2945 Devonshire Zoning Council Ordinance.docx, 2945 Devonshire A&Z Staff Report with Attachments.pdf, 11-1-2017 CPC Meeting Minutes-2945 Devonshire Annex & Zon.pdf, DuBuc Completed Annexation Communication from State.pdf, 2945 Devonshire Rd Dubuc Rezoning Approval Notice.pdf

**A motion was made by Councilmember Lumm, seconded by Councilmember Westphal, that the Ordinance be adopted on Second Reading. On a voice vote, the Mayor declared the motion carried.**

Enactment No: ORD-17-20

- B-3**      [17-1762](#)      An Ordinance to Amend Chapter 55 (Zoning) related to Medical Marijuana Facilities (Ordinance No. ORD-17-21) (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

**Sponsors:** Ackerman

**Attachments:** 17-21 Medical Marijuana Ordinance Briefed AS AMENDED.pdf, 17-21 AN ORDINANCE TO AMEND CHAPTER 55 Medical Marijuana Facilities Briefed.pdf, AN ORDINANCE TO AMEND CHAPTER 55 Medical Marijuana Facilities 11-3-17.pdf, Med MJ Zoning Staff Report w Attachment-101717.pdf

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

Enactment No: ORD-17-21

*Councilmember Eaton moved, seconded by Councilmember Smith, to amend the Ordinance as follows:*

*Section 5:50.1 (3) (a):*

*Change 600 feet to 400 feet.*

*The amendment was withdrawn.*

Enactment No: ORD-17-21

**A motion was made by Councilmember Eaton, seconded by Councilmember Smith, that the Ordinance be postponed at Second 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-17-21

## **C ORDINANCES - FIRST READING**

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

- C-1**      [17-1769](#)      An Ordinance to Amend Chapter 103 (Historic Preservation) of Title VIII of the Code of the City of Ann Arbor by Adding Section 8:425.15 Establishing the Inglis House Historic District (Inglis House Study Committee Recommendation: Approval - 3 Yeas and 0 Nays)

**Attachments:** October 18 Special Meeting Minutes, Inglis House Historic District Ordinance.pdf, INGLIS HOUSE HISTORIC DISTRICT STUDY COMMITTEE FINAL REPORT, Map-Inglis House Historic District.pdf

**A motion was made by Councilmember Lumm, seconded by Councilmember Westphal, that the Ordinance be approved at First Reading.**



A motion was made by Councilmember Lumm, seconded by Councilmember Eaton, that the Ordinance be postponed at First Reading to the City Council and should be returned by 1/8/2018. On a voice vote, the Mayor declared the motion carried.

- C-2      [17-1859](#)      An Ordinance to Amend Sections 9:81 and 9:82 of Chapter 109 (Liquor) of Title IX of the Code of the City of Ann Arbor (Ordinance No. ORD-17-23)

**Attachments:**      Ordinance Amendment - Minor in Possession of Alcohol.pdf

A motion was made by Councilmember Lumm, seconded by Councilmember Smith, 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-17-23

## D      MOTIONS AND RESOLUTIONS

### DC      New Business - Council:

- DC-1      [17-1895](#)      Resolution to Establish 2018 Council Calendar

**Sponsors:**      Taylor

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

Enactment No: R-17-441

- DC-2      [17-1899](#)      Resolution Committing the City of Ann Arbor to Using 100% Clean and Renewable Energy for City Operations

**Sponsors:**      Smith, Warpehoski and Taylor

**Attachments:**      GHG Protocol Scope Definitions (2).pdf

*Council discussed the current prohibition on moving City-generated power from one City facility to another, such as from Wheeler Center to City Hall. There was discussion about lobbying Lansing to change this restriction. It was decided to refer this issue to the Council Policy Agenda Committee.*

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

declared the motion carried.

Enactment No: R-17-442

- DC-3**     [17-1901](#)     A Resolution Recognizing City Staff Responding to the Water Supply Ruptured Line Repairs of November 18-22, 2017

**Sponsors:**     Taylor

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

Enactment No: R-17-443

- DC-4**     [17-1915](#)     Resolution to Approve 2018 Council Committee Appointments

**Sponsors:**     Warpehoski

**Attachments:**     2018 Council Committee Appointments.pdf

*It was noted that Council vacancies exist on the Airport Advisory Commission. Any interested Councilmembers were encouraged to let Mayor Pro Tem Warpehoski know.*

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

Enactment No: R-17-444

- DC-5**     [17-1909](#)     Resolution to Appoint Councilmembers Bannister and Smith to the Environmental Commission

**Sponsors:**     Warpehoski

**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-17-445

- DC-6**     [17-1908](#)     Resolution to Appoint Councilmember Grand to the Greenbelt Advisory Commission

**Sponsors:**     Warpehoski

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

Enactment No: R-17-446

**DC-7**     [17-1910](#)     Resolution to Appoint Councilmember Ackerman to the Planning Commission

**Sponsors:**     Warpehoski

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

Enactment No: R-17-447

**DB     Unfinished Business - Staff:**

**DB-1**     [17-1420](#)     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)

**Attachments:**     July 5, 2017 Planning Staff Report, August 1, 2017 Planning Staff Report, 1140 Broadway Development Agreement 11-2-17.pdf, 8-1-2017 -- 1140 Broadway Project Minutes.pdf, 8-23-2017 -- 1140 Broadway Project Minutes from ZBA.pdf, 1140 Broadway Revised Plan Update Memo to Council 12-4-17.pdf

**A motion was made by Councilmember Smith, seconded by Councilmember Warpehoski, that the Resolution be approved. 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:**    4 -    Councilmember Lumm, Councilmember Kailasapathy, Councilmember Eaton and Councilmember Bannister

Enactment No: R-17-448

**DB-2**     [17-1758](#)     Resolution to Approve the 1140 Broadway Brownfield Plan

**Attachments:**     1140 Broadway Brownfield Plan 10-25-17 v2.pdf

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

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

**Nays:**    1 -    Councilmember Kailasapathy

Enactment No: R-17-449

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

**DB-3**     [17-1754](#)     Resolution to Approve the Malooley-Gordon Annexation, 1.05 Acres, 2410 Newport Road (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

**Attachments:**     2410 Newport Malooley Annexation & Zoning Staff Report.pdf, 2410 Newport Rd Aerial Map Zoom.pdf, 2410 Newport Rd Zoning Map.pdf

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

Enactment No: R-17-450

**DB-4**     [17-1768](#)     Resolution to Approve the Flannery Annexation, 0.76 Acre, 2883 Stone School Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

**Attachments:**     Flannery A&Z Staff Report with Attachments.pdf

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

Enactment No: R-17-451

**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 Westphal, seconded by Councilmember Ackerman, 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**      [17-1807](#)      Third Quarter 2017 Investment Portfolio Report  
**Attachments:**      City of Ann Arbor Investment Portfolio Report - September 30 2017.pdf
- G**      **The following minutes were received for filing:**
- G-1**      [17-1454](#)      Ann Arbor Public Art Commission Meeting Minutes - September 2017  
**Attachments:**      AAPAC Meeting Minutes - July 2017.pdf, Coleman Jewitt Memorial Slides 9.14.17.pdf, AAPAC year-end report 2017.pdf
- G-2**      [17-1791](#)      Local Development Finance Authority Board Meeting Minutes - October 17, 2017  
**Attachments:**      LDFA Board Meeting Minutes - October 17, 2017.pdf
- G-3**      [17-1857](#)      Energy Commission Meeting Minutes of October 10, 2017  
**Attachments:**      Energy Commission Minutes 10-10-17.pdf
- G-4**      [17-1868](#)      Employees' Retirement System Board Meeting Minutes of October 19, 2017  
**Attachments:**      B RS Board Mins 10.19.17.pdf
- G-5**      [17-1873](#)      Ann Arbor Area Transportation Authority Board Meeting Minutes of October 19, 2017  
**Attachments:**      AAATA Board Meeting Minutes 10.19.17\_Approved.pdf

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

*Ed Vielmetti, Ward 4, spoke about the upcoming snowfall and the need to clear sidewalks of slush.*

*Jeff Hayner, Ward, 1, thanked Ward 1 Councilmembers for their vote on the 1140 Broadway project and expressed his disappointment with the overall vote.*

**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 Krapohl, seconded by Councilmember Warpehoski, that Council enter into Closed Session under the Michigan Open Meetings Act to discuss Attorney/Client Privileged Communications as set forth under MCLA 15.268 (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 11:53 p.m.:**

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

**Nays:** 0

**MEETING RECONVENED**

**A motion was made by Councilmember Smith, seconded by Councilmember Lumm, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 12:17 a.m.**

[17-1895](#)

Resolution to Establish 2018 Council Calendar

**Sponsors:** Taylor

**A motion was made by Councilmember Kailasapathy, seconded by Councilmember Lumm, that the Resolution be reconsidered to the City Council. On a voice vote, the Mayor declared the motion carried and the Resolution was reconsidered.**

Enactment No: R-17-441

[17-1895](#)

Resolution to Establish 2018 Council Calendar

**Sponsors:** Taylor

**A motion was made by Councilmember Kailasapathy, seconded by Councilmember Lumm, that the Resolution be approved as amended as follows:**

**Amend January meeting dates:**

**Regular Session:**

January 8

January 16 (Tuesday)

**Work Session:**

January 22

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

Enactment No: R-17-441

**ADJOURNMENT**

**A motion was made by Councilmember Smith, seconded by Councilmember Warpehoski, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 12:23 a.m.**

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

**LIVE: MONDAY, DECEMBER 4, 2017 @ 7:00 P.M.**

**REPLAYS: WEDNESDAY, DECEMBER 6, 2017 @ 8:00 A.M. AND FRIDAY, DECEMBER 8, 2017 @ 8:00 P.M.**

**REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE**

**CTN's Government Channel live televised public meetings can be viewed in a variety of ways:**

**Live Web streaming or Video on Demand: <https://a2ctn.viebit.com>**

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

All persons are encouraged to participate in public meetings. Citizens requiring translation or sign language services or other reasonable accommodations may contact the City Clerk's office at 734.794.6140; via e-mail to: [cityclerk@a2gov.org](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.