

# City of Ann Arbor

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



## Action Minutes

Monday, September 17, 2018

7:00 PM

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

**City Council**

**1612 CALL TO ORDER**

*Mayor Taylor called the meeting of the Ann Arbor City Council to order at 7:08 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 Sumi Kailasapathy, Councilmember Chuck Warpehoski, Councilmember Jack Eaton, Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Kirk Westphal, Councilmember Zachary Ackerman, Councilmember Chip Smith and Councilmember Anne Bannister

**Absent:** 1 - Councilmember Graydon Krapohl

**APPROVAL OF AGENDA**

*The following changes were proposed to amend the agenda:*

*ADD:*

*Closed Session before DB-1*

*MOVE:*

*DB-2 after B-2*

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

**AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR**

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

*Mr. Lazarus thanked AAPD Officer Jordan Gawronski for his attendance.*

*Mr. Lazarus stated the Water Treatment Plant is hosting an Open House on Saturday, September 29.*

**AC-1 [18-1582](#)**

Memorandum - Proposed Plan for Achieving 100% Clean and Renewable Energy for City Operations - September 11, 2018

**Attachments:** 180911 - Memorandum on 100 percent clean and renewable for

CouncilFINAL.pdf

**Received and Filed****AC-2**     [18-1628](#)     Agenda Response Memo and eComments - September 17, 2018

**Attachments:**     Agenda Responses 9-17-18Final.pdf, ecomments\_export.pdf  
*City Administrator Howard Lazarus submitted his Agenda Response Memo for information of Council.*

**Received and Filed****AC-3**     [18-1629](#)     City Administrator's Report - September 17, 2018

**Attachments:**     180917 City Administrator's Update.pdf

**Received and Filed****INT    INTRODUCTIONS****INT-1**     [18-1477](#)     Introduction: John Fournier, Assistant City Administrator

*City Administrator Howard S. Lazarus reported on the hiring of new Assistant City Administrator, John Fournier. Mr. Fournier comes to the City from the City of Pittsburgh, is a Michigan State University graduate, and has a graduate degree from Pennsylvania State University.*

*Council and the public welcomed Mr. Fournier.*

**Received and Filed****INT-2**     [18-1336](#)     City of Ann Arbor Water Treatment Plant Participation in the Water Utility Energy Challenge (WUEC)

**Attachments:**     Water Treatment Plant Water Utility Energy Challenge.pdf  
*City staff, including Water Treatment Plant Manager Brian Steglitz, were recognized for their participation as a finalist city in the Water Utility Energy Challenge. A copy of the presentation and information on the project is on file in the City Clerk's Office.*

**Received and Filed****INT-3**     [18-1520](#)     Water Treatment Plant Presentation: Water Quality

**Attachments:**     Council Introduction - Water Quality Challenges 9-17-18.pdf, Emerging Water Issues Council Presentation 9-17-18.pdf

*Brian Steglitz, Water Plant Manager, provided Council and the public an update regarding the City's water quality and water treatment processes, including recent news regarding PFAS in the Huron River.*

*A copy of the presentation is on file in the City Clerk's Office.*

**Received and Filed**

**INT-4**     [18-1583](#)     Proclamation for Constitution Week 2018

**Attachments:**     2018 Constitution Week Proclamation.pdf

*Mayor Taylor presented a proclamation to members of the Daughters of the American Revolution celebrating Constitution Week in Ann Arbor, officially declaring September 17 through 23 as Constitution Week.*

*A copy of the proclamation is on file in the City Clerk's Office.*

**Received and Filed**

**INT-5**     [18-1600](#)     Proclamation honoring Ruth Thornton

**Attachments:**     Ruth Thornton 2018.pdf

*Mayor Taylor read a proclamation honoring Ruth Thornton for her work with the City's Greenbelt purchase millage and Advisory Commission.*

*A copy of the proclamation is on file in the City Clerk's Office.*

**Received and Filed**

**INT-6**     [18-1587](#)     Proclamation Celebrating Recovery Month 2018

**Attachments:**     Recovery Month 2018.pdf

*Mayor Taylor read a proclamation celebrating Recovery Month in Ann Arbor.*

*A copy of the proclamation is on file in the City Clerk's Office.*

**Received and Filed**

**PUBLIC COMMENTARY - RESERVED TIME (3 MINUTES PER SPEAKER)**

**\* (SPEAKERS ARE NOT PERMITTED TO GRANT THEIR RESERVED TIME TO AN ALTERNATE SPEAKER)**

**\* ACCOMMODATIONS CAN BE MADE FOR PERSONS NEEDING ASSISTANCE WHILE ADDRESSING COUNCIL**

**1. Kathy Griswold - Resolution to Authorize a Professional Services Agreement with Sam Schwartz Consultants, LLC for a Comprehensive Transportation Plan Update (CA-8)**

*Kathy Griswold, 3565 Foxhunt Drive, Second Ward Council candidate, spoke in opposition to CA-8, and urged Council to stop hiring additional consultants.*

**2. Greg Peterson - Township Annexation of 2453 Newport**

*Greg Peterson, 11223 San Krane Way, South Lyon, spoke in opposition to the City's plan to force the annexation of township islands into the City. He stated the costs are financially impacting many residents' future plans.*

**3. Sandra Peterson - Township Annexation of 2453 Newport**

*Sandra Peterson, 11223 San Krane Way, South Lyon, spoke in opposition to the City's plan to force annexations on township residents. She stated this impacts the residents who live on these islands who did not plan to annex into the City.*

**4. Robert Brown - Annexation of Township Islands**

*Robert Brown 630 Hampstead Lane, spoke in opposition to the City's plan to force annexation of the remaining township islands.*

**5. Joe Hood - Intersection of Stadium and 7th and Bike Lanes**

*Joe Hood, 2779 S. 7th Street, spoke about the improvements to the intersection of Stadium and Seventh and his concern regarding bicyclist safety at this intersection.*

**6. Claire DuVernoy - Fuller Road Crosswalk**

*Claire DuVernoy, 641 Geddes Ridge, spoke about CA-15, and expressed concern about the proposed location of the sidewalk and crosswalk near Huron High School, stating safety issues with the proposed location.*

**7. Paul Barry - Water Rates**

*Paul Barry, 3219 Fox Way Court, spoke about the City's recent water rate structure changes. He stated many Council Members were voted out of office due to this issue and he urged Council to make a change.*

**CC COMMUNICATIONS FROM COUNCIL**

**COUNCILMEMBER KAILASAPATHY**

*Councilmember Kailasapathy spoke about the draft ordinance created by the Police Oversight Task Force and the recent work session held on this issue on September 17. She stated she plans to bring the Task Force's proposed ordinance to Council for consideration on October 1.*

**COUNCILMEMBER WARPEHOSKI**

*Councilmember Warpehoski spoke about the upcoming Detroit Facing Race Conference. He stated there is a scholarship opportunity for a community leader of color.*

**COUNCILMEMBER GRAND**

*Councilmember Grand stated the Student Advisory Council sent a letter to Council regarding the Barton Green project. She stated she is excited that this student advisory group is getting involved in these issues and she urged Council to look at their letter.*

*Councilmember Grand congratulated and thanked Ms. Ruth Thornton on her work with the Greenbelt Advisory Commission.*

**COUNCILMEMBER WESTPHAL**

*Councilmember Westphal addressed concerns from the birding community regarding the habitat of chimney swifts in a chimney on 415 W. Washington.*

**MC COMMUNICATIONS FROM THE MAYOR****MC-1**     [18-1492](#)     Appointment - Confirmations

**Attachments:**     Kristen Harrison application 2018.pdf, Henry McQueen App. 2018.pdf

Mayor Taylor requested confirmation of the following appointments that were placed on the September 4, 2018 agenda:

*Commission on Disability Issues*

*Kristen Harrison-Partial Term*

*3053 Geddes Ave.*

*Ann Arbor, MI 48104*

*Term: Ending May 31, 2021*

*Economic Development Corporation*

*Henry McQueen-Partial Term*

*3342 Yellowstone Dr.*

*Ann Arbor, MI 48105*

*Term: Ending May 31, 2024*

**A motion was made by Councilmember Westphal, seconded by Councilmember Lumm, 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-8 Resolution to Authorize a Professional Services Agreement with Sam Schwartz Consultants, LLC for a Comprehensive Transportation Plan Update (\$351,670.00)*

*CA-15 Resolution No. 1 - Prepare Plans and Specifications for the Fuller Road Sidewalk - Sidewalk Special Assessment Project*

**Passed on consent agenda**

**A motion was made by Councilmember Ackerman, seconded by Councilmember Smith, that the following Consent Agenda Items be approved as presented. On a voice vote, the Mayor declared the motion carried unanimously with nine members present, thus satisfying the eight-vote requirement of CA-5, CA-9, CA-12, CA-13 and CA-16.**

**(Councilmember Warpehoski was absent from the table for the vote.)**

**CA-1 [18-1526](#)**

**Resolution to Approve Street Closings for the Ann Arbor Thanksgiving**

Day Turkey Trot - Thursday, November 22, 2018

**Attachments:** Turkey Trot Map 2018.pdf

Enactment No: R-18-366

**CA-2**     [18-1525](#)     Resolution to Approve a Professional Service Agreement with Perry & Co., LLC for Administration Services of the Assessing Department (\$85,114.00)

**Attachments:** Perry Ann Arbor PSA FINAL EXT.pdf

Enactment No: R-18-367

**CA-3**     [18-1476](#)     Resolution to Appoint Mark Perry as the City of Ann Arbor City Assessor on an Interim Basis

**Attachments:** Mark Perry Resume.pdf

Enactment No: R-18-368

**CA-4**     [18-1498](#)     Resolution to Approve August 23, 2018 Recommendations of the Board of Insurance Administration

Enactment No: R-18-369

**CA-5**     [18-1441](#)     Resolution to Approve Professional Services Agreements with Fiber Optic Management LLC d/b/a Turnkey Network Solutions and Vantage Point Solutions, Inc., for Fiber Optic Network Design and Planning Services (RFP 18-03), and to Approve Appropriation of Funds (\$105,000.00) **(8 Votes Required)**

**Attachments:** Turnkey Design and Planning Services Agreement - Executed.pdf, Vantage Point Design and Planning Services Agreement - Executed.pdf, Merit Fiber and Conduit Use Agreement Resolution.pdf

Enactment No: R-18-370

**CA-6**     [18-1376](#)     Resolution to Approve a Purchase Order to Bellefeuil, Szur and Associates, Inc. ("BS&A") for Annual Software Maintenance and Support for FY2019. (\$26,655.00)

**Attachments:** Invoice 9-2018.pdf

Enactment No: R-18-371

- CA-7**     [18-1439](#)     Resolution to Approve a Purchase Order to Michigan Supreme Court State Court Administrative Office for Judicial Information System Costs for FY 2019 (\$46,725.00)
- Enactment No: R-18-372
- CA-9**     [18-1464](#)     Resolution to Approve a Construction Contract with Action Traffic Maintenance, Inc. for the 2018 Guardrail Rehabilitation Program - RFP No. 4546 (\$322,527.00), and to Appropriate Related Funds **(8 Votes Required)**
- Attachments:**     ITB 4546, post bid.pdf, 2018 Guardrail Repair Locations.pdf, Bid Summary.pdf
- Enactment No: R-18-373
- CA-10**    [18-1385](#)     Resolution to Approve a Professional Service Agreement with Northwest Consultants, Inc. for the Snyder and Edgewood Avenues Area Storm Water Improvements Project (\$208,034.00)
- Attachments:**     nci - psa - snyder-edgewood avenues area storm water improvements project - 180808.pdf
- Enactment No: R-18-374
- CA-11**    [18-1407](#)     Resolution to Award a Construction Contract to Douglas N. Higgins, Inc. (\$397,059.00) for the Village Oaks/Chaucer Court Storm Sewer Overflow Project (Bid No. ITB-4541)
- Attachments:**     Bid Tabulation.pdf, ITB 4541 - Village Oaks Chaucer Court Storm Sewer - Higgins.pdf
- Enactment No: R-18-375
- CA-12**    [18-1452](#)     Resolution to Approve an Increase to the Purchase Order of Granular Activated Carbon (GAC) for Water Treatment Services from Calgon Carbon Corp, Bid No. ITB-4376 and Appropriate \$850,000.00 from the Water Supply System **(8 Votes Required)**
- Enactment No: R-18-376
- CA-13**    [18-1518](#)     Resolution to Amend the Fleet and Facility Unit FY 2019 Budget by Appropriating Funds and to Authorize the Purchase of a 2019 Custom Pumper Fire Apparatus from Spartan Motors (Houston-Galveston Area

**Council Bid - \$594,380.00 (8 Votes Required)**

**Attachments:** HGAC - Spartan Pricing Sheets.pdf, Ann Arbor-Proposal Drawing-6-27-18.pdf, Ann Arbor-Proposal Specifications-6-26-18.pdf

Enactment No: R-18-377

- CA-14**    [18-1521](#)    Resolution to Accept a \$307,950.00 ACEP Grant and Approve an ACEP Grant Cooperative Agreement for the Acquisition of Lepkowski and Kempf Conservation Easements

Enactment No: R-18-378

- CA-16**    [18-1467](#)    Resolution to Approve a Professional Services Agreement with and Accept Funds from the Huron River Watershed Council for Appropriation to Staff in the Office of Sustainability and Innovation to Provide Services Supporting a Project on Sustaining Engagement on Equitable and Climate-Smart Stormwater Adaptation (\$32,000.00) (**8 Votes Required**)

**Attachments:** 2017\_SARApplication\_submitted\_Lemos (1).pdf

Enactment No: R-18-379

- CA-17**    [18-1530](#)    Resolution to Approve the Community Development Services Contract with Washtenaw County (\$165,000.00 FY19; \$165,000.00 FY20; \$165,000.00 FY21; \$165,000.00 FY22)

**Attachments:** Community Development Services Contract.pdf

Enactment No: R-18-380

- CA-8**    [18-1306](#)    Resolution to Authorize a Professional Services Agreement with Sam Schwartz Consultants, LLC for a Comprehensive Transportation Plan Update (\$351,670.00)

**Attachments:** Project Cost Estimate\_with Optional Tasks.pdf, Project Schedule\_SamSchwartz.pdf

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

**Yeas:** 6 - Councilmember Warpehoski, Mayor Taylor, Councilmember Grand, Councilmember Westphal, Councilmember Ackerman and Councilmember Smith

**Nays:** 4 - Councilmember Lumm, Councilmember Kailasapathy, Councilmember Eaton and Councilmember Bannister

**Absent:** 1 - Councilmember Krapohl

Enactment No: R-18-381

**CA-15**    [18-1276](#)

Resolution No. 1 - Prepare Plans and Specifications for the Fuller Road Sidewalk - Sidewalk Special Assessment Project

**Attachments:**    Res 1 Exhibit.pdf

**A motion was made by Councilmember Lumm, seconded by Councilmember Westphal, that the Resolution be approved.**

**A motion was made by Councilmember Lumm, seconded by Councilmember Eaton, that the Resolution be postponed to the City Council, due back on 11/19/2018. On a roll call, the vote was as follows with the Mayor declaring the motion carried:**

**Yeas:** 7 - Councilmember Lumm, Councilmember Kailasapathy, Councilmember Eaton, Councilmember Westphal, Councilmember Ackerman, Councilmember Smith and Councilmember Bannister

**Nays:** 3 - Councilmember Warpehoski, Mayor Taylor and Councilmember Grand

**Absent:** 1 - Councilmember Krapohl

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

**PH-1**    [18-1147](#)

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

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

*A public hearing was continued on the proposed amendment to Section 1:207 of Chapter 8 (Organization of Boards and Commissions) and to Repeal Chapter 85 (Taxicabs) of the Code of the City of Ann Arbor. Notice of continued public hearing was published September 13, 2018.*

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

**Held and Closed**

Enactment No: ORD-18-23

- PH-2**     [18-1117](#)     An Ordinance to Amend the Zoning Map, Being a Part of Section 5:10.2 of Chapter 55 of Title V of the Code of the City of Ann Arbor, Rezoning of 0.76 Acre from R4C (Multiple Family District) to C2B (Business Service District) WITH CONDITIONS, 151 East Hoover (including 200 E. Davis Ave., 202 E. Davis Ave., 204 E. Davis Ave, 913 Brown St., 915 Brown St., 917 Brown St., 919 Brown St.) (CPC Recommendation: Approval - 6 Yeas and 0 Nays) (Ordinance No. ORD-18-25)

**Attachments:**     ORD-18-25 Briefed and Approved.pdf, 151 E Hoover Zoning Ordinance for Council.pdf, Updated Staff Report after June 19 2018 CPC Action w attachments.pdf, Hoover Conditional Zoning Statement.pdf, 141 E. Hoover Objection Letter from Elaine Nutt.pdf, 151 Hoover Development Agreement - Council.pdf, ord-18-25 Rezoning Approval Notice.pdf

*A public hearing was conducted on the proposed amendment to Section 5:10.2 of Chapter 55 of Title V of the Code of the City of Ann Arbor, Rezoning of 0.76 Acre from R4C (Multiple Family District) to C2B (Business Service District) WITH CONDITIONS, 151 East Hoover (including 200 E. Davis Ave., 202 E. Davis Ave., 204 E. Davis Ave, 913 Brown St., 915 Brown St., 917 Brown St., 919 Brown St.) Notice of public hearing was published August 30, 2018.*

*Jennifer Roth, representing the owner, spoke about the project and stated she was available to answer any questions of Council.*

*John Lasky, architect, spoke about the green initiatives that have been incorporated into the project, including solar panels.*

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

**Held and Closed**

Enactment No: ORD-18-25

- PH-3**     [18-0903](#)     Resolution to Approve the 151 East Hoover Site Plan and Development Agreement on a Site Bounded by Brown Street, East Hoover Street, Greene Street, and East Davis Avenue (CPC Recommendation: Approval - 6 Yeas and 0 Nay)

**Attachments:**     Updated Staff Report after June 19 2018 CPC Action w attachments.pdf

*A public hearing was conducted on the proposed Resolution to Approve the 151 East Hoover Site Plan and Development Agreement on a Site Bounded by Brown Street, East Hoover Street, Greene Street, and East Davis Avenue. Notice of public hearing was published September 9 and September 13, 2018.*

*Jennifer Roth, representing the owner, was available to answer any questions of Council.*

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

**Held and Closed**

Enactment No: R-18-382

**PH-4**      [18-1208](#)

An Ordinance to Amend Sections 2:41.2a Through 2:41.2f, 2:43.1, 2:43.4, 2:44.2, 2:44.4, 2:45.2, 2:45.5, 2:47.2, 2:49.3, 2:49.5 Through 2:49.8, and 2:50.2 of Chapter 28 (Sanitary Sewer) of Title II of the Code of the City of Ann Arbor (Ordinance No. ORD-18-26)

**Attachments:**      ORD-18-26 Briefed and Approved.pdf, Sewer Use Ord 2016 amendments (003).pdf, ORD-18-26 Approval Notice.pdf

*A public hearing was conducted on the proposed amendment to Sections 2:41.2a Through 2:41.2f, 2:43.1, 2:43.4, 2:44.2, 2:44.4, 2:45.2, 2:45.5, 2:47.2, 2:49.3, 2:49.5 Through 2:49.8, and 2:50.2 of Chapter 28 (Sanitary Sewer) of Title II of the Code of the City of Ann Arbor. Notice of public hearing was published September 13, 2018.*

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

**Held and Closed**

Enactment No: ORD-18-26

**PH-5**      [18-1277](#)

An Ordinance to Amend Section 9:106. - Periodic Fire Safety Inspections Required of Chapter 111 of Title IX of the Ann Arbor City Code (Ordinance No. ORD-18-27)

**Attachments:**      ORD-18-27 Briefed and Approved.pdf, 18-27 Periodic Fire Safety Inspections Required Ordinance Briefed.pdf, Ordinance to Amend Chapter 111.pdf, ORD-18-27 Approval Notice.pdf

*A public hearing was conducted on the proposed amendment to Section 9:106. - Periodic Fire Safety Inspections Required of Chapter 111 of Title IX of the Ann Arbor City Code. Notice of public hearing was published September 13, 2018.*

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

**Held and Closed**

Enactment No: ORD-18-27

**PH-6**      [18-1524](#)

Resolution Establishing Ann Arbor Commercial Rehabilitation District No. 2018-001 - Kensington Hotel

**Attachments:**      DRAFT-KensingtonHotel-Application.pdf, DRAFT-Kensington Hotel Application Narrative.pdf

*A public hearing was conducted on the proposed Resolution Establishing Ann Arbor Commercial Rehabilitation District No. 2018-001 - Kensington Hotel. Notice of public hearing was published September 6, 2018.*

*A representative of the hotel was present to speak about the project and requested Council's approval.*

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

**Held and Closed**

Enactment No:

**PH-7**      [18-0807](#)      Resolution to Approve the Cottages at Barton Green Site Plan, Wetland Use Permit, and Development Agreement, West Side of Pontiac Trail, South of Dhu Varren Road (CPC Recommendation: Approval - 2 Years and 7 Days)

**Attachments:**      Barton Green Staff Report w Attachments.pdf, Cottages at Barton Green Staff Report with Attachments3-6-2018.pdf, Cottages at Barton Green Staff Report with Live Links.pdf, The Cottages Barton Green Staff Report w Live Linkssx.pdf, development agreement May 3.pdf, Cottages Development Agreement.pdf, Letter from Tim Stoecker 6-1-18 - Barton Green.pdf, Minutes of the April 17, 2018 Planning Commission Meeting .pdf, Minutes of the March 6, 2018 Planning Commission Meeting .pdf, Minutes of the May 1, 2018 Planning Commission Meeting .pdf, Minutes of the October 17, 2017 Planning Commission Meeting .pdf, Memo from Developer on Proposed Modifications to Plan, Barton Green Letter.pdf

*A public hearing was continued on the proposed Resolution to Approve the Cottages at Barton Green Site Plan, Wetland Use Permit, and Development Agreement, West Side of Pontiac Trail, South of Dhu Varren Road. Notice of continued public hearing was published September 13, 2018.*

*The following persons were present to speak in opposition:*

*Deborah Katz, 605 Skydale  
Erin Bigelow, 320 Larkspur  
Janet Adams-Watson, 1824 Pontiac Trail  
A former resident of Hilldale  
A representative of the Northside Condominium Association  
Sandy Wiley, 2920 Knightsbridge  
Rachel Young, 455 Skydale  
Karen Johnson, 333 Skydale  
Jessica Prozinski, 446 Larkspur  
Randall Moore, 2372 Hilldale  
An unidentified local architect  
Ralph Katz, 605 Skydale  
Ryan Hughes, First Ward Council candidate  
Jeff Hayner, First Ward Council candidate  
Ken Garber, renter at 2387 Hilldale*

*The following persons spoke in support:*

*Timothy Stoker, representing Trinitas, the developer, spoke about the project and was available to answer any questions. He responded to concerns about traffic, student safety, and access to nearby retail.*

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

**Held and Closed**

Enactment No:

## **RECESS**

*Mayor Taylor declared a recess at 9:50 p.m. The meeting reconvened at 10:01 p.m.*

## **A APPROVAL OF COUNCIL MINUTES**

**A-1**      [18-1589](#)      Regular Session Meeting Minutes of September 4, 2018

**Attachments:**      09-04-18 Draft Minutes.pdf, Council Emails \_Redacted.pdf

A motion was made by Councilmember Westphal, seconded by Councilmember Grand, that the Regular Session Meeting Minutes of September 4, 2018 be approved. On a voice vote, the Mayor declared the motion carried.

**B ORDINANCES - SECOND READING**

**B Unfinished Business - Staff:**

- B-1**      [18-1147](#)      An Ordinance to Amend Section 1:207 of Chapter 8 (Organization of Boards and Commissions) and to Repeal Chapter 85 (Taxicabs) of the Code of the City of Ann Arbor (Ordinance No. ORD-18-23)

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

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

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

Enactment No: ORD-18-23

- B-2**      [18-1117](#)      An Ordinance to Amend the Zoning Map, Being a Part of Section 5:10.2 of Chapter 55 of Title V of the Code of the City of Ann Arbor, Rezoning of 0.76 Acre from R4C (Multiple Family District) to C2B (Business Service District) WITH CONDITIONS, 151 East Hoover (including 200 E. Davis Ave., 202 E. Davis Ave., 204 E. Davis Ave, 913 Brown St., 915 Brown St., 917 Brown St., 919 Brown St.) (CPC Recommendation: Approval - 6 Yeas and 0 Nays) (Ordinance No. ORD-18-25)

**Attachments:**      ORD-18-25 Briefed and Approved.pdf, 151 E Hoover Zoning Ordinance for Council.pdf, Updated Staff Report after June 19 2018 CPC Action w attachments.pdf, Hoover Conditional Zoning Statement.pdf, 141 E. Hoover Objection Letter from Elaine Nutt.pdf, 151 Hoover Development Agreement - Council.pdf, ord-18-25 Rezoning Approval Notice.pdf

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

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

- DB-2**      [18-0903](#)      Resolution to Approve the 151 East Hoover Site Plan and Development

Agreement on a Site Bounded by Brown Street, East Hoover Street, Greene Street, and East Davis Avenue (CPC Recommendation: Approval - 6 Yeas and 0 Nay)

**Attachments:** Updated Staff Report after June 19 2018 CPC Action w attachments.pdf

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

Enactment No: R-18-382

**B-3**

[18-1208](#)

An Ordinance to Amend Sections 2:41.2a Through 2:41.2f, 2:43.1, 2:43.4, 2:44.2, 2:44.4, 2:45.2, 2:45.5, 2:47.2, 2:49.3, 2:49.5 Through 2:49.8, and 2:50.2 of Chapter 28 (Sanitary Sewer) of Title II of the Code of the City of Ann Arbor (Ordinance No. ORD-18-26)

**Attachments:** ORD-18-26 Briefed and Approved.pdf, Sewer Use Ord 2016 amendments (003).pdf, ORD-18-26 Approval Notice.pdf

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

**A motion was made by Councilmember Ackerman, 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-18-26

**B-4**

[18-1277](#)

An Ordinance to Amend Section 9:106. - Periodic Fire Safety Inspections Required of Chapter 111 of Title IX of the Ann Arbor City Code (Ordinance No. ORD-18-27)

**Attachments:** ORD-18-27 Briefed and Approved.pdf, 18-27 Periodic Fire Safety Inspections Required Ordinance Briefed.pdf, Ordinance to Amend Chapter 111.pdf, ORD-18-27 Approval Notice.pdf

*(The complete copy of the text of Ordinance No. ORD-18-27 is on file in the City Clerk's Office.)*

**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-18-27

**C ORDINANCES - FIRST READING**

**C-1**

[18-1536](#)

An Ordinance to Amend Section 2:42.3 of Chapter 28 (Building Sewers for Accessory Dwelling Units) of Title II of the Code of the City of Ann Arbor (Ordinance No. ORD-18-28)

**Sponsors:** Warpehoski and Taylor

**Attachments:** ORD-18-28 Briefed.pdf, Final Ordinance re\_ ADUs and Sewers, Final Ordinance re\_ ADUs and Sewers

*(The complete copy of the text of Ordinance No. ORD-18-28 is on file in the City Clerk's Office.)*

**A motion was made by Councilmember Warpehoski, seconded by Councilmember Ackerman, that the Ordinance be approved on First Reading to the City Council and should be returned by 10/1/2018. On a voice vote, the Mayor declared the motion carried.**

Enactment No: ORD-18-28

## D MOTIONS AND RESOLUTIONS

### DC New Business - Council:

**DC-1**     [18-1493](#)     Resolution to Appoint Debra Poster to the Commission on Disability Issues **(7 Votes Required)**

**Attachments:** Debra Poster app. 2018.pdf

**A motion was made by Councilmember Westphal, seconded by Councilmember Lumm, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the seven-vote requirement.**

Enactment No: R-18-383

**DC-2**     [18-1579](#)     Resolution of Support for Michigan Alternative Energy Systems Tax Treatment (House Bill Nos. 5143 and 5680)

**Sponsors:** Eaton

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

Enactment No: R-18-384

**DC-3**     [18-1614](#)     Resolution to Approve the Workforce Housing Covenant for the Collective on Fifth Development at 319 S. Fifth

**Sponsors:** Taylor

**Attachments:** Workforce Housing Covenant.pdf

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

**Ackerman, that the Resolution be approved. On a roll call, the vote was as follows with the Mayor declaring the motion carried:**

**Yeas:** 6 - Councilmember Warpehoski, Mayor Taylor, Councilmember Grand, Councilmember Westphal, Councilmember Ackerman and Councilmember Smith

**Nays:** 4 - Councilmember Lumm, Councilmember Kailasapathy, Councilmember Eaton and Councilmember Bannister

**Absent:** 1 - Councilmember Krapohl

Enactment No: R-18-385

**DC-4**     [18-1615](#)

Resolution to Approve the Parking Agreement for the Collective on Fifth Development at 319 S. Fifth

**Sponsors:**     Taylor

**Attachments:**     Collective on Fifth Parking Agreement.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:** 6 - Councilmember Warpehoski, Mayor Taylor, Councilmember Grand, Councilmember Westphal, Councilmember Ackerman and Councilmember Smith

**Nays:** 4 - Councilmember Lumm, Councilmember Kailasapathy, Councilmember Eaton and Councilmember Bannister

**Absent:** 1 - Councilmember Krapohl

Enactment No: R-18-386

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

**CLOSED SESSION**

**A motion was made by Councilmember Lumm, seconded by Councilmember Grand, that the Council enter into Closed Session under the Michigan Open Meetings Act to discuss Attorney/Client Privileged Communication as set forth in MCLA 15.268 (H). On a roll call, the vote was as follows with the Mayor declaring the motion carried and the Council adjourned in Closed Session at 10:28 p.m.:**

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

**Nays:** 0

**Absent:** 1 - Councilmember Krapohl

### MEETING RECONVENED

**A motion was made by Councilmember Smith, seconded by Councilmember Ackerman, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened in Open Session at 10:59 p.m.**

**DB-1**     [18-0807](#)

Resolution to Approve the Cottages at Barton Green Site Plan, Wetland Use Permit, and Development Agreement, West Side of Pontiac Trail, South of Dhu Varren Road (CPC Recommendation: Approval - 2 Years and 7 Days)

**Attachments:** Barton Green Staff Report w Attachments.pdf, Cottages at Barton Green Staff Report with Attachments3-6-2018.pdf, Cottages at Barton Green Staff Report with Live Links.pdf, The Cottages Barton Green Staff Report w Live Linksxx.pdf, development agreement May 3.pdf, Cottages Development Agreement.pdf, Letter from Tim Stoeper 6-1-18 - Barton Green.pdf, Minutes of the April 17, 2018 Planning Commission Meeting .pdf, Minutes of the March 6, 2018 Planning Commission Meeting .pdf, Minutes of the May 1, 2018 Planning Commission Meeting .pdf, Minutes of the October 17, 2017 Planning Commission Meeting .pdf, Memo from Developer on Proposed Modifications to Plan, Barton Green Letter.pdf

**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.**

Enactment No:

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

**DS**     **New Business - Staff:**

**DS-1**     [18-1524](#)

Resolution Establishing Ann Arbor Commercial Rehabilitation District No. 2018-001 - Kensington Hotel

**Attachments:** DRAFT-KensingtonHotel-Application.pdf, DRAFT-Kensington Hotel Application Narrative.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 defeated:**

**Yeas:** 2 - Councilmember Warpehoski and Councilmember Westphal

**Nays:** 8 - Councilmember Lumm, Councilmember Kailasapathy, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith and Councilmember Bannister

**Absent:** 1 - Councilmember Krapohl

Enactment No:

**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 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**      [18-1494](#)      LDFA Board Member Laura Hayden Resignation

**Attachments:**      LDFA Letter of Resignation.pdf

**F-2**      [18-1565](#)      Communications from the State of Michigan regarding Approval of the Proposed Charter Amendment to Section 8.9 of the Ann Arbor City Charter

**Attachments:**      Communications from the State of Michigan regarding Proposed Charter Amenedment Section 8.9 of the City Charter.pdf

**F-3**      [18-1566](#)      Resignation from the Ann Arbor Public Art Commission by Patti Smith

**Attachments:**      Patti Smith AAPAC Resignation.pdf

**F-4**      [18-1541](#)      Resignation from the Commission on Disability Issues and the Zoning Board of Appeals by Councilmember Westphal

**Attachments:**      Westphal - Zoning Board of Appeals Resignation.pdf, Westphal - Commission on Disability Issues Resignation.pdf

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

**G-1** [18-1434](#)

Zoning Board of Appeals Meeting Minutes of July 25, 2018

**Attachments:** 7-25-2018 ZBA Minutes.pdf

**G-2** [18-1499](#)

Insurance Board Meeting Minutes - August 23, 2018

**Attachments:** Insurance Board Minutes 082318.pdf, Insurance Board Loss Run August 2018.pdf

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

*Jeff Hayner, Ward One resident, thanked Council for a good debate and discussion at tonight's meeting.*

**COMMUNICATIONS FROM COUNCIL**

*None.*

**CLOSED SESSION UNDER THE MICHIGAN OPEN MEETINGS ACT, INCLUDING BUT NOT LIMITED TO, LABOR NEGOTIATIONS STRATEGY, PURCHASE OR LEASE OF REAL PROPERTY, PENDING LITIGATION AND ATTORNEY/CLIENT PRIVILEGED COMMUNICATIONS SET FORTH OR INCORPORATED IN MCLA 15.268 (C), (D) (E), AND (H).**

*None.*

**ADJOURNMENT**

**A motion was made by Councilmember Warpehoski, seconded by Councilmember Eaton, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 11:33 p.m.**

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

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

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