

City of Ann Arbor

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



Action Minutes

Thursday, August 10, 2017

7:00 PM

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

City Council

CALL TO ORDER

Mayor Christopher Taylor called the meeting of the Ann Arbor City Council to order at 7:02 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: 9 - Councilmember Jane Lumm, Councilmember Sumi Kailasapathy, Councilmember Jack Eaton, Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Graydon Krapohl, Councilmember Kirk Westphal, Councilmember Chip Smith and Councilmember Jason Frenzel

Absent: 2 - Councilmember Chuck Warpehoski and Councilmember Zachary Ackerman

APPROVAL OF AGENDA

A motion was made by Councilmember Grand, seconded by Councilmember Lumm, 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 reported on the following:

Thank you to Officer Justin Kandt of the AAPD for attending tonight's meeting.

Thank you to City Clerk Jacqueline Beaudry and her staff for a successful election on Tuesday, August 8. Mr. Lazarus noted that there were no major incidents to report from Tuesday.

AC-1 [17-1200](#)

School Safety Improvements Update - End of July 2017

Attachments: 170809 - School Safety Work July 2017 Update.pdf

Received and Filed

AC-2 [17-1202](#) Agenda Response Memo - August 10, 2017
Attachments: Agenda Responses 8-10-17 Final.pdf, ecomments_export 8-10-17.pdf

Received and Filed

AC-3 [17-1204](#) Memorandum Regarding Ann Arbor Materials Recovery Facility (MRF)
Update - August 10, 2017
Attachments: 170810 Council Communication MRF Fire.pdf

Received and Filed

INT INTRODUCTIONS

INT-1 [17-1177](#) Proclamation honoring MSTEM students at the University of Michigan
Attachments: Give 365 Vol. of Mo. MSTEM of University of Michigan
Mayor Taylor presented a proclamation honoring MSTEM students from the University of Michigan for their work with the Give 365 Program, volunteering at Gallup Park on Huron River Day. 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. **Jessica Prozinski - Iraqi Christians Deportation Resolution (DC-3)**

Jessica Prozinski, 446 Larkspur, spoke in support of DC-3, opposing the deportation of Kamiran Taymour, and all Iraqi Christians who have been arrested in recent ICE raids.

2. **Crystal Jabiro - Iraqi Christians Deportation Resolution (DC-3)**

Crystal Jabiro, an attorney for Code Legal Aid, spoke in support of DC-3, and urged Council to support the resolution and to help stop the deportation of Iraqi Christians.

3. **Lois Kamoi - Iraqi Christians Deportation Resolution (DC-3)**

Lois Kamoj, 2070 Chalmers, thanked Council for their support of her son-in-law, Kamiran Taymour, and urged Council to support the resolution. She stated his life would be at risk if he is deported to Iraq.

4. Zilan Taymour - Iraqi Christians Deportation Resolution (DC-3)

Not present.

6. Shano Taymour - Iraqi Christians Deportation Resolution (DC-3)

Shano Taymour, 2365 Sandalwood, sister of Kamiran Taymour, spoke in support of DC-3, stating her brother and other family members will be targeted in Iraq if he is deported, noting that her family members worked as translators for the U.S. military.

7. Glenn Hieber - 1140 Broadway

Glenn Hieber, 1118 Maiden Lane, precinct delegate for Precinct 1-6, spoke in opposition to the 1140 Broadway plan and criticized City staff for not allowing more public comment.

Councilmember Ackerman arrived at 7:25 p.m.

Present: 10 - Councilmember Jane Lumm, Councilmember Sumi Kailasapathy, Councilmember Jack Eaton, Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Graydon Krapohl, Councilmember Kirk Westphal, Councilmember Zachary Ackerman, Councilmember Chip Smith and Councilmember Jason Frenzel

Absent: 1 - Councilmember Chuck Warpehoski

8. John Godfrey - Planning Commission Proposal for Solar Energy in Residential Areas

John Godfrey, 2809 Brockman, acknowledged the speakers who spoke out regarding a local resident's pending deportation. Mr. Godfrey spoke about the Planning Commission's proposed ordinance for solar energy projects in residential areas, stating installations in front yards are not appropriate. He urged the City to properly notify the public of this proposal before moving forward with adoption.

5. Ray Gammo - Iraqi Christians Deportation Resolution (DC-3)

Ray Gammo spoke about DC-3 and urged Council to support the resolution and to fight the deportation of Kamiran Taymour.

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER ACKERMAN

Councilmember Ackerman spoke about the public process surrounding the 1140 Broadway project. He spoke about the role of the planning staff and the rules and requirement for public input. He stated that a public process and a vote taken by a public body should not reflect on staff.

COUNCILMEMBER GRAND

Councilmember Grand noted CC-1, the proposed reappointed of Stephanie Buttrey to the Greenbelt Advisory Commission, stating a vote would occur at the next meeting.

Councilmember Grand thanked all of the speakers who came out this evening.

Councilmember Grand stated she was very grateful to see the approval of RRFBs on the Consent Agenda.

CC-1 [17-1142](#)**Resolution to Appoint Stephanie Buttrey to the Greenbelt Advisory Commission**

Sponsors: Grand

Attachments: Stephanie Buttrey app. 2017

Referred to the City Council due back on 8/21/2017

MC COMMUNICATIONS FROM THE MAYOR

None.

CA CONSENT AGENDA**Passed on consent agenda**

A motion was made by Councilmember Smith, seconded by Councilmember Eaton, that the following Consent Agenda Items be approved as presented. On a voice vote, the Mayor declared the motion carried.

CA-1 [17-1133](#)**Resolution to Approve Street Closure of State Street between South University and William Streets for the University of Michigan Office of New Student Programming's Post-Convocation Events on Friday, September 1, 2017 from 5:00 PM until 12:00 Midnight on Saturday, September 2, 2017**

Attachments: Post Convocation Picnic Map.pdf

Enactment No: R-17-292

CA-2 [17-1134](#) Resolution to Approve Street Closings for the “Dancing in the Streets” Special Event - September 3, 2017

Attachments: Dancing in the Streets Map.pdf

Enactment No: R-17-293

CA-3 [17-1135](#) Resolution to Approve Street Closures for University of Michigan Football Games for the 2017 Season

Attachments: Main St closure

Enactment No: R-17-294

CA-4 [17-1136](#) Resolution to Approve Closing of East and West Washington Streets for Oktoberfest from 8:00 AM on Friday, September 29, 2017 to 1:00 AM on Sunday, October 1, 2017

Attachments: Oktoberfest East Washington St Map, Oktoberfest West Map

Enactment No: R-17-295

CA-5 [17-0902](#) Resolution to Accept Grant from the Water Research Foundation (\$100,000.00), Approve a Multi-Funded Research Agreement with the Water Research Foundation (\$341,649.00), and Approve a Research Agreement with the University of Michigan (\$204,366.00)

Attachments: 4743 City of Ann Arbor FINAL MFRA 07102017.pdf,
AA_UMich_Agreement_FINAL_071817-PAF05922.pdf

Enactment No: R-17-296

CA-6 [17-1087](#) Resolution to Approve Amendment No. 1 to the Professional Services Agreement with NTH Consultants, Ltd. for the Barton Dam Piezometer Installation and Slope Stability Analysis Project - RFP989 (\$ 26,400.00)

Attachments: AmendPSA_NTH_20170821

Enactment No: R-17-297

CA-7 [17-1033](#) Resolution to Award a Construction Contract to J. Ranck Electric, Inc.

(Bid No. 4504) for the Installation of RRFBs at Various Locations
(\$196,400.00)

Attachments: ITB 4504 Bid Document.pdf, Bid Tab Award.pdf, Map of Locations.pdf

Enactment No: R-17-298

CA-8 [17-1082](#) Resolution to Approve an Agreement with the Michigan Department of
Transportation for the Fuller Road RRFB Project

Attachments: CityStateAgreementFullerRRFB.pdf, Location Map.pdf

Enactment No: R-17-299

CA-9 [17-1039](#) Resolution to Approve the Purchase of a LED Video Wall Array for the
City of Ann Arbor Traffic Operation Center from Video Visions, Inc. (ITB
#4501; \$77,149.00)

Attachments: ITB 4501 Document, ITB 4501 Bid Tab

Enactment No: R-17-300

CA-10 [17-1138](#) Resolution to Approve an Agreement with the Washtenaw County
Sheriff's Office for Weapons Screening Services in the Ann Arbor
Justice Center (NTE \$390,000.00)

Attachments: D15-WCSO_PSA 2017_2019

Enactment No: R-17-301

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 [17-0874](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning 20 City-Initiated
Annexed Properties from TWP (Township District) to R1C, R1D (Single
Family Dwelling District), and M-1 (Limited Industrial District) (CPC
Recommendation: Approval - 8 Yeas and 0 Nays) Recommendation:
Approval (Ordinance No. ORD-17-12)

Attachments: 17-12 City Initiated Annexation Council Zoning Ordinance Briefed.pdf,
City Initiated Annexation Council Zoning Ordinance.pdf, Staff Report for
Zonings of 20 Annexed Parcels w Attachments12-20-2016.pdf,
12-20-2017 CPC Minutes with Live Links

A public hearing was conducted on the proposed amendment to Chapter 55, Rezoning of 20 City-Initiated Annexed Properties from TWP (Township District) to R1C, R1D (Single Family Dwelling District), and M-1 (Limited Industrial District). Notice of public hearing was published July 20, 2017.

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

Held and Closed

Enactment No: ORD-17-12

A APPROVAL OF COUNCIL MINUTES

A-1 [17-1146](#) Regular Session Meeting Minutes of July 17, 2017

Attachments: 07-17-17 Meeting Minutes.pdf, Council Emails 7-17-2017.pdf

A motion was made by Councilmember Krapohl, seconded by Councilmember Lumm, that the Minutes of the Regular Session of July 17, 2017 be approved as presented. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

B-1 [17-0874](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning 20 City-Initiated Annexed Properties from TWP (Township District) to R1C, R1D (Single Family Dwelling District), and M-1 (Limited Industrial District) (CPC Recommendation: Approval - 8 Yeas and 0 Nays) Recommendation: Approval (Ordinance No. ORD-17-12)

Attachments: 17-12 City Initiated Annexation Council Zoning Ordinance Briefed.pdf, City Initiated Annexation Council Zoning Ordinance.pdf, Staff Report for Zonings of 20 Annexed Parcels w Attachments12-20-2016.pdf, 12-20-2017 CPC Minutes with Live Links

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-17-12

C ORDINANCES - FIRST READING

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

DC-1 [17-1141](#) Resolution for Community Events Fund Disbursements from the FY 2018 Budget

Sponsors: Frenzel and Grand

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

Enactment No: R-17-302

DC-2 [17-1175](#) Resolution to Recommend Approval of Issuance of a Downtown Development District Liquor License to Michigan Theater Foundation, Inc.

Sponsors: Council Liquor License Review Committee

Attachments: 223 S State - Michigan Theater Foundation LLC - 603 E. Liberty Redevelopment License.pdf

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

Enactment No: R-17-303

DC-3 [17-1186](#) Resolution Opposing the Deportation of Kamiran Taymour and all Iraqi Christians Arrested in Recent ICE Raids

Sponsors: Eaton and Kailasapathy

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

Enactment No: R-17-304

DC-4 [17-1193](#) Resolution to Waive the Right of First Refusal for Unit 1 of Ann Arbor Tally Hall Condominium

Sponsors: Taylor

A motion was made by Councilmember Ackerman, seconded by Councilmember Lumm, that the Resolution be approved. On a voice vote, the

Mayor declared the motion carried.

Enactment No: R-17-305

DB New Business - Boards and Commissions:

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 Ackerman, seconded by Councilmember Frenzel, 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 [17-1113](#) Notice of Intent to Construct the NorthSky East and West Condominium Projects - Planning and Development Services, City Attorney

Attachments: NorthSky West Condominium Notice of Intent.pdf

F-2 [17-1131](#) Communication from the State of Michigan Public Service Commission regarding Notice of Hearing for Electric Customers of DTE Electric Company in Case No. U-18262 - Engineering, City Attorney

Attachments: State of Michigan DTE Public Hearing Notice U-18262.pdf

F-3 [17-1132](#) Communication from Yvette Collins, Director-External/Regulatory Affairs of AT&T Michigan regarding the AT&T Michigan Annual Report July 13, 2017 - CTN, City Attorney

Attachments: AT&T Annual Video Report July 13 2017.pdf

- F-4** [17-1137](#) Various Communications Received from Comcast - CTN, City Attorney
Attachments: Comcast Communications.pdf
- F-5** [17-1150](#) Communication from Merle Foss, regarding Notification of Property Located at 3015 Miller Road - City Attorney
Attachments: Notification of Property Sale of 3015 Miller Road.pdf
- F-6** [17-1158](#) Communication from Ann Arbor Township Regarding the Application of Kenneth and Shirley Koch to be Included in the State Farmland and Open Space Preservation Program Commonly Called PA 116 - City Attorney
Attachments: Koch State Farmland and Open Space Preservation Program Application.pdf
- F-7** [17-1166](#) Communication from Pittsfield Township Planning Commission Regarding a Public Hearing on Wetland Permit #17-01 Dynamics Building Expansion Scheduled for August 17, 2017 - Planning and Development Services
Attachments: Pittsfield Township Planning Commission Public Hearing Notice.pdf
- F-8** [17-1165](#) Ann Arbor SPARK Semi-Annual Report - January 1, 2017 - June 30, 2017
Attachments: SPARK Report City of Ann Arbor 6.30.17.pdf

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

- G-1** [017-0407](#) Zoning Board of Appeals Meeting Minutes of February 22, 2017
Attachments: 2-22-2017 ZBA Meeting Minutes with Live Links.pdf
- G-2** [17-0630](#) Zoning Board of Appeals Meeting Minutes of March 22, 2017
Attachments: 3-22-2017 ZBA Minutes with Live Links.pdf

- G-3** [17-1014](#) Ann Arbor Public Art Commission Meeting Minutes - July 2017
Attachments: AAPAC Meeting Minutes - May 2017.pdf, Art Commission Staff Report - July 2017.pdf, A2PAC CIP Evaluation Criteria Report 5-30-17.pdf
- G-4** [17-1042](#) Ann Arbor Energy Commission Meeting Minutes of February 14, 2017
Attachments: Energy Commission Minutes 2-14-17.pdf
- G-5** [17-1043](#) Ann Arbor Energy Commission Meeting Minutes of the April 6, 2017
Attachments: Energy Commission Minutes 4-6-17.pdf
- G-6** [17-1064](#) Local Development Financial Authority Board Meeting Minutes - June 6, 2017
Attachments: LDFA Board Meeting Minutes - June 6, 2017.pdf
- G-7** [17-1071](#) Downtown Development Authority Board and Executive, Partnerships, Finance, Operations, Capital Improvement Committees and Board Retreat Minutes from June 2017
Attachments: DDA Minutes June 2017
- G-8** [17-1089](#) City Election Commission Meeting Minutes of May 22, 2017
Attachments: 2017-05-22 Election Commission Minutes.pdf
- G-9** [17-1111](#) Housing and Human Services Advisory Board Minutes of July 13, 2017
Attachments: 2- HHSAB minutes_05-11-17 - Final
- G-10** [17-1119](#) Employees' Retirement System Board Meeting Minutes of June 15, 2017
Attachments: B Board Meeting June 2017.pdf
- G-11** [17-1120](#) Retiree Health Care Benefit Plan & Trust Board Meeting Minutes of June

15, 2017

Attachments: B VEBA Board June 2017.pdf

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Kathy Griswold, Ward 2, spoke about the recent election cycle. Ms. Griswold acknowledged the work of staff regarding the improvements to pedestrian safety. She also thanked City staff for their "can do" attitude, noting this is a change from previous years.

Kai Petainen, resident, thanked City staff for the new eComment tool in Legistar, noting that he used the tool to provide comments on the agenda this evening. He also spoke about being a resident green card holder.

Edward Vielmetti, Ward 4, spoke about the liquor license approval for the State Theatre. He spoke about the Council Liquor License Review Committee and their work. He urged Council to notify residents when licenses are proposed near a neighborhood and to provide more notice of upcoming liquor license agenda items.

Jim McIntosh, Ward 2, spoke about traffic safety and the behavior of drivers.

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 Smith, that Council enter into Closed Session under the Michigan Open Meetings Act, MCLA 15.268(H) to discuss attorney/client privileged communications. On a roll call, the vote was as follows with the Mayor declaring the motion carried at the meeting adjourned in Closed Session at 8:14 p.m.:

Yeas: 10 - Councilmember Lumm, Councilmember Kailasapathy, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Krapohl, Councilmember Westphal, Councilmember Ackerman, Councilmember Smith and Councilmember Frenzel

Nays: 0

Absent: 1 - Councilmember Warpehoski

RECONVENE IN OPEN SESSION

A motion was made by Councilmember Grand, seconded by Councilmember Lumm, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 8:44 p.m.

ADJOURNMENT

A motion was made by Councilmember Westphal, seconded by Councilmember Frenzel, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 8:44 p.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: THURSDAY, AUGUST 10, 2017 @ 7:00 P.M.

REPLAYS: FRIDAY, AUGUST 11, 2017 @ 8:00 P.M. AND SATURDAY, AUGUST 12, 4:00 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

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

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

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

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

City Clerk's Office
301 E. Huron St.
Ann Arbor, MI 48104

Requests made with less than two business days' notice may not be able to be accommodated.

A hard copy of this Council packet can be viewed at the front counter of the City Clerk's Office.