

City of Ann Arbor

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



Action Minutes

Monday, December 18, 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 of the Ann Arbor City Council to order at 7:05 p.m. in the Guy C. Larcom, Jr. Building, 2nd Floor Council Chambers, 301 E. Huron Street.

MOMENT OF SILENCE

Council stood for a moment of silence.

PLEDGE OF ALLEGIANCE

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

ROLL CALL OF COUNCIL

Present: 11 - Councilmember Jane Lumm, Councilmember 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 Ackerman, seconded by Councilmember Lumm, that the Agenda be approved with the following changes:

**Move DC-3 and DC-4 to Consent Agenda.
Add DS-3, Reconsideration of Vote to Approve Broadway Brownfield Plan (17-1758).**

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

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

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

Mr. Lazarus welcomed the City's new Assistant Fire Chiefs, Mike Kennedy and Marc Tyler, and Deputy Chief of Police Jason Forsberg.

Mr. Lazarus reported on Ann Arbor's first snowfall of the season and reminded residents that they can pick up free salt at 721 N. Main and various city parks. Residents need to bring their own shovel and bucket to collect the salt.

Trash collection service will be delayed the week of December 25, as no service will take place on Monday, December 25.

Mr. Lazarus thanked AAPD Officer Ron Ross and Fire Marshal Kathleen Summersgill for their attendance at tonight's meeting.

AC-1 [17-1942](#) Staff Response to Resolution R-17-361 - Crosswalk Ordinance Review

Attachments: Memo - Response to R-17-361 Crosswalk Ordinance Final .pdf

Received and Filed

AC-2 [17-2101](#) City Administrator's Report - December 18, 2017

Attachments: 171218 - City Administrator's Update.pdf

Received and Filed

AC-3 [17-2100](#) Agenda Response Memo and eComments - December 18, 2017

Attachments: Agenda Responses 12-18-17.pdf, ecomments_export.pdf

Received and Filed

INT INTRODUCTIONS

INT-1 [17-1937](#) Student Advisory Council Report Presentation

Attachments: INT-2Attachment.pdf

A student member of the City's Student Advisory Council presented a report on the committee's activity for the last year. He thanked Council for their support of this group. A copy of the report 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. Bill Burnham - Inglis House

Bill Burnham, 2303 Highland Drive, spoke in favor of the proposed reconsideration of the vote to postpone the Inglis House Historic District ordinance. He urged Council to defeat the ordinance tonight due to the deed restrictions that have been included in the sale of the property.

2. Kathy Griswold - DC-6 and Pedestrian Safety

Kathy Griswold, 3365 Fox Hunt, spoke about pedestrian safety issues in the City.

3. Ken Garber - Staff Review of Mobility in Lowertown Area (DC-6)

Ken Garber, 2387 Hilldale, spoke about the proposed resolution requesting staff review of mobility in Lowertown, stating this was needed before the Broadway vote.

4. Kermit Schlansker - Ann Arbor needs Heat

Kermit Schlansker, Saline resident, spoke about the need for alternative energy sources.

5. Ellen Rowe - Deer Cull

Ellen Rowe spoke in opposition to the City's deer cull.

6. Grant Shafer - Deer versus plants

Grant Shafer, Pittsfield Township resident, spoke in opposition to the City's deer cull.

7. Blaine Coleman - Rest in Peace Marcia Federbush

Blaine Coleman, resident, spoke about the recent passing of Marcia Federbush, a local women's rights activist. Mr. Coleman also noted her activism in support of Palestinians in recent years.

8. Susan Hutton - Recycling

Susan Hutton, chair of the City's Environmental Commission, spoke about the City's recycling programs.

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER WESTPHAL

Councilmember Westphal spoke about signs on private property and stated the sign ordinance needs to be updated. He stated the City has a new app that allows you to upload photos of signs around town and provide feedback and suggestions.

Councilmember Westphal stated the City has started taking applications for its new Citizens Academy. He urged residents to apply and stated he is excited to see this program at the City.

MC COMMUNICATIONS FROM THE MAYOR

MC-1 [17-1911](#) Nominations - Confirmations

APPOINTMENTS APPROVED

Mayor Taylor requested confirmation of the following appointments that were presented to City Council at the December 4, 2017 regular session:

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*

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

MC-2 [17-1967](#)

Appointments and Nominations for 12/18/17

Attachments: Richard Norton app. 2017.pdf, Jessica Letaw app. 2017.pdf

APPOINTMENTS REFERRED

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

Downtown Development Authority

Jessica Letaw

533 Fifth St.

Ann Arbor, MI 48103

Term: Ending May 31, 2021

Huron River Watershed Council

Richard Norton

524 Third St.

Ann Arbor, MI 48103

Term: Ending May 31, 2019

Referred to the City Council due back on 1/8/2018

CA CONSENT AGENDA**Passed on consent agenda**

Councilmember Lumm asked the City Administrator to provide more information regarding the DTE project near Nixon Road.

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

- CA-1** [17-1865](#) Resolution to Approve Purchase of Fire Prevention Bureau Vehicle Computer Mounting Equipment (\$17,207.80), Upgrade Eight (8) Existing Computers to Tablets (\$5200.00) and Appropriate Needed Funds (\$22,407.80) (Mobile Tablet Equipment) **(8 Votes Required)**
- Attachments:** FPB Computer Technology Upgrade Cost.pdf
- Enactment No: R-17-452
- CA-2** [17-1933](#) Resolution Recognizing Vocal Arts Ensemble of Ann Arbor as a Civic Nonprofit Organization Operating in Ann Arbor for the Purpose of Obtaining a Charitable Gaming License
- Enactment No: R-17-453
- CA-3** [17-1924](#) Resolution to Approve Amendment No. 3 to the Professional Services

Agreement with Dykema Gossett PLLC for Legal Services Relative to the IRS IDR for the City of Ann Arbor Capital Improvement Bonds, Series 2009-A and Appropriate the Necessary Funds (\$10,000.00 amendment/\$45,000.00 total contract) **(8 Votes Required)**

Attachments: Amendment 3 Dykema_BABs.pdf

Enactment No: R-17-454

CA-4 [17-1590](#) Resolution to Transfer Management Responsibilities for City of Ann Arbor's 457 Employee Savings Plan to the City of Ann Arbor Employees Retirement System

Enactment No: R-17-455

CA-5 [17-1929](#) Resolution to Approve to the City's Contract with Delta Dental Plan of Michigan, Inc., for Claims Administration Services for the City's Dental Plan, and to Authorize the City Administrator to Execute the Necessary Documentation (\$850,000)

Attachments: Delta Dental 12-6-17.pdf

Enactment No: R-17-456

CA-6 [17-1931](#) Resolution to Approve the Amendment and Renewal of the City's Contracts with Flores & Associates, LLC to Provide Flexible Spending and Health Reimbursement Account Administration to City Employees and Their Dependents and Authorize the City Administrator to Execute the Necessary Documentation (\$130,000.00)

Attachments: Flores 2018 Amendment - Flores Executed.pdf

Enactment No: R-17-457

CA-7 [17-1932](#) Resolution to Approve Amendment No. 2 of the City's Contract with Part D Advisors, Inc. to Fulfill Administrative and Actuarial Services Related to Medicare Part D Subsidies for the City and to Authorize the City Administrator to Execute the Necessary Documentation

Attachments: (PartExec) Second Addendum - City of Ann Arbor and Part D Advisors.pdf

Enactment No: R-17-458

CA-8 [17-1922](#) Resolution to Approve Renewal of Lease Agreement with 2725/2805

Associates, LLC (successor to First Industrial, L.P). for Administrative and Video Production Space for the City Community Television Network (2805 S. Industrial Highway, Ste. 200 Eisenhower Corporate Park) (**8 Votes Required**)

Attachments: CTN Lease Amendment Ext 1.docx, CTN Lease Amendment Ext 1.pdf

Enactment No: R-17-459

CA-9 [17-1608](#) Resolution Approving a Cost-Sharing Contract (No. 17-5486) with the Michigan Department of Transportation (MDOT) to Facilitate Federal Funding of Preventative Maintenance on South State Street

Attachments: 2016-043_Project Location Map 2.pdf, 81000-200232_S State CPM_MDOT-City Contract 17-5486.pdf

Enactment No: R-17-460

CA-10 [17-1796](#) Resolution to Authorize Execution of Change Order No. 1 to the Construction Contract with J. Ranck Electric, Inc. (Bid No. 4504) for the Installation of additional RRFBs (\$100,000.00)

Attachments: Change Order #1 - J Ranck.pdf, ITB 4504 J Ranck Contract - signed.pdf, Change Order RRFB map.pdf

Enactment No: R-17-461

CA-11 [17-1927](#) Resolution to Approve a Contribution Agreement with AAPS for the Scio Church / Pioneer Sidewalk (AAPS to reimburse up to \$62,000.00)

Attachments: AAPS Contribution Agreement.pdf

Enactment No: R-17-462

CA-12 [17-1624](#) Resolution to Approve an Amendment to Increase the Watertap, Inc. Renewal Agreement for Additional Materials and Services for Water Main Repair by \$100,000.00

Attachments: Watertap ITB 4309 Revised.pdf, Executed Contract.pdf, WT Ltr Contract Renewal thru 6-30-18.pdf, WT Tap Price List for City of Ann Arbor.pdf, Watertap R-13-360.pdf

Enactment No: R-17-463

CA-13 [17-1900](#) Resolution to Increase the Not-to-Exceed Limit for FY 2018 and for Subsequent Renewal Periods for the Contract with Bell Equipment for Rental of Refuse Trucks (NTE \$150,000.00, plus a \$20,000.00)

Contingency)

Attachments: Bell Equipment Contract.pdf, R-15-312.pdf

Enactment No: R-17-464

CA-14 [17-1805](#)

Resolution to Approve a Professional Services Agreement with Quantum Spatial, Inc. for the 2018 Ortho Imagery and Impervious Surface GIS Data Update (RFP #17-28, \$37,951.85)

Attachments: Professional Services Agreement.pdf

Enactment No: R-17-465

CA-15 [17-1918](#)

Resolution to Approve Construction of an Additional Drive Approach on Huron Parkway, South of Hubbard Street to Service the DTE Apex Substation

Attachments: City of AA Letter for Curb Cut-Final.pdf, 1964 Huron Parkway.pdf, DTE-Apex driveway_location map.pdf

Enactment No: R-17-466

DC-3 [17-2017](#)

Resolution to Authorize Payments to Unum Life Insurance Company of America and to Renew Associated Group Term Life, Accident, and Disability Insurance Policies for City Employees and their Eligible Dependents, and to Authorize the City Administrator to Execute the Necessary Documentation (\$440,000)

Sponsors: Taylor

Attachments: City of Ann Arbor NC 2017 MS.PDF, 87165 - STD LTD policy (002).pdf, Maine Select Group Trust Agreement - Life Insurance Complete Policy as o....pdf, City of AA Life-ADD current contract.pdf, City of AA Life application - Employer Agreement.pdf

Enactment No: R-17-467

DC-4 [17-2062](#)

Resolution to Approve the Collective Bargaining Agreement with the Teamster Civilian Supervisors, Teamsters Local 214 effective January 1, 2018 - December 31, 2020

Sponsors: Taylor

Enactment No: R-17-468

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)**PH-1** [17-1749](#)

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

Attachments: 17-22 The Glen Rezoning Briefed.pdf, Glen Supplemental Regulations - revised 12-15-17.pdf, Glen Supplemental Regulations Tracked Changes - revised 12-15-17.pdf, 0015_1_The Glen DRAFT Supplemental Regulations 102317.pdf, The Glen Staff Report w Attachments 091517, Glen Hotel Parking and Traffic for Council.pdf, Protest Letter from Thomas Clark regarding The Glen Rezoning.pdf, Clark letter rescinding objection.pdf

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.54 Acre from PUD (Planned Unit Development District) to PUD (Planned Unit Development District), The Glen Mixed Use Development PUD Zoning and Supplemental Regulations, 201, 213, 215, 217 Glen Avenue and 1025 East Ann Street. Notice of public hearing was published November 30, 2017.

The following persons were present to speak at the hearing:

Chris Crockett, Old Fourth Ward, urged Council to protect the Old Fourth Ward if this PUD is approved. She noted concerns about parking and the conversion of Ann Street from a one-way street.

Jeff Crockett, 506 E. Kingsley, expressed concern about the impact of the project on the existing neighbors in the Old Fourth Ward.

An unknown speaker spoke in support.

Shelly Hicks- Berman spoke in support of the project and stated there is a need for hotel space near the UM Hospital.

Alan Harris, board member of Ronald McDonald House, spoke in support, stating the need for hotel space near Mott Children's Hospital.

Victor Munoz, 3131 Creek Drive, spoke in support.

Noah Kaplan, business owner, spoke in support.

Jill Schloff, resident, spoke in support of the project and the environmental clean-up.

An unidentified resident spoke in support.

Kai Petainen, resident, spoke in support.

A Fifth Ward resident spoke in support.

Nicky Melvin, resident, spoke in support, stating the need for environmental clean-up and for downtown meeting space.

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

Held and Closed

Enactment No: ORD-17-22

- PH-2** [17-1750](#) Resolution to Approve The Glen Mixed Use Development PUD Site Plan and Development Agreement, 201, 213, 215, 217 Glen Avenue and 1025 East Ann Street (CPC Recommendation: Approval - 6 Years and 1 Nays)

Attachments: Glen Agreement AS AMENDED AND APPROVED.pdf, The Glen Staff Report w Attachments 091517.pdf, The Glen Devt Agreement DRAFT 102317.docx, Final Glen Agreement.pdf

A public hearing was conducted on the proposed Resolution to Approve The Glen Mixed Use Development PUD Site Plan and Development Agreement, 201, 213, 215, 217 Glen Avenue and 1025 East Ann Street. Notice of public hearing was published December 11, 2017.

Norm Tyler, 126 N. Division, expressed concern about the conversion of Ann Street to a two-way street and also requested stricter parking restrictions be put in place in the Old Fourth Ward neighborhood.

Mary Ivers, 920 E. Ann Street, spoke in opposition to the conversion of Ann Street to a two-way street. She also asked that the construction noise and vibrations be monitored, noting the age of many neighboring historic homes.

Jeff Crockett, 506 E. Kingsley, concurred with the concerns regarding parking and the conversion of Ann Street to two-way traffic.

Eileen Tyler, 126 N. Division, urged Council to allow for the expansion of the residential parking permit program in the Old Fourth Ward. She also urged Council to keep Ann Street as a one-way street.

Julie Ritter, 920 Catherine, expressed concern about the traffic and parking associated with this development. She urged Council to widen Glen Avenue.

Chris Crockett, 506 E. Kingsley, concurred with other comments regarding traffic flow and residential parking in the Old Fourth Ward.

Ray Detter, 120 N. Division, spoke about neighbor concerns.

Craig Singer, developer, spoke about the project and was available to answer any questions.

Scott Bonney, representing the developer, presented the project to Council.

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

Held and Closed

Enactment No: R-17-473

- PH-3** [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: 17-23 Liquor Ordinance Briefed.pdf, Ordinance Amendment - Minor in

Possession of Alcohol.pdf

A public hearing was conducted on the proposed amendment to Sections 9:81 and 9:82 of Chapter 109 (Liquor) of Title IX of the Code of the City of Ann Arbor. Notice of public hearing was published December 11, 2017.

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

Held and Closed

Enactment No: ORD-17-23

PH-4 [17-1726](#)

Resolution to Approve Rainbow Child Care Site Plan, 2600 Nixon (CPC Recommendation: Approval - 6 Yeas and 0 Nays)

Attachments: Rainbow Staff Report with Attachments10-3-17-rev.pdf, Rainbow Revised Landscape Plan, Petition Against Rainbow Childcare Center.pdf

A public hearing was conducted on the proposed Resolution to Approve Rainbow Child Care Site Plan, 2600 Nixon. Notice of public hearing was published December 7, 2017.

The following persons were present to speak at the hearing:

Teresa, a neighbor near the property, spoke in opposition stating concerns about traffic, proximity to Clague School, and the reasons stated for a special exception use. James Moon, neighbor, spoke in opposition and expressed concern about retaliation that occurred as a result of his public objection to the project.

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

Held and Closed**PH-5** [17-1746](#)

Resolution to Approve Midas Site Plan, at 3180 Washtenaw Avenue (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

Attachments: Midas Staff Report w Attachments.pdf

A public hearing was conducted on the proposed Resolution to Approve Midas Site Plan, at 3180 Washtenaw Avenue. Notice of public hearing was published December 7, 2017.

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

Held and Closed

Enactment No: R-17-474

PH-6 [17-1835](#)

Resolution to Adopt The Treeline - Allen Creek Urban Trail Master Plan (Adopted by the CPC on November 8, 2017 - 8 Yeas, 0 Nays)

Attachments: 12-18-2018 Treeline Master Plan SR w Attachments2.pdf, Treeline Staff Report.pdf, a2gov.org/treeline, SierraClubHVGComments and Recommendations on TreelineMasterPlan.pdf

A public hearing was conducted on the proposed Resolution to Adopt The Treeline - Allen Creek Urban Trail Master Plan. Notice of public hearing was published December 11, 2017.

Joe O'Neal, 1920 Scottwood, spoke in support.

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

Held and Closed

Enactment No: R-17-475

PH-7 [17-1778](#)

Resolution No. 4 - Confirming the East Stadium Boulevard Sidewalk Special Assessment

Attachments: Stadium sidewalk sad roll.pdf

A public hearing was conducted on the proposed Resolution No. 4 - Confirming the East Stadium Boulevard Sidewalk Special Assessment. Notice of public hearing was published December 4, 2017.

Tom Burke, of Ann Arbor Golf and Outing, stated the golf club is supportive of the project as proposed.

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

Held and Closed

Enactment No: R-17-476

PH-8 [17-1926](#)

Resolution Confirming Application for, and Acceptance and Appropriation of the 2017 Edward Byrne Memorial Justice Assistance Grant from the United States Department of Justice, Bureau of Justice Assistance to Police Services (\$17,930.00) **(8 Votes Required)**

Attachments: Justice Assistance Grant Prog.pdf

A public hearing was conducted on the proposed Resolution Confirming Application for, and Acceptance and Appropriation of the 2017 Edward Byrne Memorial Justice Assistance Grant from the United States Department of Justice, Bureau of Justice Assistance to Police Services (\$17,930.00). Notice of public hearing was published December 11, 2017.

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

Held and Closed

Enactment No: R-17-477

A APPROVAL OF COUNCIL MINUTES

A-1 [17-2049](#) Regular Session Meeting Minutes of December 4, 2017

Attachments: 12-04-17 Draft Minutes.pdf, Council emails 12-4-2017.pdf

A motion was made by Councilmember Smith, seconded by Councilmember Warpehoski, that the Minutes of the Regular Session of December 4, 2017 be approved. On a voice vote, the Mayor declared the motion carried.

RECESS

Mayor Taylor declared a recess at 8:51 p.m. and reconvened the meeting at 9:12 p.m.

[17-1918](#) Resolution to Approve Construction of an Additional Drive Approach on Huron Parkway, South of Hubbard Street to Service the DTE Apex Substation

Attachments: City of AA Letter for Curb Cut-Final.pdf, 1964 Huron Parkway.pdf, DTE-Apex driveway_location map.pdf

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

Enactment No: R-17-466

A motion was made by Councilmember Lumm, seconded by Councilmember Westphal, that the Resolution be postponed to the City Council and should be returned by 1/16/2018. On a voice vote, the Mayor declared the motion carried.

Enactment No: R-17-466

B ORDINANCES - SECOND READING**B Unfinished Business - Staff:****B-1** [17-1762](#) An Ordinance to Amend Chapter 55 (Zoning) related to Medical Marijuana Facilities (Ordinance No. ORD-17-21) (CPC Recommendation: Approval - 7 Years and 0 Nays)

Sponsors: Ackerman

Attachments: ORD 17-21 Briefed as Amended and Approved.pdf, 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 Smith, seconded by Councilmember Krapohl, that the Ordinance be approved.

Enactment No: ORD-17-21

A motion was made by Councilmember Smith, seconded by Councilmember Warpehoski, that the Ordinance be amended as follows:

Section 15. This ordinance shall take effect and be of force on February 12, 2018.

The motion was considered friendly.

Amended

Enactment No: ORD-17-21

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

(3) Additional medical marijuana facility location restrictions:

(a) No parcel containing a medical marijuana provisioning center shall be located within [600] 800 feet of a parcel on which another medical marijuana provisioning center is located.

[Change 600 feet to 800 feet.]

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

Yeas: 4 - Councilmember Lumm, Councilmember Kailasapathy, Councilmember Warpehoski and Councilmember Ackerman

Nays: 7 - Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Krapohl, Councilmember Westphal, Councilmember Smith and Councilmember Bannister

Enactment No: ORD-17-21

The question being, the motion that was made by Councilmember Smith, seconded by Councilmember Krapohl, that the Ordinance be adopted as amended on Second Reading, on a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-17-21

B New Business - Staff:

B-2 [17-1749](#)

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

Attachments: 17-22 The Glen Rezoning Briefed.pdf, Glen Supplemental Regulations - revised 12-15-17.pdf, Glen Supplemental Regulations Tracked Changes - revised 12-15-17.pdf, 0015_1_The Glen DRAFT Supplemental Regulations 102317.pdf, The Glen Staff Report w Attachments 091517, Glen Hotel Parking and Traffic for Council.pdf, Protest Letter from Thomas Clark regarding The Glen Rezoning.pdf, Clark letter rescinding objection.pdf

A motion was made by Councilmember Ackerman, seconded by Councilmember Grand, that the Ordinance be adopted on Second Reading.

Enactment No: ORD-17-22

Councilmember Ackerman moved the amended supplemental regulations, which were considered friendly by the Body.

Amended

Enactment No: ORD-17-22

CLOSED SESSION

A motion was made by Councilmember Eaton, seconded by Councilmember Smith, that Council enter into Closed Session under the Michigan Open Meetings Act to discuss Attorney/Client Privileged Communications 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 meeting adjourned in Closed Session at 10:00 p.m.:

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

Nays: 0

RECONVENE IN OPEN SESSION

A motion was made by Councilmember Eaton, seconded by Councilmember Krapohl, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 10:09 p.m.

[17-1749](#)

An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.54 Acre

from PUD (Planned Unit Development District) to PUD (Planned Unit Development District), The Glen Mixed Use Development PUD Zoning and Supplemental Regulations, 201, 213, 215, 217 Glen Avenue and 1025 East Ann Street (Ordinance No. ORD-17-22) (CPC Recommendation: Approval - 6 Yeas and 1 Nays)

Attachments: 17-22 The Glen Rezoning Briefed.pdf, Glen Supplemental Regulations - revised 12-15-17.pdf, Glen Supplemental Regulations Tracked Changes - revised 12-15-17.pdf, 0015_1_The Glen DRAFT Supplemental Regulations 102317.pdf, The Glen Staff Report w Attachments 091517, Glen Hotel Parking and Traffic for Council.pdf, Protest Letter from Thomas Clark regarding The Glen Rezoning.pdf, Clark letter rescinding objection.pdf

The question being, a motion made by Councilmember Ackerman, seconded by Councilmember Grand, that the Ordinance be adopted as amended on Second Reading, on a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-17-22

B-3 [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: 17-23 Liquor Ordinance Briefed.pdf, Ordinance Amendment - Minor in Possession of Alcohol.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-17-23

C ORDINANCES - FIRST READING

C New Business - Staff:

C-1 [17-0670](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.32 Acre from TWP (Township District) to R1C (Single Family Dwelling District), Bibby Property, south of Dexter Road west of N. Maple Road (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-17-24)

Attachments: Bibby Rezoning Ordinance.pdf, 465 Clarendon Dr - Bibby Annexation CPC Staff Report with Attachments, 4-18-2017 CPC Minutes with Live Links.pdf, Great Seal Communication Regarding Completion of Bibby Annexation.pdf

A motion was made by Councilmember Smith, seconded by Councilmember Warpehoski, that the Ordinance be approved on First Reading to the City Council and should be returned by 1/16/2018. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-17-24

C-2 [17-1406](#)

An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.66 Acre from TWP (Township District) to R1C (Single Family Dwelling District), McCowan Properties, 2633, 2647 and 2651 Dexter Road (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-17-25)

Attachments: McCowan Properties Proposed Ordinance.pdf, August 15, 2017
Planning Staff Report, 8-15-2017 CPC Minutes with Live Links.pdf

A motion was made by Councilmember Smith, seconded by Councilmember Warpehoski, that the Ordinance be approved on First Reading to the City Council and should be returned by 1/16/2018. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-17-25

C-3 [17-1947](#)

An Ordinance to Amend the Code of the City of Ann Arbor by Adding a New Chapter, Which New Chapter Shall Be Designated as Chapter 6, Procedures for Removal of Councilmembers, of Title I of Said Code

Sponsors: Council Rules Committee

Attachments: Council Ethics Ordinance.pdf

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

Enactment No: ORD-17-26

[17-2053](#)

Motion to Reconsider the December 4, 2017 Vote to Postpone First Reading of the Inglis House Historic District Ordinance to January 8, 2018 (File 17-1769)

Sponsors: Taylor

Attachments: Inglis House - Escrow instructions.pdf, Inglis House Warranty Deed restrictions.pdf, File 17-1769.pdf, October 18 Special Meeting Minutes.pdf, Inglis House Historic District Ordinance.pdf, INGLIS HOUSE HISTORIC DISTRICT STUDY COMMITTEE FINAL REPORT.pdf, Map-Inglis House Historic District.pdf, Inglis House Communications from neighbors.pdf

A motion was made by Councilmember Lumm, seconded by Councilmember Westphal, that the Motion to Reconsider be approved. On a voice vote, the Mayor declared the motion carried.

[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 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 defeated.

The question being, a motion made by Councilmember Lumm, seconded by Councilmember Westphal, that the Ordinance be approved on First Reading to the City Council, on a voice vote, the Mayor declared the motion defeated.

D MOTIONS AND RESOLUTIONS

DC Unfinished Business - Council:

DC-1 [17-1913](#)

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

Attachments: Molly Maciejewski app. 2017.pdf

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-17-469

DC New Business - Council:

DC-2 [17-1953](#)

Resolution to Approve 2018 Council Rules

Sponsors: Council Rules Committee

Attachments: Council rules 2018 proposed.pdf

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

Enactment No: R-17-470

DC-5 [17-2064](#) Resolution Authorizing the City Clerk to sign “Attestation E” for Existing Medical Marijuana Facilities to Continue to Operate Temporarily Without a State License

Sponsors: Taylor, Eaton, Smith and Ackerman

Attachments: Medical Marijuana Facilities as of December 18 revised.pdf, Existing Medical Marijuana Facilities.pdf

A motion was made by Councilmember Smith, seconded by Councilmember Eaton, that the resolution be approved as amended to include the updated list of existing businesses. On a voice vote, the Mayor declared the motion carried.

Enactment No: R-17-471

DC-6 [17-2063](#) Resolution Requesting Staff Review of Mobility in the Lowertown Area

Sponsors: Taylor, Ackerman, Bannister and Kailasapathy

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

Enactment No: R-17-472

DB New Business - Boards and Commissions:

DB-1 [17-1750](#) Resolution to Approve The Glen Mixed Use Development PUD Site Plan and Development Agreement, 201, 213, 215, 217 Glen Avenue and 1025 East Ann Street (CPC Recommendation: Approval - 6 Years and 1 Nays)

Attachments: Glen Agreement AS AMENDED AND APPROVED.pdf, The Glen Staff Report w Attachments 091517.pdf, The Glen Devt Agreement DRAFT 102317.docx, Final Glen Agreement.pdf

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

Enactment No: R-17-473

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

Amend Development Agreement:

Add New language:

(P-13) The DEVELOPER will pay to the City, in addition to the \$43,540 amount required by P-12 above, an amount of \$17,340 to support the cost of further traffic analysis to determine the feasibility of two way traffic on Ann Street, from Glen Avenue to the approximate location of the proposed curb cut for the Site Plan, and corresponding design considerations for implementation. The DEVELOPER will pay this amount to the CITY within 30 days of written notice of commencement of the study.

The DEVELOPER also agrees to pay all costs for identified improvements in the study, as additional traffic mitigation costs, up to \$250,000. If the estimated cost of required improvements exceed \$250,000, the DEVELOPER agrees to pay a reasonable share of the costs of improvements for all costs over \$250,000 to be negotiated with the City. The DEVELOPER will pay the CITY for the costs of the improvements, within 90 days of written notice of commencement of engineering design leading to construction or purchase order for materials.

The City may decide to have the DEVELOPER proceed with identified improvements in its sole discretion, and if no additional improvements are made, no additional payments will be required by DEVELOPER.

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

Enactment No: R-17-473

The question being, the motion made by Councilmember Ackerman, seconded by Councilmember Grand, that the Resolution be approved as amended, on a voice vote, the Mayor declared the motion carried.

Enactment No: R-17-473

[17-1726](#)

Resolution to Approve Rainbow Child Care Site Plan, 2600 Nixon (CPC Recommendation: Approval - 6 Years and 0 Nays)

Attachments: Rainbow Staff Report with Attachments10-3-17-rev.pdf, Rainbow Revised Landscape Plan, Petition Against Rainbow Childcare Center.pdf

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

Councilmember Lumm requested that the neighbors' petition be added to the record.

A motion was made by Councilmember Lumm, seconded by Councilmember Westphal, that the Resolution be postponed to the City Council and should be returned by 1/16/2018. On a voice vote, the Mayor declared the motion carried.

DB-3 [17-1746](#) Resolution to Approve Midas Site Plan, at 3180 Washtenaw Avenue
(CPC Recommendation: Approval - 8 Yeas and 0 Nays)

Attachments: Midas Staff Report w Attachments.pdf

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-17-474

DB-4 [17-1835](#) Resolution to Adopt The Treeline - Allen Creek Urban Trail Master Plan
(Adopted by the CPC on November 8, 2017 - 8 Yeas, 0 Nays)

Attachments: 12-18-2018 Treeline Master Plan SR w Attachments2.pdf, Treeline Staff Report.pdf, a2gov.org/treeline, SierraClubHVGComments and Recommendations on TreelineMasterPlan.pdf

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-17-475

DS New Business - Staff:

DS-1 [17-1778](#) Resolution No. 4 - Confirming the East Stadium Boulevard Sidewalk
Special Assessment

Attachments: Stadium sidewalk sad roll.pdf

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

Enactment No: R-17-476

DS-2 [17-1926](#) Resolution Confirming Application for, and Acceptance and
Appropriation of the 2017 Edward Byrne Memorial Justice Assistance
Grant from the United States Department of Justice, Bureau of Justice
Assistance to Police Services (\$17,930.00) **(8 Votes Required)**

Attachments: Justice Assistance Grant Prog.pdf

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

Enactment No: R-17-477

- DS-3** [17-2117](#) Motion to Reconsider the December 4, 2017 Vote that Approved the Resolution to Approve the 1140 Broadway Brownfield Plan (File 17-1758)

Sponsors: Eaton

A motion was made by Councilmember Eaton, seconded by Councilmember Bannister, that the motion to reconsider be approved. On a roll call, the vote was as follows with the Mayor declaring the motion defeated:

Yeas: 5 - Councilmember Lumm, Councilmember Kailasapathy, Councilmember Eaton, Mayor Taylor and Councilmember Bannister

Nays: 6 - Councilmember Warpehoski, Councilmember Grand, Councilmember Krapohl, Councilmember Westphal, Councilmember Ackerman and Councilmember Smith

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 Krapohl, 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** [17-1840](#) Staff Response to R-17-361

Attachments: City of Ann Arbor Crosswalk Code - Engineering Review 2017-11-13.pdf, Crosswalk definition memo.pdf, RRFBs, gateways, and islands.pdf, RRFBs 2017.pdf, Ramp Removals.pdf, Additional Requested Materials related to R-17-361_part 1.pdf, Additional Requested Materials related to R-17-361_part 2.pdf

- F-2** [17-1912](#) November 7, 2017 Official Election Results - Canvass

Attachments: November 7 2017 Election Canvass.pdf

- F-3** [17-1934](#) Communications from Comcast regarding Channel Line-Up and Price Changes - CTN, City Attorney
Attachments: Comcast Communications.pdf, Comcast Communication.pdf
- F-4** [17-1979](#) Communication from the Counsel of the Economic Development Corp. of the City of Ann Arbor Peter A Long, regarding the 2017 Annual Report of the EDC - Finance, City Administrator
Attachments: EDC Communication.pdf
- F-5** [17-2018](#) City of Ann Arbor Audit Report- June 30, 2017
Attachments: City of Ann Arbor - CAFR - 6-30-17.pdf, City of Ann Arbor - Governance Letter - 6-30-17.pdf, City of Ann Arbor - Single Audit - 6-30-17.pdf

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

- G-1** [17-1783](#) Zoning Board of Appeals Meeting Minutes of October 25, 2017
Attachments: 10-25-2017 ZBA Minutes with Live Links.pdf
- G-2** [17-1829](#) Airport Advisory Committee Minutes - September 20, 2017
Attachments: AAC Minutes 092017r.pdf
- G-3** [17-1843](#) Public Market Advisory Commission Meeting Minutes of October 19, 2017
Attachments: September 21, 2017 PMAC Meeting Minutes
- G-4** [17-1890](#) Ann Arbor Housing Commission October 25, 2017 Board Minutes
Attachments: October 25 2017 AAHC Board Minutes.pdf
- G-5** [17-1930](#) Council Policy Agenda Committee Meeting Minutes for November 28, 2017

Attachments: Council Policy Agenda Committee Minutes Template 17.11.28pdf.pdf

G-6 [17-1936](#) Council Labor Committee Meeting Minutes of November 20, 2017

Attachments: Council Labor Committee Minutes 11-20-17.pdf

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Lisa Abrams, resident, spoke about the deer cull and urged Council not to allow biased members to participate in the sterilization project.

Mark Koroj, local attorney, spoke about a Police Department oversight board.

Kai Petainen, resident, wished Council well and thanked the City Administrator for his service.

Ed Vielmetti, Fourth ward resident, stated he attended the Council Administration Committee meeting. He urged the Committee to post their agendas in advance of the meeting.

Jeff Hayner, First ward resident, also spoke about some committee meetings not being very transparent. He urged Council to adopt rules that require agendas be posted before committee meetings. He also spoke about the concern that the Lowertown Mobility study is too late.

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER SMITH

Councilmember Smith thanked City staff for their work on today's agenda items and all of the changes that came before the meeting.

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 pending litigation as set forth in MCLA 15.268 (E). On a roll call, the vote was as follows with the Mayor declaring the motion carried and the meeting adjourned in Closed Session at 11:48 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 Lumm, seconded by Councilmember Warpehoski, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened in Open Session at 11:50 p.m.

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

Add:

Resolution Regarding Dickerson v. City of Ann Arbor, 22nd Circuit Court, Case No. 17-793-CZ.

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

[17-2118](#)

Resolution Regarding *Dickerson v City of Ann Arbor, 22nd Circuit Court*, Case No. 17-793-CZ.

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-17-478

ADJOURNMENT

A motion was made by Councilmember Westphal, seconded by Councilmember Lumm, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 11:52 p.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, DECEMBER 18, 2017 @ 7:00 P.M.

REPLAYS: WEDNESDAY, DECEMBER 20, 2017 @ 8:00 A.M. AND FRIDAY, DECEMBER 22, 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; 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.