

City of Ann Arbor

301 E. Huron St.

Ann Arbor, MI 48104

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



Meeting Minutes - Draft

Monday, October 7, 2019

7:00 PM

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

City Council

Council meets in Caucus at 7:00 p.m. on the Sunday prior to each Regular Session.

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: 11 - Councilmember Jane Lumm, Councilmember Jack Eaton, Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Zachary Ackerman, Councilmember Chip Smith, Councilmember Anne Bannister, Councilmember Jeff Hayner, Councilmember Kathy Griswold, Councilmember Elizabeth Nelson and Councilmember Ali Ramlawi

APPROVAL OF AGENDA

Councilmember Lumm requested that C-4 be moved before B-3.

Councilmember Hayner requested the addition of DC-5:

Resolution to Appoint a Member to the Center of the City Task Force Filling a Vacancy (8 Votes Required)

A motion was made by Councilmember Ramlawi, seconded by Councilmember Griswold, that the Agenda be approved with the following changes:

- Move C-4 before B-3**
- Add DC-5**

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 also noted the following:

Thank you to Officer White from the AAPD for his attendance at tonight's meeting.

An event will be held for the public to help with the installation of solar panels on Fire Station 6 on October 17 and 18, with a celebration at 3pm on October 18.

A Carbon Neutrality Summit will be held on November 13.

WeCare Organics is hosting a compost tour on November 6 at 12pm.

The latest issue of Quality Water Matters is now available.

The City's Public Works Department is hosting a public Open House on October 19. Mr. Lazarus encouraged the public to attend.

Mr. Lazarus reminded the public that the City's Ordinance regarding 2-cycle engines in the downtown went into effect last July.

The City's Planning and Development Unit is hosting three public meetings regarding the regulation of short-term rentals. The next meeting is October 10 at Traverwood Library.

AC-1 [19-1842](#) Response to Resolution R-19-263 - Interim Plan for Use of Library Lot - Center of the City Commons Interim Use Proposal - September 23, 2019

Received and Filed

AC-2 [19-1908](#) October 7, 2019 Agenda Responses and eComments

Received and Filed

AC-3 [19-1930](#) City Administrator's Report - October 7, 2019

Received and Filed

AC-4 [19-1931](#) City Administrator's FY2019 Annual Report

Received and Filed

INT INTRODUCTIONS

INT-1 [19-1800](#) Proclamation for Fire Prevention Week 2019

Mayor Taylor presented Fire Chief Mike Kennedy with a proclamation recognizing National Fire Prevention Week. A copy of the proclamation is on file in the City Clerk's Office.

Received and Filed

INT-2 [19-1845](#) Independent Community Police Oversight Commission (ICPOC) Update

Lisa Jackson, Vice Chair, of the newly formed Independent Community Police Oversight Commission (ICPOC) presented Council with an update from the Commission as they begin their work and complete their organizational process. She stated the entire Commission is looking forward to working with City staff and the public.

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. Adam Oxmer - Review of City Transportation Planning and Operations Management and Staffing (DC-1)

Adam Oxmer spoke about the City's transportation planning and thanked City staff for their work. He stated he felt the proposed Resolution to Review City Transportation Planning may be too harsh and may unnecessarily slow down progress.

2. **Blaine Coleman - We are against military aid to Israel**

Blaine Coleman, resident, spoke about Palestine and the need to oppose military aid to Israel.

3. **Mozhgan Savabiesfahni - We are against military aid to Israel**

Mozhgan Savabiesfahni, resident, spoke in opposition to military aid to Israel.

4. **Jeff Crockett - Fire Safety**

Jeff Crockett, Old Fourth Ward, spoke about fire safety and thanked the Mayor for the proclamation.

CC COMMUNICATIONS FROM COUNCIL**COUNCILMEMBER RAMLAWI**

Councilmember Ramlawi thanked the ICPOC members for attending tonight's City Council meeting.

Councilmember Ramlawi spoke about the short-term rental public meeting and thanked the public for their attendance, stating over 100 people came to the meeting.

Councilmember Ramlawi noted long-time City activist Mary Hathaway passed away over the weekend.

COUNCILMEMBER EATON

Councilmember Eaton thanked City Transportation staff for meeting with him, Councilmembers Bannister and Griswold regarding the design of South Division Street. He informed the public that the road would be redesigned between Hill and Packard.

COUNCILMEMBER ACKERMAN

Councilmember Ackerman noted that Chief Cox would be out in Ward 3 for upcoming meetings on October 10 at Pittsfield Elementary and October 22 at Bryant Community Center.

COUNCILMEMBER GRAND

Councilmember Grand stated she would be bringing forward a resolution at the next meeting regarding a Presidential Executive Order on refugee resettlement.

COUNCILMEMBER HAYNER

Councilmember Hayner thanked the ICPOC for their report. He also reported that the Center of the City Task Force would be meeting on November 6 for public outreach at the downtown library.

COUNCILMEMBER BANNISTER

Councilmember Bannister reported that Chief Cox would be at meetings in Ward 1 at Arrowwood Hills Community Center on October 16.

COUNCILMEMBER GRISWOLD

Councilmember Griswold stated she would be organizing another Community Conversation soon.

MC COMMUNICATIONS FROM THE MAYOR

MC-1 **19-1876** Appointments - Confirmations

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

Ann Arbor Public Art Commission

*Peggy Wier-Leonard
AAPS Art teacher
1985 Wiltshire Dr.
Ann Arbor, MI 48103
Term: Ending May 31, 2022*

Local Officers' Compensation Commission

*Juliet Pressel-Reappointment
Attorney
2625 Lillian
Ann Arbor, MI 48104
Term: October 1, 2019 – September 30, 2026*

Downtown Development Authority

*Alexandra Dieck -Partial Term
Attorney
2215 Garden Homes Dr.
Ann Arbor, MI 48103
Term: Ending May 31, 2023*

Historic District Commission

*Kathryn Fortener -Partial Term
2746 Page Ave.
Ann Arbor, MI 48104
Term: Ending May 31, 2022*

Referred to the City Council due back on 10/21/2019.

- MC-2** [19-1878](#) Resolution to Appoint Sophie Grillet to Ann Arbor Public Art Commission (7 Votes Required)

Sponsors: Taylor

Mayor Taylor presented the following Resolution of Appointment for approval at a later date:

Sophie Grillet to the Ann Arbor Public Art Commission

Referred to the City Council due back on 10/21/2019.

- MC-3** [19-1932](#) Resolution to appoint Micah Bartelme to the Downtown Development Authority and Elizabeth Collins to the Elizabeth Dean Fund Committee (7 Votes Required)

Mayor Taylor presented the following Resolution of Appointment for approval at a later date:

Micah Bartelme to the DDA and Elizabeth Collins to the Elizabeth Dean Fund

Referred to the City Council due back on 10/21/2019.

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-11 Resolution Authorizing Publication of Notice of Intent to Issue General Obligation Capital Improvement Bonds to Fund Downtown Development Authority Ann Ashley Parking Structure Expansion Project (Not to Exceed \$ 23,000,000.00) (6 Votes Roll Call)

Passed on consent agenda

A motion was made by Councilmember Ramlawi, seconded by Councilmember Nelson, that the following Consent Agenda Items be approved as presented. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirements of CA-7, CA-10 and CA-14.

CA-1 19-1813 Enactment No: R-19-438 Approved

Resolution Recognizing Ann Arbor Youth Football and Cheer Association as a Civic Nonprofit Organization Operating in Ann Arbor for the Purpose of Obtaining a Charitable Gaming License

CA-2 19-1744 Enactment No: R-19-439 Approved

Resolution Recognizing Out Loud Chorus as a Civic Nonprofit Organization Operating in Ann Arbor for the Purpose of Obtaining a Charitable Gaming License

CA-3 19-1672 Enactment No: R-19-440 Approved

Resolution to Name the Property Donated by Pulte Homes of Michigan, LLC as "Hickory Nature Area"

CA-4 19-1673 Enactment No: R-19-441 Approved

Resolution Naming the Property Acquired from Toll MI VI Limited Partnerships as "Buttonbush Nature Area"

CA-5 19-1742 Enactment No: R-19-442 Approved

Resolution to Approve Construction Contract Change Order No. 2 (\$281,416.90) with Gerace Construction Company, Inc. for the Geddes Dam Gate Recoating and Repairs Project, and Amend the Project Budget

CA-6 19-1810 Enactment No: R-19-443 Approved

Resolution to Approve Closing of East Washington Street for Oktoberfest from 8:00 AM on Friday, October 18, 2019 to 9:00 AM on Sunday, October 20, 2019

CA-7 19-1837 Enactment No: R-19-444 Approved

Resolution to Accept a Storm Sewer Easement at 3720 Washtenaw Avenue from FL MI RE 8, LLC (8 Votes Required)

CA-8 19-1843 Enactment No: R-19-445 Approved

Resolution to Approve Fifth Amendment with Varnum LLP for Legal Services to Contest the National Pollutant Discharge Elimination System (NPDES) Permit for the Wastewater Treatment Plant (\$90,000.00)

CA-9 19-1854 Enactment No: R-19-446 Approved

Resolution to Approve a Contract with Jacobs Consultants Inc. for Professional Engineering Consulting Services to Assess Impacts of Proposed Changes to the National Pollutant Discharge Elimination System Permit for the Wastewater Treatment Plant (\$30,000.00)

CA-10 19-1694 Enactment No: R-19-447 Approved

Resolution to Accept and Appropriate Emergency Management Performance Grant Funds and Approve FY 2019 Emergency Management Performance Grant Agreement for Ann Arbor Emergency Management Program (\$44,478.00) (8 Votes Required)

CA-12 19-1762 Enactment No: R-19-448 Approved

Resolution Levying Certain Delinquent Water Utility, Board Up, Clean Up, Vacant Property Inspection Fees, Housing Inspection Fees, and Fire Inspection Fees as Special Assessments and Ordering Collection Thereof

CA-13 19-1603 Enactment No: R-19-449 Approved

Resolution to Approve Amendment No. 1 to the Professional Services Agreement with Tetra Tech, Inc. for Geotechnical and Environmental Services (\$10,000.00)

CA-14 19-1658 Enactment No: R-19-450 Approved

Resolution No. 1 - Prepare Plans and Specifications for the Proposed Fuller Court and Nixon/Traver Sidewalk Gap Project - Special Assessment (Districts #57 & 56), and Appropriate \$130,000.00 from the General Fund Balance for the Design of the Project (8 Votes Required)

CA-15 19-1765 Enactment No: R-19-451 Approved

Resolution to Approve Change Order No. 1 for Precision Concrete, Inc. (Bid No. 4566) for the 2019 Ramp and Sidewalk Repair Project (\$53,900.00)

CA-16 19-1640 Enactment No: R-19-452 Approved

Resolution Authorizing a Purchase Order with Bell Equipment Company through the Michigan Delivering Extended Agreements Locally (MiDEAL) for the Rental of Three Elgin Pelican Street Sweepers (\$60,540.00)

CA-17 19-1729 Enactment No: R-19-453 Approved

Resolution to Approve the Purchase of Ice Control Salt through the Michigan Delivering Extended Agreements Locally (MiDEAL) from the Detroit Salt Company for Early Fill (\$129,380.00) and for Seasonal Backup Supply (\$217,200.00)

CA-18 19-1753 Enactment No: R-19-454 Approved

Resolution to Award a 2-Year Construction Contract for Miscellaneous Concrete Repairs to Saladino Construction Company ITB # 4595 (up to \$325,052.20 over two years)

CA-19 19-1651 Enactment No: R-19-455 Approved

Resolution to Approve the Purchase of Police Vehicles from Signature Ford (MiDeal and Macomb County Cooperative Purchasing - \$259,086.00)

CA-20 19-1725 Enactment No: R-19-456 Approved

Resolution to Approve the Purchase of Heavy Equipment/Truck Tires and Tire Repair Services from Shrader Tire & Oil (Sourcewell; not to Exceed \$90,000.00)

CA-21 19-1659 Enactment No: R-19-457 Approved

Resolution to Approve a Purchase Order with Trojan Technologies for Replacement Parts at the Wastewater Treatment Plant (\$123,000.00)

CA-22 19-1764 Enactment No: R-19-458 Approved

Resolution Authorizing the Execution of a Five Year Municipal Trunkline Maintenance Between the City of Ann Arbor and the State of Michigan Department of Transportation

CA-11 19-1735 Enactment No:

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

Resolution Authorizing Publication of Notice of Intent to Issue General Obligation Capital Improvement Bonds to Fund Downtown Development Authority Ann Ashley Parking Structure Expansion Project (Not to Exceed \$ 23,000,000.00) (6 Votes Roll Call)

19-1735 Enactment No: **Postponed**

A motion was made by Councilmember Hayner, seconded by Councilmember Smith, that the Resolution be postponed until 10/21/2019. On a voice vote, the Mayor declared the motion carried.

Resolution Authorizing Publication of Notice of Intent to Issue General Obligation Capital Improvement Bonds to Fund Downtown Development Authority Ann Ashley Parking Structure Expansion Project (Not to Exceed \$ 23,000,000.00) (6 Votes Roll Call)

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 [19-1448](#) 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 (CPC Recommendation: Approval - 7 Years and 0 Nays) (Ordinance No. ORD-19-29)

A public hearing was conducted on the proposed 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, located at 201, 213, 215, 217 Glen Avenue and 1025 East Ann Street. Notice of public hearing was published September 19, 2019.

Jeff Crockett, Old Fourth Ward, spoke in support.

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

Held and Closed

PH-2 **19-1449** **Enactment No:** **Held and Closed**

Held and Closed

Resolution to Approve The Glen Mixed Use Development Modified PUD Site Plan, 201, 213, 215, 217 Glen Avenue and 1025 East Ann Street (CPC Recommendation: Approval - 7 Years and 0 Nays)

A public hearing was continued on the proposed Resolution to Approve The Glen Mixed Use Development Modified PUD Site Plan, 201, 213, 215, 217 Glen Avenue and 1025 East Ann Street. Notice of public hearing was published September 26, 2019.

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

PH-3 [19-1464](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 7.7 Acres from R1E (Single-Family Dwelling District) With Conditions to PUD (Planned Unit Development District), Weber Rezoning, 2857 Packard Road (CPC Recommendation: Approval - 7 Yeas and 1 Nays) (Ordinance No. ORD-19-30) (8 Votes Required)

A public hearing was conducted on the proposed Amendment to Chapter 55 (Zoning), Rezoning of 7.7 Acres from R1E (Single-Family Dwelling District) With Conditions to PUD (Planned Unit Development District), Weber Rezoning, located at 2857 Packard Road. Notice of public hearing was published September 12, 2019.

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

Ron Lev, Easy Street, spoke in opposition.

Richard Taylor, 2814 Cranbrook, urged Council not to approve the plan just because of a threat of lawsuit.

A resident at 2601 Easy Street

Auro Blach, 2907 Chesterfield, expressed concern about traffic and trees.

Brandon Watkins, 2869 Easy, expressed concern about affordability.

Marc Bradshaw, 2969 Easy Street

Catherine Hadley, 2618 Easy Street

James D'Amour, 2771 Maplewood

Sue Symington, 2649 Carmel

John Gibney, 2720 Cranbrook, stating the project is not affordable.

Wendy Baker, 2306 Easy Street

Kathy Boris, 1726 Charlton

Michelle Barkoot, 2829 Easy Street

Beth Collins, Ward 5, spoke about the need to preserve landmark trees and urged Council to use Greenbelt funds to purchase land inside the City.

Karen White, 2719 Cranbrook

Kathy Nolan, 2645 Easy Street, expressed concerns about gentrification with the value of the homes proposed in a modest neighborhood.

Pete Vincent, 2810 Easy Street

Rita Mitchell, 621 Fifth, expressed concern about the destruction of natural features on the site.

Mary Vincent, 2810 Easy Street

Dan Bilich, 2719 Cranbrook

Ellen Ramsburgh, 1503 Cambridge, spoke about the historic farmhouse that sits on the property.

The following persons spoke in support of the project:

Kai Petainen

The developer of the project spoke about his proposal and was available to answer any questions of Council.

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

Held and Closed

PH-4 19-1465 Enactment No: Held and Closed

Held and Closed

Resolution to Approve Weber PUD Site Plan and Development Agreement, 2857 Packard Road (CPC Recommendation: Approval - 7 Years and 1 Nays)

A public hearing was conducted on the proposed Resolution to Approve Weber PUD Site Plan and Development Agreement, 2857 Packard Road. Notice of public hearing was published September 19, 2019.

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

Ron Lev, 2645 Easy Street, spoke in opposition.

An unknown speaker spoke in opposition.

An unknown speaker spoke in opposition.

Karen White, 2719 Cranbrook

James D'Amour, 2771 Maplewood, spoke about the landmark trees.

Jan Taylor, 2814 Cranbrook

Marc Bradshaw, 2969 Easy Street

Auro Blach, 2907 Chesterfield

Michelle Barkoot, 2829 Easy Street

An unknown speaker

Pete Vincent, 2810 Easy Street

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

PH-5 **19-1636** An Ordinance to Amend Sections 5.15, 5.16.3, 5.19.2, and 5.37.2 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Marijuana Retailers, Marijuana Microbusinesses, Designated Marijuana Consumption Facilities) (Ordinance No. ORD-19-32)

Sponsors: Taylor, Ramlawi and Bannister

A public hearing was conducted on the proposed Amendment to Sections 5.15, 5.16.3, 5.19.2, and 5.37.2 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Marijuana Retailers, Marijuana Microbusinesses, Designated Marijuana Consumption Facilities). Notice of public hearing was published September 19, 2019.

The following persons were present to speak at the hearing:

Chuck Ream, Packard Road, spoke in support.

Auro Blach, 2907 Chesterfield, spoke in support.

Diane Giannola, Ward 4, spoke in opposition to the proposed consumption centers, stating the persons leaving these sites will be impaired drivers. She urged Council not to approve these centers.

Dennis Hayes, 120 N. Fourth Avenue, spoke in support of the proposed ordinance and noted he has been involved with the history of marijuana in Ann Arbor for a long time.

Ron Lev, 2645 Easy Street, spoke in support of the proposed ordinance.

Brian Fenech, Ward 4, spoke in support, stating local business owners are ready to enter the market. He urged Council to lift the cap on provisioning centers.

The attorney representing Medicine Man stated the current ordinance needs to be reworked. He stated the caps are holding up businesses that are ready to start and creating monopolies.

Ben Joffe, local attorney and resident, spoke in support of the proposed ordinance.

Kelly Walkovich, pediatric oncologist, expressed concerns about the proposed ordinance and urged Council to enact a 1000-foot buffer

around childcare centers. She also encouraged Council to approve a marijuana oversight body.

A resident at 312 E. Jefferson spoke in support of the proposed ordinance.

Tisha Montague, representing Huron View Provisioning Center, spoke in support of the proposed ordinance.

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

Held and Closed

- PH-6** **19-1783** An Ordinance to Amend the Title of all Sections of and to Add a New Section 7:613 to Chapter 96 (Medical Marijuana Facilities) of Title VII of the Code of the City of Ann Arbor (Ordinance No. ORD-19-31)

Sponsors: Taylor

A public hearing was conducted on the proposed Ordinance to Amend the Title of all Sections of and to Add a New Section 7:613 to Chapter 96 (Medical Marijuana Facilities) of Title VII of the Code of the City of Ann Arbor. Notice of public hearing was published September 19, 2019.

The following persons were present to speak at the hearing:

Diane Giannola, Ward 4, spoke in opposition to the proposed consumption centers.

Brian Fenech, Ward 4, urged Council to remove the caps association with marijuana facilities.

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

Held and Closed

RECESS

Mayor Taylor declared a recess at 9:47 p.m. and reconvened the meeting at 9:59 p.m.

A APPROVAL OF COUNCIL MINUTES

- A-1** [19-1824](#) Work Session of September 9, Special Work Session of September 12 and Regular Session Meeting Minutes of September 16, 2019

A motion was made by Councilmember Smith, seconded by Councilmember Ramlawi, that the Work Session of September 9, Special Work Session of September 12, and Regular Session Meeting Minutes of September 16, 2019 be approved as presented. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

- B-1** [19-1448](#) 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 (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-19-29)

(The complete copy of the text of Ordinance No. ORD-19-29 is on file in the City Clerk's Office.)

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

- B-2** [19-1464](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 7.7 Acres from R1E (Single-Family Dwelling District) With Conditions to PUD (Planned Unit Development District), Weber Rezoning, 2857 Packard Road (CPC Recommendation: Approval - 7 Yeas and 1 Nays) (Ordinance No. ORD-19-30) (8 Votes Required)

(The complete copy of the text of Ordinance No. ORD-19-30 is on file in the City Clerk's Office.)

A motion was made by Councilmember Grand, seconded by Councilmember Griswold, that the Ordinance be adopted on Second Reading. On a roll call, the vote was as follows with the Mayor declaring the motion defeated, not meeting the eight-vote requirement:

Yeas: 6 - Councilmember Lumm, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith and Councilmember Hayner

Nays: 5 - Councilmember Eaton, Councilmember Bannister, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

DB-1 19-1449 Enactment No: R-19-459 Approved

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

Resolution to Approve The Glen Mixed Use Development Modified PUD Site Plan, 201, 213, 215, 217 Glen Avenue and 1025 East Ann Street (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

DB-2 19-1465 Enactment No: Approved

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

Resolution to Approve Weber PUD Site Plan and Development Agreement, 2857 Packard Road (CPC Recommendation: Approval - 7 Yeas and 1 Nays)

C-4 [19-1884](#) 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 70 - Adult-Use Marihuana Establishments Of Title VII of Said Code

Sponsors: Lumm

(The complete copy of the text of this Ordinance is on file in the City Clerk's Office.)

A motion was made by Councilmember Lumm, seconded by Councilmember Hayner, that the Ordinance be approved on First Reading to the City Council. On a roll call, the vote was as follows with the Mayor declaring the motion defeated:

Yeas: 2 - Councilmember Lumm and Councilmember Hayner

Nays: 9 - Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Bannister, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

- B-3** **19-1636** An Ordinance to Amend Sections 5.15, 5.16.3, 5.19.2, and 5.37.2 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Marijuana Retailers, Marijuana Microbusinesses, Designated Marijuana Consumption Facilities) (Ordinance No. ORD-19-32)

Sponsors: Taylor, Ramlawi and Bannister

(The complete copy of the text of Ordinance No. ORD19-32 is on file in the City Clerk's Office.)

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

Councilmember Lumm moved the following amendment:

Proposed Amendment to Section 5.16.3.G.3.f.:

f. No Lot containing a Medical Marijuana Provisioning Center, Marijuana Retailer, Marijuana Grower, Marijuana Microbusiness , Designated Marijuana Consumption Facility, Marijuana Processor or Marijuana-Infused Product Processor shall be located within 1,000 feet of a Lot on which a pre-existing Public School or Private School, but excluding dance or art schools, OR A CHILD CARE CENTER OR GROUP CHILD CARE HOME AS DEFINED IN MCL 722.111 ET SEQ., OR AN ADDICTION RECOVERY FACILITY, OR A YOUTH CENTER (DEFINED AS A FACILITY PROVIDING SOCIAL AND RECREATIONAL ACTIVITIES INTENDED PRIMARILY FOR CHILDREN) is located.

ALL CAPS indicate new language.

A motion was made by Councilmember Lumm, seconded by Councilmember Hayner, that the Ordinance be amended. On a roll call, the vote was as follows with the Mayor declaring the motion defeated:

Yeas: 3 - Councilmember Lumm, Councilmember Ackerman and Councilmember Hayner

Nays: 8 - Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Smith, Councilmember Bannister, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

Councilmember Lumm moved the following amendment:

Proposed Amendment to Section 5.16.3.G.3.c.:

c. No Lot containing a Medical Marijuana Provisioning Center, Marijuana Microbusiness, DESIGNATED MARIJUANA CONSUMPTION FACILITY, or Marijuana Retailer shall be located within 600 feet of a any Lot on which another either a Medical Marijuana Provisioning Center, Marijuana Microbusiness, DESIGNATED MARIJUANA CONSUMPTION FACILITY, or Marijuana Retailer is located.

ALL CAPS indicate new language.

A motion was made by Councilmember Lumm, seconded by Councilmember Hayner, that the Ordinance be amended. On a roll call, the vote was as follows with the Mayor declaring the motion defeated:

Yeas: 3 - Councilmember Lumm, Councilmember Ackerman and Councilmember Hayner

Nays: 8 - Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Smith, Councilmember Bannister, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

The question being, the motion as originally made by Councilmember Smith, seconded by Councilmember Ramlawi, that the Ordinance be adopted on Second Reading, on a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 9 - Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Bannister, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

Nays: 2 - Councilmember Lumm and Councilmember Hayner

- B-4** [19-1783](#) An Ordinance to Amend the Title of all Sections of and to Add a New Section 7:613 to Chapter 96 (Medical Marijuana Facilities) of Title VII of the Code of the City of Ann Arbor (Ordinance No. ORD-19-31)

Sponsors: Taylor

(The complete copy of the text of Ordinance No. ORD19-31 is on file in the City Clerk's Office.)

A motion was made by Councilmember Griswold, seconded by Councilmember Ramlawi, that the Ordinance be adopted on Second Reading. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 9 - Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Bannister, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

Nays: 2 - Councilmember Lumm and Councilmember Hayner

C **ORDINANCES - FIRST READING**

C **New Business - Staff:**

- C-1** [19-1812](#) An Ordinance to Amend Sections 7:400, 7:401, 7:402, 7:403, 7:404, 7:405, and 7:406 of Chapter 93 (Alarm Systems) of Title VII of the Code of the City of Ann Arbor (Ordinance No. ORD-19-33)

(The complete copy of the text of Ordinance No. ORD-19-33 is on file in the City Clerk's Office.)

A motion was made by Councilmember Ramlawi, seconded by Councilmember Smith, that the Ordinance be approved on First Reading to the City Council and should be returned by 10/21/2019. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-19-33

- C-2** [19-1565](#) An Ordinance to Amend Sections 5.13.9, 5.17.4, 5.18.6, 5.28.1, 5.28.6, 5.29.10, 5.30.1 and 5.37.2 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Premium Options, Affordable Housing Dwelling Units, Reimbursements) (Ordinance No. ORD-19-34)
(The complete copy of the text of Ordinance No. ORD-19-34 is on file in the City Clerk's Office.)

A motion was made by Councilmember Ackerman, seconded by Councilmember Grand, that the Ordinance be approved on First Reading to the City Council and should be returned by 11/4/2019. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-19-34

- C-3** [19-1874](#) An Ordinance to Amend Section 1:239 of Chapter 8 of the Code of the City Of Ann Arbor to Add a Public Art Commission Liaison to the Design Review Board

Sponsors: Ramlawi and Lumm

(The complete copy of the text of Ordinance No. ORD-19-35 is on file in the City Clerk's Office.)

A motion was made by Councilmember Ramlawi, seconded by Councilmember Smith, that the Ordinance be approved on First Reading to the City Council and should be returned by 10/21/2019. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-19-35

D MOTIONS AND RESOLUTIONS

DC Unfinished Business - Council:

DC-1 19-1770 Enactment No:

Sponsors: Griswold and Bannister

A motion was made by Councilmember Griswold, seconded by Councilmember Bannister, that the Resolution be approved.

Resolution Directing Review of City Transportation Planning and Operations Management and Related Staffing

19-1770 Enactment No: **Amended**

Sponsors: Griswold and Bannister

Amended

Resolution Directing Review of City Transportation Planning and Operations Management and Related Staffing

Councilmember Griswold moved the following amendment, which was considered friendly by the Body:

RESOLVED, That the City Council directs the City Administrator to negotiate with Sam Schwartz Consulting to amend the existing contract to include an assessment of our pedestrian and cycling environment before [November 30, 2019] DECEMBER 31, 2019.

The amendment was further amended to change the date to December 31, 2019.

19-1770 Enactment No: R-19-460 **Approved as Amended**

The question being, the motion made by Councilmember Griswold, seconded by Councilmember Bannister, that the resolution be approved as amended, on a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 9 - Councilmember Lumm, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Bannister, Councilmember Hayner, Councilmember Griswold and Councilmember Nelson

Nays: 2 - Councilmember Smith and Councilmember Ramlawi

Resolution Directing Review of City Transportation Planning and Operations Management and Related Staffing

DC New Business - Council:

DC-2 19-1879 Enactment No: R-19-461 **Approved**

Sponsors: Taylor

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

Yeas: 11 - Councilmember Lumm, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Bannister, Councilmember Hayner, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

Nays: 0

Resolution to Approve Closing William between S. Fifth and Thompson Streets and S. Division between William and Jefferson Streets for the William Street Bikeway Grand Opening on Sunday, October 27, 2019 from 12:00 Noon until 5:00 PM

Councilmember Ramlawi requested figures regarding the amount of expenditures relating to the marketing and promotion of this event.

DC-3 19-1885 Enactment No: R-19-462 Approved

Sponsors: Lumm, Ramlawi, Ackerman, Taylor, Eaton, Grand, Hayner and Bannister

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

Resolution Regarding Establishment of a City of Ann Arbor Marijuana Permitting, Oversight and Review Function and Body

DC-4 19-1887 Enactment No:

Sponsors: Griswold, Hayner, Bannister and Eaton

A motion was made by Councilmember Griswold, seconded by Councilmember Bannister, that the Resolution be approved.

Resolution Supporting the Environmental Protection Agency’s Active Involvement with the Gelman Site and Encouraging its Listing of the same as a “Superfund” Site

19-1887 Enactment No: Postponed

A motion was made by Councilmember Hayner, seconded by Councilmember Griswold, that the Resolution be postponed to the City Council and should be returned by 1/6/2020. On a voice vote, the Mayor declared the motion carried.

Resolution Supporting the Environmental Protection Agency’s Active Involvement with the Gelman Site and Encouraging its Listing of the same as a “Superfund” Site

DC-5 19-1934 Enactment No: R-19-463 Approved

Sponsors: Hayner, Ramlawi and Grand

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

Resolution to Appoint a Member to the Center of the City Task Force Filling a Vacancy (8 Votes Required)

DB Unfinished Business:

DB New Business - Boards and Commissions:

DS Unfinished Business - Staff:

DS New Business - Staff:

DS-1 19-1645 Enactment No: R-19-464 Approved

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

Resolution Authorizing Summary Publication of Ordinance No. 19-32 - An Ordinance to Amend Sections 5.15, 5.16, 5.19 and 5.37 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor to specify regulations of uses established by the Michigan Regulation and Taxation of Marihuana Act

E COMMUNICATIONS FROM THE CITY ATTORNEY

None.

F & G CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

Passed on consent agenda

A motion was made by Councilmember Ramlawi, seconded by Councilmember Nelson, 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 The following communications were referred as indicated:

- F-1 [19-1704](#) Farmers Market Operating Rules - Proposed Change to section 5. STALLS
- F-2 [19-1737](#) Robin Stephens - Resignation from the Human Rights Commission and Independent Community Police Oversight Commission
- F-3 [19-1768](#) Alex Perlman and John Ramsburgh - Resignations from the Greenbelt Advisory Commission
- F-4 [19-1847](#) Lorri Sipes - Resignation from the Center of the City Task Force

G The following minutes were received for filing:

- G-1 [19-0548](#) Council Administration Committee Meeting Minutes February 19, 2019
- G-2 [19-0617](#) Council Administration Committee Meeting Minutes February 25, 2019
- G-3 [19-0627](#) Council Administration Committee Meeting Minutes March 18th, 2019
- G-4 [19-1077](#) Council Policy Agenda Committee Meeting Minutes for April 23, 2019
- G-5 [19-1169](#) Design Review Board Meeting Minutes of May 8, 2019

- G-6** [19-1210](#) Council Administration Committee Minutes - May 14, 2019 and May 20, 2019

- G-7** [19-1277](#) Council Policy Agenda Committee Meeting Minutes of May 28, 2019

- G-8** [19-1318](#) Council Rules meeting minutes from June 25, 2019

- G-9** [19-1538](#) Historic District Commission Meeting Minutes of July 11, 2019

- G-10** [19-1572](#) Park Advisory Commission Meeting Minutes of June 18, 2019

- G-11** [19-1581](#) Council Administration Committee Minutes - June 17, 2019 and July 15, 2019

- G-12** [19-1675](#) City Planning Commission Meeting Minutes of August 20, 2019

- G-13** [19-1700](#) Greenbelt Advisory Commission Meeting Minutes of August 8, 2019

- G-14** [19-1702](#) Downtown Development Authority Board, Executive, Partnerships, Capital Improvements and Operations Committees Minutes of August 2019

- G-15** [19-1703](#) Downtown Area Citizens Advisory Council Meeting Minutes for September 3, 2019

- G-16** [19-1709](#) Airport Advisory Committee Minutes - July 17, 2019

- G-17** [19-1722](#) Historic District Commission Meeting Minutes of August 15, 2019

- G-18** [19-1741](#) Cable Communications Commission Meeting Minutes from May 1, 2019

- G-19** [19-1743](#) Human Rights Commission Meeting Minutes of August 14, 2019

- G-20** [19-1769](#) Downtown Development Authority Board, Partnerships, Capital Improvements, Operations, Finance and Executive Committees Minutes of April 2019
- G-21** [19-1805](#) Cable Commission Meeting Minutes of February 6, 2019
- G-22** [19-1822](#) City of Ann Arbor Employees' Retirement System Board meeting minutes of August 15, 2019
- G-23** [19-1823](#) Retiree Health Care Benefit Plan & Trust Board meeting minutes of August 15, 2019
- G-24** [19-1825](#) Ann Arbor Public Art Commission Meeting Minutes - August 2019
- G-25** [19-1828](#) Ann Arbor Area Transportation Authority Board Meeting Minutes of August 15, 2019
- G-26** [19-1840](#) Human Rights Commission Revised Minutes - August 14, 2019
- G-27** [19-1841](#) Commission on Disability Issues, June 2019 Meeting Minutes
- G-28** [19-1732](#) Center of the City Task Force Meeting Minutes September 4, 2019

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Kai Petainen, resident, spoke about the approval of the marijuana ordinances, as well as the potential for the developer of the defeated site plan to clear-cut the property.

Adam Oxmer spoke about the issues discussed at the 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 Ramlawi, seconded by Councilmember Nelson, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 12:40 a.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, OCTOBER 7, 2019 @ 7:00 P.M.

REPLAYS: WEDNESDAY, OCTOBER 9, 2019 @ 8:00 A.M. AND FRIDAY, OCTOBER 11, 2019 @ 8:00 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

Community Television Network Channel 16 live televised public meetings are also available to watch live online from CTN's website, www.a2gov.org/ctn <<http://www.a2gov.org/ctn>>, on "The Meeting Place" page (<http://www.a2gov.org/livemeetings>).

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

Live Web Streaming: <https://a2gov.org/watchctn>

Video on Demand: <https://a2ctn.viebit.com>

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

Videos are also available for a nominal fee by contacting CTN at (734) 794-6150.

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.