

Ann Arbor City Council Regular Session: April 3, 2023
Email Redactions List Pursuant to Council Resolution R-09-386

Sent Time	TO	From	CC	Redactions	Reason for Redaction
7:09 PM	Erica Briggs and Jenn Cornell	Alex Janke		Personal Contact Information	Privacy
7:01 PM	Erica Briggs and Jenn Cornell and Mayor Taylor	John Mouat		Personal Contact Information	Privacy

Alanis, Sarah

From: Disch, Lisa
Sent: Monday, April 3, 2023 7:15 PM
To: Higgins, Sara
Cc: Dohoney Jr., Milton;Delacourt, Derek;Lenart, Brett
Subject: Re: Late Agenda Question

Thank you very much!
Lisa

Lisa Disch | Ward One City Council Representative

City of Ann Arbor
301 E. Huron Street
Ann Arbor, MI 48107-8647

ldisch@a2gov.org | Watch City Council Live At: <https://www.a2gov.org/departments/communications/ctn/Pages/watch.aspx>

From: Higgins, Sara <SHiggins@a2gov.org>
Sent: Monday, April 3, 2023 5:44 PM
To: Disch, Lisa <LDisch@a2gov.org>
Cc: Dohoney Jr., Milton <MDohoney@a2gov.org>; Delacourt, Derek <DDelacourt@a2gov.org>; Lenart, Brett <BLenart@a2gov.org>
Subject: RE: Late Agenda Question

Hi, Councilmember Disch. Staff's response is below.

The average size of structures on Braun Court is 1,539 square feet. Based on recent sales of downtown residential homes staff estimates the price of these units at \$887,000 per structure on average.

Sara Higgins (she/her), **Director of Operations**

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From: Disch, Lisa <LDisch@a2gov.org>
Sent: Wednesday, March 29, 2023 12:26 PM
To: Higgins, Sara <SHiggins@a2gov.org>
Cc: Dohoney Jr., Milton <MDohoney@a2gov.org>
Subject: Late Agenda Question

Dear Ms. Higgins,

I can submit this through the RFI process if agenda questions are no longer being accepted.

Braun Ct: What is the square footage of the buildings on Braun Ct? Is it possible for the City Assessor and/or Planning Department to estimate what the price (or price range) per square foot would be if the existing structures were rehabilitated and sold as single-family homes within the next few years?

Thank you,
Lisa

Lisa Disch | Ward One City Council Representative
City of Ann Arbor
301 E. Huron Street
Ann Arbor, MI 48107-8647

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Alanis, Sarah

From: Alex Janke [REDACTED]
Sent: Monday, April 3, 2023 7:09 PM
To: Briggs, Erica;Cornell, Jenn
Subject: Re: adding a leading pedestrian interval at Summit and Main

Some people who received this message don't often get email from [REDACTED]. [Learn why this is important](#)

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Hi Ward 5 City Council Members,

I am reaching out to ask about the pedestrian signal and traffic light at the intersection of Summit and Main. I often walk one or both of our kids to and from our home on Fountain St to Alaina's Childcare Center in Kerrytown.

I know many of the signals in Ann Arbor have the 'leading pedestrian interval' – a pedestrian safety best practice. That crossing at Main St to get to my kids' school can be a bit nerve-wracking. **Can the city consider adding a leading pedestrian interval at the intersection of Summit and Main?**

Thank you,

-Alex Janke
Ward 5 Resident

Alanis, Sarah

From: john mouat [REDACTED]
Sent: Monday, April 3, 2023 7:01 PM
To: Briggs, Erica;Cornell, Jenn;Taylor, Christopher (Mayor);Lisa;John Mouat
Subject: Trash Ordinance and DTE

This message was sent from outside of the City of Ann Arbor. Please do not click links, open attachments, or follow directions unless you recognize the source of this email and know the content is safe.

Good Afternoon Erica and Jenn,

First of all, my wife, Lisa Snapp, and I want to thank you for your service to the City of Ann Arbor. We have two issues on which we seek your feedback.

Trash Ordinance

It is a normal practice of many on the Old West Side to put useful items on the curb for others to take; we are among those who view this as positive for both people and the planet, and are glad to live in a city where this type of neighborly exchange occurs. Last fall, on a dry, sunny day, we put various things out on our extension with a "free" sign, including a Weber grill, bird bath, dog carrier, roll of lawn edging, garden stakes, children's sandbox toys, a working vacuum with attachments, plant pots and stands. We were happy to see many of the items being taken; any that were not taken would have been removed within a day or two and donated.

Much to our surprise, we were issued a Notice of Code Violation, with references to both Litter and Trash. In the notes, it reads "**Animal cage, metal stands, wood pieces, pots, metal grass edging, pots, vacuum and other misc items on lawn extension.**" It was unfortunate that the notice was taped to the front door, since we were right around the corner of the house working outside, and would have welcomed a chance to speak with the officer to understand the concern. We immediately called the number on the ticket to better understand the violation, and were told that items could not be on the extension, as "it belongs to the city." Right away (and well within 24 hours), we moved the items into our front yard, believing that the material being in the extension was the issue (both as written on the ticket and in the phone call). The items were arranged neatly, with a prominent "free" sign, and the weather remained dry and warm.

The next day, again to our surprise, we were issued a Citation referencing Chapter 26 Section 2:12 Solid Waste. We responded with a written explanation that we had understood we were complying by moving the items to our front yard; nevertheless, on 6/6/2023, a Judgement was served, ordering us to pay \$175. We have since withdrawn our admission/explanation and are scheduled to appear before the magistrate on 4/12/2023.

In our research of the City Ordinances, we find the following:

2:12. - Illegal storage of solid waste.

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(a)

No person shall store solid waste or solid waste containers on property except at locations as permitted by this chapter or regulations implementing this chapter. No person shall permit solid waste or solid waste containers to remain on or in the right-of-way adjacent to the property in violation of this section.

This section does not define "solid waste," so we refer to Section 2.1 Definitions for clarification. We find no definition of either trash or litter in this section, but do find:

(26)

Rubbish means miscellaneous nonputrescible waste material resulting from housekeeping and ordinary mercantile enterprises, including paper, cardboard, metal containers, crockery, plastic, rubber, building materials, and bulk items. It does not include hazardous waste or other prohibited materials.

(27)

Solid waste means refuse, rubbish, recyclables, and compostables discarded by residents and commercial establishments and which qualifies for removal by the City of Ann Arbor. It does not include hazardous material or other prohibited materials. Solid waste includes construction and demolition waste only in quantities able to be disposed of in containers provided for removal by the City of Ann Arbor.

In a search of the ordinances for a definition of "Trash" or "Litter" we find:

9:8. - Trash accumulation; definitions.

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The following definitions shall apply in this chapter:

(1)

"*Trash*" means refuse, garbage and rubbish as those terms are defined in [Chapter 26](#), as well as scrap materials, including, but not limited to, wrecked or scrapped vehicles, rags, paper products, scrap metal, used appliances, scrap plumbing supplies, or parts of any of the foregoing or similar property.

So, "trash" refers to "refuse, garbage, and rubbish". A search of Chapter 26 Definitions gives us these definitions:

(16)

Garbage means all putrescible food wastes such as animal, fish, fowl, fruit or vegetable matter incident to the use, preparation and storage of food for human consumption. It also includes paper or containers containing these wastes except as excluded by solid waste regulations. It does not include prohibited materials specified in [section 2:5](#) or in the solid waste regulations.

(25)

Refuse means all rubbish and garbage which is not deemed recyclable or compostable as defined in this chapter or by the solid waste regulations. It does not include hazardous material or other prohibited materials.

(26)

Rubbish means miscellaneous nonputrescible waste material resulting from housekeeping and ordinary mercantile enterprises, including paper, cardboard, metal containers, crockery, plastic, rubber, building materials, and bulk items. It does not include hazardous waste or other prohibited materials.

Based on all this, we are very surprised to be fined \$175 for giving useful items away to our neighbors and community. We have lived in our house for 32 years, and have put out items over time that total in value many hundreds, if not thousands, of dollars; we see others doing the same, and appreciate the practice. In our conversations with neighbors, we find high levels of support for doing so; many have tales of great items they have scored, and happiness at seeing their things being given a second chance, without the hassle of managing a posting or hauling things away.

Considering that the City has ambitious plans for sustainability, it seems inconsistent with that important goal for citizens to be penalized for sharing items for repurposing, if done thoughtfully (e.g., good weather, short duration). We hope that Ann Arbor continues to be a place that allows this type of neighborly exchange that keeps items from the solid waste stream.

We would appreciate your providing us with your interpretation of the intent of the ordinances pertaining to this issue before the appearance before the magistrate of April 12th.

DTE

Our yard at 719 West Washington has an approximately 300 ft side property line, with power lines running the full length. There are a number of trees along the property line that have been there since we bought the house in 1991. Periodically, DTE contractors have come onto our property to trim trees to the specified 10 ft from power lines. Over the years, they have done considerable damage to our yard; therefore, this last fall, we withheld permission for them to come onto our property until we could meet with a supervisor; they understood at that time that, until such a meeting, they would need to access the lines from adjacent properties. Nonetheless, it became apparent a week later that they, indeed, had come onto our property without permission and, in the process, not only topped trees beyond the 10 ft guideline but also tore out some shrubs, trampled gardens, and left logs and branches that we had to deal with. In doing an extensive search of our title work and city records, we find no record of an easement or right-of-way. We would like to know the City's policy towards land rights, access to utilities, and trespassing.

Thanks again for your good work on behalf of the community,
Lisa Snapp and John Mouat