

# City of Ann Arbor

301 E. Huron St.

Ann Arbor, MI 48104

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



## Meeting Minutes

Monday, July 16, 2018

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 7:01 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**

*Councilmember Smith arrived at 7:03 p.m.*

**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 Krapohl, seconded by Councilmember Warpehoski, that the Agenda be approved as presented. On a voice vote, the Mayor declared the motion carried.**

**AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR**

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

*Thank you to Fire Inspector Ira Harrison and Police Officer Travis Kellar for their attendance at tonight's meeting.*

*The Nixon Corridor traffic study has been extended until July 29. He encouraged residents to participate.*

*Mr. Lazarus urged residents to submit applications for the City's tree*

*survey of the biggest trees of each species in the City of Ann Arbor.*

*Copies of the written reports are on file in the City Clerk's Office.*

**AC-1**     [18-1237](#)     Response to City Council Action R-18-276: Resolution to Direct City to Assess and Monitor Extent of Gypsy Moth Infestation and Develop Treatment Plan and Budget

**Received and Filed**

**AC-2**     [18-1275](#)     Unified Development Code - Comparison Overview - July 15, 2018

**Received and Filed**

**AC-3**     [18-1269](#)     Agenda Response Memo and eComments - July 16, 2018

**Received and Filed**

**AC-4**     [18-1270](#)     City Administrator's Report - July 16, 2018

**Received and Filed**

**INT**     **INTRODUCTIONS**

*None.*

**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.     Blaine Coleman - Boycott Israel**

*Blaine Coleman, PO Box 7030, addressed Council requesting a boycott of Israel.*

**2.     Mozhgan Savabieasfahani - Boycott Israel**

*Mozhgan Savabieasfahani, PO Box 7030, addressed Council urging a boycott of Israel.*

**3. Peter Eckstein - Lane Restriction on Roads**

*Peter Eckstein, 2551 Londonderry, expressed concern about the City's plan to reduce the number of lanes on the City's major streets, including Huron Parkway. He stated there are other ways to improve safety without increasing traffic congestion.*

**4. Kathy Stroud - Seven Roundabouts/Nixon Road**

*Kathy Stroud, resident, spoke in opposition to the City's proposal to add seven roundabouts to Nixon Road, stating it is a quality of life issue.*

**5. Kathy Griswold - Public Engagement**

*Kathy Griswold, 3565 Foxhunt Drive, spoke about public engagement and her concern that the public is being shut out of public policy decisions.*

**6. Paul Barry - Changes in Water Rates / Uncontrolled Spending by City Council**

*Paul Barry, 329 Foxway, spoke in opposition to the City's recent water rate increase.*

**7. Miriam Gleckman-Krut - Police Oversight**

*Miriam Gleckman-Krut, 121 Fieldcrest, a member of Transforming Justice Washtenaw, spoke about the Police Oversight Task Force work.*

**CC COMMUNICATIONS FROM COUNCIL****COUNCILMEMBER KAILASAPATHY**

*Councilmember Kailasapathy spoke about the sale of the Ann Arbor Community Center to a private entity. She stated the Center was originally acquired in the 1950s by the Community Center for \$1. She stated she and the community have concerns about this sale.*

**COUNCILMEMBER WESTPHAL**

*Councilmember Westphal addressed a public comment about the lane reduction on Maple Road. He stated the change was part of the non-motorized plan and did include public hearings and a public process.*

COUNCILMEMBER LUMM

*Councilmember Lumm addressed a public speaker's comments regarding the Nixon Road Corridor and the public study that is ongoing.*

COUNCILMEMBER ACKERMAN

*Councilmember Ackerman addressed the sale of the Ann Arbor Community Center and its history as a non-profit organization in the City.*

- CC-1**     [18-1182](#)     Resolution to Appoint Stephen Brown to the Environmental Commission
- Councilmember Smith introduced the Resolution to Appoint Stephen Brown to the Environmental Commission, for approval at a later date.*
- Referred to the City Council due back on 8/9/2018**

**MC**     **COMMUNICATIONS FROM THE MAYOR**

- MC-1**     [18-1153](#)     Appointments and Nominations
- Mayor Taylor presented the following nomination for approval at a later date:*
- Downtown Development Authority*
- Tyler Kinley-Resident of the DDA District  
Real Estate Management & Development  
201 S. 1st St.  
Ann Arbor, MI 48104*
- Term: Ending May 31, 2022*
- Referred to the City Council due back on 8/9/2018**

**CA**     **CONSENT AGENDA**

Passed on consent agenda

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

**Councilmember Lumm, 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-9 and CA-10.**

**CA-1     18-1139     Enactment No:     R-18-280     **Approved****

**Approved**

Resolution Recognizing Theatre Guild Booster Club as a Civic Nonprofit Organization Operating in Ann Arbor for the Purpose of Obtaining a Charitable Gaming License

**CA-2     18-0801     Enactment No:     R-18-281     **Approved****

Resolution to Approve Purchase of VMware Licensing and Support from CDW Government LLC (\$83,743.73)

**CA-3     18-1119     Enactment No:     R-18-282     **Approved****

Resolution to Approve a Purchase Order for Annual Maintenance and Support of TRAKiT System to Superior, LLC for FY2019 (\$46,321.93)

**CA-4     18-1042     Enactment No:     R-18-283     **Approved****

Resolution to Approve Amendment No. 2 to the Professional Services Agreement with Fishbeck, Thompson, Carr & Huber, Inc., for Water Treatment Professional Engineering Services (\$200,000.00)

**CA-5     18-1114     Enactment No:     R-18-284     **Approved****

Resolution to Approve Amendment Number 1 to Contract with The Ecology Center, Inc. for In-School Recycling Education (\$97,598.00 for year four; \$100,526.00 for year five)

**CA-6     18-1115     Enactment No:     R-18-285     **Approved****

Resolution to Approve Amendment Number 1 to Contract with The Ecology Center Inc., for MRF Education Center Tours (\$7,582.12/year six, \$7,809.58/year seven)

**CA-7     18-1116     Enactment No:     R-18-286     **Approved****

Resolution to Approve Changes to Traffic Patterns and Parking on Certain City Streets for the 2018 University of Michigan Student Move-In Program from August 29 - August 31, 2018

**CA-8      18-1121      Enactment No:      R-18-287      **Approved****

Resolution to Approve Amendment No. 1 to the Agreement with Washtenaw County Community Mental Health to provide Mental Health Treatment Services to Mental Health Court Defendants (\$19,150.00 amendment; \$ 85,353.00 total contract)

**CA-9      18-1154      Enactment No:      R-18-288      **Approved****

Resolution to Approve Amendment Number One to the Agreement with Morris & McDaniel, Inc. for Fire Services Promotional Testing Services (\$32,983.98) **(8 Votes Required)**

**CA-10      18-1108      Enactment No:      R-18-289      **Approved****

Resolution to Increase 3 FTE's in the FY19 Budget **(8 Votes Required)**

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

**PH-1      [18-0377](#)** An Ordinance to Amend Sections 5:1 and 5:10.4 of Chapter 55 (Zoning) of the Code of the City of Ann Arbor to Modify the Definition of Fraternity or Sorority House and Amend Corresponding Special Exception Use Standards (Ordinance No. ORD-18-06)

*A public hearing was continued on the proposed Ordinance to Amend Sections 5:1 and 5:10.4 of Chapter 55 (Zoning) of the Code of the City of Ann Arbor to Modify the Definition of Fraternity or Sorority House and Amend Corresponding Special Exception Use Standards (Ordinance No. ORD-18-06). Notice of public hearing was published April 9, June 14, and July 9, 2018.*

*The following persons were present to speak at the hearing:*

*Ann Schriber, 2116 Dorset, spoke in support for the proposed ordinance and urged Council to support the original ordinance as proposed.*

*Marc Gerstein, 1321 Forest, spoke in support of the proposed ordinance.*

*Paul Morel, 703 Berkshire, spoke in support of the proposed ordinance.*

*Gary Supanach, 1307 S. Forest, spoke in support of the ordinance and stated the City needs to start enforcing nuisance issues.*

*Karen Coulter, 1819 Hill Street, spoke in support of the proposed ordinance.*

*Dan Maher, alumni Chapter advisor at 1705 Hill, spoke in opposition to the ordinance as proposed and asked to work with the City on this issue*

*before an ordinance is approved.*

*The advisor to Chi Psi fraternity at 620 S. State spoke in opposition.*

*The Chapter alumni President of Delta Upsilon spoke in opposition.*

*An advisor for Alpha Sigma Phi at 920 Baldwin spoke in opposition, stating the impacts of this proposal to the property owners.*

*Ginny Morgan, alumni of the Alpha Gamma Delta chapter at 1322 Hill, spoke in opposition to the proposed ordinance.*

*Miriam Gleckman-Krut, resident, corrected a speaker regarding his comments about a student's death.*

*A resident of Oxford Road spoke in support of the proposed ordinance.*

*Ellen Ramsburgh, 1503 Cambridge, spoke in support of the proposed ordinance.*

*Peter Nagourney, 914 Lincoln, spoke in support.*

*The advisor of Alpha Phi sorority spoke in opposition.*

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

#### **Held and Closed**

- PH-2**      **18-0446**      An Ordinance to Repeal Sections 4:16 through 4:20 and Section 4:30 of Chapter 47 (Streets and Curb Cuts) of Title IV; and Chapter 55 (Zoning), Chapter 56 (Prohibited Land Uses), Chapter 57 (Subdivision and Land Use Control), Chapter 59 (Off-Street Parking), Chapter 60 (Wetlands), Chapter 61 (Signs and Outdoor Advertising), Chapter 62 (Landscaping and Screening), Chapter 63 (Soil Erosion and Sedimentation Control), of Title V; and Chapter 104 (Fences) of Title VIII of the Code of the City of Ann Arbor and to Amend the Code of the City of Ann Arbor with a New Chapter 55 (Unified Development Code) of Title V of Said Code (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-18-08)

*A public hearing was continued on the proposed Ordinance to Repeal Sections 4:16 through 4:20 and Section 4:30 of Chapter 47 (Streets and Curb Cuts) of Title IV; and Chapter 55 (Zoning), Chapter 56 (Prohibited Land Uses), Chapter 57 (Subdivision and Land Use Control), Chapter 59 (Off-Street Parking), Chapter 60 (Wetlands), Chapter 61 (Signs and Outdoor Advertising), Chapter 62 (Landscaping and Screening), Chapter 63 (Soil Erosion and Sedimentation Control), of Title V; and Chapter 104 (Fences) of Title VIII of the Code of the City of Ann Arbor and to Amend the Code of the City of Ann Arbor with a New Chapter 55 (Unified Development Code) of Title V of Said Code. Notice of public hearing was published April 23, 2018 and July 9, 2018.*

*The following persons were present to speak at the hearing:*

*Ethel Potts, 1014 Elder Blvd., spoke in opposition and raised concerns about the legality of the notice.*

*Ellen Ramsburgh, 1503 Cambridge, spoke in opposition and noted that there are several errors in the proposed ordinance.*

*Tom Stulberg, 1202 Traver Street, spoke in opposition, stating the proposed ordinance is not ready.*

*Michael Benson, Ann Arbor, expressed concern about some of the errors and omissions in the proposed ordinance.*

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

#### **Held and Closed**

- PH-3**      [18-0450](#)      An Ordinance to Amend Sections 1:4 and 1:17 of Chapter 1 (Adoption, Contents and Interpretation) and Sections 1:191 and 1:239 of Chapter 8 (Organization of Boards and Commissions) of Title I; Section 2:5 of Chapter 26 (Solid Waste Management), Section 2:69 of Chapter 29 (Water, Sewer and Stormwater Rates), and Section 2:211 of Chapter 33 (Stormwater System) of Title II; Section 7:414 of Chapter 94 (Junk Yards) of Title VII; Section 8:509 of Chapter 105 (Housing Code) of Title VIII; Section 9:42 of Chapter 107 (Animals), Section 9:79 of Chapter 109 (Liquor), and Section 9:366 of Chapter 119 (Noise Control) of Title IX; and Section 10:63 of Chapter 126 (Traffic) of Title X of the Code of the City of Ann Arbor (Ordinance No. ORD-18-09)

*A public hearing was continued on the proposed Ordinance to Amend Sections 1:4 and 1:17 of Chapter 1 (Adoption, Contents and Interpretation) and Sections 1:191 and 1:239 of Chapter 8 (Organization of Boards and Commissions) of Title I; Section 2:5 of Chapter 26 (Solid Waste Management), Section 2:69 of Chapter 29 (Water, Sewer and Stormwater Rates), and Section 2:211 of Chapter 33 (Stormwater System) of Title II; Section 7:414 of Chapter 94 (Junk Yards) of Title VII; Section 8:509 of Chapter 105 (Housing Code) of Title VIII; Section 9:42 of Chapter 107 (Animals), Section 9:79 of Chapter 109 (Liquor), and Section 9:366 of Chapter 119 (Noise Control) of Title IX; and Section 10:63 of Chapter 126 (Traffic) of Title X of the Code of the City of Ann Arbor (Ordinance No. ORD-18-09). Notice of public hearing was published April 23, 2018 and July 9, 2018.*

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

#### **Held and Closed**



*The following persons spoke in opposition to the proposed Resolution:*

*Deborah Katz, 605 Skydale, spoke in opposition, stating the proposal is not appropriate for the area.*

*Rebecca Arends, 2787 Arrowwood*

*Ed Dawson, 473 Skydale*

*Laura Strowe, 1327 Broadway*

*A former resident on Hilldale*

*A resident near the proposed development requested a traffic study be conducted.*

*Ron Ginyard, Ward 1 Council candidate*

*Cloyd Peters, 355 Skydale*

*Jan Adams-Watson, 1824 Pontiac Trail, stated there are quality of life and safety issues with this proposal.*

*Larry Davis, 1504 Broadway*

*Ryan Hughes, resident*

*Sandra Wiley, 2920 N. Knightsbridge, expressed concern about traffic.*

*Hank Greenspan, 369 Hilldale*

*David Steinberg, 1425 Pontiac*

*Tracy Jensen, 3033 Lake Haven*

*Ralph Katz, 605 Skydale*

*A resident at 709 Indianola*

*A local planner who spoke in opposition to an out-of-town developer.*

*Rachel Young, 445 Skydale, expressed concern about increased traffic and the safety of schoolchildren.*

*Cristy Starkweather, 460 Larkspur*

*The owner of 2387 Hilldale*

*Karen Johnson, 333 Skydale, expressed concern about noise and setbacks.*

*Erin Bigelow, 320 Larkspur*

*Ann Broderick, 396 Cloverdale*

*The resident of 1827 Pontiac*

*Patrick Bigelow, 320 Larkspur, stated the developer has been unwilling to work with the neighbors.*

*Karl Grosh, 836 Brookside*

*An unidentified resident*

*Pat O'Connell, 311 Manor, sang a song in opposition.*

*John Smith, 466 Skydale*

*Joan O'Connell, 311 Manor*

*Tom Stulberg, 1202 Traver*

*Ken Clark, 497 Larkspur, stated there is no plan for transit or bike storage.*

*Aida McGugan, 333 Hilldale*

*Tom Taylor, 324 Hilldale, expressed concern about traffic on Barton Drive*

*and Pontiac Trail.  
Josh Goldblatt, 1827 Pontiac  
Ken Garber, 2387 Hilldale*

*Representatives of the developer were present to speak:*

*A representative of Trinitas Development spoke about the project and the process for approval. He spoke about the benefits of the project and stated his project meets the City's planning and zoning requirements.*

*Timothy Stoepker, representing the developer, addressed concerns about parking. He stated they would also be willing to reduce the number of 5 and 6 bedrooms proposed.*

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

#### **RECESS**

*Mayor Taylor called a recess at 9:59 p.m. and reconvened the meeting at 10:19 p.m.*

#### **OPEN THE AGENDA**

*A motion was made by Councilmember Grand, seconded by Councilmember Ackerman, that the Agenda be Reopened. On a voice vote, the Mayor declared the motion carried and the Agenda reopened.*

*Councilmember Ackerman moved, seconded by Councilmember Grand, that DB-1 be considered after A-1 and B-1 be considered after B-3. On a voice vote, the Mayor declared the motion carried and the Agenda amended.*

#### **A APPROVAL OF COUNCIL MINUTES**

**A-1**      [18-1171](#)      Regular Session Meeting Minutes of July 2, 2018

**A motion was made by Councilmember Ackerman, seconded by Councilmember Westphal, that the Regular Session Meeting Minutes of July 2, 2018 be approved as presented. On a voice vote, the Mayor declared the motion carried.**

#### **B ORDINANCES - SECOND READING**

**DB-1 18-0807 Enactment No:**

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

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

**18-0807 Enactment No:**

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

*A motion was made by Councilmember Smith, seconded by Councilmember Krapohl, that the Resolution be postponed until September 17, 2018. (Motion withdrawn.)*

*A motion was made by Councilmember Ackerman, seconded by Councilmember Kailasapathy, that the Resolution be referred to the City Planning Commission.*

**RECESS**

*Mayor Taylor declared a recess at 10:52 p.m. and reconvened the meeting at 11:04 p.m.*

**18-0807 Enactment No:****Postponed**

**A motion was made by Councilmember Ackerman, seconded by Councilmember Grand, that the Resolution be postponed to the City Council and should be returned by 9/17/2018. On a voice vote, the Mayor declared the motion carried.**

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

**B Unfinished Business - Staff:**

- B-2**      [18-0446](#)      An Ordinance to Repeal Sections 4:16 through 4:20 and Section 4:30 of Chapter 47 (Streets and Curb Cuts) of Title IV; and Chapter 55 (Zoning), Chapter 56 (Prohibited Land Uses), Chapter 57 (Subdivision and Land Use Control), Chapter 59 (Off-Street Parking), Chapter 60 (Wetlands), Chapter 61 (Signs and Outdoor Advertising), Chapter 62 (Landscaping and Screening), Chapter 63 (Soil Erosion and Sedimentation Control), of Title V; and Chapter 104 (Fences) of Title VIII of the Code of the City of Ann Arbor and to Amend the Code of the City of Ann Arbor with a New Chapter 55 (Unified Development Code) of Title V of Said Code (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-18-08)

*(The complete copy of the text of Ordinance No. ORD-18-08 is on file in the City Clerk's Office.)*

*It was considered friendly by the Body to consider the substitute Attachment for Second Reading.*

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

- B-3**      [18-0450](#)      An Ordinance to Amend Sections 1:4 and 1:17 of Chapter 1 (Adoption, Contents and Interpretation) and Sections 1:191 and 1:239 of Chapter 8 (Organization of Boards and Commissions) of Title I; Section 2:5 of Chapter 26 (Solid Waste Management), Section 2:69 of Chapter 29 (Water, Sewer and Stormwater Rates), and Section 2:211 of Chapter 33 (Stormwater System) of Title II; Section 7:414 of Chapter 94 (Junk Yards) of Title VII; Section 8:509 of Chapter 105 (Housing Code) of Title VIII; Section 9:42 of Chapter 107 (Animals), Section 9:79 of Chapter 109 (Liquor), and Section 9:366 of Chapter 119 (Noise Control) of Title IX; and Section 10:63 of Chapter 126 (Traffic) of Title X of the Code of the City of Ann Arbor (Ordinance No. ORD-18-09)

*(The complete copy of the text of Ordinance No. ORD-18-09 is on file in the City Clerk's Office.)*

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

- B-1**      [18-0377](#)      An Ordinance to Amend Sections 5:1 and 5:10.4 of Chapter 55 (Zoning) of the Code of the City of Ann Arbor to Modify the Definition of Fraternity or

Sorority House and Amend Corresponding Special Exception Use Standards (Ordinance No. ORD-18-06)

*(The complete copy of the text of Ordinance No. ORD-18-06 is on file in the City Clerk's Office.)*

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

*Councilmember Ackerman moved to consider the substitute ordinance in the new UDC format. The motion was supported by Councilmember Westphal and was considered friendly by the Body.*

**Amended**

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

**B New Business - Staff:**

- B-4**      [18-0902](#)      An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.34 Acre from TWP (Township District) to R1C (Single-Family Dwelling District), Maxey Property, 2955 & 2965 Kimberley, (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-18-16)

*(The complete copy of the text of Ordinance No. ORD-18-16 is on file in the City Clerk's Office.)*

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

- B-5**      [18-0904](#)      An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 1.05 Acres from TWP (Township District) to R1A (Single Family Dwelling District), Malooley-Gordon, 2410 Newport Road (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-18-18)

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

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

carried.

**C ORDINANCES - FIRST READING**

**C New Business - Staff:**

- C-1**      [18-1124](#)    An Ordinance to Amend Section 5.29.4 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Special Exception Use as a Type I Citizen Participation Application) (Ordinance No. ORD-18-20)

*(The complete copy of the text of Ordinance No. ORD-18-20 is on file in the City Clerk's Office.)*

**A motion was made by Councilmember Ackerman, seconded by Councilmember Westphal, that the Ordinance be approved on First Reading to the City Council and should be returned by 8/23/2018. On a voice vote, the Mayor declared the motion carried.**

Enactment No: ORD-18-20

- C-2**      [18-1125](#)    An Ordinance to Amend Section 5.17.3G of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Medical Marijuana Provisioning Center Location Restriction) (Ordinance No. ORD-18-21)

*(The complete copy of the text of Ordinance No. ORD-18-21 is on file in the City Clerk's Office.)*

**A motion was made by Councilmember Lumm, seconded by Councilmember Ackerman, that the Ordinance be approved on First Reading.**

*Councilmember Lumm moved the following amendment, supported by Councilmember Westphal:*

*Existing language: No lot containing a MM provisioning Center, Grower, or Processor shall be located within 1,000 feet of a lot on which a Public School or Private School, but excluding dance or art schools, is located.*

**FOR ANY MEDICAL MARIJUANA PROVISIONING CENTER FOR WHICH A SPECIAL EXCEPTION USE PERMIT HAS BEEN GRANTED PRIOR TO SEPTEMBER 30, 2018, NO Lot containing a Medical Marijuana Provisioning Center, Grower, or Processor shall be located within 1,000 feet of a Lot on which a Public School or Private School, but**

*excluding dance or art schools, is located. ANY OTHER MEDICAL MARIJUANA PROVISIONING CENTER, GROWER, OR PROCESSOR SHALL NOT BE LOCATED ON A LOT THAT IS WITHIN 1,000 FEET OF A LOT ON WHICH ONE OF THE FOLLOWING IS LOCATED: A PUBLIC SCHOOL, A PRIVATE SCHOOL, A CHILD CARE CENTER OR GROUP CHILD CARE HOME AS DEFINED IN MCL 722.111 ET. SEQ., OR A YOUTH CENTER WHICH IS DEFINED AS ANY INDOOR PUBLIC OR PRIVATE FACILITY, OTHER THAN A DWELLING UNIT, WHICH CONTAINS PROGRAMS THAT PROVIDE, ON A REGULAR BASIS, ACTIVITIES OR SERVICES FOR PERSONS UNDER THE AGE OF 18 (SUCH AS AFTER-SCHOOL PROGRAMS, COUNSELING, TUTORIAL, CULTURAL, OR RECREATIONAL ACTIVITIES).*

*ALL CAPS INDICATE NEW LANGUAGE.*

*Following further discussion, the amendment was further amended as follows (remove language about Youth Centers):*

*FOR ANY MEDICAL MARIJUANA PROVISIONING CENTER FOR WHICH A SPECIAL EXCEPTION USE PERMIT HAS BEEN GRANTED PRIOR TO SEPTEMBER 30, 2018, NO Lot containing a Medical Marijuana Provisioning Center, Grower, or Processor shall be located within 1,000 feet of a Lot on which a Public School or Private School, but excluding dance or art schools, is located. ANY OTHER MEDICAL MARIJUANA PROVISIONING CENTER, GROWER, OR PROCESSOR SHALL NOT BE LOCATED ON A LOT THAT IS WITHIN 1,000 FEET OF A LOT ON WHICH ONE OF THE FOLLOWING IS LOCATED: A PUBLIC SCHOOL, A PRIVATE SCHOOL, A CHILD CARE CENTER OR GROUP CHILD CARE HOME AS DEFINED IN MCL 722.111 ET. SEQ.,*

*The amendment to the amendment was considered friendly.*

*The amendment as amended was considered friendly.*

*Council requested staff to study the possible impacts of this language by Second Reading.*

**Amended**

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

**Change Special Exception Use Permit date from September 30 to October 31.**

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

**Yeas:** 9 - Councilmember Kailasapathy, Councilmember Warpehoski, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Krapohl, Councilmember Westphal, Councilmember Smith and Councilmember Bannister

**Nays:** 2 - Councilmember Lumm and Councilmember Ackerman

**The question being, a motion made by Councilmember Lumm, seconded by Councilmember Ackerman, that the Ordinance be approved as amended on First Reading to the City Council and should be returned by 8/23/2018, on a voice vote, the Mayor declared the motion carried.**

Enactment No: ORD-18-21

**C-3**      [18-1130](#)      An Ordinance to Amend Section 5.15 (Table 5-15) and Section 5.37.2 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Marijuana-Infused Product Processor) (Ordinance No. ORD-18-22)

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

**A motion was made by Councilmember Ackerman, seconded by Councilmember Westphal, that the Ordinance be approved on First Reading to the City Council and should be returned by 8/23/2018. On a voice vote, the Mayor declared the motion carried.**

Enactment No: ORD-18-22

**D      MOTIONS AND RESOLUTIONS**

**DC      Unfinished Business - Council:**

**DC-1      18-1113      Enactment No:      R-18-290      Approved**

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

**voice vote, the Mayor declared the motion carried.**

Resolution to Reappoint Robert Gordon to the Greenbelt Advisory Commission

**DC New Business - Council:**

**DC-2 18-1174 Enactment No: R-18-291 Approved**

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

Resolution to Support One Community Initiative and Ongoing Equity Work

**DC-3 18-1183 Enactment No: R-18-292 Approved**

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

Resolution to Order Election, Approve Charter Amendment of the Ann Arbor City Charter Section for Filling Vacancies in Elective Offices And Determine The Ballot Language for This Amendment (**7 Votes Required**)

**DC-4 18-1202 Enactment No: R-18-293 Approved**

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

Resolution to Appoint a Task Force to Review Policies and Procedures for Special Events

**DC-5 18-1224 Enactment No: R-18-294 Approved**

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

Resolution to Direct Planning Commission to Evaluate Design Review Process for Downtown Buildings

**DC-6 18-1235 Enactment No: R-18-295 Approved**

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

**Councilmember Westphal, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**

Resolution Authorizing Summary Publication of Ordinance No. 18-08 - An Ordinance to Repeal Sections 4:16 through 4:20 and Section 4:30 of Chapter 47 (Streets and Curb Cuts) of Title IV; and Chapter 55 (Zoning), Chapter 56 (Prohibited Land Uses), Chapter 57 (Subdivision and Land Use Control), Chapter 59 (Off-Street Parking), Chapter 60 (Wetlands), Chapter 61 (Signs and Outdoor Advertising), Chapter 62 (Landscaping and Screening), Chapter 63 (Soil Erosion and Sedimentation Control), of Title V; and Chapter 104 (Fences) of Title VIII of the Code of the City of Ann Arbor and (Unified Development Code) of Title V of Said Code (CPC Recommendation: Approval

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

**DS New Business - Staff:**

#### **OPEN THE AGENDA**

*Councilmember Smith moved, seconded by Councilmember Krapohl, to re-open the Agenda. On a voice vote, the Mayor declared the motion carried.*

*Councilmember Smith moved, seconded by Councilmember Krapohl, to add DS-1 to the agenda, Summary publication of ORD No. 18-06. On a voice vote, the Mayor declared the motion carried.*

**18-1279 Enactment No: R-18-296 Approved**

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

Resolution Authorizing Summary Publication of Ordinance No. 18-06 - an Ordinance to Amend Sections 5.16.1.E and 5.37.2 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor

**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 Grand, that the Clerk's Report of Communications, Petitions, and Referrals be approved as presented. On a voice vote, the Mayor declared the motion carried.**

- F-1**     [18-1078](#)   Transportation Commission Recommendation for A Vision Zero Transportation Plan Update
- F-2**     [18-1143](#)   Rick Ratliff Notice of Resignation from the Human Rights Commission
- F-3**     [18-1169](#)   Communication from the State of Michigan Public Service Commission regarding Public Hearing Notice to Customers of DTE Electric Company in Case No. U-2029, scheduled for July 17, 2018 - City Attorney, Energy, Systems Planning
- F-4**     [18-1170](#)   Communication from the Department of Licensing and Regulatory Affairs Bureau of Construction Codes regarding Notice of Public Hearing - Part 8. Electrical Rules (ORR#2017-001LR) Scheduled for August 10, 2018 - Planning and Development Services
- F-5**     [18-1205](#)   Communication from Green Baxter Resident Council President Expressing Concerns with the Construction of Bus Stop on Green and Baxter Roads
- F-6**     [18-1231](#)   Communication from the State of Michigan Public Service Communication from the State of Michigan Public Service Commission regarding Public Hearing Notice to Customers of DTE Electric Company in Case No. U-20162, scheduled for July 25, 2018 - City Attorney, Energy (Systems Planning, City Attorney)

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

- G-1**     [18-0868](#)   Transportation Commission Meeting Minutes of May 9, 2018
- G-2**     [18-1136](#)   Employees' Retirement System Board Meeting Minutes of May 17, 2018

- G-3**      [18-1137](#)      Retiree Health Care Benefit Plan & Trust Board Meeting Minutes of May 17, 2018

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

*Kai Petainen, Ward Two resident, spoke about the importance of elections and voting.*

*Elizabeth Joffe, representing a local sorority, expressed her disappointment regarding the recently adopted ordinance regulating fraternity and sorority houses.*

*Michael Benson thanked Councilmember Eaton for the proposed Charter amendment regarding filling vacancies. He also spoke about the fraternity house ordinance and how enforcement will take place, noting that there are other nuisance problems around campus besides the organized Greek houses.*

*An unidentified speaker addressed the recent public meeting that was held regarding the SEU ordinance.*

**COMMUNICATIONS FROM COUNCIL**

**COUNCILMEMBER WARPEHOSKI**

*Councilmember Warpehoski spoke about traffic speeds on local and major roads.*

**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 Grand, seconded by Councilmember Ackerman, that the Council enter into Closed Session under the Michigan Open Meetings Act to discuss Pending Litigation (Bannister v. City of Ann Arbor and Felch, LLC v. City of Ann Arbor) 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 1:17 a.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 Eaton, seconded by Councilmember Bannister, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened in Open Session at 1:37 a.m.**

#### **ADJOURNMENT**

**A motion was made by Councilmember Grand, seconded by Councilmember Westphal, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 1:38 a.m.**

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

**LIVE: MONDAY, JULY 16, 2018 @ 7:00 P.M.**

**REPLAYS: WEDNESDAY, JULY 18, 2018 @ 8:00 A.M. AND FRIDAY, JULY 20, 2018 @ 8:00 P.M.**

#### **REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE**

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

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

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

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

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

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

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