

City of Ann Arbor

301 E. Huron St.

Ann Arbor, MI 48104

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



Meeting Minutes - Final

Monday, July 1, 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 7:01 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

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

A motion was made by Councilmember Lumm, seconded by Councilmember Nelson, that the Agenda be approved as presented. On a voice vote, the Mayor declared the motion carried.

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

Assistant City Administrator John Fournier submitted the following reports for information of Council and made the following announcements:

Mr. Fournier reminded residents of laws regarding fireworks and urged the community to have a safe and happy Fourth of July.

Mr. Fournier announced that today, July 1, was the start of the City's fiscal year.

Mr. Fournier announced that City Clerk Jacqueline Beaudry was awarded the 2019 City Clerk of the Year by the Michigan Association of Municipal Clerks. Mayor Taylor, State Representative Yousef Rabhi and State Representative Rebekah Warren presented proclamations to Ms. Beaudry.

- AC-1** [19-1269](#) Memorandum from City Administrator - Update on Resolution R-19-109 - Resolution to Increase the Benefit and Use of the Downtown Affordable Housing Premium

Received and Filed

- AC-2** [19-1296](#) July 1, 2019 Agenda Response Memo and eComments

Received and Filed

- AC-3** [19-1306](#) City Administrator's Report - July 1, 2019

Received and Filed

- AC-4** [19-1305](#) Memorandum from City Administrator - Response to Resolution R-18-291 - Resolution to Support One Community Initiative and Ongoing Equity - FY19Q4 - July 1, 2019

Received and Filed

INT INTRODUCTIONS

- INT-1** [19-1254](#) Proclamation Recognizing Roger Moon as Volunteer of the Month for July 2019

Mayor Taylor read a proclamation in honor of Roger Moon, the Parks Volunteer of the Month for July 2019. A copy of the proclamation is on file in the City Clerk's Office.

Received and Filed

PUBLIC COMMENTARY - RESERVED TIME (3 MINUTES PER SPEAKER)

*** (SPEAKERS ARE NOT PERMITTED TO GRANT THEIR RESERVED TIME TO AN ALTERNATE SPEAKER)**

*** ACCOMMODATIONS CAN BE MADE FOR PERSONS NEEDING ASSISTANCE WHILE ADDRESSING COUNCIL**

1. **Evan Redmond - Resolution to Order Election, Approve Charter Amendment of the Ann Arbor City Charter Sections to Establish Non-Partisan Nomination and Election for the Offices of Mayor and Council (DC-3)**
Evan Redmond, 2622 Whitewood St., spoke in support of DC-3, a proposed Charter amendment initiative to establish non-partisan elections.

2. **Rosemary Bogdan - Resolution to Order Election, Approve Charter Amendment of the Ann Arbor City Charter Sections to Establish Non-Partisan Nomination and Election for the Offices of Mayor and Council (DC-3)**
Rosemary Bogdan, 3550 Terhune Rd., spoke in support of DC-3, a proposed Charter amendment initiative to establish non-partisan elections.

3. **Ken Garber - Resolution to Authorize Settlement of Trinitas Development, LLC v City of Ann Arbor (DC-4)**
Ken Garber, 2387 Hilldale Dr., urged Council to postpone item DC-4, regarding the Trinitas Development settlement, to allow the public more time to understand the proposal.

4. **Deborah Katz - Resolution to Authorize Settlement of Trinitas Development, LLC v City of Ann Arbor (DC-4)**
Deborah Katz, 605 Skydale Dr., urged Council to postpone DC-4, the Trinitas settlement, citing numerous concerns with the proposed settlement.

5. **Kate Pepin - Resolution to Authorize Settlement of Trinitas Development, LLC v City of Ann Arbor (DC-4)**
Kate Pepin, 376 Larkspur St., expressed concern about DC-4, the Trinitas Development settlement, and asked Council to postpone action.

6. **Blaine Coleman - 17-year Campaign to Boycott Israel**

Blain Coleman, a resident, spoke about Palestine and urged Council to support a boycott of Israel.

7. Mozghan Savabieasfahni - 17-year Campaign to Boycott Israel

Mozghan Savabieasfahni, a resident, spoke about a request to boycott Israel.

8. Dirk Bouma - How to Remediate 1,4-Dioxane Plume

Dirk Bouma, 25583 Crestfield Cir., Castro Valley, CA, spoke about the 1,4 dioxane plume pollution and possible clean-up solutions.

9. Dennis Gala - Crosswalk Striping

Dennis Gala, 1719 Winsted Blvd., spoke about the City's pedestrian crosswalks and bump-outs. He stated many of these bump-outs are in the way of busses and other vehicles. He also objected to the City striping crosswalks on streets in disrepair.

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER GRAND

Councilmember Grand spoke about the nomination of Robin Stephens to the Human Rights Commission. She spoke about the value in having a member of the Police Oversight Commission on the Human Rights Commission.

COUNCILMEMBER HAYNER

Councilmember Hayner urged Mr. Bouma, a public speaker, to attend the monthly CARD meeting regarding the 1,4 dioxane contamination and remediation.

Councilmember Hayner spoke about Mr. Coleman and Ms. Savabieasfahni's pleas for a boycott of Israel and a recognition of the human rights issues in Palestine. He stated he would like the Human Rights Commission to address this issue again.

COUNCILMEMBER GRISWOLD

Councilmember Griswold thanked the community members in attendance at tonight's meeting, as well as last night's Caucus. She spoke about the community activism and process for changes.

MC COMMUNICATIONS FROM THE MAYOR

MC-1 [19-1163](#) Appointments - Confirmations

Sponsors: Taylor

APPOINTMENTS APPROVED

Mayor Taylor requested confirmation of the following appointments that were presented at the June 17, 2019 regular session of Council:

(The appointment of Joe Malcoun was pulled to discuss separately.)

Energy Commission

Ember McCoy - Filling partial term

441 S. First St.

Ann Arbor, MI 48103

Term: Ending May 31, 2020

City Planning Commission

Ellie Abrons

Assoc. Professor of Architecture

927 Northwood St.

Ann Arbor, MI 48103

Term: July 1, 2019 - June 30, 2022

Sara Hammerschmidt

Sr. Director at Urban Land Institute

3542 Larchmont Dr.

Ann Arbor, MI 48105

Term: July 1, 2019 - June 30, 2022

Zoning Board of Appeals

Megan Peters - Filling partial term

Architectural Designer

320 Depot St.

Ann Arbor, MI 48104

Term: Ending May 31, 2020

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

MC-2 [19-1313](#) Confirmation of Joe Malcoun to the Zoning Board of Appeals

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

Yeas: 5 - Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith and Councilmember Ramlawi

Nays: 6 - Councilmember Lumm, Councilmember Eaton, Councilmember Bannister, Councilmember Hayner, Councilmember Griswold and Councilmember Nelson

MC-3 [19-1303](#) Nominations & Appointments for July 1, 2019

REFERRED

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

Building Board of Appeals

Bruce Carson-Partial term

Licensed Plumbing Contractor, Master Plumber

1509 Ardmoor

Ann Arbor, MI 48103

Term: Ending May 31, 2021

Referred to the City Council due back on 7/15/2019

MC-4 [19-1304](#) Resolution to Appoint Geoffrey Perkins to the Building Board of Appeals (**7 Votes Required**)

Sponsors: Taylor

Mayor Taylor presented the following resolution of appointment for approval at a later date:

Building Board of Appeals

*Geoffrey Perkins-Partial term
General Contractor
5584 Plymouth Rd.
Ann Arbor, MI 48105
Term: Ending May 31, 2020*

Referred to the City Council due back on 7/15/2019

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-7 Resolution to Approve an Agreement with SmithGroup, Inc. to Conduct Public Engagement, Develop Potential Building Concepts and Evaluate Feasibility of the Property Located at 350 South Fifth (Commonly Referred to as the Y-Lot) and Appropriate Related Funds (\$75,000.00) (8 Votes Required)

CA-17 Resolution to Approve Change Order No. 2 with Fonson Company, Inc. for the North Fifth Avenue Reconstruction project (\$428,000.03) and Appropriate Additional Contributed Funding DDA Funding (\$510,000.00) (8 Votes Required)

CA-9 Resolution to Appoint Michael Cox as the City of Ann Arbor Police Chief

Passed on consent agenda

A motion was made by Councilmember Smith, seconded by Councilmember Ackerman, 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 requirement of CA-1, CA-8, and CA-12.

CA-1 19-1116 Enactment No: R-19-305

Approved

Resolution to Accept a Fair Food Network Grant for the Ann Arbor Farmers Market for \$45,000.00 and Appropriate Funds (**8 Votes Required**)

CA-2 **19-1157** **Enactment No:** **R-19-306** **Approved**

Resolution to Approve Street Closings for the "Dancing in the Streets" Special Event - September 1, 2019

CA-3 **19-1168** **Enactment No:** **R-19-307** **Approved**

Resolution to Approve Street Closings for the Electric Bolt 8K and 5K Run/Walk July 28, 2019

CA-4 **19-1253** **Enactment No:** **R-19-308** **Approved**

Resolution to Approve Street Closings for ICC Championship Street Festival on Friday, August 9, 2019 from 6:00 AM to 2:00 AM on Saturday, August 10, 2019

CA-5 **19-1256** **Enactment No:** **R-19-309** **Approved**

Resolution to Authorize Special Event Provisions and to Approve Street Closings for the Relevent Sports International Champions Cup Soccer Game on August 10, 2019

CA-6 **19-1258** **Enactment No:** **R-19-310** **Approved**

Resolution to Approve Street Closures for University of Michigan Football Games for the 2019 Season

CA-8 **19-1227** **Enactment No:** **R-19-311** **Approved**

Resolution to Release an Easement for Sanitary Sewer at 308 W. Huron Street (**8 Votes Required**)

CA-10 **19-1152** **Enactment No:** **R-19-312** **Approved**

Resolution to Approve May 23, 2019 Recommendations of the Board of Insurance Administration and Approve Related Agreement

CA-11 **19-1112** **Enactment No:** **R-19-313** **Approved**

Resolution to Appoint Michael Pettigrew as the City of Ann Arbor Interim City Treasurer

CA-12 **19-1211** **Enactment No:** **R-19-314** **Approved**

Resolution to Approve an Agreement with Aon Consulting, Inc. for Advisory Services Related to De-Risking the City's Pension System (\$38,500.00) **(8 Votes Required)**

CA-13 **19-0933** **Enactment No:** **R-19-315** **Approved**

Resolution to Extend Toter Solid Waste Collection Cart Purchases (not-to-exceed \$131,000.00 Annually)

CA-14 **19-1071** **Enactment No:** **R-19-316** **Approved**

Resolution to Approve the Purchase of Polymer from Polydyne, Inc. for the Wastewater Treatment Plant (\$229,500.00/year, Estimated)

CA-15 **19-1072** **Enactment No:** **R-19-317** **Approved**

Resolution to Approve the Purchase of Odor Control Chemicals from D3W Industries, Inc. for the Wastewater Treatment Plant (\$119,350.00 Annually, Estimated)

CA-16 **19-1111** **Enactment No:** **R-19-318** **Approved**

Resolution to Approve an Agreement with the Michigan Department of Transportation for the Eisenhower Parkway at Plaza Road RRFB Project

CA-18 **19-0848** **Enactment No:** **R-19-319** **Approved**

Resolution to Approve Amendment No. 3 to the Professional Services Agreement with Tetra Tech, Inc. for the Ann Arbor Landfill Monitoring and Maintenance Program for PFAS and Other Sampling and Monitoring (Estimated \$351,124.00 Annually) and to Approve a Consulting Services Contingency Amount (\$40,000.00 Annually)

CA-7 **19-1161** **Enactment No:** **R-19-320** **Approved**

A motion was made by Councilmember Hayner, seconded by Councilmember Grand, that the Resolution be approved. On a roll call, the vote was as follows with the Mayor declaring the motion carried and satisfying the eight-vote requirement:

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 an Agreement with SmithGroup, Inc. to Conduct Public Engagement, Develop Potential Building Concepts and Evaluate Feasibility of the Property Located at 350 South Fifth (Commonly Referred to as the Y-Lot) and Appropriate Related Funds (\$75,000.00) (**8 Votes Required**)

CA-17 19-1198 Enactment No: R-19-321 Approved

A motion was made by Councilmember Griswold, seconded by Councilmember Lumm, 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 Change Order No. 2 with Fonson Company, Inc. for the North Fifth Avenue Reconstruction project (\$428,000.03) and Appropriate Additional Contributed Funding DDA Funding (\$510,000.00) (**8 Votes Required**)

CA-9 19-1252 Enactment No: R-19-322 Approved

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

Resolution to Appoint Michael Cox as the City of Ann Arbor Police Chief

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 [19-0841](#) An Ordinance to Amend Section 5.18.1 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Front Porch Exception from Front Yard Setback) (Ordinance No. ORD-19-17)

A public hearing was conducted on the proposed Ordinance to Amend Section 5.18.1 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Front Porch Exception from Front Yard Setback). Notice of public hearing was published June 13, 2019.

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

Held and Closed

- PH-2** **19-0930** An Ordinance to Amend the Zoning Map Being a Part of Section 5:10.2 of Chapter 55 of Title V of the Code of the City of Ann Arbor, Rezoning of 13.81 Acres from M1 (Limited Industrial District) to PUD (Planned Unit Development District), 841 Broadway PUD Zoning and Supplemental Regulations (CPC Recommendation: Approval - 7 Yeas and 2 Nays) (Ordinance No. ORD-19-20)

A public hearing was conducted on the proposed Ordinance to amend the Zoning Map Being a Part of Section 5:10.2 of Chapter 55 of Title V of the Code of the City of Ann Arbor, Rezoning of 13.81 Acres from M1 (Limited Industrial District) to PUD (Planned Unit Development District), 841 Broadway PUD Zoning and Supplemental Regulations . Notice of public hearing was published June 13, 2019.

The following persons were present to speak at the hearing:

Vince Caruso, resident and community activist, expressed concern about potential contamination on the site. He stated he does not support development on this site.

Laura Stowe, 1327 Broadway, expressed concern about the proposed development, particularly the placement of the hotel.

A longtime resident on 635 Swift Street spoke in opposition to the large, tall hotel proposed for the site, stating it is out of scale in size and style.

Phil Stoll, 1314 Broadway, expressed concerns with the current proposal.

Mary Underwood, Traver Street, expressed concerns, but stated she would like to see the property developed as proposed in "Plan B."

David Silkworth, Ward 5, spoke in support of the proposed redevelopment.

Ellen Ramsburgh, Cambridge Road, spoke about the history of the site and the need for the river to be open to all residents, accessibly and visually.

Doug Kelbaugh, Ann Street, stated the site has incredible opportunity. He spoke in support.

David Derita, representing the development team, was available to

answer any questions of Council regarding the proposed project.

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

Held and Closed

PH-3 19-1164 Enactment No: Held and Closed

Held and Closed

Resolution to Approve the Broadway Park Redevelopment Brownfield Plan
(BRC Recommendation: Approval - 4 Yeas and 0 Nays)

A public hearing was conducted on the proposed Resolution to Approve the Broadway Park Redevelopment Brownfield Plan. Notice of public hearing was published June 23, 2019.

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

Vince Caruso, resident, expressed concern about climate change, including major rain events and flooding, that may impact this site. David Silkworth, Ward 5, spoke in support of the use of brownfield redevelopment funds for the project.

The property owner at 603 Swift expressed concern about the level of contamination on the site. She also expressed concern about parking and traffic that the development will bring.

A representative of the Roxbury Group spoke about the Brownfield Plan and was available to answer any questions.

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

PH-4 19-1165 Enactment No: Held and Closed

Held and Closed

Resolution to Approve the 841 Broadway Area Plan, 841 Broadway (CPC Recommendation: Approval - 7 Yeas and 2 Nays)

A public hearing was conducted on the proposed Resolution to Approve the 841 Broadway Area Plan, 841 Broadway. Notice of public hearing was published June 23, 2019.

The following persons were present to speak at the hearing:

Andy Walker, resident, spoke about the Argo Cascades and how a large development might impact the park users.

A representative of the development team spoke about the Area Plan, and stated it is a conceptual plan.

Doug Kelbaugh, Ann Street, spoke about the project and the experience of the river within the City.

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

PH-5 [19-1137](#) An Ordinance to Amend Chapter 11 (Risk Fund) of Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-19-21)

A public hearing was conducted on the proposed Ordinance to amend Chapter 11 (Risk Fund) of Title I of the Code of the City of Ann Arbor. Notice of public hearing was published June 23, 2019.

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

Held and Closed

PH-6 [19-1138](#) An Ordinance to Amend Section 1:292 of Chapter 13 (Special Assessments) of Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-19-22)

A public hearing was conducted on the proposed Ordinance to amend Section 1:292 of Chapter 13 (Special Assessments). Notice of public hearing was published June 23, 2019.

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

Held and Closed

PH-7 [19-1139](#) An Ordinance to Amend Sections 1:311, 1:316, 1:317, 1:319, and 1:324 in Chapter 14 (Purchasing, Contracting and Selling Procedure) of Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-19-23)

A public hearing was conducted on the proposed Ordinance to amend Sections 1:311, 1:316, 1:317, 1:319, and 1:324 in Chapter 14 (Purchasing, Contracting and Selling Procedure). Notice of public hearing was published June 23, 2019.

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

Held and Closed

A APPROVAL OF COUNCIL MINUTES

- A-1** [19-1260](#) Work Sessions of June 6, June 10 and Regular Session Meeting Minutes of June 17, 2019

A motion was made by Councilmember Ramlawi, seconded by Councilmember Nelson, that the Work Sessions of June 6, June 10 and Regular Session Meeting Minutes of June 17, 2019 be approved. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

- B-1** [19-0841](#) An Ordinance to Amend Section 5.18.1 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Front Porch Exception from Front Yard Setback) (Ordinance No. ORD-19-17)
(The complete copy of the text of Ordinance No. ORD-19-17 is on file in the City Clerk's Office.)

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

RECESS

Mayor Taylor declared a recess at 9:02 p.m. and reconvened the meeting at 9:18 p.m.

- B-2** [19-0930](#) An Ordinance to Amend the Zoning Map Being a Part of Section 5:10.2 of Chapter 55 of Title V of the Code of the City of Ann Arbor, Rezoning of 13.81 Acres from M1 (Limited Industrial District) to PUD (Planned Unit Development District), 841 Broadway PUD Zoning and Supplemental Regulations (CPC Recommendation: Approval - 7 Yeas and 2 Nays) (Ordinance No. ORD-19-20)

(The complete copy of the text of Ordinance No. ORD-19-20 is on file in the City Clerk's Office.)

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

Councilmember Ackerman proposed the following amendment to the Supplemental Regulations as follows:

C. Setbacks

1. Front (Broadway Street): [10] 35 feet min; [30] 80 feet max

[Brackets] indicate deleted language.

The amendment was considered friendly by the Body.

Amended

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

D. Height. : Maximum height for residential buildings not to exceed 80 feet. Maximum height for all non-residential buildings (including hotel) not to exceed [115] 105 feet...

[Brackets] indicate deleted language.

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

Yeas: 10 - Councilmember Lumm, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Bannister, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

Nays: 1 - Councilmember Hayner

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

Yeas: 10 - Councilmember Lumm, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Bannister, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

Nays: 1 - Councilmember Hayner

City of Ann Arbor (Ordinance No. ORD-19-21)

(The complete copy of the text of Ordinance No. ORD-19-21 is on file in the City Clerk's Office.)

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

- B-4** [19-1138](#) An Ordinance to Amend Section 1:292 of Chapter 13 (Special Assessments) of Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-19-22)

(The complete copy of the text of Ordinance No. ORD-19-22 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. On a voice vote, the Mayor declared the motion carried.

- B-5** [19-1139](#) An Ordinance to Amend Sections 1:311, 1:316, 1:317, 1:319, and 1:324 in Chapter 14 (Purchasing, Contracting and Selling Procedure) of Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-19-23)

(The complete copy of the text of Ordinance No. ORD-19-23 is on file in the City Clerk's Office.)

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

Councilmember Ackerman moved the following amendment, supported by Councilmember Lumm:

Section 2. That Section 1:316 of Chapter 14 of Title I of the Code of the City of Ann Arbor be amended to read as follows:

1:316. - Exception to competitive bidding.

Competitive bidding shall not be required in the following situations:

Add New subsection (5):

(5) NOTWITHSTANDING ANYTHING IN SECTION 1:316(4), AND EXCEPT TO THE EXTENT LIMITED BY LAW, THE CITY ADMINISTRATOR SHALL HAVE THE AUTHORITY TO WAIVE THE REQUIREMENT FOR COMPETITIVE BIDDING FOR ANY PURCHASE WHERE: 1) THE TOTAL OBLIGATION OF THE PURCHASE IS \$25,000

OR LESS; AND 2) THE CITY ADMINISTRATOR DETERMINES THAT COMPETITIVE BIDDING IS NOT PRACTICAL OR OF NO ADVANTAGE TO THE CITY.

ALL CAPS indicates new language.

Councilmember Lumm moved to further amend the amendment as follows:

Add new sentence to the end of New Section (5):

THE CITY ADMINISTRATOR SHALL PROVIDE A WRITTEN REPORT TO CITY COUNCIL EVERY MONTH OF ALL PURCHASES APPROVED PURSUANT TO THE AUTHORITY IN THIS SUBSECTION.”

The amendment as amended was considered friendly by the Body.

Amended

The question being, the motion made by Councilmember Lumm, seconded by Councilmember Ackerman, that the Ordinance be approved as amended on First Reading to the City Council, due back on 7/15/2019. 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

Enactment No: ORD-19-23

C ORDINANCES - FIRST READING

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

DC-1 19-1206 Enactment No: R-19-323

Approved

Sponsors: Grand and Hayner

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

Resolution to Appoint Members to the Center of the City Task Force

DC-2 19-1200 Enactment No: R-19-324 **Approved**

Sponsors: Taylor

A motion was made by Councilmember Ramlawi, seconded by Councilmember Grand, that the Resolution be approved. On a roll call, the vote was as follows with the Mayor declaring the motion carried, thus satisfying the seven-vote requirement:

Yeas: 7 - Councilmember Lumm, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Hayner and Councilmember Ramlawi

Nays: 4 - Councilmember Eaton, Councilmember Bannister, Councilmember Griswold and Councilmember Nelson

Resolution to Appoint Robin Stephens to the Human Rights Commission (**7 Votes Required**)

DC-3 19-1291 Enactment No:

Sponsors: Lumm, Eaton, Griswold, Ramlawi, Hayner and Bannister

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

Resolution to Order Election, Approve Charter Amendment of the Ann Arbor City Charter Sections to Establish Non-Partisan Nomination and Election for the Offices of Mayor and Council and Determine Ballot Language for this Amendment (**7 Votes Required**)

19-1291 Enactment No:

Resolution to Order Election, Approve Charter Amendment of the Ann Arbor City Charter Sections to Establish Non-Partisan Nomination and Election for the Offices of Mayor and Council and Determine Ballot Language for this Amendment (**7 Votes Required**)

Councilmember Grand proposed the following amendment, seconded by Councilmember Ackerman:

Section 13.11. The names of all persons nominated for election to each office shall be placed upon the ballot. The form of the ballot used in any City primary or election and the printing and numbering thereof shall conform, as nearly as may be, with the requirements of the general election laws of the State. [No party vignette or emblem or other designation shall appear on the ballot.] CANDIDATES WILL BE PROVIDED WITH UP TO 25 CHARACTERS WITH WHICH TO DESIGNATE A PARTY OR ALTERNATIVE DESCRIPTIVE DESIGNATION.

[Brackets] indicate deleted language. ALL CAPS indicate new language.

The amendment was withdrawn.

19-1291 Enactment No: R-19-325 Approved

The question being, the motion as original presented on a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 7 - Councilmember Lumm, Councilmember Eaton, Councilmember Bannister, Councilmember Hayner, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

Nays: 4 - Mayor Taylor, Councilmember Grand, Councilmember Ackerman and Councilmember Smith

Resolution to Order Election, Approve Charter Amendment of the Ann Arbor City Charter Sections to Establish Non-Partisan Nomination and Election for the Offices of Mayor and Council and Determine Ballot Language for this Amendment **(7 Votes Required)**

DC-4 19-1221 Enactment No:

Sponsors: Smith

A motion was made by Councilmember Smith, seconded by Councilmember Ramlawi, that the Resolution be approved.

Resolution to Authorize Settlement of Trinitas Development, LLC v City of Ann Arbor, 22nd Circuit Court, Case No. 18-1095-AA

19-1221 Enactment No: Amended

Sponsors: Smith

Amended

Resolution to Authorize Settlement of Trinitas Development, LLC v City of Ann Arbor, 22nd Circuit Court, Case No. 18-1095-AA

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

First RESOLVED Clause:

RESOLVED, That City Council authorizes the City Attorney to resolve the case entitled Trinitas Development, LLC v City of Ann Arbor, 22nd Circuit Court, Case No. 18-1095-AA, consistent with the terms of the Consent Judgment attached to this resolution, AS REVISED;

ALL CAPS indicate new language.

The amendment was considered friendly by the Body.

19-1221 Enactment No: Postponed

A motion was made by Councilmember Eaton, seconded by Councilmember Ramlawi, that the Resolution be postponed to the City Council, due back on 7/15/2019. On a roll call, the vote was as follows with the Mayor declaring the motion defeated:

Yeas: 3 - Councilmember Eaton, Councilmember Bannister and Councilmember Ramlawi

Nays: 8 - Councilmember Lumm, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Hayner, Councilmember Griswold and Councilmember Nelson

Resolution to Authorize Settlement of Trinitas Development, LLC v City of Ann Arbor, 22nd Circuit Court, Case No. 18-1095-AA

19-1221 Enactment No: Amended

Amended

Resolution to Authorize Settlement of Trinitas Development, LLC v City of Ann Arbor, 22nd Circuit Court, Case No. 18-1095-AA

Councilmember Smith moved, seconded by Councilmember Nelson, that the Resolution be amended as follows:

1st RESOLVED Clause:

RESOLVED, That City Council authorizes the City Attorney to resolve the

case entitled Trinitas Development, LLC v City of Ann Arbor, 22nd Circuit Court, Case No. 18-1095-AA, consistent with the terms of the Consent Judgment attached to this resolution, as revised, PROVIDED, THAT THE FOREGOING AUTHORIZATION IS CONTINGENT UPON DEVELOPMENT AGREEMENT LANGUAGE THAT IS CONSISTENT WITH TRINITAS DEVELOPMENT, LLC REPRESENTATIONS MADE IN WRITING TO CITY ATTORNEY’S OFFICE ON JULY 1, 2019;

ALL CAPS indicate new language.

The motion was considered friendly by the Body.

19-1221 Enactment No: R-19-326 Approved as Amended

The question being, the motion as originally made by Councilmember Smith, seconded by Councilmember Ramlawi, that the Resolution be approved as further amended, on a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 7 - Councilmember Lumm, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Griswold and Councilmember Nelson

Nays: 4 - Councilmember Eaton, Councilmember Bannister, Councilmember Hayner and Councilmember Ramlawi

Resolution to Authorize Settlement of Trinitas Development, LLC v City of Ann Arbor, 22nd Circuit Court, Case No. 18-1095-AA

DC-5 19-1298 Enactment No: R-19-327 Approved

Sponsors: Bannister and Smith

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

Resolution Urging the Washtenaw County Road Commission to Reduce Herbicide Use Through Adoption of a Comprehensive Roadside Vegetation Control Plan Based on Best Environmental Management Practices

DB New Business - Boards and Commissions:

DB-1 19-1164 Enactment No: R-19-328 Approved

A motion was made by Councilmember Eaton, seconded by

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

Resolution to Approve the Broadway Park Redevelopment Brownfield Plan (BRC Recommendation: Approval - 4 Yeas and 0 Nays)

DB-2 19-1165 Enactment No:

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

Resolution to Approve the 841 Broadway Area Plan, 841 Broadway (CPC Recommendation: Approval - 7 Yeas and 2 Nays)

19-1165 Enactment No:

Amended

Amended

Resolution to Approve the 841 Broadway Area Plan, 841 Broadway (CPC Recommendation: Approval - 7 Yeas and 2 Nays)

Councilmember Ackerman moved the following amendment, seconded by Councilmember Lumm:

Amend First RESOLVED Clause:

RESOLVED, That City Council approve the 841 Broadway Area Plan dated February 28, 2019, CONTINGENT ON CHANGES TO THE AREA PLAN CONSISTENT WITH THE AMENDMENTS TO THE SUPPLEMENTAL REGULATIONS APPROVED ON JULY 1, 2019.

ALL CAPS indicate new language.

The amendment was considered friendly by the Body.

19-1165 Enactment No: R-19-329

Approved as Amended

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

Resolution to Approve the 841 Broadway Area Plan, 841 Broadway (CPC Recommendation: Approval - 7 Yeas and 2 Nays)

DS New Business - Staff:

DS-1 19-1098 Enactment No: Deleted from Agenda

Deleted from Agenda

Resolution Authorizing Publication of Notice of Intent to Issue General Obligation Capital Improvement Bonds (Ann Ashley Parking Structure Expansion) (6 Votes Roll Call)

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 Smith, seconded by Councilmember Ramlawi, 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 [19-1013](#) Resolution to Determine Salaries of the Mayor and City Council Members for FY 2021 and FY 2022

F-2 [19-1282](#) Communication from Comcast regarding Channel Lineup Changes Effective 7/23/19 - CTN

F-3 [19-1283](#) Communication from the State of Michigan regarding the Completions from Scio and Ann Arbor Townships (2625 Valley Drive and 595 Riverview Drive) - All Departments

G-1 [19-0954](#) Human Rights Commission Meeting Minutes April 10, 2019

G-2 [19-1041](#) Public Market Advisory Commission Meeting Minutes of April 18, 2019

G-3 [19-1128](#) Greenbelt Advisory Commission Meeting Minutes of May 2, 2019

- G-4** [19-1155](#) Local Officers Compensation Commission Meeting Minutes of May 13, 2019
- G-5** [19-1213](#) City Council Caucus Meeting Minutes of June 2, 2019
- G-6** [19-1214](#) Downtown Development Authority Board, Executive, Partnerships, Capital Improvements, Operations and Finance Committees Minutes of May 2019
- G-7** [19-1215](#) Downtown Area Citizens Advisory Council Meeting Minutes of June 11, 2019
- G-8** [19-1230](#) Council Rules Committee Meeting Minutes for February 12, 2019
- G-9** [19-1244](#) Local Officers Compensation Commission Meeting Minutes of June 10, 2019
- G-10** [19-1257](#) Energy Commission Meeting Minutes of October 9, 2018
- G-11** [19-1261](#) Commission on Disability Issues, March 2019 Meeting Minutes
- G-12** [19-1125](#) Independent Community Police Oversight Commission, April 30, 2019
- G-13** [19-1275](#) City of Ann Arbor Employees' Retirement System Board Meeting Minutes of May 16, 2019.
- G-14** [19-1276](#) Retiree Health Care Benefit Plan & Trust Board Meeting Minutes of May 16, 2019.

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Ken Garber, resident, expressed concern about the Trinitas Development consent judgment language. He asked that the City allow neighbors to look at the final language.

Debra Katz, 605 Skydale Drive, spoke about the Trinitas project.

COMMUNICATIONS FROM COUNCIL*COUNCILMEMBER BANNISTER*

Councilmember Bannister stated she would like to see Mr. Garber get a chance to be a citizen advisor on the Trinitas settlement.

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 Eaton, seconded by Councilmember Bannister, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 12:49 a.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, JULY 1, 2019 @ 7:00 P.M.

REPLAYS: WEDNESDAY, JULY 3, 2019 @ 8:00 A.M. AND FRIDAY, JULY 5, 2019 @ 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: <https://a2gov.org/watchctn>

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.