

City of Ann Arbor

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



Action Minutes

Monday, January 6, 2014

7:00 PM

**PLEASE NOTE: CAUCUS ON SUNDAY, JANUARY 5, 2014 HAS BEEN
CANCELLED**

**City Hall, 301 E. Huron Street, Council Chamber, 2nd Floor
City Council meets in caucus the Sunday prior to each regular
session at 7 p.m. in the Council Chamber.**

City Council

CALL TO ORDER

Mayor Hieftje called the meeting to order at 7:10 p.m. in the Guy C. Larcom, Jr. Building, 2nd Floor Council Chambers, 301 E. Huron St.

MOMENT OF SILENCE

Council stood for a moment of silence.

PLEDGE OF ALLEGIANCE

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

ROLL CALL OF COUNCIL

Present: 9 - Mayor John Hieftje, Councilmember Stephen Kunselman, Councilmember Margie Teall, Councilmember Christopher Taylor, Councilmember Jane Lumm, Councilmember Sumi Kailasapathy, Councilmember Sally Petersen, Councilmember Chuck Warpehoski and Councilmember Jack Eaton

Absent: 2 - Councilmember Mike Anglin and Councilmember Sabra Briere

APPROVAL OF AGENDA

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

COMMUNICATIONS FROM THE CITY ADMINISTRATOR*SNOW FALL AND CURRENT COLD WEATHER CONDITIONS*

Craig Hupy, Public Services Area Administrator, reported on the recent snowstorm in Ann Arbor. He said that snow plow crews have been working 12-hour shifts since New Year's Eve and crews have been plowing continuously for six days. Within the last 24-hour period from midnight on Saturday through midnight on Sunday, City plows have logged approximately 7,650 miles. By midnight on Monday, they expect to reach close to 11,000 miles. Equipment is starting to break down because of the cold weather and crews are also having to work around vehicles that have gotten stuck or are left on the streets. Mr. Hupy said they are still working towards having the current 10 inches of snow pushed back by 6 a.m. tomorrow morning.

PREPARATION FOR EXTREME COLD

Mary Jo Callan, Director of the Office of Community Development, updated Council on the extreme cold conditions and efforts to shelter the homeless. She said that all community shelters will remain open throughout the evening, noting that the Delonis Shelter opened during the day temporarily as a warming shelter and has lifted some of its restrictions regarding substance abuse so that folks are not turned away and left outside. Ms. Callan stated Housing Access is open to take calls and connect those in need with options for shelter. She stated today's call volume was described as "normal."

Ms. Callan stated there has also been an outreach effort to the known homeless camps in town to ensure that needs were met and that these folks would be safe in advance of the expected snow and severe temperatures. Blankets, coats, sleeping bags and other clothing and supplies were distributed. Fifteen individuals were placed in hotels as a result of this effort.

Ms. Callan said there are numerous warming places (which are not officially warming centers) throughout the urban core. These places were open today and will be open again tomorrow for those seeking shelter. All Ann Arbor District Library locations, AAATA lobby, Homeward Bound, University of Michigan Medical Center, and First Presbyterian Church of Ann Arbor on Washtenaw near Hill will be open tomorrow. The Department of Human Services in Ypsilanti, SOS Community Services, Hope Clinic and St. Joe's Hospital lobby would also be open. In addition, St. Joe's had offered that if there is a need, they could activate an emergency shelter with beds.

UPDATE ON ACTIVITIES DURING THE SNOW AND EXTREME COLD/EMERGENCY DECLARATIONS

Ann Arbor Police Chief John Seto said that despite the weather, they are fully staffed in the Police Department. Employees have been able to make it in and they are response capable. They have not seen a significant increase in calls for service at this time. Emergency Manager Rick Norman has coordinated some efforts, along with the assistance and cooperation of the Office of Community Development.

PARKS AND RECREATION PROGRAMS AND CLASSES CANCELLED

City Administrator Steve Powers announced that Parks and Recreation programming

and classes have been cancelled due to the extreme cold temperatures. The cancellation will be re-evaluated at noon on January 7, 2014 to determine if it is safe to reopen at that time. The City is working with the AAPS Rec and Ed program on these decisions.

14-0061 Agenda Response Memo January 6, 2014

Attachments: Agenda Responses 1-6-14

Received and Filed

14-0062 Update on Extreme Cold Weather Response

Attachments: Update on Extreme Cold Weather Response 1-6-14

Received and Filed

INT INTRODUCTIONS

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. Tom Partridge - Protect our most vulnerable from the extremes of weather and right-wing policies. Enact democratic protections for city planning, public transportation, and cell phone use. Replace Governor Snyder (CA-3)**

Tom Partridge, Ann Arbor resident, addressed Council regarding protecting the most vulnerable residents from the extreme weather and from right-wing policies. He urged the recall of Governor Snyder.

- 2. Kathy Griswold - Resolution Confirming the Termination of the Memorandum of Understanding Between the City and University Regarding Fuller Road Station (DC-2)**

Kathy Griswold, 3565 Foxhunt Dr., spoke in support of the proposed Resolution Confirming the Termination of the Memorandum of Understanding between the City and University Regarding Fuller Road Station. She also thanked the City staff for the snow plow response.

- 3. Tracy Williams - Humanitarian Crisis, Homeless Individuals and the Extreme Cold**

Tracy Williams addressed Council regarding humanitarian crisis, homeless individuals and the extreme cold. He stated homeless folks are at risk of dying in these temperatures. He urged Council to take action.

4. Ryan Sample - Humanitarian Crisis, Homeless Individuals and the Extreme Cold

Ryan Sample addressed Council regarding humanitarian crisis, homeless individuals and the extreme cold. He urged Council to open the City-owned property at 721 N. Main St. for emergency shelter, noting that not all folks are welcome at the Delonis Shelter.

5. Tate Williams - Humanitarian Crisis, Homeless Individuals and the Extreme Cold

Tate Williams, representing Mission and the former Camp Take Notice, addressed Council regarding humanitarian crisis, homeless individuals and the extreme cold. He said that the current emergency social network, despite the tremendous effort and dedication, is simply not able to meet the demand placed upon them, leaving many people unable to receive the help and support they desperately need in these conditions.

6. Sheri Wander - Humanitarian Crisis, Homeless Individuals and the Extreme Cold

Sheri Wander, 1327 White St., addressed Council regarding humanitarian crisis, homeless individuals and the extreme cold. She said she has spent the last several days delivering canisters of propane, blankets and hand-warmers to friends sleeping in tents. She said she was proud of the City for doing all that they could during this crisis, but she said this should not be a last-minute reactionary effort. She urged Council to consider the use of 721 N. Main as an emergency shelter.

7. Greg Pratt - Humanitarian Crisis, Homeless Individuals and the Extreme Cold

Greg Pratt addressed Council regarding humanitarian crisis, homeless individuals and the extreme cold.

8. Odile Hugonot-Haber - Homelessness

Odile Hugonot-Haber addressed Council regarding homelessness and the right to housing, stating that warmth and shelter are human rights.

9. Alan Haber - Homelessness and Weather

Alan Haber addressed Council regarding homelessness and the extreme weather. He said that Ann Arbor should be a place where warmth is recognized as a human right. He urged Council to listen to the creative ideas of the people who need the services.

CC COMMUNICATIONS FROM COUNCIL*COUNCILMEMBER EATON*

Councilmember Eaton updated Council regarding Councilmember Anglin, stating that he was unable to get back to Ann Arbor from Florida and was attending to personal matters.

Councilmember Eaton spoke about the City's response to Camp Take Notice and the homeless in Ann Arbor. He stated that Camp Take Notice was really a community that was coming together to create their own self-help network. This network of support was disrupted when the camp was broken up. Councilmember Eaton stated he hoped that the Council and the City could find a way to support the homeless population, perhaps with the use of a City building and encourage them to create their own support systems. He stated the time to start the process is not during the coldest weather, but that a proactive approach was needed.

MC COMMUNICATIONS FROM THE MAYOR**MC-1 13-1553 Appointments - Confirmations**

Attachments: Kristin Tomey app.

APPOINTMENTS APPROVED

Mayor Hieftje recommended the following appointments at the December 16, 2013 regular session of Council:

Ann Arbor Public Art Commission

*Kristin Tomey - Filling vacancy (of Wiltrud Simbeurger)
811 W. Liberty St.
Ann Arbor, MI 48103
Term: January 6, 2014 - December 31, 2016*

Historic District Commission

*Benjamin Bushkuhl - Reappointment
3186 Bolgos Circle
Ann Arbor, MI 48105
Term: January 6, 2014 - December 6, 2016*

A motion was made by Councilmember Teall, seconded by Councilmember Petersen, that Council concur with the recommendations of the Mayor. On a voice vote, the Mayor declared the motion carried.

MC-2 14-0060

Appointments - Confirmations

Attachments: Vivienne Armentrout app., Neal Elyakin app., Linda Diane Feldt app., Sarah Pressprich Gryniewicz app., Anthony J. Pinnell app., Jim Rees app., Owen Jansson app., Scott D. Campbell app., Kenneth Clark app.

REFERRED

Mayor Hieftje recommended the following nominations for approval at a later date:

Pedestrian Safety and Access Task Force

*Vivienne Armentrout
920 Vesper Rd.
Ann Arbor, MI 48103
Term: January 21, 2014- until task completed*

*Neal Elyakin
1300 Red Oak
Ann Arbor, MI 48103
Term: January 21, 2014-until task completed*

*Linda Diane Feldt
3 Keppler Ct.
Ann Arbor, MI 48103
Term: January 21, 2014-until task completed*

*Jim Rees
208 Buena Vista
Ann Arbor, MI 48103
Term: January 21, 2014-until task completed*

*Anthony Pinnell
1328 Minerva Rd.
Ann Arbor, MI 48104
Term: January 21, 2014-until task completed*

*Sarah Pressprich Gryniewicz
2004 Manchester #5
Ann Arbor, MI 48104
Term: January 21, 2014-until task completed*

*Kenneth Clark
497 Larkspur St.
Ann Arbor, MI 48105
Term: January 21, 2014-until task completed*

*Scott Campbell
1010 Fairmount Dr.
Ann Arbor, MI 48105
Term: January 21, 2014-until task completed*

*Owen Jansson
1325 Minerva
Ann Arbor, MI 48104*

Referred to the City Council due back on 1/21/2014.

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 13-1398 An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 3.88 Acres from ORL (Office Research Light Industrial District) to R4D (Multiple-Family District), Traverwood Apartments Rezoning, 2025 Traverwood Drive (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-13-32)

Attachments: 13-32 Briefed and Approved.pdf, 13-32 Briefed and Approved.docx, 13-32 Briefed.pdf, Traverwood Zoning Ordinance.pdf, 11/6/13 Planning Staff Report, Traverwood Minutes 11-06-13.pdf, Traverwood Approval Notice.pdf

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 3.88 Acres from ORL (Office Research Light Industrial District) to R4D (Multiple-Family District), Traverwood Apartments Rezoning, 2025 Traverwood Drive. Notice of public hearing was published December 19, 2013.

Mike Martin, representing First Martin, was available to answer questions of Council.

Tom Partridge spoke in opposition to the proposed rezoning.

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

Held and Closed

Enactment No: ORD-13-32

PH-2 13-1481 Resolution to Approve Traverwood Apartments Site Plan, Wetland Use Permit and Development Agreement, 2225 Traverwood Drive (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

Attachments: 11/6/13 Planning Staff Report, 11/6/13 Planning Commission Minutes, Traverwood DA final 1.2.14

A public hearing was conducted on the proposed Resolution to approve the Traverwood Apartments Site Plan, Wetland Use Permit and Development Agreement located at 2225 Traverwood Drive. Notice of public hearing was published December 30, 2013.

Tom Partridge spoke in opposition to the proposed Site Plan and Development Agreement.

Peggy Rabhi, 1991 Upland Drive, expressed concern about the impact the project would have on native plants and animals on the site. She urged the developer to work with NAP to find the right time of the season to conduct any site work.

Stacie Printon, 2311 Lancashire, expressed concern with the proposed site plan and the impact to natural features, noting that the site was immediately adjacent to Leslie Golf Course and Leslie Woods.

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

Held and Closed

Enactment No: R-14-007

PH-3 13-1485

Resolution to Approve Montgomery Building Site Plan, 210-216 South Fourth Avenue (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

Attachments: 11/19/13 Planning Staff Report, MontgomeryBldgMinutes_11-19-13

A public hearing was conducted on the proposed Resolution to Approve Montgomery Building Site Plan, 210-216 South Fourth Avenue. Notice of public hearing was published December 30, 2013.

Brad Moore, of J. Bradley Moore Architects, explained the proposed project to Council and was available to answer questions.

Tom Partridge spoke in opposition to the proposed Site Plan.

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

Held and Closed

Enactment No: R-14-008

PH-4 13-1486

Resolution to Approve Briarwood Restaurants Site Plan and Development Agreement, 700 Briarwood Circle (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

Attachments: 11/19/13 Planning Staff Report, Briarwood DA-final 12.30.13, BriarwoodRestaurantMinutes_11-19-13

A public hearing was conducted on the proposed Resolution to Approve Briarwood Restaurants Site Plan and Development Agreement, 700 Briarwood Circle. Notice of public hearing was published December 30, 2013.

Tom Partridge, spoke in opposition to the proposed Site Plan and Development Agreement.

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

Held and Closed

Enactment No: R-14-009

A APPROVAL OF COUNCIL MINUTES

A-1 14-0015

Special and Work Sessions of December 9, 2013 and Regular Session Meeting Minutes of December 16, 2013

Attachments: 12-9-13 Special Session Minutes, 12-9-13 Planning Session minutes, 12-16-13 Draft Minutes, Council e-mails 12-16-2013 redacted.pdf

A motion was made by Councilmember Kunselman, seconded by Councilmember Lumm, that the Special and Work Session Minutes of December 9, 2013 and the Regular Session Minutes of December 16, 2013 be approved as presented. On a voice vote, the Mayor declared the motion carried.

CA CONSENT AGENDA**CONSENT AGENDA ITEM REMOVED**

With unanimous consent of Council, the following items were removed from the Consent Agenda and placed at the end of same:

CA-2 Resolution Authorizing the Payment of Sewer Connection Fees to Scio Township (\$46,806.67)

Passed on consent agenda

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

- CA-1 13-1558** Resolution to Authorize the City Administrator to Enter into License Agreements for Third Party Cellular Antennae Facilities on City Properties
Enactment No: R-14-001
- CA-3 13-1559** Resolution to Approve First Amendments to License Agreements with Sprint Spectrum Realty Company, L.P., to Erect and Use Telecommunications Equipment on the Manchester Water Tower, Plymouth Road Water Tower, Water Treatment Plant and Ann-Ashley Parking Structure
Attachments: Sprint 1st Amendment Ann-Ashley 2013 rev.pdf, Sprint 1st Amendment Manchester 2013 rev.pdf, Sprint 1st Amendment Plymouth 2013 rev.pdf, Sprint 1st Amendment WTP 2013 rev.pdf
Enactment No: R-14-002
- CA-2 13-1503** Resolution Authorizing the Payment of Sewer Connection Fees to Scio Township (\$46,806.67)
A motion was made by Councilmember Warpehoski, seconded by Councilmember Teall, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.
Enactment No: R-14-003

RECESS

Mayor Hieftje declared a recess at 8:26 p.m. and reconvened the meeting at 8:36 p.m.

B ORDINANCES - SECOND READING

B-1 13-1398 An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 3.88 Acres from ORL (Office Research Light Industrial District) to R4D (Multiple-Family District), Traverwood Apartments Rezoning, 2025 Traverwood Drive (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-13-32)

Attachments: 13-32 Briefed and Approved.pdf, 13-32 Briefed and Approved.docx, 13-32 Briefed.pdf, Traverwood Zoning Ordinance.pdf, 11/6/13 Planning Staff Report, Traverwood Minutes 11-06-13.pdf, Traverwood Approval Notice.pdf

(The complete copy of the text of Ordinance No. ORD 13-32- is on file in the City Clerk's Office.)

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

Enactment No: ORD-13-32

C ORDINANCES - FIRST READING

None.

D MOTIONS AND RESOLUTIONS

DC Unfinished Business - Council:

DC-1 13-1477

Resolution to Approve a City Policy Regarding Removal of On-Street Metered Public Parking Spaces

Sponsors: Taylor

Attachments: Proposed Amendments for Meter Policy (6-jan-2013).pdf, Proposed Amendments for Meter Removal Policy (16-dec-2013).pdf

The following amendments were considered friendly:

RESOLVED, City Council adopts the following policy:

- *In instances where the removal of one or more on-street parking meter spaces is not initiated by the City or DDA, or does not constitute a community benefit, but instead is of more localized benefit to a development or project, a fee is hereby established effective [December 16, 2013]JANUARY 6, 2014, as (A) \$45,000/parking meter space; AND (B) LOST REVENUE/PARKING METER SPACE, payable to the City of Ann Arbor.*
- *“LOST REVENUE” WITH REGARD TO ANY PARKING METER SPACE SHALL EQUAL TEN (10) YEARS NET PRESENT VALUE OF REVENUE FROM SUCH SPACE, CALCULATED ON A BASE EQUAL TO THE AVERAGE OF THREE (3) YEARS TRAILING REVENUE FROM SUCH SPACE.*
- *MONIES RECEIVED BY THE DDA PURSUANT TO (A) ABOVE SHALL BE ACCOUNTED FOR AS RESTRICTED FUNDS AND USED ONLY FOR PARKING SYSTEM CAPITAL PROJECTS. MONIES RECEIVED BY THE DDA PURSUANT TO (B) ABOVE SHALL BE ACCOUNTED FOR AS PARKING REVENUE RECEIVED IN THE ORDINARY COURSE OF BUSINESS, SUBJECT TO THE TERMS OF THE CITY-DDA PARKING AGREEMENT.*
- *Given that there is a finite amount of curb area in the public right of way, space removal fees shall not be waived or offset by relocating parking meters to any other location in the City public right-of-way, unless such meters are located IN THE RIGHT OF WAY [on the parcel(s)] associated with the development or project.*

Note: All CAPS indicate new language. Brackets [] indicate deleted language.

A motion was made by Councilmember Taylor, seconded by Councilmember Lumm that the resolution be approved as amended in a friendly way.

Enactment No: R-14-004

13-1477 Resolution to Approve a City Policy Regarding Removal of On-Street Metered Public Parking Spaces

Sponsors: Taylor

Attachments: Proposed Amendments for Meter Policy (6-jan-2013).pdf, Proposed Amendments for Meter Removal Policy (16-dec-2013).pdf

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

... • The City COUNCIL [Administrator] shall review the DDA's determination of whether space removal would constitute a community benefit, and is authorized to reverse such determination if, in the [City Administrator's] CITY COUNCIL'S reasonable discretion, the DDA has incorrectly evaluated the existence of "community benefit".

• The City COUNCIL [Administrator] shall consider the following non-exclusive factors when reviewing the DDA's determination of whether the removal of one or more on-street parking meter spaces would constitute a community benefit: ...

Note: All CAPS indicate new language. Brackets [] indicate deleted language.

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

Enactment No: R-14-004

The question being, the Resolution as amended in a friendly way, on a voice vote, the Mayor declared the motion carried.

Enactment No: R-14-004

DC-2 13-1550 Resolution Confirming the Termination of the Memorandum of Understanding Between the City and University Regarding Fuller Road Station

Sponsors: Kunselman

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

Enactment No: R-14-005

New Business - Council:**DC-3 14-0020** Resolution Designating Directors of Ann Arbor Summer Festival, Inc.

Sponsors: Hieftje

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

Enactment No: R-14-006

DB New Business - Boards and Commissions:

- DB-1 13-1481** Resolution to Approve Traverwood Apartments Site Plan, Wetland Use Permit and Development Agreement, 2225 Traverwood Drive (CPC Recommendation: Approval - 7 Yeas and 0 Nays)
- Attachments:** 11/6/13 Planning Staff Report, 11/6/13 Planning Commission Minutes, Traverwood DA final 1.2.14

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

Enactment No: R-14-007

- DB-2 13-1485** Resolution to Approve Montgomery Building Site Plan, 210-216 South Fourth Avenue (CPC Recommendation: Approval - 9 Yeas and 0 Nays)
- Attachments:** 11/19/13 Planning Staff Report, MontgomeryBldgMinutes_11-19-13

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

Enactment No: R-14-008

- DB-3 13-1486** Resolution to Approve Briarwood Restaurants Site Plan and Development Agreement, 700 Briarwood Circle (CPC Recommendation: Approval - 9 Yeas and 0 Nays)
- Attachments:** 11/19/13 Planning Staff Report, Briarwood DA-final 12.30.13, BriarwoodRestaurantMinutes_11-19-13

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

Enactment No: R-14-009

DS New Business - Staff:

- DS-1 13-1532** Resolution to Approve a Purchase Order with Hastings Air Energy Control Incorporated for Fifteen (15) Vehicle Source Capturing Exhaust Systems (\$109,845.00)
- Attachments:** All Station Quotes.pdf

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

Enactment No: R-14-010

- DS-2 13-1507** Resolution Accepting Sanitary Sewer Easement at 2200, 2220, 2240, and 2260 Wolverhampton Court from Glazier Way Properties, LLC, Daniel S. Menees and Stacy B. Menees, and Christopher Couch and Tomomi Kumagai. (8 Votes Required)

A motion was made by Councilmember Petersen, 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.

Enactment No: R-14-011

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER TEALL

Councilmember Teall thanked Police Chief Seto and City staff for their work on the New Year's Eve event, "The Puck Drops Here." She stated it was a wonderful event and hoped the City could continue this type of celebration in the future.

E COMMUNICATIONS FROM THE CITY ATTORNEY

DREAM NIGHT CLUB UPDATE

City Attorney Stephen Postema announced that the Court of Appeals affirmed the action of City Council in the Dream Night Club case. Mr. Postema thanked the Ann Arbor Police Department for their work on this case, stating it was a pleasure working with them.

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 Kailasapathy, seconded by Councilmember Taylor, that the following Consent Items be approved as presented. On a voice vote, the Mayor declared the motion carried.

- F-1 13-1564** AAATA Financial and Performance Data

Attachments: AAATA Nov 2013 Notes.pdf, AAATA Nov 2013 Operating.pdf, AAATA Nov 2013 Report to Treas.pdf, AAATA R2 Demand Resp graphs.pdf, AAATA R2 Fixed Route graphs.pdf, AAATA R2 Performance Reports.pdf, AAATA R2 Weekday rider graphs.pdf

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

- G-1 13-1294** Public Market Advisory Commission Meeting Minutes of September 19, 2013
Attachments: PMAC 9.19.13 Meeting Minutes.pdf
- G-2 13-1416** Historic District Commission Meeting Minutes of the October 10, 2013
Attachments: 10-10-2013 HDC Minutes with Live Links to Agenda and Video
- G-3 13-1436** Airport Advisory Committee Minutes - September 18, 2013
Attachments: AAC minutes 091813.pdf
- G-4 13-1437** Zoning Board of Appeals Meeting Minutes of October 23, 2013
Attachments: 10-23-2013 ZBA Minutes with Live Links
- G-5 13-1446** Design Review Board Meeting Minutes of September 18, 2013
Attachments: 9-18-2013 Design Review Board Minutes with Live Links
- G-6 13-1488** City Planning Commission Meeting Minutes of November 6, 2013
Attachments: 11-6-2013 CPC Minutes with Live Links
- G-7 13-1557** Elizabeth Dean Fund Committee Meeting Minutes June 11, 2013, August 13, 2013, October 8, 2013, November 12, 2013.
Attachments: DFCMeetingMinutes051413.pdf, DFCMeetingMinutes061113.pdf, DFCMeetingMinutes100813.pdf, DFCMeetingMinutes_111213.pdf

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Tom Partridge addressed Council regarding the fact that he speaks at every meeting. He stated he is an advocate for the most vulnerable.

CLOSED SESSION UNDER THE MICHIGAN OPEN MEETINGS ACT, INCLUDING BUT NOT LIMITED TO, LABOR NEGOTIATIONS STRATEGY, PENDING LITIGATION, AND ATTORNEY/CLIENT PRIVILEGED COMMUNICATIONS SET FORTH OR INCORPORATED IN MCLA 15.268 (C), (E), AND (H).

A motion was made by Councilmember Lumm, seconded by Councilmember Taylor, that the Council enter into Closed Session under the Michigan Open Meetings Act to discuss Land Acquisition and Attorney/Client Privileged Communications set forth under MCLA 15.268 (D) and (H). On a roll call, the vote was as follows with the Mayor declaring the motion carried and the meeting recessed at 9:22 p.m.:

Yeas: 9 - Mayor Hieftje, Councilmember Kunselman, Councilmember Teall, Councilmember Taylor, Councilmember Lumm, Councilmember Kailasapathy, Councilmember Petersen, Councilmember Warpehoski and Councilmember Eaton

Nays: 0

Absent: 2 - Councilmember Anglin and Councilmember Briere

MEETING RECONVENED

A motion was made by Councilmember Eaton, seconded by Councilmember Lumm, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 9:52 p.m.

RECESS

Mayor Hieftje declared a recess at 9:52 p.m. and reconvened the meeting at 10:07 p.m.

REOPEN THE AGENDA

A motion was made by Councilmember Eaton, seconded by Councilmember Teall, to re-open the agenda. On a voice vote, the Mayor declared the motion carried.

ADD TO AGENDA

A motion was made by Councilmember Teall, seconded by Councilmember Lumm, that a Resolution Regarding Right of First Refusal for the Property at 2500 S. State Street Owned by Edwards Brothers Malloy, Inc. be added to the agenda. On a voice vote, the Mayor declared the motion carried.

14-0063 Resolution Regarding Right of First Refusal for the Property at 2500 S. State Street Owned by Edward Brothers Malloy, Inc.

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

Enactment No: R-14-012

ADJOURNMENT

A motion was made by Councilmember Petersen, seconded by Councilmember Kailasapathy, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 10:15 P.M.

14-0109 Council Emails and Redaction List of 1-6-14

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, JANUARY 6, 2014, 7:00 P.M.

**REPLAYS: TUESDAY, JANUARY 7, 2014, 10:00 A.M. AND FRIDAY, JANUARY 10, 2014
7:30 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, on "The Meeting Place" page (<http://www.a2gov.org/livemeetings>).

Live Web streaming is one more way, in addition to these listed below, to stay in touch with Ann Arbor City Council and board and commission actions and deliberations.

- Video on Demand: Replay public meetings at your convenience online at www.a2gov.org/government/city_administration/communicationsoffice/ctn/Pages/VideoOnDemand.aspx
- Cable: Watch CTN Channel 16 public meeting programming via Comcast Cable channel 16.

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 need to be received at least two (2) business days in advance of the meeting.

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

Jacqueline Beaudry
Clerk of the Council

Anissa R. Bowden
Recording Secretary