

# **City of Ann Arbor**

*301 E. Huron St.*

*Ann Arbor, MI 48104*

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



## **Meeting Minutes**

**Monday, November 4, 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 7:00 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 Ramlawi, seconded by Councilmember Lumm, 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 reports for information of Council and updated Council and the public on the following:*

*Curbside compost ends December 13.*

*City parks are offering free programs to military veterans on Veteran's Day this year.*

*The current issue of Quality Water Matters is available.*

*The City is currently taking applications for the Ready Ann Arbor program as well as the 2020 Citizens Academy.*

*Mr. Lazarus thanked the AAPD for their attendance at tonight's meeting.*

*Tomorrow, Tuesday, November 5, is the special election in the City. Mr. Lazarus stated the City Clerk's Office is available for same-day voter registration and is also introducing a new public tool for checking wait times at polling stations. There are also new selfie stations at each polling location for highlighting civic pride, as well as digital stickers available for absentee voters to share on social media.*

**AC-1**     [19-2108](#)     November 4, 2019 Agenda Response Memo and eComments

**Received and Filed**

**AC-2**     [19-2137](#)     City Administrator's Report - November 4, 2019

**Received and Filed**

**AC-3**     [19-2134](#)     Memorandum from City Administrator: Water Meter Upgrade Project - November 4, 2019

**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.     Ken Garber - Resolution in Support of Community-Wide Climate Neutrality Plan (DC-5)**

*Ken Garber, resident, spoke in support of DC-5, the resolution in support of community-wide climate neutrality plan, and urged Council to support*

*the resolution and to further improve it, stating 2035 is too far out.*

**2. Milt Baker - Resolution in Support of Community-Wide Climate Neutrality Plan (DC-5)**

*Milt Baker spoke in support of DC-5, but stated the City needs to approve a more aggressive goal than 2035.*

**3. Caroline Stark - Resolution in Support of Community-Wide Climate Neutrality Plan (DC-5)**

*Caroline Stark spoke in support of DC-5.*

**4. Ian Pearsall - Resolution in Support of Community-Wide Climate Neutrality Plan (DC-5)**

*Ian Pearsall spoke in support of DC-5, but stated more needs to be done.*

**5. Larry Junck - Resolution in Support of Community-Wide Climate Neutrality Plan (DC-5)**

*Larry Junck, a professor at the University of Michigan Medical School, spoke about climate change and the impacts to health.*

**6. Gus Teschke - Resolution in Support of Community-Wide Climate Neutrality Plan (DC-5)**

*Mr. Teschke declined to speak.*

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

*Blaine Coleman, resident, spoke about the many years he has spent requesting Council action on Israel.*

**CC COMMUNICATIONS FROM COUNCIL**

**COUNCILMEMBER GRISWOLD**

*Councilmember Griswold spoke about improvements related to City communications.*

*Councilmember Griswold updated Council on her advocacy with State crosswalk laws. She stated she would be bringing a resolution to the next meeting regarding issues surrounding mobility and sight challenges at crosswalks.*

**COUNCILMEMBER BANNISTER**

*Councilmember Bannister spoke about the City's residential parking permit program.*

*Councilmember Bannister stated there will be a Center of the City Open House at the downtown library on Wednesday from 6 - 8pm.*

**COUNCILMEMBER HAYNER**

*Councilmember Hayner also spoke about the Center of the City Open House, as well as the monthly CARD meeting on Wednesday at 10am. He urged members of the public to attend both meetings.*

*Councilmember Hayner urged the public to get out and vote.*

**MC COMMUNICATIONS FROM THE MAYOR**

**MC-1 [19-2101](#) Appointments and nominations for November 4, 2019**

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

*Commission on Disability Issues  
Alex Gossage-Partial Term  
2335 Yost Blvd.  
Ann Arbor, MI 48104  
Term: Ending May 31, 2022*

*Zoning Board of Appeals*

*Chris Fraleigh-Partial Term  
628 Brooks St.  
Ann Arbor, MI 48103  
Term: Ending May 31, 2022*

**Referred to City Council due back on 11/18/2019.**

**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-16 Resolution to Approve a Construction Contract with Lanzo Trenchless Technologies, Inc. - North for the High Level Trunkline Sanitary Sewer Rehab Project (\$2,178,595.00)*

*CA-10 Resolution to Approve a Professional Services Agreement with International Association for Public Participation (IAP2) USA Great Lakes Chapter a/k/a International Association for Public Participation (IAP2) USA Midwest Chapter (IAP2 USA Midwest Chapter) for Community Engagement Training Services (\$45,000.00)*

*CA-7 Resolution to Approve the Purchase of Pedestrian Litter and Recycling Containers from Landscape Forms, Inc. (not to exceed \$83,000.00)*

*CA-11 Resolution to Contract Green Infrastructure Maintenance Services for one year with the Washtenaw County Water Resources Commissioner (\$165,000.00)*

**Passed on consent agenda**

**A motion was made by Councilmember Ramlawi, seconded by Councilmember Smith, 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-2, CA-3 and CA-4.**

**CA-1      19-2062      Enactment No:      R-19-479      Approved**

Resolution to Approve Street Closure for the 2019 Kerrytown Kindlefest on Friday, December 6, 2019 from 6:00 AM until Midnight

**CA-2      19-2015      Enactment No:      R-19-480      Approved**

Resolution to Approve Participation in the Purchase of a Conservation Easement on the Moehrle Property in Ann Arbor Township, Approve a Participation Agreement with Ann Arbor Township and Washtenaw County Parks and Recreation Commission, and Appropriate \$186,500.00 **(8 Votes Required)**

**CA-3      19-2017      Enactment No:      R-19-481      Approved**

Resolution to Approve Purchase of Park Land at 2260 Traver Road from the William F. Hosford and Margaret W. Hosford Trust, and Appropriate \$180,500.00 from Open Space and Parkland Preservation Millage Proceeds **(8 Votes Required)**

**CA-4    19-1907    Enactment No:    R-19-482    Approved**

Resolution to Approve a Purchase Order to CBTS and Appropriate the Necessary Funds to Upgrade the City's Mitel VOIP Phone System. (\$159,696.72) (8 Votes Required)

**CA-5    19-1963    Enactment No:    R-19-483    Approved**

Resolution to Approve a Purchase Order to Environmental Systems Research Institute, Inc. (ESRI) for the Annual Geographic Information System Software Maintenance and License Agreement (\$51,600.00)

**CA-6    19-1834    Enactment No:    R-19-484    Approved**

Resolution Authorizing Water Capital Recovery Charges for 439 Riverview Dr. (\$20,971.00)

**CA-8    19-2060    Enactment No:    R-19-485    Approved**

Resolution to Award a Construction Contract for Galvanized Water Service Line Replacements to Lang Constructors, Inc. (\$251,165.00, ITB No. 4593)

**CA-9    19-1763    Enactment No:    R-19-486    Approved**

Resolution to Approve Agreement with the Washtenaw County Water Resources Commissioner to Support and Fund the 2020 Rain Garden Program Partnership (\$30,000.00)

**CA-12    19-2009    Enactment No:    R-19-487    Approved**

Resolution to Petition the Washtenaw County Water Resources Commissioner to Create a new Drainage District and Undertake a Project to Design and Construct Stormwater Management Control Measures for the Huron Hills Golf Course Creek section of Huron Hills Creek (Total Project Cost: \$1,220,000.00)

**CA-13    19-1889    Enactment No:    R-19-488    Approved**

Resolution to Authorize a Sole Source Purchase Order to Spring City Electrical Manufacturing Company in the amount of \$34,685.00 for Street

## Light Poles and Associated Fixtures

**CA-14 19-1966 Enactment No: R-19-489 Approved**

Resolution to Approve Change Order No. 7 with E. T. Mackenzie Company for the Hoover, Greene, Hill Improvement Project (\$750,000.00)

**CA-15 19-1979 Enactment No: R-19-490 Approved**

Resolution to Approve an Amendment to the Professional Services Agreement with Bergmann Associates for Updates to the FEMA Benefit Cost Analysis for the Allen Creek Railroad Berm Opening Project (\$10,740.00)

**CA-16 19-1890 Enactment No: R-19-491 Approved**

**A motion was made by Councilmember Ramlawi, seconded by Councilmember Smith, that the Resolution be approved. 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 Hayner, Councilmember Griswold and Councilmember Nelson

**Nays:** 1 - Councilmember Ramlawi

Resolution to Approve a Construction Contract with Lanzo Trenchless Technologies, Inc. - North for the High Level Trunkline Sanitary Sewer Rehab Project (\$2,178,595.00)

**CA-10 19-1801 Enactment No: R-19-492 Approved**

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

Resolution to Approve a Professional Services Agreement with International Association for Public Participation (IAP2) USA Great Lakes Chapter a/k/a International Association for Public Participation (IAP2) USA Midwest Chapter (IAP2 USA Midwest Chapter) for Community Engagement Training Services (\$45,000.00)

**CA-7 19-1639 Enactment No: R-19-493 Approved**



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

Resolution to Approve the Purchase of Pedestrian Litter and Recycling Containers from Landscape Forms, Inc. (not to exceed \$83,000.00)

**CA-11    19-2008    Enactment No:    R-19-494    Approved**

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

Resolution to Contract Green Infrastructure Maintenance Services for one year with the Washtenaw County Water Resources Commissioner (\$165,000.00)

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

**PH-1    [19-1565](#)** An Ordinance to Amend Sections 5.13.9, 5.17.4, 5.18.6, 5.28.1, 5.28.6, 5.29.10, 5.30.1 and 5.37.2 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Premium Options, Affordable Housing Dwelling Units, Reimbursements) (Ordinance No. ORD-19-34)

*A public hearing was conducted on the proposed amendment to Sections 5.13.9, 5.17.4, 5.18.6, 5.28.1, 5.28.6, 5.29.10, 5.30.1 and 5.37.2 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Premium Options, Affordable Housing Dwelling Units, Reimbursements) (Ordinance No. ORD-19-34). Notice of public hearing was published October 17, 2019.*

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

*Jim Mogensen, resident, spoke about the City's history with affordable housing.*

*An unidentified developer spoke in opposition to the ordinance, expressing concern that the changes would hinder development.*

*Tom Stuhlberg, resident, stated the City needs to focus on the public engagement process. He expressed concern about affordable housing issues in the City.*

*A Ward Five resident spoke in support of the proposed ordinance, noting that former UM students pushed for this proposal.*

*David Silkworth, Ward Five, spoke in support and asked if it went far enough.*

*Doug Kelbaugh, Ann Street, stated more ADUs are the answer to affordable housing.*

*A resident on Kensington Drive stated the City is failing at affordable housing.*

*Ed Vielmetti, Ward Four, spoke about affordable housing.*

*Devon O'Toole, UM student, spoke in support and stated he worked on the student project that helped draft the ordinance.*

*Seeing no further comment, the Mayor declared the hearing closed.*

**Held and Closed**

**A APPROVAL OF COUNCIL MINUTES**

**A-1**      [19-2084](#)      Work Session of October 14 and Regular Session of October 21, 2019

**A motion was made by Councilmember Lumm, seconded by Councilmember Ramlawi, that the Work Session of October 14 and Regular Session Meeting Minutes of October 21, 2019 be approved as presented. On a voice vote, the Mayor declared the motion carried.**

**B ORDINANCES - SECOND READING**

**B-1**      [19-1565](#)      An Ordinance to Amend Sections 5.13.9, 5.17.4, 5.18.6, 5.28.1, 5.28.6, 5.29.10, 5.30.1 and 5.37.2 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Premium Options, Affordable Housing Dwelling Units, Reimbursements) (Ordinance No. ORD-19-34)

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

*Councilmember Eaton moved the following amendment, supported by Councilmember Ramlawi, to Table 5.18.1 of Section 5.18.6 (E):*

*15% of all residential Floor Area [are] IS DEDICATED TO Affordable Housing Dwelling Units*

*The proposed amendment was considered friendly by the Body.*

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

**Amended**

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

*SECTION 9. THAT SITE PLAN PETITIONS RECEIVED AND ACCEPTED BY THE CITY THAT ARE CURRENTLY UNDER REVIEW BY THE CITY AS OF THE PUBLICATION DATE OF THIS ORDINANCE SHALL BE EXEMPT FROM THE TERMS OF THIS ORDINANCE AMENDMENT, AND SHALL BE REVIEWED UNDER ALL ORDINANCES IN EFFECT AS OF THE PUBLICATION DATE OF THIS ORDINANCE. AN IMPLEMENTATION FOOTNOTE SHALL BE ADDED TO SECTION 5.29.6D OF CHAPTER 55 OF TITLE V OF THE CODE OF THE CITY OF ANN ARBOR STATING THIS EXEMPTION.*

*[Section 9] SECTION 10. This ordinance shall take effect and be in force on and after ten days from legal publication.*

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

*The amendment was considered friendly by the Body.*

**Amended**

**The question being, the motion 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.**

**C ORDINANCES - FIRST READING**

*None.*

**D MOTIONS AND RESOLUTIONS**

**DC Unfinished Business - Council:**

**DC-1 19-2003 Enactment No:**

**Sponsors: Eaton and Bannister**

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

**Councilmember Bannister, that the Resolution be approved.**

Resolution to Provide Direction to the City Administrator on the Provision of Solid Waste Services

**19-2003 Enactment No: Withdrawn**

**Withdrawn**

Resolution to Provide Direction to the City Administrator on the Provision of Solid Waste Services

*(The motion was withdrawn.)*

**DC-2 19-2052 Enactment No: R-19-495 Approved**

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

Resolution to Appoint Helen Chandler to the Public Market Advisory Commission **(7 Votes Required)**

**DC New Business - Council:**

**DC-3 19-2090 Enactment No: R-19-496 Approved**

**Sponsors:** Bannister, Eaton, Nelson, Taylor and Smith

**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 an Amendment to the Council Rules Re: Special Meetings of Council Committees

**DC-4 19-2097 Enactment No: R-19-497 Approved**

**Sponsors:** Nelson and Eaton

**A motion was made by Councilmember Eaton, seconded by Councilmember Nelson, that the Resolution be approved. 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 Hayner, Councilmember Griswold and Councilmember Nelson

**Nays:** 1 - Councilmember Ramlawi

Resolution to Establish Six 30-Minute Limited Parking Spots at Dewey (West of Packard)

**RECESS**

*Mayor Taylor declared a recess at 9:13 p.m. and reconvened the meeting at 9:23 p.m.*

**DC-5 19-2103 Enactment No:**

**Sponsors:** Taylor, Bannister and Smith

**A motion was made by Councilmember Smith, supported by Councilmember Bannister, that the Resolution be approved.**

Resolution in Support of Creating a Plan to Achieve Ann Arbor Community-Wide Climate Neutrality by 2035

**19-2103 Enactment No:**

**Amended**

**Sponsors:** Taylor, Bannister, Smith, Ramlawi, Grand, Ackerman, Eaton, Nelson and Griswold

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

**Change 2035 to 2030 in all RESOLVED Clauses.**

**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 in Support of Creating a Plan to Achieve Ann Arbor Community-Wide Climate Neutrality by 2030

**19-2103 Enactment No: R-19-498 Approved as Amended**

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

Resolution in Support of Creating a Plan to Achieve Ann Arbor Community-Wide Climate Neutrality by 2030

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

*None.*

**DS New Business - Staff:**

**DS-1 19-1956 Enactment No: R-19-499 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 Authorizing Summary Publication of Ordinance No. 19-34 - An Ordinance to Amend Sections 5.13.9, 5.17.4, 5.18.6, 5.28.1, 5.28.6, 5.29.10, 5.30.1 and 5.37.2 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Premium Options, Affordable Housing Dwelling Units, Reimbursements) (Ordinance No. ORD-19-34)

**DS-2 19-1990 Enactment No: R-19-500 Approved**

**A motion was made by Councilmember Lumm, seconded by Councilmember Hayner, 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 Authorizing Publication of Notice of Intent to Issue Revenue Bonds (Water Supply System Revenue Bonds) (\$3,400,000.00) (**Roll Call Vote**)

**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 [19-2043](#) Ann Arbor Area Transportation Authority (AAATA) Board Meeting Minutes - September 19th, 2019**

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

**G-1 [19-1786](#) Zoning Board of Appeals Meeting Minutes of August 26, 2019**

**G-2 [19-1807](#) Public Market Advisory Commission Meeting Minutes of August 15, 2019**

**G-3 [19-1817](#) Council Rules Meeting Minutes from August 27, 2019**

**G-4 [19-1861](#) Election Commission Minutes from August 29, 2019**

**G-5 [19-1871](#) City Planning Commission Meeting Minutes of September 4, 2019**

**G-6 [19-1937](#) Transportation Commission September 2019 Meeting Minutes**

**G-7 [19-2021](#) City Council Caucus Minutes of July 29 and September 16, 2019**

- G-8**     [19-2027](#)     The City of Ann Arbor Employees' Retirement System Board Meeting Minutes of September 19, 2019
- G-9**     [19-2028](#)     Retiree Health Care Benefit Plan & Trust Board Meeting Minutes of September 19, 2019

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

*Doug Kelbaugh, Ann Street, congratulated the City on the passage of the climate emergency resolution.*

*Brian Chambers, Ward 3, congratulated the City on the passage of the climate emergency resolution.*

*Adam Oxner, Ward 4, spoke about the climate emergency.*

*A student at Skyline High School thanked Council for the 2030 amendment to the climate emergency resolution.*

*Nathan Shevick, the attorney representing Medicine Man of Ann Arbor, spoke about the closing of his client's business due to an error in the City Planning Department with the application of the SEU caps on medical marijuana businesses.*

*Karen White, Ward 3, spoke about the destruction of the stand of trees at 2857 Packard and the proposed development there.*

**COMMUNICATIONS FROM COUNCIL**

**COUNCILMEMBER GRISWOLD**

*Councilmember Griswold asked that the work of Sam Schwartz regarding the comprehensive Transportation Plan update be completed prior to the budget planning cycle.*

*Councilmember Griswold addressed a recent article in the Ann Arbor Observer regarding City Council and FOIA. She stated there were many inaccuracies and misinformation in the article.*

**COUNCILMEMBER RAMLAWI**

*Councilmember Ramlawi requested that City compost collection be*



*extended again this year.*

**COUNCILMEMBER HAYNER**

*Councilmember Hayner thanked City crews for additional work this season with street leaf collection.*

**COUNCILMEMBER LUMM**

*Councilmember Lumm noted that the extended compost collection last year was due to the late dropping of leaves. She stated that isn't really the case this year.*

**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 Smith, seconded by Councilmember Ramlawi, that Council enter into Closed Session under the Michigan Open Meetings Act to discuss pending litigation related to Peters Building Company 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 10:22 p.m.:**

**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**

**MEETING RECONVENED**

**A motion was made by Councilmember Ramlawi, seconded by Councilmember Nelson, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 11:24 p.m.**

**AMEND THE AGENDA**

A motion was made by Councilmember Hayner, seconded by Councilmember Lumm, that Council open the Agenda to add DS-3, Resolution to Purchase Property at 2857 Packard Road. On a voice vote, the Mayor declared the motion carried.

**DS-3      19-2142      Enactment No:**

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

Resolution to Purchase Property at 2857 Packard Road (\$4,760,000) (**8 Votes Required**)

**19-2142      Enactment No:**

Resolution to Purchase Property at 2857 Packard Road (\$4,760,000) (**8 Votes Required**)

*Councilmember Griswold moved the following amendment, seconded by Councilmember Bannister:*

*Reduce the amount of the purchase price to \$3,000,000.00.*

**19-2142      Enactment No:**

**Amended**

A motion was made by Councilmember Lumm, seconded by Councilmember Ackerman, that the Amendment to the Resolution be further amended as follows:

**Further reduce purchase price to \$1,500,000.00**

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

**Yeas:**    5 -    Councilmember Lumm, Mayor Taylor, Councilmember Grand, Councilmember Ackerman and Councilmember Nelson

**Nays:**    6 -    Councilmember Eaton, Councilmember Smith, Councilmember Bannister, Councilmember Hayner, Councilmember Griswold and Councilmember Ramlawi

Resolution to Purchase Property at 2857 Packard Road (\$4,760,000) (**8 Votes Required**)

**19-2142      Enactment No:**

**Amended**

The question being, the motion made by Councilmember Griswold, seconded by Councilmember Bannister, that the Resolution be amended as follows:

Reduce purchase price to \$3,000,000.00.

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

**Yeas:** 6 - Mayor Taylor, Councilmember Ackerman, Councilmember Bannister, Councilmember Hayner, Councilmember Griswold and Councilmember Nelson

**Nays:** 5 - Councilmember Lumm, Councilmember Eaton, Councilmember Grand, Councilmember Smith and Councilmember Ramlawi

Resolution to Purchase Property at 2857 Packard Road (\$3,000,000) (8 Votes Required)

**19-2142 Enactment No:**

Resolution to Purchase Property at 2857 Packard Road (\$3,000,000) (8 Votes Required)

*Councilmember Griswold made a motion, supported by Councilmember Ackerman, that the Resolution be amended to remove the specific funding source. (The motion was withdrawn.)*

**19-2142 Enactment No:**

**Approved as Amended**

A motion was made by Councilmember Eaton, seconded by Councilmember Hayner, that the Resolution be approved as amended. On a roll call, the vote was as follows with the Mayor declaring the motion defeated, not satisfying the eight-vote:

**Yeas:** 6 - Councilmember Eaton, Councilmember Ackerman, Councilmember Bannister, Councilmember Hayner, Councilmember Griswold and Councilmember Nelson

**Nays:** 5 - Councilmember Lumm, Mayor Taylor, Councilmember Grand, Councilmember Smith and Councilmember Ramlawi

Resolution to Purchase Property at 2857 Packard Road (\$3,000,000) (8 Votes Required)

**AMEND THE AGENDA**

**A motion was made by Councilmember Ackerman, seconded by Councilmember Grand, that the Agenda be amended as follows:**

**Add: Resolution to Settle Peters Building Co. v. City of Ann Arbor.**

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

**DS-4      19-2143      Enactment No:      R-19-501      Approved**

**A motion was made by Councilmember Ramlawi, seconded by Councilmember Smith, 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 Settle Peters Building Co. v. City Of Ann Arbor

**ADJOURNMENT**

**A motion was made by Councilmember Eaton, seconded by Councilmember Nelson, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 12:08 a.m.**

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

**LIVE: @ 7:00 P.M.**

**REPLAYS: WEDNESDAY @ 8:00 A.M. AND FRIDAY @ 8:00 P.M.**

**REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE**

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

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

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

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

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

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

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

Jacqueline Beaudry  
Clerk of the Council

Anissa R. Bowden  
Recording Secretary