

From: [Bannister, Anne](#)
To: [Tom Stulberg](#)
Cc: [Hayner, Jeff](#); [Griswold, Kathy](#); [Eaton, Jack](#); [Lumm, Jane](#)
Subject: RE: Water and Storm Sewer rates
Date: Saturday, January 5, 2019 2:28:14 PM

Tom, I'll include this in my Agenda Questions for Monday and ask whether the City of Ann Arbor has any risk exposure.

Excerpt:

"...many communities have violated Michigan's Headlee Amendment. The local governments imposed storm-water charges that were more like a tax than a fee — a violation of the late Richard Headlee's famous limit on taxation, as enshrined in the Michigan Constitution. Now, for better or worse, each community that has lost in court must revise how it bills customers."

Thanks so much,

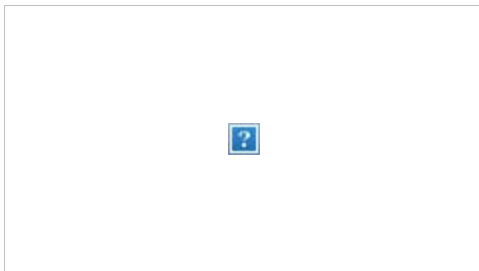
Anne Bannister
Ward One Councilmember
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Term Nov. 2017 - Nov. 2020

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: Tom Stulberg [REDACTED]
Sent: Thursday, January 03, 2019 9:28 AM
To: Bannister, Anne; Hayner, Jeff
Subject: Water and Storm Sewer rates

Did you see this?!

<https://www.freep.com/story/news/local/michigan/oakland/2018/10/08/lawsuits-sewer-storm-water-bills-michigan-detroit/1418087002/>



Kickham Hanley law firm suing cities, townships over sewers

Law firm gets rich off sewer lawsuits against cities and townships. A Royal Oak lawn firm has won tens of millions of dollars in lawsuits against a growing list of metro Detroit communities.

www.freep.com

From: [Bannister, Anne](#)
To: [CityCouncil](#)
Cc: [Lazarus, Howard](#); [Fournier, John](#); [Hupy, Craig](#); [Higgins, Sara](#); [Hess, Raymond](#); [Sarah Byers](#); [\[REDACTED\]](#); [Lester Wyborny](#); [Amy Chavasse](#); [Chuck Marshall](#); [Po Hu](#); [\[REDACTED\]](#); [tom & sue maguire](#); [Maris Laporte](#); [\[REDACTED\]](#); [Carmen Pelton](#); [Scott Newell](#); [Christina Carmichael](#); [Tom Stulberg](#); [Libby Brooks](#); [Janet Holloway](#); [Jean Arnold](#); [Colvin-Garcia, Carlene](#); [Andrea Tom](#); [Hutchinson, Nicholas](#); [susan baskett](#); [Allen, Jane \(Project Management\)](#); [Linda Diane Feldt](#); [Rita Mitchell](#); [\[REDACTED\]](#); [Braxton Blake](#); [Rechtien, Matthew](#); [Needham, Bob](#); [Mirsky, John](#); [James Daniel](#); [Sumi Kailasapathy](#); [Stults, Missy](#); [Gray, Kerry](#); [csynk@michiganfitness.org](#); [kalexander@michiganfitness.org](#); [armstrongb@michigan.gov](#)
Subject: Request for Reconsideration on Northside STEAM SRTS Sidewalk Gap Project
Date: Monday, January 7, 2019 3:15:22 AM
Attachments: [2018 Sidewalk Gaps.pdf](#)
[AgendaResponses2012-17-18Final copy.pdf](#)
[Interconnected Points to Consider in Sidewalk Gap Projects.pdf](#)

Dear Council Colleagues,

At tonight's Council meeting, please bring back and reconsider your "yes" vote on Resolution 18-1749, *"Resolution 2 - Northside STEAM Safe Routes to School Sidewalk Gap Project -- Sidewalk Special Assessment."*

While the impacted homeowners would like to put the \$400,000 in grant funding to good use in multiple alternative safety ways, the current plan is deeply flawed and is not ready to move forward.

This sample list of concerns could be applied to Sidewalk Gap projects in established neighborhoods throughout the city (see attached map of Sidewalk Gaps):

1.

SAFETY: The current plan is not effective in addressing the most dangerous pedestrian and bicycle safety issues at Northside STEAM and is not the best use of limited funding.

a.

Crash data and traffic volumes for the school area have not been collected, but common sense indicates that the greatest risks to pedestrians and cyclists are due to dangerous and inconsistent crosswalks in the area, lack of illumination and pedestrian activated signals, low sight lines and signage, lack of traffic calming measures and police enforcement, and pavement hazards for cyclists in the road.

b.

On 12/17/2018 City Council passed Resolution 18-2117 to Address Crosswalk Improvements and Maintenance, which will provide valuable information in the weeks ahead about priority danger areas that need limited funding dollars immediately.

c.

AAPS could improve their instructions to families about how to safely pick-up and drop-off students.

d.

Best practices about pedestrian and bike corridors and safety from peer cities have not been fully explored.

2.

PUBLIC PROCESS and AFFORDABILITY: Council is urged to "put our foot down" and require that the voices of the impacted homeowners be included in these planning processes from the beginning, so that there's time for their valuable ideas to be incorporated.

- a. The grant funders require a public resolution of support and the City is instead using a Council vote from 10/2/2017 on Resolution 17-0377 as proof of this support (see attached Agenda Responses, page 6). This is unfair because the neighbors have strongly opposed the project, including by signing two petitions, one in November and another again today.
 - b. Homeowners are being instructed to pay special assessments for the sidewalks, incur the future costs for snow removal, sign grading easements, and potentially pay higher property taxes and homeowners insurance rates. They are also in some cases losing trees that provide shade and help conserve energy costs. They deserve to participate from the beginning of the planning process, and Council should protect their right to do so.
 - c. We ask that city staff begin discussions with the grant funders about multiple alternatives plans and amendments to the grant proposal, including a sidewalk in the road on only one side of Traver, and continued parking. The grant funders have expressed interest in seeing SRTS projects be welcomed as a success in the neighborhoods that accept their funding, and have offered that amendment is possible on the issue of sidewalks on only one side of the road.
 - d. See the attached infographic showing the complex interconnected points to consider in SRTS projects.
3. **TRANSPORTATION COMMISSION and TRANSPARENCY:** At the 12/19/2018 meeting, two commissioners raised questions about the SRTS project, including about snow removal and special assessments, but information was not shared with them about the challenges the project is experiencing (see [video](#) at 1:19 and 1:37 hours). Greater transparency is needed, so that the commissioners' advice can be incorporated into Council decision-making.
4. **CLIMATE ACTION and PUBLIC BENEFIT:** As Ann Arbor moves forward with our closing sidewalk gaps around the City, we also would like to balance our other [master plans](#), including the Climate Action Plan and [The Urban Forest](#). Numerous articles have been written about the increasing value of mature trees to property values and quality of life.
 - a. The City of Ann Arbor's own Urban Forestry Coordinator, Kerry Gray, is quoted in an [MLIVE article dated 11/14/2018](#), as saying, "*Tree canopies provide important environmental and ecological functions for the community, including helping with stormwater runoff, improving air quality, reducing energy usage, providing wildlife habitat and ameliorating summer temperatures.*"
 - b. Mistakes the City may have made in the past include the removal of truckloads of mature trees in 2016 along [Geddes Avenue](#), to install a sidewalk and bike path. We ask that feedback be gathered from residents about whether trade-offs like this are worth it in hindsight.
5.

8 VOTE SUPERMAJORITY: Confusion and uncertainty persists about the fairness and transparency of how the City determines the special assessments across various sidewalk projects. We also believe that an 8 vote requirement should be required on this project and site these code sections:

a.

Ann Arbor, MI Code of Ordinances. Chapter 13 Special Assessments. 1:290 - Objections to roll: Any person aggrieved by the special assessment roll or the necessity of the improvement may file objections to the roll in writing with the Clerk prior to the close of the hearing. The written objections shall specify in what respect the person believes him or herself aggrieved. No original assessment roll shall be confirmed except by the affirmative **vote of 8 members of the Council** if prior to the confirmation written objections to the proposed improvement have been filed by the owners of the property which will be required to bear over 50% of the amount of the special assessment.

b.

City Charter, Section 4.4. G: The affirmative vote of at least six members of the Council, or of such greater number as may be required by this charter, or other provisions of law, Ann Arbor, Michigan City Charter 16 shall be required for the adoption or passage of any resolution or ordinance, or the taking of any official Council action. No office may be created or abolished, **nor any street, alley, or public ground vacated**, nor private property taken for public use, **unless by a concurring vote of at least eight members of the Council.**

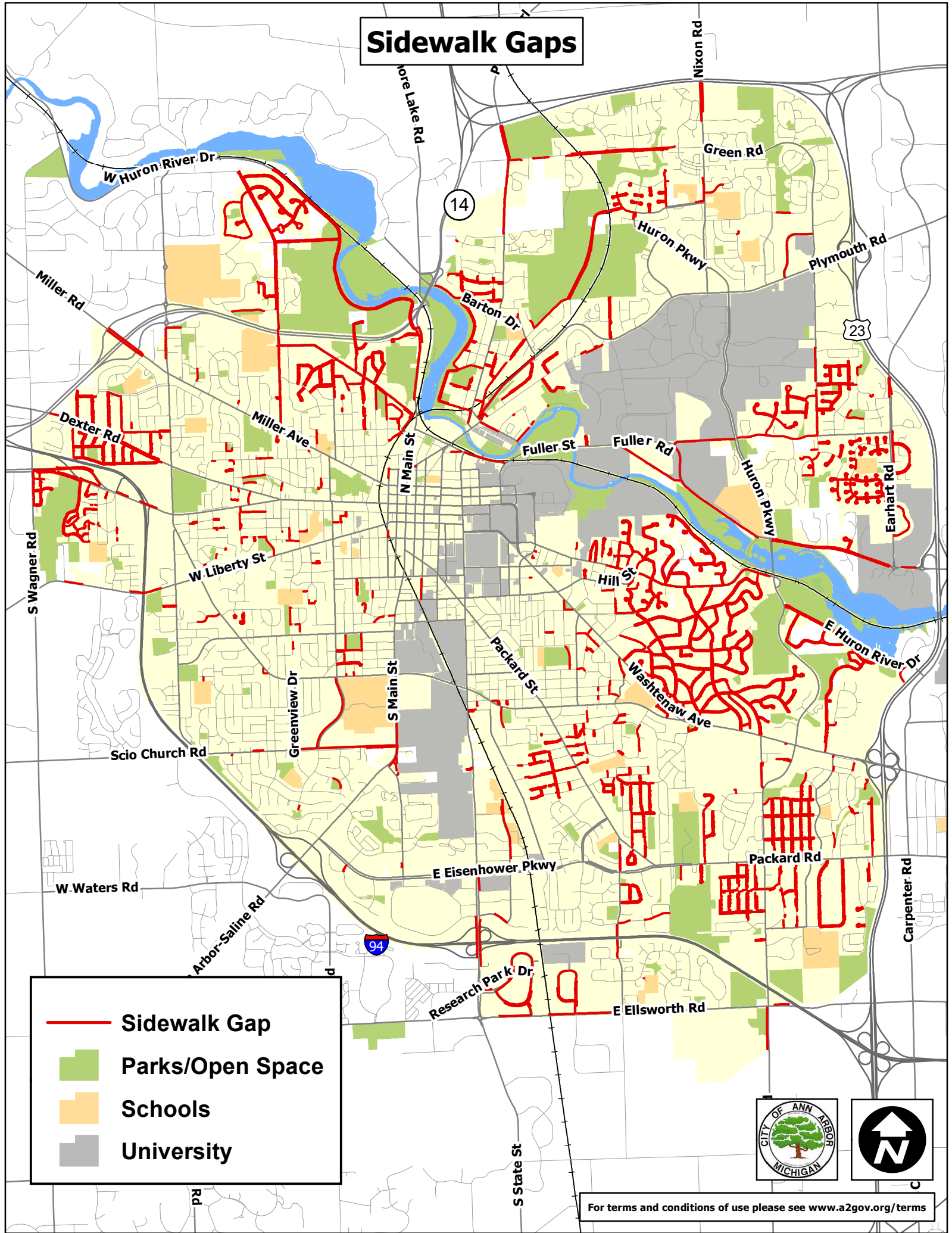
(Explanation: The City is proposing to vacate a portion of the City street, which is used by City residents parking, for other purposes such as a sidewalk. When the City proposes to vacate a portion of the City street, a super-majority would be required.)

Thank you for considering the impact of these issues on residents as Council makes

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Sidewalk Gaps



-  Sidewalk Gap
-  Parks/Open Space
-  Schools
-  University



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TO: Mayor and Council

FROM: Howard S. Lazarus, City Administrator

CC: Tom Crawford, CFO
Derek Delacourt, Community Services Area Administrator
Craig Hupy, Public Services Area Administrator
Nick Hutchinson, City Engineer
Jennifer Lawson, Water Quality Manager
Brett Lenart, Planning Manager

SUBJECT: Council Agenda Responses

DATE: December 17, 2018

AC - Communications from the City Administrator

Question: I request that Mr. Lazarus elaborate with thoroughness on the Memorandums on PFAS and STEAM SRTS. (Councilmember Bannister)

Response: The memoranda provide updates to Council on matter of interest. The City Administrator will most certainly respond to questions pertaining to any specific elements, and requests that these questions be submitted in accordance with the *Guidelines for Council Communications with Staff*.

CA – 3 - Resolution to Accept a Sanitary Sewer Easement at 1939 Jackson Avenue and 312 Glendale Drive from GSB Holdings LLC and Glendale Orchard LLC (8 Votes Required)

CA – 4 - Resolution to Accept a Water Main Easement at 1939 Jackson Avenue and 312 Glendale Drive from GSB Holdings LLC and Glendale Orchard LLC (8 Votes Required)

Question: Is there a simple staff response to the implications those easements will have on adjacent property owners? (Councilmember Ramlawi)

Response: The easements cover existing water main on 1939 Jackson and to-be constructed sanitary sewer on 312 Glendale. Granting of these easements was required by Council resolution R-17-105 (<https://tinyurl.com/y9877fpg>) approving the Hillside Memory Care site plan. The water main easement will also result in a publicly-owned water main loop, which is a beneficial system redundancy. The sanitary sewer main is required to be public as it will connect multiple leads from the development at 312 Glendale. These easements have no impact on storm or flood water and no immediately apparent implications for adjacent property owners or the area.

CA – 7 - Resolution to Accept and Appropriate Additional Federal Grant Funds and Approve Amendments #1-4 of the Sub-Contract with the Regents of the University of Michigan for the Ann Arbor Test Environment Project (\$75,010.00) (8 Votes Required)

Question: Regarding CA-7, the cover memo indicates the city's support provided to the project (\$154K) is fully-reimbursed by the federal grant. Is that \$154K a direct cash contribution or staff time and if a direct cash contribution, is the City also reimbursed for the staff costs incurred? (Councilmember Lumm)

Response: This is a full reimbursement for costs incurred.

CA-8 - 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 Pepper Pike section of Millers Creek (Total Project Cost: \$1,500,000.00)

Question: Regarding CA-8, my recollection is that in some cases involving SRF funding, there is actually some loan forgiveness. Is that possible with this \$1.5M project? (Councilmember Lumm)

Response: Yes. The project may have a principle loan forgiveness of up to \$50,000. This number is not finalized, as the application has not been made to the MDEQ. The application is made to the MDEQ after the petition is approved from the City to move forward with the project.

CA-9 - Resolution to Add a Full-Time Equivalent for a Staff Liaison to Support the Independent Community Police Oversight Commission and Human Rights Commission

Question: This person will reside in the office of the City Administrator and report to him. There is concern that there could be a conflict of interest if that person, who supports

the efforts of ICPOC, reports to the City Administrator. There may be a problem with transparency. How can this be addressed? (Councilmember Bannister)

Response: Chapter 8, Section 1:219(2) of the City Code requires, “The city shall also provide the Commission with the services of an administrative liaison consistent with other city boards and commissions.” The request to amend the budget complies with this requirement. Typically, all staff liaisons are provided from within the service unit associated with the board or commission’s purpose. However, in this case the liaison is placed in the City Administrator’s Office to avoid the perceived (although not actual) influence of the Ann Arbor Police Department. Transparency is maintained through the posting of all materials and meetings of the ICPOC in accordance with the Open Meetings Act, City Council adopted police subsequent to OMA, and the availability of information through the Freedom of Information Act.

Question: Q1. Can you please provide a bit more information on the position description including the salary range and qualifications we’re looking for? Also, its noted the position will be in the Administrator’s Office – who will the position report to? (Councilmember Lumm)

Response: The position title we are using is Management Assistant, which carries with it a salary of range from \$48,000 to \$62,500. The draft position description, which I have provided to the Human Rights Commission Chair for review and input, is as follows:

This position is responsible for providing administrative and logistical support to the City’s Independent Community Police Oversight Commission and the Human Rights Commission. The liaison will provide interfaces among the commission members, council liaisons, city staff from the City Administrator’s Office, the City Attorney’s Office, Human Resources, Communications, the City Clerk, and the Police Department. The liaison will schedule meetings of and coordinate meeting locations for the two commissions and support their subcommittee activities, attend the meetings - including their regularly scheduled evening meetings (estimated at two per month) - produce action minutes, prepare meeting agendas and packages, and maintain all commission files. The liaison will be responsible for managing any contracts issued in support of the commissions. The individual will ensure compliance with all applicable rules, regulations, laws, and policies and will be able to use the City’s computer systems. The liaison may also perform other duties as required, and will report to the City Administrator or the Administrator’s designee.

Our current plan is to have the liaison report to the Assistant City Administrator.

Question: Q2. As you know, hiring a permanent city employee represents a long-term commitment so can you please expand on the rationale provided in the cover memo for why you’ve concluded a permanent city employee is the better approach than contracted services? (Councilmember Lumm)

Response: The ICPOC is a permanent commission that Council has established by ordinance, so the requirement to provide support will also be ongoing and long term. A permanent liaison provides continuity of support and retention of institutional knowledge over a contracted position where continual turnover can be anticipated.

Q3. Can you please elaborate a bit on the additional support that will be provided by this liaison to the HRC? (Councilmember Lumm)

Response: The HRC has similar functionality to the ICPOC, including the requirement to receive and review complaints; investigate and hold hearings; and provide education programs. The additional support will enable better maintenance of records, establishment of an intake point for concerns, improvement in administrative and logistical support, and attendance at meetings and producing minutes.

Question: **Q4,** Recognizing that at this point the we don't know for sure, do you anticipate this new full-time liaison will be fully occupied with the ICPOC and HRC, and if not, what other duties how else might the position be utilized? (Councilmember Lumm)

Response: We anticipate that the new full-time liaison will be fully occupied with the ICPOC and the HRC. However, the job description does provide for performance of other duties as required under the direction of the City Administrator or designee.

Question: Please provide an updated list of new employees and job titles added in the last five years. (Councilmember Eaton)

Response: This list will take some time to prepare and to ensure accuracy staff will respond separately.

C – 1 - An Ordinance to Amend Sections 2:63 and 2:64 of Chapter 29 (Change Water, Sewer, and Stormwater Rates) of Title II of the Code of the City of Ann Arbor

Question: **Q1.** The cover memo states that “In July 1, 2018, a new rate structure was put into place based on a Cost of Service Study to align rates with the cost to serve each customer class. To give customers an opportunity to adjust to the new structure, rate increases were postponed until January 2019.” While the water rate changes in July may not have resulted in a net increase in revenue, sewer rates were increased on July 1st by 13.3% (from \$4.58 per 100 cubic feet of water flow to \$5.19 per 100 cubic feet of water flow) and stormwater rates were increased by 14.0% (from \$595.45 an impervious acre to \$678.81 an impervious acre) and unless I'm missing something, both of those increases should be revenue generating. Can you please confirm if that's correct? (Councilmember Lumm)

Response: The new rate structure involved changes to both the volumetric and fixed charges. The changes resulted in the Water and Sanitary Sewer funds being held revenue neutral. Effective July 1, 2018, the stormwater rates were increased in accordance with the level-of-service rate plan and are not currently being adjusted with this ordinance change.

Question: Q2. Assuming I am correct about the sewer rates being increased effective July 1, 2018, this proposed sewer rate increase effective January 1, 2019 (from \$5.19 per 100 cubic feet of water flow to \$5.55 per 100 cubic feet of water flow) results in a combined increase this fiscal year of 21.2%. Is that accurate, and if so, how much has the annualized sewer revenue (at constant volume) increased from the rates in effect for FY18 compared with the rates proposed to be in effect as of January 1, 2019? (Councilmember Lumm)

Response: No this is not accurate. No revenue increase resulted with the rate structure changes effective July 1, 2018 for water and sewer. The net revenue increase proposed with this change is 6% for water and 7% for sanitary sewer.

Question: Q3. The cover memo also states that “the impact of these increases on the average single-family residential customer’s utility bill is \$10.05 per quarter or \$40.20 per year, an effective rate increase of 5.15% if consumption remains the same.” I’m assuming those average increase numbers reflect just the water and sewer increases contemplated here, and do not include the impact of the sewer and stormwater increases effective July 1st or the water rate restructuring impact effective July 1st. Can you please provide these average single-family increases (dollars per quarter and per year as well as percentage) for two scenarios (1) this proposal plus the sewer and stormwater increases in July, but excluding the water rate re-structuring in July and (2) this proposal plus the sewer and stormwater increases in July plus the water rate re-structuring impact in July? (Councilmember Lumm)

Response: Correct, this statement reflects the average increase from the current typical residential bill to the proposed residential bill.

Question: Q4. Assuming these January 1, 2019 increases are adopted, is the plan still to propose increases of 6% for water, 7% for sewer, and 13% for stormwater effective July 1, 2019? (Councilmember Lumm)

Response: Yes, that is our current rate plan.

Question: Q5. Over the last five years or so, how much have water, sewer, and stormwater rates increased for Ann Arbor customers and how much have the rates increased over the same period for the townships we supply water to? (Councilmember Lumm)

Response: More time is requested to pull the appropriate records and to complete the requested calculations. Please keep in mind, the City does not maintain the distribution collection systems for any of the Townships.

C – 2 - An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of two adjacent lots totaling 1.6 Acres from R1C (Single-Family Dwelling District) to R2A (Two-Family District) 3786 & 3802 Platt Road Rezoning (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

Question: Regarding C-2, the staff report indicates that there had not been any objections or concerns raised at that point. Have any issues or concerns been raised to city staff since the Planning Commission meeting last month? (Councilmember Lumm)

Response: No.

DC – 4 - Resolution Directing the City Administrator to Develop and Present to Council by February 28, 2019 a List of Feasible Alternatives to Revise the Recently-Adopted Water Rate Re-structuring Ordinance to Mitigate the Adverse Impacts of the Ordinance on Single-Family Residential Customers

Question: Please add me as a co-sponsor. (Councilmember Bannister)

Response: Added.

Question: Please fix typo on the bottom of page 2 to be November 2017 (not 2018). (Councilmember Bannister)

Response: The typo was in item DC-3; it has been corrected.

DS – 1 - Resolution No. 2 - Northside STEAM Safe Routes to School Sidewalk Gap Project - Sidewalk Special Assessment

Question: Q1. Is it accurate that MDOT-TAP has a new grant requirement for a Public Resolution of Support? How could a Resolution of Support be included in our current SRTS proposal? (Councilmember Bannister)

Response: The Safe Routes to School Grant Program has always had such a requirement; however, it was recently expanded to include all TAP grant programs. A Resolution of Support was already included in the process for the current project. City Council voted unanimously to approve such a resolution at the City Council meeting on October 2, 2017 (R-17-377).

Question: Q2. What are some feasible, innovative solutions that our peer cities are considering for their urban bikeway and pedestrian corridors? What are some 2019

forward-thinking alternatives to old-fashioned concrete sidewalks? Residents are looking for more than one option, beyond sidewalks, to consider. (Councilmember Bannister)

Response: While some communities have looked at pedestrian walkways within existing streets, this is generally considered a poor substitution to a traditional separated sidewalk behind the curb. Traditional sidewalks are the safest alternative for pedestrian mobility.

Question: Q3. What are alternatives to sidewalks on Traver Road, notably traffic calming and traffic controls, as well as marked pedestrian walkways on the existing road? (Councilmember Bannister)

Response: See the response to question #2 above. If residents on Traver Road are interested in participating in the Traffic Calming Program, they can learn more about how to do so at the City's Traffic Calming Program website [here](#). While Traver did not qualify for the Traffic Calming Program previously, modifications were recently made to the program that may make it easier for a street to qualify, and a new petition can be submitted at any time. Any traffic calming measures installed on the street would be supplemental to the placement of the sidewalk, not in lieu of.

Question: Q4. Concerns have been raised about visibility / low sight lines at the intersections at Traver and John A Woods, and the crosswalk by the Barton Drive entrance. For example, is there a concern with the constant illumination that lighting will impact resident bedrooms in the evening? (Councilmember Bannister)

Response: Staff designed further safety improvements to the intersection of John A Woods and Traver utilizing bump-outs, geometric changes that allow for a more perpendicular intersection, and relocation of the crosswalk for better sight distance. Staff believes that these changes will adequately address safety concerns at this intersection. The mid-block crossing of Barton Drive at the school entrance is outside the limits of the current project, however it can be evaluated and discussed further with Ann Arbor Public Schools. It should also be noted that the crossing at the school entrance from Barton is controlled during peak periods by a crossing guard.

Question: How are lighting improvements at crosswalks handled and what is the process, such as adding either the flashing lights that are triggered when you hit a button or constant lights illuminating the entire path? (Councilmember Bannister)

Response: Uncontrolled crosswalks around elementary schools have been evaluated by the City's Street Light Asset Management (SLAM) team. The SLAM team has ranked all of the streetlight gaps adjacent to these school facilities and developed design solutions for locations requiring improvement. The locations have been added to the City's prioritized list for improvements. The pedestrian activated warning lights referenced above, known as RRFBs, are typically installed at mid-block crossing locations on major streets. This type of treatment would not be appropriate for locations within the limits of this project.

Question: What would be the process to gather resident feedback on lighting improvements? (Councilmember Bannister)

Response: The City receives lighting requests from a variety of communication sources. The most common, and most efficient, way for residents to make a lighting request is to submit the request through the City's A2 Fix It application. Requests are evaluated according to City procedures and prioritized for implementation.

Question: For example, is there a concern with the constant illumination that lighting will impact resident bedrooms in the evening? (Councilmember Bannister)

Response: The City chooses to install fixtures that have a lighting distribution designed to illuminate only the roadway, crosswalk, and immediately adjacent sidewalk. These fixtures are selected to minimize lighting pollution to adjacent areas. When fixtures are owned by DTE, the City makes these preferences known.

Question: Q5. What progress and plans have been made for the following traffic safety designs, which are urgently needed?

--A Three-way Stop at the Intersection of Traver Road and John Woods Drive: An engineering study of this location has been performed to determine if the location meets the thresholds established in the Michigan Manual of Uniform Traffic Control Devices for the installation of multi-way STOP control. It was determined that none of the criteria are met, and therefore a STOP sign cannot be placed at this location. See also the answer to question #4 above.

--A Speed Bump in the center of the 1600 block of Traver Speed humps are considered as part of the City's Traffic Calming Program: See response to #3 above.

--Communications to the School urging them to stop using the neighborhood as a parking lot, including encouraging drivers to park on Traver Road, and provide designated parking areas for parents: Northside STEAM, like most AAPS elementary and K-8 schools, was designed as a neighborhood school. Hallmarks of neighborhood schools include close integration into the surrounding residential land uses and limited facilities for driving onto the school property. The school's SRTS committee communicates to the school community regarding the availability of remote parking/drop-off locations in the Northside Baptist Church parking lot and the Bethel AME parking lot. While the school's SRTS committee has provided information regarding legal, on-street public parking surrounding the school, these locations are not being actively advertised as remote locations.

Question: Q6. With regard to protection of retaining walls during installation of a sidewalk, what assurances can the City provide that the retaining walls won't be damaged by the contractor and result in the hillside behind the wall collapsing into the road along, along with the trees, with also damage the property beyond the right-of-way? (Councilmember Bannister)

Response: Retaining walls and other items constructed in the public right-of-way are subject to removal by the City if there is a need to do so. That said, provisions will be included in the contract for the contractor to protect the retaining walls. The City does not dictate means and methods to the contractor, either in terms how they remove the curb or in how they protect the retaining walls. However, methods that are typically used for this kind of work do not create vibrations that would be likely to damage the walls. The City intends to make sure that the retaining walls are protected during construction, and does not plan on removing them at this time.

Question: Q7. How does SRTS correlate and integrate with the specific elements of our [master plans and resource documents](#)? (Councilmember Bannister)

Response: Safe Routes to School infrastructure and encouragement activities fully align and integrate with the City's Master Plan and design procedures. The City's non-motorized plan, last updated in 2013, was accepted by City Council into the City's master plan. The non-motorized plan identifies 5 key factors for pedestrian quality (p.19), ranked in order of statistical significance. Number one is presence of a sidewalk. Number two is the amount of lateral separation between pedestrians and motor vehicles. The non-motorized plan has a limited number of specific improvements called out for local streets; however, the plan does specifically identify Traver Road as an important alternative to Plymouth Road and calls for sidewalks on both sides of the street.

Question: Q8. How does SRTS integrate with tools and benefits described on our [Urban Forest webpage](#), including "Cool" National Tree Benefit Calculator, iTree Eco Analysis, and lower energy costs and higher property values? (Councilmember Bannister)

Response: With the recent changes to the project plans, minimal tree removal will occur, therefore having minimal impact on, and minimal integration with, the referenced items. Engineering staff has coordinated with the City's forestry planner throughout the project.

Question: Q9. What is the feasible range of property tax implications for the specific SRTS impacted properties? We've identified the Special Assessments and estimated snow removal costs, and would like data on the property tax implications of removing mature trees and adding sidewalks. (Councilmember Bannister)

Response: The Assessor's view, based on discussions with staff, is that public infrastructure improvements like sidewalks (and curbs and gutters, paved roads, etc.) generally enhance accessibility to a property receiving them and therefore enhance desirability and marketability, and therefore value, of the property. As an example, when properties within a neighborhood receive public improvements, generally we see an increase in property sales prices in the neighborhood that exceeds those in neighborhoods not receiving improvements. Our discussion with the assessor on this subject is continuing as this process moves along.

Question: Q10. What other streets and roads in established neighborhoods throughout the City are without bikeways and pedestrian corridors? Could we have a map and a tree schedule for these properties, and an estimate of their Special Assessments and Ward? (Councilmember Bannister)

Response: A map showing locations City-wide that lack sidewalks is attached. City staff has not done detailed analysis on most of these locations, therefore tree schedules and estimates of their special assessments for any future sidewalk gap projects are not available.

Question: Q11. Why is the short block of Brookside Drive in the SRTS project when there are no sidewalks on the west side, it is not close to the school, and Northside Ave., one street south, is closer to the school and has no sidewalks? (Councilmember Bannister)

Response: The short block of Brookside Drive is a short gap that the SRTS committee felt would be easy to accomplish as part of this project. The SRTS committee's prioritization was based on student population and observed walking patterns.

Question: Q12. Where has the need for sidewalks on the 1600 block of Traver been established, in light of the data showing there are shorter and safer ways for children to walk to school? (Councilmember Bannister)

Response: The 1600 block of Traver Road contains frontage of the Northside STEAM School property. The school's SRTS team determined that it was very important to them to fill the sidewalk gaps directly adjacent to the school property. The importance of this portion of the project was identified in the team's ranking it as the number one desired location for sidewalk installation for this project.

Question: If need is determined, what are simpler and less costly alternatives to sidewalks? (Councilmember Bannister)

Response: See response to question #2 above.

Question: Q. 13. Conflicting information has been found related to two sidewalks versus one, between the National SRTS standards and the Michigan Fitness Foundation. Will further research be done to confirm this discrepancy, before a decision is made to proceed with Resolution 2 for our project in Ann Arbor? (Councilmember Bannister)

Response: Staff has not received any conflicting information from the Michigan Fitness Foundation, the City's SRTS Grant Coordinator. The SRTS grant funding for Michigan follows a complete streets policy. Sidewalks on both sides of the road are a requirement for urban residential streets, which is the classification of the streets within the limits of this project. There are some industrial or agricultural zoned areas in past SRTS applications that proposed sidewalks on just one side, however that is not applicable to this project.

Question: Q.14. What is the feasible range of cost allocation and sharing between City funds and property owners for the Special Assessments? This question needs to be addressed before approval of Resolution 2. (Councilmember Bannister)

Response: The \$16/foot figure cited was from a single project. Staff re-examined the numbers from this project and found that a calculation error was made. The actual figure should have been approximately \$31/foot, which is similar to most other recent sidewalk gap projects. Reducing the assessment for the current project to \$16/foot is not feasible.

Question: SRTS sidewalks provide benefits for children from across the city, which raises the question of whether placing the burden on the property owners is fair and equitable. (Councilmember Bannister)

Response: With respect to the burden on the private property owners, only \$97,000 of the total estimated project cost of \$1,073,000 is proposed to be borne by these property owners. That's just over 9% of the total. The other nearly 90% of the total cost is being borne by the public through a combination of a grant and millage funds.

Question: How can we get to the \$16/foot range? What are our options? What is the maximum amount of time that payments on a Special Assessment can be extended? (Councilmember Bannister)

Response: The special assessment ordinance provides that “[u]pon confirmation of any special assessment roll, the Council shall determine the number of installments in which the assessments may be paid and shall determine the rate of interest to be charged on installments ...” Therefore, as a general matter, it's Council's decision on whether to extend the time for payment and what interest to charge for doing so. Installments are due annually on the first day of July. Although the ordinance sets no maximum number of installments, if Council elects to allow installments, it would be prudent to require payment in full over a period shorter than the life of the sidewalk. Where Council opts not to specify the number of installments, Chapter 12, Section 1:275(2) provides a default number of installments. For example, for an assessment of up to \$6,000.00, that section provides for 6 installments.

Question: Q.15. How are the project costs and Special Assessments impacted by the most recent design changes? Do these plans call for the same or different amount of concrete, and how does this impact the Special Assessments? If there is a reduction in removal of trees, what does this reduce the projected costs? The sidewalks appear to largely be in what is currently the road, which may already have a significant base to it. Does the presence of this base reduce the Special Assessment (which includes base + concrete)? Does this new location of the sidewalks impact the overall excavation costs, with less dirt to move, less curb and asphalt removal, any storm drain work, etc? (Councilmember Bannister)

Response: The most recent design changes had almost no appreciable impacts to the Special Assessment costs, which are still estimated to be approximately \$43/ft. The total estimated project cost went from \$1,012,560 to \$1,010,330. While the need for much of the tree removals, new tree plantings, retaining walls, and embankment was eliminated, this was offset by the increased curb and gutter replacements, pavement removal, and increased sidewalk width throughout much of Traver. None of those items were being assessed to property owners in the first place, so the changes had no effect on the special assessment amounts. The new location of the sidewalks still requires excavation, removal of existing curbs and asphalt, and the relocation of storm inlet structures to the new curb line. While the new design (on Traver specifically) will have a larger amount of concrete, this will be placed mostly in the location that was previously the paved roadway. Therefore, there will not be a significant net increase in impervious surface.

Question: Q16. What precautionary plans are needed for the mid-block crossing at the intersection of Traver and John A. Woods, at the steep hill that crests at this intersection? Cars speeding down the hill from the northeast (Barton Drive) do not have good sight lines for pedestrians, and children cross mid-block a couple houses southwest of that intersection because the intersection is unsafe. (Councilmember Bannister)

Response: Staff designed further safety improvements to the intersection of John A Woods and Traver utilizing bump-outs, geometric changes that allow for a more perpendicular intersection, and relocation of the crosswalk for better sight distance. Staff believes that these changes will adequately address safety concerns at this intersection.

Question: Q17. Also, there's vacant land 168 feet wide at the southeast side that has been split into four lots, with a center drive being created for all four new houses. How has the builder been engaged in the new sidewalk process? The builder has expressed interest in helping design a safer intersection, including possible impacts on his property. (Councilmember Bannister)

Response: This property owner has been sent all the same communications as the other residents in the project limits, however staff has not yet heard from the owner of this property. Staff will reach out to this owner specifically to discuss their proposed development, and coordinate their work with that of the project.

Question: Q18. Why is there one sidewalk on Easy Street, leading up to Allen Elementary School? How did they get to have only one sidewalk? (Councilmember Bannister)

Response: The sidewalk was constructed along Easy St. when the street was reconstructed in 2005/06. It was at the direction of City Council that the sidewalk was constructed only on one side of the street, and that the project was funded locally with no state or federal monies and the accompanying requirements.

Question: Regarding DS-1, the Administrator's memo (AC-2) indicates that a letter describing the most recent design changes was sent to impacted property owners on

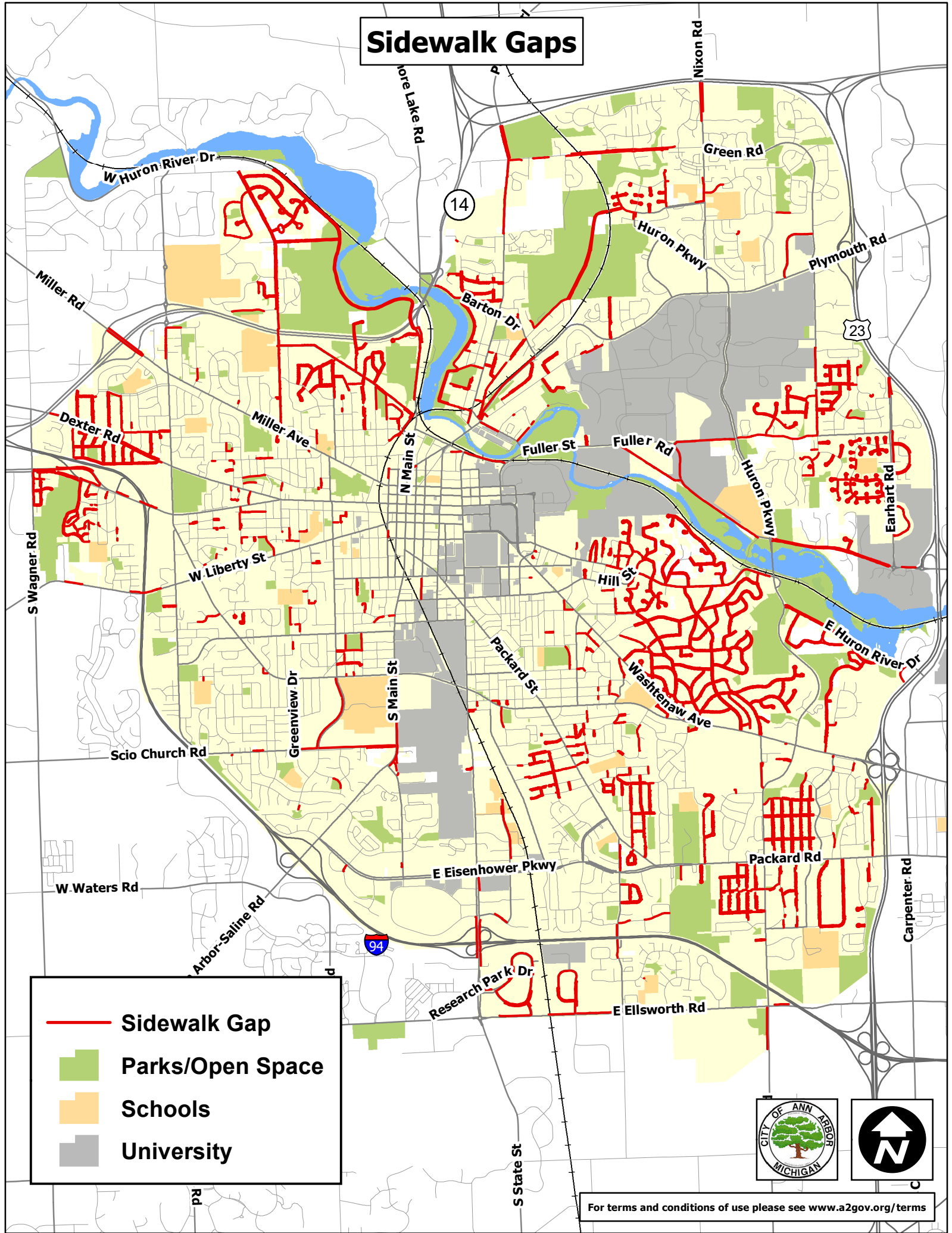
December 11th. Have we heard back from neighbors, and if so, what was the reaction? (Councilmember Lumm)





Response: In general, residents from whom staff has heard back that have commented on the revised design seem to indicate that they feel the revisions made to the plans represent an improvement.

Question: Also on DS-1, the discussion at the December 3rd meeting about being penalized with the loss of future federal grants wasn't clear as to the likelihood of that happening. Have we learned anything since that would clarify that issue? (Councilmember Lumm)

Response: The most recent response from the Michigan Fitness Foundation (MFF) indicated that the ability to obtain future grants *may* be impacted by the failure to advance the current grant. Staff has received no further clarification on this point, although MFF staff did indicate that such a situation appears to not have a precedent.

Sidewalk Gaps

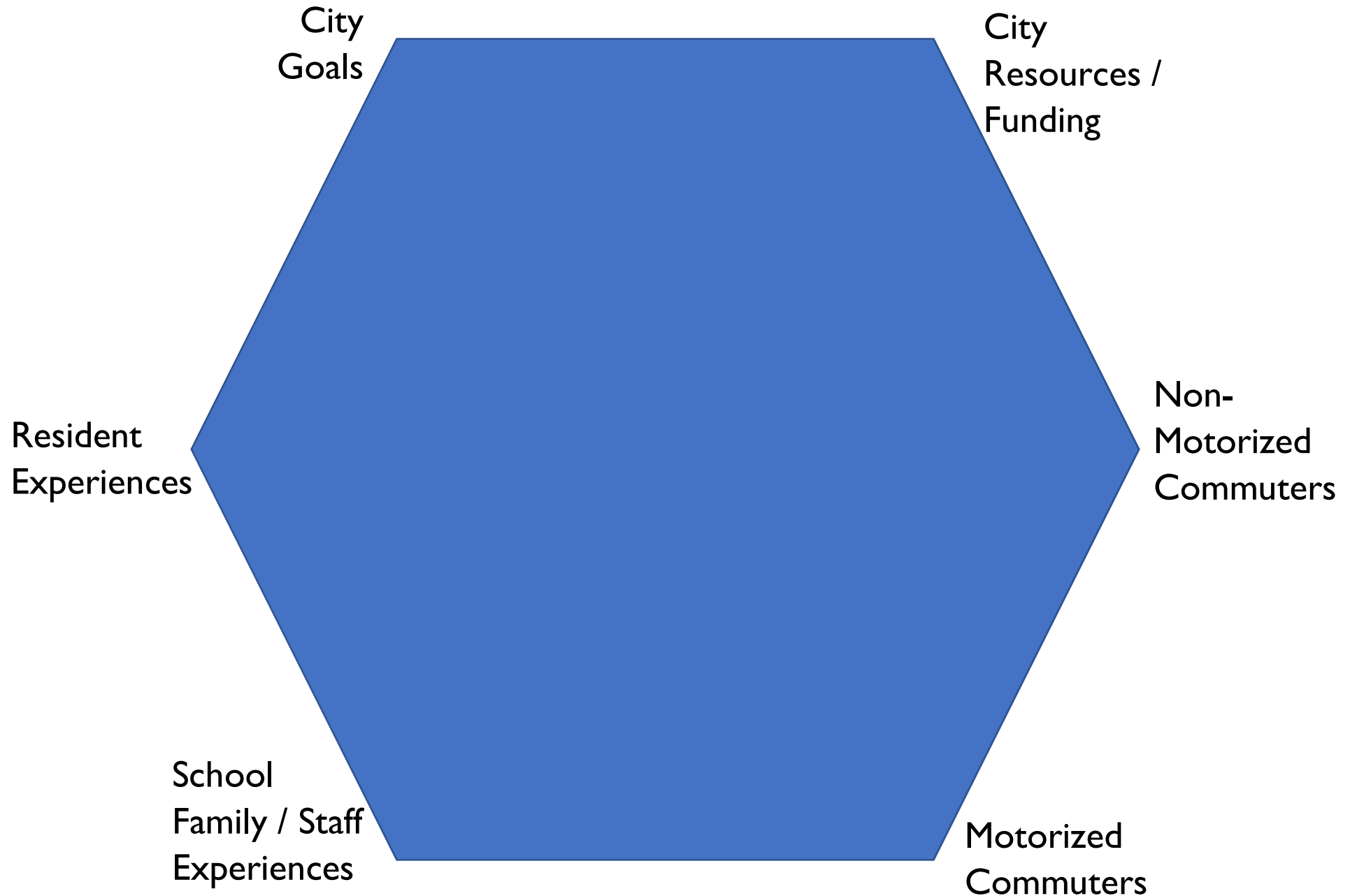


-  Sidewalk Gap
-  Parks/Open Space
-  Schools
-  University

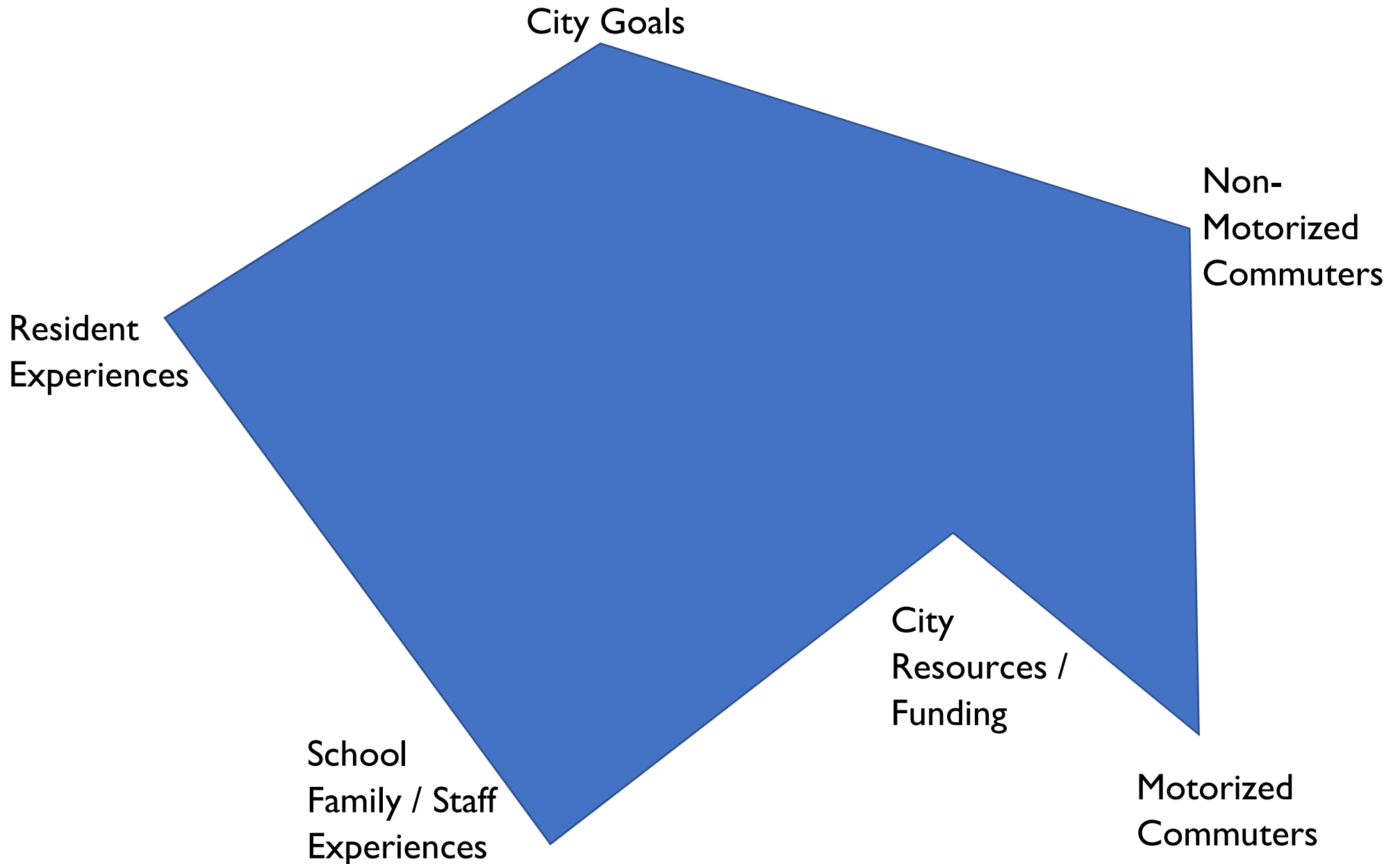


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Interconnected Points to Consider in Sidewalk Gap Projects



Interconnected Points to Consider in Sidewalk Gap Projects



From: [Bannister, Anne](#)
To: [Higgins, Sara](#)
Cc: [Lazarus, Howard](#); [Hayner, Jeff](#); [Griswold, Kathy](#); [Eaton, Jack](#)
Subject: Fwd: Request for Reconsideration on Northside STEAM SRTS Sidewalk Gap Project
Date: Monday, January 7, 2019 4:26:59 AM
Attachments: [2018 Sidewalk Gaps.pdf](#)
[AgendaResponses2012-17-18Final copy.pdf](#)
[Interconnected Points to Consider in Sidewalk Gap Projects.pdf](#)

Dear Ms. Higgins,

While the SRTS resolution is not officially on tonight's agenda, it could be if an 8 vote requirement is needed to vacate the road for the sidewalk, as the current plan entails.

Could this question of whether 8 votes are required be added to the Agenda Questions?

While the final vote to apply the assessments is when the 8 vote majority applies for special assessments, an 8 vote supermajority may apply with these early votes since the City Council is essentially voting to vacate street parking.

Is a second vote necessary because Council likely was not aware that they were vacating street parking (they likely were just voting to approve sidewalks) and vacating street parking is a much more significant vote which requires a supermajority? (See also #5 below).

Thanks,
Anne

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----- Forwarded message -----

From: "Bannister, Anne" <ABannister@a2gov.org>
Date: Mon, Jan 7, 2019 at 3:15 AM -0500
Subject: Request for Reconsideration on Northside STEAM SRTS Sidewalk Gap Project
To: "CityCouncil" <CityCouncil@a2gov.org>
Cc: "Lazarus, Howard" <HLazarus@a2gov.org>, "Fournier, John" <JFournier@a2gov.org>, "Hupy, Craig" <CHupy@a2gov.org>, "Higgins, Sara" <SHiggins@a2gov.org>, "Hess, Raymond" <RHess@a2gov.org>, "Sarah Byers" <byers.sarah@gmail.com>, "[REDACTED]" <[REDACTED]>, "Lester Wyborny" <[REDACTED]>, "Amy Chavasse" <[REDACTED]>, "Chuck Marshall" <[REDACTED]>, "Po Hu" <[REDACTED]>, "[REDACTED]" <[REDACTED]>, "[REDACTED]" <[REDACTED]>, "tom & sue

maguire" <[REDACTED]> "Maris Laporter" <[REDACTED]>
"Carmen Pelton"
<[REDACTED]> "Scott Newell" <[REDACTED]> ", Christina Carmichael"
<[REDACTED]> "Tom Stulberg" <[REDACTED]> "Libby
Brooks" <[REDACTED]> "Janet Holloway" <[REDACTED]> "Jean Arnold"
<[REDACTED]> "Colvin-Garcia, Carlene" <[REDACTED]>
"Andrea Tom" <[REDACTED]> "Hutchinson, Nicholas" <NHutchinson@a2gov.org>,
"susan baskett" <[REDACTED]> "Allen, Jane (Project Management)"
<JAllen2@a2gov.org>, "Linda Diane Feldt" <[REDACTED]> "Rita Mitchell"
<[REDACTED]> "Braxton Blake"
<[REDACTED]> "Rechtien, Matthew" <MRechtien@a2gov.org>, "Needham,
Bob" <[REDACTED]> "Mirsky, John" <JMirsky@a2gov.org>, "James Daniel"
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<kalexander@michiganfitness.org>, "armstrongb@michigan.gov" <armstrongb@michigan.gov>

Dear Council Colleagues,

At tonight's Council meeting, please bring back and reconsider your "yes" vote on Resolution 18-1749, "Resolution 2 - Northside STEAM Safe Routes to School Sidewalk Gap Project -- Sidewalk Special Assessment."

While the impacted homeowners would like to put the \$400,000 in grant funding to good use in multiple alternative safety ways, the current plan is deeply flawed and is not ready to move forward.

This sample list of concerns could be applied to Sidewalk Gap projects in established neighborhoods throughout the city (see attached map of Sidewalk Gaps):

1.

SAFETY: The current plan is not effective in addressing the most dangerous pedestrian and bicycle safety issues at Northside STEAM and is not the best use of limited funding.

a.

Crash data and traffic volumes for the school area have not been collected, but common sense indicates that the greatest risks to pedestrians and cyclists are due to dangerous and inconsistent crosswalks in the area, lack of illumination and pedestrian activated signals, low sight lines and signage, lack of traffic calming measures and police enforcement, and pavement hazards for cyclists in the road.

- b.
On 12/17/2018 City Council passed Resolution 18-2117 to Address Crosswalk Improvements and Maintenance, which will provide valuable information in the weeks ahead about priority danger areas that need limited funding dollars immediately.
- c.
AAPS could improve their instructions to families about how to safely pick-up and drop-off students.
- d.
Best practices about pedestrian and bike corridors and safety from peer cities have not been fully explored.

2.

PUBLIC PROCESS and AFFORDABILITY: Council is urged to “put our foot down” and require that the voices of the impacted homeowners be included in these planning processes from the beginning, so that there's time for their valuable ideas to be incorporated.

- a.
The grant funders require a public resolution of support and the City is instead using a Council vote from 10/2/2017 on Resolution 17-0377 as proof of this support (see attached Agenda Responses, page 6). This is unfair because the neighbors have strongly opposed the project, including by signing two petitions, one in November and another again today.
- b.
Homeowners are being instructed to pay special assessments for the sidewalks, incur the future costs for snow removal, sign grading easements, and potentially pay higher property taxes and homeowners insurance rates. They are also in some cases losing trees that provide shade and help conserve energy costs. They deserve to participate from the beginning of the planning process, and Council should protect their right to do so.
- c.
We ask that city staff begin discussions with the grant funders about multiple alternatives plans and amendments to the grant proposal, including a sidewalk in the road on only one side of Traver, and continued parking. The grant funders have expressed interest in seeing SRTS projects be welcomed as a success in the neighborhoods that accept their funding, and have offered that amendment is possible on the issue of sidewalks on only one side of the road.
- d.
See the attached infographic showing the complex interconnected points to consider in SRTS projects.

3.

TRANSPORTATION COMMISSION and TRANSPARENCY: At the 12/19/2018 meeting, two commissioners raised questions about the SRTS project, including about snow removal and special

assessments, but information was not shared with them about the challenges the project is experiencing (see [video](#) at 1:19 and 1:37 hours). Greater transparency is needed, so that the commissioners' advice can be incorporated into Council decision-making.

4.

CLIMATE ACTION and PUBLIC BENEFIT: As Ann Arbor moves forward with our closing sidewalk gaps around the City, we also would like to balance our other [master plans](#), including the Climate Action Plan and [The Urban Forest](#). Numerous articles have been written about the increasing value of mature trees to property values and quality of life.

a.

The City of Ann Arbor's own Urban Forestry Coordinator, Kerry Gray, is quoted in an [MLIVE article dated 11/14/2018](#), as saying, "*Tree canopies provide important environmental and ecological functions for the community, including helping with stormwater runoff, improving air quality, reducing energy usage, providing wildlife habitat and ameliorating summer temperatures.*"

b.

Mistakes the City may have made in the past include the removal of truckloads of mature trees in 2016 along [Geddes Avenue](#), to install a sidewalk and bike path. We ask that feedback be gathered from residents about whether trade-offs like this are worth it in hindsight.

5.

8 VOTE SUPERMAJORITY: Confusion and uncertainty persists about the fairness and transparency of how the City determines the special assessments across various sidewalk projects. We also believe that an 8 vote requirement should be required on this project and site these code sections:

a.

Ann Arbor, MI Code of Ordinances. Chapter 13 Special Assessments. 1:290 - Objections to roll: Any person aggrieved by the special assessment roll or the necessity of the improvement may file objections to the roll in writing with the Clerk prior to the close of the hearing. The written objections shall specify in what respect the person believes him or herself aggrieved. No original assessment roll shall be confirmed except by the affirmative **vote of 8 members of the Council** if prior to the confirmation written objections to the proposed improvement have been filed by the owners of the property which will be required to bear over 50% of the amount of the special assessment.

b.

City Charter, Section 4.4. G: The affirmative vote of at least six members of the Council, or of such greater number as may be required by this charter, or other provisions of law, Ann Arbor, Michigan City Charter 16 shall be required for the adoption or passage of any resolution or ordinance, or the taking of any official Council action. No office may be created or abolished, **nor any street, alley, or public ground vacated**, nor private property taken for public use, **unless by a concurring vote of at least eight members of the Council**. (Explanation: The City is proposing to vacate a portion of the City street, which is used by City residents parking, for other purposes such as a sidewalk. When the City proposes to vacate a portion of the City street, a super-majority would be required.)

Thank you for considering the impact of these issues on residents as Council makes

Anne Bannister

Ward One Councilmember

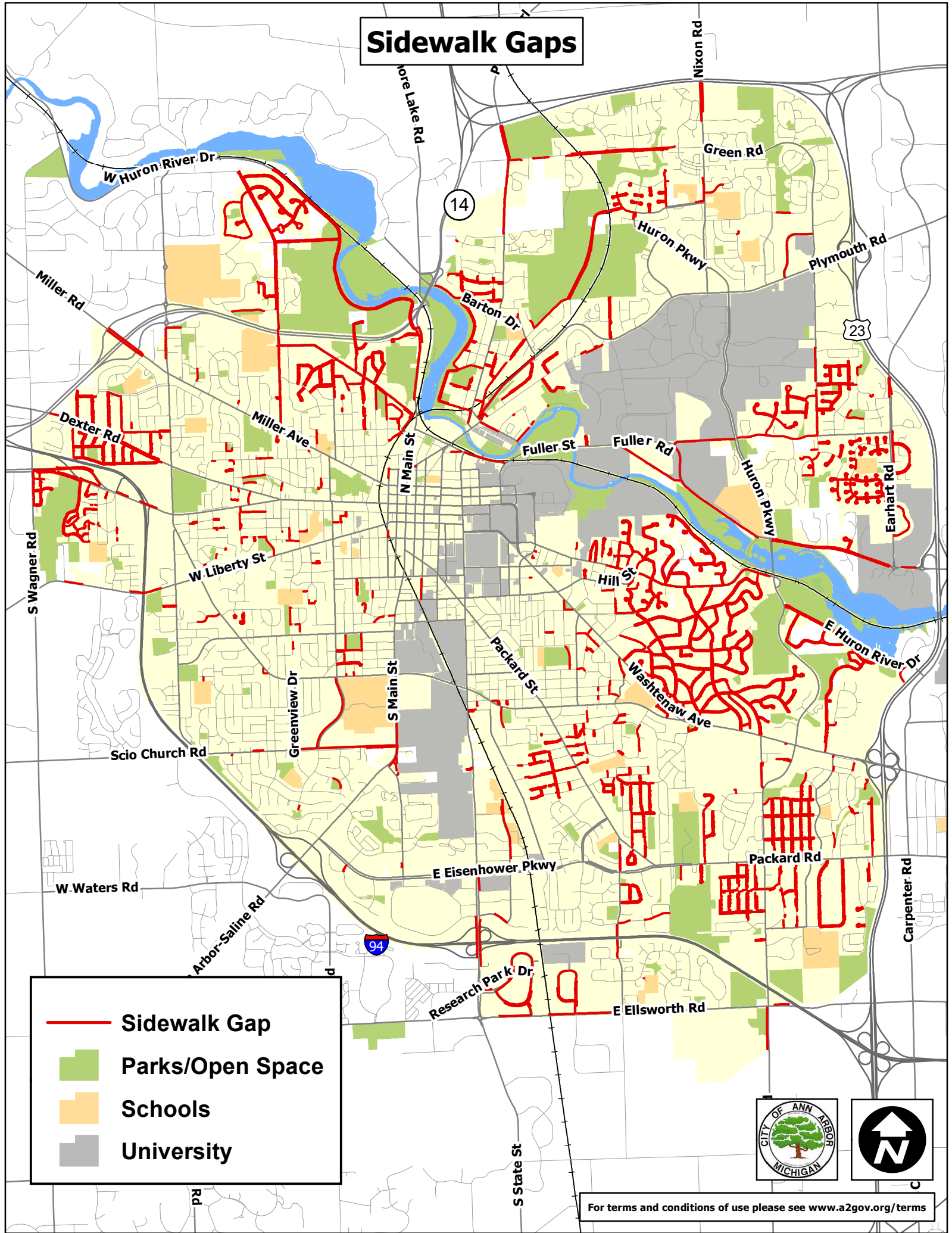
cell: [REDACTED]


abannister@a2gov.org

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Sidewalk Gaps



-  Sidewalk Gap
-  Parks/Open Space
-  Schools
-  University



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TO: Mayor and Council

FROM: Howard S. Lazarus, City Administrator

CC: Tom Crawford, CFO
Derek Delacourt, Community Services Area Administrator
Craig Hupy, Public Services Area Administrator
Nick Hutchinson, City Engineer
Jennifer Lawson, Water Quality Manager
Brett Lenart, Planning Manager

SUBJECT: Council Agenda Responses

DATE: December 17, 2018

AC - Communications from the City Administrator

Question: I request that Mr. Lazarus elaborate with thoroughness on the Memorandums on PFAS and STEAM SRTS. (Councilmember Bannister)

Response: The memoranda provide updates to Council on matter of interest. The City Administrator will most certainly respond to questions pertaining to any specific elements, and requests that these questions be submitted in accordance with the *Guidelines for Council Communications with Staff*.

CA – 3 - Resolution to Accept a Sanitary Sewer Easement at 1939 Jackson Avenue and 312 Glendale Drive from GSB Holdings LLC and Glendale Orchard LLC (8 Votes Required)

CA – 4 - Resolution to Accept a Water Main Easement at 1939 Jackson Avenue and 312 Glendale Drive from GSB Holdings LLC and Glendale Orchard LLC (8 Votes Required)

Question: Is there a simple staff response to the implications those easements will have on adjacent property owners? (Councilmember Ramlawi)

Response: The easements cover existing water main on 1939 Jackson and to-be constructed sanitary sewer on 312 Glendale. Granting of these easements was required by Council resolution R-17-105 (<https://tinyurl.com/y9877fpg>) approving the Hillside Memory Care site plan. The water main easement will also result in a publicly-owned water main loop, which is a beneficial system redundancy. The sanitary sewer main is required to be public as it will connect multiple leads from the development at 312 Glendale. These easements have no impact on storm or flood water and no immediately apparent implications for adjacent property owners or the area.

CA – 7 - Resolution to Accept and Appropriate Additional Federal Grant Funds and Approve Amendments #1-4 of the Sub-Contract with the Regents of the University of Michigan for the Ann Arbor Test Environment Project (\$75,010.00) (8 Votes Required)

Question: Regarding CA-7, the cover memo indicates the city's support provided to the project (\$154K) is fully-reimbursed by the federal grant. Is that \$154K a direct cash contribution or staff time and if a direct cash contribution, is the City also reimbursed for the staff costs incurred? (Councilmember Lumm)

Response: This is a full reimbursement for costs incurred.

CA-8 - 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 Pepper Pike section of Millers Creek (Total Project Cost: \$1,500,000.00)

Question: Regarding CA-8, my recollection is that in some cases involving SRF funding, there is actually some loan forgiveness. Is that possible with this \$1.5M project? (Councilmember Lumm)

Response: Yes. The project may have a principle loan forgiveness of up to \$50,000. This number is not finalized, as the application has not been made to the MDEQ. The application is made to the MDEQ after the petition is approved from the City to move forward with the project.

CA-9 - Resolution to Add a Full-Time Equivalent for a Staff Liaison to Support the Independent Community Police Oversight Commission and Human Rights Commission

Question: This person will reside in the office of the City Administrator and report to him. There is concern that there could be a conflict of interest if that person, who supports

the efforts of ICPOC, reports to the City Administrator. There may be a problem with transparency. How can this be addressed? (Councilmember Bannister)

Response: Chapter 8, Section 1:219(2) of the City Code requires, “The city shall also provide the Commission with the services of an administrative liaison consistent with other city boards and commissions.” The request to amend the budget complies with this requirement. Typically, all staff liaisons are provided from within the service unit associated with the board or commission’s purpose. However, in this case the liaison is placed in the City Administrator’s Office to avoid the perceived (although not actual) influence of the Ann Arbor Police Department. Transparency is maintained through the posting of all materials and meetings of the ICPOC in accordance with the Open Meetings Act, City Council adopted police subsequent to OMA, and the availability of information through the Freedom of Information Act.

Question: Q1. Can you please provide a bit more information on the position description including the salary range and qualifications we’re looking for? Also, its noted the position will be in the Administrator’s Office – who will the position report to? (Councilmember Lumm)

Response: The position title we are using is Management Assistant, which carries with it a salary of range from \$48,000 to \$62,500. The draft position description, which I have provided to the Human Rights Commission Chair for review and input, is as follows:

This position is responsible for providing administrative and logistical support to the City’s Independent Community Police Oversight Commission and the Human Rights Commission. The liaison will provide interfaces among the commission members, council liaisons, city staff from the City Administrator’s Office, the City Attorney’s Office, Human Resources, Communications, the City Clerk, and the Police Department. The liaison will schedule meetings of and coordinate meeting locations for the two commissions and support their subcommittee activities, attend the meetings - including their regularly scheduled evening meetings (estimated at two per month) - produce action minutes, prepare meeting agendas and packages, and maintain all commission files. The liaison will be responsible for managing any contracts issued in support of the commissions. The individual will ensure compliance with all applicable rules, regulations, laws, and policies and will be able to use the City’s computer systems. The liaison may also perform other duties as required, and will report to the City Administrator or the Administrator’s designee.

Our current plan is to have the liaison report to the Assistant City Administrator.

Question: Q2. As you know, hiring a permanent city employee represents a long-term commitment so can you please expand on the rationale provided in the cover memo for why you’ve concluded a permanent city employee is the better approach than contracted services? (Councilmember Lumm)

Response: The ICPOC is a permanent commission that Council has established by ordinance, so the requirement to provide support will also be ongoing and long term. A permanent liaison provides continuity of support and retention of institutional knowledge over a contracted position where continual turnover can be anticipated.

Q3. Can you please elaborate a bit on the additional support that will be provided by this liaison to the HRC? (Councilmember Lumm)

Response: The HRC has similar functionality to the ICPOC, including the requirement to receive and review complaints; investigate and hold hearings; and provide education programs. The additional support will enable better maintenance of records, establishment of an intake point for concerns, improvement in administrative and logistical support, and attendance at meetings and producing minutes.

Question: **Q4,** Recognizing that at this point the we don't know for sure, do you anticipate this new full-time liaison will be fully occupied with the ICPOC and HRC, and if not, what other duties how else might the position be utilized? (Councilmember Lumm)

Response: We anticipate that the new full-time liaison will be fully occupied with the ICPOC and the HRC. However, the job description does provide for performance of other duties as required under the direction of the City Administrator or designee.

Question: Please provide an updated list of new employees and job titles added in the last five years. (Councilmember Eaton)

Response: This list will take some time to prepare and to ensure accuracy staff will respond separately.

C – 1 - An Ordinance to Amend Sections 2:63 and 2:64 of Chapter 29 (Change Water, Sewer, and Stormwater Rates) of Title II of the Code of the City of Ann Arbor

Question: **Q1.** The cover memo states that “In July 1, 2018, a new rate structure was put into place based on a Cost of Service Study to align rates with the cost to serve each customer class. To give customers an opportunity to adjust to the new structure, rate increases were postponed until January 2019.” While the water rate changes in July may not have resulted in a net increase in revenue, sewer rates were increased on July 1st by 13.3% (from \$4.58 per 100 cubic feet of water flow to \$5.19 per 100 cubic feet of water flow) and stormwater rates were increased by 14.0% (from \$595.45 an impervious acre to \$678.81 an impervious acre) and unless I'm missing something, both of those increases should be revenue generating. Can you please confirm if that's correct? (Councilmember Lumm)

Response: The new rate structure involved changes to both the volumetric and fixed charges. The changes resulted in the Water and Sanitary Sewer funds being held revenue neutral. Effective July 1, 2018, the stormwater rates were increased in accordance with the level-of-service rate plan and are not currently being adjusted with this ordinance change.

Question: Q2. Assuming I am correct about the sewer rates being increased effective July 1, 2018, this proposed sewer rate increase effective January 1, 2019 (from \$5.19 per 100 cubic feet of water flow to \$5.55 per 100 cubic feet of water flow) results in a combined increase this fiscal year of 21.2%. Is that accurate, and if so, how much has the annualized sewer revenue (at constant volume) increased from the rates in effect for FY18 compared with the rates proposed to be in effect as of January 1, 2019? (Councilmember Lumm)

Response: No this is not accurate. No revenue increase resulted with the rate structure changes effective July 1, 2018 for water and sewer. The net revenue increase proposed with this change is 6% for water and 7% for sanitary sewer.

Question: Q3. The cover memo also states that “the impact of these increases on the average single-family residential customer’s utility bill is \$10.05 per quarter or \$40.20 per year, an effective rate increase of 5.15% if consumption remains the same.” I’m assuming those average increase numbers reflect just the water and sewer increases contemplated here, and do not include the impact of the sewer and stormwater increases effective July 1st or the water rate restructuring impact effective July 1st. Can you please provide these average single-family increases (dollars per quarter and per year as well as percentage) for two scenarios (1) this proposal plus the sewer and stormwater increases in July, but excluding the water rate re-structuring in July and (2) this proposal plus the sewer and stormwater increases in July plus the water rate re-structuring impact in July? (Councilmember Lumm)

Response: Correct, this statement reflects the average increase from the current typical residential bill to the proposed residential bill.

Question: Q4. Assuming these January 1, 2019 increases are adopted, is the plan still to propose increases of 6% for water, 7% for sewer, and 13% for stormwater effective July 1, 2019? (Councilmember Lumm)

Response: Yes, that is our current rate plan.

Question: Q5. Over the last five years or so, how much have water, sewer, and stormwater rates increased for Ann Arbor customers and how much have the rates increased over the same period for the townships we supply water to? (Councilmember Lumm)

Response: More time is requested to pull the appropriate records and to complete the requested calculations. Please keep in mind, the City does not maintain the distribution collection systems for any of the Townships.

C – 2 - An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of two adjacent lots totaling 1.6 Acres from R1C (Single-Family Dwelling District) to R2A (Two-Family District) 3786 & 3802 Platt Road Rezoning (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

Question: Regarding C-2, the staff report indicates that there had not been any objections or concerns raised at that point. Have any issues or concerns been raised to city staff since the Planning Commission meeting last month? (Councilmember Lumm)

Response: No.

DC – 4 - Resolution Directing the City Administrator to Develop and Present to Council by February 28, 2019 a List of Feasible Alternatives to Revise the Recently-Adopted Water Rate Re-structuring Ordinance to Mitigate the Adverse Impacts of the Ordinance on Single-Family Residential Customers

Question: Please add me as a co-sponsor. (Councilmember Bannister)

Response: Added.

Question: Please fix typo on the bottom of page 2 to be November 2017 (not 2018). (Councilmember Bannister)

Response: The typo was in item DC-3; it has been corrected.

DS – 1 - Resolution No. 2 - Northside STEAM Safe Routes to School Sidewalk Gap Project - Sidewalk Special Assessment

Question: Q1. Is it accurate that MDOT-TAP has a new grant requirement for a Public Resolution of Support? How could a Resolution of Support be included in our current SRTS proposal? (Councilmember Bannister)

Response: The Safe Routes to School Grant Program has always had such a requirement; however, it was recently expanded to include all TAP grant programs. A Resolution of Support was already included in the process for the current project. City Council voted unanimously to approve such a resolution at the City Council meeting on October 2, 2017 (R-17-377).

Question: Q2. What are some feasible, innovative solutions that our peer cities are considering for their urban bikeway and pedestrian corridors? What are some 2019

forward-thinking alternatives to old-fashioned concrete sidewalks? Residents are looking for more than one option, beyond sidewalks, to consider. (Councilmember Bannister)

Response: While some communities have looked at pedestrian walkways within existing streets, this is generally considered a poor substitution to a traditional separated sidewalk behind the curb. Traditional sidewalks are the safest alternative for pedestrian mobility.

Question: Q3. What are alternatives to sidewalks on Traver Road, notably traffic calming and traffic controls, as well as marked pedestrian walkways on the existing road? (Councilmember Bannister)

Response: See the response to question #2 above. If residents on Traver Road are interested in participating in the Traffic Calming Program, they can learn more about how to do so at the City's Traffic Calming Program website [here](#). While Traver did not qualify for the Traffic Calming Program previously, modifications were recently made to the program that may make it easier for a street to qualify, and a new petition can be submitted at any time. Any traffic calming measures installed on the street would be supplemental to the placement of the sidewalk, not in lieu of.

Question: Q4. Concerns have been raised about visibility / low sight lines at the intersections at Traver and John A Woods, and the crosswalk by the Barton Drive entrance. For example, is there a concern with the constant illumination that lighting will impact resident bedrooms in the evening? (Councilmember Bannister)

Response: Staff designed further safety improvements to the intersection of John A Woods and Traver utilizing bump-outs, geometric changes that allow for a more perpendicular intersection, and relocation of the crosswalk for better sight distance. Staff believes that these changes will adequately address safety concerns at this intersection. The mid-block crossing of Barton Drive at the school entrance is outside the limits of the current project, however it can be evaluated and discussed further with Ann Arbor Public Schools. It should also be noted that the crossing at the school entrance from Barton is controlled during peak periods by a crossing guard.

Question: How are lighting improvements at crosswalks handled and what is the process, such as adding either the flashing lights that are triggered when you hit a button or constant lights illuminating the entire path? (Councilmember Bannister)

Response: Uncontrolled crosswalks around elementary schools have been evaluated by the City's Street Light Asset Management (SLAM) team. The SLAM team has ranked all of the streetlight gaps adjacent to these school facilities and developed design solutions for locations requiring improvement. The locations have been added to the City's prioritized list for improvements. The pedestrian activated warning lights referenced above, known as RRFBs, are typically installed at mid-block crossing locations on major streets. This type of treatment would not be appropriate for locations within the limits of this project.

Question: What would be the process to gather resident feedback on lighting improvements? (Councilmember Bannister)

Response: The City receives lighting requests from a variety of communication sources. The most common, and most efficient, way for residents to make a lighting request is to submit the request through the City's A2 Fix It application. Requests are evaluated according to City procedures and prioritized for implementation.

Question: For example, is there a concern with the constant illumination that lighting will impact resident bedrooms in the evening? (Councilmember Bannister)

Response: The City chooses to install fixtures that have a lighting distribution designed to illuminate only the roadway, crosswalk, and immediately adjacent sidewalk. These fixtures are selected to minimize lighting pollution to adjacent areas. When fixtures are owned by DTE, the City makes these preferences known.

Question: Q5. What progress and plans have been made for the following traffic safety designs, which are urgently needed?

--A Three-way Stop at the Intersection of Traver Road and John Woods Drive: An engineering study of this location has been performed to determine if the location meets the thresholds established in the Michigan Manual of Uniform Traffic Control Devices for the installation of multi-way STOP control. It was determined that none of the criteria are met, and therefore a STOP sign cannot be placed at this location. See also the answer to question #4 above.

--A Speed Bump in the center of the 1600 block of Traver Speed humps are considered as part of the City's Traffic Calming Program: See response to #3 above.

--Communications to the School urging them to stop using the neighborhood as a parking lot, including encouraging drivers to park on Traver Road, and provide designated parking areas for parents: Northside STEAM, like most AAPS elementary and K-8 schools, was designed as a neighborhood school. Hallmarks of neighborhood schools include close integration into the surrounding residential land uses and limited facilities for driving onto the school property. The school's SRTS committee communicates to the school community regarding the availability of remote parking/drop-off locations in the Northside Baptist Church parking lot and the Bethel AME parking lot. While the school's SRTS committee has provided information regarding legal, on-street public parking surrounding the school, these locations are not being actively advertised as remote locations.

Question: Q6. With regard to protection of retaining walls during installation of a sidewalk, what assurances can the City provide that the retaining walls won't be damaged by the contractor and result in the hillside behind the wall collapsing into the road along, along with the trees, with also damage the property beyond the right-of-way? (Councilmember Bannister)

Response: Retaining walls and other items constructed in the public right-of-way are subject to removal by the City if there is a need to do so. That said, provisions will be included in the contract for the contractor to protect the retaining walls. The City does not dictate means and methods to the contractor, either in terms how they remove the curb or in how they protect the retaining walls. However, methods that are typically used for this kind of work do not create vibrations that would be likely to damage the walls. The City intends to make sure that the retaining walls are protected during construction, and does not plan on removing them at this time.

Question: Q7. How does SRTS correlate and integrate with the specific elements of our [master plans and resource documents](#)? (Councilmember Bannister)

Response: Safe Routes to School infrastructure and encouragement activities fully align and integrate with the City's Master Plan and design procedures. The City's non-motorized plan, last updated in 2013, was accepted by City Council into the City's master plan. The non-motorized plan identifies 5 key factors for pedestrian quality (p.19), ranked in order of statistical significance. Number one is presence of a sidewalk. Number two is the amount of lateral separation between pedestrians and motor vehicles. The non-motorized plan has a limited number of specific improvements called out for local streets; however, the plan does specifically identify Traver Road as an important alternative to Plymouth Road and calls for sidewalks on both sides of the street.

Question: Q8. How does SRTS integrate with tools and benefits described on our [Urban Forest webpage](#), including "Cool" National Tree Benefit Calculator, iTree Eco Analysis, and lower energy costs and higher property values? (Councilmember Bannister)

Response: With the recent changes to the project plans, minimal tree removal will occur, therefore having minimal impact on, and minimal integration with, the referenced items. Engineering staff has coordinated with the City's forestry planner throughout the project.

Question: Q9. What is the feasible range of property tax implications for the specific SRTS impacted properties? We've identified the Special Assessments and estimated snow removal costs, and would like data on the property tax implications of removing mature trees and adding sidewalks. (Councilmember Bannister)

Response: The Assessor's view, based on discussions with staff, is that public infrastructure improvements like sidewalks (and curbs and gutters, paved roads, etc.) generally enhance accessibility to a property receiving them and therefore enhance desirability and marketability, and therefore value, of the property. As an example, when properties within a neighborhood receive public improvements, generally we see an increase in property sales prices in the neighborhood that exceeds those in neighborhoods not receiving improvements. Our discussion with the assessor on this subject is continuing as this process moves along.

Question: Q10. What other streets and roads in established neighborhoods throughout the City are without bikeways and pedestrian corridors? Could we have a map and a tree schedule for these properties, and an estimate of their Special Assessments and Ward? (Councilmember Bannister)

Response: A map showing locations City-wide that lack sidewalks is attached. City staff has not done detailed analysis on most of these locations, therefore tree schedules and estimates of their special assessments for any future sidewalk gap projects are not available.

Question: Q11. Why is the short block of Brookside Drive in the SRTS project when there are no sidewalks on the west side, it is not close to the school, and Northside Ave., one street south, is closer to the school and has no sidewalks? (Councilmember Bannister)

Response: The short block of Brookside Drive is a short gap that the SRTS committee felt would be easy to accomplish as part of this project. The SRTS committee's prioritization was based on student population and observed walking patterns.

Question: Q12. Where has the need for sidewalks on the 1600 block of Traver been established, in light of the data showing there are shorter and safer ways for children to walk to school? (Councilmember Bannister)

Response: The 1600 block of Traver Road contains frontage of the Northside STEAM School property. The school's SRTS team determined that it was very important to them to fill the sidewalk gaps directly adjacent to the school property. The importance of this portion of the project was identified in the team's ranking it as the number one desired location for sidewalk installation for this project.

Question: If need is determined, what are simpler and less costly alternatives to sidewalks? (Councilmember Bannister)

Response: See response to question #2 above.

Question: Q. 13. Conflicting information has been found related to two sidewalks versus one, between the National SRTS standards and the Michigan Fitness Foundation. Will further research be done to confirm this discrepancy, before a decision is made to proceed with Resolution 2 for our project in Ann Arbor? (Councilmember Bannister)

Response: Staff has not received any conflicting information from the Michigan Fitness Foundation, the City's SRTS Grant Coordinator. The SRTS grant funding for Michigan follows a complete streets policy. Sidewalks on both sides of the road are a requirement for urban residential streets, which is the classification of the streets within the limits of this project. There are some industrial or agricultural zoned areas in past SRTS applications that proposed sidewalks on just one side, however that is not applicable to this project.

Question: Q.14. What is the feasible range of cost allocation and sharing between City funds and property owners for the Special Assessments? This question needs to be addressed before approval of Resolution 2. (Councilmember Bannister)

Response: The \$16/foot figure cited was from a single project. Staff re-examined the numbers from this project and found that a calculation error was made. The actual figure should have been approximately \$31/foot, which is similar to most other recent sidewalk gap projects. Reducing the assessment for the current project to \$16/foot is not feasible.

Question: SRTS sidewalks provide benefits for children from across the city, which raises the question of whether placing the burden on the property owners is fair and equitable. (Councilmember Bannister)

Response: With respect to the burden on the private property owners, only \$97,000 of the total estimated project cost of \$1,073,000 is proposed to be borne by these property owners. That's just over 9% of the total. The other nearly 90% of the total cost is being borne by the public through a combination of a grant and millage funds.

Question: How can we get to the \$16/foot range? What are our options? What is the maximum amount of time that payments on a Special Assessment can be extended? (Councilmember Bannister)

Response: The special assessment ordinance provides that “[u]pon confirmation of any special assessment roll, the Council shall determine the number of installments in which the assessments may be paid and shall determine the rate of interest to be charged on installments ...” Therefore, as a general matter, it's Council's decision on whether to extend the time for payment and what interest to charge for doing so. Installments are due annually on the first day of July. Although the ordinance sets no maximum number of installments, if Council elects to allow installments, it would be prudent to require payment in full over a period shorter than the life of the sidewalk. Where Council opts not to specify the number of installments, Chapter 12, Section 1:275(2) provides a default number of installments. For example, for an assessment of up to \$6,000.00, that section provides for 6 installments.

Question: Q.15. How are the project costs and Special Assessments impacted by the most recent design changes? Do these plans call for the same or different amount of concrete, and how does this impact the Special Assessments? If there is a reduction in removal of trees, what does this reduce the projected costs? The sidewalks appear to largely be in what is currently the road, which may already have a significant base to it. Does the presence of this base reduce the Special Assessment (which includes base + concrete)? Does this new location of the sidewalks impact the overall excavation costs, with less dirt to move, less curb and asphalt removal, any storm drain work, etc? (Councilmember Bannister)

Response: The most recent design changes had almost no appreciable impacts to the Special Assessment costs, which are still estimated to be approximately \$43/ft. The total estimated project cost went from \$1,012,560 to \$1,010,330. While the need for much of the tree removals, new tree plantings, retaining walls, and embankment was eliminated, this was offset by the increased curb and gutter replacements, pavement removal, and increased sidewalk width throughout much of Traver. None of those items were being assessed to property owners in the first place, so the changes had no effect on the special assessment amounts. The new location of the sidewalks still requires excavation, removal of existing curbs and asphalt, and the relocation of storm inlet structures to the new curb line. While the new design (on Traver specifically) will have a larger amount of concrete, this will be placed mostly in the location that was previously the paved roadway. Therefore, there will not be a significant net increase in impervious surface.

Question: Q16. What precautionary plans are needed for the mid-block crossing at the intersection of Traver and John A. Woods, at the steep hill that crests at this intersection? Cars speeding down the hill from the northeast (Barton Drive) do not have good sight lines for pedestrians, and children cross mid-block a couple houses southwest of that intersection because the intersection is unsafe. (Councilmember Bannister)

Response: Staff designed further safety improvements to the intersection of John A Woods and Traver utilizing bump-outs, geometric changes that allow for a more perpendicular intersection, and relocation of the crosswalk for better sight distance. Staff believes that these changes will adequately address safety concerns at this intersection.

Question: Q17. Also, there's vacant land 168 feet wide at the southeast side that has been split into four lots, with a center drive being created for all four new houses. How has the builder been engaged in the new sidewalk process? The builder has expressed interest in helping design a safer intersection, including possible impacts on his property. (Councilmember Bannister)

Response: This property owner has been sent all the same communications as the other residents in the project limits, however staff has not yet heard from the owner of this property. Staff will reach out to this owner specifically to discuss their proposed development, and coordinate their work with that of the project.

Question: Q18. Why is there one sidewalk on Easy Street, leading up to Allen Elementary School? How did they get to have only one sidewalk? (Councilmember Bannister)

Response: The sidewalk was constructed along Easy St. when the street was reconstructed in 2005/06. It was at the direction of City Council that the sidewalk was constructed only on one side of the street, and that the project was funded locally with no state or federal monies and the accompanying requirements.

Question: Regarding DS-1, the Administrator's memo (AC-2) indicates that a letter describing the most recent design changes was sent to impacted property owners on

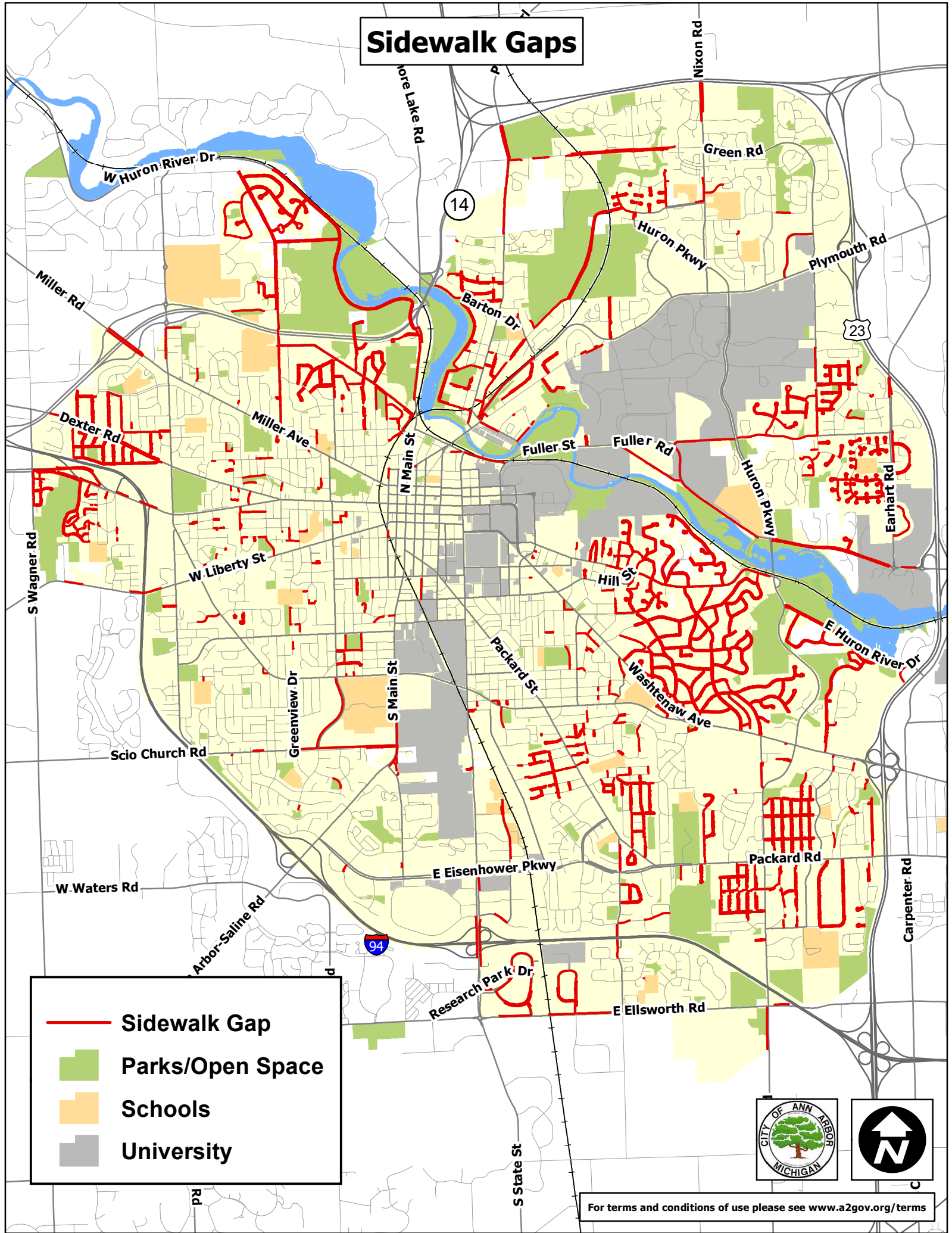
December 11th. Have we heard back from neighbors, and if so, what was the reaction? (Councilmember Lumm)

Response: In general, residents from whom staff has heard back that have commented on the revised design seem to indicate that they feel the revisions made to the plans represent an improvement.

Question: Also on DS-1, the discussion at the December 3rd meeting about being penalized with the loss of future federal grants wasn't clear as to the likelihood of that happening. Have we learned anything since that would clarify that issue? (Councilmember Lumm)

Response: The most recent response from the Michigan Fitness Foundation (MFF) indicated that the ability to obtain future grants *may* be impacted by the failure to advance the current grant. Staff has received no further clarification on this point, although MFF staff did indicate that such a situation appears to not have a precedent.

Sidewalk Gaps

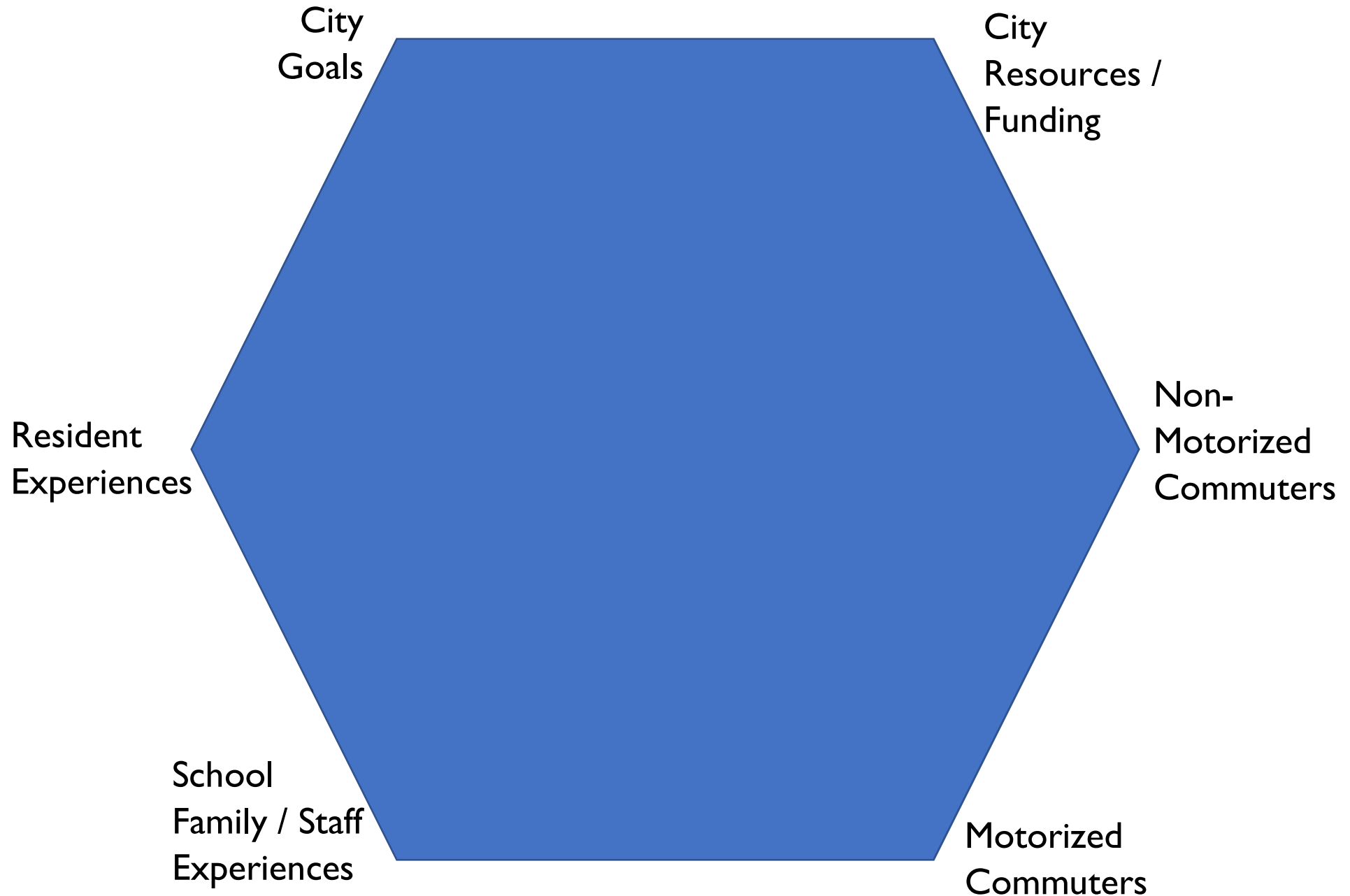


-  Sidewalk Gap
-  Parks/Open Space
-  Schools
-  University

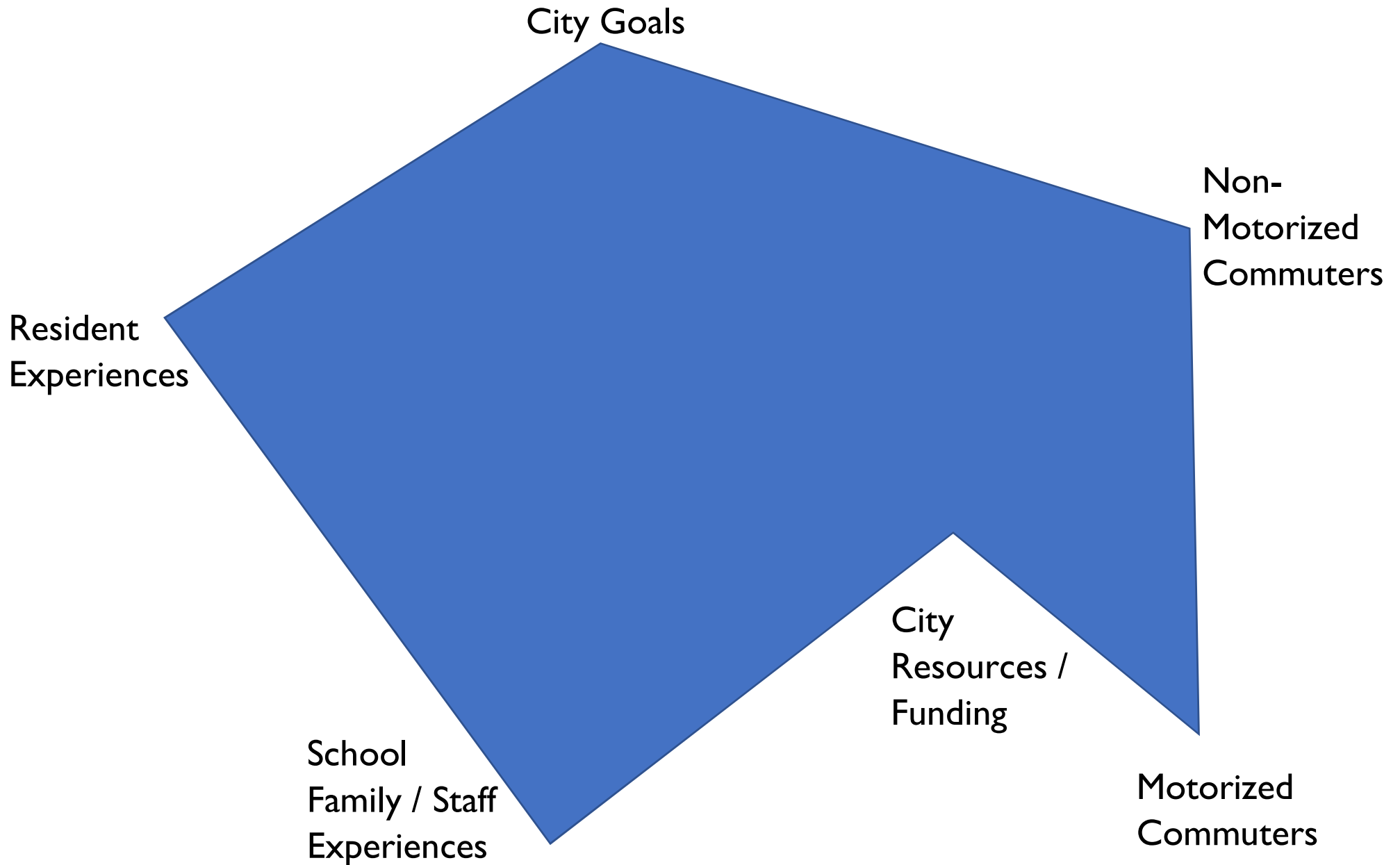


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Interconnected Points to Consider in Sidewalk Gap Projects



Interconnected Points to Consider in Sidewalk Gap Projects



From: [Hayner, Jeff](#)
To: [Tom Stulberg](#); [Bannister, Anne](#); [Eaton, Jack](#)
Subject: RE: Resolution proposing a moratorium on project approval
Date: Thursday, January 24, 2019 4:19:52 PM

That was a malformed amendment I may offer a proper when this comes back to council.

From: Tom Stulberg <[REDACTED]>
Sent: Thursday, January 24, 2019 3:29 PM
To: Bannister, Anne <ABannister@a2gov.org>; Eaton, Jack <JEaton@a2gov.org>
Cc: Hayner, Jeff <JHayner@a2gov.org>
Subject: Re: Resolution proposing a moratorium on project approval

I was watching and caught that. Lots to talk about if people want to chat in person.

From: Bannister, Anne <ABannister@a2gov.org>
Sent: Thursday, January 24, 2019 3:20 PM
To: Tom Stulberg; Eaton, Jack
Cc: Hayner, Jeff
Subject: FW: Resolution proposing a moratorium on project approval

Hi Tom and Jack -- In case you missed this idea from the tail end of Tuesday night's meeting...a 2-year moratorium on all project approvals for new construction within the boundaries of the Lower Town Area Mobilty Study.

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: Beaudry, Jacqueline
Sent: Tuesday, January 22, 2019 10:20 PM
To: *City Council Members (All)
Cc: Postema, Stephen; Lazarus, Howard
Subject: FW: Resolution proposing a moratorium on project approval

From: Hayner, Jeff <JHayner@a2gov.org>
Sent: Tuesday, January 22, 2019 10:04 PM
To: Beaudry, Jacqueline <JBeaudry@a2gov.org>
Subject: Resolution proposing a moratorium on project approval

Whereas the city of Ann Arbor is undertaking a comprehensive mobility study “Lower Town Area Mobility Study” and;

Whereas the results of this study will not be known for 2 years and;

Whereas the results of this study are critical to inform the planning decisions made in the north side neighborhoods for the safety of residents;

Resolved, the City of Ann Arbor declares a 2-year moratorium on all project approvals for new construction within the boundaries of the Lower Town Area Mobility Study.

From: [Bannister, Anne](#)
To: [Tom Stulberg](#)
Cc: [Laura Strowe](#); [REDACTED]; [Eaton, Jack](#); [Lumm, Jane](#); [Griswold, Kathy](#); [Hayner, Jeff](#)
Subject: RE: a needed solution
Date: Wednesday, February 6, 2019 10:02:52 AM

Tom -- I follow your logic and arguments. Thank you so much for providing much needed checks & balances on the information we receive from City Hall.

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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From: Tom Stulberg [REDACTED]
Sent: Wednesday, February 06, 2019 9:43 AM
To: Bannister, Anne; Hayner, Jeff
Subject: Re: a needed solution

Anne,

1. The point that keeps being pivoted from is the GROSS cost of the sidewalks, not just the net assessed cost. \$400 per foot sidewalks are indeed gold plated sidewalks and a squandering of tax payer funds, not just the assessed residents but all city taxpayers, and those funds could be more wisely spent on more EFFECTIVE safety measures identified for Northside STEAM pedestrians.
2. At the last council meeting, CMs learned that the city is now going to pay not one but two consultants to review the water data that we own on the model that we paid for already. What will we have to pay on the back end of the LowerTown mobility study? How many consultants will we need to manipulate the model that we are buying? OHM is a fine firm (I have old developer history with OHM), so I mean nothing disparaging about them in my comments, but the questions needs to be asked of all consultant studies: What value are we getting? What will it cost us in the long run to use the models and data? Will the study lead to solutions, or just gather dust?
3. The LowerTown development by Morningside was not By-Right and does not meet the Master Plan. Many citizens of the area participated in that Master Plan process. We had a very detailed and very good Master Plan for that site. It is still the official Master Plan, but the property was rezoned and we do not have a mixed use urban village as called for in the Master Plan, rather we have an over-sized residential development with an undersized possible commercial accessory use in the final phase. The PUD zoning permitted development that would meet the Master Plan. There was no need to rezone the property to achieve the Master Plan. (There was no need to rezone the

property to achieve the approved project either!) Many other aspects of the Master Plan are also not incorporated into the development that was approved by council. Many of us repeatedly raised these issues, and other problems with this development, yet we were ignored, as was our Master Plan.

You can count on me to continue to participate in community meetings, but I am hearing a weariness from other neighbors about participating and being disappointed yet one more time.

From: Bannister, Anne <ABannister@a2gov.org>
Sent: Wednesday, February 6, 2019 9:05 AM
To: Tom Stulberg
Subject: FW: a needed solution

My apologies that you somehow got removed from this chain...

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: Lazarus, Howard
Sent: Wednesday, February 06, 2019 7:53 AM
To: Bannister, Anne
Cc: CityCouncil; Hess, Raymond; Higgins, Sara; [REDACTED] Harrison, Venita; Fournier, John; Laura Strowe; Delacourt, Derek; Hupy, Craig
Subject: RE: a needed solution

Councilmember Bannister:

Thank you for providing the concerns identified below. Kindly consider the following responses:

Q: Is spending \$1M for the Traver Road sidewalks out of proportion with the \$700K Lower Town mobility study, which appears to have a greater impact on more people? The money from both of those projects may be better spent on fixing known problems. Many residents don't think \$1M on Traver SRTS sidewalks is a prudent use of limited funding for mobility and safety ("gold plated sidewalks").

A: Per the e-mail I sent earlier today, the cost per square foot (SF) that is projected to be assessed to the residents is about \$5.60/SF - well below the average national cost. The total cost of \$9.75/SF is also within the national range (with the caution that actual costs are not known until a bid is hand), so there is no "gold-plating" of the project. When other costs (e.g. design, project supervision, site restoration and landscaping, traffic control, driveways, markings, signage, and others) are added in projects can the result can be a bit of "sticker shock," but is important to have a true "apples-to-apples" comparison. Please also bear in mind that costs also vary based upon the site conditions, the competitive state of the market, the City's requirements for indemnification, and other factors.

Would aggregating the existing traffic studies from all of the developments in the area substitute for the modeling in the \$700K study, in light of the end result on traffic congestion 2 years from now?

Staff has provided the proposed contract for the Lowertown Mobility Study in response to a Council request, so it is up to Council as a whole to determine whether or not to go forward. The concept of the study is to look at current and projected “loads” on the avenues of approach (primarily Plymouth Road, Pontiac Trail, and Maiden Lane from the north and Division Street from the south) to the area generally at the foot of the Broadway bridge. The contract will result in a corridors model the City can use to evaluate the impacts of development (incorporating the traffic studies from the development along the feeding corridors) as well as proposed solutions that may be considered. Given that any mobility improvement projects that may be considered in the future are likely to carry large price tags and have impacts on neighborhood quality of life, expending effort on the development of a model and community engagement seems to be a prudent action to take. However, it is ultimately up to Council to determine whether or not to pursue the Lowertown Mobility Study.

What can be said to residents who are reluctant to participate in expensive and time-consuming meetings for the Lower Town study, when their input has been disregarded in the past?

Resident input has always been considered and addressed in City projects and in the development process in accordance with City land development code requirements. As we’ve discussed, land use within approved zoning or plans is “by-right,” and as long as developers stay within the associated parameters they have the right to build as they deem appropriate. The impacts on City right of way and other public benefits are considered as part of the approval process as allowed under City code. Staff continually seeks to find the best solution for all parties involved, although we all can acknowledge that there are situations where unanimity cannot be reached.

City Council always and appropriately challenges staff to pursue robust community and neighborhood engagement strategies. Our elected officials are best positioned to make this process a positive one for the residents of the area, especially when Council as a whole has acted to approve a project or a development.

Please let me know if I can be of further assistance on this or any other matter.

Howard S. Lazarus

City Administrator

City of Ann Arbor

301 E. Huron Street

Ann Arbor, MI 48104

T: 734-794-6110 ext41102

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From: Bannister, Anne <ABannister@a2gov.org>
Sent: Tuesday, February 5, 2019 12:25 PM
To: Harrison, Venita <VHarrison@a2gov.org>; Lazarus, Howard <HLazarus@a2gov.org>; Fournier, John <JFournier@a2gov.org>; Hupy, Craig <CHupy@a2gov.org>; Delacourt, Derek <DDelacourt@a2gov.org>; Laura Strowe <[REDACTED]>
Cc: Hayner, Jeff <JHayner@a2gov.org>; Hess, Raymond <RHess@a2gov.org>; Higgins, Sara <SHiggins@a2gov.org>; [REDACTED] Eaton, Jack <JEaton@a2gov.org>; Griswold, Kathy <KGriswold@a2gov.org>
Subject: RE: a needed solution

Thanks to staff for preparing your response below. I've re-included the neighborhood leaders.

Best wishes to staff as they implement the new resolution from last night to vigorously seek coordination with UM and others on funding and in-kind planning expertise for this area. I hope you will include a report on those activities in future communications.

These are some questions I've been hearing from residents:

1. Is spending \$1M for the Traver Road sidewalks out of proportion with the \$700K Lower Town mobility study, which appears to have a greater impact on more people? The money from both of those projects may be better spent on fixing known problems. Many residents don't think \$1M on Traver SRTS sidewalks is a prudent use of limited funding for mobility and safety ("gold plated sidewalks").
2. Would aggregating the existing traffic studies from all of the developments in the area substitute for the modeling in the \$700K study, in light of the end result on traffic congestion 2 years from now?
3. What can be said to residents who are reluctant to participate in expensive and time-consuming meetings for the Lower Town study, when their input has been disregarded in the past?

I hope that feedback is helpful.

Thanks,

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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From: Harrison, Venita
Sent: Tuesday, February 05, 2019 11:19 AM
To: Bannister, Anne; Lazarus, Howard; Fournier, John; Hupy, Craig; Delacourt, Derek
Cc: Hayner, Jeff; Hess, Raymond; Higgins, Sara; Harrison, Venita

Subject: RE: a needed solution

Councilmember Bannister,

Thank you for sharing thoughts on the operation of the intersection of Maiden and Plymouth. Staff has looked at signal timing in this area and has made tweaks over time and will look at signal optimization at this intersection to see if further refinements can be made. Please keep in mind that adjustments to improve movement in one direction may adversely affect flow in other directions and that staff tries to maximize the system from a network perspective. This area is difficult to manage due to the complexity of travel patterns, the volume of traffic, and the network constraints into and out of the area. It is staff's understanding that this is why Council instructed staff to conduct the Lower Town Area Mobility Study in the hopes of finding solutions that work for the area as a whole.

As for additional signage, staff does not believe that "do not block the intersection" signs will lead to changes in behavior. It should be common knowledge among motorists that blocking the intersection is illegal. Additionally, staff tries to strike a balance of deploying regulatory and warning signs to inform motorists without oversaturating the right-of-way with signs which may distract drivers.

Please let staff know if you need anything further.

Venita Harrison

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vharrison@a2gov.org | www.a2gov.org

From: Bannister, Anne <ABannister@a2gov.org>

Sent: Tuesday, January 29, 2019 3:43 PM

To: Request For Information Craig Hupy <RFIPublicServices@a2gov.org>; Hupy, Craig <CHupy@a2gov.org>

Cc: Hayner, Jeff <JHayner@a2gov.org>; Tom Stulberg <[REDACTED]>
[REDACTED] Laura Stowe <[REDACTED]> Delacourt, Derek <DDelacourt@a2gov.org>

Subject: RE: a needed solution

Dear Mr. Hupy -- Please see request below that was routed to Mr. Delacourt in error.

Anne Bannister

Ward One Councilmember

cell: [REDACTED]

abannister@a2gov.org

Term Nov. 2017 - Nov. 2020

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: Bannister, Anne

Sent: Tuesday, January 29, 2019 3:14 PM

To: Request For Information Derek Delacourt; Delacourt, Derek

Cc: Hayner, Jeff; Tom Stulberg; [REDACTED] Laura Stowe

Subject: RE: a needed solution

Dear Mr. Delacourt,

Please kindly copy all of us and respond to Ms. Stowe's suggestions for the LowerTown area, such as adjusting the timing on the traffic light and additional signage. Are those viable options, or are there other

solutions?

Thanks for your insight.

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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From: Anne Bannister [REDACTED]
Sent: Monday, January 28, 2019 11:59 AM
To: Laura Strowe; Bannister, Anne; Hayner, Jeff
Subject: Re: a needed solution

Yes, thanks for sending it and I'll forward it to staff for follow-up. Stay tuned!

On Mon, Jan 28, 2019 at 11:56 AM Laura Strowe <[REDACTED]> wrote:

Dear Jeff and Anne,

Almost every time I go out in the car heading south I think of this, but then, by the time I get home I forget. As you might or might not know, cars heading for downtown along Plymouth Rd are stopped at the light at Maiden Lane....and often pile up as far as the Broadway intersection, especially cars in the turn lane to Maiden Lane. So when the light turns green for the cars waiting on Broadway, they have difficulty making the turn onto Plymouth Road because cars are blocking the intersection in the turn lane for Maiden Lane.

I hope I explained it well enough!

This is a problem sporadically throughout the day, at unpredictable times, not just at rush hour.

There are several solutions. Having a longer turn light so that cars don't pile up in the turn lane on Plymouth Road would help, but since that would have to be timed and the times that are a problem are unpredictable, that might not work.

It might help if there was a sign on Plymouth Road before the intersection with Broadway that said "Do not block the intersection." I'm sure some people would ignore it, but it might alleviate the long lines that block traffic coming out of Broadway.

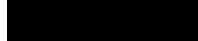
Can you bring this to the attention of the appropriate department?

Thanks!

Laura

--

Anne Bannister



From: [Bannister, Anne](#)
To: [Tom Stulberg](#)
Cc: [Hayner, Jeff](#); [Nelson, Elizabeth](#); [Eaton, Jack](#)
Subject: RE: Tuesday 7pm Planning Commission Working session in basement
Date: Wednesday, February 13, 2019 1:32:21 PM

Thanks, Tom. I'd like to attend a ZBA viewing party and learn more about the unique parking variance ordinance.

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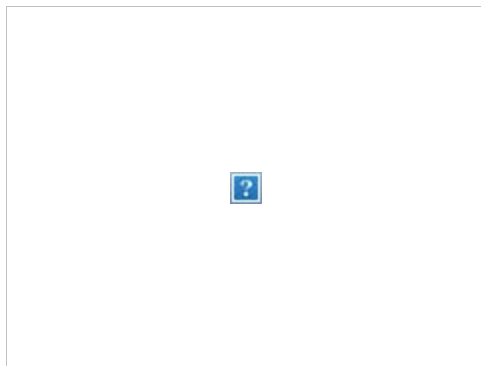
From: Tom Stulberg [REDACTED]
Sent: Monday, February 11, 2019 3:48 PM
To: Hayner, Jeff; Bannister, Anne; Nelson, Elizabeth; Eaton, Jack
Subject: Tuesday 7pm Planning Commission Working session in basement

Tuesday 7pm Planning Commission Working session in basement. I'm going. See attached agenda. Looks important.

Let's have a viewing party to watch a prior ZBA meeting re Parking Variance. I have one in mind. A development that just got approved by Planning Commission will come to you soon (see article below), but will also be going to the ZBA for a parking variance. I can explain about the ZBA and Ann Arbor's unique parking variance ordinance.

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<https://www.mlive.com/news/ann-arbor/2019/02/84m-condo-development-on-pontiac-trail-gets-initial-ok.html>



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ANN ARBOR, MI – An \$8.4 million condo development on Ann Arbor's north side is headed to the City Council for approval. The city's Planning Commission voted this week to recommend approval ...

www.mlive.com

From: [Bannister, Anne](#)
To: [Tom Stulberg](#)
Cc: [Hayner, Jeff](#); [Nelson, Elizabeth](#); [Eaton, Jack](#)
Subject: Re: Variance viewing party maybe Saturday?
Date: Thursday, February 14, 2019 10:06:36 PM

2 or 3 is good for me....

From: Tom Stulberg <[REDACTED]>
Sent: Thursday, February 14, 2019 8:18 AM
To: Bannister, Anne
Cc: Hayner, Jeff; Nelson, Elizabeth; Eaton, Jack
Subject: Variance viewing party maybe Saturday?

I am free all day Saturday. ([REDACTED]) Does anytime then work for you all?

From: Bannister, Anne <ABannister@a2gov.org>
Sent: Wednesday, February 13, 2019 1:32 PM
To: Tom Stulberg
Cc: Hayner, Jeff; Nelson, Elizabeth; Eaton, Jack
Subject: RE: Tuesday 7pm Planning Commission Working session in basement

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From: [Eaton, Jack](#)
To: [Tom Stulberg](#)
Cc: [Bannister, Anne](#); [Hayner, Jeff](#); [Nelson, Elizabeth](#)
Subject: Re: Variance viewing party maybe Saturday?
Date: Friday, February 15, 2019 10:11:40 AM

I am available on Saturday at 2 or 3. Where?

Jack

On Feb 15, 2019, at 10:07 AM, Tom Stulberg <[REDACTED]> wrote:

2 or 3 is fine by me. That's two of us. Any more?

From: Bannister, Anne <ABannister@a2gov.org>
Sent: Thursday, February 14, 2019 10:06 PM
To: Tom Stulberg
Cc: Hayner, Jeff; Nelson, Elizabeth; Eaton, Jack
Subject: Re: Variance viewing party maybe Saturday?

2 or 3 is good for me....

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Sent: Thursday, February 14, 2019 8:18 AM
To: Bannister, Anne
Cc: Hayner, Jeff; Nelson, Elizabeth; Eaton, Jack
Subject: Variance viewing party maybe Saturday?

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Cc: Hayner, Jeff; Nelson, Elizabeth; Eaton, Jack
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Jack Eaton
Ward 4 Council member
jeaton@a2gov.org
734-662-6083

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From: [Bannister, Anne](#)
To: [Tom Stulberg](#); [Eaton, Jack](#)
Cc: [Hayner, Jeff](#); [Nelson, Elizabeth](#)
Subject: Re: Variance viewing party Saturday 2pm at Hathaway's Hideaway
Date: Friday, February 15, 2019 9:59:30 PM

Okay. I'll bring my 13" laptop.

Get [Outlook for iOS](#)

On Fri, Feb 15, 2019 at 9:50 PM -0500, "Tom Stulberg" <[REDACTED]> wrote:

We are set at Hathaway's hideaway at 2pm Saturday. Can someone bring a lap top? I'm such a Luddite that I don't own one.

Invite or Bring others keeping the open meetings act in mind.

Sent from my iPhone

On Feb 15, 2019, at 10:11 AM, Eaton, Jack <JEaton@a2gov.org> wrote:

I am available on Saturday at 2 or 3. Where?

Jack

On Feb 15, 2019, at 10:07 AM, Tom Stulberg <[REDACTED]> wrote:

2 or 3 is fine by me. That's two of us. Any more?

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Sent: Thursday, February 14, 2019 10:06 PM
To: Tom Stulberg
Cc: Hayner, Jeff; Nelson, Elizabeth; Eaton, Jack
Subject: Re: Variance viewing party maybe Saturday?

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Sent: Thursday, February 14, 2019 8:18 AM
To: Bannister, Anne
Cc: Hayner, Jeff; Nelson, Elizabeth; Eaton, Jack
Subject: Variance viewing party maybe Saturday?

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Jack Eaton
Ward 4 Council member
jeaton@a2gov.org
734-662-6083

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From: [Nelson, Elizabeth](#)
To: [Bannister, Anne](#); [Tom Stulberg](#); [Eaton, Jack](#)
Cc: [Hayner, Jeff](#)
Subject: RE: Variance viewing party Saturday 2pm at Hathaway's Hideaway
Date: Saturday, February 16, 2019 8:57:44 AM

I'd come but I'm committed to volunteer from 1-4 ! Next time...

From: Bannister, Anne <ABannister@a2gov.org>
Sent: Friday, February 15, 2019 9:59 PM
To: Tom Stulberg <[REDACTED]> Eaton, Jack <JEaton@a2gov.org>
Cc: Hayner, Jeff <JHayner@a2gov.org>; Nelson, Elizabeth <ENelson@a2gov.org>
Subject: Re: Variance viewing party Saturday 2pm at Hathaway's Hideaway

Okay. I'll bring my 13" laptop.

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On Fri, Feb 15, 2019 at 9:50 PM -0500, "Tom Stulberg" <[REDACTED]> wrote:

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Invite or Bring others keeping the open meetings act in mind.

Sent from my iPhone

On Feb 15, 2019, at 10:11 AM, Eaton, Jack <JEaton@a2gov.org> wrote:

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Jack

On Feb 15, 2019, at 10:07 AM, Tom Stulberg <[REDACTED]> wrote:

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Sent: Thursday, February 14, 2019 10:06 PM
To: Tom Stulberg
Cc: Hayner, Jeff; Nelson, Elizabeth; Eaton, Jack
Subject: Re: Variance viewing party maybe Saturday?

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Sent: Thursday, February 14, 2019 8:18 AM
To: Bannister, Anne
Cc: Hayner, Jeff; Nelson, Elizabeth; Eaton, Jack
Subject: Variance viewing party maybe Saturday?

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Sent: Monday, February 11, 2019 3:48 PM
To: Hayner, Jeff; Bannister, Anne; Nelson, Elizabeth; Eaton, Jack

Subject: Tuesday 7pm Planning Commission Working session in basement

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Jack Eaton
Ward 4 Council member
jeaton@a2gov.org
734-662-6083

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From: [Bannister, Anne](#)
To: [Susan Wineberg](#), [Jeff Crockett](#)
Cc: [Ilene Tyler](#), [Tom Stulberg](#), [Dettler, Ray](#), [Eleanor Crown](#), [Julie Ritter](#), [Bethany Osborne](#), [Christine Crockett](#), [David Kennedy](#), [Lars Bjorn](#), [Nick Coquillard](#), [Steve Kaplan](#), [Jeffrey Hayner](#), [Eaton, Jack](#), [Hayner, Jeff](#), [Griswold, Kathy](#)
Subject: RE: YIMBY -- Another look
Date: Thursday, February 28, 2019 6:07:52 AM

My apologies but I have already accepted another invitation for Sunday at 2 p.m. (it's the Library Green Conservancy at Hathaway's Hideaway). CM Griswold, Eaton, and I and others are also hosting office hours at City Hall, second floor, on March 3 from 7 p.m. - 9 p.m. This is the Facebook announcement: <https://www.facebook.com/events/2031814490201047/>

About the senior housing development called Lockwood in Ward 5, some of the most compelling reason against it in this location include:

- The developers are calling for a zoning change which is contrary to the Master Plan for this area.
- The impact of the proposed project on the dioxane plume is uncertain.

I prefer the QIMBY label over the other variations, too, and feel it captures the intent of the city's residents better than the other versions.

Thanks everyone,
Anne

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@az.gov.org
Term Nov. 2017 - Nov. 2020

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: Susan Wineberg [REDACTED]
Sent: Thursday, February 20, 2019 12:29 PM
To: Jeff Crockett
Cc: Ilene Tyler; Tom Stulberg; Dettler, Ray; Eleanor Crown; Julie Ritter; Bethany Osborne; Christine Crockett; David Kennedy; Lars Bjorn; Nick Coquillard; Steve Kaplan; Jeffrey Hayner; Bannister, Anne
Subject: Re: YIMBY -- Another look

In case you missed this:
http://www.secondayemedia.com/concentrate/features/yimbyannarbor0451.aspx?utm_source=Emms&utm_medium=Email&utm_term=Yes+in+my+backyard%3a+New+Ann+Arbor+group+takes+proactive+stance+toward+development&utm_content=Newsletter&utm_campaign=Our+most+popular+stories+of+2018

On Wednesday, February 27, 2019, Jeff Crockett - [REDACTED] wrote:
Tom,

Could you please summarize your objection for Ilene? From the article, it appears the majority on Council feels that the location is ill-suited for the development, but I am not sure of the arguments why. Jeff and Anne, could you please clarify?

Thanks, Jeff

On Wed, Feb 27, 2019 at 9:11 PM Ilene Tyler - [REDACTED] wrote:
I love the QIMBY name for speaking out! Let's go with that!

On another note, I am not sure what the problem is with the proposed project at its proposed location. Enlighten me! The site is largely commercial and would have no impact on the residential neighborhood to the west. As for the residents, they would have no amenities with the site, other than buying cars, and it may be unhealthy due to the Gelman plume. Am I missing something crucial?

Ilene R. Tyler, FAIA, FAPT, LEED AP
Preservation Architect
[REDACTED]
m [REDACTED]

On Feb 27, 2019, at 12:32 PM, Tom Stulberg - [REDACTED] wrote:

My take on it:

I was witnessing the mocking of a resident with a video clip, and of a council person (Jane Lumm). At least I moved the conversation from that to one of substance. There was some decent interaction for a while. I was adding some business experience details to a topic where the process is a bit esoteric. There were some good exchanges, and someone posted a decent article as part of the exchange. It was going OK until the moderator joined in. That is the sad/funny part. It's his page I guess.

Thanks for defending me Jeff,

Tom

From: Jeff Crockett [REDACTED]
Sent: Wednesday, February 27, 2019 5:13 PM
To: Raymond Dettler
Cc: Tom Stulberg; Eleanor Crown; Ilene Tyler; Julie Ritter; Bethany Osborne; Christine Crockett; David Kennedy; Lars Bjorn; Nick Coquillard; Steve Kaplan; Susan Wineberg; Jeffrey Hayner; Anne Bannister
Subject: Re: YIMBY -- Another look

FYI, Tom is my personal hero in that he just got kicked off the YIMBY FB for stating his mind. The issue was the proposal to build affordable senior citizen housing on Jackson Rd. See: https://www.mlive.com/news/ann-arbor/2019/02/ann-arbor-council-unlikely-to-ok-plans-for-affordable-senior-housing.html?fbclid=IwAR10HC05AewsQju6Zx_zUxzIKccwsK6biSMiMcm3UmRW_Ni1CQsRgRsKjAM The YIMBYs have been skewering the council reps who are considering a vote against it, including Jeff and Ann.

The following is what may be my last post on YIMBY. Jeff

Tom Stulberg is a friend of mine. He and I have disagreed on a number of development issues, but we respect each other's opinion. As an Administrator, Jaime has every right to kick anyone out he pleases, including Tom and me. But, I am disappointed in this decision and believe it's short-sighted. This group needs to decide whether it's going to remain a fringe group or expand its base. By kicking dissenters out, you remain pure but you risk being known around town as an exclusionary group. Ann Arborites reject any group supporting exclusionary practices. On the other hand, if this forum becomes known for its spilted debates, you will draw a crowd and get name recognition. That will be a good thing. I joined the A2 Townies -- Development group on Jaime's suggestion. But, in my view, this is where the action is. My suggestion is to go beyond the simple YIMBY/NIMBY dichotomy. The impression I get from these discussions is that YIMBYs are GOOD and NIMBYs are BAD. That might work in Trump country. But, my bet is that it won't resonate in A2. Recognize that most people are far more nuanced than YIMBY or NIMBY. There are many factors that influence whether someone is in favor of or disapproves of a development. It's not just about density. For me, it's more about quality. There you have it. Full disclosure. I am a QIMBY.

On Wed, Feb 27, 2019 at 2:47 PM Raymond Dettler - [REDACTED] wrote:
I will be there to listen.

Ray

On Feb 27, 2019, at 6:55 AM, Tom Stulberg - [REDACTED] wrote:

I'm in. I won't be able to stay too long [REDACTED], but let's get the ball rolling.

From: Eleanor Crown [REDACTED]
Sent: Tuesday, February 26, 2019 6:59 PM
To: Ilene Tyler
Cc: Jeff Crockett; Julie Ritter; Tom Stulberg; Bethany Osborne; Christine Crockett; David Kennedy; Lars Bjorn; Nick Coquillard; Ray Dettler; Steve Kaplan; Susan Wineberg
Subject: Re: YIMBY -- Another look

Sunday at 2:00 is good for me.

On Tuesday, February 26, 2019, Ilene Tyler - [REDACTED] wrote:
We'll not be back yet, but go ahead without us, if enough can make it...

Ilene R. Tyler, FAIA, FAPT, LEED AP
Preservation Architect
[REDACTED]
m [REDACTED]

On Feb 26, 2019, at 1:31 PM, Jeff Crockett - [REDACTED] wrote:

Chris and I would be happy to host a meeting this Sunday at 2 PM to talk about the YIMBY movement in Ann Arbor and the threat it poses to Historic preservation. Who can make it?

Jeff

On Tue, Feb 26, 2019 at 8:23 AM Eleanor Crown [REDACTED] wrote:
Good idea, Jeff. I've been buried under Phi Beta Kappa work for the last month or so, but I'm ready to crawl back out and join in other pursuits again.

On Tuesday, February 26, 2019, Julie Ritter <[REDACTED]> wrote:
Let me know when the meeting is scheduled. I have a ton to report from the affordable housing conference at the University. None of that included market forces for affordable housing

On Tue, Feb 26, 2019 at 7:24 AM Tom Stulberg <[REDACTED]> wrote:
I agree. Ready to meet soon.

I have found myself in the position of helping out on multiple issues around town. Currently there is a neighborhood being demonized by not only YIMBYs but by council members as well. I will report on it to you.

Sent from my iPhone

On Feb 26, 2019, at 1:18 AM, Ilene Tyler <[REDACTED]> wrote:

I agree with your take on this article, Jeff. Would rather discuss in person than in email...makes me sad.

Ilene R. Tyler, FAIA, FAPT, LEED AP
Preservation Architect
[REDACTED]
m [REDACTED]

On Feb 25, 2019, at 5:09 PM, Jeff Crockett <[REDACTED]> wrote:

The YIMBY movement has gained a foothold in A2. It's a movement we need to learn more about because it has its crosshairs set on historic preservation. But, in my opinion, it's not enough to oppose YIMBY. We need to understand its origins and what is driving it. I have had some contact with the YIMBY proponents on the YIMBY FB page. What concerned me was not what they proposed. Instead, what concerned me is that they discouraged dissent. When I disputed a pro development article on YIMBY, I was told that questioning and/or critical posts were not welcome. I was told by the YIMBY administrator, Jamie Magiera, to refrain from making negative comments or I would get blocked. Those that know me well understand that telling me to shut up is not a good ideal.

The way I usually deal with a contrary point of view is to first research the issue. So, I am researching the YIMBY movement to find out more about it. On the surface, YIMBY seems to have a good goal.. to increase affordable housing. But, it's clear to me that increasing affordable workforce housing is not the primary motive driving YIMBY. To me, YIMBY is primarily serving the interests of developers and real estate investors. But, you may think differently. Therefore, I think it would be a good idea for us to have a conversation about YIMBY. Toward that end, please read this article.

http://inthesetimes.com/features/yimbys_activists_san_francisco_housing_crisis.html

Thanks, Jeff

--
Sent from my phone named Edwin

All beings are our relatives. Lakota saying

--
Eleanor H. Crown, Ph.D.
Secretary, Alpha of Michigan Chapter, Phi Beta Kappa
LSA Honors
1330 Mason Hall
University of Michigan
Ann Arbor, MI 48109-1027
Voice: [REDACTED] (please leave voicemail)
Fax: 734-763-8553

--
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Voice: [REDACTED] (please leave voicemail)
Fax: 734-763-8553

From: [Bannister, Anne](#)
To: [Eaton, Jack](#)
Subject: Fwd: Change in YIMBY meeting time
Date: Friday, March 1, 2019 6:25:57 AM

Are you free March 9 at 1 pm if I confirm you're invited? Looks like a great meeting.

----- Forwarded message -----

From: "Bannister, Anne" <ABannister@a2gov.org>

Date: Fri, Mar 1, 2019 at 6:21 AM -0500

Subject: Re: Change in YIMBY meeting time

To: "Tom Stulberg" <[REDACTED]> "Jeff Crockett" <[REDACTED]>
"Bethany Osborne" <[REDACTED]> "Christine Crockett"
<[REDACTED]> "David Kennedy" <[REDACTED]> "Elleanor
Crown" <[REDACTED]> "Ilene R. Tyler" <[REDACTED]> "Julie Ritter"
<[REDACTED]> "Lars Bjorn" <[REDACTED]> "Nick Coquillard"
<[REDACTED]> "Detter, Ray" <[REDACTED]> "Steve Kaplan"
<[REDACTED]> "Susan Wineberg" <[REDACTED]> "Tyler, Norm
(DGT)" <[REDACTED]> "Jeffrey Hayner" <[REDACTED]>

Wonderful, I am available Saturday March 9 at 1 pm! I should have an update from Kevin McDonald from the Attorney's Office on removing the Letaw memo from the ADU resolution and the new plans for Short Term Rentals. If there are other agenda questions I should research before March 9, please let me know, such as rent control or other topics we've discussed.

From: Tom Stulberg <[REDACTED]>

Sent: Thursday, February 28, 2019 5:31 PM

To: Jeff Crockett; Bethany Osborne; Christine Crockett; David Kennedy; Elleanor Crown; Ilene R. Tyler; Julie Ritter; Lars Bjorn; Nick Coquillard; Detter, Ray; Steve Kaplan; Susan Wineberg; Tyler, Norm (DGT); Bannister, Anne; Jeffrey Hayner

Subject: Re: Change in YIMBY meeting time

I can make that new date and time.

This is a very serious issue and is worse than you can imagine if you aren't yet in the know. We do need to address it ASAP because though they are a minority, they are organized and their interests align with other powerful interests. They have already impacted development decisions in Ann Arbor and are putting forth multiple initiatives. I will come to the meeting with details.

The YIMBY goal is to increase density in any manner possible including but not limited to the elimination of all single family zoning. SF homeowners are all guilty of being exclusionary in the minds of this movement, and they feel that legitimizes their by-any-means-necessary mentality. They will support ANY development and will demonize any dissenters as NIMBYs that should be dismissed. They are using affordable housing as a cover for what is primarily market rate increased development - anywhere and everywhere. And as little parking as possible, because that reduces the net density.

My two cents,

Tom

From: Jeff Crockett <[REDACTED]>

Sent: Thursday, February 28, 2019 4:57 PM

To: Bethany Osborne; Christine Crockett; David Kennedy; Eleanor Crown; Ilene R. Tyler; Julie Ritter; Lars Bjorn; Nick Coquillard; Ray Detter; Steve Kaplan; Susan Wineberg; Tom Stulberg; Norm Tyler; Anne Bannister; Jeffrey Hayner

Subject: Change in YIMBY meeting time

Chris and I felt it would be best to wait until Norm and Ilene returned from their trip to meet on the YIMBY group. Saturday, 1 PM, March 9, works for the four of us. How does it work for all of you?

I'd like to emphasize that we do need to be aware of YIMBY intentions and prepare ourselves. Many in the YIMBY FB group have expressed open contempt for historic districts and want to increase density as quickly as possible in A2. I would encourage all of you to attempt to join the YIMBY FB page, not necessarily to comment but at least to observe. The Lockwood proposal on Jackson Rd will be interesting to watch as it gets reconsidered by Council on March 18. The intensity of this group reminds me of the anti-deer cull group.

I don't quite understand yet is what is behind their passion. There is a libertarian undercurrent to some of this. It could be new folks in town trying to exert their influence over A2 townies. They adamantly believe that this is a market-driven problem and that all that is needed is to increase the supply of housing to lower housing costs. Historic districts, single-family zoning and the current master plan are viewed as obstacles to their goal. Absent from these discussions is their consideration for design and quality of materials.

Looking forward to this discussion,

Jeff

From: [Eaton, Jack](#)
To: [Bannister, Anne](#)
Subject: Re: Change in YIMBY meeting time
Date: Friday, March 1, 2019 7:43:32 AM

Yes. I'll put it in my calendar.

Jack

Sent from my iPhone

On Mar 1, 2019, at 6:25 AM, Bannister, Anne <ABannister@a2gov.org> wrote:

Are you free March 9 at 1 pm if I confirm you're invited? Looks like a great meeting.

----- Forwarded message -----

From: "Bannister, Anne" <ABannister@a2gov.org>

Date: Fri, Mar 1, 2019 at 6:21 AM -0500

Subject: Re: Change in YIMBY meeting time

To: "Tom Stulberg" <[REDACTED]> "Jeff Crockett" <[REDACTED]> "Bethany Osborne" <[REDACTED]> "Christine Crockett" <[REDACTED]> "David Kennedy" <[REDACTED]> "Elleanor Crown" <[REDACTED]> "Ilene R. Tyler" <[REDACTED]> "Julie Ritter" <[REDACTED]> "Lars Bjorn" <[REDACTED]> "Nick Coquillard" <[REDACTED]> "Detter, Ray" <[REDACTED]> "Steve Kaplan" <[REDACTED]> "Susan Wineberg" <[REDACTED]> "Tyler, Norm (DGT)" <[REDACTED]> "Jeffrey Hayner" <[REDACTED]>

Wonderful, I am available Saturday March 9 at 1 pm! I should have an update from Kevin McDonald from the Attorney's Office on removing the Letaw memo from the ADU resolution and the new plans for Short Term Rentals. If there are other agenda questions I should research before March 9, please let me know, such as rent control or other topics we've discussed.

From: Tom Stulberg <[REDACTED]>
Sent: Thursday, February 28, 2019 5:31 PM

To: Jeff Crockett; Bethany Osborne; Christine Crockett; David Kennedy; Elleanor Crown; Ilene R. Tyler; Julie Ritter; Lars Bjorn; Nick Coquillard; Detter, Ray; Steve Kaplan; Susan Wineberg; Tyler, Norm (DGT); Bannister, Anne; Jeffrey Hayner

Subject: Re: Change in YIMBY meeting time

I can make that new date and time.

This is a very serious issue and is worse than you can imagine if you aren't yet in the know. We do need to address it ASAP because though they are a minority, they are organized and their interests align with other powerful interests. They have already impacted development decisions in Ann Arbor and are putting forth multiple initiatives. I will come to the meeting with details.

The YIMBY goal is to increase density in any manner possible including but not limited to the elimination of all single family zoning. SF homeowners are all guilty of being exclusionary in the minds of this movement, and they feel that legitimizes their by-any-means-necessary mentality. They will support ANY development and will demonize any dissenters as NIMBYs that should be dismissed. They are using affordable housing as a cover for what is primarily market rate increased development - anywhere and everywhere. And as little parking as possible, because that reduces the net density.

My two cents,

Tom

From: Jeff Crockett <[REDACTED]>

Sent: Thursday, February 28, 2019 4:57 PM

To: Bethany Osborne; Christine Crockett; David Kennedy; Elleanor Crown; Ilene R. Tyler; Julie Ritter; Lars Bjorn; Nick Coquillard; Ray Detter; Steve Kaplan; Susan Wineberg; Tom Stulberg; Norm Tyler; Anne Bannister; Jeffrey Hayner

Subject: Change in YIMBY meeting time

Chris and I felt it would be best to wait until Norm and Ilene returned from their trip to meet on the YIMBY group. Saturday, 1 PM, March 9, works for the four of us. How does it work for all of you?

I'd like to emphasize that we do need to be aware of YIMBY intentions and prepare ourselves. Many in the YIMBY FB group have expressed open contempt for historic districts and want to increase density as quickly as possible in A2. I would encourage all of you to attempt to join the YIMBY FB page, not necessarily to comment but at least to observe. The Lockwood proposal on Jackson Rd will be interesting to watch as it gets reconsidered by Council on March 18. The intensity of this group reminds me of the anti-deer cull group.

I don't quite understand yet is what is behind their passion. There is a libertarian undercurrent to some of this. It could be new folks in town trying to exert their influence over A2 townies. They adamantly believe that this is a market-driven problem and that all that is needed is to increase the supply of housing to lower housing costs. Historic districts, single-family zoning and the current master plan are viewed as obstacles to their goal. Absent from these discussions is their consideration for design and quality of materials.

Looking forward to this discussion,

Jeff

From: [Bannister, Anne](#)
To: [SRTS A2STEAM](#); [CityCouncil](#); [Lazarus, Howard](#); [Hupy, Craig](#)
Cc: [Fenech, Megan](#); [Dani Parker Robyn Sorensen](#); [Margolis, Liz](#); [Elissa Trumbull](#); [Jeanice Swift](#); [Allen, Jane](#) (Engineering); [CityCouncil](#); [Hutchinson, Nicholas](#); [Lester Wyborny](#); [Tom Stulberg](#); [Susan Presswood Wright](#); [Libby Brooks](#); [Williamson, John](#); [Scott Newell](#); [REDACTED] [everett w armstrong](#); [Andrea Tom](#); [Amy Chavasse](#); [P. L.](#); [Chuck Marshall](#); [Brenda Sodi Foster](#); [Po Hu](#); [REDACTED] [tom & sue maguire](#); [tom & sue maguire](#); ["Evan Pratt"](#)
Subject: RE: Thank you for your "Yes" vote on Res 3: Establish SRTS Public Hearing
Date: Wednesday, April 17, 2019 4:52:45 PM

Dear Ms. Colvin-Garcia, Mr. Lazarus, Mr. Hupy and all,

To follow-up on Carlene's email below, please send the sidewalk cost details, including (per video 5:51 hours: <https://www.youtube.com/watch?v=lopkSrlOyCs>):

1. Cost per linear foot for project as is
2. Cost if MDOT approves only one sidewalk on Traver, and no sidewalk on Brookside
3. Cost without the grant for one sidewalk on Traver
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7. Any other relevant costs

The video discussion of DS-1 Public Hearing for STEAM Sidewalk Gap begins at 5:18:46 hours and continues through 5:55:25 hours: <https://www.youtube.com/watch?v=lopkSrlOyCs>

Please also include any summaries of conversations with Paul Ajegba from MDOT.

Thank you,
Anne

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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From: SRTS A2STEAM [srtsa2steam@gmail.com]
Sent: Tuesday, April 16, 2019 1:35 PM
To: CityCouncil
Cc: Fenech, Megan; Dani Parker Robyn Sorensen; Margolis, Liz; Elissa Trumbull; SRTS A2STEAM; Jeanice Swift
Subject: Thank you for your "Yes" vote on Res 3: Establish SRTS Public Hearing

Esteemed City Council Members -

Thank you so very much for passing Resolution 3. We look forward to the May 20 Public Hearing of STEAM's SRTS Sidewalk Gap Special Assessment project.

Can you please share with us with all the sidewalk cost details that the City will provide you prior to May 20, per your discussion at last night's City Council meeting?

Thanks again,

Carlene Colvin-Garcia

On Mon, Apr 15, 2019 at 6:04 PM SRTS A2STEAM <srtsa2steam@gmail.com> wrote:
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Tonight's Agenda Item Number DS-1 (19-0567) is:
Resolution No. 3 Establishing a Public Hearing on May 20, 2019 for the Northside STEAM Safe Routes to School Sidewalk Gap Special Assessment Project.

This is the final opportunity to establish a Public Hearing for this important project. I represent the A2 STEAM Safe Routes to School Committee in this request for you to vote "Yes" on this resolution. We can share in this opportunity, along with the the rest of our community members, to participate in this important Hearing.

With deep appreciation,

Carlene Colvin-Garcia

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Elissa Trumbull, Nicole Chardoul & Carlene Colvin-Garcia
A2 STEAM @ Northside, SRTS Co-Coordiators

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Elissa Trumbull, Nicole Chardoul & Carlene Colvin-Garcia
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From: [Bannister, Anne](#)
To: [Lazarus, Howard](#)
Cc: [Hupy, Craig](#); [Higgins, Sara](#); [Hutchinson, Nicholas](#); [Hayner, Jeff](#); [Griswold, Kathy](#); [Eaton, Jack](#); [Lester Wyborny](#); [Williamson, John](#); [Evan Pratt](#); [Tom Stulberg](#)
Subject: Re: Thank you for your "Yes" vote on Res 3: Establish SRTS Public Hearing
Date: Saturday, April 20, 2019 9:39:53 AM

Thanks for the update. What we need to do is rewind to the beginning and start fresh on this project, and this time include the impacted residents in the street selection and planning process.

For example, there's significant support for the removal of Brookside, the addition of Leaird, and substantial work on the dangerous cross walk, lighting and signage issues in the area. These are in addition to the transparency we seek about the high cost of carving into the steep slope on Traver.

The Transportation Commission should also be involved (remember the unanswered questions from Commissioners Hull and Naheedy?). And numerous people have come out of the woodwork saying the city should pay for the remaining priority sidewalk gaps citywide.

So please make preparations to move forward in light of the real situation here, not how a small subset of people had planned it, because it's deeply flawed and headed toward failure, and we're trying to salvage what we can of the concept of improved safe walks/bike paths to children on their way to school. I'm here to help, but I need you and I to get on the same page with the path forward.

Thanks,
Anne

On Sat, Apr 20, 2019 at 8:58 AM -0400, "Lazarus, Howard" <HLazarus@a2gov.org> wrote:

Dear Councilmember Bannister:

While staff is preparing a response to your question below, I do want to let you know that I have discussed your request to seek a waiver from the requirement to place sidewalks on both sides of the street with both Mr. Ajeba and the MFF staff. I hope to have a response next week.

Howard S. Lazarus

City Administrator
City of Ann Arbor
301 E. Huron Street
Ann Arbor, MI 48104
T: 734-794-6110 ext41102
E: hlazarus@a2gov.org
www.a2gov.org



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From: Bannister, Anne <ABannister@a2gov.org>
Sent: Wednesday, April 17, 2019 4:53 PM
To: SRTS A2STEAM <srtsa2steam@gmail.com>; CityCouncil <CityCouncil@a2gov.org>; Lazarus, Howard <HLazarus@a2gov.org>; Hupy, Craig <CHupy@a2gov.org>
Cc: Fenech, Megan <fenechm@aaps.k12.mi.us>; Dani Parker Robyn Sorensen <pres@a2steampoint.org>; Margolis, Liz <margolisl@aaps.k12.mi.us>; Elissa Trumbull <elissatrumbull@gmail.com>; Jeanice Swift <swift@aaps.k12.mi.us>; Allen, Jane (Engineering) <JAllen2@a2gov.org>; CityCouncil <CityCouncil@a2gov.org>; Hutchinson, Nicholas <NHutchinson@a2gov.org>; Lester Wyborny <[REDACTED]> Tom Stulberg <[REDACTED]> Susan Presswood Wright <[REDACTED]> Libby Brooks <[REDACTED]> Williamson, John <[REDACTED]> Scott Newell <[REDACTED]> everett w armstrong <[REDACTED]> Andrea Tom <[REDACTED]> Amy Chavasse <[REDACTED]> P. L. <[REDACTED]> Chuck Marshall <[REDACTED]> Brenda Sodt Foster <[REDACTED]> Po Hu <[REDACTED]> tom & sue maguire <[REDACTED]> tom & sue maguire <[REDACTED]> 'Evan Pratt' <pratte@washtenaw.org>
Subject: RE: Thank you for your "Yes" vote on Res 3: Establish SRTS Public Hearing

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Please also include any summaries of conversations with Paul Ajegba from MDOT.

Thank you,
Anne

Anne Bannister
Ward One Councilmember
cell: [REDACTED]

abannister@a2gov.org

Term Nov. 2017 - Nov. 2020

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From: SRTS A2STEAM [srtsa2steam@gmail.com]

Sent: Tuesday, April 16, 2019 1:35 PM

To: CityCouncil

Cc: Fenech, Megan; Dani Parker Robyn Sorensen; Margolis, Liz; Elissa Trumbull; SRTS A2STEAM; Jeanice Swift

Subject: Thank you for your "Yes" vote on Res 3: Establish SRTS Public Hearing

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Thanks again,

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With deep appreciation,

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From: [Bannister, Anne](#)
To: [Lazarus, Howard](#)
Cc: [Higgins, Sara](#); [Hayner, Jeff](#); [Griswold, Kathy](#); [Eaton, Jack](#); [Lester Wyborny](#); [Williamson, John](#); [Evan Pratt](#); [Tom Stulberg](#); [Libby Brooks](#); [Scott Newell](#); [everett w armstrong](#); [Susan Presswood Wright](#)
Subject: RE: Thank you for your "Yes" vote on Res 3: Establish SRTS Public Hearing
Date: Saturday, April 27, 2019 12:20:51 PM

Dear Mr. Lazarus,

The neighbors are meeting tomorrow to discuss the Northside STEAM SRTS project. Do you have any news about your conversations with Paul Ajegba from MDOT, especially about the need for substantial revisions to the project in order for it to pass the "public resolution for support," including the controversial Council vote on May 20 about Resolution 4?

Thanks for any advocacy you are able to do on our behalf to "save" the project.

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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From: Bannister, Anne
Sent: Saturday, April 20, 2019 9:39 AM
To: Lazarus, Howard
Cc: Hupy, Craig; Higgins, Sara; Hutchinson, Nicholas; Hayner, Jeff; Griswold, Kathy; Eaton, Jack; Lester Wyborny; Williamson, John; Evan Pratt; Tom Stulberg
Subject: Re: Thank you for your "Yes" vote on Res 3: Establish SRTS Public Hearing

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So please make preparations to move forward in light of the real situation here, not how a small subset of people had planned it, because it's deeply flawed and headed toward failure, and we're trying to salvage what we can of the concept of improved safe walks/bike paths to children on their way to school. I'm here to help, but I need you and I to get on the same page with the path forward.

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From: Bannister, Anne <ABannister@a2gov.org>

Sent: Wednesday, April 17, 2019 4:53 PM

To: SRTS A2STEAM <srtsa2steam@gmail.com>; CityCouncil <CityCouncil@a2gov.org>; Lazarus, Howard <HLazarus@a2gov.org>; Hupy, Craig <CHupy@a2gov.org>

Cc: Fenech, Megan <fenechm@aaps.k12.mi.us>; Dani Parker Robyn Sorensen <pres@a2steampmo.org>; Margolis, Liz <margolisl@aaps.k12.mi.us>; Elissa Trumbull <elissatrumbull@gmail.com>; Jeanice Swift <swift@aaps.k12.mi.us>; Allen, Jane (Engineering) <JAllen2@a2gov.org>; CityCouncil <CityCouncil@a2gov.org>; Hutchinson, Nicholas <NHutchinson@a2gov.org>; Lester Wyborny <[REDACTED]> Tom Stulberg <[REDACTED]> Susan Presswood Wright <[REDACTED]> Libby Brooks <[REDACTED]> Williamson, John <[REDACTED]> Scott Newell <[REDACTED]> everett w armstrong <[REDACTED]> Andrea Tom <[REDACTED]> Amy Chavasse <[REDACTED]> P. L. <[REDACTED]> Chuck Marshall <[REDACTED]> Brenda Sodt Foster <[REDACTED]> Po Hu <[REDACTED]> tom & sue maguire <[REDACTED]> tom & sue maguire <[REDACTED]> 'Evan Pratt' <pratthe@washtenaw.org>

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From: [Bannister, Anne](#)
To: [Lazarus, Howard](#)
Cc: [Higgins, Sara](#); [Hayner, Jeff](#); [Griswold, Kathy](#); [Eaton, Jack](#); [Lester Wyborny](#); [Williamson, John](#); [Evan Pratt](#); [Tom Stulberg](#); [Libby Brooks](#); [Scott Newell](#); [everett w armstrong](#); [Susan Presswood Wright](#); [REDACTED]; [Janet Holloway](#); [Andrea Tom](#); [Amy Chavasse](#); [Chuck Marshall](#); [Brenda Sodt Foster](#); [Po Hu](#); [REDACTED]; [P. L.](#); [aaron dodd](#); [tom & sue maguire](#)
Subject: RE: Thank you for your "Yes" vote on Res 3: Establish SRTS Public Hearing
Date: Tuesday, April 30, 2019 6:28:03 PM

Dear Mr. Lazarus,

While we wait for the staff response to the April 17 email below, these are follow-up questions from the neighborhood meeting last Sunday:

1. Please provide the detail on how the decision was made to remove Pear and Apple streets from the project, including meeting notes, reasons given, who was in attendance and made the decision, etc.
2. Please provide the 2017 document (maybe 10/2017) where it was mentioned that all of the stakeholders had agreed to the project. I don't see it on the City's webpage:
<https://www.a2gov.org/departments/engineering/Pages/Northside-STEAM-Sidewalk-Gap-Project.aspx>
3. Please elaborate on the details of your conversation yesterday with Paul Ajegba from MDOT, beyond your statement that two-sidewalks on Traver, and presumably Brookside one-sidewalk, were still required, in light of the nearly unanimous lack of public support from the impacted residents.
4. Please explain actions you may have taken to correct the problem with the new Dicken School SRTS project, where non-parent resident voices are again/still not being included at the beginning of the project.
5. For the May 20 Council meeting, would it be possible to have the Public Hearing at the beginning of the meeting, so that residents don't have to stay for hours with us? I see the Resolution 19-0412 is already available on Legistar: <http://a2gov.legistar.com/LegislationDetail.aspx?ID=3928055&GUID=C994ABEE-B878-401A-8088-AFF6ACB67B7F&Options=ID%7CText%7C&Search=&FullText=1>

Again, I'd like to emphasize that the impacted residents are considering a lawsuit, and we look at you as our City Administrator, to help us find solutions to the impasse with this deeply flawed project.

Please "reply all" on your response.

Thank you,

Anne Bannister
Ward One Councilmember
cell: [REDACTED]

abannister@a2gov.org

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Sent: Saturday, April 27, 2019 12:20 PM

To: Lazarus, Howard

Cc: Higgins, Sara; Hayner, Jeff; Griswold, Kathy; Eaton, Jack; Lester Wyborny; Williamson, John; Evan Pratt; Tom Stulberg; Libby Brooks; Scott Newell; everett w armstrong; Susan Presswood Wright

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Sent: Wednesday, April 17, 2019 4:53 PM

To: SRTS A2STEAM <srtsa2steam@gmail.com>; CityCouncil <CityCouncil@a2gov.org>; Lazarus, Howard <HLazarus@a2gov.org>; Hupy, Craig <CHupy@a2gov.org>

Cc: Fenech, Megan <fenechm@aaps.k12.mi.us>; Dani Parker Robyn Sorensen <pres@a2steampoint.org>; Margolis, Liz <margolisl@aaps.k12.mi.us>; Elissa Trumbull <elissatrumbull@gmail.com>; Jeanice Swift <swift@aaps.k12.mi.us>; Allen, Jane (Engineering) <JAllen2@a2gov.org>; CityCouncil <CityCouncil@a2gov.org>; Hutchinson, Nicholas <NHutchinson@a2gov.org>; Lester Wyborny <[REDACTED]> Tom Stulberg <[REDACTED]> Susan Presswood Wright <[REDACTED]> Libby Brooks <[REDACTED]> Williamson, John <[REDACTED]> Scott Newell <[REDACTED]> everett w armstrong <[REDACTED]> Andrea Tom <[REDACTED]> Amy Chavasse <[REDACTED]> P. L. <[REDACTED]> Chuck Marshall <[REDACTED]> Brenda Sodt Foster <[REDACTED]> Po Hu <[REDACTED]> tom & sue maguire <[REDACTED]> tom & sue maguire <[REDACTED]> 'Evan Pratt' <pratte@washtenaw.org>

Subject: RE: Thank you for your "Yes" vote on Res 3: Establish SRTS Public Hearing

Dear Ms. Colvin-Garcia, Mr. Lazarus, Mr. Hupy and all,

To follow-up on Carlene's email below, please send the sidewalk cost details, including (per video 5:51 hours: <https://www.youtube.com/watch?v=lopkSrIOyCs>):

1. Cost per linear foot for project as is
2. Cost if MDOT approves only one sidewalk on Traver, and no sidewalk on Brookside
3. Cost without the grant for one sidewalk on Traver
4. City's engineering costs
5. Cost for ADA compliance

6. Confirmation of \$41 -\$80 per linear foot and \$400 per slap and historical trends

7. Any other relevant costs

The video discussion of DS-1 Public Hearing for STEAM Sidewalk Gap begins at 5:18:46 hours and continues through 5:55:25 hours: <https://www.youtube.com/watch?v=lopkSrlOyCs>

Please also include any summaries of conversations with Paul Ajegba from MDOT.

Thank you,

Anne

Anne Bannister

Ward One Councilmember

cell: [REDACTED]

abannister@a2gov.org

Term Nov. 2017 - Nov. 2020

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: SRTS A2STEAM [srtsa2steam@gmail.com]

Sent: Tuesday, April 16, 2019 1:35 PM

To: CityCouncil

Cc: Fenech, Megan; Dani Parker Robyn Sorensen; Margolis, Liz; Elissa Trumbull; SRTS A2STEAM; Jeanice Swift

Subject: Thank you for your "Yes" vote on Res 3: Establish SRTS Public Hearing

Esteemed City Council Members -

Thank you so very much for passing Resolution 3. We look forward to the May 20 Public Hearing of STEAM's SRTS Sidewalk Gap Special Assessment project.

Can you please share with us with all the sidewalk cost details that the City will provide you prior to May 20, per your discussion at last night's City Council meeting?

Thanks again,

Carlene Colvin-Garcia

On Mon, Apr 15, 2019 at 6:04 PM SRTS A2STEAM <srtsa2steam@gmail.com> wrote:

Esteemed City Council Members -

Tonight's Agenda Item Number DS-1 (19-0567) is:

Resolution No. 3 Establishing a Public Hearing on May 20, 2019 for the Northside STEAM Safe Routes to School Sidewalk Gap Special Assessment Project.

This is the final opportunity to establish a Public Hearing for this important project. I represent the A2 STEAM Safe Routes to School Committee in this request for you to vote "Yes" on this resolution. We can share in this opportunity, along with the the rest of our community members, to participate in this important Hearing.

With deep appreciation,

Carlene Colvin-Garcia

--

Elissa Trumbull, Nicole Chardoul & Carlene Colvin-Garcia
A2 STEAM @ Northside, SRTS Co-Coordinators

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Elissa Trumbull, Nicole Chardoul & Carlene Colvin-Garcia
A2 STEAM @ Northside, SRTS Co-Coordinators

From: [Lumm, Jane](#)
To: [Taylor, Christopher \(Mayor\)](#); [Eaton, Jack](#)
Cc: [Lazarus, Howard](#); [Postema, Stephen](#)
Subject: FW: FOIA 1961 Lesko
Date: Wednesday, May 1, 2019 11:41:25 AM

Christopher, Jack, I was copied on this (I have had no exchanges/discussions w/Pat or Tom re: this matter), and copying you FYI. –Jane

From: P. L. <[REDACTED]>
Sent: Wednesday, May 1, 2019 11:14 AM
To: Lazarus, Howard <HLazarus@a2gov.org>; Lumm, Jane <JLumm@a2gov.org>
Cc: Wiedert <wiedert@aol.com>
Subject: Re: FOIA 1961 Lesko

Mr. Lazarus,

This is a formal appeal of the city's recent response to my FOIA 1961.

1. There are redactions of the names of city employees in the public records returned to me. To explain the redactions, the city simply cited statutory language.

Michigan Court of Appeals found in its Detroit Free Press, Inc. vs. City of Warren:

To meet this burden, the public body claiming an exemption should provide complete particularized justification, rather than simply repeat statutory language. Hyson v. Dep't of Corrections, 205 Mich.App. 422, 424, 521 N.W.2d 841 (1994).

Defendant claims to be exempt under the FOIA's privacy exemption, M.C.L. § 15.243(1)(a), which states:

(1) A public body may exempt from disclosure as a public record under this act:

(a) Information of a personal nature where the public disclosure of the information would constitute a clearly unwarranted invasion of an individual's privacy.

The FOIA response in part denied did not cite particularized justification for any of the redactions.

2. The FOIA in part denied claims that redactions of names in the records was done so to protect city employees' individual privacy.

From Detroit Free Press, Inc. vs. City of Warren:

Under Michigan's FOIA, citizens are entitled to obtain information regarding the manner in which public employees are fulfilling their public responsibilities. See Mager, supra at 142-143, 595 N.W.2d 142. Here, the names sought were those of elected officials and city employees for whom defendant, a public body, had paid attorney fees in connection with their grand jury appearances or FBI interviews. This fact strongly suggests that the names and associated information constitutes information concerning matters

of legitimate public concern, rather than information of a personal nature.

In this instance, the names sought are for city employees who were made aware of Ms. Wilkerson's threat to blow up City Hall, as well as a threat made by Ms. Wilkerson to bring her 9 mm gun to work. This latter threat was reported to the City Administrator. I find it difficult to believe the City Administrator did not investigate this credible threat (Ms. Wilkerson possesses an open carry gun license).

In addition, all of the redacted public records refer to the work product of paid city staff, and relate to those individuals' public duties: promotions of minorities, management failures, leadership problems within both the AAPD and the AAFD. It could be credibly argued that Ms. Wilkerson's texts constitute a years-long written record of pervasive high-level mismanagement within the City of Ann Arbor which is a matter of legitimate public concern.

From Detroit Free Press, Inc. vs. City of Warren: "[These facts] strongly suggest that the names and associated information constitutes information concerning matters of legitimate public concern, rather than information of a personal nature."

3. The City, by withholding public records, i.e. the City Administrator's email to Council members announcing Ms. Wilkerson's administrative leave, as well as refusing to provide all records related to Mr. Lazarus's investigation of Ms. Wilkerson, announced in his April 8th letter, and by providing a mere "sample" of Wilkerson's text messages as opposed to all of her text messages gathered and from which the "sample" was compiled, the City is in violation of the state statute.

Please provide all of the materials requested in FOIA 1961, and unredact the text messages provided.

Sincerely,

Patricia Lesko

From: Alexa, Jennifer <JAlexa@a2gov.org>

Sent: Tuesday, April 30, 2019 4:07 PM

To: [REDACTED]

Subject: FOIA 1961 Lesko

Hello - attached is the City's response to your most recent FOIA request.

Best Jennifer

Jennifer Alexa | Deputy City Clerk | Office of the City Clerk

City of Ann Arbor | 301 E. Huron, 2nd Floor | Ann Arbor, MI 48104 | Office: (734) 794-6140

JAlexa@a2gov.org

From: [Bannister, Anne](#)
To: [Lester Wyborny](#); [Williamson, John](#); [Evan Pratt](#); [Tom Stulberg](#); [Libby Brooks](#); [Scott Newell](#); [everett w armstrong](#); [Susan Presswood Wright](#); [REDACTED]; [Janet Holloway](#); [Andrea Tom](#); [Amy Chavasse](#); [Chuck Marshall](#); [Brenda Sadt Foster](#); [Po Hu](#); [REDACTED]; [P. L.](#); [aaron dodd](#); [tom & sue maguire](#); [SRTS A2STEAM](#); [Fenech, Megan](#); [Dani Parker Robyn Sorensen](#); [Margolis, Liz](#); [Elissa Trumbull](#); [Jeanice Swift](#)
Cc: [Eaton, Jack](#); [Hayner, Jeff](#); [Griswold, Kathy](#); [Lazarus, Howard](#)
Subject: FW: Northside STEAM SRTS Update
Date: Wednesday, May 1, 2019 2:35:46 PM
Attachments: [190501 - Northside STEAM SRTS Update.pdf](#)

FYI -- new 4 page memo from Mr. Lazarus.

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: Lazarus, Howard
Sent: Wednesday, May 01, 2019 1:24 PM
To: CityCouncil
Cc: Hupy, Craig; Hutchinson, Nicholas; Hess, Raymond; Higgins, Sara; Rechtien, Matthew
Subject: Northside STEAM SRTS Update

Mayor and Councilmembers:

I am forwarding the attached update on the Northside STEAM SRTS. Council will hold a public hearing on May 20th and consider the resolution establishing the special assessment district. The information provided in the memorandum is intended to provide background to assist in your decision-making.

Please do not hesitate to contact me if I can be of further assistance.

Howard S. Lazarus

City Administrator
City of Ann Arbor
301 E. Huron Street
Ann Arbor, MI 48104
T: 734-794-6110 ext41102
E: hlazarus@a2gov.org
www.a2gov.org



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MEMORANDUM

TO: Mayor and Councilmembers
FROM: Howard Lazarus, City Administrator
DATE: April 30, 2019
SUBJECT: Follow-Up to Questions on Northside STEAM Safe Routes to School (SRTS) Project

BACKGROUND. Council will consider the sidewalk special assessment district for sidewalks as part of the Northside STEAM Safe Routes to School project during a public hearing scheduled for the May 20th Council meeting. This will be the fourth special assessment resolution Council will consider, and, if adopted, will establish the district. I am forwarding this memorandum in response to the questions we have received, and is provided to support Council's decision-making.

As background, this is a "grass-roots" project initiated by stakeholders around and involved in the school. Sidewalks in Traver Street are central to the project, which is also included in the 2013 update to the City's Non-Motorized Plan.

City staff assisted the SRTS Team in navigating the process, and became actively involved in June 2018 when design and public engagement work began. Up to that point, The Northside STEAM SRTS team was responsible for communications. Once the City's staff began the design, the City extended outreach to the to-be-assessed property owners and prepared multiple designs to address resident concerns.

The remaining complaints cited by the property owners are (a) project cost, (b) elimination of on-street parking (which can be addressed within the existing road footprint in the public right of way with minimal and non-permanent disturbances to adjacent properties), and responsibility for sidewalk snow removal.

DISCUSSION: The questions we have received fall into three subjects: our discussions with the Michigan Department of Transportation (MDOT) and the Michigan Fitness Foundation (MFF) – which administers the SRTS program on behalf of MDOT; the project cost; and the impacts the project will have on property owners. Each of these topics is presented sequentially in the paragraphs below.

Discussions with MDOT/MFF

Staff has worked closely with MFF to seek answers to property owners' concerns. The City Administrator has also reached out directly to the MDOT Director, at Council's direction to raise the following questions (responses are directly cited from MDOT/MFF, so that first person references apply to those organizations):

Q. Is there an avenue to request an exception to policy to the requirement to have sidewalks on both sides of the street that would be applicable in this case? How much latitude does MDOT or the Governor have to grant exceptions?

A: The following is a combination of both general Safe Routes to School program information and how it applies to the context of the A2STEAM project specifically.

1. As a condition of receiving funding, the Michigan Safe Routes to Schools program requires for sidewalk to be included on both sides of the street in residential areas. It is our (MDOT/MFF) experience and judgement that the increase in safety to children outweighs the impact on property owners adjacent to the public rights of way. If a part of the project were proposed with residential sidewalk on only one side of the street, it would no longer be competitive for funding. The SRTS grant program is voluntary and that choice includes acceptance of both the grant funding (awarded on a competitive basis) and the state and federal constraints associated with use of those funds.
2. Prior to obligation, a modification request would have to be agreed upon by both the city and school(s). If such a modification were requested, it must still meet the defined scope and the goals of the original planning process. For example, one of the original goals was providing the connectivity along Traver Street. A change that provided similar connectivity to what Traver Street provides but along other locations would be such a modification. Finally, it must also meet eligibility standards for the program and constructability standards (AASHTO & ADA). We would not accept an application or revision to an application with sidewalk on one side of the road. This applies to the entire length of any given sidewalk route being requested.
3. The funds for this project have been obligated, and so the latitude to grant a modification given that the funds have been obligated is not possible. The community would have to rescind the funding requested and reapply in order to change the scope. However, given that the A2STEAM property comes up to Traver Road, it is my belief that an application would not be competitive for A2STEAM without Traver being included in the scope of work.
4. The matter is considered a local issue and would need to be discussed as such. Regardless of where the project was in the process, the MDOT Safe Routes to School program would not provide an exception to sidewalk on two sides of the street where the land use is residential on both sides.

Q. Does the opportunity exist to replace Traver Street with other locations under the current grant?

A. No, see answer above for detail.

Q. How would the City's cancellation of this project affect its ability to receive future SRTS grants? How is past performance factored into the evaluation criteria? How does one project that does not move forward influence other experiences where projects were successfully completed? How long does a project that does not move forward impact future evaluations.

A. Because these are federal funds, rescinding a grant *may* have a negative impact on the municipality if they applied for federal funds in the future. (NOTE: I probed more deeply about this response. Past performance is one of several evaluation factors. A poor score in this area would make an application less competitive, but by itself would not disqualify a project).

Project Costs

The project costs are provided in the table below. The project designed and submitted to MDOT (5' wide sidewalks on both sides of the street) costs an estimated \$41.93 per linear foot, which amount includes the offset of SRTS grant funds, and the City's contributions (e.g. retaining walls, curb and gutter, driveway approach replacements).

Northside STEAM Estimated Assessment Costs	
Project as currently designed with SRTS grant	\$41.93/LF
Project as currently designed without SRTS grant	\$100.57/LF
Sidewalk on west side of Traver only without Brookside with SRTS grant	\$32.07/LF
Sidewalk on east side of Traver only without Brookside with SRTS grant	\$25.73/LF
Sidewalk on west side of Traver only without SRTS grant	\$107.94/LF
Sidewalk on east side of Traver only without SRTS grant	\$97.92/LF

The following answers address questions raised about these costs:

1. If the project were able to be modified so that sidewalk was installed on only west side of Traver, and no sidewalk was installed on Brookside, then the assessment to remaining property owners would be \$32.07/LF. In the same scenario, if the sidewalk were installed only on the east side, the assessment cost would be \$25.73/LF. This presumes that the SRTS Grant would still be able to pay for either of these versions, which is not the case based on the responses from MDOT/MFF in the above section.
2. Cost without the grant for one sidewalk on Traver would be assessed at \$107.94/LF if the sidewalk were on the west side; and \$97.92/LF if the sidewalk were on the east side, assuming Brookside remains part of the project, and that there was no SRTS grant.
3. City engineering costs through pay period ending 4/13/19 are \$156,066.04. Public Engagement and mailings account for approximately \$17,000 of this figure.
4. Cost for ADA compliance is integral to the design and cannot be broken out separately.
5. The current assessment cost with the grant is \$41.93/LF. It would be \$100.57/LF without the grant. Figures of assessed costs that have been previously shared for comparison purposes are from similar projects that used some form of Federal Aid to offset project costs, and thus offset assessed costs. These numbers from recent projects are closer to the \$41.93 figure. However, since the *assessed* cost does not reflect the *full* cost of installing new sidewalk, this figure cannot be fairly compared to full project cost per slab of installing new concrete sidewalk.
6. No other costs that have not already been accounted for are anticipated for the project.
7. The assessment amount will be adjusted based on actual bid prices, once obtained.

Impacts on Adjacent Property Owners

Staff has provided information in the past to Councilmembers, which is summarized below:

Title I, Chapter 12, Sections 1:274 and 1:275 address the use of special assessments for local public improvement charges.

- Section 1:274 provides that 100% of the cost of new sidewalks shall be assessed to the owner of the property. The section also provides, however, that “[i]n any case where the city council determines that the division of costs... does not accurately reflect the benefit to the city at large and the private benefit, such other division as shall be equitable may be adopted by the city council.” In considering this, Council should note that most of the project is being paid by the grant and City funding, and not the property owners. Council should also note that this assessment of costs is consistent with the City’s historic practice.

Section 1:275 permits Council to “specify whether [the] assessment shall be payable in installments, and if so the number of installments.” If Council does not do so in its resolution, the Section provides default terms based upon the amount assessed. Under these provisions, Council may extend the number of years of the installments to decrease the annual impact on property owners.

- Property owners responsibilities for snow and ice removal from sidewalks are established under Title IV (Streets and Sidewalks), Chapter 49 (Sidewalks), Section 4:60. At the request of a Councilmember, staff is exploring any means or methods available to assist low-income seniors and persons with disabilities with the financial and physical burdens associated with snow and ice removal. We anticipate any program we present to Council as a policy decision in support of this request will be limited in scope and burden on the City.

Please do not hesitate to contact me if you have any questions or if you would like to discuss this matter further.

From: [Bannister, Anne](#)
To: [Lester Wyborny](#); [Williamson, John](#); [Evan Pratt](#); [Tom Stulberg](#); [Libby Brooks](#); [Scott Newell](#); [everett w armstrong](#); [Susan Presswood Wright](#); [REDACTED]; [Janet Holloway](#); [Andrea Tom](#); [Amy Chavas](#); [Chuck Marshall](#); [Brenda Sadt Foster](#); [Po Hu](#); [REDACTED]; [P. L.](#); [aaron dodd](#); [tom & sue maguire](#)
Cc: [Hayner, Jeff](#); [Eaton, Jack](#); [Griswold, Kathy](#)
Subject: FW: Thank you for your "Yes" vote on Res 3: Establish SRTS Public Hearing
Date: Wednesday, May 1, 2019 3:36:55 PM

FYI

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: Lazarus, Howard
Sent: Wednesday, May 01, 2019 3:20 PM
To: Bannister, Anne
Cc: Eaton, Jack; Griswold, Kathy; Hayner, Jeff; Higgins, Sara; Beaudry, Jacqueline; Hupy, Craig; Hutchinson, Nicholas; Postema, Stephen
Subject: RE: Thank you for your "Yes" vote on Res 3: Establish SRTS Public Hearing

Councilmember Bannister:

Kindly note the responses below to your questions on the Northside STEAM SRTS project.

Howard S. Lazarus

City Administrator
City of Ann Arbor
301 E. Huron Street
Ann Arbor, MI 48104
T: 734-794-6110 ext41102
E: hlazarus@a2gov.org
www.a2gov.org



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From: Bannister, Anne <ABannister@a2gov.org>
Sent: Tuesday, April 30, 2019 6:28 PM
To: Lazarus, Howard <HLazarus@a2gov.org>
Cc: Higgins, Sara <SHiggins@a2gov.org>; Hayner, Jeff <JHayner@a2gov.org>; Griswold, Kathy <KGriswold@a2gov.org>; Eaton, Jack <JEaton@a2gov.org>; Lester Wyborny <[REDACTED]>; Williamson, John <[REDACTED]>; Evan Pratt <epratt135@gmail.com>; Tom Stulberg <[REDACTED]>; Libby Brooks <[REDACTED]>; Scott Newell <[REDACTED]>; everett w armstrong <[REDACTED]>; Susan Presswood Wright <[REDACTED]>; Janet Holloway <[REDACTED]>; Andrea Tom <[REDACTED]>; Amy Chavas <[REDACTED]>; Chuck Marshall <[REDACTED]>

<[REDACTED] Brenda Sodt Foster <[REDACTED] Po Hu
<[REDACTED] [REDACTED] P. L. <[REDACTED] aaron dodd
<aarondodd210@gmail.com>; tom & sue maguire <[REDACTED]>

Subject: RE: Thank you for your "Yes" vote on Res 3: Establish SRTS Public Hearing

Dear Mr. Lazarus,

While we wait for the staff response to the April 17 email below, these are follow-up questions from the neighborhood meeting last Sunday:

1. **Please provide the detail on how the decision was made to remove Pear and Apple streets from the project, including meeting notes, reasons given, who was in attendance and made the decision, etc.**

On July 12, 2018 at 8:00 am, City staff (Jane Allen, Project Manager and Cynthia Redinger, Transportation Engineer) met with the A2 STEAM Safe Routes to School Committee Co-chairs (Carlene Colvin-Garcia and Nicole Chardoul) to discuss new route selections for the Grant Submission to reduce the cost of the project, reduce the individual special assessments, and utilize the Grant most effectively. The original project as envisioned was turning out to be a much more costly than anticipated, and the scope needed to be reduced to better fit within budgeted amounts.

Based on the attached maps that show the SRTS Committee's priorities of locations with their numbers on the map:

1. Traver, Barton to John A Woods
2. Barton, north side west of Starwick
3. Pear, Apple to John A Woods
4. Pear, Traver to Apple (eliminated from their priority list by the SRTS Committee prior to the June 26, 2018 Public Meeting; although it was still shown on the maps presented at the June 26th meeting)
5. John A Woods, south side east of Pontiac
6. Brookside, Pontiac to Delafield
7. Starwick, west side, north of Barton
8. Apple, Pontiac to Pear

Working backwards on their priority list, the group decided to eliminate Apple, Pontiac to Pear (8). Without Apple, it made no sense to keep Pear, Apple to John A Woods (3) as the project would no longer have the connectivity required by the SRTS Grant. Based on the length of the remaining streets and using the original construction costs, it was estimated that keeping the remaining streets on their priority list would be feasible and stay in budget. The project limits were changed accordingly, and letters were sent out to all property owners and residents to let them know if they remained in the proposed Special Assessment District or if they had been removed.

2. **Please provide the 2017 document (maybe 10/2017) where it was mentioned that all of the stakeholders had agreed to the project. I don't see it on the City's webpage:**
<https://www.a2gov.org/departments/engineering/Pages/Northside-STEAM-Sidewalk-Gap-Project.aspx>

There has been no document produced regarding the A2 STEAM SRTS Sidewalk Gap Special Assessment Project that stated all the stakeholders had agreed to the project. It is possible that this is being confused with the survey was taken at the June 26th public meeting regarding on-street parking being eliminated to make room for the sidewalks. That survey indicated that of the responses we received from property owners on Traver, 100% of them supported the design in which the curb along Traver would be relocated and parking eliminated so that the necessary grading would have less of an impact on the adjacent residents and on the vegetation along the road. This was not meant to be construed to mean that 100% of the residents on Traver supported the overall project; it was an evaluation of the preferences towards different design options.

3. **Please elaborate on the details of your conversation yesterday with Paul Ajegba from MDOT, beyond your statement that two-sidewalks on Traver, and presumably Brookside one-sidewalk, were still required, in light of the nearly unanimous lack of public support from the impacted residents.**

Mr. Ajegba called me this past Monday to follow up on my previous request for assistance on the SRTS program. I had asked him to reach out to MFF staff to determine if there was an exception to policy that would allow sidewalks on only one side of the street. I let him know I was calling on behalf of a Councilmember, who had expressed concerns from the residents of Traver Street. In his return call, Mr. Ajegba stated that he had discuss the Northside STEAM SRTS project with MFF staff, and that the determination remained that sidewalks were still required on both sides of the street.

4. **Please explain actions you may have taken to correct the problem with the new Dicken School SRTS project, where non-parent resident voices are again/still not being included at the beginning of the project.**

The Dicken Safe Routes to School project is focused on education and encouragement activities. This may include things like bicycle rodeos, safety campaigns, walking school bus/bicycle trains, "orange flag buckets" at crosswalks, and other similar endeavors. There are no infrastructure projects being proposed as part of the Dicken SRTS project at this time, due in large part to the extensive network of sidewalks and connector paths that already serve the school and the surrounding neighborhood.

5. **For the May 20 Council meeting, would it be possible to have the Public Hearing at the beginning of the meeting, so that residents don't have to stay for hours with us? I see the Resolution 19-0412 is already available on Legistar:**

<http://a2gov.legistar.com/LegislationDetail.aspx?ID=3928055&GUID=C994ABEE-B878-401A-8088-AFF6ACB67B7F&Options=ID%7CText%7C&Search=&FullText=1>

The sequence of the agenda is established by Council rules. City Clerk Beaudry will make this particular public hearing the first one listed under the public hearing section of the agenda. One thing to note, when the Council Rules were established a few years the Consent Agenda was moved ahead of the Public Hearings, the understanding was that items pulled from Consent would be considered during the DS Section of the agenda (at the end) so that the Consent Agenda did not unnecessarily delay the start of the public hearings. This has not been the practice recently, whereas pulled Consent Agenda items have been taken up before the Public Hearings (i.e. immediately following the Consent Agenda). You may want to suggest that any pulled Consent Agenda items be placed, per Council Rules, *"to the end of the appropriate portion of the regular agenda...."* resulting in an earlier start to the public hearing portion of the agenda.

Again, I'd like to emphasize that the impacted residents are considering a lawsuit, and we look at you as our City Administrator, to help us find solutions to the impasse with this deeply flawed project.

Please "reply all" on your response.

My response is provided for your use. I am concerned about your mention of a lawsuit, so I have also included Mr. Postema on this response as we all have an obligation to keep him informed of any potential litigation.

Thank you,

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: Bannister, Anne
Sent: Saturday, April 27, 2019 12:20 PM
To: Lazarus, Howard
Cc: Higgins, Sara; Hayner, Jeff; Griswold, Kathy; Eaton, Jack; Lester Wyborny; Williamson, John; Evan Pratt; Tom Stulberg; Libby Brooks; Scott Newell; everett w armstrong; Susan Presswood Wright
Subject: RE: Thank you for your "Yes" vote on Res 3: Establish SRTS Public Hearing

Dear Mr. Lazarus,

The neighbors are meeting tomorrow to discuss the Northside STEAM SRTS project. Do you have any news about your conversations with Paul Ajegba from MDOT, especially about the need for substantial revisions to the project in order for it to pass the "public resolution for support," including the controversial Council vote on May 20 about Resolution 4?

Thanks for any advocacy you are able to do on our behalf to "save" the project.

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: Bannister, Anne
Sent: Saturday, April 20, 2019 9:39 AM
To: Lazarus, Howard
Cc: Hupy, Craig; Higgins, Sara; Hutchinson, Nicholas; Hayner, Jeff; Griswold, Kathy; Eaton, Jack; Lester Wyborny; Williamson, John; Evan Pratt; Tom Stulberg
Subject: Re: Thank you for your "Yes" vote on Res 3: Establish SRTS Public Hearing

Thanks for the update. What we need to do is rewind to the beginning and start fresh on this

project, and this time include the impacted residents in the street selection and planning process.

For example, there's significant support for the removal of Brookside, the addition of Leaird, and substantial work on the dangerous cross walk, lighting and signage issues in the area.

These are in addition to the transparency we seek about the high cost of carving into the steep slope on Traver.

The Transportation Commission should also be involved (remember the unanswered questions from Commissioners Hull and Naheedy?). And numerous people have come out of the woodwork saying the city should pay for the remaining priority sidewalk gaps citywide.

So please make preparations to move forward in light of the real situation here, not how a small subset of people had planned it, because it's deeply flawed and headed toward failure, and we're trying to salvage what we can of the concept of improved safe walks/bike paths to children on their way to school. I'm here to help, but I need you and I to get on the same page with the path forward.

Thanks,
Anne

On Sat, Apr 20, 2019 at 8:58 AM -0400, "Lazarus, Howard" <HLazarus@a2gov.org> wrote:

Dear Councilmember Bannister:

While staff is preparing a response to your question below, I do want to let you know that I have discussed your request to seek a waiver from the requirement to place sidewalks on both sides of the street with both Mr. Ajeba and the MFF staff. I hope to have a response next week.

Howard S. Lazarus

City Administrator
City of Ann Arbor
301 E. Huron Street
Ann Arbor, MI 48104
T: 734-794-6110 ext41102
E: hlazarus@a2gov.org
www.a2gov.org



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From: Bannister, Anne <ABannister@a2gov.org>

Sent: Wednesday, April 17, 2019 4:53 PM

To: SRTS A2STEAM <srtsa2steam@gmail.com>; CityCouncil <CityCouncil@a2gov.org>; Lazarus, Howard <HLazarus@a2gov.org>; Hupy, Craig <CHupy@a2gov.org>

Cc: Fenech, Megan <fenechm@aaps.k12.mi.us>; Dani Parker Robyn Sorensen <pres@a2steampoint.org>; Margolis, Liz <margolisl@aaps.k12.mi.us>; Elissa Trumbull <elissatrumbull@gmail.com>; Jeanice Swift <swift@aaps.k12.mi.us>; Allen, Jane (Engineering) <JAllen2@a2gov.org>; CityCouncil <CityCouncil@a2gov.org>; Hutchinson, Nicholas <NHutchinson@a2gov.org>; Lester Wyborny <[REDACTED]> Tom Stulberg <[REDACTED]> Susan Presswood Wright <[REDACTED]> Libby Brooks <[REDACTED]> Williamson, John <[REDACTED]> Scott Newell <[REDACTED]> everett w armstrong <[REDACTED]> Andrea Tom <[REDACTED]> Amy Chavasse <[REDACTED]> P. L. <[REDACTED]> Chuck Marshall <[REDACTED]> Brenda Sodt Foster <[REDACTED]> Po Hu <[REDACTED]> tom & sue maguire <[REDACTED]> 'Evan Pratt' <[REDACTED]> <pratte@washtenaw.org>

Subject: RE: Thank you for your "Yes" vote on Res 3: Establish SRTS Public Hearing

Dear Ms. Colvin-Garcia, Mr. Lazarus, Mr. Hupy and all,

To follow-up on Carlene's email below, please send the sidewalk cost details, including (per video 5:51 hours: <https://www.youtube.com/watch?v=lopkSrIOyCs>):

1. Cost per linear foot for project as is
2. Cost if MDOT approves only one sidewalk on Traver, and no sidewalk on Brookside
3. Cost without the grant for one sidewalk on Traver
4. City's engineering costs
5. Cost for ADA compliance
6. Confirmation of \$41 -\$80 per linear foot and \$400 per slap and historical trends
7. Any other relevant costs

The video discussion of DS-1 Public Hearing for STEAM Sidewalk Gap begins at 5:18:46 hours and continues through 5:55:25 hours: <https://www.youtube.com/watch?v=lopkSrIOyCs>

Please also include any summaries of conversations with Paul Ajegba from MDOT.

Thank you,
Anne

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: SRTS A2STEAM [srtsa2steam@gmail.com]
Sent: Tuesday, April 16, 2019 1:35 PM
To: CityCouncil

Cc: Fenech, Megan; Dani Parker Robyn Sorensen; Margolis, Liz; Elissa Trumbull; SRTS A2STEAM; Jeanice Swift

Subject: Thank you for your "Yes" vote on Res 3: Establish SRTS Public Hearing

Esteemed City Council Members -

Thank you so very much for passing Resolution 3. We look forward to the May 20 Public Hearing of STEAM's SRTS Sidewalk Gap Special Assessment project.

Can you please share with us with all the sidewalk cost details that the City will provide you prior to May 20, per your discussion at last night's City Council meeting?

Thanks again,

Carlene Colvin-Garcia

On Mon, Apr 15, 2019 at 6:04 PM SRTS A2STEAM <srtsa2steam@gmail.com> wrote:

Esteemed City Council Members -

Tonight's Agenda Item Number DS-1 (19-0567) is:
Resolution No. 3 Establishing a Public Hearing on May 20, 2019 for the Northside STEAM Safe Routes to School Sidewalk Gap Special Assessment Project.

This is the final opportunity to establish a Public Hearing for this important project. I represent the A2 STEAM Safe Routes to School Committee in this request for you to vote "Yes" on this resolution. We can share in this opportunity, along with the the rest of our community members, to participate in this important Hearing.

With deep appreciation,

Carlene Colvin-Garcia

--

Elissa Trumbull, Nicole Chardoul & Carlene Colvin-Garcia
A2 STEAM @ Northside, SRTS Co-Coordiators

--

Elissa Trumbull, Nicole Chardoul & Carlene Colvin-Garcia
A2 STEAM @ Northside, SRTS Co-Coordiators

From: [Bannister, Anne](#)
To: [Lester Wyborny](#)
Cc: [Williamson, John](#); [Evan Pratt](#); [Tom Stulberg](#); [Libby Brooks](#); [Scott Newell](#); [everett w armstrong](#); [Susan Presswood Wright](#); [\[REDACTED\]](#); [Janet Holloway](#); [Andrea Tom](#); [Amy Chavasse](#); [Chuck Marshall](#); [Brenda Sodi Foster](#); [Po Hu](#); [\[REDACTED\]](#); [P. L.](#); [aaron dodd](#); [tom & sue maquire](#); [Elissa Trumbull](#); [Eaton, Jack](#); [Hayner, Jeff](#); [Griswold, Kathy](#)
Subject: Re: Northside STEAM SRTS Update
Date: Thursday, May 2, 2019 11:04:25 AM

It might be worthwhile for residents to get written quotes for sidewalk installation from two private companies. — Anne

On Thu, May 2, 2019 at 12:03 AM -0400, "Lester Wyborny" <[\[REDACTED\]](#)> wrote:

I am sending this e-mail to everyone, so please use discretion about responding.

The cost figures in the Lazarus document for the sidewalk project without the grant, and with only a single sidewalk on one side of Traver street, don't make sense to me. Here are my calculations:

Overall project cost: \$972,000
Total sidewalk length: 2533 feet
Average cost per foot: \$384/foot

Estimated distance of sidewalks other than Traver: 600 feet
Estimated cost of sidewalks other than Traver (Brookside and John A Woods): \$200/foot (see Nick Hutchinson e-mail below which provided the per-foot sidewalk costs for the previous 4 sidewalk projects)
Cost of sidewalks other than Traver: \$200/ft x 600 feet = \$120,000

Distance of Traver sidewalks: 2533 ft - 600 ft = 1933 ft
Cost of Traver sidewalks: \$972,000 - \$125,000 = \$852,000
Per-foot cost of Traver sidewalks: \$852,000/1933 ft = \$440/ft (\$440 per foot is really expensive, thus the benefits will not justify the costs)
Distance of one side of Traver: 1933 ft/2 = 966 ft
Cost of 1/2 of Traver sidewalks (one side of the street): 966 feet x \$440 per foot = \$425,000

Thus, eliminating one side of Traver street from having a sidewalk would reduce the project cost by \$425,000, which is slightly greater than the total amount of the grant. If this project were to be pulled from the grant, and if the same project moved forward, except that only one sidewalk were to be installed on Traver instead of two, the unsubsidized, per-foot project cost would be about the same as that of the current project with the grant. How is it that the City shows much higher assessment costs for the homeowners for the case I analyzed here?

Could you please provide your special assessment calculations for all the cases valued in Howard's response to Anne Bannister's request?

I will take this opportunity to remind everyone what Katie Alexander stated in her November 30th e-mail if the May 20 City Council votes fails:

"If council/community chooses not to move forward with this project as it stands, we will continue to work with community on the SRTS project to find a solution to continue forward."

Hutchinson, Nicholas <NHutchinson@a2gov.org>

Tue, Feb 12, 12:55 PM



to me, Jane



Mr. Wyborny,

Jane Allen is out sick today, so I am responding to your e-mail with data she provided.

Howard S. Lazarus

City Administrator

City of Ann Arbor

301 E. Huron Street

Ann Arbor, MI 48104

T: 734-794-6110 ext41102

E: hlazarus@a2gov.org

www.a2gov.org



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From: [Bannister, Anne](#)
To: [Kitty B. Kahn](#); [Tom Stulberg](#); [Tim](#)
Cc: [Beth Collins](#); [Christine Crockett](#); [David Silkworth](#); [Ethel Potts](#); [Hunter Elizabeth](#); [Eaton, Jack](#); [Lumm, Jane](#); [Jeff Crockett](#); [John Pellegrino](#); [Kathy Griswold](#); [Nelson, Elizabeth](#); [Ralph McKee](#); [REDACTED]
Subject: RE: link to ADU article
Date: Friday, May 10, 2019 8:20:38 PM
Attachments: [FOIA%20Requests%20-%20Vazquez.pdf](#)

Thanks for all these words of support! For new people, please remember (or note if you didn't know), that as of yesterday at 2:05 pm, the IT Department is gathering all of these emails for Luis Vazquez's FOIA request (attached).

I think the sentiment is on track that we should focus on reaching out to the majority, especially leading up to the May 20 Council meeting.

I removed CM Ramlawi because of the Open Meetings Act (OMA) about not more than five CMs communicating by email.

Thanks again for all of your valuable work getting to the facts and illuminating the path for others.

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: Kitty B. Kahn [REDACTED]
Sent: Friday, May 10, 2019 4:48 PM
To: Tom Stulberg; Tim
Cc: Beth Collins; Christine Crockett; Bannister, Anne; David Silkworth; Ethel Potts; Hunter Elizabeth; Eaton, Jack; Lumm, Jane; Jeff Crockett; John Pellegrino; Kathy Griswold; Nelson, Elizabeth; Ralph McKee; Ramlawi, Ali; [REDACTED]
Subject: Re: link to ADU article

FYI, An hour ago, Chip Smith posted the following on his fb page. I don't feel like getting into it with him, but perhaps someone else would like to set him straight? -Peace, Kitty

I don't understand my colleagues. It's ok to build a building in a single family neighborhood that can house cars but not a similar size structure that can house people? Somehow if people live in that structure, it's threatening the character and quality of life of the neighborhood?

As I said at council, the proposed changes were minor and based on the city's experience with ADUs, might lead to 10 being constructed. Considering the looming crisis we have with senior housing, I don't know how we're continuing to fight over such small potatoes.

[We Saved Our Center!](#)

["The struggle continues." -Bernie Sanders](#)

From: Tom Stulberg <[REDACTED]>
Date: Friday, May 10, 2019 at 8:12 AM
To: Tim <[REDACTED]>
Cc: Elizabeth Collins <[REDACTED]> Christine Crockett <[REDACTED]> Anne Bannister <ABannister@a2gov.org>, David Silkworth <[REDACTED]> Eppie Potts <[REDACTED]> Libby Hunter <[REDACTED]> Jack Eaton <jeaton@a2gov.org>, Jane Lumm <JLumm@a2gov.org>, Jeff Crockett <[REDACTED]> John Pellegrino <[REDACTED]> Kathy Griswold <[REDACTED]> "Kitty B. Kahn" <[REDACTED]> "Nelson, Elizabeth" <ENelson@a2gov.org>, Ralph McKee <[REDACTED]> Ali Ramlawi <ARamlawi@a2gov.org>, [REDACTED] <[REDACTED]> [REDACTED] <[REDACTED]>
Subject: Re: link to ADU article

CIMBY likes the high road.

Of course we are not racist just for owning a single family house. (Disclaimer, I own duplexes too). Sure there were racist practices in the past such as deed restrictions and redlining and federal housing programs that most definitely were racist. That doesn't make SF zoning racist in the present day.

Jim Crow laws prevented people from voting. Aside from that sadly making a comeback, the act of us voting does not make us racist. Zoning and voting: They are tools. They can be used well or misused. It's all in how they are used.

Let's focus on reaching out to the majority. They have no idea about this rude minority.

I bought 240 CIMBY stickers. 20 per sheet. Always be nice when wearing one!

Sent from my iPhone

On May 9, 2019, at 8:44 PM, Tim <[REDACTED]> wrote:

There's no disputing that upzoning displaces people at the economic bottom. Going from R1 to R2 make the land more valuable. R2 to R4, more valuable. D2 to D1, you get the picture. For upzoning to progress, it literally depends on people leaving- then their small house gets destroyed and is replaced by 2 new ones. If the 2 new ones were each half the price of the one before it, that's a strong affordable housing argument. Is that how it works?

The 20 year trend in Ann Arbor under Hieftje and Taylor paints a pretty depressing picture if you're not white or relatively wealthy.

They have failed on that score (or succeeded depending on what you believe the actual aim is/was) and hope to divert attention away from their own results. That said, there are areas where compromise can be reached- y'know, politics.

We should all be mindful, in my opinion!!, of ways we can make things happen that we all agree on, and where we don't, come up with solutions where everyone has given some and is a little dissatisfied.

The high road is wide open.

Timothy J Durham

[REDACTED]

On May 9, 2019, at 20:26, Beth Collins <[REDACTED]> wrote:

I am not surprised.

Jim Pyke and all on YIMBY FB has ben calling me a racist since Lockwood. They all do on Townie Politics page too.

Very disturbing.

They don't have a strong case to argue, so they jab insults.

My MLive comments were DISABLED 5 times today if I mentioned the Burns Park 3 living in SFH. And when I discussed them being angry at the election loss and other voting losses since, was disabled.

Yikes. Very disturbing.....they are few but are LOUD.

How can we all be racists just because we don't want up zoning. My neighbors are the most awesome and diverse group in town.....so angry. UGH.

We need to come up with a plan or facts to fight back. To be honest, I don't even know any segregationists or racists....and if I did, I would never speak to them.

Thanks for listening,

Beth

On Thu, May 9, 2019 at 7:52 PM Tim <[REDACTED]> wrote:

Looks like Scott Trudeau has decided his minions on MLive should press the "SFHs are racist" angle. Apparently it began on FB, which I did not see. \$1M condo construction, in that case, is NOT racist I guess?

That's a tough charge to support coming from a bunch of white folks living exclusively in single family homes. Perhaps one of them will show the way by building an ADU in their house?

There are already some predominantly SFH neighborhoods zoned R2- Water Hill among them. Only one new duplex I know of, though, and quite a few old ones.

As a trial run, the mayor should press his Burns Park neighbors (inform and survey) to take up the charge as they:

1. Can afford it and 2. Have large lots.

It really wouldn't surprise me for this to pass if homeowners voted on it.

Timothy J Durham

[REDACTED]

On May 8, 2019, at 20:10, Christine Crockett <[REDACTED]> wrote:

Thanks for the link. The comments are worth reading as well. Most

residents still don't know about this. The issue will come back. We need to educate as many people as possible what this means to neighborhoods.

Chris

On Wed, May 8, 2019 at 5:51 PM Tom Stulberg

<[REDACTED]> wrote:

<https://www.mlive.com/news/ann-arbor/2019/05/accessory-apartments-threat-to-ann-arbor-neighborhoods-or-boost-for-affordable-housing.html>

From: Beth Collins <[REDACTED]>

Sent: Wednesday, May 8, 2019 5:38 PM

To: David Silkworth

Cc: Tom Stulberg; Hunter Elizabeth; Jeff Crockett; Kitty B. Kahn; Christine Crockett; Jane Lumm; Jack Eaton; Nelson, Elizabeth; Bannister, Anne; John Pellegrino; Kathy Griswold; Ralph McKee; Tim; [REDACTED] [REDACTED] Ethel Potts; Ramlawi, Ali

Subject: Re: Thanks to all

ADU article on MLive.

Beth

On Wed, May 8, 2019 at 1:26 PM David Silkworth

<[REDACTED]> wrote:

Thanks everyone. I do have some questions, so I'll reach out to some of you soon to discuss further.

David

On Wed, May 8, 2019 at 9:14 AM Beth Collins

<[REDACTED]> wrote:

Great, thank you David. I will help for sure.

I am hesitant to take on another lead now, without the Lockwood land secured yet. I want to be a CIMBY though. :)and since Lockwood, I have had many other neighborhoods reach out to say that they want a group of us to form, we could help neighborhoods to organize when a "questionable" project arises, etc.

We should set up a meeting to come up with some goals, etc.

Thanks,

Beth

On Wed, May 8, 2019 at 8:46 AM Tom Stulberg

<[REDACTED]> wrote:

Thanks for stepping up David! Let's all think of ideas for community engagement and have a conversation about it short of soon.

From: Hunter Elizabeth <[REDACTED]>
Sent: Tuesday, May 7, 2019 5:18 PM
To: Jeff Crockett
Cc: David Silkworth; Kitty B. Kahn; Tom Stulberg; Christine Crockett; Jane Lumm; Jack Eaton; Nelson, Elizabeth; Bannister, Anne; Beth Collins; John Pellegrino; Kathy Griswold; Ralph McKee; Tim; [REDACTED]
[REDACTED] Ethel Potts; Ramlawi, Ali
Subject: Re: Thanks to all

Excellent, David! I'm on board to help. Libby

On May 7, 2019, at 5:07 PM, Jeff Crockett
<[REDACTED]> wrote:

Bravo, David! I can help, but I just can't take the lead. Too much on my plate. But, I would love to meet to brainstorm ways to connect with all those racist single family homeowners out there. I am thinking about an online survey, Nextdoor and personal contact with friends as a start.

I am also thinking about a way we can de-toxify Tom. As it turns, I discovered that there are at least seven natural ways to detoxify Tom.
See

http://www.nbcnews.com/id/37758450/ns/health-alternative_medicine/t/natural-strategies-detox-your-body/#.XNHyoI5KiUk

Tom, I would suggest that you start with:

- Find a local farmer's market where you can buy fresh, local, organic food directly from a grower.
- At the supermarket, look for the USDA Organic seal.
- Buy in bulk and store the excess for later to take advantage of seasonal prices.

Jeff

On Tue, May 7, 2019 at 4:24 PM David Silkworth <[REDACTED]> wrote:

I would also like to thank everyone who contributed to the defeat of the recent ADU reforms.

I am very interested in doing what I can to fight back against the folks who are trying to destroy the quality of life for residents in our community. I'm very willing to help out with the CIMBY project, and I would be happy to consider taking lead on it if it seems like a good fit.

David Silkworth

On Tue, May 7, 2019 at 12:24 PM Kitty B. Kahn <[REDACTED]> wrote:

Hi all- Thanks, Tom, for adding me to this list. Although I'm not good about going to meetings nor speaking in public, I can speak truth to power via email. I'm really happy the ADU changes got voted down last night because I'm worried about up-zoning. I was so glad to hear Jeff Hayner refute Julie Grand's conspiracy theory remarks with the actual fact that some Planning Commission members have said they would like to get rid of single-family zoning. That was very scary to hear, but good that he shot down Grand and her smug comments.

I do make a little bit of money from my on-line store although zazzle keeps about 85% of the price of the products. I also make buttons at home and would be happy to donate those free of charge if you think they would help the cause. Those are

smaller than the ones in my store
so simple designs are best, but
do keep that in mind. Onward!! -
Peace, Kitty

We Saved Our Center!

**"The struggle continues." -Bernie
Sanders**

From: Tom Stulberg

<[REDACTED]>

Date: Tuesday, May 7, 2019 at 9:27 AM

To: Jeff Crockett

<[REDACTED]> Libby

Hunter <[REDACTED]>

Cc: Christine Crockett

<[REDACTED]> Jane

Lumm <JLumm@a2gov.org>, Jack

Eaton <jeaton@a2gov.org>, "Nelson,

Elizabeth" <ENelson@a2gov.org>, Anne

Bannister <ABannister@a2gov.org>,

Elizabeth Collins

<[REDACTED]> John Pellegrino

<[REDACTED]> Kathy Griswold

<[REDACTED]> Ralph McKee

<[REDACTED]> Tim

<[REDACTED]>

"[REDACTED]"

<[REDACTED]>

"[REDACTED]"

<[REDACTED]> Eppie Potts

<[REDACTED]> David Silkworth

<[REDACTED]> Ali

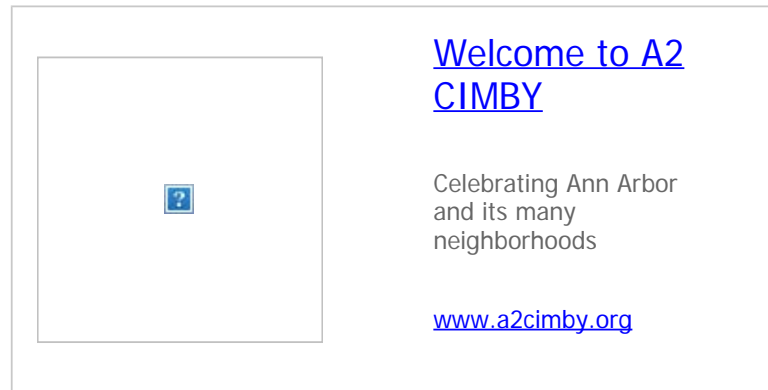
Ramlawi <ARamlawi@a2gov.org>,

"Kitty B. Kahn" <[REDACTED]>

Subject: Re: Thanks to all

I think a general multi-neighborhood
outreach is a good idea. We have been

slowly leaking out www.a2cimby.org



I created this simple website and a facebook page. They have no content other than the logo that Kitty Kahn designed and a link to stuff you can buy with the logo on it. (I don't make any profits, but she does. I cc'd her here.)

I am associated with my neighborhood's lawsuit (our website is www.LowerTownLife.org). So, I am worried about A2 CIMBY being tainted if I am the lead. I would like it if someone else would take the lead for A2 CIMBY. It can be whatever we want it to be.

From: Jeff Crockett

<[REDACTED]>

Sent: Tuesday, May 7, 2019 9:08 AM

To: Hunter Elizabeth

Cc: Christine Crockett; Tom Stulberg; Jane Lumm; Jack Eaton; Nelson, Elizabeth; Bannister, Anne; Beth Collins; John Pellegrino; Kathy Griswold; Ralph McKee; Tim; [REDACTED]

[REDACTED] Ethel Potts; David Silkworth; Ramlawi, Ali

Subject: Re: Thanks to all

I feel like responding directly to Julie Grand's disingenuous statements by email. But, I think it would be more effective to unite on a strategy against upzoning and work behind the scenes. I have noticed in the YIMBY group an air of faux superiority in their statements as if they are on a higher moral plane than the rest of us because they advocate for density at all costs. I believe as Tom as suggested that upzoning will resurface eventually. Our best response, I believe, is to individually reach out to people we know who live in single-family neighborhoods and begin to assemble a list of signators against upzoning. For example, I recently contacted a friend of mine who lives on Dartmoor off of Liberty on the West side and he was completely unaware of this issue. I have no doubt he will be a signator. We have some time with the defeat of this proposal, but we should not be complacent. It would be really easy for me to craft a Google survey to start harvesting anti-upzoning contact information. Jeff

Jeff

On Tue, May 7, 2019 at 8:51 AM Hunter Elizabeth <[REDACTED]> wrote:

Agreed!

I didn't see much of the meeting, just bits here and there, but I really appreciated Jack's strong, concise statement on just what you're talking about, Chris. (As opposed to my reaction to Ms. Grand's statements on this issue). -Libby
ps - also, excellent commentary by Tom.

> On May 7, 2019, at 8:29 AM, Christine Crockett

<[REDACTED]>

wrote:

>

> Thank you to everyone who played a part in revealing the issue of ADUs as it relates to upzoning the single family neighborhoods of Ann Arbor. Such a broad change without wide public input and consent is unacceptable. No matter how it was couched, it was a zoning change, not a simple, innocuous amendment to an existing ordinance.

>

> We are all grateful that some of the issues about revising the ADU ordinance are getting much needed publicity. The ramifications of any changes to the ADU ordinance now need to be explored thoroughly and with complete transparency.

>

> Chris Crockett

FOIA Requests - 1980 - Vazquez

ID	1980
First Name	Luis
Last Name	Vazquez
Item Requested	<p>1. Copies of all text messages, electronic mail (email), and messages sent via social media direct messaging received by any city of Ann Arbor staff and/or council members, from Thomas Wieder, dated January 1, 2019 to present (including any messages sent to council members' nongovernmental accounts, because these are also subject to Michigan FOIA)</p> <p>2. Copies of all text messages, email messages, and messages sent via social media direct messaging (including any email messages sent via nongovernmental accounts, because these are also subject to Michigan FOIA) exchanged between Patricia Lesko and any City Council member dated January 1, 2019 to present.</p> <p>3. Copies of all text messages, email messages, and messages sent via social media direct messaging received by any employee of the Ann Arbor City Attorney's office and/or council members from Tom Stulberg, dated January 1, 2019 to present (including any messages sent via council members' nongovernmental accounts, because these are also subject to Michigan FOIA)</p> <p>4. Copies of all text messages, email messages, and messages sent via social media direct messaging (including any messages sent on nongovernmental accounts because these are also subject to Michigan FOIA) exchanged between any of the following: Anne Bannister, Jeff Hayner, Jack Eaton, Kathy Griswold, and Elizabeth Nelson dated January 1, 2019 to present.</p>

Address 2

City Ann Arbor

State MI

Zip 48105

Telephone

Email

Distribution Method Pick Up

Type of Fire Department Incident Records

Internal Comments

Version: 1.0

Created at 4/17/2019 3:33 PM by ☐ [System Account](#)Last modified at 4/17/2019 3:33 PM by ☐ [System Account](#)[Close](#)

From: [Bannister, Anne](#)
To: [Taylor, Christopher \(Mayor\)](#)
Cc: [Tom Stulberg](#); [Hayner, Jeff](#); [Eaton, Jack](#); [Griswold, Kathy](#); [Nelson, Elizabeth](#); [Lazarus, Howard](#); [Postema, Stephen](#)
Subject: RE: Luis Vazquez FOIA request
Date: Tuesday, May 14, 2019 12:01:24 PM

Dear Mayor Taylor,

Please consider whether you could ask Luis Vazquez to narrow his FOIA request, perhaps to just the emails that the IT department can assemble.

How many hours and at what financial cost to staff does this request burden the City?

My observation is that Councilmembers are working 24/7 (without administrative support) to participate in the urgent issues before Council, such as the budget process, the police chief interviews, and the agenda items for the May 20 meeting, etc. We simply are challenged to fit in the hours of work that researching the full extent of this four-plus month request entails. The May 21 deadline is unachievable, as this work will take unknown dozens of hours to research and submit.

If the intent is to overwhelm and distract Councilmembers and staff, then this massive FOIA request is certainly achieving its objective.

Please see if Mr. Vazquez could be more specific, or narrow his request to what IT can provide.

An option for the future would be for the City to provide phones to Councilmembers, and then have access and transparency for FOIA.

Thank you,
Anne

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: Tom Stulberg [REDACTED]
Sent: Monday, May 13, 2019 3:40 PM
To: Taylor, Christopher (Mayor); Ackerman, Zach; Smith, Chip; Grand, Julie; Nelson, Elizabeth; Ramlawi, Ali; Lumm, Jane; Eaton, Jack; Griswold, Kathy; Bannister, Anne; Hayner, Jeff
Subject: Luis Vazquez FOIA request

Mr. Mayor,

It seems possible that Mr. Vazquez's FOIA request is related to my support of Jeff Hayner as a candidate for city council in the first ward. I cannot be certain because Mr. Vazquez only offered "a clue", not a direct answer. Please see the social media thread below.

I am not an attorney and cannot speak to the legality of Mr. Vazquez's request being an act of harassment for my supporting an opponent of the candidate that you and he supported. I did

notice that you communicated to a group on social media earlier today that Mr. Vazquez also tends to communicate with along with many others who were supporters of yours in the election and opponents of Mr. Hayner. Perhaps you might also communicate to your supporters that citizens have a right to openly support candidates without being harassed for it. Again, I am not an attorney, so I am uncertain of the exact terminology to use. Mr. Vazquez claims he is not harassing me, so perhaps he is correct and I merely misconstrue his curiosity.

Whatever help you can offer would be much appreciated,

Tom

[Jeff Crockett](#) [Luis Antonio Vazquez](#) I have been trying to figure out for a while what your end game with the FOYA request is. I have no idea. Please enlighten me. What you have taught everyone, however, is that for a mere \$25 we can intimidate people we disagree with and waste CM and staff time to further our own agendas. Can you imagine the disruption if fifteen or twenty people did what you just did? Luis, in my opinion, you are doing no public service.

2

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[Luis Antonio Vazquez](#) [Jeff Crockett](#) end game? a mere \$25? intimidate people and waste CM/staff time? FOIA as disruption?
I suggest you pull your head out of your rear end and your nose out of the anti-faction's rear end.
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1

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[Luis Antonio Vazquez](#) Filing a FOIA and asking questions is not harassment, it is my right.

From: [Bannister, Anne](#)
To: [Eaton, Jack](#); [Griswold, Kathy](#); [Nelson, Elizabeth](#)
Subject: Fwd: Luis Vazquez FOIA request
Date: Tuesday, May 14, 2019 1:13:54 PM

FYI — Christopher left you all off, maybe he's concerned about OMA. I left Jeff off this time myself. In any event, this burdensome FOiA remains intact, with no relief planned from Christopher.

----- Forwarded message -----

From: "Taylor, Christopher (Mayor)" <CTaylor@a2gov.org>
Date: Tue, May 14, 2019 at 1:07 PM -0400
Subject: RE: Luis Vazquez FOIA request
To: "Bannister, Anne" <ABannister@a2gov.org>
Cc: "Lazarus, Howard" <HLazarus@a2gov.org>, "Postema, Stephen" <SPostema@a2gov.org>

CM Bannister,

I meet a lot of people and so may well be proven to be in error, but to my recollection, I have never spoken with, communicated with, or even met Mr Vazquez. Further, I have no knowledge of the genesis or purpose of any search. The first I heard of it was through ordinary city channels. I have not since had any communication with anyone outside the city regarding the search.

I am glad to learn about your concern regarding the time-cost imposed upon staff to respond to FOIA requests. Perhaps we could obtain some data as to characteristics common among high-frequency and/or time-intensive requests so that we better understand the scope of their experience?

Christopher

Christopher Taylor
Mayor of the City of Ann Arbor
301 East Huron Street
Ann Arbor, Michigan 48104
734-794-6161

From: Bannister, Anne
Sent: Tuesday, May 14, 2019 12:01 PM
To: Taylor, Christopher (Mayor)

Cc: Tom Stulberg; Hayner, Jeff; Eaton, Jack; Griswold, Kathy; Nelson, Elizabeth; Lazarus, Howard; Postema, Stephen

Subject: RE: Luis Vazquez FOIA request

Dear Mayor Taylor,

Please consider whether you could ask Luis Vazquez to narrow his FOIA request, perhaps to just the emails that the IT department can assemble.

How many hours and at what financial cost to staff does this request burden the City?

My observation is that Councilmembers are working 24/7 (without administrative support) to participate in the urgent issues before Council, such as the budget process, the police chief interviews, and the agenda items for the May 20 meeting, etc. We simply are challenged to fit in the hours of work that researching the full extent of this four-plus month request entails. The May 21 deadline is unachievable, as this work will take unknown dozens of hours to research and submit.

If the intent is to overwhelm and distract Councilmembers and staff, then this massive FOIA request is certainly achieving its objective.

Please see if Mr. Vazquez could be more specific, or narrow his request to what IT can provide.

An option for the future would be for the City to provide phones to Councilmembers, and then have access and transparency for FOIA.

Thank you,

Anne

Anne Bannister

Ward One Councilmember

cell: [REDACTED]

abannister@a2gov.org

Term Nov. 2017 - Nov. 2020

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: Tom Stulberg [REDACTED]

Sent: Monday, May 13, 2019 3:40 PM

To: Taylor, Christopher (Mayor); Ackerman, Zach; Smith, Chip; Grand, Julie; Nelson, Elizabeth; Ramlawi, Ali; Lumm, Jane; Eaton, Jack; Griswold, Kathy; Bannister, Anne; Hayner, Jeff

Subject: Luis Vazquez FOIA request

Mr. Mayor,

It seems possible that Mr. Vazquez's FOIA request is related to my support of Jeff Hayner as a candidate for city council in the first ward. I cannot be certain because Mr. Vazquez only offered "a clue", not a direct answer. Please see the social media thread below.

I am not an attorney and cannot speak to the legality of Mr. Vazquez's request being an act of harassment for my supporting an opponent of the candidate that you and he supported. I did notice that you communicated to a group on social media earlier today that Mr. Vazquez also tends to communicate with along with many others who were supporters of yours in the election and opponents of Mr. Hayner. Perhaps you might also communicate to your supporters that citizens have a right to openly support candidates without being harassed for it. Again, I am not an attorney, so I am uncertain of the exact terminology to use. Mr. Vazquez claims he is not harassing me, so perhaps he is correct and I merely misconstrue his curiosity.

Whatever help you can offer would be much appreciated,

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[Jeff Crockett](#) [Luis Antonio Vazquez](#) I have been trying to figure out for a while what your end game with the FOIA request is. I have no idea. Please enlighten me. What you have taught everyone, however, is that for a mere \$25 we can intimidate people we disagree with and waste CM and staff time to further our own agendas. Can you imagine the disruption if fifteen or twenty people did what you just did? Luis, in my opinion, you are doing no public service.

2

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[Luis Antonio Vazquez](#) Filing a FOIA and asking questions is not harassment, it is my right.

From: [Bannister, Anne](#)
To: [Taylor, Christopher \(Mayor\)](#)
Cc: [Tom Stulberg](#); [Hayner, Jeff](#); [Eaton, Jack](#); [Griswold, Kathy](#); [Lazarus, Howard](#); [Postema, Stephen](#)
Subject: RE: Luis Vazquez FOIA request
Date: Wednesday, May 15, 2019 10:32:51 AM

Dear Christopher,

Thank you for your reply yesterday to Mr. Lazarus, Mr. Postema and me. If I may, here is an excerpt: "I am glad to learn about your concern regarding the time-cost imposed upon staff to respond to FOIA requests. Perhaps we could obtain some data as to characteristics common among high-frequency and/or time-intensive requests so that we better understand the scope of their experience?"

I agree this data would be useful, especially if these types of requests are "the new normal" and we need to discuss workarounds, such as City issued phones to capture text messages, etc.

While looking through old notes, I found this video of Mr. Vazquez explaining the purpose of his FOIA at the Feb. 4 meeting (2:41:15 hours): <https://www.youtube.com/watch?v=BwQFRTCw49g>

Is it allowed by law for someone to ask Mr. Vazquez to limit his inquiry to what the IT Department can assemble?

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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Sent: Tuesday, May 14, 2019 12:01 PM
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Cc: Tom Stulberg; Hayner, Jeff; Eaton, Jack; Griswold, Kathy; Nelson, Elizabeth; Lazarus, Howard; Postema, Stephen
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cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

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Sent: Monday, May 13, 2019 3:40 PM
To: Taylor, Christopher (Mayor); Ackerman, Zach; Smith, Chip; Grand, Julie; Nelson, Elizabeth; Ramlawi, Ali; Lumm, Jane; Eaton, Jack; Griswold, Kathy; Bannister, Anne; Hayner, Jeff
Subject: Luis Vazquez FOIA request

Mr. Mayor,

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To: [Taylor, Christopher \(Mayor\)](#)
Cc: [Tom Stulberg](#); [Hayner, Jeff](#); [Eaton, Jack](#); [Griswold, Kathy](#); [Lazarus, Howard](#); [Postema, Stephen](#)
Subject: RE: Luis Vazquez FOIA request
Date: Wednesday, May 15, 2019 1:34:41 PM
Attachments: [FOIA%201980%20Deposit%20Letter.pdf](#)

Hello All -- Matt Thomas from the Attorney's office provided this response and attachment:

Councilmember Bannister,

See below for a non-confidential version of my email:

This question was forwarded to me by Stephen. For this request, and in most requests that are similarly broad, Jennifer Alexa in the Clerk's office will contact the requestor to inform them that the broadness of the request is likely to generate a fee and ask if they would like to narrow the request. If the requestor does not wish to narrow the request, the City responds with an estimate of time along with the associated costs and the requestor is required to pay a 50% deposit based on that estimate before the City starts to fulfill the request.

In this case, Mr. Vazquez asked that we provide him with an estimate so he could determine if he wanted to pay the deposit or narrow the request. The total estimated fee was \$337.94, of which \$168.97 was required to be paid before the City started work. Mr. Vazquez paid that amount last Thursday, effectively making the decision that he does not wish to narrow the request. I have attached the Deposit Letter that was sent out to Mr. Vazquez.

Before we send out the responsive records, we will send Mr. Vazquez an updated fee calculation sheet, reflecting the actual time spent on the request. He will have to pay that amount, minus the \$168.97 that he has already paid, before we release the records.

From: Bannister, Anne
Sent: Wednesday, May 15, 2019 10:32 AM
To: Taylor, Christopher (Mayor)
Cc: Tom Stulberg; Hayner, Jeff; Eaton, Jack; Griswold, Kathy; Lazarus, Howard; Postema, Stephen
Subject: RE: Luis Vazquez FOIA request

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abannister@a2gov.org
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CITY OF ANN ARBOR, MICHIGAN

301 E. Huron Street, P.O. Box 8647, Ann Arbor, Michigan 48107-8647

Phone (734)794-6140 Fax (734)994-8296

www.a2gov.org

City Clerk

April 25, 2019

Luis Vazquez

[REDACTED]

Ann Arbor, MI 48105

Via Email: [REDACTED]

Subject: Freedom of Information Act Request received April 18, 2019
1980 Vazquez

Dear Luis Vazquez:

This deposit request and notice of extension is with regard to your attached Freedom of Information Act (FOIA) request, received April 18, 2019. Because of the time needed to process your request, the City hereby extends the time to respond for no more than 10 business days, as permitted by the FOIA. You may expect a response within 10 business days after the City has received the deposit.

The estimated total fee for your request is \$337.93. A detailed itemization of this estimate is attached. As provided under the FOIA, half of the estimated total, \$168.97, must be paid as a deposit before your request will be processed. The balance of the actual final fee must be paid after processing before the public records will be released. The actual final fee may be greater or less than the estimate.

The deposit can be paid at the City Clerk's Office (Second Floor, City Hall), Monday through Friday, between the hours of 8:00 a.m. and 5:00 p.m., or alternatively, a check made payable to the City of Ann Arbor can be sent to the address noted above.

If we do not receive deposit payment by 06/12/2019, we will consider this request closed.

If you are able to narrow the scope your request in terms of subject, timeframe, type of record, persons involved, or otherwise, the cost may be less.

The City's FOIA Procedures and Guidelines and Written Public Summary are available online at www.a2gov.org/FOIA.

If you have any questions concerning this response, please contact Jennifer Alexa,
Deputy City Clerk, at (734) 794-6140, ext. 41404.

Sincerely,

A handwritten signature in black ink, reading "Jacqueline Beaudry". The signature is fluid and cursive, with the first name and last name clearly distinguishable.

Jacqueline Beaudry
City Clerk

FOIA Request - 1980 - Vazquez

1. Copies of all text messages, electronic mail (email), and messages sent via social media direct messaging received by any city of Ann Arbor staff and/or council members, from Thomas Wieder, dated January 1, 2019 to present (including any messages sent to council members' nongovernmental accounts, because these are also subject to Michigan FOIA)
2. Copies of all text messages, email messages, and messages sent via social media direct messaging (including any email messages sent via nongovernmental accounts, because these are also subject to Michigan FOIA) exchanged between Patricia Lesko and any City Council member dated January 1, 2019 to present.
3. Copies of all text messages, email messages, and messages sent via social media direct messaging received by any employee of the Ann Arbor City Attorney's office and/or council members from Tom Stulberg, dated January 1, 2019 to present (including any messages sent via council members' nongovernmental accounts, because these are also subject to Michigan FOIA)
4. Copies of all text messages, email messages, and messages sent via social media direct messaging (including any messages sent on nongovernmental accounts because these are also subject to Michigan FOIA) exchanged between any of the following: Anne Bannister, Jeff Hayner, Jack Eaton, Kathy Griswold, and Elizabeth Nelson dated January 1, 2019 to present.



Detailed Fee Itemization

Freedom of Information Act

FOIA 1980 Vazquez

Ann Arbor City Clerk's Office
301 E. Huron St., P.O. Box 8647
Ann Arbor, MI 48107

Tel: (734) 794-6140
Fax: (734) 994-8296
cityclerk@a2gov.org

The following fee components are being charged/estimated in compliance with Section 4 of the Michigan Freedom of Information Act (MCL 15.234) and the City's FOIA Procedures and Guidelines. If the City is seeking a deposit prior to providing the public records sought, the total estimated fee is itemized on this form.

If you believe that you have been charged a fee in excess of that permitted by the FOIA or the City's FOIA Procedures and Guidelines, you must submit to the City Administrator, within 45 days of the date of this response, a written appeal for a fee reduction that specifically states the word "appeal" and identifies how the required fee exceeds the amount permitted under the City's Procedures and Guidelines or section 4 of the FOIA. Within 45 days after the appeal determination, you may commence a civil action in Washtenaw County Circuit Court for a fee reduction. The City's FOIA Procedures and Guidelines and Written Public Summary are available on the City's website at www.a2gov.org/FOIA or in person at the City Clerk's Office.

If public records you requested are available on a City internet site, but you still would like the City to send you a printed or electronic copy of the records, the labor and material costs for duplication or publication of those records will be added to the fee for the request in accordance with the City's FOIA Procedures and Guidelines. The fringe benefit multiplier for these costs is permitted to exceed 50% of the hourly wage, reflecting actual costs.

1. Labor Costs Search, Location, & Examination of Records	This is the cost of labor directly associated with the necessary searching for, locating, and examining of public records in conjunction with receiving and fulfilling a granted written request. These costs are estimated and charged in 15-minute (.25 hour) increments, rounded down, with a fringe benefit multiplier to account for overhead as permitted under the FOIA. The number to the right of the decimal point in the fringe benefit multiplier indicates the overhead charge as a percent of the hourly wage.				
Title	Hourly Wage (\$/hr.)	Hours Charged	Fringe Benefit Multiplier	Estimated	Actual
Legal Asst.	\$26.08	1.0	1.5	\$39.12	
				\$39.12	

2. Labor Costs Redaction	This is the cost of labor, including necessary review, directly associated with separating and redacting exempt from nonexempt information. These costs are estimated and charged in 15 minute (.25 hour) increments, rounded down, with a fringe benefit multiplier to account for overhead as permitted under the FOIA. The number to the right of the decimal point in the fringe benefit multiplier indicates the overhead charge as a percent of the hourly wage.				
Title	Hourly Wage (\$/hr.)	Hours Charged	Fringe Benefit Multiplier	Estimated	Actual
Deputy Clerk	\$36.22	6.0	1.5	\$325.98	
Attorney	\$41.19	.5	1.5	\$30.90	
				Total (\$):	\$356.88

3. Non-Paper Physical Media	This is the actual and most reasonably economical cost of computer discs, computer tapes, or other digital or similar media.				
	Type of Media	Cost Each	Number	Estimated	Actual
	DVD/CD	\$1			
Total (\$):					

4. Paper Copies	This is the actual and most reasonably economical cost of necessary duplication or publication of paper copies.				
	Type of Paper	Cost	Number of sheets	Estimated	Actual
	8½ x 11 or 8½ x 14	\$.05 per sheet			
Total (\$):					

5. Labor Costs Duplication Copying, and Transferring Records to Non-Paper Physical Media	This is the cost of labor directly associated with duplication or publication, including making paper copies, making digital copies, or transferring digital public records to other electronic forms as stipulated by the requester. For City employees, these costs are estimated and charged in 15-minute (.25 hour) increments, rounded down, with a fringe benefit multiplier to account for overhead as permitted under the FOIA. The number to the right of the decimal point in the fringe benefit multiplier indicates the overhead charge as a percent of the hourly wage. For duplication or publication that must be done, or is more economically done, off-site, the City charges the requester the actual costs charged to the City for the work.					
	Title	Hourly Wage (\$/hr.)	Hours Charged	Fringe Benefit Multiplier	Estimated	Actual
	Total (\$):					

6. Mailing	This is the actual cost of mailing for sending the public records in a reasonably economical and justifiable manner, including costs to ship public records off-site to be copied, if necessary or more economical. The City will not charge for expedited shipping or insurance unless specifically stipulated by the requester. The City will charge for the least expensive form of postal delivery confirmation when mailing public records.		
	Cost	Estimated	Actual
	Postage		
	Delivery Confirmation		
	Total (\$):		

SUBTOTAL	Subtotal of fee components (\$)	\$396.00	
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Waivers and Reductions	The City waives one hour of the highest-wage City staff time expended in search, examination, review, or the deletion or separation of exempt from nonexempt information. This waiver does not apply to labor for duplication, retrieval of electronic records by IT staff, or review/redaction of video.		
	Reduction	Estimated	Actual
	Waiver of 1 st hour of staff time.	(\$58.07)	
	Waiver of first \$20.00 due to indigency.		
Deposit Paid	Deposit Paid		
	Total reduction (\$):	(\$58.07)	

Estimated Cost	Subtotal minus reduction(s):	\$337.93	
TOTAL DUE	Actual subtotal minus reductions and deposit paid:		

From: [Bannister, Anne](#)
To: [Tom Stulberg](#); [David Silkworth](#); [Beth Collins](#)
Cc: [Hunter Elizabeth](#); [Jeff Crockett](#); [Kitty B. Kahn](#); [Christine Crockett](#); [Lumm, Jane](#); [Eaton, Jack](#); [Nelson, Elizabeth](#); [John Pellegrino](#); [Kathy Griswold](#); [Ralph McKee](#); [Tim](#); [REDACTED]; [REDACTED]; [Ethel Potts](#); [Ramlawi, Ali](#)
Subject: RE: Thanks to all
Date: Wednesday, May 15, 2019 5:36:32 PM

Wednesday, 5/22 works well for me. I have Environmental Commission on Thursday at 7 p.m.

Please feel free to meet without me if need be.

Anne Bannister
Ward One Councilmember
cell: [REDACTED]
abannister@a2gov.org
Term Nov. 2017 - Nov. 2020

Messages are subject to disclosure under the Michigan Freedom of Information Act (FOIA).

From: Tom Stulberg [REDACTED]
Sent: Wednesday, May 15, 2019 5:33 PM
To: David Silkworth; Beth Collins
Cc: Hunter Elizabeth; Jeff Crockett; Kitty B. Kahn; Christine Crockett; Lumm, Jane; Eaton, Jack; Nelson, Elizabeth; Bannister, Anne; John Pellegrino; Kathy Griswold; Ralph McKee; Tim; [REDACTED]; [REDACTED]; Ethel Potts; Ramlawi, Ali
Subject: Re: Thanks to all

Thursday 5/23 works well for me

From: David Silkworth <[REDACTED]>
Sent: Wednesday, May 15, 2019 12:57 PM
To: Beth Collins; Tom Stulberg
Cc: Hunter Elizabeth; Jeff Crockett; Kitty B. Kahn; Christine Crockett; Jane Lumm; Jack Eaton; Nelson, Elizabeth; Bannister, Anne; John Pellegrino; Kathy Griswold; Ralph McKee; Tim; [REDACTED]; [REDACTED]; Ethel Potts; Ramlawi, Ali
Subject: Re: Thanks to all

Hi everyone. I would like to schedule our first CIMBY meeting in the Westgate Library at 6:30 p.m. on 5/22 or 5/23 whichever works best for everyone. This is an introductory meeting to discuss basic principles, general strategy and next steps. Please let me know if these dates and times are good or if one is better than the other.

Sincerely,

David Silkworth

Sent from my Verizon, Samsung Galaxy smartphone

Hi everyone. I would like to meet Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Beth Collins <[REDACTED]>
Date: 5/8/19 9:14 AM (GMT-05:00)
To: Tom Stulberg <[REDACTED]>
Cc: Hunter Elizabeth <[REDACTED]> Jeff Crockett <[REDACTED]> David
Silkworth <[REDACTED]> "Kitty B. Kahn" <[REDACTED]> Christine
Crockett <[REDACTED]> Jane Lumm <JLumm@a2gov.org>, Jack Eaton
<jeaton@a2gov.org>, "Nelson, Elizabeth" <ENelson@a2gov.org>, "Bannister, Anne"
<ABannister@a2gov.org>, John Pellegrino <[REDACTED]> Kathy Griswold
<[REDACTED]> Ralph McKee <[REDACTED]> Tim
<[REDACTED]> Ethel Potts
<[REDACTED]> "Ramlawi, Ali" <ARamlawi@a2gov.org>
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I am hesitant to take on another lead now, without the Lockwood land secured yet. I want to be a CIMBY though. :)

....and since Lockwood, I have had many other neighborhoods reach out to say that they want a group of us to form, we could help neighborhoods to organize when a "questionable" project arises, etc.

We should set up a meeting to come up with some goals, etc.

Thanks,

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Sent: Tuesday, May 7, 2019 5:18 PM

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Cc: David Silkworth; Kitty B. Kahn; Tom Stulberg; Christine Crockett; Jane Lumm; Jack Eaton; Nelson, Elizabeth; Bannister, Anne; Beth Collins; John Pellegrino; Kathy Griswold; Ralph McKee; Tim; [REDACTED] Ethel Potts; Ramlawi, Ali

Subject: Re: Thanks to all

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http://www.nbcnews.com/id/37758450/ns/health-alternative_medicine/t/natural-strategies-detox-your-body/#.XNHyoI5KiUk

Tom, I would suggest that you start with:

- Find a local farmer's market where you can buy fresh, local, organic food directly from a grower.
- At the supermarket, look for the USDA Organic seal.
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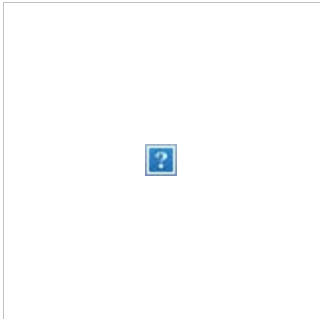
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We Saved Our Center!

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> Chris Crockett

From: Anne Bannister [REDACTED]
Subject: Re: Important Letter on 1140 Broadway
Date: March 7, 2019 at 6:08 PM
To: Laura Strowe [REDACTED] Tom Stulberg [REDACTED] Jeffrey Hayner [REDACTED]
Jack Eaton [REDACTED] Mary Underwood [REDACTED]



Thanks, Laura and Tom. I'm coping Jeff (with his permission) and Jack. I'm unsure whether I should add my address to the neighborhood association list, because that might cause me to have to recuse myself in a future council vote, which would automatically make me a no vote, and that could be good or bad, depending. Let's leave my address off for now, to keep the options open. -- Anne

On Thu, Mar 7, 2019 at 11:05 AM Laura Strowe <[REDACTED]> wrote:

Dear neighbors,

I am forwarding below a letter from Tom Stulberg about the "1140 Broadway" development (aka Kroger's lot, aka LowerTown). Please give it your attention. I know that some people did not want this listserve to be "political" and I am fully supportive of that, but this is not political. It concerns the future of our neighborhood, as did our previous discussions about this development as it went through the approval process. (To clear up some confusion, the 999 condo building that is currently advertised on the site is just one of three buildings that will be going up there; the other two buildings will contain rental units.)

If you are new to the neighborhood and want to know more about the details of the development plan, let me know.

Thanks for your attention to this important letter!

Laura

Dear LowerTown and Northside neighbors,

We are writing to you about the Morningside LowerTown development at 1140 Broadway. Many of you were involved in this issue when it came up before the city's Planning Commission, Zoning Board of Appeals, and City Council and helped fight it then. We need your help once more.

As you might know, in late 2017 we hired an attorney who wrote an excellent and well-researched letter explaining to council why the development should not be approved, which the majority on council ignored. We have been working with that same attorney and are ready to file a lawsuit against the city for mishandling the re-zoning.

What we need from you right now is your name and house address for the contact list for the neighborhood association we have formed. There is no financial obligation. You will be a member of Ann Arbor Neighbors for Responsible Development, Inc. That association will be the plaintiff, along with Tom Stulberg as

an individual plaintiff. We have formed the association as a director run corporation, shielding the individual members. The Board of Directors is Laura Strowe, Mary Underwood, and Tom Stulberg.

We want to gather a list of names from as many people as possible who live within the area bounded to the north by Barton and Baits and by the Huron River in the other directions. We chose the boundaries for the association based in large part on who will be impacted by parking crisis in the neighborhood that cannot be solved by a residential parking permit system because the development has 400 fewer parking spots than zoning required. Even if there is no parking immediately in front of your house, you will be impacted if you live in the neighborhood.

In order to have standing, which is legal jargon for the right to sue, the association membership must have some harm that sets us apart from the rest of the city in how we are impacted. Parking is what sets us apart. Note that we are suing the city, not the developer. It is the city that mishandled the approval. Our suit is important for precedent in neighborhoods in all wards of the city, so we will raise the funds city wide through our GoFundMe campaign although members of the association must be in the neighborhood.

We are suing for the inappropriate rezoning of the 1140 Broadway site. We had a very detailed and good Master Plan for a mixed-use urban village. We didn't get that. We are also challenging some of the city's ordinances as invalid. That is what has complicated this process and taken so long. We are claiming the city should not have rezoned the property to C1A/R. We are claiming the Zoning Board of Appeal's parking variance ordinance is invalid. We are claiming the Planned Project Modification ordinance is invalid.

We can't say what we might get until we see how the judge reacts to the case. Realistically, the lawsuit will not result in a judgment that the development cannot move forward. The Association can decide what we ask for if and when we are in a position to do so. Issues that might be negotiated are parking and the elimination of the roundabout, for example. We hope the suit will raise awareness about the city's ignoring its own Master Plan, its treatment of this property as if it is downtown, the city's illegal use of variance power and other ways it has been abusing its zoning power.

Currently, the developer is building the parking structure and installing sewers. It has not started any of the other buildings. It is not too late to have impact on the development. We can't make any promises or predictions, but we will do our best.

Please send us your name and house address to be a member of the Association.

Thank you all for your patience, and feel free to email me at [REDACTED] with any questions.

Tom Stulberg, on behalf of the Board of Directors for Ann Arbor Neighbors for

Tom Stalberg, on behalf of the Board of Directors for Ann Arbor Neighbors for
Responsible Development

--

Anne Bannister



From: Jack Eaton [REDACTED]
Subject: Re: [A2NA] first mayoral veto...
Date: April 3, 2019 at 5:18 PM
To: a2na@googlegroups.com

JE

Tom,

You are correct. Council passed two resolutions, the one sponsored by Taylor and Griswold setting minimum amounts for climate action, affordable housing, and pedestrian safety (but not attaching that spending to the millage). Separately, Council passed a resolution sponsored by Lumm allocating some of the millage funds to other items identified in the citizen survey.

The Mayor has announced that he will veto the second resolution, leaving his resolution in effect. Apparently, he is not looking for the middle ground.

Jack

Sent from my iPhone

On Apr 3, 2019, at 4:51 PM, Tom Stulberg <[REDACTED]> wrote:

I am confused. I thought the passing of two separate resolutions on this matter meant that we were spending the \$2.2 M in the manner the mayor wanted AND \$1.5 MORE in an allocation based on CM Lumm's resolution. I must have this wrong. Please correct me, politely.

From: a2na@googlegroups.com <a2na@googlegroups.com> on behalf of Hunter Elizabeth <[REDACTED]>

Sent: Wednesday, April 3, 2019 4:13 PM

To: a2na

Subject: [A2NA] first mayoral veto...

<https://nam04.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.mlive.com%2Fnews%2Fann-arbor%2F2019%2F04%2Fmayors-planned-veto-an-insult-to-democracy-ann-arbor-council-member-says.html&data=02%7C01%7C%7Cbe048ffb6aa6a432c550a08d6b870d22b%7C84df9e7fe9f640afb435aaaaaaaaaaaa%7C1%7C0%7C636899192025813397&data=wAgnTNdZ%2FJsnT6hp6CYjJs81lk5aykgAPaQpUeZMMY%3D&reserved=0>

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Visit our page: <https://nam04.safelinks.protection.outlook.com/?url=www.a2na.org&data=02%7C01%7C%7Cbe048ffb6aa6a432c550a08d6b870d22b%7C84df9e7fe9f640afb435aaaaaaaaaaaa%7C1%7C0%7C636899192025813397&data=ho0TR%2FGYCR0aDPtiAs%2FlacARbKZlusIPzoNOeWwEsXk%3D&reserved=0>

You received this message because you are subscribed to the Google Groups "A2NA" group.

To unsubscribe from this group and stop receiving emails from it, send an email to a2na+unsubscribe@googlegroups.com.

To post to this group, send email to a2na@googlegroups.com.

For more options, visit <https://nam04.safelinks.protection.outlook.com/?url=https%3A%2F%2Fgroups.google.com%2Fd%2Foptout&data=02%7C01%7C%7Cbe048ffb6aa6a432c550a08d6b870d22b%7C84df9e7fe9f640afb435aaaaaaaaaaaa%7C1%7C0%7C636899192025813397&data=wAgnTNdZ%2FJsnT6hp6CYjJs81lk5aykgAPaQpUeZMMY%3D&reserved=0>

<https://nam04.safelinks.protection.outlook.com/?url=https%3A%2F%2Fgroups.google.com%2Fd%2Foptout&data=02%7C01%7C%7Cbe048ffb6aa6a432c550a08d6b870d22b%7C84df9e7fe9f640afb435aaaaaaaaaaaa%7C1%7C0%7C636899192025813397&data=wAgnTNdZ%2FJsnT6hp6CYjJs81lk5aykgAPaQpUeZMMY%3D&reserved=0>

[/C1%7C0%7C636899192025813397&sdata=d8YITCHTlpoCZx5zdGpbNlyfsUczh15nDtddcVR8PQ0%3D&reserved=0.](#)

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From: Jack Eaton [REDACTED]
Subject: Re: [A2NA] City Council Working Session Monday Gelman Superfund Option and Its Near Surface Pollution Found
Date: April 6, 2019 at 9:53 AM
To: a2na@googlegroups.com

JE

Public comment at a work session is at the end of the meeting. No need to sign up and no limit on the number of speakers.

Regular Council meetings also have that unlimited opportunity at the end of the meeting. Few people stick around for the end of those meetings.

Work sessions either end at 8:45 or take a break at that time for comments.

Jack

Sent from my iPhone

On Apr 6, 2019, at 8:50 AM, Tom Stulberg <[REDACTED]> wrote:

What are the rules for public comment for a council working session. Limited to ten people and must call ahead, like a regular council meeting? Or different rule?

From: a2na@googlegroups.com <a2na@googlegroups.com> on behalf of Jack Eaton <[REDACTED]>
Sent: Friday, April 5, 2019 11:26 PM
To: a2na@googlegroups.com
Subject: Re: [A2NA] City Council Working Session Monday Gelman Superfund Option and Its Near Surface Pollution Found

Rita,

There are two presentations on Monday. The transportation session includes a document called "Transportation Work Session 2019.04.03.pdf. The last page (page 14) is titled Ann Arbor Station. No substantive information.

Jack

Sent from my iPhone

On Apr 5, 2019, at 10:40 PM, Rita <[REDACTED]> wrote:

Hi Vince,

I looked at all the attachments to the agenda. I don't see reference to Fuller Park. Is the documentation elsewhere?

Rita

On Apr 5, 2019, at 3:56 PM, Vince Caruso <vrcaruso@comcast.net> wrote:

City Council Working session Monday will have a discussion of the Gelman 1,4 Dioxane pollution update with Superfund Option and the Near-Surface Groundwater 1,4 Dioxane found in recent years on the West Side.

Monday 7pm, Council Chambers

The meeting will start at 7pm with Transportation Update including Street Repair, Ped. Crossings, and Fuller Park(!) Station then Gelman.

Roger Rayle, Dan Bicknell and I will discuss the Gelman and Superfund option. Many on council would like to see a discussion on a resolution to support a Superfund

Resolution, in the coming weeks, like what AA Twp, Scio Twp, and Sierra Club Huron Valley Group adopted.

The **EPA had asked** Governor Snyder to allow full evaluation of Superfund standing, and **without Mayor Taylor's support for Superfund**, was denied. It is in limbo currently with EPA oversight of MDEQ minimal efforts per **Part 201 MI very weak** GOP environmental law. **EPA Superfund would overrule** this minimal effort and work to a **full cleanup of the aquifer** and have the **Responsible Party, \$65B Company Donaher**, pay.

Public comment for up to 3 minutes is open to the public after the council discussions.

Will also be televised live (Ch 16) and online, and later posted online.

Link to Monday's Working Session Agenda Listing with links to PDF documents to be discussed:

<http://a2gov.legistar.com/MeetingDetail.aspx?ID=656024&GUID=35A191D5-C168-4FD8-9934-B8FCE6D1FBC&Options=info&Search=>

Thanks,

Vince

Vince Caruso

Founding and Board Member - [CARD: Coalition for Action on Remediation of Dioxane](#)

Founding and Coordinating Member - [ACWG.ORG: Allen's Creek Watershed Group](#)

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From: Anne Bannister [REDACTED]
Subject: Re: Planning Commission and Plaintiff
Date: April 17, 2019 at 4:38 PM



To: K Griswold [REDACTED] Tom Stulberg [REDACTED]
Cc: Elizabeth Nelson [REDACTED] Jack Eaton [REDACTED], Jeffrey Hayner [REDACTED]
david.silkworth1 [REDACTED]

Thanks for the update, Tom, and thanks for putting your name forward again for PC.

On Tue, Apr 16, 2019 at 3:44 PM K Griswold <[REDACTED]> wrote:
Thanks for the update.

On Tue, Apr 16, 2019, 3:21 PM Tom Stulberg <[REDACTED]> wrote:

I don't keep secrets well, so I want you all to know that I did apply for the City Planning Commission yesterday. This is the third time I have applied, so we shall see if third time is a charm.

I did not want to apply until after our lawsuit was filed and council had time to be made aware of it. Yes, my neighborhood association, along with me as an individually named plaintiff, finally filed our long rumored lawsuit against the City for the LowerTown rezoning approval and more. I won't go into details here, but anyone can ask me anything about it, or ask me for a copy of the filing.

Are these two things in conflict? Absolutely not. The courts are part of our system. They are sometimes part of the process of figuring out if our city ordinances are correctly written and if we are correctly applying them. In my personal opinion, our city has painted itself into a corner and needs a little help from its citizens and the courts to get itself out of that tough spot. So, being a plaintiff and being a commissioner are just two different roles I can play in serving our community. I'm sure there will be critics who think otherwise. So be it.

And thank you all for your service to our community.

Tom

--
Anne Bannister
[REDACTED]