

City of Ann Arbor

301 E. Huron St.

Ann Arbor, MI 48104

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



Meeting Minutes - Draft

Thursday, August 6, 2020

7:00 PM

This meeting will be broadcast live on CTN Cable Channel 16,
ATT Channel 99,
and online at a2gov.org/watchCTN
Electronic Meeting

To speak at public comment call: 877 853 5247 or 888 788 0099
City Council

Enter Meeting ID: 968 6715 8896

Council meets in Caucus at 7:00 p.m. on the Sunday prior to each Regular Session.

CALL TO ORDER

Mayor Christopher Taylor called the electronic meeting of the Ann Arbor City Council to order at 7:00 p.m. in accordance with Governor Whitmer's Executive Order 2020-154.

MOMENT OF SILENCE

Council stood for a moment of silence.

PLEDGE OF ALLEGIANCE

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

ROLL CALL OF COUNCIL

Councilmember Eaton arrived at 7:04 p.m.

Councilmember Bannister arrived at 7:05 p.m.

Present: 11 - Councilmember Jane Lumm, Councilmember Jack Eaton, Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Zachary Ackerman, Councilmember Chip Smith, Councilmember Anne Bannister, Councilmember Jeff Hayner, Councilmember Kathy Griswold, Councilmember Elizabeth Nelson and Councilmember Ali Ramlawi

APPROVAL OF AGENDA

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

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

Interim City Administrator Tom Crawford thanked the City Clerk and her staff on a job well done administering the August 4 Primary Election.

Mr. Crawford submitted the following written reports for information of Council:

AC-1 [20-1162](#) Ann Arbor SPARK Semi-Annual Report - January 1, 2020 - June 30, 2020

Received and Filed

AC-2 [20-1174](#) August 6, 2020 Agenda Response Memo and eComments

Received and Filed

AC-3 [20-1202](#) City Administrator's Report - August 6, 2020

Received and Filed

INT INTRODUCTIONS

INT-1 [20-1203](#) Independent Police Oversight Committee (ICPOC)

Lisa Jackson, Chair of the Independent Police Oversight Commission (ICPOC), updated City Council and the public on the work of the Commission.

Received and Filed

PUBLIC COMMENTARY - RESERVED TIME (3 MINUTES PER SPEAKER)

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

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

1. Blaine Coleman - We are against military aid to Israel

Blaine Coleman, resident, urged City Council to stand up for human rights and boycott Israel.

2. Mozghan Savabiesfahani - We are against military aid to Israel

Mozghan Savabiesfahani, resident, expressed concern about the results of the City's primary election.

3. Henry Herskovitz - Exposing Israel's racism.

Henry Herskovitz, 205 Highlake, spoke about the racist state of Israel.

4. Michelle Hughes - Rank Choice Voting

Michelle Hughes, 214 Charles, spoke in support of Ranked Choice Voting, stating this method of tabulation would eliminate candidates being labeled as "spoilers."

5. Henry MacConnell - Enforcement of Mask Policies in Downtown

Henry MacConnell, resident, spoke about the COVID-19 pandemic and urged Council to pass a local mask order.

CC COMMUNICATIONS FROM COUNCIL*COUNCILMEMBER GRISWOLD*

Councilmember Griswold updated City Council and the public regarding Congresswoman Debbie Dingell's upcoming "Unity Lunch." She urged all to attend and to wear a mask.

Councilmember Griswold also spoke about pedestrian safety.

COUNCILMEMBER LUMM

Councilmember Lumm thanked the City Clerk for her work on the recent Primary Election and thanked the voters for allowing her to serve. She congratulated the winners of the Primary.

COUNCILMEMBER GRAND

Councilmember Grand thanked the City and County Clerks for their work on a successful election. She thanked all of the candidates who put themselves forward to run in an election.

Councilmember Grand stated there is a current survey out about the Gallup Park bridge. She urged the public to participate.

COUNCILMEMBER RAMLAWI

Councilmember Ramlawi stated the DDA Partnerships Committee has been renamed the Affordable Housing and Economic Development Committee.

Councilmember Ramlawi also recognized the 75th anniversary of the dropping of the atomic bomb.

MC COMMUNICATIONS FROM THE MAYOR

Mayor Taylor recognized the work of the City Clerk's Office during the recent Primary Election.

MC-1 **20-1148** Appointments - Confirmations

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

Energy Commission

*Larry Kerber
3425 Strand Ct.
Ann Arbor, MI 48105
Term: Ending May 31, 2023*

*Brigit Macomber
815 Barton Dr.
Ann Arbor, MI 48105
Term: Ending May 31, 2023*

*Ember McCoy
441 S. First St.
Ann Arbor, MI 48103
Term: Ending May 31, 2023*

Referred to the City Council due back on 8/17/2020

CA **CONSENT AGENDA**

Passed on consent agenda

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

CA-1 20-1024 Enactment No: R-20-294 Approved

Resolution to Approve an Agreement with the Washtenaw County Sheriff's Office for Weapons Screening Services in the Ann Arbor Justice Center (NTE \$190,000.00)

CA-2 20-1025 Enactment No: R-20-295 Approved

Resolution to Approve Professional Legal Services Agreement with Reiser and Dawid, P.L.L.C. to Provide Legal Representation as Court-appointed

Counsel to Indigent Defendants. (\$62,432.16)

CA-3 20-1060 Enactment No: R-20-296 Approved

Resolution to Approve a Professional Legal Services Agreement with Washtenaw County on behalf of the Washtenaw County Office of Public Defender to Provide Legal Representation at Arraignment to Indigent Defendants. (\$35,000.00)

CA-4 20-1130 Enactment No: R-20-297 Approved

Resolution to Approve a Purchase Order for New Election Day High-Speed Absentee Ballot Vote Tabulator from Hart InterCivic (\$127,140.00)

CA-5 20-0973 Enactment No: R-20-298 Approved

Resolution to Approve the Purchase of Two Front Loading Refuse Trucks from Bell Equipment Company and to Appropriate Funding from the Fleet Fund Balance (Sourcewell - \$706,814.00) (8 Votes Required)

CA-6 20-1020 Enactment No: R-20-299 Approved

Resolution to Approve a Two (2) year Purchasing Agreement for Aggregate Materials and Hauling Services for Excavation and Street Sweeping Waste from Farmer & Underwood Trucking, Ltd., ITB-4637 (\$241,732.50)

CA-7 20-1039 Enactment No: R-20-300 Approved

Resolution to Approve the Purchase of Survey Equipment from Leica Geosystems, Inc. (State of Michigan MiDeal Contract 171180000000005, \$52,970.99)

CA-8 20-1079 Enactment No: R-20-301 Approved

Resolution to Approve Change Orders No. 4 and No. 5 with Action Traffic Maintenance, Inc. for the 2018 Guardrail Rehabilitation Program (\$37,407.39)

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 **20-0810** An Ordinance to Amend Section 1:265 of Chapter 11 (Risk Fund) of Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-20-22)

A public hearing was conducted on the proposed amendment to Section 1:265 of Chapter 11 (Risk Fund) of Title I of the Code of the City of Ann Arbor. Notice of public hearing was published July 30, 2020.

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

Held and Closed

PH-2 **20-1042** An Ordinance to Amend Title VII (Businesses and Trades) of the Code of the City of Ann Arbor by Adding a New Chapter Which Shall be Designated as Chapter 97 (Short-Term Rentals) (Ordinance No. ORD-20-24)

A public hearing was conducted on the proposed amendment to Title VII (Businesses and Trades) of the Code of the City of Ann Arbor by Adding a New Chapter Which Shall be Designated as Chapter 97 (Short-Term Rentals). Notice of public hearing was published July 30, 2020.

The following persons were present to speak in opposition at the hearing:

Kevin Grakowski expressed concerns about the proposed ordinance, stated it is too restrictive.

A Ward 4 property urged Council to postpone action, stating owners cannot simply convert to long-term rental.

An owner of a short-term rental

An owner of a short-term rental urged Council to have staff further review options before voting on this proposal.

A local realtor urged Council to postpone action and to consider all sides.

Bridget O'Connor, Ward 5, expressed concern that there are racial undertones to the ordinance.

A property owner on White Street, urged Council to "grandfather" existing businesses.

The owner of 1214 Brooklyn stated property owners will pursue litigation to protect their rights.

Katie Dortch, property owner and resident, urged Council to grandfather existing short-term rental properties.

Pat Lennon, representing Noah Hoffman, stated the current proposal takes away existing property rights.

A Ward 5 resident

An attorney representing short-term rental property owners stated the proposed ordinance is illegal.

Ruth Niedler spoke in support of short-term rentals, stating owners of these properties have cleaned up previous eye sores.

A resident and property owner stated they want to use property for short-term rental and for family, but not for long-term rental leases.

A short-term rental owner urged Council to grandfather existing properties.

A short-term rental owner

A short-term rental owner whose property is also owner occupied stated most current rental property is long-term rental.

An unidentified speaker

The following persons were present to speak in support of the proposed ordinance:

Wendy Carman, resident, spoke in opposition to short-term rentals, stating no existing properties were authorized by the City.

Michael Stearns, Newport Road, spoke in opposition to short-term rental, stating a hotel has opened up next door to him.

Shannon Hautamaki, resident, spoke in support of the ordinance and the restriction of short-term rental in neighborhoods.

Ralph McKee, Red Oak Drive

Zachary Storey, Fourth Avenue, stated short-term rental should be converted to long-term affordable units.

Anna Foster spoke in support of the ordinance and the need for more affordable housing.

Others speaking at the hearing:

Beth Corey

A Ward 5 renter stated the ordinance will destroy the livelihood of property owners.

A Ward 1 resident expressed concern about the different fees for different types of properties.

The owner of A2 Guest Houses

A homeowner expressed concern about affordability and asked for the ordinance to be returned to staff.

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

Held and Closed

PH-3	20-1041	Enactment No:	Held and Closed
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Held and Closed

Resolution to Approve Liberty Townhomes Site Plan and Development Agreement, 2658 W. Liberty St. (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

A public hearing was conducted on the proposed Resolution to Approve Liberty Townhomes Site Plan and Development Agreement, 2658 W. Liberty St. Notice of public hearing was published July 16, 2020.

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

A APPROVAL OF COUNCIL MINUTES**A-1** [20-1132](#) Regular Session of July 20, 2020

A motion was made by Councilmember Smith, seconded by Councilmember Ramlawi, that the Regular Session Meeting Minutes of July 20, 2020 be approved. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING**B-1** [20-0810](#) An Ordinance to Amend Section 1:265 of Chapter 11 (Risk Fund) of Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-20-22)

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

B-2 [20-1042](#) An Ordinance to Amend Title VII (Businesses and Trades) of the Code of the City of Ann Arbor by Adding a New Chapter Which Shall be Designated as Chapter 97 (Short-Term Rentals) (Ordinance No. ORD-20-24)

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

Councilmember Smith moved the following amendment, supported by Councilmember Nelson:

7:650. – Legislative Purpose.

The City has determined that regulation of short-term rentals is necessary to establish a community standard for the integration of short-term rental units [within existing residential neighborhoods while maintaining neighborhood and community character and] in the City to ensure health, safety, and welfare of visitors and residents by re-affirming police, fire, and building safety guidelines. Towards that end, the City has determined that all persons or entities that desire to operate a short-term rental unit within the city must be issued a license pursuant to the requirements of this chapter.

[Brackets] indicate deleted language.

The amendment was considered friendly by the Body.

Amended

A motion was made by Councilmember Smith, seconded by Councilmember Hayner, that the Ordinance be postponed at Second Reading until 9/8/2020. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 8 - Councilmember Lumm, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Smith, Councilmember Bannister, Councilmember Hayner and Councilmember Griswold

Nays: 3 - Councilmember Ackerman, Councilmember Nelson and Councilmember Ramlawi

RECESS

Mayor Taylor declared a recess at 9:32 p.m. and reconvened the meeting at 9:40 p.m.

C ORDINANCES - FIRST READING

D MOTIONS AND RESOLUTIONS

DC New Business - Council:**DC-1 20-1167 Enactment No: Approved****Sponsors:** Taylor, Grand and Ackerman

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

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

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

Resolution to Order Election and to Determine Ballot Question for Charter Amendment to Allow for Ranked Choice Voting (7 Votes Required)

DC-2 20-1186 Enactment No: R-20-302 Approved**Sponsors:** Ramlawi, Lumm and Nelson

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

Resolution to Extend Resolution R-20-194 - Resolution to Approve Downtown Street Closures for Restaurant and Retail Use During the Time of Mandated Physical Distancing

DB New Business - Boards and Commissions:**DB-1 20-1041 Enactment No: R-20-303 Approved**

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

Yeas: 11 - Councilmember Lumm, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Bannister, Councilmember Hayner, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

Nays: 0

Resolution to Approve Liberty Townhomes Site Plan and Development Agreement, 2658 W. Liberty St. (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

DS New Business - Staff:

E COMMUNICATIONS FROM THE CITY ATTORNEY

None.

F & G CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

F The following communications were referred as indicated:

Passed on consent agenda

A motion was made by Councilmember Lumm, seconded by Councilmember Smith, that the Clerk's Report of Communications, Petitions and Referrals be approved as presented. On a voice vote, the Mayor declared the motion carried.

F-1 [20-1093](#) Notification of Ann Arbor Summer Festival City-affiliated Board of Trustees Nominations

G The following minutes were received for filing:

G-1 [20-1112](#) City of Ann Arbor Employees' Retirement System Board Meeting Minutes of June 18, 2020

G-2 [20-1113](#) Retiree Health Care Benefit Plan & Trust Board Meeting Minutes of June 18, 2020

- G-3** [20-1122](#) Independent Community Police Oversight Commission Meeting Minutes, from June 16, 2020 and July 1, 2020

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Eric Sturgis, resident, thanked Council for the conversation regarding Ranked Choice Voting.

Henry MacConnell, resident, urged the community to wear masks and asked Council to pass a local mask mandate.

Joe Spaulding, California resident, urged Ann Arbor to be a more progressive city.

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER LUMM

Councilmember Lumm responded to Mr. Spaulding's public comments regarding Ranked Choice Voting.

COUNCILMEMBER HAYNER

Councilmember Hayner spoke about a national movement regarding the future of live theatre.

Councilmember Hayner encouraged residents, including returning students, to practice good behavior regarding public health.

COUNCILMEMBER GRISWOLD

Councilmember Griswold also spoke about "party houses" and behavior choices during a pandemic.

MAYOR TAYLOR

Mayor Taylor also spoke about public health behavior.

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

None.

ADJOURNMENT

A motion was made by Councilmember Nelson, seconded by Councilmember Ramlawi, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 11:27 p.m.

COMMUNITY TELEVISION NETWORK (CTN) COMCAST CHANNEL 16, AT&T CHANNEL 99:

LIVE: THURSDAY, AUGUST 6, 2020 @ 7:00 P.M.

REPLAY: FRIDAY, AUGUST 7, 2020 @ 8:00 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

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

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

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

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

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

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