

City of Ann Arbor

301 E. Huron St.
Ann Arbor, MI 48104
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Meeting Minutes - Draft

Monday, December 5, 2022

7:00 PM

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Enter Meeting ID 942 1273 2148

Larcom City Hall, 301 E Huron St, Second floor, City Council Chambers

City Council

CALL TO ORDER

Mayor Christopher Taylor called the meeting of the Ann Arbor City Council to order at 7:00 p.m. in the Guy C. Larcom, Jr. Building, 2nd Floor Council Chambers, 301 E. Huron Street.

MOMENT OF SILENCE

Council stood for a moment of silence.

PLEDGE OF ALLEGIANCE

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

ROLL CALL OF COUNCIL

Present: 11 - Mayor Christopher Taylor, Councilmember Erica Briggs, Councilmember Lisa Disch, Councilmember Linh Song, Councilmember Jen Eyer, Councilmember Travis Radina, Councilmember Cynthia Harrison, Councilmember Ayesha Ghazi Edwin, Councilmember Chris Watson, Councilmember Dharma Akmon and Councilmember Jennifer Cornell

APPROVAL OF AGENDA

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

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

City Administrator Milton Dohoney Jr. presented the following written reports for information of Council and reported out on recent downtown engagement activities.

AC-1 [22-1961](#) Memorandum Regarding New Human Services Partnership Program - November 30, 2022

Received and Filed

AC-2 [22-1969](#) Agenda Response Memo and eComments - December 5, 2022

Received and Filed

AC-3 [22-1985](#) City Administrator's Report - December 5, 2022
Received and Filed

INT INTRODUCTIONS

INT-1 [22-1823](#) Independent Community Police Oversight Commission (ICPOC) Monthly Update
Frances Todoro-Hargraves, Chair of the Independent Community Police Oversight Commission, gave her monthly update to City Council.
Received and Filed

PUBLIC COMMENTARY (3 MINUTES PER SPEAKER, 45 MINUTES TOTAL)

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

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

FOR ZOOM MEETINGS, PHONE CALLERS CAN PRESS *9 TO RAISE HANDS AND *6 TO UNMUTE THEIR PHONES WHEN CALLED UPON TO SPEAK.

1. **Michelle Hughes - Resolution to Direct Planning Commission Following Stadium/Maple Rezoning to TC-1 (DC-5) (phone)**
Michelle Hughes, resident, spoke about DC-5, regarding changes to the Maple/Stadium TC-1 rezoning.

2. **Tom Stulberg - Resolution Regarding Bandemer-Barton Trail and Underpass Project MOU (CA-1); Resolution to Direct Planning Commission Following Stadium/Maple Rezoning to TC-1 (DC-5) (phone)**
Tom Stulberg, resident, spoke about several planning-related items on the agenda, including CA-1 and DC-5.

3. **Alex Lowe - Resolution Regarding the City's Contract with EyeMed Vision Care, LLC (CA-5) (phone)**
Alex Lowe, resident, spoke about DC-5, regarding the TC-1 rezoning of the Maple/Stadium area.

4. Thomas McKernan - Strategic Issues and Crime in Ann Arbor (in person)

Thomas McKernan, resident, expressed disappointment regarding the prioritization of bicycle lanes in the City and the recent increase in crime, including a death at Courthouse Square.

5. Erich Zechar - Resolution to Direct Planning Commission Following Stadium/Maple Rezoning to TC-1 (DC-5) (phone)

Erich Zechar, resident, spoke about TC-1 zoning and expressed interest in this type of zoning being utilized in the Plymouth Road area.

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER GHAZI EDWIN

Councilmember Ghazi Edwin spoke about her commitment to the creation of an ADA liaison position at the City.

COUNCILMEMBER DISCH

Councilmember Disch spoke about CA-1 and her excitement to see this project move forward.

COUNCILMEMBER SONG

Councilmember Song spoke about Universal Basic Income, stating the program is now being created as a "guaranteed income" and an RFP for a research partner for the project will likely be released soon.

COUNCILMEMBER BRIGGS

Councilmember Briggs thanked the Public Services staff for recent meetings about stormwater. She also announced some upcoming constituent coffee hours.

COUNCILMEMBER WATSON

Councilmember Watson announced his upcoming coffee hour.

- CC-1 [22-1905](#) Resolution to Appoint Anya Dale and Maisie Weyhing to the Environmental Commission (7 Votes Required)

Sponsors: Disch

The resolution of appointment was presented for approval at a later date.

Referred to the City Council due back on 12/19/2022

MC **COMMUNICATIONS FROM THE MAYOR**

- MC-1 [22-1783](#) Appointments - Confirmations

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

Employees Retirement System Board of Trustees

Mark Foster

Term Ending: May 31, 2025

Renters Commission

Jordan Else - Landlord Non-voting

Term Ending: May 31, 2024

Heidi Porcher - Landlord Non-voting

Term Ending: May 31, 2024

Geoffrey Lowes

Term Ending: May 31, 2024

Downtown Development Authority

Jessica Letaw-Reappointment

Term Ending: May 31, 2025

(Note: Previously appointed on May 17, 2021. This appointment is to correct an error in the term end date.)

Thressa Nichols

Term Ending: May 31, 2025

(Note: Previously appointed on October 17, 2022. This appointment is to correct an error in the term end date.)

Referred to the City Council due back on 12/19/2022

- MC-2** [22-1784](#) Resolution to appoint Julie Lynch to the Employees Retirement System Board of Trustees (7 votes required)
Mayor Taylor presented the Resolution of Appointment for approval at a later date.

Referred to the City Council due back on 12/19/2022

- MC-3** [22-1986](#) Resolution the Remove Kristen Cato from the Renters Commission and Appoint Jaymie Tibbits
Sponsors: Taylor
Mayor Taylor presented the Resolution to Remove Kristen Cato from the Renters Commission and to Appoint Jaymie Tibbits, for approval at a later date.

Referred to the City Council due back on 12/19/2022

CA CONSENT AGENDA

CONSENT AGENDA ITEMS REMOVED

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

CA-7 Resolution to Approve the Reallocation of American Rescue Plan Act (ARPA) Funds

CA-4 Resolution to Approve a Construction Contract with Insituform Technologies USA, LLC for the High Level Trunkline Sanitary Sewer Rehabilitation Phase 2 Project (\$4,242,055.60)

Passed on consent agenda

A motion was made by Councilmember Song, seconded by Councilmember Radina, that the following Consent Agenda Items be approved as presented. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement of CA-6.

- CA-1** [22-1824](#) **Enactment No: R-22-378** **Approved**
Resolution to Approve a Memorandum of Understanding Between the City of Ann Arbor and Washtenaw County for the Bandemer-Barton Trail and Underpass Project

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- CA-2** [22-1912](#) **Enactment No: R-22-379** **Approved**
Resolution to Approve a Spark Grant Application to the Michigan Department of Natural Resources Grants Management for Improvements at the Buhr Park Ice Arena
- CA-3** [22-1775](#) **Enactment No: R-22-380** **Approved**
Resolution to Approve Change Order No. 1 with Doan Construction Co. for the 2022 Annual Sidewalk and Ramp Repair Project (\$200,678.81, Total Contract Amount \$772,641.94; ITB 4677)
- CA-5** [22-1903](#) **Enactment No: R-22-381** **Approved**
Resolution to Approve the Amendment and Renewal of the City's Contract with EyeMed Vision Care LLC to Provide Vision Benefit Coverage to City Employees and their Eligible Dependents, and to Authorize the City Administrator to Execute the Necessary Documentation (\$340,000.00 for a forty-eight (48) month policy period, through 12/31/2026)
- CA-6** [22-1815](#) **Enactment No: R-22-382** **Approved**
Resolution to Accept Sanitary and Water Easements and Approve an Easement Agreement at Maple Village Condominium (8 Votes Required)
- CA-8** [22-1906](#) **Enactment No: R-22-383** **Approved**
Resolution to Renew the Professional Services Agreement with Huron Valley Ambulance, Inc. for the Provision of a Basic Life Support Ambulance
- CA-7** [22-1909](#) **Enactment No: R-22-384** **Approved**
Resolution to Approve the Reallocation of American Rescue Plan Act (ARPA) Funds

A motion was made by Councilmember Briggs, seconded by Councilmember Watson, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.
- CA-4** [22-1788](#) **Enactment No: R-22-385** **Approved**
Resolution to Approve a Construction Contract with Insituform Technologies USA, LLC for the High Level Trunkline Sanitary Sewer Rehabilitation Phase 2 Project (\$4,242,055.60)

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

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

FOR ZOOM MEETINGS, PHONE CALLERS CAN PRESS *9 TO RAISE HANDS AND *6 TO UNMUTE THEIR PHONES WHEN CALLED UPON TO SPEAK.

A APPROVAL OF COUNCIL MINUTES

A-1 [22-1929](#) Regular Session Meeting Minutes of November 21, 2022

A motion was made by Councilmember Watson, seconded by Councilmember Radina, that the Regular Session Meeting Minutes of November 21, 2022 be approved. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

C ORDINANCES - FIRST READING

D MOTIONS AND RESOLUTIONS

DC Unfinished Business - Council:

DC-1 [22-1797](#) Enactment No: R-22-386 **Approved
Resolution to Reappoint Sarah Mason as Representative and Molly Maciejewski as Alternate to the Washtenaw Regional Resource Management Authority (7 Votes Required)**

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

DC New Business - Council:

- DC-2 [22-1925](#) **Enactment No: R-22-387** **Approved**
Resolution to Adopt City Council Rules Following the 2022 General Election
- Sponsors:** Taylor
- A motion was made by Councilmember Ghazi Edwin, seconded by Councilmember Disch, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- DC-3 [22-1940](#) **Enactment No: R-22-388** **Approved**
Resolution to Approve 2023 Council Committee Appointments
- Sponsors:** Taylor and Radina
- A motion was made by Councilmember Radina, seconded by Councilmember Disch, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- DC-4 [22-1950](#) **Enactment No: R-22-389** **Approved**
Resolution to Approve 2023 Council Calendar
- Sponsors:** Taylor and Radina
- A motion was made by Councilmember Ghazi Edwin, seconded by Councilmember Eyer, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- DC-5 [22-1960](#) **Enactment No: R-22-390**
Resolution to Direct Planning Commission Following Stadium/Maple Rezoning toTC-1
- Sponsors:** Briggs, Disch, Cornell and Akmon
- A motion was made by Councilmember Akmon, seconded by Councilmember Cornell, that the Resolution be approved.**
- [22-1960](#) **Enactment No: R-22-390** **Amended**
Resolution to Direct Planning Commission Following Stadium/Maple Rezoning toTC-1
- Sponsors:** Briggs, Disch, Cornell and Akmon
- A motion was made by Councilmember Eyer, seconded by Councilmember Song, that the Resolution be amended as follows:**
- Strike Last Whereas Clause.**
- On a roll call, the vote was as follows with the Mayor declaring the motion carried:**

Yeas: 6 - Councilmember Song, Councilmember Eyer, Councilmember Radina, Councilmember Harrison, Councilmember Ghazi Edwin and Councilmember Akmon

Nays: 5 - Mayor Taylor, Councilmember Briggs, Councilmember Disch, Councilmember Watson and Councilmember Cornell

The question being, the motion that was made by Councilmember Akmon, seconded by Councilmember Cornell, that the Resolution be approved as amended. On a voice vote, the Mayor declared the motion carried.

DC-6 [22-1970](#) Motion to Suspend Council Rule 13 in Order to Reconsider the Resolution to Approve a Professional Services Agreement with Sam Schwartz Consulting, LLC (RFP 22-57; \$134,271.00) and Appropriate Funds for the State Trunkline Jurisdiction Transfer Study (\$160,000.00)

Sponsors: Briggs

A motion was made by Councilmember Briggs, seconded by Councilmember Radina:

I move, under Council Rule 19, to suspend Council Rule 13 regarding the time limitation for a motion to reconsider and the requirement that the motion to reconsider be made by a member of the prevailing side of the previous vote, in order to allow a motion to reconsider the September 19, 2022 Defeat of the Resolution to Approve a Professional Services Agreement with Sam Schwartz Consulting, LLC (RFP 22-57; \$134,271.00) and Appropriate Funds for the State Trunkline Jurisdiction Transfer Study (\$160,000.00)

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

22-1465 Enactment No: R-22-391 Reconsidered
Resolution to Approve a Professional Services Agreement with Sam Schwartz Consulting, LLC (RFP 22-57; \$134,271.00) and Appropriate Funds for the State Trunkline Jurisdiction Transfer Study (\$160,000.00) (8 Votes Required)

A motion was made by Councilmember Briggs, seconded by Councilmember Disch, that the Resolution be reconsidered:

I move to reconsider the September 19, 2022 Defeat of the Resolution to Approve a Professional Services Agreement with Sam Schwartz Consulting, LLC (RFP 22-57; \$134,271.00) and Appropriate Funds for the State Trunkline Jurisdiction Transfer Study (\$160,000.00). I voted on the defeated side of the original motion.

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

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

DB New Business - Boards and Commissions:

DS New Business - Staff:

DS-1 22-1908 Enactment No: R-22-392 Approved
Resolution to Authorize the Purchase of a 2023 Road Rescue Ultramedic III Ambulance from Emergency Vehicles Plus Inc. (HGACBuy Cooperative Purchasing Agreement - \$295,085.00)

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

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

A motion was made by Councilmember Cornell, seconded by Councilmember Disch, that Council enter into Closed Session to discuss the purchase or lease of real property as set forth in MCL 15.268 (d). On a roll call, the vote was as follows with the Mayor declaring the motion carried and the meeting adjourned in Closed Session at 8:40 p.m.:

Yeas: 11 - Mayor Taylor, Councilmember Briggs, Councilmember Disch, Councilmember Song, Councilmember Eyer, Councilmember Radina, Councilmember Harrison, Councilmember Ghazi Edwin, Councilmember Watson, Councilmember Akmon and Councilmember Cornell

Nays: 0

MEETING RECONVENED

A motion was made by Councilmember Ghazi Edwin, seconded by Councilmember Cornell, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened in Open Session at 9:52 p.m.

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

E The following communications were referred as indicated:

Passed on consent agenda

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

E-1 [22-1921](#) Communication from the State of Michigan Public Service Commission Regarding Notice of a Hearing for Electric Customers of DTE Electric Company in Case No. U-21193 Scheduled for December 1, 2022 - Sustainability - City Attorney

- E-2** [22-1922](#) Communication from the State of Michigan Public Service Commission Regarding Notice of a Hearing for Electric Customers of DTE Electric Company in Case No. U-21259 Scheduled for November 30, 2022 - Sustainability - City Attorney
- E-3** [22-1923](#) Communication from Michigan Department of Environment, Great Lakes, and Energy (EGLE), Water Resources Division, Regarding the Public Notice Documents for the Racquet Club of Ann Arbor, NPDES COC No. MIG760068 - Ann Arbor Public Services - Sustainability
- E-4** [22-1926](#) Communication from Washtenaw County Board of Canvassers Regarding the Canvass of Votes Cast at the November 8, 2022 General Election
- E-5** [22-1935](#) Cynthia Harrison - Resignation from the Independent Community Police Oversight Commission.
- E-6** [22-1936](#) Eric Mahler - Resignation from the Ann Arbor Area Transportation Authority Board.

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

- F-1** [22-1416](#) Council of the Commons Meeting Minutes, July 7, 2022
- F-2** [22-1483](#) August 3, 2022 City Planning Commission Meeting Minutes
- F-3** [22-1484](#) August 16, 2022 City Planning Commission Meeting Minutes
- F-4** [22-1670](#) HRC September 2022 Meeting Minutes
- F-5** [22-1887](#) Ann Arbor Housing Commission Board Minutes October 19, 2022
- F-6** [22-1901](#) Cable Communication Commission May 2022 Meeting Minutes
- F-7** [22-1805](#) Council of the Commons Draft Minutes October 6, 2022

G **COMMUNICATIONS FROM THE CITY ATTORNEY**

None.

PUBLIC COMMENT - CONTINUED (3 MINUTES EACH - IF NECESSARY)

***THIS SECTION IS FOR SPEAKERS WHO SIGNED UP FOR PUBLIC COMMENTARY BUT WERE UNABLE TO SPEAK AT THE BEGINNING OF THE MEETING DUE TO THE 45-MINUTE TIME LIMIT.**

FOR ZOOM MEETINGS, PHONE CALLERS CAN PRESS *9 TO RAISE HANDS AND *6 TO UNMUTE THEIR PHONES WHEN CALLED UPON TO SPEAK.

(Not necessary.)

ADJOURNMENT

A motion was made by Councilmember Disch, seconded by Councilmember Ghazi Edwin, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 9:53 p.m.

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

LIVE: MONDAY, DECEMBER 5, 2022 @ 7:00 P.M.

REPLAY: FRIDAY, DECEMBER 9, 2022 @ 8:00 P.M.

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

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