



City of Ann Arbor

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

Meeting Agenda - Final City Council

Tuesday, September 7, 2021

7:00 PM

Electronic Meeting

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

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

Enter Meeting ID 942 1273 2148

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ROLL CALL OF COUNCIL

APPROVAL OF AGENDA

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

AC-1 [21-1584](#) Agenda Response Memo and eComments - September 7, 2021
(City Administrator - John Fournier, Acting City Administrator)
Attachments: 210907 Agenda Response Memo Final .pdf, 09-07-21 eComments.pdf
(Added 9/2/21) (Attachment Added 9/7/21)

AC-2 [21-1593](#) City Administrator's Report - September 7, 2021
(City Administrator - John Fournier, Acting City Administrator)
Attachments: 210907 City Administrator's UpdateFinal.pdf
(Added 9/7/21)

INT INTRODUCTIONS

INT-1 [21-1474](#) Independent Community Police Oversight Commission (ICPOC) Monthly Update
(City Administrator)

INT-2 [21-1569](#) 2021 Recovery Month Proclamation
(Mayor's Office)

Attachments: Recovery Month 2021.pdf
(Added 8/31/21)

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. **Lauren Sargent - Feasibility Study Regarding a Public Power Utility (DC-1)**
2. **Kathleen Murphey - Feasibility Study Regarding a Public Power Utility (DC-1)**
3. **Sean Higgins - Feasibility Study Regarding a Public Power Utility (DC-1)**
4. **Peter Houk - Resolution to Waive Sidewalks at the Racquet Club of Ann Arbor (DS-1)**
5. **Brandon Dimcheff - Resolution to Waive Sidewalks at the Racquet Club of Ann Arbor (DS-1)**
6. **Anne Bannister - Resolution to Waive Sidewalks at the Racquet Club of Ann Arbor (DS-1)**

CC COMMUNICATIONS FROM COUNCIL

MC COMMUNICATIONS FROM THE MAYOR

MC-1 [21-1485](#) Resolution Appointing Members to the Hayden House Historic District Study Committee
(Community Services - Derek Delacourt, Community Services Area Administrator)

Sponsors: Taylor

CA CONSENT AGENDA

- CA-1** [21-1395](#) Resolution to Approve the Purchase of Ice Control Salt through the Michigan Delivering Extended Agreements Locally (MiDEAL) from the Detroit Salt Company for Early Fill (\$57,340.00) and for Seasonal Backup Supply (\$191,800.00)
(Public Works - Craig Hupy, Public Services Area Administrator)
Attachments: Detroit Salt Pricing-MiDeal Early Fill.pdf, Detroit Salt Pricing-MiDeal Seasonal Backup.pdf
- CA-2** [21-1451](#) Resolution to Authorize a Purchase Order to Carrier & Gable, Inc. for Traffic Control Materials and Supplies (\$423,500.00)
(Engineering - Craig Hupy, Public Services Area Administrator)
Attachments: DYMEC Sole Source 2021.pdf, Clary Sole Source 2021.pdf, Encom Sole Source 2021.pdf, Dialight Sole Source 2021.doc.pdf, Qwick Kurb Sole Source 2021.pdf, Union Metal Sole Source 21.pdf, Carmanah Sole Source 2021.pdf, POLARA Sole Source 2021.pdf, MIDeal Contract 20000000552.pdf
- CA-3** [21-1452](#) Resolution to Authorize a Sole Source Purchase Order to Yunex Traffic LLC for Siemens Traffic Control Products in the Amount of \$367,000.00
(Engineering - Craig Hupy, Public Services Area Administrator)
Attachments: Yunex Sole Source 2021.pdf
- CA-4** [21-1397](#) Resolution to Approve a Purchase Order with Trojan Technologies for Replacement Parts at the Wastewater Treatment Plant (\$200,000.00)
(Waste Water Treatment Plant - Craig Hupy, Public Services Area Administrator)
Attachments: Troajn FY22 Annual Quote 124410 .pdf, Trojan sole source Ann Arbor MI July 21 2021.pdf
- CA-5** [21-1439](#) Resolution to Approve Amendment No. 3 to the General Services Agreement for Electrical and Instrumentation Support Services with Utilities Instrumentation Service, RFP #19-23, Filter Pipe Gallery Flood Rehabilitation Project (\$176,117.87, Contract Total \$1,736,117.87)
(Water Treatment Plant Services - Craig Hupy, Public Services Area Administrator)
Attachments: Legislation Details_R-20-398.pdf, R-20-073_Legislation Details.pdf, R-19-424Legislation Details.pdf, Amendment_No_3_GSA_UIS_Aug 21.pdf, UIS Contract.pdf, AMENDMENT - 1 for UTILITIES INSTRUMENTATION SERVICE, INC. - WATE (1).pdf, AMENDMENT - 2 for UTILITIES INSTRUMENTATION SERVICE, INC. - WATE (2).pdf

- CA-6** [21-1455](#) Resolution to Approve Amendment No. 1 to the Professional Services Agreement with Fishbeck, for Water Treatment Professional Engineering Services (\$350,000.00 Contract Total \$850,000.00)
(Water Treatment Plant Services - Craig Hupy, Public Services Area Administrator)
Attachments: FB, TT, S - Resolution R-20-168.pdf, Amendment_No_1_PSA_Fishbeck_Aug 2021.pdf, Fishbeck Contract FY21+ (4).pdf
- CA-7** [21-1499](#) Resolution to Ratify an Emergency Purchase Order to E.T. MacKenzie Company for Plant Effluent Water Leak Repair at the Wastewater Treatment Plant (\$40,000.00)
(Waste Water Treatment Plant - Craig Hupy, Public Services Area Administrator)
Attachments: MacKenzie Emergency PO Approval Memo 08-10-21.pdf, 12142 AAWWTP TM Schedule of Values.pdf
- CA-8** [21-1399](#) Resolution to Approve a Construction Contract with Commercial Contracting Corporation for the WWTP Clear Well Improvements Project (\$1,335,000.00, ITB 4680)
(Waste Water Treatment Plant - Craig Hupy, Public Services Area Administrator)
Attachments: Commercial Contracting Corporation Clear Well Bid 6.1.21.pdf, ITB_4680_BidTab.pdf, Clear Well_Specifications.pdf, Clear Wells_Drawings.pdf, Commercial Contracting Contract ITB 4680.pdf, ITB_4680_Document.pdf, ITB_4680_Addendum1.pdf
- CA-9** [21-1414](#) Resolution to Approve Amendment No. 1 to the Professional Services Agreement with Orchard, Hiltz & McCliment, Inc. d/b/a OHM Advisors for the Wastewater Treatment Plant (WWTP) Clear Well Improvements Project, RFP No. 19-13 (\$208,000.00 Amendment, \$341,036.00 Contract Total)
(Waste Water Treatment Plant - Earl Kenzie, WWTP Manager)
Attachments: OHM Clear Well Amendment 1.pdf, Exhibit B-1_ClearWell Fee.pdf, Exhibit A-1_Clear Well Scope.pdf
- CA-10** [21-1426](#) Resolution to Approve a Construction Contract with Z Contractors, Inc. for the Replacement of Sequoia No. 1 and Sequoia No. 2 Sewage Lift Stations, ITB No. 4670 (\$732,777.00)
(Waste Water Treatment Plant - Earl Kenzie, WWTP Manager)
Attachments: ITB_4670_BidTab.pdf, Z Contractors Bid.pdf, Z Contractors Draft Contract.pdf

- CA-11 [21-1415](#) Resolution to Approve Amendment No. 3 to the Professional Services Agreement with Hubbell, Roth & Clark, Inc. for the Lift Station Replacement Project, RFP No. 18-35 (\$141,666.00 Amendment, \$422,924.00 contract total)
(Waste Water Treatment Plant - Craig Hupy, Public Services Area Administrator)
Attachments: HRC Sequoia Exhibits A_B.pdf, HRC Amendment 3_Sequoia LS.pdf
- CA-12 [21-1429](#) Resolution to Approve a Professional Services Agreement with NTH Consultants, Ltd. to Design the Access Bridge Replacement Project at the Wastewater Treatment Plant, RFP No. 21-17 (\$290,172.00)
(Waste Water Treatment Plant - Earl Kenzie, Manager)
Attachments: NTH_Agreement.pdf, Exhibit A-1 - WWTP Bridge Project.pdf, Exhibit B-1 - WWTP Bridge Replacement.pdf
- CA-13 [21-1467](#) Resolution to Approve a Professional Services Agreement with ATC Group Services LLC for Environmental Services at 2000 S. Industrial Highway and to Appropriate Funding in the Amount of \$60,000.00 from the Water Supply System Fund Balance **(8 Votes Required)**
(Fleet & Facilities Services - John Fournier, Assistant City Administrator)
Attachments: ATC Proposal Part 201 RI 062821.PDF, ATC Group Services PSA.pdf
- CA-14 [21-1558](#) Resolution to Endorse the Reallocation of Funds within the General Fund to Support a More Robust Diversity, Equity, and Inclusion Program in the City of Ann Arbor
(City Administrator - John Fournier, Acting City Administrator)
(Revised 9/2/21)
- CA-15 [21-1486](#) Resolution to Approve a Purchase Order to Michigan Supreme Court State Court Administrative Office for Judicial Information System Costs for FY 2022 (\$44,625.00)
(Information Technology Services - Tom Shewchuk, ITSU Director)
- CA-16 [21-1552](#) Resolution to Approve Street Closure for 9/11 Remembrance Ceremony on Saturday, September 11, 2021
(Fire Services - Mike Kennedy, Chief)
Attachments: Ann Arbor FD - September 11 Ceremony.pdf, Road Closure Map 9-11 Ceremony.pdf

- CA-17 [21-1556](#) Resolution to Approve Street Closing for the Ann Arbor SPARK Tech Talk and Mobility Row on Friday, October 8, 2021 from 6:00 AM until 8:00 PM
(Community Services - Derek Delacourt, Community Services Area Administrator)
Attachments: Tech Trek Map.pdf, Tech Trek Flyer.pdf

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

- PH-1 [21-1253](#) An Ordinance to Amend Sections 5.25, 5.33, 5.37.2.B, 5.37.2.C, 5.37.2.F, 5.37.2.G, 5.37.2.I, 5.37.2.L, 5.37.2.P, and 5.37.2.S Of Chapter 55 (Unified Development Code) Of Title V of The Code of The City of Ann Arbor (Outdoor Lighting) (ORD-21-23)
(City Planning Commission - Derek Delacourt, Community Services Area Administrator)
Sponsors: Disch, Briggs, Griswold and Hayner
Attachments: ORD-21-23 Briefed.pdf, Outdoor Lighting Staff Report 081420.pdf, LightingOrdinanceREV.pdf, 8-18-2020 CPC Approved Minutes.pdf, 8-27-21 - UMICH Outdoor Lighting measures summary.pdf
(See B-1)

- PH-2 [21-1264](#) An Ordinance to Amend Section 5.16.6 of Chapter 55 (Unified Development Code) of Title V of The Code of The City of Ann Arbor (Home Occupations) (ORD-21-24)
(City Planning Commission - Derek Delacourt, Community Services Area Administrator)
Sponsors: Disch
Attachments: ORD-21-24 Briefed.pdf, Chapter 55 Home Occupation Ordinance as Amended at First Reading on 080221.pdf, Home Occupation Ordinance FINAL.pdf, Staff Report - Home Occupations - May 18 2021 Planning Commission.pdf, 5-18-2021 CPC Approved Minutes w Links.pdf
(See B-2)

A APPROVAL OF COUNCIL MINUTES

- A-1 [21-1533](#) Special Session of August 4 and Special and Regular Session Meeting Minutes of August 16, 2021
(City Clerk - Jacqueline Beaudry)
Attachments: 08-04-21 Special Session Minutes.pdf, 08-16-21 Special Session Minutes.pdf, 08-16-21 Draft Minutes.pdf, Council Emails 8-16-2021.pdf, ACS_CAA_8.16.21.pdf

B ORDINANCES - SECOND READING

- B-1** [21-1253](#) An Ordinance to Amend Sections 5.25, 5.33, 5.37.2.B, 5.37.2.C, 5.37.2.F, 5.37.2.G, 5.37.2.I, 5.37.2.L, 5.37.2.P, and 5.37.2.S Of Chapter 55 (Unified Development Code) Of Title V of The Code of The City of Ann Arbor (Outdoor Lighting) (ORD-21-23)
(City Planning Commission - Derek Delacourt, Community Services Area Administrator)
Sponsors: Disch, Briggs, Griswold and Hayner
Attachments: ORD-21-23 Briefed.pdf, Outdoor Lighting Staff Report 081420.pdf, LightingOrdinanceREV.pdf, 8-18-2020 CPC Approved Minutes.pdf, 8-27-21 - UMICH Outdoor Lighting measures summary.pdf
(See PH-1)
- B-2** [21-1264](#) An Ordinance to Amend Section 5.16.6 of Chapter 55 (Unified Development Code) of Title V of The Code of The City of Ann Arbor (Home Occupations) (ORD-21-24)
(City Planning Commission - Derek Delacourt, Community Services Area Administrator)
Sponsors: Disch
Attachments: ORD-21-24 Briefed.pdf, Chapter 55 Home Occupation Ordinance as Amended at First Reading on 080221.pdf, Home Occupation Ordinance FINAL.pdf, Staff Report - Home Occupations - May 18 2021 Planning Commission.pdf, 5-18-2021 CPC Approved Minutes w Links.pdf
(See PH-2)
- C** **ORDINANCES - FIRST READING**
- C** **New Business - Staff:**
- C-1** [21-1258](#) An Ordinance to Add Sections 10:147 and to Amend Sections 10:1c, 10:90, 10:97, 10:146, and 10:149 of Chapter 126 (Traffic) of Title X of the Code of the City of Ann Arbor (Personal Mobility Vehicle)
(Engineering - Craig Hupy, Public Services Area Administrator)
Attachments: Personal Mobility Ordinance.pdf, Transportation Commission Proposed Personal Mobility Ordinance (track changes from existing ordinance)_FINAL_2021.08.04.pdf, Trans Comm May 2021 Meeting Minutes FINAL.pdf
- C-2** [21-1512](#) An Ordinance to Amend Chapter 107 (Animals) of Title IX (Police Regulations) of the Ann Arbor City Code
(City Council)
Sponsors: Taylor and Eyer
Attachments: Amendments to Chapter 107 (Animals) Title IX Revised 090321.pdf, Amendments to Chapter 107 (Animals) Title IX .pdf
(Revised 9/3/21)

D MOTIONS AND RESOLUTIONS**DC New Business - Council:**

- DC-1 [21-1543](#) Resolution Directing the Energy Commission to Consider the Question of a Feasibility Study Regarding a Public Power Utility

(City Council)

Sponsors: Nelson and Griswold

- DC-2 [21-1562](#) Resolution in Support of Good Food Procurement Policies

(City Council)

Sponsors: Nelson and Disch

DB New Business - Boards and Commissions:

- DB-1 [21-1427](#) Resolution to Approve Revised Bylaws of the Energy Commission

(Energy Commission - Missy Stults, Sustainability & Innovation Manager)

Attachments: Energy Commission bylaws - approved by EC 7.13.21.pdf

- DB-2 [21-1506](#) Resolution to Approve Revised Bylaws of the Planning Commission

(City Planning Commission - Derek Delacourt, Community Services Area Administrator)

Attachments: Proposed Planning Commission Modifications - 9-7-21 CC.pdf, CPC By-Laws Staff Report - 8-18-20.pdf, CPC By-Laws Staff Report - 7-22-21.pdf

DS New Business - Staff:

- DS-1 [21-1443](#) Resolution to Waive Sidewalks at the Racquet Club of Ann Arbor (RCAA), 3010 Hickory Lane

(Community Services - Derek Delacourt, Community Services Area Administrator)

Attachments: 2021 Racquet Club Sidewalk Waiver1.pdf, 2021-07-09 Racquet Club Site Plan Submi.pdf

- DS-2 [21-1254](#) Resolution Authorizing Summary Publication of Ordinance 21-23 - An Ordinance to Amend Sections 5.25, 5.33, 5.37.2.B, 5.37.2.C, 5.37.2.F, 5.37.2.G, 5.37.2.I, 5.37.2.L, 5.37.2.P, And 5.37.2.S of Chapter 55 (Unified Development Code) of Title V of The Code of The City of Ann Arbor - Amendments to Outdoor Lighting Regulations

(Planning and Development Services - Derek Delacourt, Community Services Area Administrator)

- DS-3 [21-1265](#) Resolution Authorizing Summary Publication of Ordinance 21-24 - An Ordinance to Amend Section 5.16.6 of Chapter 55 (Unified Development Code) of Title V of The Code of The City of Ann Arbor - Amendments to Home Occupations
- (Planning and Development Services - Derek Delacourt, Community Services Area Administrator)

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).

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

E The following communications were referred as indicated:

- E-1 [21-1492](#) Communication from Comcast regarding Great American Country (GAC) Channel changes, effective August 19, 2021 - CTN, City Attorney
- (City Clerk - Jacqueline Beaudry)
- Attachments:** Comcast Communication.pdf
- E-2 [21-1534](#) Communication from Michigan Governor Gretchen Whitmer regarding Approval of the Proposed Charter Amendments to Section 14.2 of the Ann Arbor City Charter for the November 2021 Ballot
- (City Clerk - Jacqueline Beaudry)
- Attachments:** 2021-08-12 Gov Approval Letter- City of Ann Arbor Signed.pdf
- E-3 [21-1536](#) Communication from the State of Michigan Public Service Commission regarding Notice of a Public Hearing for Electric Customers of DTE Electric Company in Case No. U-21010 Scheduled for September 15, 2021 - Sustainability - City Attorney
- (City Clerk - Jacqueline Beaudry)
- Attachments:** DTE Communication U-21010.pdf
- E-4 [21-1544](#) Communication from AT&T Michigan regarding Filing Attachment 2 to the Uniform Video Service Local Franchise Agreement and to Provide Notice that AT&T Michigan has Transferred the Agreement to a New Entity, DIRECTV, LLC - CTN, City Attorney
- (City Clerk - Jacqueline Beaudry)
- Attachments:** ATT Communication.pdf

- E-5 [21-1547](#) Communications from the State of Michigan Department of Attorney General regarding Approval of the Proposed Charter Amendment to Section 13.4(a) and 13.5(a) of the Ann Arbor City Charter for the November 2021 Ballot
(City Clerk - Jacqueline Beaudry)
Attachments: AA rcv AG Pkg to Gov 8.23.21.pdf
- E-6 [21-1553](#) Communication from Michigan Department of Environment, Great Lakes, and Energy (EGLE) Water Resources Division regarding a Public Hearing Notice concerning Application Submittal No. HP9-F9N1-G87EN V3 - Ann Arbor Public Services - Sustainability
(City Clerk - Jacqueline Beaudry)
Attachments: EGLE Submittal No. HP9-F9N1-G87EN V3.pdf
- E-7 [21-1559](#) Communication from Michigan Governor Gretchen Whitmer regarding Approval of the Proposed Charter Amendment to Sections 13.4(a) and 13.5 (a)-(c) of the Ann Arbor City Charter for the November 2021 Ballot
(City Clerk - Jacqueline Beaudry)
Attachments: 2021-08-24 Gov Approval Letter- City of Ann Arbor Signed.pdf
- E-8 [21-1574](#) Robert Guenzel - Resignation from the Ann Arbor Downtown Development Authority
(City Clerk - Jacqueline Beaudry)
Attachments: Guenzel Resignation Letter.pdf
(Added 8/31/21)
- F **The following minutes were received for filing:**
- F-1 [21-1133](#) April 8, 2021 Historic District Commission Meeting Minutes
(Historic District Commission)
Attachments: 4-8-2021 Historic District Commission Approved Minutes.pdf
- F-2 [21-1134](#) May 13, 2021 Historic District Commission Meeting Minutes
(Historic District Commission)
Attachments: 5-13-2021 Historic District Commission Minutes w Links.pdf
- F-3 [21-1410](#) Ann Arbor Public Art Commission Meeting Minutes - June 2021
(Ann Arbor Public Art Commission)
Attachments: AAPAC Meeting Minutes - June 2021(2).pdf

- F-4 [21-1494](#) Council Liquor License Review Committee Meeting Minutes of April 12, 2021
(City Clerk - Jacqueline Beaudry)
Attachments: Council Liquor Committee minutes 041221.pdf
- F-5 [21-1508](#) Council Administration Committee Minutes - July 13, 2021
(Council Administration Committee)
Attachments: 210713 Council Administration Committee Minutes Final.pdf
- F-6 [21-1524](#) Ann Arbor Housing Commission Board Minutes July 21, 2021
(Housing Commission)
Attachments: AAHC Board Minutes 7.21.2021.pdf

G COMMUNICATIONS FROM THE CITY ATTORNEY

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

COMMUNICATIONS FROM COUNCIL

ADJOURNMENT

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

LIVE: TUESDAY, SEPTEMBER 7, 2021 @ 7:00 P.M.

REPLAY: FRIDAY, SEPTEMBER 10, 2021 @ 8:00 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

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

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.

A hard copy of this Council packet can be made available upon request.