



City of Ann Arbor

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

Meeting Agenda - Final City Council

Monday, October 3, 2022

7:00 PM

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

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

Public commentary can be made in person or by calling: 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

City AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

AC-1 [22-1630](#) Agenda Response Memo and eComments - October 3, 2022
(City Administrator - Milton Dohoney, Jr., City Administrator)

Attachments: 221003 Agenda Response Memo.pdf, ecomments_export.pdf
(Added 9/29/22) (Attachment Added 10/3/22)

AC-2 [22-1648](#) Memorandum from City Administrator - Unarmed Response Community Engagement - October 3, 2022
(City Administrator - Milton Dohoney Jr., City Administrator)

Attachments: 221003 Unarmed Response Community EngagementFinal.pdf
(Added 10/3/22)

AC-3 [22-1647](#) City Administrator's Report - October 3, 2022
(City Administrator - Milton Dohoney Jr., City Administrator)

Attachments: 221003 City Administrator's Report Final.pdf
(Added 10/3/22)

INT INTRODUCTIONS

- INT-1** [22-1536](#) Independent Community Police Oversight Commission (ICPOC) Monthly Update
(City Administrator - Milton Dohoney Jr., City Administrator)

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**

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

1. **Ralph McKee - W. Stadium and N. Maple Area TC1 Ordinance (C-1) (in person)**
2. **Jim Pyke - W. Stadium and N. Maple Area TC1 Ordinance (C-1) (in person)**
3. **Eric Lipson - W. Stadium and N. Maple Area TC1 Ordinance (C-1) (in person)**
4. **Robert Joerg - Resolution to Order Election, Approve Charter Amendment to Establish Non-Partisan Nomination and Election for the Offices of Mayor and Council, and Determine Ballot Language (DC-3) (in person)**
5. **Peter Eckstein - Resolution in Support of Improved Safety Barriers at Parking Decks (DC-7) (in person)**
6. **Jonathan Levine - W. Stadium and N. Maple Area TC1 Ordinance (C-1) (phone)**
7. **Tom Stulberg - W. Stadium and N. Maple Area TC1 Ordinance (C-1) (phone)**
8. **James D'Amour - W. Stadium and N. Maple Area TC1 Ordinance (C-1) (phone)**
9. **Adam Goodman - W. Stadium and N. Maple Area TC1 Ordinance (C-1) (phone)**
10. **Anne Bannister - W. Stadium and N. Maple Area TC1 Ordinance (C-1) (phone)**

Alternates:

1. **Adam Jaskiewicz - W. Stadium and N. Maple Area TC1 Ordinance (C-1) Resolution to Restrict Turns on Red Downtown (DC-1) (phone)**

2. Daniel Adam - W. Stadium and N. Maple Area TC1 Ordinance (C-1) (phone)**CC COMMUNICATIONS FROM COUNCIL****MC COMMUNICATIONS FROM THE MAYOR****MC-1 [22-1523](#) Appointments - Confirmations**

(Mayor's Office)

(Referred from 9/19/22 Regular Session)

MC-2 [22-1610](#) Nominations and Appointments for October 3, 2022

(Mayor's Office)

CA CONSENT AGENDA**CA-1 [22-1592](#) Resolution to Amend the Hours of the City Clerk Satellite Office on the University of Michigan Campus for the November 8, 2022 General Election at the Museum of Art (UMMA) on Friday, October 14, 2022**

(City Clerk - Jacqueline Beaudry, City Clerk)

CA-2 [22-1447](#) Resolution to Authorize a Best Source Purchase Order for Hot Mix Asphalt (HMA) and Emulsion to Cadillac Asphalt, LLC (Not to Exceed \$146,000.00), and to Appropriate \$75,000.00 from the Central Stores Fund Balance **(8 Votes Required)**

(Public Works - Brian Steglitz, Interim Public Services Area Administrator)

Attachments: 2022 HMA Quote.pdf, 2023 HMA Quote.pdf

CA-3 [22-1505](#) Resolution to Acknowledge and Make Public a Three-Year Cost Benefit Analysis and to Set a Public Hearing Regarding Access by Commercial Users to the City of Ann Arbor's Fiber Optic Network in Compliance with Michigan's METRO Act

(Information Technology Services - Tom Shewchuk, ITSU Director)

Attachments: METRO Act.pdf, A2 Community Fiber Cost Benefit Analysis - Final.pdf

CA-4 [22-1518](#) Resolution Levying Certain Delinquent Municipal Solid Waste, Board Up, Clean Up, Vacant Property Inspection Fees, Housing Inspection Fees, False Alarm Fees, and Fire Inspection Fees as Special Assessments and Ordering Collection Thereof

(Treasury Services - Mike Pettigrew, Treasurer)

Attachments: Winter 2022 Combined Schedule A.pdf

- CA-5 [22-1520](#) Resolution to Assess Certain Delinquent Municipal Utility Charges as a Special Assessment and Ordering Collection Thereof
(Treasury Services - Michael Pettigrew, Treasurer)
Attachments: 09.06.2022 WATER SCHEDULE A.pdf
- CA-6 [22-1524](#) Resolution to Accept an Easement for Public Right-of-Way at 800 S. Maple Road from the Ann Arbor Housing Commission **(8 Votes Required)**
(City Attorney Services - Atleen Kaur, City Attorney)
Attachments: AAHC Russell Street ROW Easement Map.pdf
- CA-7 [22-1547](#) Resolution to Accept the Fiscal Year (FY) 2021 Assistance to Firefighters Grant (AFG) Grant Funding Opportunity in the Amount of \$49,493.47 in Federal Funding, to Approve Share of Matching Grant Funds \$4,949.35 for the Purchase of Firefighting Turnout Gear Washer Extractors and Dryers, and to Appropriate \$54,443.82 to the Major Grants Programs Fund **(8 Votes Required)**
(Fire Services - Mike Kennedy, Fire Chief)
Attachments: Assistance to Firefighters EMW-2021-FG-00637 - Award Package.pdf
- CA-8 [22-1614](#) Resolution to Accept and Appropriate Emergency Management Performance Grant Funds and Approve FY 2022 Emergency Management Performance Grant Agreement for Ann Arbor Emergency Management Program (\$49,544) **(8 Votes Required)**
(Fire Services - Mike Kennedy, Chief)
Attachments: 2023 EMPG Fiscal 2022.pdf
- CA-9 [22-1551](#) Resolution to Approve Amendment of the 907 & 913 S. Main Street Development Agreement to Modify Sequence of Construction
(Community Services - Derek Delacourt, Community Services Area Administrator)
Attachments: 907 & 913 S. Main Street - Development Agreement - FULLY EXECUTED.pdf, 907 & 913 S Main Staff Report w Maps12-1-20.pdf
- CA-10 [22-1562](#) Resolution to Approve Third Amendment to State Street Lofts Development Agreement to Remove Parking Requirements and Terminate Parking Agreement
(Community Services - Derek Delacourt, Community Services Area Administrator)
Attachments: State Street Lofts Third Amendment 9.20.22.pdf, State Street Lofts Parking Agreement Termination.pdf, Corner House-State St Lofts - Parking, Development Agreement, 1st and 2nd Amendments.pdf
- CA-11 [22-1557](#) Resolution to Approve Amendment to Midtown Ann Arbor Development Agreement to Modify Sequence of Construction

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

Attachments: Midtown DA RECORDED.pdf, Midtown Development Agreement 9-29-22.pdf

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.

PH-1 [22-1468](#) An Ordinance to Amend Section 8:530 and Add Section 8:531 to Chapter 105 (Housing Code) of Title VIII of the Ann Arbor City Code - (Right to Renew and Relocation Assistance) (ORD-22-15)

(City Council)

Sponsors: Nelson, Radina, Griswold, Briggs, Eyer, Song and Disch

Attachments: ORD-22-15 Briefed.pdf, Substitute Ordinance Chapter 105 Amendments - FINAL.pdf, Proposed Revised Ordinance to Add Section 8531 to Chapter 105.pdf, RTR Ordinance 9-15 draft recommendations from RC.pdf, Ordinance to Add Section to Chapter 105 Right to Renew and Relocation Assistance.pdf

(See B-1)

A APPROVAL OF COUNCIL MINUTES

A-1 [22-1619](#) Regular Session Meeting Minutes of September 19, 2022

(City Clerk - Jacqueline Beaudry, City Clerk)

Attachments: 09-19-22 Draft Minutes.pdf, Council Emails 9.19_Redacted.pdf

B ORDINANCES - SECOND READING

B-1 [22-1468](#) An Ordinance to Amend Section 8:530 and Add Section 8:531 to Chapter 105 (Housing Code) of Title VIII of the Ann Arbor City Code - (Right to Renew and Relocation Assistance) (ORD-22-15)

(City Council)

Sponsors: Nelson, Radina, Griswold, Briggs, Eyer, Song and Disch

Attachments: ORD-22-15 Briefed.pdf, Substitute Ordinance Chapter 105 Amendments - FINAL.pdf, Proposed Revised Ordinance to Add Section 8531 to Chapter 105.pdf, RTR Ordinance 9-15 draft recommendations from RC.pdf, Ordinance to Add Section to Chapter 105 Right to Renew and Relocation Assistance.pdf

(See PH-1)

C ORDINANCES - FIRST READING

C New Business - Staff:

- C-1 [22-1472](#) An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of 190 Parcels in the W Stadium and N Maple Area to TC1 (Transit Corridor District), City-Initiated Rezoning, (CPC Recommendation: Approval - 6 Yeas and 0 Nays)
(City Planning Commission - Derek Delacourt, Community Services Area Administrator)
Attachments: Ordinance to Rezone TC1 West Stadium Area.pdf, Staff Report 8-16-22 (W Stadium area TC1 rezoning).pdf, 8-16-2022 CPC Approved Meeting Minutes.pdf

D MOTIONS AND RESOLUTIONS

D Unfinished Business - City Council:

- DC-1 [22-1579](#) Resolution to Restrict Turns on Red Downtown
(City Council)
Sponsors: Briggs, Grand and Song
Attachments: 220930 NTOR Memo to Council.pdf, DC-1 Proposed Amendment.pdf
(Postponed from 9/19/22 Regular Session) (Attachments Added 9/30/22)

DC New Business - Council:

- DC-2 [22-1624](#) Resolution Recognizing the Mitchell School Parent-Teacher Organization, Inc. as a Civic Nonprofit Organization Operating in Ann Arbor for the Purpose of Obtaining a Charitable Gaming License
(City Council)
Sponsors: Grand and Radina
Attachments: Charitable Gaming License - Ann Arbor Application - MitchellPTO.pdf, Mitchell School PTO 501(c)3.pdf
(Added 9/27/22)
- DC-3 [22-1626](#) Resolution to Order Election, Approve Charter Amendment of the Ann Arbor City Charter Sections to Establish Non-Partisan Nomination and Election for the Offices of Mayor and Council and Determine Ballot Language for this Amendment **(7 Votes Required)**
(City Council)
Sponsors: Griswold and Nelson
(Added 9/27/22) (Revised 9/30/22)
- DC-4 [22-1628](#) Resolution to Revise Chapter 40 - Rights of Way, Street Trees, Vegetation Management
(City Council)
Sponsors: Griswold
(Added 9/27/22)

- DC-5 [22-1631](#) Resolution to Approve the City of Ann Arbor Affordable Housing Agreement for The Standard
(Community Development Services - Teresa Gillotti, Director)
Sponsors: Taylor
Attachments: Affordable Housing Agreement - City 9.28pdf.pdf
(Added 9/29/22)
- DC-6 [22-1632](#) Resolution Terminating the Local State of Emergency in Response to COVID-19
(City Council)
Sponsors: Hayner and Nelson
(Added 9/29/22)
- DC-7 [22-1643](#) Resolution in Support of Improved Safety Barriers at Parking Decks
(City Council)
Sponsors: Nelson, Griswold and Hayner
(Added 9/30/22)

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

DS **New Business - Staff:**

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 [22-1618](#) Chris Fraleigh- Resignation from the Zoning Board of Appeals.
(City Clerk - Jacqueline Beaudry)
Attachments: Fraleigh Resignation_Redacted.pdf
- E-2 [22-1545](#) Communication from Michigan Department of Environment, Great Lakes, and Energy (EGLE) Regarding the Issuance and Completion of Permit No. WRP034685 - Ann Arbor Public Services - Sustainability
(City Clerk - Jacqueline Beaudry)
Attachments: EGLE WRP034685 Permit.pdf, EGLE WRP034685 Approved Plans.pdf, EGLE WRP034685 Placard.pdf

- E-3 [22-1546](#) Communication from Michigan Department of Environment, Great Lakes, and Energy (EGLE) Regarding the Issuance and Completion of Permit No. WRP034908 - Ann Arbor Public Services - Sustainability
(City Clerk - Jacqueline Beaudry)
Attachments: EGLE WRP034908 Permit.pdf, EGLE WRP034908 Approved Plans.pdf, EGLE WRP034908 Placard.pdf
- E-4 [22-1560](#) Communication from Michigan Department of Environment, Great Lakes, and Energy (EGLE) Regarding the Proposed Reissuance of NPDES COC No. MIG760020 - Ann Arbor Public Services - Sustainability
(City Clerk - Jacqueline Beaudry)
Attachments: EGLE Application HNT-15C8-2KG2C V4.pdf
- E-5 [22-1642](#) ICPOC Communication to City Council Regarding the Unarmed Response Community Engagement Process
(Independent Community Police Oversight Commission)
Attachments: 220930 Communication to the City of Ann Arbor RE PSC unarmed response process.pdf
(Added 9/30/22)
- F **The following minutes were received for filing:**
- F-1 [22-1307](#) Minutes of the July 7, 2022 Renters Commission Meeting
(Renters Commission)
Attachments: 7-7-2022 Renters Commission Minutes.pdf
- F-2 [22-1391](#) July 19, 2022 City Planning Commission Meeting Minutes
(City Planning Commission)
Attachments: 7-19-2022 CPC Approved Meeting Minutes.pdf
- F-3 [22-1435](#) ICPOC June Meeting Minutes
(Independent Community Police Oversight Commission)
Attachments: ICPOC June Meeting Minutes30-Jun-2022-12-22-05.pdf
- F-4 [22-1522](#) Energy Commission Meeting Minutes 12-Jul-2022
(Energy Commission)
Attachments: Energy Commission Meeting Minutes 12-Jul-2022 (002) edits.pdf
- F-5 [22-1527](#) Downtown Development Authority Board, Special Board, Annual, Special Executive, and Capital Improvements Committee meetings minutes for July and August 2022.

(Downtown Development Authority)

Attachments: DDA Minutes July-August 2022.pdf

F-6 [22-1559](#) Council Administration Committee Minutes - June 14, 2022

(City Administrator - Sara Higgins)

Attachments: 220614 Council Administration Committee Minutes Final.pdf

G COMMUNICATIONS FROM THE CITY ATTORNEY

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

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

COMMUNICATIONS FROM COUNCIL

ADJOURNMENT

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

LIVE: MONDAY, OCTOBER 3, 2022 @ 7:00 P.M.

REPLAY: FRIDAY, OCTOBER 7, 2022 @ 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.