

ROUGHLY EDITED TRANSCRIPT

ANN ARBOR  
CITY COUNCIL MEETING  
JULY 20, 2021  
6:30 P.M.

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>> Mayor Taylor: Good evening, everyone.  
We begin the July 20<sup>th</sup>, meeting of the Ann Arbor city council.  
>> I pledge allegiance to the flag of the United States of America, and to the  
republic for which it stands: One nation indivisible, with liberty and Justice for all.  
Would our clerk please call the roll of council?  
>> Clerk Beaudry:  
Councilmember Hayner.  
>> Councilmember Hayner: Here.  
>> Clerk Beaudry: Councilmember Disch.  
>> Councilmember Disch: Here.  
In Ann Arbor.  
>> Clerk Beaudry: Councilmember Griswold.  
>> Councilmember Griswold: Here.  
Ann Arbor.  
>> Clerk Beaudry: Councilmember Song.  
>> Councilmember Song: Here.  
Ann Arbor.  
>> Clerk Beaudry: Councilmember Grand.

>> Councilmember Grand: Here.  
In Ann Arbor.  
>> Clerk Beaudry: Councilmember Radina.  
>> Councilmember Radina: Here.  
In Ann Arbor.  
>> Clerk Beaudry: Mayor Taylor.  
>> Mayor Taylor: Here.  
In Ann Arbor.  
>> Clerk Beaudry: Councilmember Eyer.  
>> Councilmember Eyer: Here.  
In Ann Arbor.  
>> Clerk Beaudry: Councilmember Nelson.  
>> Councilmember Nelson: Here.  
In Ann Arbor.  
>> Clerk Beaudry: Councilmember Briggs.  
>> Councilmember Briggs:  
Here.  
In Ann Arbor.  
>> Clerk Beaudry: Councilmember Ramlawi.  
>> Councilmember Ramlawi:  
Present.  
In Ann Arbor.  
>> Clerk Beaudry: We have a quorum.  
>> Mayor Taylor: Thank you.  
Councilmember Briggs, you are on point today.  
May I have a motion to approve the agenda.  
Moved by Councilmember Nelson, seconded by Councilmember Radina.  
Discussion of the agenda?  
All in favor?  
Opposed?  
The agenda is approved do.  
We have communication from the city administrator.  
>> We have brief communications, for the benefit of the community.  
There's a virtual town hall for residents coming up July 22<sup>nd</sup>, where we can  
discuss the city's reusable restaurant container pilot.  
It's an initiative out of the office of sustainability initiatives that's July 22<sup>nd</sup> at  
7 p.m., a virtual town hall.  
You can find details on the city's website.  
Also for those of you looking for a fun thing to do.  
The Ann Arbor office of sustainability has launched a new Ann Arbor sustainable  
scavenger hunt.  
There's a series of sustainability initiatives being pursued throughout the city.]  
That can be found at the action bound app and other details are on the city's  
website.  
Also a reminder for city residents and Washtenaw County residents, anybody

who is underinsured or uninsured home damage, as a result of flooding, reach out to FEMA through [disasterassistance.gov](https://www.fema.gov/disaster/assistance) to potentially seek assistance for damage to your property.

And lastly, I want to remind residents that Ann Arbor is planting new trees all across the city in celebration of arbor day this year to request a tree location. You can do so before September 3<sup>rd</sup> and information is on the city's website. That and other updates can be found on the city administrator's report attached to the agenda.

Thank you, Mr. Mayor.

>> Mayor Taylor: We now come to public comment reserve time.

Public comment reserve time is an opportunity for members of the public to speak to council and the community about matters community interest.

You need to have signed up in advance by contacting our city clerk.

To speak at public comment reserve time, please enter the number on your screen, 877-853-5247.

Once you are connected, please enter meeting I.D., 94212732148.  
94212732148.

Once you are connected, our clerk will identify you when it is your turn to speak by the last three digits of your telephone number.

You will have three minutes in which to speak.

Please pay close attention to the time.

Our clerk will notify you when 30 seconds are remaining and when your time has expired.

When your time has expired, please conclude your remarks and cede the floor.

The first speaker today is Tom Stulberg.

>> Clerk Beaudry: Mr. Stulberg, number ending in 534, you can go ahead and press unmute.

>> This is Tom Stulberg calling from lower town in Ann Arbor.

I would like to talk about DC-2 resolution to implement sensors to monitor -- and strategies to manage peak air quality, waterways and flooding.

For the past few years, I have tried to create more awareness about seriousness of our stormwater crisis.

As a developer, I could see the importance of stormwater management and how great an impact even a small increase in annual stormwater could have.

I did not predict the extreme increases in the frequency and the severity of stormwater events that we are experiencing, but they are likely the new normal and likely getting even worse.

I am disappointed that tc1, the zoning ordinance, that it doesn't include incentives for enhanced stormwater management.

We must find ways to make up for the extensive already built environment that is incapable of handling the current amount of stormwater and will be incapable of handling the increased amount coming.

Asking new developments to do more than we are legally able to demand of them, is one way to help the situation.

We have to ask them.

We have to provide the incentives and build those into our zoning ordinances such as tc1.

I will continue to ask for creating incentives in TC-1 and other land use policies to help this crisis that it's becoming more and more obvious that it needs more attention.

I appreciate any way to deal with stormwater and the other impacts of global climate change.

Thank you for sponsoring this.

With my remaining time, I would like to mention that last meeting, I spoke up and was asked to speak up by other people who were intimidated and afraid to speak up about the hate and the intimidation on social media and, of course, to no one's surprise, on social media, I was thrown a bit of hate by someone who has donated a considerable amount of money to many of your campaigns.

That's typical.

And that needs to end.

I think you should as council consider changing your own personal behaviors in how you -- which Twitter feeds that you follow and participate in, given that it -- it not only condones but encourages further hate speech, further intimidation and if that's how you want to run your city by intimidating and driving people out who sees things differently and dares to speak up, then participating with those haters and bullies and intimidators, well do it if you want to do it but the rest of the city is watching you.

So I would encourage you to stop participating in that, stop encouraging that, and to change the tone for the city of Ann Arbor.

Thank you very much.

>> Mayor Taylor: Thank you.

Our next speaker is Ryan Husse.

>> Clerk Beaudry: Mr. Husse, phone number ending in 074.

If you press star six, you can unmute yourself.

Mr. Husse, if you press star six, you can unmute yourself.

>> I think I'm unmuted now.

Thank you for the opportunity to speak to you tonight, my name is Ryan Husse, I'm the secretary/treasurer of the Washtenaw County building trades and also the business manager for the international brotherhood of electricians.

I would like to speak about DC-3, which is the resolution to amend Section 14.3 of the city charter related to the best value purchasing.

There have been what I believe to be some unintended consequences of language as written currently.

Currently responsible is only defined as a yes or no question.

If a contractor responds to the questions outlined, even if they are deficient, they are deemed responsible.

This amendment will clean this up.

It will give you and the taxpayers the ability to properly weigh in all the factors when awarding contracts such as whether companies employ qualified workers, invest in safety training, hire local workers and allow the city to properly award

contracts not just on price but on value, best value.

I compare it to my wife and I recently had to purchase a vehicle for my 17-year-old, and there was a lot of factors that we weighed in before we purchased, safety ratings, airbags, you know, vehicles in prior accident, manufacturer history to name a few and, of course price.

We didn't buy the cheapest one we could find because we knew we would spend more money on the back end for repairs or upkeep, and I think that that's kind of how most families make a lot of purchase decisions, on especially important items, major appliances, tennis shoes, bicycles, you know, families want the most value and not just the lowest price and that's what this amendment will do.

I encourage you to vote yes, sir on agenda item DC-3 tonight.

Thank you and have a good meeting.

>> Mayor Taylor: Thank you.

Our next speaker is Robert Joerg.

>> Clerk Beaudry: Mr. Joerg, you can press star six to unmute yourself.

>> Thank you, Mr. Mayor.

Thank you, staff.

Can everybody hear me?

>> Mayor Taylor: Yes, we can.

>> Awesome.

Thank you so much.

My name is Robert Joerg, and I'm a resident of ward 5 and I live on tulip tree court.

I'm speaking in favor of DC-3 to amend the city charter to allow for best value to be incorporated into how the city does business and awards contracts.

Like my brother, business manager Ryan Bennett mentioned, it is important that we are including many things other than just price and the lowest bid which is what we are currently having to do right now as a constraint by the charter, and incorporating things such as training, and safety, and environmental records, as well as local labor force participation are all critical to ensure that the city is getting the best bang for its buck and ensuring that the city residents have confidence in the construction projects that are going on in our city.

I encourage everyone to vote in favor of the proposed resolution.

I think it will do a lot of great work.

It will allow us to go much farther and to be a true leader in this area, and make sure that the contracts that are being awarded in our city are going to the most responsible contractors that provide the best value for the city and that goes so much more than what the city currently has on its books.

Once again, I encourage everyone to vote in favor of the proposed charter amendment resolution, and thank you for your time.

>> Mayor Taylor: Thank you.

Our next speaker is Elizabeth hunter.

Elizabeth hunter, you can press star six to unmute yourself.

>> Am I live?

>> Clerk Beaudry: Go ahead.

>> Mayor Taylor, will you purge everyone in city hall and on city council who you cannot control who sense of ethics and duty you cannot compromise?

Your newest target, city administrator Tom Crawford is well-known as a straightforward, super competent, ethical man who only wants to serve the public.

You will purge him because he revealed FOIAs which exposed the crimes of one of your council recruits?

I guess our own Maxwell prefers her skeletons in the closet.

Your resolution to remove a first-rate servant of the people was filed at the last minute, late yesterday in keeping with your past late filings of resolutions you need to hide from us.

It makes one think of the Soviet show trials of the 1930s.

A famous quote from this era was show me the man and I will find you the crime.

Now you found a crime to hang on city administrator Crawford, just like you did to Councilmember Hayner.

You might remember Martin Luther King, Jr., reminding us that the arc of the moral universe is wrong, but it bends towards justice.

And the book of proverbs admonishes as you sow, so shall you reap.

You say you want a more equitable and just community.

Well, who knows how long the arc is or what bending looks like, but you may want to be careful about what you wish for because you may get it.

Now, can we fix the damn roads?

Ann Arbor has the third worst roads in Michigan.

We live with persistent fear about dioxane in our water.

We watch our town empties of locally-owned businesses and the creative class and this started before COVID.

Mayor Taylor, the money must be even bigger than we imagine.

Over an out.

>> Mayor Taylor: Thank you.

Our next speaker is Ann Bannister.

>> Clerk Beaudry: Anne Bannister, you can unmute yourself.

>> Hello, this is Anne Bannister, former councilwoman from ward one.

Last couple of meetings I spoken during public comment to say that Councilmember Hayner has not been known in the community as a racist or a homophobic person, and was simply being targeted because he has often stood up to Mayor Taylor and voted against some of Mayor Taylor's policies and that was an obstacle that the mayor needs to remove.

Tonight, I would like to address the pattern of attack but this week the attack is directed against Tom Crawford, Ann Arbor's outstanding city administrator.

Just last night, I heard about the resolution to remove Tom Crawford while I was attending an important fund-raiser at the eagle press Marriott about breaking the cycle of sickle cell disease and the announcement of a new statewide license plate to build awareness of sickle cell disease.

This event was hosted by state reps Ronnie Peterson, and as usual, the only Ann Arbor councilmembers in attendance were Elizabeth Nelson, Kathy Griswold

and former Councilmembers Jack Eaton and myself.

My point is that Mayor Taylor and his allies have a matter of attacking and smearing and demonizing opponents.

In reality, they are the ones most likely to be absent at community events such as last night's sickle cell fund-raiser.

Tom Crawford has been an outstanding city employee for over 20 years.

Last year, while I was on council, we undertook an extensive search for our new city administrator and we interviewed and vetted many candidates.

Tom Crawford was head and shoulders above the other candidates.

Not only for his multi decades of experience in Ann Arbor, but also because of his impeccable career record of being on staff at city hall, and being a good and decent human being.

During the extensive and rigorous vetting process, there was no mention of any racist tendencies by Mr. Crawford, and, again, that was after many of us had known him for 20 years.

No, this' of racial insensitivity has emerged not coincidentally after Mr. Crawford was involved in releasing a FOIA request that Mayor Taylor and Councilmember Jen Eyer would have preferred been kept private and secret from the voters.

Mr. Crawford is just doing his job.

My assessment of him is that his honesty and professionalism has naturally been a major challenge to Mayor Taylor and his team.

I worked closely with Mr. Crawford for three years and found him to be objective, knowledgeable, ethical and volunteering solutions to the problems that the city faces.

He's the type of leader that people admire because it brings out the best in them.

I urge you to vote no and to seek a compromise with Mr. Crawford.

It's a major loss to Ann Arbor to let him go and, please don't target chief Michael Cox next for removal.

Thank you.

>> Mayor Taylor: Thank you.

Our next speaker is Henry Herskovitz.

>> Clerk Beaudry: Mr. Herskovitz, you can press star 6 to unmute yourself.

>> Good evening.

It was mentioned during the comments from council on July 6<sup>th</sup> that some members of council will be drafting a resolution addressing our peaceful anti-Israel protests on Saturday mornings.

Our behavior was described as deplorable.

I would like to point out to current councilmembers that a similar resolution was already passed by council, on October 18<sup>th</sup>, 2004.

You can look it up.

It's all there on the city's website.

And although I respect council's right to its first amendment protected opinion, I did think and do think council violated its commitment to honor the U.S.

constitution and turned its back on those exercising the same first amendment rights councilmembers swore to protect.

I would also like to point out a comment from federal judge Victoria Roberts, as she ruled in our favor last August.

Peaceful protest speech such as this on sidewalks and streets is entitled to the highest level of constitutional protection, even if it disturbs, is offensive and causes emotional distress.

Now, we disturbed some congregations is clear, at least clear to plaintiffs Gerber and Brisk, but is it our behavior they are upset by or are they disturbed and embarrassed by the truly deplorable behavior committed by the Jewish state and the fact that we openly exposed this behavior.

This behavior is committed with the full support and complicity of the overwhelming mass of organized Jews worldwide and that includes Beth Israel congregation.

I have had the privilege of meeting a wonderful Palestinian woman, a grandmother, poet, and peace activist named Nahida Izzad, she asks a question considering the source in.

Your opinion, which act is more alarming and worthy of concern, murdering and disables hundreds of thousands of people over a period of seven decades, bombing cities to smithereens, slaughtering and maiming babies and children in their beds, imprisoning millions of people in concentration camp, destroying an entire culture or offending the sensibilities of some because they get upset by the victims naming the culprits, because they share the same religion as the culprits? Our small protest group has answered that question.

I hope council at least considers it.

Thank you.

>> Mayor Taylor: Thank you.

Our next speaker is Blaine Coleman.

>> Clerk Beaudry: Mr. Coleman.

Go ahead.

>> This is Blaine Coleman.

I can't believe that you, the Ann Arbor city council dare to pretend that you are antiracist.

What a pretense!

You don't give a damn how many Palestinians you are responsible for killing.

All those years you have thrown your collective weight against a simple humanitarian resolution against military aid to Israel.

Not a single one of you is worth a tall pitcher of warm spit.

Not a single one of you deserved to sit in that city council office for any longer than your existing term.

Every one of you should be thrown out by the voters and I hope it's sooner than you think.

I mean, you don't even understand the atmosphere in this country.

Israel is hated more than it ever was for its massive, bloody violence against the Palestinian people.

Today, in the news, which you have all read, I'm sure, this big company,

Ben & Jerry's is pulling out of occupied Palestinian territories.

The government of Israel is furious.  
Some government official called Ben & Jerry's terrorists but Ben & Jerry's is pulling out of the occupied Palestinian territories because the public pressure in the United States has gotten much larger than any of you understand.  
The public pressure against the violent, racist state of Israel.  
I look at you still every wretched one of you.  
Throwing your weight as hard as you can against the simplest humanitarian resolution.  
It would save a lot of Palestinian.  
Look at you slurping down your drinks and looking elsewhere, thinking that Palestinian life is of no consequence whatsoever.  
You goddamn racist city council!  
Every one of you will burn in hell for your racism.  
For the crimes you have committed against the Palestinian people.  
The voters will get you out of there sooner than you think.  
You racist bastard city council.  
>> Mayor Taylor: The next speaker is Mozhgan Savabieasfahani.  
>> Good job, mayor, you did much better.  
My name is Mozhgan Savabieasfahani.  
I'm saying I had to a bunch of losers and I will continue to do that until Palestine is free.  
Do you know why you are a bunch of losers?  
Not only because you always masquerade as progressives, not only because you are the racist to the bone, not only because of those things.  
You are not losers just because racist.  
You are not losers just because you are not progressive.  
You have no idea what the hell is happening in this country.  
That's your losers.  
You have no freaking idea how people are mobilizes and they are fighting back that racist toxic state of Israel.  
You have no clue.  
You have been given so many opportunities to be the first city council to speak up against this massive violator of human rights that is Israel.  
You have been handed so many times resolutions by people, true progressive people of Ann Arbor who want to see an end at the very least, an end to this massive military aid of U.S. aid to Israel.  
You don't even know that boy got, divestment and sanctions against Israel is coming and it's coming with a big force.  
As Blaine just told you, no more chunky chocolate ice cream for those racist, toxic Israeli bastards.  
No more.  
And there will be more stuff that is going to happen, more companies are going to boycott Israel.  
While all of that is happening, you losers, you racist bastards are sitting in your stupid chairs and pretending that the public doesn't matter.

Well, the public does matter he will kick you out.  
You do not deserve an ounce of respect.  
You do not deserve an ounce of public respect.  
Shame on you!  
Portraying yourselves as progressive.  
Who the hell would believe that you are progressive?  
You are racist to the bone.  
Racist to the bone.  
Still you sit and watch that resolution.  
We are against military aid to Israel which was brought to you by 3,000 people chanting, demanding that you pass it, yet you sit as mummies, like mummies with dead as pretending we don't exist.  
I tell you, no more chocolate ice cream for Israel and you are going to be alive and well when more and more companies will pull out and Israel will be no more.  
>> Mayor Taylor: Thank you.  
Our next speaker is Lefiest Galimore.  
>> Clerk Beaudry: Mr. Galimore, press star six to unmute your phone.  
>> Good evening, council.  
>> Clerk Beaudry: Mr. Galimore, phone number, 099.  
Press star six.  
>> Can you hear me?  
>> Mayor Taylor: Yes, we can.  
>> Very good.  
Greetings to the mayor and the city councilmembers.  
I am represented by councilmember Linh Song.  
Perhaps my understanding of equity initiative.  
My understanding is to provide equal access to the citizens of Ann Arbor to benefit from the policies of the city, including access to jobs and city government, housing, et cetera.  
In the '70s, the flavor of the month was affirmative action, giving blacks to jobs. Blacks did not benefit significantly from affirmative action.  
Other groups did.  
Then came the diversity movement which the emphasis was to create a diverse environment, not only in the workplace, but other areas in the communities.  
And now we are dealing with equity.  
I ask for whom, certainly not blacks.  
Through gentrification, blacks especially those who were born and bred here have been pushed out.  
Many young blacks who lead this community to pursue opportunities elsewhere do not return, leave a drain on the black population in the city.  
As a observe various construction projects in progress, the number of blacks pitiful.  
Many of them are young white.  
And young blacks cannot get internship jobs at city hall.  
If the city is truly committed to equity, they will hire an investigative firm to

examine every hire that took place under this reign of terror.

There's been no accountability and so far no progress has been made in 10 years.

This is a waste of taxpayers money and I'm very disappointed in the black community for the lack of responsiveness to these developments.

In closing, I thought we lived in a representative democracy, yet council representative has made no effort to my -- my councilmember has made no effort to interact with her black constituency.

Therefore, I will in the future present my concerns directly to the mayor and council.

Thank you very much.

>> Mayor Taylor: Thank you.

Are there communications today from council?

Councilmember Griswold.

>> Councilmember Griswold: Three quick items.

The first one is the resolution, DC-7 on the agenda tonight, I will be moving to split the question.

And the legal staff has provided two separate resolutions.

I think that that will provide greater transparency.

It's the exact same language with the exception that it also asks for us to release to the public the response that Mr. Crawford prepared to the investigation.

The second item is, I have been very concerned about stormwater flooding in the area, and I know we now qualify for FEMA assistance.

I visited four areas and I have a resolution DC-2 that will add strategies to manage, as well as just monitor the flooding.

I worked closely with staff on that.

I think it will address some of our concerns and say our A2Zero plan to another level.

To better meet our resilience goal.

The third thing was subpoenaed last week, and gave a 90-minute deposition regarding crosswalk lighting, I'm very disappointed that we cut \$100,000 from our streetlight funds this year.

We continue to jeopardize the safety of our pedestrians with poorly lit crosswalks and crosswalks with no lighting whatsoever.

Ann Arbor is a wealthy community.

There's no excuse for that.

When drivers hit or kill or seriously injury a pedestrian in a crosswalk, where there is inadequate for no lighting, they are not held accountable.

>> Mayor Taylor: Councilmember Song.

>> Councilmember Song: This Saturday is the solidarity, supported by my brother's keepers and the Washington county black caucus group that's at southeast area park from 1 to 4.

The other thing is I wanted to make sure folks are aware of the CERA funds, the CERA relief funds with eviction moratorium ending the Edmonton of this -- the end of this month.

You will be able to access money and that moves with you, if you need to find a different housing too.

And you can go through sos community services but also Washtenaw County, and CERA.

Thanks.

>> Mayor Taylor: Councilmember Radina.

>> Councilmember Radina: Thank you.

Councilmember Griswold's comments about flooding reminded me that I should also probably make an announcement that we are -- Councilmember Grand and I are working with staff and the village condo association to try to establish a public meeting in town hall where our public works staff can come and interact with the public about stormwater infrastructure, stormwater management and additional resources available to the community.

Once we have more details on that, I will release them.

I don't have a date yet.

I know the association president is working with staff to find a date, but it's my hope that that will be open to other neighbors as well.

That's something we are working on, because obviously we want to make sure that while this storm event highlighted some challenges that we have, I think with climate change, we recognize that unfortunately these events might become more frequent.

So we will be working with staff to make sure that we get some questions answered.

>> Mayor Taylor: Councilmember Nelson.

>> Councilmember Nelson: I wanted to draw viewer's attention to the fact that we have an additional file attached to item b1 on the agenda.

This is the early leasing ordinance.

This was a significant amount of research and information coordinated by G.O. and C.S.G. and it's now attached as evidence and support.

And so it's in Legistar now as attachment to b-1.

And I also can say since it's relevant soon in the public hearing that there are amendments coming to this particular item.

It will be going back to first reading tonight.

There's a public hearing for b-1, but it will go back to first reading.

Thank you.

>> Mayor Taylor: Councilmember Hayner.

>> Councilmember Hayner: Thanks, Mr. Mayor.

I want to give council colleagues and the public a heads up that on the August 2<sup>nd</sup> meeting, I will bring some changes to Chapter 91, Title 7 of the city ordinances that regard animal protection.

It's currently titled endangers species and we will switch that over.

I will send out copies of that, I will send them out during meeting, I suppose and some other supplementary information for your interest that will help you understand what's going on there.

I think it's long since overdue that we update those protections in our code for

endangers species and other animals.

I want to dedicate tonight's moment of silence to another great in the music industry who passed this last week.

It means a lot to folks who grew up with hip hop and hip hop, Biz Markie died.

It's -- you know, a lot of people know him -- he had a big monster hit but he had dozens of influential tracks.

They have one track which is the most sampled track.

Nobody beat the business.

A person who everybody loved and respected and who really kept to the industry and kept people motivated.

Sometimes there are these people who have some kind of power them have some aura around them, and into he will be missed but fortunately his music will live on.

Thank you.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: Good evening public and council.

A couple of quick updates on the downtown street closures.

I'm in constant contact with the merchant associations.

The state street association has decided to end the road closures on state and liberty, the last week on many of those streets in that district.

They come to an end, when comes to the road closure.

Maynard will still be closed for their use.

But we are eking them reopen some of the other streets after this upcoming weekend.

I will work with the main street association regarding the social district resolution, before bringing that to council.

I have been making some progress there and continue to work with them and folks at the A.P.D. to resolve some concerns and issues and hopefully expand some amenities there on main street and shifting things around as we come out of COVID and evolving into a different downtown and business district.

I look forward to bringing those additional resolutions to council shortly.

Thank you.

>> Mayor Taylor: Further communication from council?

I would like to request confirmation for appointments at the July 6<sup>th</sup>, 2021, regular session to the Ann Arbor transportation authority board, Roger Hewitt and Susan Pollay, and Edith Juno and Nicholas Stevenson.

Do I have a motion?

Moved by Councilmember Briggs seconded by Radina.

Discussion?

All in favor?

Opposed?

It's approved.

I would like to recommend the following nomination to the city planning commission, Donell Wyche.

I want to give a brief update on the community climate action millage.

I had some excellent conversations with colleagues and stay tuned for our -- with colleagues and members of public mote particularly and stay tuned for a motion perhaps at our next meeting, that is to say, August 2<sup>nd</sup>.

We now have the consent agenda.

May I have a motion to approve the consent agenda, moved by Griswold, seconded by Disch.

Discussion of the consent agenda?

All in favor?

Opposed?

Consent agenda is approved with 11 councilmembers present all voting in the affirmative thus satisfying the eight vote requirement with respect to CA-2.

We now come to a set of public hearings.

To speak at a public hearing you need not have signed up in advance but your speech must relate to the specific subject matter of the public hearing, that is to say the specific item on the agenda.

To speak at a public hearing, please enter the number on your screen, 877-853-5247.

To -- once you are connected, please enter meeting I.D., 94212732148.

Once you are connected, please press star nine to indicate that you wish to speak.

Once it is your turn to speak, the clerk will identify you by the last three digits of your telephone number.

When it is your turn to speak, you will have three minutes to speak.

Please pay close attention to the time.

Our clerk will tell you when 30 seconds are remaining.

When your time is expired, please conclude your remarks and cede the floor.

Public hearing number one, an Ordinance to Amend Section 8:530 of Chapter 105 (Housing: Lease Agreements and Entry to Show Residential Premises) of Title VIII (Building Regulations) of the Ann Arbor City Code.

I would recollect to folks calling in that Councilmember Nelson indicated her view that this would be amended on the floor and brought back and voted on here as a first reading, brought back to our subsequent meeting as a second reading.

That is to say some of the sponsors do not believe that there will be a vote on the main matter -- a final vote on this matter tonight.

Nonetheless we are holding the public hearing because the public hearing has been noticed.

Is there anyone who would like to speak at this public hearing?

>> Clerk Beaudry: Caller with the phone number ending in 379, do you have a comment?

Press star six to unmute your phone.

>> Can you hear me?

>> Mayor Taylor: Yes, we can.

>> Good.

My name is Jay Holland.

I'm speaking tonight to oppose the city of Ann Arbor's proposed amendment to

Section 8-530 of the city code.

I'm opposed to the ordinance for the following reasons.

First, this ordinance favors University of Michigan housing, because the university requests or demands that the students give notice long before the students have had an opportunity to look into other housing options.

Such as off campus, privately owned residences.

Because the University of Michigan's -- because of the University of Michigan's reserve it or lose it policy, students need to know that they have planned and secured their housing so they pursue a place for the college family to live before the opportunity for university housing has been taken away.

Additionally, it seems to me that the city of Ann Arbor and the state of Michigan are unfairly and illegally teaming up against private property owners and the renting communities rights in taking away the rights of private property owners and renters.

This ordinance is unequally and unfairly favors the owners of multiple mid and high rises over independent landlord because they can maintain a vacant model to continue regular showings all of the time.

Also, I think you need to know that we property owners don't choose when prospects are looking for a new place to present.

I'm typically contacted sometime in September of course, without solicitation by me for the next rental period which mean the prospective tenants have friends that are current tenants or knocked on doors because I can't show the property and renters do this in search of their -- their group's next home.

Often they want to proceed with a lease before they go home for Thanksgiving. Face it, they want to choose where they want to live for the next rental season and that's when they choose to do it.

This takes away the right to pursue rental housing when it works best for them. Rather than having to find a place during finals or after the school year has ended.

This ordinance has not been well thought out and unfair in many ways and likely illegal.

Thank you for the time this evening.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Caller with the phone number ending in 305, do you have a comment?

Press star six to unmute yourself.

>> Good evening, councilmembers.

Can you hear me?

>> Mayor Taylor: Yes, we can.

>> Okay.

Thank you.

My name is Katie Minder.

I'm a property manager for our family's rental business and I'm the president of our local apartment association.

We strongly caution against the existing ordinance that constrains the market

and will do so even further if you extend the number of days.

This limits the supply of opportunities available who do want to secure something relatively early, those who are studying abroad for the final semester.

The demand for those few available units will make them less affordable, putting those students at a manufactured disadvantage.

It's important to remember the students drive the market, not property managers. We respond to them.

So the students who want to shop early in the fall will be being smashed with those who shop later in the year, creating a frenzy of trying to make a decision.

We are primarily concerned with unsafe effects of the underground market we are already seeing at play.

Students knocking on strangers' doors and they are not legally allowed to show them.

That is dangerous.

We encourage property managers to start off showing students where students have assured them they are absolutely graduating or leaving town and definitively do not wish to renew.

The flow of that timeline works beautifully for everybody.

We also have members who prefer non-renewals in order to access units more often to deep clean and renovate and keep them in optimal condition.

They want to be proactive not just reactive and that's admirable, maintaining these buildings is good for our city.

I'm not sure how many of you have rental properties but if you do, you know that when a resident fails to tell you about a problem, it usually gets worse and worse, and can end up destroying the unit.

There's so much expansion and supply.

We predict this entire issue is a moot point.

As of right now, there's still an abundance of quality vacancies available for this coming fall semester, which is this month.

I appreciate you listening to go what I have to say.

>> Clerk Beaudry: 30 seconds.

>> I know there's a lot to process, even for me and I was in this business since I was 10 years old, when I started working turnover.

I can imagine it's being overwhelming being on outside looking.

In thank you for your patience.

Due to these concerns.

We advise voting no on this proposed legislation.

Thank you, councilmembers.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Caller with the phone number ending in 362.

>> Here we are again, I'm starting to feel like a frustrating record.

My name is Amir.

I'm a ward 1 resident.

University of Michigan student, and G.E.O. housing caucus member.

Minority members are renters when we need something we have to depend on

you, our representatives to fight for it on our behalf that's what makes it all the more frustrating to not be listened to when we need something.  
Let me be clear, E.L.O. for 210 days is something we need.  
This is not a mild inconvenience like being a bit busier at your landlord office for a few weeks of the year.  
Being forced to sign a rental agreement before you are being ready can will ruin your lives.  
It can potentially drive them into bankruptcy.  
If you think the 30 days between 210 days and 180 days is not much, well, why don't you ask your friends in the landlord association, that lovely woman who just spoke if they will drop our rents by an equivalent of 15%.  
Do any of you think that's a likely scenario?  
So when renters come to council with this urgent matter, we expect to be listened to and I don't think it's too much to ask for those who are supposed to be our representatives.  
Instead we feel as if we are not being heard.  
What I have heard from members of this council and what I have read in some of your newsletters, it makes it sound like the over 1,000 people who signed our petition, the hundreds of people who sent you emails, the dozens who have called into these meetings, all of us don't know what we are asking for when we say 210 days.  
This is incredibly insulting to us.  
The 210-day timeline was not pulled out of thin air.  
We surveyed our membership.  
91% of those surveyed -- of those surveyed have been pressured to renew their lease before they were ready.  
That tells you that what the previous speaker just said was a lie.  
The current situation is not driven by renters who do not want to be renewing our leases in September.  
When we heard concerns from undergrads, we listened to them and we jointly decided with C.S.G. on the 210 day timeline.  
We have met with landlords time and time again.  
When their concerns have been reasonable.  
We have been happy to accommodate them.  
Instead all of this we have spoke tone have been fine with the 21-day time limit.  
Those who are not fine with the 210 day timeline are the big landlords, 180.  
A compromise are not the landlords what they want.  
We want 240 days.  
We are meeting in the middle, 210 days.  
Renters have spoken.  
We need an early leasing for 210 days.  
Thank you.  
>> Mayor Taylor: Thank you.  
>> Clerk Beaudry: Caller with 998.  
>> Can you hear me?

>> Mayor Taylor: Yes, we can.

>> Good evening.

My name is Zachariah Farem, as vice president, I represent the 17,000 students. Every day I talk to students that they are talking about with affordability and academic issues.

One the things they talk the most is finding an apartment.

I can't tell you how they can find a leasing contract nearly a year in advance or tell me that their landlord has started showing their apartment in November when they just moved into their apartment in September.

Now this amendment E.L.O. will lessen the burden for so many students including myself because with 210-day right to renew, they will not be frantically for a new apartment only two months into their lease.

This is debated by central student government which represents over 45,000 students.

In both cases we found the right to renew should be extended by at least 210 days.

I'm here to tell you that 210 days is the correct number.

It's very reasonable and doesn't actually go as far as the tenants protection in other cities like Chicago.

Not many landlords have commented, I would like to ask everyone here, how many students is does the Washtenaw apartment association represent?

The answer is obviously zero.

You heard from the student body president who represents 45,000 students, the majority ever whom are renters.

Please listen to us.

I studied abroad and while I was pressured into a lease while I was in Germany, support this amendment.

And when they claim to speak on behalf of the students saying the opposite of what the students here today are saying, I can only hope that you can rightfully dismiss your claims and listen to the students who have spoken.

I would like to thank Elizabeth Nelson, Travis Radina and Lisa Disch, you have listened to the renters of your city.

And you are your jobs and doing it very well.

I urge every councilmember here tonight to pass this amendment as soon as possible and stand up to the renters of city of Ann Arbor.

Thank you very much.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Caller with the phone number ending in 497, do you have a comment?

>> Can you hear me?

>> Mayor Taylor: Yes, we can.

>> Thank you.

My name is Dr. Cortland Katan.

I'm a resident of the ward 4.

And I'm speaking on behalf of the alumni association of si chapter of Phi medical,

which is located in ward two and that organization is basically comprised of medical students.

I will read an excerpt from a letter that I sent to the city council earlier today. Eye writing to express my opposition to the proposed limit to limit the leasing period.

As I mentioned I'm president of the alum any association of our medical community.

And speak on behalf of both our association and our current students.

We are a not for profit organization and the chapter was founded in 1906.

With the expressed mission of providing affordable housing for medical students.

We have heard the -- and there's a local group in support of the group.

I believe it will be adversely impacted by this change without more study of the issue.

From our association's perspective the risk of vacancy grows closer to the rental deadline and each new deadline strives cost.

It directly translates to higher rents for those students.

Medical students interview for medical school early in the fall, and are often granted acceptance well before the new year.

Those students start looking for housing before they go into the subsequent year of medical school.

My creating a smaller time period for those students who look for housing and for the current students to take care of housing, it creates an open season and it will increase the stress on the medical students to be able to find accommodated housing.

Medical students in general, I was one of them, obviously, have a very amount of demand on their time, clinical rotations which means searching for -- so given that.

Our organization has operated successfully for 100 years without this type of intervention.

While I appreciate the local students, I at least represent a group that I think will be adversely affected by this type of action and would be supportive of further conversation to try and get the right number in terms of the limitation.

So thank you very much for hearing my testimony.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Caller with the phone number 067, could you have a comment?

>> Can you hear me?

>> Mayor Taylor: Yes, we can.

>> Hello, my name is Aden.

I have been a student here for five years, and probably four more years.

Ph.D.s take a while.

I would just like to bring a nice fresh student's perspective here once again as someone who has been here for quite a long time.

I would like to just announce the fact that every single student I have ever talked to at my time at the University of Michigan is actively resentful of the fact of how

quickly we have to figure out our housing.

Students are absolutely not driving that quick turnaround for finding a new place. We are forced into it.

No one is really happy about it.

I heard a lot of really awful stories of people not only living with unsafe and less than ideal housing situations that Amir brought up early.

If you have to break out of that, if it's really dangerous, you know, it's not easy to deal with.

That's pretty expensive.

You have to find a place on your own and puts a lot of people into a tough situation.

I think one thing that is not been brought up yet that I think is a little poignant here in Ann Arbor and university of Michigan.

Greek life is one the only safe and reliable ways to get housing for the sophomore year.

I remember my freshman orientation so many years ago, someone had brought up the housing issue.

I heard that Ann Arbor is notoriously bad about this.

The student like orientation facility, yeah man, this is really bad.

This is the only town where it's that bad.

Literally every other college town is not that bad.

Joining a frat is one of the only safe ways to do it.

Let's not pretend that we don't know what happened with Greek life and sororities and fraternities are doing messed up to these kids.

A lot of them put up with it because they need a house.

I don't know what the opinions on Greek life is on the larger scale of housing and what that role is in the housing market and the properties and you will that good stuff, but just from a student perspective, you need to be supporting this 21 day ordinance.

These teenagers are trying to figure out how to find a place on their own.

This is stressing them out.

It's causing them to make, like, but themselves in situations they probably shouldn't be.

Yeah, this is look at any other college town and it's obvious that Ann Arbor is exceptionally bad because landlords are exceptionally powerful.

I hope you listen to the students and the renters.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Caller with the phone number ending in 259.

>> Can you hear me okay.

>> Mayor Taylor: Yes, quick.

>> Thank you.

So my name is Charlotte Smith and I'm a Ph.D. student at the University of Michigan and I'm in councilman Elizabeth Nelson's ward.

I have rented apartments in both Toronto and London.

Both of which are notoriously difficult rental markets and never in my entire life

have I had to deal with landlords that are as horrible and held as much power over their tenants.

So like many people, I have pay multitude of Ann Arbor landlord horror stories.

In April 2019, I signed a one-year lease takeover.

The only way to get this place so late in the year is because I knew someone in town whose roommate was moving out in September.

I was lucky enough to sign a lease takeover.

If I didn't have this, I would have been looking at apartments months after 97% of them had been taken up online from a different country.

This is something that happens to people moving here from different cities and countries all the time.

Late in October of 2019, after I had only been in Ann Arbor for six weeks we get an email demanding if we want to resign or we will move out some ten and a half months.

Obviously we said this is absurd.

How can we possibly know the answer.

We asked for more time.

They responded and said no.

With an email saying would we resign if we gave them a break lease.

They said no.

We then said we would resign a six-month lease.

They again said no.

Already we were signing -- we were saying that we would commit to them up front for almost 18 months and that wasn't enough for them.

So obviously we did what we were being forced to, and resigned the lease, despite neither one of us wanted to and we didn't really have a choice.

In March as you all know, the pandemic hit and for a series of reasons neither wanted to live in the apartment.

We weren't sure when we would return or if we would return to the country at all.

The borders were very uncertain at this time as were our futures.

We emailed the landlord within two months of the end of our contract.

They wouldn't budge.

Immediately informing us that they were on the hook for the entire 12-month contract.

We offered to pay four months rent up front to get out of the lease.

They refused.

We offered six months on a payment plan.

They refused.

Now in case any of you are not aware, grad students live paycheck to paycheck.

We put ourselves in significant financial just to line the pockets of someone who was able to own multiple homes.

Because the incredibly poor state of tenant rights they held all the rights over us.

This was during a global pandemic.

That's basically all you need to know about that story and all I can say is the landlords are very clearly lying as has Amir and previous tenants pointed out.

This E.L.O. is in the interest of the tenants.

If you care about renters, you will vote yes on this ordinance.

>> Mayor Taylor: Thank you.

Clerk caller with the phone number ending in 187, do you have a comment?

Press star six to unmute your phone.

Caller 187, go ahead.

>> I'm sorry can you hear me now?

>> I'm Avery Wynn, I use they/them pronouns and I'm a Ph.D. student at the University of Michigan and statistics department.

I'm a renter in Ann Arbor, and I strongly believe that on the opportunity for the early leasing ordinance the right number is 210 days not 180 days.

And the argument for 180 days is basically nonexistent.

Landlords are asking for more time because they say that they need time to contract people and to perform maintenance and these things, but I don't know where they get this claim from if they say they can't do the maintenance thing over the summer, within the three months that they have.

If we look at a nine month lease.

And they are contracting 150 days from the end of the lease rather.

They don't need this time.

If I were a homeowner, ha, ha, ha, ha, I would not need three months to replace my carpet.

If my carpet flooded, which it did in my last apartment, I would not need three months to find a new carpet.

I have never gone to Home Depot and just see them out of stock of carpet, not even during the pandemic.

And moreover why is so much maintenance having to occur during the end of the lease between tenants?

Why aren't landlords doing preventative maintenance this why do they have so much maintenance that they claim they have to do during this time?

It's just that they are not ready to let the tenants out on the lease.

And only do now tenants are coming in.

So they could have plenty of time to do this maintenance if they were doing it preventatively.

And they have a lot of knowledge of the housing market and the tenant patterns and they know how many people are moving out and in.

They can contract things in advance.

This is what landlords say they get paid to do.

They speculate on the market and make decisions and now they say they are too incompetent to do that.

They so now we have to speculate on where are we going to live ten months in advance.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Caller with the phone number ending in 072.

>> Hello, guys, John Keller here.

I own J Keller properties.

We manage about 200 homes in the Ann Arbor area.

I'm here to speak you to about my opposition to the leasing ordinance.

I sent you all emails and data sets disproving the majority of what the students are saying with a shortage of inventory.

There's simply is not.

What it comes down to today, despite what the gentleman, said, we cannot rate in a constrained time lane of four to five months.

What we have is a year round -- we have a year round company, a year round industry what that we need to be working.

We can't consolidate it to one months.

It's like to consolidate your entire meetings into four months.

This is not a seasonal industry.

This is not Christmas shopping.

We need to lease properties all year round to different groups which brings me to the very next point.

You are using the term students and renters.

Only 4% of renters are made up by the incoming graduate class that you are so adamantly defending.

The vast majority of students -- excuse me, the vast majority of renters are not graduate students and half of renters in this town are not students at all, but there's no organized group for adult professionals or family-based renters stilling up your inboxes every day.

Let me give you an example.

A doctor is hired at the University of Michigan on January 1<sup>st</sup>.

They are uprooting their family from another state.

What you are telling me is I cannot show them a property.

I cannot physically walk them into a house that I own or sign' lease with them until low pressure for the fall.

This is a big problem.

They have four kids.

They need to get their kids enrolled in school.

They cannot do that without a lease.

They need to hire movers.

They need to schedule dates.

They need to confirm their life change.

So guess what, I take them to Dexter or Saline, I find them a beautiful home.

I sign a lease and what have we just done?

We removed a high-income earner and four students and we eliminated any opportunity for Ann Arbor property owner to earn income.

You are looking at this far too narrowly.

What you are trying to do is noble but it will not work.

This is not a city of Ann Arbor issue.

This is a University of Michigan issue.

I'm now with the attorneys.

I'm with the W.A.3, the Ann Arbor board of directors and the Michigan association

of Realtors that this is not only unacceptable but unconstitutional.

Thank you guys.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Caller with the phone number ending in 499, do you have a comment?

Caller 499, press star six to unmute yourself.

Caller 499, do you have a comment?

Caller with the phone number ending in 728, do you have a comment?

Press star six to unmute yourself.

Phone number 728, go ahead.

>> Hi.

My name is Julia good.

I'm not a student.

I'm one of that quarter of the city of Ann Arbor who rents who is not a student.

I mean, that's a lot of us.

There's thousands of us.

And just some really weird things being said tonight.

This policy definitely affects nonstudents because landlords do kind of cater to the way u of m sets stuff.

I don't disagree with that u of m takes some fault in the kind of housing scarcity and the housing craziness that people do scramble for apartments, but it's not because we want to.

It's because we're terrified there's nowhere else to live.

And I can't live in Saline.

I need to live closer to work and the city.

And it's -- it's really amazing to me one, that the landlords feel that they can speak for the tenants.

It's super patronizing.

And there's also like Mr. Keller just made the comment about this has to be year round.

His business has to be year round, then why will he only allow September 1<sup>st</sup> leases?

I looked at Mr. Keller's listings, every day since April, and there's been nothing.

So it's false to say that there's stuff in Ann Arbor.

There's not.

Ann Arbor is beneath what the national apartment association considers as a healthy market for landlords.

Ann Arbor has always been beneath that.

We know that there's always a housing scarcity here.

So I'm not sure where they are talking about units are available.

The students are not available, and it might be a little bit easier and not be U.S. craziness if they didn't insist on a September 1<sup>st</sup> lease.

Ann Arbor did not used to be a September 1<sup>st</sup>.

It used to vary through the year and undergrads were more May 15<sup>th</sup> and a lot of city was more October 15<sup>th</sup>.

So I don't know why it's on September 1<sup>st</sup> now.

If he needs to spread his business through the year, then it would be helpful if they offered leases different than September 1<sup>st</sup>.

They don't.

They refuse to.

This is a really minor ask that will not affect their bod Tom line yet it will affect tenants a lives in a positive manner if you pass this.

Thank you.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Caller with the phone number 070, do you have a comment.

>> My name is Shareef.

I'm a ward three constituent and a number of Ann Arbor tenants and I want to speak in of the proposed ordinance specifically the 210 proposal for the E.L.O.

The current -- the current ordinance is 70 days is not ideal.

It's horrible and this change is long overdue.

I will speak about some of the landlord opponents.

The reason why there's competition in September it's because of the housing stock and not the students.

It's patronizing.

It's because of the 70 day issue and because of the shortage that we have the housing stock and even if there were enough students available, there's always some units available outside of that period, they will be the bottom of the barrel because those are the ones that people didn't want if there's any at all.

And there's always going to be something available, but that's neither here nor there.

And I don't see how renters can put any faith into the promises from the developers that there's going to be new units, especially when a lot of the new units are luxury departments that myself and others can't afford.

So besides that, even if there is new housing to be developed, then opportunity there be available units throughout the year if we actually have enough housing, should we have stock available so that those groups that were mentioned previously, that are not on that same schedule as a lot of the students that we were talking about, they should be available units there from when they -- from the town or whatnot.

To Julie's point, this is an ordinance that requires when landlords rent.

That's actually up to them.

So they can rent when they choose, and accommodate the people that they want to accommodate.

And I think in general, if the landlords are upset by this then they should work together with us to help generate a solution.

This sounds like the best option and if there's a better proposal that comes along, then let's hear it.

>> 30 seconds.

>> And speaking as to my own experience as an undergraduate and now a graduate student at u of m.

I think this change is vital, especially the 210 days we talked about. We talked about G.E.O. and the allies were talent about talking to students and renters and figuring out what the number is that is correct and speaking from personal experience, two months is not enough.

And 210 days is.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Caller with the phone number 499, do you have a comment? Press star six to unmute yourself.

Caller 499, do you have a comment?

>> We're unmuted, right?

>> Correct.

>> Can you hear us now?

>> Mayor Taylor: Yes, we can.

>> Okay.

>> My name is Thomas Fatite and I'm the owner of.

He doesn't represent any students I ever rented to.

The proposed or start by April 3, even to 210.

It's clearly an overreaction to commercial landlord policies of requiring tenants to make releasing decisions within 70 days of signing a lease.

It does not take into account the student leases.

Is the University of Michigan affected by this?

This requires students to make a decision on dormitory releasing in September.

They make decisions in remember between 167 and 181 days after a September lease.

There's always competition to get the off campus house they want because not everyone student wants to live in a corporate high rise ax parentally this was never taken into contribution.

If you think this ordinance will change that, you are wrong!

The 215 day requirement drives this decision in April when the students are at their busiest preparing for exams, doing shows at this time.

Now, a small landlord, my wife and I have begun the process of signing new tenants in February, for 48 years and have had no complaints from tenants.

It's our contention that we have to follow this schedule in order to make the business work.

There are many landlords in this town who depend on student rentals for their livelihood.

This ordinance if enacted in its present form would harm all of them and would a hardship for students as well.

We ask that you reexamine the number of days that you are asking for, the number of days involved to reach a compromise, that works for both groups.

But no more than 170 days.

That will correct -- this will correct the egregious policies of commercial landlords to a reasonable time frame.

If you don't make a change, you will create a wrong-headed ordinance.

Don't punish everyone for corporate landlords who made this situation

necessary.

Make an ordinance that is reasonable.

Thank you.

>> Mayor Taylor: Thank you.

Clerk caller with the phone number ending in 936, do you have a comment.

Press star six to unmute yourself.

>> Hello, this is violin monster, nonstudent renter, and previous caller mentioned the frenzy of September leases and suggest that landlords vary the time frame of the leases they.

Have I was looking through Michigan daily archives which we are lucky to have them in our town, providing such great news coverage with over 134 years of editorial freedom despite occasional demagoguery.

So I found this from October 19<sup>th</sup>, 2017, by Morgan shown.

Upon arriving an hour and a half, the housing office opened Monday.

Engineering junior Henry burns was created by a sprawling line of 40 people who wanted to reserve an apartment.

The long lines so far in advance of the offices opening was the first indication that off campus properties to navigate the city ordinances.

This is the first day that you could reserve a spot for signing a lease because they are not allowed to be signed until November 10<sup>th</sup>.

And this is the first day that you are allowed to sign a reservation and their office opened at nine.

I heard people cammed out and everything.

Students who were residences were allowed to place new deposits as early as October 13<sup>th</sup> and have the opportunity to renew a current lease up until 5 p.m. on Friday after where the market would open for anyone, only after the deposits were placed which they allowed to view their perspective apartments or residences.

Only after they placed a deposit unless they had the chance to see the apartment of their own accord.

Some currently leasing students received an email regarding the opportunities on Monday, while others did not.

Those who did not received the email were informed because they called the office prior to Monday.

According to freshman Adia Pandey, prime residences are in high demand due to their many different locations and a majority of students who began to lease as prime.

Were waiting since 2 a.m.

During her three-hour wait, Rachel expressed confusions about the policies and the students could place deposits.

So this is what the landlords are doing.

Sign with the students.

You say you want to build more housing and encourage more renters to live here.

Listen to us and give us our rights.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Caller with 205.

>> This is Joe Spalding.

I wasn't going to comment on this issue.

Now I am.

For the record it was the landlord with the 200 properties.

I'm advocating for council to look a little bit more forward and think about a 240-day window at this point.

The reality is these landlords calling in and pretending to speak for the students and that is absolutely grotesque.

I have two very specific points that I'm bringing up now because of that.

The first is everybody here is familiar with public comment.

Everybody here is familiar with public comment in a college town.

Think about how difficult it is to organize renters.

[ Garbled audio ]

Against a petition that over 1,000 student renters signed.

That's absurd.

It's obscene and it's grotesque.

And yeah, I did -- [ Garbled audio ]

You know, Mr. Mayor, you are a lawyer.

You understand that in Michigan, landlords have an obligation to mitigate damages and what that means is that they have to actually try to rent out properties when a lease is broken, and if they don't actually do that, they are on the hook for paying.

It's very difficult for students to litigate this.

It's very difficult.

One help the students have a leg up so they can compete in a fair legal footing with those landlords.

Honestly, it turns my gut to hear somebody with -- that possesses more than \$1 million as a means of products and not really a means of production.

Let's be honest, landlords produce nothing.

Some of the more than \$1 million in property that produces wealth without any work calling themselves small in the business that they are in is absurd.

So let's be real, like the renters in Ann Arbor are continuously screwed over in ways they don't even realize because it's so, so tilted and the idea that the housing crisis in Ann Arbor is any way mitigated at all by anything is crazy.

So let's not take them at face value.

Let's level up what we can do.

We don't just have to do the bare minimum that the students bring to council.

They are just stepping into this fight.

I'm so happy that they are here.

I wanted this to be their fight.

But for the landlords out there, that need to hear they are going to be held accountable, that's absolutely something that can be done and there's also plenty of legislation that can be passed at the statewide level and I will go toe-to-toe

against any association.

I do not care.

And I will do that at the state level.

I have enough influence to push many wheels there.

I hope no more landlords call in with their nonsense.

Thank you.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Adam Jaskevich.

>> I would like to say we heard a lot from landlords purported to speak for their tenants, and we have heard a lot from tenants saying that the landlords are not actually speaking for them.

So, you know, I think that the tenants can speak for themselves.

We had a landlord say that the system is work, beautifully as is.

And that's true.

It's working beautifully for landlords.

So you know, I think let's just -- we need to push the needle only this and move it more in balance of the tenants and way from the landlords because the landlords have a had a lot of support and power in city government.

That's all I have to say about that.

Thank you.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Caller with the phone number ending in 254, do you have a comment.

>> My name is Michael.

I'm a resident of Ann Arbor in ward three.

I'm a grad student and a member of my union G.E.O.

And I'm calling this strong support of the proposed 210-day early leasing ordinance.

As a grad student and renter, I have seen how difficult it is to find reasonable housing in the city.

The rents are astronomical and the reality of being forced on housing before we have to decide is just not right.

By extending the deadline would be essential for protecting the rights of us as tenants and curbing the unreasonable power of landlords over the tenants.

You have heard from landlords as other people have said, they are pretending to speak for us and they don't speak for us, and frankly, I'm sick of them trying to speak for us.

And I stand with my union in calling for the full 210-day timeline for the E.L.O.

This would give left-hand lords more than enough time, roughly five months to find new tenants and will give them a chance for making an informed decision about housing.

It could reduce to 180 days or something, it's totally not enough.

We will still have to sign leases before we know our housing situation and make an informed decision.

Even the 210 days should be viewed a compromise.

Renters we make up the majority of Ann Arbor residents.  
The landlords hold so much power in the city.  
We as renters, we have no representation on city council.  
And I know that these big landlords that you heard from have a lot of influence,  
frankly that we don't have in a lot of cases.  
Their interests are directly against ours.  
We don't trust them and they can't speak for us.  
We are not overreacting or naive as a think a previous landlord said, and frankly  
we know they don't give a damn about us.  
And if city council claims to care about the housing crisis and the needs of  
renters, you should listen to renters to pass the 210 ordinance.  
Thank you.

>> Mayor Taylor: Thank you.

>> Hello?

Can you hear me.

Clerk caller, go ahead.

>> My name is Rennie, I'm also a tenant and a grad student in Ann Arbor.

I want to call in support of proposal.

I lived in dozens of apartments at this point in many different countries and I can  
say that Ann Arbor has the worst housing conditions I ever experienced and that  
anyone I know has ever experienced.

And I want to echo what others have said.

We are living in a housing crisis.

It's existed before the pandemic.

Housing has become incredibly expensive and it's short supply and dilapidated  
and housing rights are invested in landlords and not renters.

This proposal is very small change but it's greatly needed and great for the lives  
of many tenants and it comes at a very, very small inconvenience to landlords  
and the fact that they are so against it should show you the power that they have  
and they are unwilling to give up in a very amount of power.

Now two different landlords called in.

One was this proposal would arm how housing is maintained.

One was my own landlord, J. Keller.

Who purported to represent the interests of institutions and the public in general.

[ Garbled audio ]

And which has seen no serious repairs since that time.

But then later over time, we have come to know them, but the renewal date is so  
early that we wouldn't -- [ No audio ]

I discovered the squirrels because -- [ Garbled audio ]

When I talked to the landlords or to the company, of course, I did not talk to  
Mr. Keller himself, there's 30 people between him and myself, and they respond,  
oh, yeah, that.

Do you want us to do something about that?

I don't know it took months to finally solve the squirrel problem.

[ garbled audio ]

It causes many other problems.

The foundation of the house is about to collapse.

30 seconds.

They have removed almost all the insulation and it's incredibly expensive to fix it and there's barely functioning wiring.

That house floods regularly.

We still have no solution to that and generally the house is disintegrating.

This is one issue that could be improved even so slightly by this reform, but it would be incredibly helpful for students.

And [ Bleep ] you Mr. J. Keller.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Caller with the phone number ending in 878, do you have a comment.

Star six.

>> Hi.

Can you hear me?

>> Mayor Taylor: Yes, we can.

>> Great.

My name is Steve Bachman.

I'm a small time landlord, I have ten units and five properties.

I rented mostly about 50% to graduate students and some undergrads and the balance is families and professionals.

It's certainly reasonable to increase from the 70 days currently.

My feeling is 180 is the right amount, but that's not my main concern.

My main concern is that the requirement to offer renewal and I have often, most times the tenants to renew, but there have been a few cases where it's been important for me to suggest that renewal might not be an option if a tenant continues some kind of behavior that's impacting others.

And the example that I have seen a few times is smoking in a multiunit property.

So it's reported by their tenants, and then I need to try to get the person to stop.

As it's written now, is to start eviction proceedings and if they stop within seven days, then it starts over.

I think landlords sometimes need to take actions to remove tenants and it would be the only one who would be impacting the peaceful enjoyment of tenants in other units and multifamily properties.

That's all.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Caller with the phone number ending in 663.

>> My name is Abdul.

I'm a student at the University of Michigan.

And I wanted to call in support of the extension in ten days email to the early leasing ordinance.

Ann Arbor has a very messed up housing market at the market -- housing market.

If you were on minimum wage, working full-time, you would have to work 80 hours a week.

It's absurdly expensive.

The Washtenaw County is the most rent burdened county in the whole entire Michigan.

It's one of the most rent burdened counties in the whole entire United States.

And that's simply because of Ann Arbor and how absurdly expensive it is to live in the city.

And I wanted to say that what the extension of the E.L.O., 210 days amendment, what it does is it brings Ann Arbor housing closer to the competition.

And so Ann Arbor's housing market currently has a few different issues.

Number one, there's a very little amount -- I will go through the elements of the competition.

There's a limited amount of firms offering housing in Ann Arbor.

There's several enormous landlords, corporate land lords like the one that a caller earlier mentioned that there's 30 levels between him and the top landlord, but, you know, there's all of these different firms and there's not that many different firms and there's a lot of customers and that gives the firms the upper hand.

And then the second part of the competition is all the firms presented the whole product which is not true in Ann Arbor, but that's not true for any housing market and we'll get past.

That sellers and buyers have all the relevant information.

So perfect information, which is an idea that really can't be attained but in Ann Arbor does not exist in the slightest.

Now, sellers, like landlords have a lot more information than small time students, you know, small families who are looking to rent a place.

And that gives landlords the upper hand because people who are looking for a place to live do not have any semblance of any 1% of the knowledge that a -- seller has.

And that makes people more likely to make a decision that they wouldn't want to make on their housing.

So explaining the E.L.O., and making it 210 days.

People get all the information they need to find their housing and make Ann Arbor's housing market more equitable, and bring it to an equilibrium price instead of the absurd prices that provide landlords with super abnormal profit and provide tenants with essentially nothing in the outcome.

Thank you.

>> Mayor Taylor: Thank you.

Clerk caller with the phone number ending in 805, do you have a comment?

Press star six to unmute yourself, caller 805.

Caller 805, do you have a comment?

Caller 882, press star six to unmute yourself.

Do you have a comment?

Caller 882, go ahead.

>> Hi, my name is Scott Brock.

I'm a resident of the Ann Arbor and a real estate attorney.

I'm objecting to the proposed ordinance for a whole but particularly the forced right to renew.

The fifth amendment of the United States constitution provides nor shall private property be taken for public use without just compensation on June 23<sup>rd</sup> the United States Supreme Court issued the fifth amendment, and the Supreme Court first reminded us why the fifth amendment exists tracing back to our founding fathers recognizing that the protection of private property is indispensable for the promotion of indivisible freedom.

Property must be secured or liberty cannot exist.

Indeed our Supreme Court agrees with John Adams having one stated that the protection of property rights is not there to preserve freedom and empowers persons to shape and plan their own destiny in the world where governments are always eager to do so for them.

The proposed ordinance serves as an example of that.

Our Supreme Court has always made clear that the right to exclude a person from one's own property is the moment -- is one of the most treasured rights.

That is the right to exclude universally held to be the most essential stick in the bundle.

It's my opinion that forcing the landlord the right to renew a lease and only allowing them to evict as a just cause as defined by the city.

That right to exclude.

So if this ordinance passes, what must the government do per the fifth amendment it must pay for that right it took.

I will gladly be the first in line to accept my just compensation, or with all due respect, I will be the first in line at the federal courthouse and the city can waste tax dollars.

Washington state just passed a similar law.

I was just speaking with the attorneys in Washington state to discuss with them how it affects the apartment.

Those at the margins are negatively affected most.

Who are those people, those with poor income and those with bad credit, or no income.

Who does that sound like?

The students.

So these people are often left stuck without housing or forced to move elsewhere.

I guess if Ann Arbor wants to continue the reputation of being full of nothing but rich people, well, city council, you continue to be on the right track.

Second rent will go up.

Every new ordinance causes the market to react with an increased price.

We see this over and over again.

>> Clerk Beaudry: 30 seconds.

>> And you can attack students and those without high incomes but again Ann Arbor and the University of Michigan seem to have no issue with keeping the city and the school full of worst students.

Ask any landlord and they will do anything to keep a good tenant in the property. It's the loud, destructive, obnoxious tenants that they can't wait for the lease to end.

Assuming that this law is not struck down.

It triggers this ordinance what will a landlord do?

Short the leases.

How does a semester long lease.

>> Clerk Beaudry: Time.

>> You can look for a new place in October and March.

The proposed ordinance is unconstitutional.

Please deny it.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Caller with the phone number ending in 534, you can press star six to unmute yourself.

Go ahead.

>> Hello again, this is Tom Stulberg.

Calling from lower town.

I'm a small landlord, and I have spoken before on this issue.

I can flex, maybe that's a luxury of being a small landlord rather than a large landlord.

In my case, I will be fine with whatever you decide in terms of the number of days.

I think there's some confusion of what's being removed or not, and hopefully that will be cleared up.

And I think some of the problematic parts and the challenging parts are being changed.

And I do believe that will get cleared up shortly, when council discusses.

This.

I do not want to speak for the tenants.

They definitely said they don't want to be spoken for from a landlord and so I won't.

I will speak on behalf of just myself, that I appreciate being a landlord in Ann Arbor.

We have wonderful tenants.

I'm an alumni of the university myself.

We are both undergraduate and graduate experiences and I went through the whole process from the other side of that.

And I'm very happy with the tenants that we have had in over 20 years of being a small landlord here in Ann Arbor.

So, please listen to your tenants.

The tenant advocates, they are very important part of our town.

And we -- many of us were there once ourselves.

I want to raise one other issue, a gentleman named Joe Spalding.

He calls from out of towns and a lobbyist and a political hitman.

His job at five corner strategy, it's to promote new developments.

It's to lobby and work on behalf of the new developers.

Not existing ones.

And those new developers become landlords.

So he's railing against landlords but he's also here in town being a professional lobbyist for new development which is also part of his job as a political hitman against any sitting councilmember or new councilmember who wants to campaign to be a councilmember would doesn't meet the needs of his clients, which is simply promoting large new developments which will then be large landlords.

So it's a shame that this gentleman continues to call in and tries to influence our city politics.

There you have it.

Figure out who is paying him.

Thanks.

>> Clerk Beaudry: 30 seconds.

>> I'm done.

Good night.

>> Mayor Taylor: Is there anyone else who would like to speak at this public hearing?

>> Clerk Beaudry: Caller with the phone number ending in 556, do you have a comment?

Press star six to unmute yourself.

Go ahead.

>> Hi, Ralph McKee, fifth ward.

I have a brief comment.

I think you should listen most really, to the person who was the nonstudent renter.

I think it's very important that that renter agreed with what the student renters also wanted, the 210 day time frame.

Because the landlords were definitely arguing that those people weren't represented, the one that I heard called in had the same goal, the 210 day period and I think that's very important if -- if both types of tenants really want that change, it ought to be made.

Thank you.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Mayor, I don't see any callers with their hands up.

>> Mayor Taylor: Is there anyone else who would like to speak at this public hearing?

Clerk caller with the phone number ending in 035, do you have a comment?

>> Can you hear me?

>> Mayor Taylor: Yes, we can.

>> My name is Leah and I'm calling to support the E.L.O. with the 210 day extension.

I'm a Ph.D. student at um and a proud G.E.O. member.

I'm an international student and I accepted my offer in mid-March of 2016.

At that point only 7% of units are available to rent in Ann Arbor.

I had a real hell of a time tracking down a place to live that was suitable for my accessibility need and my financial situation from another country.

I moved Ann Arbor on September 1<sup>st</sup>.

On September 16<sup>th</sup>, I received an email asking me about renewal, and giving me a week to decide.

They in effect threatened me with a larger rent hike and claimed they received inquiries about my apartment specifically for next year.

What a good example it's landlords that drive the competition.

Why would anyone be wearing to leave after only 16 days in their new home.

I had a lot of uncertainty about my apartment needs because my husband was trying to figure out his visa.

I didn't want to pay another student department while my landlord still held mine.

I resigned despite my resigning, I received a notice that my apartment would be shown before the 70<sup>th</sup> day with the lease and I had to argue with them not to bring strangers into my home.

I wish I had not resigned in early December we heard noises of rodents scratching and crawling through the ceilings waking myself and roommate on a nearly nightly basis and calling us immense stress and sleep deprivation.

This continued into the second year.

The company did nothing, telling me I was hearing things, even when I spent multiple recordings of noise.

Many if not most students and many tenants who are not students live with limited funds and a lot of uncertainty about their lives.

We frequently don't know where we'll need to be in the following year until well into the spring.

This is a problem experienced by many people in Ann Arbor for various personal and professional reasons.

The 180-day extension is just not sufficient to alleviate the problems of navigating a rental market shaped and controlled by landlord interests.

It's far too soon and requires us to sign leases before we know for sure where we need to be.

And if we gamble incorrectly, we struggle to find housing in spring or find a subletter.

It will allow for landlords to have more reliable -- to find a new place if they want and fine good and safe places from live.

I'm from Ontario where we have more robust tenant protections.

We have more representation.

The way tenants are exploited in Ann Arbor is not acceptable.

You need to listen to us, the tenants not management company whose job is it is to extract money from people who live there.

They have no interest in helping tenants, just on profiting from us.

We need protection and representation.

Please vote for the extension.

Thank you so much to Councilmember Radina and Disch and Nelson for your

support.

Thank you.

>> Mayor Taylor: Thank you.

Clerk caller with the phone number ending in 400, do you have a comment?

Press star six to unmute your phone, please.

Go ahead.

>> Good evening.

My name is Jen Lendberg and I'm calling in to oppose the changes that are currently set forth by council in regards to the leasing ordinance, and the right to renew.

The current restructuring the ordinance creates neither further uncertainty for prospective tenants and current residents.

Trying to find housing in the city of Ann Arbor is an extremely complicated thing to do with the lack of inventory.

With mandating such a late timeline in the lease and renewal process, it will create an urgency of being homeless by prospective tenants and current tenants unless they renewed as there's no way to properly field the demand that will be created by the frenzy when the leasing floodgates open.

With the vast majority of rental properties in the city of Ann Arbor on the same leasing schedule this will create havoc amongst all parties.

It's costly and frantic for everybody.

I would like to reinstate that right now I keep hearing the words "students" and a lot of "student rentals."

I think we need to keep in mind that there are thousands of renters in Ann Arbor that we need to be minding.

A lot of people that are relocating and they want to have their schedules set and 180 day time line creates a lot of different burdens.

There will be an urgency of homelessness and I understand what I'm hearing from residents and tenants because there is such a lack of inventory in the market in Ann Arbor.

What we have seen is we have had a lot of new units come online that our market is starting to shift.

If you go me [slowmetorent.com](http://slowmetorent.com), you can find thousands to be rented in Ann Arbor.

I think one the complications that renters are finding is that they are not able to find the resources are where are all of these rental properties now being advertised as different third parties are no longer advertising stuff.

And it adds one extra layer of complication on to things.

The timeline presented also creates many issues for residents as, you know, in that time frame, they will be in finals.

Many people be leaving.

Many people are working from home and what is going to happen is we as landlords, property owners, are all going to be opening up the floodgates all at one time creating havoc.

>> Clerk Beaudry: 30 seconds.

>> Over the past years -- I think we need to look at this as all and not just as a -- as -- we're all going through this.

This will create huge havoc when it comes to the floodgates and current residents that want to look at other properties.

>> Clerk Beaudry: Time.

>> Have a good evening.

Please look at the entire rental communities, it's not just the landlord tenants. It's everybody.

>> Clerk Beaudry: Caller with the phone number 396.

>> Hello, can you hear me?

>> Mayor Taylor: Yes, we can.

>> My name is Lucy, I'm a Ph.D. student here and I'm a resident of the ward four and I want to make a couple of comments in support of extending the ordinance to 210 days.

One, I want to refer to the comments of gentleman who was a landlord and also an attorney.

Who was talking about his sacred right to evict people from his so-called private property which is actually a commercial property and I hope you will notice that he threatened to turn his leases to semester by semester and I want you to know that is the kind of thing that we face all the time, threats from landlords because we don't have a lot of legal protections in the city of Ann Arbor as we have heard from a lot of renters who spoke tonight.

I hope you and the city council in general have your eyes on renter because we are really under threat.

That's my first point.

On to the early leasing.

This is much more than technicalities.

The 70-day timeline, they threaten with raising rents.

So have the incredibly of living in an apartment complex.

As a property manager emails, 70-day and says we can resign you right now for your current rate and if you wait longer, we will raise the lease -- or the rent.

So I have to wait until I know for sure and by that time, my rent has been raised one time, two times, three times, four times.

So it's not just about when the landlords can show the apartments.

It also gives the land lords a tool of power to associate with us.

I hope you know this is a much bigger issue.

And more specifically on the issue of 210 days, I want to point out that we haven't heard a single renter say anything against 210 days.

G.E.O. has done its due diligence to talk to members the communities about the correct number of days.

Members rental community, this involves students, undergraduates and graduates and also residents, nonstudent renters.

We have 1200 signatures on a petition.

We haven't heard any renters say anything against 210 days and then the last point is I would really like to thank Elizabeth Nelson would has worked with us

very graciously.

It's hard to be a renter in Ann Arbor, and activists have been burdened with hours and hours of work.

We wanted to get one small win for renters.

It's incredibly different.

We have worked on this for hours.

I hope the council pays more attention to renters.

This is the hardest city we have lived to rent in.

Thank you very much, Councilmember Elizabeth Nelson for watching out for us.

That's all I have.

Thank you so much.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Caller with the phone number 3.

>> Can you hear me?

>> Mayor Taylor: Yes, we can.

>> Hi, my name is Jeffrey, I'm an Ann Arbor resident.

My family has been involved in the rental industry as property managers and renters since the '60s.

One of the comments made earlier by tenants was how easy it is to get maintenance items done, renovations done, that almost sounded more like flipping a switch and could be done in a short amount of time.

The problem with going so far out with this ordinance is that the compression of time and the understanding that we would have is -- as far as who is renting, compresses everything that we do throughout the year, to try and understand what kind of budget we have to work with, what tenants would be willing to let us come into their property, and do the renovation in a timely manner so that we can keep and continue to rent high quality rental units.

When most of you know that the renovation and the contracting business right now is hampered with lumber issues, with ordering issues, this isn't just a post-pandemic thing.

This is all the time.

So in order to be able to sit down with property managers who manage my property, and understand what units we can go into, what timing we can go into for those, what kind of budget we have to do anything, we keep those improved and the best possible units that we can rent, we can't do that when that time frame is just compressed even further.

I definitely think there's a compromise here and I urge you to continue to listen to the landlord and property managers so that we along with tenants can come up with something better than 210 days.

I really appreciate your time tonight.

Thank you.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Mayor, I don't see anyone else with their hand up.

>> Mayor Taylor: Is there anyone else who would like to speak at this public hearing?

See no one this, public hearing is closed.

Public hearing number two, Resolution to Approve 300 West Huron Hotel Site Plan and Development Agreement, 300 West Huron.

Is there anyone who would like to speak at this public hearing?

>> Clerk Beaudry: Samir Patel, you can go ahead and speak.

You can unmute yourself.

>> Hello, can you hear me?

>> Mayor Taylor: Yes, we can.

>> Awesome.

Yes, I just want to thank city council for inviting us to present our project tonight.

My name is Samir Patel, the senior development at Hawkeye Hotels, the developer and the owner behind this Fairfield Inn and Suites.

I wanted to give a brief background on our company and who we are, because I think the developer behind the development is just as important.

A family owned development management and ownership company.

We were founded in 1982, when Bob and Angie Patel immigrated from India with a daughter and a dream.

They purchased an 18-room hotel in Arkansas.

This was the first introduction into the hospitality industry.

The hotel was shut down at the time.

Bob and Angie renovated it themselves, Bob worked front desk, Angie did housekeeping and handled the books and they were eventually able to make it profitable again and sold it for a larger property.

They grew the company throughout the late '80s, throughout the Mississippi valley and then in the early '90s, became the first minorities with a major franchise in 1994.

During the great recession, hawk eye was the fastest growing within the Marriott system.

They built or acquired 15 hotels.

The next generation of Patels have taken the reins of the company.

We have 12 under construction and additional 20 under the pipeline.

One of our most exciting and high-profile projects is here in downtown Ann Arbor.

We have been searching the market for about three years now waiting for the right opportunity to arise.

What we're proposing at 300 west Huron is a five-story 92-key Fairfield Inn and Suites by Marriott.

The building will be LEED gold certified and the guestrooms include separate sleeping and workout area, and complimentary breakfast.

I want to give a brief background on myself, our company, and the project, and then my design team is also at this hearing as well to answer any hotel-specific questions.

So with that, I will turn it back to the city councilmembers.

Thank you.

>> Mayor Taylor: Thank you.

Is there anyone else who would like to speak at this public hearing?

>> Clerk Beaudry: Mayor, I don't see anyone else with their hand up for this hearing.

>> Mayor Taylor: Seeing no one, this public hearing is closed.

We have about us, the meeting minutes of July 6<sup>th</sup>, 2021, may I have a motion to approve these minutes, moved by Councilmember Radina seconded by Councilmember Hayner.

Councilmember Radina.

>> Councilmember Radina: I believe Councilmember Griswold has joined on the attendee side.

>> Mayor Taylor: Repeat, please.

>> Councilmember Radina: Councilmember Griswold has rejoined on the attendee side.

>> Mayor Taylor: Ms. Beaudry, can you bring her over, please.

Further discussion of the minutes?

All in favor?

Opposed?

Minutes are approved.

B-1, an Ordinance to Amend Section 8:530 of Chapter 105 (Housing: Lease Agreements and Entry to Show Residential Premises) of Title VIII (Building Regulations) of the Ann Arbor City Code.

Moved by Councilmember Nelson, seconded by Councilmember Radina.

Discussion of b-1.

Councilmember Nelson.

>> Councilmember Nelson: Thank you.

This has been quite a journey, and I do want to acknowledge all of the people who called in.

Really appreciate your support with this process.

One caller in particular, really nailed a description of what this has been like.

Many, many hours of meetings.

This is an issue that has -- matters to people in the community.

It did take us two months to get a draft ordinance language to distribute among the community advocates.

We are -- we are -- I sent a draft to Jackie and I circulated close to what this is on Saturday to all of council.

Based on legal advice, both internally and externally, we are removing right to remove portion of this ordinance.

It is -- it is now -- the discussion we are having is about the timeline.

I want to acknowledge that based on the connections that I have made and the many months that this has been a topic of discussion, I will continue to work on this issue.

I appreciate the advice and the clarification around obstacles to the right to renew, but this is a very meaningful housing policy that other municipalities have implemented, and it is highlighted as a very important protection for tenants.

Until we have a better sense of what enforcement is likely to look at on the tenants end, that looks to me to be the best solution in terms of enhanced

tenants rights, but that's no say the right to renew.

I want to just clarify that I will continue to work on that issue.

The ordinance -- Jackie, did you circulate it.

So we did hear from people concerned about the right to renew and just cause for eviction.

Those terms no longer exist.

We are counting from the end of the lease.

So we have been talking about 210 days.

We're counting from the back end, 150 days from the end is what we are counting from.

And to address the concern of one gentleman who talked about leases being shortened -- well, I certainly hope that landlords don't have plans to make semester-long leases we -- it was suggested to us that we should shorten this to eight months so that there is not a temptation for landlords to create an eight week lease.

Those are the notable changes and I think we heard tonight how much support there is in the community for this ordinance and I have to stay I came to this somewhat ignorant not having rented in the city of Ann Arbor and certainly not the campus area.

It's remarkable to me to hear that five months that is just too short.

That's just amazing to me.

I will let others make comments.

>> Mayor Taylor: Is that an amendment?

>> Councilmember Nelson: I guess it's an amendment.

It's little a full substitution actually this is going to -- this is reverting to first reading, obviously.

>> Mayor Taylor: Is there a second -- I will treat it as an amendment.

There's a second, Radina.

Is that friendly to the body?

The amendment is friendly.

Councilmember Radina?

>> Councilmember Radina: Thank you.

I was prepared to speak on the amendment, but I appreciate everybody passing this unanimously.

I want to thank Councilmember Nelson for her work on this and this is a process that I have been engages with her for weeks and months and I want to thank all the community members who called in to let their views be heard.

I want to acknowledge, I don't think we are acting out of the belief that all landlords are evil or all landlords are bad actors but I think there's an important power imbalance that exists in the -- the rental market here in Ann Arbor and elsewhere that needs to be addressed.

And one of those things, you know, I think with heard tonight that tenants are often reaching out really early in the leasing period because they want to get their leases wrapped up early before the next year.

The reality is I remember that process as a student and I have heard that

process explained to me by students today, and it's very similar that it's not necessarily a desire to have this wrapped up really early into the fall, particularly for new students who are freshman and wanting to move off campus their next year.

The reality is it gets around that if you do not have your lease information signed or ready by, you know that 70-day mark, if you haven't found your place to live for the next year, you will be out of luck.

And so students start rushing early in their -- in the period to sign up.

I remember as a student going out and seeking landlords and finding out where I could go and view places.

That's a desire due to the timeline currently in the ordinance.

I'm grateful for the work that has been done by the rental community in helping to collaborate on this.

I do want to acknowledge that I think we have also received sympathy really positive -- some really positive input to some of the landlords who contributed no this as well.

I think it's important to acknowledge that while the vast majority did not -- we did not hear this tonight, there were a few that were very predatory in their language that demonstrates the significant power imbalance that exists in our community. And this is the right to renew and the continuing the right to renew is the right option going forward.

That's not what we will be voting on tonight.

When I hear things like it's not just of the destructive but also the allowed and obnoxious renters had a we can't wait for their leases to end.

Someone being loud should not make them homeless.

If there's continual problems that exist there, sure.

But the reality is, this power imbalance is creating a real problem in our community and frankly it's time for us as a body to continue doing the work to make sure that renters rights are stronger here in Ann Arbor.

It's one of the things that --

>> Mayor Taylor: Councilmember.

>> Councilmember Radina: To Councilmember Nelson, the renters commission is likely coming soon and we hope they will be able to work on this.

Thank you and I hope you will support it.

>> Mayor Taylor: Councilmember Disch.

>> Councilmember Disch: I want to thank both Councilmember Nelson and Councilmember Radina for all the work they have done on this ordinance and the many people who spoke and called in tonight.

We're hearing very different stories.

We're hearing from landlords about would-be tenants anxiously trying to secure housing in November or before, and for tenants we are hearing landlords approaching them to renew a scant two months into their lease and using the prospect of a rent increase to leverage an early resigning.

So we have conflicting stories.

What do we know?

We know that notwithstanding the COVID-19 pandemic, space in the off campus rental market last November was 99% occupied.

It's projected that the next five years the city's renter population will increase over 4% downtown and roughly 2% elsewhere throughout the city.

This ordinance will compress the leasing period that is correct, but it is not correct to say that it will relocate it to April or to after the students have left campus.

According to the evidence that was provided as an attachment to this ordinance, to this agenda item, the bulk of leases begin in early to mid-August.

So for the largest group of tenants, the leasing period will not fall in April. It will be in mid-March.

As we heard from a caller, Washtenaw County is one the most rent burdened counties the average cost of a one bedroom is \$1,200 a month, which is 50% of a grad student's monthly income.

I hope everyone will remember that if you choose not to renew your current lease, then the earlier you have to sign a new lease, the longer you will have two security deposits out of your pocket.

That is one of the factors motivating this change.

This is widespread agreement that 70 days is too short.

Landlords assert that 210 days is too long.

There is a concern that they will be able to press their -- their concern about 210 days through the courts because of a decision in St. Paul.

We have a month now since this is going back to first reading.

We have a month to get more clarity on that issue, and if -- if at all possible, try to bring a few more landlords on board.

I heard many of them say that they really don't care where the limit is.

I heard others say that the sky is falling.

Both of those things can't be true.

We really must, must do something about what I think Councilmember Radina rightly called a power imbalance in this situation.

>> Mayor Taylor: Councilmember Hayner.

>> Councilmember Hayner: Thanks, Mr. Mayor.

I just -- I just want to say I appreciate this pared down version of this.

When this was floated several months ago now -- more than that I suppose, I completely supported the notion of shifting this period around because, you know, some of the landlords and some of the other communities I know, they count backwards from the end of the lease, and it does seem extraordinary that someone can say hey, you have been in your place for a couple of months. Some people have not finished unpacking all their stuff with all of their school work and their jobs.

It removes the parts that concerned me.

I will support it at first reading, to second reading and I appreciate the editing that has happened here.

That also could maybe with considered in the future with a more holistic approach and kind of a broader set of ideas and experiences and so on at the

table.

So hopefully that's what will happen as we go forward.

And I intend to support this tonight.

>> Mayor Taylor: Sorry.

I was on mute.

My apologies.

Councilmember Ramlawi.

>> Councilmember Ramlawi: Thank you.

Appreciate all the work that's being put into this by Councilmember Nelson and Radina and I echo the statements made by Councilmember Hayner that I appreciate this -- whether we want to call it a substitute or an amendment version that takes out the right to renew and focuses more on the timeline of the early leasing.

I do have some questions on this substitute or amended resolution, legal questions.

As it pertains to situations that -- that the University of Michigan and folks who don't have any intent on renew we newing and allowing a prescription for landlords to have folks look into the properties sooner if the current tenant has no interest in renewing.

If you have people who are graduates and don't have any intent on renewing, is there a waiver for those instances for landlords to show those properties in those instances as well as the case of the University of Michigan, are they except from this?

Maybe that question takes a little bit more time.

>> As for me, there currently isn't an exception for that in 3A. and 3B.

That didn't come up in discussions as to whether a student knew he or she wasn't going to be coming back next year.

That's something that you could add an amendment to.

>> Councilmember Ramlawi: If that was worked on between now and second reading, would it be materially different and require this to go back to first reading for the umpteenth time?

I don't know if we can allow and amend that.

>> And I think that would be okay.

I don't want to take up your time, Councilmember Disch.

When she said a month.

I think tonight is the first reading and the second reading would be two weeks from now.

So we might have two weeks rather than a month, unless the changes are significant.

>> Councilmember Ramlawi: And how does it pertain to the University of Michigan?

>> City Atty. Postema: They are usually except from these.

It usually would not apply to the university, but I haven't looked into it.

>> We, I was going to say, they usually have different constitutional sovereign.

This would not apply to them but we would have to apply a memo on that, if we

specifically want one.

>> Councilmember Ramlawi: Thank you I will let my colleagues speak.

>> Mayor Taylor: Councilmember Briggs.

>> Councilmember Briggs: Thank you.

And thank you to everyone who has been working on this.

I think the amendment, the right to renew based on the advice you received makes sense at this moment in time.

Obviously that brings up some other issues that still need to be worked through.

We heard from hundreds of renters that 70 day is untenable and it preys upon vulnerable population.

And there is a loud and clear demand for the 210-day time frame.

I think it's important that there are those folk who call in to the public hearings and those who weigh in more quietly to us.

We have heard from the alumni council and the last council meetings folks raised the issue, well, they are just alumni, but we received a clarifying email from them that they represent 3,000 undergraduate women and 16 organizations within the university.

They have called for a shorter time frame.

So I just want to point out that there are a range of voices and desires from the community.

And this is not a black or white issue.

There's a variety of different issues from the rental population.

There's a variety of different opinions from the landlords.

We have heard from the mom and pop shops that said they agree the 70-day time frame is too short and they really don't abide by that.

They are not preying upon their renters and pushing them into leases after a couple of months.

But they have talked to us, not about what they need to exist in a smaller market and provide high quality housing.

And, you know, they have asked for a little bit more time and I feel like their voice has not necessarily been listened to in this process.

This is a pretty huge ordinance change that is impacting over 50% of our residents here and kind of process by doing this feels like, you know, we might have wanted to be a little bit more deliberative in this, as we work to provide more housing in the city.

We might listen to some of the reasonable insights of those who provide housing in our community.

And so I will be supporting this going forward.

Thank you.

>> Mayor Taylor: Councilmember Radina.

>> Councilmember Radina: I wanted to briefly address Councilmember Ramlawi's question.

As Attorney Reiser, for a renter to waive their rights under the timeline was discussed and one of the reasons we determined not to include it in the final draft was pretty significant feedback from renters that the fear could exist that it would

incentivize kind of that continued pressuring earlier in the process for -- for tenants to waive their rights.

And so all of a sudden you don't have the right.

You have knocking at the door whether or not you will leave the next year.

There was also concern that we discussed that it would potentially create -- and a competitive advantage, even greater competitive advantage to some of the larger landlords with those who may incentive tenants to waive their rights.

If you let us know by December 1 that you are not signing next year, we will give you \$100 off your December rent situation where while it would benefit those tenants who might live with large landlords -- large landlords it may create a competitive disadvantage for the smaller landlords.

>> Mayor Taylor: Councilmember Nelson?

>> Councilmember Nelson: Councilmember Radina said much of what I was going to say but I think to add on to his remarks, and actually in response to something that was said earlier, one the consequences of waiting two months for the language, I had an opportunity to meet with and have conversations with four attorneys locally who have worked on London lard tenant law advocating for tenants and their experience was not as a landlord of 20 units or as a tenant navigating a series of leases over a career, but in actually seeing many, many, many cases of tenants being put at disadvantage and how these leases were playing out.

And so I had access to what is happening in the rental industry.

One the reasons that I'm enthusiastic about thinning to work on the right, I have a team of people who are really interested in helping me.

So I guess I just want to reiterate what -- the points that Councilmember Radina made around our understanding of what puts tenants in a vulnerable position and what kind of -- an exception, an amendment like Councilmember Ramlawi suggested really will put them at a disadvantage which is not the intention of this ordinance at all.

We are not trying to just reframe the pressure point.

We are trying to remove the pressure point.

Thank you.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: Ink that you for addressing my point and the work that has been done and some of the other concerns we have heard here tonight. If folks aren't going to stick around, and renew their lease, then I think there should be some flexibility in allowing that landlord and the property management to do things in order to help their interests and the interests of everybody, frankly, as I think this would.

I think we could probably hopefully craft language that this would be a voluntary agreement, that would be not -- they would not be compensated for such an agreement.

I frankly have a hard time penalizing folks who are in that situation who have to wait up until that 150 days before being allowed to show their property or do something different with it, if they know the current tenant is not going to renew.

There will always be a power imbalance unfortunately in that relationship. There's a power imbalance on many relationships that could and are mutually beneficial.

So I will consider bringing that at our next meeting and I will be supporting this. Thank you.

>> Mayor Taylor: Further discussion.

All in favor.

Opposed?

It is approved.

Db-1, Resolution to Approve 300 West Huron Hotel Site Plan and Development Agreement, 300 West Huron.

Moved by Radina and seconded by Disch.

Discussion of db-1.

Councilmember Hayner.

>> Councilmember Hayner: This type of intensifying land use is appropriate in the downtown areas, but it -- I wouldn't let this go by without pointing out that probably about 100 years of use that they got out of that gas station is now known as relax station, with the beautiful gardens and the building next door, the two buildings associated with this combined parcel and, you know, it's just -- it's yet another opportunity to take a look and see how buildings that have -- are built and repurposed and maintain flexibility and creativity is allowed to come in and repurpose these buildings.

It shows that a building can have a lot of value beyond its intended lifetime.

I'm not sure if some of these new projects are going to be like that but I want to point that out.

I will support this.

You know, the one place has become a bit of -- 111 has become a bit of -- kind I have a derelict hangout.

The building itself had a small fire which started on the porch.

Derelict in the building and not the folks.

So it's time for this to be redeveloped and we are getting a hotel row there.

I had a friend come in from Pennsylvania, and he stays across the street.

Thank you.

>> Mayor Taylor: Further discussion?

Councilmember Ramlawi.

>> Councilmember Ramlawi: I question about the offsite parking.

Can you explain to me where the six spots are located.

>> Yes, I can definitely explain.

Matt Kowalski, the city planner that reviewed.

The off-site spaces are located just to the west of the Delonis center.

There's currently a drive that runs right parallel along the railroad track there, and they have a dedicated permanent recorded parking easement, which is one of the mechanisms we do allow within our code if you have a recorded parking easement.

So those spaces are located just off the site.

It's just past the Delonis center, next to the railroad tracks.

They are parallel spaces that go along the current entrance drive that runs along the railroad.

>> Councilmember Ramlawi: Thanks, Matt, for being here and explaining that.

>> Mayor Taylor: All in favor?

Opposed?

It is approved.

C-1, An Ordinance to Amend Section 8:530 of Chapter 105 (Housing: Entry to Show Premises and Time For Rental Agreements) of Title VIII (Building Regulations) of the Ann Arbor City Code.

Moved by Councilmember Nelson.

Seconded by Councilmember Radina the discussion of c-1?

>> Councilmember Nelson: This has been displaced by a-1.

I wasn't sure of the mechanics.

I wasn't sure if we could take it off the agenda.

We can vote it down or get rid of it.

>> City Atty. Postema: I would just vote it down.

>> Councilmember Nelson: All right.

>> Mayor Taylor: Councilmember Disch?

Further discussion?

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: Just a parliamentary question sort of here.

You know, b-1 was listed under a second reading.

I'm assuming that was now would be a first reading.

>> City Atty. Postema: Yes.

>> Councilmember Ramlawi: This is irrelevant at this point.

I'm just making sure that --

>> City Atty. Postema: Yes, thanks.

>> Mayor Taylor: Further discussion?

Councilmember Briggs?

>> Councilmember Briggs: I just wanted to make sure that I know the staff attorney's office has worked with many of us, answering questions and advice and thanks for all of that support.

>> Mayor Taylor: Further discussion?

All in favor?

My recollection, just to refresh people's recollection.

We are voting this town so to permit the previously amended version to go forward without contest.

>> Councilmember Disch: In favor of saying no.

>> Mayor Taylor: All in favor of the resolution?

All opposed?

The measure fails.

Let's take a short break.

It's 40 -- it's 9:40.

We will come back at 9:50.

[ Break ]

>> Mayor Taylor: Thank you, everyone.

We are back after a short break.

DC-1, resolution to appoint Jonathan Overpeck to the Energy Commission.

>> Moved and seconded.

>> Councilmember Griswold: I would like to thank him for his service on the current council and now to the energy commission.

>> Councilmember Radina: Every once in a while we have to have a vote and I think it's important to point out the incredible experience that Jonathan Overpeck will, currently dean of the U of M school for environment and sustainability, but also, you know, he's leading U of M's own environment and he's a Nobel Prize winner for his climate change work and world renowned for his research work and he will benefit our community and that's one of the benefits of having a world-class institution here and Dr. Stults and her team and the outreach to the campus and other leaders.

I'm glad he will be joining us.

>> Mayor Taylor: Further discussion.

All in favor?

Opposed?

It is unanimous, with 11 councilmembers present all voting in the affirmative, thus satisfying the seven vote requirement.

DC-2, Resolution to Amend the A2Zero Plan, Strategy 6, to Implement Sensors to Monitor and Strategies to Manage Heat, Air Quality, Waterways, and Flooding.

Moved by Councilmember Disch, seconded by Griswold.

Discussion of DC-2.

>> Councilmember Griswold: The purpose of this resolution is to move beyond just monitoring and actually have a proactive management program.

I worked closely with Dr. Stults on this I appreciate the cosponsorship from Councilmember Disch and Councilmember Nelson.

Councilmember Disch raised some good points that we need to be very clear on what responsibilities still lie within the office of sustainability and innovation and basically those responsibilities do not change and we would -- for flooding, we would be using funding from the stormwater infrastructure -- I'm sorry, stormwater enterprise fund.

Sorry.

I'm having a problem with my computer so far away from me here down at city hall.

This has no impact on general funds, and we already have the enterprise fund for stormwater management.

And I think that it is important that council as a policy making body establish policies that can actually make the community more resilient by having strategies to manage stormwater.

Thank you.

>> Mayor Taylor: Further discussion?

Councilmember Griswold on round two.

>> Councilmember Griswold: I would like to offer an amendment and that is on the second resolve clause, to strike the last few words, the next time the plan is up for revisions.

So rather than waiting until the plan is up for revisions, we would be changing it today and that's consistent with the fact that it is a living document, and I discussed this with Dr. Stults today and she's in agreement.

>> Mayor Taylor: Is there a second?

Seconded by Councilmember Nelson.

Is that friendly to the body?

It's friendly.

Further discussion?

Councilmember Ramlawi.

>> Councilmember Ramlawi: Is Dr. Stults here at all to maybe give us a little bit of feedback on that latest amendment to the resolution and when we could be seeing these sensors and what type and where and how and when?

>> Clerk Beaudry: Dr. Stults is available on the phone.

>> I am.

Yes, thank you, Councilmember Ramlawi.

Can you hear me okay?

>> Mayor Taylor: Yes, we can.

>> So in terms of the amendment, absolutely and completely in alignment with the work that we wanted to do around managing stormwater more broadly.

In terms of sensors themselves that's something that's in the budget for this fiscal year, placing those in different areas with air quality and water quality, and you should see them in the next few weeks and months.

>> Councilmember Ramlawi: Thank you.

Thank you for joining us tonight.

Are we talking about five sensors, ten sensors, 200 sensors.

Do we know how expensive that network of information is?

>> Yes, we researching different options.

You are very likely going to see come before council of allocating the resources to do that and your question is really astute because it's how many data we want to collect.

So we're doing the investigation and you will see something shortly for council consideration.

>> Councilmember Ramlawi: Well, thank you.

I'm amazed with everything else you are doing.

Every time we think we discovered something that you haven't, you already thought about it.

So I appreciate you always being on the tip of the spear.

>> Mayor Taylor: Further discussion?

I'm delighted for my part that this will be moving forward.

We obviously -- we are experiencing climate change here in Ann Arbor, in a wide variety of ways, heat, of course, but flooding and participation, perhaps most acutely.

This is an excellent example of the A2Zero plan, you know, working for the benefit of -- of residents in this context to promote resilience. And allowing the municipal organization to work to reduce flooding and other neighborhood impacts.

Further discussion?

All in favor?

Opposed?

It is approved.

DC-3, Resolution to Order Election and to Determine Ballot Question for Amendment to Section 14.3 of the City Charter Related to Best Value Purchasing.

Moved by Eyer, seconded by Radina of the discussion of DC-3.

Councilmember Eyer.

>> Councilmember Eyer: Thank you.

I'm really excited about bringing this forward tonight.

This proposed charter amendment for the November ballot will greatly improve the way our city evaluates and awards construction projects for infrastructure projects.

Currently our city charter requires that each contract for public improvements or for supply or materials should be let to the lowest responsible bidder.

This is actually preventing the city from fully implementing the responsible contractor policy that was passed by council last year.

So this provision needs to be changed if we want the RCP to work as intended. The responsible contractor policy is supposed to give the framework for gathering important information from bidders regarding skills and training of workers and quality of work and job sites and more.

Unfortunately staff has no authority to actually consider the information that is gathered due to the current charter language.

For example, a bidder might answer the RCP questions saying they don't register in an apprenticeship program and they don't provide healthcare or retirement benefits to workers and they still can be awarded the contract even though they are the lowest responsible bidder.

In order to be deemed responsible, all they have to do is answer the questions. The answers themselves are not 50% evaluated because the charter doesn't allow it.

So the R.C.P. in the current form is useless.

That's why I change lowest responsible bidder to bidder who provides the best value to the city.

This allows them to use the responsible contractor policy, and why does any of this matter?

Look no further than the three sewage spills on main street.

At least two of the spills were the result of the contractor.

This contractor was selected for the project simply because they submitted the cheapest bid.

Not because they were necessarily the best qualified.

Ann Arbor deserves better.

Working people also deserve better than what some of these contractors provide. If we truly believe that working people deserve safe job sites equitable treatment, family healthcare and a dignified retirement.

In the long run we all benefit from having higher quality work on our basic infrastructure, don't right the first time.

And we all benefit from supporting companies that don't collect wealth at the top but rather share it with their workers through better training, better pay, and better benefits.

This best value charter amendment will allow the city to make smart, informed decisions about who to hire for construction projects.

With the charter amendment, city staff will finally be able to use the information gathered under the responsible contractor policy, to score bids and determine which contractor provides best value to the city.

>> Mayor Taylor: Councilmember Radina.

>> Councilmember Radina: Thank you, Mr. Mayor and thank you to Councilmember Eyer for bringing it forward.

You know, three times as Councilmember Eyer, three times I have been on council, the lowest bidder has been involved in a sewage spill in our community.

At least two of those times were deemed to be the fault of the bidder.

They don't participate in critical apprenticeship programs that offer employees more on-the-job training and expert skills in their field.

The lowest bidder often only provides a living wage and benefits for a specific time in Ann Arbor but not year round.

I have previously heard Councilmember Eyer mention that the analogy of purchasing a car and when purchasing a car we don't just search for the cheapest option, but we expect top of the line safety features.

We expect -- we consider the impact on our environment and it will require constant maintenance or fixes.

We look for the best value.

Those are considerations that we should make for our city and our community when choosing government contractors as well.

Fiscal responsibility is critically important and it is not fiscally responsible to automatically select the lowest bid without regard to the quality, safety and the value of the work being done especially if there are costly mistakes that set the project back, and damage our environment or require us to do the work.

I am proud to support this charter amendment.

I'm already a cosponsor and I think it's time that we move forward by amending the charter to -- to fully implement our responsible contractor policy and select bidders based on best value for the city.

>> Mayor Taylor: For my part, I'm delighted that this is coming before us as a body, and so I'm pleased and grateful for Councilmember Eyer's leadership on this issue.

It's something that I know that she cares about and is focused on, you know, for some time now.

You know, we have an obligation to provide value to the -- to the community and the work that we do, and what this -- what this amendment will do, if it passes here tonight, placed on the ballot and then passed by the voters, it will enable us to do that.

It will enable council's present and future to make judgments about what constitutes value to our community and implement that in the course of purchasing.

It will mean we will be able to take proper account to cost but also proper account to quality.

And right now our hands are tied and with this amendment, it will enable us to have that flexibility to do what is best to make the choice that's best for our constituents.

Councilmember Ramlawi?

>> Councilmember Ramlawi: I have a couple of questions.

I'm all about taking questions to the vetters and sometimes I don't succeed on that wish.

Is there anything currently that's going to be voted on this November because the cost of holding the special election and -- is quite substantial and low turnout, low voter turnout.

I mean, having decisions made in off years and with low voter turnout is not -- isn't ideal in my opinion for persons like me.

Could somebody answer that.

I'm not sure anyone can answer that and then I have another question on something as well, or a comment at least.

>> Clerk Beaudry: Yes, I can.

There's currently fog scheduled on the November 2021 ballot.

>> Councilmember Ramlawi: So this would be the only thing -- I just -- I just really have heartburn over holding a special election over something like this.

I think the discretion of awarding contracts is still in the purview of council.

We just are to do our homework a little bit more and ask more questions, but to hold a special election on this one issue doesn't seem prudent, doesn't have high voter turnout.

I have a problem holding special elections with low voter turnout.

>> Mayor Taylor: Councilmember Briggs?

>> Councilmember Briggs: I appreciate council Ramlawi's concerns about a special election.

I think this is a power issue for our community that Councilmember Eyer stated and cited with regards to the sewage.

One, I wonder if you could speak a little bit to the problem of kind of -- not putting this on the ballot and voting on it, sort of -- if you were to speak at all to sort of the challenges of using a more rubric-based system and then also it's kind of curious as well just to clarify this in terms of value.

It opens the doors in terms of other values in terms of minority owned businesses or values such as that as well.

>> Right.

So under the current charter language, it is the lowest responsible bidder and the responsible component, it's relatively binary in that all of your bidders could be responsible.

It's a fairly low threshold.

Do they have the capacity to do the work in August, July of 2020, that ordinance was amended to try and get at some different criteria to determine responsibility which is aimed at implementing the responsible contractor policy, which is aimed more at value but yet the charter language does not and it restricts the city from really sifting and weighing and placing more weight on certain of those factors under the current language and this language, if approved will open up to more of an RFP process where the city could better define what it's really looking for, weigh those criteria, and come and provide a recommendation for the best value to the city presented by the recommended bidder.

>> Councilmember Briggs: Okay.

Thanks.

I ask to be a sponsor on this, thanks to Councilmember Eyer and so many others for this.

>> Mayor Taylor: Councilmember Hayner.

>> Councilmember Hayner: When I read the resolution that we are about to vote on, it seems it may have the potential to remove the neutrality of what you might consider, like what folks who view purchasing, sort of line a blind sealed bid.

It sounds like -- it sounds like we will put out a bid and then we open them all up and then we say, okay, well, now let's see which one of these people who was in this price range that's acceptable to us also adds these values?

And so these values in the resolution are examples such as -- and so that means it's not all of these examples.

I guess my concern is when you talk about ethical procurement, you know, they talk about you have -- you know, this suggestion for ethical procurement is, you know, like maintaining confidentiality of all their right -- all the bidders but they want enhance transparency of the transactions.

And so wouldn't it just be a situation where we would better craft our bid documents to say, you got to be these types of vendors, this is what we're looking for under the current rules and get the same kind of results without putting vagueness of hey, we're going to assign some value to these companies. It's just -- I'm concerned about the notion that it might create the consideration for people viewing it from the outside that there is some kind of bias being applied after the fact of the bids being accepted and opened.

As a person who doesn't do, you know, procurement like this where I'm bidding at a state level sometimes.

I know when you state other bidders to bid for vehicles and things, you know, how would the process be changed by this?

Is that what -- would that be part of the process?

We would open all the bids and then come back and assign value to some of them and decide who to put forward?

Is that how it would go down if this change was adopted by the voters?

I don't know who would answer that, Mr. Hupy or somebody in purchasing? You know, it would seem to me that there are considerations -- someone may purposefully have their thumb on the scale for one vendor or another, and the city might get into trouble.

>> Mr. Wilhelm or Thomas, are you able to answer questions about how that actual process might change?

>> I can try and answer that.

So in the response to the agenda questions, the purchasing agent indicated that if passed, and approved by the voters, there would be a team put together to evaluate how to implement this.

And just to give you an example, you are why concern is valid and in the RFP process, currently used by the city, the rubric for the weight of the criteria is set before the bids are received or the proposals are received.

So it's -- it's not an after-the-fact post-hoc weighing of those factors.

Would you try to set up a uniform, consistent rubric, whereby you would evaluate various criteria, which are your best value criteria, and then assign certain weights and you would have those weights set ahead of time.

So there an existing set of criteria that you would evaluate those proposals against and make your recommendation for best value based on those responses.

>> Mayor Taylor: Councilmember Radina.

>> Councilmember Radina: Thank you to Mr. Wilhelm for responding to some of what I was going to say.

We can do this right now.

We need to think through some of these contracts more and I think the challenge that -- the challenge that we are trying to overcome is that we can't do that right now.

The responsibility portion -- because we are tied to the lowest responsible bidder, responsible becomes binary.

A contractor is responsible or they are not.

And so if we were to deem a contractor responsible because they were actually the best value, or the -- they were the best option on one of the projects later on, we could not deem someone more responsible because we previously deemed that other bidder or contractor responsible by accepting their bid.

And so if they are lower, and somebody else provides more value to the city, we can't select them because we are tied to the lowest bidder and we have already deemed that contractor responsible previously.

Unless something dramatic has changed we can't actually use that discretion.

That's something we want to do.

We want to implement the council policy that was set by the responsible contractor policy.

We as council would be able to set a scoring rubric.

We would be able to weight the things that would be most valuable.

And that's something we would do on the front end so when those things come in it's an easy scoring system that demonstrates who comes out as the best value

based on those criteria.

So I think that's the purpose that we are trying to get at here so that the values we have implemented in policy can actually be implemented in reality because right now we are restricted by the way the charter is currently written.

>> Mayor Taylor: Councilmember Grand?

>> Councilmember Grand: I would like to thank the cosponsors.

It's unfortunate when the charter prevents us from actualizing our values because it's overly restrictive.

And this is up with of those unfortunate cases where, you know, I think this will be relatively uncontroversial in terms of -- I hope, in terms of going to voters.

So it's almost in many ways unfortunate that it has to, because I don't anticipate being -- there welcome a lot of disagreement in the community on wanting to get the best value in our -- particularly related to infrastructure and there's some end arounds that we can use in some smaller projects but not in this and I never want, you know, I never want to be left sitting at the council table to work on an end around on every project.

I want us to have quality and I really think that this is important in terms of -- you know, we know.

We have some pipes in the ground that are, you know, 80, 100 years old.

So if we are thinking about the kinds of projects that are meant to have value, long after we're gone and utility, it's really essential and more thinking, seriously, about those investments.

So I'm thrilled to support this and I think there will be some other things on the ballot.

So I think that's going to be okay.

>> Mayor Taylor: Councilmember Nelson.

>> Councilmember Nelson: Thank you.

I would like to be added as a cosponsor, but just as a technical question -- first of all, I would like to thank Councilmember Radina for his clear explanation of this. And also, I'm curious what we anticipate as the process for building this rubric. Maybe Mr. Wilhelm, you have an answer around whether that's a purely policy question that council is cooking up or is it something that staff is likely to provide input on.

I'm sort of curious about that.

>> Two parts to that, the RCP is currently embodied and there's many criteria contained in the responsible bidder.

However, the charter restrains us on doing a more weighted value based or subjective discretionary decision making process with those -- the answers to those criteria.

So some of those criteria and maybe others would be incorporated into the rubric and I would point to the current RFP process, where there is some discretion to evaluate those criteria, but within the objective framework and then weight is given which is kind of that discretionary component.

And that currently how the RFP process works.

And that's laid out for the council.

>> Councilmember Nelson: I appreciate that and that was one of my agenda questions that I didn't feel like I got a very clear answer on because I do appreciate that we use a significant amount of wiggle room and we already weight RFPs based on our experience with contractor or their past success with the contracts with the city.

I think I interrupted Mr. Fournier.

>> I think I may have interrupted you.

I was going to add on to what Mr. Wilhelm said, that when we go out to competitive bid on an RFP.

While the criteria for each RFP is published in advance so the bidders are aware of it, oftentimes the specific change changes from contract to contract, depending on the city's needs and so there are certain things that are included in every RFP, by city ordinance and then there may be other criteria depending on the service that might be added to the RFP in advance.

To answer the question, I think that it's a friendly mix of both policy setting and administrative need.

>> Councilmember Nelson: Thank you.

I appreciate that.

>> Mayor Taylor: Councilmember Griswold.

>> Councilmember Griswold: If this were to pass in November when would staff be ready to implement it?

>> We can ask that question and try to get an answer.

>> Councilmember Griswold: Oh, okay and the reason I'm asking that question is that I am concerned about a November election if this is the only item, especially with COVID cases increasing again.

So I'm just wonder if we can do some of the work now to prep and reach 90% of our goal through other means with the bid process and bring this to the public with the next time we have an election.

>> Yes.

If this gets on the ballot, we want to do this ahead of time.

In addition, there is a contract cycle.

The construction bids are sent out early in the year.

So we would have -- you know, we would ideally have that 60 to 90-day window to set the rubric and implement the policy and include that information in the bids that go out.

And try to work through how it's implemented.

So it is doable.

I would think letting of those spring construction projects would be the objective. Have it in place and workable for that set of contracts.

>> Councilmember Griswold: Oh, okay.

Great.

And if we didn't do it in November, and if it wasn't brought to the public for a vote, we would lose a whole construction season.

If it was delayed to a spring election date?

>> Yes, yes, that was part of the learning period.

We discovered some of the shortcomings of the RCP policy and the way it's been implemented and I think that's led to this particular proposed amendment to the charter.

>> Councilmember Griswold: Okay.

Great.

Thank you.

>> Mayor Taylor: Councilmember Hayner?

>> Councilmember Hayner: In just reading the language that would be on the ballot, I'm just wondering if a voter -- a discerning voter knows what a best value is, versus a lowest responsible bidder.

What does that mean?

They are going to have to look -- you know, do they understand our procurement process now?

You know, I just -- it's -- I don't know.

I guess the worst -- the thing I'm having the most problem with is the vagueness of the language.

I'm not going to move to change it, but it doesn't strike me as super informative to the voter.

I guess I will just say that.

>> Mayor Taylor: Councilmember Song?

>> Councilmember Song: It seems to me this work aligns with what is already happening at the county when the county passed their responsible contractor policy last summer.

And if that's the case and it saves us from redoing projects that is expensive over and over again, I would be supportive of that.

So if I can be a cosponsor, I would appreciate it.

Thank you.

>> Mayor Taylor: Councilmember Griswold.

>> Councilmember Griswold: Please add me as a cosponsor.

>> Mayor Taylor: Further discussion?

Roll call vote, please, starting with Councilmember Briggs.

>> Councilmember Briggs: Yes.

>> Councilmember Ramlawi: Yes.

>> Councilmember Hayner: No.

>> Councilmember Disch: Yes.

>> Councilmember Griswold: Yes.

>> Councilmember Song: Yes.

>> Councilmember Grand: Yes.

>> Councilmember Radina: Yes.

>> Mayor Taylor: Yes.

>> Councilmember Eyer: Yes.

>> Councilmember Nelson: Yes.

>> Clerk Beaudry: Motion carries.

>> Mayor Taylor: DC-6, Resolution to Approve Proposed Search Timeline, Talent Rubric, And General Process for City of Ann Arbor City Attorney Job Posting.

Moved by grand and seconded by Ramlawi.

Mr. Postema, do we have Ms. --

>> Consultant Cell is being moved over.

I believe the city clerk is moving her over and she will be joining us shortly.

>> Mayor Taylor: Thank you.

Councilmember Radina.

>> Councilmember Radina: Thank you, Mr. Mayor.

I had a brief question about the public input process.

I believe it was in the second to last step there of the timeline and I was hoping to get a little bit more clarity on if we know already what that might look like or if that's something that is still going to be developed and what impact public input would have on the process.

>> I think I was in limbo a little bit.

I didn't get the first part of that question if it was directed to me.

>> Councilmember Radina: I was wondering a little bit more about the public input process that I believe was in and I'm trying to pull it back up here the second to last step of the timeline, and if you had a vision already for what that might look like and what impact public input would have on the process and what you would do with that information when you receive it.

>> There would be public input.

The interviews with counsel would be pick and there -- public and there would be the ability to post resumes and videos and input could be gathered through a Google survey and the survey results could be provided to council along with the results of the staff and direct reports and council interviews so would you have all that body of information to make a determination.

>> Councilmember Radina: I know previously we talked about during the hiring process, occasionally some of these candidates would do like community town halls and things like that because the city attorney position is inward facing, more so than community facing, like a chief or something like that, would we intend to do that kind of public engagement as well or are we thinking just around listening to the videos and paying attention to the interviews and have people submit their comment that way?

>> I got feedback for a variety of actions.

Because it's more internal facing role rather than external, the preference has been to focus on staff's input.

The leadership team's input and then obviously council's input.

But obviously to involve the community members and allow them to have input as well.

>> Mayor Taylor: Further discussion?

>> Councilmember Hayner: So approval of this package, it's the ad, the rubric, the whole thing.

Everything that's bound up in here so this ad about city attorney of Ann Arbor, Michigan, that's something that we are approving also, right, as part of this?

>> Mayor Taylor: Yes.

>> Councilmember Hayner: Okay.

Just checking.

It says progressive in it six times, it must be good, right?

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: I wanted to say thanks to Amy Cell for her help in this and part of the process, and the admin committee and I just wanted to express my thanks to Shepherding this in a professional way.

>> Mayor Taylor: Further discussion?

I would like to echo my thanks to you Ms. Cell and all those who work with you. And, welcome, Mr. Postema who has played a helpful role.

>> And I would like to thank the council and staff and leadership team members for their very thoughtful input into the documents and the plan.

It's been a big team effort.

>> Mayor Taylor: Further discussion?

All in favor?

Opposed?

It's approved.

DC-7, Resolution to Make Investigative Report Public and to Direct Actions to Work to Conclude Mr. Crawford's employment as the City Administrator.

Moved by Councilmember Grand, seconded by Councilmember Eyer.

Discussion of DC-7?

I would like to step in briefly.

By way of background, in May I became aware of staff's concerns regarding a number of then alleged statements by the administrator.

I met him to discuss this matter with the city attorney and the administrator and the administrator authorized an investigation.

Council received that investigation's report in June.

And if this passes, the report will be public along with the relevant human and the city will be tasked with working for an orderly transmission.

I intend to leave the details of that discussion both regarding the report and the details of the transition, which are to another day.

During this time, during this difficult time, the work of the city will continue.

We are -- we are fortunate and I'm so grateful for our dedicated and talented staff to enhance quality of life for every member the community.

I have confidence that we and staff and colleagues and member the public will continue to work together and do the good work in Ann Arbor that needs to be done.

Councilmember Griswold.

>> Councilmember Griswold: I would like to make the report public.

It would add another resolve clause that was recommended by Councilmember Ramlawi, and that is resolve that the city administrator's response to the investigative report be made public at the same time as the investigative report with appropriate privacy and other redactions by the city attorney.

And the reason I'm moving to split the question is I think it adds greater transparency and it make it's very clear that there are two decision points that we are making.

And second part, the actions to work to conclude Mr. Crawford's employment as the city administrator.

I believe that stands on its own and to include that in the same resolution, referring to a report that has not yet been made public.

Adds some unnecessary.

Lack of transparency for any term.

And there are two phrases connected with this and, I want to split the question and I shared this information with Jackie Beaudry.

>> Clerk Beaudry: I forwarded -- mayor, I forwarded both resolutions.

>> Councilmember Griswold: The wording is the same except for the additional resolve clause.

I would like to thank the attorney's office and specifically Christopher frost for and amazingly fast turnaround on this, it was a mat of minutes and council should have both of those resolutions now.

And my preference would be if this passes to consider the legislation to make it public as first resolution to be considered.

Is there a second to the motion to divide?

Councilmember Ramlawi. is that friendly to the body?

For my part, I'm willing to conclude that to be friendly.

Does anybody have any objection to that?

Let's take the let's maybe it public.

A resolve clause that the investigative report dated June 29 and it includes the text read by Griswold and resolve the city administrator's response, at the same time as the investigative report with appropriate privacy and/or other redactions by the city attorney.

>> City Atty. Postema: Mayor, I need some clarification on the additional redaction.

I'm not aware of any.

Are they asking me to make those redactions of city administrator's responses?

That is -- it raises some concern to me because I have not heard of any redactions requested by the city administrator.

It says appropriate privacy or other redactions by the city attorney.

If you had a conversation with the -- and you coordinated with him to effect redactions as those, then that would be acceptable to me.

It's really as appropriate leaving it to the two of you.

Is that clear?

>> City Atty. Postema: Yes, I don't find the direction to leave it at my discretion alone.

So it would have to really come from him.

>> Mayor Taylor: From the two of you.

That's correct.

Let's roll with the discussion of that motion then.

Councilmember Ramlawi?

>> Councilmember Ramlawi: Thank you.

I come to this discussion with a heavy heart and very difficult in last 24 hours as

this came to councilmembers about 4:00 yesterday.

And I have a lot of thoughts in my head and I just appreciate Councilmember Griswold's suggestion to split this into two consideration.

I think they deserve that consideration.

They are connected but not as connected as the original resolution had suggests and I would like to be added as a sponsor?

The two and I appreciate the work of Christopher frost and getting this to us in a timely planner, considering the prior resolution was only placed on the agenda at 4:00 yesterday or at least brought to our attention just 24 hours ago.

That's all I have to say at this point.

Thank you.

>> Mayor Taylor: Councilmember Grand.

>> Councilmember Grand: I guess my only concern in the inclusion of the response is to -- you know, I think it's incredibly important that we put the focus of this conversation on the organization this evening and I agree this is some of the most difficult weeks I have ever experienced at the city.

And I just want to ensure, I guess to Mr. Postema's questions or perhaps Mr. -- or that if there is anything within that response that I believe there is, but we just want to make sure that we protect the privacy of other employees within the organization and that is my only concern.

>> City Atty. Postema: Absolutely.

That's why I asked the question, to stress the concern I would have on, that but also to highlight we will do whatever the council asks but I'm not aware of it.

>> Councilmember Grand: Thank you, Mr. Postema.

>> Mayor Taylor: Councilmember Griswold.

>> Councilmember Griswold: I would like to be listed as a cosponsor.

It's very important that our first priority is the health of the organization.

Absolutely.

And these have been very difficult times.

And challenges, all of the challenges with COVID and so it's important that we focus on the health of the organization.

Thank you.

>> Mayor Taylor: Further discussion.

Roll call vote starting with Councilmember Briggs?

>> Councilmember Briggs: Yes.

>> Councilmember Ramlawi: Yes.

>> Councilmember Hayner: Yes.

>> Councilmember Disch: Yes.

>> Councilmember Griswold: Yes.

>> Councilmember Song: Yes.

>> Councilmember Grand: Yes.

>> Councilmember Radina: Yes.

>> Mayor Taylor: Yes.

>> Councilmember Eyer: Yes.

>> Councilmember Nelson: Yes.

>> Clerk Beaudry: Motion carries.

>> Mayor Taylor: As a matter of procedure do we need to remove concluding -- is that already moved and seconded?

Or Ms. Beaudry, perhaps you know as well.

>> Clerk Beaudry: I'm working on that right now in Legistar, I will split the two resolutions so that this is just the release of the document.

>> Mayor Taylor: So we need a move and a second on the next resolution as well?

>> Clerk Beaudry: Yes.

>> Mayor Taylor: Thank you.

Substitute resolution entitled conclude employment, moved by --

Councilmember Disch, seconded by Councilmember Eyer.

Discussion, please, of the substitute resolution.

Councilmember Nelson.

>> Councilmember Nelson: Mr. Crawford has devoted nearly 20 years of his career to the city of Ann Arbor.

We have many data points on a very long timeline to understand who

Mr. Crawford is personally and professionally.

Fundamentally he's a collaborator, willing to hear people out and consider different points of view.

His commitment to diversity, inclusion and equity is an extension of his values and his optimism.

Mr. Crawford creates opportunities for people to be heard.

He believes that we move forward by listening to each other.

The report that will be publicized includes careless and insensitive phrases.

This report is not who he is.

And yet Mr. Crawford accepts responsibility for it.

Mr. Crawford's response is exactly who he is as a leader who holds himself accountable and focuses on the needs of his team.

At every point in the conversation about the report, Mr. Crawford has emphasized that the feelings of his staff are most important.

He's resisted invitations to offer explanation or excuses because he felt that doing so would diminish the feelings of others.

He has made mistakes and owned them.

He asked for a dialogue with city leaders and staff to craft solutions.

We rejected that dialogue.

The message is that there's no recovery from mistakes.

We will not learn from mistakes or learn from each other.

I believe this is the wrong message and it's not progress.

Some of us have points of reference for how he's performed this job.

I want to thank Mr. Crawford for the inclusive leadership of our city.

And I want to thank him for the face of optimism and his hearing different opinions and the sincere collaboration.

He resisted ugly political dynamics and looked for common ground.

He stood up for the rule of law when others didn't.

Wherever Mr. Crawford goes next will be lucky to have him.  
Our city suffers a serious loss in saying good-bye to him.  
Thank you.

>> Mayor Taylor: Further discussion?

Councilmember Ramlawi.

>> Councilmember Ramlawi: That's a hard act to follow.

Thank you, Councilmember Nelson for putting it so eloquently.

It's been a very sad time to be a councilmember.

To be a part of these discussions.

I know that it was a lot of optimism a year ago when we entered into agreement with Mr. Crawford.

He had the buy-in and the respect of a very divided council.

He won the support unanimously.

And soon hit the ground running and soon after that, we were engulfed in a global pandemic.

He worked tirelessly, 24 hours, seven days a week.

There wasn't a call that wasn't responded to, a concern that wasn't addressed consideration, compassion and I felt treated as an equal.

As a Person of Color, I often don't feel that way.

I often don't feel like I have been treated as an equal and against the political odds that I face.

I managed to be respected and treated in ways I hadn't had before, where my opinion mattered and there was something to learn from dissenting point of view, somebody different.

I'm just saddened that it's come to this and just as my colleagues said, the response to the report was someone of great character.

Who accepted responsibility, admitted to his faults and was planning to do whatever it took and whatever this council wanted to make things right.

But we no longer live and work and operate in culture and society that gives second chances.

It's one and done.

And I don't know if that's best way that we go forward and we heal and we benefit as a society.

And I'm not sure who we're going to get who is perfect and will never make any mistakes.

I'm just saddened by today's decision that is being brought on.

>> Mayor Taylor: Councilmember Song.

>> Councilmember Song: Since we have our H.R. director and H.R. Attorney Radabaugh.

Can you talk to our discrimination policies and code of conduct and how they have been interpreted when it comes to manage staff at the managerial level.

>> City Atty. Postema: Councilmember Song, I think just a note we have provided -- the HR director has provided a staff memo attached to this, and I think that certainly covers the policies and procedures and so I want to remind you of that, and I know that got published, as far as any individual cases or other

things, that I don't think you are asking for those things, or current with Mr. Guarjardo here.

I will let them respond.

>> If I can get clarification, do you want the historical information or what would be the typical practice?

Song the typical practice.

>> It would be consistent with all the city's policies and practices and my own practice is to conduct a thorough investigation of all the games or prepare a report or have someone conduct that report or investigation.

If the report substantiated discriminatory comments or conduct.

I would be concerned about the practices and any damage to the city as an organization, for example in the areas of morale and staff retention and recruiting.

I would look at all of those.

My concern is the discriminatory comments, is to terminate immediately.

This could be by way of resignation or separation agreement in addition to the termination.

Depending on the initial investigation, I would conduct any additional investigations to understand if there's further items.

I would take it a step further as well.

Hopefully that answers your question.

If not, I can go into more details.

>> Mayor Taylor: Councilmember Briggs?

>> Councilmember Briggs: I wanted to make sure that Counsel Radabaugh.

>> We have continued an historically strong stance on complaints in this area.

>> Councilmember Briggs: Thank you.

We speak to the heavy hearts.

This is something that none of us -- a place none of us hoped to be.

I certainly value Mr. Crawford's many years of service with the organization.

But based on our organizational policies and best practices and fundamentally what we expect out of senior leadership, the report that is released will suggest that those actions were not reflective of the city's values or conducive to a cohesive workplace.

It's important that folks have the opportunity to -- for transparency sake to read through this.

I know that this is we received legal advice and H.R. advice last Thursday and it is our responsibility to act on that.

>> Mayor Taylor: Councilmember Grand.

>> Councilmember Grand: I believe Councilmember Eyer was in front of me.

>> Mayor Taylor: Councilmember Eyer.

>> Councilmember Eyer: Thank you.

And thank you Mr. Guarjardo for the clear explanation.

That was also included in our packet as a late addition.

I really would encourage anyone who is interested in really reading through that and digesting what Mr. Guajardo said, look it up on the website.

I know it's available along with the agenda.

I believe it is.

Is it included now in the Q&A as -- as a staff response?

>> Mayor Taylor: Ms. Beaudry.

>> Clerk Beaudry: The A.c3 is on the agenda.

>> Councilmember Eyer: Thank you.

We have to follow city policy.

We have to follow city precedent.

You know, this is hard but it's hard for the people I want to take a moment to center the staff who came forward and spoke about these things.

It as hard as any of this has been for any of us sitting here, let's -- I want to make sure that the focus is -- is on righting harms and making sure that we can move forward as a city.

When the report comes out -- it should be -- I hope it should be clearer to folks in the community what happened.

>> Mayor Taylor: Councilmember Hayner.

>> Councilmember Grand: Oh, I actually did want to speak.

>> Councilmember Hayner: Grand was next.

>> Mayor Taylor: Councilmember Grand.

>> Councilmember Grand: Thank you.

I hope that the tone of this conversation and what we have -- what I have heard from my colleagues speaks to the fact this was an unwelcomed but deliberative process.

We have had other conversations about difficult topics.

It's been easier because in those cases it seemed malicious or there was intent to harm.

And in this case, I truly don't believe that this was an ounce of that.

And there was -- there was a willingness to take responsibility.

There was a willingness to acknowledge the harm.

But the policies we have are there, and we have to think about ensuring that this organization is a welcome and comfortable place for everyone now and into the future.

I -- I want to acknowledge all of the staff, especially those who helped take us through those conversations that no one really wanted to have, right, because there are no wins here.

This definitely isn't about -- none of us wanted this.

And I want to acknowledge everyone here at this table, because it's been an incredibly difficult couple of weeks and there's just been a lot of pain and I'm sorry that we're all going through that.

>> Mayor Taylor: Councilmember Hayner.

>> Councilmember Hayner: Well, I will just say I want to thank Mr. Crawford for his service and extraordinary financial acumen.

We have a council that continues to fail to rein in the structural budget deficits that Mr. Crawford has been warning us about year after year.

How many times has he saved our city from financial ruin?

I mean, there is no one who has the big picture, planning, the -- the attention to detail, forward thinking, in a way that, you know -- and unusual thinking.

He had solutions for us.

He always had solutions.

In spite of us, he had solutions.

And so thank you for that.

I'm not going to support this.

>> Mayor Taylor: Councilmember Griswold?

>> Councilmember Griswold: I also want to thank Tom Crawford, especially for his leadership.

We are seeing that in the process that's unfolding now: Tom Crawford always placed the organization first.

He always looked for ways to improve the organization, to set goals and to bring out the best in all of his employees.

And at this point I simply want to respect his decision and acknowledge that he will be sorely missed and wherever he goes in the future, that organization will be very, very fortunate.

So, again, he epitomized a true leader.

Thank you.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: Thank you.

I just want to continue to echo some of the statements that have been made in the sense of the type of leader Mr. Crawford exhibited during the pandemic we had a -- an evaluation by staff and his performance and his response to COVID and it was -- it was clear, unanimously that he did an exceptional job and protecting his staff, caring for the employees and the welfare, communicating and the fact is what's in that report is not the person who he is.

And I will echo the sentiments that he will be sorely missed.

I appreciate the 18 or so years he's given to the city, and that big parts of the community are going to feel a big loss in years to come and that wherever he goes, I wish him well.

And I know he's going to succeed and whoever gets him is lucky to have him.

And I won't be supporting this tonight.

Thank you.

>> Mayor Taylor: Councilmember Radina.

Thank you, Mr. Mayor.

>> Councilmember Radina: I would echo that this is a challenge few weeks for a lot of folks.

This is not a decision that any of us ever wanted to have to make.

It's not a position that any of us ever want to be in.

And unfortunately, here we are.

Similar to Councilmember Eyer, I want to center some of the staff.

One of our responsibilities in directly overseeing the top two staff positions here in the city is a responsibility to ensure that there is a safe and inclusive workplace for all of our staff.

And that -- that is in the best interest of the organization.

It's in the best interest of our community.

And I want to commend the courage of the staff members who did come forward and share their stories.

It is an incredibly challenging thing to do, to come forward and confront situations when -- when, again, the person that you may be sharing -- sharing concerns about is your boss or your boss' boss and that can be a really hard thing to do. It's important for us to take this agency tonight to follow the guidance from our H.R. policies and from our city's strict policies on this, to ensure that we continue to ensure that our staff feel comfortable doing that.

When these things occur, we need to know about them.

We shouldn't force staff back into hiding about things that might happen on this, and so I want to echo Councilmember Eyer's comments that I think it's important to recognize how challenging this is for the staff members as well and I hope that -- I agreed with Councilmember Grand.

I think, you know, this was certainly difficult and I appreciate the accountability that Mr. Crawford is willing to take by holding himself accountability and to the same standards as we would other employees.

I hope as we move forward, we facilitate a culture that's safe and inclusive of our staff but also reflective of the values of our community and I guess that's all I will say on this.

Thank you for the time.

>> Mayor Taylor: Councilmember Griswold.

>> Councilmember Griswold: I believe the information in the report is definitely and outlier of the performance that we have seen over almost two decades with Tom Crawford and I want to make it very, very clear that the city of Ann Arbor has had problems and by changing one position within the organization this will be little improvement and there is a tremendous amount of work ahead and as someone who has been involved with the city since 1995, I will just say that there's a long history of issues and I challenge this council and senior management to truly address the problems that exist within the organization and I'm not even going to assign names to them because that would be to minimize the problem.

Thanks.

Further discussion?

Roll call vote, please, starting with Councilmember Disch.

>> Clerk Beaudry: Roll call is with Councilmember Briggs, right?

>> Mayor Taylor: My apologies.

Roll call on the motion to facilitate operation starting with Councilmember Briggs. My apologies.

>> Councilmember Briggs: Yes.

>> Councilmember Ramlawi: No.

>> Councilmember Hayner: No.

>> Councilmember Disch: Yes.

>> Councilmember Griswold: Yes.

>> Councilmember Song: Yes.  
>> Councilmember Grand: Yes.  
>> Councilmember Radina: Yes.  
>> Mayor Taylor: Yes.  
>> Councilmember Eyer: Yes.  
>> Councilmember Nelson: No.  
>> Clerk Beaudry: Motion carries.  
>> Mayor Taylor: Mr. Postema, do we have a closed session today.  
>> City Atty. Postema: Mayor, we do not have a closed session.  
>> Mayor Taylor: We have the clerks report of communications, petitions and referrals.

May I have a motion?

Moved by Disch and seconded by Radina.

Discussion of the clerk's report.

All in favor?

Opposed?

Are there communications from the city attorney?

>> City Atty. Postema: Mayor, there are no communications tonight.

>> Mayor Taylor: We now come to public comment general time.

Public comment general time is an opportunity for members the public to speak to the council about matters of municipal interest.

To speak at public council general time you need not sign up in advance.

Please enter the number on your screen, 877-853-5247.

Once you are connected please enter meeting I.D.94212732148.

94212372148.

Once you are connected further, please enter star nine.

Star nine to indicate that you wish to speak.

When it's your turn to speak, the clerk will identify with you with the last three digits of your telephone number.

So please pay close attention to the time.

Our clerk will notify you when 30 seconds are remaining and when your time is expired.

When your time is expired, please conclude your remarks and cede the floor.

Is there anyone who would like to speak at public comment?

>> Clerk Beaudry: Caller with the phone number ending in 556, please star six to unmute yourself.

Go ahead.

>> Hi, this is Ralph McKee, fifth ward.

I have a couple of comments about DC-7 and Mr. Crawford.

I have a lot of respect for Mr. Crawford.

He's obviously done a very good job over many years in an objective and relatively nonpolitical way.

And I'm very sad to see him go.

And I'm really almost beside myself unable to talk listening to Councilmember Eyer lay on the sanctimony about relying on what people say.

We see an accusation made and enabler of serious sexual harassment, and what did she tell those people according to the victims who talked to the press?

Well, toughen up.

Dress differently.

You should be happy for the attention.

And we have to listen to her talk about supporting the staff who report things.

I am virtually physically ill from that.

From the rest of you, I can understand it, but not from her.

Number two, to talk about the history and to say that we have this practice of immediate termination, you have got to be kidding me!

We had a human resources director that was doing this for 11 years.

And everybody said, oh, we didn't know.

We didn't know.

And here something happens like this, and okay.

They got to go immediately.

I may be horrified by what I see in the report.

We haven't been able to see it.

This decision could be right.

It's a real shame to not have some minimal level of transparency for the public to understand what went on here, to even be allowed to comment.

That seems fundamentally wrong to me.

But anyway, that's all I have.

Thank you.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Caller with the phone number in 604, do you have a comment?

Please star six to unmute yourself.

Go ahead.

>> Hi, everybody.

This is Eric Wesson on Rosewood Street in Ann Arbor.

And I have to say for all the sadness which has been expressed by some councilmembers I think it rings false in a lot of ways to take a guy like Tom Crawford who has served this city for so many years and to dispatch him with so little process is appalling.

Tom Crawford has bailed this city out over and over when various city administrators have left and I personally, all of my -- my interactions with have him been respectful and as everyone has said, his overriding motivation is always for the good of this city.

And I would say that this decision stinks!

You guys ought to do some investigation.

I think that's a great idea.

I think that it should be -- you should have some ethics for the city councilmembers ethics rules -- for example -- but nobody knows who the clients of the mayor are.

Are they big developers who are gaining from all of the various up zonings that

have happened?

We don't know.

I think it would be good to investigate that.

I think it would be good to make it so that the -- all the councilmembers have to disclose those kinds of potential conflicts of interest.

Did you investigate the council person who is apparently involved in -- with a company that was for women and abusing them in their workplace, claiming that she was an owner of the company, only to reverse herself and say, oh, no, no, I was only a contractor.

That sounds a deception to me that is worthy of investigation and possible sanctions.

So let me say one other thing, you know --

>> Clerk Beaudry: 30 seconds.

--

>> About the investigation of Mr. Hayner and now Mr. Crawford, yes, I agree -- I made a mistake.

I said that council was probably acting outside of their authority, but I reverse myself that the power to appoint is the power to disappoint.

And I must say that the council and the mayor have done an excellent job of disappointing.

Thank you.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Caller with the phone number ending in 231, do you have a comment?

Go ahead.

>> This is John Williams.

I have a statement to make to the city of Ann Arbor.

I'm a voter in ward one.

I have drawn a conclusion here.

My conclusion is that Tom Crawford's firing is a retaliation for him doing his job under the law, and releasing the FOIA to the press, and if you want to talk about damage, I think this sends a horrible message to the city staff.

It says, you know, you cross Taylor, and you are going to be punished severely.

I want to point out something else too, this crucifixion of our city manager is outrageous, because you are tarring this person with this excellent record with the own us of racism, that, you know, these are trumped up frivolous charges and you are destroying and after creating a hostile workplace.

I demand that you make a statement that this has nothing to do with Jen's FOIA.

I want to hear it from you.

I don't want to hear thank you for your comment.

Have a good night.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Caller with the phone number ending in 205, do you have a comment?

>> Yes, this is Joe Spalding.

I'm sorry.

I needed just a second to recover from the thank you.

I have two things I want to talk about really briefly.

The first is voting, and that's -- the reality is the republicans in the legislature attempted to push through 39 voter suppression bills.

I'm proud of playing an integral part in stymieing a lot of their progress there.

I organized a group of 17,000 Michiganders against the voter suppression on Facebook and we were pushing back and forth across the entirety of social media.

That being said, the republicans ended up getting three bills through and they are probably going to get passed by the house and vetoed by the governor.

The legislature has a mechanism for circumventing a governor's veto and we are seeing that with the unlock Michigan petition.

They are able to put a petition in the field, gather signatures and put it to the legislature who is able to vote on it and it doesn't matter what Governor Whitmer does at that point.

It becomes the law of the land.

The municipalities across the state are going to be asked by organizations that care about our sacred right to vote, to pass resolutions proactively encouraging higher voter turnout for whatever that means for the particular municipality.

I encourage the conversations with city clerk, as well as Washtenaw County clerk who is awesome, and just try to figure out if there's some language that you can preprep for that, because the better organized that response is, the better we're going to be able to push back against the antidemocratic movement that's, you know, taking place across our state in a lot of different forms.

That was the first thing.

The second thing I want to say, there's a photo circulating on the Internet.

It very much is seeming like it's the real deal.

Somebody who was at a party at Hathaway has confirmed this and it contains Jeff Hayner dressed as a Haitian voodoo priest wearing full black face and this is terrifyingly offensive, especially when given the other rhetoric that's been thrown around.

So I want Mr. Hayner to go on the record and confirm or deny that he was wearing that specific outfit and I know he will try to say that it wasn't actually black face but we know that it was.

I want him to confirm or deny if that was in the picture in 2012 just so we can clear up all of that confusion.

And I mean it's super important because obviously with this behavior and his words there's already a question about whether or not the idea is you feel safe in Ann Arbor.

Thank you.

>> Mayor Taylor: Thank you.

Clerk caller with the phone number with 123, press star six to unmute yourself.

>> Yes, the previous speakers have mentioned the hypocrisy and the corruption of city hall and of our mayor.

So I would like to focus on the financial mismanagement, the cost of firing a city administrator and paying a quarter million dollars in severance because that administrator wouldn't play ball with the right people on city council.

And now firing Tom Crawford, a man of impeccable character, of impeccable service to this city, over some secret report, some internal investigation that people pointed out -- people would know things that I don't about this council that there's some other motivations behind this action.

What is going on at that city hall?

Who is going to take the job of city administrator, to work with this city council?

Who will we get to replace Tom Crawford.

A man who people said saved the city's finances multiple times.

He's stepped up every time.

I've known Tom for 20 years.

He is always a man of character, of fairness and kindness and empathy.

He's smart.

He's decisive and you are tarnishing this man.

You are throwing him out.

Causing the city to go through another expensive search to find -- to try to find somebody who will work with this city council.

I'm just disgusted.

I voted for the mayor.

That was a mistake pa apparently.

It won't happen again.

I will be working to see that anybody who voted for this absurd motion is not reelected.

Thank you.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Caller with the phone number ending in 534, do you have a comment?

>> Yes, this is Tom Stulberg calling again from lower town.

I think it was probably a procedural error tonight to have both items voted on regarding Mr. Crawford.

The first item was the report -- it was good you split it and the first item should have been having the report and his response list prior to you voting on what you are going to do about it.

I know you have all made up your mind and the vote always resides with you and not with the public, but you represent the public.

And I think it would have been helpful for the public to have a chance to read both those documents, digest it, and have a conversation, have a conversation with you our representatives, and then have the vote that you -- the second vote that you took.

I can't speak to whether it's right or wrong because I haven't read either of the two documents.

I will say that Mr. Crawford reputation was astounding.

I never heard a bad thing about him.

I can't say that there's something I don't know.

We're going to have to learn.

It's too bad it didn't come out prior to your second vote tonight.

In terms of relative troubles at city hall, we did have a pass to the administrator, who creates a generous early retirement, perhaps too generous early requirement program and then took it himself.

We had another city administrator who lied to the citizens over a sidewalk program that wasn't a sidewalk program.

He needed permits from those citizens and they weren't going to give it to him unless he made some commitments to them.

He made the commitments to them and immediately broke the commitments and turned what was supposed to be a sidewalk program into a million dollars boondoggle, reinstallation of a street, 90% of the cost was going to those things, and it would have ended up -- all the councilmembers have investigated it and visited the area, and I talked to the neighbors on that project, voted against it because they understood what a wreck it was, what a train wreck it was.

But the mayor and advertise team close no use it politically, to demonize individual citizens who were trying to actually get effective safety measures in their neighborhood, near their school instead of this boondoggle, which was a road reconstruction and stormwater reconstruction project to create a dropoff for a school that hadn't planned well for its own dropoff.

I was in the room as was Mr. Fournier as maybe a dozen people where commitments were made and commitments were broken.

I'm happy -- I'm not happy, I'm sad.

I am go through all the details with any of you that wants to hear it.

I know some of you realized in your campaigns to demonized people and Mr. Lazarus, the former city administrator should have easily been fired for his participation in that.

So there was cause.

>> Clerk Beaudry: Time.

>> I'm sorry to see this happen to Mr. Crawford.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Caller with the phone number ending in 936.

Press star six to unmute yourself if you have a comment.

Go ahead.

>> Hello.

This is violin Munster one against.

And tonight what's on my mind and I would like this to be a challenge to Jeff Hayner to please tell us what you know.

I found some social media comments that you made saying how about that misleading headline, folks?

And the recall was not discussed at all during the meeting.

I think we were putting too much faith in college students to deliver accurate news.

And then someone responded to you, I'm supporting the student journalists.

They do a great job.

I don't know who did the headline.

And which you responded.

If you knew what I know about what is influence reporting at the Michigan daily, you would be skeptical too.

You are an elected official, dude.

Do you know what the first amendment is?

I mean, you repeatedly again and again -- I have been watching you for two years.

Again and again and again, and again, attack journalists.

Attack the free press, that covers the -- that covers you.

And when you don't like what they say.

This sounds like a conspiracy theory.

You know, what reasons would you have for not telling us what you know about who or what is influencing reporting at the Michigan Daily.

When I was in college, I worked for my college newspaper too and it was a tremendous source of pride and no one of influence does.

We would do stories about the administration, saying [ Bleep ] you guys.

We would write what we wanted and we could.

It was entirely student driven, and the Michigan daily, especially, has earned national acclaim and has been holding the university accountable following many stories and scandals and somehow has also devoted some --

>> Clerk Beaudry: 30 seconds.

>> Journalistic resources to covering city council and has come out with incredible coverage that is not paid for.

So, please, its one of my beloved news sources so corrupt, tell us what is going on with that, otherwise, you have nothing.

And also, resign.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Mayor, I don't see any other callers with their hands up.

>> Mayor Taylor: Is there anyone else who would like to speak at public comment?

Seeing no one, public comment is closed.

Are there communications from council?

Councilmember Griswold.

>> Councilmember Griswold: I would just like to state that I voted with the majority tonight on the new DC-8 to reserve the right to revote after the public has had an opportunity to comment.

I'm somewhat troubled by the speed at which this transpired and the lack of an opportunity for the public to actually read the report and comment.

So I haven't decided yet, but I think it's very important that we listen to our constituents and that has not happened.

Thank you.

>> Mayor Taylor: Further communication from council?

Councilmember Hayner?

>> Councilmember Hayner: Yeah, thanks, Mr. Mayor.  
And you know, for all the callers who always call me and ask me to resign.  
I will not let the majority of this city council appoint someone to replace me.  
I think we have seen why tonight.  
Now if I can step over to some other topic, we have these folks who are very  
passionate in their pursuit of their considerations that the United States gives a  
lot of money to Israel, you know?  
And they call up and they call us all kinds of things.  
I think they are right about some of the things they say.  
They are absolutely right about many of the things they say, but, again, if you  
look at this screen in front of you, folks, how many people on this screen are  
going to support a resolution calling for an end to military aid against Israel?  
I think we have seven over and over again this is going to be moving forward.  
When I was at the Free Palestine March, who was, there Councilwoman  
Griswold, Councilmember Ramlawi and myself.  
We were the three who showed up for that.  
In support of the thousands of Palestinians who live in our community here.  
And so, you know, I agree with some of the things those callers say and yell at  
us, and some of them I don't.  
But, you know, I'm not super deep into that community or culture.  
It's a terrible thing to think that these holy days, and only 4% of them have clean  
water, it's disgusting.  
I share your sentiments.  
You can see what happens if a resolution comes forward.  
I appreciate the fact that you continue to push for it because it is the right thing to  
do.  
It is right thing to do to push for it and your perseverance on this matter should be  
a lesson to us all for our own concerns.  
Thank you.

>> Mayor Taylor: Councilmember Ramlawi?

>> Councilmember Ramlawi: Thank you.

So many things I want to say, but can't out of respect for others who aren't here  
tonight and just to add to Councilmember Hayner's comments about  
humanitarian crisis in Palestine.

I have many different hats.

This is just one.

I like Councilmember Hayner don't feel that it would be very productive at this  
point to bring that resolution forward.

I would be -- I would experience extreme -- extreme retaliation towards my  
business and everything else, my family.

Unfortunately, there are boundaries of inclusions, double standards for human  
rights, and that does not step at the city limits here.

It's embedded in all the institutions that we are involved.

With I will just say that today, what I could do and what I did was participate with  
the students organized eat for Palestine, four days, four different cities, a

restaurant from every city donating 20% of their proceeds to doctors without borders and that's what I did today.

I donated 20% of our sales to doctors without borders for humanitarian aid in Palestine.

I will continue to do what I can do in my sphere of influence.

To advocate and advance the human rights of people who can't speak for themselves.

>> Mayor Taylor: Further communication from council?

May I have a motion to adjourn.

Moved by Councilmember Disch and seconded by song.

Discussion?

All in favor?

Opposed?

We're adjourned.