

ROUGHLY EDITED TRANSCRIPT

ANN ARBOR  
CITY COUNCIL MEETING  
SEPTEMBER 7, 2021  
6:30 P.M.

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>> Mayor Taylor: Good evening, everyone and welcome to the September 7 meeting of the Ann Arbor city council.  
If you are able, please rise and join us for a moment of silence, followed by the Pledge of Allegiance.  
>> I pledge allegiance to the flag of the United States of America, and to the republic for which it stands: One nation under -- indivisible, with liberty and justice for all.  
>> Mayor Taylor: Would the clerk please call the roll of council?  
>> Clerk Beaudry: Councilmember Hayner.  
>> Councilmember Hayner: Here.  
In Ann Arbor.  
>> Clerk Beaudry: Councilmember Disch.  
>> Councilmember Disch: Here.  
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.  
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.  
May I have a motion to approve the agenda?  
Moved by Grand, and seconded by Radina.  
Discussion of the agenda?  
All in favor?  
Opposed the agenda is approved do we have any communications from the city administrator.  
>> Just one thing, Mr. Mayor.  
I wanted to highlight some press that our city clerk has received recently.  
Congratulating her and the excellent work she's done with the University of Michigan museum of art to expand the franchise of voting in the city of Ann Arbor and so it's in the review which is a magazine published by the Michigan municipal league and it's once again a reminder of the excellent work that our city clerk does and how lucky we are to have her in -- are to have her in our fair city.  
>> Mayor Taylor: Hear, hear!  
We have a number of introductions.  
First one, from the independent community police oversight commission, our monthly update from the chair Dr. Jackson.  
Dr. Jackson, you have the com.  
>> Good evening, everyone.  
Thank you for having me.  
I am joining you from Atlanta, Georgia, today.  
For those of you who don't know me, I'm Lisa Jackson, I'm the chair of Ann

Arbor's independent community police oversight commission.

It was wonderful to see Councilmember Song on how the selection of civilian oversight commissioners and board members impacts the effectiveness of such commissions and boards.

I'm sure she will share some of her insights with the rest of council but I would like to invite both her and the LGBTQIA plus community on Friday, October 1<sup>st</sup> from 2 to 3:30 p.m.

You can go to [NACOLE.org](http://NACOLE.org).

ICPOC recently attended a listening session on civilian oversight and policing hosted by an organization called act now, a person who facilitated the person who chaired President Obama's commission on 21<sup>st</sup> century policing and this particular event emphasized the necessity of serving all stakeholders in the community, when thinking about oversight.

Not just civilians but also groups like oversight professionals and law enforcement.

The experience led me to reflect on a number of interactions I have observed recently and I would like to share some of those.

The problems we currently face in implementing better policing in Ann Arbor are not important of malice.

The vast majority of roadblocks that we face are tied to their own interest and -- [ Audio breaking up ]

Who expressed a hesitation to send their social workers on call without the police, despite the incredibly low rates of violence we see here in Ann Arbor.

That might sound strange to some people, would you readily send someone into a situation that could potentially become dangerous even if the odds were low.

And this person look to the police to be their safety net.

The problem is the police might have similar concerns about their own safety which then leads them to a similar hesitancy and what happens is their concerns sometimes come off as attitudes towards the public that aren't necessarily that helpful and they may be prone to give less benefit of the doubt when it comes to interacting with the public.

The problem is then that affects clients who need their services or the services of community mental health.

So when our public institutions operate like this, is it any surprise that the civilians interacting with them also express skepticism and distrust?

Individuals who are not compliant with the police, are not being petty but they are protecting themselves, regardless of what other people may see.

But imagine if everyone involved concerns everyone else, what kind of difference it would make if we were able to approach these situations with trust instead of the fear that no one cares what happens to us.

This is through humble ownership -- [ Audio breaking up ]

And the ways we could each be better so that other -- as individuals and institutions.

Last week, I got the opportunity to present at NACOLE's national conference and my topic was how to persevere doing oversight through what people doing

oversight face.

It's important for me to present at national conferences because we understand not just the responsibility we have to our community but also the responsibility to police and other institutions that we interact with.

Last week, our commission also did the first of several trauma-inform trainings in order to be aware of how trauma impacts communities, how it affects our work as commissioners and even how it affects police officers and policing in general.

It's interesting at an outreach event last week, our vice chair Francis Hargraves was having a conversation with a mom who was concerned for her son who is on the autism spectrum.

She was worried should he be stopped by the police, he might have an anxious reaction that could be misinterpreted by officers which would cause them to have, you know, a perceived need to increase the force necessary to work with him.

And, you know, that's very scary for moms, obviously.

And so we need to understand these perspectives because we have a responsibility to change things for everybody in our community.

The police are certainly in a hard position because they are often tasked with jobs they are unequipped to do.

They are not social workers at all and yet they are blamed when they don't do that kind of job very well.

Understandably, that creates some tension with us as an oversight commission and with the city government, at the same time, you know, we had a recent situation where the police department sent traffic stop data to me, and then to make sure the chain of custody was preserved, we asked them to send it to the smart research group at eastern Michigan university of the traffic stop data and it turned out that the data didn't match.

And we sort of had the foresight to compare the data to see if it was the same and it wasn't the same at all.

And that kind of thing, you know, is problematic and it contributes to a cycle of distrust, rather than, you know, sort of being a part of the solution.

And so we asked the police own the situations that they are in, even when it means saying out loud that they are uncomfortable and feel they have to prioritize their interests over the wants of the public it just makes easier for everyone to work with them.

It makes them feel more respected and we are able to give more respect, certainly, when they are up front about things rather than when they stall or give us the runaround, you know, or give us wrong data or give other people wrong data.

We need transparency, certainly and when there are errors, but we need them to own up to that and correct those things.

The public has been awesome and we are grateful that we are so engaged.

We are getting more complaints.

So please keep reaching out.

Please keep making complaints.

Please keep being the change that you want to see in the community. You know, ICPOC, the police and the community are not the only players in this, even though that's who we usually talk about, elected officials and city administrators certainly have responsibilities to take ownership of the roles they play as well.

And so agreeing with feel-good statements is not enough, even if they are not taking specific meaningful action when faced with concrete issues.

For example, because the police gave different data to our commission, and to our research team, there's now going to be a shadow of a doubt about thing accuracy of -- about the accuracy of whatever data they do send it.

Falls on city officials to shed a light on issues like this.

Having said this, I know this stuff is hard.

We don't expect people to get it naturally, just because I get up here and speak once a month.

NACOLE is offering a session, a working session, they are happy to do that with this city council to help and city administrators to help give, you know, local officials a framework to thing.

And our city council needs to connect with other city councils and police chiefs connecting with other police chiefs that have oversight and especially as we think about unarmed responses.

You know, we have been talking to municipalities over the country, but we want you to do that as well and one thing we have learned is there's not one municipality that regrets developing an unarmed response to mental health calls and substance abuse calls which are often mental health calls.

Police are leaved at the lack of burden it places on them, city councils have been relieved and probably most importantly clients are often treated better an they have better outcomes and fewer calls and needs for service.

So at the end of the day, as we think about improving the relationship between the police and the community and oversight and the community and city council, this is a yes and conversation.

There's so many roles that need to be filled and it's unreasonable for any of us to believe that we will get there through the efforts of one group alone.

We share a community and thus we share a responsibility to one another to take ownership of the things we can do as individuals and institutions to create a better tomorrow.

Thank you.

>> Mayor Taylor: Thank you, Dr. Jackson.

We now have an introduction with respect to the 2021 recovery month proclamation.

Do we have colleagues on way in?

>> Clerk Beaudry: Yes, he should be joining.

>> Mayor Taylor: Excellent.

>> All right, we are here.

>> Mayor Taylor: Welcome you to both.

We have come to something, which has become a bit of a tradition here at city

council in September, and that is to recognize that September is, indeed, national recovery month.

We talk about a lot of different aspects of our community and it is important and crucial that we -- that we also recognize the -- the recovery community within Ann Arbor.

The recovery community in Ann Arbor knows -- knows no bounds.

Every single doctor every single other community in Ann Arbor is represented within their recovery community.

And it is crucial that this aspect of those people's lives, people in the recovery community that they be seen and supported.

Indeed, the members of their recovery community are all of us, and, you know, Ann Arbor wouldn't be Ann Arbor without this community, and without the great work that people do in an effort to -- to achieve and then support -- to support recovery.

And so in that light, it's my delight to read this proclamation and turn the mic over to folks who know what they are talking about.

And so we can hear a little bit about that as well.

So the proclamation celebrating recovery month, September 2021.

Whereas, September is national recovery month; and whereas, addiction is a major national public health issue, affecting those who suffer, their families, loved ones and their communities; and whereas, recovery is a reality for millions of resilient Americans whose lives have been transformed as a result.

The 2013 life in recovery survey concluded the dramatic improvements associated with recovery affected all areas of life, including a ten-fold decrease in involvement with the criminal justice system, and the use of costly emergency room departments and a 50% increase in participation in family Activities and in paying taxes; And whereas, recovery from Addiction flourishes in Supportive, recovery friendly Communities; and whereas, Ann Arbor is a recovery friendly community that is home to a vibrant, diverse, and thriving recovering community, a model recovery oriented system of care, many recovery friendly employers and two collegiate recovery programs, and many dedicated professionals and agencies who help people initiate and maintain their recoveries; and

Whereas, proclaiming September 2021 as recovery month serves to applaud those who are in recovery, their families, loved ones and the community that supports them, providing hope to those who still suffer and affirming our values as a city that believes in the dignity and worth of all of our residents.

Now therefore, I, Christopher Taylor, Mayor of Ann Arbor, Michigan, do hereby proclaim the September 2021 as recovery month and invite residents of Ann Arbor to support those in recovery and the programs and services designed to help those in need.

Mr. Statman, the floor is yours.

>> Thank you, Mayor Taylor.

My name is Matt Statman.

I told my story here before.

I grew up in Ann Arbor and I developed a substance use disorder in Ann Arbor.

I broke the law in Ann Arbor.

I went to jail in Ann Arbor.

And I went to prison as a result of things I did in Ann Arbor.

I also got treatment in Ann Arbor and I had access to entry level jobs in Ann Arbor, housing that did not discriminate against me, based on my legal history.

I have now been in recovery in Ann Arbor since 2002, and in that time, I have attended Washtenaw community college and two other colleges and I'm managing a recovery program at the u of m for students in recovery.

And I'm on the Washtenaw advocacy project which is doing amazing work, organizing the recovery community and advocating to support recovery and helping to break down the toxic stigma that gets in the way of people getting out of addiction and into recovery.

I want to thank you mayor and council for recognizing recovery month this year.

Of course we all know that every month is recovery month.

It's almost cliché at this point to point out that recovery involves connection and so far it hasn't been a great decade for connection.

People in recovery are among the most resilient and the recovery community in our area has continued to thrive in spite of the challenges of the past couple of years.

The recovery community in our area is strong and it's growing over time, and we're seeing more and more pathways to recovery, the trajectory is good.

This past year, council took action to stop discriminatory practices in housing when disproportionately affect those with substance use disorders and especially People of Color who have substance use disorders.

The new prosecutor and his team have been making positive changes moving towards a more rehabilitative approach and away a more punitive one.

That's encouraging.

Businesses like the filling station, the people's food co-ops and Zingerman's have adopted recovery is good business.

They understand that people in recovery are great employees and colleagues.

Ann Arbor is a great place to be in recovery and we also have challenges.

Ann Arbor's awesome treatment providers have had a rough couple of years trying to provide care and keep their clients and staff safe.

As a society, we under value their work.

They are doing live-saving work and they are true heroes.

Many people in early recovery work in the kinds of jobs and environments that put them at the highest risk during a pandemic.

Lack after forwardable housing gets in the -- of affordable housing gets in the way of people living near their work or finding homes in places with access to some of the social determinants of recovery.

We need to continue to take action to address these challenges and others so that access to recovery becomes increasingly equitable and accessible to all who seek it.

When I was in the midst of my substance use, I looked around town and everywhere I looked, I saw people partying and using substances.

I had no idea that there was a whole thriving community of people in this town living in recovery.

We are everywhere here.

And it's a great thing to be part of.

Thanks again for this proclamation for your work and for your time.

Now I will pass the mic to one of my coconspirators in recovery and a person I grew up with in Ann Arbor, Devin Eagle.

>> Thank you, Mr. Mayor, and members of council.

I'm Devin Eagle.

I'm a person in long-term recovery.

I grew up here in the Burns Park area.

And I did a lot of -- I developed my substance use disorder here and I got sober here almost eight years ago.

And I thank you for helping to break the stigma that surrounds addiction and your ongoing commitment to this process.

And so, yes, that is -- I won't keep you guys.

I just thank you for this opportunity and thank you so much.

>> Thank you all.

>> Mayor Taylor: Very good.

Thank you both.

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 of municipal interest.

To speak at public comment reserve time, one needs to have signed up in advance by contacting our city clerk.

If you are registered to speak at public comment reserve time, please enter the number on your screen, 877-853-5247.

877-853-5247.

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

94212732148.

When you are connected our clerk will identify you by the last three digits of your telephone number.

When it is your turn to speak, our clerk will let you know and then you will have three minutes in which to speak.

So please pay close attention to the time.

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

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

Our first speaker is Lauren Sargent.

>> Clerk Beaudry: Ms. Sergeant, caller with the number 340.

>> My name is Dr. Lauren Sargent, 2815 ember way, an Ann Arbor resident for more than 30 years.

I don't remember exactly.

I'm calling to urge you to support Councilmember Nelson's resolution asking the energy commission to weigh in on recommending whether or not council should

approve a feasibility study.

Public power for Ann Arbor for the community.

Why?

I hope you share my sense of urgency about the climate crisis and want to achieve our A2Zero goals.

A municipal utility is in my view a necessary tool to achieve our goals as no state or federal legislation is required and there is no other mechanism that gets us to zero at speed and at scale in quite the same way.

The only question is can Ann Arbor do it?

Does it make sense for us?

Energy commission has been examining this question for some time but the events of the last two weeks make question of investigating the case for replacing our monopoly-owned utility DTE, with a community-owned utility, a matter of extreme urgency.

We all witnessed the catastrophic failure of DTE to restore power during dangerously hot and humid conditions.

This was not the work of mother nature, but a combination of 40 plus years of DTE's failure to invest in infrastructure, plus the more intense storms flowing from climate change.

This is personal to me.

30 plus years ago, my very healthy 93-year-old grandmother experienced a DTE power outage at her retirement community during hot and humid weather, very much like what we saw a -- like what we saw a couple of weeks ago.

She became overheated and rushed to Sinai hospital where she slipped into a coma and she died.

We know that residents in at least one senior community here were left without cooling in sleeping quarters.

Staff had to intervene to get them help.

They had to inform DTE that this was even happening.

30 years is too long to wait to expect DTE to step up to the plate.

A municipal utility is a method to get us out from under monopoly DTE control that we can implement and shape to meet our climate goal.

I would think we would want to fast track exploring this avenue.

What is being requested is a commission on committing a modest sum to fund an independent expert analysis.

The question, do you recommend the city commit \$120,000 to determine if a municipal --

>> Clerk Beaudry: 30 seconds.

>> -- far Ann Arbor.

It's not to endorse a Muni.

A legal analysis was done by the Ann Arbor and a Muni is legal both in statute and for Michigan constitution.

And due diligence is exactly the thing that a feasibility study is designed to provide.

The American public power association has great resources on feasibility

studies.

We can get going on this.

Meanwhile, DTE is laying track gas pipeline under our streets where a Muni could be putting geothermal ground loops and varying our electrical lines.

Please support this resolution.

We also know that once the city can bond for a Muni, and once DTE is bought out and replaced, the money that now goes to shareholder profit and C.E.O. salaries can go to fund our city priorities.

And the legal team that was consulted was headed by a former mayor of Traverse City who pointed out this handy tool.

This is actually something that supports our longstanding budget deficits that we see looming on horizon.

>> Clerk Beaudry: Time.

>> Let's put a little bit of money in that this.

Thank you.

>> Mayor Taylor: Thank you.

Our next speaker is Kathleen Murphey.

>> Mayor, can you hear me?

I'm having trouble accessing the Zoom video.

>> Mayor Taylor: I don't know what you mean by accessing the Zoom video.

>> Clerk Beaudry: I can hear and see you, but I can't see my Zoom screen to admit the next speaker.

>> Mayor Taylor: Hmm.

I am not.

Can you make me --

>> I may be able to admit them, if you let know what the phone number is.

>> Clerk Beaudry: John, there should be an r2 next to the next speakers phone number, 245.

>> Here we go.

I'm now allowing them to talk.

This is Ms. Murphy?

>> Mayor Taylor: Ms. Murphy, you are on mute, if you can enter star six, and perhaps you can give Mr. Fournier the next two speakers.

>> Can you hear me?

>> Mayor Taylor: We can.

You are ready to roll.

>> Okay.

Good evening, Mayor Taylor and city councilmembers.

I am Kathleen Murphey.

I live at 315 Linda vista Street in Ward 5.

I'm calling in support a feasibility study to see if municipal utility as proposed in the' resolution you are considering tonight.

Councilmember Briggs as a ward 5 resident, I received your pre-city council meeting newsletter.

Thank you very much and I see that you are very informed where the issue of a

municipal electrical utility.

I applaud your taking this issue so seriously, because it is such a serious and urgent issue.

My own views on this have been heavily influenced by the ever worsening climate emergency that we are experiencing here and around the world.

Driven mainly by fossil fuels, according to the IPCC report of the U.N.

Here in Ann Arbor, a few weeks ago, we experienced a violent storm that left many without electricity for up to five days, some even longer.

In the past week, we watched in horror as Hurricane Ida swept over Louisiana and caused major flooding, loss of electricity, and loss of life there.

And then further causing destruction in New York City, New Jersey, and Pennsylvania.

At the same time, fires burned continuously in California and neighboring states.

It's clear that we are increasingly experiencing the worsening climate crisis, and we'll only continue.

The situation is urgent, and we need to respond urgently.

Our current energy provider, DTE, is heavily dependent on at least 80% on fossil fuels to produce electricity for us.

And it is planning on expanding that capacity by building a \$1 billion frack plant in St. Clair County, Michigan.

Using your expansion of fossil fuel use and core reliability in times of severe storms, it is time to seek an alternative to our current energy providers.

I believe a publicly owned and managed electrical utility would be the answer especially since there would be 100% renewable energy sources.

To consider this alternative, we need a feasibility study.

Because of the extreme urgency of the --

>> 30 seconds.

>> We need it as soon as possible.

It should not be delayed.

I strongly support the resolution about a public power utility on the agenda tonight.

Thank you very much.

>> Mayor Taylor: Thank you.

Our next speaker is Sean Higgins.

>> Hi, I'm Sean Higgins.

I live in the lot neighborhood.

I'm also here to talk about the feasibility study.

Recently, I have been hearing a lot about boulder, Colorado, and the circumstances there.

And so I wanted to draw a distinction.

From my understanding, their city charter was amended about a decade ago to allow municipal power on the condition that they provided cheaper rates than their investor-owned utility and this allowed the investor-owned utility to drag their city through the mud and cause the municipalization drive to fail.

I heard a lot of people say that this is the cause for people to not want to support

municipalization of the feasibility study.

Clearly in the Ann Arbor city charter and legal analysis from my understanding this obstacle that they faced is not present for Ann Arbor, and the drive in boulder led their city to increase local Power Generation and set strict emission reduction for excel which certainly would not have been present if not for their municipalization drive.

So my -- from what I have heard this sort of discussion about boulder, I think at best really provides an ignorance or poorly informed lens for how to understand this municipalization, and at worst intentionally misunderstands and drives down hope for citizens of Ann Arbor to expect more from their power utility to expect power that does not plan on using fossil fuels for the next 30 years and can be reliable and cheaper.

That's all I have to say.

>> Mayor Taylor: Thank you.

Our next speaker is Peter Houk.

>> Madam clerk, should I be allowing this person to talk?

>> Clerk Beaudry: I can do that.

I'm back.

>> There you go.

>> Clerk Beaudry: Okay.

Mr. Houk, phone number ending in 588.

Press star six to unmute yourself.

Go ahead.

>> Thank you for the opportunity to talk to you.

I'm Peter Houk, resident in the 4<sup>th</sup> ward.

Regarding DS-1, please vote no.

We need complete streets here and everywhere in the city, and that alone is reason enough to reject this waiver.

However, there are several factual and logical errors in this waiver request, and I would like to address two of them that appear persistent misconception of the idea.

First is that there's not a practical benefit since the sidewalk on the south side of the geddes, the network of low traffic volume, low speed residential streets in this neighborhood is the pedestrian network.

We don't build network -- we don't build neighborhoods like this anymore.

And we should put in this situation, it's shared by vehicles, pedestrians and cyclists.

On a recent ride through this neighborhood, I saw kids going down to the club, with beach towels and wearing flip flops.

Obviously no one would ever stroll down Geddes that way in flip flops.

This illustrates what should be apparent to all.

Geddes needs different infrastructure than the adjacent streets because it's busier and faster and not a quiet residential street.

And this new sidewalk will connect Huron parkway, which has wide off street paths on both sides to this low volume network of streets in the neighborhood.

One of those low volume streets is Devonshire.

We should be going above and beyond to connect routes like these for non-motorized users of all, including young and inexperienced cyclists who prefer to rouse the sidewalk.

The complete street with sidewalks on both sides is a bare minimum between Huron parkway and Devonshire.

Now this brings me to the second error in this waiver, and that's the idea that we don't need a sidewalk here because there are but a limited number of users on any given day.

The reason there are a few non-motorized users here is because there's no sidewalk here.

We force people to cross Geddes twice.

This is a minor inconvenience for me and other able-bodied adults but it's not trivial for many other users including elderly people, parents with young kids and strollers, kids and teens walking alone, people in wheelchairs.

Saying it another way, the crosswalks are not a substitute for a real complete street and two crossings at these unsignallized, unlit crosswalks make an unacceptable deterrence.

This is why there's a limited number of users here.

We can make it easier and we can make it safer with a sidewalk on both sides which is our standard here in Ann Arbor.

Please reject this waiver.

Thank you and have a good evening.

Our next speaker is Brandon Dimcheff.

>> Mr. Dimcheff.

>> Yeah, hi.

Greetings, council.

This is Brandon, I'm in the 4<sup>th</sup> ward.

I also want to speak about DS-1.

The resolution to exempt the racquet club from having to build the sidewalk as generally required, while doing some other work on their property.

This is at least the second exemption they have requested and as one was granted in 2015, as well according to the documents attached to this resolution.

First, let me say that voters have supported closing sidewalk gaps and making our other pedestrian safety improvements.

Most recently by passing on this sort of work in neighborhoods.

We have committed to complete streets with sidewalks on both sides and this gap is high on the city sidewalk prioritization map.

All else being equal, it's clearly city policy and preference that we build sidewalks where they are missing.

I understand that this is not the most straightforward sidewalk to build.

There are utilities, fence, trees and other obstacles.

It would also be isolated as there aren't other sidewalks on the south side of geddes as Peter noted a minute ago.

Obviously, we should be reasonable in an attempt to find a creative solution here

if the way we would normally construct a sidewalk is prohibitively expensive or destructive.

Can we get an easement to build it across land that's currently grass instead of trying to do it in the right-of-way?

Can we get a commitment to build the sidewalk once there's an adjacent sidewalk to connect it to, even if there is not a project that the racquet club is working on?

I'm really asking for anything other than a rubber stamp exception of a sidewalk and no alternatives to try to close the sidewalk gap.

I think we should be careful about accepting it's a sidewalk to nowhere as a reason to not build a sidewalk.

The only way to fill gaps is to start somewhere.

We will never build anything if the lack of adjacent sidewalks is a valid reason to hold off but the petitioners are right, there's effectively no sidewalks in Ann Arbor hills.

It's not a great experience to walk down Arlington in particular right now.

We have should fill those gaps and we got to start somewhere.

If not now, when?

Now, I hope you will forgive me for going off topic for a second, but I want to thank council for approving healthy streets and the south main road diet.

I have an opportunity to bike and ride there.

At this point, I learned my lesson and wholeheartedly support these types of reconfigurations.

I hope this one works well enough to become permanent.

That's it for me.

I hope everyone has a good meeting and a good evening.

>> Thank you.

>> Mayor Taylor: Ms. Beaudry, the communication with respect to the sixth speaker does this remain live?

>> Clerk Beaudry: I see the speaker on the line, but she requested not to speak. The last communication was she was removing her name.

>> Mayor Taylor: All right.

Well, I will -- based upon the last communication that I also received, similarly, unless she raises her hand, by entering star nine now, we will move on.

If you can live me lower hand rights, I would be grateful.

>> Clerk Beaudry: You should have that.

>> Mayor Taylor: Are there communications today from council?

Councilmember Radina?

>> Councilmember Radina: Thank you Mr. Mayor.

Just a quick reminder from 2 to 3:30 p.m., the second of two public meetings on flooding and other impacts after recent severe storms and discussion of a storm analysis, particularly in ward 3's east Ann Arbor's neighborhoods, south of plat, north of packard, will be taking place.

You can get more information at [a2gov.org/Junestorm](http://a2gov.org/Junestorm).

I also wanted to give a quick update for students in our community.

I don't normally promote a private program, but Comcast has recently expanded their Internet essential programs for all Pell grant recipients.

The program would normally provide low-income households at \$9.95 a month, but because ever federal emergency broadband benefit in place right now the program is currently free.

And so even if students currently have free access at school, this is something that they can take advantage of to help save their family some money and make sure that they are still connected when they are off campus and back home.

That you can get more information at [Internetessentials.com](http://Internetessentials.com).

And finally, I wanted to provide a brief update to my members, we have an upcoming meeting particularly regarding staffing to make sure that we make sure the commission is hitting the ground running and we started having some conversations with initial stakeholders.

My goal is to have this on the agenda at the earliest possible meeting but I wanted to make sure that all of those detail are worked out before I circulate something for everyone.

>> Mayor Taylor: Councilmember Nelson.

>> Councilmember Nelson: I want to express excitement and glee for ward 4, that two-way traffic is happening on industrial.

And in celebration, I'm now having my coffee hours at Coffee Roast.

I wanted to focus on a screen shot of an email sent by a landlord offering eight month leases, and this email was framed as a strategy for conforming and meeting the requirements of a new city ordinance which is a pretty wild distortion of the early leasing reforms that we recently passed.

I did just want to say that I visited the leasing office at that apartment community and confirmed that, in fact, they are extending offers of eight month leases which is very strong and perhaps a bizarre business decision but I'm chasing this town and trying to understand what exactly they are trying to achieve with that.

So I just wanted to let everyone know who might have seen that online, I am trying to understand it more completely.

Thank you.

>> Mayor Taylor: Councilmember Disch?

>> Councilmember Disch: Thank you.

Thank you.

I want to acknowledge the many messages I received from steam school parents regarding the decision to discontinue the bus route.

One writes to me I have an infant would is only four months old to take care of and I have a full-time job.

Even now I often need to work late in the night to ensure that any work gets done.

If I walk my kids to school, that will take two hours from me every day.

Round trip twice one hour round trip twice.

These neighbors of mine, all signed a petition asking for bus to be restored and I would like to read their names Norman Hytas and Salina Amara, and Jamie Wyatt and Shawi Li and Sung Wu Jung and Human G, Ryan Peer and Wey Jung

and Shallbin Luong and Una Shea and Jessica Ademcheck.

Thank you all for organizing and I wanted you to know that I was trying to amplify your voices.

>> Mayor Taylor: Councilmember Song.

>> Councilmember Song: I would like to thank the county ways and means to approving \$2 million to childcare.

I think many families in our city with are kind of put in a bit of a bind in May when the schools announced there would be no before or after care in their buildings. That has been adjusted -- I'm sorry, after care, and those classes are available for signing up online.

And with the county's, and allocating this money, some of folks who organized and the ad hoc committee are seeing a way so that we can -- to see to long-term and hopefully they can find child care throughout the county in the coming years. Thank you to the commissioners for working very, very hard with the city council and making this addressed and budget for.

Nothing really happens until it's budgeted for.

I also want to say that I, along with a lot of Vietnamese Americans around the country have been following what's going on in Afghanistan and trying to see what can be done with the Afghani refugees as they come to this country, to -- and our city in particular.

I encourage you all to join in this walk the G that GFS is hosting on October 3<sup>rd</sup> and Afghani refugees will be settled later this week.

We are looking at 300 refugees and families.

There's also welcoming week, October 13<sup>th</sup> to 17<sup>th</sup> and that's in coordination with the library.

I will always mention the library and that's -- they have programs Monday through Friday and is highlights local folks.

These are local entrepreneurs who come from a number of countries and I hope that's a good example of how refugees like my family, and others are essential to our communities and I look forward to welcoming more refugees and I hope you can join me at the library.

>> Mayor Taylor: Councilmember Briggs.

>> Councilmember Briggs: Thank you.

I just wanted to say, one, thank official for their very rapid response to a water main break on 7<sup>th</sup> street.

The Thursday before stool started there was a water main break and they repaired it and repaired the road and making sure that that corridor was successful.

We'll start it and thanks for that incredibly quick response.

I also wanted to highlight assuming we approve the road closure this evening this is an event this coming Saturday, the 20<sup>th</sup> anniversary of September 11<sup>th</sup> and at 9:45 a.m., a memorial in front of the downtown fire department to recognize the firefighters killed 20 years ago in New York City.

I wanted to highlight that and that's all.

>> Mayor Taylor: Councilmember Griswold.

>> Councilmember Griswold: I want to thank staff for the awesome repair of the multiuse half in front of Walgreens on Huron parkway.

There was a huge port hole 6 inches deep.

It's better black drop than my driveway.

So -- blacktop than my driveway.

It was done within a week of being reported on a2fix it.

So, again, thank you.

I want to give an update on what is called Gelman's June 26<sup>th</sup>, the court's response activity order.

This is information that I was given by the attorney's office that I can share.

It is public and it will be, I expect to be posted on the city website.

I will highlight a few of the detailed.

There's work in the eastern area which is east of Wagner road, Gelman is looking for locations for eastern monitoring wells.

And western area, Gelman has access for certain wells and is working on others.

The source area, that's the Gelman property, Gelman has already installed and is operating one of the additional on-site extraction wells, TW-24, it plans to install the other two phase one extraction wells between of course and December.

And -- between October and December.

EGLE and Gelman communicate weekly.

And they are prioritizing additional wells.

I know that sounds somewhat technical, but progress is being made.

We have the attention of the attorney general, the highest level people in EGLE and Congresswoman Debbie Dingle continues to monitor this and communicate regularly with the EPA and EGLE.

So --

>> Mayor Taylor: Councilmember.

>> Councilmember Griswold: Will take decades but it's moving forward.

>> Mayor Taylor: Councilmember Hayner.

>> Councilmember Hayner: Thank you.

>> Councilmember Hayner: I want to thank all the residents who are sharing their goodwill efforts to clean up around the cascades.

With have a real garbage and trash problem down there by the river.

I will look at a way to organize this better.

I have excellent suggestions from residents.

It's obviously a successful part of our park system but it comes with its problems too unfortunately.

There's a bunch of stuff happening here in ward one that everyone is welcome to.

I will go through it in order, September 10<sup>th</sup> at arrowwood at 4 p.m. the Lieutenant Governor Gilchrist is doing a tour of -- to discuss thriving cities tour and for more information, just Google thriving cities.

That's September 10<sup>th</sup> at 4 p.m.

And September 10<sup>th</sup> from 6 to 7:30, it's a visioning session for the food forest which is out behind arrowwood.

There's a harvest festival up there and I will have more information up there as we get closer to that date but that's a family event and it's going real good. Friday, September 17<sup>th</sup> at 9 a.m., I'm going to be meeting with some folks from the city, and from some of our critical nonprofits here in the county out at the safe house center.

There's been some news about safe house lately, and some concerns and considerations that's happening toll really valuable resource out there and I have arranged to meet with some folks on Friday, September 17<sup>th</sup>.

So I will be reporting back on what's happening there, to my council colleagues and Sunday September 19<sup>th</sup> at 11 a.m. is the entheogenic plans.

September is has been recognized as entheogenic plant month.

>> Mayor Taylor: Councilmember.

>> Councilmember Hayner: There will be folks there talking about what's happening with that.

So thank you.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: Thank you.

Good evening, everyone.

I hope everyone had a good holiday weekend.

And the honored the legacy of the people who came before us to bring us the freedoms that we enjoy.

I just wanted to say thanks to the water department who responded to the water main break.

I was one of the people without water as a result of it.

When I got home after a long day's worth of work, they were out there working.

They worked there all night.

They will called in their on-call private contractors who came in and helped to shut the leak off because of the valves that were there could not be shut off, but I believe there was a gentleman by the name of Kevin where it was exceptional.

The water came on within 8 to 10 hours of initial break.

So I do believe that we have exception staff that respond to our needs in emergencies.

I also express concerns of the significant water breaks in the middle of summer.

I'm not used no this happening as much in the summertime as it does in the winter.

The pipes that are not showing any signs ahead of time, so I think we really need to take a stronger look at our investments and our infrastructure as we go forward as because I'm not an engineer but I do believe this is something that could be causing some attention to be paid to it.

>> Mayor Taylor: Councilmember.

>> Councilmember Ramlawi: Thank you.

>> Mayor Taylor: Councilmember Grand.

>> Councilmember Grand: I want to wish all of those who are celebrating the new year and wishing everyone time for reflection and just a time to be thankful for our community and to think about ways that we can do things better in the

year to come.

So thank you.

Further communication from council?

>> Mayor Taylor: A resolution appointing members to the Hayden house historic district study committee.

Mr. Beaudry and Mr. McDonald, is this a one shot?

Is this posted for consideration or is this posted for vote tonight?

>> Clerk Beaudry: This was my understanding it will be moved to the next meeting for a final decision.

>> Mayor Taylor: Thank you very much.

So friends and colleagues, and please note the resolution appointing members to the Hayden house historic district study committee for consideration at our next meeting.

We have now before us the concept agenda.

May -- consent agenda.

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

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-13.

We now come to public hearing.

Public hearings are opportunities for members the public to speak to council and the community about a specific item on the agenda.

That is to say the specific subject matter of the public hearing.

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.

When you wish to speak at a public hearing, please enter star nine, star nine to indicate that you wish to speak.

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

When our clerk has identified you, you have three minutes in which to speak.

So please play 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.

Public hearing number one.

An Ordinance to Amend Sections 5.25, 5.33, 5.37.2.B, 5.37.2.C, 5.37.2.F, 5.37.2.G, 5.37.2.I, 5.37.2.L, 5.37.2.P, and 5.37.2.S 5.37.2.L, 5.37.2.P, and 5.37.2.S Of Chapter 55 (Unified Development Code) Of Title V of The Code of The City of Ann Arbor.

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

>> Clerk Beaudry: Caller with the phone number ending in 926.

Caller 926.

>> Thank you.

The Ann Arbor student advisory council strongly supports the Ann Arbor lighting ordinance.

Light pollution is a problem in Ann Arbor that compromises public health, and disrupts local ecosystems and wastes energy.

In Ann Arbor, many light fixtures emit light upwards into the sky, is only increasing the city's light pollution.

Harmful effects of light pollution, include increased headache, increases in anxiety.

All of which can be done through simple changes in infrastructure -- simple changes in infrastructure.

Light pollution also poses a threat to nocturnal wildlife, confusing animal navigation, disrupting predator/prey relations and causing physiological harm and because these lights serve little to no public purpose the energy to them is wasted.

This will require all exterior lighting to comply with Section 5.25 of the Ann Arbor unified development code which requires exterior lighting devices to be adequately shielded and screens.

The ordinance includes a reasonable exemption for light that illuminate flags, temporary lighting fixtures such as holidays and art fairs.

The ordinance would also impose color spectrum management rules to minimize light pollution as well as implement best practices to mitigate the effects of harmful light pollution.

This has been urged by the University of Michigan central student government and a specific ordinance has been approved by the city planning commission with regard to public safety concerning illumination at night.

The student advisory council adds our support and we strongly encourage the enactment.

Ann Arbor lighting ordinance this problem may not seem as immediate or critical as a multiple crisis in our nation gets kept you are during these times.

This is -- these times.

Now is the time to fix it.

Thank you.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Caller with the phone number ending in 194.

Press star six to unmute your phone.

Go ahead.

>> Hello, this is Rita Mitchell calling from 621 in Ann Arbor.

I'm calling in support to the outdoor lighting ordinance, because its goals are to benefit the area to reduce the use and the energy of white sound and lighting.

I see the ordinance change as an opportunity to support by allowing wildlife to have safe passages and to exist in their ecosystem, using their darkness adapted behaviors.

This ordinance will support the goals of the A2Zero plan and reduce use of fossil fuels.

Light pollution is a secondary problem that results in excess use of night time lighting.

To keep my comments brief, I will point out that the environmental commission and changes unanimously, recognizing the work of the energy commission and the significant community support as -- as exemplified by the prior speaker.

And the other provided --

[ garbled audio ]

I ask that you vote in support of this ordinance and take a few steps earlier.

The outdoor lighting adjusts lighting that is proposed in -- I'm sorry, the environmental commission did not say that but the ordinance itself addresses lighting proposed -- [ Garbled audio ]

And overall effective reducing the benefits but it has the limit because it's adjusting a new development.

I would suggest that -- and the environmental commission itself that our community will benefit greatly from this lighting ordinance and the ordinance that will be enhanced to modify the outdoor lighting to conform with the standards outlined in the amended and enhanced.

I believe that the public will support the outdoor lighting upgrade by asking you to vote in favor the ordinance and to support the community communication overall to address the light pollution.

Thank you.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Caller with the phone number ending in 752, do you have a comment?

Caller 752.

Press star six to unmute your phone.

Go ahead.

>> Hello.

Thank you.

My name is Sally Oey, I'm a resident of Pauline boulevard and I'm the coordinator of a community organization hosted at the University of Michigan called Michigan skies that came together in March 3<sup>rd</sup> in support of this lighting ordinance.

You are hearing tonight from others about the importance of this.

The draft lighting ordinance carefully looks at the process through the health and the support of many people.

I first want to thank John Mirsky.

John simply said, yes, let's do this and he worked tirelessly to see it through.

We went to the planning commission and commissioner Sara mills and Erica Briggs volunteered to join our working group to develop the ordinance.

It was then Commissioner Briggs who insisted that we collect real light metering data around town and did so in the dead of Michigan winter to ensure that the quantitative guidance in the ordinance was practical and reasonable.

Mary Stewart Adams founder the headlands international dark sky park near Mackinac and other key advisors of our group.

The city staff provided critical help and support especially the planning department, including Brett Lenart.

And we also thanked Josh McDonald for supporting this as an energy commission initiative.

We also want to thank the environmental commission for expressing their support throughout and especially to commissioner Rita Mitchell for sponsoring the resolution supporting this ordinance.

Importantly, the resolution recommends public education to help raise awareness and compliance in the community.

We are also grateful to the city's student advisory council, led by Kenishi of skyline high school.

Many thanks to u of m graduate student gill am brown.

Our special gratitude to the planning commission who shepherded the draft and the revised sign ordinance to.

Planning commissioner Lisa Sauve kindly provided the drawings in the ordinance.

Councilmember Disch, thank you for being the lead sponsor.

Councilmember Briggs, Griswold and Hayner, this will promote sustainability.

On behalf of the 250 members of Michigan dark skies thank you so much for your support.

>> Mayor Taylor: Thank you.

Clerk caller with the phone number ending in 461, do you have a comment?

Caller 461, press star six to unmute your phone.

Go ahead.

>> Hello, this is Teresa Angelina and I'm an architect of Ann Arbor and I'm resident at 1315 beechwood and the continuing education chapter for the American institute of architecture of Huron valley.

I reviewed the proposed changes to the unified development code regarding the changes to outdoor lighting and I support the approval of these amendments.

These changes are needed, had excessive outdoor lighting is wasted energy and has a detrimental effect on human health issues and detrimentally affects bird migration and conflicts with night safety.

The changes to the ordinance have been carefully drafted and the ordinance has been edited thoroughly.

The specifications for color rendering and color temperature is appropriate.

The exceptions are thoughtful and appropriate.

And the definitions included in the index are clear and useful and appreciated.

Since these regulations have the most impact on commercial projects and multifamily homes, with less impact on single family homes it would be great to educate residential homeowners also regarding appropriate shielded light fixtures and the best color temperatures along with reasonable hours of illumination along with consequences to human health bird migration and nighttime safety.

As an architect practicing in this area, I support these changes to the outdoor lighting regulations and thanks to all would have so carefully crafted this, especially Dr. Sally Oey.

Thank you.

>> Mayor Taylor: Thank you.

Clerk caller with the phone number ending in 157, do you have a comment?

Caller 157, go ahead.

>> Hello, my name is Nancy stickler I'm speaking on behalf of the Huron group. We want to lend our support to the proposed amendments on outdoor lighting. They are badly needed, I think, and they will do a great deal to help meet the goals of protecting their natural environment from artificial light at night, and promoting energy efficiency.

We would like to thank the members of council and from -- and members from a variety of city commissions that have been supporting this process, and again, we thank you for presenting this update and hope you will support it.

Thank you.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Caller with the phone number ending in 989.

>> Hi, my name is Heather good, I'm a resident of Fernwood Avenue, in Ann Arbor, and I'm the executive director of Michigan Audubon, a statewide conservation organization and I'm calling in to express our support of this ordinance as well.

I have been asked to convey on behalf of the organization, the bird center of Michigan and Washtenaw safe passage and the Washtenaw Audubon.

One the purposes of this revised ordinance is to protect the in light at night for ecosystems and for the protection of migratory birds.

Birds are indicator species in the environment, to human communities bringing greater balance as required and when something is amiss in the environment. True to their messenger forum, birds have been demonstrating how lighting is an environment issue.

The confusion caused by the artificial lighting results in deaths in the United States.

With the approval that is deployed in the city of Ann Arbor and yet again another example of urban sustainability and consideration for migratory and resident birds and light.

Thank you, councilmembers for your work and for your support of this ordinance.

>> Mayor Taylor: Thank you.

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

>> Clerk Beaudry: Mayor, I don't see any other callers on line for this hearing.

>> Mayor Taylor: Seeing to one, this public hearing is closed.

Public hearing number two, an Ordinance to Amend Section 5.16.6 of Chapter 55 (Unified Development Code) of Title V of The Code of The City of Ann Arbor. Home occupations.

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

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

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

A-1, we have before us the special session minutes of August 4 and the special and regular session minutes of August 16.

Do I have a motion to approve these minutes?

Moved by Councilmember Disch and seconded by Radina.

Discussion of A-1.

All in favor?

Opposed?

It is approved.

B-1, An Ordinance to Amend Sections 5.25, 5.33, 5.37.2.B, 5.37.2.C, 5.37.2.F, 5.37.2.G, 5.37.2.I, 5.37.2.L, 5.37.2.P, and 5.37.2.S of Chapter 55 (Unified Development Code) Of Title V of The Code of The City of Ann Arbor.

Outdoor lighting.

Moved by Councilmember Briggs, and seconded by Councilmember Disch.

Discussion of B-1.

Councilmember Briggs.

>> Councilmember Briggs: Thanks.

I appreciate everybody who called in this evening, but I want to draw attention so Dr. Sally Oey who was quite a force on the committee as you heard her and her detailed gratitude.

She was equality thoughtful, detailed and diligent in the committee and really moved that -- this ordinance forward.

So I thank her and Michigan dark skies for all of their work.

I think a number of folks mentioned at that time next phase of this ordinance is really going to be education and there's -- I'm hopeful that there are a lot of people interested in this ordinance and I think taking advantage of their energy to work with staff on implementing an education program would be very fruitful to making sure that we can implement this ordinance, perhaps a little more quickly than if we wait.

There are many pesky problems we face as a community and some are very challenging to solve but honestly light pollution is not that challenging.

This is just about directing light to where we need it and where it's helpful.

And not directing it upwards and outward as much as we do.

>> Mayor Taylor: Councilmember Disch?

>> Councilmember Disch: Thank you.

Want to thank Councilmember Briggs for all of her work on this ordinance as well as I would like to thank professor Sally Oey, and I wanted to say again that the presentation to the environmental commission this past summer, I learned that Michigan is one of the few places east of the Mississippi that have pristine natural darkness.

And our state has designated six state parks as dark sky reserves and all of that really wants me to adjust our tourists ad campaign, how about pure Michigan and pure dark.

I want to -- (Background noise).

All for public education.

So thank you.

>> Mayor Taylor: Councilmember Griswold.

>> Councilmember Griswold: I want to thank everyone involved in.

I looked at a draft of this a few years ago.

I know how much work went into this.

This is just for private property.

So I'm really looking forward to a companion ordinance for our public right-of-way.

Because as we know, sometimes excess lighting is just as dangerous as no lighting, and so it's not just a waste of energy, but it's also dangerous for humans. So thanks again, everyone.

>> Mayor Taylor: Further communication -- further discussion?

Councilmember Ramlawi.

>> Councilmember Ramlawi: Thank you.

And I appreciate everyone's efforts in bringing this forward.

I just would echo the comments made earlier about education as it relates to this new ordinance.

I know that it will affect holiday lighting from what I understand.

And I don't think many people know that.

And Mr. Lenart, you are here today.

I appreciate you joining us.

But if you could maybe explain that to the public, we will add a 90 day maximum here with temporary installations if I'm reading this right.

But maybe expand on that as it pertains to the holiday lighting.

>> Good evening, mayor and council.

I'm Brett Lenart, the planning manager.

You are absolutely right, Councilmember Ramlawi.

The ordinance does provide some limitations.

Holiday lighting was something that was specifically talked about during the development of the ordinance as a carve out.

So there's a 90-day exception for other properties to install temporary holiday lighting.

It must be extinguished similar to other provisions from midnight to 6 a.m.

And it's supplemented such in -- it's limited such installations cannot flash, sparkle or move.

>> Councilmember Ramlawi: Do we have any plans on getting that information out or is that going to be left to councilmembers and other informal channels?

>> No, we will be putting together some guides.

Certainly have some information on our website.

We have a great network of neighborhood associations that provides us an opportunity and as you heard, there's a lot of interest from a lot of boards and commissions at the city to help to get that message out.

No, I don't anticipate just leaving it to adoption of the ordinance.

I think there will be both proactive and at times reactive education that will have to partake in.

>> Councilmember Ramlawi: And apologize, gut one more question.

In -- if somebody is found violating this are there -- are there warnings before they are initiated a fine?

>> We have the flexibility under the ordinance, but our goal is compliance.  
So that's our matter of course.

We typically do provide a notice first, that is a great opportunity for education as well.

If we can't get the property in compliance, issuing a citation is hopefully a last and later will act as part of that.

>> Councilmember Ramlawi: And should they call 911 or community standards?

>> For lighting violations?

It would probably -- you could submit it to see click fix it.

You can submit information to [planning@a2gov.org](mailto:planning@a2gov.org).

There's some basic light property limits that community standards might be involved in as well.

But I would say to start at [planning@a2gov.org](mailto:planning@a2gov.org) to work with those residents and work through any resolution.

>> Councilmember Ramlawi: Thank you.

>> You're welcome.

>> Mayor Taylor: Councilmember Hayner.

My apologies, I was on mute.

>> Councilmember Hayner: That's all right.

Just one question on the back of the last series.

Thank you for answering those.

So somebody has a question about how to implement this or if whatever they want to implement on their house, they can contact planning.

So if there's like a consideration over, like a commercial lighting that might be out ever sync with our ordinances or somebody finds it to be a nuisance or whatever, would it be the same thing?

Would I tell a business owner to contact you or --

>> Yeah.

That -- that would be us.

Most of the lighting standards are zoning based.

And so be clear, those light trespass limits are established now.

This ordinance takes those standards and adds a lot of other requirements as far as how lighting is installed, maintained and operated.

>> Councilmember Hayner: All right.

Thank you.

>> Mayor Taylor: Further discussion.

Councilmember Ramlawi.

>> Councilmember Ramlawi: Thank you.

While we're on the topic, I apologize.

I just a question.

There are many of these solar wireless outdoor lighting fixtures that I see around quite a bit, that just emit light straight up.

These under this ordinance would be prohibited, correct?

If they don't -- if they continue to emit after midnight, I'm taking just -- while we're on the issue, thanks.

>> Yes, the intention is regardless of source at a certain point, we are going to try and limit the emission of lights be it any source, it be building lights, landscaping lights, parking lot lightings.

So these standards are going to apply very broadly.

As it relates particularly to color temperature and C.R.I. index, we do provide some additional flexibility for residential properties.

We hold commercial properties to those defined standards, but across the board, there are limitations on light glare, sky glow, that's the purpose of this ordinance, trying to limit and eliminate that across the board.

>> Councilmember Ramlawi: Thank you.

>> Mayor Taylor: Oops.

Further communication?

Or rather, further discussion?

So much communicating tonight.

Further discussion?

All in favor?

Opposed?

It is approved.

C, d -- B-2, An Ordinance to Amend Section 5.16.6 of Chapter 55 (Unified Development Code) of Title V of The Code of The City of Ann Arbor.

Home occupations.

Moved by Councilmember Disch, seconded by Councilmember Hayner discussion, please, of b-2.

Councilmember Hayner.

>> Councilmember Hayner: Thanks.

I would just like to ask the cosponsor.

I was really interested in this process and happy to see how it cycled through planning and consideration of the public input that was given.

And I want to cosponsor this.

I think that home occupations are important.

They have always been important.

I think they tie in with our need to, you know, reduce commuter travel and have 20-minute neighbors and our A2Zero goals and the more of this we can allow the better.

I -- I was trying to count and it -- I lost count of musicians, makers, machinists and other folks I know in our community that do home operations and so have small home businesses that are successful.

And so a lot of good comes from it and I'm really happy to see this being -- being handled here.

Yeah, I just -- I saw an old friend -- an old neighbor who recorded a smash hit in his basement studio here in Ann Arbor.

He was -- he played at sonic launch a couple weeks back and it was great to see him and great to see his success.

I was delighted that he was able to have that home business here and really make it work for him.

So I think this is an awesome thing we are doing here and the more of it we can do to integrate these neighborhoods, inoffensive uses, the better.

So thank you.

>> Mayor Taylor: Further discussion.

Councilmember Song.

>> Councilmember Song: I would like to be added as a cosponsor.

This came up when I-Cam pained where there's a ward two resident who is a trombone teacher was unable to teach as many students as he would like given the number of car trips that were limited by the ordinance before this was updated.

And for someone who is on limited income, retired and teaching students who were ultimately able to get full ride scholarships based on the music AI talented, I'm really pleased to be able to share this update with him and let him know that he's going to be able to expand his expertise with students in the area.

And know that he wouldn't -- he won't be fined with students, you know, being dropped off for these lessons.

So this goes out to the sad trombone teacher, I met when I campaigned and thank you for doing this work.

>> Mayor Taylor: Excellent.

Further discussion.

All in favor?

Opposed?

It is approved.

C-1, An Ordinance to Add Sections 10:147 and to Amend Sections 10:1c, 10:90, 10:97, 10:146, and 10:149 of Chapter 126 (Traffic) of Title X of the Code of the City of Ann Arbor.

Personal mobility vehicle.

Moved by.

Councilmember Disch.

Seconded by Briggs.

Discussion, please, of c-1.

Councilmember Briggs?

>> Councilmember Briggs: Yes, I wanted to briefly say this is recommended by the transportation commission.

They started working on it before I came on as council liaison but it was a recognition that our ordinances didn't appropriately deal with items like scooters but in directing folks how and where to rent them but it's then framed and developed in a way that it's broad enough to be hopefully be applied to any other sort of advancements in personal mobility devices that we may see in the next upcoming year.

So thanks to Attorney Reiser who was working on that and the transportation commission working group and I suspect there are some others out there who had a hand in it.

>> Mayor Taylor: Further discussion?

Councilmember Ramlawi.

>> Councilmember Ramlawi: Yeah, I will be supporting this at first reading but I didn't get enough questions.

We have a light agenda.

And I will ask a few here of Mr. Fournier if I could.

So these devices are now being promoted.

I don't know if promoted is the right word but they are allowed to be on sidewalks is that correct?

>> Do we have staff here would have more recently had their hands on this ordinance.

>> I don't want to mistake the --

>> Clerk Beaudry: Mr. Hess and Mr. Reiser.

>> Thank you, madam clerk.

>> Councilmember Ramlawi: Good evening Mr. Hess, thanks for joining.

Just this ordinance here, I know a lot of sidewalks in downtown, we have asked for bicyclists not to use the sidewalks.

I don't know that these policies are back and forth all over the place, and as we keep he evolving and technology changes and devices change, what I'm reading here is that these devices will be allowed on sidewalks here in downtown, and I'm just a little concerns if that's the case, for the safety and the well-being of others who are using sidewalks because these devices can go pretty fast.

And we have a lot of activity on sidewalks.

And so you are here today to help answer that.

I think I read somewhere in the agenda questions and responses that these will be allowed to be put -- be used -- use on-street parking spaces S. that correct to be parked in areas that -- are they going to be paying like a car would pay for parking?

Are we in jeopardy of losing revenue there or not allowing for other users, ones that actually pay for parking?

>> Geddes, good evening, councilmembers, Raymond Hess, transportation manager.

Councilmember Ramlawi, yes, to address your question, the transportation commission and staffer discussed extensively the ability or the inability of these devices to be used on the sidewalks.

So, you know, the things that were kind of brought to mind were bicycles, scooters, ebicycles and the -- where we all landed was allowing these to be operated on the sidewalk, unless there's a traffic control order or a different measure passed by council, that certainly prohibited it in certain areas.

The reason why this approach was taken and viewed to be most favorable is a lot of people cited that there's certain parts of town where people don't feel comfortable biking or scooting or, you know, whichever device you are using in the roadway.

And they only feel safe when they can proceed on the sidewalk.

But you are right, you know, especially in the downtown area and parked around campus, there is a lot of usage of pedestrians on the sidewalks and so, you know, there's just competition for space on the sidewalks.

But ultimately, transportation commission and staffer landed with what you see before you, which was to allow it outright and then if there are areas where it should be prohibited, that would be allowed in the traffic control order or through council resolution.

In terms of parking, we currently don't see a problem with, for example, scooters being parked in on-street parking spaces downtown.

So the metered and pay for parking places.

We haven't observed that to be problematic.

I think what this was kind of envisioned is that these vehicles can be parked, you know, in the roadway, just like other vehicles can, and we thought that, you know, that's just kind of consistent with allowable practice throughout the city and I believe the state as well in terms of where vehicles can be parked.

So that one was -- you know, I appreciate the concern about whether there's a loss of revenue.

We haven't seen that materialize yet in terms of how the operation is currently proceeding with the scooters and the predecessor before that with bird.

The last thing I should note, and I think this was one of the responses we provided, there is -- we have worked with spin to maximize the regulated speed in a geofence area.

For example, these scooters are capable of speeds up to 15 miles per hour but they are regulated within the downtown core not exceeding 10 miles per hour whether they are on the sidewalk or not.

So we are trying to balance the need for people using the sidewalk, versus these vehicles.

And the other thing too, frankly, we build up more infrastructure, and the protected bike lanes or others, we anticipate that they would become more attractive to be used by ebikes, for example or scooters because it's a, you know, straighter, quicker shot than, you know, weaving on sidewalks between pedestrians.

So I think there are a couple of things, that you know, we attribute that we see in the draft ordinance before you.

>> Mayor Taylor: Councilmember Hayner.

>> Councilmember Ramlawi: Thank you for answering that and geofencing alleviates a lot of my concerns.

Thank you.

>> Mayor Taylor: Councilmember Hayner.

>> Councilmember Hayner: I guess this would be a follow-up since you are here to answer questions.

Thank you, Mr. Hess.

So does it -- this is not specifically related -- it is somewhat related to this before us, do we anticipate a growth in personal -- in micromobility.

I know we talked -- a couple of years back, I had a nice conversation with our administration about the growth of micromobility when we talk about the various contracts do.

We anticipate a growth in this?

Should we -- in our long-term planning should we be considering leaving space in our streets, our sidewalks or some kind of other area for micromobility?

Electric bikes are a thing, especially the throttle bikes but I wonder if there's any sense with transportation that there's need for growth in which case, we should be leaving space on the streets or as new developments come in, you know, creating space for these things.

>> Yes, Councilmember Hayner, that's a great question and we do not anticipate the proliferation of scooters in our community or throughout the country a few years back.

It's difficult to predict what the next wave of mobility will be.

You may find the definition in a personal mobility vehicle to be somewhat cumbersome in the ordinance but that was actually by design.

What we wanted to try to do was to make it future proof.

We didn't want to lit out scooters and ebikes to omit something that we didn't foresee.

We wanted to put parameters around what those vehicles would look like, whether it's a manifestation of something that we see today or something that we haven't yet imagine.

It's hard to say exactly, you know, what future thing will be, and what will fit in here and what won't.

But hopefully this ordinance will stand the test of time and can address those new forms adequately.

In terms of, you know, which we should be planning for more micromobility, I think the answer is yes.

I think this is a strategy that is identified in the A2Zero carbon neutrality plan, as well as the transportation plan movement towards vision zero.

So this is a part of -- these vehicles are electric.

They have the capacity to reduce the carbon footprint and they could be part of the mobility solution for our residents and visitors.

I think this is part of a holistic strategy about how we move people around the community.

If that means we have to think about dedicated lanes for this or parking structures or whatever the case may be, I think that is on the horizon for us to have a more detailed conversation about that.

>> Mayor Taylor: Councilmember Griswold.

>> Councilmember Griswold: I noticed a disabled person using a power drive and mobility device.

So this ordinance does not mention disabilities and is that because it's already covered in state law?

Okay.

Great.

>> Yes.

Yes, councilmember, you are slightly right.

This is not really addressing personal mobility devices for those with disabilities.

>> Councilmember Griswold: I thought we should point that out for the public.

We are not ignoring people with mobility disabilities.

It's already covered in state law.

>> Mayor Taylor: Further discussion?

All in favor?

Opposed?

It is approved.

C-2, An Ordinance to Amend Chapter 107 (Animals) of Title IX (Police Regulations) of the Ann Arbor City code.

Moved by Councilmember Disch, seconded by Councilmember Eyer.

Discussion, please, the c-2.

I would like to kick off with this and I would to thank Councilmember Eyer, of course, but thank Mr. Reiser and the city attorney's office and Ms. Slate and the attorney's office in working with and together with folks at the humane -- the Huron valley humane society, of course in connection with moving this matter forward.

It came to at least my attention.

I can speak for Councilmember Eyer or at least I suppose and she will correct me if I'm wrong as a result of some negative dog v dog action and it was brought to our attention that dogs are not protected from other dogs under our ordinance as currently drafted and that that was an omission, you know, it's important that all dog owners maintain control over their pets.

And that those pets are not a threat to anyone, whether they have two or four legs.

We have a number of other areas where we are able to take appropriate action to move forward and I'm glad we are doing so.

I look forward to consideration of this ordinance and ultimately its passage.

Councilmember Hayner.

>> Councilmember Hayner: Yeah, I don't know if somebody else has anything to say.

I'm scrolling down through it.

I asked in our council questions about the part that concerned me.

I had a handful of calls of neighbors concerned about dogs and keeping dogs when folks reason home and the conditions about it, you know when the dog owners are at work, and Assistant City Attorney Reiser graciously reached out. The definition of "sufficient" is poorly defined and left up to the respond and control officer.

And, you know, you might not always see a situation where when the officer shows up to respond, it seemed sufficient and then they go away and the dog wraps its leash or poorly wrapped leash, around the water bowl and doesn't have water all day.

I was concerned about that because I know we are -- this is very little staff to deal with this at the county and the humane society level.

They need this flexibility in their enforcement, but I'm also concerned it might lead to situations where we are not able to help these owners provide better care.

>> Mayor Taylor: Mr. Reiser, do you have --

>> I spoke with the local animal control and Huron humane society. The statute in the email, requires that animals be provided with sufficient food, water, shelter, sanitary conditions, veterinarian to maintain and -- shall in a state of good health -- an animal in good health.

There's no minimum daily amount of water and it's also appropriate to the species.

A canary will need a different amount of water than a mastiff or another dog. They referred to the case-by-case investigations that they do.

So even if we tweak our law, there's a state law and they are already dealing with.

>> Mayor Taylor: Councilmember Briggs.

>> Councilmember Briggs: Thanks to those who brought this forward.

I think this is a good change, important change for -- moving forward, there was one area that concerned me and that was the removal of animal cruelty language.

I wanted to make sure that there's -- that we might be scrolling through this in the future if they see us removing that language.

They should not be concerned.

It's a little counterintuitive.

By removing that language, we are actually strengthening our ability to enforce these laws because we are able to rely on state laws for this.

This is a step forward by removing this language.

So thank you.

>> And I can speak to that and apologize if it's my inability to read the room.

By removing a provision that -- by doing so, you are making it stronger, about utility you really are, because under the home rule city act, we are limited to generally 90 days only for our misdemeanors, whereas the state law has four or five different levels of severity, none of which are 90 days.

They are all 93 days or more.

If you kill an animal, it's 90 days.

And misdemeanor, and four-year felony or seven year felony.

What you are doing is you are referring animal cruelty cases to the animal cruelty investigators who are better trained than generally most police officers, but work with the police officers for those investigations and you are referring them to the county-wide prosecution resources.

So this is something that Ms. Leah and I, a former prosecutor and myself and the deputy city attorney agreed with, that these cases are better off in the appropriate courts with appropriate charges.

>> Mayor Taylor: Councilmember Eyer.

>> Councilmember Eyer: Thank you.

I want to thank the 4<sup>th</sup> ward residents would come forward and brought these issues to myself and to the mayor.

There were really a few incidents in different parts of the 4<sup>th</sup> ward, that were frankly, pretty terrifying.

And to bring this order and now have this resolution -- this change in our

ordinance before us, I think really shows how our representative government can work really well.

And I'm hopeful this will pass and this will allow us to really address some of these issues that have been occurring probably not just in the 4<sup>th</sup> ward but throughout the city with regard to behavior, dog versus dog behavior, that is scary and harmful to dogs and many of us think of as members of our family, but also that could portend greater harm to humans in the future as well.

Thank you to the humane society for helping us come -- bring this language forward in conjunction with them and with their -- all of their knowledge and advice so that we get it right and thanks to our great city attorneys that have helped us.

Thanks.

>> Mayor Taylor: Councilmember Hayner.

>> Councilmember Hayner: A question for whoever would be able to answer this.

Do we -- is the failing of people frequent with this?

Does it happen?

Have we -- have the courts handed down 90-day sentences and so on?

I had a constituent ask me about that and they really -- and I have to agree that we want to do what we can to scene people out of the jail pipeline.

Does that happen in our community.

>>> Certainly not on a misdemeanor under the city ordinance, its not frequent at all.

It would more likely have to be a felony level or a number of animals.

And it might not be initial sentence where someone is sentenced to jail but a probation violation or continuing to violate the law.

>> Councilmember Hayner: Okay.

>> Mayor Taylor: Councilmember Griswold?

>> Councilmember Griswold: Yes, I will be supporting this and we have had animal issues in the second ward brought to my attention many times.

I do have a question, though, in terms of how does this interact with state law and is there any county regulations given that isn't this enforced by animal control that is a county function?

And will we be recommending this language for the county to adopt or for the state to adopt?

>> Well, there are state cruelty laws and those are -- those are, I think, sufficient, but I don't think we need to tell the state what they need to do on this.

We -- this will suit Ann Arbor's feeds.

With respect to the enforcement, this can be enforced either by, you know, city staff personnel, AAPD officers is I think would generally enforces it now.

We have in this ordinance, and didn't take out, the animal control officer and animal control office functions.

That's a council policy decision that was made several years back not to fund that position.

I know animal control and the other cities and 20 townships rely on.

There's one person who works Monday through Friday county wide.  
His name is Herb Shorter.

He does a great job.

He gets into the city but he gets everywhere else too.

So the response time is generally better with the Ann Arbor police department personnel.

There's also very good folks at the humane society of Huron valley.

It depends who takes the call.

>> Councilmember Griswold: Okay.

Is the issue that the state law is not specific enough for our community?

I'm just trying to understand the relationship.

>> The state law regarding what issue?

Councilmember Hayner's inquiry regarding the bowl of food that gets knocked over or that type of situation?

>> Councilmember Griswold: Just in general, why do we need an ordinance?

And, again, I'm going to support it.

I just want to be better able to understand why we need a local ordinance for the city when most of the enforcement is done at a higher level.

Well, probably because in 1975, city council thought it was important to have an animal ordinance, and there's backyard duck feeding and deer.

And it's wise to have the ordinance to meet the needs of the municipality.

>> Councilmember Griswold: That makes sense.

I want to be able to answer questions in an intelligent manner.

So that explains it.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: Thank you.

I preface it.

I don't want to spend too much time on this because Councilmember Griswold spent a few minutes already, where there's nothing in this ordinance adoption that would weaken the enforceable laws.

There's nothing there.

We spoke about something that's been taken out, that would have weakened the protections but there are many different points in this ordinance that speak to punishment, and I want to make sure that we are not weakening any of the state laws.

>> No, we can't do that.

We are limited to what we are allowed to enact by city charter and the home rule act and the constitutional provisions that apply to regulation that cities can enact.

>> Councilmember Ramlawi: And then I'm looking at 9.36, poisoning of animals.

It was brought to my attention a year or two ago where a city contractor had put out bait for mice, I think, rats and mice, I'm not sure what, but brought to my attention that this same bait also poisons great horned owls and that the city, you know, took action after it was brought to our attention, but I'm looking at this here.

The poison substances -- again, first reading, I will take more time to look at this later.

I guess reading that and looking at an experience that I dealt with directly, I wondering if there's any issues there and whether these ordinances pertain to the city properties or city parks as well as private properties and ownership.

>> Currently would apply to all the city of Ann Arbor and, you know, poisonous substance like Warfarin or the rat poison can be used, except if it endangers any animal or bird, except the intended target of the rats and mice.

You certainly have the prerogative to make an amendment between first and second reading that tightens that up or changes it.

Endanger or likely to endanger, some other phase that may target other species.

>> Councilmember Ramlawi: I guess I will have to.

I no he we were in violation of this -- I know we were in violation of this ourselves if I'm reading this right, just recently with our pest control at city hall.

And I guess --

>> Mayor Taylor: Councilmember.

>> Councilmember Ramlawi: I will reserve my second.

>> Mayor Taylor: Further discussion?

Councilmember Ramlawi.

>> Councilmember Ramlawi: Thank you.

How many cases a year do we know that this ordinance would help?

How many times a year.

Do we have any idea what we are looking at in terms of the frequency?

>> It depends -- it depends what you mean by help.

If putting the public on notice not to do these things then it helps to the extent that we get people out this educated and obey the law.

If you are asking how many infractions we have issued, not many.

But just because an infraction is not issued doesn't mean that the ordinance doesn't help.

>> Councilmember Ramlawi: So I will work on that other issues with 9.36 to see how that can be tightened to address the concerns that we have recently faced.

>> Thank you.

>> Mayor Taylor: Further discussion?

All in favor?

Opposed?

It's approved.

DC-1, Resolution Directing the Energy Commission to Consider the Question of a Feasibility Study Regarding a Public Power Utility.

Moved by Councilmember Nelson and seconded by Radina.

Discussion of DC-1.

Councilmember Radina.

>> Councilmember Radina: Thank you, Mr. Mayor.

As one of the -- as one of the body's energy commissions liaisons, this is a topic that I have given a lot of thought and consideration, both in energy commission and in conversation with my constituents and it's because of those conversations and research that I have determined that I will eventually support moving forward with a feasibility study both in energy commission and hopefully again in this

body.

Still, I was surprised to see this resolution introduced.

You know we talk about a lot of process on this table and this was brought forward without consultation or input from either of the bodies energy commission liaisons, from OSI or Dr. Stults or from either the chair or the vice chair of the energy commission -- vice chair of the energy commission.

As a result this resolution doesn't take into work that our energy commissioners are already doing in the process to provide us with a well-informed recommendation.

For example, next month the energy commission is scheduled to hear from representatives of both boulder, Colorado, and winter park, Florida, two communities who recently pursued municipalization to differing results.

So that we can learn from their experiences, ask questions of them directly and to better inform our own community's path forward this anticipated and long scheduled session was requested by the energy commissioners and scheduled at the earliest opportunities.

If passed as introduced this resolution would arbitrarily cut short that work and demand a recommendation be returned from energy commission just receive deans from tonight.

Before commissioners are able to complete their planned research into the topic, following up on any remaining questions that they may have, conclude their due diligence or provide a thorough recommendation.

For this reason and several more I can articulate after hopefully hearing a second, I move to amend this resolution by substituting in its entirety the language I previously circulated to council and I will ask the clerk to reforward to council.

>> Mayor Taylor: Is there a second.

Seconded by Councilmember Briggs.

Councilmember Radina.

>> Councilmember Radina: The most substantial request of the resolution will remain unchanged.

It's still a request of the energy commission to provide a recommendation to council on pursuing a feasibility study for a municipal utility.

The substitute, however, takes into consideration the substantial intentional and thoughtful work of the energy commission and that they are already doing on this topic.

Regrounds our request in the principles of the A2Zero plan and our energy principles and criteria.

It directs the energy commission to explicitly consider how our path forward would be focused on A2Zero core values of being sustainable, equitable and transformative.

It requests that the recommendation consider both traditional and non-traditional method of potentially creating a municipal energy utility and finally in order for this work to actually be completed it adjusts the timeline by which we are requesting this recommendation.

To allow the energy commission to provide a fully considered, thorough and completed recommendation this substitute requests a full recommendation by December 31<sup>st</sup>, rather than just seven days from tonight.

I want to take a few seconds to thank all of our energy commissioners even our OSI staff for their hard work and dedication on this and so many other critical energy priority for our community over the last several months.

I'm mentally grateful for the thoughtful and collaborative leadership, specifically of Chair Mirsky and Garcia for the commitment of our extremely experienced and in many ways our expert energy commissioners and dedicated OSI staff led by Dr. Stults for their continued work with the commission to move us towards carbon neutrality by 2030.

Thank you.

>> Councilmember Ramlawi: I have a parliamentary question.

>> Mayor Taylor: Councilmember, yes.

>> Councilmember Ramlawi: Being a substitute resolution, or resolution, shouldn't have been voted on by the body?

I can see an amendment being put forward --

>> Mayor Taylor: It is styled as an amendment.

>> Councilmember Ramlawi: I heard a substitute resolution.

>> Mayor Taylor: I'm treating it -- I'm treating it as an amendment.

The prior -- the current can DC-1 is not being pulled.

It is being proposed to be amended in its entirety.

>> Councilmember Nelson: I can't recall the last time an agenda item was not introduced by the sponsor.

>> Mayor Taylor: Well, councilmember --

>> Councilmember Nelson: Or by a sponsor.

I will wait for my time in the queue.

>> Mayor Taylor: Your hand was not raised in the in -- as I'm sure you saw, at the time.

>> Councilmember Ramlawi: I'm sorry, mayor this was introduced as a substitute resolution.

>> Mayor Taylor: I'm interpreting this as a proposed amendment in whole.

Is there if I objection to that treatment?

Three objections to that treatment.

I guess I will ask for a vote of the body on that -- well, I guess as a matter of parliamentary -- is a vote required on that as to whether I'm treating it as an amendment in a whole?

>> Councilmember Nelson: So we are never introduce the original one at all?

That will never be introduced?

That will never be --

>> Mayor Taylor: It has been introduced.

It is currently the main motion is the original DC-1.

It is being proposed to be amended by the substitute resolution in whole.

My belief is that there will be a full conversation about the relative merits between this approach and the approach of DC-1 as an initial matter.

I think if -- is there any --

Is that not the case?

Is it -- is it not -- it is entirely relevant to discuss the relative merits between prior -- between the original DC-1 and the proposed amendments to DC-1.

As connection with the proposal to amend DC-1.

I don't view this as particularly important distinction.

The discussion will be had -- I don't think that there's the -- there's no effort to steam roll anybody here, if -- councilmember.

Is there an alternate?

I guess with Councilmember Radina's acquiescence, it has been proposed -- I don't know.

--

>> Mayor.

>> Mayor Taylor: Yes, Councilmember Eyer.

>> Councilmember Eyer: Just as parliamentary point, yeah, it's -- what we need to do now is vote on the whether we adopting the substitute motion for discussion.

Not adopting it, but whether we are going to.

>> Mayor Taylor: Thank you for putting me back on track.

I'm proposing that Councilmember Radina's amendment is indeed an amendment, and there's been some objection to that ruling.

There needs to be a vote on that ruling.

And so let's have -- is that a vote that has discussion or is that a vote to vote?

>> Councilmember Eyer: I'm sorry, but again, if I may, just --

>> Mayor Taylor: Please.

>> Councilmember Eyer: We don't -- that's not something we need to vote on.

What we need to vote on is simply whether we are going to accept this substitute resolution for discussion.

Or am I saying the same thing you are in a different way?

>> Mayor Taylor: I don't know.

I made a parliamentary ruling.

I guess I'm asking for confirmation that I have the authority to do that.

If I do not, then that's okay and we will take it to a vote.

If so, I think we will have as full a conversation --

>> Councilmember Grand: Mayor, the clerk I think wishes to speak to this.

>> Mayor Taylor: I'm sorry.

Ms. Beaudry.

>> Clerk Beaudry: I think if the question is, this is a subsidiary motion to the main motion which the motion to approve the resolution was moved and seconded.

And whether this is an amendment in whole or in part, the motion on the floor is to accept this amendment which would effectively replace the resolution.

>> Mayor Taylor: So do I -- what I hear you saying is essentially confirming the assessment that this is an amendment and that we should move forward in the ordinary course.

Clerk unless Mr. McDonald disagrees, that's my understanding of Robert's rules

of order.

>> I think one of the issues here is maybe -- maybe in the nomenclature of calling it a substitute resolution.

If this was an amendment to which it could be considered an amendment as well, I have not looked at -- it's hard for me kind of right online to look at the difference between these two resolutions.

I understand that it's substantially different, but it certainly could be amended and then it would sort of fall within I will say council's normal procedure as opposed to calling it a substitute resolution.

I think -- but I think the procedure is somewhat the same as -- as the clerk was just saying.

Which is you are really voting on taking the amended resolution or amending the original resolution with this.

I haven't had a chance to take a look at the support recovery stance of how different it is -- the substance of how different it is.

>> Mayor Taylor: I had Councilmember Radina speak on the main motion and once speak on the amendment.

I have in the cue Nelson, Briggs, Ramlawi, Griswold and Hayner on the amendment.

Councilmember Nelson.

>> Councilmember Nelson: I guess I will just -- well.

So I emailed this resolution to all of council on Friday, August 20<sup>th</sup>.

So there's been about three weeks for feedback on this, and the substitute resolution was submitted this morning, well after anyone could have asked questions about it, distinguished differences between one timeline versus the other.

And to the accusation that this is somehow overstepping and dismissing the value of input from the energy commission, I have been in conversation with members the energy commission, who shared with me the length of time that this has been discussed, the fact that a feasibility study was specifically discussed on July 13<sup>th</sup>.

And explaining to me that the nature of the work session in October is going to be a discussion with communities that were wrestling with this issue and pursuing feasibility studies decades ago.

So having gone through this kind of procedure not so very long ago, where examples from other states were dismissed to me as irrelevant because they didn't happen in the state of Michigan, now we want to hold up a process because of scams from Florida and Colorado.

This is not -- examples from Florida and Colorado.

This is not a big step that I'm asking for.

I have crafted this very carefully to include the energy commission.

I would energy that if our community felt very strongly about this, if our community felt a compelling need, council could act without first asking for input from the energy commission.

My resolution is specifically asking for their input with the knowledge that they

have been discussing this for months.

I'm asking for them to suggest their opinion as to whether we should invest a small amount of money and a small step forward, a feasibility study that will be necessary before we know what else is possible.

So I guess I am sorry that none of my colleagues other than Councilmember Griswold thought to respond to any August 20<sup>th</sup> email, but I have been in conversation with quite a number of people in our community, including members of the energy commission.

And I think this is a compelling issue and I think this' a reason to act sooner rather than later.

And I know that members of our community are looking ahead to the possibility of this feasibility study informing a potential ballot question for next year.

And so three months might matter.

Pushing this down road three months I don't see any reason.

I think the energy commission could probably give us an answer given that they have been talking about this since February.

>> Mayor Taylor: Councilmember Briggs.

>> Councilmember Briggs: As one of the other liaisons to the energy commission, I would state that I would not be prepared to provide an informed recommendation to council next week.

This is -- this is not a small issue that our community is wrestling with.

And that we need to get information on.

We are -- those presentations that we're going to be receiving in of course are incredibly valuable in terms of listening to what is worked and what hasn't worked in other communities.

We are hearing from one community that's implemented successfully and one that hasn't.

We haven't created a municipal utility in Michigan since 1912.

So this is not something that's done every day and 120, \$150,000 feasibility study, if that's what we are voting on, at some point, we want to make sure that we get what we want out of that feasibility study and that we're really -- we're really examining the most options out that we need out of that.

And the energy commission will need some time to examine these issues pore fully.

Boulder has been working on this for close to a decade.

Spent millions of dollars, and voters ended up saying, we are not moving forward.

I really think that we need this extra time make sure that we are asking and getting what we need out of the feasibility study.

I personally am not interested in -- based on what I know right now, asking taxpayers to buy DTE's crumbling infrastructure.

You know, there's -- there are some good options that we may have out in front of us, but we want to make sure that we are ending up with good renewable energy and good options for our community.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: Thank you.

I'm just a little perplexed by the whole process here, but I will continue to indulge in the conversation.

I'm just concerned about the timeline that is being put on this.

I understand maybe some of the concerns of the original resolution and having that -- the energy commission take this up by September 14<sup>th</sup>.

This amended resolution has us waiting until the end of this year on whether or if we should proceed with one.

And every time it storms now, people are freaking out on whether they are lose power or not.

And I got people texting me all the time, emailing me all the time, calling me all the time, telling me how unreliable their power is.

We have many constituents who have emails us, spoken with us on this topic, who are in support of it.

I'm just concerned with this substitute resolution or amended resolution, whatever you want to call it.

I find it problematic based on our new council rules to be honest with you to bring a resolution this.

I don't see it operating under the norms that we adopted, but I sit in the minority so it doesn't matter, I guess.

I propose moving this amended resolution, changing the date on it, to no later than November 30<sup>th</sup>, rather than December 31<sup>st</sup>.

I would like to have an answer on this before the holidays.

I move to amend the amended resolution to November 30<sup>th</sup>, 2021.

>> Mayor Taylor: Is there a second?

Seconded by Councilmember Disch.

Discussion of the amendment?

>> Mayor Taylor: I will have to keep a separate queue on the date.

Councilmember Radina on the amendment.

Is there anyone else who wishes to speak on the amendment?

I have Radina, Hayner on the amendment.

Councilmember Radina?

>> Councilmember Radina: Thank you, I would like to invite Dr. Stults into the conversation if she's free since this was crafted in part by her input and the energy commission leadership on what is feasible.

I wonder if you could provide some context as to why the December 31<sup>st</sup> date is important.

>> Thank you to all of now for creating space for this conversation.

The intent was to make sure that the commission had the time to do the analysis necessary.

We envisioned if they went into the October conversation and had follow-up question and had to invite speakers back no November, it was to make sure that the commission didn't have to vote on something.

So the timeline in some ways, it was just meant to be flexible enough that if they vote in October, it would come in October.

They vote in November, it would come in November.  
But it's just giving the commission space.  
To do their due diligence.  
Thank you.

Are.

>> Mayor Taylor: Councilmember Radina.

>> Councilmember Radina: That's all.

>> Mayor Taylor: Councilmember Hayner.

>> Councilmember Hayner: I support it because I support the original resolution that was brought and I think -- I think that -- I mean, I'm not the liaison to the energy commission anymore.

I sat in on CCA meetings and we talked about this way back when.

I think we are just asking for a recommendation.

I think that the knowledge exists, so, they are going to be through their presentations by then.

I support moving the date closer.

>> Mayor Taylor: Anybody else on the amendment to the amendment?

Should we roll with that vote?

An the amendment to the amendment to move the date within the amendment from December 31, to November 30.

Roll call vote, please, starting with Councilmember Grand.

Is everybody clear what we are voting on?

>> Councilmember Grand: No.

>> Councilmember Radina: No.

>> Mayor Taylor: Yes.

>> Councilmember Eyer: No.

>> Councilmember Nelson: Yes.

>> Councilmember Briggs: No.

>> Councilmember Ramlawi: Yes.

>> Councilmember Hayner: Yes.

>> Councilmember Disch: No.

>> Councilmember Griswold: Yes.

>> Councilmember Song: No.

>> Clerk Beaudry: Motion fails.

>> Mayor Taylor: Further discussion of the amendment some Councilmember Griswold?

>> Councilmember Griswold: First, I want to apologize to our community.

We have worked very hard on council rules to prevent what is happening tonight and this highlights the divisive culture of council.

This was introduced as a substitute resolution, not as an amendment, substitute resolution, and I immediately replied to Councilmember Radina as a result of that.

We don't introduce resolutions the day of a meeting.

And the primary reason is the public has had no ability to weigh in or look at.

As a result of that, I would recommend that we postpone this amendment for two

weeks so that we have an opportunity for the public to weigh in and possibly council can work together and come up with a single resolution.

I agree that Councilmember Radina's resolution has some improvements to it, but this is not good governance, and sustainability is a critical issue and we've got to get it right.

>> Mayor Taylor: Is there a second?

Seconded by Councilmember Ramlawi.

Discussion of the postponement?

We have got a queue.

So I've got grand --

>> Councilmember Grand: I'm waiting to speak on the amendment.

So I will keep my place in the queue if that's all right.

>> Clerk Beaudry: Mayor, may I?

May I clarify is that a two-week postponement?

>> Mayor Taylor: It is.

>> Councilmember Griswold: Yes.

>> Mayor Taylor: Councilmember Hayner on postponement.

>> Councilmember Hayner: I would like to speak on the amendment if it comes back to that.

Sure, I will support a postponement if it leads to better governance.

>> Mayor Taylor: Councilmember Eyer?

>> Councilmember Eyer: Thank you.

I will not be supporting the postponement.

I think the public has had lots of opportunity to give us their feedback on this topic generally, and it's clear Councilmember Radina worked through what I would view the correct process.

Councilmember Griswold referred to process, and Councilmember Radina, actually followed a good process.

In creating his substitute motion here, consulting with the energy commission on which he sits, consulting with Dr. Stults, who is key to any discussions that we have on power and public power in our city.

And so I'm very comfortable with voting on this tonight.

>> Mayor Taylor: Councilmember Ramlawi on postponement.

>> Councilmember Ramlawi: I'm just befuddled.

I support postponement.

I support a postponement based on the reason that the councilmembers gave.

We spent many months as a new body forming new rules on how to add things on the agenda.

Good government, avoiding these types of situations.

And rather than taking an alternative route because a fellow colleague decided to take the lead on something, we just shoot that one down and put something else on top of it, it's just -- this is not what we spent months and months trying to avoid.

A support a postponement, because it gives councilmembers the time to ask questions the public to ask their representatives questions this is what we tried to

avoid with new council rules and yet it persists.

So I do support owe postponement, based on the spirit that this was brought under.

Thank you.

>> Mayor Taylor: Councilmember Briggs.

>> Councilmember Briggs: I don't think in terms of how this amendment was introduced that there was anything that is inappropriate about its process as has been previously stated.

You know, we would not be in this place had the original sponsors of this resolution sought a collaborative process, had sought to me with the leadership of the energy commission, and speak with our staff.

You know, this is actually not a substantially hugely different resolution.

In the whereas clauses, for those who have not seen it, more information about the process that we have gone through and we have a longer timeline and a little more flexibility in terms of making -- encouraging the energy commission to think about really what those options that are we should be exploring, however, I support a timeline in December 31<sup>st</sup>.

I don't see a challenge in postponing this for two weeks.

I don't think it will hurt the process but there is a way that we conduct government and a way that works and the way this resolution was put on the council agenda was not productive.

>> Mayor Taylor: For mill part, I will vote against the postponement, I think this is highly consistent with proper procedure and entirely consistent with both the spirit and of our council rules as Councilmember Briggs indicated.

The main trust of the amendment, it seeks to correct the failure of collaboration -- the refusal to collaborate exhibited by the initial motion, and also does not seek to answer the question in advance.

>> Councilmember Ramlawi: Point of order.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: You are talking about the motive of the original resolution.

I just don't -- you are assigning motive that she was up willing to collaborate.

That's a violation of our norms.

>> Mayor Taylor: I will restate.

The absence of collaboration.

We -- in any event, I think this corrects the absence of collaboration and I think as a matter of substance moves the matter forward in a way that is frankly consistent with the common purpose and that is to -- to obtain the energy commission's view of the potentially distributed utility.

So I will be voting against postponement.

I don't think the postponement will do anything that an acceptance of the amendment.

>> Mayor Taylor: Did I skip.

>> Councilmember Griswold: Grand was before me.

>> Councilmember Grand: I had said I was waiting and I'm still waiting but I

would like to speak on the postponement if that's okay.

>> Mayor Taylor: Postponement, grand and then Hayner -- grand, Radina, Griswold and Hayner.

>> Councilmember Grand: I would like to keep my place because I still haven't spoken on the motion at all.

So we have some comments made about rules and I will be voting against postponement.

I think it's a troubling pattern that when we don't like the way something is going, we postpone it and bring it back.

I do want to speak about some accusations about council rules.

I can explain from my perspective in terms of council rules was not violating the open meeting acts which means I can't talk to more than four of my colleagues about something.

So when something comes up that seems like it's unusual in terms of not following a process that I would like to see, I know there are only a few councilmembers that I can talk to, because otherwise, I would be in violation of that rule which to my is probably more important than some of the ones.

I wanted to answer Councilmember Nelson's question about why I didn't reach out in part because I was trying to help some of my colleagues figure out why this happened and what we could do to really reflect the excellent work that Dr. Stults is doing in the energy commission -- and the energy commission is doing already and I will leave it at that for now.

Thanks.

>> Mayor Taylor: Councilmember Radina.

>> Councilmember Radina: First I have a clarifying question, I guess because I think it was originally stated that this was to postpone the amendment.

We would be postponing the entire resolution, correct?

That's what we would be voting on?

>> Mayor Taylor: That is correct.

I'm not holding the councilmember to that particular word.

I'm taking what I believe to be the meaning which is to postpone the question in its entirety.

>> Councilmember Radina: Okay.

Thank you.

Assuming that -- it would require us to amend the initial resolution because it would move us by the deadline to which we subscribe to the energy commission because that's seven days from now.

I will reiterate everything that Councilmember Briggs has said.

The reason this is being introduced late, because the first time that Councilmember Briggs or I, or Dr. Stults or anyone in OSI or the chair or the vice chair of the energy commission saw this was when it was circulated for cosponsorship.

That's not to me an opportunity for us to sit down and collaborate and work together.

That became a time when I reached out to all of those individuals, found out that

they had not worked on this and began working on the language that you see before you tonight.

And so that takes some work and it does take collaboration.

And so that is what came forward.

I don't feel strongly one way or the other.

It moves us past the deadline.

It will require us to do some additional work because the deadline would have required our volunteer commissioners to come up with a detailed and thoughtful provision before they came back to us.

Ultimately I will vote against postponing it.

I'm comfortable with this language, because it was a collaboration with all the stakeholders.

Even a postponement puts us past of the date provision.

>> Mayor Taylor: Councilmember Griswold.

>> Councilmember Griswold: I just want to say -- well, there are four reasons why I believe a postpone is necessary.

Number one, we are responsive to our community members.

They have not even this resolution.

They deserve the opportunity to weigh in.

Number two, our consul rules clearly state when a resolution can be introduced.

Calling a substitute resolution an amendment, it's still a substitute resolution, per the email, from Councilmember Radina.

The environmental commission discussed this with John Mirsky, with a member of OSI.

So there was some collaboration.

Not enough, but until this was -- I have spoken to John Mirsky about possibly postponing this resolution to a couple of weeks to give the community time to review it, and he concurred with that.

It's not -- it's not a problem.

So we need to be responsive to our constituents, number one.

We need transparency, and we need to work better as councilmembers, myself included.

Thank you.

>> Mayor Taylor: Councilmember Hayner.

>> Councilmember Hayner: In August, when Councilmember Nelson's call for action went out, instead of responding to Councilmember Nelson and the sponsor and then collaborating on what was considered -- or what is now before us as a wholesale substitution, that's a problem.

That's a problem.

So there was an opportunity to work together on this, and it was -- it wasn't taken. And so that's why I support a one meeting delay so take this opportunity to work together instead of a wholesale substitution.

And if it's an amendment, it should be read into the record so the public can hear it.

If everybody is concerned about the public, then let's read it and you will see how

long it is.

It is not a typical amendment.

We would have changed the date but it's a wholesale rewriting of it.

So I will support this temporary postponement to a date certain.

>> Mayor Taylor: Councilmember Grand.

>> Councilmember Grand: I'm just waiting.

>> Mayor Taylor: Sorry.

Councilmember Radina.

>> Councilmember Radina: One last brief opportunity.

I want to apologize to my colleagues for my own misuse of language here.

So my apologies for not recognizing that I should not have called this a substitute resolution.

But the basis -- the wholesale basis of the resolution remains unchanged.

It is a recommendation of energy commission to provide or it is a request to provide a recommendation to this body on whether or not to pursue a feasibility study.

That's 100% germane to the initial resolution.

Again, I actually do not have much of a problem with a postponement, because I think it allowed -- you know, it requires us to do this work anyway.

So.

>> Mayor Taylor: Further discussion?

Councilmember Briggs?

>> Councilmember Briggs: I guess I want a little bit of clarification on postponement.

If we postpone, are we coming back with the resolution -- have we voted to amend the resolution?

>> Mayor Taylor: We have not.

>> Councilmember Briggs: We are coming back to the same conversation that we started with potentially at the beginning of this conversation, right?

Potentially.

If we would like to vote on that amendment and then postpone, I would be a lot more comfortable with that process, but --

>> Councilmember Radina: Point of inquiry.

Should we vote to postpone, is it possible for the clerk to add the substitute to Legistar so it is also available to the public since it has been introduced and started for discussion?

>> Clerk Beaudry: This postponement approved, it will postpone the amendment as presented but we can attach a proposed amendment.

But what will come back is the original resolution that was presented.

We can add the proposed language as an attach.

But the Legistar is what would be submitted for tonight, unless it's amended prior to postponing.

>> Councilmember Radina: Thank you.

>> Mayor Taylor: I have one more final point on the -- with respect to the postponement.

I think it's important that we continue on with -- with the matter and I think it's important that we actually affect the amendment.

One issue with respect to the main motion that has not been addressed is the fact that it does not request something from the -- from our community volunteers.

Rather, it directs them to do something.

Directing them is -- that is not how -- how we treat our resident volunteers.

They act as advisors we request things of them, but we do not tell them what to do.

It's very important that as we move forward whether this gets postponed or whether this gets amended here that that element of -- in my view, that discourteous and really, you know, off-key element of the existing resolution be walked back.

We ask our commissioners to do things and we direct the administrator.

The administrator is our employee and that's proper.

But we don't tell our commissioners what do.

They act on their own rights.

Councilmember Griswold.

>> Councilmember Griswold: May I offer an amendment to change the word direct to request?

>> Mayor Taylor: Right now we have a postponement on the floor.

>> Councilmember Griswold: Okay.

Of I don't want something to stay on Legistar if it's bad form.

Right now, we have -- right now we have the postponement up.

Fig further on the postponement?

Starting with Councilmember Grand.

>> Councilmember Grand: No.

>> Councilmember Radina: No.

>> Mayor Taylor: No.

>> Councilmember Eyer: No.

>> Councilmember Nelson: No.

>> Councilmember Briggs: No.

>> Councilmember Ramlawi: Yes.

>> Councilmember Hayner: Yes.

>> Councilmember Disch: No.

>> Councilmember Griswold: Yes.

>> Councilmember Song: No.

>> Clerk Beaudry: Motion fails.

>> Mayor Taylor: Further discussion of the amendment.

Councilmember Grand.

>> Councilmember Grand: Thank you.

You know, I think in thinking about amendment and this approach, one we have heard a lot about collaboration but I thriving cities it also is reflective of -- I think it is also reflective of the important work that's already happening, that this now the current form of this resolution that we are discussing just talks about the work

that's being done at the city for an issue that we care about.

I mean, I -- you know, it's really -- I'm sure all of us have been angry with DTE at some point over the last month, right?

Myself included, for sure.

And I understand the urgency.

The reason this group is being so deliberate is we want to make sure -- as Councilmember Briggs mentioned earlier, I'm not anxious to take over DTE's infrastructure necessarily.

And even though this is an idea that's gaining popularity, we have tremendous expertise, both in terms of our commission, and at the city and maybe there's a different way.

And I understand that would be part of a feasibility study but we really have an opportunity to be leaders here.

To do things well maybe to -- and so giving the commission the time to do that important work and really do their due diligence is important.

So even though I understand there's, you know, some upset about the process and I think is the right way to go.

It's not that any of us are not taking this issue seriously, and we don't care for it. I can say for myself, I do very deeply but I want to get it right.

>> Mayor Taylor: Councilmember Hayner.

>> Councilmember Hayner: Council communications have described in the city charter as primarily for councilmembers to provide regular updates and reporting from boards and commissions.

And we don't get any of that.

And so we have no clue what's going on unless we read the minutes or watch the meetings in these boards and commissions and council will recall that they reduced council communication times by 20%.

So maybe we need to relook at that and start reporting in keeping with the charter.

Now, I want this to happen.

I want us to take a look at power and, of course this Thursday, there's a fund-raiser for a community grass roots organization.

Yes, it's a municipal power consideration we are having.

Residents can microgrid and do whatever they want.

This will happen with or without city council.

People are interested in this in the community.

And so I can flip a coin on this.

We spoke with Councilmember Nelson at length and I spoke with DTE and other people in the community who support municipal power.

So I will go either way.

I don't like the process and I don't think it's right to suggest that we do not tell them what to do when it comes to our boards and commissions.

We have seen that people bring stuff all the time that tries to tell them what to do.

You were going to give ICPOC a list of stuff to do.

So let's not say we don't suggest or tell our boards and commissions people what

to do.

I agree that that language may not have been right.

We are directing them.

We want action on this, done we?

I'm not all up in arms about the language in the original one and I don't love the wholesale substitution of the second one but I want this done.

And I'm sorry it will take until December.

>> Mayor Taylor: Councilmember Briggs.

>> Councilmember Briggs: Yeah.

I know this' a lot of interest in the community and amongst of the energy commission members to pursue a sort of traditional feasibility study.

I would think that we want to make sure that the recommendations from the commissions are as thorough as they can be.

And set us in a good direction, based on what we learned.

We feel it's taking time but we are learning really important pieces in our March meeting and our July meeting and our October meeting, about what -- what kind of options we may be able to proceed with.

The reality is the first feasibility study costs \$150,000 or so and the second one potentially costs millions.

We want to make sure that what we get out of that feasibility study really allows us to examine what our full array of options are and what is really going to help us fulfill our A2Zero plan goals and align that with our values because I think actually we are squabbling tonight about details around a date, but fundamentally, I think there's a fair amount of agreement here about thinking about wanting to know what our options are in terms of giving the residents of Ann Arbor real options in terms of sub power.

What I don't want to get them is false hope that when the next storm comes that's not a concern.

Voting on this next week is not going to solve those issues.

It's just being reactive.

We need to be deliberate in this process.

>> Councilmember Ramlawi: Thank you.

I appreciate the words of Councilmember Hayner.

It wasn't that long ago that members of this body who were here directed ICPOC to do something, even when the two liaisons to ICPOC pleaded and asked for some time to work on it, and they were completely disregarded.

So you don't have to have an elephant's memory to know that there's inconsistencies.

I think unfortunately, we don't have collaboration here.

Speaking about collaborating but you don't see it.

You don't experience it.

I guess when it comes to this resolution, it's not an amendment.

It's a substitute resolution.

I will call it what it is and I will call it what it was described, even by the sponsor.

I will rely on a quote and it goes something like this.

It's amazing what you can accomplish if you don't care who gets the credit.  
So I need to fall back on that hold my nose and support this.  
But how it got here I hope that process gets better.  
Because the public is watching.

>> Mayor Taylor: Councilmember Griswold.

>> Councilmember Griswold: I would like to request that the resolution be read into the public record if we are not going to postpone it, while it's not the transparency that the public deserves it at least provides some level of transparency.

>> Councilmember Hayner: I second that.

>> Mayor Taylor: I will treat that as a non-motion request.

Ms. Beaudry, is it up on Legistar let?

Is that conceivable?

>> Clerk Beaudry: I was going to add it to the main.

>> Mayor Taylor: I will swing back to council as a whole.

Are people satisfied that posting to Legistar adequate or is a reading requested?  
I'm taking a reading is requested?

>> Councilmember Disch: It won't take long.

>> Mayor Taylor: Would you do the honors?

>> Councilmember Hayner: Can I ask a question.

I'm sorry to interrupt.

It's procedural also.

Is the city -- is the energy commission's draft resolution attached to Legistar.  
It's referred to in the original resolution and I have been searching for it.

>> Mayor Taylor: I'm up aware.

Councilmember Radina.

>> Councilmember Radina: Whereas the A2Zero carbon neutrality plan and achieving carbon neutrality by the year 2030, whereas in early 20:21 the energy commission and the Ann Arbor city council adopted energy commission -- energy principles and criteria to help guide the city's energy-related decision making, whereas the Ann Arbor energy commission identified a series of energy-related initiatives that may be useful to help achieve the A2Zero plan, and that may align with the energy commission and city council adopted energy principles and criteria; whereas the energy commission established a prioritized work plan to evaluate those initiatives; whereas the energy commission has been systemically and purposefully reviewing and learning about this top voted energy procurement energy technology and energy policy options to understand their appropriate for the city of Ann Arbor in light of resource scarcity; whereas the October 2021 meeting the energy commission is dedicated to learning about municipalization efforts processes, lessons learned and other pertinent details; whereas, the October 2021 meeting of the energy commission was scheduled to accommodate the availability of speakers from two communities who have undertaken municipalization initiatives in the last two decades, they are able to share their experience and answer questions; whereas, the energy commission especially the chair and the cochair have been deliberate in ensuring the

commissioners have relevant information to make informed decisions to city council and the city council will receive a well-reasons and including the learning session of October 2021, resolve the Ann Arbor city council applauds the energy commission on energy-related issues and resolve the northwestern stay council requests the energy commission to provide a recommendation no later than December 31<sup>st</sup>, 2021 as to whether or not the commission believes the city should undertake a feasibility study to understand options related to creating a municipal utilities including traditional and nontraditional models.

Resolve that any such recommendation is requested to explicitly discuss how municipalization and/or municipal utility options align with the goals of community-wide carbon neutrality by 2030, and adheres to the energy principles and criteria adopted by council, and should provide the commission objectives on advantages disadvantages and resolve that it's explicitly discussed how it would be sustainable equitable and transformative which is three core values outlined in A2Zero.

>> Mayor Taylor: Thank you.

On the amendment, I have got Councilmember Nelson in the queue.

>> Councilmember Nelson: This is been quite an interesting discussion.

This was not an ask for an elaborate anything from the energy commission.

This was a question about whether or not a feasibility study should be done, with a lot of details left to be resolved.

We could have -- we could have gotten an answer from the energy commission about whether or not a feasibility study would April and then this would be many more weeks of crafting an RFP.

This amendment, I would like to be added as a cosponsor, because this is only the path forward but I have a lot of questions about whether this is asking the energy commission to come up with an RFP, whether by December -- at the end of December we will have anything close to what can be sent out to get a feasibility study or whether we are taking until the end of December to is just say, yeah, yeah, let's do a feasibility study and then it will be that many more weeks decide what the parameters are.

I appreciate the enthusiasm for putting this on the agenda today.

I would like to be added as a cosponsor.

Thank you.

>> Mayor Taylor: Further discussion of the amendment.

Councilmember Eyer.

>> Councilmember Eyer: I enthusiastically support this.

I would love to be added as a cosponsor, please.

And I just thank the energy commission and Dr. Stults for the work they have already done on this and I look forward to seeing what they bring back to council for us to vote on when they have the appropriate amount of time to get all of their questions answered.

>> Mayor Taylor: Further discussion of the amendment.

I'm, of course -- I'm going -- sorry, Councilmember Griswold.

>> Councilmember Griswold: I would like to be listed as a cosponsor and also, I

have a question, given that A2Zero should recently amended.

Should the reference to A2Zero be A2Zero as amended.

>> Mayor Taylor: For my part, I would recommend that as always embodied in the cross reference.

Further discussion of the amendment?

For my part, I am going, of course, support the amendment and I would like to be added as a cosponsor to the entirety as well.

The energy commission has been doing a fair bit of work and excellent work, indeed with respect to the question of ultimate utility, models and I'm excited, very excited that we are going to be moving -- we are asking them to move forward.

We are asking them to move forward with respect to traditional -- you know traditional models and nontraditional models.

It's incredibly important that we not prejudice what it is that they do and that we give the commission, filled with experts as it is, give our staff filled with experts as it is, to come back with a recommendation as to what best fits and what we should best look further into.

It is important that we do, indeed collaborate and as has been discussed, I believe that was a deficit of the first step but I'm glad we are moving in order in this way that does honor the work of our community member volunteers as well as the outstanding expert work of our staff whose efforts are front and center in all we do.

Further, I would say this substitute amendment has the benefit of honoring the work that we have done as council by referencing and ensuring that the recommendations that come through from the energy commission should they comply with our requests, that it conforms with council adopted energy principles and criteria.

A fact that I'm pretty confident in, insofar as the energy commission was front and center in their creation.

This is an incredibly important step.

We need to have a common set of facts with respect to municipalization.

It's -- if of us have a very jaundice eye with respect to DTE.

I'm glad we will have like I said a common factual understanding of what mutualization means both traditional and nontraditional, what it means for us moving forward, what it might cost and whether it would give us the benefit that we want in the time frame that we require.

And that's a very important element time frame that we require.

Finally, it's been suggested that a resolution with respect to ICPOC leading an in-depth multistakeholder and expert review of public services and provide council with reports and recommendations constituted a similar set of dictates.

That is, of course, untrue and I will preface several resolve clauses.

It says city council requests that ICPOC do things one, two, three, four, six, seven, eight, nine times.

City council requests.

City council requests.

Elephants with memories.

>> Councilmember Hayner: It's still telling them what to do.

>> Mayor Taylor: The word is requests.

Further discussion of the amendment?

Councilmember Ramlawi, I believe you have spoken twice on the amendment.

Further discussion of the amendment?

Roll call vote, starting with Councilmember Grand.

>> Councilmember Grand: Yes.

>> Councilmember Radina: Yes.

>> Mayor Taylor: Yes.

>> Councilmember Eyer: Yes.

>> Councilmember Nelson: Yes.

>> Councilmember Briggs: Yes.

>> Councilmember Radina: No.

>> Councilmember Hayner: No.

>> Councilmember Disch: Yes.

>> Councilmember Griswold: Yes.

>> Councilmember Song: Yes.

>> Clerk Beaudry: Motion carries.

>> Mayor Taylor: Further discussion of the main motion?

Councilmember Hayner?

>> Councilmember Hayner: Well, because this wholesale amendment passed, I have no choice because I do support the notion that we should lead to this.

DTE -- Pacific Gas and Electric, increased investor dividends instead of doing the tree trimming they promised to do and diverted \$120 million earmarked for burying lines to other causes.

There's no way of really knowing what goes on with these pub like private utilities that the state has the oversight commissions and they never balk at raising the rates.

Now a municipal utility -- a well-managed municipal utility can lower the rate.

It can provide alternatives to polluting fossil fuels, although we are coming up to barriers when it comes to the barriers around solar and wind and some actual physical barriers and it will be a big push to get away from fossil fuels.

We can do a lot of these things outside of the municipal utility, just by adding a better incentivizing new construction in the city.

That's an aside.

I will support this because there are benefits to having a well-managed publicly held utility.

And so, you know, as another head said, I will -- you know, what choice do we have?

I want this to happen.

And so I will vote for it in this form.

I don't love it.

>> Mayor Taylor: Further discussion?

Roll call vote, please, starting with Councilmember Grand.

>> Councilmember Grand: Yes.  
>> Councilmember Radina: Yes.  
>> Mayor Taylor: Yes.  
>> Councilmember Eyer: Yes.  
>> Councilmember Nelson: Yes.  
>> Councilmember Briggs: Yes.  
>> Councilmember Ramlawi: Yes.  
>> Councilmember Hayner: Yes.  
>> Councilmember Disch: I'm sorry.  
Yes.  
>> Councilmember Griswold: Yes.  
>> Councilmember Song: Yes.  
>> Clerk Beaudry: Motion carries.  
>> Mayor Taylor: DC-2, Resolution in Support of Good Food Procurement Policies.

Moved by Nelson and seconded by Hayner.

Discussion of DC-2.

Councilmember Nelson.

>> Councilmember Nelson: Thank you.

Ward 4 resident brought this to me.

This is about food procurement policies and?

Institutions that buy a lot of food, L.A. schools had a procurement policy.

The city doesn't actually buy a whole lot of food but I had some really good conversation with Missy Stults about how this is in the A2Zero plan already.

Colin Smith joined us for a couple of conversations about food that is sold in our parks facility.

Another resident pointed this out to me that it's consistent with Washtenaw County food policy that's having conversations around this topic.

It's about giving staff -- it's a pretty long timeline.

It doesn't need to be a pressured situation for staff to look at the food that we are buying -- that the city is buying and making sure the choices are as sustainable as they can be and just think about making better choices and so I don't expect this to be controversial.

I don't expect anybody to have a substitute resolution at the last minute, but thank you for support.

I think it's good thing.

It's consistent with our sustainability goals and making better choices around food.

Thanks.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: Thank you.

I appreciate it.

No, I won't bring a substitute resolution even though I have a lot to say on this, and it wasn't directly reached out by you.

I will just simply maybe add to it.

You know, I know the University of Michigan does quite a bit around this already. They require their suppliers to use compostable materials when possible. Source locally if you want to be a strategic supplier or vendor of theirs. You are committed to trying to get locally sourced food that is within 150 miles of injure location and what you have doing to do that?

And that was started ten years ago.

So we are behind the times.

We talk a lot but we don't walk the walk.

I can list the ways but I won't here tonight.

You know, when we were in council chambers, I noticed, you know, we still had plastics, single use items, things that weren't compostable.

But yet we declare a climate emergency.

So I would suggest and I would move to amendment this to also direct the city administrator to coordinate with the University of Michigan to understand what their policies are so that we are not re-inventing wheel here because they are doing a pretty good job of it to begin with.

>> Mayor Taylor: What exactly is that amendment, councilmember?

>> Councilmember Ramlawi: In the second resolve clause, just to include the University of Michigan as a partner that the city administrator would reach out and coordinate with.

That's all.

It's a very simple amendment.

>> Mr. Mayor?

>> Mayor Taylor: Let me just get a second and then I will turn to you.

Is this a second?

Commissioner Griswold.

>> I certainly appreciate the thought that goes into who would have to be involved in a conversation but as the matter of professional courtesy, what would ask from the council is that the resolution direct the city administrator to address the issue and put a plan to go and before I that back to the council with some resolution.

I'm not sure that it's necessary that the council give instruction on who the administrator should be talking to.

Feedback is always welcomed but I would ask that the resolution perhaps direct the administrator to engage the topic thoughtfully with some direction from the council on Val sues and direction and allow the staff to work in a way that the staff would recommend and would see fit to provide a solution.

>> Mayor Taylor: Do I infer, Mr. Fournier -- is that functionally a request to postpone this and have the sponsor work with you on an ultimate frame or is this related to the amendment?

>> You know, I don't know.

When we ask things of staff, I appreciate them to direct the administrator in terms of values but allow the staff to determine based on our professional expertise the path forward and who we should be speaking with and what recommendations we might bring forth.

I hadn't seen this resolution before it was requested to be added to the agenda, which is fine.

It is a topic that staff has had some discussions on.

Dr. Stults and I had thoughts on this very topic before the pandemic hit.

So it is something that we have discussed and can bring forward to the council.

When we are crafting resolutions of this type, the Roe solutions, I think should -- resolutions should be focused more on topic and values and less on directing the administrator, specifically how to get the work done.

>> Mayor Taylor: Understood.

On the amendment.

I have Grand, Disch, Ramlawi and Eyer.

Is that on the amendment?

>> Councilmember Grand: I can actually speak to it.

Because I was going to amend the amendment, Mr. Fournier kind of -- I think we can get to it quickly, potentially.

>> Mayor Taylor: Amending the amendment would be the removal of the some part of the word of University of Michigan.

>> Councilmember Grand: All right.

Yeah, we'll just.

>> Mayor Taylor: Councilmember Ramlawi on the amendment.

>> Councilmember Ramlawi: I know we have a new city administrator right now.

I'm just kind of shocked by what I just heard.

I have read countless resolutions that mirror a lot of same words and language that this one has.

This is a rather benign resolution.

It doesn't have any funding staff.

It's not a big ask, not a huge lift.

I guess I would just ask for those kind of recommendations perhaps in a different setting, format or a different time.

But it just seemed a little -- a little shocking there to hear that.

On a resolution that's rather benign and I'm just -- I'm just rattled as an elected official.

My job is to set policy and right now I'm feeling week by week, meeting by meeting, more and more taken away the role that I was elected to do it just seems that something like this wouldn't conjure the reaction that was -- that was just invoked, it's just shocking to me right now as an elected official.

>> Mayor Taylor: Councilmember Briggs.

>> Councilmember Briggs: I think we are hearing tonight that some of these resolutions could have benefited from collaboration.

It sounds like it's a relatively minor tweak that our city administrator is recommending, that it's in the second resolve clause.

I don't know if it would be friendly in terms of the process because I know we are considering another amendment.

>> Mayor Taylor: Let's if we can just stick with the -- I'm sorry, councilmember.

I interrupted you and I shouldn't.

You could have been on a track that was in order.

My apologies.

>> Councilmember Briggs: Okay.

So I think the amendment was around adding u of m in here but what I heard our city administrator, currently this directs coordinating with Washtenaw food policy council and the food market and adding u of m in there, just being a little more broad in terms of understanding that our city administrator is capable and can come up with a whole list of partners and maybe prescribing is -- we would be better off to say to develop a plan and then we don't have to worry about the u of m.

We can accomplish all of our goals.

Relatively minor tweak.

>> Mayor Taylor: Councilmember Nelson on the amendment?

>> Councilmember Nelson: I just want to comment because I realize I was not specific enough when I introduced this.

So the start of this resolution was a conversation with a resident and then more than one conversation with Missy Stults, and more than one conversation with Missy Stults and Colin Smith, the head of our parks department.

And we also exchanged drafts back and forth.

I had conversations with missing Stults specifically because this was within her department -- Missy Stults specifically because this was within her department relative to the good food procurement.

And we went to Mr. Smith, because his department makes a lot of the food.

It was this collaboration with two service area heads that this draft was created and in an original draft -- and I exchanged emails with Dr. Stults about this.

In an original draft it was directing the OSI department to spearhead this, and I got feedback from I forget whether it was Dr. Stults or Mr. Smith.

The council directs the city administrator to guide all of the activities under a resolution like this.

So there was significant collaboration on this resolution, more than a casual conversation.

Drafts were going back and forth.

I'm really not sure who else I was supposed to talk to other than people -- the service area heads who are most directly going to be involved in making it happen.

I guess I'm sharing Councilmember Ramlawi's response to this.

I'm okay with whatever amendments make Mr. Fournier more comfortable, bought this was not -- I -- I have just -- yeah.

Well, I mean, it's a good idea so I hope it passes.

Thank you.

>> Councilmember Grand: Thank you.

I'm shocked at the removal of a couple of things and saying, hey, city administrator we trust you to talk to the right stakeholders.

If they are going to direct the city administrator to do something, at the should talk to the city administrator.

And then work with the city administrator to talk to other people within the department to bring forward a resolution directing said city administrator to do something.

You know, you can blame and have feelings and whatever, but this is pretty simple.

So what I was trying to do and something that I thought was actually, you know, it was a good idea was just to bring forward an amendment that could strike some of that and just say stakeholders: I think we should support good work for the city that's in line with our sustainability goals instead of -- and then going forward use better process.

Instead of rolling off.

>> Councilmember Ramlawi: I will withdraw the amendment.

I will withdraw the amendment.

>> Mayor Taylor: The amendment is not possessed by councilmember.

It's the body's amendment at it point.

>> Councilmember Grand: He could offer to withdraw and it could be friendly to the body.

>> Mayor Taylor: We could vote it down, I think.

>> Councilmember Grand: Fine.

But this doesn't have to be a long conversation is my point.

We can all collaborate and get on the same page about things that are good for our city.

>> Mayor Taylor: On the amendment.

And let's -- if we can, let's roll through the question of whether the words University of Michigan should be added.

I suppose after the farmer's market.

And we'll stick to that discreet question if we may, and then I defer whether we should direct air -- the University of Michigan addition.

Councilmember Song?

>> Councilmember Song: I would rather that u of m not be included.

I understand where this resolution is coming from.

We have got Washtenaw County food policy, we have strong organizations we can work with.

If we are going to do down the road of adding U of M and AAPS, and other entities.

Let's do what we can within our body and trust that our acting city administrator can have these conversations in advance whatever goals we are trying to achieve here on his own -- I'm sorry.

Not on his own but with other bodies once we figure out what we can do in our own.

I'm not in support of the amendment.

>> Mayor Taylor: Further discussion of the amendment.

Roll call vote of the amendment.

Starting with Councilmember Grand.

>> Councilmember Grand: No.

>> Councilmember Radina: No.  
>> Mayor Taylor: No.  
>> Councilmember Eyer: No.  
>> Councilmember Nelson: No.  
>> Councilmember Briggs: No.  
>> Councilmember Ramlawi: Yes.  
>> Councilmember Hayner: Yes.  
>> Councilmember Disch: No.  
>> Councilmember Griswold: No.  
>> Councilmember Song: No.  
>> Clerk Beaudry: Motion fails.  
>> Mayor Taylor: Further discussion of the main motion.  
Councilmember Griswold.

>> Councilmember Griswold: I would like to acknowledge that we have a relatively new city administrator, and that there's always opportunities for improvement, so I would recommend that we pass this resolution tonight and then add an agenda item to a future administration committee meeting to see if the city administration has recommendations for improving our resolutions to be more consistent with his approach and I agree being more value added is better. But I think it should be discussed at another meeting.

>> Mayor Taylor: Councilmember Disch on the main motion.

>> Councilmember Disch: Yes, on the maybe motion.

I would like to say that I'm really very pleased that sound sill member Nelson brought this resolution forward, and I ask to be added as a cosponsor, early this morning but then my email didn't send for Internet reasons but whatever. So later.

This -- when we talk about people's food choices, we are asking for behavior change and in order to get behavior change, we have to create structures that encourage it and make it easier than the habits they are already stuck in. And what I saw as the guiding spirit of this resolution, and I -- I am very happy to see us.

Venturing into this place of trying to change people's upstream behaviors rather than solely focusing on the gains we are making at the other end of people's consumer choices.

>> Mayor Taylor: Councilmember Eyer.

>> Councilmember Eyer: I would like to -- first of all, I want to state my support for what our acting city administrator said regarding council focusing on policy and letting the administrator and his staff carry out the policy according to what they know to be the best way to do that.

And so with that principle in mind, I would like to offer an amendment to strike the first two resolve clauses and amend the third resolve clause to simply say the city administrator is directed to identify potential changes to city food purchased and submit a report to city council before February 1<sup>st</sup>, 2022, including recommendations with an amendment cost.

>> Mayor Taylor: Is there a second?

Seconded by Councilmember Grand.

Councilmember Eyer, you still have the floor.

>> Councilmember Eyer: That's it.

Thanks.

>> Councilmember Hayner: Can that be shared in writing for our rules?

>> Councilmember Eyer: I will send it real quick.

It's sent.

>> Mayor Taylor: Just by way of clarity, I'm not sure that amendments per our rules are obligated to be in writing and distributed.

I think that's generally done as a matter of convenience, although I may be wrong.

I'm looking at Rule 19.

Oh, that's a different thing.

My apologies.

>> Councilmember Hayner: The rules changed a lot.

So I will might be mistaken.

But it makes it easier.

>> Mayor Taylor: Has it been distributed?

Further discussion of the amendment?

Roll call vote, please, starting with Councilmember Grand.

>> Councilmember Grand: Yes.

>> Councilmember Radina: Yes.

>> Mayor Taylor: Yes.

>> Councilmember Eyer: Yes.

>> Councilmember Nelson: No.

>> Councilmember Briggs: Yes.

>> Councilmember Ramlawi: Why not?

Sure.

Yes.

>> Councilmember Hayner: No.

>> Councilmember Disch: Yes.

>> Councilmember Griswold: No.

>> Councilmember Song: Yes.

>> Clerk Beaudry: Motion carries.

>> Mayor Taylor: Further discussion of the main motion as amended?

Councilmember Nelson.

>> Councilmember Nelson: I feel like I owe an apology to Dr. Stults and Colin Smith for helping me draft this because -- well, I guess -- I apologize for wasting their time because I thought it was appropriate to talk to -- well, that's all.

Thanks.

>> Mayor Taylor: Councilmember Radina.

>> Councilmember Radina: Thanks.

I just want to -- I thank the sponsors for bringing this forward.

I do think this is a good resolution to move forward.

The one thing I will note and I just want to call out that a lot of the -- the food

choices that we highlight here can potentially impact the cost of the food as well. I want to make sure that we identify that.

As we look forwards equity, we want to look towards -- people make poor food choices because they can't afford to make organic food choices and so to the extent that making sure that we implement something in the future, that we also try not to dramatically increase costs and make it unaffordable to people.

It is also important and so I want to call that out and thank the resolution -- or the sponsors for their work on this resolution.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: Thank you.

I appreciate the work that Councilmember Nelson has done on this, to bring it. Unfortunately in the end, its not the are e solution that gets passed -- resolution that gets passed but I think with the efforts of this resolution and the prior resolution move the needle and get policy done.

I don't know that these two policy measures would have been made tonight without the attempts by Councilmember Nelson and others to bring 'em forward.

I will say the concerns that Councilmember Radina brings up are valid, but there's a lot of externalities that are associated with poor diets and more food choices that are born by the healthcare system.

So the bad decisions that we make are borne by the system in totality because of the disease that is associated with poor eating.

Sure, it might be cheaper on the front end but on the back end, we will all be paying substantially more if we can continue to eat the way we are currently eating.

So I hope that maybe as time goes and more meetings happen in the admin meeting, we can learn the new style to bring resolutions under, but right now, I'm very confused as to how to bring a resolution forward to get the kind of support based on O.M.A. and everything else that is going on.

But I will just try to learn how to proceed in an -- the next year, because it's very difficult for me to understand the right course of action based on all the different things.

I have read, saw, witnessed and experienced in my first three years of council.

>> Mayor Taylor: Councilmember Briggs.

>> Councilmember Briggs: I thank Councilmember Nelson for bringing forward this resolution.

There seems to be some frustration that there were a few amendments made to it.

I think in general, there's -- we had some discussions around process tonight, but yeah, our job is to we don't talk about this until it gets to the table.

Having amendments at the table and changing the resolve clauses, that's how we move things forward so it gets the support of everybody at the table and it sounds like there's pretty strong support for this.

So I'm a little surprised by the frustration around this particular resolution, but I'm glad to -- glad to see this comer forward and I think it's a direction that we are headed.

>> Mayor Taylor: Councilmember Song.

>> Councilmember Song: I am a former W.I.C. beneficiary and I'm pleased to see that there's recognition and support on how this policy would promote racial equity.

I'm confident that our acting city administrator will reconcile his outreach with current policy at the federal and state level.

That would be a way to support a healthier community.

So I hope if -- I look forward to having that tied together too if you can reference S.N.A.P. and W.I.C. and other efforts in this -- and whatever happens next.

So thank you.

>> Mayor Taylor: Further discussion?

For my part, I'm delighted that we have had questions of sustainability and food policy and being part of A2Zero from the jump.

And I think the office of OSI has had its eye on this issue for staff as compliance issue for sometime.

This resolution will have the benefit of putting a reasonable target date on recommendations from staff in connection with ensuring, you know -- improving, you know, matters related to food.

In the Ann Arbor community and in context of the A2Zero and achieving the error gains that Councilmember Song has spoke about, as well as Councilmember Radina.

Next, I'm glad that this moving forward and glad to support it.

Further discussion?

All in favor?

Opposed?

It's approved.

Let's take a short break.

It is 10:29.

Let's reconvene at 10:39.

[ Break ]

>> Mayor Taylor: DB-1.

We are back after a short break.

Db-1, Resolution to Approve Revised Bylaws of the Energy Commission.

Moved by Radina and seconded by Briggs.

Discussion, please, of db-1 S.

All in favor?

Opposed it is approved.

DB- 2, Resolution to Approve Revised Bylaws of the Planning Commission.

Moved by Disch and seconded by Briggs.

Discussion of DB-2.

Councilmember Ramlawi.

>> Councilmember Ramlawi: Thank you.

I understand that this commission is a state -- is one that's controlled by state statute or dictated by state statute.

And one that's filled by the mayor with council approval and nominations.

I have a question on -- as to why when it comes to members who miss the meetings, that council now is being taken out of the loop, if I'm reading this right -- and correct me if I'm wrong -- of being notified of that.

When members are missing meetings.

Why members of city council with these proposed changes will not be informed of that.

>> Mayor Taylor: Is there a staff member that can address that?

>> Clerk Beaudry: I will see if Mr. Lenart can address it.

I don't have anybody listed.

>> Yes, if he's not available, I can probably address it.

I see him coming on.

>> As it relates to the notification, the intention there, it does still -- it put Ms. The discretion and onus on the chair of the commission.

It gives the chair some discretion via the word "may" rather than "shall" to determine whether or not the absences warrant reporting and potential recommendation for action or ultimate removal by the city council, versus some other circumstance where the planning -- the chair of the commission doesn't believe it needs to be elevated to that level for the purpose of maintaining a full commission.

>> Councilmember Ramlawi: The Section 4.8, strikes out the reference to city council being notified.

I don't know if it's proper for me, but I would propose an amendment to keep the ladies and gentlemen of council being notified by the chair of these recommendations as it stands right now, these proposed changes would strike council being notified and only the mayor being notified.

>> Mayor Taylor: Is there a -- where is that in the -- can you --

>> Councilmember Ramlawi: Section 4.8.

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>> Mayor Taylor: Mm-hmm.

And so what is the amendment?

>> Councilmember Ramlawi: The amendment would just strike out the strikeouts that removes city council from that notification by the chair.

So if the -- rather than only being -- the mayor being the only one notified but the council.

As it currency -- I believe council would receive notification currently.

>> Mayor, if I may, I think if council has a concern with the bylaws of the planning commission, I would recommend that the bylaws be, referred back to the planning commission.

I do not recommend that the council try to modify the bylaws to the planning commission.

I think that's really beyond the scope of really what's being asked here.

You know, these bylaws come to the council not based on any kind of state law or ordinance requirement.

It was a resolution of the council, I don't know maybe 15 years ago that asks for all bylaws for boards and commissions to come for council's approval, but if

there's some specific concern, I would really just ask that they be referred back and that be the motion as opposed to amending it.

>> Councilmember Ramlawi: I appreciate that.

That was kind of my question early on.

I didn't know if that was my place and how to address that concern.

Thank you.

>> Mayor Taylor: 9 amendment has not been seconded and so I think we can leave it at that.

>> Councilmember Ramlawi: Then I would move to have this referred back to planning commission to have this issue, concern discussed and looked at.

>> Mayor Taylor: Is there a second?

Seconded by Councilmember Disch.

We have Nelson, grand and Disch in the queue.

Councilmember Nelson.

>> Councilmember Nelson: I don't regularly watch the planning commission meeting but attendance requirement has actually been changed and I guess I was wondering, planning meets about as frequently as council, right?

Okay.

So to miss six meetings in a 12-month period, that's the new standard and the previous standard was to miss four meetings in a 16-month period.

I was curious what prompted this, like, do we have commissioners who are missing that many meetings?

Is there an answer to what made somebody think, okay this is another revision we need to make?

>> I'm happening to address that.

Was made based on the frequency of the meetings.

I looked at recently adopted boards and meetings and I applied a similar percentage of meetings on the planning commission to a lot of other boards and commissions that meet only once a month.

That's where those numbers came.

From the structure is similar to the standard bylaws language that was proked by the city attorney's -- provided by the city attorney's office by all boards and commissions, but to be clear, those numbers represent a similar percentage to the meetings that were referenced in other adopted bylaws.

>> Councilmember Nelson: What percentage would that be?

>> I don't remember off the top of my head.

I can try to do the math quickly.

>> While he's doing math, I can just add that I do believe that these are consistent.

They may not be consistent in the exact number of meetings, but I think they are consistent with other bylaws in the form.

You know, essentially I think, you know, as they go through their annual review of these, we do try to evaluate and look at things that the commission may or may not have really been doing despite the fact that they are bylaws and there's no doubt that the sort of -- the requirements are very specific that they shall notify.

And it does say shall notify the council.

I think the reason you see that coming out is because it's not something that the planning commission has typically done.

Not that I believe that -- you can ask Mr. Lenart -- that attendance is really an issue.

It's kind of an onerous requirement to keep track of and I think this was an idea of softening it to if there was a problem with attendance, it still would be addressed and brought forward for action.

And that would represent missing 16% of the meetings over the course of a year.

>> Councilmember Nelson: Thank you.

I appreciate you calculating that for me.

I was curious because the numbers --

The numbers mean something different depending how many meetings there are.

Thank you.

>> And I would add, just to attorney McDonald's point, the mayors, that was in the previous bylaws.

That was standard language that the city attorney's office has been helping boards and commissions incorporate into bylaws.

>> Mayor Taylor: Councilmember Grand.

>> Councilmember Grand: I noticed that he's working really hard to standardize the language and so this strikes me as pretty standard.

And so I am not in favor of postponing.

This I think it's totally consistent.

It gives discretion to the chair and I personally as a councilmember, don't want to be play big brother watching over everyone's attendance at every meeting.

I think that since the mayor is in charge of appointments that's the appropriate place for concerns to be raised so that it can be a one-on-one communication between the chair of that commission and the payer.

That strikes me as -- mayor.

That strikes me as perfectly appropriate.

So I think we should just go forward and approve these:

>> Mayor Taylor: Councilmember Briggs.

>> Councilmember Briggs: As a former member of this commission, you have more meetings.

Planning commissioners devote a lot of time.

>> Mayor Taylor: Councilmember Radina.

>> Councilmember Radina: I will not support sending it back either, sim political because this is consistent in its entirety with the bylaws we just approved by the energy commission unanimously and without discussion.

>> Mayor Taylor: Further discussion of the referral.

Roll call vote with Councilmember Ramlawi.

>> Councilmember Ramlawi: It's not playing big brother here.

It's just understanding what's going on within our boards and commissions.

We have a big responsibility holding these seats and it's good to have get

communication to understand who is at our meetings and who is not at our meetings and if there's an issue there.

I only bring it up because we are making a change right now.

I'm not bringing forward anything but noticing that there's this courtesy here, that is being extended to council currently that will no longer exist.

I think it's important for us to have as much information as we can and should in making and approving appointments and nominations even if it's in the mayor's office's discretion would he puts forward.

So it's just, again, more information, transparency, accountability, whatever you want to call it.

I think it's good government in the end.

And I'm seeing it being chipped away here with these changes.

And I think it's just -- I think it -- keeping it in place is better government.

>> Mayor Taylor: Councilmember Grand?

>> Councilmember Grand: Why was it not better government when we approved the same amendments to another commission without discussion?

I'm not expecting a response.

I don't like it when my intelligence is insulted.

>> Mayor Taylor: Councilmember Disch.

>> Councilmember Disch: Yes, I just want to say I understand how it could be read as removing a courtesy to the city council, but I think it could be read as time standardization across the commissions and so since the language is being changed to have the reporting be to the mayor, for the other commissions, and since we are trying to adjust the excused absence policy so that it too is consistent with the other commissions, I think that's the other way to frame this, which is not a removal of transparency, but rather than conformance the rules of the boards and commissions.

That's what I see us doing this and that's what I understood the discussion on planning commission to attempt to achieve.

>> Mayor Taylor: Councilmember Hayner.

>> Councilmember Hayner: I think the reason there's more consideration over the rules of planning than say energy commission, is that planning and zoning are law.

And they have huge downstream and future consequences for our community, for the region and for other aspects of our policy goals, like affordability, environmental considerations.

No offense to all of those who serve well on all of our boards and commissions. Planning commission is different.

And so I think that's where this extra consideration is coming from at least in my -- that's why I asked questions about this and not about energy.

I could have asked them about both.

I asked he 50 essentially the same questions that could have been asked about energy.

>> Mayor Taylor: For my part, I'm going to -- I see the concern.

I will vote against the referral.

You know, people don't show up for a whole variety of reasons. Some of them which are private sensitive and the more you do -- the one daylights the consequence of a situation like, that the more likely it's a topic of conversation in the way that, you know, the planning commissioner may not wish.

If there is a concern with respect to attendance on a reappointment, then that's, of course, a question that councilmembers can certainly well, further investigate for themselves or they can make inquiry of, you know, myself or my successor. Councilmember Nelson.

>> Councilmember Nelson: Yeah, I can echo that point.

Even though it's not an alert system, all of these inn many unites -- minutes have an explanation of who was there or who didn't.

Could you identify if someone was absent chronically.

I'm less worried about that.

I did just want to comment for anybody who doesn't have to dig through Legistar like we do, to understand what we are about to vote on, the big difference between these two items on the agenda, the energy commission bylaws and the planning commission bylaws is the planning commission bylaws were given to us and marked up.

So you can see in blue or whatever different color the exact changes and so that's why it was brought -- it was sort of highlighted and underlined and brought to our attention and that's the change that was made.

So to see it mirrored in energy is reassuring but truly the energy bylaws on Legistar don't have any mark out.

And so you can't -- it's not readily apparent that anything was changed or that there's parallels.

So I do want to explain that that -- that is one very simple reason why the energy commission bylaws look very different than the planning commission bylaws and why somebody might be interested in talking about one versus the other.

Thanks.

>> Mayor Taylor: Further discussion of the referral.

Roll call vote, please, starting with Councilmember Grand.

>> Councilmember Grand: No.

>> Councilmember Radina: No.

>> Mayor Taylor: No.

>> Councilmember Eyer: No.

>> Councilmember Nelson: No.

>> Councilmember Briggs: No.

>> Councilmember Ramlawi: Yes.

>> Councilmember Hayner: No.

>> Councilmember Disch: No.

>> Councilmember Griswold: No.

>> Councilmember Song: No.

>> Clerk Beaudry: Motion fails.

>> Mayor Taylor: Further discussion of the main motion.

All in favor?

Opposed?

It is approved.

DS-1, Resolution to Waive Sidewalks at the Racquet Club of Ann Arbor (RCAA).  
3010 hickory lane.

Moved by Radina and seconded by Disch.

Councilmember Grand?

>> Councilmember Grand: Thank you.

With council's acquiescence, I need to recuse myself from this vote as a member of racquet club.

>> Mayor Taylor: And it's conceivable that you would have a financial interest because you are a member and it relates to cost for that entity.

>> Councilmember Grand: Yes, thank you.

>> Mayor Taylor: Motion to recuse councilmember moved by Radina and seconded by Griswold.

Discussion?

All in favor?

Opposed?

Councilmember Grand, with councilmember acquiescence is recused.

>> Sorry for inserting my hand in there, we did have a council question on this item.

>> Mayor Taylor: Please, I'm grateful for the reminder.

>> The questions are in 2015, planning staff explored the opportunity of installing a narrowing style on racquet club's property, to reduce costs but the racquet club was not interested is that an option to pursue and why is it the responsibility of property owners to relocate on the items not placed there by them, utilities, fire hydrants, et cetera.

As it relates to the first, there was not any significant discussion of a narrow sidewalk at this time.

My understanding in 2015, that was explored but I do not think it was resolved.

While it would provide some additional flexibility for installation, I believe that there was still analysis being performed as to whether or not there would be issues with accessibility, multidirectional use and passage on that sidewalk.

So the short of it is, it was not considered at length now and why is it the responsibility of a private owner.

It's the responsibility of the developer to assume all the development costs to meet all the applicable regulations.

In this case, some of those regulations might require modifications to the right-of-way, including public utilities, private utilities, streetlights, et cetera.

So that's why those costs would have to be borne by the petitioner in that their project is initiating those required investments.

>> Mayor Taylor: My apologies.

I dropped for a bit on that.

Councilmember Hayner.

Yes, you are correct.

Councilmember Hayner.

>> Councilmember Hayner: Can I ask you a follow-up on that, Mr. Lenart. We have the sidewalk millage that covered some of these costs so this wouldn't -- because of the complexities of location -- I was looking at the -- I'm over here looking at the drawings associated with this file record here and it's complex.

Like, there's a lot going on there.

I kind of know the area, but because of the complexities of the location, there would be a share even under our new sidewalk millage, right?

There would be a sharing of this sidewalk cost and that's due solely to the complexity or adding new sidewalks everywhere they have private property?

>> Unfortunately, I can't speak to our sidewalk millage and the way that costs are shared through that.

When private development is happening such as being proposed in these circumstances, those costs are borne by the property owner, because those are requirements for that development to be conducted consistent with all of our regulations.

In that case, the city doesn't -- the city, nor I presume other utilities doesn't maintain a capital fund to be able to jump in at a moment's notice are based on other property owners decisions with their property.

>> Councilmember Hayner: So the construction of this small structure, whatever is what's triggering this requirement for the sidewalk to be added under our rules.

>> That's correct.

When a site plan is reviewed, we review it for compliance with all applicable regulations in this case they don't meet that regulation.

Despite a waiver, it's not a perpetual waiver and it's being forwarded to council.

>> Councilmember Hayner: Thanks for explaining that.

I'm not sure how this came up again like that.

Thank you.

That does make it a challenge.

I -- it's -- it's dangerous down there.

This is an important connection as people have pointed out, some callers pointed out.

We got some emails.

So I -- I -- I'm not one that firmly believes that sidewalks have to be on both side, even though that's our policy but in this case, I think it would be very useful if it was.

I will have a hard time granting this waiver, I think.

Thank you.

>> Mayor Taylor: Councilmember Briggs.

>> Councilmember Briggs: Thanks, Mr. Lenart for those answers.

It's city policy, I do wonder if it might be useful to at least examine moving private utilities.

But if terms of this -- this issue and I agree with Councilmember Hayner that this is an important gap to fill.

It's a dangerous road.

And I understand the waiver was granted in the past.

I don't know that that was advisable.

I think our thinking as a community has changed.

We have seen a real community vibe, really trying to fill our sidewalk gap from this board and --

[ Inaudible ]

>> Mayor Taylor: Councilmember Briggs, you are inaudible.

Councilmember Disch?

>> Councilmember Disch: This is really not a productive question, but it is a question for Mr. Lenart.

What is the -- what is the chance that if we don't grant this waiver, the racquet club won't go ahead with its renovation and we won't get the sidewalks anyway?

>> Um, I can't speak not answer to that.

The petitioner and their consultant, though, are on standby, should the council want to direct any questions to them.

>> Councilmember Disch: May I direct that to them or is it -- I mean, obviously where that question is going is -- is there a cost sharing agreement that would help everybody win in this situation?

>> Again, I would defer to them on how the requirement.

I just want to set the stage.

We certainly didn't approach any cost sharing approach.

The standard of our code is that when development happens, a sidewalk shall be provided along the frontage.

Likewise, you will see that reflected in the staff comments.

I want to be clear that the transportation review, for example, emphasizes the importance of a complete sidewalk network whenever and wherever possible, from my perspective, balancing the scope of these improvements here, the cost and impact that it would take for those that sidewalk and the cost burdens, I think they are significant and that's why I think it warrants consideration.

My initial suggestion is that I don't know that we would want to use any sort of one offer negotiations.

We want to apply the standard in a similar and consistent way that we do development or the waiver, or perhaps to Councilmember Hayner's line of questioning before, if the city is interested in making sure that that happens and it wants to participate in some sort of financial means, that would be done through a different mechanism.

So I have not jumped to the conclusion that we should explore a cost sharing agreement in any way.

It's not to say that we couldn't.

I think this is a question about do we want to apply this regulation to this project?

>> Mayor Taylor: Councilmember Nelson?

>> Councilmember Nelson: I am slightly familiar with the origins of this because it came before the ZBA and so I have real specific question.

I'm curious what is the trigger?

What is the floor?

I mean obviously, there are lots of improvements that the racquet club can do without triggering a sidewalk.

The thing that they are doing is significant, is it a dollar amount?

>> From the city's code perspective, the improvements that they are performing, which is in short they are replacing the pump house which houses the equipment to run and filter the pool, they are increasing the size of that slightly by about 200 or 300 square feet and they are adding an open air hot tub.

The nature of our code requires that whenever you are increasing floor area, that requires a site plan approval.

Even though those improvements are quite modest, it requires a planning manager approval in this case because the UDC code requires for that level of review.

However, I don't have any authority to waive requirements of the code.

Only the city council does, in this case because this is a public services code that says, when development happens, sidewalks shall be provided.

In the event this is granted that plan will likely get approved without a sidewalk, and then they can proceed with those improvements.

In the event that the plan -- the waiver is not granted, then they would have two options, either not pursue the project or amend that plan to reflect a sidewalk in that area meeting the city's engineering standards.

>> Councilmember Nelson: Okay.

So anything that triggers a site plan review.

>> Yes, whatever a site plan happens at whatever level, that's when we are applying all the applicable development codes to that site.

>> Councilmember Nelson: Okay.

All right.

Thank you.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: Yes, this is a very hard one to tussle with.

I like consistency as a basic fundamental governmental principle, and here we are asking for a whole lot of inconsistency if we were to Grant this waiver.

You know, in fact, we ask the taxpayers to cough up more money last year to tackle this issue, sidewalk gaps and now we have a private development that's asking for a waiver and I understand that the hardships that it's causing, just by having a better understanding is of the exact depth and the breadth of the hardships.

A couple of things.

If they removed the additional hot club and just replacing the pump house, would that trigger a site plan review.

If they replace something, and something more modern?

>> No, the UDC requirement is the pump house.

That's a building on the site that's an accessory building that requires site plan review.

So the pump house is really the -- just quickly, I don't think the hot tub -- if they

just were to do that, I don't think that would be as applicable because that's in an area of existing patio or -- but because a portion of that area will be reclaimed by a portion of the pump house.

The pump house is driving the standard of review.

And I think --

>> Councilmember Ramlawi: I appreciate that.

Since the petitioners are here to maybe answer if it's okay with the chair, to really understand the need to increase the size of the pump house, what hardships are we going to place on them in their pursuance of modernizing their facility?

>> Mayor Taylor: Is there someone from the petitioner suitable to engage?

Ms. Beaudry, can you put the gentleman through?

>> Clerk Beaudry: There's to members of the petitioners here.

>> Mayor Taylor: Thank you.

>> Held local.

>> Mayor Taylor: Councilmember Ramlawi, can you rerun your question?

>> Councilmember Ramlawi: My question is trying to understand the depth of hardship that this site plan will place on the racquet club, and I understand the need to replace the pump house but expanding it, making it larger has triggered this review that also triggers the sidewalk installation.

So ex-wondering the -- so I'm wondering the importance of upgrading the pump house to the level that it being proposed that triggers these new requirements for the sidewalks.

Because to me, that's a very hard ask.

So I'm just trying to find, I guess Councilmember Disch also asked about the extend the cost and the hardship that this places on the racket ball club.

>> Thank you, Councilmember.

With me is present shoe backer.

He ask answer the questions that I can't, but I will start so the extent of the pump house renovations includes modernizing the pump house with new modern equipment.

The old pumps and filters are older, and part of the process that's going to be undertaken is removing the pump discharge, which currently discharges to the public sanitary sewer and discharges a great amount of flow.

600 gallons per minute to be exact to the public sanitary sewer.

That will be modified and converted and diverted into dechlorination units that would take a great deal out of the sewer system that.

Requires additional space and additional equipment, and so that's part of the reason that the building is getting larger that currently is.

They are also adding a restroom to the building because at the north end of the pool.

That's where the diving facilities are.

When they have meets, they often have a need to use a rest room in that area for lack of a merit description and so it's a convenience factor.

And so that's basically the extent of the size of the expansion of the pump house.

Also, I want to make a couple of corrections.

We are not proposing a spa -- a hot tub.

It's an alternate.

It's not going to be proposed as part of this project and I guess to address the other issue of why this is such a big expense or a big deal, the road and the racquet club and the terrain were not built to accommodate a quack on the -- sidewalk on the south side of geddes road.

The city redid geddes road in 2015 and elected to not pursue any sidewalks at all along the south side of geddes.

They elected a partial sidewalk on the north side of geddes and continue down to Huron parkway.

Terrain is severe.

Utilities, there's lot of public Ann Arbor utilities and franchise utilities in the south side of geddes road, and natural resources, natural features are very steep there.

On the particular area of the racquet club.

I don't know, Brett when we are done, I don't know if you can pull up the pictures I sent you.

But Brett can show you what the terrain looks like.

In that particular area --

>> Mayor Taylor: I guess if you can respond to the questions, which I think have been answered.

Planning commissioner by way of example is a little bit more discursive.

We tend not to do that here.

>> Govern a.

>> Mayor Taylor: My apologies for interrupting you.

>> No problem.

We don't have the room.

We have utility polls.

With we have light poles and fire hydrants and there's not a place for the sidewalk.

The utility poles transmit electricity to, stations like not only local electricity, but to other areas it's a really, really big need that they have the backup structure to relocate them.

I'm done.

>> Mayor Taylor: Thank you.

Councilmember Song.

I'm sorry, councilmember -- I'm sorry.

Councilmember Song.

Councilmember Briggs is in the waiting room.

Councilmember Song, my apologies.

>> Councilmember Song: Looking back to 2015, it was for the racket club for a \$2.5 million tennis project and at the time the sidewalk was estimated to have cost to have been about \$200,000.

Do we know what the cost now is to do this work?

>> I don't know the cost.

I don't know if Mr. Betzoldt, but I will play an engineer on TV here.

I would be shocked if it was less than \$200,000, given the grade, and the public utilities and DTE's participation and cost.

And I will think it would be that much.

I don't know if they put together any more detailed costs.

>> Am I still alive?

>> Mayor Taylor: Yes, could you provide the cost of the sidewalk?

>> I would be shocked if it wasn't twice as much.

>> Mayor Taylor: Thank you.

Brig thank you.

>> Mayor Taylor: Councilmember Disch.

>> Councilmember Disch: I want to reframe or try again about Mr. Lenart.

So I don't really want to grant a waiver.

I would really like sidewalk and I really like the idea of the pump discharging into the storm sewers rather than the sanitary sewers.

So there are two things I want and there's a thing I want to do which is grant a waiver and then there's another thing I really don't want to have to do, which is that ultimately if we want -- in the city wants sidewalks here -- then if this project doesn't go through, then the whole cost has to be borne by the city.

I'm looking for some way to get everything I want.

You can tell me there is -- isn't one.

>> I don't know that there is one.

I would suggest you consider the priority of those items.

By no means can I sit here and obligate city resources to attribute or accommodate it.

I think that I want to share that given the scope of improvement on the site, that benefit, it's difficult, but I think that a waiver justifiable, given the particulars of this installation of a sidewalk at this location.

Just anecdotally, did I explore other options, for example, providing an alternative sidewalk connection on the south side of the site to provide an alternate means.

We did explore other possibilities.

I would venture that the city doing this work it might be more complex because then that may be rely on the private, the owner of the racquet club as opposed to the city allowing that work to be done in the right-of-way now.

So my short answer is I don't know if there's a magic way to accomplish all of those things through this process.

>> Mayor Taylor: Councilmember Radina.

>> Councilmember Radina: I have what will hopefully be a couple of quick questions.

My question relates to the comment.

I keep hearing about the terrain, and for much of it, it's a little uneven but it doesn't seem particularly crazy here.

I'm wondering are we talking about just this piece kind of like just past the property to connect to the additional sidewalk that would need some retaining?

Could someone explain a little bit more to the depth of which this would be irregular or more complicated.

It would require the extension of the sidewalk for the entirety of the geddes, and it would connect to the previous sidewalk on the side street to the former Huron parkway.

For that entire distance.

There's challenges in the depth, the public right-of-way from curb to that fence which Secretary of State property line.

As you look along that core riching door, you are also challenged by the width between obstacles such as street lights, fire hydrants, natural features, just on the other side of the property mostly.

That limits the physical lateral space where a sidewalk could go, and then on top of that, that sidewalk has to be installed to meet appropriate standards which largely means it has to be flat.

So that means you are either going to have to retain up to the property line, to create a flat path at the curb line or conversely, retain to the curb which might create concerns from a vehicular safety perspective.

So I want to be clear, there can be -- there's great engineers but the petitioner is engaged on that with city staff.

It is but this is about as challenging a place to put a sidewalk as you could find.

>> Councilmember Radina: Thanks.

And another question, just as I have reviewed the resolution that came before us, am I understanding correctly that this is a discrepancy.

It appears that the transportation team is recommending against the waiver, but am I reading correctly that you are recommending that we support the waiver?

>> That's correct.

>> Councilmember Radina: Okay.

I will add, I'm struggling a little bit with the waiver.

While it's not entirely apples to apples here, it's challenging me for me to support a waiver for a for-profit entity while we are likely to see waiver requests from residences as well.

I realize it's not apples to apples because the cost is not the same, but when we have a city-wide goal of connecting our sidewalks, I am struggling a bit with not having one there when it is possible.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: There's so many questions and so little time.

How often are waivers granted?

I don't think we have had this request before.

And then second, is there a payment in lieu, where we could ask for monies that we could apply to other sidewalk gaps within our incomplete system so we are not necessarily letting this property owner off the hook or this entity but we are asking them to pay for their fair share but applying it in some other areas of our transportation network?

Is that even possible?

>> To your first question, I -- I'm not aware of another waiver since this one was granted previously in 2015.

I didn't do the research though, but I don't recall any.

I don't know if Mr. McDonald would have likely reviewed those as well and I'm besides this site, I think the only waiver might have been for across the street from -- I forget the name.

It's Ann Arbor golf and outing.

I think they received a waiver at some point in time.

I could be incorrect about that but it was quite sometime ago.

I'm not aware of any other waiver.

And then as it relates to a payment in lieu, again, that's not something I investigated.

We could go back and look at that.

I think part of that would be understanding the goal.

I think that if the payment in lieu to accomplish the sidewalk it would be of little difference, probably to the project.

If it were a lesser amount, that might be more substantive, but I in short, I looked at this the provision that the council has the ability to waive this requirement.

We could definitely look at that further, but that's not something I investigated to date.

>> I guess I if I could weigh in on that too.

The requirement for these sidewalks comes from the public services specifications.

There's no payment in lieu.

There's a requirement to provide sidewalks and waive it.

There's no other way to meet this requirement, at least spelled out in those requirements.

It's my understanding that this is triggered by a site plan review.

I understand that the conditions for site plan review are themselves under review thinking as to our conversations with respect to arrowwood.

If those proposed changes to the site plan review process and it's maybe hard to tell with those proposed changes.

If they do indeed move forward, will that requirement here will a site plan here be obviated, would the a pump station in a year be built without the sidewalk?

>> It's possible.

I would -- I don't want to set an expectation that while we are looking at that, it has yet to reach any conclusion by the planning commission, let alone the city council.

That's definitely possible, but it's not something I would speculate that would -- we are headed or not headed there.

I wouldn't get more committal than that.

>> Mayor Taylor: Thank you.

Councilmember Briggs.

>> Councilmember Briggs: Thank you.

I will keep my picture off.

My Internet is unstable.

Essentially in the past, since 2015, this property is proposing to make \$3.5 million of investments and they continue to ask for waivers for this -- for this sidewalk.

And it keeps getting more expensive and honestly, the requirements for the sidewalk and the accessibility standards continue to improve because we continue to have this as a community value.

Our community is telling us that they -- that they want to invest in filling our sidewalk gaps and I know this is a challenging sidewalk to fill but they had opportunities to fill it before, I don't know at what point in the future we are going to value wanting to have this connectivity.

I think it will only get more and more valuable as we try to have a community where people can walk and bike safely and meet our carbon neutrality goals.

I would hope that we not grant this waiver.

>> Mayor Taylor: Councilmember higher.

>> Councilmember Eyer: I will be brief because this one is really easy for me. I will be voting to deny this.

I'm going to support our stated policy and our goals of complete sidewalks and that's all there is to it for me.

>> Mayor Taylor: Councilmember Hayner.

>> Councilmember Hayner: I have been trying to compare the drawings with the satellite view.

And we are talking along geddes if I understand correctly.

If I look at the satellite -- I mean we had a caller say this is a critical link and I can see where they have the exit ramp that's kind of used.

I mean this is this essentially a sidewalk between the access to that ramp between Huron parkway and hickory lane which has the sidewalk on the east -- sort of the east or west side of the racquet club?

Or is this a sidewalk stub awaiting more sidewalk farther up sidewalk?

Are we asking them to create a sidewalk unconnected to other parcels west of had hickory lane between Gallup park pathway and so on.

It's not clear to me that sidewalks exist leading to this site.

>> They do.

It does connect to an existing sidewalk on hickory to the west, the western boundary of site.

They have previously provided that sidewalk along that property frontage.

So that connects south into the neighborhood.

This would connect that existing sidewalk right now just ends at a crossing to on a generally east-west pattern to that former heron parkway.

>> Councilmember Hayner: So when you talked about alternatives the suggestion might have been Devonshire and hickory, we want you to give us access around the tennis courts to get back over there and go south around the tennis courts instead of around geddes.

>> That was one scenario we explores to see if there was some other way to meet that goal.

>> Councilmember Hayner: So the question is to grant the waiver, yes or no. So if we say yes, we're going to kin this waiver, we let them do their thing, the conversation theoretically could continue.

It appears further up geddes, there's nothing to connect to.

So we are not fulfilling our mandate, it's a stub.

That's what the satellite tells me.

>> Over time, we do build those segments so as properties are revealed, we build nose segments.

There may be gaps initially.

In this case, we would be connecting two pathways.

So you could traverse this without crossing geddes.

>> Councilmember Hayner: It doesn't exist there, know.

You have got to be on the other side and then back which I get, because I have done that all right.

I understand that we have to put these pieces together to make a whole and yet maybe a waiver will encourage alternative routes to be sought on the part of the petitioner to help get around their property which stands down there on the corner in a critical position.

Thank you, Mr. Lenart.

Thank you for the answers.

>> Mayor Taylor: Councilmember Song.

>> Councilmember Song: I'm hesitant to grant this waiver.

I mean, just a mile from this location, there was a fatality of a 5-year-old back in 2014.

This is a busy area.

A 5-year-old child actually during Rosh Hashanah.

I think we installed a crosswalk after this if I remember the timing correctly.

But if we ever to support pedestrian safety, and address the sidewalk gaps.

I would be in favor of not supporting this waiver.

If with development, we require parking.

It's a cost of development building -- the sidewalk cost, even though it's considerable and difficult, hopefully it's a good faith investment in being part of the city in the city and part of a greater community.

So I will not be in support of this waiver.

>> Councilmember Radina: I am probably voting on this waiver.

If we were to grant this waiver, and this is, you know, the last opportunity for the sidewalk gap to be filled.

Are we looking at a potential for the taxpayers to pay to fill this sidewalk gap?

Is that the alternative?

>> My assumption is yes, unless some other development activity happens here and we revisit this decision but then absent that, the only way I see that being filled is through the city investment, through sidewalk gap filling or perhaps as some other road improvement that would be seen further down the road because that road was done relatively recently.

>> Councilmember Radina: Thank you.

>> Mayor Taylor: Further discussion?

Councilmember Hayner.

>> Councilmember Hayner: Just real quickly since we are in the neighborhood.

How did geddes ridge get away with not having sidewalks?

Is that a private development?

That's all relatively new in there.

There's not a sidewalk in sight.

I don't know off the top of my head.

>> Councilmember Hayner: I would be curious.

There are a lot of nice homes in there and they don't have sidewalks.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: I think it's important that we talk about this and continue to.

You know, I just constantly try to find ways to make lemonade when you have a lot of lemons.

This is a case where there are a lot of lemons and we are putting on a significant hardship to a community member.

We are going to continue to see this as a talk to staff and continue to come across things.

All of the easy stuff has already been done.

We will continue to more and difficult sidewalk installations as we go forward and I agree we need to but life is not always black and white.

I'm not sure if there's any consideration or room for it, but for further

conversations to continue to see if we can find a better way out of this than just a yes or no.

And I would like to go back to one of my original questions and if there could be a payment in lieu so that we can fund other areas that need sidewalks because I don't think this has the support right now for a waiver and whether we can continue this conversation with staff to find a different alternative if possible.

I only ask that for consideration of the petitioner and others who are going to come before city council with this same problem in the days and years ahead.

I guess my question is to Mr. McDonald, whether it's possible -- I understand that's not what the ordinance says but the ordinance says it doesn't prohibit us from having a payment in lieu.

>> The ordinance has requirements and those are specific.

In the council wants to along with the public services requirements change those provisions to allow some other type of relief, then that's something you could do, but as of now these are the requirements.

The requirements are to provide the sidewalk and those are the two choices you have in front of you today.

I think there may be broader policy considerations if you wanted to do something else.

I think it could have quite an effect on other development.

If you were to introduce some sort of payment system.

>> Councilmember Ramlawi: I appreciate that.

Thank you for keeping me on track.

>> Yeah.

>> Mayor Taylor: Further discussion.

For me, this is a close one.

I will vote against the waiver.

I don't view this -- I believe this provides important connectivity from the neighborhood to the -- to the Huron bridge.

Ultimately, you know, we are going to be getting pedestrians and cyclists and other transit users coming down from that way and whether they take geddes along the way or they come through the lake, that is an important way to get to important locations throughout the town and that's a way do to it safely without crossing geddes.

In the future, I don't know the timeliness of the potential improvement, but it is my belief, because they have indicated that there could be site plan changes.

It could permit an improvement if indeed the requirements then change.

I would be interested in cost share not in particularity, but as a general matter.

I'm still thinking this through this way not be as a good idea.

We are interested in paying for sidewalks.

Interested in paying for sidewalk gaps and we do so at the locations where property owners continue to own their property, where report owners are changing their property, we make them pay for it.

There may be good reasons for that but that is not asymmetry.

And that's something that I would be interested in hearing, and thinking more about.

Councilmember Hayner, unless I'm mistaken, I think you have already spoken twice.

>> Councilmember Hayner: I believe you are correct.

I guess I just -- I should have asked this question earlier.

I don't understand, like, we're waiving the -- they're asking for a waiver.

We will decide if we will grant that waiver for a sidewalk in a very specific location.

Not -- not the racquet providing a sidewalk generally that makes the connection that we need.

It's the sidewalk as considered as part of our sidewalk system as staff laid out; that correct?

>> The requirement is public sidewalks along the extent the private property.

So in this case, their frontage on geddes.

>> Councilmember Hayner: Not hickory.

>> They already built that sidewalk.

>> Councilmember Hayner: I mean the rest of hickory, like connecting to the golf course.

>> On the south --

>> Councilmember Hayner: Hickory abuts the property by the tennis courts, right?

>> Yes, the sidewalk that they have put in, I thought was the full extent of their property along hickory.

>> Councilmember Hayner: Uh-uh.

I mean not on the satellite, but there's a lot of trees, it's hard to tell but I don't see a connection at hickory and Devonshire.

So in other words are they supposed to -- when I read that, what you said -- I'm sorry to take another question, but what you said Mr. Lenart of the public right-of-way, the public right-of-way is hickory lane.

Are they asking for --

>> The only place to get the sidewalk is geddes.

>> Councilmember Hayner: But surely it abuts southeast of Devonshire.

I saw two hands up in the other room.

I apologize for using a third.

>> Mayor Taylor: Do you want to answer that -- there's a lot of factual questions.

I will allow it.

>> Councilmember Hayner: Thank you, Mr. mayor.

>> Mayor Taylor: Can we have a quick petitioner response to that?

And my apologies to the group for this.

>> Clerk Beaudry: They are coming over now.

>> Mayor Taylor: Thank you.

>> Hello, I'm back.

Hi.

So in 2015, the racquet club provided a sidewalk along history lane, along the property, up to their entrance.

That sidewalk that was also provided a cross sidewalk to the new geddes sidewalk.

That sidewalk ended at their entrance, their southerly entrance.

As a part of this site plan, they will extend a short section of sidewalk from the south side of that entrance to -- as a dead end that goes into the Ashon Hills community about, I don't know, 100 feet.

It goes to nowhere because there's no sidewalks in Ashon Hills whatsoever.

There's no sidewalk on the south side of geddes from the racket club all the way to the ARP which is almost a mile.

There's no sidewalk.

They elected not to do put sidewalks when they redid geddes because it was infeasible from a practical standpoint.

So they elected to not do any sidewalks on the south side of geddes road.

This is not a gap filling.

This would be the only sidewalk on the south side of geddes road.

>> Mayor Taylor: Thank you.

Councilmember Briggs.

>> Councilmember Briggs: I wanted to address a couple of things that got brought up.

Or one thing that Councilmember Hayner suggested earlier.

There might be a possibility we see them built through the property.

And I don't have much optimism in that.

I think this is the fourth time the city has granted this waiver over the last 20 years.

I'm a little concerned with Mr. Betzoldt's framing of this issue.

You know this is a sidewalk that it fills an foreign linkage and in terms of what

happened, I think transportation explored a number of different options that was a different point in time.

Ultimately a compromise was not reached that area.

But things were decided a certain way but that should not influence our ability to make an important connection here.

>> Mayor Taylor: All right.

Further discussion?

Roll call vote, please.

We did have the petitioner speak.

Schomaker.

Do you have something quick, I'm afraid?

Are.

>> Thank you, Mayor Taylor, I will be very brief here.

I wanted to make a couple of corrections.

It doesn't seem like we would likely have any influence here and the direction it seems to be going.

I wanted to correct a couple of things.

Councilmember Radina had mentioned about the club being for profit.

It's a nonprofit facility.

Although it may seem as though we are continuously making major improvements, the first round in 2015, what we had our largest capital project was to replace buildings that were in very poor condition and were over 50 years old.

This round will, in fact replace a 22 or 23-year-old mechanical system for a pool and we have incurred debt for this.

So we have taken out a mortgage.

This is not money that our members who own the club as a 501 (C) (7) are paying down this debt through a loan.

We have relied on the potential of this discharge to pay for a significant portion of these mechanicals and if we are not able to do that due to the cost of a sidewalk that's projected to be over \$400,000, we think it will be larger than that, this will probably halt the project and this could be a major halt as this is a major function of how the club operates.

We can't run a pool without functioning mechanical systems and they are in exceptionally poor condition.

I don't expect that to play much of a concern here, but I just did want you to know that we are in a situation where we are at critical function with our mechanical systems and if this does not go through, question would likely have to halt this project.

Timing is of the essence in getting started sometime here in the fall in order to be completed by spring.

And so any continued delay will likely make it so that the club would not be able to operate next season.

That's all I have.

>> Mayor Taylor: Councilmember Radina.

>> Councilmember Radina: Thank you.

I acknowledge my mistake.

I noticed that as well apologize for calling for-profit.

I recognize that it was nonprofit.

One the things that seems to be really extending the cost of this project, the obstacles in the way in the public right-of-way.

It seems like this' common ground.

I would be consider a waiver if there were some less expensive more feasible connections than maybe the racquet club would work the city on that doesn't require the removal all of these things.

I realize that would require maybe providing some access to their property to complete the sidewalk but if there are other solutions and this were to come back to us, but simply requesting a waiver of this when I too want to push back on the suggestion that this is a sidewalk to nowhere, because this is a sidewalk connecting, you know, as Councilmember Briggs said connecting a critical neighborhood in our city to a roadway and so it's a connection to people's homes.

While there may be additional sidewalk gaps to fill, it's not going to nowhere.

>> Mayor Taylor: Councilmember Disch?

>> Councilmember Disch: Is it possible to send this back to planning and ask for a developed alternative connectivity plan?

Planning staff, not planning commission.

>> So inserting planning commission doesn't make a lot of sense because of the level of review.

So --

>> Councilmember Disch: No, I didn't mean that.

I meant planning staff.

I said planning.

I meant send it back to you.

>> I mean, we're happy -- as I said we did explore some of those things.

There are barriers to alternative connection to the south.

I frankly think that by -- if the waiver is not granted, I think some of those discussions will just happen.

I think as the petitioner indicated, they may just then not pursue the project at large.

If they do want to pursue the project either knew or in the future, I think that would then require some exploration of maybe alternative routing of that sidewalk still along the geddes frontage, maybe it involves some sort of easement on the property that might have implications.

They do have some access drives that are pretty proximate to that property line.

So I don't want to say that that's without its challenges but those are my initial thoughts but that's council's decision if there's more information that we could somehow provide, I'm certainly happy to do that.

The core decision, though, of course is that standard.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: I appreciate the additional time to speak on this. I think this is unfortunately collateral damage on policies that are put forth that are well intended, based in science and based on what our constituents want and frankly fairness.

The application of our policies.

I hope the petitioner can continue operations.

I know that this facility -- I'm not a member but I know many people are who use this recreationally, who -- this is a big life -- this is where they go to enjoy recreation opportunities.

This is a quality of life issues for many folks who go to this place and provides the things that we want our community members to experience.

And here we might be shutting this thing down inadvertently because of our ridged interpretations of policy.

I would hate to see this public benefit that exists today not exist in the future because of our rigidity.

This is a very difficult -- this is a very difficult vote.

>> Mayor Taylor: Councilmember Eyer.

>> Councilmember Eyer: Sorry, I'm not going to step responsibility or -- accept responsibility or council accepting responsibility for shutting down the club.

This has been a known issue for them for years and they received a waiver in the past, but they know full well what the city policy is.

They could have been saving and creating a plan to do what is necessary to comply with city policy, you know, in advance of future improvements.

So I just think that the hand wringing over this is -- I can't identify with it at all.

Our policies -- our policy, for good reason, is what our residents want.

And I hope that we can -- it's -- it's now approaching midnight, I hope we can just vote on this and move on.

>> Mayor Taylor: Further discussion?

Roll call vote, please, starting with Councilmember Radina.

>> Councilmember Radina: No.

>> Mayor Taylor: Yes.

>> Councilmember Eyer: No.

>> Councilmember Nelson: No.

>> Councilmember Briggs: No.

>> Councilmember Ramlawi: Yes.

>> Councilmember Hayner: Yes.

>> Councilmember Disch: Yes.

>> Councilmember Griswold: No.

>> Councilmember Song: No.

>> Clerk Beaudry: Motion failed.

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

Moved by Disch, seconded by Radina.

Discussion?

All in favor?

Opposed?

It's approved.

DS-3 Resolution Authorizing Summary Publication of Ordinance 21-24 - An Ordinance to Amend Section 5.16.6 of Chapter 55 (Unified Development Code) of Title V of The Code of The City of Ann Arbor - Amendments to Home Occupations.

Moved by Councilmember Disch, seconded by Councilmember Hayner?

Discussion?

All in favor?

Opposed?

It's approved.

Mr. McDonald do we have a closed session today?

>> We do not.

>> Mayor Taylor: We have before us the clerk's report of communication's, petitions and refers moved by Radina and seconded by song.

Discussion?

>> Councilmember Hayner: I wanted to point out that our seeking changes to our charter are going to cost \$250,000 to run a special election in November. I don't know, it seems a shame to bring people to the polls for one thing like that. I'm sorry that we are spending a quarter million dollars on this.

Thank you.

>> Mayor Taylor: Further discussion?

All in favor?

Opposed?

It is approved.

Do we have communications from our city attorney?

>> We do not.

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

It is an opportunity for members of the public to talk to the council about matters of community interest.

One need not have signed up in advance but you must dial the number on your screen, 877-853-5247.

877-853-5247.

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

94212732148.

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

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

She will notify you when 30 seconds are remaining.

When 30 seconds are remaining and when your time has expired, and when your time is expired, please conclude your remarks and seed -- cede the floor.

Is there anyone who would like to speak at public comment?

>> Clerk Beaudry: I don't see anyone with their hands up.

>> Mayor Taylor: Seeing no one public comment is closed.

Are there communications today from council.

Councilmember Nelson.

>> Councilmember Nelson: Thank you.

A couple of things.

I'm glad that our meeting is not running as late as it often does because I have my first day of preschool tomorrow which is a reminder that most schools have been in session for over a week now, and I just want to express gratitude to everybody who has been teaching our kids and is rolling with a very different kind of year.

We are all trying to keep safe and my mailbox is full of regular updates from my kids' school about the status of everything and I just -- this is just going to be a different kind of year.

Spar.

The other thing I just wanted to say was that during our meeting 1500 residents lost power due to wind.

That's all.

Thanks.

>> Mayor Taylor: Further communication from council?

Councilmember Ramlawi?

>> Councilmember Ramlawi: Just to expand on what Councilmember Nelson had reported that we have anywhere from 500 to 1500 residents right now in the 5<sup>th</sup> ward without power once again while we are deliberating things here in a way -- I want to let you know and others know that this is a continuous problem that my residents in the fifth ward, they have no power.

They can't work from home, medical issues, et cetera, throw away all of their food.

And the problem is persistent and it continues and it's unfortunate that my constituents will have to wait even longer than I thought was necessary to have some relief brought to the anxiety and the discomfort and frankly sometimes dangerous situations that they find themselves in.

So hopefully we can get that recommendation from the energy commission sooner than December 31<sup>st</sup>, whether we should pursue a feasibility study or not, but once again the 5<sup>th</sup> ward is plunged this darkness.

>> Mayor Taylor: Councilmember Briggs.

>> Councilmember Briggs: Thank you.

I would like to extend, thanks to our office of sustainability and innovation that continues to work diligently to come up with good and forward-thinking solutions so that we can make sure that we are building energy options that are for the future, rather than looking towards the past and that's what our energy commission is working to do to make sure that the options that we bring forward really don't bring us -- they don't just make us invest in our infrastructure that's failing.

But that really are forward-thinking solutions.

So I'm sorry that there are folks that are out of power tonight.

That is -- I know we are all -- we are all disappointed to hear that.

>> Mayor Taylor: Councilmember Hayner.

>> Councilmember Hayner: Thanks.

I guess I will take this opportunity to remind folks that there's a fund-raiser for the Ann Arbor for public power group, which is a group of to he cans who got together that are interested in publicly owned energy and the future of publicly owned energy locally and they have a fund-raiser September 9<sup>th</sup>.

That's this Thursday.

It's from 5 to 9 p.m. and it's at burns park.

So I don't have any more specifics about that but I'm sure a Google Search would turn that up.

You know, maybe it's worth checking out and having a conversation with those folks and seeing what they have been up to.

And sometimes these things, like I said during our conversations sometimes these things take a life of their own and they get -- you can get more done privately and, you know, I'm -- I'm -- sadly, I have poor site location and exposure to do solar.

We tried to participate in the solar program here with the city and through the county also, and they were very helpful but it just doesn't work for us at our location.

And so I'm looking for a way to do something to build my own resilience.

I wanted solar mostly so when my power went out, my power didn't go out.

I'm less interested in selling it back at the cheap rates that DTE is paying.

So it's tough, man.

Individual decisions, community decisions, neighborhood decisions, but there's a lot of solutions out there waiting for us.

Everyone stay positive.

I'm sorry those people without power right now and it wasn't much of a storm.

It wasn't much where I was.

I could hear the heavy rain, but that's it.

Good luck to them and good luck to us all.

Thank you.

>> Mayor Taylor: Councilmember Song.

>> Councilmember Song: I just want to remind that CERRA funding is available.

I said this bylaw the eviction moratorium is being overturned by the Supreme Court, we need to encourage folks to apply for this.

This is COVID rental relief money that's sitting unclaimed at the state.

If a majority of it is not applied for and claimed, the remainder goes back to the feds.

So I would encourage residents to take a look at it.

I mean, you don't necessarily have to have received an eviction notice.

If you are 80% E.M.I. which in Ann Arbor is at 56k for a year for an individual, you are very likely to qualify for these funds.

The application is in several languages and there are social service folks who will help guide you through and assist you with these applications.

You can check it out at [Washtenaw.org/3421-cerra](http://Washtenaw.org/3421-cerra).

These monies are meant to be used for folks who need rental assistance, utility assistance, Internet assistance.

So I hope we can all encourage our residents who are vulnerable after this much was lifted just last week.

We can get that message out.

Thanks.

>> Mayor Taylor: Councilmember Radina.

>> Councilmember Radina: I wanted to acknowledge, I think we have heard tonight a lot of passionate discussion about energy issues here in our community.

I'm excited to hear the interest from all of my colleagues in moving us forward to a more resilient energy system here in Ann Arbor.

I do want to, without, you know, plunging us back into a conversation we already had I would simply encourage all of my colleagues who have demonstrated to reach out to Dr. Stults.

This is the no something that was new, a new idea that came out.

She's been working diligently on this and Councilmember Briggs and I may have a little bit more exposure to it because of our role on the energy commission but for those of you who are interested she has some really innovative and exciting ideas and possibilities for us in the future that are not necessarily reliant on -- not necessarily reliant on DTE that I don't think any of us are upset about.

I think it's important to differentiate between acquiring old antiquated infrastructure that would fail if we were in charge of it or if DTE was in charge of it and envisioning a future that is more sustainable and resilient when these types of storms come forward.

And so please reach out to Dr. Stults and have that conversation with her.

I hope -- I think Councilmember Briggs and I are interested in bringing this forward as a working session in the future as well.

There's a lot of exciting work being done by our expert staff and I want to applaud them for that work.

Thank you.

>> Mayor Taylor: Further communication from council?

For my part I want to touch very briefly on one the consent agenda items that went unmentioned reallocating funds in the general fund to expand the city's diversity, equity inclusion program.

You know, I'm very please today to have seen that move forward and grateful to the administrator for taking that decisive and clear action, I believe, in furtherance of his authority and more importantly, in furtherance of council's demonstrated interest in moving us as a municipal organization forward in this area and also of even greater importance to the community.

This is -- these are a set of changes that will render the D.E.I. position more powerful and, you know, have it -- allow that important to -- I'm delightful that it's

moving forward and I'm grateful for it.

Further discussion?

May I have a motion to adjourn, please/moved by council mechanic Griswold and seconded by Disch.

Discussion?

All in favor?

Opposed?

We are adjourned.

Thank you.